



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Natural Resources**

OFFICE OF THE COMMISSIONER

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March 3, 2026

Rachel Bylsma  
Deputy Chief of Staff, Office of the Governor  
550 West 7<sup>th</sup> Avenue, #1700  
Anchorage, Alaska 99501

Rebecca Polizzotto  
Chief Assistant Attorney General, Department of Law  
P.O. Box 110300  
Juneau, AK 99811-0300

Dear Deputy Chief of Staff Bylsma and Chief Assistant Attorney General Polizzotto,

In accordance with guidance executing Gov. Mike Dunleavy's Administrative Order (AO) 360, please find attached the Department of Natural Resources' (DNR) regulatory reform quarterly reports for January 2026 and proposed 2026 Regulatory Reform Plans to meet the 15 percent reduction goal for 2026. As DNR is managing the AO 360 effort at the division level, each division has a separate plan.

Department-wide, we have identified 3,078 discretionary requirements. The divisions have solicited and are considering stakeholder recommendations which are included with each plan. These recommendations will be considered during the coming review stage and division actions on the recommendations will be addressed in decisional documents as regulations are revised. Overall, the Department is targeting a reduction of 462 regulatory requirements which would achieve the 15% reduction goal in 2026.

AO 360 issues additional direction to DNR, as one of the state's three resource agencies, to make recommendations to improve permitting processes. Such recommendations are developing concurrently with the AO 359 workstream. Core to DNR's permitting improvement recommendations is full implementation of a new cloud-based records system. When fully implemented, the system will enhance predictability and consistency in processes across DNR, simplify application requirements, streamline internal workflows, and enhance interagency coordination to reduce inefficiencies and delays. The system includes the ability for the public to monitor their applications through the agency process.

While the Division of Mining, Land and Water (DMLW), as the major permitting division, is leading the new system work, all permitting divisions at DNR will realize gains in efficiency and transparency. This includes Division of Parks and Outdoor Recreation, Division of Forestry and Fire Protection, Division of Oil and Gas, Division of Agriculture and the Trust Land Office. To avoid redundancy, a detailed discussion of the new system is included in DMLW's report.

While the AO 359 work will lay a strong foundation of reform, DNR is also taking permitting efficiency steps under AO 360. Specifically, the Division of Forestry and Fire Protection will continue mapping technology updates for greater efficiency in firewood and burn permitting. The Division of Oil and Gas is in the early stages of developing a website dashboard for permit status and is evaluating clearer timelines and deadlines for permit application processing. The Division of Mining, Land and Water is reviewing fee regulations to simplify the structure, making permitting more efficient, and is considering how to incorporate deadlines for application processing and provisions for automatic approval if deadlines are not met. Department-wide, DNR is evaluating processes to enhance interdivisional consultations for more efficient permitting.

DNR sincerely values the extensive stakeholder feedback received and intends to review and consider each comment in depth concurrent with DNR's review of the specific regulations. DNR believes this process will provide greater context for each comment; will allow a more thorough evaluation of each comment; and will prove more efficient for the department while aligning more closely with a typical regulations process. For example, a comment that appears statutory on first review may in fact provide meaningful, relevant value in revising regulations on deeper investigation.

Section 4 of the 2026 Regulatory Reform Plan Outline and Checklist requires enumeration of approved deadline extensions. DNR was granted an extension of time from Office of the Governor Special Assistant Lee Cruise on January 7<sup>th</sup>.

Finally, Section 5 requires verification that I, as Commissioner, have reviewed and approved the proposed plans. My signature below serves as this verification.

Sincerely,



John Crowther  
Commissioner Designee

Attachment: DNR Quarterly Reports and 2026 Regulatory Reform Plans

Deputy Chief of Staff Bylsma and Chief Assistant Attorney General Polizzotto  
2026 Regulatory Reform Plan for AO 360, Department of Natural Resources  
March 3, 2026  
Page 3 of 3

Cc: Lacey Sanders, Director, Office of Management and Budget  
Lee Cruise, Special Assistant, Office of the Governor  
Catherine Lujan, Special Assistant, Office of the Governor  
Brent Goodrum, Deputy Commissioner, Department of Natural Resources

**REGULATORY REFORM INITIATIVE  
AGENCY QUARTERLY REPORT 2026**

*When complete, please submit this form to your assigned OOG contact and to:  
law.regulations@alaska.gov*

**Report Date:**     January 2026         April 2026         July 2026         October 2026

**Reporting Agency**

DNR- Division of Agriculture

**2026 Milestones**

*Check if completed. If your department has not completed a task by its published deadline, please add an explanatory note in the space provided at the end of the report.*

- Submit proposed regulatory reform plan for review/approval to meet 2026 15% reduction goal (**Due: January 5, 2026**).
- Post approved regulatory reform plan to Alaska Online Public Notice System (**Due: the earlier of February 1, 2026, or when approved by the implementing agencies**).
- Submit updated list of guidance documents to implementing agencies for review/approval (**Due: September 30, 2026**).
- Post approved new/revised guidance documents to Alaska Online Public Notice System (**Due: after review and approval by the implementing agencies**).
- Submit initial projected regulatory plan to implementing agencies for next fiscal year (**Due: October 1, 2026**).

**Agency Regulatory Baseline**

<b>Current Baseline:</b>	284	<b>2026 Goal Baseline:</b>	241
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**Regulation Projects *not* included in the agency's regulatory reform plan due Jan 5, 2026:**

Project No.	Project Status	Reqs. Added	Reqs. Reduced
2025200628	Agency Atty Prelim	11AAC 41.010-41.500	

*Add additional rows if needed*

**List the *total* regulatory additions and reductions the agency made since the prior report**

<b>Additions:</b>	0	<b>Reductions:</b>	0
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**Do you plan to request drafting assistance from Dept. of Law next quarter?**     Yes     No

**List additional questions, notes, or comments for the implementing agencies**

Please attached regulatory reform plan

Brent Goodrum

1-15-2026

[Print Name]

Date

Agency Regulations Liaison

## Administrative Order 360

### Division of Agriculture Regulatory Reform Plan

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#### Section 1: Agency Regulatory Baseline Calculation

- The Division of Agriculture (DivAg) has identified 284 discretionary regulatory requirements that serve as its baseline for this reform effort.
- The baseline may increase with Department of Law's feedback on guidance documents submitted to Law on DATE.

#### Section 2: Stakeholder Engagement

- Public notice published October 8, 2025, soliciting written and oral input on:
  - 11 AAC 32 Agriculture Marketing and Grading (potatoes and shell eggs)
  - 11 AAC 34 Plant Health and Quarantine (seed regulations)
  - 11 AAC 35 Bees and Beneficial Insects
  - 11 AAC 39 Agricultural Revolving Loan Fund
  - 11 AAC 40 Industrial Hemp
- Comment period was open Oct. 8 through Nov. 7; one written comment was received.
- More than 700 agriculture stakeholders were directly noticed, including Alaska Grown members, hemp program email list, and agriculture organizations.
- A public meeting was held from 11 am to 2 pm on October 24, 2025. Three oral comments were recorded.

See attached excel sheet for comments. Comments will be accepted or rejected in conjunction with division review of specific regulations. A decisional document will be issued when regulatory changes are noticed for public review.

#### Section 3: Proposed Regulatory Reform

2026 - 15% regulatory reduction target: 43

- 11 AAC 32 (potato and egg labeling): 31 discretionary requirements
- 11 AAC 34 (seed and plant health): 35 discretionary requirements
- 11 AAC 35 (bees): 9 discretionary requirements
- 11 AAC 39 (ARLF): 57 discretionary requirements
- 11 AAC 40 (Hemp): 152 discretionary requirements– 4 public comments to consider

CY 2026 Quarter 1 (Jan- Mar 2026)

Division leadership will work with staff subject matter experts on proposed reductions and/or revisions for each chapter.

CY 2026 Quarter 2 (April- June 2026)

Division will require Department of Law assistance to draft the revisions.

<b>Commentor</b>	<b>Issue (Responses summarized)</b>	<b>Agency Response</b>
Brenda Mills - JDW Counsel	<p><b>1)</b> Explicitly prohibit chemical conversion of hemp derived cannabinoids into any THC isomer, analog, or derivative. <b>2)</b> Require any product containing THC (including Delta 8, Delta 9, or HHC) to be regulated under AMCO as a marijuana product. <b>3)</b> Apply AMCO's marijuana testing and labeling standards to hemp derived cannabinoid products. <b>4)</b> Establish joint enforcement and penalty mechanisms for violations by DNR, AMCO, and the Department of Law. <b>5)</b> Implement stakeholder outreach clarifying that conversion of hemp derived CBD to THC remains illegal under federal law.</p>	<p>We appreciate your engagement in the AO360 regulatory review process. All public input received during this phase will be carefully reviewed and assessed to determine how it may inform future regulatory revisions. Your recommendations will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
Bailey Stuart	<p><b>1)</b> Hemp be consolidated under the same body as marijuana- one regulatory agency for all cannabis. <b>2)</b> Remove 11 AAC 40.42. Signage. Signage does not meaningfully enhance compliance and public understanding. <b>3)</b> Records retention in sections 300 (processors) and 500 (retailers). Streamline into section 700, which already covers requirements common to all registrants. <b>4)</b> Remove "pilot program" references. This was already done during the last regulation update.</p>	<p>We appreciate your engagement in the AO360 regulatory review process. All public input received during this phase will be carefully reviewed and assessed to determine how it may inform future regulatory revisions. Your recommendations will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
Megan Moody	<p>Agrees with Baileys comments, would like to see hemp program under AMCO.</p>	<p>We appreciate your engagement in the AO360 regulatory review process. All public input received during this phase will be carefully reviewed and assessed to determine how it may inform future regulatory revisions. Your recommendations will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
Ron McCord	<p>Interested in hempcrete for building houses. Would like to form a co-op like Spenard Builders Supply.</p>	<p>We appreciate your engagement in the AO360 regulatory review process. All public input received during this phase will be carefully reviewed and assessed to determine how it may inform future regulatory revisions. Your recommendations will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>

**REGULATORY REFORM INITIATIVE  
AGENCY QUARTERLY REPORT 2026**

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**Report Date:**     January 2026         April 2026         July 2026         October 2026

**Reporting Agency**

Division of Forestry & Fire Protection

**2026 Milestones**

*Check if completed. If your department has not completed a task by its published deadline, please add an explanatory note in the space provided at the end of the report.*

- Submit proposed regulatory reform plan for review/approval to meet 2026 15% reduction goal (**Due: January 5, 2026**).
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**Agency Regulatory Baseline**

**Current Baseline:** 234                      **2026 Goal Baseline:** 199 (see note below)

**Regulation Projects not included in the agency’s regulatory reform plan due Jan 5, 2026:**

Project No.	Project Status	Reqs. Added	Reqs. Reduced
No project number assigned HB 104 regulation amendments	Pending DNR CO review	0	3

*Add additional rows if needed*

**List the *total* regulatory additions and reductions the agency made since the prior report**

**Additions:** N/A                      **Reductions:** N/A

**Do you plan to request drafting assistance from Dept. of Law next quarter?**     Yes     No

**List additional questions, notes, or comments for the implementing agencies**

The regulation project not included in the reform plan brings 11 AAC 71 regulations consistent with House Bill (HB) 104 passed in 2024. Revisions are expected to be minor, changing language from "emergency sales" to "expedited sales" and removing references to AS 38.05.123 (repealed in HB 104).

The edits would reduce regulatory requirements by 3 through repealing 11 AAC 71.094(a); 11 AAC 71.098(a); and 11 AAC 71.098(b).

The 2026 agency regulation baseline goal stated on page 1 may be adjusted based on reductions DFFP is proposing to the Detailed Plan of Operations (DPO). The DPO was submitted with guidance documents during the initial AO 360 regulatory audit process in September 2025 and is a mandatory notification form required by AS 41.17.090.

Brent Goodrum

[Print Name]

Agency Regulations Liaison

1-15-2026

Date

# Regulatory Reform Plan

## Division of Forestry & Fire Protection

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### Section 1: Agency's Baseline Calculation

Baseline number: The Division of Forestry & Fire Protection (DFFP) identified 234 discretionary regulatory requirements. This number was verified by DFFP and submitted to the DNR Commissioner's Office on October 23, 2025.

2026 reduction target: DFFP intends to achieve the 15% required reduction by first reducing the Detailed Plan of Operations (DPO) (submitted as guidance documents) by 17% and then reducing additional discretionary requirements by 8%, for 215 discretionary regulatory requirements total.

### Section 2: Stakeholder Engagement

DFFP solicited input in writing and hosted a public meeting. Input was solicited from the general public via public notice and notification was also sent directly to specific stakeholders including the Alaska Forest Association, Board of Forestry, Tanana Valley State Forest Citizens Advisory Council, Alaska Community Forest Council, Forest Stewardship Committee, and existing lists of operators and entities who have requested notification for all timber sales in their regions.

DFFP issued public notice via OPN on Oct. 1. The notice was for a virtual public meeting and for a written comment period.

#### **Public Meeting (virtual):**

Stakeholder: Public

Regulation input solicited: 11 AAC 71, Timber and Materials Sales, and 11 AAC 95, Forest Resources and Practices (including Article 6, Forest Fire Protection)

Date notice was published: 10/1/25 (see above)

Meeting date and duration: 10/9/25, 2 hours (6 – 8 pm)

Recommendations received: DFFP received three verbal recommendations during the public meeting.

Comments from stakeholders and the public are summarized at the end of this plan. *Note: Additional questions and comments were received regarding the administrative order itself and implementation. These comments were beyond the scope of the division's regulatory recommendations for reduction and not included in the comment summary.*

## **Written Public Comment Period:**

Stakeholder: Public

Regulation input solicited: 11 AAC 71 and 11 AAC 95

Date notice was published: 10/1/25

Length of notice: 30 days; comment period was also open for 30 days

Recommendations received: DFFP received 12 written recommendations during the comment period.

Comments from stakeholders and the public are summarized at the end of this plan. *Note: Additional questions and comments were received regarding the administrative order itself and implementation. These comments were beyond the scope of the division's regulatory recommendations for reduction and not included in the comment summary.*

## **Section 3: Proposed Regulatory Reform**

DFFP will organize the reform into three projects as follows.

### **Reductions to Notification Documents**

DFFP has identified reductions and simplifications to the Detailed Plan of Operations form (DPO) with Supplemental Information Forms A, B, and C (required by AS 41.17.090 and regulated by 11 AAC 95), thereby reducing the documents that operators/landowners engaged in timber harvest are statutorily required to submit by 17% (from 17 to 14 pages).

Agency staff will draft changes to the DPO and submit the draft revised document to the Department of Law for preliminary review by April 2026.

### **Revisions to 11 AAC 71, Timber and Materials Sales**

Potential to reduce regulatory requirements by 7% (16 discretionary requirements) in 11 AAC 71, depending upon consultation with DNR agency attorneys at Law.

To finalize any reductions found, drafting assistance is required from Dept. of Law. DFFP will submit the draft revised regulations to the Department of Law for preliminary review by June 2026.

### **Revisions to 11 AAC 95, Forest Resources and Practices (including Article 6, Forest Fire Protection)**

Potential to reduce regulatory requirements by at least 1% (6+ discretionary requirements) depending upon consultation with DNR agency attorneys at Law.

To finalize any reductions found, drafting assistance is required from Dept. of Law. DFFP will submit the draft revised regulations to the Department of Law for preliminary review by September 2026.

**Regulatory Reform Recommendations to Improve Permitting Processes**

DFFP’s permitting processes are for firewood permits and burn permits. Both processes are streamlined through an online application with instantaneous permit issuance. Paper applications and/or in-person or telephone application assistance are also available for members of the public who prefer those methods, or who request a firewood harvest location that is not entirely within DFFP’s jurisdiction and requires additional DNR/Division of Mining, Land and Water approval.

- Improvement completed year-end 2025: updated the mapping component of the firewood permitting website
- Improvement recommended: continue mapping technology updates as available

**Summary of AO 360 Public Comments Received – Division of Forestry & Fire Protection**

<b>Commenter</b>	<b>Regulation / Subject</b>	<b>Issue (Comments Summarized)</b>	<b>Agency Response</b>
Andrew Traxler	11 AAC 71.060 – Competitive Sales	Requests that all competitive timber sales only be sold by oral outcry auction and have sealed bid completely removed	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Jon Glover, Anchorage Fire Department	11 AAC 95, Article 6 – Forest Fire Protection	Commenter recommended retaining existing forest fire protection regulations as currently written	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Andrew Traxler	11 AAC 71.045 – Negotiated Sales	Commenter recommends increasing size limit of negotiated timber sales from 10 acres to 20 or 30 acres per negotiated sale	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Andrew Traxler	11 AAC 95.375 – Reforestation	Requests flexibility to waive scarification when doing a winter access only harvest	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Jones P. Hotch Jr., Chilkat Indian Village	Public Notice and Participation Requirements	Commenter requests government-to-government consultation with Tribes during planning, scoping, and decision phases	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan

			as part of our broader effort under guidance provided in AO 360.
Jones P. Hotch Jr., Chilkat Indian Village	11 AAC 95.260–.280	Commenter recommends implementing a watershed-scale cumulative-effects review, requiring evaluation of slope stability, hydrology, fish habitat, and cultural resource impacts across entire basins, not just at the unit level	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Jones P. Hotch Jr., Chilkat Indian Village	11 AAC 71 – Public Notice Timelines	Commenter recommends requiring publishing maps, shapefiles, and supporting analyses for harvest units and roads at least 45 days prior to decisions	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Jones P. Hotch Jr., Chilkat Indian Village	11 AAC 95 – Forest Practices	Commenter recommends ensuring that inspection results, corrective actions, and compliance reports are publicly available, and inviting Tribal participation in post-harvest reviews	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Jones P. Hotch Jr., Chilkat Indian Village	11 AAC 95.260–.365 – Riparian Standards and Road Construction	Commenter recommends integrating geotechnical, hydrologic, and cultural resource safeguards to prevent landslides, flooding, and harm to subsistence areas	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Tyler Breen, Southeast Alaska Conservation Council	11 AAC 95.260–.290 – Riparian Standards	Commenter recommends adopting a 100-foot minimum stream buffer standard to require no-cut riparian buffers of at least 100 feet for all fish bearing and perennial streams and to align state standards with federal NEPA-based environmental review practices	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Tyler Breen, Southeast Alaska Conservation Council	11 AAC 95.280–.365 – Slope Stability Standards	Commenter recommends strengthening restrictions on high-slope-grade logging-amending FRPA to prohibit clearcutting or road construction on slopes greater than 60% and requiring site-specific geotechnical assessments for any operations between 40-60% gradient	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Tyler Breen, Southeast Alaska	AS 38.05.035(e); 11 AAC 71.035	Commenter recommends revising Best Interest Finding procedures under AS 38.05.035(e) to include detailed public accounting of the	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan

Conservation Council	– Best Interest Findings	costs of road construction, site preparation, and monitoring compared to projected timber revenues	as part of our broader effort under guidance provided in AO 360.
Tyler Breen, Southeast Alaska Conservation Council	11 AAC 71.035 – Best Interest Finding	Commenter recommends requiring all major timber sale analyses and Best Interest Findings to assess alternative land uses- such as carbon sequestration, recreation, wildlife habitat, and watershed protection- and quantify associated ecosystem service values	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Tyler Breen, Southeast Alaska Conservation Council	11 AAC 71.010–.035 – Timber and Material Sales	Commenter recommends maintaining robust public participation and interagency coordination. Retaining the existing multi-agency oversight structure with DNR, ADF&G, and DEC and to preserve public notice and comment opportunities for the Five-Year Schedule of Timber Sales, Forest Land Use Plans, and Best Interest Findings	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Tyler Breen, Southeast Alaska Conservation Council	11 AAC 95.375–.385 – Reforestation Requirements	Commenter recommends strengthening requirements for post-harvest compliance reporting, regeneration verification, and cumulative effects assessments, and making these publicly accessible through online platforms.	Recommendations in this comment will be considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

**REGULATORY REFORM INITIATIVE  
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**Reporting Agency**

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**Agency Regulatory Baseline**

<b>Current Baseline:</b> <input style="width:90%;" type="text"/>	<b>2026 Goal Baseline:</b> <input style="width:90%;" type="text"/>
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**Regulation Projects *not* included in the agency’s regulatory reform plan due Jan 5, 2026:**

Project No.	Project Status	Reqs. Added	Reqs. Reduced

*Add additional rows if needed*

**List the *total* regulatory additions and reductions the agency made since the prior report**

<b>Additions:</b> <input style="width:90%;" type="text"/>	<b>Reductions:</b> <input style="width:90%;" type="text"/>
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**Do you plan to request drafting assistance from Dept. of Law next quarter?**     Yes     No

**List additional questions, notes, or comments for the implementing agencies**

\_\_\_\_\_  
[Print Name]  
Agency Regulations Liaison

\_\_\_\_\_  
Date

# AO 360 REGULATORY REFORM PLAN

Department of Natural Resources  
Division of Mining, Land & Water

## **SECTION 1: AGENCY BASELINE CALCULATIONS**

Using the guidance contained in the Regulation Reduction Guide, the Division of Mining Land and Water (DMLW or Division) initially calculated 1,699 potentially discretionary requirements. DMLW has compiled the list of mandated and discretionary requirements in an excel workbook. An additional chapter of regulations was inadvertently omitted from the initial counting effort and was added to the agency's total. The updated number of discretionary requirements now totals 1,747. These numbers remain subject to change as subject matter experts in each section review the compiled list of mandated and discretionary requirements for each chapter of regulations. DMLW has identified chapters of regulations it will address within each quarter for calendar years 2026 and 2027 with the intention of reducing discretionary requirements by at least 15% by December 31, 2026.

## **SECTION 2: STAKEHOLDER ENGAGEMENT**

The Division provided notice of all public meetings on the Online Public Notice System (OPN). Additionally, DMLW staff mailed and emailed notices and posted information on AO 360 and meetings on the Division Facebook and web pages. All OPN notices were posted on October 6, 2025, with comments due by October 31. The comment deadline was subsequently extended to November 7 via public notice.

DMLW held seven public meetings via Teams as follows:

- **Land Conveyances** (land disposal programs)
  - Meeting held on Monday, October 13, 1:30 – 3:30 p.m.
- **Land** (land uses/activities/authorizations)
  - Meeting held on Tuesday, October 14, 10:00 – 11:30 a.m.
- **Appraisals & Surveys**
  - Meeting held on Tuesday, October 14, 1:30 – 3:30 p.m.
- **Statewide Abatement of Impaired Land (SAIL)** (abandoned and derelict vessels/contamination on state lands)
  - Meeting held on Wednesday, October 15, 10:00 – 11:30 a.m.
- **Water** (temporary water use authorizations/dam safety/instream flow reservations)
  - Meeting held on Wednesday, October 15, 1:30 – 3:30 p.m.
- **Mining** (permitting/leases/exploration/land-use permitting)
  - Meeting held on Thursday, October 16, 10:00 – 11:30 a.m.
- **Realty and Data Services (RADS)** (area and management plans/mineral orders)
  - Meeting held on Thursday, October 16, 1:30 – 3:00 p.m.

Links to DMLW's OPN notices:

Mining: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=221217>

Land Conveyances: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=221219>

Land: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=221218>  
Appraisals and Surveys: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=221221>  
SAIL: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=221215>  
Water: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=221265>  
RADS: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=221216>

Each DMLW meeting included a brief introduction by agency staff and allowed attendees to ask questions. Subject matter experts from the various sections within DMLW were available to answer questions. Each meeting identified several methods for providing input including online comment portal, verbal, email, or facsimile.

Overall, the meetings were not well attended with relatively few people taking the opportunity to engage with staff. Ultimately, DMLW received input from 82 individuals, non-governmental organizations, and Alaska Native and municipal entities. All input received is included in Attachment A – Input and Agency Response. This attachment identifies input received by person by chapter of regulation, if the recommendation was accepted or rejected, if accepted, how it would be implemented, and if rejected, why it was rejected.

### **SECTION 3: PROPOSED REGULATORY REFORM**

#### ***Calendar Year 2026***

Q1 January to March 2026: In the first quarter of 2026, DMLW will complete existing priority regulation packages that have been opened at Department of Law and are in process. Following adoption of these regulations, DMLW will determine the number of discretionary requirements and add them to the working total for 15% reduction. All regulations currently in process have been developed with assistance from Department of Law (Law). The Division will propose a repeal of the recently adopted Derelict and Abandoned Vessel regulations following legislative revision to AS 30.30.

Regulations in process:

- Matter ID: 2025200070, General Leasing and Carbon Management Leasing, 11 AAC 58, 60, 61
- Matter ID: 2025200515, Water Reservations, 11 AAC 93.142, .146, .147
- Matter ID: 2025200539, Easements and Rights-of-Way Fees, 11 AAC 05.070
- Matter ID: 2025200629, Matanuska Valley Moose Range and Jonesville Public Use Area, 11 AAC 96.016.
- Matter ID: 2025103581, Department of Natural Resources – Disposal of State Owned Materials (Gravel), 11 AAC 71.

Proposed regulatory revisions:

- Regulation reform of Derelict and Abandoned Vessels, 11 AAC 200. This will be a straightforward repeal, therefore assistance from Law is anticipated to be minimal – if needed.
- Regulation reform of Personal Use Cabin Permits, 11 AAC 65. Similarly, this will be a straightforward action, therefore assistance from Law is anticipated to be minimal – if needed.

Q2 April to June 2026: In the second quarter of 2026, DMLW will propose revisions to regulations to reduce burden on the public, or to eliminate regulations no longer needed due to statutory changes under 11 AAC 71, 93, 94, & 96. DMLW will identify and note proposed revisions and will request drafting assistance from Law.

Proposed regulation revisions:

- Regulation reform of State Owned Materials (Gravel), 11 AAC 71
- Regulation reform of Water Management, 11 AAC 93
- Regulation reform of Trapping Cabin Construction Permits, 11 AAC 94
- Regulation reform of Miscellaneous Land Use (Generally Allowed Uses and Conditions for Generally Allowed Uses), 11 AAC 96.020-.025
- Develop regulations to implement the Guide Concession Program

Q3 July to September 2026: In the third quarter of 2026, DMLW will propose revisions to regulations to reduce burden on the public, or to eliminate regulations no longer needed due to statutory changes under 11 AAC 54, 58, 60, 63, 64, & 67. DMLW will identify and note proposed revisions and will request drafting assistance from Law.

Proposed regulation revisions:

- Regulation reform of Disposal of Lands, 11 AAC 54
- Regulation reform of Leasing of Lands, 11 AAC 58
- Regulation reform of Grazing Leases, 11 AAC 60
- Regulation reform of Aquatic Farms, 11 AAC 63
- Regulation reform of Shore Fisheries Leasing, 11 AAC 64
- Regulation reform of Disposal of Land, 11 AAC 67

Q4 October to December 2026: In the fourth quarter of 2026, DMLW will propose revisions to regulations to reduce burden on the public, or to eliminate regulations no longer needed due to statutory changes under 11 AAC 82, 84, 86, & 97. DMLW will identify and note proposed revisions and will request drafting assistance from Law.

Proposed regulation revisions:

- Regulation reform of Mining Lease Procedures, 11 AAC 82
- Regulation reform of Other Leasable Minerals, 11 AAC 84
- Regulation reform of Mining Rights, 11 AAC 86
- Regulation reform of Mining Reclamation, 11 AAC 97

## ***Calendar Year 2027***

Q1 January to March 2027: In the first quarter of 2027, DMLW will propose revisions to regulations to reduce burden on the public, or to eliminate regulations no longer needed due to statutory changes under 11 AAC 53 and 96. DMLW will identify and note proposed revisions and will request drafting assistance from Law.

Proposed regulation revisions:

- Regulation reform of Records, Surveys, and Platting, 11 AAC 53
- Regulation reform of Miscellaneous Land Uses (all articles excluding 11 AAC 96.020 and .025), 11 AAC 96

Q2 April to June 2027: In the second quarter of 2027, DMLW will propose revisions to regulations to reduce burden on the public, or to eliminate regulations no longer needed due to statutory changes under 11 AAC 51 & 55. DMLW will identify and note proposed revisions and will request drafting assistance from Law.

Proposed regulation revisions:

- Regulation reform of Public Easements, 11 AAC 51
- Regulation reform of Land Planning and Classification, 11 AAC 55

Q3 July to September 2027: In the third quarter of 2027, DMLW will propose revisions to regulations to reduce burden on the public, or to eliminate regulations no longer needed due to statutory changes under 11 AAC 05. DMLW will identify and note proposed revisions and will request drafting assistance from Law.

Proposed regulation revisions:

- Regulation reform of Fees for Department Services, 11 AAC 05

Q4 October to December 2027: In the fourth quarter of 2027, DMLW will propose revisions to any other outstanding regulations to reduce burden on the public, or to eliminate regulations no longer needed due to statutory changes. After all revisions and reductions of discretionary requirements in the two preceding years are known, the Division will develop new regulations that will identify clear timelines and deadlines for permit application processing, review of milestones, and final decision making, including provisions for automatic approval if deadlines are not met. DMLW will draft initial regulations that meet this requirement of AO 360 and will request drafting assistance from Law.

## **Regulatory reform recommendations to improve permitting processes**

Working in conjunction with staff in OIT, IRM, and Procurement, DMLW initiated a contract with Windsor Solutions Inc. to provide a commercial off-the-shelf system to replace the current system

of record – currently Land Administration System (LAS) – for DNR. The existing LAS system, housed on an IBM mainframe and built using programming languages developed in the 1980s, serves as the system of record for land, water rights, permits, leases, easements, and related billing functions within DNR.

The LAS system is over 40 years old and is currently located on the state mainframe. It is expensive to maintain and program, and lacks business process management, reporting, and other functionality that increases public transparency and automates processes. Once implemented, the Windsor product will provide cradle to grave capability from intake of electronic application to payment of application fees and final adjudication of authorizations. When fully implemented, the system will enhance predictability and consistency in processes, reduce duplicative reviews, simplify application requirements to the public through on-line permit applications submission, streamline internal workflows through business process functionality that is customizable for each specific division, unit, or section, and enhance interagency coordination to reduce inefficiencies and delays. The system allows department staff to configure efficient adjudication processes and includes the ability for the public to monitor their applications through the agency adjudication process. While DMLW is the primary system user, other DNR divisions also rely on this system and will achieve gains in efficiency and transparency when the LAS system is replaced.

The Windsor Solutions product was discussed at length with Alvarez and Marsal (A&M) representatives as part of the associated Administrative Order 359. A&M's report, Alaska Licensing & Permitting Efficiency Assessment, identified the need to replace the Department of Natural Resources' (DNR) legacy Land Administration System (LAS) mainframe. The assessment identifies the ongoing LAS replacement effort led by Windsor Solutions as a critical opportunity to improve citizen experience, strengthen knowledge management, and increase overall process efficiency. A&M found that:

- DNR generates significant public value through its permitting, licensing, and leasing programs; however, the outdated LAS platform, lack of digitized workflows, and absence of a unified operating environment limit transparency, predictability, and customer service.
- The assessment recommends identifying and implementing alternative technology solutions to replace or modernize LAS to improve flexibility, ease of use, system integration, and reduce staff training burdens. Windsor Solutions is currently leading an overlay and pilot implementation to introduce additional functionality and interoperability while progressing toward full system replacement.

Attachment:

- Attachment A – Input and Agency Response

Topic / Citation	Topic / Citation	Comment	Agency Response
Appeals 11 AAC 02	Hal Shepherd / Kachemak Bay Watershed Council and Norton Bay Watershed Council	<p>These comments are submitted on behalf of the Kachemak and Norton Bay Watershed Councils (KBWC)/(NBWC) regarding the above scoping notice (Notice). KBWC &amp; NBWC have been organized to operate exclusively for the public benefit purposes including advocating for sustainable management and protection of water and subsistence resources of the Norton and Kachemak Bay Watersheds. Our main concern with proposed changes to general public regarding regulations and materials incorporated by reference in 11 AAC 02 relating to Appeals, is that they are being conducted in accordance with Governor Mike Dunleavy’s Administrative Order 360 directing State agencies to “identify outdated, unnecessarily burdensome, or unclear regulations and propose reforms to improve government efficiency.” It is clear, however that the Administration adopted the Order to clear a path for the extraction industry to access Alaska’s natural resources when it states the “State of Alaska is committed to growing its economic base, increasing its gross domestic product (“GDP”), and ensuring Alaskans have the freedom to do business, innovate, and pursue opportunities while complying with state and federal laws.”<sup>1</sup> Therefore, because the administration likely adopted Order 360 for the primary purpose of creating a basis for truncating environmental analysis and rolling back environmental regulations it appears that once again, it is prepping to make major changes in water quality permitting, analysis and regulatory standards that will favor industrial extraction and harm public health. <sup>1</sup> Office of the Governor, PR – Administrative Order No. 360 (August 4, 2025). (Administrative Order No. 360 - Mike Dunleavy) I. The Proposed Changes Are disguised as House Keeping Procedures so that DEC Can Gut Environmental Permitting Requirements While the Notice implies that DEQ is seeking public input on routine administration process in order to create more efficiency such as “clarify existing regulatory obligations,” “reduce costs for the public, industry, or government,” “reduce administrative burdens,” “improve communication procedures,” and “clarify interagency roles,” buried in the list of programs slated for reform also includes to “improve or streamline procedures, application requirements, and review processes, for example reducing the time required to apply for a license, permit, or benefit,” “streamline permitting procedures,” and “provide greater transparency with respect to standards.” Based on previous experience with proposed changes to environmental regulatory under the current administration, indicate an intention to gut environmental analysis, permitting requirements and regulation that protect public health and welfare. While this seemingly innocuous terminology makes it look like these regulations are mere housekeeping procedures, the real reason the Dunleavy administration wants to take these actions is likely to gut regulations in favor of industrial development, thereby failing to protect the public from exposure to toxic effluents. This is illustrated by the fact that administration has already applied Administrative Order 360 to gut regulations preventing impacts on fish and wildlife in the Kachemak Bay Critical Habitat Area.<sup>2</sup> In addition, the Order is more likely to weaken protections the ecosystems Alaskans depend on by requiring DNR to include a provision for automatic approval deadlines are not met” in all permits. In plain language: if agencies miss a deadline, permits are rubberstamped without review. Merit, expertise and public input are thrown out the window in favor of arbitrary timelines – a loophole that makes it far easier for harmful projects to move forward. In fact, when deciding what is eligible for cutting, the governor’s office has ordered all agencies to calculate requirements that go beyond the exact demands listed in state law. <sup>2</sup> Alaska Supreme Court allows personal watercraft in Kachemak Bay, reversing lower court, Homer News (October 2, 2025) Therefore, any proposed changes to the regulations could have substantial impacts on human health and welfare and the environment since the Notice lists potential changes to the 11 AAC 58 relating to water including Critical Water Management Areas, Temporary Water Uses and Water Rights. CONCLUSION The administration’s strategy, a wasteful exercise in political pandering, is to eliminate 15 percent of regulatory standards by December 31, 2026 and 25 percent by December 31, 2027. many of which protect public health and welfare from the impacts of climate change and abusive land management practices by next December. But they truly counterproductive part of Order 360 requires state agencies to have “all anticipated rulemaking actions” pre-approved by the Governor before the start of every year. The Commissioner should not make any changes to existing regulations. In addition, we recommend that DNR seek legislative oversight of Order 360 and other with wide ranging consequences. Please contact me if you have any questions regarding these comments.</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Chapter of regulations is addressed consistent with the timelines provided in the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Appeals 11 AAC 02	Jacqueline Muehlbauer	<p>The ability to appeal DNR decisions is vital for fairness and accountability, but the current system under 11 AAC 02 is intimidating, expensive, and inaccessible to most citizens. Residents who discover new land or mining authorizations often have little time or clarity to respond before final decisions are made. Provide direct notice to nearby residents, local governments, and registered community organizations. Extend the appeal window to 30 days from verified notice.</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory

Topic / Citation	Topic / Citation	Comment	Agency Response
			Reform Plan as part of our broader effort under guidance provided in AO 360.
Appeals 11 AAC 02	Jones Hotch / Chilkat Indian Village	This letter is being submitted by the Chilkat Indian Village (Tlákwan – Klukwan) Tribal Council on behalf of its Tribal Members and the residents of the Village of Klukwan. The Chilkat Indian Village (CIV), a federally recognized Tribal government, respectfully provides the following comments regarding potential revisions to 11 AAC 02, the Department of Natural Resources’ appeals regulations, as part of the Administrative Order 360 review. CIV strongly supports improving clarity, consistency, and transparency in DNR’s administrative appeals process. However, the purpose of 11 AAC 02 is not merely to expedite decisions, but to ensure that agency actions are lawful, accountable, and equitable. The appeals process is the sole procedural safeguard available to the public and Tribal governments once a decision is issued. Any “streamlining” that limits standing, shortens timelines, or increases financial barriers would erode due process and further marginalize communities that already bear the costs of state permitting decisions. True efficiency lies in getting decisions right the first time. A fair and transparent appeals process reduces litigation, builds public trust, and strengthens interagency coordination. In particular, CIV urges DNR to: 1. Affirm that federally recognized Tribes have standing to appeal decisions that may affect their lands, waters, or cultural resources; 2. Pause appeal deadlines to engage in active government-to-government consultation, with Tribal governments, ensuring that consultation is meaningful and not procedural; 3. Waive or refund filing fees for Tribal governments and other public-interest appellants; and 4. Maintain full public transparency of appeal outcomes and rationales through a central, accessible docket. These measures align with AO 360’s objectives to clarify obligations, improve communication, and enhance transparency without undermining due process or consultation responsibilities. CIV respectfully requests that DNR treat any revisions to 11 AAC 02 as an opportunity to strengthen—not streamline away—the integrity of the appeals process.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Appeals 11 AAC 02	Tom Paragi	My primary concern with the Department of Natural Resources appeals process under 11 AAC 02 is that there is no period defined for response by the Commissioner to appeals, only to requests for reconsideration, regardless of argument merit or best interest of the public. This leaves undue discretion to prolong or functionally ignore valid appeals that are in the best interest of the public or justice. A member of the public has to pay \$250 to file an appeal under 11 AAC 05.160(d)(1)(F) and then wait an indeterminate period for a response. The only further recourse to a timely response is to advance an appeal to the state Superior Court, at further public member expense. In contrast, the Department of Environmental Conservation has a 10 day response period requirement when people ask for arbitration, appeal, reconsideration, etc. (18 AAC 15.220. Action on hearing requests) and 15-20 days for decision responses (18 AAC 15.237. Agency decision record). Based on the considerations mentioned above, I recommend: •periods for Commissioner response be created in 11 AAC 02 that are of similar duration as DEC, recognizing that the processes for appeal, reconsideration, arbitration, administrative court, etc. differ between the agencies. Any definition of response period for the DNR Commissioner is an improvement. •11 AAC 02.070. Waiver of procedural violations be repealed. It gives to the Commissioner undue latitude to ignore public process or justify inaction. An administrative judge can determine such matters in instances of unresolved dispute. Thank you for the opportunity to comment.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

Topic / Citation	Topic / Citation	Comment	Agency Response
Appeals 11 AAC 02	Tyler Breen / Southeast Alaska Conservation Council	<p>Governing authority. The DNR Commissioner’s Office administers appeals procedures primarily under AS 38.05.035(i) (Alaska Land Act) and implementing regulations at 11 AAC 02 (Appeals). These provisions govern how parties may challenge decisions made by divisions within DNR, including land disposals, permits, leases, and other authorizations. Right to appeal. Under 11 AAC 02.010(a), “A person who is aggrieved by a final written decision of the department may appeal that decision to the commissioner.” Timeliness. Appeals must be filed “within 20 days after the date of the decision,” unless the commissioner grants an extension for good cause. Contents of appeal. The regulation requires appellants to include “a clear statement of the issues presented and the relief requested.” Commissioner’s decision. The commissioner’s written decision constitutes the department’s final administrative action and may then be subject to judicial review under AS 44.62.560 of the Alaska Administrative Procedure Act (APA). In practice, this appeals framework allows the public, stakeholders, and affected parties to seek review of DNR decisions before finalization. The system also ensures internal accountability, as the Commissioner’s Office provides an opportunity for administrative correction without resorting to litigation. Appeal notices, decisions, and related correspondence are typically accessible through DNR’s Online Public Notices system or upon request under Alaska’s Public Records Act (AS 40.25). This transparency supports fairness, ensures consistency, and strengthens confidence in DNR’s decision-making processes. Recommendations Preserve public access to the appeals process. Maintain existing language ensuring that any “person who is aggrieved” may file an appeal. Avoid narrowing eligibility definitions or limiting standing. Access to administrative appeal is a cornerstone of transparent governance and should remain broadly available. Ensure adequate timeframes and notice. Retain the 20-day filing period in 11 AAC 02.010(c) and maintain requirements that written decisions include a notice of appeal rights and filing instructions. Consider extending the timeline to 30 days for complex or multi-party decisions to allow meaningful public participation. Maintain impartial review procedures. Preserve the Commissioner’s authority to assign appeal reviews to staff or administrative law judges who are not involved in the original decision. This separation supports fairness and reduces conflicts of interest. Enhance public documentation. Develop a centralized repository of appeal decisions, indexed by case number, date, and subject matter. Public access to precedent decisions would improve consistency and understanding of DNR’s interpretive practices. Clarify reconsideration and remand processes. Provide explicit guidance on when the commissioner may remand a decision for further agency action and the standards for reconsideration. This clarity would improve efficiency without compromising fairness. Avoid “streamlining” that limits procedural rights. Any changes proposed under Administrative Order 360 should avoid reducing opportunities for review, compressing deadlines, or removing notice requirements. Efficiency should not supersede due process or the public’s right to challenge agency decisions. Conclusion SEACC appreciates the opportunity to comment on OPN 221222. Alaska’s administrative appeals system is a functional, essential component of fair and transparent public decision-making. It provides a necessary avenue for recourse when disputes arise and serves as an internal check on agency actions. We do not support broad reforms that could limit access to appeals or constrain the Commissioner’s review process. Instead, we recommend modest improvements focused on transparency, public accessibility, and procedural clarity.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Appraisals and Surveys 11 AAC 53	Jacqueline Muehlbauer	<p>Backlogs in state survey and appraisal work delay land sales and trail easements. Recommendations: Approve certified third-party surveyors and appraisers who meet state standards so projects can move faster. Publish survey data digitally to improve transparency and avoid duplicative work across agencies. Prioritize surveys that clarify ownership along public trails and stream corridors to prevent encroachment disputes.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

Topic / Citation	Topic / Citation	Comment	Agency Response
Appraisals and Surveys 11 AAC 53	Loretta Brown / Salmon State	<p>Submitted via online portal and electronic mail October 31, 2025 John Crowther Acting Commissioner Alaska Department of Natural Resources 550 W. 7th Avenue, Ste 1400 Anchorage, Alaska 99501 RE: Public Comments on Request for Public Input on Regulations of the Department of Natural Resources Dear Acting Commissioner Crowther, Thank you for the opportunity to comment on the Alaska Department of Natural Resources' (DNR) potential amendments to regulations affecting water management, land use, and natural resource management. The mission of DNR is to "develop, conserve and maximize the use of Alaska's natural resources consistent with the public interest." DNR also has a public trust responsibility under the Alaska Constitution, and DNR statutes to maintain a robust permitting and review process to protect the state's lands and waters for the health and benefit of Alaskans. It is in the best interest of Alaskans and the state to establish and maintain rigorous environmental standards and permitting criteria to protect our natural resources, fish and wildlife populations, small businesses, and communities. Alaska is home to some of the world's last intact wild landscapes and waterways that still support abundant fish and wildlife populations. Alaska's vast wild spaces are essential to the physical and economic stability of the state and its residents. The wild and natural freshwater systems and undeveloped landscapes of Alaska provide robust and sustainable food security for Alaskans, support the commercial and recreational fishing and hunting industries, and provide a booming and growing tourism industry throughout the state. Protecting Alaska's lands and waters from destructive industrial development and pollution is truly a sustainable investment in Alaska's future. In contrast, Administrative Order 360 is extraordinarily shortsighted and ignores the scope of business investments, communities and families that rely on Alaska's natural resources, public lands, water quality, and fisheries. Rigorous environmental standards and the careful review of permit applications for projects that could put the health and safety of the people of Alaska at risk is not burdensome. It is simply the cost of doing business. Long-standing regulations and permit review processes provide clarity, transparency, and predictability for project proponents, agency staff, interested stakeholders, Tribes and the public. Meaningful public participation in review of large-scale projects also provides critical information about potential impacts to fish and wildlife habitat, water resources, community health and small businesses. It creates an opportunity and forum for the state to address community concerns and mitigate risk prior to issuing permits. Oftentimes the word streamlining means cutting the public out of the decision-making process. However, eliminating the perspectives of the public, Tribes or concerned communities simply sets up the state for costly legal battles and project proponents for unnecessary delays. Many concerns are in fact resolved through a thoughtful dialog with concerned citizens. In addition, many potential environmental impacts can be avoided by tapping into local knowledge and carefully analyzing project alternatives that make the most sense for both permittees and community stakeholders. Before moving forward, we urge DNR to carefully consider its public trust duty and legal responsibility when determining whether to remove protective regulations or streamline review processes that are designed to protect the public interest. Thank you for the opportunity to comment. Sincerely,</p> <p>/s/ _____ /s/ _____ Emily Anderson Loretta Brown Alaska Director Legal and Policy Director Wild Salmon Center Salmon State</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

