

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
Southcentral Regional Land Office

Regional Manager's Decision

ADL 234634

Copper River Watershed Project
Public Easement
Eyak Lake Weir

REQUESTED ACTION

On February 20, 2025, the Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW), Southcentral Regional Office (SCRO), received an application for a public easement from Copper River Watershed Project (CRWP; the applicant) to replace a failing existing weir with a new, more stable structure on State-owned, DMLW-managed submerged lands underlying Eyak Lake near Cordova, Alaska. The purpose of the proposed easement is to authorize reconstruction of a weir to retain existing lake water surface elevations, improve upstream fish passage and connectivity, and address community concerns. The weir structure will be protected upstream by a riprap ramp with material placed downstream, designed to mimic a natural channel. The applicant has requested an access easement approximately 333 feet wide, 202 feet long, and 1.28 acres in size, more or less.

RECOMMENDED ACTION

In consideration of all events and criteria this easement shall be authorized as follows:

- Width: Approximately 333 feet wide
- Length: Approximately 202 feet long
- Acreage: 1.28 acres, more or less
- Term: Indefinite
- Grantee: The City of Cordova
- Type of easement: Public Easement

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. All other aspects of the applicant's project are outside the scope of this decision.

STATUTORY AUTHORITY

This 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 referenced herein, the 2007 Prince William Sound Area Plan and other classification references described herein, and the casefile for the application serialized by DNR as ADL 234634.

LOCATION INFORMATION

Geographic Location

The applicant has requested that DMLW authorize an easement located in Eyak Lake in Cordova, Alaska.

Meridian Township Range Section

The applicant has applied to use State-owned, DMLW-managed submerged lands within Sections 30 and 31, Township 15 South, Range 2 West, Copper River Meridian.

Other Land Information

Regional Corporation: Chugach Alaska Corporation

Native Village: Native Village of Eyak

FIGURE 1 – A map supplied by the applicant that depicts the area and proposed improvements.

