

Kevin Meyer  
Lieutenant Governor  
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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Mary Kay Ryckman  
Department of Natural Resources

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** April 22, 2020

**RE:** Filed Permanent Regulations: Department of Natural Resources  
  
Department of Natural Resources regulations re: fees and commercial land use (11 AAC 05.270, 11 AAC 96.030)

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Attorney General File:	2019200385
Regulation Filed:	4/22/2020
Effective Date:	5/22/2020
Print:	234, July 2020

cc with enclosures: Harry Hale, Department of Law  
Judy Herndon, LexisNexis  
Joseph Joyner, Regulations Specialist

ORDER ADOPTING CHANGES TO REGULATIONS  
OF THE DEPARTMENT OF NATURAL RESOURCES

The attached 5 page of regulations, dealing with 11 AAC 05.270, Higher Fees, and 11 AAC 96.030 Application (Permits), is adopted and certified to be a correct copy of the regulation changes that the Department of Natural Resources adopts under the authority of AS 38.05.020, and AS 38.05.850 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 Natural Resources 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 the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 2 April 2020

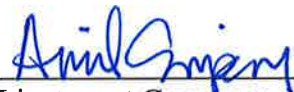
  
Corri Feige, Commissioner, Department of  
Natural Resources

April Simpson for  
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on

April 22<sup>nd</sup>, 2020, at 12:49pm., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
for Lieutenant Governor Kevin Meyer

Effective: May 22, 2020

Register: 231, July 2020.

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,  
designate the following state employees to perform the Administrative Procedures Act  
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff  
Kady Levale, Notary Administrator  
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have  
signed and affixed the Seal of the State of  
Alaska, in Juneau, on December 11th,  
2018.**



A handwritten signature in blue ink, appearing to read "K. Meyer", is written over a horizontal dotted line.

**KEVIN MEYER  
LIEUTENANT GOVERNOR**

11 AAC 05.270(a) is amended to read:

**11 AAC 05.270. Higher fees.** (a) Notwithstanding 11 AAC 05.020 - 11 AAC.05.260, the department may require a fee higher than that set out in 11 AAC 05.030 - 11 AAC.05.260 if the department determines that the location or nature of the use makes a higher fee appropriate to ensure a reasonable return to the state. Under this subsection, and at the department's discretion to ensure a reasonable return to the state, the department may set

(1) a variable fee of 5.0 percent of the gross receipts attributable to the use of the site; [OR]

(2) a fee based on the director's estimate of the market value of the use or, at the applicant's option and expense after receiving the director's written estimate of that value, based on appraised fair market value of the use; or

**(3) a fee equal to the highest responsive bid submitted from among multiple qualified bidders when a statute, a department regulation, or the director has determined that only a limited number of authorizations will be awarded, and there are more qualified applicants than authorizations available.**

(Eff. 7/1/2018, Register 227; am 5 / 22 / 2020, Register 234)

<b>Authority:</b>	AS 27.21.030	AS 38.05.255	AS 40.15.370
	AS 27.21.940	AS 38.05.295	AS 40.17.030
	AS 37.10.050	AS 38.05.550	AS 40.25.110
	AS 37.10.052	AS 38.05.555	AS 40.25.115
	AS 37.10.058	AS 38.05.560	AS 41.06.020
	AS 38.04.045	AS 38.05.565	AS 41.21.020

Register ~~234~~, July 2020

NATURAL RESOURCES

AS 38.04.900	AS 38.05.600	AS 41.21.026
AS 38.05.020	AS 38.05.810	AS 41.23.440
AS 38.05.035	AS 38.05.850	AS 44.37.011
AS 38.05.057	AS 38.08.110	AS 44.37.020
AS 38.05.082	AS 38.09.020	AS 44.37.025
AS 38.05.083	AS 38.09.110	AS 44.37.027
AS 38.05.102	AS 38.35.020	AS 45.29.525
AS 38.05.133	AS 38.35.050	AS 45.50.315
AS 38.05.177	AS 38.50.160	AS 46.15.020
AS 38.05.180	<u>AS 38.95.240</u>	AS 46.15.035
AS 38.05.250	[AS 38.95.230]	AS 46.15.037

