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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Jolene Julian  
Department of Transportation and Public Facilities

**FROM:** Scott Meriwether, Office of the Lieutenant Governor  
465.4081

**DATE:** May 26, 2017

**RE:** Filed Permanent Regulations: Department of Transportation and Public Facilities

Department of Public Transportation and Public Facilities regulations re: rural airport rates and fees (17 AAC 45.095(e),(k); 17 AAC 45.105(c)(1); 17 AAC 45.111(b); 17 AAC 45.115(e); 17 AAC 45.125(c); 17 AAC 45.127; 17 AAC 45.205(a)(5); 17 AAC 45.260(c)(6); 17 AAC 45.265(c)(4); 17 AAC 45.270(b)(9); 17 AAC 45.280(b)(4); 17 AAC 45.285(b); 17 AAC 45.510(m)-(p))

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Attorney General File: JU2017200061

Regulation Filed: 5/25/2017

Effective Date: 7/1/2017

Print: 222, July 2017

cc with enclosures: Linda Miller, Department of Law  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS OF  
THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

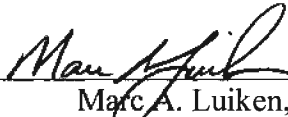
The attached 27 pages of regulations, dealing with rural airport rates and fees, are hereby adopted and certified to be a correct copy of the regulation changes that the Department of Transportation and Public Facilities adopts under the authority of AS 02.10.010, AS 02.15.020, 02.15.060, 02.15.090, 02.15.210, 02.15.220, 02.15.230, and AS 44.42.030 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Transportation and Public Facilities paid special attention to the cost to private persons of the regulatory action being taken.


The regulation changes adopted under this order take effect on July 1, 2017, as provided in AS 44.62.180.

DATE: 18 May 2017

  
\_\_\_\_\_  
Marc A. Luiken, Commissioner  
Department of Transportation and Public Facilities

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on May 25, 2017 at 3p .m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
\_\_\_\_\_  
Byron Mallott  
Lieutenant Governor

Effective: July 1, 2017.

Register: 222, July 2017.

Register 222, July 2017 TRANSP. AND PUBLIC FACILITIES

17 AAC 45.095(e)(3) is amended to read:

- (3) a non-refundable **\$200** [\$100] application fee.

17 AAC 45.095(k)(1) is amended to read:

- (1) **\$102** [\$75] for each vehicle with seating for up to six people, including the driver;

17 AAC 45.095(k)(2) is amended to read:

- (2) **\$205** [\$150] for each vehicle with seating for seven to 12 people, including the driver;

17 AAC 45.095(k)(3) is amended to read:

- (3) **\$307** [\$225] for each vehicle with seating for 13 to 24 people, including the driver;

17 AAC 45.095(k)(4) is amended to read:

- (4) **\$409** [\$300] for each vehicle with seating for 25 to 36 people, including the driver;

17 AAC 45.095(k)(5) is amended to read:

- (5) **\$512** [\$375] for each vehicle with seating for 37 or more people, including the driver.

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(Eff. 3/28/2002, Register 161; am 3/22/2008; Register 185; am 7 / 1 / 2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.090 AS 02.15.230  
AS 02.15.060 AS 02.15.220

17 AAC 45.105(c)(1) is amended to read:

(1) a non-refundable \$200 [\$100] application fee; and

(Eff. 3/28/2002, Register 161; am 3/22/2008; Register 185; am 7 / 1 / 2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.090 AS 02.15.230  
AS 02.15.060 AS 02.15.220

17 AAC 45.111(b) is amended to read:

(b) To obtain authorization to conduct a special event, a person must submit a special event permit application form in writing to the department and include a non-refundable \$200 [\$100] application fee and any other fee as applicable under 17 AAC 45.127.

(Eff. 3/20/2016, Register 217; am 7 / 1 / 2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.090 AS 02.15.230  
AS 02.15.060 AS 02.15.220

17 AAC 45.115(e) is amended to read:

(e) The department will charge the following storage fees:

(1) for an aircraft, the greater of \$350 [\$250] or three times the transient aircraft parking fee that would be due under 17 AAC 45.600 for transient aircraft parking from the date

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the aircraft first became parked in violation of this chapter through the date the aircraft is released from impound, regardless of whether transient aircraft parking fees otherwise apply at the airport or parking location; and

(2) for a vehicle and other personal property, the greater of \$35 [\$25] per day of impound or \$150 [\$100].

(Eff. 3/28/2002, Register 161; am 3/22/2008; Register 185; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020            AS 02.15.090            AS 02.15.230  
                 AS 02.15.060            AS 02.15.220

[PUBLISHER'S NOTE: AS OF REGISTER 217 (APRIL 2016) SUPPLEMENT, THE HEADING IS SET OUT TO SHOW A CHANGE.]

17 AAC 45.125(c) is amended to read:

(c) In addition to interest assessed under (b) of this section, a lessee, permittee, or concessionaire must pay to the department a late notice fee of \$50 **for the first notice, \$100 for the second notice, and \$200 for the third and any subsequent notice when** [FOR EACH LATE PAYMENT FOR WHICH] the department issues a late notice to the lessee, permittee, or concessionaire for

(1) non-payment of a rent or fee by the date required by the lease, permit, or concession; or

(2) failure to submit to the department a certified activity report by the date required by the lease, permit, or concession.

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(Eff. 3/28/2002, Register 161; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090

17 AAC 45.127(a) is repealed and readopted to read:

(a) Except as otherwise specified in this section, 17 AAC 45.205, or another applicable provision of this chapter, the department will charge and an airport user shall pay, the following annual rental rates in United States dollars, for the stated use of airport land:

(1) beginning July 1, 2017 and ending December 31, 2018, the annual rental rates are as follows:

<u>Airport Type</u>	<u>Rate Per Square Foot</u>	
	<u>Aeronautical Land Uses</u>	<u>Non-aeronautical Land Uses</u>
Airports where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$0.066	\$0.079
unpaved and lighted	0.085	0.103
paved and unlighted	0.085	0.103
paved and lighted	0.098	0.119
Airports where the longest runway is 5,000 feet or longer between thresholds and is		
unpaved and unlighted	\$0.098	\$0.119
unpaved and lighted	0.128	0.155
paved and unlighted	0.128	0.155
paved and lighted	0.148	0.178

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(2) beginning January 1, 2019 and ending December 31, 2019, the annual rental

rates are as follows:

<u>Airport Type</u>	<u>Rate Per Square Foot</u>	
	Aeronautical Land Uses	Non-aeronautical Land Uses
Airports where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$0.073	\$0.087
unpaved and lighted	0.094	0.113
paved and unlighted	0.094	0.113
paved and lighted	0.108	0.131
Airports where the longest runway is 5,000 feet or longer between thresholds and is		
unpaved and unlighted	\$0.108	\$0.131
unpaved and lighted	0.141	0.171
paved and unlighted	0.141	0.171
paved and lighted	0.163	0.196

(3) beginning January 1, 2020 and ending December 31, 2020, the annual rental

rates are as follows:

<u>Airport Type</u>	<u>Rate Per Square Foot</u>	
	Aeronautical Land Uses	Non-aeronautical Land Uses
Airports where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$0.080	\$0.096
unpaved and lighted	0.103	0.124
paved and unlighted	0.103	0.124
paved and lighted	0.119	0.144

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Airports where the longest runway is 5,000 feet or longer between thresholds and is

unpaved and unlighted	\$0.119	\$0.144
unpaved and lighted	0.155	0.188
paved and unlighted	0.155	0.188
paved and lighted	0.179	0.216

(4) beginning January 1, 2021 and ending December 31, 2021, the annual rental

rates are as follows:

<u>Airport Type</u>	<u>Rate Per Square Foot</u>	
	Aeronautical Land Uses	Non-aeronautical Land Uses
Airports where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$0.088	\$0.106
unpaved and lighted	0.113	0.136
paved and unlighted	0.113	0.136
paved and lighted	0.131	0.158
Airports where the longest runway is 5,000 feet or longer between thresholds and is		
unpaved and unlighted	\$0.131	\$0.158
unpaved and lighted	0.171	0.207
paved and unlighted	0.171	0.207
paved and lighted	0.197	0.238



