

STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
Northern Regional Land Office

Preliminary Decision

ADL 419665: Designated Material Site: AS 38.05.550

Related Actions

ADL 422561: Material Sale Contract: AS 38.05.555

MO 1341: Mineral Order (Closing): AS 38.05.185 – 38.05.275 and 38.05.300

This Preliminary Decision (PD) is the State's preliminary best interest finding regarding a proposed disposal of interest in state land. The public is invited to comment on this PD. The deadline for commenting is, **Monday, August 24, 2026**. Please see the Public Notice section of this decision for requirements related to submitting comments for consideration.

Requested Action

The Alaska Department of Transportation & Public Facilities (DOT&PF) submitted an application requesting expansion of designated material site ADL 419665, also known as the Red Rock pit. The material site is located at the start of Cantwell Canyon Road, where it meets the Richardson Highway.

DOT&PF requests that designated material site ADL 419665 be increased from approximately 30 acres to approximately 54 acres.

Proposed Action

The Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Northern Regional Land Office (NRO) proposes to expand the designated material site, from approximately 30 acres to approximately 54 acres, and amend the boundaries of the designated site. This site designation would impose the following constraints on all future contracts issued pursuant to this designation:

- **Right-of-Way:** This site is subject to federal right-of-way F-13393 for Cantwell Canyon Road. Access along the road and through the material site must be maintained.
- **No Mine Zone:** There will be a "no mine zone" established within the proposed boundaries (see Attachment A), centered along the existing Cantwell Canyon Road and extending 75 feet from the centerline in both directions.
- **Blasting:** If contractors wish to use blasting as a method of extracting materials under this contract, the blasting plan of the contractor must be approved, in writing, by DMLW. A blasting plan must be submitted at least 30 days prior to the planned date of activity to allow time for review.
- **Notice of Area Closure:** When blasting is occurring in the material site, contractors are required to post a placard (see Attachment B) at the entrance of the material site, where Cantwell Canyon Road meets the Dalton Highway, noticing the public that the surrounding area is closed for their safety.

- Coordination: Authorized users under this contract shall coordinate operations with the following authorization holder(s):
Alyeska Pipeline Service Company
Heather Lescanec, Regulatory Affairs Manager
P.O. Box 196660
Anchorage, AK 99519-6660
(907) 787-8908
heather.lescanec@alyeska-pipeline.com
- Migratory Birds: Vegetation clearing will follow, within practicable limits, Migratory Bird Treaty Act-based recommendations by USFWS regarding migratory bird nesting and rearing windows. The majority of clearing and other activities likely to disturb nests or displace chicks must occur outside of the peak nesting season for avian protection unless specifically approved in writing by the seller. Peak nesting season dates can be obtained from <https://www.fws.gov/alaska-bird-nesting-season>.
- Eagle Nests: If an eagle nest is identified within one-half mile of the material site footprint and other project activities, buyer shall halt operations and contact the USFWS Conservation Planning Assistance (CPA) team for technical guidance and to obtain an eagle take permit before operations may resume; this requirement is waived if the USFWS determines an eagle take permit isn't advised. The USFWS CPA central number is (907) 271-2888.
- Peregrine Falcons and Swallows: If any birds are found nesting in rock faces or material stockpiles, contact the local USFWS office (Northern Alaska: (907) 456-0203; Southern Alaska: (907) 271-2888) for technical assistance. At the end of each season, buyer shall remove any vertical faces and slope all sides of any stockpiles to the natural angle of repose or 70 degrees, whichever is lesser.
- Take: If birds are accidentally taken during project activities, contact the local USFWS office (Northern Alaska: (907) 456-0203). If non-game migratory birds are intentionally taken, please report the incident to the local USFWS Office of Law Enforcement ((907) 456-2335).

Proposed Related Actions

The related actions will be processed separately; however, public notice is being conducted concurrently. The related actions include:

ADL 422561, a material sale contract for 250,000 cubic yards to the Department of Transportation and Public Facilities (DOT&PF). This action is dependent upon the site being designated pursuant to AS 38.05.550.

MO 1341, a mineral order (closing) encompassing the material site. This action is also dependent upon the site being designated pursuant to AS 38.05.550.

