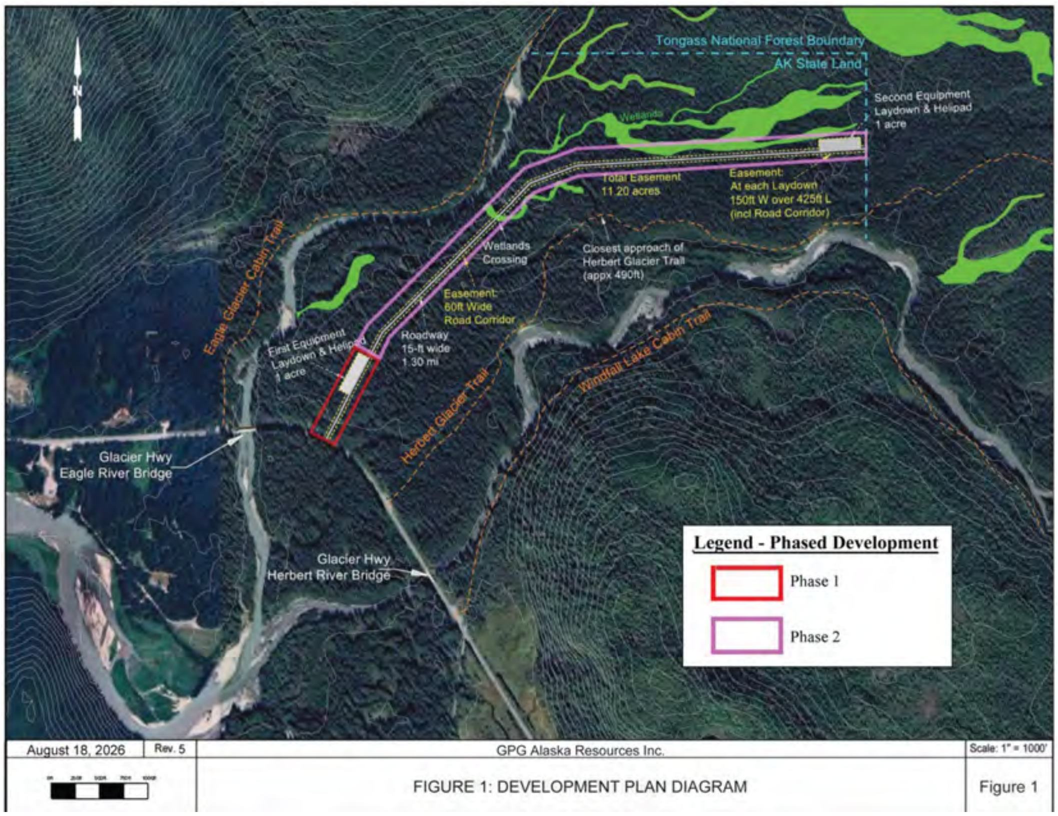
STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
Division of Mining, Land and Water
Southeast Regional Land Office

Regional Manager’s Decision
ADL 109466
GPG Alaska Resources Inc.
Application for Easement
AS 38.05.850



Development plan diagram showing the approved easement within the Eagle and Herbert River watersheds. The access road and staging areas are depicted by the gray polygon while the surrounding easement corridor is depicted by the yellow hash-mark polygon. Phase 1 development is depicted by the red polygon while Phase 2 development is depicted by the pink polygon. A diagram of the approved easement is included as Attachment 1.

Executive Summary
On December 16, 2025, the Department of Natural Resources (DNR); Division of Mining, Land and Water (DMLW) received an application for a private non-exclusive easement from GPG Alaska Resources Inc., for a 15-foot wide, 1.3-mile long, unpaved access road and two 1-acre staging areas on state-owned, DMLW-managed uplands, approximately 21 miles northwest of Juneau, Alaska. The purpose of the requested easement is to provide the applicant with access to their mineral exploration sites (New Amalga Gold Project) on adjacent United States Forest Service (USFS) land near Herbert Glacier. The State of Alaska intends to authorize the requested easement in two phases.

Proposed Action
GPG Alaska Resources Inc. applied for an easement term of 35 years. DMLW intends to issue the easement for a term length of 25 years. DMLW will issue an Entry Authorization (EA) for a term of five years to allow for construction and completion of a DMLW-approved survey, which is a prerequisite for issuance of the final easement. The term of the EA shall be inclusive of the total easement term of 25 years. A draft EA is included as Attachment 2. A draft private non-exclusive easement is included as Attachment 3.

The proposed easement corridor is 60 feet wide, approximately 1.3 miles long, while the unpaved access road within the easement corridor is 15 feet wide and consists of two to three feet of compacted shot rock. At two locations—one near Glacier Hwy and one near the USFS boundary—the easement corridor will be widened to 150 feet over a length of 425 feet to accommodate the two 1-acre staging areas, which will consist of two to three feet of compacted shot rock as well.

The applicant expects construction methods to consist of using one medium-sized bulldozer to clear vegetation and topsoil, leveling the ground surface, and pushing roadbed material; one medium-sized excavator to construct ditches, culverts, and remove large boulders; one smaller-sized front-end loader or skid-steer to arrange the roadbed and gravel; one to two dump trucks for transporting gravel and roadbed material; and possibly one small-size grader and compactor for road surface leveling, densification, and stabilization. The construction sequence will consist of clearing vegetation, stockpiling removed topsoil along the roadway for future reclamation, placement of shot rock, grading and compaction, and installing culverts and ditches where needed to maintain drainage.

Drainage along the roadway will rely primarily on culverts placed beneath the road surface at existing low points and discernible drainage paths. The intent of these culverts is to minimize changes to the natural water flow patterns in the area as well as the length of any ditches that would need to be constructed parallel to the roadway in order to direct water away from the road surface. Maintenance of the easement would consist of clearing drainages of debris, repairing roadway erosion and potholes, and seasonal snowplowing.

At each staging area, shipping containers will be used to store drilling supplies, small equipment, and rock core samples. Six containers will be used to store drilling equipment and supplies year-round. During the drilling season (June 16 – October 31), ten additional containers will be used to store rock core samples. Larger items that cannot fit inside the containers will be stationed on pallets outside. The staging areas will also be used for helicopter sling-loading operations, transporting supplies, equipment, and core samples to and from the drill sites on USFS land. The unpaved access road will be used for transporting equipment and potential ore-hauling, should the mine project on USFS land be approved.

For safety and security purposes, a gate will be installed at the entrance of the access road to control vehicular access. A chain-link fence anchored by cast-in-place or precast concrete will be installed around the perimeter of each staging area. Solar-powered security cameras would also be installed at each staging area.

DMLW intends to authorize the easement in two phases. On the effective date of this decision, the first phase authorizes the immediate development of the 0.17-mile segment of road closest to Glacier Hwy and the first 1-acre staging area. The second phase authorizes development of the remaining 1.13-mile segment of road and the second 1-acre staging area once the applicant receives approval of a Plan of Operations from USFS to begin minerals extraction and production on the adjacent USFS land. A diagram of the approved easement is included as Attachment 1.

Statutory Authority
This easement application is being adjudicated pursuant to AS 38.05.850, the Alaska Land Act as amended, and AS 38.05.127.

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 herein, the Juneau State Land Plan (JSLP, December 1993) and other classification references described herein, and the case file for the application serialized by DNR as ADL 109466.

Scope of Decision
The scope of this decision is to determine if it is in the State's interest to create an easement for the proposed use. 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.

Location Information

Geographic Location: State-owned, DMLW-managed uplands adjacent to Glacier Highway Milepost 27.1, within the Eagle and Herbert River watersheds, approximately 21 miles northwest of Juneau, Alaska; USGS Quad Juneau C-3.

Legal Description: A 60-foot wide easement approximately 6,839.4 feet long and two approximately 1-acre parcels, within U.S. Survey No. 1197, according to the Plat of Homestead Entry Survey No. 104 in the Tongass National Forest, approved by the U.S. Surveyor General's Office in Juneau, Alaska, on December 13, 1919, and within Lots 4, 5, 7, and 8 of Section 35 and the S½ NW¼ of Section 36, Township 38 South, Range 64 East, Copper River Meridian, according to the plat accepted by the United States Department of the Interior, General Land Office in Washington, D.C., on June 30, 1928, containing 11.20 acres, more or less.

