

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

Regional Manager's Decision

ADL 234939/DOT&PF Project No. CFHWY01252

Department of Transportation & Public Facilities

Public Access Easement

Old Glenn Highway Erosion Control

REQUESTED ACTION

On August 19, 2026, the Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Land Office (SCRO), received an application for an easement from the Department of Transportation & Public Facilities (DOT&PF; the applicant) to widen the footprint of the existing right-of-way (ROW) for the Old Glenn Highway between DOT Mile Post (MP) 14.5 and 16.7 on State-owned, DMLW-managed submerged lands near Palmer, Alaska. The proposed easement is to place riprap revetment and spur dikes in specific areas along the ROW to protect the highway from bank loss and channel changes that have occurred between the Matanuska River Bridge and Maud Road. The applicant has requested an erosion control easement 11,384 feet in length and 250 feet in width for a total of 65.337 acres, as depicted on Attachment A.

RECOMMENDED ACTION

The easement will be issued with the following parameters:

- Type of easement: Public Easement
- Length: 11,384 feet
- Width: 250 feet
- Acreage: 65.337 acres
- Term: Indefinite
- Grantee: DOT&PF

BACKGROUND

In 1996, a parking lot and access road were constructed within a DOT&PF ROW east of the Matanuska River Bridge as part of the 52488 Old Glenn Highway Matanuska River Bridge Replacement project, which has continued to be prone to erosion. Emergency erosion projects in 2013 and 2016 installed approximately 1,600 feet of riprap near DOT MP 15, and additional bank armoring was installed near Maud Road in 2025. The proposed ROW widening would allow further reinforcement and expansion of the armoring on DMLW-managed submerged lands.

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 2011 Susitna Matanuska Area Plan and other classification references described herein, and the casefile for the application serialized by DNR as ADL 234939.

LOCATION INFORMATION

Geographic Location

Old Glenn Highway, MP 14.5 through 16.7, Palmer, Alaska.

Meridian Township Range Section

The applicant has applied to use State-owned, DMLW-managed lands within Sections 34 and 35 of Township 18 North, Range 2 East, Seward Meridian, and Sections 2 and 11 of Township 17 North, Range 2 East, Seward Meridian.

Other Land Information

Municipality: Matanuska-Susitna Borough

Regional Corporation: Cook Inlet Region, Inc.

TITLE

The State of Alaska holds title to lands beneath navigable waterways within its jurisdiction, including lands underlying Matanuska River in Sections 34 and 35 of Township 18 North, Range 2 East, Seward Meridian, and Sections 2 and 11 of Township 17 North, Range 2 East, Seward Meridian, on the basis of the Equal Footing Doctrine, the Submerged Lands Act of 1953, and AS 38.04.062 (Identification of State Submerged Lands).

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. Public notice has been sent to all interest holders noted below.

- ADL 29247, Free Use Permit, DOT&PF

PLANNING & CLASSIFICATION

The proposed development lies within the 2011 Susitna Matanuska Area Plan (SMAP), Region G: Glenn Highway Region (Map 3-4, pg. 3-137), Unit G-08. The SMAP Land Designation - Conversion to Classification Table (Table 4-2, pg. 4-5) lists the land use designation for Unit G-08 as Rd (Public Recreation-Dispersed Use) and Ha (Habitat) which converts to a classification of Public Recreation Land and Wildlife Habitat Land. The Navigable Streams and Creeks Table (Table 3-1, pg. 3-123) additionally states the management intent for the submerged lands within the Matanuska River as Rd (Public Recreation-Dispersed Use) and Ha (Habitat) which converts to a classification of Public Recreation Land and Wildlife Habitat Land.

Per 11 AAC 55.160, land classified public recreation is land that is suitable for recreation uses, waysides, parks, campsites, scenic overlooks, hunting, fishing or boating access sites, trail corridors, or greenbelts along bodies of water or roadways.

Per 11 AAC 55.230, land classified wildlife habitat is land which is primarily valuable for:

1. fish and wildlife resource production, whether existing or through habitat manipulation, to supply sufficient numbers or diversity of species to support commercial, recreational, or traditional uses on an optimum sustained yield basis; or
2. a unique or rare assemblage of a single or multiple species of regional, state, or national significance.