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(5) beginning January 1, 2022, the annual rental rates are as follows:

<u>Airport Type</u>	<u>Rate Per Square Foot</u>	
	<u>Aeronautical Land Uses</u>	<u>Non-aeronautical Land Uses</u>
Airports where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$0.097	\$0.113
unpaved and lighted	0.124	0.147
paved and unlighted	0.124	0.147
paved and lighted	0.144	0.169
Airports where the longest runway is 5,000 feet or longer between thresholds and is		
unpaved and unlighted	\$0.144	\$0.169
unpaved and lighted	0.188	0.220
paved and unlighted	0.188	0.220
paved and lighted	0.217	0.253

17 AAC 45.127(b) is repealed and readopted to read:

(b) Except as otherwise specified under (c) - (t) of this section, 17 AAC 45.205, or another applicable provision of this chapter, the department will charge and an airport user shall pay, the following annual rental rates in United States dollars for the use of land at the listed airports:

(1) beginning July 1, 2017 and ending December 31, 2018, the annual rental rates are as follows:

<u>Airport Location</u>	<u>Rate Per Square Foot</u>	
	<u>Aeronautical Land Uses</u>	<u>Non-Aeronautical Land Uses</u>
Aniak	\$0.140	\$0.110
Bethel	0.148	0.256

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Bettles, including Bettles VOR Lake	0.052	0.048
Big Lake	0.078	0.050
Birchwood	0.098	0.119
Cold Bay	0.096	0.058
Cordova (Merle K. "Mudhole" Smith)	0.148	0.131
Cordova Municipal	0.066	None
Dillingham	0.148	0.125
Fort Yukon	0.090	0.060
Galena (Edward G. Pitka Sr.)	0.096	0.062
Gulkana	0.089	0.037
Gustavus	0.148	0.120
Haines	0.104	0.119
Homer, including Beluga Lake	0.148	0.156
Iliamna	0.085	0.080
King Salmon, excluding Naknek River frontage land	0.148	0.120
King Salmon, Naknek River frontage land	0.148	0.174
Klawock	0.148	0.178
Kodiak	0.148	0.256
Kotzebue (Ralph Wien Memorial)	0.148	0.256
Nome, excluding Nome City Field	0.148	0.168
Nome City Field	0.066	None
Northway	0.120	0.120
Petersburg (James A. Johnson), filled land	0.148	0.250
Petersburg (James A. Johnson), unfilled land	None	0.130
St. Mary's	0.114	0.068
Sitka (Rocky Gutierrez)	0.148	0.256
Talkeetna	0.098	0.119
Tok Junction	0.082	0.030
Unalaska, including revetment lots	0.098	0.170
Utqiagvik (Barrow) (Wiley Post/Will Rogers Memorial)	0.148	0.256
Valdez	0.148	0.040
Willow	0.078	0.050
Wrangell, filled land	0.148	None
Wrangell, unfilled land	None	0.120
Yakutat	0.148	0.178

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(2) beginning January 1, 2019 and ending December 31, 2019, the annual rental rates are as follows:

<u>Airport Location</u>	<u>Rate Per Square Foot</u>	
	<u>Aeronautical Land Uses</u>	<u>Non-Aeronautical Land Uses</u>
Aniak	\$0.140	\$0.110
Bethel	0.163	0.282
Bettles, including Bettles VOR Lake	0.057	0.053
Big Lake	0.086	0.055
Birchwood	0.108	0.131
Cold Bay	0.106	0.060
Cordova (Merle K. "Mudhole" Smith)	0.163	0.144
Cordova Municipal	0.073	None
Dillingham	0.163	0.138
Fort Yukon	0.090	0.060
Galena (Edward G. Pitka Sr.)	0.106	0.068
Gulkana	0.098	0.041
Gustavus	0.163	0.132
Haines	0.114	0.131
Homer, including Beluga Lake	0.163	0.172
Iliamna	0.094	0.080
King Salmon, excluding Naknek River frontage land	0.163	0.120
King Salmon, Naknek River frontage land	0.163	0.191
Klawock	0.163	0.196
Kodiak	0.163	0.282
Kotzebue (Ralph Wien Memorial)	0.163	0.282
Nome, excluding Nome City Field	0.163	0.185
Nome City Field	0.073	None
Northway	0.132	0.132
Petersburg (James A. Johnson), filled land	0.163	0.275
Petersburg (James A. Johnson), unfilled land	None	0.130
St. Mary's	0.125	0.075
Sitka (Rocky Gutierrez)	0.163	0.282
Talkeetna	0.108	0.131
Tok Junction	0.090	0.030
Unalaska, including revetment lots	0.108	0.187
Utqiagvik (Barrow) (Wiley Post/Will	0.163	0.282

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Rogers Memorial)		
Valdez	0.160	0.040
Willow	0.086	0.055
Wrangell, filled land	0.163	None
Wrangell, unfilled land	None	0.120
Yakutat	0.163	0.180

(3) beginning January 1, 2020 and ending December 31, 2020, the annual rental

rates are as follows:

<u>Airport Location</u>	<u>Rate Per Square Foot</u>	
	<u>Aeronautical Land Uses</u>	<u>Non-Aeronautical Land Uses</u>
Aniak	\$0.140	\$0.110
Bethel	0.179	0.310
Bettles, including Bettles VOR Lake	0.063	0.058
Big Lake	0.095	0.061
Birchwood	0.119	0.144
Cold Bay	0.117	0.060
Cordova (Merle K. "Mudhole" Smith)	0.179	0.158
Cordova Municipal	0.080	None
Dillingham	0.179	0.152
Fort Yukon	0.090	0.060
Galena (Edward G. Pitka Sr.)	0.117	0.075
Gulkana	0.108	0.045
Gustavus	0.179	0.145
Haines	0.125	0.140
Homer, including Beluga Lake	0.179	0.189
Iliamna	0.103	0.080
King Salmon, excluding Naknek River frontage land	0.179	0.120
King Salmon, Naknek River frontage land	0.179	0.210
Klawock	0.179	0.200
Kodiak	0.179	0.310
Kotzebue (Ralph Wien Memorial)	0.179	0.310
Nome, excluding Nome City Field	0.179	0.204
Nome City Field	0.080	None
Northway	0.145	0.145
Petersburg (James A. Johnson), filled land	0.179	0.303

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Petersburg (James A. Johnson), unfilled land	None	0.130
St. Mary's	0.138	0.083
Sitka (Rocky Gutierrez)	0.179	0.310
Talkeetna	0.119	0.144
Tok Junction	0.090	0.030
Unalaska (including revetment lots)	0.119	0.206
Utqiagvik (Barrow) (Wiley Post/Will Rogers Memorial)	0.179	0.310
Valdez	0.160	0.040
Willow	0.095	0.061
Wrangell, filled land	0.179	None
Wrangell, unfilled land	None	0.120
Yakutat	0.179	0.180

(4) beginning January 1, 2021 and ending December 31, 2021, the annual rental

rates are as follows:

<u>Airport Location</u>	<u>Rate Per Square Foot</u>	
	<u>Aeronautical Land Uses</u>	<u>Non-Aeronautical Land Uses</u>
Aniak	\$0.140	\$0.110
Bethel	0.197	0.341
Bettles, including Bettles VOR Lake	0.069	0.064
Big Lake	0.105	0.067
Birchwood	0.131	0.158
Cold Bay	0.120	0.060
Cordova (Merle K. "Mudhole" Smith)	0.197	0.174
Cordova Municipal	0.088	None
Dillingham	0.197	0.167
Fort Yukon	0.090	0.060
Galena (Edward G. Pitka Sr.)	0.129	0.083
Gulkana	0.119	0.050
Gustavus	0.197	0.160
Haines	0.138	0.140
Homer, including Beluga Lake	0.197	0.208
Iliamna	0.113	0.080
King Salmon, excluding Naknek River frontage land	0.197	0.120
King Salmon, Naknek River frontage land	0.197	0.231