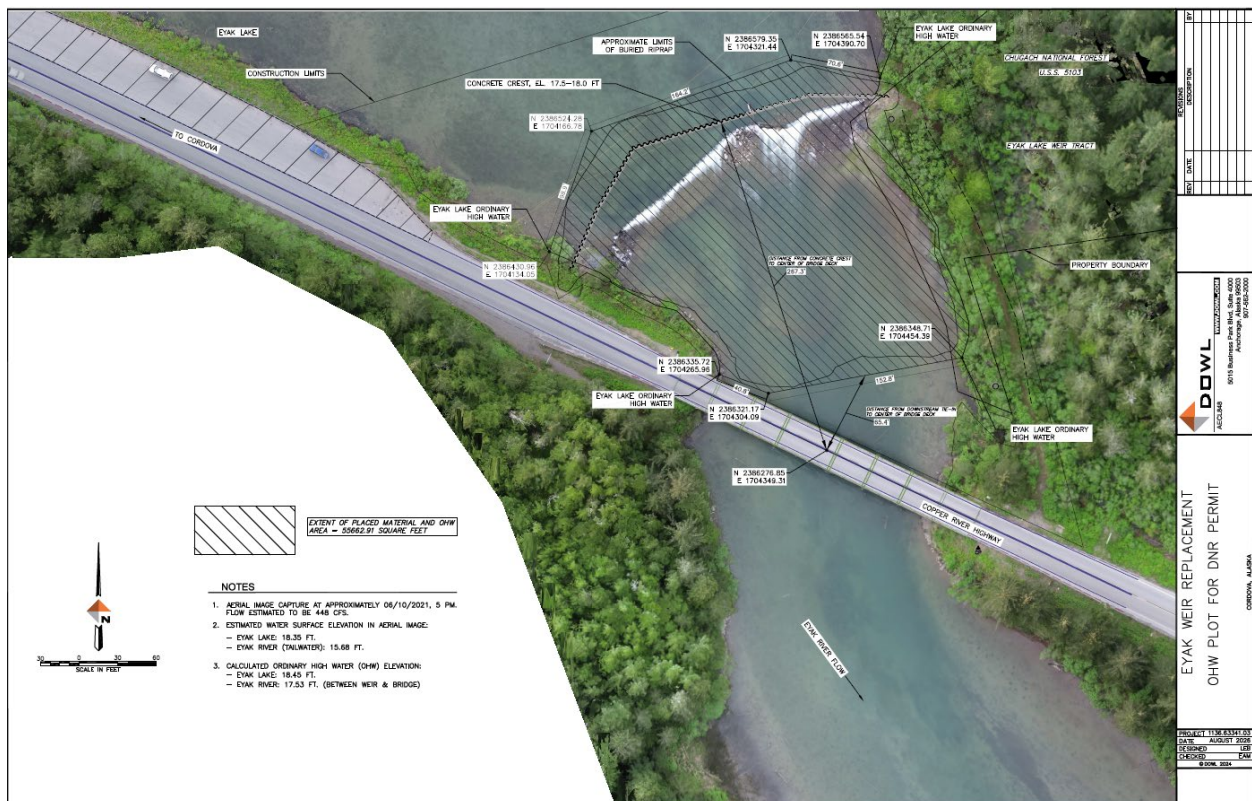
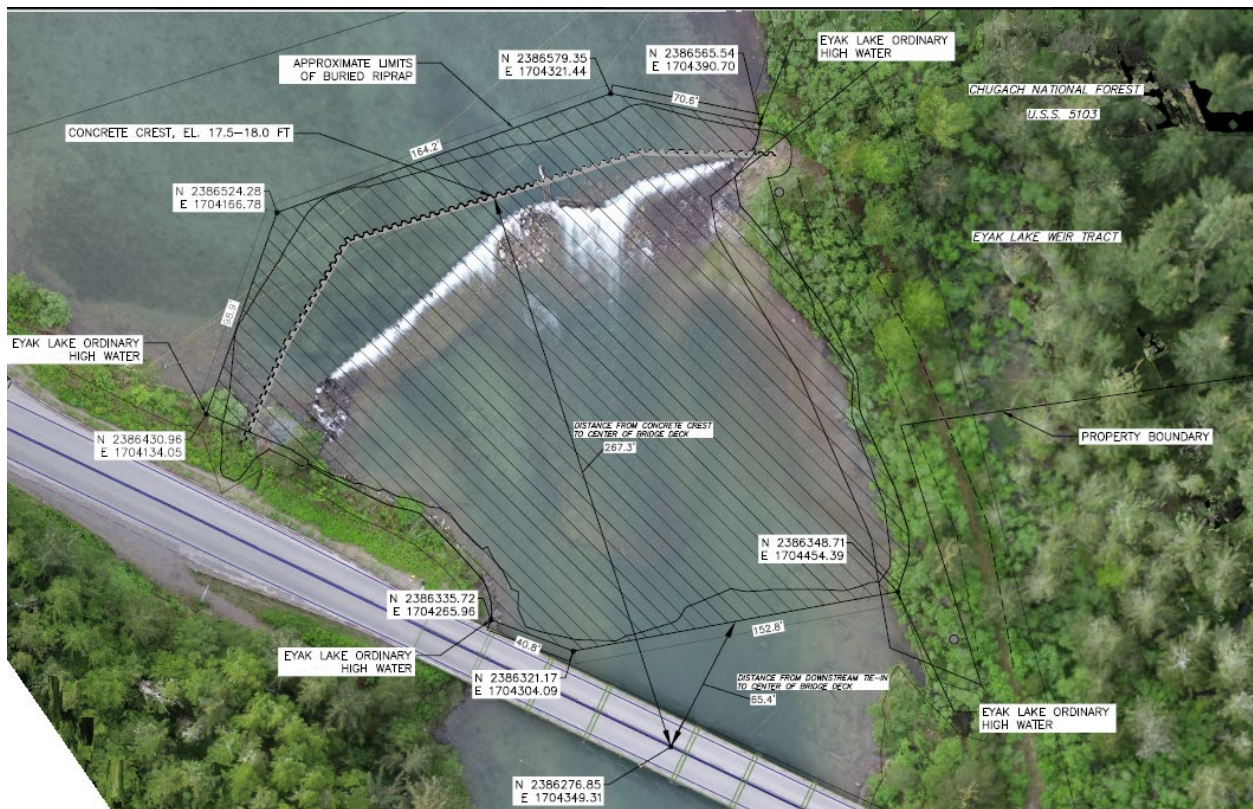


