

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
SOUTHCENRAL REGIONAL LAND OFFICE

Regional Manager's Decision

ADL 234755
Calista Corporation
Public Utility Easement
Alaska FiberOptic Project – Lower Kuskokwim

REQUESTED ACTION

On November 17, 2025, the Department of Natural Resources (DNR) , Division of Mining, Land and Water (DMLW), Southcentral Regional Land Office (SCRO) received an application for a public utility easement from Calista Corporation (Calista) in cooperation with Alaska Communications Services (ACS). The easement is requested to authorize Calista's installation of fiber optic cable on State-owned and managed shorelands underlying several different navigable waterbodies for the purpose of providing reliable and affordable broadband internet service to seven communities along the lower Kuskokwim River including Upper Kalskag, Lower Kalskag, Tuluksak, Akiak, Akiachak, Kwethluk and Napakiak.

The project is supported by grant funding from the Tribal Broadband Connectivity Program of the National Telecommunication and Information Administration (NTIA) in the US Department of Commerce. According to Calista, "The project is part of the Alaska FiberOptic Project, a larger collaboration between Calista Corporation, Doyon, Limited, Gana-A 'Yoo Limited, Tanana Chiefs Conference and Alaska Communications to connect up to 20 communities along the Yukon and Kuskokwim Rivers with fiber-optic cable."¹

To advance the intended service, Calista has applied to use several discontinuous segments of state-owned, DMLW-managed submerged lands as a necessary component of the overall project. The purpose of the requested easement is to allow for the installation, maintenance and long-term operation of fiber optic cables. The easement will not cross or abut state-owned lands other than the shorelands described herein because Calista will rely primarily on non-state lands to install the necessary cables. See Attachment A for a map of the intended easement route.

¹ <https://www.calistacorp.com/news/ntia-awards-tribal-broadband-grant/>, NTIA Awards Broadband Grant to Alaska FiberOptic Project partnership

RECOMMENDED ACTION

Issuance of the requested public utility easement is recommended as described below. All affected lands lie below mean high water of navigable water bodies. No State-owned uplands are included in the easement.

- Type of Easement: Public Utility
- Length: Approximately 9,471 feet
- Width: 30 feet
- Acreage: Approximately 6.5 acres
- Term: Indefinite
- Grantee: Calista Corporation

All dimensions are subject to amendment based on those reported in the required, DNR approved as-built survey.

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 best interest of the State of Alaska. All other aspects of the applicant's project are outside the scope of this decision.

STATUTORY AUTHORITY

The easement application is being adjudicated pursuant to AS 38.05.850 and the Alaska Land Act as amended.

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 as referenced herein, Land Classification Order No. SC-24-002, the Lower Kuskokwim Site Specific Plan, and the casefile for the application serialized as ADL 234755.

LOCATION INFORMATION

Geographic Location

The easement will be issued on discontinuous segments of shorelands underlying several navigable waterbodies in the Lower Kuskokwim region including the Gweek River, Kuskokwim River,

Kuskokwim Slough, Kwethluk River, Israthorak Creek, Mud Creek, Tuluksak River and two unnamed sloughs.

Meridian, Township, Range and Section

- Seward Meridian Township 8 North, Range 69 West, Section 5;
- Seward Meridian Township 9 North, Range 69 West, Sections 5, 25, 26 and 36;
- Seward Meridian Township 12 North, Range 66 West, Sections 21, 22 and 27;
- Seward Meridian Township 13 North, Range 65 West, Section 13;
- Seward Meridian Township 14 North, Range 64 West, Sections 3, 10 and 20;
- Seward Meridian Township 15 North, Range 63 West, Sections 6 and 36;
- Seward Meridian Township 16 North, Range 63 West, Section 1.

Other Land Information

Municipalities

- City of Akiak
- City of Akiachak
- City of Kwethluk
- City of Napakiak
- City of Tuluksak
- City of Lower Kalskag
- City of Upper Kalskag

Borough: None. All proposed easement segments are located within the unorganized borough.

ANCSA Regional Corporation: Calista, Inc.

ANCSA Local Corporations:

- Akiakchak Limited
- Kokarmuit Corporation
- Kwethluk Incorporated
- Napakiak Corporation
- The Kuskokwim Corporation
- Tulaksarmute Incorporated

Federally Recognized Tribes:

- Akiak Native Community
- Akiachak Native Community

- Native Village of Napaskiak
- Organized Village of Kwethluk
- Tuluksak Native Community
- Village of Lower Kalskag
- Village of Upper Kalskag

TITLE

The State of Alaska holds title to these lands under the Submerged Lands Act of 1953 and the Equal Footing Doctrine.

THIRD PARTY INTERESTS

There are no third-party interests at the proposed DMLW easement sites. Other State lands impacted by the proposed development include various State of Alaska airport properties managed by the Alaska Department of Transportation and Public Facilities (ADOT&PF.) Applicant is working directly with ADOT&PF Airport Leasing Staff to acquire the necessary permissions for use of airport properties to access and/or utility installation purposes.²

PLANNING AND CLASSIFICATION

Segments of the proposed project affect lands described in the Lower Kuskokwim Site Specific Plan (plan) that was approved by DNR in April of 2024. Applicable management guidelines are as follows.

General Guidelines³

- State land will be managed to protect access and public resources. The types of resources to be protected include, but are not limited to, habitat, recreation, water quality, watersheds, and trails.
- All authorizations for use of state land within the planning area will be consistent with the management intent in this plan.
- State land will remain open to mineral entry unless specifically closed.
- In considering authorizations for the use of state land, ADNR will adjudicate applications to:
 - minimize damage to streambeds, fish and wildlife and their habitats, vegetation, trails, and other resources;
 - minimize conflicts between resource conservation and use; and
 - protect the long-term value of the resource, public safety, and the environment.

² Email communication from applicant's agent Owl Ridge Natural Resource Consultants, Inc. to DMLW dated June 6, 2026.

³ PP 13-14 Lower Kuskokwim Site Specific Plan, April 2024.