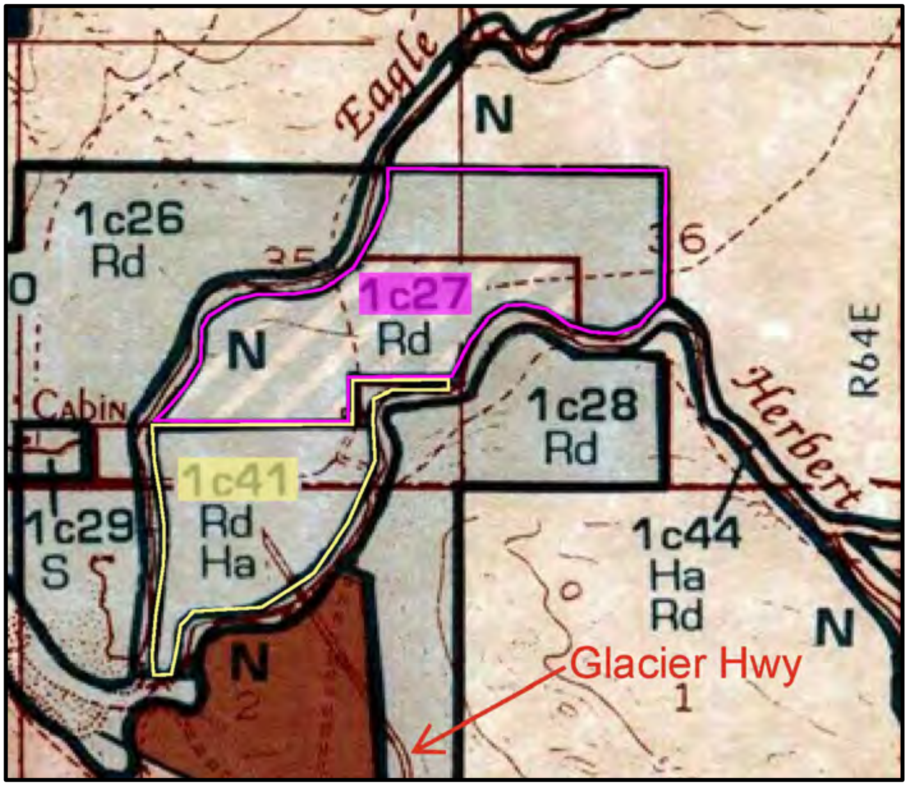
Other Land Information

Municipality: City and Borough of Juneau (CBJ)
Regional Corporation: Sealaska Corporation (Sealaska)
Village Corporation: Goldbelt, Inc. (Goldbelt)
Federally Recognized Tribe: Central Council of the Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida), Douglas Indian Association (DIA)

Title

The State of Alaska holds fee title to the land and mineral estates for the applicable lands within Sections 35 and 36, Township 38 South, Range 64 East, Copper River Meridan, under Patent 50-90-0493 and Patent 50-96-0149 which was acquired through State Selection NFCG 317.

Planning and Classification



JSLP's map for Unit 1c – Herbert River (3–37). The requested easement begins within Subunit 1c41 (yellow polygon), and then crosses into Subunit 1c27 (pink polygon) (JSLP 3–35).

The easement is subject to the Juneau State Land Plan (JSLP, 1993) and is located within Management Unit 1c – Herbert River, and more specifically, Subunits 1c27 and 1c41 (JSLP 3–33-37). The designated land use for Subunit 1c27 is Rd – Recreation and Tourism – Dispersed Use (JSLP 3–5, 35, 37). The designated land uses for Subunit 1c41 are Rd – Recreation and Tourism – Dispersed Use, and Ha – Fish and Wildlife Habitat (JSLP 3–3-5, 35, 37). A designation is a category of land allocation determined by the land use plan. Designations identify the primary and co-primary uses for state land. The Rd land use designation converts to Public Recreation Land as the land classification (JSLP 4–2). The Ha land use designation converts to Wildlife Habitat Land as the land classification (JSLP 4–2). According to 11 AAC 55.040(c), "*a classification identifies the primary use for which the land will be managed, subject to valid existing rights and to multiple use.*" Land classification identifies the purposes for which state land will be managed. All classification categories are for multiple use, although a particular use may be considered primary.

The JSLP identifies Unit 1c – Herbert River as an area with high mineral potential and states that the management intent for the unit is, "*to provide for continued recreational use in a semi-*

primitive setting. Supporting access needs for mineral exploration and development on adjacent USFS lands are an allowable use on state lands in this unit" (JSLP 3–33-34). The easement is consistent with Unit 1c's management intent because the access road and staging areas support access needs for mineral exploration and development on adjacent USFS lands.

Since mining is an allowable designated use in areas designated Ha or Rd (JSLP 3–5, 7), it is reasonable to infer that development of mining roads, staging areas, and similar support infrastructure are an allowable designated use as well. Therefore, DMLW considers this easement to be an allowable designated use. DMLW has considered the fish and wildlife habitat in this unit and plans to follow Chapter 2 guidelines on Shoreline and Stream Corridors by requiring a 300-foot wide buffer along anadromous streams as a necessary mitigation measure for the project (JSLP 2–22-23).

Due to this clear management intent; consistency and lack of conflict with the land use designations; and the land classifications being intended for multiple use where mineral development access is permissible, this project is allowable per the plan.

Third Party Information
No third parties were identified.

Background
Casefile History

- August 13, 2025: DMLW received an easement application from GPG Alaska Resources Inc.
- December 12, 2025: After application review, DMLW requested additional information from the applicant.
- December 18, 2025: DMLW received additional information and deemed the application complete. ADL 109466 began active adjudication.
- February 11, 2026: Agency review and public notice was sent to all applicable agency and public notice contacts. The application materials were also posted on the Alaska Online Public Notice System website. Comments were due by March 13, 2026.

Mineral History
The existing mining claims on the adjacent USFS land are relevant and related to this proposed easement action. The mining claims were staked in 1986, and by 2016, GPG Alaska Resources Inc. obtained primary ownership of the claims.

Agency Review & Public Notice

Agency Review Summary

An Agency Review was conducted from Wednesday, February 11, 2026, until Friday, March 13, 2026. The agencies that were included in this review can be found in Appendix A. Information and comments received from sections within DMLW during this review have been considered and included in the preparation of this decision.

Agency Review Comment and Response

Agency:
Alaska Department of Fish & Game (ADF&G)

Summary:
ADF&G biologists from Habitat, Sport Fish, Commercial Fisheries, and Wildlife Conservation reviewed this application. The easement corridor sits between the anadromous Eagle River and Herbert River. ADF&G field surveys found no flowing waters or tributaries to the rivers within the easement, so a Fish Habitat Permit is not required. The area within the easement corridor is young-growth forest with shrub understory and forested wetlands that support deer, wolves, fishers, black bears, and brown bears. There is active trapping for marten and beaver, and road use could alter trapper activity. It is unclear if road use for helicopter exploration will result in more or less disturbance for wildlife, however, helicopter traffic within 1,500 meters of mountain goats during winter and spring may disturb these animals.

On March 5, 2026, ADF&G and DMLW staff visited Eagle River about 0.8 miles upstream of Glacier Highway to observe Eagle River's eastern streambank at the point where it is closest to the easement (115 ft.). The purpose of the site visit was to determine if shifting the road farther from the river would reduce impacts on fish and wildlife, in accordance with the JSLP's recommendation for 300-foot wide buffers along anadromous streams (i.e., the Fish Habitat Management Zone). The eastern streambank was approximately 15 feet tall, steep and sandy, with numerous fallen and leaning trees. The stream channel thalweg was at the toe of the eastern streambank while the western streambank had a gravel bar with vegetative growth and younger trees, indicating eastward channel migration. ADF&G cautions that clearing an easement corridor 115 ft. away from the streambank could increase blowdown risk and affect wildlife movement. ADF&G recommends adhering to the JSLP's 300-foot buffer along anadromous streams to minimize riparian impacts.

DMLW Response:
DMLW acknowledges ADF&G's determination that because the easement does not cross any flowing waters or tributaries to the anadromous streams in the area (Eagle River and Herbert River), the applicant is not required to obtain a Fish Habitat Permit. In accordance with ADF&G's recommendation and JSLP's guidance, the applicant will be required to realign the road corridor, so it does not intersect with the Fish Habitat Management Zone for Eagle River.

Agency:
Department of Environmental Conservation (DEC) – Division of Spill Prevention and Response (SPAR) – Prevention, Preparedness, and Response Program (PPR) – Interagency Coordination Unit (ICU)

Summary:
DEC-SPAR-PPR-ICU requests confirmation of the exact total fuel volume to be stored onsite. Most 55-gallon drums are single-walled, so the document should specify container construction and clearly describe the secondary containment approach. The phrasing about "metal double-walled containers" or "bermed containment with 110% capacity" is ambiguous.

Under 18 AAC 75.075(a), aboveground oil storage tanks must be within secondary containment sized for the largest tank plus additional capacity for local precipitation. Given Juneau's high rainfall, the language should be revised to reflect precipitation allowance rather than a generic 110% figure. Lastly, please specify the contents of the spill kit.

DMLW Response:
Up to 330 gallons of diesel, 55 gallons of gasoline, 55 gallons machine grease, 55 gallons of lubricating oil, and 160 pounds of propane will be stored onsite. These hydrocarbons will be contained in any combination of single-walled or double-walled drums up to 55 gallons, 100-gallon double-walled "fly tanks" used during helicopter sling-loading operations, and 5-gallon portable containers. Containers that are not double-walled or possess an integrated containment system will be stored within bermed containment areas with fuel-proof membranes and have sufficient capacity to hold the volume of the largest tank within the containment area, plus enough capacity to allow for local precipitation. Alternatively, a "duck pond" type portable containment pad will be used, of appropriate size to contain a spill of the container, plus enough additional capacity to allow for local precipitation. Unless hydrocarbons are actively being used for fuel transfer operations, containment areas for long-term fuel storage (i.e., greater than one month) will be located inside a shipping container or will have an awning or other cover installed above them to minimize the secondary containment overfilling from local precipitation.

Small equipment such as portable generators (15 kW), chainsaws, etc., with small internal gasoline tanks will be stored in the shipping containers as well. A larger, diesel-powered generator (150 kW) on-board the drill rig will also be briefly stored at the staging areas before heli-transport to the drill sites. The generators, chainsaws, and other equipment with internal fuel tanks will be placed above "duck pond" containment pads to catch any leaks. Any vehicles or heavy equipment stored within the easement area will also have a "duck pond" placed underneath the engine bay to catch any fuel or engine oil leaks as well. Furthermore, a barrel-sized spill kit containing protective clothing and absorbent pads will be kept at the staging areas.

Agency:
DEC – Division of Water – Wastewater Discharge Authorization Program – Engineering Support and Plan Review

Summary:
The project plan states that no water or wastewater will be produced, but DEC asserts that human waste will be. Accordingly, all human waste must be disposed of in compliance with 18 AAC 72, and any pit privies constructed must meet the construction standards and separation-distance requirements specified in 18 AAC 72.