11 AAC 96.030(a) is amended to read:

**11 AAC 96.030. Application.** (a) An application for a permit under 11 AAC 96.010 must be on a form provided by the department and accompanied by the applicable nonrefundable application fee required by 11 AAC 05 [11 AAC 05.180]. An application that is not complete or otherwise does not comply with this section or other applicable statute or regulation may be rejected and returned to the applicant without consideration. The application must contain the following information in sufficient detail to allow for the department's evaluation of the planned activities' effect on the land:

(1) except if the application is for a limited non-timber forest product commercial harvest permit, a map at a sufficient scale and detail to depict the [SHOWING THE

GENERAL] location of all activities and routes of travel of all equipment or motorized vehicles for which a permit is required;

(2) a description of the proposed activity, any associated structures, temporary improvements, and the type of equipment or motorized vehicles that will be used; and

(3) any additional information or document that the department requires.

11 AAC 96.030 is amended by adding new subsections to read:

(d) To qualify for a permit under 11 AAC 96.010, an applicant must comply with (a) of this section and

(1) must be

(A) an individual at least 18 years of age; or

(B) a corporation, limited liability company, partnership, or other

business entity organized under the laws of the United States or of any state or territory of the United States and qualified to do business in this state;

(2) must be in good standing with the department;

(3) if operating as a business, must possess a valid business license issued under AS 43.70 for the intended activity; and

(4) comply with specific qualification requirements and other applicable statutes or regulations.

(e) Upon a written determination that the interests of the state are best served, or that the limitation is consistent with the purpose and intent of an applicable authorizing statute or regulation, the department may limit the number of land use permits when warranted by acreage,

geography, public safety, negative land use impacts, or limited infrastructure.

(f) If the number of qualified applicants exceeds the number of land use permits allowed under (e) of this section, and the department decides to issue one or more permits, the department will award permits using a competitive process including public outcry auction or sealed bid auction using one of the land use fees or visitor day use fees applicable to the permit under 11 AAC 05.180(d)(2) as a bid variable, or by lot.

(g) If the department decides to offer land use permits through a competitive process under (e) and (f) of this section or if another statute or regulation requires permits to be allocated through a competitive process, the department will provide public notice that contains sufficient information in commonly understood terms to inform the public of the nature of the action and of the opportunity to submit a permit application under this section. In the notice, the department will set out

- (1) the qualifications for a permit under (a) of this section;
- (2) the general conditions for the competitive offering; and
- (3) how a person may apply for a permit.

(h) The department will provide the public notice described in (g) of this section

(1) on the Alaska Online Public Notice System (AS 44.62.175) for at least 14 days; and

(2) by any other method that the department determines to be appropriate.

(i) Subsections (e) and (f) of this section apply only to permits issued under AS 38.05.850. The department will not use (e) and (f) of this section to implement a guide concession program under the department's January 2013 management framework document,

Alaska Division of Lands (ADL) number 230869, and will not use (e) and (f) of this section to implement any other big game guide concession program that may be established for state-owned lands.

(j) For purposes of this section,

(1) "good standing" means being in compliance with applicable state law, applicable department regulations, and provisions of all permits managed by the department and held by the applicant;

(2) "qualified to do business in this state" means holding the certificate issued by the commissioner of commerce, community, and economic development under AS 10, AS 32, or other applicable law necessary to lawfully conduct business in the state. (Eff. 1/1/70, Register 31; am 8/6/94, Register 131; am 12/7/2002, Register 164; am 8/31/2008, Register 187; am 7/1/2018, Register 227; am 5 / 22 / 2020, Register 234)

