

ALASKA DEPARTMENT OF NATURAL RESOURCES
Water Resources Section

TO: Jessie Bruns

DATE: 7/13/2026

FROM: Sierra von Hafften

FILE NUMBER: TWUA A2026-93

The subject Temporary Water Use Authorization (TWUA) case file has been reviewed for accuracy and conformance with statutes and regulations. The following comments, recommendations or corrections are presented.

Brief Project Description: Alaska Marine Excavation LLC applied for a Temporary Use of Water for withdrawals and diversions on from multiple unnamed streams associated with Johnson Tract Site Unfractured Portal Access Road Project. Water will be used for seeding and watering vegetation along the embankment for rehabilitation. Water will be temporarily diverted to installation culverts. The work area will be isolated and dewatered as well. Diversions will consist of a temporary diversion channel excavated from downstream tie-in to upstream tie-in. Water will flow through the bypass channel while the work area is isolated.

Location & Amount of Water:

1. **Unnamed Stream (Culvert 04 200)** in Section 17 of Township 1 South, Range 21 West, Seward Meridian.
 - a. Maximum daily withdrawal is limited to 850,000 gallons, with a combined maximum limit of 1,700,000 gallons per seasonal, which includes the dewatering.
 - b. Temporary Diversion.
2. **Unnamed Stream (Culvert 05 110)** in Section 17 of Township 1 South, Range 21 West, Seward Meridian.
 - a. Maximum daily withdrawal is limited to 66,000 gallons, with a combined maximum limit of 132,000 gallons per seasonal, which includes the dewatering.
 - b. Temporary Diversion.
3. **Unnamed Stream (Culvert 05 110B)** in Section 17 of Township 1 South, Range 21 West, Seward Meridian.
 - a. Maximum daily withdrawal is limited to 122,500 gallons, with a combined maximum limit of 143,000 gallons per seasonal, which includes the dewatering.
 - b. Temporary Diversion.
4. **Unnamed Stream (Culvert 10 110 & 110A)** in Section 18 of Township 1 South, Range 21 West, Seward Meridian.
 - a. Maximum daily withdrawal is limited to 660,000 gallons, with a combined maximum limit of 1,320,000 gallons per seasonal, which includes dewatering.
 - b. Temporary Diversion.

Check for duplicate water use: None.

Agency Review: Dated June 24, 2026, with comments due by 5PM July 9, 2026.

ADF&G-Habitat: No comments were received.

DEC – Drinking Water: No comments were received.

DEC – Water: “If the dewatering activity is ineligible for coverage under the Construction General Permit, Excavation Dewatering Permit coverage would be required for these stream diversions. These stream diversions

are not eligible for the stream diversion exclusion (Permit Part 1.4.1.6) as pumps will be used during this activity.

Permit Part 1.3.1.1 states, "The following discharges associated with excavation dewatering are authorized under this permit: Excavation dewatering associated with construction activity where pumps, sumps, etc. are used within or near the excavation areas to remove accumulated groundwater, surface water, and storm water; ..."

DNR Response: *Thank you for the comments and information. Your comment will be passed to the applicant and noted in the decision.*

DEC – Contaminated Sites: "Has found no sites within 1,500 feet of the proposed project and does not have any comments related to this information request. If the scope of the project changes, update your research and contact CSP as needed. Please note that residual contamination may remain at cleanup completed sites, and those sites should also be evaluated.

DEC must be notified if contamination is encountered. For more information about spill responses contact the appropriate regional response team office: <https://dec.alaska.gov/spar/ppr/spill-information/reporting/>.

Spills or releases to soil and water are also managed by the DEC Prevention Preparedness and Response Program (PPRP) and are not captured in the CSP database or map. Information about spills can be found in the PPRP SPILLS database at:

<https://dec.alaska.gov/Applications/SPAR/PublicMVC/PERP/SpillSearch.>"

DNR Response: *Thank you for the comments and information. Your comment will be passed to the applicant and noted in the decision.*

Applicant Response: *This project has CGP coverage under CGP Authorization #AKR10H15B.*

DNR-SCRO: "Leasing Unit - Please inform the applicant that if material will be utilized from a state-owned material site, please contact the Southcentral Regional Land Office to obtain a material sales contract.