FIGURE 2 – A close-up snapshot of the map supplied by the applicant that depicts the area and proposed improvements.



TITLE

The State of Alaska holds title to lands beneath tidally influenced and navigable waterways within its jurisdiction, on the basis of the Equal Footing Doctrine, the Submerged Lands Act of 1953, and AS 38.04.062 (Identification of State Submerged Lands). Eyak Lake and River are considered navigable and public water per AS 38.05.126 and AS 38.05.127.

Any State-owned, DMLW-managed lands, or State-selected lands that may be managed by DMLW in the future that are crossed by the authorization considered herein at the time of this decision, which are omitted from this list, and are subsequently identified, are included in this decision. Navigable and public water determinations are subject to change pursuant to future findings.

THIRD PARTY INTERESTS

The applicant has requested an easement that may impact the following interests. Third party interest notification has been sent to all interest holders noted below.

- ADL 230249, Public Utility Easement, Cordova Telephone Cooperative, Inc.
- ADL 232011, Public Utility Easement, GCI Communication Corp.
- ADL 231757, Public Utility Easement, Cordova Electric Cooperative, Inc.

PLANNING & CLASSIFICATION

The project area affected by this proposal is discussed in the Prince William Sound Area Plan (hereinafter referred to as “the Plan”) for State Lands which was approved on June 17, 1988. The weir is situated in Management Unit 27: City of Cordova, Subunit 27A (City of Cordova and Eyak Lake).

State-owned uplands, Eyak Lake, and tidelands within the project area are designated as “Public Recreation” by the area plan’s Land Use Designation Summary for subunit 27A (pg. 3-236). The “Public Recreation” designation converts to the “Public Recreation Land” classification per Table 4-3: Conversion of Tideland Primary Designations to Classifications (pg. 4-6). The Plan’s Resource Information Summary for Eyak Lake (uplands and tidelands) for subunit 27A denotes weak mineralization and there are “otter concentrations; essential waterfowl habitat; seasonal waterfowl concentrations; essential swan habitat; eagle nest concentrations; sport fishing; eagle concentrations; deer” (pg. 3-239). Settlement and Forestry resources are summarized in the plan, but these do not occur on tideland area and are therefore not applicable.

The management of Subunit 27A states that Eyak River and Eyak Lake contain important recreation and fisheries resources and that management will protect these existing values (pg. 3-233). Submerged lands of Eyak Lake will be managed according to the guidelines contained in the Cordova Coastal Management Plan and the Eyak Lake Area Meriting Special Attention (AMSA) plan. Both plans were features of the Alaska Coastal Management Program, which was allowed to sunset by the Alaska legislature in 2011 and therefore the plans are no longer applicable.

SCRO finds the issuance of an authorization for the continued use of previously installed infrastructure to be consistent with the area plan as it aligns with the management intent, land classification, and resource summary.

ACCESS

Functional legal access to the state land discussed herein exists via the Copper River Highway.

PUBLIC NOTICE & AGENCY REVIEW

Public Notice Summary

Public notice of the application was conducted from May 11, 2026, to June 10, 2026. The notice was posted to the State of Alaska Online Public Notice System and was sent to the Cordova post office, Cordova public library, and Cordova chamber & visitor center for display on their notice boards. The notice was also sent to the following recipients:

- Chugach Alaska Corporation
- Native Village of Eyak
- Cordova Electric Cooperative
- Cordova Telephone Cooperative

Public Notice Comment & Response

No comments were received during the public notice period.