Scope of Decision

The scope of this decision is to determine if it is in the State's best interest to designate the expanded area as a material site and to determine what, if any, additional operating requirements should be implemented for material sale contracts issued from the material site. The scope of administrative review for this authorization is limited to (1) reasonably foreseeable, significant

effects of the uses to be authorized; (2) applicable statutes and regulations; (3) facts pertaining to the land or resources; and (4) issues that are material to the determination that issuing the authorization is in the interest of the State of Alaska. All other aspects of the applicant's project are outside of the scope of this decision.

Authority

The file is being adjudicated pursuant Alaska Statutes AS 38.05.035(e) (best interest finding), AS 38.05.127 (navigable and public water), AS 38.05.550-565 (material sales), AS 38.05.850 (permits), AS 38.05.945 (notice), AS 27.19 (reclamation), and the Alaska Land Act as amended.

The authority to execute the Preliminary Decision and the Final Finding and Decision has been delegated to the Regional Managers of DMLW.

Administrative Record

The administrative record for the proposed action consists of the Constitution of the State of Alaska, the Alaska Land Act as amended, applicable statutes and regulations referenced here-in, the 2015 Eastern Tanana Area Plan and other classification references described herein, and the casefile for the application serialized by DNR as ADL 419665.

Location and Legal Description

Location: The material site is located approximately 52 miles south of Delta Junction, at approximately MP 213.5 Richardson Highway.

Legal Description: Within the W ½ of Section 18, Township 18 South, Range 11 East, Fairbanks Meridian, containing approximately 30 acres.

Borough/Municipality: The site is located within the Unorganized Borough.

Regional Corporation: The site is located within the Doyon, Limited boundaries. No corporation lands are impacted.

Village Corporation: There are no village corporations within 25 miles of the project location.

Title

The State obtained title under GS 5230, a tentative approval issued on April 21, 1998, subject to a right-of-way for the Trans-Alaska Gas System under AA-53559 as granted under Sec. 28 of the Mineral Leasing Act of 1920, as amended, 30 U.S.C. 185; a federal right-of-way for the Bureau of Land Management under FF-13393 for Cantwell Canyon Road, which runs through the existing material site; and the regulations contained in 43 Code of Federal Regulations, Part 2880; a right of way thereon for ditches or canals constructed by the authority of the United States; and a right of way for the construction of railroads, telegraph, and telephone lines.

Adjacent Landowners

The land immediately adjacent to the existing site and proposed expansion are owned by the State.

There are several State mining claims to the south and east of the site, but these claims will not be impacted by the expansion. The upland claims to the east are serialized as ADLs 613451 and 616021, held by the Estate of David H. Johnson and Alaska Energy Metals Holdings LLC. There is a lease to the west across the Richardson Highway to Alyeska, as the Trans-Alaska Pipeline runs parallel to this portion of the highway. These parties will be notified during the public notice period of this decision.

Third Party Interests

There is one federal action present within the current boundaries of the material site: F-13393 is the federal right-of-way for Cantwell Canyon Road. The right-of-way, which extends 75 feet from the centerline in both directions for the length of the road, will be a no-mine zone, to maintain access along the road.

There are no known RS 2477 ROWs within the current or planned expansion area.

As previously mentioned, there are several State mining claims in the area, but these claims will not be impacted by the expansion decision.

Planning and Classification

The existing material site and proposed expansion is located within the Eastern Tanana Area Plan (ETAP). The proposed expansion is located in Unit E-07, which is designated as Habitat (Ha) and Public Recreation-Dispersed (Pd), and is classified as wildlife habitat land and public recreation land. The management intent of Unit E-07 is to manage the unit for recreational and habitat values.

Lands that are designated as Habitat are “intended to be maintained in an undisturbed, natural state” (ETAP 3-8), however, “utilities, roads, and other types of uses may be authorized if habitat functions can be maintained” (ETAP 3-8) and if “the authorization of the use would be in the best interest of the state” (ETAP 3-8). Considerations of the existing habitats and animals in the area are being taken by including stipulations requested by the U.S. Fish & Wildlife Service and Alaska Department of Fish & Game, which are designed to protect protected species and their nests. Allowing the expansion of the material site is in the best interest of the state, as the material being extracted from the site will be used to reconstruct a 4-mile portion of the Richardson Highway, a vital transportation corridor for Alaska.

Lands that are designated as Public Recreation-Dispersed are areas “where desirable recreation conditions are scattered or widespread rather than localized” (ETAP 3-10). Authorizations within public recreation land, including utilities, roads, and other uses, may be considered appropriate “with appropriate design if recreation functions can be maintained...and it is determined that the authorization of the use would be in the best interest of the state” (ETAP 3-10). Recreation functions are being maintained by the establishment of a no-mine zone along the centerline of the existing Cantwell Canyon Road, which ensures that those traversing the road will still have access to the areas beyond the site, even if operations are occurring. As mentioned previously, the authorization of a site expansion would be in the best interest of the state, as a critical transportation corridor will be improved by the outcome.