The management intent of Unit G-08, listed within the Resource Allocation Table—Glenn Highway Region, is to manage the unit to protect fish and wildlife habitat, and to support recreational use. It also states intent to minimize the impacts from erosion (pg. 3-100).

The Matanuska River drains most of the Glenn Highway Region, contains anadromous tributaries, serves as a wildlife movement corridor for terrestrial species, is available for recreational use year-round, and has a highly erodible nature (Resource Allocation Table—Glenn Highway Region, pg. 3-100).

In consideration of the above, the approval of the proposed erosion control easement does not conflict with the management intent and goals outlined by the SMAP.

ACCESS

Functional legal access to the state land discussed herein exists via the Old Glenn Highway. The authorization proposed herein will not impair public access; therefore, an easement pursuant to AS 38.05.127 is not necessary to ensure free access to and along any public or navigable waters.

PUBLIC NOTICE & AGENCY REVIEW

Public Notice Summary

Public notice of the application was conducted from August 31, 2026, to September 30, 2026. The notice was posted to the State of Alaska Online Public Notice System and was sent to the Cobb St. post office in Palmer, Main St. post office in Wasilla, and Palmer

Public Library for display on their notice boards. The notice was also sent to the following recipients:

- Cook Inlet Region, Inc.
- Knik Tribe
- Adjacent landowners
- Owner of Parcel S18N02E34A004
- Owner of Parcel S18N02E35C015
- Owner of Parcel S18N02E35C014

A total of 2 comments were received during the public review and are summarized below:

Public Notice Comment & Response

Comment: On September 7, 2026, a landowner within the proposed additional ROW commented that the DOT proposal indicates that the new Old Glenn Highway ROW may affect a significant portion of Parcel S18N02E34A004. They question whether the state will compensate the owners at fair market value for the land utilized.

Response: SCRO acknowledges the comment. DMLW only has the authority to issue easements solely on state owned land. Within the scope and location of this proposed development, DMLW management is limited to the submerged lands of the Matanuska River. Extension of the current ROW and placement of riprap on private uplands cannot be authorized by way of this decision. Further, DMLW is not proposing any attempt to acquire private land.

Comment: On September 17, 2026, a landowner within the proposed additional ROW commented that they appear to be the only remaining privately owned parcel in the area, with state-owned land to the north and south. They seek clarification on whether the state will make a purchase offer for the private land that would be used for the proposed 250-foot easement and what rights they have to decline. They object to the size of the proposed easement, stating that it would affect nearly half of the property and make the impacted area unusable. While they support the need for riverbank riprap, they are not willing to freely provide the land for the proposed easement and would instead sell all or part of the property at fair market value. The owner formally objects to the proposed easement across the private property.

Response: SCRO acknowledges the comment. DMLW only has the authority to issue easements solely on state owned land. Within the scope and location of this proposed development DMLW management is limited to the submerged lands of the Matanuska River. Extension of the current ROW and placement of riprap on private uplands cannot be authorized by way of this decision. Further, DMLW is not proposing any attempt to acquire private land.

No other public comments were received.

Agency Review Summary

Agency review of the application was conducted from August 31, 2026, to September 30, 2026. The notice was sent to the following recipients:

State Agencies:

- DNR Division of Oil and Gas, State Pipeline Coordinator Section
- DNR Division of Parks and Outdoor Recreation (DPOR); Permitting
- DNR DPOR Office of History and Archaeology
- DNR AK Mental Health Trust Land Office
- Department of Fire & Forest Protection
- Department of Transportation & Public Facilities (DOT&PF) Statewide ROW
- DOT&PF Bridge Design
- Alaska Department of Fish & Game (ADF&G) Wildlife Conservation
- ADF&G Access Defense Program
- ADF&G Habitat Program
- ADF&G Sport Fish Program
- Department of Commerce, Community, and Economic Development Division of Community and Regional Affairs
- Department of Environment Conservation (DEC), Division of Environmental Health, Drinking Water Program
- DEC, Division of Water Alaska Pollutant Discharge Elimination System Program
- DEC, Division of Environmental Health, Solid Waste Program
- DEC, Division of Spill Prevention and Response; Contaminated Sites Program