Additionally, SCRO thanks you for the opportunity to review this proposal and to let us know if you have any follow-up questions."

DNR Response: *Thank you for the comment. It will be passed on to the applicant.*

Applicant Response: *This project does not utilize a state-owned material site.*

BLM: No comments were received.

CIRI: No comments were received.

KPB: No comments were received.

USNPS: No comments were received.

Lake Clark National Park and Preserve: No comments were received.

USACE: No comments were received.

Appropriators of Record,
Temporary Authorizations
& Water Availability:

A DNR Land Administration System search of the case category for Water (excluding the case status "Closed") occurred within a ¼ mile of the worksite in the legal description below:

Section(s)	Township	Range	Meridian
17, 18	11 South	21 West	Seward

The search located 1 subsurface appropriator of record, 0 surface appropriator of record, and 1 temporary water use authorizations (see below).

File Type	File #	Case Type	Case Subtype	Case Status	Legal Description	MTR	Sec	Source
LAS	34436	Water Right	SUB	Certificate	J T MINING, INC.	S001S021W	17	Drilled Well, 82 ft
TWUA	F2022-094	Temp. Water Use Auth.	Surface	Issued	J T MINING, INC.	S001S021W	17 18	Double Glacier Creek

LAS 34436 a Water Right for a drilled well, which is not source requested under TWUA A2026-93.

TWUA F2022-094 a Temporary Water Use Authorization for Double Glacier Creek, which is not source requested under TWUA A2026-93.

Unnamed Stream (Culvert 04 200)

Withdrawal: A stream width of 4 ft and depth of 3.5 depth was provided by the applicant. Using conservative estimates, estimated stream velocity of 0.5 ft/s based off the aerial imagery: 4,524,240 gallons per day would be the daily discharge.

To conform with current water resources practices, any authorization resulting from this application would limit the withdrawal from any one source to 20% of available water. If the maximum daily total of 850,000 gallons was removed from this source, it would equal 18.79% of the source. DNR does not anticipate an unreasonable effect on this water source.

Diversion: The temporary diversion will consist of gravity/ditch that is 100 ft long, 4.5 ft wide, and 3.5 ft deep with no lining and head elevation of 487.0 ft for the entire stream flow for the installation of an 84-inch culvert.

While not anticipated, a condition will be in the authorization requiring notification of DNR if interference is noted by a prior appropriator or adjacent property owner. Pumping will cease and not resume until approved by DNR following analysis of the situation.

Unnamed Stream (Culvert 05 110)

Withdrawal: A stream width of 6 ft and depth of 2.5 depth was provided by the applicant. Using conservative estimates, estimated stream velocity of 0.25 ft/s based off the aerial imagery: 2,423,700 gallons per day would be the daily discharge.

To conform with current water resources practices, any authorization resulting from this application would limit the withdrawal from any one source to 20% of available water. If the maximum daily total of 66,000 gallons was removed from this source, it would equal 2.72% of the source. DNR does not anticipate an unreasonable effect on this water source.

Diversion: The temporary diversion will consist of gravity/ditch that is 100 ft long, 6 ft wide, and 3.5 ft deep with no lining and head elevation of 487.2 ft for the entire stream flow for the installation of an 84-inch culvert.

While not anticipated, a condition will be in the authorization requiring notification of DNR if interference is noted by a prior appropriator or adjacent property owner. Pumping will cease and not resume until approved by DNR following analysis of the situation.

Unnamed Stream (Culvert 05 110B)

Withdrawal: A stream width of 6 ft and depth of 2.5 depth was provided by the applicant. Using conservative estimates, estimated stream velocity of 0.25 ft/s based off the aerial imagery: 2,423,700 gallons per day would be the daily discharge.

To conform with current water resources practices, any authorization resulting from this application would limit the withdrawal from any one source to 20% of available water. If the maximum daily total of 122,500 gallons was removed from this source, it would equal 5.05% of the source. DNR does not anticipate an unreasonable effect on this water source.

Diversion: The temporary diversion will consist of gravity/ditch that is 100 ft long, 6 ft wide, and 3.5 ft deep with no lining and head elevation of 487.9 ft for the entire stream flow for the installation of an 84-inch culvert.