- If authorizations from other agencies are required, ADNR will consider issuing a permit or lease contingent upon issuance of these other authorizations.
- Protect significant cultural resources through the following actions:
 - The Office of History and Archology (OHA) within the Department [sic] of Parks and Outdoor Recreation (DPOR) reviews authorizations, construction projects or land uses for potential conflict with cultural resources. The office determined [sic] if there may be an adverse effect on heritage resources and makes recommendations to mitigate these effects.
 - Cooperating with concerned government agencies, Alaska Native corporations, statewide or local group, and individuals to develop guidelines and recommendations on how to avoid or mitigate identified or potential conflict.
 - Require the establishment of buffers (50' or greater) around significant cultural resources as part of the overall protection process when using state lands.

Unit Specific Guidelines⁴:

Lower Kuskokwim Site Specific Plan Unit L-01. Two segments of the easement proposed in ADL 234755 are situated within Unit L-01 as depicted on Map 1-2 of the plan. The Resource Allocation Table for Unit L-01 on page 18 of the plan indicates that the land is co-designated for Habitat and Public Recreation and Tourism – disbursed. According to pages 16 and 17 of the plan, the Habitat designation converts to the classification Wildlife Habitat Land as defined in 11 AAC 55.230. Further according to pages 16 and 17 of the Plan, the Public Recreation and Tourism – disbursed designation converts to the classification Public Recreation Land as defined in 11 AAC 55.160.

The management intent for Unit L-01 is stated as follows:

This unit is to be managed for a variety of uses, including protection of fish and wildlife habitats, harvest opportunities, dispersed recreation, and commercial fishing. Protect the continued use of a waterway by the public for purposes of trade, travel, and commerce. Retain in state ownership. Intensive development is not intended within this unit. Authorizations related to recreation, public safety, utilities, communication lines, and other projects providing a public benefit may be appropriate, subject to protections for habitat, harvest, and recreation values. Tidelands adjacent to the Yukon Delta National Wildlife Refuge are to be managed to protect sensitive habitat values, fisheries and wildlife resources, and the public recreation resources of the National Wildlife Refuge. ADNR shall consult with ADF&G, USFWS, and NOAA regarding critical or sensitive habitats and threatened or endangered species prior to issuing an authorization. There are numerous emerged islands within the unit that are undergoing determination. If the islands are determined to be state land, the Ha, Rd designation is extinguished and

⁴ PP 14-19 Lower Kuskokwim Site Specific Plan, April 2024.

replaced with Gu. Protect known heritage sites and cultural resources. Retain RS 2477 route.

DMLW has determined that the easement described in ADL 234755 complies with the management intent of Unit L-01. Utility and communications lines are an allowable use of the Unit if they are subject to protection of habitat, harvest, and recreation values. ADF&G approved activities associated with the fiber optic cable installation described in ADL 234755 under Fish Habitat Permits FH26-II-0038 and FH26-II-0039 on April 10 2026 and the DNR DPOR State Historic Preservation Officer issued a determination of “No historic properties affected” on May 6, 2026. In addition, the USWS confirmed to applicant that a “no effect” determination had been reached for species addressed in the federal Endangered Species Act⁵ and applicant advised DMLW on April 27, 2026 that:

[T]he project area does not overlap with any threatened or endangered species or marine mammals under NMFS jurisdiction. No ESA⁶ or MMPA⁷ coordination with NMFS is required.⁸

In December of 2025, applicants reported to SCRO that they will trench and immediately backfill all intersections between the cable and designated RS2477 trail alignments across non-State uplands in the project vicinity at the time of cable installation, thereby preserving their public access function.⁹ No emerged islands are present within the area affected by ADL 234575 and recreational usage of the river corridor will not be adversely affected by the fiber optic cable installation which will be trenched into the riverbed.

Finally, the US Department of Commerce, National Telecommunications and Information Administration issued a federal “Finding of No Significant Impact” on the environment for the overall Lower Kuskokwim portion of the Alaska FiberOptic Project by the US Department of Commerce, National Telecommunications and Information Administration on July 13, 2026.

Lower Kuskokwim Site Specific Plan Unit L-02. One segment of the easement proposed in ADL 234755 where it crosses the Kwethluk River is located in Unit L-02, as depicted on Map 1-2 of the plan. The Resource Allocation Table for Unit L-02 on pages 18 and 19 of the plan indicates that the land is designated for Waterfront development. According to page 17 of the plan, the Waterfront development designation converts to the classification Waterfront development land as defined in 11 AAC 55.215. The management intent for Unit L-02 is stated as follows:

⁵ Email from USFWS to Owl Ridge Natural Resource Consultants, Inc., agent for applicant, forwarded to DMLW on April 24, 2026.

⁶ Endangered Species Act

⁷ Marine Mammal Protection Act

⁸ Email from applicant’s agent Owl Ridge Natural Resource Consultants, Inc. to DMLW dated April 27, 2026.

⁹ Email from applicant’s agent Owl Ridge Natural Resource Consultants, Inc. to DMLW dated December 19, 2025.

The unit is to be managed to accommodate tideland commercial and industrial uses. Material extraction is an allowed use. It is unlikely that all of the area within this unit will be used for future commercial and industrial tideland uses. A fairly large area of tidelands is designated Waterfront Development given the uncertainty of the exact location of future facilities needed to support this [sic] local communities. This unit is comprised of seven smaller units adjacent to the communities of Akiak, Akiachak, Kwethluk, Bethel, Oscarville, Napaskiak, Napakiak, and Eek. Prior and existing uses include the placement and operation of private, commercial and community structures and infrastructure. All of the subunits are within anadromous waters. Unit # Designation(s) Map Acres Management Intent Resources and Uses Authorizations for activities or development that would significantly interfere with the continued use of a waterway by the public for purposes of trade, travel, and commerce are not allowed. Adjudicators should consult with ADF&G prior to issuing authorizations to identify sensitive habitats. Protect known heritage sites and cultural resources. Retain RS 2477 routes.

DMLW has determined that the easement described in ADL 234755 complies with the management intent for Unit L-02. Public utilities providing for increased broadband internet service will support additional commercial and industrial uses of the tidelands in Kwethluk.

Segments of the proposed project situated north of Akiachak fall outside of any DNR Planning Area. These segments are addressed in AS 38.04.065(f) which specifies that:

Each decision about the location of easements and rights-of-way, other than for minor access, shall be integrated with land use planning and classification. In this subsection, “minor access” means:

- (1) an easement for fiber optic cable of any length in an area where the land has not yet been classified; and
- (2) other comparable easements as determined by the commissioner in regulation.