Agency Review Summary

Agency review of the application was conducted from May 11, 2026, to June 10, 2026. The notice was sent to the following recipients:

State Agencies

- DNR Division of Parks and Outdoor Recreation (DPOR); Permitting
- DNR DPOR Office of History and Archaeology (OHA)
- DNR Division of Oil and Gas, State Pipeline Coordinator Section
- DNR AK Mental Health Trust Land Office
- Department of Environment Conservation (DEC), Division of Environmental Health; Drinking Water Program
- DEC, Division of Environmental Health; Solid Waste Program
- DEC, Division of Environmental Health; Tsunami and Marine Debris
- DEC, Division of Spill Prevention and Response; Contaminated Sites Program (CSP)
- DEC, Division of Air Quality; Permitting
- DEC, Division of Air Quality; Air Non-Point and Mobile Sources
- DEC, Division of Water; Alaska Pollutant Discharge Elimination System Program
- ADF&G Wildlife Conservation, Access Defense Program
- Division of Commerce, Community, and Economic Development (DCCED), Division of Community and Regional Affairs (DCRA)
- Department of Transportation & Public Facilities (DOT&PF); Statewide Right-of-Way (ROW)

Federal Agencies

- U.S Army Corps of Engineers

Local:

- City of Cordova, Planning Department

A total of 3 comments were received during the agency review and area summarized below:

Agency Review Comment & Response

Comment: On May 12, 2026, DEC CSP noted *there are no sites found within 1,500 feet of the proposed project but if the scope of the project changes, update your research and contact CSP as needed.* They stated to have no other comments related to this information request.

Response: SCRO acknowledges the comment.

Comment: On June 2, 2026, DOT&PF offered the following comments:

1. *Right of Way (ROW) - The identified construction area on the figure provided is partly within the right of way for the Copper River Highway. Please redirect the applicant to contact DOT&PF Northern Region Right-of-Way Office Fairbanks to apply for the necessary permits to occupy, interrupt, stage or access the highway right of way from the site.*

- A. *Need to identify on map proposed 320 x 220 easement along with 1.25 acres below ordinary high-water mark (OHW).*
- B. *There is concern where this permanent easement will be in relation to the Bridge and Highway Easement Deed (HED). DOT&PF management authority for the bridge replacement project will likely be needed for weir easement areas close to DOT&PF road and bridge. Proximity will need to be further evaluated.*
- C. *Separate approvals will be required by DOT&PF, United States Forest Service (USFS), and Federal Highway Administration (FHWA) for uses above OHW and within the existing HED.*
- D. *More information on the location of the proposed permanent and temporary easements is necessary.*
- E. *Documentation of State ownership before and after the weir is constructed is needed as this potentially affects the location of the DOT&PF ROW under the HED.*
- F. *Stated public easement purpose for road, bridge, airstrip/airport, trail, and drainage unclear where or by what authority they are proposed. These uses below OHW or otherwise potentially need to be clarified for the proposed easement.*
- G. *Also, it is not clear what work is proposed within figure 1 construction limits on the east side of the bridge.*
- H. *ROW Permit Concerns:*
 - i. *Needs to go through the internal review process.*
 - ii. *Encroachment Permit for Weir embedment in ROW (Approvals from USFS and FHWA anticipated).*
 - iii. *Meetings with USFS and FHWA will be necessary.*
 - iv. *Must evaluate final grades and conditions at the end of construction.*
 - v. *Will there be alteration of ownership? This is an agreement that may be needed between DOT&PF, DNR, and USFS. Possibly a recommendation for a record of survey of the easement to memorialize an understanding of the ownership.*
 - vi. *Encroachment Permit for construction staging (not clear all work being done on both sides of bridge).*
 - vii. *Potential breaks in guard rail both sides of bridge (see Maintenance & Operations (M&O) comment below).*
 - viii. *Lane Closure Permit – Need a TCP (at least a draft) to show how work will be done.*
 - ix. *Restoration of ROW after construction.*
- I. *Other ROW Project Concerns:*
 - i. *The CRWP is an Alaska-Non-Profit Corporation and a 501(c)(3) environmental charity. Not clear if there are any cooperative agreements DOT&PF will want to make with this entity. Specifically, the previously discussed regular inspection request by the City of Cordova to Bridge Design. Will CRWP want to pursue this?*