**Authority:** AS 38.05.020 AS 38.05.035 AS 38.05.850



# MEMORANDUM

## State of Alaska Department of Law

**To:** The Honorable Kevin Meyer  
Lieutenant Governor

**Date:** April 20, 2020

**File No.:** 2019200385

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

**Tel. No.:** 465-3600

**From:** Steven C. Weaver *SCW*  
Senior Assistant Attorney General  
Legislation and Regulations Section

**Re:** Department of Natural Resources  
regulations re: fees and commercial  
land use (11 AAC 05.270, 11 AAC  
96.030)

The Department of Law has reviewed the attached regulations of the Department of Natural Resources against the statutory standards of the Administrative Procedure Act. Based upon our review, 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. The regulations were adopted by the Department of Natural Resources after the close of the public comment period. The regulations concern fees for miscellaneous land use, particularly commercial land use, update the application process for miscellaneous land use permits, and allow for the competitive award of a limited number of commercial land use authorizations if the department determines that conditions require limiting the number of authorizations.

The public notice for these regulations also refers to land use regulations for Glacier/Winner Creek Special Use Area. The Department of Natural Resources separated out those regulations and adopted them separately. Our office approved those regulations in Department of Law project file 2019200385.002; your office filed the regulations on November 21, 2019 and they took effect on December 21, 2019. For the current project, file number 2019200385, we have included original supporting paperwork.

Originally, proposed 11 AAC 96.030(j) stated that other new provisions, addressing limits on the number of land use permits and the use of a competitive award process for those permits, would not be used to implement a "Big Game Guide Concession Program." We prefer not to convey substantive meaning, if any, through a purely stylistic means like the stand-alone use of initial capital letters. We now know that a January 2013 management framework document from the department addresses a guide concession program. Accordingly, and to avoid

the use of initial capital letters to convey substance, the regulations now read, "The department will not use (e) and (f) of this section to implement a guide concession program under the department's January 2013 management framework document, Alaska Division of Lands (ADL) number 230869, and will not use (e) and (f) of this section to implement any other big game guide concession program that may be established for state-owned lands." 11 AAC 96.030(i). This text resolves our technical questions, while conveying the same substance to readers, particularly big game guides. We have consulted the Department of Natural Resources, and the agency concurs with this language.

The May 11, 2019 public notice and the April 2, 2020 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: Hon. Corri A. Feige, Commissioner  
Department of Natural Resources

Mary Kay Ryckman, Regulations Contact  
Department of Natural Resources

Joseph M. Joyner III, Regulations Specialist  
Division of Mining, Land and Water  
Department of Natural Resources

Molly Benson  
Division of Mining, Land and Water  
Department of Natural Resources

Jeanne A. Nelson, Senior Assistant Attorney General  
Natural Resources Section

Vanessa M. Lamantia, Assistant Attorney General  
Natural Resources Section

# **NOTICE OF PROPOSED REGULATION CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES**

## **BRIEF DESCRIPTION**

**The Department of Natural Resources (DNR) proposes to amend its Special Use Land regulations, its Fee regulations and its Miscellaneous Land Use regulations to allow for the competitive award of a limited number of commercial land use authorizations when DNR determines that conditions require limiting the number of authorizations.**

The Department of Natural Resources proposes to adopt regulation changes in Title 11 of the Alaska Administrative Code, dealing with Fees, the Glacier/Winner Creek Special Use Area, and applications for miscellaneous land use authorizations. Specifically, the Department of Natural Resources is proposing to amend 11 AAC 05.270(a) dealing with higher fees for applications, services and use of state land, 11 AAC 96.014(b)(16) dealing with commercial recreational land use authorizations within the Glacier/Winner Creek Special Use Area, and 11 AAC 96.030 dealing with applications, process, and qualifications for allocating commercial land use of state land.