Federal Agencies:

- US Army Corps of Engineers

Local:

- Matanuska Susitna Borough (MSB) Planning & Land Use Department
- MSB Land and Resource Management Division

Agency Review Comment & Response

A total of 1 comment was received during the agency review and is summarized below:

Comment: On September 29, 2026, the DNR DPOR Office of History and Archaeology submitted a comment stating:

“Finding of No Historic Properties Affected is appropriate for the project. Our office may need to re-evaluate our decision if there are changes to project scope. Should inadvertent discoveries of cultural resources occur during project activities, work must halt, and our office must be notified so we can evaluate whether the resource(s) should be preserved in the public interest (*AS 41.35.070[d]*).”

Response: SCRO acknowledges the comment.

No other agency comments were received.

ENVIRONMENTAL CONSIDERATIONS

It is recommended 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. Additionally, no fuel or other hazardous materials should be authorized to be stored on site.

ECONOMIC BENEFIT & DEVELOPMENT OF STATE RESOURCES

DMLW assesses the economic benefits of the proposed authorization and whether it encourages the development of the State's resources. The proposed easement facilitates the protection of the public highway system from erosion which will promote conditions for economic development, thus providing an indirect benefit to the state. There are no known competing projects for use of these lands, therefore issuance of this easement provides for the greatest economic benefit to the State and is consistent with the legislative intent expressed in AS 38.05.850.

DISCUSSION

ADL 234939 will widen the footprint of the existing ROW associated with the Old Glenn Highway by approximately 250 feet from the outer edge of the existing ROW, within the submerged lands under the Matanuska River, between DOT MP 14.5 and 16.7. Current erosion control plans do not use the full extent of the proposed development; however, this will allow measures to address bank loss and channel changes, including erosion control and reinforcement near the Old Glenn Highway, parking lot, access road, and Maud Road. The additional ROW will allow continued future armoring and monitoring in areas without current bank loss.

DOT&PF has evaluated two specific areas within the requested additional ROW where erosion control is required. The first being east of the Matanuska Bridge (MP 16.7), where DOT&PF will construct 6 spur dikes from the existing bank into the river, spaced evenly between the bridge and Robin Land. The second area will be between Maud Road and just north of Bradford Drive (MP 14.6), where DOT&PF plans to place riprap revetment along the existing bank to reinforce and expand the existing armoring.

Further planning and erosion control guidance can be found in the Matanuska River Management Plan (MRMP). The MRMP was adopted in September 2010 and was joint effort by the borough, state, and other agencies and speaks to erosion information, hazards, mitigation, and management recommendations.

SCRO recommends that the easement considered herein be granted for an indefinite term from the effective date of this decision as DOT&PF intends for long-term management of the project area. The need for the easement can be expected to last for as long as the highway is in use.

PERFORMANCE GUARANTY

A performance guaranty will not be required at this time as the applicant is a State agency.

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.

INSURANCE

Insurance will not be required because the applicant is self-insured.

SURVEY

DOT&PF has provided DMLW with a series of parcel maps depicting the requested parcels. Because this authorization is for minor modification to existing ROW below ordinary high water, these parcel maps will be sufficient for easement issuance

FEES

Per 11 AAC 05.020(b), interim and one-time issuance fee(s) for this authorization are waived as the request is in the public interest. Additionally, the easement document will be sent to the Recorder "State Business - No Charge" as the applicant is a state agency.

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 my recommendation that an easement is issued as described above, on the condition that all stipulations are followed as described in the attached authorization.



Channing Buckmaster
Natural Resource Specialist 2
DMLW Southcentral Regional Land Office

10/14/2026

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 31st calendar day after issuance.