2. *Utilities:*

- A. *It is very important to identify the potential impact on permitted utilities and determine what DOT&PF responsibility may be regarding relocation. Previously, Cordova utilities have not always buried to the intended depth, as earlier installers would bury shallow to avoid trying to dig through bedrock. DOT&PF has various utility permits on file for Cordova Telecom Cooperative (CTC), Cordova Electric Cooperative (CEC), and GCI in the area.*
- B. *Outside the right of way, DOT&PF is aware of two concerns regarding utilities. Cordova Electric and Cordova Telecom both have facilities that cross the weir on the northeast end. Cordova Telecom has informed DOT&PF that these facilities were believed to have been put through a window in the sheet pile of the existing weir. Any contractor for the project needs to be aware of this so the removal of the existing weir does not impact delivery of power and fiber optic service to the airport. GCI has identified a fiber optic line that is beneath the existing weir, but they have not provided DOT&PF with the depth of that line. Please direct the applicant to coordinate directly with the utilities.*

3. *Maintenance & Operations (M&O):*

- A. *M&O notes that along most of this area, to include where DOT&PF believes the applicant will need to access the site, there is guardrail currently present. Any access or break in the guardrail will need to be addressed for public safety through future project coordination efforts and appropriate Temporary Construction Permits (TCPs).*
- B. *DOT&PF notes that the project is scheduled to start in January and DOT&PF expects that snow removal operations will be ongoing at that time. This may impact TCPs. Further, DOT&PF recognizes this bridge is fairly narrow, so this will need to be considered during review of construction project planning and traffic control.*

Please direct the applicant to <https://dot.alaska.gov/permits/> or the DOT&PF Northern Region Utilities, Maintenance & Operations, and Traffic & Safety Offices in Fairbanks.

Response: SCRO acknowledges the comment and forwarded it to the applicant.

1A response: The applicant's (Copper River Watershed Project; CRWP) design engineer produced an updated figure with additional labeling, as seen in Figure 1 & 2.

1B response: The above-mentioned updated figure shows approximate distance of the weir project from the Copper River Highway bridge. A DMLW-approved pre-construction survey is required to determine the position of ordinary/mean high water prior to construction, as well as a DMLW-approved as-built survey, to determine the proper location and acreage. The applicant also states that "they are actively working with DOT ROW's department, who have been active participants from the beginning of the project in design meetings."

IC response: The applicant is aware that various approvals and permits are required, and they state that “local landowners, United States Forest Service and The Eyak Corporation (TEC) are partners in the project and we have approvals.”

The applicant states that part of the funding for this project is through FHWA and has been consulted. The applicant also states that a Nationwide Permit has been issued by the U.S Army Corps of Engineers (USACE). Additionally, “ADF&G habitat division, has been actively involved in the project and we expect a fish habitat permit to be issued soon as we work with our contractor addressing some of her concerns.”

However, for the footprint of this project, DNR DMLW SCRO only holds title to lands beneath tidally influenced and navigable waterways within its jurisdiction; Eyak Lake and River are considered navigable and public water per AS 38.05.126 and AS 38.05.127. Any work planned above the ordinary high-water mark is outside the scope of this decision.

ID response: The applicant’s design engineer produced an updated figure with additional labeling, as seen in Figure 1 & 2.

IE response: As stated above in the Title Section of this decision document, The State of Alaska holds title to lands beneath tidally influenced and navigable waterways within its jurisdiction, on the basis of the Equal Footing Doctrine, the Submerged Lands Act of 1953, and AS 38.04.062. Eyak Lake and River are considered navigable and public water per AS 38.05.126 and AS 38.05.127. Additionally, survey is required prior to issuance of the final easement documentation.

The applicant states that “they are actively working with DOT ROW’s department, who have been active participants from the beginning of the project in design meetings.”