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Klawock	0.197	0.200
Kodiak	0.197	0.341
Kotzebue (Ralph Wien Memorial)	0.197	0.341
Nome, excluding Nome City Field	0.197	0.224
Nome City Field	0.088	None
Northway	0.160	0.160
Petersburg (James A. Johnson), filled land	0.197	0.333
Petersburg (James A. Johnson), unfilled land	None	0.130
St. Mary's	0.152	0.091
Sitka (Rocky Gutierrez)	0.197	0.341
Talkeetna	0.131	0.158
Tok Junction	0.090	0.030
Unalaska, including revetment lots	0.131	0.227
Utqiagvik (Barrow) (Wiley Post/Will Rogers Memorial)	0.197	0.341
Valdez	0.160	0.040
Willow	0.105	0.067
Wrangell, filled land	0.197	None
Wrangell, unfilled land	None	0.120
Yakutat	0.197	0.180

(5) beginning January 1, 2022, the annual rental rates are as follows:

<u>Airport Location</u>	<u>Rate Per Square Foot</u>	
	<u>Aeronautical Land Uses</u>	<u>Non-Aeronautical Land Uses</u>
Aniak	\$0.140	\$0.110
Bethel	0.217	0.375
Bettles, including Bettles VOR Lake	0.076	0.070
Big Lake	0.116	0.074
Birchwood	0.144	0.174
Cold Bay	0.120	0.060
Cordova (Merle K. "Mudhole" Smith)	0.217	0.180
Cordova Municipal	0.097	None
Dillingham	0.217	0.184
Fort Yukon	0.090	0.060
Galena (Edward G. Pitka Sr.)	0.142	0.091
Gulkana	0.131	0.055
Gustavus	0.217	0.176
Haines	0.152	0.140

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Homer, including Beluga Lake	0.217	0.229
Iliamna	0.124	0.080
King Salmon, excluding Naknek River frontage land	0.217	0.120
King Salmon, Naknek River frontage land	0.217	0.254
Klawock	0.217	0.200
Kodiak	0.217	0.375
Kotzebue (Ralph Wien Memorial)	0.217	0.375
Nome, excluding Nome City Field	0.217	0.246
Nome City Field	0.097	None
Northway	0.176	0.176
Petersburg (James A. Johnson), filled land	0.217	0.340
Petersburg (James A. Johnson), unfilled land	None	0.130
St. Mary's	0.167	0.100
Sitka (Rocky Gutierrez)	0.217	0.375
Talkeetna	0.144	0.174
Tok Junction	0.090	0.030
Unalaska, including revetment lots	0.144	0.250
Utqiagvik (Barrow) (Wiley Post/Will Rogers Memorial)	0.217	0.375
Valdez	0.160	0.040
Willow	0.116	0.074
Wrangell, filled land	0.217	None
Wrangell, unfilled land	None	0.120
Yakutat	0.217	0.180

17 AAC 45.127(c) is repealed and readopted to read:

(c) The following annual rental rates apply to land at the Deadhorse Airport:

(1) beginning July 1, 2017 and ending December 31, 2018, the annual rental rates are as follows:

(A) \$0.148 per square foot for an aeronautical use on undeveloped land;

(B) \$0.322 per square foot for an aeronautical use on land with a state-owned gravel pad;

(C) \$0.214 per square foot for a non-aeronautical use on undeveloped land; and

(D) \$0.422 per square foot for a non-aeronautical use on land with a state-owned gravel pad;

(2) beginning January 1, 2019 and ending December 31, 2019, the annual rental rates are as follows:

(A) \$0.163 per square foot for an aeronautical use on undeveloped land;

(B) \$0.354 per square foot for an aeronautical use on land with a state-owned gravel pad;

(C) \$0.235 per square foot for a non-aeronautical use on undeveloped land; and

(D) \$0.464 per square foot for a non-aeronautical use on land with a state-owned gravel pad;

(3) beginning January 1, 2020 and ending December 31, 2020, the annual rental rates are as follows:

(A) \$0.179 per square foot for an aeronautical use on undeveloped land;

(B) \$0.389 per square foot for an aeronautical use on land with a state-owned gravel pad;

(C) \$0.259 per square foot for a non-aeronautical use on undeveloped land; and

(D) \$0.510 per square foot for a non-aeronautical use on land with a state-owned gravel pad;



(4) beginning January 1, 2021 and ending December 31, 2021, the annual rental rates are as follows:

(A) \$0.197 per square foot for an aeronautical use on undeveloped land;

(B) \$0.428 per square foot for an aeronautical use on land with a state-owned gravel pad;

(C) \$0.285 per square foot for a non-aeronautical use on undeveloped land; and

(D) \$0.561 per square foot for a non-aeronautical use on land with a state-owned gravel pad;

(5) beginning January 1, 2022, the annual rental rates are as follows:

(A) \$0.217 per square foot for an aeronautical use on undeveloped land;

(B) \$0.471 per square foot for an aeronautical use on land with a state-owned gravel pad;

(C) \$0.314 per square foot for a non-aeronautical use on undeveloped land; and

(D) \$0.617 per square foot for a non-aeronautical use on land with a state-owned gravel pad.

17 AAC 45.127(d)(1) is amended to read:

(1) 10 percent, if

(A) at any location, except Deadhorse, **unfilled land at Petersburg, and unfilled land at Wrangell**, substantial fill or excavation by the lessee, permittee, or

concessionaire is necessary so that the premises may be used in the manner authorized by the department; and

(B) the department did not make fill material on the airport available at no charge to the lessee, permittee, or concessionaire;

17 AAC 45.127(j) is amended to read:

(j) The department will charge the following annual rent for the agricultural use of airport land if the department allows the use after considering airport planning, operation, and management issues, including any potentially associated bird or wildlife hazard and other safety and security matters:

- (1) for land used only for crop cultivation purposes, \$100 [\$55] per acre; and
- (2) for land used only for livestock grazing or harvesting uncultivated vegetation, excluding timber, \$50 [\$5] per acre.

17 AAC 45.127(k) is amended to read:

(k) Except where a different fee is specified in this chapter, such as for an airport boundary crossing permit fee under (l) of this section, a commercial passenger vehicle permit fee under 17 AAC 45.095(k), and a business activity permit fee under (p) of this section, the minimum charge for all rents and fees assessed under this section, including any concession fee, is

- (1) \$250 [\$220] for a permit with a term of 120 days or less;
- (2) \$625 [\$550] for a lease, permit, or concession with a term of 121 days to one

year; and

(3) **\$625** [\$550] per year for a lease, permit, or concession with a term of more than one year.

17 AAC 45.127(l) is repealed and readopted to read:

(l) Subject to (m) and (n) of this section, the department will charge and a permittee must pay each year the greater of \$150 or the applicable land rental rate for the square footage area of any right-of-way used for access across airport land between the airport boundary and a public road or aircraft operation area on the airport, plus an annual fee, in United States dollars, for an airport boundary crossing permit issued under 17 AAC 45.285 based on the following schedules:

(1) beginning July 1, 2017 and ending December 31, 2018, the annual boundary crossing fees for all airports, except the Tok Junction Airport, are as follows:

<u>Type of Airport</u>	<u>Personal Use Permit Fee</u>	<u>Commercial Use Permit Fee</u>
Airport where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$330	\$660
unpaved and lighted	432	858
paved and unlighted	432	858
paved and lighted	498	990
Airport where the longest runway is 5,000 feet or longer between thresholds and is		
unpaved and unlighted	\$498	\$990
unpaved and lighted	648	1,290
paved and unlighted	648	1,290
paved and lighted	750	1,488

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(2) beginning January 1, 2019 and ending December 31, 2019, the annual boundary crossing fees for all airports, except the Tok Junction Airport, are as follows:

<u>Type of Airport</u>	<u>Personal Use Permit Fee</u>	<u>Commercial Use Permit Fee</u>
Airport where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$363	\$726
unpaved and lighted	475	944
paved and unlighted	475	944
paved and lighted	548	1,089
Airport where the longest runway is 5,000 feet or longer between thresholds and is		
unpaved and unlighted	\$548	\$1,089
unpaved and lighted	713	1,419
paved and unlighted	713	1,419
paved and lighted	825	1,637

(3) beginning January 1, 2020 and ending December 31, 2020, the annual boundary crossing fees for all airports, except the Tok Junction Airport, are as follows:

<u>Type of Airport</u>	<u>Personal Use Permit Fee</u>	<u>Commercial Use Permit Fee</u>
Airport where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$399	\$799
unpaved and lighted	522	1,038
paved and unlighted	522	1,038
paved and lighted	602	1,198

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Airport where the longest runway is 5,000 feet or longer between thresholds and is

unpaved and unlighted	\$602	\$1,198
unpaved and lighted	783	1,561
paved and unlighted	783	1,561
paved and lighted	906	1,801

(4) beginning January 1, 2021 and ending December 31, 2021, the annual boundary crossing fees for all airports, except the Tok Junction Airport, are as follows:

<u>Type of Airport</u>	<u>Personal Use Permit Fee</u>	<u>Commercial Use Permit Fee</u>
Airport where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$399	\$879
unpaved and lighted	522	1,142
paved and unlighted	522	1,142
paved and lighted	602	1,318
Airport where the longest runway is 5,000 feet or longer between thresholds and is		
unpaved and unlighted	\$602	\$1,318
unpaved and lighted	783	1,717
paved and unlighted	783	1,717
paved and lighted	906	1,981

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(5) beginning January 1, 2022, the annual boundary crossing fees for all airports, except the Tok Junction Airport, are as follows:

<u>Type of Airport</u>	<u>Personal Use Permit Fee</u>	<u>Commercial Use Permit Fee</u>
Airport where the longest runway is under 5,000 feet long between thresholds and is		
unpaved and unlighted	\$399	\$897
unpaved and lighted	522	1,165
paved and unlighted	522	1,165
paved and lighted	602	1,345
Airport where the longest runway is 5,000 feet or longer between thresholds and is		
unpaved and unlighted	\$602	\$1,345
unpaved and lighted	783	1,752
paved and unlighted	783	1,752
paved and lighted	906	2,021

(6) For the Tok Junction Airport, the annual boundary crossing fees are as follows:

<u>Effective Period</u>	<u>Personal Use Permit Fee</u>	<u>Commercial Use Permit Fee</u>
Beginning July 1, 2017 and ending December 31, 2018	\$498	\$990
Beginning January 1, 2019 and ending December 31, 2019	548	1,089
Beginning January 1, 2020 and ending December 31, 2020	603	1,198
Beginning January 1, 2021 and ending December 31, 2021	663	1,318

17 AAC 45.127(o) is amended to read:

(o) A person who holds a lease, permit, or concession that authorizes operation of a commercial fueling service at an airport must pay to the department a fuel flowage fee in addition to the rent or other fee charged in the person's lease, permit, or concession. The fuel flowage fee is **5.0 cents** [2.2 CENTS] per gallon of fuel sold, dispensed, or delivered by or on behalf of the person or otherwise under the person's authorization at the airport. The fuel flowage fee applies only once on a gallon of fuel at an airport. Unless the lease, permit, or concession provides otherwise, the following are exempt from the fuel flowage fee:

- (1) fuel to be used exclusively for building heating;
- (2) fuel delivered to an aircraft for carriage off the airport as manifested cargo in a container not connected to the aircraft's engine;
- (3) fuel carried to an airport aboard an aircraft if off-loaded to or in a storage or transport container for use only off the airport.

17 AAC 45.127(p) is amended to read:

(p) A person required to hold a business activity permit under 17 AAC 45.105 on an airport shall pay a non-refundable annual permit fee of **\$625** [\$550].

(Eff. 3/28/2002, Register 161; am 11/23/2003, Register 168; am 3/22/2008, Register 185; em am 6/16/2008 - 10/13/2008, Register 187; am 4/23/2009, Register 190; am 4/4/2013, Register 206; am 3/20/2016, Register 217; am 7/1/2017, Register 222)

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**Authority:** AS 02.15.020 AS 02.15.070 AS 44.42.020  
AS 02.15.060 AS 02.15.090

17 AAC 45.205(a)(5) is amended to read:

(5) a non-refundable [\$100] application fee of

**(A) \$500, if the application is for a new lease, concession, or other interest;**

**(B) \$250, if the application is for a successive lease, a new permit, or a term extension for, or a material amendment to, an existing lease, permit, concession, or other interest; or**

**(C) no charge, if** [, UNLESS] the applicant is a federal agency that is exempt from the fee under federal law or the terms of a grant to the department; and

(Eff. 3/28/2002, Register 161; am 3/22/2008; Register 185; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.090 AS 37.15.470  
AS 02.15.060 AS 02.15.210 AS 37.15.540

17 AAC 45.260(c)(6) is amended to read:

(6) a non-refundable **\$200** [\$55] assignment processing fee.

(Eff. 3/28/2002, Register 161; am 3/22/2008, Register 185; am 4/23/2009, Register 190; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090



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17 AAC 45.265(c)(4) is amended to read:

(4) a non-refundable **\$500** [\$55] security assignment processing fee.

(Eff. 3/28/2002, Register 161; am 3/22/2008, Register 185; am 3/20/2016, Register 217; am 5/25/2017, Register 222; am 7 / 1 / 2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090

17 AAC 45.270(b)(9) is amended to read:

(9) a non-refundable [\$55] sublease processing fee of

**(A) \$500, if the sublease is a cooperative sublease that functions as a proprietary lease; in this subparagraph, "proprietary lease" has the meaning given in AS 34.08.990; or**

**(B) \$75 for any other type of sublease.**

(Eff. 3/28/2002, Register 161; am 3/22/2008, Register 185; am 4/23/2009, Register 190; am 7 / 1 / 2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090

17 AAC 45.280(b)(4) is amended to read:

(4) a non-refundable [\$55] building permit application fee of

**(A) \$200, if the application is for the construction of a new building;**

**or**

**(B) \$75, if the application is for any other kind of construction or installation, or for the demolition or removal of improvements.**

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(Eff. 3/28/2002, Register 161; am 3/22/2008, Register 185; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090

17 AAC 45.285(b) is amended to read:

(b) An application for an airport boundary crossing permit **or for a term extension for or material amendment to an existing airport boundary crossing permit** must be submitted to the department in writing and include

(1) **for a new airport boundary crossing permit**, a detailed description of

(A) the proposed location of the airport boundary crossing point;

(B) the proposed alignment, length, and width of the vehicle access way or aircraft taxiway to be used to provide access from the boundary to a public way or public aircraft taxiway on the airport;

(C) the type and maximum size of vehicle or aircraft that the applicant will operate across the boundary; and

(D) the activity or business the applicant intends to conduct on off-airport property in connection with the permit;

(2) **for a term extension for or material amendment to an existing airport boundary crossing permit, a detailed description of, and justification for, the term extension or material amendment being sought;**

(3) a non-refundable [\$100] application processing fee **of**

**(A) \$500, if the application is for a new airport boundary crossing permit; or**

**(B) \$250, if the application is for a term extension for or material amendment to an existing airport boundary crossing permit;**

**(4)** [(3)] documentation of the applicant's ownership of, lease of, right-of-way across, or written permission to cross the land adjoining the airport at the proposed boundary crossing; and

**(5)** [(4)] a description, site plan, and cost estimate for a taxiway, driveway, fencing, gate, or other improvement that the applicant proposes to construct in connection with the proposed boundary crossing, **term extension, or material amendment.**

(Eff. 3/28/2002, Register 161; am 3/22/2008, Register 185; am 4/23/2009, Register 190; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090

17 AAC 45.510(m) is amended to read:

(m) The monthly rent for an assigned space designated by the department for use by wheel- or by ski-equipped light aircraft is **as follows:**

<u>Space Type</u>	<u>Space Surfaces</u>	<u>Monthly Rent In Dollars</u>
tail-in	unpaved	<b><u>\$41</u></b> [\$30]
tail-in	paved	<b><u>48</u></b> [35]
taxi-through	unpaved	<b><u>55</u></b> [40]
taxi-through	paved	<b><u>61</u></b> [45]

17 AAC 45.510(n) is amended to read:

(n) The monthly rent for an assigned space designated by the department for use by

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float-equipped light aircraft is \$41 [\$30].

17 AAC 45.510(o) is amended to read:

(o) The monthly rent for an assigned space for a heavy aircraft is \$41 [\$30] for the first 6,000 pounds CMGTW, plus \$14 [\$10] per 1,000 pounds of the aircraft's CMGTW over 6,000 pounds, rounded to the nearest 1,000 pounds.