Brent Reynolds

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

10/14/2026

Date

ATTACHMENTS

- Draft easement document
- Attachment A—Parcel Plat Exhibits

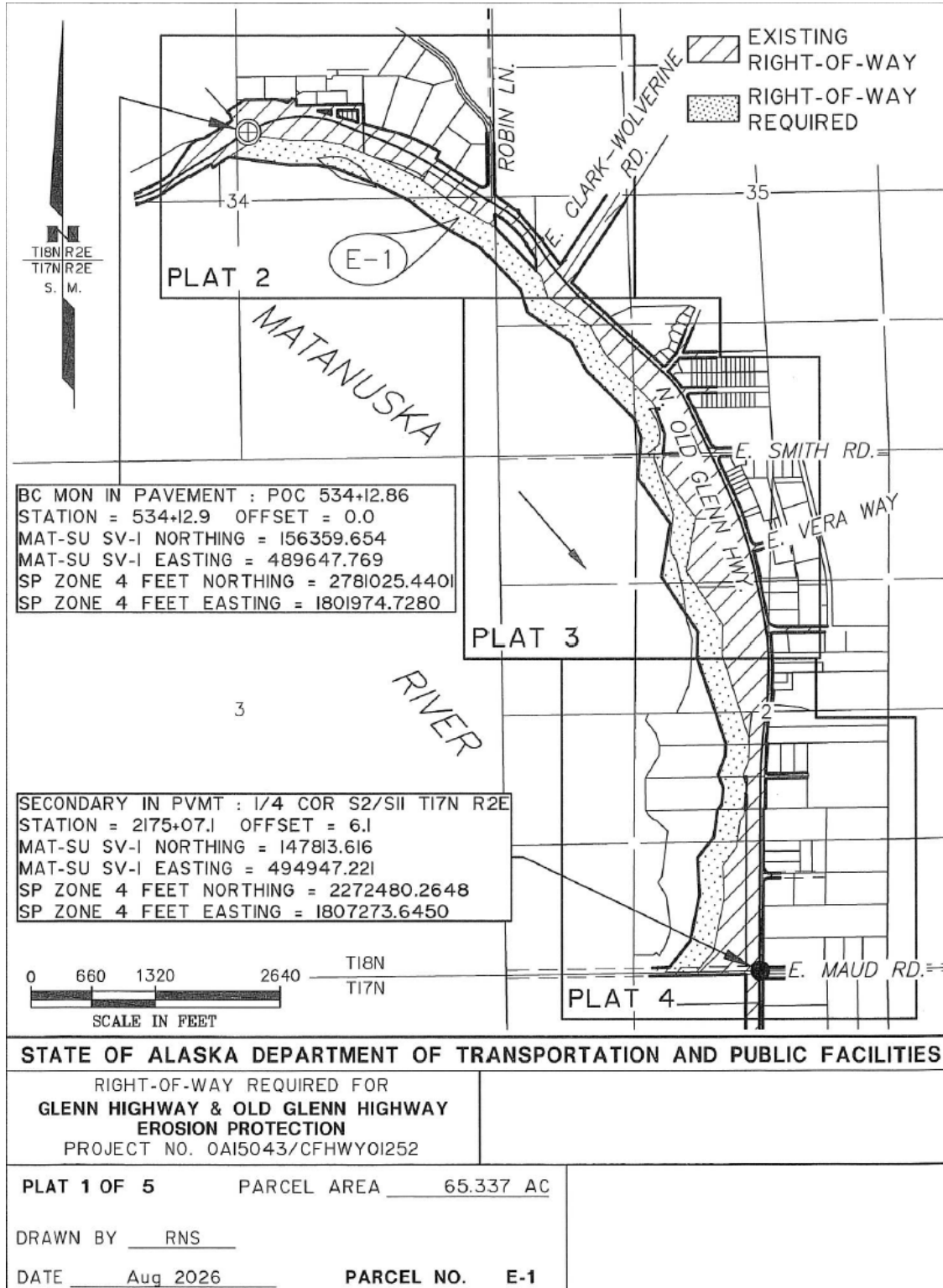
APPEAL

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 \$200.00 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>.

Attachment A Parcel Plat Exhibits

Figure 1—A map supplied by the applicant depicting the entire proposed area of development.



[illegible]

Figure 3—A map supplied by the applicant depicting the proposed area of development in Section 35 and Section 2.