SCRO has determined that the project described in ADL 234755 qualifies for the “minor access” exemption from the planning and classification requirement under the terms of AS 38.04.65(f)(1) because the easement will authorize the placement of fiber optic cable.

ACCESS

Access to the project sites will be overland with permission from the adjoining landowners. The applicant has obtained approvals for access and construction activities related to ADL 234755 from the following owners of lands adjacent to the affected State-owned shorelands:

- Akiachak Limited
- Kwethluk Incorporated
- The Kuskokwim Corporation
- Tulkisarmute Incorporated

PUBLIC NOTICE AND AGENCY REVIEW

Public Notice Summary

Public notice of the application was circulated between November 19, 2025, and December 22, 2025. The notice was posted to the online State of Alaska Public website, sent for public posting to the US Post Offices in Akiachak, Akiak, Kwethluk, Lower Kalskag, Napakiak, Tuluksak, Upper Kalskag and distributed directly to the following recipients with existing or potential interests in the vicinity of the requested authorization.

- Akiachak Native Community,
- Akiachak Limited,
- Akiak Native Community,
- Alaska Pilots Association,
- Alaska Village Council Presidents (AVCP),
- Kokaruit Corporation,
- Kwethluk Incorporated,
- Napakiak Corporation,
- Native Village of Napakiak,
- Organized Village of Kwethluk,
- Southwestern Pilots Association,
- The Kuskokwim Corporation,
- Tulkisarmute Incorporated,
- Tuluksak Native Community,
- Village of Kalskag,
- Village of Lower Kalskag

Public Notice Comment and Response

No public comments were received.

Agency Review Summary

Agency review of the application was conducted concurrently with the public notice period between November 19, 2025, and December 22, 2025. The notice was sent to the following recipients.

Federal Agencies

- Bureau of Land Management, Alaska
- Environmental Protection Agency, Region 10
- National Oceanic and Atmospheric Administration, Alaska Region
- US Army Corps of Engineers, Alaska District
- US Coast Guard District 17
- US Fish and Wildlife Service, Alaska Region
- US Fish and Wildlife Service, Yukon Delta National Wildlife Refuge

State Agencies

- Department of Commerce, Community and Economic Development, Division of Community and Regional Affairs, Local Government Program
- Department of Environmental Conservation, Drinking Water Program
- Department of Fish and Game, Habitat Division
- Department of Fish and Game, Wildlife Conservation Division, Access Defense Program
- Department of Natural Resources, Division of Forestry
- Department of Natural Resources, Division of Mining, Land and Water, Director's Office,
- Department of Natural Resources, Division of Mining, Land and Water, Land Conveyance Section
- Department of Natural Resources, Division of Mining, Land and Water, Mining Section,
- Department of Natural Resources, Division of Mining, Land and Water, Public Access, Assertion and Defense Office,
- Department of Natural Resources, Division of Mining, Land and Water, Realty Services Section,
- Department of Natural Resources, Division of Mining, Land and Water, Resource Assessment and Development Section,
- Department of Natural Resources, Division of Mining, Land and Water, Southcentral Regional Land Office Leasing Section,
- Department of Natural Resources, Division of Mining, Land and Water, Southcentral Regional Land Office Permitting Section,
- Department of Natural Resources, Division of Oil and Gas, Permitting Section,
- Department of Natural Resources, Division of Oil and Gas, Statewide Pipeline Coordinator's Office,
- Department of Natural Resources, Division of Parks and Outdoor Recreation, Office of History and Archaeology
- Department of Transportation and Public Facilities, Statewide Right of Way Office

Local Agencies

- City of Akiak,
- City of Kwethluk,
- City of Napakiak,
- City of Lower Kalskag,
- City of Upper Kalskag

Agency Review Comment and Response

Information and comments received from sections within DMLW prior, during and subsequent to the agency review have been considered and included in the preparation of this decision. Comments submitted by agencies outside of DMLW are reported below.

Comment: On November 21, 2025, The Alaska Formerly Used Defense Site (FUDS) Manager for the Alaska Environmental and Special Programs Branch of the U.S. Army Corps of Engineers submitted the following:

Looking at the maps, it appears that all the subsurface installation [occurs] prior to Bethel. There are no FUDS between Bethel and Upper Kalskag, along the Kuskokwim River. There are FUDS in Bethel. Please see snip below of the project points.



Response: The comment is acknowledged.

Comment: On December 12, 2025, the Alaska Department of Environmental Conservation Drinking Water Program submitted the following.

Thank you for the opportunity to comment with respect to public water system (PWS) sources. Given the location(s) provided, this project is near an active registered PWS source (see attached “DEC_PWS_Map.jpg” and summary table below). For this reason, we ask that the applicant please adhere to the attached **Recommendations for General Project Activities near a PWS source**, where applicable.

(<https://acrobat.adobe.com/id/urn:aauid:sc:VA6C2:c67c5ccc-a10d-4ce0-b037-28eb0c3c7c3b>)

To access our interactive web map, which displays PWS source locations and Drinking Water Protection Areas, please visit:

<https://www.arcgis.com/home/item.html?id=13ed2116e4094f9994775af9a62a1e85>.

Summary table

- Public Water System ID (PWSID): AK2272017
Water System Name: KWETHLUK NEW PIPED WATER SYSTEM
Water System Classification: Community Water System
State Assigned Source ID: IN001
Source Name: IN INTAKE IN KWETHLUK RIVER
Source Water Type: Surface Water
Source Facility Type: Intake
- Public Water System ID (PWSID): AK2270223
Water System Name: TULUKSAK WATER SYSTEM
Water System Classification: Community Water System
State Assigned Source ID: WL002
Source Name: 2005 NORTH WELL
Source Water Type: Groundwater
Source Facility Type: Well

[Drinking Water Watch](#) has current sampling results and contact information.

DNR Response: The comment is acknowledged. The applicant will be so advised.

Comment: On December 22, 2025, the Alaska Department of Fish and Game Access Defense Program submitted the following.