Topic / Citation	Topic / Citation	Comment	Agency Response
Appraisals and Surveys 11 AAC 53	Nils Andreassen / Alaska Municipal League	<p>Comments on AAC 53 – Alaska Local Government Perspectives Overview of Chapter 53 and Its Relevance to Local Governments The Department of Natural Resources’ Chapter 53 (e.g. survey and platting standards) outlines requirements for land surveys, platting of subdivisions, and procedures for conveying state lands – including municipal entitlements – to local governments. This chapter is highly relevant to boroughs and cities because it governs how and when municipalities receive title to state lands they are entitled to, and how state land dispositions (like subdivisions for sale) are carried out within municipal boundaries. Key provisions in this chapter cover municipal land selection surveys (surveys required before conveying land to a municipality) and standards for subdivision plats. The implications for local governments are significant: burdensome survey requirements can delay or increase the cost of transferring land into municipal ownership, and any state-led subdivision development must mesh with local planning and infrastructure standards. In short, Chapter 53 directly affects local governments’ ability to acquire land for community needs, manage development, and uphold their own land use regulations. Local governments depend on timely and affordable land transfers from the state. Under Alaska’s Municipal Land Entitlement program (AS 29.65), about 1.35 million acres of state land are slated to transfer to municipalities, of which over 136,000 acres are still awaiting conveyance. These lands represent future housing, economic development, and public use opportunities in our communities. When transfers are delayed or made costly by state requirements, municipalities are hindered in putting land to productive use. Chapter 53 also affects subdivision development on state lands within boroughs and cities. By law, all state subdivisions must comply with local platting ordinances “in the same manner and to the same extent as subdivisions made by other landowners”. This ensures that new subdivisions created by the state meet the same standards for roads, utilities, and lot design that a local developer would be held to, preventing substandard development in our jurisdictions. Thus, the policies in Chapter 53 will influence not only municipal land ownership but also the quality and consistency of development in our communities. Consistency with AML Goals and Principles The Alaska Municipal League (AML) has two primary goals in this context: increasing affordability for local governments and respecting local decision-making. Affordability for Local Governments Several provisions in the chapter raise concerns about cost burdens on municipalities. In particular, survey requirements for municipal entitlement lands are presently onerous and expensive. Municipalities cannot receive a final patent (deed) to selected lands until a survey plat is completed, approved, and recorded. Conducting these boundary surveys – often in remote areas – can cost local governments substantial sums and take years to finish. AML has noted that “survey costs are high, requirements are onerous, and agency work [is] slow; it is difficult to move from land approved by the State to land available for sale”. Requiring municipalities to shoulder surveying costs and navigate complex platting rules undermines affordability. Every dollar spent on surveys is a dollar not available for essential local services. We do acknowledge that the chapter attempts to provide a process (e.g. 11 AAC 53.180, Deposit for survey costs) whereby a municipality may deposit funds and have DNR arrange the survey. However, this simply shifts the financial burden rather than alleviating it. From AML’s perspective, a truly affordable approach would be one in which the state assists with or fully funds the survey of municipal entitlement lands as part of its obligation to convey those lands. The AML membership has formally supported “waiving additional survey costs” for municipal land transfers, in recognition that current survey requirements impose significant costs on local governments. The heavy administrative procedures and upfront costs for surveys run counter to AML’s goal of reducing financial burdens on municipalities. We encourage revisions that streamline the survey process and relieve local governments of undue expenses. Respect for Local Decision-Making Chapter 53 touches on several areas where local decision-making authority should be upheld. Alaska’s boroughs (and many cities) have constitutional and statutory powers for planning, platting, and zoning within their boundaries. In fact, “boroughs have the statutory responsibility for planning and platting of not just their lands, but State lands as well”. This authority was deliberately devolved from the State to local governments, relieving the State of that duty and entrusting local planning commissions with the responsibility. Accordingly, any DNR regulations must respect local plans and platting decisions. We are pleased that Alaska law explicitly requires state subdivisions to comply with local subdivision regulations or home rule ordinances. This legal framework reflects AML’s principle that local governments should guide land use decisions in their area. It ensures that when DNR sells or develops state land within a municipality, the development standards (road access, lot size, drainage, etc.) align with the community’s requirements and vision, as if a private developer were doing the subdivision. Maintaining this parity is crucial to avoid substandard development. Local governments set infrastructure standards to protect public safety and ensure consistent growth; as AML has noted, local authorities ensure “a uniform level of platting that corresponds to planning, zoning, and the needs</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>of the local governments and property owners”. Any provision in Chapter 53 that would bypass local platting approvals or impose lesser standards would be inconsistent with both state law and AML’s core principle of local self-governance. On initial review, Chapter 53 appears mostly consistent with local decision-making in that it acknowledges the role of municipal platting authorities for subdivisions in organized boroughs. For example, if a state land subdivision is proposed inside a borough with platting powers, that plat would need the borough’s approval before it can be recorded (per AS 40.15.070 and AS 40.15.200). This is a positive element that we support. We would caution, however, that any “default” procedures DNR uses in absence of local involvement (such as in the unorganized borough or where local platting is not exercised) should not produce outcomes that conflict with nearby municipalities’ standards. Additionally, local zoning and land use plans should be respected in how state lands are classified and conveyed. Respect for local decision-making also means early and meaningful consultation with local governments on state land disposals. In spirit, the chapter should facilitate state-local cooperation rather than unilateral state actions. AML’s membership has suggested mechanisms like including borough representatives in DNR’s land disposal review process and even having state liaisons sit on local planning commissions to improve coordination. In summary, we find that Chapter 53 can be consistent with local decision-making if it firmly requires compliance with local platting rules (which it should under statute) and if DNR actively partners with municipalities in implementing these regulations. Any ambiguities that could allow state actions to override local plans should be clarified to unequivocally support local authority. Recommendations to Reduce Burden and Benefit Local Governments To better align the regulations with AML’s goals of affordability and respect for local control, we offer the following recommendations. These changes would help reduce administrative burden, remove unnecessary cost and complexity, and produce more beneficial outcomes for municipalities: 1.Streamline Survey Requirements and State Support for Surveys: Simplify the survey process for municipal entitlement lands and provide state assistance to complete surveys. For instance, DNR should take on the responsibility (and cost) of surveying municipal selections wherever possible, rather than requiring each municipality to hire surveyors and front the money. Exploring options like waiving or reducing survey fees and using state survey crews or bulk contracts could significantly cut costs for local governments. The goal is to remove surveying as a bottleneck to land transfer. If statutory changes are needed (e.g. to allow patenting with alternative survey methods or issuing patents with metes-and-bounds descriptions pending final survey), the State and AML should work together to pursue those. By streamlining surveys and covering more of the work at the state level, the program can “reduce barriers and costs” and speed up the availability of land for economic development. 2.Accelerate Municipal Entitlement Land Transfers: Prioritize and expedite the remaining land entitlement conveyances to municipalities. As noted, over 136,000 acres of promised municipal land is still waiting to be conveyed, decades after entitlements were granted. DNR should set clear internal timelines and milestones for processing these selections – from initial selection review to final patent. This may include dedicating additional staff or resources to the municipal conveyance program and regularly reporting progress. Faster transfers will immediately benefit local governments by expanding their land base for housing, commerce, and public facilities. AML strongly supports “accelerating the transfer of State lands to local governments [and] completing the municipal lands program”. Every acre conveyed is an acre that the local community can tax, lease, or develop to strengthen the local economy (which ultimately benefits the state as well). We recommend adding provisions to the chapter (or accompanying policy) that commit to expeditious processing – for example, automatic escalation if a conveyance decision or survey has not been completed within a certain timeframe. Anything that streamlines DNR’s internal process or removes redundant steps will help fulfill the promise of the Municipal Entitlement Act. 3.Ensure State Subdivisions Meet Local Standards: The regulations should clearly require that any subdivision of state land within an organized borough or city adheres to that local government’s subdivision ordinances and design requirements. This is already mandated by Alaska law, and we want to see it reinforced in practice. In addition, DNR should coordinate with local planning authorities early in the process of designing state subdivisions. We recommend an explicit step in Chapter 53 stating that, before a plat in a municipality is finalized, DNR will confirm local platting approval and incorporate any conditions required by the local platting authority. By doing so, the state’s development will be consistent with local standards for roads, lot sizes, park/public space dedications, and utility access, preventing the creation of sub-standard infrastructure. In the long run, this protects local governments from future costs – for example, the costly retrofitting of roads or utilities if a subdivision was originally platted without them. It also upholds the principle that local elected bodies determine the appropriate level of services and development patterns for their community. DNR should view municipalities as partners in land development, not just as</p>	

Topic / Citation	Topic / Citation	Comment	Agency Response
		<p>another stakeholder. Strengthening language around local concurrence for state plats will ensure respect for local decision-making and avoid conflicts down the road. 4.Increase State-Local Coordination and Communication: We encourage DNR to formally integrate local government input into its land management decisions. Chapter 53 could benefit from a provision requiring agency consultation with local governments for actions like planning new disposals, setting aside easements, or selecting lands for development projects. Boroughs and cities have valuable knowledge of local conditions (floodplains, road connectivity, community needs) that can improve state land plans. AML’s members have suggested ideas such as a “joint lands commission” or a state liaison on local planning commissions to foster two-way communication. While such ideas may be beyond the scope of a single regulation chapter, the spirit can be implemented in simpler ways – for example, always providing a copy of draft state subdivision plans to the borough planning department for comments, or scheduling annual meetings between DNR regional land offices and local land managers to review upcoming projects. Improved coordination will reduce misunderstandings and ensure that state actions complement local objectives. It also reduces administrative burden by catching issues early (thus avoiding re-work) and by potentially combining public processes. For instance, if a state land disposal requires both state notice and local platting hearings, these could be synchronized or jointly advertised to streamline the procedural side for all parties. We recommend adding a guideline that DNR will include affected municipalities in the review of plats, land classifications, and easement reservations on state land. This will formally respect local input and likely result in better outcomes that both the state and local community can support. 5.Reduce Complexity and Duplicative Processes: Lastly, AML urges that the chapter be reviewed for any overly complex or duplicative requirements that can be simplified. One example is the preliminary plat step for certain surveys or subdivisions. If a local platting authority is already requiring a preliminary plat and final plat approval, DNR might not need to impose a separate preliminary plat submission at the state level – a final plat could suffice after local approval. In 11 AAC 53.170 (municipal selection surveys), it appears the requirement for a preliminary plat was waived for municipal entitlement surveys – a positive change that removes an unnecessary step for municipalities. We support such simplifications. Another area of complexity is the reservation of easements and rights-of-way. While it’s important to secure public access, the regulations should not require that every easement be physically surveyed if it’s not needed. The municipal survey rule wisely says easements must be shown on the plat but “need not be surveyed” in full. This kind of flexibility should be maintained or expanded because it saves time and cost while still documenting important information. We recommend that DNR continue to identify requirements that can be met by documentation instead of field survey, or by a single combined process instead of two separate ones (one for state, one for local). By removing needless complexity, the process of land transfer or subdivision becomes faster and less expensive for everyone involved. In conclusion, AML appreciates the opportunity to comment on Chapter 53 and is keen to ensure that the final regulations further our shared goals of empowering local governments and facilitating responsible development. As noted in an AML resolution, local governments are “the most direct beneficiaries of private development” and have “the most interest in a process that works well”. With the above recommendations, we believe Chapter 53 can be made more consistent with those principles – easing the administrative and fiscal burden on municipalities, accelerating the timeline for them to receive and make use of land, and solidifying a state-local partnership in land management. We look forward to continued collaboration with DNR to implement these improvements.</p>	
Land	Alaska Chamber of Commerce	<p>Timeline Certainty for Carbon Regulations The State should prioritize development of reasonable carbon regulations for both carbon offsets and carbon capture, utilization, and storage (CCUS) programs. Specifically, DMLW has been directed to produce regulations under Senate Bill 48 to establish a carbon offset program in Alaska; SB 48 was signed into law on October 16, 2023 and those regulations remain outstanding. In addition, HB 50 directed AOGCC to establish carbon storage regulations; HB 50 was signed into law on October 9, 2024 and AOGCC has yet to issue draft regulations which is now delaying the State’s Class VI Primacy application process with EPA. As part of the AO 360 effort, the State should avoid further delay and issue the regulations required under law.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

Topic / Citation	Topic / Citation	Comment	Agency Response
Land	Adam Olson	<p>To Whom it May Concern, Thank you for the opportunity to provide comments regarding regulatory revisions for state land conveyances. The two comments below both relate to possible ways to reduce reissuance application costs and reduce administrative burden through the reissuance process. The organization I work for currently holds 7 land use permits, but only 2 long-term land leases. The permits and leases are all for similar commercial aquaculture activities. Land use permits, as currently regulated, can only be issued for up to a 5-year term. This necessitates undergoing the renewal process on a relatively frequent basis. Typically, the renewal of land use permits does not include any substantial modifications from what was previously permitted. To reduce the cost to the permittee and to reduce administrative burden to the State associated with reissuing land use permits every 5 years, please consider the following two suggestions for regulatory changes. 1)Modify regulations to allow for longer terms to be executed for land use permits. I would recommend 10 years or more. Alternatively, consider an initial term of 5-years, with subsequent reissuances increased to 10 or more years. Land use permits, regardless of authorized term, can be terminated by the state at its discretion. OR 2)Remove regulations for certain qualifying activities to not require appraisals and/or surveys to execute long term land leases. The additional costs associated with surveys and appraisals generally dissuades applicants from requesting leases that would allow for longer terms than land use permits allow for. Thank you for the ability to contribute to the process to streamline DMLW regulations.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Land	Susan Doherty	<p>To Whom It May Concern, Thank you for the opportunity to provide comments regarding regulatory revisions for state land conveyances. The two comments below both relate to possible ways to reduce reissuance application costs and reduce administrative burden through the reissuance process. SSRAA has numerous active land use and land lease permits. Land use permits can only be issued for up to 5-years and routinely have no substantial changes from the previous renewed permit. To reduce the cost to the permittee and to reduce administrative burden to the State associated with reissuing land use permits every 5 years, please consider the following two suggestions for regulatory changes. 1)Modify regulations to allow for longer terms to be executed for land use permits. I would recommend 10 years or more. Alternatively, consider an initial term of 5-years, with subsequent reissuances increased to 10 or more years. Land use permits, regardless of authorized term, can be terminated by the state at its discretion. AND/OR 2) Remove regulations for certain qualifying activities to not require appraisals and/or surveys to execute long term land leases. The additional costs associated with surveys and appraisals generally dissuades applicants from requesting leases that would allow for longer terms than land use permits allow for. Thank you for the ability to contribute to the process to streamline DMLW regulations.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Land	Jacqueline Muehlbauer	<p>DMLW should clarify and consolidate land-use authorization processes to account for mixed-use landscapes such as Ester Dome. Current land decisions often occur parcel-by-parcel with limited visibility into cumulative impacts. Recommendations: Require landscape-level review before approving new surface disturbances on steep slopes or near established trails. Post all land authorizations online with mapping tools so residents can see pending applications. Develop a “Community Interface Area” policy for regions where residential and recreational uses directly border mining or industrial permits, ensuring additional notice and comment opportunities.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Land	Loretta Brown / Salmon State	<p>Submitted via online portal and electronic mail October 31, 2025 John Crowther Acting Commissioner Alaska Department of Natural Resources 550 W. 7th Avenue, Ste 1400 Anchorage, Alaska 99501 RE: Public Comments on Request for Public Input on Regulations of the Department of Natural Resources Dear Acting Commissioner Crowther, Thank you for the opportunity to comment on the Alaska Department of Natural Resources' (DNR) potential amendments to regulations affecting water management, land use, and natural resource management. The mission of DNR is to "develop, conserve and maximize the use of Alaska's natural resources consistent with the public interest." DNR also has a public trust responsibility under the Alaska Constitution, and DNR statutes to maintain a robust permitting and review process to protect the state's lands and waters for the health and benefit of Alaskans. It is in the best interest of Alaskans and the state to establish and maintain rigorous environmental standards and permitting criteria to protect our natural resources, fish and wildlife populations, small businesses, and communities. Alaska is home to some of the world's last intact wild landscapes and waterways that still support abundant fish and wildlife populations. Alaska's vast wild spaces are essential to the physical and economic stability of the state and its residents. The wild and natural freshwater systems and undeveloped landscapes of Alaska provide robust and sustainable food security for Alaskans, support the commercial and recreational fishing and hunting industries, and provide a booming and growing tourism industry throughout the state. Protecting Alaska's lands and waters from destructive industrial development and pollution is truly a sustainable investment in Alaska's future. In contrast, Administrative Order 360 is extraordinarily shortsighted and ignores the scope of business investments, communities and families that rely on Alaska's natural resources, public lands, water quality, and fisheries. Rigorous environmental standards and the careful review of permit applications for projects that could put the health and safety of the people of Alaska at risk is not burdensome. It is simply the cost of doing business. Long-standing regulations and permit review processes provide clarity, transparency, and predictability for project proponents, agency staff, interested stakeholders, Tribes and the public. Meaningful public participation in review of large-scale projects also provides critical information about potential impacts to fish and wildlife habitat, water resources, community health and small businesses. It creates an opportunity and forum for the state to address community concerns and mitigate risk prior to issuing permits. Oftentimes the word streamlining means cutting the public out of the decision-making process. However, eliminating the perspectives of the public, Tribes or concerned communities simply sets up the state for costly legal battles and project proponents for unnecessary delays. Many concerns are in fact resolved through a thoughtful dialog with concerned citizens. In addition, many potential environmental impacts can be avoided by tapping into local knowledge and carefully analyzing project alternatives that make the most sense for both permittees and community stakeholders. Before moving forward, we urge DNR to carefully consider its public trust duty and legal responsibility when determining whether to remove protective regulations or streamline review processes that are designed to protect the public interest. Thank you for the opportunity to comment. Sincerely,</p> <p>/s/ _____ /s/ _____ Emily Anderson Loretta Brown Alaska Director Legal and Policy Director Wild Salmon Center Salmon State</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Land	Loretta Brown / Salmon State	<p>Thank you for the opportunity to comment on the Alaska Department of Natural Resources’ (DNR) potential amendments to regulations affecting water management, land use, and natural resource management. The mission of DNR is to “develop, conserve and maximize the use of Alaska’s natural resources consistent with the public interest.”<sup>1</sup> DNR also has a public trust responsibility under the Alaska Constitution, and DNR statutes to maintain a robust permitting and review process to protect the state’s lands and waters for the health and benefit of Alaskans. It is in the best interest of Alaskans and the state to establish and maintain rigorous environmental standards and permitting criteria to protect our natural resources, fish and wildlife populations, small businesses, and communities. Alaska is home to some of the world’s last intact wild landscapes and waterways that still support abundant fish and wildlife populations. Alaska’s vast wild spaces are essential to the physical and economic stability of the state and its residents. The wild and natural freshwater systems and undeveloped landscapes of Alaska provide robust and sustainable food security for Alaskans, support the commercial and recreational fishing and hunting industries, and provide a booming and growing tourism industry throughout the state. Protecting Alaska’s lands and waters from destructive industrial development and pollution is truly a sustainable investment in Alaska’s future. <sup>1</sup> <a href="https://dnr.alaska.gov/commis/index.htm">https://dnr.alaska.gov/commis/index.htm</a> In contrast, Administrative Order 360 is extraordinarily shortsighted and ignores the scope of business investments, communities and families that rely on Alaska’s natural resources, public lands, water quality, and fisheries. Rigorous environmental standards and the careful review of permit applications for projects that could put the health and safety of the people of Alaska at risk is not burdensome. It is simply the cost of doing business. Long-standing regulations and permit review processes provide clarity, transparency, and predictability for project proponents, agency staff, interested stakeholders, Tribes and the public. Meaningful public participation in review of large-scale projects also provides critical information about potential impacts to fish and wildlife habitat, water resources, community health and small businesses. It creates an opportunity and forum for the state to address community concerns and mitigate risk prior to issuing permits. Oftentimes the word streamlining means cutting the public out of the decision-making process. However, eliminating the perspectives of the public, Tribes or concerned communities simply sets up the state for costly legal battles and project proponents for unnecessary delays. Many concerns are in fact resolved through a thoughtful dialog with concerned citizens. In addition, many potential environmental impacts can be avoided by tapping into local knowledge and carefully analyzing project alternatives that make the most sense for both permittees and community stakeholders. Before moving forward, we urge DNR to carefully consider its public trust duty and legal responsibility when determining whether to remove protective regulations or streamline review processes that are designed to protect the public interest. Thank you for the opportunity to comment.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Land 11 AAC 5, 58, 60, 62, 63, 64, 65, 71, 94, 96, 97	Nils Andreassen / Alaska Municipal League	<p>Alaska Municipal League Comment on DNR/DMLW Regulatory Review Concerning 11 AAC 5, 58, 60, 62, 63, 64, 65, 71, 94, 96, 97 (Land Administration, Easements, Rights-of-Way, Surveying, and Land Use) The Alaska Municipal League (AML), representing 165 cities and boroughs across the state, appreciates the opportunity to comment on the Alaska Department of Natural Resources’ review of multiple regulations related to land management and development. Local governments are central partners in land use, infrastructure development, and resource stewardship. AML strongly supports the DNR’s intent to clarify procedures, reduce costs, streamline permitting, improve communication, and enhance transparency—but emphasizes that reforms must preserve municipal authority, protect public assets, and prevent new unfunded responsibilities from shifting to local governments. The following is AML’s attempt to support the Governor’s efforts that drive toward efficiency and effective operations, and should be considered provisional, as they have not been taken up by AML members for evaluation. More time, in the future, would allow for more substantive deliberation.</p> <p>1. Clarifying Procedures and Streamlining Permitting Simplify, Consolidate, and Standardize Across these chapters—particularly 11 AAC 58 (Land Administration), 11 AAC 60 (Land Leases), 11 AAC 62 (Rights-of-Way), and 11 AAC 63 (Easements)—local governments face duplicative and sometimes inconsistent procedural requirements. AML recommends that DNR:</p> <ul style="list-style-type: none"> <li>•Create a unified “land use authorization” framework that standardizes application steps, notice procedures, and review timelines for leases, easements, rights-of-way, and permits.</li> <li>•Publish plain-language process maps describing each step from application to final decision, including expected timeframes, responsible divisions, and public engagement opportunities.</li> <li>•Consolidate overlapping sections (e.g., 11 AAC 58.020, 11 AAC 58.830, 11 AAC 62, 11 AAC 63) into consistent definitions and review standards, reducing redundant filings for projects that require multiple authorizations.</li> <li>•Provide pre-application review checklists that identify data, mapping, or survey requirements upfront—preventing costly revisions later in the process.</li> </ul> <p>Predictability and Timeliness</p> <ul style="list-style-type: none"> <li>•Require DNR to issue a completeness determination within 30 days of submission, with itemized deficiencies; set clear review milestones.</li> <li>•Implement an electronic application system that flags status changes, documents reviewer comments, and enables applicants (including municipalities) to monitor progress in real time.</li> </ul> <p>2. Reducing Costs and Administrative Burden</p> <p>Municipalities frequently act as applicants for DNR authorizations—seeking land for utilities, public safety facilities, material sites, or community infrastructure. Excessive costs and paperwork directly affect the ability of local governments to serve residents efficiently. AML recommends:</p> <ul style="list-style-type: none"> <li>•Establish reduced fees and expedited reviews for municipal, tribal, or nonprofit applicants developing public infrastructure, housing, or resilience projects.</li> <li>•Programmatic authorizations for routine, recurring municipal work (e.g., utility maintenance, right-of-way clearing, culvert replacements) to avoid repeated full-length permit applications.</li> <li>•Publish a consolidated schedule of all fees, deposits, and rents under these chapters, with clear waiver or reduction criteria for local governments.</li> <li>•Avoid duplicative submittals to separate DNR sections (Land, Survey, Rights-of-Way) by integrating them under a single review docket number.</li> </ul> <p>3. Improving Communication and Interagency Coordination</p> <p>Strengthen State–Local Partnerships</p> <ul style="list-style-type: none"> <li>•For actions under 11 AAC 58, 60, 62, 63, 64, 65, 94, 96, or 97, DNR should notify affected municipalities and boroughs at the time of application acceptance, proposed decision, and final action.</li> <li>•Establish regular coordination meetings between DNR regional offices and municipal planning departments to discuss major land disposals, easements, and resource projects.</li> <li>•Develop a single portal for state, municipal, and public access to land status data, authorizations, and parcel history—integrating existing DMLW and Recorder’s Office systems for consistency.</li> <li>•Codify coordination with DEC, ADF&amp;G, DOT&amp;PF, and the State Historic Preservation Office (SHPO) through a published workflow chart to eliminate redundant reviews.</li> </ul> <p>4. Transparency and Public Access - Clear Standards and Rationale for Decisions</p> <p>AML supports greater transparency in how DNR evaluates land disposals, easements, and authorizations. Revisions should:</p> <ul style="list-style-type: none"> <li>•Require each decision to include a concise rationale statement citing applicable standards and public-interest findings.</li> <li>•Publish all final decisions, maps, and conditions in a searchable online database linked to GIS parcel layers.</li> <li>•Make historical authorizations and amendments readily available to municipalities for planning, zoning, and infrastructure coordination.</li> <li>•Include a plain-language summary accompanying technical decision documents for easier public and local review.</li> </ul> <p>5. Modernizing Documentation and Surveying (11 AAC 64, 65, 94, 97) - Efficient Records</p> <ul style="list-style-type: none"> <li>•Allow certified digital survey submittals (e.g., signed PDFs or GIS shapefiles) in place of wet-ink plats, consistent with 11 AAC 64 and 11 AAC 65 updates.</li> <li>•Adopt electronic recording standards aligned with the Recorder’s Office for consistency and archival security. Ensure digitization for access by local assessors.</li> <li>•Promote open-data access by publishing cadastral data, survey plats, and reclamation plans as downloadable geospatial layers.</li> <li>•Reduce duplication in fieldwork—allow DNR to accept surveys conducted for other state agencies or federal</li> </ul>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>entities if they meet accuracy standards. Maintaining Quality and Compliance While embracing modernization, AML stresses that DNR should preserve:</p> <ul style="list-style-type: none"> <li>•Professional survey standards ensuring accuracy, public safety, and long-term boundary integrity.</li> <li>•Historic site protection—continue coordination with SHPO under 11 AAC 96.018 and .020 to document and preserve culturally significant lands before development or disposal.</li> </ul> <p>6. Streamlining Permitting Under 11 AAC 96 and 97</p> <ul style="list-style-type: none"> <li>•Integrate generally allowed uses (GAUs) under 11 AAC 96 with local zoning and planning to prevent conflicts. Create a public “use lookup” tool showing when municipal authorization is also required.</li> <li>•Simplify special-use permit renewal—allow automatic renewal if no substantive change occurs.</li> </ul> <ul style="list-style-type: none"> <li>•Improve reclamation coordination under 11 AAC 97.100—standardize bonding templates and require a final municipal consultation before bond release to confirm site safety and long-term public use compatibility.</li> </ul> <p>7. Maintaining Safeguards While Improving Efficiency</p> <p>In modernizing these regulations, AML urges DNR not to weaken critical provisions that protect community interests:</p> <ul style="list-style-type: none"> <li>•Maintain public notice, appeal, and best-interest findings requirements for land disposals and leases.</li> <li>•Retain minimum engineering and environmental standards for reclamation and development.</li> <li>•Preserve coordination with local comprehensive plans to avoid conflicts in land use and infrastructure alignment.</li> <li>•Continue historic preservation consultation through SHPO to safeguard cultural and archaeological resources.</li> <li>•Ensure data transparency and due process in any digital or automated decision systems.</li> </ul> <p>8. Conclusion</p> <p>The Alaska Municipal League supports DNR’s comprehensive review of land management regulations as an opportunity to modernize systems, strengthen coordination, and improve service to Alaskans. AML recommends reforms that:</p> <ul style="list-style-type: none"> <li>•Reduce administrative and financial burdens for municipalities and applicants;</li> <li>•Clarify interagency roles and ensure predictable timelines;</li> <li>•Modernize technology for permitting, tracking, and public access; and</li> <li>•Preserve the protections and standards that safeguard community values, historic resources, and environmental integrity.</li> </ul> <p>By grounding reforms in these principles, DNR can deliver a more efficient, transparent, and collaborative regulatory framework—one that benefits both the State and Alaska’s local governments.</p>	

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Land 11 AAC 58, 11 AAC 60, 11 AAC 62, 11 AAC 63, 11 AAC 64, 11 AAC 65, 11 AAC 71, 11 AAC 94, 11 AAC 96 and 11 AAC 97	Hal Shepherd / Kachemak Bay Watershed Council and Norton Bay Watershed Council	<p>These comments are submitted on behalf of the Kachemak and Norton Bay Watershed Councils (KBWC)/(NBWC) regarding the above scoping notice (Notice). KBWC &amp; NBWC have been organized to operate exclusively for the public benefit purposes including advocating for sustainable management and protection of water and subsistence resources of the Norton and Kachemak Bay Watersheds. Our main concern with proposed changes to general public regarding regulations and materials incorporated by reference in 11 AAC 58, 11 AAC 60, 11 AAC 62, 11 AAC 63, 11 AAC 64, 11 AAC 65, 11 AAC 71, 11 AAC 94, 11 AAC 96 and 11 AAC 97 relating to land, is that they are being conducted in accordance with Governor Mike Dunleavy’s Administrative Order 360 directing State agencies to “identify outdated, unnecessarily burdensome, or unclear regulations and propose reforms to improve government efficiency.” It is clear, however that the Administration adopted the Order to clear a path for the extraction industry to access Alaska’s natural resources when it states the “State of Alaska is committed to growing its economic base, increasing its gross domestic product (“GDP”), and ensuring Alaskans have the freedom to do business, innovate, and pursue opportunities while complying with state and federal laws.”<sup>1</sup> Therefore, because the administration likely adopted Order 360 for the primary purpose of creating a basis for truncating environmental analysis and rolling back environmental regulations it appears that once again, it is prepping to make major changes in water quality permitting, analysis and regulatory standards that will favor industrial extraction and harm public health. <sup>1</sup> Office of the Governor, PR – Administrative Order No. 360 (August 4, 2025). (Administrative Order No. 360 - Mike Dunleavy) I. The Proposed Changes Are disguised as House Keeping Procedures so that DEC Can Gut Environmental Permitting Requirements While the Notice implies that DEQ is seeking public input on routine administration process in order to create more efficiency such as “clarify existing regulatory obligations,” “reduce costs for the public, industry, or government,” “reduce administrative burdens,” “improve communication procedures,” and “clarify interagency roles,” buried in the list of programs slated for reform also includes to “improve or streamline procedures, application requirements, and review processes, for example reducing the time required to apply for a license, permit, or benefit,” “streamline permitting procedures,” and “provide greater transparency with respect to standards.” Based on previous experience with proposed changes to environmental regulatory under the current administration, indicate an intention to gut environmental analysis, permitting requirements and regulation that protect public health and welfare. While this seemingly innocuous terminology makes it look like these regulations are mere housekeeping procedures, the real reason the Dunleavy administration wants to take these actions is likely to gut regulations in favor of industrial development, thereby failing to protect the public from exposure to toxic effluents. This is illustrated by the fact that administration has already applied Administrative Order 360 to gut regulations preventing impacts on fish and wildlife in the Kachemak Bay Critical Habitat Area.<sup>2</sup> In addition, the Order is more likely to weaken protections the ecosystems Alaskans depend on by requiring DNR to include a provision for automatic approval deadlines are not met” in all permits. In plain language: if agencies miss a deadline, permits are rubberstamped without review. Merit, expertise and public input are thrown out the window in favor of arbitrary timelines – a loophole that makes it far easier for harmful projects to move forward. In fact, when deciding what is eligible for cutting, the governor’s office has ordered all agencies to calculate requirements that go beyond the exact demands listed in state law. Therefore, any proposed changes to the regulations could have substantial impacts on human health and welfare and the environment since the Notice lists potential changes to the 11 AAC 58 relating to water including Critical Water Management Areas, Temporary Water Uses and Water Rights. <sup>2</sup> Alaska Supreme Court allows personal watercraft in Kachemak Bay, reversing lower court, Homer News (October 2, 2025) CONCLUSION The administration’s strategy, a wasteful exercise in political pandering, is to eliminate 15 percent of regulatory standards by December 31, 2026 and 25 percent by December 31, 2027. many of which protect public health and welfare from the impacts of climate change and abusive land management practices by next December. But they truly counterproductive part of Order 360 requires state agencies to have “all anticipated rulemaking actions” pre-approved by the Governor before the start of every year. The Commissioner should not make any changes to existing regulations. In addition, we recommend that DNR seek legislative oversight of Order 360 and other with wide ranging consequences. Please contact me if you have any questions regarding these comments.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Land 11 AAC 63	Jason Lessard / Alaska Mariculture Alliance	<p>Please accept the following comments, submitted on behalf of the Alaska Mariculture Alliance (AMA), regarding the Solicitation for Public Input Regarding Regulatory Revisions as directed under AO 360. The mission of the Alaska Mariculture Alliance is “to develop and support a robust and sustainable mariculture industry for the long-term benefit of Alaska’s economy, environment and communities.” Our membership represents many facets of the industry: from shellfish and seaweed nurseries, farms, processors, and distributors; as well as Alaska Native Corporations and villages, government agencies, regional economic development authorities, research institutions, and coastal communities. AMA is in support of DNR undertaking revisions to these regulations and suggests the following:</p> <ul style="list-style-type: none"> <li>•Amend the language in 11 AAC 63.030 (6) to expand the definition of “commercial use” The language in the section currently defines commercial use through farm sales alone. There are many factors as to why an aquatic farm may not have commercial sales by year 5 –geoduck, for example, take roughly 7 years to reach harvestable maturity. AMA suggests expanding the definition to Commercial Activities that include sales; planting/active cultivation; gear installation and purchasing. If these changes are made to expand the definition of “commercial use,” we do not feel that there needs to be a change to the 5-year deadline.</li> <li>•Review and Amend the Annual Sales Requirement AMA generally supports farmgate sales metric as one of the Commercial Activities as suggested above but also recognizes the arbitrary nature with which they were currently set. AMA suggests a review of the current levels – particularly as they relate to the varying size and scope of farms. AMA also suggests the addition of a standard reporting metric for vertically integrated companies (which will not have farmgate sales data) to calculate annual farmgate value based on their processed mariculture product sales. Thank you for considering these comments on behalf of the Alaska Mariculture Alliance. We look forward to continuing to work with the Alaska Department of Natural Resources to ensure that the Alaska Mariculture Industry is both well managed and sustainable. Sincerely, Jason Lessard Executive Director</li> </ul>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Land 11 AAC 63	Kristin Smith / Prince William Sound Economic Development District	<p>To echo comments submitted by the Alaska Mariculture Alliance (AMA), the Prince William Sound Economic Development District is submitting comments on DNR regulations. Specifically, the PWSEDD supports:</p> <ul style="list-style-type: none"> <li>● Amend the language in 11 AAC 63.030 (6) to expand the definition of “commercial use” The language in the section currently defines commercial use through farm sales alone. There are many factors as to why an aquatic farm may not have commercial sales by year 5 –geoduck, for example, take roughly 7 years to reach harvestable maturity. AMA suggests expanding the definition to Commercial Activities that include sales; planting/active cultivation; gear installation and purchasing. If these changes are made to expand the definition of “commercial use,” we do not see a need to change the 5-year deadline.</li> <li>● Review and Amend the Annual Sales Requirement AMA generally supports farmgate sales metric as one of the Commercial Activities as suggested above but also recognizes the arbitrary nature with which they were currently set. AMA suggests a review of the current levels – particularly as they relate to the varying size and scope of farms. AMA also suggests the addition of a standard reporting metric for vertically integrated companies (which will not have farmgate sales data) to calculate annual farmgate value based on their processed mariculture product sales. Thank you for considering these comments which will benefit the emerging kelp and shellfish farm industry in Alaska.</li> </ul>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Land 11 AAC 96.020	Clifton Reagle	<p>Eliminate the separate vehicle-weight classes in 11 AAC 96.020 (D) and (E) and replace them with a single, simple standard: Any vehicle under 10,000 pounds curb weight should qualify as a “generally allowed use,” regardless of registration or design. This would simplify enforcement, align with real-world Alaskan use, and meet AO 360’s goal of streamlining and clarifying regulation. Remove the “recreational-type” classification and adopt a single neutral term such as “General-Use Vehicle” or “Off-Road Motor Vehicle.” Define it simply: “Any motorized vehicle under 10,000 pounds curb weight operated in compliance with 11 AAC 96.025, regardless of registration type.” This avoids creating unnecessary sub-classes while maintaining environmental protection standards.</p> <p>Deregulation and Reliance on Existing Protection Standards (11 AAC 96.025) Section 11 AAC 96.025 already outlines comprehensive environmental safeguards for generally allowed uses: •Prohibiting water-quality degradation, rutting, or ground disturbance; •Requiring restoration if damage occurs; •Giving DNR authority to stop activities causing harm. These conditions already protect Alaska’s lands and waters. Additional permit layers, subclass definitions, and arbitrary weight limits are redundant. Further, complicating the regulatory process only increases administrative workload and costs — both for the state and for the public. Each added classification or permit pathway requires more staff time, document tracking, and enforcement oversight. Simplifying the rule into one clear “generally allowed use” standard would reduce administrative costs, improve efficiency, and allow DNR personnel to focus on genuine land-management priorities rather than paperwork. Recommendation: DNR should deregulate by consolidating redundant categories and returning most responsible, low-impact land use under the Generally Allowed Use umbrella governed by 11 AAC 96.025. Simplify the rule so Alaskans know: if you stay under 10,000 lb and don’t damage the land, you’re good to go.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Land 11 AAC 96.020	Jeffery Nelson	<p>The repeated labeling of off-highway vehicles as “recreational-type” is inaccurate and misleading. Most Alaskans do not use these vehicles for recreation — they are vital for subsistence, property access, hauling, rescue, and work. Calling them “recreational” implies the activity is optional or for entertainment, when in reality these machines are essential transportation in rural and remote areas. Recommendation: Remove the “recreational-type” classification and adopt a single neutral term such as “General-Use Vehicle” or “Off-Road Motor Vehicle.” Define it simply: “Any motorized vehicle under 10,000 pounds curb weight operated in compliance with 11 AAC 96.025, regardless of registration type.” This avoids creating unnecessary sub-classes while maintaining environmental protection standards.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Land 11 AAC 96.020	Jeffery Nelson	<p>Under current regulation, 11 AAC 96.020(a)(1)(D) allows highway vehicles up to 10,000 pounds to operate on or off established roads as a “generally allowed use,” while 11 AAC 96.020(a)(1)(E) restricts recreational-type off-road or all-terrain vehicles to 1,500 pounds. This is inconsistent and impractical. A 10,000-pound truck designed for pavement is given greater land access than a 2,500-pound UTV purpose-built for off-road travel. It’s also arbitrary — an ATV instantly qualifies under the 10,000-pound limit if fitted with mirrors, headlights, and turn signals and registered through DMV. Recommendation: Eliminate the separate vehicle-weight classes in 11 AAC 96.020 (D) and (E) and replace them with a single, simple standard: Any vehicle under 10,000 pounds curb weight should qualify as a “generally allowed use,” regardless of registration or design. This would simplify enforcement, align with real-world Alaskan use, and meet AO 360’s goal of streamlining and clarifying regulation.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Land 11 AAC 96.020	Melvin Grove	<p>17 October 2025 Memorandum For Record, To: Department of Natural Resources Commissioner, John Boyle 550 W. 7th. Avenue, Ste 1400, Anchorage, AK 99501 From: Melvin B. Grove Jr. 2390 S Glenn Hwy Palmer, AK 99645 Subject: AAC 11.96.020 Generally Allowed Uses Reversal Commissioner Boyle, I respectfully request that DNR review and revert the current language as written in the Generally Allowed Uses AAC 11.96.020. (GAU) back to the 1996 version as seen below from the attach 1970 GAU 2002 Changes.pdf. This document also contains all of the public notice DNR provided over the disputed Rex Trail closure. You will not find ANY public notice provided by DNR in regards to changing the GAU language as it pertains to what vehicles could travel across state land. Below is the 1996 version as written and the current 2004 version. 1996 Language (see comment letter for image) Current Language (see comment letter for image) Discovery provided by DNR over the Rex Trail legal dispute clearly shows that the change in 2004 was the impotence that started and created the Rex Trail closure. The current GAU language has also been the department's justification to restrict use along the Rex trail and to harass users that utilize state land during the hunting season. Current use along the trail has dropped over 75% since DNR has implemented the Rex Trail Management Plan. I requested public records showing why and who was involved in changing the 1996 version language to today's current language and unfortunately my request has been denied with the explanation that it's not available or doesn't exist. Given the fact that NO public notice was provided announcing DNR's changes to the language and there is NO public record available as to WHY or WHO requested the change, I respectfully ask that the department revert the language back to it's 1996 version as written as it regards to travel across state lands. If the current language is justifiable, the department should then make changes under the transparency of a thorough public process. I respectfully request the immediate reversal to the 1996 language and request future changes be conducted under a legal and open public process. Your response would be greatly appreciated, //Signed// Melvin Grove</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

Topic / Citation	Topic / Citation	Comment	Agency Response
Land 11 AAC 96.020	Michele Stevens / Alaska Snowmachine Alliance	<p>Public Comment on 11 AAC 96.020 – Generally Allowed Uses Date: October 20 2025 To: Alaska Department of Natural Resources (DNR) From: Alaska Snowmachine Alliance (ASA) Subject: Request to Repeal and Revert 11 AAC 96.020 – Generally Allowed Uses Summary The Alaska Snowmachine Alliance (ASA) respectfully requests that the Department of Natural Resources (DNR) repeal 11 AAC 96.020 – Generally Allowed Uses, as revised by the Division of Mining, Land and Water (DMLW) in 2002. This revision reduced the allowable curb weight for off-road vehicles from 10,000 pounds to 1,500 pounds, triggering a sharp increase in land-use permit requirements without achieving any measurable environmental benefit. The rule change has burdened Alaskans and DNR staff with unnecessary permitting, while providing no practical reduction in surface disturbance. Governor Mike Dunleavy’s Administrative Order No. 360 (August 4, 2025) specifically directs agencies to identify and repeal outdated or unjustified regulations that increase administrative or economic burdens. The current weight restriction under 11 AAC 96.020 fits squarely within that category. Rationale for Repeal 1. Administrative Burden: The 1,500-lb restriction forces thousands of responsible Alaskans using standard side-bysides, snowmachines, and light track vehicles to obtain individual DMLW land-use permits, overwhelming agency resources. 2. Technological Mismatch: Modern off-road vehicles—used for recreation, search and rescue, subsistence, and rural access—are engineered for low-impact use. Nearly all exceed the 1,500-lb limit due to enhanced safety features and emissions systems but exhibit ground pressures equal to or lower than human foot traffic. 3. Environmental Reality: Curb weight is a poor indicator of land impact. Ground pressure (the actual load exerted on the surface) is the relevant factor for evaluating resource protection. ASA’s analysis of current models demonstrates that vehicles over 1,500 lbs typically exert less than 5 psi, equivalent to or below human walking pressure. Recommendation ASA urges DNR to repeal the 2002 version of 11 AAC 96.020 and reinstate the pre-2002 Generally Allowed Use standard, which permitted the use of all highway and off-road vehicles under 10,000 pounds curb weight. This action will: • Reduce unnecessary permitting burdens; • Restore fairness and consistency in public access; • Align DNR policy with AO 360’s mandate to “promote growth and investment in Alaska by reducing administrative and economic burdens associated with regulatory compliance.” Appendix A – 2024 Off-Road Vehicle Weight and Ground Pressure Data (Source: ASA field compilation, 2024 Weights–Ground Pressure Report) 2024 S x S/Vehicle weights per website with gas calculated at 6.5 pounds per gal. Yellow is legal under the current 2500 lbs rule. DNR General Permit states curb weight = weight of vehicles with a full tank of fuel and all fluids topped off, but with no one sitting inside or on the vehicle and no cargo loaded. Contact Area = Width x length (measuring the flat part of the tire that is touching the ground) Ground Pressure = Weight of object divided by contact area in pounds per square inch (PSI) Contact area will be calculated using 10”x 10” = 100 sq in. Conservative average UTV 10” wide tire inflated to 15 psi air pressure. Ground pressure will change depending on width, height, and ground surface condition. New stock popular/common vehicle weights sitting on dealerships floors for sale. Note-Lowest psi for all stock S x S is a 6 x 6 (3 axles, 6 tires) Ranger XD 1500 premium regular cab 2473 lbs, 13.6 gallons equals-----2561.40 lbs = 6.40 psi Ranger XD 1500 premium crew cab, 2905 lbs, 13.6 gallons equals-----2993.40 lbs = 5.98 psi Ranger XD 1500 NorthStar regular cab 2800 lbs, 13.6 gallons equal-----2888.40 lbs = 7.22 psi Ranger XT 1500 NorthStar crew cab, 3323 lbs, 13.6 gallons equals-----3408.68 lbs = 8.52 psi Expedition XP regular cab, 2452 lbs, 12.5 gallons equals-----2533.25 lbs = 6.33 psi Expedition XP crew cab, 2866 lbs, 12.5 gallons equals-----2947.25 lbs = 7.36 psi Expedition ADV, regular cab, 2501 lbs, 12.5 gallons equals-----2582.25 lbs = 6.45 psi Expedition ADV crew cab, 2916 lbs, 12.5 gallons equals-----2997.25 lbs = 7.49 psi Razor pro R premium crew, cab, 2480 lbs, 12.3 gallons equals-----2559.95 lbs = 6.39 psi Razor pro R premium, regular cab, 2144 lbs, 12 gallons equals-----2222.00 lbs = 5.55 psi Ranger XP 1000 NorthStar, regular cab 1949 lbs, 11.5 gallons equals-----2023.75 lbs = 5.05 psi Ranger XP 1000 NorthStar crew cab 2387 lbs, 11.5 gallons equals-----2461.75 lbs = 6.15 psi Can-Am defender HD 10 6 x 6 Limited 2434 lbs, 10.6 gallons equals-----Lowest psi-----2502.90 lbs = 4.17 psi Can-Am defender HD 10 Max limited 2466 lbs, 10.6 gallons equals-----2534.90 lbs = 6.33 psi Can-Am defender HD 10 max Lonestar, 2538 lbs, 10.6 gallons equals-----2606.90 lbs = 6.51 psi Argo conquest 950 outfitter 8 x 8 1930 lbs, ground pressure with 18 inch tracks equals-----1.06 psi Argo, Aurora 950 Huntmaster 8 x 8 1560 lbs, ground pressure with 18 inch tracks equals-----0.88 psi Argo Aurora 950 R 8 x 8 1700 lbs, ground pressure with 18 inch tracks equals-----0.88 psi Argo Aurora 800 Huntmaster 8 x 8 1625 lbs, ground pressure with 18 inch tracks equals-----0.88psi Argo frontier 700 scout 8 x 8 1270 lbs, ground pressure</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>with 18 inch tracks equals-----0.73 psi Argo frontier 700 scout 6 x 6 1050 lbs, ground pressure with 18 inch tracks equals-----0.73 psi Argo frontier 650 scout 656- 1050 lbs, ground pressure with 18 inch tracks equals-----0.73 psi Cushman Trackster on 14 inch tracks 985 lbs, wet with two people equals-----0.73 psi Haaglund (Military) tracked vehicle 13,940 lbs gross equal-----2 psi Argo Centaur XT (Sherp Pro XT) 5291 lbs, ground pressure equals-----0.9-2.1 psi - Tire pressure can be changed and monitored in the cab -- .48 psi tire inflation for soft ground, tundra/mud/snow equals-----2.1 psi Human male 1.8 m, (5'9") tall, medium build-----2-3 psi Human male 1.8 m, (5'9") tall, medium build on snowshoes-----1 psi Human male 1.8 m, (5'9") tall, medium build standing on 1 foot equals-----8 psi Human male 170 lbs, size 11 boot walking equals-----19 psi Passenger car, average equals-----30 psi 1993 Toyota forerunner stock equals-----25 psi Skid steer average equals-----30 to 35 psi Cat 304 excavator operating weight 9867 lbs-----min weight equals 4.2 psi max weight equals -----4.9 psi Cat 305 excavator operating weight 12,688 lbs-----min weight equals 4 psi maxi weight equals-----4.7 psi Cat 259 D3 skid steer tracked 12.6 inch tracks operating weight 8987 lbs-----6.1 psi Cat 309 CR Excavator, 12.6 inch tracks operating weight 21091 lbs-----min weight = 5 psi-----max weight = 5.4 psi Summary Finding: Under the 1,500-lb rule, only three stock side-by-side models available in Alaska currently meet the GAU threshold. The restriction therefore eliminates the majority of safe, modern, and low impact vehicles from "generally allowed" status. Conclusion The 1,500-lb curb weight restriction under 11 AAC 96.020 is technologically outdated, administratively burdensome, and unsupported by environmental data. Restoring the pre-2002 standard will protect access, reduce redundant permitting, and fulfill the regulatory reform intent of Administrative Order No. 360. Respectfully submitted, Michele Stevens President, Alaska Snowmachine Alliance</p>	