DMLW Response:
DMLW acknowledges DEC's comment and will require the applicant to dispose of all human waste in compliance with DEC's standards as a stipulation of the easement.

Agency:
DNR – Division of Parks & Outdoor Recreation (DPOR) – Southeast Region

Summary:
DPOR manages Eagle Beach State Recreation Area (SRA) under an Interagency Land Management Assignment (ILMA), ADL 106246. The proposed easement lies adjacent to, but not within the SRA boundary. By statute, Eagle Beach SRA is intended to offer high-quality outdoor recreation in a natural setting, supported by scenic values, wildlife viewing, and quiet use.

The Alaska State Park System Statewide Framework directs that SRAs should offer the highest practical level of outdoor recreation while preserving natural and scenic qualities; avoid developments or activities that diminish the natural character, wildlife values, or the recreation experience; and manage nearby land uses in ways that safeguard the SRA's resources and visitor values within the SRA boundaries.

If DMLW elects to proceed, DPOR requests that mitigation conditions be incorporated to protect SRA values and maintain alignment with statewide park system policies.

DMLW Response:
DMLW acknowledges DPOR's comment but since the proposed activity will not occur within the Eagle Beach SRA, it is within DMLW's purview and scope to authorize use on general state land. ADF&G, the managing agency for concerns regarding wildlife, and DEC, the managing agency for concerns regarding sediment and environmental degradation were both included in the Agency Review for this easement.

Agency:
Department of Transportation & Public Facilities (DOT&PF)

Summary:
The applicant must obtain an Approach Road Permit and build the easement segment within the DOT&PF right-of-way (ROW) to current Approach Road standards, which will require an approach wider than 15 feet. Track-out mats must be included as an Approach Road Permit condition, and DNR may also want to consider requiring them on a portion of the state lands covered by the easement as well. Any additional ROW clearing for sight lines must be coordinated with DOT&PF Maintenance & Operations and could be at the applicant's expense.

DMLW Response:
DMLW has informed the applicant that they will need to obtain an Approach Road Permit, construct the segment within the DOT&PF right-of-way to current Approach Road standards, utilize track-out mats as a condition of the Approach Road Permit, and coordinate with DOT&PF Maintenance & Operations regarding any additional clearing needed for sight lines within the DOT&PF right-of-way. As a condition of the EA, the applicant will need to update their Development Plan to reflect these requirements prior to construction, and provide DMLW with evidence that they have coordinated with DOT&PF regarding the Approach Road Permit. As a condition of the EA and final easement, the applicant will be required to have track-out mats along the first 50 ft. of the easement closest to Glacier Hwy, the DOT&PF-managed ROW.

Public Notice Summary

Public Notice was conducted from Wednesday, February 11, 2026, until Friday, March 13, 2026. The application was posted on the Alaska Online Public Notice System website and sent to the known interested parties listed in Appendix B. Over the course of the Public Notice period, DMLW received 196 public comments covering a variety of topics related to this easement. Due to the large number of comments that were received and the fact that many of the comments have similar or overlapping themes, the comments are summarized below by theme, followed by a response from DMLW.

Public Notice Comment and Response

Public Benefit & Adjudication Process

Summary:

Commenters opposing this project state that the easement is not for the public's benefit, be it Juneau residents or Alaskans more generally, but instead is for the benefit of a private foreign corporation. Commenters express that the easement is for short-term economic gain, and is not what is best for the long-term stewardship of the land. Commenters also suggest that regardless of their input, the State will disregard their opposition to this project.

Comments assert that the primary values of the area are its wildlife habitat and recreation, with which the easement will likely conflict. As a result, commenters claim that authorizing the easement would not comply with state law and policies directing state land be managed for multiple uses, referencing AS 38.04.005 and AS 38.05.965. Commenters argue that the easement is unnecessary at this time because the applicant has been able to conduct their mineral exploration activities from the Juneau Airport for the last nineteen years without the need for an access road and staging areas on public lands closer to their mining claims. Another concern shared by commenters is that the applicant wants to build a road so that their mineral property interests are more valuable if they choose to sell their claims to another mining company. In this scenario, the commenters claim that the buyer acquiring the mining claims would fail to uphold the commitments the seller made previously with the State.

Commenters expressed concerns that the public and the State, rather than the applicant, will be responsible for covering the costs of addressing any potential environmental impacts and negative outcomes that may result from the use of this easement.

Commenters believe that the State should not issue this easement before the cumulative impacts of the applicant's entire project (helicopter-supported mineral exploration, access road on state and USFS land, mining operation on USFS land, ore-hauling on Glacier Hwy, and ore-transfer facility at Cascade Point) are known and considered. Commenters asked DMLW to extend the Public Notice period, host a public hearing, and conduct government-to-government consultation with Tlingit & Haida.

Commenters are concerned that authorizing the easement in isolation would improperly segment the project ahead of the federal National Environmental Policy Act (NEPA) process, and create a commitment to a particular easement alignment, thereby constraining alternatives that may be proposed during the federal approval process. Comments opposing the easement are worried that DMLW has not considered all the possible alternative routes or other ways the applicant can potentially access their mining claims.

Commenters opposing the easement contend that the State should not issue the easement for 35 years and believe doing so is too long of a commitment for the State to be subject to. Commenters are also concerned that at this point, the economic benefits the mine may produce are speculative and not proven. Commenters question why no third-party entity has been requested to provide an unbiased assessment of the project's environmental impacts.

Others state that the easement should not be issued until the applicant has received all of their other authorizations or permits such as an ADF&G Fish Habitat Permit, USACE Section 404 authorization, DEC Alaska Pollutant Discharge Elimination System (APDES) authorization, etc. Some commenters argue that the application does not include enough information, or that they do not know what criteria the State uses when making authorization decisions, and therefore cannot provide informed comments that are relevant to the State's adjudication processes.

Commenters in support of this easement state that the project is a reasonable form of access and is limited enough in scope so that it is compatible with the other resources and uses in the area (wildlife, recreation, etc.). They claim that the easement is in the public's interest because of the economic benefits it will provide (see *Economic & Logistical Impacts* for more details). Supportive comments assert that the easement aligns with the State's laws and policies that Alaska's resources are to be developed for maximum use for the benefit of the public.

DMLW Response:
Article VIII, Section 1 of the Alaska Constitution says, "It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest." The statement establishes a guiding principle through which state lands and resources must serve broad and diverse interests, not a single use. This principle directs DNR management of state lands toward a multiple-use mandate that looks at balancing settlement, resource development, and public access. By embedding this purpose into the Constitution, the State empowers DNR to create land-use policies, and issue authorizations that maximize resource utilization while protecting broad public interests. Under AS 38.05.285, all disposals and uses of state land must comply with both the Constitution and the "principles of multiple-purpose use consistent with the public interest." In practice, DNR's mission to, "responsibly develop Alaska's resources by making them available for maximum use and benefit consistent with the public interest," echoes Article VIII, Section 1, and AS 38.05.285 by anchoring departmental actions in constitutional authority and ensuring that land is managed not for a single purpose, but for a mix of economic, environmental, and social uses.

Commenter claims that an authorization is not in the "public interest" because it may conflict with existing land uses, attributes, or values neglect to consider DMLW's responsibility to manage state land and resources for multiple use. The latter is a crucial element in the broader public interest that the state must consider when making land management decisions. The presence of valued natural or recreational characteristics in no way precludes authorizations for development when the proposed use can be managed in a way that is consistent with multiple-use principles under AS 38.04.005 and AS 38.05.965. DMLW's review focuses on whether impacts can be avoided, minimized, or mitigated through conditions or stipulations, and whether the proposed activity is compatible with other existing or foreseeable uses of state land. In this case, authorizing an easement for a road and staging areas to support facilitation of mining and mineral exploration is a use considered within the public interest and in balance with our management principle to consider multiple use. The potential for economic expansion, increased exploration of mineral properties in Southeast Alaska, and the development of state land in this area is in line with the current mission for the Department and Division, and thus, in the public interest. Under the State's multiple-use mandate, long-term land stewardship does not mean restricting state land to preservation-only uses; it requires balancing environmental, recreational, economic, and access needs in a way that serves the broader public interest. In this case, the proposed use, supporting mineral exploration and potential resource development, is a recognized, allowable use of state land.

In response to comments that state this project will benefit a foreign company, it should be clarified that the applicant, GPG Alaska Resources Inc., is a subsidiary of a foreign mining company, Grande Portage Resources Ltd., based out of Vancouver, Canada. DMLW adjudicates authorizations regardless of the applicant's nationality or corporate structure. Although this is a project being proposed by GPG Alaska Resources Inc. and may benefit a company based outside of the United States, DMLW evaluates land-use authorizations based on the proposed activity, compliance with applicable statutes and regulations, and whether the use is in the best interest of the State. The benefits considered during this adjudication relate to the proposed use of state land itself, including access for potential mineral exploration and increased economic activity within Alaska. State land authorizations under AS 38 are available to any qualified entity—domestic or foreign—that submits a complete application and meets all legal and regulatory requirements. All grantees, regardless of ownership, are held to the same stipulations and liability requirements contained in the authorization. GPG Alaska Resources Inc. holds an active Alaska Business License (License #: 2331419) and Certificate of Compliance (Entity #: 129247) and is in good standing with the State of Alaska.

