

SUPPLEMENTAL NOTICE OF PROPOSED CHANGES ON MATERIAL SALES AND  
CONVEYANCES TO STATE AGENCIES  
IN THE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES

BRIEF DESCRIPTION

The Department of Natural Resources proposes to change regulations in 11 AAC 71 and 11 AAC 98 of the Alaska Administrative Code relating to the pricing for sale of materials such as sand and gravel. The revisions would enable the department to transfer material to state agencies and public corporations for public purposes at no cost, allowing for maximum use of state land consistent with the public interest. The revisions would also define what constitutes the use or disposal of state land for a “public purpose.”

**Summary of proposed changes:** The Department of Natural Resources proposes to supplement regulation changes in Title 11 of the Alaska Administrative Code, dealing with the pricing for sale of materials.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES issued on November 26, 2025, concerning transfers of state resources to other state agencies, including public corporations, for public purposes. The department has released this SUPPLEMENTAL NOTICE to advise the public that additional regulation changes are proposed relating to transfers of timber and materials to other state agencies. The proposed additional regulation change would include an amendment to 11 AAC 71.015 to eliminate the restriction on transfers of materials to third parties by state agencies.

**Written comments:** 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: Molly Benson at 550 West Seventh Avenue, Suite 1070, Anchorage, Alaska 99501. Additionally, the Department of Natural Resources will accept comments by facsimile at 1-907-269-8604, and by email at: [dnr.materialsales.regulation@alaska.gov](mailto:dnr.materialsales.regulation@alaska.gov).

**Written comment deadline:** The written comments must be received not later than 5:00 p.m. on Friday, January 2, 2026.

**Questions:** You may submit written questions relevant to the proposed action to Molly Benson via email at [dnr.materialsales.regulation@alaska.gov](mailto:dnr.materialsales.regulation@alaska.gov) or by mail at 550 West Seventh Avenue, Suite 1070, Anchorage, Alaska 99501. The questions must be received at least 10 days before the end of the public comment period, by December 23, 2025, at the latest. 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 and the department’s website.

**Public nature of comments and questions:** Public comments and questions, once submitted, are public records and subject to disclosure under the Alaska Public Records Act. See AS 40.25.100 - 40.25.295. Do NOT include in your comments or questions any information that you do not want made public.

**Accommodations:** If you are a person with a disability who needs a reasonable accommodation in order to participate in this process, please contact Molly Benson via email at [dnr.materialsales.regulation@alaska.gov](mailto:dnr.materialsales.regulation@alaska.gov) or by phone at 907-269-8601 not later than December 23, 2025, to ensure that any necessary accommodations can be provided.

**Obtaining copies of proposed regulations:** A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Molly Benson at the contact information above.

**Final version of regulations:** After the public comment period ends, the Department of Natural Resources 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 38.05.020, AS 38.05.110, AS 38.05.115, AS 38.05.555, AS 38.05.810

**Statutes being implemented, interpreted, or made specific:** AS 38.05.020, AS 38.05.110, AS 38.05.115, AS 38.05.555, AS 38.05.810

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

**How to receive further notices:** The Division of Mining, Land and Water keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the division's notices of proposed regulation changes. To be added to or removed from the list, send a request to Molly Benson at the contact information provided above, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Individuals can also sign up to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

Date: December 3, 2025



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

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Department of Natural Resources
2. General subject of regulation: Material Transfers for Public Purposes
3. Citation of regulation (may be grouped): 11 AAC 71.015, 11 AAC 71.090, 11 AAC 98.010
4. Department of Law file number, if any: 2025103581
5. Reason for the proposed action: (insert description and check all boxes that apply)  
  
☐ 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): Reduce costs for state agencies and public corporations
6. Appropriation/Allocation: Department of Natural Resources / Agency Unallocated
7. Estimated annual cost to comply with the proposed action to:

A private person: No cost  
Another state agency: No cost  
A municipality: No cost  
A school district: No cost

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

	Initial Year FY <u>2026</u>	Subsequent Years
Operating Cost	<u>\$0</u>	<u>\$</u>
Capital Cost	<u>\$0</u>	<u>\$</u>
1002 Federal receipts	<u>\$0</u>	<u>\$</u>
1003 General fund match	<u>\$0</u>	<u>\$</u>
1004 General fund	<u>\$0</u>	<u>\$</u>
1005 General fund/ program	<u>\$0</u>	<u>\$</u>
Other (identify)	<u>\$0</u>	<u>\$</u>

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

Name: Molly Benson

Title: Natural Resource Specialist

Address: 550 West 7<sup>th</sup> Avenue, Suite 1070, Anchorage, AK 99501

Telephone: 907-269-8601

E-mail address: molly.benson@alaska.gov

10. The origin of the proposed action:

\_\_X\_\_ Staff of state agency

\_\_\_\_\_ Federal government

\_\_\_\_\_ General public

\_\_\_\_\_ Petition for regulation change

\_\_\_\_\_ Other (identify): \_\_\_\_\_

11. Date: December 3, 2025 Prepared by: Molly Benson

Name: Molly Benson

Title: Natural Resource Specialist

Telephone: 1-907-269-8601