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Land 11 AAC 96.020	Michele Stevens / Petersville Community Non-Profit Corporation	<p>Public Comment on Administrative Order No. 360 From: Petersville Community Non-Profit Corporation (PCNPC) To: State of Alaska, Department of Natural Resources Subject: SAR Access and GAU Exemption for Emergency Response Operations Date: October 20, 2025 The Petersville Community Non-Profit Corporation (PCNPC) appreciates the opportunity to submit public comment on Administrative Order No. 360, which directs state agencies to identify and remove outdated, burdensome, or unnecessary regulations that hinder public access, investment, or responsible use of Alaska’s public lands. Background PCNPC operates and maintains the Petersville winter trail system—serving recreation, mining, and local residents—while also providing critical Search and Rescue (SAR) support to the Alaska State Troopers and other emergency agencies. Our organization maintains specialized equipment including snowcats, SUSVs (Small Unit Support Vehicles), and tracked utility vehicles (UTVs), which are essential for accessing remote areas in emergency situations and for trail maintenance. Importantly, PCNPC conducts SAR operations year-round, responding to incidents during both winter and summer seasons in coordination with state and local authorities. Under current 11 AAC 96.020 (Generally Allowed Uses), the 1,500-lb curb-weight limitation and permit requirements technically restrict SAR equipment such as snowcats, SUSVs, and other tracked response vehicles from operating on state lands outside the surveyed easements without a DMLW land-use permit. This requirement creates unnecessary administrative barriers to time-sensitive, life-safety operations that depend on immediate mobility across state lands. Request for AO 360 Consideration In keeping with the goals of AO 360 to reduce unjustified regulatory burdens, PCNPC respectfully requests that the Department of Natural Resources:</p> <ol style="list-style-type: none"> <li>1. Recognize Search and Rescue operations as an emergency public-safety function and therefore exempt them from DMLW land-use permitting under 11 AAC 96.020; or</li> <li>2. Establish a standing or general permit for certified SAR organizations to operate within their defined response areas, without requiring individual permits or public-notice processes for each incident or season. Rationale SAR organizations serve as first responders in Alaska’s backcountry—often the only entities capable of reaching distressed or injured individuals in deep-snow, tundra, or off-road conditions. Delays caused by permitting or regulatory uncertainty can directly endanger lives. The requested exemption or standing authorization would: <ul style="list-style-type: none"> <li>• Ensure rapid deployment in emergencies;</li> <li>• Reduce unnecessary administrative workload for DMLW staff;</li> <li>• Maintain environmental protections through existing SAR coordination with the Alaska State Troopers and local authorities.</li> </ul> </li> </ol> <p>Conclusion PCNPC strongly supports the objectives of Administrative Order No. 360 and urges DNR to include Search and Rescue operational access among the regulatory reforms prioritized under this order. Granting SAR organizations like PCNPC an exemption—or a standing permit—from GAU weight and permitting restrictions will improve public safety, operational efficiency, and fulfill AO 360’s purpose by removing an outdated regulatory barrier that provides no public benefit. Respectfully, Michele Stevens President Petersville Community Non-Profit Corporation (PCNPC)</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Land 11 AAC 96.020	Sam Schilling / Alaska Outdoor Access Alliance	<p>Alaska Outdoor Access Alliance (AOAA) Subject: AOAA Recommendation to Amend 11 AAC 96.020 – Vehicle Use and Classification</p> <p>The Alaska Outdoor Access Alliance (AOAA) and its Board of Directors respectfully submit the following public comment regarding proposed updates to 11 AAC 96, specifically Section 96.020 (Generally Allowed Uses on State Land). AOAA has operated under the long-standing understanding that vehicle use up to 10,000 pounds curb weight is permissible under the “highway vehicle” standard. This weight threshold provides a fair and consistent framework for responsible access across Alaska’s state lands and aligns with established vehicle classifications. However, as written, subsections (D) and (E) of 11 AAC 96.020 create unnecessary division and confusion by separating “highway vehicles” from “recreational-type off-road vehicles.” The current regulation reads: (D) using a highway vehicle with a curb weight of up to 10,000 pounds, including a pickup truck and four-wheel-drive vehicle, on or off an established road easement, if the use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion; (E) using a recreational-type off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile, four-wheeler, or side-by-side, on or off an established road easement if the use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion. AOAA Recommended Change AOAA recommends that subsection (E) be stricken in its entirety and that subsection (D) be amended to unify all vehicle types under one clear standard. Proposed replacement language for 11 AAC 96.020(d): “Using any motorized vehicle with a curb weight of up to 10,000 pounds, including but not limited to highway vehicles, pickup trucks, four-wheel-drive vehicles, snowmachines, four-wheelers, side-by-sides, and other off-highway vehicles, on or off an established road easement, provided that such use does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion.” Rationale</p> <ol style="list-style-type: none"> <li>1. Eliminates Redundant Language – The separation between “highway” and “off-road” vehicles adds unnecessary complexity and confusion, while both subsections already share identical environmental protections.</li> <li>2. Creates Consistency Across All Vehicle Types – A unified standard ensures equal treatment for all users operating responsibly within the 10,000-lb threshold.</li> <li>3. Reflects Modern Equipment and Use – Many snowmachines, UTVs, and work-related OHVs now exceed 1,500 pounds but operate with minimal environmental impact. The outdated weight limit restricts responsible users.</li> <li>4. Simplifies Enforcement and Administration – A single, clear definition reduces ambiguity and improves consistency for both land managers and the public.</li> <li>5. Aligns with the Governor’s AO 360 Streamlining Directive – Administrative Order 360 (AO 360) requires all executive-branch agencies to reduce redundant, outdated, or unnecessary regulations by 15% by 2026 and 25% by 2027. This proposed change directly supports that mandate by consolidating overlapping provisions under 11 AAC 96.020(D) and (E) into a single, clear standard. In accordance with AO 360’s stated goal to “strike out older, redundant, unclear, or unnecessary regulatory requirements” and increase transparency, AOAA’s recommendation fulfills the exact streamlining criteria the Governor’s order directs DNR to achieve. AOAA respectfully requests that DNR adopt this revision to ensure that Alaska’s regulations reflect practical use, fair access, and environmental responsibility while maintaining clarity and efficiency in enforcement. Respectfully submitted, Samuel Schilling On behalf of the Board of Directors Alaska Outdoor Access Alliance (AOAA)</li> </ol>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Land 11 AAC 96.020	Samuel Schilling	<p>Misuse of “Recreational-Type” Labeling and Need for Reclassification The repeated labeling of off-highway vehicles as “recreational-type” is inaccurate and misleading. Most Alaskans do not use these vehicles for recreation — they are vital for subsistence, property access, hauling, rescue, and work. Calling them “recreational” implies the activity is optional or for entertainment, when in reality these machines are essential transportation in rural and remote areas. Recommendation: Remove the “recreational-type” classification and adopt a single neutral term such as “General-Use Vehicle” or “Off-Road Motor Vehicle.” Define it simply: “Any motorized vehicle under 10,000 pounds curb weight operated in compliance with 11 AAC 96.025, regardless of registration type.” This avoids creating unnecessary sub-classes while maintaining environmental protection standards.</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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Land 11 AAC 96.020	Samuel Schilling	Contradiction in 11 AAC 96.020 Vehicle Classifications Under current regulation, 11 AAC 96.020(a)(1)(D) allows highway vehicles up to 10,000 pounds to operate on or off established roads as a “generally allowed use,” while 11 AAC 96.020(a)(1)(E) restricts recreational-type off-road or all-terrain vehicles to 1,500 pounds. This is inconsistent and impractical. A 10,000-pound truck designed for pavement is given greater land access than a 2,500-pound UTV purpose-built for off-road travel. It’s also arbitrary — an ATV instantly qualifies under the 10,000-pound limit if fitted with mirrors, headlights, and turn signals and registered through DMV. Recommendation: Eliminate the separate vehicle-weight classes in 11 AAC 96.020 (D) and (E) and replace them with a single, simple standard: Any vehicle under 10,000 pounds curb weight should qualify as a “generally allowed use,” regardless of registration or design. This would simplify enforcement, align with real-world Alaskan use, and meet AO 360’s goal of streamlining and clarifying regulation.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Land 11 AAC 96.020	Samuel Schilling	For the record, I’d like to address the contradiction in 11 AAC 96.020 regarding vehicle weight classifications. Right now, subsection (a)(1)(D) allows a highway vehicle up to 10,000 pounds to operate off-road under “generally allowed use,” yet subsection (a)(1)(E) restricts a recreational-type or off-road vehicle to 1,500 pounds. This doesn’t make practical sense. A properly equipped UTV or ATV designed for trail and off-road travel is purpose-built for this environment, while a 10,000-pound pickup is not — but the heavier highway vehicle is given the broader allowance. I recommend that DNR eliminate the separate weight classes in subsections (D) and (E) and replace them with a single, clear standard: Any vehicle under 10,000 pounds curb weight should qualify as “generally allowed,” regardless of registration type or design. The current distinction only adds confusion and bureaucracy. If someone adds mirrors, headlights, and turn signals and registers their ATV with DMV, that same machine instantly becomes a “highway vehicle” and qualifies under the 10,000-pound rule — proving how arbitrary this line is. Simplifying to one weight limit would make the regulation easier to enforce, remove unnecessary classification disputes, and still protect land by keeping the existing “no significant ground disturbance” conditions. It would also align with the Governor’s Administrative Order 360 goal of reducing regulatory complexity and improving efficiency.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Land 11 AAC 96.020	Steven Parks	Comment 1 – Contradiction in 11 AAC 96.020 Vehicle Classifications Under current regulation, 11 AAC 96.020(a)(1)(D) allows highway vehicles up to 10,000 pounds to operate on or off established roads as a “generally allowed use,” while 11 AAC 96.020(a)(1)(E) restricts recreational-type off-road or all-terrain vehicles to 1,500 pounds. This is inconsistent and impractical. A 10,000-pound truck designed for pavement is given greater land access than a 2,500-pound UTV purpose-built for off-road travel. It’s also arbitrary — an ATV instantly qualifies under the 10,000-pound limit if fitted with mirrors, headlights, and turn signals and registered through DMV. Recommendation: Eliminate the separate vehicle-weight classes in 11 AAC 96.020 (D) and (E) and replace them with a single, simple standard: Any vehicle under 10,000 pounds curb weight should qualify as a “generally allowed use,” regardless of registration or design. This would simplify enforcement, align with real-world Alaskan use, and meet AO 360’s goal of streamlining and clarifying regulation.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

Topic / Citation	Topic / Citation	Comment	Agency Response
Land 11 AAC 96.020	William Quantick	<p>Alaska Outdoor Access Alliance (AOAA) 30 October 2025 To: Department of Natural Resources Division of Mining, Land, and Water Re: Public Comment – Proposed Changes to 11 AAC 96.020 (Generally Allowed Uses on State Land) Subject: AOAA Recommendation to Amend 11 AAC 96.020 – Vehicle Use and Classification The Alaska Outdoor Access Alliance (AOAA) and its Board of Directors respectfully submit the following public comment regarding proposed updates to 11 AAC 96, specifically Section 96.020 (Generally Allowed Uses on State Land). AOAA has operated under the long-standing understanding that vehicle use up to 10,000 pounds curb weight is permissible under the “highway vehicle” standard. This weight threshold provides a fair and consistent framework for responsible access across Alaska’s state lands and aligns with established vehicle classifications. However, as written, subsections (D) and (E) of 11 AAC 96.020 create unnecessary division and confusion by separating “highway vehicles” from “recreational-type off-road vehicles.” The current regulation reads: (D) using a highway vehicle with a curb weight of up to 10,000 pounds, including a pickup truck and four-wheel-drive vehicle, on or off an established road easement, if the use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion; (E) using a recreational-type off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile, four-wheeler, or side-by-side, on or off an established road easement if the use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion. AOAA Recommended Change AOAA recommends that subsection (E) be stricken in its entirety and that subsection (D) be amended to unify all vehicle types under one clear standard. Proposed replacement language for 11 AAC 96.020(d): “Using any motorized vehicle with a curb weight of up to 10,000 pounds, including but not limited to highway vehicles, pickup trucks, four-wheel-drive vehicles, snowmachines, four-wheelers, side-by-sides, and other off-highway vehicles, on or off an established road easement, provided that such use does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion.” Rationale 1.Eliminates Redundant Language – The separation between “highway” and “off-road” vehicles adds unnecessary complexity and confusion, while both subsections already share identical environmental protections. 2.Creates Consistency Across All Vehicle Types – A unified standard ensures equal treatment for all users operating responsibly within the 10,000-lb threshold. 3.Reflects Modern Equipment and Use – Many snowmachines, UTVs, and work-related OHVs now exceed 1,500 pounds but operate with minimal environmental impact. The outdated weight limit restricts responsible users. 4.Simplifies Enforcement and Administration – A single, clear definition reduces ambiguity and improves consistency for both land managers and the public. 5.Aligns with the Governor’s AO 360 Streamlining Directive – Administrative Order 360 (AO 360) requires all executive-branch agencies to reduce redundant, outdated, or unnecessary regulations by 15% by 2026 and 25% by 2027. This proposed change directly supports that mandate by consolidating overlapping provisions under 11 AAC 96.020(D) and (E) into a single, clear standard. In accordance with AO 360’s stated goal to “strike out older, redundant, unclear, or unnecessary regulatory requirements” and increase transparency, AOAA’s recommendation fulfills the exact streamlining criteria the Governor’s order directs DNR to achieve. AOAA respectfully requests that DNR adopt this revision to ensure that Alaska’s regulations reflect practical use, fair access, and environmental responsibility while maintaining clarity and efficiency in enforcement. Respectfully submitted, Samuel Schilling On behalf of the Board of Directors Alaska Outdoor Access Alliance (AOAA)</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Land 11 AAC 96.020	David Malzac	<p>11 AAC 64 Permits 11 AAC 96 Generally allowed uses Hello, Thank you for including and considering the above notice for comment. GAU vehicular allowed weight ratings should never have been changed from the 10,000 Lb rating. There was no public comment period that I was aware of when this GAU was changed to the 1500, then 2500 lb limit. I mostly understand the Director can make changes as they decide, but this also needs to have public and user comment, not just one person or dept opinion and decision. My curiosity makes me wonder why the change. Alaska is unique and large and diverse. Access to most of the state for hunting and recreational use is mostly limited by long and distant trails. Allowed uses does include Hiway vehicles, which are limited in the distance and trail type. Trails are widened and become more difficult to transverse with these vehicles, which, vehicles designed and built to transverse these difficult areas make the trails much less impacted. I could continue with more reasons the lowered rating is unfounded but I don’t want to wright a book here. Please make the change back to the 10,000 Lb rating for ALL GAU. Thank you.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Land 11 AAC 96.020	Michele Stevens / Petersville Search and Rescue	Michele Stevens with Petersville Search and Rescue. We have a SUSV we use to help others that are in need of rescue that is about 13000#. As SAR do we need permits and would it blanket the whole area that is vast? Or is there a exemption for SAR or emergency resources? We are registered with the Alaska State Troopers. We are all volunteer and permits would be a burden on our volunteers	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Land 11 AAC 96.020	Rod Arno / Alaska Outdoor Council	The Alaska Outdoor Council (AOC) request that the Alaska Department of Natural Resources (DNR) repeal 11 AAC 96.020 Generally allowed uses as adopted by the Division of Mining Land & Water (DMLW) in 2002. Department regulations in codified that have burden the public and agencies for years with unjustified permitting is what Governor Mike Dunleavy (Administrative Order Number 360, August 4, 2025) has asked the public to identify. The unnecessary restrictions on curb weight of vehicles operating off-road under 10,000 lbs changed to 1,500 lbs in 2002. Doing so resulted in more DMLW land Use permits being applied for than DNR could process, because a number of off-road vehicles weighed over 1,500 lbs. and were required to get a DMLW Permit to travel on state lands. The DMLW's goals for restricting maximum weight of off-road vehicles to reduce use on state lands were not achieved. By repealing the current regulations, 11 AAC 96.020, and reinstating the pre-2002 regulations limiting Generally Allowed Use (GAU) to all highway and off-road vehicles under 10,000 lbs curb weight DNR would be; "Promoting growth and investment in Alaska by reducing administration and economic burdens associated with regular compliance" that is one of Governor Mike Dunleavy's top goals he issued for Administrative Order No. 360 to achieve.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Land 11 AAC 96.025	Samuel Schilling	Deregulation and Reliance on Existing Protection Standards (11 AAC 96.025) Section 11 AAC 96.025 already outlines comprehensive environmental safeguards for generally allowed uses: Prohibiting water-quality degradation, rutting, or ground disturbance; Requiring restoration if damage occurs; Giving DNR authority to stop activities causing harm. These conditions already protect Alaska's lands and waters. Additional permit layers, subclass definitions, and arbitrary weight limits are redundant. Further, complicating the regulatory process only increases administrative workload and costs — both for the state and for the public. Each added classification or permit pathway requires more staff time, document tracking, and enforcement oversight. Simplifying the rule into one clear "generally allowed use" standard would reduce administrative costs, improve efficiency, and allow DNR personnel to focus on genuine land-management priorities rather than paperwork. Recommendation: DNR should deregulate by consolidating redundant categories and returning most responsible, low-impact land use under the Generally Allowed Use umbrella governed by 11 AAC 96.025. Simplify the rule so Alaskans know: if you stay under 10,000 lb and don't damage the land, you're good to go.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Land 11 AAC 96.020	Samuel Schilling	For the record, I'd like to address the contradiction in 11 AAC 96.020 regarding vehicle weight classifications. Right now, subsection (a)(1)(D) allows a highway vehicle up to 10,000 pounds to operate off-road under "generally allowed use," yet subsection (a)(1)(E) restricts a recreational-type or off-road vehicle to 1,500 pounds. This doesn't make practical sense. A properly equipped UTV or ATV designed for trail and off-road travel is purpose-built for this environment, while a 10,000-pound pickup is not — but the heavier highway vehicle is given the broader allowance. I recommend that DNR eliminate the separate weight classes in subsections (D) and (E) and replace them with a single, clear standard: Any vehicle under 10,000 pounds curb weight should qualify as "generally allowed," regardless of registration type or design. The current distinction only adds confusion and bureaucracy. If someone adds mirrors, headlights, and turn signals and registers their ATV with DMV, that same machine instantly becomes a "highway vehicle" and qualifies under the 10,000-pound rule — proving how arbitrary this line is. Simplifying to one weight limit would make the regulation easier to enforce, remove unnecessary classification disputes, and still protect land by keeping the existing "no significant ground disturbance" conditions. It would also align with the Governor's Administrative Order 360 goal of reducing regulatory complexity and improving efficiency.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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Land Conveyances	Jacqueline Muehlbauer	Residents in the Ester Dome area face uncertainty because parcels often include a patchwork of state, borough, and private ownership with unclear survey boundaries. Recommendations: Prioritize conveyance and plat correction for small parcels already occupied or managed for recreation. Provide a simplified process for communities or nonprofits seeking conveyance of trail corridors or public-use easements to protect long-established routes. Publish plain-language guides explaining how conveyances interact with borough zoning and trail easements.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Land Conveyances	Jessica Burnett / Matanuska Telephone Association	<p>11/7/2025 MTA Response to RFI for DNR – Regulatory Revisions Regarding Land/Public Easements Matanuska Telecom Association, Inc. (MTA), appreciates the opportunity to provide comments in response to solicitation of public input, targeted on modernizing, streamlining, and reducing regulatory requirements, and improving in the Alaska Department of Natural Resources (DNR) processes regarding land conveyances. MTA offers the following comments in hopes of better facilitating public utility placements in DNR public easements. 1.DNR should utilize a consistent “Authorizations to Develop within Existing Easement” template, providing for the same level of property right and authorization descriptions as a new public utility easement issuance. MTA has concerns that the existing process for issuing “Authorizations to Develop within Existing Easement” results in an authorization that is unwarrantedly limited and overly proscriptive. MTA notes that the current authorizations do not specifically reference AS 38.05.850. Highlighting the fact that authorizations to develop within existing easements are subject to AS 38.05.850 is an important signal that the rights it conveys to its holder are on the same legal footing as the original easement holder. MTA’s comments that follow stress that the level of investment a public utility makes when it places facilities within an existing easement is the same as the original easement holder, and its reliance on DNR’s authorization should be accorded equal respect; appropriate reference to AS 38.05.850 should therefore be included in these documents. Additionally, the authorization document lacks important details. The document does not include clear terms regarding the duration of the right to access the easement. MTA believes that so long as the use of the easement remains consistent with the basis for its initial grant, a public utility should be accorded rights that are not “functionally revocable” as is anticipated in AS 38.05.850(c), even if theirs was not the initial grant of access. MTA therefore urges DNR to draft these authorizations in such a manner as to remove any ambiguity as to their intended duration and provide public notice where appropriate. Further, MTA believes the authorizations should include precise legal descriptions that accurately describe the locations where the holder is permitted to enter the easement – often MTA has observed authorizations that use imprecise descriptions that could cause confusion regarding where a public utility may access public land to deploy facilities. Conversely, the authorizations should not be overly proscriptive in describing or otherwise limiting the facilities authorized to a holder or grantee. For example, MTA has received an authorization that permits “a buried fiber optic cable”. Read with its most literal connotation, this description would limit MTA to a single fiber cable that must be buried. MTA believes DNR is better served by according greater discretion to grantees or holders of these authorization to utilize the easement to the “greatest economic benefit to the state and the development of its resources” (AS 38.05.850(a)), assuming that use is consistent with and does not otherwise conflict with or burden other entrants to the same public easement. In a telecommunications context, MTA suggests inserting broader language into these authorizations, reading as follows: ‘This document authorizes the Grantee the right to construct, install, operate, maintain, repair, replace, upgrade, and add buried and/or aerial telecommunications lines, facilities, and equipment for the purpose of providing high-speed telecom services, including broadband, to the communities of {City, State}. The facilities are authorized to be located within the previously described public utility easements that were granted to {Utility} for the placement and operation of {utility type} utility lines.’ MTA believes making these and the other changes proposed herein will help ensure public utility easements are used for the highest and best use for the benefit of both the state and the public at large, while helping protect the public utility’s considerable investment. 2.DNR should make “Authorizations to Develop within Existing Easement” a formal, recordable document commensurate with the investment public utilities take on to place their facilities in an existing easement. Currently, DNR does not provide public utilities with a recordable document when it authorizes development within an existing easement. MTA believes it is important to memorialize these agreements because public utilities are making substantial investments for the public’s benefit and should be entitled to reasonably rely on these agreements. Recording the agreement in the land records helps to ensure that the public utility’s facilities and its use of the public easement is</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>open and notorious to others and of the appropriate permanency that justifies the public utility's investment. MTA understands that this requires additional process, including notarization, but MTA believes those additional steps are justified given the investment public utilities facilities-placement within an existing easement have nearly identical reliance interests as the original grantee of a public utility easement. 3.DNR should ensure that all authorizations to place public utility facilities in both original and existing public easements are subject to identical revocation and termination clauses given DNR's intent not to establish preference rights in its easement documents. MTA notes that both recorded public utility easement and authorizations to develop within existing easements have clauses that state that no preference rights are established by either authorization; provided MTA's use of an existing easement is consistent with the interests of the state and other entities using the easement, MTA's use of the easement is not in conflict, represents a similar scope investment on MTA's part, and should therefore be accorded identical rights to the original grantee of the easement. MTA notes, however, that revocation of an original easement is limited to "for cause" violations or abandonment. Conversely, an authorization to develop within an existing easement can be revoked by DNR at will, essentially at DNR's sole discretion for any or no reason. In MTA's view this unilateral authority, even if not utilized in practice, represents a misalignment in the interests of the parties within the easement and the public interest purposes otherwise similarly situated public utilities represent. In essence it establishes a pecking order among public utilities utilizing the same public easement based on the time they entered the space even though the use of the public easement serves identical public interests and is otherwise compatible with any cognizable interest. MTA therefore respectfully requests that the in addition to making the "authorization to develop" a recordable document, that DNR adopts similar terms related to revocation or termination that explicitly indicate that only violations of the terms, nonpayment of fees, or failure to comply with any law, statute or regulations will result in revocation of the authorization. 4.DNR should ensure that a public utility's right to seek to assign an interest in an easement is not dependent on being the original grantee but is identical regardless of when its entrance was authorized. MTA also notes a disparity in assignment rights between an original grant of an easement and an "authorization to develop". Again, MTA believes all public utilities are similarly situated once they have taken on the investment necessary to place used and useful facilities within a DNR public utility easement. MTA believes each utility should have identical rights to seek assignment of that authorization to place and maintain facilities within a public utility easement regardless of whether it is the original grantee or a subsequent grantee. MTA therefore urges DNR to adopt similarly permissive assignment language for any "Authorization to Develop" template it may adopt as exists in its original recordable easement documents. Conclusion: MTA is grateful that the Governor, through his AO 360 initiative, is spearheading an effort to make government regulation as targeted and limited as necessary to effectuate the public interest. MTA appreciates this opportunity to provide feedback on its experience with the public utility easement process and suggest ways in which that process can be made more efficient and fairer to similarly situated public utilities. MTA stands ready to provide any clarifications DNR may require and would eagerly participate in any follow-up forum that may be scheduled to put these and other suggested changes into practice. Respectfully submitted, Jessica Burnett MTA, Right of Way Manager 907-761-2510 ROW@mtasolutions.com</p>	

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Land Conveyances	Loretta Brown	<p>Submitted via online portal and electronic mail October 31, 2025 John Crowther Acting Commissioner Alaska Department of Natural Resources 550 W. 7th Avenue, Ste 1400 Anchorage, Alaska 99501 RE: Public Comments on Request for Public Input on Regulations of the Department of Natural Resources Dear Acting Commissioner Crowther, Thank you for the opportunity to comment on the Alaska Department of Natural Resources' (DNR) potential amendments to regulations affecting water management, land use, and natural resource management. The mission of DNR is to "develop, conserve and maximize the use of Alaska's natural resources consistent with the public interest." DNR also has a public trust responsibility under the Alaska Constitution, and DNR statutes to maintain a robust permitting and review process to protect the state's lands and waters for the health and benefit of Alaskans. It is in the best interest of Alaskans and the state to establish and maintain rigorous environmental standards and permitting criteria to protect our natural resources, fish and wildlife populations, small businesses, and communities. Alaska is home to some of the world's last intact wild landscapes and waterways that still support abundant fish and wildlife populations. Alaska's vast wild spaces are essential to the physical and economic stability of the state and its residents. The wild and natural freshwater systems and undeveloped landscapes of Alaska provide robust and sustainable food security for Alaskans, support the commercial and recreational fishing and hunting industries, and provide a booming and growing tourism industry throughout the state. Protecting Alaska's lands and waters from destructive industrial development and pollution is truly a sustainable investment in Alaska's future. In contrast, Administrative Order 360 is extraordinarily shortsighted and ignores the scope of business investments, communities and families that rely on Alaska's natural resources, public lands, water quality, and fisheries. Rigorous environmental standards and the careful review of permit applications for projects that could put the health and safety of the people of Alaska at risk is not burdensome. It is simply the cost of doing business. Long-standing regulations and permit review processes provide clarity, transparency, and predictability for project proponents, agency staff, interested stakeholders, Tribes and the public. Meaningful public participation in review of large-scale projects also provides critical information about potential impacts to fish and wildlife habitat, water resources, community health and small businesses. It creates an opportunity and forum for the state to address community concerns and mitigate risk prior to issuing permits. Oftentimes the word streamlining means cutting the public out of the decision-making process. However, eliminating the perspectives of the public, Tribes or concerned communities simply sets up the state for costly legal battles and project proponents for unnecessary delays. Many concerns are in fact resolved through a thoughtful dialog with concerned citizens. In addition, many potential environmental impacts can be avoided by tapping into local knowledge and carefully analyzing project alternatives that make the most sense for both permittees and community stakeholders. Before moving forward, we urge DNR to carefully consider its public trust duty and legal responsibility when determining whether to remove protective regulations or streamline review processes that are designed to protect the public interest. Thank you for the opportunity to comment. Sincerely,</p> <p>/s/ _____ /s/ _____ Emily Anderson Loretta Brown Alaska Director Legal and Policy Director Wild Salmon Center Salmon State</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Land Conveyances	Tyler Breen / Southeast Alaska Conservation Council	<p>SEACC Comment RE: Solicitation for Public Input Regarding Land Conveyances – Regulatory Revisions Introduction The Southeast Alaska Conservation Council (SEACC) is a regional grassroots organization representing more than 8,000 members and supporters across Southeast Alaska and nationwide. We appreciate the opportunity to provide comment on the Land Conveyances scoping notice (OPN 221219), which outlines DNR’s intent to review existing statutes and regulations governing conveyances of state land to municipalities, private entities, and other recipients. SEACC’s general position remains consistent: Alaska’s land conveyance framework under the Alaska Land Act is functional and well established. No broad overhaul appears warranted. The state’s conveyance system should continue to operate under clear statutory safeguards ensuring that transfers serve the public interest, maintain transparency, and protect environmental and cultural values. Any revisions should strengthen—not weaken—public participation, record access, and monitoring of post-conveyance land management. Background Statutory and regulatory context. DNR’s authority to convey state land is grounded in AS 38.05 (Alaska Land Act) and implementing regulations in 11 AAC 55 (Land Classification and Conveyance). These statutes establish the processes, criteria, and documentation required for state land disposals and transfers.</p> <ul style="list-style-type: none"> <li>● Authority to convey. The commissioner “may sell, lease, or otherwise dispose of available land” consistent with the principles of multiple use and sustained yield, upon a written finding that the disposal “will serve the best interests of the state.”<sup>1</sup> 1 Alaska Stat. § 38.05.035(a)(1) (“The commissioner may sell, lease, or otherwise dispose of available land... consistent with the principles of multiple use and sustained yield.”), 2024 Alaska Statutes, <a href="https://law.justia.com/codes/alaska/title-38/chapter-05/section-38-05-035/">https://law.justia.com/codes/alaska/title-38/chapter-05/section-38-05-035/</a>.</li> <li>● Best interest finding requirement. Under AS 38.05.035(e), DNR must prepare a written best interest finding before disposing of any interest in state land, providing public notice and opportunity for comment.<sup>2</sup></li> <li>● Municipal entitlements. AS 29.65 provides that municipalities “are entitled to receive conveyances of state land” to promote local development and public purposes, subject to the same best interest and classification requirements as other transfers.<sup>3</sup></li> <li>● Regulatory procedures. Regulations under 11 AAC 55.010–.080 detail the steps for survey, appraisal, and conveyance documentation, requiring that each conveyance include a description of purpose, classification, and encumbrances.<sup>4</sup> In practice, DNR implements land conveyances through area plans and best interest findings, ensuring that parcels designated for disposal are appropriately classified. Municipal entitlement programs, such as those under the Municipal Land Entitlement Program (MLE), have long-established procedures involving surveys, appraisals, and recordation in the Alaska Recorder’s Office. Public notice is a consistent feature of the conveyance process. Notices are published through the Alaska Online Public Notices system and local outlets, allowing communities and stakeholders to provide input on proposed disposals. This mechanism is a cornerstone of the Alaska Land Act’s transparency requirements and should remain intact. <sup>2</sup> Alaska Stat. § 38.05.035(e) (“Before the disposal of an interest in state land, the director shall prepare a written finding that the interests of the state will be best served.”), 2024 Alaska Statutes, <a href="https://law.justia.com/codes/alaska/title-38/chapter-05/section-38-05-035/">https://law.justia.com/codes/alaska/title-38/chapter-05/section-38-05-035/</a>. <sup>3</sup> Alaska Stat. § 29.65.010 (“A municipality is entitled to receive conveyances of state land... to promote local development and public purposes.”), 2024 Alaska Statutes, <a href="https://law.justia.com/codes/alaska/title-29/chapter-65/section-29-65-010/">https://law.justia.com/codes/alaska/title-29/chapter-65/section-29-65-010/</a>. <sup>4</sup> 11 AAC 55.030–.040 (Survey and Appraisal Requirements), Alaska Admin. Code, <a href="https://www.law.cornell.edu/regulations/alaska/11-AAC-55.030">https://www.law.cornell.edu/regulations/alaska/11-AAC-55.030</a> (requiring surveys and appraisals before conveyance). Recommendations</li> <li>● Retain and reinforce the best interest finding requirement. The written best interest finding under AS 38.05.035(e) provides a necessary safeguard for all conveyances. It ensures that environmental, cultural, and public-access considerations are documented. SEACC strongly supports retaining this requirement in full, including current timelines for public notice and comment.</li> <li>● Maintain detailed public notice and comment procedures. Continue to require public notice of proposed conveyances in both Online Public Notices and local publications. Encourage accessible, plain-language summaries and map-based materials to help communities understand the location, purpose, and scale of proposed transfers.</li> <li>● Clarify monitoring responsibilities post-conveyance. Establish or reaffirm DNR’s authority to monitor compliance with any stipulations attached to a conveyance (e.g., public access easements, reversion clauses, or habitat protections). Provide a clear mechanism for enforcement or reversion if conditions are violated.</li> <li>● Transparency for appraisals and surveys. Maintain requirements under 11 AAC 55.030 and 11 AAC 55.040 for public documentation of appraisals, surveys, and conveyance records. Ensure these materials remain available through the DNR Recorder’s Office and online systems such as the Land Administration System (LAS).</li> <li>● Coordination with municipal and tribal governments. For conveyances that intersect with traditional territories or municipal expansion areas, ensure early coordination with tribal governments and local entities. This</li> </ul>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>engagement should occur before issuing preliminary decisions to avoid conflicts and improve planning outcomes. ● Limit scope of “streamlining.” Avoid regulatory revisions that compress or remove procedural steps, such as shortening public notice periods or eliminating intermediate findings. Streamlining should not reduce transparency or the ability of the public to understand and engage with conveyance decisions. Conclusion SEACC appreciates the opportunity to comment on OPN 221219. The current land conveyance framework under the Alaska Land Act, particularly the best interest finding process, already provides a balanced structure for ensuring that state land transfers serve the public interest. We do not see a need for broad revision. Any updates should prioritize transparency, accountability, and continued public involvement. We thank DNR for its attention to these issues and stand ready to provide additional information or examples from Southeast Alaska regarding land conveyance practices, particularly those affecting public access and community development.</p>	

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Land Conveyances 11 AAC 54 11 AAC 67	Nils Andreassen / Alaska Municipal League	<p>Alaska Municipal League Comment on DNR/DMLW Regulatory Review Concerning 11 AAC 54 and 11 AAC 67 (Surveying, Platting, Land Classification, and Land Disposal) The Alaska Municipal League (AML), representing 165 cities and boroughs across Alaska, appreciates the opportunity to provide comments on DNR’s review of 11 AAC 54 and 11 AAC 67. These regulations form the procedural and technical backbone of Alaska’s land management system — governing how lands are surveyed, classified, platted, conveyed, and managed by the State and by municipalities through entitlement, lease, and disposal programs. Municipalities are both recipients and administrators of state land conveyances, and are often the first level of government responsible for implementing the outcomes of these regulations. For this reason, AML’s comments emphasize clarity, predictability, affordability, and coordination, ensuring reforms improve efficiency and transparency while maintaining the integrity of public land management. The following is AML’s attempt to support the Governor’s efforts that drive toward efficiency and effective operations, and should be considered provisional, as they have not been taken up by AML members for evaluation. More time, in the future, would allow for more substantive deliberation.</p> <p>1. Clarify Procedures and Modernize Processes (11 AAC 67.160–.192, .800–.845) These sections set forth procedures for land classification, disposal, and conveyance. While the current regulations provide essential structure, they are complex and at times duplicative. AML recommends:</p> <ul style="list-style-type: none"> <li>•A. Simplified and Consistent Procedures</li> <li>•Consolidate redundant procedural language among 11 AAC 67.160–.192 and 11 AAC 67.800–.845 into a single, streamlined process for classification, best-interest findings, disposal, and conveyance.</li> <li>•Standardize decision formats and checklists to reduce variation among regions and ensure predictable application across the state.</li> <li>•Clarify cross-references to statutes (AS 38.05, AS 29.65) to reduce applicant confusion and errors.</li> <li>•Publish process flowcharts outlining each stage of classification or conveyance—from nomination to final patent—with defined timelines and responsible divisions.</li> <li>•B. Modernized Digital Systems</li> <li>•Develop a digital application and tracking system for land disposals and conveyances that includes status updates, reviewer contact information, and downloadable decisions.</li> <li>•Enable GIS-based parcel submission and mapping in place of paper plats or hard-copy maps. Allow municipal staff to submit shapefiles and coordinate directly with DNR survey staff through an online platform.</li> <li>•Automate notifications to affected municipalities when state land within their jurisdiction is proposed for disposal, reclassification, or lease.</li> </ul> <p>2. Reduce Costs and Administrative Burdens Municipalities frequently engage with DNR as both land managers and applicants for conveyances, leases, or disposals. The current process can be costly and time-intensive for communities with limited staff capacity. AML supports reforms that:</p> <ul style="list-style-type: none"> <li>•Introduce fixed, predictable timelines for key milestones (e.g., 30-day completeness review; 60-day proposed decision; 90-day final approval).</li> <li>•Allow phased conveyances and incremental approvals to accommodate municipal planning cycles and reduce upfront survey costs.</li> <li>•Create a reduced-fee or fee-waiver structure for local governments applying for land to support public purposes (utilities, housing, community facilities, or recreation).</li> <li>•Expand delegation options under AS 38.05.035(e) for municipalities to manage certain routine disposals or reclassifications with state oversight, reducing duplicative administrative reviews.</li> <li>•Adopt standardized templates for conveyance agreements, deeds, and plats to shorten review times and improve consistency.</li> </ul> <p>3. Improve Interagency and State–Local Coordination Effective land management requires clear communication among DNR divisions, other state agencies, and local governments. AML recommends that DNR:</p> <ul style="list-style-type: none"> <li>•Codify municipal consultation requirements at key decision points — especially for reclassification, disposal, or survey actions that could affect local land use, zoning, infrastructure, or revenue generation.</li> <li>•Establish joint data-sharing protocols among DNR, DEC, DOT&amp;PF, ADF&amp;G, and SHPO to streamline concurrent reviews and eliminate redundant submittals.</li> <li>•Coordinate state and municipal land status databases so both levels of government can access up-to-date information on land ownership, survey progress, and pending disposals.</li> <li>•Publish a single “land management contact directory” by region and topic (survey, conveyance, disposal) to facilitate faster communication with applicants and local officials.</li> </ul> <p>4. Improve Transparency and Public Understanding of Decisions Transparency and public confidence depend on open access to standards, data, and rationale. AML recommends:</p> <ul style="list-style-type: none"> <li>•Publishing all proposed and final land classifications and disposals in a searchable online archive with plain-language summaries and GIS references.</li> <li>•Providing standardized “decision memos” that summarize how best-interest findings, resource considerations, and community impacts were weighed.</li> <li>•Documenting rationale for deferrals or denials to help municipalities understand corrective actions for resubmission.</li> <li>•Offering summary dashboards that display the number of active disposals, conveyances, and survey requests statewide to improve accountability and planning visibility.</li> </ul> <p>5. Modernize Survey and Platting Standards (11 AAC 54) The survey and platting requirements in 11 AAC 54 underpin nearly all DNR land actions. AML supports modernization that maintains accuracy but improves</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>efficiency and compatibility with local practices. A. Modernize and Digitize •Adopt digital survey submissions (signed PDF or certified electronic files) as official equivalents to hard-copy plats. •Permit use of GPS/GNSS-based control networks meeting accuracy thresholds without requiring redundant monumentation in low-risk areas. •Allow survey integration with municipal GIS systems, enabling shared datasets and real-time verification of boundaries, easements, and infrastructure alignments. •Standardize metadata and coordinate systems so DNR, municipalities, and private surveyors operate on compatible geospatial platforms. B. Maintain Professional Integrity •Ensure that modernization does not reduce the survey accuracy standards, public transparency, or professional certification requirements that ensure reliable and defensible boundaries. •Retain consultation with the State Board of Registration for Architects, Engineers, and Land Surveyors to ensure technical consistency with state licensing requirements. 6. Strengthen Alignment Between 11 AAC 67 and Municipal Land Management Because municipalities are both landowners and planners, AML recommends the following alignment measures: •Integrate local comprehensive plans into DNR’s classification and disposal decision-making process to ensure that state land management supports community growth patterns and infrastructure needs. •Provide early notification to municipalities when DNR intends to classify, reclassify, or dispose of land within city or borough boundaries. •Establish cooperative management options for community development lands, parks, or local open space, allowing municipalities to steward lands on behalf of the state with simplified agreements. •Recognize local zoning and platting authority where applicable, ensuring that DNR’s conveyance or disposal processes respect adopted municipal land use codes. 7. Preserve Critical Safeguards While Streamlining AML emphasizes that modernization must enhance efficiency without compromising accountability. The following must remain integral: •Public notice and opportunity to comment for all land disposals, leases, and classifications. •Best-interest findings grounded in transparent, publicly available analyses. •Protection of cultural, historic, and environmental resources through continued coordination with the Office of History and Archaeology (SHPO). •Retention of accurate survey records and open access to plat information for future boundary verification. •Consistency with municipal comprehensive and coastal management plans. 8. Conclusion The Alaska Municipal League supports DNR’s initiative under Administrative Order 360 to modernize and clarify land administration and survey regulations. These chapters—11 AAC 54 and 11 AAC 67—are foundational to efficient, transparent, and equitable land management. AML urges reforms that: •Reduce time and cost for both public and government applicants; •Enhance predictability and communication; •Leverage technology to improve access, transparency, and efficiency; •Strengthen coordination with municipalities and interagency partners; and •Maintain the safeguards that protect Alaska’s communities, land, and heritage. By centering local government involvement and public accountability, these updates can modernize Alaska’s land management system while ensuring that it continues to serve the long-term interests of Alaskans and their communities. Supplemental: Accelerating the Transfer of Municipal Entitlement Lands Municipal entitlement conveyance remains one of the most significant and long-standing commitments between the State of Alaska and its local governments. Despite decades of progress, many municipalities—especially smaller or newly incorporated communities—are still awaiting completion of their full entitlements under AS 29.65. Current Status and Challenges •As of 2025, approximately a third of municipalities have pending entitlements or unresolved surveys and patents. •The pace of survey completion, classification, and plat approval under 11 AAC 54 and 67 continues to limit final patent issuance. •Multiple DNR divisions—Survey, Land Conveyance, and Title—each maintain separate procedural requirements, creating uncertainty and delay for local governments with limited staff capacity. •Some communities face high survey costs and technical barriers, especially in remote regions, that make it difficult to advance site-specific conveyance requests. Recommendations for Regulatory Reform 1.Expedited Review Track for Municipal Entitlements - Establish a dedicated fast-track process for remaining municipal entitlement conveyances with standardized templates, pre-approved survey parameters, and simplified review steps. 2.Programmatic Survey Standards - Allow use of generalized survey control or community-scale boundary surveys for small, non-contested parcels, rather than full site-specific plats. This would reduce survey costs while maintaining boundary integrity. 3.Digital Workflow Integration - Integrate entitlement progress tracking into DNR’s online land management portal—allowing municipalities to view their conveyance status, pending actions, and map-based parcel locations. 4.Prioritization and Timelines - Publish an annual entitlement completion schedule, identifying priority communities and anticipated completion dates to improve transparency and accountability. 5.Collaborative Planning and Assistance - Reinstate or strengthen DNR’s municipal assistance and mapping support program to help local governments prepare applications, resolve title questions, and align conveyed parcels with community development plans.</p>	

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		<p>6.Coordinated Survey Contracting - Permit cooperative survey contracts between DNR and municipalities to share costs and speed fieldwork. 7.Protecting Public Intent - Ensure that any streamlining does not reduce opportunities for public comment, environmental review, or consistency with local comprehensive plans.</p>	