While not anticipated, a condition will be in the authorization requiring notification of DNR if interference is noted by a prior appropriator or adjacent property owner. Pumping will cease and not resume until approved by DNR following analysis of the situation.

Unnamed Stream (Culvert 10 110 & 110A)

Withdrawal: A stream width of 5 ft and depth of 3.5 depth was provided by the applicant. Using conservative estimates, estimated stream velocity of 0.5 ft/s based off the aerial imagery: 45,655,300 gallons per day would be the daily discharge.

To conform with current water resources practices, any authorization resulting from this application would limit the withdrawal from any one source to 20% of available water. If the maximum daily total of 660,000 gallons was removed from this source, it would equal 11.67% of the source. DNR does not anticipate an unreasonable effect on this water source.

Diversion: The temporary diversion will consist of gravity/ditch that is 100 ft long, 6 ft wide, and 4.5 ft deep with no lining and head elevation of 559.2 ft for the entire stream flow for the installation of a 96-inch culvert.

While not anticipated, a condition will be in the authorization requiring notification of DNR if interference is noted by a prior appropriator or adjacent property owner. Pumping will cease and not resume until approved by DNR following analysis of the situation.

Proposed Means of Diversion:	Adequate. Per the application materials: Pump(s) with a 4-inch intake or less, up to 600 gallons per minute output, up to 150 length of pipe/hose.
Proposed Use of Water:	Per AS 46.15.260(3), this use is beneficial as it is associated with Johnson Tract Site Unfractured Portal Access Road Project for construction, maintenance, and rehabilitation along the road.
Effect upon access to navigable or public water:	DNR does not anticipate the issuance of this TWUA will restrict access to navigable or public waterways.
Effect on Fish & Game:	DNR does not anticipate any impacts to fish and game. ADF&G have issued Fish Habitat Permit FH26-II-0094 and FH26-II-0095 for these withdrawals and diversions.
Effect on Public Recreation:	DNR does not anticipate an adverse effect on public recreation.
Effect on Public Health:	A review of the contaminated sites database did not locate any active contaminated sites or sites with institutional controls within a ¼ mile of the project location.

Any authorization that results from this application will have a condition requiring the authorization holder to immediately contact DEC and DNR if contamination is known or encountered.

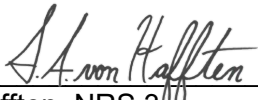
Determination:	The authorization for TWUA A2026-93 will be issued with Conditions and Advisories, including, but not limited to: 1. A Condition stating, "Pursuant to 11 AAC 93.220 (f), this authorization may be suspended by the Department of Natural Resources to protect the water rights of other persons or the public interest." 2. Conditions requiring immediate notification of DEC and DNR if contamination is known or encountered, either preexisting or authorization holder caused.
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3. A Condition noting that if any adjacent well owner or appropriator of record notes interference during any pumping associated with this authorization, work is to immediately cease and DNR-Water contacted. Pumping is not to resume until authorized by DNR-Water.

It is determined by DNR that given the documentation above, this proposed authorization is unlikely to adversely affect the water source or unduly affect the right of an appropriator of record, as defined in 11 AAC 93.970(38). It is interpreted that the proposed use of water is in the public interest. This file contains no evidence of the likelihood of harm to the public interest. Furthermore, it is inferred that the applicant has the intent and ability to complete the projects.

Authorized water use does not mean actual water use. Water use varies from year to year depending on the project. A temporary water use authorization is not a water right and does not establish priority. All authorizations are temporary and are subject to appropriation by others (AS 46.15.155(c)). The Department may issue conditions, limitations, suspend or terminate an authorization if necessary to protect the public interest, the right of a prior appropriator, human health or to protect fish and wildlife habitat (AS 46.15.155(f)(i); 11 AAC 93.210(b); 11 AAC 93.220(f)).

This determination is effective upon the date of the concurring signature.



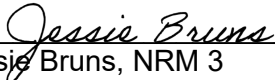
Sierra von Hafften, NRS 30

7/13/2026

Date

 I Concur

_____ I Do Not Concur



Jessie Bruns, NRM 3

7/13/2026

Date

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. 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>.