By conducting our agency review, public notice, and adjudication process, DMLW considers the will of the people and responds accordingly in this decision document. DMLW is not required to extend public notice periods or host public hearings for easement decisions issued under AS 38.05.850. To do so would be a departure from DMLW's standard adjudication procedures. Government-to-government consultation is a deliberative federal process required by federal laws and Executive Orders based on a unique legal relationship between the federal government and Tribes. For DMLW to conduct such a meeting would be outside the State's purview.

The applicant has the right to apply for an authorization to use state land at any point. It is DMLW's responsibility to determine if the applicant's proposed land use is in the public interest. Although the applicant has conducted mineral exploration activities from the Juneau Airport in the past, DMLW does not consider the easement unnecessary.

The claim that the purpose of the proposed easement is merely to enhance the value of the applicant's mineral properties on adjacent USFS lands and thereby command a higher sale price for the associated mineral claims, is speculative and of questionable relevance. If the relevant interests are conveyed from the applicant to another owner at some time in the future, DMLW will follow established procedures and requirements for assignment of an easement interest from one party to another. The new grantee would be subject to the same stipulations and agreement.

Regarding the responsibility for cleanup of potential spills or pollution from this project, environmental liability stipulations will be included in the easement agreement. This will include specific stipulations that must be followed by the grantee during the easement term to minimize the potential for spills and pollution, and a required Environmental Assessment report from the grantee at the end of the easement term. Although contamination incidents from mining operations have occurred in the past, that does not mean it will happen in this instance. We cannot deny an authorization on the basis that contamination may occur, especially when proper containment and mitigation measures are in place. Additionally, a performance guaranty will be required to ensure compliance and provide ways to pay for corrective action if the grantee fails to comply with the requirements set forth in the easement document. It will also protect state land from damage and make certain that improvements are removed and that the land is returned in a usable condition upon termination of the easement.

In addition to proposed easement's direct impacts, commenters assert DMLW should consider the cumulative impacts of all operational activities conducted by the applicant in this decision. That would include activity and development which does not fall under DMLW management authority and is not located on state land or within areas managed by DMLW (mining operations on USFS lands, ore-hauling on public highways, etc.). DMLW acknowledges these other projects are related to the proposed easement, but consideration of their purported cumulative impacts goes well beyond the scope of this decision. It is within DMLW's authority to assess the scope, purpose, and potential impacts of the requested development on state land. It would be improper, and potentially capricious, to assess administratively or geographically discrete projects and activities (including cumulative impacts) as if they were determinative criteria for issuing a decision in this case. The DMLW authorization process happens separately and independently from all federal, municipal, and other state processes. DMLW is not obligated to weigh all possible alternatives for a project, instead we are to adjudicate the development that was submitted via application and determine if it is within the best interest of the state to authorize. Issuance of a state authorization does not preclude federal NEPA alternatives. If the applicant must move the final alignment of the easement significantly outside the bounds of what is determined in this decision, they may apply for an amendment to this easement.

Furthermore, the state can issue authorizations with contingencies based on what is determined in the decision to be in the best interest of the State. In this case, DMLW is issuing the easement in two phases because it protects state land if the mining project on USFS land is ultimately not approved. Without that approval, the infrastructure built on state land would be unnecessary and would disrupt a heavily used and valued area.

Although the applicant applied for a 35-year easement term, DMLW is issuing the easement for a 25-year term. 25 years is the standard DMLW term length for an easement. This will allow the state to better manage and re-evaluate the easement at a sooner date, while still providing the applicant with a long-term authorization.

DMLW does not require a third-party economic analysis or any other environmental analysis to be completed before issuing an easement. A Preliminary Economic Assessment (PEA) is required as part of Canada's financial regulatory process for publicly traded mining companies.

DMLW is not required to ensure all other permits and authorizations are secured by other state, federal, and municipal agencies prior to issuance of this easement. It is the responsibility of the applicant to ensure they are legally operating with all necessary agencies. There will be a standard stipulation in the easement agreement that states the grantee shall comply with all federal, state, and local laws, regulations, and ordinances directly or indirectly related to this authorization.

The application was deemed complete and was determined to contain a sufficient amount of information to adjudicate. The public was instructed to provide any input they would deem necessary to make a decision on the proposed activity. DMLW followed the standard procedural process for adjudication of an easement and met all necessary statutory and regulatory requirements.

Environmental Impacts

Summary:
Commenters expressed concern that construction and use of the easement, along with the potential development and operation of a mine on adjacent USFS land, would negatively impact the Eagle and Herbert River watersheds. Commenters highlighted the potential for diminished water quality and fish habitat due to contaminants, pollutants, and increased stream sedimentation. Commenters asserted that there would likely be similar impacts for the Eagle-Herbert River estuary and nearshore marine waters downstream of the easement. Other commenters expressed concerns about habitat fragmentation, displacement of fish and wildlife species, and potential disturbances to wetlands and riparian areas.

Commenters stated that the Eagle-Herbert River watershed consists of high porous rock and has high groundwater conductance which increases the risk of hydrocarbon spills or trace metal concentrations contaminating the watershed. This is of particular concern to commenters because the applicant states that the hydrocarbons that will be stored within the easement will not have leak detection devices. Commenters are also worried that sediment runoff from precipitation, and road dust from vehicle traffic will diminish the water quality of these rivers as well as the nearby wetlands and riparian areas. These concerns are not limited to the easement but apply to the applicant's potential mining operation upriver as well, where they worry industrial and mining activity will pollute the watersheds and surrounding habitats.

The Southeast Alaska Watershed Coalition (SAWC) commented that the Eagle-Herbert River watershed is a glacial outwash floodplain containing dynamic alluvial channels. In a watershed such as this, waterways experience significant channel migration and need room to do so. Placing the applicant's proposed infrastructure near these migratory waters increases the risks of negative consequences for these rivers and to the infrastructure itself. When these channels migrate towards the roadway, efforts to armor the riverbank to protect the infrastructure will disrupt the rivers' natural channel processes and degrade the fish and wildlife habitat within the watershed.

The Southeast Alaska Land Trust (SEALT) commented that the applicant's activities will harm the land that SEALT manages downstream of this proposed easement—the Herbert River Wetlands. SEALT states that the parcels that make up the Herbert River Wetlands are managed by SEALT through conservation easements with CBJ and DNR. SEALT says that these conservation easements are permanently protected for their natural, scenic, and open space values, and are to be managed in accordance with the Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA; Title III of Public Law 101-646). SEALT points out that if the conservation easements are not used or maintained for these purposes, the State may be responsible for their restoration. SEALT argues that based on the historical and scientific precedence of mines polluting adjacent watersheds, and if a watershed ecological baseline study—one that is done by a third-party not associated with the mine's own studies—is not completed, the easement and the applicant's other activities contradict DNR's obligations described in the conservation easements.

The USFS Juneau Ranger District (JRD) biologist stated that based on a habitat model and Tongass Land Management Plan parameters, the easement area and adjacent USFS lands contain high-quality winter habitat for mountain goats. Development of the easement within a mile of the USFS boundary will compromise the quality of the winter habitat on USFS lands and any activity occurring between November and May could disturb goats. Regarding northern goshawks, USFS stated nests have been documented in the vicinity of the easement, that USFS-issued mineral exploration permits stipulate helicopter activity should avoid the "lower reaches of the Herbert River," and that the Tongass Land Management Plan calls for 600-foot buffers around active nests. USFS also stated that "[USFS] would like to see a broadcast survey" performed on Forest Service lands immediately adjacent to the DNR-USFS land boundary and recommended tree felling occur between mid-August and November to avoid disturbances to goshawk fledging and bear denning. If mineral exploration permit activities on USFS land continue in 2027, USFS will again recommend flight paths avoid the Herbert River and discourage using staging areas as helipads for exploration activities on USFS land. USFS also stated it does not expect the easement to have significant impacts on fish if ADF&G provides guidance on drainage, erosion, and aquatic organism passage along the easement. To address concerns related to eagles and other birds that frequent USFS lands, USFS recommended the State pursue mitigations, surveys, and permits under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.

Supportive comments of the easement argued that the applicant's activities will adhere to strict environmental laws and regulations, which will adequately protect and mitigate the environmental risks. Comments favorable of this easement also claimed that it will have environmental benefits such as fewer carbon emissions because the applicant will use less fuel to access their drilling sites via helicopter. Another environmental benefit proponents suggested was that if the mine is developed, the applicant may request their operations to be serviced by renewable hydropower, which would reduce their reliance on diesel fuel.

DMLW Response:
DMLW reiterates that all activity occurring on adjacent USFS lands, including any activities associated with the potential mine site at Herbert Glacier, is outside the scope of this decision and DMLW's authority. DMLW acknowledges concerns about potential riparian and water quality impacts from pollutant or contaminant discharges and spills. The applicant will store up to approximately 533 gallons of fuels, oils, and lubricants on site. Storage and containment methods follow standard best practices for commercial operations (for more details, see Environmental Considerations section below). Based on the storage, containment, and handling measures outlined in the applicant's development plan, DMLW believes the risk of impacts to riparian habitat and water quality is limited. DMLW will include environmental liability stipulations in the easement agreement for additional risk mitigation. The stipulations address contaminant and hazardous substance assessment, reporting, removal, and remediation. A performance guaranty will also be required to mitigate risk (see Performance Guaranty section for details).

Commenters expressed concerns about potential impacts to fish habitat, water quality, and watershed hydrology due to easement roadway proximity and increased stream sedimentation. DMLW will require easement construction and final alignment maintain a minimum 300-foot buffer between the easement and streambanks of the Eagle and Herbert Rivers. Implementation of the buffer follows both JSLP guidelines on stream corridors and anadromous stream management as well as the recommendation of ADF&G following a March 2026 site visit by ADF&G and DMLW staff to the easement area.