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 the Division of Mining, Land and Water, 550 W. 7<sup>th</sup> Avenue, Suite 1070, Anchorage, AK 99501-3579 or by e-mail to [dnr.permitting.regulation@alaska.gov](mailto:dnr.permitting.regulation@alaska.gov) or by fax to 907-269-8904. The comments must be received by the department no later than **5:00 p.m. on Friday, on June 14, 2019.**

You may submit written questions relevant to the proposed action to: Kris Hess, Division of Mining, Land and Water, 550 W 7<sup>th</sup> Ave., Suite 1070, Anchorage, Alaska 99501-3579, Fax: (907) 269-8904, E-Mail: [dnr.permitting.regulation@alaska.gov](mailto:dnr.permitting.regulation@alaska.gov). Questions must be received at least 10 days before the end of the public comment period (**June 4, 2019**). The Department of Natural Resources will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System <https://aws.state.ak.us/OnlinePublicNotices/Login.aspx> and agency website at <http://www.dnr.state.ak.us/mlw/hottopics>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kris Hess at 269-8501 no later than June 4, 2019, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System at the following websites: <http://www.dnr.state.ak.us/mlw/hottopics> or by contacting contact the Director's Office, Division of Mining, Land and Water, Department of Natural Resources, Attention Kris Hess, 550 W. 7th Avenue, Suite 1070, Anchorage, Alaska 99501-3579; or call 907-269-8501.

After the public comment period ends, the Department of Natural Resources will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.

**Statutory Authority:** AS 38.05.020, AS 38.05.035, AS 38.05.850.

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 38.05.020, AS 38.05.035, AS 38.05.850.

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

The proposed regulations provide for user fees for certain elective services or elective uses of state-owned land, but do not establish mandatory permitting or compliance requirements that impose costs on a private person, other state agencies, or municipalities.



Date: May 11, 2019

Marty Parsons,

Director, Division of Mining, Land and Water, Department  
of Natural Resources

**STATUS: Active**

## NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES

### NOTICE OF PROPOSED CHANGES

#### IN THE REGULATIONS OF THE

#### DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources proposes to adopt regulation changes in Title 11 of the Alaska Administrative Code, dealing with Fees, the Glacier/Winner Creek Special Use Area, and applications for miscellaneous land use authorizations. Specifically, the Department of Natural Resources is proposing to amend 11 AAC 05.270(a) dealing with higher fees for applications, services and use of state land, 11 AAC 96.014(b)(16) dealing with commercial recreational land use authorizations within the Glacier/Winner Creek Special Use Area, and 11 AAC 96.030 dealing with applications, process, and qualifications for allocating commercial land use of state land.

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If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kris Hess at 269-8501 no later than June 4, 2019, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System at the following websites: <http://www.dnr.state.ak.us/mlw/hottopics> or by contacting contact the Director's Office, Division of Mining, Land and Water, Department of Natural Resources, Attention Kris Hess, 550 W. 7th Avenue, Suite 1070, Anchorage, Alaska 99501-3579; or call 907-269-8501.

After the public comment period ends, the Department of Natural Resources will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. You should comment during the time allowed if your interests could be affected.

**Statutory Authority:** AS 38.05.020, AS 38.05.035, AS 38.05.850.

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 38.05.020, AS 38.05.035, AS 38.05.850.

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

The proposed regulations provide for user fees for certain elective services or elective uses of state-owned land, but do not establish mandatory permitting or compliance requirements that impose costs on a private person, other state agencies, or municipalities.

Date: May 11, 2019

Marty Parsons,

Director, Division of Mining, Land and Water,  
Department of Natural Resources

**Attachments, History, Details**

**Attachments**

[Proposed regulations May 11 2019.pdf](#)

**Revision History**

Created 5/9/2019 10:36:32 AM by jmjoyner

**Details**

Department: Natural Resources  
Category: Regulations

Sub-Category:  
Location(s): Statewide  
Project/Regulation #: 2019200385

Publish Date: 5/10/2019  
Archive Date: 6/15/2019

Events/Deadlines:



## Joyner, Joseph M (DNR)

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**To:** Feige, Corri A (DNR); Saddler, Daniel R (DNR); Parsons, Martin W (DNR); Hess, Kristin A (DNR); Colles, Christianna D (DNR)  
**Cc:** Cox, Clark A (DNR); Hagedorn, Ben T (DNR)  
**Subject:** Department of Natural Resource Proposed Regulations Notice - Proposed Competitive Permit Regulations  
**Attachments:** Non-newspaper competitive permit regulation Public Notice.pdf; Glacier Winner Creek Dear Alaskan Letter.pdf

Dear Recipient,

The Department of Natural Resources proposes to adopt regulation changes in Title 11 of the Alaska Administrative Code, dealing with Fees, the Glacier/Winner Creek Special Use Area, and applications for miscellaneous land use authorizations. Specifically, the Department of Natural Resources is proposing to amend 11 AAC 05.270(a) dealing with higher fees for applications, services and use of state land, 11 AAC 96.014(b)(16) dealing with commercial recreational land use authorizations within the Glacier/Winner Creek Special Use Area, and 11 AAC 96.030 dealing with applications, *process*, and qualifications for allocating commercial land use of state land.

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 the Division of Mining, Land and Water, 550 W. 7<sup>th</sup> Avenue, Suite 1070, Anchorage, AK 99501-3579 or by e-mail to [dnr.permitting.regulation@alaska.gov](mailto:dnr.permitting.regulation@alaska.gov) or by fax to 907-269-8904. The comments must be received by the department no later than **5:00 p.m. on Friday, on June 14, 2019**.

You may submit written questions relevant to the proposed action to: Kris Hess, Division of Mining, Land and Water, 550 W 7<sup>th</sup> Ave., Suite 1070, Anchorage, Alaska 99501-3579, Fax: (907) 269-8904, E-Mail: [dnr.permitting.regulation@alaska.gov](mailto:dnr.permitting.regulation@alaska.gov). Questions must be received at least 10 days before the end of the public comment period (**June 4, 2019**). The Department of Natural Resources will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System <https://aws.state.ak.us/OnlinePublicNotices/Login.aspx> and agency website at <http://www.dnr.state.ak.us/mlw/hottopics>.

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A copy of the proposed regulation changes is available on the Alaska Online Public Notice System at the following websites: <http://www.dnr.state.ak.us/mlw/hottopics> or by contacting contact the Director's Office, Division of Mining, Land and Water, Department of Natural Resources, Attention Kris Hess, 550 W. 7<sup>th</sup> Avenue, Suite 1070, Anchorage, Alaska 99501-3579; or call 907-269-8501.

After the public comment period ends, the Department of Natural Resources will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations.

Sincerely,



Joseph Joyner, Chief, Program Support Section, DMLW, DNR

Sincerely,

Joseph Joyner, Chief, Program Support Section, DMLW, DNR

ADDITIONAL REGULATIONS NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Department of Natural Resources
2. General subject of regulation: Generally Allowed Uses of State Land
3. Citation of regulation (may be grouped): 11 AAC 05.270, 11 AAC 96.014(b)(16), 11 AAC 96.030
4. Department of law file number (if any) \_\_\_\_\_
5. Reason for the proposed action:  
☐ compliance with federal law or action (identify) \_\_\_\_\_  
☐ compliance with new or changed state statute \_\_\_\_\_  
☐ development of program standards \_\_\_\_\_  
☒ other: (identify) Department Initiated
6. Appropriation/Allocation: NONE

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

**A private person:** \$0.00 The proposed regulations provide for user fees for certain elective services or elective uses of state-owned land, but do not establish mandatory permitting or compliance requirements that impose costs on a private person. Therefore, these regulations are not expected generate any annual cost to comply with the proposed action.

**Another state agency:** \$0.00 The proposed regulations provide for user fees for certain elective services or elective uses of state-owned land, but do not establish mandatory permitting or compliance requirements that impose costs on any state agencies. Therefore, these regulations are not expected generate any annual cost to comply with the proposed action.