The Alaska Department of Fish and Game (ADF&G) has reviewed the attached utility easement application from Calista Corporation for subsurface lands underlying nine navigable waterways in the lower Kuskokwim between Bethel and Upper Kalskag. The purpose of the easement is for installation of fiber optic cable under the waterways using horizontal directional drilling. The total

easement area will be about 9,471 feet long and 30 feet wide. A total of 13 crossings are proposed for inclusion in this easement under the following waterways. No equipment will be operated below ordinary high water to facilitate installation at the locations listed in the application.

- Gweek River (2 crossings)
- Kwethluk River
- Tuluksak River
- Unnamed Slough(s) of Kuskokwim River (4 total crossings)
- Israthorak Creek
- Mud Creek
- Kuskokwim River (2 crossings)
- Kuksokuak Slough

ADF&G has no objection to the renewal [sic¹⁰] of this utility easement; however, we offer the following comments:

1. Several Revised Statute (RS) 2477 rights-of-way are in the general vicinity of the project and are listed in the table below. While they may not align precisely with the water crossings, they are located nearby and should be considered during review of this application. Legal access to navigable waterways on state land should be maintained wherever these rights-of-way intersect the proposed easement. ADF&G also recommends that legal access to navigable waterways is maintained at other trails that intersect the easement locations, regardless of land ownership, including the 17(b) easements identified below.
2. The installation of fiber optic cable under the waterways identified in the easement application will require a Fish Habitat Permit from ADF&G Habitat Section.

comment continues next page

¹⁰ ADL 234755 has never been previously issued by DMLW, and the notice did not specify that project involved “renewal” of a prior authorization.

RS2477 Trails and 17(b) Easements in the Project Area
(Data sourced from Alaska Mapper, accessed 12/17/25.)

Sheet Reference (Appendix A)	Waterbody Name	MTRS of trails or easement	RS 2477 rights-of-way	17(b) Easements
1	Gweek River (Xing A)	S009N069 W, Sections 8 and 9	RST 32 Bethel-Tuluksak	----
3	Kuskokwim River (Xing B) and Tuluksak River	S012N066W, Sections 15, 16, 21, 22, 27	RST32 Bethel-Tuluksak; RST 335 Tuluksak-Kalskag; RST 24 Aniak-Tuluksak; RST 217 Tuluksak-Foothills <i>(pending case status)</i>	RUSA6_201C4; RUSA6_7D9; RUSA6_13C4; RUSA6_100C4; RUSA6_200D1; RUSA6_5C4D1
6	Unnamed Slough of Kuskoswim 1 (Xing B)	S14N064W, Sections 10, 15	----	RUSB5_10aC4C5

Thank you for the opportunity to review and comment. We ask that you share any applicable comments with the applicant. Additionally, we request a copy of the decision document once it is issued.

DNR Response: The comment was acknowledged. RS2477 alignments in the project vicinity were recognized by the DNR DMLW Public Access, Assertion and Defense Section who provided no objection to the alignment of ADL 234755 as proposed. Applicants will trench and immediately backfill all intersections affected by installation of their cable to preserve the public access function of affected RS2477 alignments. Federally issued 17(b) Easements on privately owned lands are outside the management jurisdiction of the DMLW SCRO easement unit and the scope of this decision document.

No other agency comments from outside of DMLW were received.

ENVIRONMENTAL CONSIDERATIONS

The risk of environmental contamination associated with this proposed public access easement is minimal. Fuel, lubricants and other hazardous materials shall be restricted to those necessary and will be contained within tools and vehicles when equipment is necessary for construction and

maintenance activities. No fuel or other hazardous materials are authorized to be stored on site. There are no other known environmental considerations or constraints at this location.

ECONOMIC BENEFIT AND DEVELOPMENT OF STATE RESOURCES

In accordance with AS 38.05.850, DMLW considers if the requested authorization will provide the greatest economic benefit to the State and development of its resources. Specifically, staff assess both the direct and indirect economic benefits and whether the proposed authorization encourages the development of the State's resources.

The authorization considered herein will provide a direct economic benefit to the State in the form of land use fees. The public utility easement will facilitate improvement of the existing regional and statewide utility system, which will promote conditions for economic development, and so provide an indirect benefit to the state. In consideration of these factors, and because there are no competing requests for authorization, issuance of this public utility easement will provide the greatest economic benefit to the State.

PERFORMANCE GUARANTY

A performance guarantee is intended to incentivize compliance with the terms and conditions of the entry authorization and easement. It also provides a mechanism for the State to ensure that the applicant shares the financial burden in the event of noncompliance (including fee payment, survey, appraisal, etc.), restoration (interim and final), and any associated costs after termination or expiration of the easement. The applicant is required to submit a performance guarantee in the amount of \$64,220.00 to ensure completion of entry authorization requirements. These funds will also serve as a survey deposit per AS 38.05.860 and may be reduced one time during the term of the entry authorization by an amount up to the contracted amount to a licensed surveyor for completion of an as-built survey. This performance guaranty will remain in place during the term of the entry authorization and is subject to release upon the acceptance of a DMLW-approved as built survey and the fulfillment of all terms, conditions and stipulations of this decision and the entry authorization. The performance guaranty may also be adjusted to reflect updates and changes in the associated project, and the applicant may be required to provide an additional performance guaranty if DMLW determines there is additional risk to the State. The performance guaranty may be utilized by DMLW to cover actual costs incurred by the State to pay for necessary corrective actions in the event the applicant does not comply with site utilization and restoration requirement and other stipulations contained in the entry authorization. An additional performance guaranty may be required for an extension of the entry authorization beyond the initial term proposed under this decision.

INSURANCE

The applicant is required to submit proof of insurance in an amount the insurance company determines necessary to protect both the State and the applicant from risks associated with the planned activities under the Entry Authorization (EA) for ADL 234755. The applicant will be responsible for maintaining the necessary insurance during the term of the EA. The insurance may be adjusted to reflect updates and changes in the associated project, and the applicant may be required to furnish additional insurance if DMLW determines there is additional risk to the State. A certificate of insurance listing the State of Alaska, Department of Natural Resources as an additional insured on the policy, or other insurance acceptable to the State, must be submitted to DMLW prior to entry on state land and must be maintained throughout the term of the EA.