17 AAC 45.510(p) is amended to read:

(p) In addition to the rent for an assigned space required under (m) - (o) of this section, the permittee shall pay to the department an electrical access fee of \$14 [\$10] per month for an assigned space with access to electrical power, whether or not the permittee actually uses the electrical access. This fee applies to and covers only the access to electrical power. A permittee who has electrical power access to the permittee's assigned space must separately meter the power and pay all associated costs. (Eff. 3/28/2002, Register 161; am 11/23/2003, Register 168; am 3/22/2008, Register 185; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090

17 AAC 45.520(a)(9) is amended to read:

(9) a non-refundable \$35 [\$25] application fee; and

(Eff. 3/28/2002, Register 161; am 3/22/2008, Register 185; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090

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17 AAC 45.530(e)(1) is amended to read:

- (1) a non-refundable \$35 [\$25] application fee; and

(Eff. 3/28/2002, Register 161; am 3/22/2008, Register 185; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090

17 AAC 45.600(f) is amended to read:

- (f) Subject to (g) of this section, the transient aircraft parking fee is as follows:

- (1) there is no charge for parking in a transient aircraft fee parking area for 24 hours or less;

- (2) for each period of up to 24 hours after the first 24 hours, the transient aircraft parking fee for parking a light aircraft is \$5 [\$4.00];

- (3) for each period of up to 24 hours after the first 24 hours, the transient aircraft parking fee for parking a heavy aircraft is the greater of \$10 [\$7.50] or \$1 [\$0.75] per 1,000 pounds, rounded to the nearest 1,000 pounds, CMGTW of the aircraft.

(Eff. 3/28/2002, Register 161; am 11/23/2003, Register 168; am 7/1/2017, Register 222)

**Authority:** AS 02.15.020 AS 02.15.060 AS 02.15.090

# MEMORANDUM


State of Alaska  
Department of Law

To: Hon. Byron Mallott  
Lieutenant Governor

Date: May 19, 2017

File No.: JU2017200061

Tel. No.: 465-3600

From: Steven C. Weaver   
Sr. Assistant Attorney General  
and Assistant Regulations Attorney  
Legislation and Regulations Section

Re: Department of Transportation and  
Public Facilities regulations re: rural  
airport rates and fees (17 AAC  
45.095(e), (k); 17 AAC 45.105(c)(1);  
17 AAC 45.111(b); 17 AAC  
45.115(e); 17 AAC 45.125(c);  
17 AAC 45.127; 17 AAC  
45.205(a)(5); 17 AAC 45.260(c)(6);  
17 AAC 45.265(c)(4); 17 AAC  
45.270(b)(9); 17 AAC 45.280(b)(4);  
17 AAC 45.285(b); 17 AAC  
45.510(m) - (p); 17 AAC  
45.520(a)(9); 17 AAC 45.530(e)(1);  
17 AAC 45.600(f))

We have reviewed the attached regulations from the Department of Transportation and Public Facilities against the statutory standards of the Administrative Procedure Act. I have reviewed this project under a specific delegation dated May 19, 2017 from the Regulations Attorney. The regulations establish update rates and fees for rural airports.

We find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

Please note that the adoption order for these regulations identifies a special effective date of July 1, 2017.

Hon. Byron Mallott, Lieutenant Governor  
Our file: JU2017200061

May 19, 2017  
Page 2

The March 5, 2017 public notice and the May 18, 2017 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

SCW

cc w/enc: (via email)

Hon. Marc Luiken, Commissioner  
Department of Transportation and Public Facilities

Jolene Julian, Regulations Contact  
Department of Transportation and Public Facilities

John R. Binder III, Deputy Commissioner  
Alaska International Airport System  
Department of Transportation and Public Facilities

Jennifer Bailey  
Division of Statewide Aviation  
Department of Transportation and Public Facilities

Lindsey S. Holmes, Assistant Attorney General  
Transportation Section

# MEMORANDUM

## State of Alaska Department of Law

**TO:** Hon. Byron Mallott  
Lieutenant Governor

**DATE:** May 19, 2017

**FILE NO.:** JU2017200061

**TELEPHONE NO.:** (907) 465-3600

**FROM:** Susan R. Pollard *SRP*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation/Regulations Section

**SUBJECT:** Specific delegation of authority regarding regulations review on update to Department of Transportation and Public Facilities regulations re: rural airport rates and fees (17 AAC 45.095(e), (k); 17 AAC 45.105(c)(1); 17 AAC 45.111(b); 17 AAC 45.115(e); 17 AAC 45.125(c); 17 AAC 45.127; 17 AAC 45.205(a)(5); 17 AAC 45.260(c)(6); 17 AAC 45.265(c)(4); 17 AAC 45.270(b)(9); 17 AAC 45.280(b)(4); 17 AAC 45.285(b); 17 AAC 45.510(m) - (p); 17 AAC 45.520(a)(9); 17 AAC 45.530(e)(1); 17 AAC 45.600(f))

By this memorandum, I am delegating my authority as Regulations Attorney under AS 44.62 to Assistant Attorney General Steven C. Weaver for the above-referenced regulations project. Under this delegation of authority, Steven Weaver has my full authority under AS 44.62 to conduct the legal review under AS 44.62 and take necessary actions on this regulations project.

If you have questions, please let me know.

SCW

cc w/enc: Scott C. Meriwether, AAC Coordinator  
Office of the Lieutenant Governor

Steven C. Weaver  
Sr. Assistant Attorney General and  
Assistant Regulations Attorney  
Legislation/Regulations Section



## NOTICE OF PROPOSED CHANGES ON RURAL AIRPORT RATES AND FEES

The Department of Transportation and Public Facilities proposes to change regulations on rural airports to modify airport rental rates and fees and improve clarity of the provisions.

The Department of Transportation and Public Facilities (DOT&PF) proposes to adopt regulation changes in Title 17, Chapter 45 of the Alaska Administrative Code, dealing with rural airports to include the following:

- (1) 17 AAC 45.095(e)(3) and (k)(1)–(5) are proposed to be changed as follows: change commercial passenger vehicle permit fees and application fee.
- (2) 17 AAC 45.105(c)(1) is proposed to be changed as follows: change business activity permit application fees.
- (3) 17 AAC 45.111(b) is proposed to be changed as follows: change special event permit application fees.
- (4) 17 AAC 45.115(e)(1)-(2) is proposed to be changed as follows: change unauthorized parking and impound storage fees.
- (5) 17 AAC 45.125(c) is proposed to be changed as follows: change late notice fees.
- (6) 17 AAC 45.127(a)–(c), (j)(1)-(2), (k)(1)-(3), (l), and (o)–(p) are proposed to be changed as follows: change the rental and fee rates for the following: use of rural airport land, minimum rents and fees, boundary crossing fees, fuel flowage fees, and business activity permit fees.
- (7) 17 AAC 45.205(a)(5) is proposed to be changed as follows: change fees for applications for or material amendments to a lease, permit, concession, or other interest.
- (8) 17 AAC 45.260(c)(6) is proposed to be changed as follows: change processing fees for assignments.
- (9) 17 AAC 45.265(c)(4) is proposed to be changed as follows: change processing fees for assignments for security purposes.
- (10) 17 AAC 45.270(b)(9) is proposed to be changed as follows: change processing fees for subleases.
- (11) 17 AAC 45.280(b)(4) is proposed to be changed as follows: change processing fees for building permits.
- (12) 17 AAC 45.285(b)(2) is proposed to be changed as follows: change processing fees for airport boundary crossing permits.
- (13) 17 AAC 45.510(m)–(p) are proposed to be changed as follows: change fees for use of assigned spaces by wheel- or by ski- or by float-equipped light aircraft, for heavy aircraft, and for electrical access for assigned spaces with access to electrical power.
- (14) 17 AAC 45.520(a)(9) is proposed to be changed as follows: change application fees for assigned-space permits.
- (15) 17 AAC 45.530(e)(1) is proposed to be changed as follows: change application fees for renewal of assigned space permits.
- (16) 17 AAC 45.600(f)(2)-(3) is proposed to be changed as follows: change the transient aircraft parking fee parking rates.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jennifer Bailey, Statewide Aviation Leasing Chief at PO Box 196900, Anchorage, Alaska 99519-6900. Additionally, the DOT&PF will accept comments by facsimile at (907) 269-0489 and by electronic mail at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov). Comments may also be submitted through the State of Alaska Online Public Notice website, by accessing this notice on the

system and using the comment link. The comments must be received not later than 4:00pm AKDT on Wednesday, April 19, 2017.