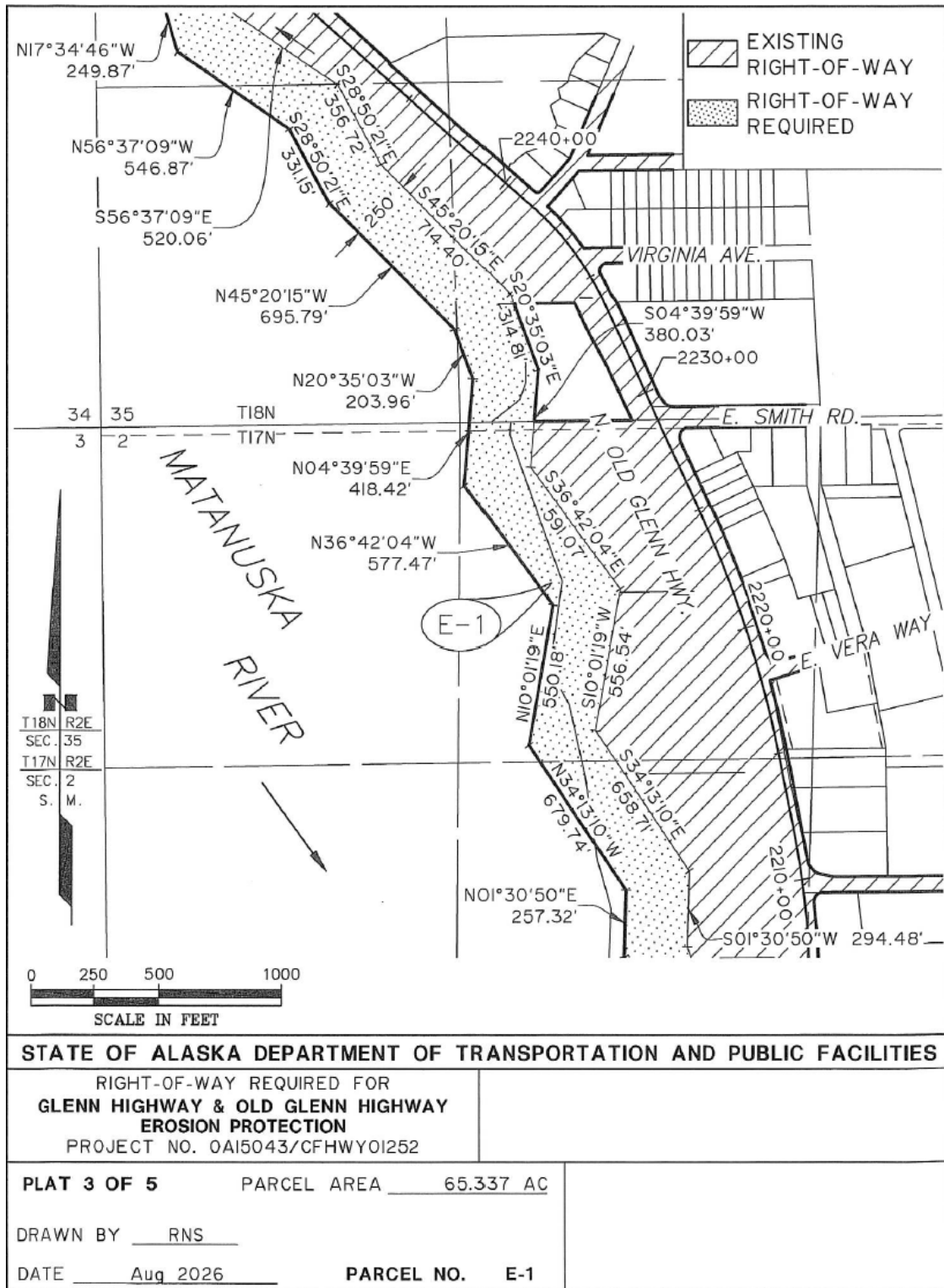


Figure 4—A map supplied by the applicant depicting the proposed area of development in Section 2 and Section 11.