Traditional Use Finding

The subject area is located at approximately milepost 213.5 of the Richardson Highway. The area is not within any incorporated borough or municipality and therefore a traditional use finding is required under AS 38.05.830.

The material site is located within Game Management Unit (GMU) 13B. Within this unit, the following animals are permitted to be hunted during their respective seasons: grizzly and black bears, dall sheep, moose, wolves, and wolverines.

An expansion of a pre-existing active material site in this location is not expected to adversely affect subsistence resources in this area or have significant impacts on known traditional uses, as activity in this area has been authorized since the 1990s. Additional traditional uses may be identified during the public notice period. If further traditional uses that may be impacted by the material sites become known, they will be discussed in the final finding and decision.

Access

Current access to the site is via Cantwell Canyon Road, at approximately MP 213.5 of the Richardson Highway.

Waterbodies

The site lies to the east of the Delta River, on the eastern side of the Richardson Highway. There are no known flowing waters within the current or proposed areas.

Per the Public Access Assertion & Defense Section, there are no navigable and public waters within the area per AS 38.05.127.

Access Along Navigable and Public Waters

AS 38.05.127 requires that when the department is disposing of any interest in state land, DNR identify navigable and public waters, and easements necessary to ensure access along the water is to be reserved unless regulating or limiting access is necessary for other public purposes.

There are no public or navigable waterbodies within the project areas. No easements will be created and reserved pursuant to AS 38.05.127.

Public Trust Doctrine

The Public Trust doctrine does not apply to this proposed location.

Mineral Orders

Mineral orders (closing), where established, close an area to new exploration and development of locatable minerals. Such mineral orders do not apply to leasable minerals (such as oil, gas, coal, etc.), or exploration licensing for such, nor do they preclude reasonable surface access to these resources. DMLW is considering closing the entire material site to mineral entry under Mineral Order (MO) 1341.

Environmental Risk

DOT&PF submitted an Environmental Risk Questionnaire with their application. There are no known environmental contaminants within the subject material site. No storage tanks will be on

site. Aside from fuels, coolant, lubricants and hydraulic fluids normally contained in a piece of equipment for its basic operation, the applicant will not generate, use, store, transport, dispose of or otherwise come in contact with any materials considered toxic or hazardous. Adherence to standard material sale contract operating requirements for fuel and hazardous substances will minimize the risk of leaks or spills resultant from operations.

Agency Comments

DMLW conducted agency review from August 6, 2025, to August 20, 2025. The following agencies were solicited for comments regarding this proposed material site designation and material sale:

Director's Office, DMLW, DNR
Realty Services Section, DMLW, DNR
Public Access Assertion & Defense (PAAD), DMLW, DNR
Resource Assessment & Development Section (RADS), DMLW, DNR
Mineral Property Management, DMLW, DNR
State Pipeline Coordinator's Section (SPCS), DNR
Office of History and Archaeology (SHPO), Division of Parks, DNR
Division of Habitat, Alaska Department of Fish & Game (ADF&G)
Access Defense, ADF&G
Salcha-Delta Junction Soil and Water Conservation District
US Fish and Wildlife Service (USFWS)
US Army Corps of Engineers

SPCS Comment: The Trans-Alaska Pipeline System (TAPS) right-of-way (ADL 63574) is located to the west of the proposed expansion, across the Richardson Highway, and is accessed via access road 37-APL-1A, which is directly across from the access road for the material site. SPCS requests that all future applicants coordinate with Alyeska to determine that the proposed work will not interfere with or hinder pipeline operations or access.

DMLW Response: Comment noted. The contact information for Alyeska will be included as a stipulation in all future contracts.

USFWS Comment: Historic information indicates that golden eagle nests have been present in the vicinity of the material site and the proposed expansion area. Please see the included best management practices to reduce the chances of violating the Bald and Golden Eagle Act (16 U.S.C 668 et seq.).

DMLW Response: Comment noted. The best management practices, as applicable, have been adapted into stipulations that will be included in all future contracts.

ADF&G indicated they had no objection to the proposed expansion. No other comments were received.