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Land Conveyances 11 AAC 54 11 AAC 67	Hal Shepherd / Kachemak Bay Watershed Council and Norton Bay Watershed Council	<p>These comments are submitted on behalf of the Kachemak and Norton Bay Watershed Councils (KBWC)/(NBWC) regarding the above scoping notice (Notice). KBWC &amp; NBWC have been organized to operate exclusively for the public benefit purposes including advocating for sustainable management and protection of water and subsistence resources of the Norton and Kachemak Bay Watersheds. Our main concern with proposed changes to general public regarding regulations and materials incorporated by reference in 11 AAC 54 and 11 AAC 67 relating to Land Conveyances, is that they are being conducted in accordance with Governor Mike Dunleavy’s Administrative Order 360 directing State agencies to “identify outdated, unnecessarily burdensome, or unclear regulations and propose reforms to improve government efficiency.” It is clear, however that the Administration adopted the Order to clear a path for the extraction industry to access Alaska’s natural resources when it states the “State of Alaska is committed to growing its economic base, increasing its gross domestic product (“GDP”), and ensuring Alaskans have the freedom to do business, innovate, and pursue opportunities while complying with state and federal laws.”<sup>1</sup> Therefore, because the administration likely adopted Order 360 for the primary purpose of creating a basis for truncating environmental analysis and rolling back environmental regulations it appears that once again, it is prepping to make major changes in water quality permitting, analysis and regulatory standards that will favor industrial extraction and harm public health. <sup>1</sup> Office of the Governor, PR – Administrative Order No. 360 (August 4, 2025). (Administrative Order No. 360 - Mike Dunleavy) I. The Proposed Changes Are disguised as House Keeping Procedures so that DEC Can Gut Environmental Permitting Requirements While the Notice implies that DEQ is seeking public input on routine administration process in order to create more efficiency such as “clarify existing regulatory obligations,” “reduce costs for the public, industry, or government,” “reduce administrative burdens,” “improve communication procedures,” and “clarify interagency roles,” buried in the list of programs slated for reform also includes to “improve or streamline procedures, application requirements, and review processes, for example reducing the time required to apply for a license, permit, or benefit,” “streamline permitting procedures,” and “provide greater transparency with respect to standards.” Based on previous experience with proposed changes to environmental regulatory under the current administration, indicate an intention to gut environmental analysis, permitting requirements and regulation that protect public health and welfare. While this seemingly innocuous terminology makes it look like these regulations are mere housekeeping procedures, the real reason the Dunleavy administration wants to take these actions is likely to gut regulations in favor of industrial development, thereby failing to protect the public from exposure to toxic effluents. This is illustrated by the fact that administration has already applied Administrative Order 360 to gut regulations preventing impacts on fish and wildlife in the Kachemak Bay Critical Habitat Area.<sup>2</sup> In addition, the Order is more likely to weaken protections the ecosystems Alaskans depend on by requiring DNR to include a provision for automatic approval deadlines are not met” in all permits. In plain language: if agencies miss a deadline, permits are rubberstamped without review. Merit, expertise and public input are thrown out the window in favor of arbitrary timelines – a loophole that makes it far easier for harmful projects to move forward. In fact, when deciding what is eligible for cutting, the governor’s office has ordered all agencies to calculate requirements that go beyond the exact demands listed in state law. Therefore, any proposed changes to the regulations could have substantial impacts on human health and welfare and the environment since the Notice lists potential changes to the 11 AAC 58 relating to water including Critical Water Management Areas, Temporary Water Uses and Water Rights. <sup>2</sup> Alaska Supreme Court allows personal watercraft in Kachemak Bay, reversing lower court, Homer News (October 2, 2025) CONCLUSION The administration’s strategy, a wasteful exercise in political pandering, is to eliminate 15 percent of regulatory standards by December 31, 2026 and 25 percent by December 31, 2027. many of which protect public health and welfare from the impacts of climate change and abusive land management practices by next December. But they truly counterproductive part of Order 360 requires state agencies to have “all anticipated rulemaking actions” pre-approved by the Governor before the start of every year. The Commissioner should not make any changes to existing regulations. In addition, we recommend that DNR seek legislative oversight of Order 360 and other with wide ranging consequences. Please contact me if you have any questions regarding these comments.</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Land 11 AAC 05.070	Alaska Chamber of Commerce	<p>The following comments were included with input submitted to the Governor's Office on multiple DNR topics. DNR Utility Easement Timelines 1.Approval timelines for utility easements range from 9-12 months or longer. 2.These delays impact project schedules due to Alaska’s short construction season. 3.Regulations: 1.Alaska Administrative Code – Easements and Rights-of-way (12 AAC 05.070) 1.Lands Section Easements – Division of Mining, Land, and Water</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory

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			Reform Plan as part of our broader effort under guidance provided in AO 360.
Mining	Andrew Haag	I am a member of a gold mining company with a State of Alaska Mining Lease. I would like to suggest the state streamline the APMA process, by producing a standardized mining manual. The Alaska DEC Users Handbook “Best Management Practices For Placer Mining” could act as a starting point for producing such a manual. This manual could provide all of the standards for all types of mining in Alaska and include all involved agency requirements. A miner could then sign a single page document swearing to abide by the manual. If they don’t, they could face possible fines. Having such a streamlined process would significantly reduce the amount of time, effort, and financial burden on both the government and the industry. Thank you for considering my comments.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Mining	Jacqueline Muehlbauer	Small-scale mining is a historic activity on Ester Dome, yet current regulations do not adequately address the proximity of modern claims to homes, trails, and recreation sites. Recommendations: Require up-front community notification and comment for new mining plans within one mile of residential zones or high-use trails. Develop noise, dust, and visual-impact guidelines to prevent the industrialization of scenic public viewpoints. Strengthen reclamation standards and bonding for operations near residential areas, ensuring full restoration of vegetation and drainage. Encourage alternative-dispute resolution between miners and community groups before conflicts escalate.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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Mining	Jeff Keener	<p>SHPO: SHPO needs to provide more outreach to the public regarding cultural resources. Since the artifacts belong to the state, the state should be responsible for conducting timely surveys and verification, as well as potential preservation. Third party cultural resource inventories funded by the mineral rights owner, operator, or lessee should only be an option, not a requirement. The relationship between SHPO and the public has been adversarial when it should be collegial. APMA timeline and amendments: Until recently, processing a typical APMA would take less than a month to receive a signed MLUP. Routine amendments could be approved by DOM staff without going through a drawn-out multi-agency review. A typical small-scale commercial placer mining operation will go through multiple changes every mining season. The current timeline for even the most minimal amendment approval is about two months. That is too long to facilitate the more immediate needs of the miner. Perhaps a tiered ranking of amendments would help... 1st Tier being routine amendments like pit expansions, pit conversions to ponds, small-impact exploration, etc. These can be addressed by DOM staff for bond adjustments and general monitoring. Keeping in mind that the U.S. Army Corps will in most cases, review the same amendment should serve as an opportunity to collaborate rather than operate in two parallel, but separate reviews. 2nd Tier amendments might include expansion from less than 5 acres to entering the bond pool, significant changes to stream bypasses, stream re-location, which should be reviewed by AK DF&amp;G for compliance with original stipulations in the Habitat Letter. 3rd Tier amendments would be significant changes to the mine plan like moving a camp, opening a mine pit in a new location (e.g. new pit on a tributary of same drainage), expanding an active footprint by ~300% (from &lt;5 ac to ~15 ac), expanding fuel storage to more than 10,000 gallons, construction of a new airstrip, etc.. These amendments might need thumbs up from AK DEC and other agencies. Each APMA and amendment would still be posted for multi-agency review, but each agency should be able to respond within 5 business days regarding their need for review and to delay the amendment approval.</p> <p>Reclamation bonding and carrying refunds forward: Generally seems to be working well, however, the bookkeeping can be simplified by going back to being able to carry-forward the refundable portion of the bond to bond new acres. This used to be the way it was done and could be performed easily on the annual bond renewal form. The current system requires the refundable portion of the bond to be refunded by check after approval of a bondee's application for a refund. This may contribute to a backlog of bond refunds and creates more paperwork for everyone. Land Conveyances: This used to be so much simpler and faster. The state must speed up their conveyance reviews. For mineral lands, except in unusual cases, the liability of minor sore points (empty 55-gal drums, scrap steel, old equipment, spotted oil contamination, un-reclaimed historical mine ponds and tailing piles, old cabins, etc.) pales in comparison to the value of the resources the lands offer to the state and its residents. The state should be making a concerted effort to facilitate requests to convey federal inholdings in state lands (typically, abandoned or active unpatented federal mining claims) to state ownership.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Mining	Josh Horst	<p>Regarding Places of Recording for certain Recording Districts, which I believe is a regulation under 11 AAC 06.010, I request that DNR consider allowing recording of documents from any recording district at the Recorder's Offices in Anchorage, Fairbanks, and Juneau. The relevance of this request is related to recording Notices of Location for Mining Claims. As a Fairbanks-based business, when we serve as Agent staking mining claims in various regions of the state, we are in certain instances, required to travel to other cities to record documents in those specified Places of Recording. This step is unnecessarily time consuming and costly to performing the work, and for that reason, I request DNR consider eliminating the requirement that certain recording districts record documents at specific places of recording, and allow us to record for any district at the three major hubs of Anchorage, Fairbanks, and Juneau. Thank you!</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Mining	Loretta Brown / Salmon State	<p>Submitted via online portal and electronic mail October 31, 2025 John Crowther Acting Commissioner Alaska Department of Natural Resources 550 W. 7th Avenue, Ste 1400 Anchorage, Alaska 99501 RE: Public Comments on Request for Public Input on Regulations of the Department of Natural Resources Dear Acting Commissioner Crowther, Thank you for the opportunity to comment on the Alaska Department of Natural Resources' (DNR) potential amendments to regulations affecting water management, land use, and natural resource management. The mission of DNR is to "develop, conserve and maximize the use of Alaska's natural resources consistent with the public interest." DNR also has a public trust responsibility under the Alaska Constitution, and DNR statutes to maintain a robust permitting and review process to protect the state's lands and waters for the health and benefit of Alaskans. It is in the best interest of Alaskans and the state to establish and maintain rigorous environmental standards and permitting criteria to protect our natural resources, fish and wildlife populations, small businesses, and communities. Alaska is home to some of the world's last intact wild landscapes and waterways that still support abundant fish and wildlife populations. Alaska's vast wild spaces are essential to the physical and economic stability of the state and its residents. The wild and natural freshwater systems and undeveloped landscapes of Alaska provide robust and sustainable food security for Alaskans, support the commercial and recreational fishing and hunting industries, and provide a booming and growing tourism industry throughout the state. Protecting Alaska's lands and waters from destructive industrial development and pollution is truly a sustainable investment in Alaska's future. In contrast, Administrative Order 360 is extraordinarily shortsighted and ignores the scope of business investments, communities and families that rely on Alaska's natural resources, public lands, water quality, and fisheries. Rigorous environmental standards and the careful review of permit applications for projects that could put the health and safety of the people of Alaska at risk is not burdensome. It is simply the cost of doing business. Long-standing regulations and permit review processes provide clarity, transparency, and predictability for project proponents, agency staff, interested stakeholders, Tribes and the public. Meaningful public participation in review of large-scale projects also provides critical information about potential impacts to fish and wildlife habitat, water resources, community health and small businesses. It creates an opportunity and forum for the state to address community concerns and mitigate risk prior to issuing permits. Oftentimes the word streamlining means cutting the public out of the decision-making process. However, eliminating the perspectives of the public, Tribes or concerned communities simply sets up the state for costly legal battles and project proponents for unnecessary delays. Many concerns are in fact resolved through a thoughtful dialog with concerned citizens. In addition, many potential environmental impacts can be avoided by tapping into local knowledge and carefully analyzing project alternatives that make the most sense for both permittees and community stakeholders. Before moving forward, we urge DNR to carefully consider its public trust duty and legal responsibility when determining whether to remove protective regulations or streamline review processes that are designed to protect the public interest. Thank you for the opportunity to comment. Sincerely,</p> <p>/s/ _____ /s/ _____ Emily Anderson Loretta Brown Alaska Director Legal and Policy Director Wild Salmon Center Salmon State</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Mining	Nils Andreassen / Alaska Municipal League	<p>AML Comment on DNR/DMLW Regulatory Review under Administrative Order 360 The Alaska Municipal League (AML), representing cities and boroughs statewide, supports Administrative Order 360’s direction to simplify and modernize permitting while protecting the public interest. Reforms across the following chapters should prioritize: (1) early, formal municipal engagement; (2) transparency and predictable timelines; (3) reduced duplication across agencies; (4) affordability and access for applicants and communities; and (5) preservation of substantive safeguards, including historic and cultural resource protections. The following recommendations are for consideration only and do not reflect a formal position of AML or its members. They are intended to be responsive to the stated interests of the AO and to initiate further conversation, innovation, and ultimately efficient and effective operations.</p> <p>11 AAC 82 — Mineral Leasing Procedure AML recommendations:</p> <ul style="list-style-type: none"> <li>•Embed municipal consultation triggers at key decision points (e.g., land availability determinations, best-interest findings), with a documented response window and a single point of contact. This reduces late conflicts and aligns leases with adopted local land use plans and infrastructure constraints.</li> <li>•Publish machine-readable lease calendars and maps (GIS layers) with clear status (open, closed, pending) and rationale, and maintain a change log so local planners can track decisions that affect roads, water/sewer corridors, schools, and emergency services.</li> <li>•Standardize submittals (plans of operation crosswalks, bonding summaries, access/easement exhibits) and allow modular updates instead of full re-filings when only one element changes—cutting time and cost for both applicants and reviewers.</li> <li>•Guardrails: Preserve best-interest findings, public notice, and appeal opportunities; do not replace them with purely “deemed-approved” timelines.</li> </ul> <p>11 AAC 86 — Mining Rights AML recommendations:</p> <ul style="list-style-type: none"> <li>•Single consolidated plan of operations template that explicitly addresses municipal roads, solid waste, public safety, emergency response, and land use compatibility—checked once and reused across amendments.</li> <li>•Digital fee and rent workflows (tied to claim/lease IDs) with automated receipts, delinquency notices, and municipal notification when operations occur inside city limits or service areas.</li> <li>•Interagency technical memo retirements: convert recurring “ad hoc” guidance into a publicly posted, versioned handbook so applicants and municipalities aren’t surprised by evolving expectations.</li> <li>•Guardrails: Keep meaningful plan-of-operations review; if clocks are introduced, use stop-the-clock criteria and milestone transparency instead of automatic approvals without review.</li> </ul> <p>11 AAC 88 — Practice and Procedure AML recommendations:</p> <ul style="list-style-type: none"> <li>•Front-end completeness reviews with explicit deficiency checklists and a public “application dashboard” showing status, contacts, and next milestones—mirroring best practices used in other states—to reduce back-and-forth and level expectations.</li> <li>•One public notice, many channels: auto-post to an online portal, email municipal clerks/administrators, and offer optional SMS/RSS feeds; archive notices and decisions so communities can cite precedents.</li> <li>•Coordinated record: a unified docket number across DNR/DEC/ADF&amp;G to prevent duplicate filings and inconsistent clocks.</li> <li>•Guardrails: Retain robust notice and appeal rights; ensure “efficiency” does not narrow who may participate or the scope of review.</li> </ul> <p>11 AAC 96 — Miscellaneous Land Use (Generally Allowed Uses) AML recommendations:</p> <ul style="list-style-type: none"> <li>•Modernize GAUs to address contemporary activities (e.g., small drones for survey; non-ground-disturbing sensors; temporary micro-camps) with clear thresholds (duration, area, ground pressure) to avoid ambiguity.</li> <li>•Create a GAU–local code crosswalk so users see when a GAU still needs a municipal authorization (rights-of-way, noise, traffic control), reducing accidental noncompliance and municipal staff time.</li> <li>•Map-first portal: parcel-based lookup that shows GAU eligibility, special-use designations, and contact info; publish API access so communities can embed layers in local GIS.</li> <li>•Guardrails: Maintain exclusions and resource protections in legislatively designated and special-management areas; don’t broaden GAUs in ways that undermine cultural or environmental safeguards.</li> </ul> <p>11 AAC 85 — Coal (Leasing Procedures) AML recommendations:</p> <ul style="list-style-type: none"> <li>•Local infrastructure impact statements (roads, bridges, ports, emergency services) as a standard attachment to lease decisions; tie lease conditions or mitigation fees to those documented impacts where appropriate.</li> <li>•Predictable schedule for competitive offerings with pre-scoping to municipalities and tribal governments; publish evaluation criteria in advance to improve participation quality.</li> <li>•Guardrails: Keep compatibility checks with local plans and retain the ability to condition leases for public safety and reclamation outcomes.</li> </ul> <p>11 AAC 90 — Surface Coal Mining AML recommendations:</p> <ul style="list-style-type: none"> <li>•Codify a 30-day completeness screen with a public checklist and “paused clock” notices; enable concurrent municipal review of access, haul routes, and public works tie-ins.</li> <li>•Data transparency: require posting of hydrology, geotech, and blasting plans in redacted form; provide a confidential annex pathway where needed while still allowing municipal engineer review.</li> <li>•Guardrails: Maintain alignment with federal SMCRA standards and bonding sufficiency; reject any “automatic approval” language that could bypass substantive review.</li> </ul> <p>11 AAC 97 — Mining Reclamation AML recommendations:</p> <ul style="list-style-type: none"> <li>•Index bonding requirements to inflation and Alaska cost factors; publish a bonding</li> </ul>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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		<p>calculator and standard cost assumptions so applicants and communities can anticipate obligations. •Material site templates (11 AAC 97.250): provide plug-and-play reclamation plans for small municipal material sites, with options for phased reclamation that support long-term public works. •Post-closure coordination: require a handoff meeting with the host municipality to verify drainage, slope stability, and future land-use compatibility before bond release. •Guardrails: Protect the full suite of performance standards (soil handling, revegetation, stability); do not reduce reclamation scope or weaken enforcement remedies. Cross-Cutting Reforms (apply to all chapters above) 1.One Portal, One Clock: Launch a DNR permit hub with application tracking, municipal/tribal contact fields, shared milestones, and a clear completeness screen. Tie 11 AAC 88 procedures to the portal so “who does what by when” is visible to communities and applicants alike. 2.Interagency Playbook: Publish a jointly owned DNR–DEC–ADF&amp;G process map that eliminates duplicative submittals and conflicting timelines; require a single consolidated comment package to applicants and to affected municipalities. 3.Plain-Language Guides: For each chapter (82/85/86/88/90/96/97), post a 2-page how-to, required forms, fees, review criteria, and sample decision matrices; version and archive them. 4.Access &amp; Affordability for Public-Purpose Projects: Create reduced fees and expedited tracks for municipal applicants pursuing public safety, utilities, housing, or disaster recovery projects, while keeping substantive standards intact. 5.Historic &amp; Cultural Resource Safeguards: Maintain and strengthen coordination with the State Historic Preservation Office (OHA/SHPO) and Alaska Heritage Resources Survey protocols so streamlining does not compromise compliance with the Alaska Historic Preservation Act. What Must Not Be Lost in “Streamlining”</p> <ul style="list-style-type: none"> <li>•Public notice, comment, and appeal rights under 11 AAC 88.</li> <li>•Substantive best-interest findings and compatibility with adopted local plans (11 AAC 82/85/86 contexts).</li> <li>•Adequate bonding and enforceable reclamation standards (11 AAC 97; 11 AAC 90 for coal).</li> <li>•Clear thresholds for “generally allowed uses” and protection of designated and special-management lands (11 AAC 96).</li> <li>•Robust consultation with municipalities and tribes at scoping, completeness, and decision milestones—consistent with AO 360’s stakeholder imperative.</li> </ul> <p>Bottom line: AML backs reforms that make permitting faster, clearer, and less duplicative—without eroding the safeguards communities rely on.</p>	

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Mining 11 AAC 82, 11 AAC 85, 11 AAC 90, 11 AAC 96 and 11 AAC 97	Hal Shepherd / Kachemak Bay Watershed Council and Norton Bay Watershed Council	<p>These comments are submitted on behalf of the Kachemak and Norton Bay Watershed Councils (KBWC)/(NBWC) regarding the above scoping notice (Notice). KBWC &amp; NBWC have been organized to operate exclusively for the public benefit purposes including advocating for sustainable management and protection of water and subsistence resources of the Norton and Kachemak Bay Watersheds. Our main concern with proposed changes to general public regarding regulations and materials incorporated by reference in 11 AAC 82, 11 AAC 85, 11 AAC 90, 11 AAC 96 and 11 AAC 97 relating to mining, is that they are being conducted in accordance with Governor Mike Dunleavy’s Administrative Order 360 directing State agencies to “identify outdated, unnecessarily burdensome, or unclear regulations and propose reforms to improve government efficiency.” It is clear, however that the Administration adopted the Order to clear a path for the extraction industry to access Alaska’s natural resources when it states the “State of Alaska is committed to growing its economic base, increasing its gross domestic product (“GDP”), and ensuring Alaskans have the freedom to do business, innovate, and pursue opportunities while complying with state and federal laws.”<sup>1</sup> Therefore, because the administration likely adopted Order 360 for the primary purpose of creating a basis for truncating environmental analysis and rolling back environmental regulations it appears that once again, it is prepping to make major changes in water quality permitting, analysis and regulatory standards that will favor industrial extraction and harm public health. I. The Proposed Changes Are disguised as House Keeping Procedures so that DEC Can Gut Environmental Permitting Requirements While the Notice implies that DEQ is seeking public input on routine administration process in order to create more efficiency such as “clarify existing regulatory obligations,” “reduce costs for the public, industry, or government,” “reduce administrative burdens,” “improve communication procedures,” and “clarify interagency roles,” buried in the list of programs slated for reform also includes to “improve or streamline procedures, application requirements, and review processes, for example reducing the time required to apply for a license, permit, or benefit,” “streamline permitting procedures,” and “provide greater transparency with respect to standards.” Based on previous experience with proposed changes to environmental regulatory under the current administration, indicate an intention to gut environmental analysis, permitting requirements and regulation that protect public health and welfare. While this seemingly innocuous terminology makes it look like these regulations are mere housekeeping procedures, the real reason the Dunleavy administration wants to take these actions is likely to gut regulations in favor of industrial development, thereby failing to protect the public from exposure to toxic effluents. This is illustrated by the fact that administration has already applied Administrative Order 360 to gut regulations preventing impacts on fish and wildlife in the Kachemak Bay Critical Habitat Area.<sup>2</sup> In addition, the Order is more likely to weaken protections the ecosystems Alaskans depend on by requiring DNR to include a provision for automatic approval deadlines are not met” in all permits. In plain language: if agencies miss a deadline, permits are rubberstamped without review. Merit,, expertise and public input are thrown out the window in favor of arbitrary timelines – a loophole that makes it far easier for harmful projects to move forward. In fact, when deciding what is eligible for cutting, the governor’s office has ordered all agencies to calculate requirements that go beyond the exact demands listed in state law. <sup>2</sup> Alaska Supreme Court allows personal watercraft in Kachemak Bay, reversing lower court, Homer News (October 2, 2025) <sup>1</sup> Office of the Governor, PR – Administrative Order No. 360 (August 4, 2025). (Administrative Order No. 360 - Mike Dunleavy) I. The Proposed Changes Are disguised as House Keeping Procedures so that DEC Can Gut Environmental Permitting Requirements While the Notice implies that DEQ is seeking public input on routine administration process in order to create more efficiency such as “clarify existing regulatory obligations,” “reduce costs for the public, industry, or government,” “reduce administrative burdens,” “improve communication procedures,” and “clarify interagency roles,” buried in the list of programs slated for reform also includes to “improve or streamline procedures, application requirements, and review processes, for example reducing the time required to apply for a license, permit, or benefit,” “streamline permitting procedures,” and “provide greater transparency with respect to standards.” Based on previous experience with proposed changes to environmental regulatory under the current administration, indicate an intention to gut environmental analysis, permitting requirements and regulation that protect public health and welfare. While this seemingly innocuous terminology makes it look like these regulations are mere housekeeping procedures, the real reason the Dunleavy administration wants to take these actions is likely to gut regulations in favor of industrial development, thereby failing to protect the public from exposure to toxic effluents. This is illustrated by the fact that administration has already applied Administrative Order 360 to gut regulations preventing impacts on fish and wildlife in the Kachemak Bay Critical Habitat Area.<sup>2</sup> In addition, the Order is more likely to weaken protections the ecosystems Alaskans depend on by requiring DNR to include a provision</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>for automatic approval deadlines are not met” in all permits. In plain language: if agencies miss a deadline, permits are rubberstamped without review. Merit,, expertise and public input are thrown out the window in favor of arbitrary timelines – a loophole that makes it far easier for harmful projects to move forward. In fact, when deciding what is eligible for cutting, the governor’s office has ordered all agencies to calculate requirements that go beyond the exact demands listed in state law. 2 Alaska Supreme Court allows personal watercraft in Kachemak Bay, reversing lower court, Homer News (October 2, 2025) Therefore, any proposed changes to the regulations could have substantial impacts on human health and welfare and the environment since the Notice lists potential changes to the 11 AAC 58 relating to water including Critical Water Management Areas, Temporary Water Uses and Water Rights. II. Specific Recommendations Rather than role back mining related regulations under 11 AAC 82, 11 AAC 85, 11 AAC 90, 11 AAC 96 and 11 AAC 97 , the Commissioner should adopt new regulations as recommended on pages 113-23 of the attached Environmental Law Institute, Alaska Hardrock Mining Policy Recommendations Based on a Comparison of State Laws and Regulations (February 2025) that would strengthen the protection of human health and welfare and will protect Alaska’s unique fish and wildlife and cultural resources. CONCLUSION The administration’s strategy, a wasteful exercise in political pandering, is to eliminate 15 percent of regulatory standards by December 31, 2026 and 25 percent by December 31, 2027. many of which protect public health and welfare from the impacts of climate change and abusive land management practices by next December. But they truly counterproductive parr of Order 360 requires state agencies to have “all anticipated rulemaking actions” pre-approved by the Governor before the start of every year. The Commissioner should adopt new regulations as recommended on pages 113-23 of the attached Environmental Law Institute, Alaska Hardrock Mining Policy Recommendations Based on a Comparison of State Laws and Regulations (February 2025) that would strengthen the protection of human health and welfare and will protect Alaska’s unique fish and wildlife and cultural resources. Such new regulations would ensures of protection of water in all rivers, streams and lakes to protect fish and wildlife habitat and protection of Alaska’s fisheries from warming water temperatures, drought and other effects of climate change and would identify protection of rivers and streams as being in the best interest of the state and for protection of it’s fisheries for future generations. Finally we recommend that DNR seek legislative oversight of Order 360 and other with wide ranging consequences. Please contact me if you have any questions regarding these comments.</p>	

Topic / Citation	Topic / Citation	Comment	Agency Response
Mining 11 AAC 82, 85, 86, 90, 96, and 97	Jones Hotch / Chilkat Indian Village	<p>Dear Division of Mining, Land, and Water Officials, This letter is being submitted by the Chilkat Indian Village (Tlákwan Aan – Klukwan) Tribal Council, on behalf of its Tribal Members and the residents of the Village of Klukwan. Chilkat Indian Village (CIV), a federally recognized Tribal government, respectfully provides these comments on the Department of Natural Resources’ solicitation for public input on potential revisions to the mining regulations under 11 AAC 82, 85, 86, 90, 96, and 97. While DMLW’s goals under Administrative Order 360 include streamlining and improving regulatory processes, we urge the Department to recognize that meaningful Tribal consultation, public transparency, and environmental accountability are not administrative burdens—they are essential legal and ethical duties. The State of Alaska’s current framework already falls short of its government-to-government responsibilities in working with federally recognized Tribes, particularly within mining and land management permitting. Revisions to these regulations present a critical opportunity to correct that imbalance. Governor Walker’s Administrative Order 300 (2018) on “Consultation and Collaboration” explicitly directs each principal department to designate a Tribal Liaison to work closely with the Commissioner to “aid in producing a written plan to address specifics for engagement in consultation and collaboration with Alaska Tribes, tribal organizations, Alaska Native communities, and the Truth, Racial Healing, and Transformation (TRHT) endeavor.” The Order requires each department’s plan to “facilitate the government-to-government relationship between the department and Alaska Tribes.” This mandate has not yet been implemented within the Division of Mining, Land, and Water. As DNR undertakes this regulatory review under AO 360, it is both timely and necessary to align these efforts with AO 300 by establishing and resourcing a permanent Tribal Liaison position within the Mining Section to coordinate consultation, ensure consistency, and uphold the government-to-government relationship envisioned by AO 300. Rather than focusing solely on “reducing costs” or “streamlining,” we urge DNR to view this scoping process as a chance to strengthen Alaska’s mining governance system by institutionalizing consultation, environmental safeguards, and public involvement. Doing so will improve certainty for all parties—Tribal governments, communities, and industry alike—by clarifying standards and expectations within the regulations themselves.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Mining 11 AAC 86, 11 AAC 97	Tom Paragi	<p>Dear Sir or Madam: A major theme of Administrative Order 360 is to shorten the timeframe for permitting. Reducing funding or staff in DNR or DEC permitting offices is likely to be counterproductive to timely processing of permit applications. A 2016 federal Government Accountability Office report (Hardrock Mining: BLM and Forest Service Have Taken Some Actions to Expedite the Mine Plan Review Process but Could Do More   U.S. GAO) describes the top two most-cited reasons for delayed permitting for mines as (1) vague or incomplete mine operation plans that require additional information, and (2) the lack of qualified staff and resources to review environmental and permitting documents. In considering where to reduce lode (hard rock) mining regulations, the State of Alaska must recognize that regulations on air and water quality standards exist because of historic practices globally, and in Alaska, that have caused detrimental effects on living organisms, including human health. With lode mining, the tailings and waste rock contain metals and process byproducts that may exceed concentrations known to cause detriment to living organisms. Tailings impoundments and waste rock dumps represent the greatest risk of long term release through groundwater seepage or containment dam failure, long after a mine is "closed." Reducing protective measures or bond requirements needed for mine closure and subsequent monitoring and remediation treatments simply for expediency or cost savings is an irresponsible action that is passing a known risk of detriment to future generations. Thus, I ask that you do not reduce regulations for operation plans under 11 AAC 86.800 or reduce regulations for reclamation bonds or performance standards under 11 AAC 97.200 to 97.450. Detriment can occur during mine operations and in the closure phase that persists in perpetuity. Mitigating acid drainage from tailings or waste rock and dam failure of tailings impoundments will exceed financial assurances for closure (landscaping, monitoring water for contamination for 30 years, etc.) and fall back to the government (i.e., public) long after the profits and operators have moved on. This responsibility for protecting public and environmental health is shared by the Alaska Legislature (statutory guidelines) and Executive cabinet agencies (administration of regulations and policies). Avoiding detriment from tailings and waste rock is largely possible in the planning phase by following Safety First: Guidelines for Responsible Mine Tailings Management - Earthworks. Responsible mining companies seeking to minimize long-term liability of environmental detriment would follow such safety guidelines. Waste rock volume is likely to increase over time as grades of ore deposits decline with increasing exploitation of accessible lodes, similar to oil and gas extraction becoming increasingly difficult as accessible fields of these non-renewable resources are exploited. Where large tailing impoundments already exist, the State should actively encourage mine operators to examine the potential to recover metals that pose a health risk downstream. For example, the Fort Knox mine northeast of Fairbanks has processed ore to extract gold since 1996. The 2024 report on Fort Knox mine by Kinross (Fig. 18, page 33) shows that seepage below the tailings dam that is measured in monitoring wells contains antimony that continues to exceed the upper tolerance limit for Alaska Pollutant Discharge Elimination System permit threshold of 0.002 mg/L. This is one the parameter exceedances why seepage at several monitoring wells below the tailings dam has been continuously pumped back into the impoundment for most of life of the mine. Antimony is a "critical mineral" that is actively being recovered from historic tailings near Ester and is imminent to be mined closer to Fort Knox. Reducing antimony concentration in the tailings, which will otherwise persist in the long term as a detriment risk through seepage or impoundment failure, is a prudent question for agencies responsible for public health. Beyond the considerations mentioned, I recommend adding the following italicized text specific to existing regulations: •"mine reclamation financial assurances shall not be available to creditors during the event of bankruptcy proceedings" This might apply to either 11 AAC 97.430. Liability exceeding bond amount; bonding pool deposit or 11 AAC 97.440. Interest; use of bonding pool. •"mine operation plans must demonstrate a reasonably foreseeable end date for water quality treatments necessary to comply with applicable water quality standards" This prohibition of mine plans from allowing "perpetual treatment" is in place in Colorado (Signed 2019 bill amending Colorado mining statues 34-32-116) and New Mexico (statutes 96-36-12 permits for new mines). These states with a far longer history than Alaska of long-term environmental contamination of surface and ground waters associated with lode mining. This might apply to 11 AAC 86.800. Thank you for the opportunity to comment.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Mining 11 AAC 86, 11 AAC 97, and 11 AAC 90	Tyler Breen / Southeast Alaska Conservation Council	<p>Relevant statutory and regulatory authority. DNR’s mining-related responsibilities are primarily governed by AS 27.05, AS 27.19, AS 27.21, and implementing regulations at 11 AAC 86, 11 AAC 97, and 11 AAC 90. General mineral management. The commissioner of DNR “shall execute laws relating to exploration, development, and management of mining” on state lands. Surface use of mining claims. A mining claim holder may not “unreasonably obstruct or interfere with prior existing surface uses.” Reclamation obligation. Operators “shall reclaim all land disturbed by the mining operation” unless exempted by the commissioner. Coal program coordination. Alaska’s coal program implements the federal Surface Mining Control and Reclamation Act (SMCRA) through AS 27.21 and 11 AAC 90, providing for permitting, bonding, and inspection consistent with federal standards. Program implementation in Alaska. DNR administers mineral property management through its Mining Section and Large Mine Permitting Team, which coordinate multi-agency permit reviews for major projects. The LMPT operates under a Memorandum of Understanding among DNR, the Alaska Department of Environmental Conservation, the Department of Fish and Game (ADF&amp;G), and other agencies to facilitate joint review and public engagement. Reclamation and bonding procedures under 11 AAC 97 require operators to submit a reclamation plan, provide financial assurance, and obtain a Certificate of Completion after DNR verifies satisfactory reclamation.^6 For coal projects, DNR’s Regulatory Program oversees permitting and inspection activities under delegated SMCRA authority from OSMRE. Collectively, these frameworks create an interlocking system that integrates public participation, technical review, and post-mining accountability. The existing regulatory instruments are well developed; their strength lies in consistent enforcement, clear documentation, and meaningful public access to information. Recommendations Maintain comprehensive public notice and comment. Retain and reinforce public notice requirements under 11 AAC 97.200–.220 , 11 AAC 86.800, and coal program provisions under 11 AAC 90.119. Each step of the permitting process should continue to provide a public comment window with documents readily available online and, where feasible, in regional DNR offices in Southeast Alaska. Retain and strengthen bonding standards. Preserve the requirement in AS 27.19.040 for “bond or other security... sufficient to assure performance of reclamation.” Any revisions should clarify bonding adequacy assessments, require inflation adjustments, and continue to prohibit self-bonding. Ensure long-term water quality and stability monitoring. For hardrock mines, extend monitoring and reporting for water quality, stability, and revegetation success beyond closure until consistent compliance with baseline conditions is demonstrated. Require posting of annual inspection reports and monitoring results to a public web portal. Transparency in large mine oversight. Codify or reaffirm the role of the Large Mine Permitting Team as a coordinating body that integrates agency expertise while preserving each agency’s independent permitting authority. Maintain clear lines of accountability and ensure public records, such as draft and final decisions, monitoring plans, and inspection summaries—remain easily accessible. Interagency coordination for reclamation of historic sites. Encourage continued coordination with DEC’s Contaminated Sites Program and federal partners to address legacy or abandoned mine lands. Any rulemaking under this scope should avoid narrowing the agencies’ shared capacity to address cumulative and transboundary impacts. Coal program compliance and consistency. Continue to align Alaska’s coal regulations under AS 27.21 and 11 AAC 90 with OSMRE standards. Provide annual public reporting on permit compliance, reclamation progress, and bond adequacy for all active and inactive coal operations.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Mining 11 AAC 86.800	Michael Spindler	<p>11 AAC 86.800 SHOULD NOT be streamlined or reduced. The specificity currently contained within this section is excellent and should not be reduced. The Plan of Operations is a valuable tool for coordinating a mining applicant’s permit review and approval with other agencies and stakeholders. This process provides for the economic benefits of mining but also protects the health and safety of Alaskans. Considerations should be given to augmenting some aspects, specifically to articulate the types of baseline information needed by DNR prior to large mine approval, and provide for a transparent process to articulate when confidentiality of this information is appropriate (see *** below). “(a) A plan of operations that describes the activities proposed to take place under an upland mining lease, offshore prospecting permit, or offshore mining lease must be submitted to and approved by the director before activities may occur under the prospecting permit or lease. An approved plan of operations takes the place of the land use permit or miscellaneous land use permit that would be required under this title for unleased land. If proposed lease or permit activities are so minor that they could take place without a land use permit on unleased land, a plan of operations is not required.”</p> <p>***Minor” should be better defined*** “(c) Any geological, geophysical, or engineering data supplied by the applicant as part of the plan of operations will be kept confidential at the applicant’s request. Confidential data must be clearly identified by the applicant and separated from information not qualifying as confidential.” *** Confidentiality: Applicants may submit geological, geochemical, hydrological, environmental, or water quality information for pre-mining baseline and permit application; for annual reports within the mine permit-span; or at mine closure when it is decided to release the assurance bond. While the Applicant may request, and the State may appropriately decide, some such information be withheld for proprietary reasons, aspects relating to effects on health, safety, and the environment must not be kept confidential in order to protect public interests.***</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Mining 11 AAC 97	Michael Spindler	<p>11 AAC 97.200 to 97.450 Reclamation Plan, Reclamation Performance Standards SHOULD NOT be reduced, diluted, or eliminated. They are extremely important to provide economic opportunities for mining and also protect the health and safety of Alaskans. 11 AAC 97.240 acid mine drainage SHOULD NOT be reduced or eliminated. This regulation does not address situations in which acid mine drainage may appear after mine closure. Rather than reducing this regulation, it should be augmented to address acid mine drainage that presents after mine closure and release of assurance bonds. Most importantly the State should not approve mine plans of operation and reclamation plans if the DNR and DEC experts suspect acid mine drainage is likely and/or if perpetual treatment and remediation may be necessary. 11 AAC 97.400 to 97.450 Reclamation Assurance Bonds “(a) The commissioner shall require .....assurance amount may not exceed \$750 for each acre of mined area, except that the \$750 an acre limitation does not apply to the assurance amount required for a lode mine.” ***The amount of \$750/acre is inadequate for situations in which acid mine drainage and heavy metal leaching are possible after mine closure. The risk of acid mine drainage must be determined when the mine is originally permitted. Acid mine drainage and heavy metal leaching have the potential to greatly increase reclamation and mine closure expenses. ***A DNR Report entitled “Mine closure and reclamation cost estimation guidelines...” by DOWL, Inc, April 2015 cited escalating closure costs, which should be reflected in the required assurance bond amounts. (<a href="https://dnr.alaska.gov/mlw/mining/large-mines/pdf/rcindirects_dowlreport20150407.pdf">https://dnr.alaska.gov/mlw/mining/large-mines/pdf/rcindirects_dowlreport20150407.pdf</a>) The Yukon Territory Canada, an adjacent jurisdiction with similar mining activity and resources as Alaska, has experienced two significantly and recent mine contamination and bankruptcy events in which the required bonding was insufficient to cover reclamation, clean up, and closure costs (Victoria Gold Eagle mine, Mayo, 2024 (<a href="https://www.pwc.com/ca/en/car/victoria-gold/assets/victoria-gold-117_020725.pdf">https://www.pwc.com/ca/en/car/victoria-gold/assets/victoria-gold-117_020725.pdf</a>); <a href="https://yukon.ca/en/victoria-gold-corporations-eagle-mine-heap-leach-failure#Currentsituation">https://yukon.ca/en/victoria-gold-corporations-eagle-mine-heap-leach-failure#Currentsituation</a>; <a href="https://m.youtube.com/watch?v=xuLmXl1jP6s&amp;pp=0gcJCR4Bo7VqN5tD">https://m.youtube.com/watch?v=xuLmXl1jP6s&amp;pp=0gcJCR4Bo7VqN5tD</a>); and, Minto Copper mine, Carmacks/Pelly Crossing 2023 (<a href="https://macdonaldlaurier.ca/shuttered-yukon-mine/">https://macdonaldlaurier.ca/shuttered-yukon-mine/</a>; <a href="https://yukon.ca/en/news/government-yukon-provides-update-minto-mine">https://yukon.ca/en/news/government-yukon-provides-update-minto-mine</a>; <a href="https://www.cbc.ca/news/canada/north/minto-receivership-royalty-settlement-1.6920813">https://www.cbc.ca/news/canada/north/minto-receivership-royalty-settlement-1.6920813</a>). For the above reasons the State of Alaska mining assurance bonding regulations MUST NOT BE eliminated or reduced. If anything, the bonding amounts required should be increased, per the above-cited reasons.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Mining 11 AAC 97	Michael Spindler	<p>11 AAC 97.200 to 97.450 Reclamation Plan, Reclamation Performance Standards SHOULD NOT be reduced, diluted, or eliminated. They are extremely important to provide economic opportunities for mining and also protect the health and safety of Alaskans. 11 AAC 97.240 acid mine drainage SHOULD NOT be reduced or eliminated. This regulation does not address situations in which acid mine drainage may appear after mine closure. Rather than reducing this regulation, it should be augmented to address acid mine drainage that presents after mine closure and release of assurance bonds. Most importantly the State should not approve mine plans of operation and reclamation plans if the DNR and DEC experts suspect acid mine drainage is likely and/or if perpetual treatment and remediation may be necessary. 11 AAC 97.400 to 97.450 Reclamation Assurance Bonds “(a) The commissioner shall require .....assurance amount may not exceed \$750 for each acre of mined area, except that the \$750 an acre limitation does not apply to the assurance amount required for a lode mine.” ***The amount of \$750/acre is inadequate for situations in which acid mine drainage and heavy metal leaching are possible after mine closure. The risk of acid mine drainage must be determined when the mine is originally permitted. Acid mine drainage and heavy metal leaching have the potential to greatly increase reclamation and mine closure expenses. ***A DNR Report entitled “Mine closure and reclamation cost estimation guidelines...” by DOWL, Inc, April 2015 cited escalating closure costs, which should be reflected in the required assurance bond amounts. (<a href="https://dnr.alaska.gov/mlw/mining/large-mines/pdf/rcindirects_dowlreport20150407.pdf">https://dnr.alaska.gov/mlw/mining/large-mines/pdf/rcindirects_dowlreport20150407.pdf</a>) The Yukon Territory Canada, an adjacent jurisdiction with similar mining activity and resources as Alaska, has experienced two significantly and recent mine contamination and bankruptcy events in which the required bonding was insufficient to cover reclamation, clean up, and closure costs (Victoria Gold Eagle mine, Mayo, 2024 (<a href="https://www.pwc.com/ca/en/car/victoria-gold/assets/victoria-gold-117_020725.pdf">https://www.pwc.com/ca/en/car/victoria-gold/assets/victoria-gold-117_020725.pdf</a>); <a href="https://yukon.ca/en/victoria-gold-corporations-eagle-mine-heap-leach-failure#Currentsituation">https://yukon.ca/en/victoria-gold-corporations-eagle-mine-heap-leach-failure#Currentsituation</a>; <a href="https://m.youtube.com/watch?v=xuLmXl1jP6s&amp;pp=0gcJCR4Bo7VqN5tD">https://m.youtube.com/watch?v=xuLmXl1jP6s&amp;pp=0gcJCR4Bo7VqN5tD</a>); and, Minto Copper mine, Carmacks/Pelly Crossing 2023 (<a href="https://macdonaldlaurier.ca/shuttered-yukon-mine/">https://macdonaldlaurier.ca/shuttered-yukon-mine/</a>; <a href="https://yukon.ca/en/news/government-yukon-provides-update-minto-mine">https://yukon.ca/en/news/government-yukon-provides-update-minto-mine</a>; <a href="https://www.cbc.ca/news/canada/north/minto-receivership-royalty-settlement-1.6920813">https://www.cbc.ca/news/canada/north/minto-receivership-royalty-settlement-1.6920813</a>). For the above reasons the State of Alaska mining assurance bonding regulations MUST NOT BE eliminated or reduced. If anything, the bonding amounts required should be increased, per the above-cited reasons.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Resource Assessment and Development 11 AAC 55, 11 AAC 96	Tyler Breen / Southeast Alaska Conservation Council	<p>Subject: Re: Resource Assessment and Development (including Land Exchanges and Special Use Areas) — OPN 221216</p> <p>Introduction The Southeast Alaska Conservation Council (SEACC) is a regional grassroots organization representing more than 8,000 members and supporters across Southeast Alaska and nationwide. We thank the Alaska Department of Natural Resources (DNR), Division of Mining, Land &amp; Water, for the opportunity to provide comments on the Resource Assessment and Development scoping notice (OPN 221216). This notice encompasses potential revisions to the Division’s authorities related to land exchanges, resource assessments, and the designation or management of special use areas. SEACC’s position remains consistent throughout the Administrative Order 360 process: Alaska’s existing regulatory framework does not require broad or systemic overhauls. Any updates should focus on maintaining or expanding public transparency, public involvement, monitoring, and enforcement—particularly regarding land disposition and management decisions that affect public lands and waters across Southeast Alaska.</p> <p>Background Governing authority. DNR’s authority to classify, exchange, and manage state lands arises primarily from AS 38.04 (State Land Planning and Classification), AS 38.05 (Alaska Land Act), and implementing regulations at 11 AAC 55 and 11 AAC 96. Each establishes processes for resource assessments and land management planning. ● State land classification and planning. DNR “shall classify state land for its best use” and manage it under multiple-use principles that consider “the public interest.”<sup>1</sup> ● Land exchanges. Under AS 38.50.020, DNR may approve an exchange when it “will be in the best interests of the state.”<sup>2</sup> ● Special use areas (SUAs). Regulations at 11 AAC 96.014 authorize the commissioner to establish or modify a SUA by order “to restrict the use of state land... to protect persons, property, or resources.”<sup>3</sup> ● Resource assessments. The agency’s Land Administration Manual notes that resource assessments serve as a planning tool to evaluate the biological, geophysical, and economic characteristics of a parcel prior to classification or conveyance.<sup>4</sup> In practice, DNR applies these provisions through several instruments. For example, Resource Management Plans and Area Plans (e.g., Southeast State Area Plan) guide land classifications and identify lands for retention or disposal. Special use areas such as the Juneau Icefield SUA demonstrate how DNR uses its authority to balance access, safety, and environmental protection. Exchanges between the State and municipalities or Native corporations proceed under AS 38.50 with a “best interests finding” that includes a public notice period and opportunity for comment.<sup>5</sup> These processes already embed statutory requirements for transparency, including written findings under AS 38.05.035(e), which requires DNR to issue a best interest finding for disposals of interest in state land and provide public notice and opportunity for comment. <sup>6</sup> The “best interest” requirement is a cornerstone of state land management that supports transparent, accountable decision-making. ● Retain the Best Interest Finding process. Maintain AS 38.05.035(e)’s written best interest finding requirement for any land exchange, classification, or disposal. This provision ensures that public values, subsistence resources, and habitat considerations are documented in each decision. Eliminating or compressing this step could weaken the transparency and accountability that the Alaska Land Act intends. ● Strengthen public participation and accessibility. Continue to provide a minimum 30-day comment window and public notice across multiple media (e.g., Online Public Notices, newspapers, local postings). For land exchanges or SUA designations affecting Southeast communities, hold accessible in-person or virtual hearings in Juneau, Sitka, Ketchikan, or nearby affected communities. ● Clarify “best interests” criteria. If DNR updates its regulations, it should publish interpretive guidance describing how “best interests” determinations incorporate ecological, cultural, and public access factors, in addition to economic benefit. This aligns with AS 38.04.005’s direction that land use planning consider “all the resources of the state.”<sup>7</sup> ● Ensure robust documentation of resource assessments. Continue publishing underlying scientific and technical analyses used in area planning or SUA designations. Resource assessments should include current hydrologic, geotechnical, and biological data, with all supporting datasets archived in publicly accessible repositories. ● Maintain Special Use Area protections. SUAs play a key role in balancing recreation, safety, and environmental protection. Retain clear criteria in 11 AAC 96.014 for establishment, modification, and repeal, and ensure each action includes a documented rationale, map, and opportunity for public input. ● Transparency in land exchanges. For exchanges under AS 38.50, continue requiring public notice, a preliminary best interest finding, and publication of appraisals and maps. Exchanges that involve municipal or private entities should demonstrate equivalence in value and public purpose and include a plain-language summary of public benefits. Conclusion SEACC appreciates the opportunity to comment on OPN 221216. We believe that Alaska’s land management framework, particularly under AS 38.04 and AS 38.05, remains functional and appropriately structured. Revisions are unnecessary unless they demonstrably improve transparency, public engagement, and oversight. Any future updates should reaffirm the principles of open process, public notice, and careful</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>documentation embedded in the Alaska Land Act. We thank the Department for considering these comments and remain available to provide additional information or examples from Southeast Alaska regarding land planning and exchange practices. 1 Alaska Stat. § 38.04.005 (“It is the policy of the state that the use of its land shall be for the maximum benefit of its people... and that the planning and classification of land shall be conducted on the basis of all the resources of the state.”), 2024 Alaska Statutes, <a href="https://law.justia.com/codes/alaska/title-38/chapter-04/section-38-04-005/">https://law.justia.com/codes/alaska/title-38/chapter-04/section-38-04-005/</a>. 2 Alaska Stat. § 38.50.020 (“The commissioner may approve an exchange of state land... when the exchange will be in the best interests of the state.”), 2024 Alaska Statutes, <a href="https://law.justia.com/codes/alaska/title-38/chapter-50/section-38-50-020/">https://law.justia.com/codes/alaska/title-38/chapter-50/section-38-50-020/</a>. 3 11 AAC 96.014 (“The commissioner may by written order establish or modify a special use area to restrict the use of state land to protect persons, property, or resources.”), Alaska Admin. Code, <a href="https://www.law.cornell.edu/regulations/alaska/11-AAC-96.014">https://www.law.cornell.edu/regulations/alaska/11-AAC-96.014</a>. 4 DNR Land Administration Manual, ch. 4 (“Resource Assessments”), Alaska Department of Natural Resources, <a href="https://dnr.alaska.gov/mlw/">https://dnr.alaska.gov/mlw/</a> (last visited Oct. 31, 2025) (describing the purpose and content of resource assessments for land planning). 5 Alaska Stat. § 38.50.020 (“The commissioner may approve an exchange of state land... when the exchange will be in the best interests of the state.”), 2024 Alaska Statutes, <a href="https://law.justia.com/codes/alaska/title-38/chapter-50/section-38-50-020/">https://law.justia.com/codes/alaska/title-38/chapter-50/section-38-50-020/</a>. 6 Alaska Stat. § 38.05.035(e) (“Before the disposal of an interest in state land, the director shall prepare a written finding that the interests of the state will be best served.”), 2024 Alaska Statutes, <a href="https://law.justia.com/codes/alaska/title-38/chapter-05/section-38-05-035/">https://law.justia.com/codes/alaska/title-38/chapter-05/section-38-05-035/</a>. 7 Alaska Stat. § 38.04.005 (“It is the policy of the state that the use of its land shall be for the maximum benefit of its people... and that the planning and classification of land shall be conducted on the basis of all the resources of the state.”), 2024 Alaska Statutes, <a href="https://law.justia.com/codes/alaska/title-38/chapter-04/section-38-04-005/">https://law.justia.com/codes/alaska/title-38/chapter-04/section-38-04-005/</a>.</p>	
Resource Assessment and Development	Jacqueline Muehlbauer	<p>Data collection about Alaska’s natural resources is valuable—but must be balanced with the need to preserve ecological integrity and respect community priorities. Recommendations Cumulative Impact Analysis: Require that resource assessments consider combined effects of nearby activities on soil stability, vegetation, and hydrology. Data Sharing: Make resource datasets publicly available in standardized formats to support local research and education. Diversify Focus: Expand assessment programs beyond minerals to include renewable resources such as forest health, biodiversity, and watershed resilience. Informed management requires comprehensive data—not only about what can be extracted, but what must be sustained.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