SURVEY

A DMLW-approved as-built survey is required to determine the proper location and acreage of installed improvements and the associated easement on State-owned, DMLW-managed lands. The applicant is required to request survey instructions prior to issuance of the entry authorization. The survey must be produced in accordance with survey instructions provided by the DMLW Survey Section and stamped by a Professional Land Surveyor registered in the State of Alaska. A final easement will not be issued until the as-built survey for the overall project described in ADL 234755 has been approved by DMLW.

FEES

Entry Authorization

Based on the current estimate of 6.5 acres for the project area, applicants will pay an annual interim land use fee of \$240.00 for a minimum of two acres plus an additional \$120.00 per acre for a total of \$780.00 in accordance with 11 AAC 05.070(d)(2)(C) and Director's Fee Order No. 3.

Final Easement

Applicants will pay a one-time fee of \$0.56 per linear foot for a public easement that combines all segments of proposed Public Utility Easement ADL 234755 per 11 AAC 05.0790(d)(2) and Director's Order No. 3. The total amount of this fee is currently estimated to be approximately \$5,30376 based on the estimated overall length of 9,471 feet but will be determined following DMLW's approval of an as-built survey.

These fees may be adjusted if the regulation(s) or the department fee schedule change during the term of the entry authorization and/or easement. All fees shall accrue from the effective date of the decision.

Other Fees

The Grantee will pay a fee for any late payment. The amount of \$50.00 will be assessed on each past-due payment until paid in full. Additionally, the applicant shall pay applicable document

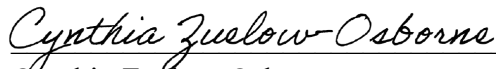
recording fees prior to DMLW execution and recording of the easement document and any fees that may be assessed by the DNR Survey Section.

ENTRY AUTHORIZATION

An Entry Authorization (EA) is an interim authorization issued when a survey is necessary prior to easement issuance. This EA will be issued for a term ending three years from the date of issuance for the purpose of constructing, surveying, operating, and maintaining the infrastructure considered herein prior to DMLW's issuance of a public access easement. An extension of the EA term may be granted at the written request of the applicant, if granting the extension is deemed appropriate by DMLW, and may be subject to applicable fees. If an extension is required, the applicant must contact DMLW no later than 30 days prior to the expiration of the EA and certify there have been no changes to the approved development plan.

RECOMMENDATION

Based on the information provided by the applicant, as well as a review of relevant planning documents, statutes, and regulations related to this application, it is my recommendation that an easement is issued as described above, on the condition that all stipulations are followed as described in the attached authorization.



Cynthia Zuelow-Osborne

Natural Resource Specialist 3

DMLW Southcentral Regional Land Office

7/31/2026

Date

signatures continue next page

REGIONAL MANAGER'S DECISION

When adjudicating an easement authorization pursuant to AS 38.05.850, DMLW 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, I hereby determine that that authorization to be granted by this decision is consistent with DMLW's mission, that this project is consistent with the overall classification and management intent for this land, and that issuance of an authorization as described above is in the interest of the State of Alaska. The Department assumes no responsibility for maintenance or liability for injury or damages attributable to this authorization.

This decision may be rescinded by written notification if, 60 days after the effective date of this decision, the applicant has not completed all requirements outlined in this decision for issuance of the authorization. Additional time may be allotted to complete these requirements; however, this will not extend the total term of the authorizations issued under this decision. This decision goes into effect and becomes a final administrative order and decision of the department on the 21st day after issuance.

Brent Reynolds
Brent Reynolds, NRM II
Easement Unit Manager
Southcentral Regional Land Office

8/20/2026

Date

APPEAL

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)(6), which has been set at \$200 under the provisions of 11 AAC 05.160(a)-(b). A .pdf or print copy of 11 AAC 02 may be obtained by contacting DNR's Appeals Program via phone at (907) 269-3565, via email at dnr.appeals@alaska.gov, and is also available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.

ATTACHMENT: ADL 234755 Map Sheets

ATTACHMENT A: ADL 234755 DMLW NAVIGABLE WATERS MAP SHEETS

Cover Sheet



APPENDIX A - NAVIGABLE WATERS

ADL 234755 DNR EASMENT APPLICATION

SCALE: 0 0.25 0.5 0.75 Miles

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Legend:

- ADNR Permitted Crossing:**
 - River Flow Direction: Solid line with arrow
 - Proposed Communication: Dashed line
 - Shelter: Yellow square
 - Road: Red line
 - Stream: Blue line
 - Water Navigability: Blue area
- Land Ownership:**
 - State: Pink
 - Native Allotment: Light blue
 - Water: Dark blue