SEALT commented that nearby conservation easements it manages may be harmed by the proposed easement, and if they are harmed the State may be responsible for restoration of the area, according to the terms of the conservation easement agreement. DMLW respectfully disagrees with SEALT's assertion for the following reasons. The parcel in question is owned by CBJ, and there are two conservation easement agreements tied to the parcel. One agreement is between CBJ and DNR, and the other is between CBJ and SEALT. There is no conservation easement agreement between DNR and SEALT. No property or ownership interest is conveyed in either conservation easement agreement, and DNR's rights are defined narrowly. The terms of the agreements pertain only to the management, use, and disposition of the parcel. The agreements do not address lands adjacent to the parcel nor does it address any requirements, conditions, or assignments associated with the management and use of adjacent lands. Lastly, the CBJ-DNR easement agreement explicitly waives state liability. The extent of DNR's rights and responsibilities as stipulated in the agreement are to oversee and ensure management and use of the parcel complies with Public Law 101-646, 50 CFR.

DMLW acknowledges USFS's comment that development of the proposed easement may impact the quality of winter goat habitat on adjacent USFS lands. DMLW also acknowledges that easement-related activity from November to May may impact mountain goats on USFS lands. DMLW understands the basis for these concerns is a habitat model that infers an overlap of winter goat habitat characteristics with the area in question. However, USFS's comment provided no empirical data or documentation demonstrating how goats might be impacted directly or in what ways habitat quality may be impacted on USFS lands. Based on the information provided, there is no clear evidence of mountain goat activity in the area. Without this information, the assertion that habitat quality may be impacted does not provide a sufficient basis for DMLW evaluate the proposed use. Regarding goshawks, the documented nests sites referenced by USFS are located on USFS land. DMLW has received no information verifying or documenting goshawk nest sites on state land nor did ADF&G or U.S. Fish and Wildlife Service (USFWS) offer any management recommendations regarding goshawks or other avian species.

It is the responsibility of the applicant to ensure they are legally operating with all necessary agencies. There will be a standard stipulation in the easement agreement that states the grantee shall comply with all federal, state, and local laws, regulations, and ordinances directly or indirectly related to this authorization. This applies to all environmental and pollution liability regulations as well.

Recreation Impacts

Summary:
Commenters state that the Eagle-Herbert River valley is a highly used and easily accessible area for many different forms of recreation such as hiking, trail-running, mountain biking, road cycling, cross-country skiing, backcountry skiing, snowshoeing, kayaking, rafting, camping, hunting, fishing, foraging, wildlife viewing, and more. These recreational activities occur at various locations and facilities in the surrounding area such as the Herbert Glacier trail, Amalga (Eagle Glacier) trail and cabin, Windfall Lake trail and cabin, Eagle Beach SRA (and it's three public use cabins), Eagle River United Methodist Camp, Boy Scout Beach, the Herbert River Wetlands, and the Juneau Green Zone.

Commenters assert that the Eagle-Herbert River Valley is a pristine sanctuary surrounded by natural wonders where the public can escape the commotion and whirlwind of human activity that occurs in other parts of Juneau. They remark that in Juneau's more populated areas, the public must contend with large crowds, and loud, constant noise from vehicles and aircraft. In contrast to these busier areas, commenters proclaim that the Eagle-Herbert River valley is where residents can go to enjoy some peace and solitude in a more natural environment. Commenters note that because the trails and recreational facilities in this area are well maintained and located on the Juneau road system, the public can easily access and enjoy the area's natural landscapes. Commenters point out that other areas near Juneau that share similar natural, scenic, and recreational characteristics as the Eagle-Herbert River valley are more crowded, not as well maintained, or require a boat or aircraft to access, which many members of the public do not have.

With this setting in mind, commenters that oppose this easement state that the noise and visual impacts from the applicant's mineral exploration and potential mineral extraction activities will be detrimental to the recreational values of the Eagle-Herbert River valley. The specific activities that commenters are worried will have negative impacts on recreation are construction and heavy equipment use while the easement is developed; vehicle traffic, shipping container storage, and helicopter operations during mineral exploration work; and ore-hauling and blasting work during mineral extraction activities. Commenters are adamant that the applicant's operations will be an eyesore that ruins, destroys, and disrupts the beauty and tranquility of the area. They state that these consequences will result in a lower quality of life for the public.

Comments supporting approval of the easement insist that the applicant's activities will have minimal disruptions on recreational uses in the area. A couple of comments supporting the authorization of the easement suggest that the easement should be changed from a private easement to a public easement. They argue that a new road in this area that is open to the public will allow less-abled individuals to more easily access remote areas in the valley. Another commenter suggested that a public road in this area will be beneficial for snowmachiners and backcountry skiers who want to access alpine terrain more efficiently.

DMLW Response:
When responding to concerns regarding impacts to recreation in the area, DMLW must again look at the Constitution and multiple-use mandate. Article VIII, Section 1 of the Alaska Constitution directs the State to make its lands and resources available for, "maximum use consistent with the public interest," establishing the principle that state lands must support multiple and diverse uses. This requires DMLW to balance multiple uses when managing state land such as settlement, resource development, public access, environmental values, and recreation. AS 38.05.285 reinforces this by requiring all state land authorizations to follow the Constitution and the principles of multiple-use. Together, these authorities guide DNR's mission to responsibly develop Alaska's resources in a way that maximizes public benefit while ensuring state lands remain available for a mix of economic, environmental, and social purposes. Even though this area currently sees a high level of recreation, that does not mean the state cannot or should not authorize other uses. This is also supported in the JSLP, that explains that the area plan was developed because *"The planning area is rich in natural resources. There are many different ideas about how these resources should be used or protected. Although some proposed uses may be in conflict with each other, many different uses can occur throughout the planning area while protecting vital resources, providing uses are responsibly managed"* (JSLP 1–5).

DMLW acknowledges that the road and staging areas will have an impact on recreation in the area. However, DMLW does not agree that the wild and scenic nature of the area will be irreversibly damaged by approving this easement. This easement does not directly intersect any of the existing recreation trails in the area. The easement will be placed between the Herbert Glacier trail and the Amalga (Eagle Glacier) trail for approximately 1.3 miles within a 60-foot-wide corridor, with two, approximately one-acre staging areas. This is a small total footprint within the entire Eagle-Herbert River valley. Due to the non-exclusivity of the easement, public access will not be restricted within the area, therefore even though the experience may change, the public will still be able to recreate within the corridor. Additionally, DMLW acknowledges that this area is easily accessible for recreation and that development will impact the experience for users. While these points were an important part of DMLW's adjudication, they must be considered alongside the State's multiple-use mandate and the requirement to balance recreation with other allowable uses of state land.

DMLW reviewed concerns regarding noise and visual impacts associated with construction, heavy equipment use, helicopter operations, ore hauling, and potential future blasting if mineral extraction occurs. The possible blasting associated with the applicant's potential mine site is outside the scope of this decision because it would occur on USFS land. Regarding the operations along the easement itself, the applicant will be required to pause ore-hauling on weekends and federal holidays during the summer months to reduce disturbances during peak recreation periods. When mineral exploration activities are not being conducted between November 1 and June 15, the rock core samples and the shipping containers storing them will be removed from the easement corridor. This will reduce the maximum number of shipping containers stored on site from sixteen to six. This will help minimize the storage at the staging areas during certain seasons and reduce the visual impact of many shipping containers when the site is not operating. Furthermore, the intent of this easement is to replace the existing staging area the applicant currently operates in the Mendenhall Valley. This easement would allow them to reduce the distance of supply helicopter shuttles, therefore reducing the related noise to the residential areas near the current staging area.

Additionally, DMLW is implementing a phased approach to authorize the easement so that the longer stretch of road (1.13 miles) and second staging area are only developed once the applicant receives approval from USFS to begin minerals extraction on their claims. This is a mitigation measure that enables DMLW to better control construction of the road and ensure it will serve its purpose and not unnecessarily disrupt the recreational area. Although recreation is not the primary reason DMLW is implementing a phased approach, it does potentially lessen any negative impacts to recreation should the mining project not be approved on the adjoining federal lands.

DMLW will authorize the proposed use as a private non-exclusive easement. The purpose of the easement is to provide the applicant with legal access across state land and approve the construction of a roadway within the easement area. Designating the easement a public right-of-way with the intention of providing public road access fundamentally conflicts with the purpose of the easement. Moreover, allowing unrestricted vehicular access along the easement would inevitably pose unnecessary hazards and safety risks. Nor is there an opportunity or need for public road access in this area that would be addressed by designating the easement as public. The easement's status as private non-exclusive does not alter or restrict existing public access to state land encompassing the easement area.

Economic & Logistical Impacts

Summary:
Commenters opposing the easement assert that profits from the proposed mine will primarily go to a private, foreign corporation and their investors, not the public. They contend that the Mining Act of 1872 allows mining companies to pay little in taxes and royalties to the government. Commenters cite an Alaska Department of Labor and Workforce Development report that says 44% of jobs in the mining sector are held by non-residents. They argue that these non-resident workers contribute less to the local economy, and local tax revenues than resident workers. Commenters are also worried that environmental contamination and noise

pollution from the applicant's mining operations will negatively impact the commercial fisheries and tourism industries.