Topic / Citation	Topic / Citation	Comment	Agency Response
Resource Assessment and Development	Russ Vander Lugt	As part of Public Review of the Northeast Alaska Area Plan (NEAAP), including Resource Assessment & Development, the State of Alaska should continue to accommodate rights of private landowners that own land within, adjacent, and surrounded by state owned and selected land, to include contacting landowners that may be affected by any future mineral orders. This process of consultation between the DNR and private landowners is a necessary component of public review and should continue after the final plan is adopted, when NEAAP will serve as the basis for management of state land and waters within the plan boundary. The State of Alaska should seek to limit negative or perceived negative impacts of NEAAP to private landowners, addressing private landowner concerns, and ensure continued traditional use and the historical precedent of necessary homesteading activities and access. In addition, the DNR should ensure: -When working with private landowners, the NEAAP complies with State of Alaska Statute § 19.40.210 permitting ORV access from the Dalton Highway to private property with an established history of use as a homestead. -The State of Alaska seeks to continue to limit expansion of unnecessary and unjustified federal BLM ACECs, especially when such ACECs jeopardize private landowner's access to property, traditional uses, and the historical precedent of necessary homesteading activities. My interest in posting this public comment on NEAAP is as follows: I am a private landowner with a patented homestead located in the Central/Eastern Brooks Range adjacent to the outer pipeline corridor and impacted by decisions/actions in Arctic and Dalton Corridor Region Planning Units and Designations in A-03, A-01, and D-01 (map 3-2). To date, as a private landowner affected by NEAAP, I have not been contacted by DNR to discuss impacts of this plan as stated above,	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Resource Assessment and Development 11 AAC 02	Nils Andreassen / Alaska Municipal League	Comment Letter from Alaska Municipal League Re: AML Input on Potential Revisions to 11 AAC 02 – Administrative Procedures Overview The Alaska Municipal League (AML), representing 165 cities and boroughs across the state, appreciates the Department of Natural Resources' (DNR) initiative to gather public input before drafting proposed revisions to 11 AAC 02. AML supports efforts to clarify procedures, reduce costs, and increase transparency and efficiency in administrative and permitting processes. Local governments frequently interact with DNR processes that directly affect planning, platting, land management, and development. Streamlining these procedures will improve municipal service delivery, promote economic development, and strengthen coordination between state and local authorities. 1. Improve Efficiency and Reduce Administrative Burden •Consolidate and standardize application forms across divisions and regions, minimizing redundant information requests. Where possible, pre-fill or auto-populate applicant data already held by the state. •Develop an online system that allows municipalities and applicants to submit, track, and amend permit applications across all DNR divisions. A single point of entry would significantly reduce administrative time for both applicants and state staff. •Codify reasonable review timelines and provide status transparency through public dashboards. Local governments rely on predictable schedules for project planning, plat approval, and infrastructure investment. 2. Enhance Coordination with Local Governments •Require interagency and municipal consultation early in the application or review process. Many local governments experience delays or confusion due to lack of timely communication on state-level land or resource decisions. •Explicitly recognize municipal planning and platting powers in state procedures. DNR's permitting and land management decisions should reference and align with local comprehensive plans and zoning ordinances whenever possible. •Improve GIS integration and data-sharing platforms so municipalities can readily access DNR land status, lease information, and permit databases to inform local decision-making. 3. Increase Transparency and Public Trust •Provide clear, plain-language criteria used to evaluate applications. Include examples of successful applications and guidance on common deficiencies. •Require decision memos to explicitly reference regulatory criteria and data used, improving accountability and allowing local governments to understand and anticipate regulatory expectations. •Enhance digital tools for public notice and comment submission. Ensure that notices are searchable, geographically filterable, and accessible to local governments and the public through an open data interface. 4. Reduce Costs and Promote Modernization •Allow for full electronic document submission and certification. Reduce printing and mailing costs for both DNR and applicants. •Formalize interagency review protocols under Administrative Order 360 to eliminate duplicative review layers between DNR, DEC, DOT&PF, and other agencies. •Implement risk-based or tiered review processes—expedited for low-impact or low-risk applications, while maintaining rigorous standards for complex or environmentally sensitive projects. 5. Maintain Integrity and Historic Preservation •Streamlining should not come at the expense of environmental standards or historic and cultural resource protection. AML encourages the state to integrate digital tools	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>(e.g., shared databases with SHPO) to maintain preservation standards while improving efficiency. Conclusion AML supports DNR's efforts to modernize and clarify administrative procedures under 11 AAC 02. These improvements will yield tangible benefits for Alaska's local governments and residents—reducing costs, improving predictability, and enhancing coordination across jurisdictions. AML stands ready to collaborate with DNR on implementation planning, digital modernization, and outreach to communities.</p>	

Topic / Citation	Topic / Citation	Comment	Agency Response
Resource Assessment and Development 11 AAC 55, 11 AAC 67	Nils Andreassen / Alaska Municipal League	<p>Re: AML Input on Potential Revisions to 11 AAC 55, 11 AAC 67, and Special Use Areas under Administrative Order 360 Introduction</p> <p>The Alaska Municipal League (AML) appreciates the opportunity to provide comments to the Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), as it considers revisions to 11 AAC 55, 11 AAC 67, and related Special Use Area regulations pursuant to Administrative Order 360. AML represents 165 cities and boroughs across Alaska, all of which depend on efficient, transparent, and coordinated state processes for land management, resource development, and public infrastructure planning. Local governments play a critical role in community development, economic growth, and environmental stewardship, and are frequent participants in or affected parties to DNR's land and water management decisions. We support this review as an opportunity to reduce administrative burden, enhance coordination, improve communication, and modernize regulatory procedures in ways that benefit both the state and Alaska's municipalities and boroughs.</p> <p>1. Streamlining and Modernizing Procedures</p> <ul style="list-style-type: none"> <li>•Unified and Digital Application Systems: Establish a modern, centralized online portal for permit, lease, easement, and land use authorizations that spans all DNR divisions. Such a system should allow municipalities and other applicants to submit, track, and manage applications electronically and to view status updates in real time.</li> <li>•Standardized Processes Across Regions: Develop consistent templates and guidance across DMLW regional offices. Municipalities often experience variation in application processing, communication, and expectations by region—creating uncertainty and inefficiency.</li> <li>•Predictable Timelines and Accountability: Codify review timeframes for permits and land actions, with transparency through public dashboards. Predictability is essential for local government planning, subdivision approvals, and public project delivery.</li> </ul> <p>2. Enhancing Coordination and Alignment with Local Governments</p> <ul style="list-style-type: none"> <li>•Integration with Municipal Planning and Platting Processes: Align DNR and DMLW land management decisions with local comprehensive plans and platting authorities. State actions—such as land disposals, conveyances, or leases—should consider existing and adopted local plans to avoid conflicts, promote efficient development, and support local infrastructure planning.</li> <li>•Early Notification and Consultation: Require early consultation with local governments for proposed land actions, Special Use Area designations, or regulation changes that may affect municipal boundaries, planning areas, or service delivery.</li> <li>•Shared Mapping and Data Resources: Improve GIS data accessibility by creating shared, real-time mapping systems for land ownership, encumbrances, and permitted uses. This would improve coordination and help municipalities make data-driven planning decisions.</li> </ul> <p>3. Reducing Costs and Administrative Burden</p> <ul style="list-style-type: none"> <li>•Simplified Application Requirements: Consolidate overlapping documentation and allow use of existing state or municipal approvals where appropriate. For example, environmental or engineering studies approved by one agency should not need to be resubmitted to another unless materially changed.</li> <li>•Tiered Review Processes: Implement risk-based or impact-tiered application review, expediting low-impact or small-scale municipal projects while reserving more detailed review for higher-impact activities.</li> <li>•Clear Fee Structure: Simplify fee schedules and ensure that small or low-revenue municipalities are not disproportionately burdened by application or renewal costs.</li> </ul> <p>4. Improving Communication and Transparency</p> <ul style="list-style-type: none"> <li>•Consistent Public Notice and Engagement: Expand digital public notice tools to allow local governments and residents to search by geography, project type, or permit number. This will improve accessibility and public participation.</li> <li>•Clear Standards and Decision Rationale: Publish clear, plain-language evaluation criteria and decision summaries. Municipalities benefit when the basis for DMLW decisions is transparent, allowing for informed coordination and better community communication.</li> <li>•Interagency Coordination and Role Clarity: Clarify the respective responsibilities of DNR, DEC, DOT&amp;PF, ADF&amp;G, and other state agencies involved in land and water permitting. A documented, streamlined review process—especially for joint actions—will reduce delays and improve consistency.</li> </ul> <p>5. Special Use Areas and Local Government Engagement</p> <ul style="list-style-type: none"> <li>•Collaborative Management of Special Use Areas: Involve affected municipalities and boroughs early in the designation, modification, or management of Special Use Areas. Local governments are best positioned to identify compatible uses, infrastructure needs, and long-term stewardship opportunities.</li> <li>•Transparent Review of Existing Designations: As part of Administrative Order 360 implementation, review existing Special Use Area management plans to ensure they reflect current conditions and community priorities. Provide opportunities for local governments to propose updates or amendments.</li> <li>•Balancing Conservation and Development: Local governments support maintaining environmental and cultural resource protections while ensuring regulatory processes facilitate responsible local economic development and infrastructure investment.</li> </ul> <p>6. Maintaining Historic Preservation and Environmental Standards</p> <p>AML recognizes the importance of maintaining Alaska's natural, cultural, and historic heritage. Regulatory reform should:</p> <ul style="list-style-type: none"> <li>•Modernize documentation standards for cultural and environmental reviews without reducing</li> </ul>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>substantive protection. •Leverage technology—such as digital records, online reporting tools, and spatial databases—to enhance transparency and access while maintaining compliance with preservation requirements. Conclusion The Alaska Municipal League commends DNR and DMLW for proactively seeking input before drafting regulatory changes under Administrative Order 360. The modernization and streamlining of these regulations represent an important opportunity to: •Improve efficiency and predictability for both state and local governments; •Reduce administrative and financial burdens; •Enhance coordination and transparency; and •Enable more effective municipal planning, platting, and development. AML stands ready to collaborate with DNR and DMLW in refining these proposals and in shaping implementation strategies that advance shared goals for responsible, efficient, and community-informed land and water management across Alaska.</p>	
Statewide Abatement of Impaired Lands	James Wilson / City of Ketchikan	<p>TO: DMLW FROM: James Wilson, Harbor Operations Coordinator, City of Ketchikan DATE: 10-28-25 SUBJECT: Response to Administrative Order 360 In response to Administrative Order 360, we would like to express our support for efforts to streamline and simplify government processes. While reducing bureaucratic complexity is an important goal, it is essential to recognize that no matter how efficient the process becomes, successful outcomes ultimately depend on the ability of agencies to follow through with implementation and funding. In particular, the Derelict Vessels Program Fund and the 50/50 Harbor Grant Fund require consistent and timely allocation of resources. With the continued rise in the cost of materials and services, local harbors are facing significant financial strain in addressing the removal of derelict and abandoned vessels. Without adequate funding and agency action, the ease of application or reduction in administrative “red tape” will have little practical effect. We respectfully urge that the relevant agencies ensure full commitment and follow-through in administering these programs to support our harbors and maintain safe and navigable waterways. James Wilson Harbor Operations Coordinator City of Ketchikan</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Statewide Abatement of Impaired Lands	Jacqueline Muehlbauer	<p>Ester Dome has legacy mine sites and tailings piles that continue to erode and affect water quality. Recommendations: Prioritize cleanup of legacy and orphaned sites that directly impact residential or recreation areas. Involve local volunteers and university partners in reclamation planning and monitoring. Provide small-grant opportunities for community-driven abatement and revegetation projects.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory</p>

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			Reform Plan as part of our broader effort under guidance provided in AO 360.
Statewide Abatement of Impaired Lands	Loretta Brown / Salmon State	<p>Submitted via online portal and electronic mail October 31, 2025 John Crowther Acting Commissioner Alaska Department of Natural Resources 550 W. 7th Avenue, Ste 1400 Anchorage, Alaska 99501 RE: Public Comments on Request for Public Input on Regulations of the Department of Natural Resources Dear Acting Commissioner Crowther, Thank you for the opportunity to comment on the Alaska Department of Natural Resources' (DNR) potential amendments to regulations affecting water management, land use, and natural resource management. The mission of DNR is to "develop, conserve and maximize the use of Alaska's natural resources consistent with the public interest." DNR also has a public trust responsibility under the Alaska Constitution, and DNR statutes to maintain a robust permitting and review process to protect the state's lands and waters for the health and benefit of Alaskans. It is in the best interest of Alaskans and the state to establish and maintain rigorous environmental standards and permitting criteria to protect our natural resources, fish and wildlife populations, small businesses, and communities. Alaska is home to some of the world's last intact wild landscapes and waterways that still support abundant fish and wildlife populations. Alaska's vast wild spaces are essential to the physical and economic stability of the state and its residents. The wild and natural freshwater systems and undeveloped landscapes of Alaska provide robust and sustainable food security for Alaskans, support the commercial and recreational fishing and hunting industries, and provide a booming and growing tourism industry throughout the state. Protecting Alaska's lands and waters from destructive industrial development and pollution is truly a sustainable investment in Alaska's future. In contrast, Administrative Order 360 is extraordinarily shortsighted and ignores the scope of business investments, communities and families that rely on Alaska's natural resources, public lands, water quality, and fisheries. Rigorous environmental standards and the careful review of permit applications for projects that could put the health and safety of the people of Alaska at risk is not burdensome. It is simply the cost of doing business. Long-standing regulations and permit review processes provide clarity, transparency, and predictability for project proponents, agency staff, interested stakeholders, Tribes and the public. Meaningful public participation in review of large-scale projects also provides critical information about potential impacts to fish and wildlife habitat, water resources, community health and small businesses. It creates an opportunity and forum for the state to address community concerns and mitigate risk prior to issuing permits. Oftentimes the word streamlining means cutting the public out of the decision-making process. However, eliminating the perspectives of the public, Tribes or concerned communities simply sets up the state for costly legal battles and project proponents for unnecessary delays. Many concerns are in fact resolved through a thoughtful dialog with concerned citizens. In addition, many potential environmental impacts can be avoided by tapping into local knowledge and carefully analyzing project alternatives that make the most sense for both permittees and community stakeholders. Before moving forward, we urge DNR to carefully consider its public trust duty and legal responsibility when determining whether to remove protective regulations or streamline review processes that are designed to protect the public interest. Thank you for the opportunity to comment. Sincerely,</p> <p>/s/ _____ /s/ _____ Emily Anderson Loretta Brown Alaska Director Legal and Policy Director Wild Salmon Center Salmon State</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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Statewide Abatement of Impaired Lands	Tyler Breen / Southeast Alaska Conservation Council	<p>The Southeast Alaska Conservation Council (SEACC) is a regional grassroots organization with more than 8,000 members and supporters across Southeast Alaska and nationwide. We appreciate the opportunity to comment on the Department of Natural Resources Division of Mining, Land &amp; Water scoping notice titled Statewide Abatement of Impaired Lands. SEACC recognizes that the abatement of impaired lands (those degraded by past mining, industrial, or other land-use activities) is an important public function. In general, Alaska’s existing regulatory framework provides adequate tools for reclamation, remediation, and enforcement. We do not see an urgent need for broad reform. Instead, any proposed updates should strengthen public transparency, participation, and monitoring, and clarify interagency coordination on remediation activities. Recommendations Maintain current reclamation and bonding structure. The combination of AS 27.19 and 11 AAC 97 provides a workable foundation for mine site reclamation and abatement. These provisions should be retained. Any revisions should focus on improving clarity or transparency—not on relaxing reclamation standards or financial assurance requirements. Ensure interagency transparency and coordination. Continue and expand coordination between DNR and DEC to address impaired lands jointly, particularly where mining-related contamination overlaps with water-quality or solid-waste regulation. A single, unified public portal for impaired land data (integrating DNR’s reclamation database and DEC’s Contaminated Sites Database) would strengthen public understanding and accountability. Public participation and documentation. Retain the AS 38.05.035(e) best interest finding process for reclamation or abatement projects on state land. Publish all project-specific reclamation plans, monitoring reports, and certificates of completion online, along with maps of affected areas. Monitoring and long-term stewardship. Require long-term monitoring for sites where residual contamination or stability issues persist. DNR should develop post-closure monitoring guidance, specifying frequency, parameters, and reporting intervals for reclaimed or abated lands. Funding transparency. When abatement projects are supported by the Alaska Abandoned Mine Reclamation Trust Fund or similar sources, publish annual summaries showing expenditures, project locations, and measurable outcomes. Data accessibility and public reporting. Support the continued public release of the Abandoned Mine Lands Inventory and periodic updates to the statewide GIS layers for impaired lands, reclamation certificates, and environmental monitoring points. Conclusion SEACC thanks DNR for the opportunity to comment on OPN 221215. Alaska’s statutory and regulatory framework for reclamation and impaired land abatement is generally effective and well-defined. We do not recommend broad reforms. Any adjustments should focus on strengthening transparency, public participation, and long-term monitoring while maintaining rigorous reclamation standards and adequate bonding. SEACC stands ready to provide additional input or examples from Southeast Alaska—where legacy mine sites and former industrial lands demonstrate both the importance and the complexity of effective abatement.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Statewide Abatement of Impaired Lands 11 AAC 200	Nils Andreassen / Alaska Municipal League	<p>AML Comment on 11 AAC 200 (Derelict &amp; Abandoned Vessels) AML appreciates that DNR/DMLW is soliciting public input before drafting proposed changes to 11 AAC 200, and offers the following considerations rooted in the municipal-government perspective. Many local governments in Alaska are directly involved in response to derelict or abandoned vessels—coastlines, ports, harbors, public safety, environmental cleanup, and infrastructure protection. Reform that reduces cost, clarifies procedures, improves transparency and coordination, and avoids duplication will benefit municipalities and communities. At the same time, we must ensure that streamlining does not weaken the state’s ability to protect public infrastructure, environment, marine resources, and local government burdens. The following is AML’s attempt to support the Governor’s efforts that drive toward efficiency and effective operations, and should be considered provisional, as they have not been taken up by AML members for evaluation. More time, in the future, would allow for more substantive deliberation.</p> <p><b>Key Municipal Priorities</b></p> <p><b>Engagement and coordination with municipal governments</b> Local governments are often first responders or co-responders for derelict vessels; regulatory revisions should include formal triggers for DNR/DMLW to notify affected municipalities or boroughs when an enforcement action is initiated (or proposed) under 11 AAC 200. If a municipal harbor denies access to or requires removal of a vessel because of its condition, unfit status, or lack of insurance, similar notification and coordination should occur between DNR, affected local governments, and relevant agencies. Otherwise, these vessels often end up in state waters or unmonitored tidelands—creating an environmental and public safety risk.</p> <p><b>Affordability and clarity of procedures</b> Municipalities often incur costs in dealing with derelict vessels (removal, liability, public safety). The regulation should streamline reimbursement processes, clarify eligibility criteria for the state’s Derelict Vessel Prevention Program fund (or equivalent), reduce administrative burden (forms, reporting), and improve timelines for decision-making to reduce local government exposure.</p> <p><b>Transparency and predictable timelines</b> Local jurisdictions need clear procedures: how a derelict vessel is identified, how responsibilities are assigned (owner/district/municipality/state), what the timeline is for notice, removal, cost recovery, how municipal claims interact with DNR’s enforcement, and how information is made public.</p> <p><b>Avoiding duplicative reviews and clarifying roles</b> Municipal governments often work alongside state agencies, tribal governments, and federal agencies (e.g., US Coast Guard). 11 AAC 200 should more clearly define interagency roles, municipal roles, state roles, funding lines, and avoid overlapping responsibilities.</p> <p><b>Preserving protections</b> – While streamlining, it is critical to maintain enforcement authority (inspection, notice, warrant, removal) under AS 30.30 and the regulations (e.g., 11 AAC 200.110). The rights of municipalities to request state assistance or reimbursement must not be weakened.</p> <p><b>Suggested Reforms</b></p> <ol style="list-style-type: none"> <li>1. Digital portal and tracking system – Create an online system for derelict vessel notifications, status tracking (vessel posted, notice of disposition, removal authorized, cost-recovery initiated), accessible to municipal staff, tribal governments, and the public. This reduces duplication for municipalities, increases transparency, and improves timelines.</li> <li>2. Standardized municipal claim and reimbursement process – The regulation should prescribe a clear timeline for municipalities or boroughs to submit reimbursement claims to the state fund, with standardized forms, required exhibit checklist, and predetermined maximum administrative fee deduction. This reduces administrative burden and cost for local governments.</li> <li>3. Simplified 'small vessel/harbor' pathway – For derelict vessels of smaller size or in local harbor settings (where risk is lower and municipality is proactive), a streamlined 'municipality-led' removal authorization process could be created – subject to state approval but with less paperwork and more reliance on a template municipal removal plan. This promotes local benefit, faster removal, and reduced cost while maintaining oversight.</li> <li>4. Clear roles and escalation paths – The regulation should include a table or flow chart showing decision-making roles: identifying agency (municipality, DNR, Coast Guard), posting notice actor, removal or disposition actor, cost recovery actor, municipal involvement points, and interagency coordination events. This will reduce confusion and duplication for local governments and applicants.</li> <li>5. Enhanced interagency notification and coordination – The notification process should include all agencies with a role in these situations—DNR, USCG, DEC, EPA, and others as appropriate. Effective interagency communication is essential to avoid the 'hot potato' problem of passing aged-out vessels between jurisdictions. The regulation should establish clear protocols for when and how agencies notify each other and affected municipalities when a vessel is denied harbor access, removed, or posted as derelict.</li> <li>6. Municipal early-notification requirement – When DNR posts a notice on a vessel under 11 AAC 200.110 (inspection, notice of disposition), municipalities with relevant jurisdiction should be automatically notified by DNR within a defined timeframe (e.g., 5 business days). The same should apply when a harbor denies or removes a vessel due to derelict, nuisance, or uninsured status. This ensures all parties are aware and can coordinate responses effectively.</li> <li>7. Cost-sharing and preventive funding options –</li> </ol>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

Topic / Citation	Topic / Citation	Comment	Agency Response
		<p>Considering that municipalities bear much of the burden of derelict vessels, the revision could incorporate a preventive grant or matching-fund program for municipalities to monitor, report, and prepare low-cost removal of small abandoned vessels (before they escalate). This aligns with streamlining and local benefit while preserving state oversight.<sup>8</sup> Timeline benchmarks and report-back requirements – For each enforcement stage (inspection, posting notice, owner response, removal decision, cost recovery), include benchmark timelines (e.g., 30 days for posting, 60 days for owner removal, 90 days for municipal/state removal decision) and require DNR to publish an annual report summarizing performance (average time, cost to municipalities, number of vessels removed). This supports transparency, accountability, and improved efficiency.</p> <p>Big Picture: Cradle-to-Grave Planning</p> <p>Alaska is in the boat business—and just like any human-made asset, boats don’t last forever. A full lifecycle or cradle-to-grave approach is needed to manage vessel end-of-life responsibly. Regulations and agency coordination should include planning for end-of-life disposal, especially for larger vessels (e.g., 58 feet or more). The State should identify and support safe, legal, and affordable disposal pathways to prevent responsible owners from abandoning vessels due to lack of options. Without this, these vessels often end up as environmental and navigation hazards.</p> <p>Safeguards and What Must Not Be Lost</p> <ul style="list-style-type: none"> <li>• Enforcement authority under 11 AAC 200.110 (inspection, notice posting, warrant, affidavit) must remain intact.</li> <li>• Municipal rights to seek reimbursement or cost-recovery under the Derelict Vessel Prevention Program Fund and similar mechanisms must not be weakened.</li> <li>• Public notice and fairness in disposition of vessels (owner notice, rights of appeal or administrative remedy) must remain.</li> <li>• Local governments’ participation early and meaningfully in decisions that affect port operations, harbor budgets, navigation safety, tourism assets, and public water access must be preserved.</li> <li>• Adequate technical documentation and minimum standards for removal, environmental remediation (fuel/hazardous materials), and reclamation of vessel sites must be maintained.</li> <li>• Clear coordination with other jurisdictions and agencies (federal, tribal, local) must be ensured so that removal actions do not create conflicting obligations or shift cost burdens to municipalities.</li> </ul> <p>Conclusion</p> <p>AML strongly supports revisions to 11 AAC 200 that reduce cost and burden for local governments and industry, clarify roles and timelines, enhance transparency, simplify municipal pathways for removal and reimbursement, and modernize documentation and tracking. At the same time, AML urges DNR/DMLW to preserve key protections for municipalities, environment, public infrastructure, and rights of affected parties. Consistent interagency communication and cradle-to-grave planning are essential to prevent future derelict vessel crises and protect Alaska’s coastal environments and communities.</p>	
Water	Kirsti Jurica	<p>Alaskans depend on the state’s water resources to sustain its fish and wildlife and the communities, culture and economies that depend on them. Besides arbitrary cuts with no guidance or process, the Administrative Order 360 directs DNR and DFG a “provision for automatic approval if deadlines are not met” in all permits. It’s a loophole that could enable permits to be granted without review. This is handing over our resources to select few private interests at the cost of all Alaskans and the health of our lands. Alaskans are left without the oversight, transparency, and input that we have fought hard to secure over the decades and violates the Alaska Constitution. The Alaska Constitution states, “[w]henver occurring in their natural state, fish, wildlife and waters are reserved to the people for common use.” To develop responsibly in Alaska, private interests should be held to a high standard consistent with the protections provided in the Alaska Constitution and the obligation to do so should fall on the entity. Although Alaska has made strides in safeguarding its waterways, Alaska’s DNR water regulations are still not strict enough. Infrastructure issues, climate change, decreased funding, a complex regulatory system for water rights and political hurdles to designating rivers as highly protected waterways are all challenges the State faces. It’s crucial to uphold all water use and quality regulations, prioritizing long-term sustainability and resilience rather than the short-term gains of private entities. With fish and wildlife populations declining across the state, we must protect our water resources to ensure the continued diversity of life in our environment. I urge DNR to explore cost-saving alternatives that do not involve deregulation.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

Topic / Citation	Topic / Citation	Comment	Agency Response
Water 11 AAC 93	Alan Peck	<p>Re: Comments regarding the Solicitation for Public Input-Department of Natural Resources-Division of Mining, Land and Water-Regulatory Revisions Regarding Water. To Whom It Concerns: I am responding to the initial public notice and subsequent extension period for public comment regarding the Solicitation for Public Input-Department of Natural Resources-Division of Mining, Land and Water-Regulatory Revisions Regarding Water. I am submitting these comments to assist DNR with assessing the need to draft any specific regulation amendments or repeals for public review. My foremost concern at this point is that all stakeholders can have the opportunity to be involved in this process. Federal agencies are a significant stakeholder and are currently unable to participate due to a Federal government shutdown that began October 1, 2025. The shutdown prevents the agencies from reviewing and responding to any State of Alaska (SoA) requests until Congress and the President pass legislation funding the government. As of November 7, 2025, there does not appear to be a resolution to the shutdown. Initial priorities after federal employees return to work will be triage focused to restore operations after the longest shutdown in American history. Any participation with the SoA request for solicitation comments will likely be delayed for some time after employees return to work. Therefore, I request the public comment period deadline be extended to 60 days after the federal shutdown ends. In the recent past several years, DNR has gathered information and comments on possible proposed water management regulation revisions. Information, comments, questions, answers and responses gathered from past proposed water management regulation revisions during 2016, 2021, 2023 and 2024 are all relevant to the purpose of this current scoping. These should be integrated into the analysis for this scoping process. Comments from HB77 hearings from 2013 and 2014 related to AS 46.15.145 and 11 AAC 93 should also be integrated into your public information as part of the analysis for this scoping process. This information should be available on the DNR website where it should be associated to this current public comment scoping effort and easily accessible to the public. Based on my past participation with DNR proposed revisions to water management regulations, I believe my and other stakeholders' ability to review this past information remains relevant to the success of this current scoping and are critical to integrate into current comments. I therefore request that comments made previously on proposed changes relevant to this current action should be available to the public and incorporated into the decision-making process. Additionally, I request the DNR write a report of its scoping related findings and conclusions of analysis, describe what it will do next and include a timeline, and that this report be made available to the public by posting it to the DNR website. In recent decades, DNR has applied different standards to reservations of water compared to withdrawal, impoundment or diversion of water. This differentiation is not recognized in state statutes and regulations. As an example, DNR has required applicants for reservations of water to provide significantly more information to demonstrate how much water should remain as compared to the information requirement to withdraw, impound, or divert water (11 AAC 93.040 and 11 AAC 93.220). DNR requires rigorous data collection, documentation, in-depth analysis, methodology description and citation. This process often requires 5 years or longer and multiple tens of thousands to many hundreds of thousands of dollars to submit a complete application. In contrast, requirements of other water rights and temporary use permits require minimal data, information and analysis. There is also no requirement for those water rights and temporary use permits to acquire data and demonstrate that there is no harm to reservations of water (178 existing) or for those reservations that have been accepted by DNR but not adjudicated (498 pending and many of these have been pending for decades). Further, reservations of water applications are not adjudicated in a timely manner and certainly not equally to the other forms of water appropriation. There is value in each of these current water agency programs and DNR should treat all forms of appropriation on equal footing. I request that DNR require the same level of information for reservations of water, equivalent to other types of water rights and temporary use permits; and to establish a reasonable timeline to adjudicate reservations of water applications. I have concern that DNR is currently not prepared to address possible regulatory revisions regarding water, especially reservations of water. The only DNR reservation of water employee (with approximately 20 years of experience in the position) resigned shortly after the close of the 2024 scoping comments for possible updates and revisions to State of Alaska 11 AAC 93 water management regulations. To my knowledge this employee has not been replaced as of this comment letter. DNR does not currently have the staff expertise with the necessary depth of experience adjudicating reservations of water, or the labor and financial resources to address the additional demands required for considering regulatory revisions regarding water. I support the existing regulations as written (11 AAC 93.141 to 11 AAC 93.147) implementing AS 46.15.145 reservations of water. I request that DNR avoid any changes to the regulations and to the reservation of water program which would diminish its current ability to manage and protect water quantity and water levels for the four purposes identified in 11</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

Topic / Citation	Topic / Citation	Comment	Agency Response
		<p>AAC 93.141. I request the DNR prioritize adjudicating the existing and extensive applications backlog, including other types of water rights, based on priority date rather than continuing a labor intensive and costly process to implement changes to the reservation of water regulations. One final request is to add me to the DMLW list of individuals interested in its regulations so I will receive future notices of proposed regulation changes. Respectfully, Alan Peck</p>	

Topic / Citation	Topic / Citation	Comment	Agency Response
Water 11 AAC 93	Becky Long	<p>10/29/25 Comment-Solicitation for Public Input, Public Notice of Scoping under AO 360 Alaska Division of Mining, Land and Water/Water Resources Section Regulatory Revisions regarding 11 AAC 93 Water Management Sent via <a href="https://dnr.alaska.gov/mlw/comment/notice.alaska.gov/221214/">https://dnr.alaska.gov/mlw/comment/notice.alaska.gov/221214/</a> Alaskan waters are a vital public resource. The public notice <a href="http://notice.alaska.gov/221214">http://notice.alaska.gov/221214</a> incorrectly stated this was scoping for 11 AAC 58. AS 46.15.030 states, “Whenever occurring in a natural state, the water is reserved to the people for common and is subject to appropriation and beneficial use and to reservation of instream flows and levels of water.”</p> <p>1. The Water Management regulations 11 AAC 93.141-147 should not be changed. They should not be eliminated by the AO 360 process.</p> <ul style="list-style-type: none"> <li>•11 AAC 93.141 Application for Reservation of Water: This is a very thorough and all-encompassing regulation. It is necessary to understand the intent of the law. Non- government entities such as non-profit organizations, tribal governments and individuals can apply. This is important as to the best interest of the public. This fulfills Article VIII of the Alaska Constitution.</li> <li>•11 AAC 93.142 Content of the Application: This thorough explanation forms the actual application questions and data requirements. It is a rigorous application. The requirements are adequate. Indeed, water reservation applicants must provide more rigorous data for the water to be left in the waterway than is required to take water out.</li> <li>•11 AAC 93.143 Incomplete Application: This sets up a process for incomplete applications to come into compliance. It is rigorous.</li> <li>•11 AAC 93.144 Departmental Investigation: Departmental investigation requirement is self-explanatory. It guarantees the rights of prior appropriations must be considered and investigated.</li> <li>•11 AAC 93.145 Adjudication of Application: This is necessary process for timely objections and a public hearing option.</li> <li>•11 AAC 93.146 Issuance of Certification of Reservation: This guarantees the certificate will go to the applicant. These applicants invest a lot of time and money in fulfilling application requirements.</li> <li>•11 AAC 93.147 Review of Reservation of Water: The ten-year review is necessary because situations change due to numerous variables with a changing climate topping the list. Has the intent of the reservation been met. The amount of water to be reserved may need to be decreased or increased. These regulations form the Reservation of Water Program of the Water Resources Section. The Alaska Water Use Act amended 1980 created this program. These regulations implement AS 46.15.145 Reservation of Water. Do not use the regulatory revision process set out by Administrative Order 360 to eliminate this program. The regulations should NOT be weakened.</li> </ul> <p>2. The Water Resources Section of DMLW has public-noticed scoping for revisions for these regulations in 2016, 2021, 2023, and 2024. Each time, a large public engagement occurred wanting to retain the program and its regulations. The public has consistently been outspoken that they value their rights to reserve instream water flows in the name of fish, wildlife, habitat, recreation and water quality and water quantity. These regulations are a tool to do this. Also, a reservation is a tool to help our wild fish populations deal with the warming water temperatures of our rivers and streams. The ADFG Fishery Data Series 98-40 Annual Summary of Instream Flow Reservations and Protections in Alaska” for 1998 stated, “It is better to reserve water today as opposed to attempting to restore a fraction of whatever water is remaining in the future. The latter is a losing proposition and more often than not irreversible.” This very quote describes why Alaskans have consistently been supportive of the existence of the instream flow reservation program. Southcentral residents were introduced to the reservation concept during the state land management plans like the Susitna Area Plan (SA3. What does Attorney General Designee Cox mean by “regulatory budgeting”? This statement was reported in the media.</p> <p>4. AO 360 has flooded the public notice system with regulatory change scoping processes for the many state agencies. This is coming at time when Alaskan society is being inundated with public policy changes in state, federal and municipal lands along with climate change impacts. In fact, this whole effort is creating more work in regulatory permitting with less certainty in the permitting process. The timeline for this process is too short. It is putting an overwhelming burden on the public and their investment of time in public policy issues. This is because the whole Alaska Administrative Code seems to be under this regulatory reform process. It is extremely hard for the public to do a rigorous job on scoping comments. And the administration has still not defined “regulatory burden” that is quoted repeatedly. This state process is defaulting on its responsibility to protect the ecosystems and will also hinder regulatory actions that could benefit the ecosystem. This is the very big public concern.</p> <p>5. This unbudgeted questionable bureaucratic procedure started by AO 360 is creating UNNECESSARY work on agency staff. Roughly one in six state jobs were vacant at the beginning of 2025. On 5/8/25, the governor froze most state employee hiring and employee resources such as travel. Low oil prices have squeezed the state budget. The state workforce has and will continue to be stressed.</p> <p>6. The AO 360 “provision for automatic approval if deadlines are not met” loophole means permits could be rubber stamped without review. Public input could be skipped. A lot of deadlines could NOT be met due to dwindling state staff as explained above. Having to</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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		<p>work on this regulatory process takes time and money. Staff is stretched thin. THIS PROVISION SHOULD BE ELIMINATED. 9. A public document that publishes stakeholder and public feedback and agency responses to this scoping process needs to occur. Please make this available to the public and commenters such as myself. 10. How much Artificial Intelligence will be used to define and determine which regulations are burdens? This needs to be transparent. Are all agencies using the same AI Guidelines? The way one asks a question of AI changes the answer. 11. Who is the Agency Regulatory Liaisons for these DNR/Water Section regulation changes? B. Long Talkeetna</p>	
Water 11 AAC 93	Brent Petrie	<p>The notice for these issues is short and I regret that I cannot connect to the online meeting today, October 14, 2025. I respectfully request that the comment period be extended to November 30 and it would be helpful if DNR could provide a summary of issues that it feels might be addressed. Thank you for your consideration.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Water 11 AAC 93	Hal Shepherd / Kachemak Bay Watershed Council and Norton Bay Watershed Council	<p>These comments are submitted on behalf of the Kachemak and Norton Bay Watershed Councils (KBWC)/(NBWC) regarding the above scoping notice (Notice). KBWC &amp; NBWC have been organized to operate exclusively for public benefit purposes including advocating for sustainable management and protection of water and subsistence resources of the Norton and Kachemak Bay Watersheds. Our main concern with proposed changes to the above regulations is that they are being conducted in accordance with Governor Mike Dunleavy’s Administrative Order 360 (Order) directing State agencies to “identify outdated, unnecessarily burdensome, or unclear regulations and propose reforms to improve government efficiency.” It is clear that the Administration adopted the Order to clear a path for extraction industry access to Alaska’s natural resources when it states the “State of Alaska is committed to growing its economic base, increasing its gross domestic product (“GDP”), and ensuring Alaskans have the freedom to do business, innovate, and pursue opportunities while complying with state and federal laws.”<sup>1</sup> Therefore, because the administration likely adopted Order 360 for the primary purpose of creating a basis for truncating environmental analysis and rolling back environmental regulations it appears that once again, it is prepping to make major changes in water resources permitting, analysis and regulatory standards that will favor industrial extraction and harm public health. <sup>1</sup> Office of the Governor, PR – Administrative Order No. 360 (August 4, 2025). (Administrative Order No. 360 - Mike Dunleavy) Our specific concerns are as follows:</p> <p>I. The Proposed Changes Are disguised as House Keeping Procedures so that DEC Can Gut Environmental Permitting Requirements While the Notice implies that DEQ is seeking public input on routine administration process in order to create more efficiency such as “clarify existing regulatory obligations,” “reduce costs for the public, industry, or government,” “reduce administrative burdens,” “improve communication procedures,” and “clarify interagency roles,” buried in the list of programs slated for reform also includes to “improve or streamline procedures, application requirements, and review processes, for example reducing the time required to apply for a license, permit, or benefit,” and “streamline permitting procedures.” Previous experience with proposed changes to environmental regulatory standards under the current administration, indicates an intention to gut environmental analysis, permitting requirements and regulation that protect water and subsistence resources. While the Notice’s seemingly innocuous terminology therefore, makes it look like these regulations are mere housekeeping procedures, the real reason the Dunleavy administration wants to take these actions is likely to gut regulations in favor of industrial development, thereby failing to protect for ecosystems Alaskans depend on. This is illustrated by the fact that administration has already applied Administrative Order 360 to gut regulations preventing impacts on fish and wildlife in the Kachemak Bay Critical Habitat Area<sup>2</sup> and the fact that the Order requires DNR to include a provision for automatic approval if deadlines are not met” in all permits. In plain language: if agencies miss a deadline, permits are rubberstamped without review and merit, expertise and public input are thrown out the window in favor of arbitrary timelines – a loophole that makes it far easier for harmful projects to move forward. Finally, when deciding what is eligible for cutting, the governor’s office has ordered all agencies to calculate requirements that go beyond the exact demands listed in state law. Therefore, any proposed changes to the regulations could have substantial impacts on human health and welfare and the environment since the Notice lists potential changes to the 11 AAC 58 relating to water including Critical Water Management Areas, Temporary Water Uses and Water Rights. <sup>2</sup> Alaska Supreme Court allows personal watercraft in Kachemak Bay, reversing lower court, Homer News (October 2, 2025) II. Specific Recommendations Rather than role back water related regulations under 11 AAC 58, the Commissioner should adopt new regulations that support the rights of state and federal agencies, the public and Tribes to keep water in streams by creating an automatic reservation of water that:</p> <ol style="list-style-type: none"> <li>1) Support the rights of state and federal agencies, the public and Tribes to keep water in streams to protect by creating an automatic reservation of water for such purposes;</li> <li>2) Ensures protection of water in all rivers, streams and lakes to protect fish and wildlife habitat;</li> <li>3) Ensures protection of Alaska’s fisheries from warming water temperatures, drought and other effects of climate change;</li> <li>4) Authorizes all surplus water to be made available for appropriation after the automatic reservation;</li> <li>5) Designates keeping water instream as a beneficial use under the Alaska State Water Code and;</li> <li>6) Identifies keeping water instream as being in the best interest of the state and for protection of fish and wildlife habitat;</li> <li>7) Protect the subsistence fishery by adopting the federal definition of the subsistence priority for Alaska’s Rivers and streams;</li> </ol> <p>DNR should also eliminate the Taking Back Our Waters campaign which is a frivolous exercise in State over-reach for jurisdiction over rivers and streams passing through federal lands and fisheries for future generations and seek legislative oversight of Order 360 and other with wide ranging consequences CONCLUSION The strategy behind the Notice is a wasteful exercise in political pandering to eliminate 15 percent of regulatory standards by the end of 2026 and by 25 percent by the end of 2027, many of</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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		<p>which protect public health and welfare from the impacts of climate change and abusive land management practices. Rather than across the board regulatory roll-backs, therefore, the Commissioner should adopt new regulations as provided above. In addition, we recommend that DNR seek legislative oversight of Order 360 and other with wide ranging consequences. Please contact me if you have any questions regarding these comments.</p>	
Water 11 AAC 93	Jack DiMarchi	<p>ADNR/Water should issue TWUAs for 10 years (not 5) consistent with new ADNR/Mining policy for issuing 10-year Miscellaneous Land Use Permits for mineral exploration on State lands. There is little benefit in filing for a 10-year MLUP through the APMA process just to go through it again to apply for another 5 years on your TWUA.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
Water 11 AAC 93	Jack DiMarchi	<p>There are an increasing number of mineral exploration projects on Native (or Private) lands for which the TWUA is the only authorization required from DNR. However DNR/water insists that applicants to fill out a complete APMA application in order to apply for the TWUA. Even though there is a stand-alone form for applying for TWUA, DNR/Water insists that applicants go through the APMA process/form. This is an unnecessary and time consuming burden. I understand that DNR/Mining also prefers to have an APMA application filled out for Native/private land exploration (so they have a casefile) but it is an unnecessary bureaucratic step. Applicants for TWUA on Native/Private land should be able to use the separate TWUA form and not be forced to go through the APMA process. This is more about policy than it is regulatory change but it is still important to streamline this process.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Water 11 AAC 93	Jacqueline Muehlbauer	The Ester Dome watershed feeds residential wells and small creeks that drain toward the Goldstream and Chena basins. Mining and road development increase sedimentation risk. Recommendations: Strengthen water-quality monitoring requirements for upland developments and make results public. Establish a low-cost “community sampling” option so residents can contribute water-quality data. Require hydrologic review for any permit within 200 feet of mapped surface water or major drainages. Simplify the process for communities to request temporary protective water reservations for domestic-use sources.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Water 11 AAC 93	James Munter	Amend 11AAC93.970 to include a definition of "emergency" that includes recurrent or predictable emergencies such as this definition from Black's Law Dictionary ( <a href="https://thelawdictionary.org/emergency/">https://thelawdictionary.org/emergency/</a> ): "Situation requiring immediate attention and remedial action. Involves injury, loss of life, damage to the property, or catastrophic interference with the normal activities. A sudden, unexpected, or impending situation." "emergency" is used in 11AAC93.920 and 11AAC93.280 but is nowhere defined. Recognizing this, DNR has recently stated that an emergency should be unexpected. Thus, if it recurs, it is not an emergency. This is unnecessarily restrictive in Alaska, considering recent recurring flooding along the Mendenhall and Kenai Rivers from glacial lake outbursts (jokelhaupts), recurrent ice-jam flooding and village inundations along the Kuskokwim and Yukon Rivers, and recurrent west coastal flooding from recurrent Pacific storms. Nationally, some emergencies are even declared in advance, such as along Hurricane Alley on the U.S. Gulf coast. The definition of an emergency needs to accommodate these recurring events in a common sense way. Juneau has recently constructed diversion structures to protect properties from Mendenhall River flooding. If that flooding is not an emergency, then these diversions require authorization from DNR. All people involved have more important things to do than file for an in-stream reservation of water, a temporary water use authorization, a water right to divert flood waters or some other authorization mechanism from DNR. The emergency use provisions of 11AAC93.920 are a vitally important mechanism for Alaskans to reasonably protect their homes, lives and properties during emergencies, however this tool is not available using DNR's current ad hoc and restrictive definition. p.s. I got a failure notice on my first attempt and am resending it here.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