Oral or written comments also may be submitted hearings to be held on Monday, March 20, 2017, in the DOT&PF Central Region Main Conference Room, 4111 Aviation Avenue, Anchorage, Alaska, and to be held on Tuesday, March 21, 2017 in the DOT&PF Northern Region Main Conference Room, 2301 Peger Road, Fairbanks, Alaska, and to be held on Thursday, March 23, 2017, in the DOT&PF Headquarters building, Commissioner's Conference Room, Suite 325, 3132 Channel Drive in Juneau, Alaska.

The hearings will be held from 3:00 p.m. to 5:00 p.m. and might be extended to accommodate those present before 5:00 p.m. who did not have an opportunity to comment. To attend telephonically please call (907) 266-2455.

You may submit written questions relevant to the proposed action to Jennifer Bailey, Statewide Aviation Leasing Chief at PO Box 196900, Anchorage, Alaska 99519-6900 or by email at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov). The questions must be received at least 10 days before the end of the public comment period, no later than 4:00 p.m., AKDT April 7, 2017. The DOT&PF will aggregate its response to substantially similar questions and make the questions and responses available on the State of Alaska Online Public Notice website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907) 269-0319 no later than March 17, 2017, to request necessary accommodations.

A copy of the proposed regulation changes is available on the State of Alaska Online Public Notice website and by contacting Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907) 269-0319.

A copy of material proposed for adoption by reference is available on the State of Alaska Online Public Notice website and by contacting Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907) 269-0319.

After the public comment period ends, the DOT&PF will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

**Statutory authority:** AS 02.10.010; AS 02.15.020; AS 02.15.060; AS 02.15.090; AS 02.15.210; AS 02.15.220; AS 02.15.230; AS 44.42.030

**Statutes being implemented, interpreted, or made specific:** AS 02.15.020; AS 02.15.060; AS 02.15.070; AS 02.15.090; AS 02.15.200; AS 02.15.210; AS 02.15.220; AS 02.15.230; AS 37.15.470; AS 37.15.540; AS 44.42.020

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

**Attachments, History, Details**

**Attachments**

Additional Reg notice information rates fees.pdf  
 Public inquiry summary 04.19.17.pdf  
 Rates Fees - FINAL Title 17 CH 45 amendments 02.23.17.pdf

**Revision History**

Created 3/6/2017 12:14:39 PM by mlbyrd  
 Modified 3/6/2017 3:23:15 PM by baleslie  
 Modified 3/6/2017 3:57:53 PM by baleslie  
 Modified 3/7/2017 1:54:24 PM by baleslie  
 Modified 3/16/2017 3:47:09 PM by baleslie

**Details**

Department: Transportation and Public Facilities  
 Category: Regulations  
 Sub-Category: Notice of Proposed Regulations  
 Location(s): Statewide  
 Project/Regulation #: Title 17 Chapter 45  
 Publish Date: 3/6/2017  
 Archive Date: 5/15/2017  
 Events/Deadlines:

Modified 3/22/2017 3:54:14 PM by baleslie  
Modified 4/12/2017 12:14:49 PM by baleslie  
Modified 4/18/2017 3:56:32 PM by baleslie  
Modified 4/19/2017 11:08:32 AM by baleslie

ADDITIONAL REGULATION NOTICE INFORMATION

(AS 44.62.190(d))

1. Adopting agency: Department of Transportation and Public Facilities
2. General subject of regulation: rates and fees affecting the rural airport system
3. Citation of regulation (may be grouped): 17 AAC 45.095 – 45.600
4. Department of Law file number, if any: None

5. Reason for the proposed action:

- Compliance with federal law or action (identify): \_\_\_\_\_
- Compliance with new or changed state statute
- Compliance with federal or state court decision (identify): \_\_\_\_\_
- Development of program standards
- Other (identify): Compliance with FAA Grant Assurances

6. Appropriation/Allocation: \_\_\_\_\_

7. Estimated annual cost to comply with the proposed action to:

A private person: varies significantly – mostly dependent on size of land leased

Another state agency: varies significantly

A municipality: None

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY17	Subsequent Years
Operating Cost	\$ 0	\$ 0
Capital Cost	\$ 0	\$ 0
1002 Federal receipts	\$ 0	\$ 0
1003 General fund match	\$ 0	\$ 0
1004 General fund	\$ 0	\$ 0
1005 General fund/ program	\$ 0	\$ 0
Other (identify)	\$ 0	\$ 0

9. The name of the contact person for the regulation:

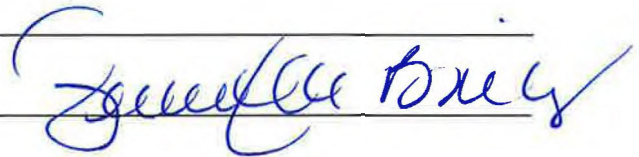
Name: Jennifer Bailey  
Title: Aviation Leasing Program Manager  
Address: PO Box 196900  
Telephone: (907) 269-0319  
E-mail address: jennifer.bailey@alaska.gov

10. The origin of the proposed action:

Staff of state agency  
 Federal government  
 General public  
 Petition for regulation change  
 Other (identify): \_\_\_\_\_

11. Date: February 7, 2017

Prepared by: \_\_\_\_\_



Name (printed): Jennifer Bailey  
Title (printed): Aviation Leasing Program Manager  
Telephone: (907) 269-0319

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION

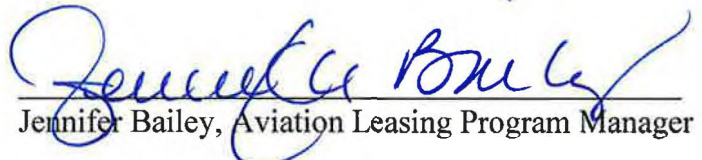
I, Jennifer Bailey, Aviation Leasing Program Manager, of the Department of Transportation and Public Facilities, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to the Alaska Administrative Code, Title 17, Chapter 45 dealing with rural airport rates and fees has been given by being

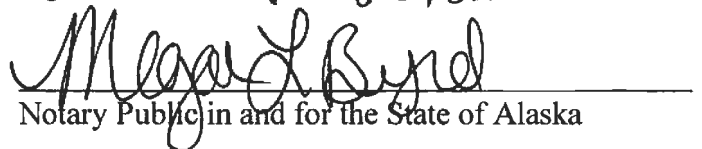
- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulation;
- (5) furnished electronically to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
- (8) furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the chair of the Transportation Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: April 25, 2017

  
Jennifer Bailey, Aviation Leasing Program Manager

Subscribed and sworn to before me at Anchorage, Alaska on April 25, 2017.

  
Megan L. Byrd  
Notary Public in and for the State of Alaska



AFFIDAVIT OF ORAL HEARING

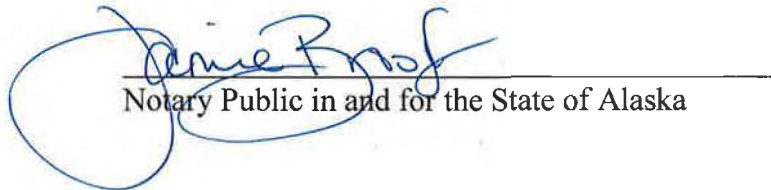
I, Jennifer Bailey, Aviation Leasing Program Manager of the Department of Transportation and Public Facilities, being sworn, state the following:

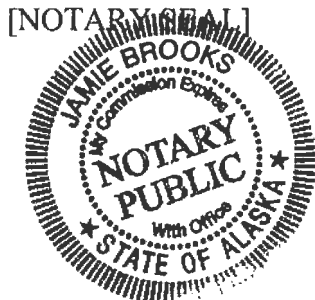
On March 20, 2017, at 3:00 pm, in the Main Conference Room, 4111 Aviation Avenue, Anchorage, I presided over a public hearing held under AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to rural airport rates and fees in Title 17, Chapter 45 of the Alaska Administrative Code.