**A municipality:** \$0.00 The proposed regulations provide for user fees for certain elective services or elective uses of state-owned land, but do not establish mandatory permitting or compliance requirements that impose costs on a municipality. Therefore, these regulations are not expected generate any annual cost to comply with the proposed action.

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

	Initial Year FY <u>20</u>	Subsequent Years
Operating Cost	\$ <u>0.0</u>	\$0.0
Capital Cost	\$ <u>0.0</u>	\$0.0
Federal receipts	\$ <u>0.0</u>	\$0.0
General fund match	\$ <u>0.0</u>	\$0.0

General fund \$ 0.0. \$0.0  
General fund/  
program receipts \$ 0.0 \$0.0  
General fund/  
mental health \$ 0.0 \$0.0  
Other funds (specify) \$ 0.0 \$0.0

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

Name Joseph Joyner  
Title Natural Resource Manager  
Address DNR, DMLW, 550 W. 7<sup>th</sup> Avenue, Suite 1070  
Anchorage, AK 99501-3579  
Telephone 907-269-8511  
E-mail address: joe.joyner@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: May 11, 2019

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

Name (typed) Joseph Joyner  
Title (typed) Natural Resource Manager  
Telephone 269-8511

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION

I, Joseph Joyner, Natural Resources Manager III, of the Division of Mining, Land and Water, Department of Natural Resources, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 11 AAC 05.270, Higher Fees, and 11 AAC 96.030, Application (Permits), has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (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).

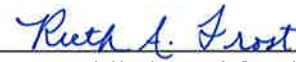
As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 12/10/19

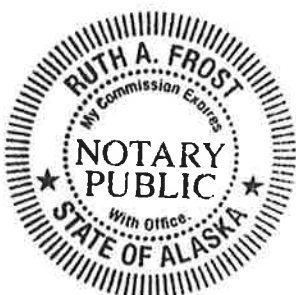
  
Joseph Joyner, Natural Resources Manager III

Subscribed and sworn to before me at ANCHORAGE, AK on

DECEMBER 10, 2019  
(date)

  
Notary Public in and for the State of Alaska

[NOTARY SEAL]



AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Joseph Joyner, Natural Resource Manager III, of the Division of Mining, Land and Water, Department of Natural Resources, being duly sworn, state the following:

In compliance with AS 44.62.215, the Department of Natural Resources has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Natural Resources regulation on 11 AAC 05.270, Higher Fees, and 11 AAC 96.030 Application (Permits).

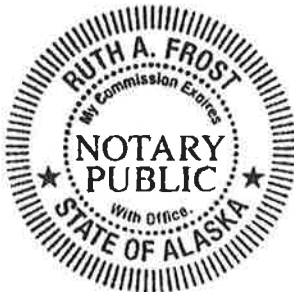
Date: 12/10/19

Joseph Joyner  
Joseph Joyner, Natural Resource Manager III

Subscribed and sworn to before me at ANCHORAGE, AK. on  
DECEMBER 10, 2019  
(date)

Ruth A. Frost  
Notary Public in and for the State of Alaska

[NOTARY SEAL]



# ANCHORAGE DAILY NEWS

## AFFIDAVIT OF PUBLICATION

Account #: 269004

ST OF AK/DNR/DMLW  
550 W 7TH AVE STE 1070  
ANCHORAGE, AK 99501

Order#  
Cost

0001438015  
\$388.46

Product  
Placement  
Position  
ADN-Anchorage Daily News  
0300  
0301

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Joleesa Stepetin  
being first duly sworn on oath deposes and says  
that he/she is a representative of the Anchorage  
Daily 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

May 12, 2019

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 Joleesa Stepetin  
Joleesa Stepetin

Subscribed and sworn to before me  
this 13th day of May, 2019.