Topic / Citation	Topic / Citation	Comment	Agency Response
Water 11 AAC 93	Loretta Brown / Salmon State	<p>Submitted via online portal and electronic mail October 31, 2025 John Crowther Acting Commissioner Alaska Department of Natural Resources 550 W. 7th Avenue, Ste 1400 Anchorage, Alaska 99501 RE: Public Comments on Request for Public Input on Regulations of the Department of Natural Resources Dear Acting Commissioner Crowther, Thank you for the opportunity to comment on the Alaska Department of Natural Resources' (DNR) potential amendments to regulations affecting water management, land use, and natural resource management. The mission of DNR is to "develop, conserve and maximize the use of Alaska's natural resources consistent with the public interest." DNR also has a public trust responsibility under the Alaska Constitution, and DNR statutes to maintain a robust permitting and review process to protect the state's lands and waters for the health and benefit of Alaskans. It is in the best interest of Alaskans and the state to establish and maintain rigorous environmental standards and permitting criteria to protect our natural resources, fish and wildlife populations, small businesses, and communities. Alaska is home to some of the world's last intact wild landscapes and waterways that still support abundant fish and wildlife populations. Alaska's vast wild spaces are essential to the physical and economic stability of the state and its residents. The wild and natural freshwater systems and undeveloped landscapes of Alaska provide robust and sustainable food security for Alaskans, support the commercial and recreational fishing and hunting industries, and provide a booming and growing tourism industry throughout the state. Protecting Alaska's lands and waters from destructive industrial development and pollution is truly a sustainable investment in Alaska's future. In contrast, Administrative Order 360 is extraordinarily shortsighted and ignores the scope of business investments, communities and families that rely on Alaska's natural resources, public lands, water quality, and fisheries. Rigorous environmental standards and the careful review of permit applications for projects that could put the health and safety of the people of Alaska at risk is not burdensome. It is simply the cost of doing business. Long-standing regulations and permit review processes provide clarity, transparency, and predictability for project proponents, agency staff, interested stakeholders, Tribes and the public. Meaningful public participation in review of large-scale projects also provides critical information about potential impacts to fish and wildlife habitat, water resources, community health and small businesses. It creates an opportunity and forum for the state to address community concerns and mitigate risk prior to issuing permits. Oftentimes the word streamlining means cutting the public out of the decision-making process. However, eliminating the perspectives of the public, Tribes or concerned communities simply sets up the state for costly legal battles and project proponents for unnecessary delays. Many concerns are in fact resolved through a thoughtful dialog with concerned citizens. In addition, many potential environmental impacts can be avoided by tapping into local knowledge and carefully analyzing project alternatives that make the most sense for both permittees and community stakeholders. Before moving forward, we urge DNR to carefully consider its public trust duty and legal responsibility when determining whether to remove protective regulations or streamline review processes that are designed to protect the public interest. Thank you for the opportunity to comment. Sincerely,</p> <p>/s/ _____ /s/ _____ Emily Anderson Loretta Brown Alaska Director Legal and Policy Director Wild Salmon Center Salmon State</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Water 11 AAC 93	Nelli Williams / Trout Unlimited	<p>Trout Unlimited (TU) appreciates the opportunity to comment on potential revisions to Alaska’s water management regulations related to the implementation of Administrative Order 360 (AO 360). Please note that the scoping notice references 11 AAC 58 (leasing of lands) instead of 11 AAC 93 (water management). Trout Unlimited is the nation’s largest sporting organization dedicated to coldwater conservation, with 20,000 Alaskan supporters—including anglers, lodge and outfitting business owners, guides, subsistence harvesters, and commercial fishermen. In addition to our 15 Alaska-based staff and our members in more remote parts of the state, TU has active chapters in Anchorage and the Mat-Su Valley, in Fairbanks, on the Kenai Peninsula, and in Southeast Alaska. Our members rely on Alaska waters—and the fish and wildlife that inhabit them—for fishing, hunting, subsistence, outdoor recreation, and for employment in related industries. Our supporters join TU because we care for the waters that sustain Alaska’s fisheries, small businesses, world-class recreation opportunities, and unique way of life. Trout Unlimited has submitted numerous applications to the DNR for instream flow reservations, participated in various adjudications, engaged in numerous 10-year reviews of instream flow reservations, and has incurred significant costs associated with those activities and applications. TU offers the following comments and recommendations to ensure that regulatory reform efforts strengthen Alaska’s legacy of responsible resource stewardship. Administrative Order 360 Creates Challenges for Regulatory Durability This review of DNR’s water regulations is prompted by the implementation of Administrative Order 360. Trout Unlimited supports ensuring that regulations are up-to-date and clearly written, and we understand the importance of timely review and permitting processes. (TU has numerous complete applications for instream flow reservations that it submitted to DNR more than 15 years ago that DNR has yet to review or adjudicate.) However, AO 360’s mandatory reduction target—a 25% reduction in regulatory requirements by December 2027—paired with a compressed implementation timeline and an automatic approval provision, raises significant concerns about how this initiative can be implemented consistent with DNR’s constitutional and statutory responsibilities. A purely numerical approach to regulatory reduction risks undermining the very processes that ensure scientific rigor and defensible decision-making in water management. These concerns are amplified by the methods agencies are being directed to use that may overstate the baseline number of existing requirements. (Alaska ranks among the five least regulated states in the nation, according to 2024 data published by the Mercatus Center at George Mason University.) The regulatory reduction guide developed by the State of Alaska directs agencies to “be mindful of the important role regulations in promoting public health, safety, and welfare, and developing our natural resources” and “not eliminate any requirements that are critical to protecting the public and the environment.” The regulatory guide also clarifies that AO 360 does not apply to regulations that are mandated by state statute. Regulations supporting the instream flow and water reservation framework established under Alaska law (AS 46.15.145) should be excluded from the baseline count of DNR’s existing regulatory requirements within 11 AAC 93 and from proposed reductions under AO 360. The Importance of Maintaining Alaska’s Reservation of Water Program As DNR evaluates potential regulatory revisions under AO 360, maintaining the integrity and accessibility of the reservation of water program should remain a clear priority. Maintaining instream flow is essential to Alaska, its people, and its economy. Our robust fish-based economy and unique fish-based cultures would not exist but for Alaska’s many clean, naturally-flowing rivers and streams that provide some of the best spawning, rearing, and migration habitat for wild salmon and resident fishes in the world. Decisions about how public waters are allocated, reserved, or otherwise appropriated are of utmost importance—and priority should be given to those beneficial uses that utilize instream flow. In practical terms, instream flow reservations provide significant benefits across Alaska. They help sustain commercial, recreational, and subsistence fisheries that together support more than 40,000 jobs and generate billions in annual economic activity. They maintain the natural systems that underpin vibrant communities and thriving seafood and recreation industries, from Bristol Bay to the Kenai Peninsula to Southeast Alaska. Any regulatory adjustments should maintain opportunities for individuals, Tribal governments, and organizations to apply for and secure reservations, and should reaffirm the Department’s duty to evaluate those applications in a timely and transparent manner consistent with the public interest. Alaska’s reservation of water program is one of the most balanced tools the Department of Natural Resources has for ensuring that public waters continue to support all beneficial uses—including fish and wildlife habitat, recreation, subsistence, and industry. Establishing and maintaining instream flow reservations provides certainty for both instream and out-of-stream users by identifying the flow levels necessary to sustain fish populations and water quality, while clarifying how much water remains available for development. In this way, the reservation program serves not as a barrier to growth, but as a mechanism for long-term planning, stability, and conflict prevention. This framework reflects Alaska’s constitutional and statutory</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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		<p>commitments that public waters are reserved for common use and available for appropriation by any person for beneficial purposes—including the reservation of water for fish and wildlife, recreation, navigation, and water quality. The water reservation program ensures that decisions about water allocation remain transparent, science-based, and defensible—attributes that protect the State, permittees, and the public from costly disputes and litigation. Any revisions to Alaska’s water regulations should continue to protect instream flows, uphold existing statutory obligations, and maintain the public’s ability to reserve water for fish, wildlife, and other public uses. Questions for DNR As part of this scoping process, TU encourages DNR to consider and respond to the following questions: 1. Transparency and Process: How will DNR ensure that the implementation of AO 360 does not limit public notice, public participation, or consultation with the Department of Fish and Game in water rights decisions? 2. Legal Defensibility: What specific measures will DNR take to confirm that any amendments to 11 AAC 93 remain consistent with Alaska’s constitutional and statutory framework for appropriations and reservations of water? 3. Administrative Capacity: Given existing backlogs in water rights and reservation adjudications, how will DNR meet new AO 360 targets without further delaying or deprioritizing pending instream flow applications? 4. Science and Data Integrity: How will DNR maintain the hydrologic data standards, peer review, and interagency coordination requirements currently embedded in 11 AAC 93 to ensure scientifically sound decision-making? 5. Equitable Access: How will DNR ensure that any proposed regulatory “streamlining” does not limit the ability of non-governmental applicants, Tribes, or individual Alaskans to apply for and secure reservations of water? Summary of TU’s Recommendations for DNR: 1. Retain regulations in 11 AAC 93 supporting the instream flow and water reservation framework established under Alaska law (AS 46.15.145). This is consistent with Gov. Dunleavy’s direction that AO 360 “does not apply to regulations that are mandated by state statutes, federal statutes or regulations, or orders issued by state or federal courts.” 2. Ensure that any proposed changes to 11 AAC 93 under AO 360 continue to protect instream flows, uphold existing statutory obligations, and maintain the public’s ability to reserve water for fish, wildlife, and other public uses. Proposed changes should be subject to full public review, environmental assessment, tribal consultation, and interagency consultation. 3. Reaffirm opportunities for individuals, Tribes, and organizations to apply for and secure water reservations—and the Department’s duty to evaluate those applications in a timely and transparent manner consistent with the public interest. We encourage DNR to review and incorporate public comments submitted during prior water regulation scoping periods in 2023 and 2024. 4. Prioritize robust and inclusive public engagement throughout this process. Meaningful public participation—through early outreach, accessible public notices, ample opportunities for in-person and virtual comment, and clear summaries of proposed changes—is essential for maintaining public trust and transparency. Broad community engagement will also help DNR improve the legal defensibility of the final regulations. Conclusion Trout Unlimited recognizes the difficult position DNR staff are in—tasked with implementing far-reaching administrative changes on short timelines and limited resources, including a state hiring freeze that has been in effect since May 2025. This reality underscores the need for Alaska’s water regulations to be deliberate, transparent, and informed by science. Trout Unlimited encourages DNR to approach this rulemaking as a process of modernization—updating procedures to improve efficiency where warranted, while maintaining the core standards that keep Alaska’s water management regulations consistent with statutory obligations and equitable to all users. Our team at TU is committed to helping DNR ensure that Alaska’s water regulations remain lawful, efficient, and durable.</p>	

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Water 11 AAC 93	Nils Andreassen / Alaska Municipal League	<p>Alaska Municipal League Comment on DNR/DMLW 11 AAC 93 (Water Management) The Alaska Municipal League (AML), representing cities and boroughs statewide, appreciates DNR/DMLW’s invitation to scope potential updates to 11 AAC 93. Our members interact with these rules as applicants (municipal water projects, material sites, utilities), as reviewers of industrial projects, and as stewards of local infrastructure and community resources. AML supports targeted reforms that improve predictability and timelines, reduce duplication and cost, and modernize communication—without eroding substantive safeguards such as public notice, reservations of water, dam safety, and enforceable reclamation and well standards. Recent regulatory activity and scoping on 11 AAC 93 demonstrate the State’s commitment to incremental modernization; we urge DNR to center municipal engagement in the next round of revisions. The following is AML’s attempt to support the Governor’s efforts that drive toward efficiency and effective operations, and should be considered provisional, as they have not been taken up by AML members for evaluation. More time, in the future, would allow for more substantive deliberation. Cross-cutting priorities for 11 AAC 93 1. “One portal, one clock” for water actions. Create a single online application and tracking hub for water rights, temporary water use authorizations (TWUAs), reservations of water, and dam safety, with completeness checklists, milestone clocks, and clearly posted points of contact. This will reduce back-and-forth, increase transparency, and let municipalities plan around predictable dates. Where appropriate, align this hub with already adopted 2024 administrative updates. 2. Early, formal municipal consultation. Embed triggers to notify municipal clerks/administrators at filing, completeness, proposed decision, and appeal milestones for actions within city/borough boundaries or service areas; provide a documented response window and “stop-the-clock” criteria. This avoids late conflicts and aligns water decisions with local land use, utilities, roads, emergency services, and housing plans. 3. Plain-language, machine-readable guidance. Publish two-page “how-to” guides per action type with fee tables, required exhibits, evaluation criteria, and sample conditions. Offer GIS/API layers (status of applications, reservations, TWUAs) that local planners can integrate into municipal maps. 4. Affordability for public-purpose projects. Right-size fees and allow expedited pathways for municipal projects (public safety, utilities, housing, disaster recovery) while retaining substantive standards. 5. Safeguards preserved. Do not substitute automatic “deemed-approved” timelines for meaningful technical review, public notice, or safety standards. Article 2 – Appropriation &amp; Use of Water (incl. wells, certificates, reservations) Recommendations •Modernize well reporting &amp; data access (11 AAC 93.140). Keep the 45-day reporting requirement but enable e-filing with auto-receipts, required well location coordinates, aquifer/formation fields, and a public viewer for non-confidential data. Municipal utilities and planners rely on timely, accurate well logs. •Standardized, modular application packets. Provide a single template for water right applications that captures municipal infrastructure interfaces (distribution systems, fire flow, roads, drainage). Allow modular updates (amend only the changed exhibit) rather than full re-filings to cut cost and delay. •Reservations of water (11 AAC 93.141–.147). Maintain the integrity of instream flow reservations and clarify data expectations (hydrology periods of record, geomorphology, fish/invertebrate methods) in a versioned technical handbook adopted by reference. Ensure transparent, web-posted dockets and decisions so communities can understand how reservations balance competing uses. The State’s recent scoping chose to handle reservation issues deliberately—AML supports a careful, transparent update here. Guardrails not to lose •Public notice and appeal rights for water right decisions. •The ability for municipalities to apply for and hold reservations of water to protect community and habitat needs. Article 4 – Temporary Water Use Authorizations (TWUAs) Municipal pain points today •Repetitive filings for seasonal or phased public works and broadband/utility construction. •Unclear thresholds for non-consumptive activities on the ground. •Limited visibility into adjacent users and cumulative effects. Recommendations •Clarity on thresholds &amp; definitions. Maintain bright-line thresholds (e.g., &gt;5,000 gallons/day consumptive; recurring &gt;500 gpd &gt;10 days; &gt;30,000 gpd non-consumptive) and post them prominently with examples (e.g., pump-arounds, dewatering often count as consumptive). A plain-English table and flowchart would prevent inadvertent violations. •Programmatic TWUAs for municipal programs. Allow multi-site, multi-season programmatic TWUAs for standard municipal work (culverts, small bridge replacements, utility trenching), with site addenda instead of whole new applications—paired with field-ready BMP sheets. •Batch reviews + maps. In the portal, show nearby approved/active TWUAs and water rights to help planners avoid conflicts; include a municipal alert when overlapping use is proposed. •Clock management. Codify a completeness screen with an itemized deficiency list; use “stop-the-clock” notices rather than silent delays. •Fees. Keep the posted fee structure transparent and predictable; consider reduced or capped fees for public-purpose municipal projects while keeping the same technical standards. Guardrails not to lose •Screening for impairment to existing rights, fisheries, and public</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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		<p>interest; maintain ability to condition or deny authorizations. Article 3 – Dam Safety Recommendations •Digital lifecycle tracking. Require e-submittal of design packages, inspection reports, emergency action plans, and owner periodic inspections (11 AAC 93.159) with automated reminders keyed to hazard classification. Provide a municipal read-only dashboard where downstream communities can retrieve current EAPs and contact trees. •Standard condition library. Publish model permit conditions for instrumentation, hydrologic loading, and construction QA/QC so municipalities and small owners can plan budgets and avoid redesign churn. •Interagency alignment. Synchronize dam safety milestones with DEC spill response planning and local emergency management timelines; require a brief pre-construction coordination call including the host municipality for high and significant-hazard dams. •Guardrails not to lose: Keep the certificate-of-approval requirement before construction/repair (11 AAC 93.171) and maintain strict hazard classification and inspection standards. Public Notice &amp; Engagement (e.g., 11 AAC 93.510 and related) Context: AML supports modernization with added reach, not less. Recommendations •Many channels, one record. Post to the Online Public Notice System and notify affected municipalities directly (email to clerk/administrator), with optional SMS/RSS. Maintain a searchable archive of notices, decisions, and rationales linked to the application docket. •Clarity on “affected parties.” Define municipal governments inside the project footprint or downstream as automatically “affected,” ensuring they receive notice without special requests. Implementation tools AML recommends DNR adopt 1.Versioned Technical Handbooks (adopted by reference). Consolidate evolving guidance for TWUAs, reservations of water methods, dam safety submittals, and well reporting into public, versioned handbooks to eliminate “ad hoc” expectations. (E.g., dam safety guidelines are already referenced—expand this approach across the program.) 2.Open data &amp; GIS/API. Publish non-confidential application metadata, well logs, reservation status, and TWUA layers; municipalities will embed these in local planning portals. 3.Training &amp; office hours. Quarterly webinars and designated “office hour” slots for municipal staff and small utilities to discuss filings and conditions before submittal. What must not be lost in “streamlining” •Substantive review for impairment, fisheries/public interest, and cumulative effects under TWUAs and water rights. •Integrity of reservations of water processes that protect community needs and habitat (11 AAC 93.141–.147). •Dam safety rigor—jurisdiction, hazard classification, inspections, certificates of approval (Article 3). •Transparent public notice and appeal opportunities, modernized but not narrowed. Bottom line: AML supports targeted updates to 11 AAC 93 that make the system clearer, faster, and less duplicative—and that lock in early municipal engagement, predictable timelines, and strong safety and public-interest protections. These changes will reduce cost and uncertainty for applicants and governments alike while safeguarding Alaska communities and resources.</p>	

Topic / Citation	Topic / Citation	Comment	Agency Response
Water 11 AAC 93	Robert Ervine / Alaska Oil & Gas Association	<p>RE: Solicitation for Public Input – Department of Natural Resources – Division of Mining, Land and Water Regulatory Revisions Regarding Water Dear Mr. Barrett: This letter provides the comments of the Alaska Oil and Gas Association (AOGA) in response to the public scoping under Administrative Order 360 for the Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW). AOGA is a professional trade association whose mission is to foster the long-term viability of the oil and gas industry. AOGA's membership includes 16 companies representing the industry in Alaska that have state and federal interests, both onshore and offshore. AOGA's members have a well-established history of prudent and environmentally responsible oil and gas exploration, development, and production in Alaska. AOGA's members have and will continue to develop and operate projects that require the use of water and alternative natural resources that are subject to Alaska's regulations. AOGA appreciates this opportunity to provide comments on water regulations and the engagement with the regulated community during this process. AOGA provides these comments to offer the perspective of AOGA's members and the regulated community. AOGA supports opportunities to propose modifications to regulations to clarify them and create a clear and linear approach to permitting. As such, AOGA proposes the following for 11 AAC 93: 1. To streamline the water use authorization process under 11 AAC 93.035 for activities including, but not limited to: excavation dewatering, stream diversions (both by gravity or pumping), dewatering small surface water bodies for pipeline maintenance, and impoundment dewatering. Some options to alleviate the burden on permittees and the state include: a. Classify these uses as "non-consumptive". These activities often immediately return the water to the aquifer or surface complex at the location from which it was taken and typically have no impact on other potential water users. Therefore, the referenced activities take on non-consumptive use, based on the definition in 11 AAC 93.970(33). b. Having a 'consumptive non-beneficial use' category for water use where the object is to simply move it from one place to another, with no intended 'use'. This could be authorized in different manners: i. A "Notice and Go" option, where permittees provide details of the consumptive non-beneficial use to DMLW with the understanding that this activity does not require formal authorization. Water volumes for these activities can be reported as a line item in the quarterly report. ii. Include a daily limit for consumptive non-beneficial water use for excavation dewatering at 100,000 gals/day for 30 days per year; for stream diversions at 500,000 gals/day for 30 days per year; for dewatering small surface water bodies at 20,000 gals/day, for impoundment dewatering at 1,000,000 gals/day for 60 days per year c. Similar to the above proposed "Notice and Go" option, DMLW can develop a general authorization per oil and gas unit that allows these general activities. Permittees can provide details in advance and supply water use volumes as a line item in the quarterly report. d. Clarify that for small volumes (up to 20,000 gals/day) of water usage in remote locations where no other water rights exist there is presumptively no public interest and therefore no requirement to file an application under 11 AAC 93.035(b)(4). e. For excavation dewatering only, do not require a notice to DMLW. Excavation dewatering requires Alaska Department of Environmental Conservation (ADEC) authorization for both discharges to land and/or water and require reporting the volumes of water moved each day. If the agencies can ensure alignment of permitting information needs under the ADEC authorization, associated water volume information can then be supplied to DMLW as a line item in the quarterly report or through a shared report submitted to the ADEC and DMLW. 2. For oil and gas operations, permittees may seek Temporary Water Use Authorizations (TWUAs) for the same water sources over multiple 5-year permit cycles. This can be driven by various factors, such as routine water use by established operations, reluctance to obtain Water Rights due to efficiencies and risks, and temporary or seasonal needs. To streamline permitting for temporary water use for these sources, especially in instances where there are no changes to the original request (e.g., volumes, uses, and withdrawal locations), it is recommended that an option be included under 11 AAC 93.220 that allows ADNDR to extend an existing TWUA for an additional 5 years, with no agency review or permit application. The administrative burden of resubmitting the same permit package every 5 years is time-consuming and costly to both the State and the applicant. This is a great example of a permitting streamlining opportunity. 3. For permittees with multiple authorizations, it is a burden to track and confirm payment of every authorization's annual administrative fee required under 11 AAC 05.260(e). As such, it is recommended that ADNDR-DMLW consider allowing three separate options for annual administrative fee payment: a. Option 1: To pre-pay the annual administrative fees as a lump sum up front for the number of years of use that is requested when a permittee pays the authorization application fee. So, for example, when submitting a TWUA request for a period of 5 years, a permittee can also select to pay the administrative fees of \$250 along with the \$450 application fee under 11 AAC 05.260(b)(13). b. Option 2: To pay the annual administrative fees as a lump sum at the termination of the authorization. c. Option 3: To invoice by entity, rather than authorization</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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		<p>number. Some entities receive well over 100 invoices for annual administrative fees, and this limits it to a single invoice, which can create efficiencies for both the State and applicant in managing of these fees. 4. It is recommended that DMLW consistently apply the exemption in 11 AAC 93.920(b), and refrain from requiring a water use permit for seawater. Since seawater in many coastal and inlet regions often does not meet the 35 parts per thousand or greater threshold defined in AA AAC 93.970(35), it is recommended to remove this designation and potentially redefine seawater as “water at or seaward of mean high-water.” 5. Anecdotal information from DMLW suggests that water rights (Permit to Appropriate or Certificate of Appropriation) cannot be modified to increase annual volumes. To minimize the need to seek multiple permits for a single source, it is suggested to add ‘water use volumes’ to 11 AAC 93.930(a) to read:” ...change the location of the point of water withdrawal, water use volumes, diversion, ...” 6. It is recommended that the following terms be defined: (1) beneficial use, (2) consumptive use, and (3) consumptive, non-beneficial use. In addition, AOGA and its members have and continue to engage in the development of reasonable carbon regulations for both carbon offsets and carbon capture, utilization, and storage programs. Specifically, DMLW has been directed to produce regulations under Senate Bill 48 to establish a carbon offset program in Alaska; SB 48 was signed into law on October 16, 2023 and those regulations remain outstanding. As part of the AO 360 effort, AOGA recommends DMLW issue those draft regulations in a timely manner and avoid further delay. AOGA appreciates the opportunity to provide comments on these regulations. If you have questions about the information we have submitted, please let me know.</p>	
Water 11 AAC 93	Steven Dykstra	<p>The state has largely neglected the role of rivers in coastal flooding, erosion, and salt intrusion. Nearly every coastal community lives where rivers meet the sea and hazards are driven from both directions. Did you storm surges can go hundreds of miles inland up rivers, even reaching lower Kalskeg on the Kuskokwim River? Did you know that in Nome when river flow and storm surges come in, the tides also can move further inland on the Snake River and are increasing erosion at the airport? I’m researching both these sites and many more and I can say that our state infrastructure is not properly set up to deal with river and ocean hazards near the coast. At this point, the state heavily relies on federal monitoring efforts and has a shoestring of state resources in DGGS working on coastal hazards without the resources to address compound river-ocean problems. AKDOT rarely considers these kinds of hazards. We need these two groups supporting each other and coordinating more resources to educate people who know how to address these kinds of Alaskan compound coastal river problems. 1) the state should prioritize training scientists and engineers. Nearly every large infrastructure project in coastal rivers needs a coastal engineer to sign off on it, but the state does have a coastal engineering program, thus all are trained in the lower 48. We have faculty at UAF in oceanography and engineering who can expand or develop new programs to address these needs. 2) All major DOT projects along coastal rivers should have monitoring equipment built into them, enabling well constructed monitoring systems. NWS forecasters said that one of the main reasons they struggled to forecast this last major flood was reliable monitoring. The river-ocean transition is where so many of our people live, let’s put resources there to support them.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

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Water 11 AAC 93	Tim Troll / Bristol Bay Heritage Land Trust	I submit these comments as Executive Director of the Bristol Bay Heritage Land Trust. The Trust and its partners currently hold several pending water reservations. A scoping process for potentially wholesale revision of water regulations should allow more time than the 25 days allotted here for public input and reflection. I request the deadline for comments and input be pushed back at least to December 15. This date takes into account the upcoming Thanksgiving holiday. Any future evaluation of the review of water regulations should consider the efficiency of the current administrative review process. In particular, a time constraint should be placed upon appeals that rise to the Commissioner level. Regulations should require the Commissioner to rule upon an appeal in a timely manner. Under the current process appeals can linger before the Commissioner indefinitely.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.
Water 11 AAC 93	Tyler Breen / Southeast Alaska Conservation Council	Recommendations Public participation and access. Maintain and, where feasible, extend comment windows for any draft rule language emerging from this RFI. Offer hybrid, multi-venue hearings accessible to Southeast communities (e.g., Juneau, Sitka, Ketchikan, Prince of Wales). Post plain-language summaries with side-by-side redlines and a centralized, searchable document repository (including recordings, slides, and Q&A logs). Transparency in temporary water uses. Retain the current significance thresholds in 11 AAC 93.035 and publish a routine, basin-level dashboard of TWUAs (source, volume, timing, purpose), including geospatial layers. For high-volume or sensitive basins (e.g., salmon streams during low flow), provide optional public notice and a brief comment opportunity before issuance. Cite the applicable AS 46.15.155 conditions the commissioner is relying on when imposing protective terms. Monitoring and enforceable terms. For TWUAs and water rights, publish standard monitoring and reporting templates (meters, pump logs, diversion rates, by-pass flows) and post submitted reports to the record, with compliance status. Where DNR imposes conditions under AS 46.15.155 “to protect... fish and wildlife habitat [or]... other public interests,” identify the metrics that will be used to verify compliance. Dam Safety program clarity. Preserve Article 3’s certificate-of-approval structure (11 AAC 93.171 et seq.) and continue to require submittals stamped by qualified civil engineers (11 AAC 93.193). Consider a public-facing inventory that shows each dam’s current certificate status, last periodic safety inspection, and whether an Emergency Action Plan is current. Critical Water Management Areas. If revisiting Article 9, maintain community petition pathways and clearly document evidentiary thresholds and timeframes for commissioner action. Ensure any proposed changes to 11 AAC 93.500–.540 preserve public notice and accessible records for designation, management measures, and termination of a CWMA. Hydrologic data continuity. For AHS, reaffirm AS 41.08’s role by committing to publish hydrologic datasets (streamflow, groundwater levels, water-quality parameters) in open, machine-readable formats with metadata. Where regulatory changes rely on hydrologic analyses, cite the underlying AHS datasets in the rulemaking record and archive them with persistent identifiers. Conclusion Thank you for the opportunity to comment. Based on the scope described in OPN 221214, we do not see a need for broad overhaul of Alaska’s water management framework. Any updates that move forward should expand transparency and public participation, and reinforce monitoring, reporting, and enforcement—while maintaining or strengthening protective standards. SEACC remains available to provide additional information or examples from Southeast Alaska to support a transparent, well-documented process.	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

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Water 11 AAC 93, 11 AAC 05	Christopher Estes	<p>Thank you for the opportunity to provide public scoping comments relevant to Governor Dunleavy’s Administrative (AO) 360 and earlier relevant administrative orders including, but not limited to AO 359 and 358, specific to improving cost efficiency of a variety of state laws and regulatory programs. See links below and attachments. <a href="https://gov.alaska.gov/admin-orders/administrative-order-no-358/">https://gov.alaska.gov/admin-orders/administrative-order-no-358/</a> <a href="https://gov.alaska.gov/admin-orders/administrative-order-no-359/">https://gov.alaska.gov/admin-orders/administrative-order-no-359/</a> <a href="https://gov.alaska.gov/admin-orders/administrative-order-no-360/">https://gov.alaska.gov/admin-orders/administrative-order-no-360/</a> Although a variety of state laws and regulations were noticed per the attachments, I am only commenting on AS 46.15 and its companion 11 AAC 93 including 11 AAC 05 (Fees) and the various related programs listed in the public notice due to time limitations and the broad nature of this significant request and its significance. See excerpt from public notice: "Background. In response to Administrative Order 360, DMLW is soliciting written comments from affected industries, community organizations, and the general public regarding regulations and materials incorporated by reference in 11 AAC 58 relating to water. Suggested subtopics include: Alaska Hydrologic Survey Dam safety and construction Critical Water Management Areas Temporary Water Uses Water Rights DNR is undertaking this solicitation process to ask the public for ideas, suggestions, and input before DMLW drafts or proposes any specific regulation amendments or repeals for public review. DMLW is particularly interested in specific ideas for regulatory change that may: •clarify existing regulatory obligations; •reduce costs for the public, industry, or government; •improve or streamline procedures, application requirements, and review processes, for example reducing the time required to apply for a license, permit, or benefit; •reduce administrative burdens; •streamline permitting procedures; •improve communication procedures; •provide greater transparency with respect to standards, decision-making, and rationales for application processing; or •clarify interagency roles." Comments Specific to AS 46.15 and 11 AAC 93 DNR Division of Land, Mining &amp; Water Programs including 11 AAC 05 (Fees) Although seeking public input to improve state cost effective improvements by the State is supported, the amount of advance notice, background provided, and time allotted are insufficient to ensure maximum public comprehension and participation. Maximum public involvement is critical due the significance of an effective water management program, and the data essential to ensure the socio-economic and cultural well-being of Alaskan and to adhere to the Alaska Constitution: . Many citizens of Alaska are unlikely to even know what the various purposes and functions are for the variety of water related programs listed in the October 31, 2025 public notice. It is also unfortunate recordings of the public meetings were not posted similar to past public scoping meetings host by DNR in October. Additionally, the public scoping-related Q&amp;A meetings were held with such limited notice and during a time of day that it is unlikely many members of the public sector stakeholders who work or on travel status were either unable to participate or unaware. The water program notice was also not sent to individuals such as me directly even though I am on record requesting any proposals related to AS 46.15 and 11 AAC 93. I never received any feedback related to my comments related to the 2 earlier scoping notices (2016 and 2024) 11 AAC 93 comments processes that I previously submitted that also include recommendations. Additionally, the federal government, a key water stakeholder and landowner in Alaska was unlikely to be able to provide comments due to the federal government shutdown, a key omission specific to all of the DNR water related programs identified in the public notice: Excerpt from the October 31, 2025 Supplemental Public Notice: Background. In response to Administrative Order 360, DMLW is soliciting written comments from affected industries, community organizations, and the general public regarding regulations and materials incorporated by reference in 11 AAC 58 relating to water. Suggested subtopics include: Alaska Hydrologic Survey Dam safety and construction Critical Water Management Areas Temporary Water Uses Water Rights DNR is undertaking this solicitation process to ask the public for ideas, suggestions, and input before DMLW drafts or proposes any specific regulation amendments or repeals for public review. DMLW is particularly interested in specific ideas for regulatory change that may: •clarify existing regulatory obligations; •reduce costs for the public, industry, or government; •improve or streamline procedures, application requirements, and review processes, for example reducing the time required to apply for a license, permit, or benefit; •reduce administrative burdens; •streamline permitting procedures; •improve communication procedures; •provide greater transparency with respect to standards, decision-making, and rationales for application processing; or •clarify interagency roles. I am also concerned there are no longer DNR Water Program staff employed with experience adjudicating AS 46.15.145 and 11 AAC 93 appropriations of water to assess the efficacy of the existing law and regulations and comments received. Primary Recommendations Reestablish the Alaska Water Resources Board to assess the cost effectiveness and merits of AS 46.15 and related programs, regulations, and administrative policies and make cost-effective improvements that are consistent with the Alaska Constitution and in the best interests of the Public. •Alaska’s Constitution –1959</p>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

Topic / Citation	Topic / Citation	Comment	Agency Response
		<p>•Article VIII, Sections 1, 2, 3,13,16 •Sec 1: Statement of Policy •Sec 2: General Authority •Sec 3: Common Use •Sec 13: Water Rights •Sec 16: Protection of Rights •All classes of appropriations of water should be managed on equal footing. Other Suggestions, Recommendations, and Concerns See list of links and other attachments to these comments that represent my variety of recommendations, suggestions and concerns: •University of Alaska/Alaska Resources Library &amp; Information Services (ARLIS) Water Rights Related Catalog Description &amp; Information •ARLIS Link to Interagency Alaska &amp; Federal Reserved Water Rights Comprehensive Course Overview</p> <p>•<a href="https://anch.ent.sirsi.net/client/en_US/arlis/search/detailnonmodal/ent:\$002f\$002fSD_ILS\$002f0\$002fSD_ILS:2994806/ada?qu=1730-26&amp;te=ILS">https://anch.ent.sirsi.net/client/en_US/arlis/search/detailnonmodal/ent:\$002f\$002fSD_ILS\$002f0\$002fSD_ILS:2994806/ada?qu=1730-26&amp;te=ILS</a> •ARLIS Link to Course Materials •<a href="https://www.arlis.org/docs/vol1/L/AlaskaWaterRights/index.html">https://www.arlis.org/docs/vol1/L/AlaskaWaterRights/index.html</a> AK Land &amp; Water Law Webinar <a href="https://www.halfmoonseminars.org/product/webinars/ak-land-and-water-law/?variation=158631">https://www.halfmoonseminars.org/product/webinars/ak-land-and-water-law/?variation=158631</a> Thank you for the opportunity to comment and please alert me to any questions and follow-up.</p>	

**REGULATORY REFORM INITIATIVE  
AGENCY QUARTERLY REPORT 2026**

*When complete, please submit this form to your assigned OOG contact and to:  
law.regulations@alaska.gov*

**Report Date:**     January 2026         April 2026         July 2026         October 2026

**Reporting Agency**

Department of Natural Resources, Division of Oil & Gas
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**2026 Milestones**

*Check if completed. If your department has not completed a task by its published deadline, please add an explanatory note in the space provided at the end of the report.*

- Submit proposed regulatory reform plan for review/approval to meet 2026 15% reduction goal (**Due: January 5, 2026**).
- Post approved regulatory reform plan to Alaska Online Public Notice System (**Due: the earlier of February 1, 2026, or when approved by the implementing agencies**).
- Submit updated list of guidance documents to implementing agencies for review/approval (**Due: September 30, 2026**).
- Post approved new/revised guidance documents to Alaska Online Public Notice System (**Due: after review and approval by the implementing agencies**).
- Submit initial projected regulatory plan to implementing agencies for next fiscal year (**Due: October 1, 2026**).

**Agency Regulatory Baseline**

<b>Current Baseline:</b> 364	<b>2026 Goal Baseline:</b> 309
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**Regulation Projects *not* included in the agency’s regulatory reform plan due Jan 5, 2026:**

Project No.	Project Status	Reqs. Added	Reqs. Reduced

*Add additional rows if needed*

**List the *total* regulatory additions and reductions the agency made since the prior report**

<b>Additions:</b> 0	<b>Reductions:</b> 0
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**Do you plan to request drafting assistance from Dept. of Law next quarter?**     Yes     No

**List additional questions, notes, or comments for the implementing agencies**

Reform plan and table of public comments with agency responses are attached.

Two articles in regulation have been identified for immediate repeal.

Regulatory reform packages for lease administration, unit administration, and geothermal administration are in development.

Brent Goodrum

January 16, 2026

[Print Name]

Date

Agency Regulations Liaison

# Administrative Order 360

## Division of Oil & Gas Regulatory Reform Plan

### Section 1: The Agency's Baseline Calculation

Chapter	Article	Title	Discretionary Requirements
<b>11 AAC 03</b>		<b>Disposition of Royalty Oil, Gas, or Gas Liquids</b>	<b>12</b>
<b>11 AAC 04</b>		<b>Payment of Oil and Gas Royalties</b>	<b>4</b>
<b>11 AAC 25</b>		<b>Royalty Election Under Alaska Gasline Inducement Act</b>	<b>6</b>
<b>11 AAC 26</b>		<b>Alaska Royalty Oil and Gas Development Advisory Board</b>	<b>7</b>
11 AAC 26	1	Administrative Matters	6
11 AAC 26	2	Duties of the Board	1
11 AAC 26	3	General Provisions	0
<b>11 AAC 80</b>		<b>Pipeline Right-of-Way Leasing</b>	<b>2</b>
<b>11 AAC 82</b>		<b>Mineral Leasing Procedure</b>	<b>50</b>
11 AAC 82	2	Qualifications	2
11 AAC 82	3	Acreage Limitations	3
11 AAC 82	4	Competitive Bidding	12
11 AAC 82	5	Noncompetitive Procedures	9
11 AAC 82	6	Miscellaneous Leasing Procedure	12
11 AAC 82	8	Records and Reports	2
11 AAC 82	9	Exploration Licensing	10
<b>11 AAC 83</b>		<b>Oil and Gas Leasing</b>	<b>31</b>
11 AAC 83	1	General Oil and Gas Lease Provisions	6
11 AAC 83	2	Net Profit Share Leasing	7
11 AAC 83	3	Unitization	5
11 AAC 83	4	Communitization and Drilling and Development Contracts	3
11 AAC 83	5	Underground Storage	3
11 AAC 83	6	Federal Leases and Preference Rights on Alaska Lands	2
11 AAC 83	7	Work Commitment	1
11 AAC 83	8	Exploration Incentive Credit	2
11 AAC 83	9	Exempt Lease Sales	1
11 AAC 83	10	Cook Inlet Discovery Royalty	1
<b>11 AAC 84</b>		<b>Other Leasable Materials (only articles 7-9)</b>	<b>161</b>
11 AAC 84	7	Geothermal Leasing	40
11 AAC 84	8	Geothermal Unitization	60
11 AAC 84	9	Carbon Storage Licensing and Leasing	61
<b>11 AAC 87</b>		<b>Geothermal Drilling and Conservation</b>	<b>74</b>
11 AAC 87	1	Article 1. Applicability	0
11 AAC 87	2	Article 2. Exploratory Operations	18
11 AAC 87	3	Article 3. Drilling of Geothermal Wells	39
11 AAC 87	4	Article 4. Production	14
11 AAC 87	5	Article 5. General Provisions	3
<b>11 AAC 88</b>		<b>Practice and Procedure</b>	<b>9</b>
<b>11 AAC 96</b>		<b>Miscellaneous Land Use</b>	<b>8</b>
11 AAC 96	2	Additional Provisions for Seismic Exploration and Stratigraphic Tests	8
11 AAC 96	3	General Provisions	0
		<b>Total</b>	<b>364</b>

## Section 2: Stakeholder Engagement

- Specific regulations/topics for which stakeholder input was solicited
  - 11 AAC 3, 11 AAC 4, 11 AAC 5, 11 AAC 80, 11 AAC 82, 11 AAC 83, 11 AAC 84, 11 AAC 87, and 11 AAC 88.
  - Solicited for ideas for regulatory change that may:
    - Clarify existing regulatory obligations;
    - Reduce costs for the public, industry, or government;
    - Improve or streamline procedures, application requirements, and review processes
    - Reduce administrative burdens;
    - Streamline permitting and fee structures;
    - Modernize rules to reflect current industry processes.
  - The public at large was solicited for input. These stakeholder groups were emailed directly with the notice:
    - Division of Oil & Gas leasing listserv
    - Alaska Oil & Gas Association (AOGA)
    - Resource Development Council (RDC)
    - Alaska Support Industry Alliance (The Alliance)
    - Alaska Association of Professional Landmen (AAPL)
  - Notice [published](#) October 1, 2025
  - 30 days notice provided (Due October 31, 2025)
  - Only written comments were solicited.
  - Two presentations were made with opportunity to ask questions:
    - October 9, 2025, via Teams
    - October 21, 2025, at monthly AAPL meeting
- Stakeholder and public recommendations received are attached to this plan with agency responses. Recommendations are still being assessed for feasibility and how best to consolidate into projects to achieve AO 360 deadlines.