Date: April 25, 2017

  
Jennifer Bailey, Airport Leasing Program Manager

Subscribed and sworn to before me at Anchorage, Alaska on  
Tuesday, April 25, 2017.  
(date)

  
Notary Public in and for the State of Alaska



AFFIDAVIT OF ORAL HEARING

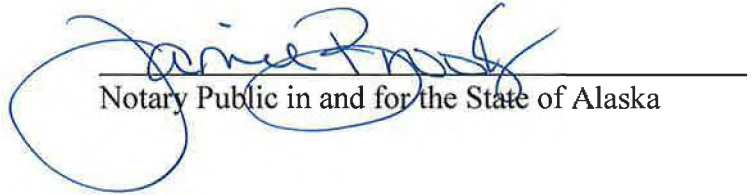
I, Jennifer Bailey, Aviation Leasing Program Manager of the Department of Transportation and Public Facilities, being sworn, state the following:

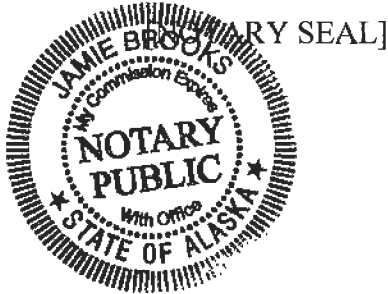
On March 21, 2017, at 3:00 pm, in the Main Conference Room, 2301 Peger Road, Fairbanks, I presided over a public hearing held under AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to rural airport rates and fees in Title 17, Chapter 45 of the Alaska Administrative Code.

Date: April 25, 2017

  
Jennifer Bailey, Airport Leasing Program Manager

Subscribed and sworn to before me at Anchorage, Alaska on  
Tuesday, April 25, 2017.  
(date)

  
Notary Public in and for the State of Alaska





AFFIDAVIT OF ORAL HEARING

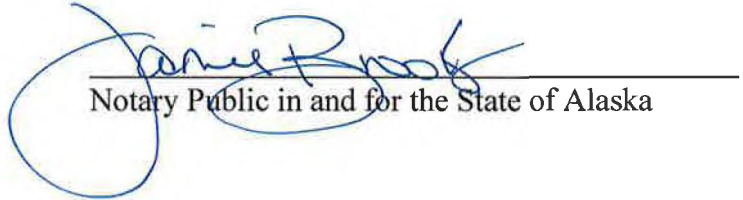
I, Jennifer Bailey, Aviation Leasing Program Manager of the Department of Transportation and Public Facilities, being sworn, state the following:

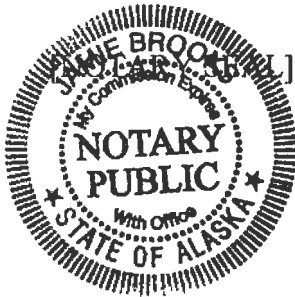
On March 23, 2017, at 3:00 pm, in the Commissioner's Conference Room, 3132 Channel Drive, Juneau, I presided over a public hearing held under AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to rural airport rates and fees in Title 17, Chapter 45 of the Alaska Administrative Code.

Date: April 25, 2017

  
Jennifer Bailey, Airport Leasing Program Manager

Subscribed and sworn to before me at Anchorage, Alaska on  
Tuesday, April 25, 2017.  
(date)

  
Notary Public in and for the State of Alaska



AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

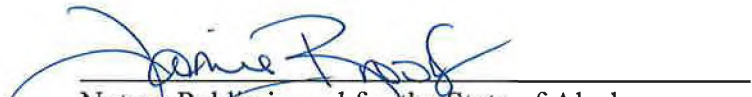
I, Jennifer Bailey, Airport Leasing Program Manager, for the Department of Transportation and Public Facilities, being duly sworn, state the following:

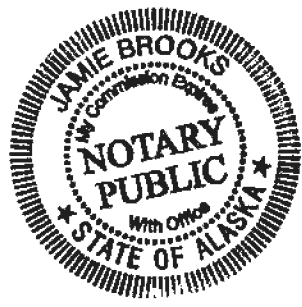
In compliance with AS 44.62.215, the Department of Transportation and Public Facilities has kept a record of its use or rejection of factual or other substantive information that was submitted in writing and orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Transportation and Public Facilities regulation on rural airport rates and fees.

Date: 4/25/2017

  
Jennifer Bailey, Airport Leasing Program Manager

Subscribed and sworn to before me at Anchorage, Alaska on  
April 25, 2017  
(date)

  
Notary Public in and for the State of Alaska



270223  
0001401197  
\$752.00

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Emma Dunlap  
being first duly sworn on oath deposes and  
says that he/she is a representative of the  
Alaska Dispatch News, a daily newspaper.  
That said newspaper has been approved  
by the Third Judicial Court, Anchorage,  
Alaska, and it now and has been published  
in the English language continually as a  
daily newspaper in Anchorage, Alaska, and  
it is now and during all said time was  
printed in an office maintained at the  
aforesaid place of publication of said  
newspaper. That the annexed is a copy of  
an advertisement as it was published in  
regular issues (and not in supplemental  
form) of said newspaper on

March 05, 2017, March 06, 2017

and that such newspaper was regularly  
distributed to its subscribers during all of  
said period. That the full amount of the fee  
charged for the foregoing publication is not  
in excess of the rate charged private  
individuals.

Signed Emma Dunlap

Subscribed and sworn to before me  
this 6th day of March, 2017

Britney Thompson

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska  
MY COMMISSION EXPIRES

2/23/2019  
Notary Public  
BRITNEY L. THOMPSON  
State of Alaska  
My Commission Expires Feb 23, 2019

## NOTICE OF PROPOSED CHANGES ON RURAL AIRPORT RATES AND FEES IN THE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

The Department of Transportation and Public Facilities (DOT&PF) proposes to adopt regulation changes in Title 17, Chapter 45 of the Alaska Administrative Code dealing with rural airports to modify airport rental rates and fees and improve clarity of the provisions.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jennifer Bailey, Statewide Aviation Leasing Chief at PO Box 196900, Anchorage, Alaska 99519-6900. Additionally, the DOT&PF will accept comments by facsimile at (907) 269-0489 and by electronic mail at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov). Comments may also be submitted through the State of Alaska Online Public Notice website, by accessing this notice on the system and using the comment link. The comments must be received not later than 4:00 p.m. AKDT on Monday, April 17, 2017.

Oral or written comments also may be submitted at hearings to be held on Monday, March 20, 2017, in the DOT&PF Central Region Main Conference Room, 4111 Aviation Avenue, Anchorage, Alaska, and to be held on Tuesday, March 21, 2017 in the DOT&PF Northern Region Main Conference Room, 2301 Peger Road, Fairbanks, Alaska, and to be held on Thursday, March 23, 2017, in the DOT&PF Headquarters building, Commissioner's Conference Room, Suite 325, 3132 Channel Drive in Juneau, Alaska.

The hearings will be held from 3:00 p.m. to 5:00 p.m. and might be extended to accommodate those present before 5:00 p.m. who did not have an opportunity to comment.

You may submit written questions relevant to the proposed action to Jennifer Bailey, Statewide Aviation Leasing Chief at PO Box 196900, Anchorage, Alaska 99519-6900 or by email at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov). The questions must be received at least 10 days before the end of the public comment period, no later than 4:00 p.m. AKDT on April 7, 2017. The DOT&PF will aggregate its response to substantially similar questions and make the questions and responses available on the State of Alaska Online Public Notice website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907) 269-0319 no later than March 10, 2017, to request necessary accommodations.

A copy of the proposed regulation changes is available on the State of Alaska Online Public Notice website and by contacting Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907) 269-0319.

A copy of material proposed for adoption by reference is available on the State of Alaska Online Public Notice website and by contacting Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907)269-0319.