[Signature]  
Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

STATE OF ALASKA  
NOTARY  
PUBLIC  
Jade L. Nowling

### NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources proposes to adopt regulation changes in Title 11 of the Alaska Administrative Code, dealing with Fees, the Glacier/Winner Creek Special Use Area, and applications for miscellaneous land use authorizations. Specifically, the Department of Natural Resources is proposing to amend 11 AAC 05.270(a) dealing with higher fees for applications, services and use of state land, 11 AAC 96.014(b)(16) dealing with commercial recreational land use authorizations within the Glacier/Winner Creek Special Use Area, and 11 AAC 96.030 dealing with applications, process, and qualifications for allocating commercial land use of state land.

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 the Division of Mining, Land and Water, 550 W. 7th Avenue, Suite 1070, Anchorage, AK 99501-3579 or by e-mail to [dnr.permitting.regulation@alaska.gov](mailto:dnr.permitting.regulation@alaska.gov) or by fax to 907-269-8904. The comments must be received by the department no later than **5:00 p.m. on Friday, on June 14, 2019.**

You may submit written questions relevant to the proposed action to: Kris Hess, Division of Mining, Land and Water, 550 W. 7th Ave., Suite 1070, Anchorage, Alaska 99501-3579, Fax: (907) 269-8904, E-Mail: [dnr.permitting.regulation@alaska.gov](mailto:dnr.permitting.regulation@alaska.gov). Questions must be received at least 10 days before the end of the public comment period (**June 4, 2019**). The Department of Natural Resources will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System <https://aws.state.ak.us/OnlinePublicNotices/Login.aspx> and agency website at <http://www.dnr.state.ak.us/mlw/hottopics>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kris Hess at 269-8501 no later than June 4, 2019, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System at the following websites: <http://www.dnr.state.ak.us/mlw/hottopics> or by contacting contact the Director's Office, Division of Mining, Land and Water, Department of Natural Resources, Attention Kris Hess, 550 W. 7th Avenue, Suite 1070, Anchorage, Alaska 99501-3579; or call 907-269-8501.

After the public comment period ends, the Department of Natural Resources will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.

227-7807  
Lawn Maintenance  
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7718-622-907  
CALL OR TEXT  
Eagle River, & Mat-Su  
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# AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA  
STATE OF ALASKA  
FOURTH DISTRICT

} SS.

541733 NOTICE OF PROPOSED CHANGES  
IN THE REGULATIONS OF THE  
DEPARTMENT OF NATURAL RESOURCES

Before me, the undersigned, a notary public, this day personally appeared Crystal Wise, who, being first duly sworn, according to law, says that she/he 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):

05/11/2019

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

  
Advertising Clerk

Subscribed and sworn to me this 11th day of May, 2019.

  
Marena Burnell, Notary Public in and for the State of Alaska.  
My commission expires December 7th, 2021.

STATE OF ALASKA  
NOTARY PUBLIC  
M. Burnell

My Commission Ends December 7, 2021



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ST OF AK/DNR/DIV OF MINING, LAND & WATER  
550 W. 7TH AVE STE 1070  
FAIRBANKS, AK 99701

Reference: AO MLW19-169  
AD #: 541733  
ACCT #: 106000

Prepared by The Fairbanks Daily News-Miner PH: (907) 459-7566 EM: [legals@newsminer.com](mailto:legals@newsminer.com)

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**Statutory Authority:**

AS 38.05.020, AS 38.05.035, AS 38.05.850.

**Statutes Being Implemented, Interpreted, or Made Specific:**

AS 38.05.020, AS 38.05.035, AS 38.05.850.

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

The proposed regulations provide for user fees for certain elective services or elective uses of state-owned land, but do not establish mandatory permitting or compliance requirements that impose costs on a private person, other state agencies, or municipalities.

**Date:** May 11, 2019

Marty Parsons,  
Director, Division of Mining, Land and Water,  
Department of Natural Resources

**Publish:** May 11, 2019

**STATE OF ALASKA  
NOTARY PUBLIC**

**M. Burnell**

**My Commission Ends December 7, 2021**



ST OF AK/DNR/DIV OF MINING, LAND & WATER  
550 W. 7TH AVE STE 1070  
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