## Section 3: Proposed Regulatory Reform

### Regulations ripe for immediate repeal

#### 11 AAC 83 Article 8 Exploration Incentive Credit

- Reason: Authorizing statute, AS 38.05.180(i) repealed by HB 247 (2016)
- Discretionary requirements: 2 (0.5% of total)

#### 11 AAC 87 Article 2 Geothermal Drilling and Conservation

- Reason: DNR no longer has authority to regulate drilling. That authority rests with AOGCC (AS 41.06.005), implemented at 20 AAC 25.
- Discretionary requirements: 74 (20% of total)

## Regulation projects to identify

More regulations will be identified for reform or repeal as projects are explored and defined. Priority project categories based on public feedback include:

- Pipelines (11 AAC 80)
  - Material sales exemptions
  - Clarification of AS 38.05.850 easements vs AS 38.35 ROWs
  - Lease transfer review process
  - Work request review process
  - Lease stipulation reform
  - Lease renewal process for leases in good standing
  - Recording, surveying, and platting requirements (11 AAC 53.100–160, 11 AAC 53.230, 11 AAC 53.260, 11 AAC 80.015)
  - Temporary water use authorization (TWUA) efficiency
- Surface use/fees
  - 11 AAC 05.070 (fees)
  - 11 AAC 96.020 (generally allowed uses)
  - Simplification of land use permitting for off-road travel and ice construction
  - General permit efficiency for low-impact activities
  - Tax credit seismic data fees
- Unitization (11 AAC 83, 84)
  - Unit and participating area timelines (11 AAC 83.351, 11 AAC 83.356, 11 AAC 83.316)
  - Tract operations (new regulations requested)
  - 11 AAC 83.303 clarification
- Modernization (e.g., electronic systems for administration)
  - 11 AAC 83.321 (repeal requirements for paper copies of applications)
  - Secure online portal for reports and payments
- Financial assurances/work commitments (11 AAC 80, 82, 83, 84)
  - Options for security instruments (11 AAC 96.060)
  - Performance bonding (new regulations requested)
  - Work commitments (new regulations requested)
- Lease sales/administration (11 AAC 82, 83)
  - 11 AAC 82.605 clarification and efficiency
  - 11 AAC 83.111 clarification

The most detailed and helpful comments concern pipeline regulation and process, though that is the most complex category and will likely take the longest. A proposal for a regulation reform package is targeted for the end of 2026.

Unitization and lease administration regulation reform packages are targeted for the end of the first quarter of 2026, as the Division had already worked on those issues prior to AO 360. Geothermal regulations to finish implementing HB 50 (2024) will be incorporated into those packages.

Additional requirements for DNR:

- The Division of Oil & Gas has already made great strides in permitting reform over the past decade by eliminating application backlog, cutting permitting timelines in half by expanding the general permit program, consolidating tundra travel approvals, and foregoing discretionary processes when appropriate.
- Additional areas for improvement will be identified as regulations are assessed and projects are identified to eliminate unnecessary steps, reduce duplicative reviews, simplify application requirements, streamline internal workflows, and clarify interagency roles to reduce inefficiencies and delays.
- Clearer timelines and deadlines for permit application processing are being considered, though it is unclear whether provisions for automatic approval would be appropriate for any aspects of oil and gas permitting.
- A website dashboard for public visibility of permit application status is in the conceptual stage of development.
- The Division makes most decision documents available on its website at <https://dog.dnr.alaska.gov/Library>.

Commenter	Subject	Regulation	Comment	Agency Response
Alaska Chamber of Commerce	Oil and Gas	11 AAC.83.321	<p>Copies of applications: between 5 and 10 copies of an application are required to be submitted, however DNR doesn't even follow this rule</p> <p><b>Proposal:</b> Could be repealed</p>	<p>The Division of Oil &amp; Gas has identified many places in regulation that require hardcopy submittals. In most cases, this does not fit standard practice, and they will be repealed. All possible areas where enabling electronic filing and other processes that may increase efficiency are being considered.</p>
Alaska Chamber of Commerce	Oil and Gas	11 AAC.83.366	<p>Unit operating agreement – DNR requires a unit operating agreement to be filed with them, however it's unenforceable for them and something companies enter into privately so there's no need for DNR to require it.</p> <p><b>Proposal:</b> Could be repealed</p>	<p>While it is true the State is not a party to unit operating agreements, it is still necessary for the State's unit managers to be aware of how the working interest owners will resolve issues within the framework of their operating agreement.</p> <p>Besides the regulation, the obligation to provide the operating agreement is stated in Section 8, Paragraph 8.2 of the State's <a href="#">model unit agreement form</a>:</p> <p style="padding-left: 40px;">The unit applicant will file an executed copy of the Unit Operating Agreement with the Director as part of the application to form a unit. Amendments to the Unit Operating Agreement, and all other agreements between the Working Interest Owners that affect the rights, duties, and obligations of some or all of the Parties to this Agreement, must also be filed with the Director within 30 days of execution.</p> <p>Other states and federal entities also require unit operators to submit operating agreements, and even stipulate provisions that must be in those agreements. Some states even require the operating agreement be approved by a governing agency or commission, while Alaska only requires notification. The State of Alaska is not considering breaking with standard practice by not requiring submittal of the most current version of operating agreements.</p>
Alaska Chamber of Commerce	Oil and Gas	11 AAC.04.070	<p>Interest Payments – grant a grace period with DNR (90 days) to make adjustments/correct payments after the published rates are posted to avoid continually being hit with an 11% interest rate on incorrect payments that are made using a best guess. (this is a proposed revision)</p> <p><b>Proposal:</b> Revision</p>	<p>AS 38.05.135, the authorizing statute for this regulation, does not appear to allow a grace period. Likewise, the pertinent lease language does not appear to contemplate a grace period for interest. Amending regulations to allow a grace period on interest could be interpreted as subverting the intent of the statute.</p> <p>The Division of Oil &amp; Gas believes the right route to change this would be to seek a statutory amendment from the Alaska Legislature.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Alaska Chamber of Commerce</b></p>	<p>Financial Assurance</p>	<p>Multi-Agency (DCCED/ - AOGCC &amp; RCA, DEC, DNR)</p>	<p>As part of the AO 360 effort, the State should undergo a holistic review of all of its Financial Assurance requirements for oil and gas operators. As part of this exercise, the State should look for opportunities to integrate requirements across the State agencies and reduce duplicative and redundant financial assurance requirements which may exist across the different agencies and sections. This exercise would reduce both costs to oil and gas operators and the unnecessary administrative burden of the State without undermining reasonable financial assurance requirements. Currently, agencies and sections require sometimes redundant financial assurance of operators without considering the financial assurance already in place that may be sufficient. Layers of financial assurance disadvantages smaller companies, is costly to all operators, increases the administrative burden on the State, and provides no actual financial benefit to the State. This effort, while likely both statutory and regulatory in nature, would have meaningful impact and fit squarely within the objectives of AO 360.</p>	<p>Each agency is responsible for securing adequate financial assurances for different areas of responsibility. The main concern for the Division of Oil &amp; Gas, as the landowner, is to have financial assurances to cover potential surface impacts resulting from operations carried out under an oil and gas lease or permit. For example, bonding is required for things like seismic surveys, tundra travel, or ice roads. If there are impacts to state land that need to be remediated, but the lessee or permittee is unable to remediate, then the state has some money immediately available to start working on the problem. For lessees in the development phase, where there are many major installations like roads, pads, processing facilities, or pipelines, the Division assesses financial assurances for dismantlement, removal, and restoration (DR&amp;R) of surface facilities. If, at the end of the life of an oil and gas field, lessees are unable to perform DR&amp;R, then the state is left with that responsibility, and there needs to be money immediately available.</p> <p>This is separate from other agencies, who may be concerned with plugging and abandonment of wells, spill response and cleanup, et cetera. The Division of Oil &amp; Gas does not view these as “layers of financial assurance,” since they cannot be used by any agency for any reason; rather, they are financial assurances to cover separate contingencies. If there is a case where a lessee feels they are being double bonded by agencies, they are welcome to bring that to our attention.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Alaska Chamber of Commerce</b></p>	<p>Timeline Certainty for Carbon Regulations</p>	<p>Multi-Agency (DCCED/ - AOGCC &amp; RCA, DEC, DNR)</p>	<p>The State should prioritize development of reasonable carbon regulations for both carbon offsets and carbon capture, utilization, and storage (CCUS) programs. Specifically, DMLW has been directed to produce regulations under Senate Bill 48 to establish a carbon offset program in Alaska; SB 48 was signed into law on October 16, 2023 and those regulations remain outstanding. In addition, HB 50 directed AOGCC to establish carbon storage regulations; HB 50 was signed into law on October 9, 2024 and AOGCC has yet to issue draft regulations which is now delaying the State’s Class VI Primacy application process with EPA. As part of the AO 360 effort, the State should avoid further delay and issue the regulations required under law.</p>	<p>The Division of Oil &amp; Gas published on its website the adopted regulations implementing the provisions of HB 50 for carbon storage on state land (<a href="https://dog.dnr.alaska.gov/Documents/Programs/2025-2-10_CarbonStorageFinalAdoptedRegulations.pdf">https://dog.dnr.alaska.gov/Documents/Programs/2025-2-10_CarbonStorageFinalAdoptedRegulations.pdf</a>). These regulations were effective February 16, 2025. The Division of Oil &amp; Gas is ready to process applications for carbon storage projects on state land.</p> <p>The Division of Oil &amp; Gas cannot speak for carbon offsets or elements of carbon storage administrated by other agencies. Carbon offsets and carbon storage are separate programs.</p> <p>The Alaska Oil &amp; Gas Conservation Commission (AOGCC) has a website with information about their program, including published draft regulations for public comment. Please visit their page to learn more: <a href="https://www.commerce.alaska.gov/web/aogcc/ccus">https://www.commerce.alaska.gov/web/aogcc/ccus</a></p> <p>For information about carbon offsets, operated by the DNR Office of Project Management &amp; Permitting and the Division of Mining, Land &amp; Water, please visit: <a href="https://dnr.alaska.gov/commis/opmp/carbon_offset/carbon_offset.htm">https://dnr.alaska.gov/commis/opmp/carbon_offset/carbon_offset.htm</a></p>
<p><b>Peter Nagel</b>  <b>Alyeska Pipeline Service Co</b>                      907-787-8170                      peter.nagel@alyeska-pipeline.com</p>		<p>11 AAC 96.020</p>	<p>Add the following activities to Generally Allowed Uses or specifically eliminate the interagency review:</p> <ul style="list-style-type: none"> <li>a. short term (&lt;3 days) spill response training activities that do not damage/adversely impact/disturb ground surface (staging on existing pads, remote comm facilities, ice berms/pads, ice trenching)</li> <li>b. restoration by mobile ground equipment of drainage and fish passage, including removal of beaver dams, within 200 feet of infrastructure impacted by flooding.</li> <li>c. Crossing by mobile ground equipment unvegetated or sparsely vegetated floodplains for linear infrastructure maintenance and operationsd. motorized travel across land with vegetation and/or along existing trails including brushing up to twelve feet wide.</li> </ul> <p>DISCUSSION: These proposed additional activities support maintenance, operations and emergency response training that are critical to sustain commercial/industrial enterprises yet by their nature do not adversely affect the land and its resources as required by 11 AAC 96.025, describing the conditions for such use. Activity b. above would conform to the extent of the U.S. Army Corps of Engineers’ Nationwide Permit 3 for Maintenance of existing structures.</p>	<p>Your recommendation to add categories for generally allowed uses will be considered as part of our broader effort to improve efficiency.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Peter Nagel</b>  <b>Alyeska Pipeline Service Co</b>                      907-787-8170                      peter.nagel@alyeska-pipeline.com</p>		<p>11 AAC 05.070                      (d)(2)(A)(i)</p>	<p>Revise it as follows:                      a non-exclusive use, the yearly fair market rental value of the land, as determined by an appraisal at the applicant's expense, and updated periodically [<del>\$600 annually, plus \$300 annually for each acre above two</del>];</p> <p>DISCUSSION: The annual fees Alyeska currently pays on one hundred, long-term access road rights-of-way average five times the appraised rental rate on the lands within the TAPS Right-of-Way Lease (ADL 63574). The lease connects to and lies immediately adjacent to these related access road facilities. The proposed revision would correct a gross imbalance in the fees associated with state land use and promote the growth of responsible multiple use on state lands.</p>	<p>Your recommendation to review these fees and how they are assessed will be considered as part of our broader effort to improve efficiency.</p>
<p><b>Peter Nagel</b>  <b>Alyeska Pipeline Service Co</b>                      907-787-8170                      peter.nagel@alyeska-pipeline.com</p>	<p>Sale of mineral materials</p>		<p>Regarding the sale of mineral materials, no regulations have been promulgated since the statute governing such was overhauled in 2012 (AS 38.05.550–565). Alyeska has no concerns with this lack of regulation in the Department’s administration and management of such sales for TAPS. If the Department were to decide that public notice is required for each sale, however, Alyeska requests that the Department adopt an exemption from such notice for sales to owners/operators of common carrier pipelines up to 100,000 cubic yards cumulative. Such exemption was dropped in the 2012 statute because the new public notice regime it created eliminated the need for individual sale notice.</p>	<p>Your recommendations will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
<p><b>Robert Ervine</b>  <b>Alaska Oil &amp; Gas Association</b></p>	<p>AS 38.05.850 Easements</p>		<p>Specifically, AOGA requests DNR provide clarification on what types of projects are eligible for an AS 38.05.850 easement authorized by DOG versus an AS 38.35 ROW Lease authorized by SPCS. AOGA requests clear delineation of these processes to avoid confusion, improve transparency, and reduce costs.</p>	<p>Your recommendation to clarify pipeline easements and rights-of-way will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
<p><b>Robert Ervine</b>  <b>Alaska Oil &amp; Gas Association</b></p>	<p>Streamlined Lease Amendments</p>		<p>All Lease transfers and amendments, regardless of their significance, go through formal review by the State Pipeline Coordinator, the review process is a time-intensive and includes review of financial, technical, programmatic and procedural documentation. Even minor changes (e.g., corporate name updates or internal reorganizations) trigger an often lengthy formal review process.</p>	<p>Your recommendation to lease transfers and amendments will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Robert Ervine</b> <b>Alaska Oil &amp; Gas Association</b></p>	<p>Simplify the Notice to Proceed/Written Authorization Process for Pipeline Right-of-Ways</p>		<p>Each Lease Agreement requires the Lessee to submit a request to the State Pipeline Coordinator to perform work within the approved right-of-way. This process requires multiple layers of review that includes submitting voluminous engineering packages, repetition of site-specific stipulations, and annual reauthorization of multi-year projects, even when changes are minor and risk the delay of field activities such as ice roads or pad installation that support the project. This requirement creates unnecessary administrative burden.</p> <p>Develop a tiered review system such as:</p> <p><b>Tier 1 – Administrative or Previously Authorized Projects (Fast-Track)</b></p> <p>Scope: Minor modifications or routine maintenance with no new ground disturbance (e.g., valve inspections, signage updates, vegetation clearing, ice pads/roads) or continuation of previously authorized multi-year projects with no material changes and within authorized footprint.</p> <p>Review: Administrative review; may be approved within 5 business days.</p> <p>Benefit: Enables timely execution of previously authorized work or routine maintenance while preserving recordkeeping. Reduces redundancy and accelerates field mobilization.</p> <p><b>Tier 2 – Minor Construction or Pipeline System Modifications</b></p> <p>Scope: Minor engineering changes, equipment upgrades, or routing adjustments that do not constitute significant changes to the project.</p> <p>Review: Streamlined technical review; may require updated drawings or environmental considerations but does not require resubmission of full engineering packages.</p> <p>Benefit: Balances efficiency with environmental and operational oversight.</p> <p><b>Tier 3 – Major Construction or Expansion</b></p> <p>Scope: New construction, route expansions &gt;10% of the amount of the acreage in the original application.</p> <p>Review: Full project scope review with updated engineering and environmental documentation.</p> <p>Benefit: Ensures comprehensive evaluation; maintains regulatory integrity.</p> <p><b>Overall Benefit:</b> Reduces delays for routine activities while maintaining oversight of substantial new work that was not previously approved.</p>	<p>Your recommendation to improve the efficiency of pipeline right-of-way work applications will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Robert Ervine</b> <b>Alaska Oil &amp; Gas Association</b></p>	<p>Regulatory Alignment and Lease Streamlining for New Pipeline Right-of-Way Leases</p>		<p>Each lease agreement includes extensive stipulations (e.g., erosion control, fish habitat protection, cultural resource preservation) in which the primary authority is another agency or division outside the State Pipeline Coordinator Section, but within SOA or a federal agency.</p> <p><b>Proposal:</b> Remove all stipulations from new pipeline right-of-way leases that DNR or another primary agency enforces by state or federal statute or regulation.</p> <p><b>Benefit:</b> Avoids duplicative regulation and improves consistency in applying the required oversight structure (criteria, standards, policy, procedure) by the primary agency with no “middle-man” to confuse a requirement, removes duplicative stipulations, reduces additional regulatory burden, minimizes application review times, and allows for the right level of reporting to the primary agency and emphasizes coordination with primary agencies and simplification of lease terms.</p>	<p>Your recommendation to clarify agency responsibility will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
<p><b>Robert Ervine</b> <b>Alaska Oil &amp; Gas Association</b></p>	<p>Digital Compliance and Reporting System</p>		<p>Each Lease Agreement requires quarterly cost reimbursements, audits, assessments, surveillance, and manually written annual and LAS closeout reporting to be submitted to the agency and/or issued by the agency.</p> <p>Implement a secure online portal for:</p> <ul style="list-style-type: none"> <li>• Submitting reports and reimbursement statements.</li> <li>• Tracking compliance (e.g., reporting to close out LAS stipulations, written authorization stipulations, and written annual reporting).</li> <li>• Uploading restoration and inspection documentation when required.</li> </ul> <p><b>Benefit:</b> Enhances transparency and reduces administrative burden.</p>	<p>Your recommendation to improve efficiency with an online payment and reporting system will be considered.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Robert Ervine</b>  <b>Alaska Oil &amp; Gas</b>  <b>Association</b></p>	<p>Streamline Pipeline Right-of-Way Lease Renewal and Amendment Procedures</p>		<p>AS 38.35.110(a) requires that Leases do not exceed 30 years and require renewal: “Each lease of state land for pipeline right-of-way purposes must contain a provision that the lease shall run for a specified term of not greater than 30 years, and shall be renewable for additional periods of up to 30 years each, so long as the lessee is in commercial operation and is in full compliance with all state law... In making this determination, the commissioner shall take into consideration the cost of the proposed pipeline, its useful life, and the probable financing requirement for the proposed pipeline”. The lease renewal processing can take at least one year and in certain cases, has taken more than one year to process.</p> <p>Introduce an auto-renewal provision for leases in good standing. A lease in good standing:</p> <ul style="list-style-type: none"> <li>• Is in Commercial operation,</li> <li>• Has no outstanding compliance actions,</li> <li>• Has received satisfactory surveillance or inspection results in at least 80% of inspections conducted during the preceding 30-year lease term, and</li> <li>• The Lessee submits a statement from a pipeline engineering firm that the pipeline has an estimated useful life equal to or greater than the proposed new lease term.</li> </ul> <p><b>Benefit:</b> Reduces administrative workload and burden for both lessee and state agencies and in turn reduces operational costs, maintains oversight through performance criteria and frees up state resources to focus on higher value work.</p>	<p>Your recommendation to streamline the AS 38.35 renewal process will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>

<p><b>Robert Ervine</b>  <b>Alaska Oil &amp; Gas</b>  <b>Association</b></p>	<p>Streamlining Survey and Recordation Processes for Pipeline Right-of-Way and Pipeline Easements</p>	<p>Modifications to right-of-way (ROW) and easement boundaries, even when confined to previously authorized corridors, trigger redundant internal processes to record, survey, and plat a right-of-way or easement. These internal processes are implemented prior to Lease execution or are triggered during a transition from construction to operating phase or release of interest requests from the Lessee. The processes delay minor boundary adjustments and impose unnecessary administrative burden and lengthy processing times.</p> <p><b>Proposal:</b> Adopt a streamlined approach to boundary definitions and adjustments by expediting the DNR Survey review, final approval, and recording process. This approach will allow leases to be executed and recorded quickly and efficiently transition between construction and operations phases without enduring lengthy and costly administrative processes.</p> <p><b>Proposed Process:</b></p> <p>1. Initial Lease/Easement Creation:</p> <ul style="list-style-type: none"> <li>• Leases and ROWs are executed using a recorded legal description based on verified geospatial and engineered design data.</li> <li>• Initial rental payment is calculated using estimated acreage and paid upon execution or the Agency’s adjustment notification.</li> <li>• Survey instruction fees and rental payments are bundled and processed through an online portal.o Lease is recorded electronically in the Alaska Lands Records System.</li> </ul> <p>2. Closeout Survey Requirement:</p> <ul style="list-style-type: none"> <li>• Leases and Easements include a condition requiring a final survey be submitted that is acceptable to the standards of DNR.</li> <li>• Agency survey instructions should be drafted and submitted to new Lessees within 6-months of issuance of a new or amended Easement or ROW.</li> <li>• DNR Survey must verify, monument, and depict the lease area per agency survey instructions as required by 11 AAC 53.100-160.</li> <li>• The DNR Survey review and approval process should be clearly outlined with the steps needed to review and approve documents and should not take longer than 120-days to complete. DNR Survey should inform the lessee throughout the approval process of what steps have been completed along the approval process.</li> <li>• Traditionally, mylar drawings have been used for recording as-built survey information. However, advancements in Geographic Information Systems (GIS) offer several advantages over paper or film-based methods. Recommend adopting GIS as the standard platform for as-built documentation going forward, phasing out reliance on mylar drawings. This</li> </ul>	<p>Your recommendation to make right-of-way survey review and approval more efficient will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
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Commenter	Subject	Regulation	Comment	Agency Response
			<p>will improve efficiency for updates, enhance data integration with other systems and digital records in GIS eliminate the need for physical storage and reduce risk of loss or damage associated with mylars.</p> <ul style="list-style-type: none"> <li>• Final plat is submitted and recorded per 11 AAC 53.230.</li> <li>• Acreage discrepancies are resolved via rental adjustments under 11 AAC 53.260 and 11 AAC 80.015.</li> </ul> <p><b>Benefit:</b> Reduces delays and the uncertainty between initial survey submittal and final approval, allowing the Agency to focus resources on more significant reviews. This approach improves efficiency and lease management.</p>	
<p><b>Robert Ervine Alaska Oil &amp; Gas Association</b></p>	<p>LAS authorizations for off-road travel and ice construction</p>		<p>Multiple Land Administration System (LAS) land use permits are issued for off road travel and ice construction.</p> <ul style="list-style-type: none"> <li>• DNR DOG permitting issues one LAS for all lands outside of pipeline ROWs and one LAS for staging and storage activities on State land.</li> <li>• SPCS issues a similar LAS permit for activities within and, adjacent to, pipeline ROWs and includes a requirement for staging and storage activities.</li> </ul> <p><b>Proposal:</b> Issue one LAS from DNR DOG for all off road travel and ice construction, both inside and outside of pipeline ROWs or easements. Additionally, refine ROW Lease language for consistency with LAS permits.</p> <p><b>Rationale:</b></p> <ul style="list-style-type: none"> <li>• DOG responds to the individual requests for travel and coordinates with SPCS prior to responding, so one LAS should apply to all areas.</li> <li>• Pipeline leases contain duplicative stipulations and should defer to active LAS permits that regulate off-road travel and ice as well as staging and storage within the pipeline ROWs. Additionally a single LAS permit, rather than two separate permits, ensures there are not inconsistent stipulations, reduces administrative burden and maintains clear accountability for all involved parties.</li> <li>• Multiple annual tundra travel reports are required to cover the multitude of permits for each location.</li> </ul>	<p>Your recommendation to make Division of Oil &amp; Gas off-road travel and ice construction permits more efficient will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Robert Ervine</b> <b>Alaska Oil &amp; Gas Association</b></p>	<p>Rental fees for ice pads outside of easements and ROW</p>		<p>When an ice pad is built to support construction, any portion of the ice pad that extends beyond an Easement or pipeline ROW is subject to a rental fee.</p> <p><b>Suggested change:</b> Align with the DOG out of unit policy by no longer requiring fee payment outside of the pipeline Easement or ROW.</p> <p><b>Rationale:</b></p> <ul style="list-style-type: none"> <li>• The areas outside of Easements and ROWs are usually leased by the Operator.</li> <li>• If the area outside of the Easements and ROWs is leased by another operator, that operator will be responsible for State rental fees and will obtain an LNO for the ice and construction activities.</li> </ul>	<p>Your recommendation to eliminate rental fees for ice pads will be considered as part of our broader effort to improve regulatory clarity and alignment with statutory responsibilities.</p>
<p><b>Robert Ervine</b> <b>Alaska Oil &amp; Gas Association</b></p>	<p>Timeline for issuance of 11 AAC 83 decisions</p>	<p>11 AAC 83.351 11 AAC 83.356 11 AAC 83.316</p>	<p><b>Participating Areas</b></p> <ul style="list-style-type: none"> <li>• <b>Current Process:</b> Under 11 AAC 83.351, Participating Area application do not have a regulated timeline for decision issuance.</li> <li>• <b>Proposal:</b> Establish a 30-calendar day timeframe for decision issuance on Participating Area applications (i.e. formation, expansion, contraction, and/or termination).</li> <li>• <b>Benefit:</b> Revising this regulation benefits the State and the public by having a more transparent and certain timeline for the Participating Area application process. The State receives revenue from Participating Areas, and the allocation is determined from its decision issuance.</li> </ul> <p><b>Unit Areas</b></p> <ul style="list-style-type: none"> <li>• <b>Current Process:</b> Under 11 AAC 83.356, Unit area applications do not have a regulated timeline for decision issuance, but the DNR has past practices of applying the timeline in 11 AAC 83.316.</li> <li>• <b>Proposal:</b> Establish a 30-calendar day timeframe for decision issuance, as laid out above for 11 AAC 83.316, for Unit applications (i.e. formation, expansion, contraction, and/or termination).</li> <li>• <b>Benefit:</b> Revising this regulation benefits the State and the public by having a more transparent and certain timeline for the Unit area application process. This aligns with DNR’s current practices on Unit area applications but further clarifies the process by establishing regulations.</li> </ul>	<p>Your recommendation to amend regulations for participating areas and unit areas to establish clear timelines for decision issuance will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Robert Ervine Alaska Oil &amp; Gas Association</b></p>	<p>Establish regulations to support tract operations on unitized ADLs</p>	<p>11 AAC 83.371</p>	<p>DNR currently administers tract operations on unitized ADLs within State-managed units, but the regulations do not provide for tract operations. Further 11 AAC 83.351 appears to require that a PA be established prior to sustained unit production from a reservoir inside a unit.</p> <p><b>Proposal:</b> Establish regulations for tract operations on unitized ADLs that align with DNR’s current practices. Additionally, have tract operations remain active until the subject ADL(s) is/are within an approved Participating Area or terminated by the Operator.</p> <p><b>Benefit:</b> Revising this regulation benefits the State and the public by having a more transparent process and timeline for tract operations.</p>	<p>Your recommendation to adopt regulations for tract operations and amend regulations for participating areas will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
<p><b>Robert Ervine Alaska Oil &amp; Gas Association</b></p>	<p>Requirement for copies of applications</p>	<p>11 AAC 83.321</p>	<p>Applicant must provide five copies of the nonconfidential portions of the pertinent agreement, plan, modification, or other instrument or document for which approval is sought and two copies of any confidential material submitted. 10 copies of unit plans of operations are required for activities within the coastal zone. However, DNR accepts most submissions via electronic delivery.</p> <p><b>Proposal:</b> Repeal 11 AAC 83.321.</p> <p><b>Benefits:</b> Repealing this regulation benefits the State and the public by eliminating waste and redundancy from the applications process. The DNR already practices electronic delivery, therefore, this regulation is unnecessary and outdated.</p>	<p>The Division of Oil &amp; Gas has identified many places in regulation that require hardcopy submittals. In most cases, this does not fit standard practice, and they will be repealed. All possible areas where enabling electronic filing and other processes that may increase efficiency are being considered.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Robert Ervine</b>  <b>Alaska Oil &amp; Gas Association</b></p>	<p>Review Bonding Requirements and Eliminate Redundancy</p>		<p>As oil and gas operators, AOGA members have many financial assurance requirements related to State and federal regulatory requirements. As part of the AO360 process, AOGA recommends that the State holistically examine its financial assurance requirements across departments and eliminate any duplication. Improvements to the financial assurance requirements across State agencies is squarely aligned with the objectives of AO360 and would provide meaningful time and cost reduction to both operators and the State, while still fulfilling necessary guarantees.</p> <p>In addition to eliminating redundancy in bonding obligations, AOGA recommends that, as a matter of policy, a lessee or permittee that is subject to a bonding or security requirement (such as the one found in 11 AAC 96.060) be allowed to choose the security instrument the lessee will provide from the list of security instruments in the regulatory language.</p>	<p>Each agency is responsible for securing adequate financial assurances for different areas of responsibility. The main concern for the Division of Oil &amp; Gas, as the landowner, is to have financial assurances to cover potential surface impacts resulting from operations carried out under an oil and gas lease or permit. For example, bonding is required for things like seismic surveys, tundra travel, or ice roads. If there are impacts to state land that need to be remediated, but the lessee or permittee is unable to remediate, then the state has some money immediately available to start working on the problem. For lessees in the development phase, where there are many major installations like roads, pads, processing facilities, or pipelines, the Division assesses financial assurances for dismantlement, removal, and restoration (DR&amp;R) of surface facilities. If, at the end of the life of an oil and gas field, lessees are unable to perform DR&amp;R, then the state is left with that responsibility, and there needs to be money immediately available.</p> <p>This is separate from other agencies, who may be concerned with plugging and abandonment of wells (AOGCC), spill response and cleanup (ADEC), et cetera. The Division of Oil &amp; Gas does not view these as “layers of financial assurance,” since they cannot be used by any agency for any reason; rather, they are financial assurances to cover separate contingencies. If there is a case where a lessee feels they are being double bonded by agencies, they are welcome to bring that to our attention.</p> <p>Your recommendation to allow lessees or permittees to select choose their preferred security instrument will be considered as part of our broader effort to improve regulatory clarity and alignment with statutory responsibilities.</p>

<p><b>Robert Ervine Alaska Oil &amp; Gas Association</b></p>	<p>DOG Should Continue to Improve Efficiency of Issuance of TWUA and Other Permits</p>	<p>While Director’s Order (DO) 21 provided clarity of DOG’s role in issuing Temporary Water Use Authorization (TWUA) for oil and gas developments, improvements can still be made to simplify the process and improve processing time. Historically, these authorizations used to take 45-60 days to process, but now this has increased to 6 months or more. Due to these increased timelines, operators have to pursue these authorizations a full year earlier to account for seasonality and permit timelines. As part of AO360, AOGA suggests DOG review its authorization timelines and processes to identify where improvements can be made.</p> <p><b>TEMPORARY WATER USE AUTHORIZATION – Water Withdrawal Re-Permits Streamlining</b></p> <ul style="list-style-type: none"> <li>• Current Process: A full permit application is required for re-permitting lakes that have already been approved for use. The Alaska Department of Fish &amp; Game regulates and issues Fish Habitat Permits (FHPs) for fish that reside in State waters.</li> <li>• Proposal: Create a streamlined process for the re-permitting of lakes. Streamline the authorization process by performing simultaneous reviews of TWUAs and FHP applications, so they can be adjudicated promptly.</li> <li>• Scope: Permit water use that have already been evaluated and have a current TWUA and preserve fish habitat.</li> <li>• Review: Minimal</li> <li>• Benefit: Maintains oversight and encourages timely collaboration with other regulatory agencies while expediting review and reducing administrative burden.</li> </ul> <p><b>NORTH SLOPE GENERAL PERMIT – Expand scope of Activities Qualifying for General Permit Approval</b></p> <ul style="list-style-type: none"> <li>• Current Practice: Expand the list of qualifying low-impact activities that may be permitted under the scope of the General Permit when they support new installation, modification, replacement or removal of authorized infrastructure and routine maintenance needed for ongoing operations.</li> <li>• Scope: Expand scope of Qualifying Activities in the Unit Plan of Operations General Permit Activity Description to include:             <ul style="list-style-type: none"> <li>○ low-volume, low-impact off-pad activities</li> <li>○ placement and use of short-term portable equipment</li> </ul> </li> <li>• Review: Streamlined review of low-impact activities such as             <ul style="list-style-type: none"> <li>○ installation of a small quantity of vertical support members installed via vibe-drive for infrastructure such as light poles and other minor improvements</li> </ul> </li> </ul>	<p>Your recommendation to improve permitting processes will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
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Commenter	Subject	Regulation	Comment	Agency Response
			<ul style="list-style-type: none"> <li>○ use of portable tanks that are used throughout the field to support activities at various locations</li> <li>● Benefit: Maintains oversight while expediting the review of minor activities for small quantity, low-impact off-pad activities and for the placement and use of portable equipment that are used for short-term work.</li> </ul>	
<p><b>Robert Ervine</b>  <b>Alaska Oil &amp; Gas Association</b></p>	<p>Carbon Storage                      – Certificate of Completion</p>	<p>11 AAC 84.1085                      11 AAC 84.1090</p>	<p>AS 41.06.170(a)(3) states, “after a period of at least 50 years, or another period approved by the commission for the storage reservoir based on requirements established in regulation, has elapsed since the last carbon dioxide injection into the storage reservoir.”</p> <p>11 AAC 84.1085 and 11 AAC 84.1090 should be updated to adequately address the Certificate of Completion [AS 41.06.170(c)] to provide sufficient clarity to interested parties and operators. Specifically, DNR should clarify (1) what scientific criteria would be used to determine completion and (2) what (if any) long-term liabilities a holder of a carbon lease would have after a Certificate of Completion is issue and the State and pore space owner have resumed title of the surface facility and pore space.</p>	<p>A certificate of completion is issued by the Alaska Oil and Gas Conservation Commission (AOGCC), not DNR. Draft regulations are published for public comment. See <i>draft</i> 20 AAC 25.1320.  <a href="https://www.commerce.alaska.gov/web/aogcc/ccus">https://www.commerce.alaska.gov/web/aogcc/ccus</a></p> <p>Once a certificate of completion is issued by AOGCC, the lessee may apply for closure of the lease. Upon termination, the Department of Natural Resources assumes liability. See AS 41.06.305.</p> <p>This is further clarified in 11 AAC 84.1085(g): “After the Alaska Oil and Gas Conservation Commission issues a certificate of completion under AS 41.06.170, any improvements that the commissioner directs the lessee to leave in place under the abandonment and restoration plan will become the property of the state and <i>the lessee will have no further responsibility for maintenance, repair, abandonment, and rehabilitation for such improvements.</i>”</p>
<p><b>Joe Balash</b>  <b>Santos</b>  <a href="mailto:joe.balash@santos.com">joe.balash@santos.com</a>                      or Brooke Ivy  <a href="mailto:brooke.ivy@santos.com">brooke.ivy@santos.com</a></p>	<p>Reinforce Scope of AS 38.05.850 Easements</p>		<p>Santos encourages the Department of Natural Resources (“DNR”) to continue to clarify the roles of its Divisions and Sections with respect to land use authorization and reinforce its broad authority under AS 38.05.850 to issue easements. Specifically, Santos requests DNR provide clarification on what types of projects are eligible for an AS 38.05.850 easement authorized by DOG versus an AS 38.35 ROW Lease authorized by SPCS. Santos suggests clear delineation of these processes to avoid confusion, improve transparency, and reduce costs. Recently, Santos has observed water pipelines and small (&lt;500 ft) pipelines regulated pursuant to AS 38.35 requirements which is inconsistent with past practice and creates confusion. As we look forward to extensions of Pikka and development of Quokka and Horseshoe, understanding the lead times required for all infrastructure—but especially pipelines—will be necessary for successful planning.</p>	<p>Your recommendation to clarify the applicability of pipeline easements will be considered as part of our broader effort to improve regulatory clarity and alignment with statutory responsibilities.</p>

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<p><b>Joe Balash Santos</b>  <a href="mailto:joe.balash@santos.com">joe.balash@santos.com</a>                      or Brooke Ivy  <a href="mailto:brooke.ivy@santos.com">brooke.ivy@santos.com</a></p>	<p>Utilize Consistent Practice for Royalty Valuation</p>		<p>Santos suggests the State improve consistency with its royalty valuation practice. Currently, there appears to be inconsistency in whether the State used the field, unit, or participating area as the basis for its royalty valuations. Santos recommends that DOG bases royalty valuations from a non-affiliate sale on the Unit or participating area, as appropriate, from which the production originates. A guidance document from DOG clarifying this policy would improve consistency and predictability with royalty valuation.</p>	<p>Your recommendation to provide guidance on royalty valuation will be considered as part of our broader effort to improve regulatory clarity and alignment with statutory responsibilities.</p>
<p><b>Joe Balash Santos</b>  <a href="mailto:joe.balash@santos.com">joe.balash@santos.com</a>                      or Brooke Ivy  <a href="mailto:brooke.ivy@santos.com">brooke.ivy@santos.com</a></p>	<p>Reduce Cost and Process for Lease Assignments and Transfer</p>	<p>11 AAC 82.605(f)</p>	<p>Santos suggests the elimination of 11 AAC 82.605(f) which requires application for lease assignments for corporate mergers, even if the lessee entity is unchanged. For instance, as an outcome of the Santos/Oil Search merger, Oil Search (Alaska), LLC was instructed by DOG to complete the assignment process for each of its leases despite there being no change to the lessee or operator entity. The only change that occurred during the merger was the addition of a new ultimate parent company, strengthening the company’s financial position. This exercise was costly (&gt;\$100K), inefficient, and ultimately unnecessary as it is not directed by statute (AS 38.05.920) and did not result in any changes to the actual leases, lease terms, or lessee. Elimination of this regulation would reduce costs and increase efficiency. In addition, Santos recommends DOG implement timelines for lease transfers, and assignment of working interests or overriding royalty interests (“ORRI”). Timelines currently do not exist for these processes. To improve efficiency and certainty, Santos suggests the State adopt an assumed approval within 180 days for lease transfers, assignment of working interests, and assignment of ORRIs if no State action is taken. This is consistent with 11 AAC 82.605(c), which states that the Commissioner will approve a transfer of an undivided interest in a lease unless a written finding is made that the transfer would adversely affect the interest of the state or does not comply with applicable regulations.</p>	<p>The key requirement in AS 38.05.920 is “affirmative approval of the director,” and the legislature understood other laws would be applicable. Among them is AS 38.05.140(c), which limits the amount of acreage a lessee may hold. Other considerations include ORRI burden and dismantlement, removal, and restoration (DR&amp;R) liability. Some assignments are straightforward and can be processed quickly. Others can be quite complex, and the director’s due diligence takes a lot of time and resources, thus establishing a firm approval timeline in regulation may not be appropriate.</p> <p>In situations where the lessee is unchanged, but a change of control of the lessee takes place, DNR’s due diligence remains necessary. A notable example of this was when BP Exploration (Alaska) was sold to Hilcorp, an instance in which a 180-day automatic approval deadline would not have been feasible or advisable without risk to the state’s interests. DNR will consider amending 11 AAC 82.605(c) and (f) for clarity and efficiency but not repeal.</p>

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<p><b>Joe Balash Santos</b>  <a href="mailto:joe.balash@santos.com">joe.balash@santos.com</a>                      or Brooke Ivy  <a href="mailto:brooke.ivy@santos.com">brooke.ivy@santos.com</a></p>	<p>Review Bonding Requirements and Eliminate Redundancy</p>		<p>4. As an oil and gas operator, Santos has many financial assurance requirements related to State and federal regulatory requirements. As part of the AO360 process, Santos recommends that the State holistically examine its financial assurance requirements across departments and eliminate any duplication. As an example, Santos’s Grind &amp; Inject (G&amp;I) Facility has duplicative financial assurance requirements for abandonment under both Santos’ Financial Assurance Agreement with DOG and, separately, with the Alaska Department of Environmental Conservation (ADEC) under its permit for the G&amp;I Facility. Improvements to the financial assurance requirements across State agencies is squarely aligned with the objectives of AO360 and would provide meaningful time and cost reduction to both operators and the State, while still fulfilling necessary guarantees.</p> <p>In addition to eliminating redundancy in bonding obligations, Santos recommends that, as a matter of policy, a lessee or permittee that is subject to a bonding or security requirement (such as the one found in 11 AAC 96.060) be allowed to choose the security instrument the lessee will provide from the list of security instruments in the regulatory language.</p>	<p>Each agency is responsible for securing adequate financial assurances for different areas of responsibility. The main concern for the Division of Oil &amp; Gas, as the landowner, is to have financial assurances to cover potential surface impacts resulting from operations carried out under an oil and gas lease or permit. For example, bonding is required for things like seismic surveys, tundra travel, or ice roads. If there are impacts to state land that need to be remediated, but the lessee or permittee is unable to remediate, then the state has some money immediately available to start working on the problem. For lessees in the development phase, where there are many major installations like roads, pads, processing facilities, or pipelines, the Division assesses financial assurances for dismantlement, removal, and restoration (DR&amp;R) of surface facilities. If, at the end of the life of an oil and gas field, lessees are unable to perform DR&amp;R, then the state is left with that responsibility, and there needs to be money immediately available.</p> <p>This is separate from other agencies, who may be concerned with plugging and abandonment of wells (AOGCC), spill response and cleanup (ADEC), et cetera. The Division of Oil &amp; Gas does not view these as “layers of financial assurance,” since they cannot be used by any agency for any reason; rather, they are financial assurances to cover separate contingencies. If there is a case where a lessee feels they are being double bonded by agencies, they are welcome to bring that to our attention.</p>
<p><b>Joe Balash Santos</b>  <a href="mailto:joe.balash@santos.com">joe.balash@santos.com</a>                      or Brooke Ivy  <a href="mailto:brooke.ivy@santos.com">brooke.ivy@santos.com</a></p>	<p>DOG Should Continue to Improve Efficiency of Issuance of TWUA and Other Permits</p>		<p>5. While Director’s Order (DO) 21 provided clarity of DOG’s role in issuing Temporary Water Use Authorization (TWUA) for oil and gas developments, improvements can still be made to simplify the process and improve processing time. Historically, these authorizations used to take 45-60 days to process, but now this has increased to 6 months or longer. Due to these increased timelines, operators have to pursue these authorizations a full year earlier to account for seasonality and permit timelines. Where a TWUA permit renewal application is essentially the same as the existing approved permit—with no changes to scope, location or conditions—a streamlined or fast-tracked review process should be adopted reducing processing time and administrative effort while allowing regulators to focus on more complex or new applications. This approach supports operational efficiency while maintaining compliance standards. As part of AO360, Santos suggests DOG review its authorization timelines and processes to identify where improvements can be made.</p>	<p>Your recommendations to improve processing time for TWUAs will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>

Commenter	Subject	Regulation	Comment	Agency Response
<p><b>Harrison Grundy</b> (725) 895-9872 hgrundy85@gmail.com</p>	<p>Use the provisions of AS 38.05.180 to offer leases with a nominal minimum bid and a fixed royalty.</p>		<p>1. Current practice in Alaska is to offer leases with a minimum bid of \$25 per acre with a \$10 per acre annual rental fee and a 1/6th royalty, representing a committed cost of \$125 per acre. The results of recent lease sales, with such a large portion of acreage going unbid, even in areas with active exploration, indicates that this cost exceeds the current market value of the leases. This precludes investment except in the lowest risk environments, greatly reducing exploration activity. Additionally, it deprives oil and gas investors of valuable pricing information that would allow them to more accurately establish the value of the leases in projects they’re considering investment in. Additionally, it deprives the state of a valuable feedback mechanism, by which the impact of administrative changes can be evaluated on a free market price basis.</p> <p><b>Proposal:</b> Use the provisions of AS 38.05.180 to offer leases with a nominal minimum bid and a fixed royalty.</p>	<p>Lease sale terms and conditions, such as primary term (e.g., 10 years), royalty rate (e.g., 12.5%), and bid variables (e.g., \$10 per acre minimum bid), are reviewed by the Division of Oil &amp; Gas prior to each sale, as required by AS 38.05.180(f)(3). That process is informed by many factors, such as exploration activity, resource information, commercial activity, and lands available for leasing. Part of AS 38.05.180(w) is for the Commissioner to make land available for lease "upon terms appearing most advantageous to the state." That principle was further articulated by the Legislature in AS 38.05.180(a), especially where DNR is required to “maximize competition.”</p> <p>The Division believes the current method for selecting competitive terms proportionate to the value and prospectivity of the acreage, is advantageous to the state. The North Slope areawide lease sales have seen consistent participation and first-time bidders in recent years. If a sale is unsuccessful, the Division will reconsider the terms to offer in the next sale per AS 38.05.180(f)(3). The public is invited to inform that process by responding to a <a href="#">call for substantial new information</a>.</p>
<p><b>Harrison Grundy</b> (725) 895-9872 hgrundy85@gmail.com</p>	<p>Offer state public data, such as well logs and seismic data via the internet at no cost.</p>		<p>2. To receive various types of exploration data from the state, those interested in exploration must currently contact the Division of Oil and Gas and, depending on the type of data requested, pay various administrative fees. For example, an exploration company looking to explore Cook Inlet, with the Nikiski Marine 3D survey, would be expected to pay \$121,733, for data that the state expressly intends to make “readily available for public or private use without further permission from the State of Alaska, Department of Natural Resources”, when the actual cost to deliver this data via online download would be less than \$200 and the cost to the state to store the data with a commercial provider would be less than \$100 per month.</p> <p><b>Proposal:</b> Offer state public data, such as well logs and seismic data via the internet at no cost.</p>	<p>Your recommendation to provide tax credit seismic data free of charge will be considered.</p> <p>It may be of interest that this has been discussed in the Alaska Legislature, most recently with <a href="#">HB 257 in 2024</a>. The presentations and fiscal note explain the costs. If DNR were to cease charging fees to maintain and serve the seismic data, it would need to seek a budget increase from the Alaska Legislature.</p>