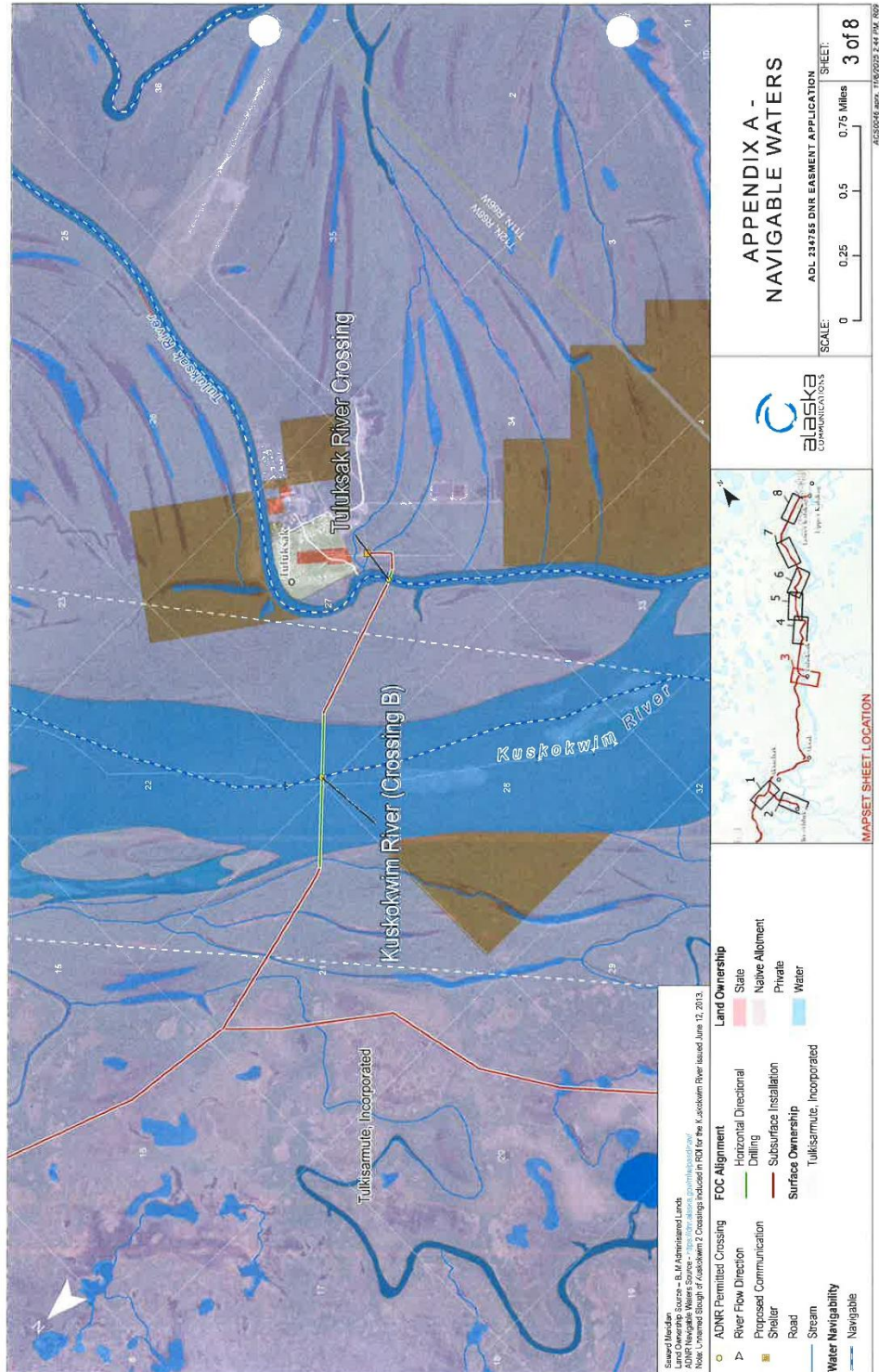
Map Labels: Bethel Native Corporation, Akiachak Limited, Gweek River, Kuskoquim River, Crossing A, TION ROWN TEN ROWN.