Commenters are also concerned that public funds are being used to build a new ferry terminal at Cascade Point. They state that public funds are being used to subsidize the cost of constructing an ore-transfer facility next to the proposed ferry terminal for the financial benefit of the applicant, and claim this easement is inherently tied to that project. Commenters argue that winter travel along Glacier Hwy is especially dangerous due to heavy snowfall and icy conditions, and constructing a new ferry terminal and ore-transfer facility at Cascade Point will force the public to travel on this stretch of highway when it is particularly unsafe to do so. Opposing comments remark that increased traffic on Glacier Hwy due to the applicant's mining activities will have harmful economic and logistical impacts. Commenters say that Glacier Hwy is not built for heavy ore-hauling traffic, and will lead to more deterioration of the highway. This will make the road surface less safe for drivers and increase the amount of public funds needed to maintain Glacier Hwy. Commenters also claim that the applicant's activities will increase traffic congestion and travel times on the highway, thus hindering economic productivity.

Supporters of the easement say that it will create high-paying jobs for locals in various fields such as engineering, construction, earthwork, aviation, equipment maintenance, security operations, environmental monitoring, shipping, logistics, and more. Commenters point out that this easement and the applicant's potential mining operation are excellent opportunities for students in apprenticeship and workforce development programs to gain experience in these fields. Supportive comments also view this easement as the first step towards the applicant's mining operation coming to fruition. These commenters claim a new mining operation would lead to hundreds of lucrative jobs capable of supporting families in the local community.

Commenters emphasize that this easement and the applicant's potential mining operation will increase federal, state, and local tax revenues that support public services such as schools, infrastructure, and public safety. They also contend that a new mining operation would diversify and strengthen the local economy beyond the government and tourism industries.

Supportive comments highlight that granting this easement will allow the applicant to transport their equipment by truck to a site much closer to their mining claims. This will enable the applicant to conduct shorter helicopter flights between their staging areas and drill sites. By reducing their flight times, the applicant can more safely conduct their mineral exploration activities by limiting their exposure to operational hazards. Commenters also mention that the shorter flight cycles will have the financial benefit of reducing the applicant's fuel costs. By moving the staging areas from the Juneau Airport to the easement, supporters also claim that this will reduce the amount of helicopter noise and traffic over Juneau's more populated areas.

DMLW Response:
DMLW acknowledges commenters' concerns regarding the applicant's ownership structure and the belief that profits from any future mining activity would primarily benefit a private, foreign corporation and its investors. However, the adjudication process does not evaluate or distinguish applicants based on nationality, corporate structure, or location of incorporation.

Easements across state land may be granted to public, private, domestic, or foreign entities, provided the proposal meets statutory and regulatory requirements and the use is determined to be in the best interest of the State.

Commenters' claims that the tax structure applicable to mining companies allows them to pay little government taxes and royalties is outside the scope of this decision. If the applicant's project advances to the mineral extraction and production phase, the State will receive direct economic benefits through tax revenues such as the Alaska Corporate Income Tax, Alaska Mining License Tax, and Alaska Motor Fuel Tax. The proportion of non-resident workers in the mining sector are outside the scope of this decision. Hiring decisions by mining companies—whether they employ residents or non-residents—are not criteria DMLW considers when determining whether to issue a land use authorization. To do so would be speculative.

Concerns about potential environmental contamination or noise from mineral exploration or future mining affecting commercial fisheries or tourism fall outside the scope of this authorization because those actions will not occur on state land. This decision only evaluates the proposed road and staging areas on state land within the easement. To limit potential impacts from activities occurring on state land, the easement will include environmental liability stipulations. These conditions ensure the grantee follows all applicable environmental standards and is responsible for preventing, mitigating, and addressing any spills or pollution that may occur during their operations. Additionally, a performance guaranty will be required to ensure compliance and provide ways to pay for corrective action if the grantee fails to comply with the requirements set forth in the easement document. It will also protect state land from damage and make certain that improvements are removed and that the land is returned in a usable condition upon termination of the easement.

While it is possible the easement on state lands may impact tourism and/or commercial fisheries, comments do not qualify or quantify how those industries may be compromised. Without this information, the assertion that these industries may be impacted does not provide a sufficient basis for DMLW to rely on when evaluating the proposed use.

The Cascade Point ferry terminal is a separate proposed project and is not under consideration in this decision. This easement adjudication does not rely on or presume approval or construction of any facility at Cascade Point. DMLW can only evaluate the applicant's specific easement request for a road and staging areas on state land, even though commenters view the easement and the ferry terminal to be inherently linked.

Concerns about safety along Glacier Hwy during winter travel, increased traffic, road deterioration, accident risk, and economic impacts caused by ore-hauling relate to broader transportation management and roadway maintenance responsibilities held by other agencies. Traffic conditions, highway engineering standards, and maintenance funding decisions for Glacier Hwy fall outside the scope of this decision and outside DMLW's authority. Regardless, DMLW acknowledges the concerns raised and notes that the applicant will still be required to comply with all federal, state, and municipal transportation laws, regulations, and safety requirements applicable to their activities.

Access
Physical and legal access to the requested site is provided by Glacier Highway, a Department of Transportation and Public Facilities (DOT&PF) managed right-of-way.

Access to and along Public Waters: Eagle River and Herbert River are navigable, public water bodies. Pursuant to AS 38.05.126(a), the public has a constitutional right to free access to, and use of, navigable or public waters of the State of Alaska. Public access across these easements shall not be restricted in any manner.

Revised Statute 2477 Trails (RST): Eagle River Trail (RST 606) is an accepted and codified RS 2477 right-of-way (former 43 USC § 932). Public access across this easement shall not be restricted in any manner.

Environmental Considerations
DMLW considers the environmental factors directly related to authorizing the use of state lands as part of its determination of whether approving the authorization is in the State's interest. The purpose of this consideration is to identify any associated mitigation measures or other requirements necessary to protect the public interest, while informing the overall decision of whether to approve the authorization. The applicant is responsible for determining site suitability.

Fuel Storage
The fuel and other hydrocarbons that will be stored within the easement staging areas: up to 330 gallons of diesel, 55 gallons of gasoline, 55 gallons machine grease, 55 gallons of lubricating oil, and 160 pounds of propane. The hydrocarbons will be contained in any combination of single-walled or double-walled drums up to 55 gallons, 100 gallon double-walled "fly tanks," to be used during helicopter sling-loading operations, and 5 gallon portable containers. Containers that are not double-walled or possess an integrated containment system will be stored in bermed containment areas. These containments will have fuel-proof membranes and sufficient capacity to hold the largest tank volume inside the containment area, plus additional capacity for precipitation. Portable "duck pond" type containment pads may also be used. The portable containments will be sized to contain potential tank spills and provide additional capacity for precipitation. Containment areas for long-term fuel storage (i.e., greater than one month) will be located inside a shipping container or under a covered installation to minimize risk of secondary containment overfilling from local precipitation.

Small equipment such as portable generators (15 kW), chainsaws, etc., with small internal gasoline tanks will be stored in shipping containers. A larger, diesel-powered generator (150 kW) on-board the drill rig will be stored briefly at staging areas before heli-transport to the drill sites. Generators, chainsaws, and other equipment with internal fuel tanks will be placed above "duck pond" containment pads to catch potential leaks. Any vehicles or heavy equipment stored within the easement area will also have "duck pond" containment pads placed underneath the engine bay to catch fuel or engine oil leaks. A barrel-sized spill kit containing protective clothing and absorbent pads will be stored within both staging areas.

Mitigation
A set of environmental liability stipulations will be included in the final easement agreement. The stipulations address contamination hazards within the easement area, provide opportunity to establish an environmental baseline, conduct environmental assessments, and specify liability with regard to remediation and the presence of pollutants or contamination (see Attachment 3). Additionally, a performance guaranty will be required to assure compliance and provide ways to pay for corrective action if the grantee fails to comply with the requirements set forth in the easement document (see Performance Guaranty section).

Economic Benefit and Development of State Resources
In accordance with AS 38.05.850, DMLW considers three criteria to determine if this project provides the greatest economic benefit to the State and the development of its natural resources: direct economic benefit to the State, indirect economic benefit to the State, and encouraging development of the State's resources.

The requested easement will provide direct economic benefit to the State through the Entry Authorization (EA) fee and Annual Use Fee (i.e., the easement fee). If the applicant's project advances to the mineral extraction and production phase, the State will receive further direct economic benefits through tax revenues such as the Alaska Corporate Income Tax, Alaska Mining License Tax, and Alaska Motor Fuel Tax. The easement also supports indirect economic benefits to the State because the applicant will use local contractors to construct the easement. They will also use local businesses to acquire the equipment and supplies needed for the easement's construction and their mineral exploration activities. If the project progresses to the extraction and production phase, the project will provide further indirect economic benefits to the State through municipal (CBJ) property tax revenues, more business for local vendors, and more job opportunities in the construction, mining, and services sectors. The easement encourages the development of the State's resources by providing the applicant with access for mineral exploration and potential future extraction.

Discussion

Phased Approach
DMLW has decided that the easement will be constructed in two phases during the Entry Authorization period so that the easement's purpose aligns with the applicant's demonstrated needs. On the effective date of this decision, the first phase authorizes the immediate development of the 0.17-mile segment of road closest to Glacier Hwy and the first 1-acre staging area. The second phase authorizes development of the remaining 1.13-mile segment of road and the second 1-acre staging area once the applicant receives approval of a Plan of Operations from USFS to begin minerals extraction and production on the adjacent USFS land.

Allowing the first staging area and 0.17-mile segment of road nearest to Glacier Hwy to be constructed immediately would facilitate the applicant's mineral exploration on adjacent USFS land without committing the State to infrastructure that exceeds the applicant's current operational needs. Given the high operating speeds of helicopters (even when sling-loaded), the remaining 1.13-mile segment of road and the second staging area would provide marginal efficiency benefits while the project remains in the exploratory phase, and are surplus once the first staging area is constructed.