IF response: The portion of the proposed weir construction located on DNR DMLW-managed lands is below OHW. DMLW’s authorization applies only to this portion of the proposed project. The activities listed in the comment above corresponding to 1F are not within the scope of this decision. DNR DMLW requested the applicant to work with DOT directly, to which the applicant states that “they are actively working with DOT ROW’s department, who have been active participants from the beginning of the project in design meetings.”

IG response: As stated in the application distributed during the public notice period, the applicant states that a riprap ramp will be placed downstream, designed to protect the weir upstream, as well as mimic a natural channel that provides fish passage and improved ecological connectivity. In response to DOT’s concerns, listed in comments 1A and 1D above, Copper River Watershed Project’s design engineer produced an updated figure with additional labeling, as seen in Figure 1 & 2, including a legend calling to the shaded area being the extent of placed material and OHW area.

The applicant also states that “they are actively working with DOT ROW’s department, who have been active participants from the beginning of the project in design meetings.”

1H.i-ix response: The internal review process of DOT is outside the scope of this decision. The applicant is and has been made aware that there are other permits that may be needed for this project. The applicant has stated that part of the funding for this project is through FHWA, which has been consulted. The applicant has stated that the USFS is also a partner in this project, and states they have their approvals. Any meetings held between DOT, USFS, and FHWA are outside the scope of this decision.

1I.i response: Any cooperative agreements made between CRWP and AK DOT&PF is outside the scope of this decision.

2A & B response: The applicant states they are “actively working with the local utilities, (CEC, CTC, GCI) and they have been participants in the design meetings providing feedback on locations and their overall needs and concerns. They will also be invited to participate in active construction meetings.”

3A & B response: The applicant states they are “actively working with DOT ROW’s Department, who have been active participants from the beginning of the project in design meetings and ownership conversations”, which includes the applicant obtaining an Encroachment permit and Temporary Construction permit that will address guardrails and temporary access points restoration.

Comment: On June 10, 2026, DEC Division of Environmental Health; Drinking Water Program states the following:

Given the location provided, this project is near an active registered public water system (PWS) source. For this reason, we ask that the applicant please adhere to the attached Recommendations for General Project Activities near a PWS source, where applicable.

Response: SCRO acknowledges the comment and forwarded it to the applicant.

No other comments were received.

ENVIRONMENTAL CONSIDERATIONS

Environmental contamination risk associated with this proposed easement is minimal. Staff recommend that fuel, lubricants, and other hazardous materials be restricted to those necessary and be contained within tools and vehicles when equipment is necessary for construction and maintenance activities. Staff further recommend that no fuel or other hazardous materials are authorized to be stored on site. There are no other known environmental considerations or constraints in this location.

ECONOMIC BENEFIT & 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 natural resources. Specifically, staff assess both 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. In consideration of this factor, and because there are no competing requests for authorization, staff advise that approval of this easement will provide the greatest economic benefit to the State.

DISCUSSION

The Eyak Lake weir was constructed in 1972 by the State of Alaska Department of Public Works, Division of Water and Harbors, which later merged with the Department of Highways as a precursor to the modern DOT&PF, to reestablish the water surface elevation in Eyak Lake after the 1964 'Good Friday' earthquake. Emergency work was later conducted by the Division of Water and Harbors in 1978 by placing 1100 cubic yards of quarry rock downstream to stabilize the weir. However, over the years the weir has continued to degrade. The CRWP requested an easement for the Eyak Lake Weir Replacement Project, which aims to replace the failing weir with a new structure. A damaged weir poses a hazard to recreational users and impedes upstream juvenile fish passage. The new structure will retain existing lake water surface elevations, improve upstream fish passage, and address community concerns. The weir structure will be protected upstream by riprap ramp with material placed downstream, designed to mimic a natural channel that provides fish passage and improve ecological connectivity.