Mapset Sheet Location: 1 2 3 4 5 6 7 8

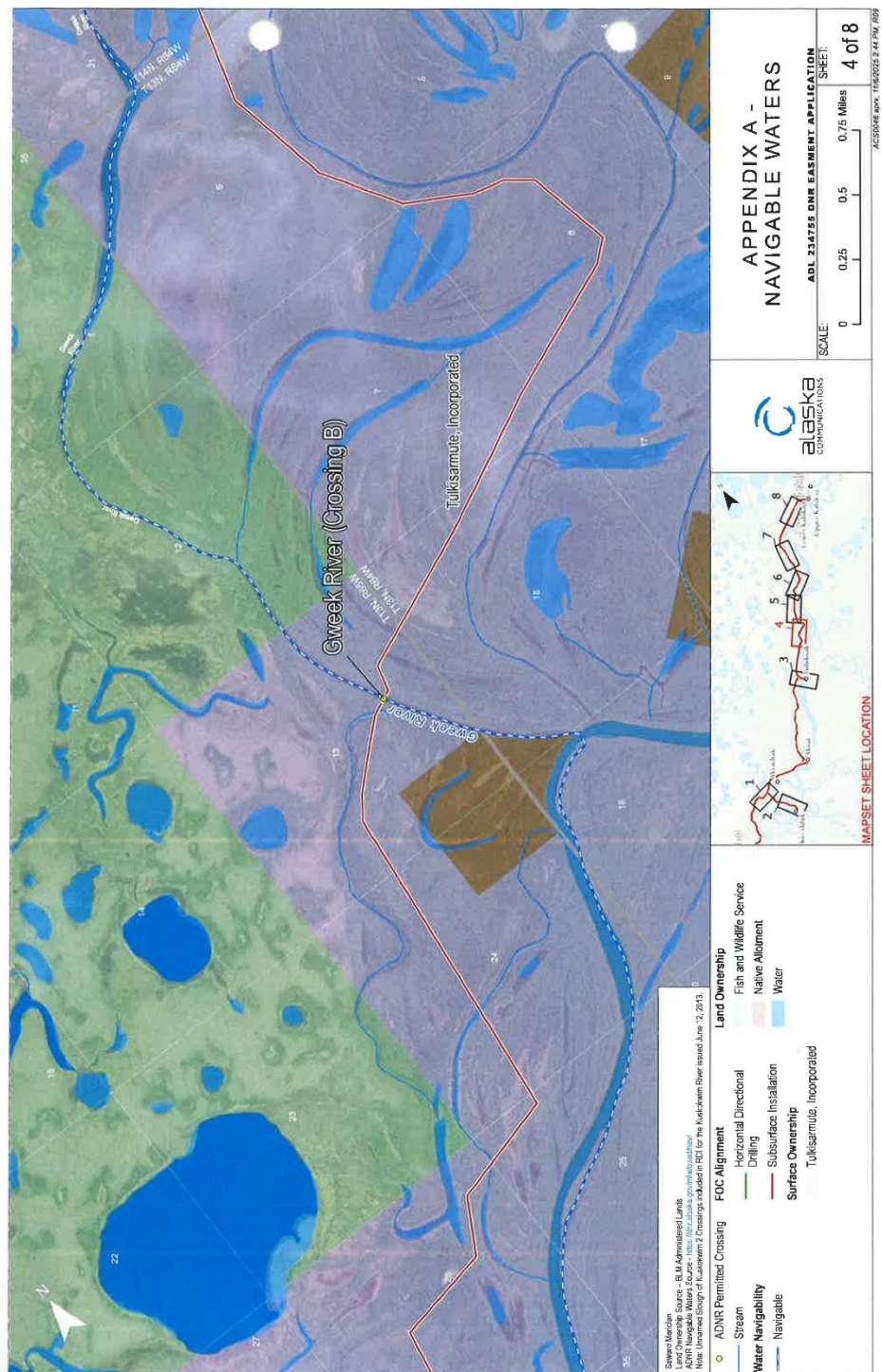
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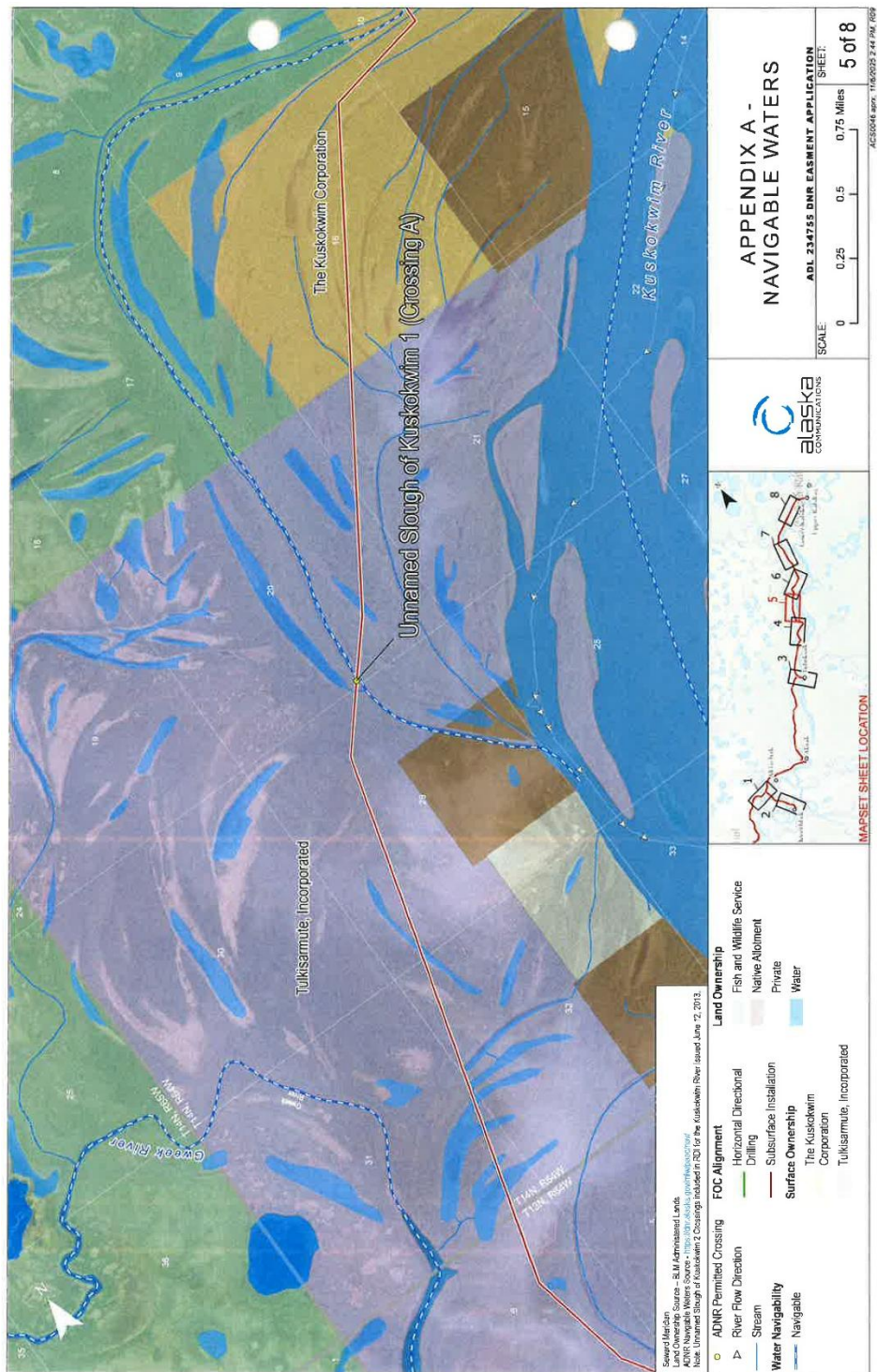
ATTACHMENT A: ADL 234755 DMLW NAVIGABLE WATERS MAP SHEETS
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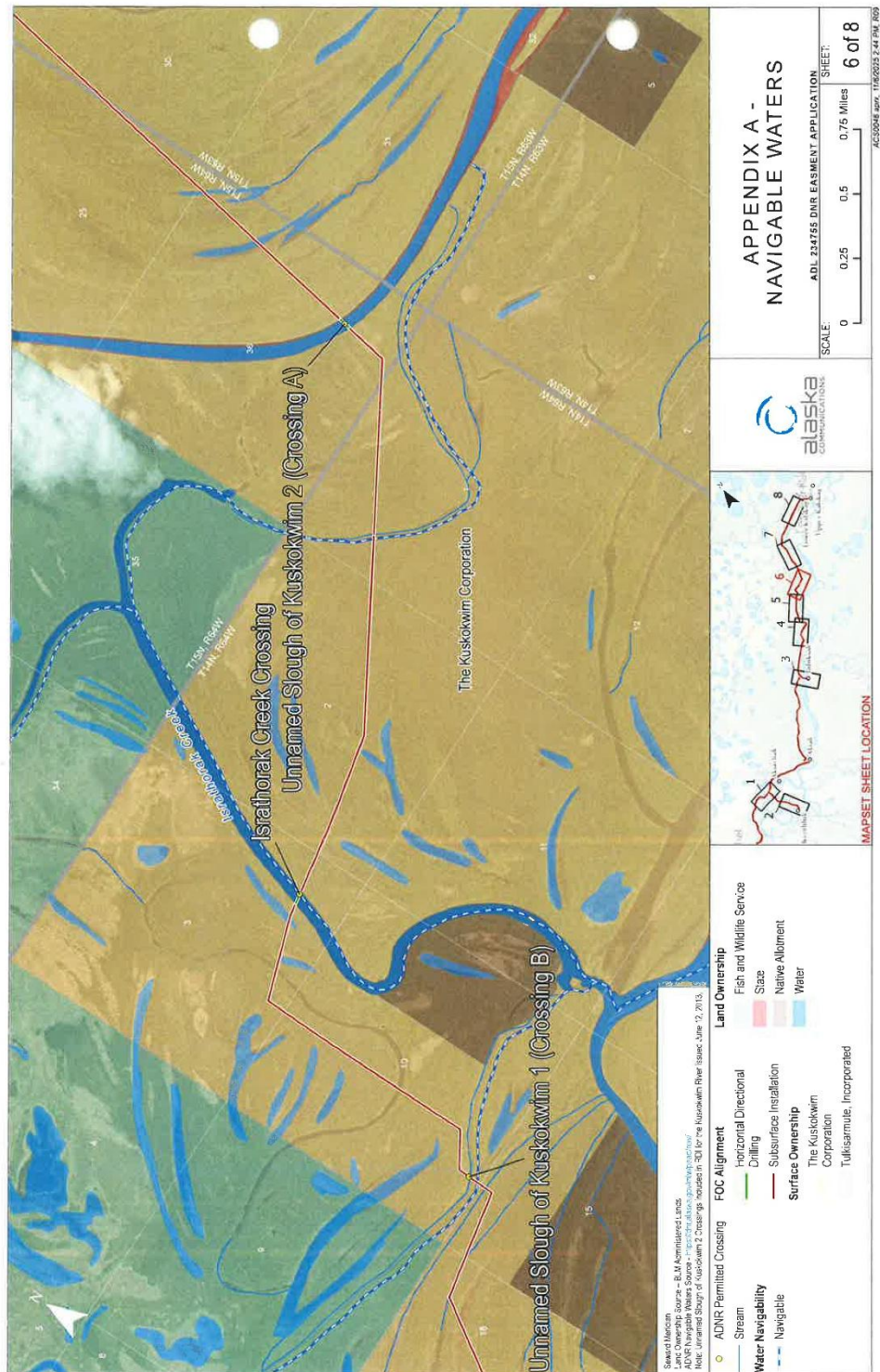
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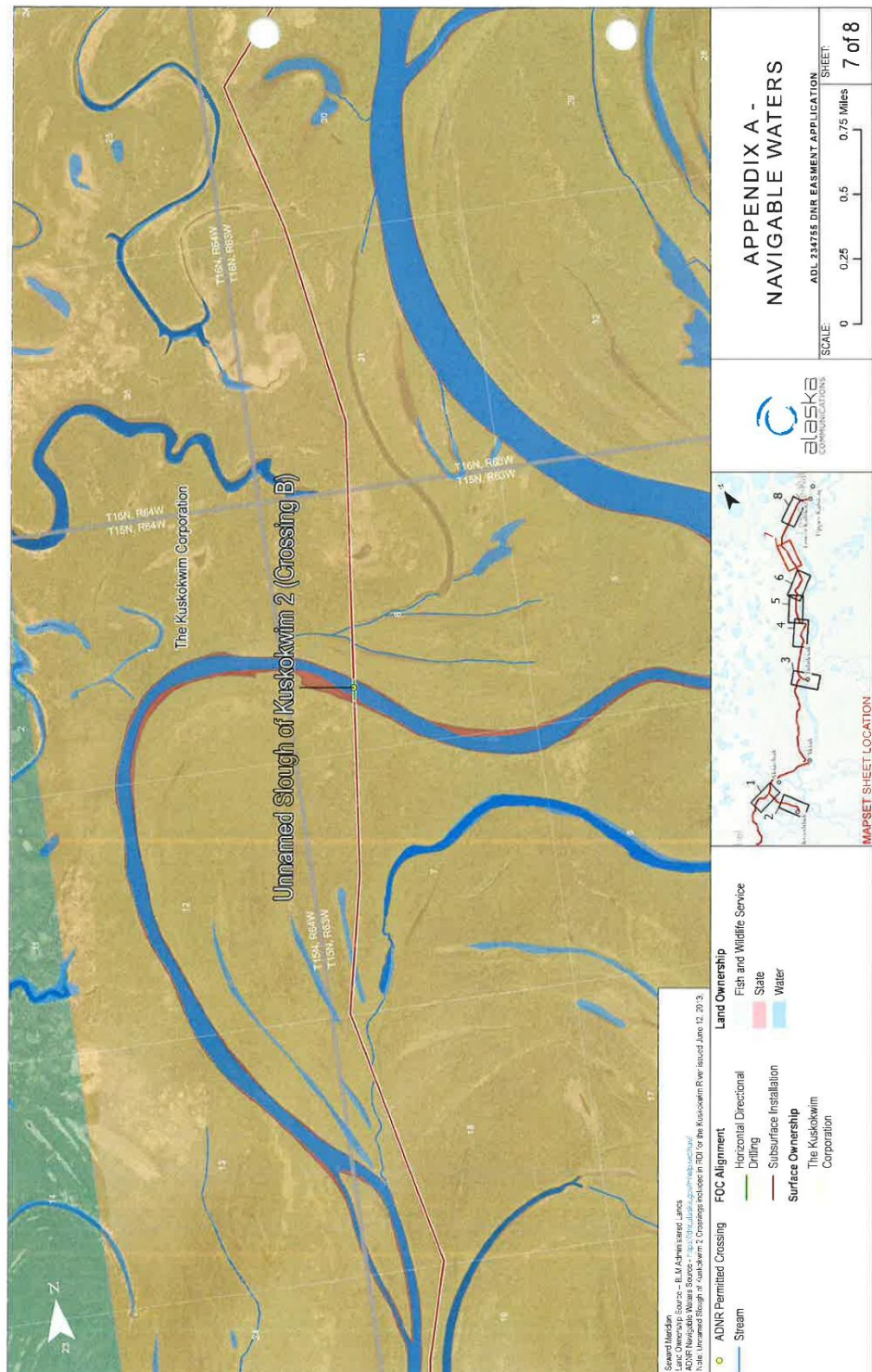
ATTACHMENT A: ADL 234755 DMLW NAVIGABLE WATERS MAP SHEETS
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ATTACHMENT A: ADL 234755 DMLW NAVIGABLE WATERS MAP SHEETS
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ATTACHMENT A: ADL 234755 DMLW NAVIGABLE WATERS MAP SHEETS
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