Phasing the construction of the easement further manages the risk to the State. If the applicant's project on the adjacent USFS land does not proceed—whether due to lack of funding, burdensome operating costs, or the inability to obtain required regulatory approvals—the State would be left with an easement that provides no tangible purpose. A phased approach allows construction of the easement to occur in accordance with its operational needs while also managing potential risk to the State.

Public Access

Existing public access to state-owned land in the area of the proposed easement will remain open. Although the applicant will be allowed to install a gate at the easement's entrance to control vehicular access along the roadway for safety measures, this decision does not restrict use of any existing public access easement, including but not limited to rights-of-way under Revised Statute 2477 (former 43 USC §932), specifically RST 606 – Eagle River Trail, or section line easements that the public would otherwise be able to traverse. This decision also does not abridge any right of the public to traverse along navigable or public water bodies, the right to enter adjacent land above the ordinary high-water mark as necessary to portage around obstacles or obstructions per AS 38.05.128(e), or the ability of DMLW to impose easements adjacent to water bodies pursuant to AS 38.05.127.

Performance Guaranty

History of Compliance:

DNR Land Administration System records indicate that the applicant is in a state of compliance with the terms of other DMLW-issued authorizations.

Performance Guaranty Narrative:

Performance guaranties provide a means to pay for corrective action if the grantee fails to comply with the easement requirements. The applicant will be required to submit a performance guaranty. The amount of the performance guaranty is based on the scope and the nature of the activity and the potential cost of restoring the site. Performance guaranties are subject to periodic adjustments being made during the term of the authorization to address increases or decreases in the costs of rectifying problems and rehabilitating state land due to inflation, changes in the level or nature of development, or other appropriate factors.

The grantee must post a performance guaranty in the amount of $469,748.00 to secure faithful performance with all terms and conditions of the easement and to ensure site restoration of the area. The performance guaranty must remain in effect for the duration of the easement term or until released in writing by the State.

The guaranty amount will be subject to periodic adjustments and may be adjusted upon approval of any amendments to the easement, assignments, re-appraisals, changes in the development plan, approval of a reclamation plan, any change in the activities conducted or performance of operations conducted on the authorized premises and as a result of any violations to the easement agreement.

The guaranty may be utilized to cover actual costs incurred by the State of Alaska to pay for any necessary corrective actions in the event the grantee does not comply with the site utilization, restoration requirements and/or other stipulations contained in the easement agreement. If the grantee fails to perform the obligations under the easement agreement within a reasonable timeframe, the State may perform the grantee's obligations at the grantee's expense. The grantee agrees to pay within 20 days following demand, all costs and expenses reasonable incurred by the State of Alaska as a result of the failure of the grantee to comply with the terms and conditions of the easement agreement. The provisions of these authorizations shall not prejudice the State's right to obtain a remedy under any law or regulation.

The performance guaranty will be released upon expiration of the easement provided that all terms and conditions of the easement have been met, including complete removal and restoration of the authorized area leaving the site in a safe and clean condition.

Insurance

Consistent with AS 38.05.850, to protect the State from liability associated with the use of the site, the applicant shall provide and maintain a comprehensive general liability insurance policy with the State of Alaska named as an additional insured party per the stipulations of the easement agreement. The applicant shall secure or purchase at its own expense, and maintain in force at all times during the term of this easement, liability coverage and limits consistent with what is professionally recommended as adequate to protect the applicant and the State, its officers, agents and employees from the liability exposures of all the insured's operations on state land. The insurance requirement may be adjusted periodically.

Survey

A DMLW-approved survey is required to determine the proper location and acreage of installed improvements and the associated easement on state-owned, DMLW-managed lands. The area shown on Attachment 1 is the basis for the survey. The applicant must acquire survey instructions and coordinate with the DMLW Survey Section during the survey process. A survey instruction fee may be applicable. A draft must be submitted to the Survey Section prior to the expiration of the EA and a final survey must be approved by DMLW before issuance of the final easement.

Fees

Entry Authorization: In accordance with 11 AAC 05.070(d)(2)(I) and Director's Fee Order No. 3, the fee for an Entry Authorization for an approved easement or right-of-way for site development is $240 annually for up to two acres, and $120 annually for each acre above two. The annual fee for this Entry Authorization will be $1,440.00.

Easement: In accordance with 11 AAC 05.070(d)(2)(A)(i) and Director's Fee Order No. 3, the fee for a private non-exclusive easement is $480 annually, plus $240 annually for each acre above two. The total annual fee for this private non-exclusive easement containing approximately 11.2 acres is $2,880.00.

As a measure of incentivizing applicants to complete the required As-Built Survey, both the Entry Authorization fee and the Easement fee will apply during the term of the Entry Authorization. The annual total fee during the term of the Entry Authorization will be $4,320.00. After the easement is granted, only the annual Easement fee of $2,880.00 will apply.

Survey: Fees for survey instruction, review, and recording will be required and administered through DMLW Survey Section.

Entry Authorization

The Entry Authorization (EA) is an interim authorization that is issued when a survey is necessary prior to easement issuance. Staff recommend that the easement not be granted until the following deliverables have been provided to DMLW, as described or recommended above:

Prior to Phase 1 Development

- Payment of the Entry Authorization fee: $1,440.00
- Payment of the Easement fee: $2,880.00
- Performance Guaranty: $469,748.00
- Certificate of Insurance (COI)
- Evidence of having submitted a Request for Survey Instructions (SI) to DMLW Survey Section
- Updated Development Plan that includes:
    - Adjustments to the easement's dimensions as required by the DOT&PF Approach Road Permit
    - A revised easement alignment that remains outside JSLP's 300-foot Fish Habitat Management Zone buffer for Eagle and Herbert Rivers
- Written confirmation of correspondence for any required water use authorizations from DMLW Water Resources Section
- Written confirmation of correspondence and coordination with the Division of Forestry & Fire Protection (DOF&FP) regarding the salvaging of timber resulting from construction
- Written confirmation of correspondence for an Approach Road Permit from DOT&PF
- Written confirmation of correspondence for a Floodplain Development Permit from CBJ Community Development Department (CDD)
- Written confirmation of correspondence for a State Cultural Resources Investigation Permit (SCRIP) from DPOR Office of History and Archaeology (OHA) for the segments of the updated easement corridor that were not previously investigated under SCRIP 2026-02

Prior to Phase 2 Development

- Written confirmation of approval of the applicant's Plan of Operations from USFS to conduct mineral extraction and production activities on the applicant's mining claims located on the adjacent USFS land

Easement Term
The authorization requested under ADL 109466 will be issued for a term of 25 years from the effective date of this decision.

Easements issued under AS 38.05.850 may be revoked for cause if the area described is no longer used for the purpose intended or if a higher and better use of the land is established as determined by DMLW. Following termination an easement, whether by abandonment, revocation, or other means, a grantee shall restore the site to a condition that is acceptable to DMLW. A grantee's planned site restoration activities, including either removal or abandonment of installed improvements, must be described in writing and present to DMLW prior to termination of the easement. DMLW may require compliance with additional conditions specific to the site restoration effort that were not required for the construction, maintenance, or operation of described improvements. Should a grantee or refuse to perform approved site-restoration activities within the time allotted by DMLW, the improvements may become property of DNR. However, a grantee shall not be relieved of the cost of restoring the area to a condition that is acceptable to DMLW.

Recommendation
In consideration of all events and criteria described above, it is my determination that this project is consistent with the overall classification and management intent for this land and would be a benefit to the State of Alaska. Therefore, I recommend issuance of a private non-exclusive easement to GPG Alaska Resources Inc., pursuant to AS 38.05.850, upon satisfactory completion of the project in conformance with all the terms and conditions of this decision and the EA. The easement will be issued for a term of 25 years from the effective date of this decision that may be terminated if a higher and better economic use for the project area is established as determined by the DMLW Director, if the land is no longer used for the above stated purpose, or is revoked for cause.

John Driscoll — 08/18/2026
John Driscoll — Date
Natural Resource Specialist 3

Regional Manager's Decision
When adjudicating an easement authorization pursuant to AS 38.05.850, DNR seeks to responsibly develop Alaska's resources by making them available for maximum use and benefit consistent with the public interest. In consideration of all events and criteria listed above, DMLW has determined that the authorizations to be granted under ADL 109466 are consistent with DNR's mission. It is my decision that this project is consistent with the overall classification and management intent for this land. DMLW will issue a private non-exclusive easement, pursuant to AS 38.05.850, once the applicant has conformed to all terms and conditions of this decision and the EA.

Mason Auger — 8/18/2026
Mason Auger — Date
Natural Resource Manager 2

Appendices:
Appendix A. Agency Review Contact List
Appendix B. Public Notice Contact List

Attachments:
Attachment 1. Development Plan Diagram
Attachment 2. Draft Entry Authorization
Attachment 3. Draft Easement

An eligible person affected by this decision may appeal to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any appeal must be received within twenty (20) calendar days after issuance of this decision under 11 AAC 02.040. An eligible person must first appeal a decision to the Commissioner before seeking relief in superior court. The Alaska Court System establishes its own rules for timely appealing final administrative orders and decisions of the department.

Appeals may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907) 269-8918; or sent by electronic mail to dnr.appeals@alaska.gov. Appeals must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at $200 under the provisions of 11 AAC 05.160 (a)-(b). A copy of 11 AAC 02 is available on the department's website at dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf.