Public Notice

Pursuant to AS 38.05.945, this PD will be advertised for a 30-day public comment period, starting on July 23, 2026. In addition, the Delta Junction and Gakona post offices located near the proposed material site expansion will be requested to post the notice pursuant to AS 38.05.945(b)(3)(C). The notice will also be posted on the State of Alaska Online Public Notice website pursuant to AS 38.05.945(b)(3)(B) located at: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

In accordance with AS 38.05.946, Doyon, Limited, is a corporation entitled to receive notice under AS 38.05.945(c), and may hold a hearing within 30 days after the receipt of the notice.

The public is invited to comment on this PD. All comments received during the public comment period will be considered in the FFD. A copy of the FFD, along with instructions on filing an appeal, will be sent to all persons who comment on the PD. If public comments result in significant changes to the PD, additional public notice may be given.

To be eligible to appeal, a person affected by the FFD must provide written comments during the public comment period per AS 38.05.035(i).

**Written comments about this project must be received in this office no later than
on August 24, 2026, to be considered.**

To submit comments please choose one of the following methods:

Mail:	Department of Natural Resources Division of Mining, Land and Water Northern Regional Land Office ATTN: Victoria Nelson 3700 Airport Way Fairbanks, Alaska 99709
Email:	victoria.nelson@alaska.gov
Fax:	(907) 451-2751

DNR-DMLW complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services or special modifications to comment should contact Alaska Relay at 711 or 800-770-8973 for TTY services.

Questions about this project can be directed to Victoria Nelson at (907) 451-2018.

Survey

A survey for this material site is not required per AS 38.04.045. DMLW may require a survey in the future, should conditions arise that warrant a survey. If a survey is required, the contractee will be responsible for the costs of the survey.

Discussion

DOT&PF has proposed expanding the site in order to support the reconstruction of the Richardson Highway between MPs 214 and 218, a project that is scheduled to begin in the summer of 2026. A geotechnical report was produced for this site and the neighboring Red Rock Mine Quarry (DMS ADL 419671 / DOT MS 71-0-035-2) in June of 2024. The report details subsurface exploration that occurred using boreholes and the associated laboratory testing, and summarized the information in a map that has been attached to this report (Attachment C). In this map, it is shown that about half of the existing material site is unavailable to material extraction due to the presence of near surface bedrock. The undeveloped portions of the existing site are estimated to have favorable material for the project; DOT&PF believes there is insufficient material remaining within the existing site boundaries to support this upcoming project. The proposed expansion would ensure sufficient material availability for this and other future needs.

To preserve continued access of Cantwell Canyon Road, a no-mine zone extending 75 feet each side of the approximate centerline of the existing road will be established.

The expansion of this site serves the best interest of the State and public by making adequate material available in a site that will be directly adjacent to the working area, minimizing hauling costs and time which will be of benefit to the proposed public works project.

Expansion of Material Site Designation

The material site designation is being expanded under disposal of material statutes AS 38.05.550 and AS 38.05.555. This decision will designate the expansion area of ADL 419665 as a material site for the long-term sale and extraction of materials until closed by the DMLW. DMLW will continue to carefully review individual sale requests and operation plans once sites have been designated to ensure resource consideration and multiple use issues are appropriately evaluated.

Recommendation

Based upon the information provided by the applicant, as well as review of relevant planning documents, statutes, regulations, and case files related to this application, the DNR, DMLW, NRO proposes expanding ADL 419665 by designating an additional 24 acres and subsequently issuing contracts subject to the conditions described in this document, operating requirements, and standard contract terms. This decision considers ownership of the site, the need for reasonable access to material sources in the region, agency concerns, and project-specific needs. The use of this material will enhance the development of the State's resources and assist with maintaining infrastructure along the Richardson Highway. Operations in the site will be consistent with the mining and reclamation guidelines approved by DNR.

Victoria Nelson

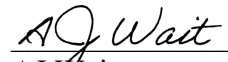
Victoria Nelson
Natural Resource Specialist 2

Date

7/23/2026

Preliminary Decision

I find that the proposed action as recommended above may be in the state's best interest and is hereby approved to proceed to public notice. Additional operating requirements identified during the public comment period may be included in the Final Finding and Decision and subsequent authorization.


AJ Wait

Natural Resource Manager 2

7/23/2026
Date

Attachments:

Attachment A – Location Map

Attachment B – Example Notice Placard

Attachment C – DOT&PF Material Site Exploration Map

Attachment D – Example Negotiated Contract