After the public comment period ends, the DOT&PF will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

**Statutory authority:** AS 02.10.010; AS 02.15.020; AS 02.15.060; AS 02.15.090; AS 02.15.210; AS 02.15.220; AS 02.15.230; AS 44.42.030

**Statutes being implemented, interpreted, or made specific:** AS 02.15.020; AS 02.15.060; AS 02.15.070; AS 02.15.090; AS 02.15.200; AS 02.15.210; AS 02.15.220; AS 02.15.230; AS 37.15.470; AS 37.15.540; AS 44.42.020

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: 3/2/17

John R. Binder, III  
Deputy Commissioner

Published: March 5 & 6, 2017



NOTARY PUBLIC  
M. BURNELL  
STATE OF ALASKA  
My commission Expires December 7, 20\_\_\_\_

AFFP  
NOTICE OF PROPOSED CHANGES

**Affidavit of Publication**

UNITED STATES OF AMERICA }  
STATE OF ALASKA } SS.  
FOURTH DISTRICT }


Before me, the undersigned, a notary public, this day personally appeared Tameka Ambersley, who, being first duly sworn, according to law, says that he/she is an Advertising Clerk of the Fairbanks Daily News-Miner, a newspaper (i) published in newspaper format, (ii) distributed daily more than 50 weeks per year, (iii) with a total circulation of more than 500 and more than 10% of the population of the Fourth Judicial District, (iv) holding a second class mailing permit from the United States Postal Service, (v) not published primarily to distribute advertising, and (vi) not intended for a particular professional or occupational group. The advertisement which is attached is a true copy of the advertisement published in said paper on the following day(s):

March 08, 2017, March 09, 2017

and that the rate charged thereon is not excess of the rate charged private individuals, with the usual discounts.

  
\_\_\_\_\_  
Advertising Clerk

Subscribed to and sworn to me this 9th day of March 2017.

  
\_\_\_\_\_  
Marena Burnell, Notary Public in and for the State Alaska.

My commission expires: December 07, 2017

00003215 00039747  
LG ADV ACCT  
ST OF AK DOT&PF/AVIATION LEASING  
2301 PEGER RD  
FAIRBANKS, AK 99709

39747

NOTICE OF PROPOSED CHANGES ON RURAL AIRPORT RATES AND FEES IN THE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

The Department of Transportation and Public Facilities (DOT&PF) proposes to adopt regulation changes in Title 17, Chapter 45 of the Alaska Administrative Code dealing with rural airports to modify airport rental rates and fees and improve clarity of the provisions.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jennifer Bailey, Statewide Aviation Leasing Chief at PO Box 196900, Anchorage, Alaska 99519-6900. Additionally, the DOT&PF will accept comments by facsimile at (907) 269-0489 and by electronic mail at jennifer.bailey@alaska.gov. Comments may also be submitted through the State of Alaska Online Public Notice website, by accessing this notice on the system and using the comment link. The comments must be received not later than 4:00 p.m. AKDT on Monday, April 17, 2017.

Oral or written comments also may be submitted at hearings to be held on Monday, March 20, 2017, in the DOT&PF Central Region Main Conference Room, 4111 Aviation Avenue, Anchorage, Alaska, and to be held on Tuesday, March 21, 2017 in the DOT&PF Northern Region Main Conference Room, 2301 Peger Road, Fairbanks, Alaska, and to be held on Thursday, March 23, 2017, in the DOT&PF Headquarters building, Commissioner's Conference Room, Suite 325, 3132 Channel Drive in Juneau, Alaska.

The hearings will be held from 3:00 p.m. to 5:00 p.m. and might be extended to accommodate those present before 5:00 p.m. who did not have an opportunity to comment.

You may submit written questions relevant to the proposed action to Jennifer Bailey, Statewide Aviation Leasing Chief at PO Box 196900, Anchorage, Alaska 99519-6900 or by email at jennifer.bailey@alaska.gov. The questions must be received at least 10 days before the end of the public comment period, no later than 4:00 p.m.

**NOTARY PUBLIC  
M. BURNELL  
STATE OF ALASKA**  
My commission Expires December 7, 20\_\_\_\_\_

AKDT on April 7, 2017. The DOT&PF will aggregate its response to substantially similar questions and make the questions and responses available on the State of Alaska Online Public Notice website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907) 269-0319 no later than March 10, 2017, to request necessary accommodations.

A copy of the proposed regulation changes is available on the State of Alaska Online Public Notice website and by contacting Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907) 269- 0319.

A copy of material proposed for adoption by reference is available on the State of Alaska Online Public Notice website and by contacting Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907) 269-0319.

After the public comment period ends, the DOT&PF will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 02.10.010; AS 02.15.020; AS 02.15.060; AS 02.15.090; AS 02.15.210; AS 02.15.220; AS 02.15.230; AS 44.42.030  
Statutes being implemented, interpreted, or made specific: AS 02.15.020; AS 02.15.060; AS 02.15.070; AS 02.15.090; AS 02.15.200; AS 02.15.210; AS 02.15.220; AS 02.15.230; AS 37.15.470; AS 37.15.540; AS 44.42.020  
Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date:03-02-17  
John R. Binder, III  
Deputy Commissioner  
Publish: March 08 & 09, 2014

NOTARY PUBLIC  
M. BURNELL  
STATE OF ALASKA  
My commission Expires December 7, 20\_\_\_\_

AFFP  
NOTICE OF PROPOSED CHANGES

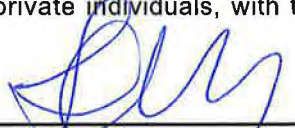
**Affidavit of Publication**

UNITED STATES OF AMERICA }  
STATE OF ALASKA } SS.  
FOURTH DISTRICT }

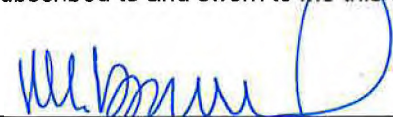
Before me, the undersigned, a notary public, this day personally appeared Tameka Ambersley, who, being first duly sworn, according to law, says that he/she is an Advertising Clerk of the Fairbanks Daily News-Miner, a newspaper (i) published in newspaper format, (ii) distributed daily more than 50 weeks per year, (iii) with a total circulation of more than 500 and more than 10% of the population of the Fourth Judicial District, (iv) holding a second class mailing permit from the United States Postal Service, (v) not published primarily to distribute advertising, and (vi) not intended for a particular professional or occupational group. The advertisement which is attached is a true copy of the advertisement published in said paper on the following day(s):

March 08, 2017, March 09, 2017

and that the rate charged thereon is not excess of the rate charged private individuals, with the usual discounts.

  
\_\_\_\_\_  
Advertising Clerk

Subscribed to and sworn to me this 9th day of March 2017.

  
\_\_\_\_\_  
Marena Burnell, Notary Public in and for the State Alaska.

My commission expires: December 07, 2017

00003215 00039747  
LG ADV ACCT  
ST OF AK DOT&PF/AVIATION LEASING  
2301 PEGER RD  
FAIRBANKS, AK 99709

39747  
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**NOTARY PUBLIC  
M. BURNELL  
STATE OF ALASKA**  
My commission Expires December 7, 20\_\_\_\_

AKDT on April 7, 2017. The DOT&PF will aggregate its response to substantially similar questions and make the questions and responses available on the State of Alaska Online Public Notice website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jennifer Bailey at [jennifer.bailey@alaska.gov](mailto:jennifer.bailey@alaska.gov) or (907) 269-0319 no later than March 10, 2017, to request necessary accommodations.

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Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date:03-02-17  
John R. Binder, III  
Deputy Commissioner  
Publish: March 08 & 09, 2014



# Affidavit of Publication

United States of America

Ad #: 8005801

## AK DOT & Public Facilities

39747

### NOTICE OF PROPOSED CHANGES ON RURAL AIRPORT RATES AND FEES IN THE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

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**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: 03-02-17  
John R. Blnder, III  
Deputy Commissioner  
Publish: March 08, 2017

I, Nicole Quinto, first duly sworn, oath, depose, and say that I am the Principle Clerk of the JUNEAU EMPIRE, a newspaper of general circulation, published in the city of Juneau, State of Alaska; that the publication was published in said newspaper, and on [www.juneauempire.com](http://www.juneauempire.com), the online edition, on the 8th day of March 2017 and thereafter for 0 additional day(s), the last date of publication being March 8th, 2017.

.....  
Subscribed and sworn to before me this 30th day of March 2017.

.....  
Notary Public in and for the State of Alaska.