Appendix A - Agency Review Contact List

Alaska Association of Conservation Districts (AACD) Administrator's Office
Department of Fish & Game (DFG) Division of Habitat Southeast Region
Department of Fish & Game (DFG) Division of Wildlife Conservation (DWC) Access Defense Program
Department of Environmental Conservation (DEC) Commissioner's Office Hearings, Regulations, & Special Projects
Department of Environmental Conservation (DEC) Division of Air Quality Compliance Program
Department of Environmental Conservation (DEC) Division of Air Quality Compliance Program Implementation Group (Denali) Office
Department of Environmental Conservation (DEC) Division of Air Quality Air Non-Point & Mobile Sources (ANPMS)
Department of Environmental Conservation (DEC) Division of Air Quality Air Non-Point & Mobile Sources (ANPMS) Emission Inventories, Greenhouse Gases, and Road Dust
Department of Environmental Conservation (DEC) Division of Air Quality Air Non-Point & Mobile Sources (ANPMS) Conformity, Particular Matter, and Ultra-low Sulfur Diesel Programs
Department of Environmental Conservation (DEC) Division of Air Quality Air Non-Point & Mobile Sources (ANPMS) Particular Matter Fine
Department of Environmental Conservation (DEC) Division of Air Quality Air Permit Program
Department of Environmental Conservation (DEC) Division of Environmental Health Solid Waste Program

Department of Environmental Conservation (DEC) Division of Environmental Health Hazardous Waste Program
Department of Environmental Conservation (DEC) Division of Spill Prevention and Response Contaminated Sites Program
Department of Environmental Conservation (DEC) Division of Spill Prevention and Response Prevention, Preparedness, and Response Program Southeast Region
Department of Environmental Conservation (DEC) Division of Spill Prevention and Response Prevention, Preparedness, and Response Program Interagency Coordination
Department of Environmental Conservation (DEC) Division of Spill Prevention and Response Prevention, Preparedness, and Response Program Guidance and Regulations
Department of Environmental Conservation (DEC) Division of Water Compliance Program
Department of Environmental Conservation (DEC) Division of Water Director's Office (DO)
Department of Environmental Conservation (DEC) Division of Water Wastewater Discharge Authorization Program
Department of Environmental Conservation (DEC) Division of Water Wastewater Discharge Authorization Program Engineering Support and Plan Review
Department of Environmental Conservation (DEC) Division of Water Wastewater Discharge Authorization Program Industrial, Municipal, Domestic, & Seafood Processing Wastewater Discharge Sections
Department of Environmental Conservation (DEC) Division of Water Wastewater Discharge Authorization Program Mining Section

Department of Environmental Conservation (DEC) Division of Water Wastewater Discharge Authorization Program Stormwater Section
Department of Environmental Conservation (DEC) Division of Water Wastewater Discharge Authorization Program Stormwater Section Construction & Multi-Sector General Permit
Department of Environmental Conservation (DEC) Division of Water Wastewater Discharge Authorization Program Stormwater Section Excavation/Hydrostatic Authorizations, Stormwater Plan Reviews, and MSGPs
Department of Environmental Conservation (DEC) Division of Water Wastewater Discharge Authorization Program Stormwater Section Wetlands - 401 Certifications & 404 Permits
Department of Environmental Conservation (DEC) Division of Water Water Quality Standards, Assessment, & Restoration Program
Department of Environmental Conservation (DEC) Division of Water Water Quality Standards, Assessment, & Restoration Program Water Quality Monitoring and Assessment Section
Department of Environmental Conservation (DEC) Division of Water Water Quality Standards, Assessment, & Restoration Program Nonpoint Source Water Pollution, Prevention, and Restoration
Department of Natural Resources (DNR) Division of Forestry & Fire Protection (DOF&FP) Southeast Region
Department of Natural Resources (DNR) Division of Forestry & Fire Protection (DOF&FP) Forest Practices Program (FPP)
Department of Natural Resources (DNR) Division of Mining, Land and Water (DMLW) Director's Office (DO)

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Land Conveyances Section (LCS)
Competitive Land Sales

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Land Conveyances Section (LCS)
Non-Competitive Land Sales

Department of Natural Resources (DNR)
Division of Mining, Land and Water(DMLW)
Mining Section
Permitting & Compliance (APMA) Program

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Mining Section
Mineral Property Management (MPM) Program

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Mining Section
Large Mines Program

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Public Access Assertion and Defense (PAAD)

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Realty Services Section (RSS)

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Resource Assessment & Development Section (RADS)

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Statewide Abatement of Impaired Lands (SAIL)

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Statewide Abatement of Impaired Lands (SAIL)
Southeast Region

Department of Natural Resources (DNR)
Division of Mining, Land and Water (DMLW)
Statewide Abatement of Impaired Lands (SAIL)
Spill Prevention/Preparedness/Response Program
Southeast Region

Department of Natural Resources (DNR) Division of Mining, Land and Water (DMLW) Water Resources Section Reservation of Water Program
Department of Natural Resources (DNR) Division of Mining, Land and Water (DMLW) Water Resources Section Southeast Region
Department of Natural Resources (DNR) Division of Parks & Outdoor Recreation (DPOR) Office of History & Archaeology (OHA) Review & Compliance Section
Department of Natural Resources (DNR) Division of Parks & Outdoor Recreation (DPOR) Permitting Unit
Department of Natural Resources (DNR) Division of Parks & Outdoor Recreation (DPOR) Southeast Region
Department of Natural Resources (DNR) Mental Health Trust (MHT) Trust Land Office (TLO)
Department of Natural Resources (DNR) Mental Health Trust (MHT) Trust Land Office (TLO) Land & Resources
Department of Natural Resources (DNR) Office of Project Management & Permitting (OPMP) Mining Program
Department of Transportation & Public Facilities (DOT&PF) Design & Engineering Services Design & Construction Standards ROW Office
Department of Transportation & Public Facilities (DOT&PF) Design & Engineering Services Bridge Design Bridge Management
Department of Transportation & Public Facilities (DOT&PF) Design & Engineering Services Design & Construction Standards Utilities Office

Department of Transportation & Public Facilities (DOT&PF) Design & Engineering Services Environmental Office
Department of Transportation & Public Facilities (DOT&PF) Planning & Program Development

Appendix B - Public Notice Contact List

Alaska Association of Conservation Districts (AACD)
U.S. Army Corps of Engineers (USACE) Alaska District Regulatory Division
U.S. Army Corps of Engineers (USACE) Regulatory Division Southeast Section (Juneau Office)
United States Department of the Interior (USDOI) Bureau of Land Management (BLM) Glennallen Field Office
United States Department of the Interior (USDOI) United States Fish and Wildlife Service (USFWS) Southern Alaska Field Office
United States Department of the Interior (USDOI) United States Fish and Wildlife Service (USFWS) Southern Alaska Field Office Ecological Services Branch
United States Department of the Interior (USDOI) United States Fish and Wildlife Service (USFWS) Southern Alaska Field Office Fisheries Branch
United States Department of the Interior (USDOI) United States Fish and Wildlife Service (USFWS) Southern Alaska Field Office Habitat Branch
United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) State Soil Scientist
United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Juneau Field Office
United States Department of Agriculture (USDA) United States Forest Service (USFS) Alaska Region
United States Department of Agriculture (USDA) United States Forest Service (USFS) Alaska Region - Tongass National Forest (TNF) Supervisor’s Office

United States Department of Agriculture (USDA) United States Forest Service (USFS) Alaska Region - Tongass National Forest (TNF) Juneau Ranger District (JRD) District Ranger's Office
United States Department of Agriculture (USDA) United States Forest Service (USFS) Alaska Region - Tongass National Forest (TNF) Juneau Ranger District (JRD) Special Uses Program
United States Department of Agriculture (USDA) United States Forest Service (USFS) Alaska Region - Tongass National Forest (TNF) Juneau Ranger District (JRD) Recreation Program
United States Department of Agriculture (USDA) United States Forest Service (USFS) Alaska Region - Tongass National Forest (TNF) Juneau Ranger District (JRD) Minerals Management Program
City and Borough of Juneau (CBJ) Community Development Department
City and Borough of Juneau (CBJ) Engineering and Public Works
City and Borough of Juneau (CBJ) Engineering and Public Works General Engineering Division
City and Borough of Juneau (CBJ) Lands and Resources
City and Borough of Juneau (CBJ) Community Development Department Permit Center
City and Borough of Juneau (CBJ) Community Development Department Planning Division
City and Borough of Juneau (CBJ) Manager's Office
City and Borough of Juneau (CBJ) Office of the City Clerk
Central Council Tlingit and Haida Indian Tribes of Alaska (CCTHITA) Native Lands & Resources

Central Council Tlingit and Haida Indian Tribes of Alaska (CCTHITA) Office of the President
Central Council Tlingit and Haida Indian Tribes of Alaska (CCTHITA) Business & Economic Development
Douglas Indian Association (DIA) Environmental Department
Sealaska Corporation Haa Aaní
Goldbelt, Inc. Lands Department
Southeast Alaska Conservation Council (SEACC)
Southeast Alaska Land Trust (SEALT)
Southeast Alaska Watershed Coalition (SAWC)
Trail Mix, Inc.
Territorial Sportsmen, Inc.
Trout Unlimited - Tongass Chapter
Juneau Audubon Society
Juneau Mountain Bike Alliance (JMBA)
Juneau Trail & Road Runners (JTRR)
Juneau Economic Development Council (JEDC)
Southeast Conference
Greater Juneau Chamber of Commerce, Inc.
Alaska Metal Mines
Alaska Miners Association, Inc. (AMA)
Alaska Support Industry Alliance
Resource Development Council for Alaska, Inc.
Juneau Hydropower, Inc.
Coastal Helicopters, Inc.
Eagle River United Methodist Camp
Boy Scouts of America (BSA) Great Alaska Council (GAC)
Boy Scouts of America (BSA) Great Alaska Council (GAC) Southeast District
Kristine L. Allen
Jeffrey L. Brown & Michelle R. Brown