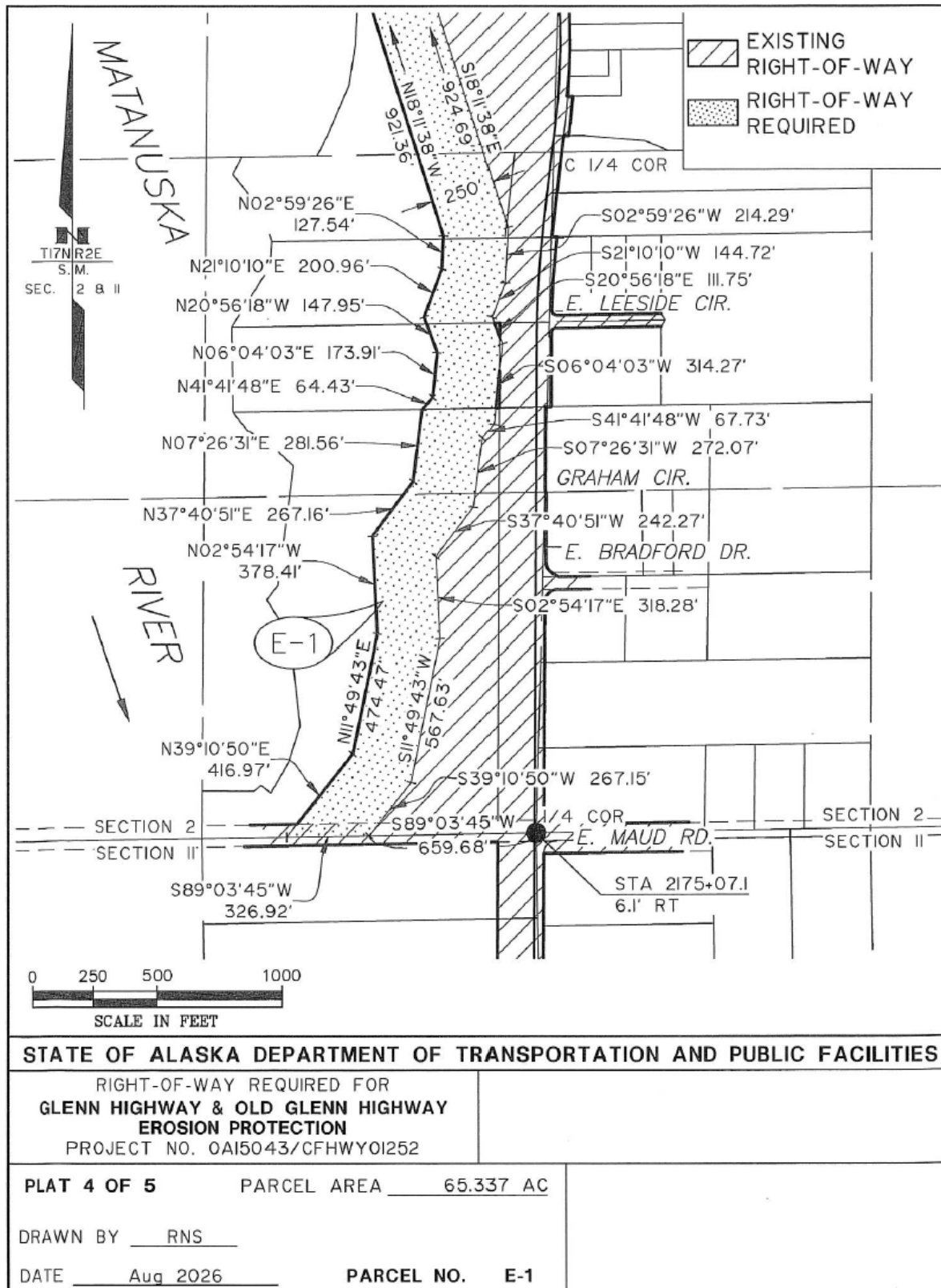


Figure 5— Figure provided by the applicant showing the seal from a State of Alaska Registered Professional Land Surveyor for all work contained on Plats 1-4 of 5.

THIS SEAL IS FOR ALL WORK CONTAINED ON PLATS 1-4 OF 5.



ALASKA DEPARTMENT OF TRANSPORTATION
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PLAT 5 OF 5 OA15043/CFHWY01252 PARCEL NO. E-1

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