At the widest section of the river where the proposed easement will sit is approximately 333 feet across below OHW, and 193 feet across below OHW downstream at the narrowest section of the proposed easement. The cement structure will sit at the widest portion of the proposed easement and be approximately 333 feet across. The proposed easement running the length of the river will be approximately 202 feet.

The utilities that cross Eyak Lake include two telecommunications fiberoptic lines belonging to Cordova Telephone Cooperative (CTC) and General Communication Inc. (GCI), and two power lines belonging to Cordova Electric Cooperative (CEC). To avoid disturbance of the utilities, the existing weir that is buried in the left bank should not be removed; the applicant is advised to work closely with the utility companies.

There is a temporary 25-foot-wide easement for vehicular access for repair and maintenance only for the weir, which is subject to a permit issued by the Eyak Corporation. Copper River Watershed Project is aware that a permit is required.

Copper River Watershed Project will manage the project through the construction phase of the entry authorization. Once the weir is fully complete the final easement will be issued to the City of Cordova, who will take over management of the Eyak Lake Weir.

SCRO recommends that the easement considered herein be granted for an indefinite term from the effective date of this decision as the need for this easement can be expected to exist as long as Eyak Lake requires retention of existing lake water surface elevation.

PERFORMANCE GUARANTY

A performance guaranty 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 in 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. Staff recommend that the applicant be required to submit a performance guaranty in the amount of \$7,800 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 equal to payments made by the applicant to a licensed surveyor under contract for completion of an as-built survey in accordance with survey instructions issued by the DMLW Survey Section, as described herein. This performance guaranty shall remain in place during the term of the entry authorization and will be 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 requirements 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

Staff recommend that the applicant be 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 for ADL 234634. The applicant will be responsible for maintaining the necessary insurance during the term of the Entry Authorization. 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 Entry Authorization.

SURVEY

Staff recommend that a DMLW-approved pre-construction survey be required to determine the position of ordinary/mean high water prior to construction. A DMLW-approved as-built survey is also required to determine the proper location and acreage of installed improvements and the associated easement on State-owned, DMLW-managed lands. Pre-construction ordinary/mean high water and post construction details may be combined in a single final survey. The applicant will be 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 has been approved by DMLW.

FEES

- The applicant shall pay an annual interim land use fee of \$120.00 per acre rounded up to the nearest acre, with a \$240.00 minimum, totaling \$240.00, per 11 AAC 05.070(d)(2)(I) and Director's Fee Order No. 3 for the term of this EA.
- In accordance with 11 AAC 05.020(b), the final easement fee will be waived, due to the City of Cordova holding the final easement and the replacement of the failing weir being in public interest.

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

The Grantee shall pay a fee of \$50.00 for any late payment.

The applicant shall pay applicable document recording fees prior to DMLW's execution and recordation of the easement document.

ENTRY AUTHORIZATION

An entry authorization shall be issued for a term ending 5 years from the effective date of this decision for the purpose of constructing, surveying, operating, and maintaining the infrastructure considered herein prior to DMLW's issuance of a public easement. The entry authorization may be revoked if the applicant has not submitted DMLW with a draft as-built survey one year prior to the expiration of the entry authorization. An extension of the entry authorization 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 should contact DMLW at least 30 days prior to the expiration of the entry authorization and certify there have been no changes to the approved development plan.

No authorization shall be granted until the following deliverables have been provided to DMLW:

- Land Use Fees
- Evidence of having made request for pre-construction and post-construction survey instructions to the DMLW Survey Section.
- Proof of Insurance
- A Performance Guaranty

RECOMMENDATION

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

Savannah Lilyhorn

Savannah Lilyhorn, Natural Resource Specialist 3
DMLW Southcentral Regional Land Office

10/5/2026

Date

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 public interest. In consideration of all events and criteria listed above, I hereby determine that the authorizations to be granted by this decision are 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, after 60 days from 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 first business day after the twentieth calendar day after signature.

Brent Reynolds

Brent Reynolds, Natural Resource Manager 2
DMLW Southcentral Regional Land Office

10/5/2026

Date

ATTACHMENTS

- Entry authorization, unsigned

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)(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 <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.