



Fact Sheet: Easements

What is an Easement?

An easement is a nonpossessory right to use land owned by another party, or an area above or below it, for a specific and limited purpose. On state lands, easements are typically linear, revocable for cause, and may be issued to state, federal, municipal, or tribal governments, and public or private persons or entities. The Division of Mining, Land and Water's (DMLW) Regional Land Offices determine if it is appropriate to authorize easements on state owned land.

When do you need an easement?

An easement is required when there is a long term need to use, access, or cross state land, including for installation of infrastructure.

Uses of State easements

Easements are commonly authorized for: access, utilities (including pipelines), and erosion/water control systems.

Commonly allowable uses include:

- Power lines or fiber optic cables
- Access to private lots
- Roads and highways
- Water and sewer lines
- Seafood outfalls
- Erosion control revetments
- Drainage ditches and dikes
- Culverts

Types of Easement Authorizations

There are three types of easement authorizations: public, private, and development within an existing easement.

Public: Easements that generally serve a public purpose, such as public access across state lands, or for utilities such as water, sewer, electrical, and telecommunication services. While public easements may be held by a specific entity, they typically confer the right to conduct some activity to more than one qualifying party. For example, a member of the public may travel on a public access easement held by the Fairbanks North Star Borough.

Private: Easements can be granted to an individual or business for private use, however, the grantee may be required to accommodate other uses that do not conflict with their intended use. For example, a seafood processing company would be granted a private outfall easement for their use only.

Development/Maintenance: This authorization allows a third party to develop or maintain infrastructure in a pre-existing easement. Some easements exist but either have not been developed, have only partially been developed, or have not been developed to meet the proposed use. These typically include:

- Section Line Easements, where they have been asserted.
- Easements reserved under [Revised Statute 2477](#).
- Easements created by a plat but not transferred to the local platting authority.
- Easements reserved by a conveyance document.
- Platted easements in the Unorganized Borough.
- Easements granted to DMLW.

Easement Widths

Different land uses require easements of different widths. Typically, utility easements are 30 feet in width while road easements are between 60 and 100 feet in width. Easement widths can be adjusted to include all installed infrastructure, land uses, and the conditions under which the infrastructure is to be installed.

Other Easement Requests

As part of their easement management function, the Regional Land Offices consider requests to close, restrict, and/or relocate easements, as well as address the obstruction of public easements, and the amendment or assignment of existing easements.

Amendment

A grantee can request a change to an existing easement's development plan or dimensions by contacting the Regional Land Office. For example, a grantee can request to expand their commercial dock from 120 to 150 feet long.

Assignment

A grantee can transfer an easement to a third party, with approval from the Regional Land Office. For example, the owner of a seafood processing plant sells the plant to a new owner which has been granted a private easement for a seafood processing waste outfall line. The owner must apply for the private easement to be assigned to the new owner.

Closure or restriction

Interested parties may request that an easement be temporary closed. Typically, easements are closed to protect public safety but there are other conditions under which an easement can be closed such as to protect a natural resource. It is possible to restrict easements to specific uses such as pedestrian only use.

Vacation of platted easements

Platted easements can be vacated. For more information, please contact the [DMLW Survey Section](#).

Easement granted by the public

Individuals may grant public easements across their own land to the State to be held in trust by DMLW on behalf of the public. For more information on donating a public easement, please contact the [DMLW Realty Services Section](#).

Individuals may also grant [public recreational use easements](#) pursuant to AS 34.17.100.

Easement applications and additional information can be found on the Lands [website](#).

For additional information please contact one of the Regional Offices:

Anchorage/Southcentral
Public Information Center
550 West 7th Avenue, Suite 1360
Anchorage, AK 99501-3561
Phone: (907) 269-8400
Fax: (907) 269-8901
dnr.pic@alaska.gov

Juneau/Southeast
Regional Land Office
P.O. Box 111020
400 Willoughby Avenue, 4th Floor
Juneau, AK 99811-1020
Phone: (907) 465-3400
Fax: (907) 465-3886
sero@alaska.gov

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Public Information Center
3700 Airport Way
Fairbanks, AK 99709-4699
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Statewide TTY – 711 for Alaska Relay or 1-800-770-8973