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<p><b>Harrison Grundy</b> (725) 895-9872 hgrundy85@gmail.com</p>	<p>Establish clear guidance on the manner and method by which the Division will evaluate waivers, extensions and applications</p>		<p>3. A common theme in Alaska projects I have reviewed is either commentary or language that a particular piece of the investment will require some kind of discretionary action by the Division of Oil and Gas, such as a waiver of a requirement, an extension of a deadline, or an application that will be evaluated on the basis of being “In the best interests of the State of Alaska”. While I believe that the intent behind regulating on this basis is to provide the Division with flexibility, to investors who are outside of this process, it is impossible to assess how realistic this request might be, greatly increasing the perceived regulatory risk associated with these projects and reducing their expected return.</p> <p>Due to the lack of clear, public rules around these processes, entirely reasonable decisions by the Division can still cause an erosion in public trust, due to inconsistency over time and the resulting perception of arbitrariness in decisionmaking. Ultimately, these factors stifle innovation and growth, as new oil and gas companies and their investors inherently operate at a disadvantage compared to their established peers, as they lack the experience interacting with the Division needed to determine the feasibility of a particular course of action.</p> <p>Clear guidance from the Division, about the process, requirements and expectations that the Division will evaluate, along with the various conditions the Division may wish to impose would put these new entrants on an even footing with other operators and ensure that the oil and gas industry in Alaska does not stagnate.</p> <p><b>Proposal:</b> Establish clear guidance on the manner and method by which the Division will evaluate waivers, extensions and applications</p>	<p>The criteria for decisions “in the best interests of the state” are found in statute and regulation. For example, DNR’s authority regarding unitization is found principally in AS 38.05.180(p). Among other things, it requires a “plan must adequately protect all parties in interest, including the state.” More detailed decision criteria under that statute are found in 11 AAC 83.303. The Division of Oil &amp; Gas makes every effort to cite applicable statutes and regulations in its decision documents, and you will find unit decisions are structured to align with 11 AAC 83.303. These are published on the Division website at <a href="https://dog.dnr.alaska.gov/Library">https://dog.dnr.alaska.gov/Library</a>.</p> <p>It should also be noted that such decisions are preceded by many conversations with applicants. The Division often speaks with industry representatives before applications are submitted to assist in satisfying pertinent statutes and regulations for a successful application approval process.</p> <p>Each decision is unique and requires consideration of a wide range of factors. The Division is open to specific recommendations on how amending its regulations could address these concerns.</p>

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<p><b>Harrison Grundy</b> (725) 895-9872 hgrundy85@gmail.com</p>	<p>Explicitly address how the Division of Oil and Gas weighs conflicting priorities and separate them if possible.</p>		<p>4. In Alaska, the Division of Oil and Gas is charged with being a mineral owner, regulatory agency and is expected to maximize the use of resources for Alaskans. These different goals for the Division come into conflict in a variety of ways. As a regulator, the Division can be placed in a position where it must make decisions that go against its interest as a mineral owner, which may also conflict with what is most likely to promote an efficient use of resources. In other states, these roles are split into distinct agencies or divisions, so that each may effectively advocate for its priorities. In Texas, for instance, the Texas Railroad Commission handles oil and gas regulatory affairs, determining things like how resource extraction is performed in a safe and efficient manner, unitization and pooling, without being viewed as a source of state revenue from lease sales and royalty payments. Instead, these roles are handled by state land trusts which can then actively market their leases to industry, without worrying about their regulatory position in the process.</p> <p><b>Proposal:</b> Explicitly address how the Division of Oil and Gas weighs conflicting priorities and separate them if possible.</p>	<p>This separation of responsibilities already exists in the State of Alaska. The DNR Division of Oil &amp; Gas manages the State's oil, gas, geothermal, and pore space resources as the mineral owner. The Alaska Oil &amp; Gas Conservation Commission (AOGCC) is a separate agency responsible for managing well safety, production efficiency, and pooling, among other things. Where conflicts exist regarding correlative rights affecting the State's oil and gas estate or that of other mineral owners, DNR can appear before the AOGCC.</p> <p>Furthermore, the responsibilities of the DNR Division of Oil &amp; Gas and AOGCC are assigned by the Legislature in statute. These can only be changed through legislation, not by amending regulation.</p>
<p><b>Becky Long</b> <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>Baseline count of regulations</p>		<p>1. In the public notice, DOG has NOT proposed any specific changes now for the public to comment on. But does not DOG/DNR have to report the state's baseline number of regulations upon which the 15% would be based? This was supposed to be done by 10/13/25. Only seven divisions have completed their baseline count information. The rest have asked for an extension. What has the Division reported as their baseline number? And which regulations have been chosen? Or do you have an extension of time to report this?</p>	<p>The purpose of a scoping notice is to provide the public an opportunity to make suggestions before regulations or amendments to regulations are drafted. When specific changes are drafted, they will be published for public comment. Information such as baseline numbers will be made public once verified. At this time, we do not have a timeline for when that verification process will be complete.</p>
<p><b>Becky Long</b> <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>Regulation amendment process</p>		<p>2. What resources do the public have if the regulatory elimination does change the particular intent of a state law? Is there an appeal process?</p>	<p>If a regulatory change alters the intent of a state law, the public may submit written comments or questions during the public notice and comment period, and agencies are required to consider and respond to substantive input. After adoption, regulations are subject to review by the Department of Law and the Office of the Governor (except for certain boards and commissions), which can return regulations inconsistent with legislative intent. If a regulation is believed to substantially fail to comply with the Administrative Procedure Act (APA), a court may declare it invalid, providing a form of judicial appeal. The public can also request records and participate in legislative oversight, as the legislature retains authority to annul regulations by resolution. Members of the public may also petition an agency to adopt, amend, or repeal a regulation; the agency must respond in writing or hold a public hearing on the petition. Please see the Department of Law's Drafting Manual for Administrative Regulations for a more complete explanation of the process with statutory citations.</p> <p><a href="https://law.alaska.gov/doclibrary/drafting_manual.html">https://law.alaska.gov/doclibrary/drafting_manual.html</a></p>

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<p><b>Becky Long</b>  <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>Guidance documents</p>		<p>3. AO 360 requires the agency to submit guidance documents that tell Alaskans how to follow the regulations. Guidance documents could become regulations. These documents are supposed to be sent to the Department of Law by Feb 2. Has DOG submitted their guidance documents? And would those docs become a regulation?</p>	<p>Division of Oil and Gas guidance documents were submitted to the Department of Law for review. All were already published on our website, most of them on this page: <a href="https://dog.dnr.alaska.gov/Services/Applications">https://dog.dnr.alaska.gov/Services/Applications</a>. Once the Department of Law has completed its review, agency guidance documents will be posted on the Online Public Notice system. In the meantime, you are welcome to submit comments on the guidance documents published on the Division of Oil &amp; Gas website.</p>
<p><b>Becky Long</b>  <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>AO 360 and ongoing processes</p>		<p>4. The public is at the tail end of the Best Interest Finding Process for the 2 Susitna Valley Gas Exploration Leases. This regulatory review process under AO 360 throws the legality of the Preliminary BIF for these leases into regulatory limbo. These regulatory changes could mean that the potential benefits DO NOT outweigh the possible negative effects. The lessening of regulations which protect the wilderness and private property values could mean that the two licenses do NOT best serve the interests of the State. Degradation of these values will bring negative impacts to state land and affect the current economies and livelihoods. Because these regulations could change. This means the lease process should be put on hold. Regulations that could be under this regulatory review could be:</p> <ul style="list-style-type: none"> <li>• 11 AAC 82.205 Statement of Quality of Leasing</li> <li>• 11 AAC 82.300 Acreage Limitations</li> <li>• 11 AAC 82.605(a)-Leases may be assigned or subleased. Transferor liable for all lease obligations</li> <li>• 11 AAC 82.903 Exploration Licensing</li> <li>• 11 AAC 83. Plan of Operations-which is extremely important</li> </ul> <p>What regulations that would impact this exploration program and these specific leases are being considered for elimination?</p>	<p>The review process is not in "limbo." It is proceeding in accordance with statute and regulation. Regulations are unlikely to change before the Final Best Interest Finding for those exploration licenses is issued. The exploration licensing process, as with all other processes carried out by the Division of Oil &amp; Gas, will continue under current regulations until such time as those regulations may change. If you have any specific concerns about regulations, you are welcome to submit them in writing at any time, and you are encouraged to watch for public notices of draft regulations and to submit comments during such opportunities.</p>
<p><b>Becky Long</b>  <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>Regulatory budgeting</p>		<p>5. What does Attorney General Designee Cox mean by "regulatory budgeting"?</p>	<p>The Division of Oil &amp; Gas cannot speak for Attorney General Cox. Please submit this question to the Department of Law.</p>

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<p><b>Becky Long</b>  <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>Overwhelming burden on the public</p>		<p>6. AO 360 has flooded the public notice system with regulatory change scoping processes for the many state agencies. This is coming at time when Alaskan society is being inundated with public policy changes in state, federal and municipal lands along with climate change impacts. In fact, this whole effort is creating more work in regulatory permitting with less certainty in the permitting process. The timeline for this process is too short. It is putting an overwhelming burden on the public and their investment of time in public policy issues. It is extremely hard for the public to do a rigorous job on scoping comments. And the administration has still not defined “regulatory burden” that is quoted repeatedly. This state process is defaulting on its responsibility to protect the ecosystems and will also hinder regulatory actions that could benefit the ecosystem. This is the very big public concern.</p>	<p>The Division of Oil &amp; Gas will continue to fulfil its responsibilities in accordance with the Alaska Constitution, Alaska Statutes, and regulations, both as they are now and as they may be amended, in accordance with the law.</p>
<p><b>Becky Long</b>  <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>Understaffing</p>		<p>7. This unbudgeted questionable bureaucratic procedure started by AO 360 is creating UNNECESSARY work on agency staff. Roughly one in six state jobs were vacant at the beginning of 2025. On 5/8/25, the governor froze most state employee hiring and employee resources such as travel. Low oil prices have squeezed the state budget. The state workforce has and will continue to be stressed.</p>	<p>The Division of Oil &amp; Gas will continue to fulfil its responsibilities in accordance with the Alaska Constitution, Alaska Statutes, and regulations, both as they are now and as they may be amended, in accordance with the law.</p>
<p><b>Becky Long</b>  <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>Concern for rubber stamping, bypassing public notice, understaffing.</p>		<p>8. The AO 360 “provision for automatic approval if deadlines are not met” loophole means permits could be rubber stamped without review. Public input could be skipped. A lot of deadlines could NOT be met due to dwindling state staff as explained above. Having to work on this regulatory process. Staff is stretched thin. THIS PROVISION SHOULD BE ELIMINATED.</p>	<p>The Division of Oil &amp; Gas is adequately staffed to perform its duties in accordance with the Alaska Constitution, Alaska Statutes, and existing regulations, and comply with the Governor’s Administrative Order 360. Please also note that public notice as required in statutes cannot be eliminated by amending regulations, nor can statutory requirements for review.</p>
<p><b>Becky Long</b>  <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>Public feedback and agency responses</p>		<p>9. A public document that publishes stakeholder and public feedback and agency responses to this scoping process needs to occur. Please make this available to the public and commenters.</p> <p><b>Proposal:</b> Publish public feedback and agency responses</p>	<p>While public records that are part of the regulatory process are subject to a Public Records Act request, your comment is noted and publication will be considered.</p>
<p><b>Becky Long</b>  <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>AI usage</p>		<p>10. How much Artificial Intelligence will be used to define and determine which regulations are burdens? This needs to be transparent. Are all agencies using the same AI Guidelines? The way one asks a question of AI changes the answer.</p>	<p>Application of AI to regulatory reform is currently being explored but we do not have any specific information to share at this time.</p>
<p><b>Becky Long</b>  <a href="mailto:woodyfiber17@gmail.com">woodyfiber17@gmail.com</a></p>	<p>ARL identification</p>		<p>11. Who is the Agency Regulatory Liaisons for these DOG/DNR regulation changes?</p>	<p>Agency Regulatory Liaisons are designated at the department level, usually within each department’s commissioner’s office. Several people within each division support the commissioner’s office in addressing the requirements of Administrative Order 360. For questions regarding the Division of Oil &amp; Gas, please contact Sean Clifton at sean.clifton@alaska.gov or 907-269-8786.</p>

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<p><b>Bill Van Dyke</b>  <a href="mailto:aogs@gci.net">aogs@gci.net</a></p>	<p>180(w) lease sales</p>		<p>1. The Division should be offering lease sales under AS 38.05.180(w). If implementing regulations are needed then the Division should immediately adopt them so the lease sales can go forward quickly. I do not see any need for new regulations to hold the lease sales under (w).</p> <p><b>Proposal:</b> If needed, adopt regulations for 180(w) lease sales.</p>	<p>The Division of Oil &amp; Gas holds AS 38.05.180(w) lease sales. For example, the North Slope areawide sales since 2011 have been 180(w) sales (indicated by the <i>W</i> after the year of the sale on <a href="#">this summary table</a>). The Division agrees new regulations are not required to continue holding AS 38.05.180(w) lease sales.</p>
<p><b>Bill Van Dyke</b>  <a href="mailto:aogs@gci.net">aogs@gci.net</a></p>	<p>Performance bonding</p>		<p>2. If the Division is going to require performance bonds as part of a unit agreement approval then the division should adopt regulations clearly specifying when and why such bonds are required and how the bond amounts are calculated. Unit applicants deserve that clarity ahead of time.</p> <p><b>Proposal:</b> Adopt regulations for unit performance bonding.</p>	<p>Your recommendation to adopt regulations for unit performance bonds will be considered as part of our broader effort to improve regulatory clarity and alignment with statutory responsibilities.</p>
<p><b>Bill Van Dyke</b>  <a href="mailto:aogs@gci.net">aogs@gci.net</a></p>	<p>Work commitments</p>		<p>3. If the Division is going to require work commitments as a part of a unit approval then the Division should adopt regulations clearly specifying why such work commitments are required and how such work commitments are formulated. Unit applicants deserve that clarity ahead of time.</p> <p><b>Proposal:</b> Adopt regulations for unit work commitments</p>	<p>Your recommendation to adopt regulations for unit work commitments will be considered as part of our broader effort to improve regulatory clarity and alignment with statutory responsibilities.</p>
<p><b>Bill Van Dyke</b>  <a href="mailto:aogs@gci.net">aogs@gci.net</a></p>	<p>Barriers to lease sales</p>		<p>4. Most of the state's oil and gas revenue comes rom royalties and taxes, not lease sales. the Division should do all it can to get additional lands under lease so it can be explored and hopefully developed. Lowering the barriers to entry at lease sales is needed; 10 year leases, set the royalty rate at 12 1/2 %; one dollar per acre minimum bid, and one dollar per acre per year rental.</p> <p><b>Proposal:</b> Lease sales with 10-year lease terms, 12.5% royalty rate, \$1-per-acre minimum bid.</p>	<p>Terms and conditions, such as lease term, royalty rate, and bid variables, are reviewed by the Division of Oil &amp; Gas prior to each sale. Part of AS 38.05.180(w) is for the Commissioner to make land available for lease "upon terms appearing most advantageous to the state." Given the success in the 2025 North Slope areawide lease sale, an AS 38.05.180(w) sale, the Division believes the current methodology for selecting competitive terms proportionate to the value and prospectivity of the acreage, is advantageous to the state.</p>
<p><b>Bill Van Dyke</b>  <a href="mailto:aogs@gci.net">aogs@gci.net</a></p>	<p>Barriers to unitization</p>		<p>5. Exploration and development are most efficient in unit areas. Approve all units that have a reasonable unit area and plan of exploration.</p> <p><b>Proposal:</b> Easier approval of units for exploration.</p>	<p>The Division of Oil &amp; Gas often approves units for leases that are still in the exploration phase. The criteria in 11 AAC 83.303 directs DNR to consider "geological and engineering characteristics of the potential hydrocarbon accumulation," among other things, when determining whether to form a unit and what acreage to include within the unit.</p>
<p><b>James Winegarner</b>            (907) 229-0881  <a href="mailto:winegarnerllc@gmail.com">winegarnerllc@gmail.com</a></p>	<p>Access to Data</p>		<p>1. The State of Alaska provided tax credits to companies which acquired 3D seismic in the State of Alaska. The data acquired was to be held confidential for only 10 years and then released to the public according to statue. Unfortunately, according to regulations, the State of Alaska charges for access to the public data. I recommend that all public 3D seismic surveys be provided to anyone interested in Alaska for free. This lowers the barrier to entry in Alaska. Alaska needs many oil and gas companies exploring not just two or three.</p>	<p>Your recommendation to provide tax credit seismic data free of charge will be considered.</p> <p>It may be of interest that this has been discussed in the Alaska Legislature, most recently with <a href="#">HB 257 in 2024</a>. The presentations and fiscal note explain the costs. If DNR were to cease charging fees to maintain and serve the seismic data, it would need to seek a budget increase from the Alaska Legislature.</p>

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<p><b>James Winegarner</b> (907) 229-0881 <a href="mailto:winegarnerllc@gmail.com">winegarnerllc@gmail.com</a></p>	<p>Access to Land</p>		<p>2. The area wide leasing program in the State of Alaska has continued to draw minimal interest in the recent years. This is primarily due to unfavorably high terms required to bid on the leases. Multiple times the terms offered for leases in the Areawide Sales ended up requiring a new law to fix. Cases in point are 1.) leases offered for less than ten years required a new law allowing for the extension of the lease based on work commitments; 2.) leases offered with extremely high rent (\$250/acre) required a new law allowing for rent reduction based on work commitments; and 3.) leases offered with net profit share have either never been developed or have required a law to reduce the royalties enough to improve the economics to allow for development. The Areawide Lease Sales can continue under the current system, however, I recommend using AS 38.05.180(w) ('(W) Sale') automatically after each Areawide Sale. A (W) Sale would offer any lands which receive no bids in the Areawide Sale at a subsequent competitive lease sale for a minimum bid of \$1/acre bonus payment, with fixed terms of 12.5% royalty, \$1/acre annual rent, and 10 year primary term. This will lower the barriers to entry and provide clarity to investors. It will also allow investors to economically acquire large blocks of land which give the critical mass needed to justify acquiring large 3D Seismic surveys.</p>	<p>Lease sale terms and conditions, such as primary term (e.g., 10 years), royalty rate (e.g., 12.5%), and bid variables (e.g., \$10 per acre), are reviewed by the Division of Oil &amp; Gas prior to each sale, as required by AS 38.05.180(f)(3). That process is informed by many factors, such as exploration activity, resource information, commercial activity, and lands available for leasing. Part of AS 38.05.180(w) is for the Commissioner to make land available for lease "upon terms appearing most advantageous to the state." That principle was further articulated by the Legislature in AS 38.05.180(a). Holding an AS 38.05.180(w) sale with the extremely low terms you propose immediately after a sale with competitive terms would contradict the intent of AS 38.05.180(a), especially (a)(1)(B) to "maximize competition." Furthermore, offering contradictory sets of terms in back-to-back sales would be challenging to justify as being in the state's best interest, as required by AS 38.05.035.</p> <p>The Division believes the current method for selecting competitive terms proportionate to the value and prospectivity of the acreage, is advantageous to the state. The North Slope areawide lease sales have seen consistent participation and first-time bidders in recent years. If a sale is unsuccessful, the Division will reconsider the terms to offer in the next sale per AS 38.05.180(f)(3). The public is invited to inform that process by responding to a <a href="#">call for substantial new information</a>.</p>
<p><b>James Winegarner</b> (907) 229-0881 <a href="mailto:winegarnerllc@gmail.com">winegarnerllc@gmail.com</a></p>	<p>Access to Courts</p>		<p>3. If a lessee doesn't agree with a decision by the Commissioner, the lessee must first appeal the decision to the Commissioner before being allowed to go to the Superior Court. The Commissioner is not required by regulation to respond to the appeal in a set number of days.</p> <p>Therefore, I recommend adding either: 1.) a regulation requiring the Commissioner to respond to an appeal within 30 days; or 2.) adding regulations which give the lessee the right to immediate 'de novo' review by the court. Investors, especially international oil and gas companies, are looking for geopolitical stability and clarity. These changes will show a clear pathway to access the Alaska justice system. The inability to access the court system in a timely manner is a barrier to entry.</p>	<p>Your recommendation reform DNR appeal regulations (11 AAC 02) will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>

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<p><b>James Winegarner</b> (907) 229-0881 <a href="mailto:winegarnerllc@gmail.com">winegarnerllc@gmail.com</a></p>	<p>Payment of rent during Appeal</p>		<p>4. During appeals to the Commissioner, lessees are required to pay rent on the leases in question. As described above, a lessee cannot go to the Superior Court until the Administrative record is established by appeal to the Commissioner and the Commissioner does not have to respond in a timely manner. Payment of rent when the lessee has no right to drill the leases until the appeal is resolved is effective a ‘pay-to-play’ barrier to access the court system. This does not encourage investment in the State of Alaska.</p>	<p>Lessees have the right to drill on leases under appeal. Amendment of 11 AAC 83.111 or elsewhere in regulation to clarify this right may be considered as part of our broader effort to improve regulatory clarity and alignment with statutory responsibilities.</p>
<p><b>James Winegarner</b> (907) 229-0881 <a href="mailto:winegarnerllc@gmail.com">winegarnerllc@gmail.com</a></p>	<p>Unwritten regulations</p>		<p>5. It has become common practice for the DNR to require work commitments and performance bonds through the Unit approval process. Most State of Alaska oil and gas leases issued under AS 38.05.180 do not requiring any work commitments. There is no mention of work commitments or performance bonds in Alaska statutes or regulations regarding Unit applications. Applicants are required to submit a Unit Plan of Exploration. The proposed Unit Plan of Exploration is then modified by the DNR through the approval process from a ‘plan’ into a ‘commitment’ with performance bonds required. Once an applicant receives a Unit approval decision requiring work commitments and performance bonds they have only two options: 1.) accept the Unit approval decision, which voluntarily modifies the leases to work commitment leases; or 2.) appealing the Unit approval decision to the Commissioner. As described above, appeals to the Commissioner have no appeal response time period described in regulations and the Lessee is required to pay rent on the leases during the appeal process. I know of one Unit appeal that took 13 years to get a decision. Lessees paid thirteen annual rental payments and had no ability to drill the leases while in appeal.</p> <p>I recommend changing the Unit application regulations to clearly state that proposed Unit Plans of Exploration and Unit Plans of Development do not constitute work commitments and that performance bonds will not be required to obtain approval of the proposed Unit. This is a barrier to entry. The regulations should provide proper notification to the lessees what to expect during the Unit approval process.</p>	<p>Regulations for unit work commitments and performance bonds will be considered as part of our broader effort to improve regulatory clarity and alignment with statutory responsibilities.</p>

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<p><b>James Winegarner</b>                      (907) 229-0881  <a href="mailto:winegarnerllc@gmail.com">winegarnerllc@gmail.com</a></p>	<p>Conflict of Interest</p>		<p>6. The Division of Oil and Gas is focused on issuing oil and gas leases not forming units. Maximizing oil and gas bonuses and rents should be secondary to the goal of forming units to establish production and collect royalties and taxes. Units are the path to establishing production, and the collection of royalties/taxes. The DNR’s unit approval process is focused on keeping units small. Small unit lead to inconsistent ownership which leads to competitive development. Competitive development leads to waste: oil is left in the ground due to boundary offsets and duplication of facilities is required. We see this happening now when one oil field is located within two units. The DNR typically calculates the estimated loss of bonuses from not being able to re-offer the leases included in a Unit to determine the amount of the performance bonds required in the unit approval decision. Taking leases away from investors so they can be reoffered in a lease sale does not encourage investment in the State of Alaska. This is a barrier to entry. Alaska needs more oil and gas production, not more lease bonuses and rents. Units should be encouraged and supported, not resisted.</p>	<p>The Division of Oil &amp; Gas is focused on maximizing the development of the State’s resources, which includes leasing and the formation of units. Units are formed in accordance with the decision criteria in 11 AAC 83.303. Amendments will be considered as part of our broader effort to improve regulatory clarity and alignment with statutory responsibilities.</p>

**Summary of comments by regulation subject:**

Subject	Comments
Pipelines	8
Surface use/fees	7
Unitization	6
Financial assurances/work commitments	6
Lease sales/administration	5
Modernization (e.g., electronic systems for administration)	2
Royalty administration	2
Carbon storage	2
Free tax credit seismic data	2
Appeals process	2

**REGULATORY REFORM INITIATIVE  
AGENCY QUARTERLY REPORT 2026**

*When complete, please submit this form to your assigned OOG contact and to:  
law.regulations@alaska.gov*

**Report Date:**     January 2026         April 2026         July 2026         October 2026

**Reporting Agency**

Department of Natural Resources, Division of Parks and Outdoor Recreation
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**2026 Milestones**

*Check if completed. If your department has not completed a task by its published deadline, please add an explanatory note in the space provided at the end of the report.*

- Submit proposed regulatory reform plan for review/approval to meet 2026 15% reduction goal (**Due: January 5, 2026**).
- Post approved regulatory reform plan to Alaska Online Public Notice System (**Due: the earlier of February 1, 2026, or when approved by the implementing agencies**).
- Submit updated list of guidance documents to implementing agencies for review/approval (**Due: September 30, 2026**).
- Post approved new/revised guidance documents to Alaska Online Public Notice System (**Due: after review and approval by the implementing agencies**).
- Submit initial projected regulatory plan to implementing agencies for next fiscal year (**Due: October 1, 2026**).

**Agency Regulatory Baseline**

<b>Current Baseline:</b> 340	<b>2026 Goal Baseline:</b> 289
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**Regulation Projects *not* included in the agency’s regulatory reform plan due Jan 5, 2026:**

Project No.	Project Status	Reqs. Added	Reqs. Reduced
2025200456	With Legal Editor	Unknown until completed	Same

*Add additional rows if needed*

**List the *total* regulatory additions and reductions the agency made since the prior report**

<b>Additions:</b> 0	<b>Reductions:</b> 0
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**Do you plan to request drafting assistance from Dept. of Law next quarter?**     Yes     No

**List additional questions, notes, or comments for the implementing agencies**

Please see attached regulatory reform plan.

Brent Goodrum

1-15-2026

[Print Name]

Date

Agency Regulations Liaison

## DNR- DPOR AO360 Regulatory Reform Plan

### **Section 1: Agency Regulatory Baseline Calculation**

The Division of Parks and Outdoor Recreation (DPOR) has identified 340 discretionary regulatory requirements.

Under the Alaska State Constitution (Article 8, Section 7) and related statutes, DPOR-managed lands are closed to generally allowed uses. To allow recreational access, regulations must be established to authorize use on these lands. Reductions in 11 AAC 12, 20, and 21 will be carefully considered to avoid limiting access to state lands for various outdoor recreational activities.

Additionally, 11 AAC 16 regulations define the regulatory framework for the Office of History and Archaeology (OHA). OHA guidance documents were submitted during Q1 and remain under review by the Department of Law to determine whether additional regulations should be added to the baseline number.

### **Section 2: Stakeholder Engagement**

Public Meetings for Regulatory Reduction input occurred as follows:

- October 6, 2025: 11AM- 1PM, public noticed September 29, 2025  
11 AAC 5, 11 AAC 7, 11 AAC 12, 11 AAC 15, 11 AAC 17, 11 AAC 18, 11 AAC 18, 11 AAC 20, 11 AAC 21 (general parks regulations)
- October 7, 2025: 11AM- 1PM, public noticed September 9, 2025  
11 AAC 16 (OHA regulations)

Public Comment Period: September 29 – October 31, 2025 (period length 32 days)

Comments were solicited from the public, advisory boards, commercial users, industry groups, development organizations, and associated user groups through OPN, social media, email, phone calls, and word of mouth.

Commenters were strongly encouraged to submit written feedback to ensure proper documentation.

Stakeholder and public comments have been summarized and are included in the attached file. At this stage, DPOR has neither accepted nor rejected any comments, as the regulation projects are still in progress. A decisional document will address individual documents when specific

regulation revisions are released for public review. These packages will be published according to the timeline outlined in our regulatory reform plan.

### **Section 3: Proposed Regulation Reform**

#### FY26 Quarter 2: (October- December 2025)

- **Guidance Document Reduction:**  
The Office of History and Archaeology (OHA) reduced its guidance documents by 25%.
- **Removal of predetermined inefficient or unnecessary regulations:**  
**11 AAC 15.010–11 AAC 15.100** – Trails and Footpath Grant Program  
**11 AAC 17.010–11 AAC 17.900** – Outdoor Recreational Open Space Grant Program  
**11 AAC 20.956** – Use of Alyeska Ski Resort

To complete the above reduction drafting assistance is required from Dept. of Law.

#### FY26 Quarter 3: (January- March 2026)

- Review of Chapter 11 AAC 05, 12 and consideration of public comments.
- Public draft of regulation changes with decisional document posted via OPN.
- To complete any reductions found, drafting assistance is required from Dept. of Law.

#### FY26 Quarter 4: (April- June 2026)

- Review of Chapter 11 AAC 16, 18 and consideration of public comments.
- Public draft of regulation changes with decisional document posted via OPN.
- To complete any reductions found, drafting assistance is required from Dept. of Law.

#### FY27 Quarter 1: (July- September 2026)

- Review of Chapter 11 AAC 20, 21 and consideration of public comments.
- Public draft of regulation changes with decisional document released via OPN.
- To complete any reductions found, drafting assistance is required from Dept. of Law.

### **Section 3: Additional for DNR, DPOR Permitting Improvements:**

#### **Statewide Permitting Improvements**

- **Online Transition:** As of the end of 2025, Statewide permitting has fully transitioned to an online application and processing system via JotForm, eliminating duplicative reviews and streamlining workflows.

- **Centralized Permitting:** Special and commercial use permitting is now managed by a single team and available online, improving consistency, transparency, and public accessibility. <https://dnr.alaska.gov/parks/permit/index.htm>
- Reduced permit stipulations for statewide special and commercial permits by **30%**, effective January 1, 2026.
  - DPOR supports over **750 small businesses** operating within park units statewide, fostering economic growth in even the smallest communities.
  - In 2025, DPOR issued **475 Special Use Permits**, enabling additional access and activities across managed units.
- **DPOR Regulatory requirement: 30 days** to process a permit.
  - Current performance: **7 days or less**, due to streamlined processes and centralized systems.

Commentor	Issue (Responses summarized)	Agency Response
Erin McKittrick	<p>Suggested regulatory changes to 11 AAC 12.170, 11 AAC 18.010, and 11 AAC 18.025:</p> <ul style="list-style-type: none"> <li>• Add subsection (f) to allow trail maintenance by individuals without a permit.</li> <li>• Add subsection (g) to allow minor scientific disturbances without a permit.</li> <li>• Raise permit threshold in 11 AAC 18.010(a)(1) from 20 to 35 people.</li> <li>• Strike 11 AAC 18.010(a)(2) regarding small non-commercial events.</li> <li>• Add provision to 11 AAC 18.025(b) to reduce permit response time to 7 days for scientific research after natural disasters.</li> </ul>	<p>Your recommendations—such as permit thresholds, trail maintenance allowances, and scientific research timelines—will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
Chilkat Bald Eagle Preserve Advisory Council	<p>Recommendations regarding DPOR regulations and the Alaska Chilkat Bald Eagle Preserve:</p> <ul style="list-style-type: none"> <li>• Amend 11 AAC 21.010–.290 to explicitly reference CBEPAC’s statutory role under AS 41.21.625(e).</li> <li>• Reaffirm that the Preserve’s boundaries, status, and purposes are set by statute and cannot be altered by regulation.</li> <li>• Require CBEPAC consultation before any regulatory changes affecting the Preserve.</li> <li>• Ensure future rulemaking protects eagle nesting areas, salmon-bearing waters, traditional uses, and cross-boundary coordination with the Haines State Forest.</li> </ul>	<p>Your suggestions—including statutory references to CBEPAC, reaffirmation of the Preserve’s boundaries and purposes, consultation requirements, and protections for ecological and cultural values—will be considered as part of our broader effort to ensure that any proposed changes align with statutory responsibilities and stakeholder priorities.</p>
Will Taygen, Chugach Mountain Bike Riders	<p>Proposed streamlining of 11 AAC 12.115 (Bicycle Access):</p> <ul style="list-style-type: none"> <li>• Replace 67 lines of regulation with 8 lines to reduce bureaucracy and improve responsiveness.</li> <li>• Apply the same director-based criteria used for winter fat bike access to all bicycle access.</li> <li>• Eliminate the rigid trail list and allow trail openings/closures via director posting based on park plans and safety/resource needs.</li> <li>• Maintain safeguards for park resources and public safety while modernizing bicycle regulations in line with AO360 goals.</li> </ul>	<p>Your suggestions—such as simplifying regulatory language, applying consistent director-based criteria, and modernizing trail management protocols—will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
Cara Hesselbach	<p>Support for restricting motorized/technology use and expanding equestrian access:</p> <ul style="list-style-type: none"> <li>• Continue restrictions on e-bikes and drones in state parks.</li> <li>• Reduce regulations on equestrian use to promote non-motorized recreation.</li> <li>• Specifically request seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center in Chugach State Park, citing historical use and trail readiness.</li> <li>• Encourage broader access for horses across Alaska State Parks to enhance accessibility and preserve scenic/historic value.</li> </ul>	<p>Your recommendations—such as maintaining restrictions on e-bikes and drones, expanding non-motorized recreation opportunities, and supporting seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center—will be considered as part of our broader effort to modernize regulations while preserving park resources, public safety, and the scenic and historic value of Alaska’s trail systems.</p>
Collen Fisk	<p>Support for restricting motorized/technology use and expanding equestrian access:</p> <ul style="list-style-type: none"> <li>• Continue restrictions on e-bikes and drones in state parks.</li> <li>• Reduce regulations on equestrian use to promote non-motorized recreation.</li> <li>• Specifically request seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center in Chugach State Park, citing historical use and trail readiness.</li> <li>• Encourage broader access for horses across Alaska State Parks to enhance accessibility and preserve scenic/historic value.</li> </ul>	<p>Your recommendations—such as maintaining restrictions on e-bikes and drones, expanding non-motorized recreation opportunities, and supporting seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center—will be considered as part of our broader effort to modernize regulations while preserving park resources, public safety, and the scenic and historic value of Alaska’s trail systems.</p>
Karol Kolehmainen	<p>Support for restricting motorized/technology use and expanding equestrian access:</p> <ul style="list-style-type: none"> <li>• Continue restrictions on e-bikes and drones in state parks.</li> <li>• Reduce regulations on equestrian use to promote non-motorized recreation.</li> <li>• Specifically request seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center in Chugach State Park, citing historical use and trail readiness.</li> <li>• Encourage broader access for horses across Alaska State Parks to enhance accessibility and preserve scenic/historic value.</li> </ul>	<p>Your recommendations—such as maintaining restrictions on e-bikes and drones, expanding non-motorized recreation opportunities, and supporting seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center—will be considered as part of our broader effort to modernize regulations while preserving park resources, public safety, and the scenic and historic value of Alaska’s trail systems.</p>
Sierra Dorman	<p>Support for restricting motorized/technology use and expanding equestrian access:</p> <ul style="list-style-type: none"> <li>• Continue restrictions on e-bikes and drones in state parks.</li> <li>• Reduce regulations on equestrian use to promote non-motorized recreation.</li> <li>• Specifically request seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center in Chugach State Park, citing historical use and trail readiness.</li> <li>• Encourage broader access for horses across Alaska State Parks to enhance accessibility and preserve scenic/historic value.</li> </ul>	<p>Your recommendations—such as maintaining restrictions on e-bikes and drones, expanding non-motorized recreation opportunities, and supporting seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center—will be considered as part of our broader effort to modernize regulations while preserving park resources, public safety, and the scenic and historic value of Alaska’s trail systems.</p>
Mary Green	<p>Support for restricting motorized/technology use and expanding equestrian access:</p> <ul style="list-style-type: none"> <li>• Continue restrictions on e-bikes and drones in state parks.</li> <li>• Reduce regulations on equestrian use to promote non-motorized recreation.</li> <li>• Specifically request seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center in Chugach State Park, citing historical use and trail readiness.</li> <li>• Encourage broader access for horses across Alaska State Parks to enhance accessibility and preserve scenic/historic value.</li> </ul>	<p>Your recommendations—such as maintaining restrictions on e-bikes and drones, expanding non-motorized recreation opportunities, and supporting seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center—will be considered as part of our broader effort to modernize regulations while preserving park resources, public safety, and the scenic and historic value of Alaska’s trail systems.</p>
Craig Sanders	<p>Support for restricting motorized/technology use and expanding equestrian access:</p> <ul style="list-style-type: none"> <li>• Continue restrictions on e-bikes and drones in state parks.</li> <li>• Reduce regulations on equestrian use to promote non-motorized recreation.</li> <li>• Specifically request seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center in Chugach State Park, citing historical use and trail readiness.</li> <li>• Encourage broader access for horses across Alaska State Parks to enhance accessibility and preserve scenic/historic value.</li> </ul>	<p>Your recommendations—such as maintaining restrictions on e-bikes and drones, expanding non-motorized recreation opportunities, and supporting seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center—will be considered as part of our broader effort to modernize regulations while preserving park resources, public safety, and the scenic and historic value of Alaska’s trail systems.</p>
Kayleen Johnson-Sullivan	<p>Support for restricting motorized/technology use and expanding equestrian access:</p> <ul style="list-style-type: none"> <li>• Continue restrictions on e-bikes and drones in state parks.</li> <li>• Reduce regulations on equestrian use to promote non-motorized recreation.</li> <li>• Specifically request seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center in Chugach State Park, citing historical use and trail readiness.</li> <li>• Encourage broader access for horses across Alaska State Parks to enhance accessibility and preserve scenic/historic value.</li> </ul>	<p>Your recommendations—such as maintaining restrictions on e-bikes and drones, expanding non-motorized recreation opportunities, and supporting seasonal equestrian access to the historic Iditarod Trail near Eagle River Nature Center—will be considered as part of our broader effort to modernize regulations while preserving park resources, public safety, and the scenic and historic value of Alaska’s trail systems.</p>
Single Track Advocates	<p>Support of Chugach Mountain Bike Riders comments.</p>	<p>Your suggestions—such as simplifying regulatory language, applying consistent director-based criteria, and modernizing trail management protocols—will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>

Commentor	Issue (Responses summarized)	Agency Response
Alaska Chamber of Commerce	<p>Concerns and recommendations regarding access to the Alaska Heritage Resources Survey (AHRS) and SHPO consultation process:</p> <ul style="list-style-type: none"> <li>• Current AHRS access is limited to individuals with archaeological credentials, requiring applicants to outsource preliminary historic site assessments.</li> <li>• Difficulty reaching staff in the Office of History and Archaeology.</li> <li>• Recommendations: <ul style="list-style-type: none"> <li>– Loosen AHRS access restrictions to allow utility providers to conduct internal reviews.</li> <li>– Increase staffing and reduce consultation timeframes.</li> </ul> </li> <li>• Relevant regulations cited: 11 AAC 16.025, 16.030–16.080, 16.300–16.310, 16.400, 16.500.</li> </ul>	<p>Your recommendations—such as expanding AHRS access to utility providers, improving staffing capacity, and reducing consultation timeframes—will be considered as part of our broader effort to improve regulatory clarity, responsiveness, and alignment with statutory responsibilities.</p>
Chilkat Indian Village	<ul style="list-style-type: none"> <li>• Strengthen archaeological permitting and historic preservation to reflect Tribal sovereignty and federal consultation standards (NHPA).</li> <li>• Amend 11 AAC 16.030, .040, and .230 to require consultation with affected Tribal governments and recognize Tribal expertise.</li> <li>• Add a new section mandating: <ol style="list-style-type: none"> <li>1. Early government-to-government consultation before issuing permits on State lands.</li> <li>2. Cross-agency coordination for cultural resource impacts.</li> <li>3. Evaluation of Traditional Cultural Properties (TCPs).</li> <li>4. Stop-work clauses for unanticipated discoveries.</li> </ol> </li> <li>• Recommend forming a Tribal working group to co-develop regulatory language and consultation procedures.</li> </ul>	<p>Your recommendations—such as requiring consultation with affected Tribal governments, recognizing Tribal expertise, and establishing early government-to-government coordination—will be considered as part of our broader effort to align state permitting practices with federal standards and Tribal sovereignty. We also acknowledge the importance of evaluating Traditional Cultural Properties and implementing stop-work clauses for unanticipated discoveries. The suggestion to form a Tribal working group to co-develop regulatory language and consultation procedures will be reviewed as part of our commitment to inclusive and respectful policy development.</p>
David Hooper, AHTNA	<ul style="list-style-type: none"> <li>• Caution against streamlining regulations that could weaken cultural resource protections.</li> <li>• Align state procedures with federal standards (ARPA, NAGPRA, NHPA §106).</li> <li>• Require formal government-to-government consultation with Tribes before issuing or renewing archaeological permits.</li> <li>• Define “cultural group” to include state and federally recognized tribes.</li> <li>• Establish a Tribal Cultural Resources Advisory Panel within OHA.</li> <li>• Codify tribal consent for permits involving sacred/religious sites.</li> <li>• Recognize and empower tribal monitors to participate in fieldwork and compliance.</li> <li>• Improve transparency and secure tribal access to Alaska Heritage Resources Survey (AHRS) data.</li> <li>• Exempt cultural resource permitting from automatic approval/timeline-based default provisions.</li> <li>• Strengthen discovery and stop-work provisions for inadvertent finds (e.g., human remains).</li> <li>• Improve coordination and early consultation with Ahtna Tribes and corporations.</li> <li>• Reaffirm Alaska’s commitment to preserving historic and cultural heritage, including Indigenous peoples.</li> </ul>	<p>Your recommendations—such as aligning state procedures with federal standards (ARPA, NAGPRA, NHPA §106), requiring formal government-to-government consultation, recognizing Tribal monitors, and codifying Tribal consent for permits involving sacred sites—will be considered as part of our broader effort to strengthen cultural resource protections and uphold Alaska’s commitment to preserving Indigenous heritage. We also acknowledge the importance of improving transparency, securing Tribal access to AHRS data, and establishing advisory structures such as a Tribal Cultural Resources Advisory Panel. These suggestions will be reviewed in coordination with the Office of History and Archaeology as part of the Chapter 16 regulatory review.</p>
Travis Shinabarger	<ul style="list-style-type: none"> <li>• Concerns about mandatory fieldwork protocols (e.g., screen size, metal detecting) that override professional discretion of SOI-qualified archaeologists.</li> <li>• Mandatory use of 1/8-inch screens increased field time and cost without significant benefit; recommends allowing archaeologist discretion for tool selection.</li> <li>• Metal detecting sometimes mandated without clear benefit; should be used at archaeologist’s discretion.</li> <li>• Inconsistent guidance on identifying Culturally Modified Trees (CMTs); recommends clear, consistent stipulations and training if required.</li> <li>• Inconsistent survey methodology requirements between OHA permits and Alaska SHPO reviews cause delays and undermine professional qualifications.</li> <li>• Recommends consistent, clear guidance in permits that meet both state and Section 106 requirements, and recognition of SOI-qualified professionals’ expertise.</li> </ul>	<p>Your recommendations—such as allowing archaeologists discretion in tool selection (e.g., screen size and metal detecting), clarifying guidance on identifying Culturally Modified Trees (CMTs), and ensuring consistency between OHA permits and SHPO reviews—will be considered as part of our broader effort to improve regulatory clarity, reduce unnecessary burdens, and recognize the expertise of SOI-qualified professionals.</p>
Monty Rogers	<ol style="list-style-type: none"> <li>1. Clarify permit eligibility and “qualified person” criteria: <ul style="list-style-type: none"> <li>• Align with Secretary of the Interior’s standards; accept equivalent competencies for Alaska-based and tribal experts.</li> <li>• Allow provisional permits for early-career archaeologists under supervision.</li> <li>• Recognize tribal representatives with special expertise.</li> </ul> </li> <li>2. Strengthen cultural-data governance and confidentiality: <ul style="list-style-type: none"> <li>• Protect confidentiality of site location data and Traditional Knowledge; allow public summaries omitting sensitive info.</li> </ul> </li> <li>3. Align state procedures with national standards: <ul style="list-style-type: none"> <li>• Ensure permit reviews meet federal documentation and Section 106 guidance.</li> </ul> </li> <li>4. Update curation and repository standards: <ul style="list-style-type: none"> <li>• Require curation in federally compliant or tribally designated repositories; archive digital collections appropriately.</li> </ul> </li> <li>5. Provide regulatory definition for public construction, involvement, and licensing: <ul style="list-style-type: none"> <li>• Clarify when state involvement triggers review under the Alaska Historic Preservation Act.</li> </ul> </li> </ol>	<p>Your recommendations—such as clarifying “qualified person” criteria, recognizing Tribal and Alaska-based expertise, strengthening confidentiality protections for Traditional Knowledge, and updating curation standards—will be considered as part of our broader effort to modernize regulations while maintaining compliance with federal guidance (e.g., Section 106) and the Alaska Historic Preservation Act. We also acknowledge the importance of defining public involvement triggers and ensuring that permit reviews meet national documentation standards. These suggestions will help inform the next phase of this project.</p>

Morgan Blanchard, Northern Land Use Research Alaska	<ul style="list-style-type: none"> <li>• Expresses concern that regulatory “streamlining” could undermine the Alaska Historic Preservation Act (AHPA, AS 41.35).</li> <li>• Notes that delays in compliance are typically due to late process initiation, incomplete data, inadequate staffing, or lack of process knowledge—not the regulatory structure.</li> <li>• Emphasizes that AHPA and Section 106 processes are efficient and predictable when properly implemented.</li> <li>• Warns that reducing review requirements or staffing would increase costs, delays, and legal risks.</li> <li>• Recommends improvements focused on modernization and coordination, not deregulation: <ul style="list-style-type: none"> <li>– Create an online permit application and tracking portal.</li> <li>– Improve inter-agency communication and coordination.</li> <li>– Provide training for federal agency personnel on Section 106.</li> <li>– Encourage early initiation of Section 106.</li> <li>– Invest in digitization of records for State and Tribal historic preservation offices.</li> <li>– Reauthorize the Historic Preservation Fund.</li> <li>– Invest in higher education programs for CRM jobs.</li> <li>– Develop educational materials for project proponents.</li> </ul> </li> <li>• Stresses the importance of preserving Alaska’s cultural heritage for tourism, local employment, and state identity.</li> <li>• Recommends staff support, modernization, and interagency coordination to maintain regulatory integrity and efficiency.</li> </ul>	<p>Your concerns about preserving the integrity of AHPA and Section 106 processes are noted, including the importance of early initiation, adequate staffing, and interagency coordination. We recognize that delays are often due to process gaps rather than regulatory structure, and your recommendations—such as developing an online permit portal, improving communication, investing in digitization, and supporting education and training—will be considered as part of our broader effort to modernize and strengthen Alaska’s cultural resource management framework.</p>
Angela Gore, Northern Land Use Research Alaska	Same comment as above	Same response as above
Lucy Flynn O’Quinn	<ul style="list-style-type: none"> <li>• Suggests Alaska adopt a system similar to the FCC’s E106 process for Tribal consultation.</li> <li>• Key features recommended: <ul style="list-style-type: none"> <li>– Tribes set specific geographic areas for consultation.</li> <li>– System aggregates and updates contact information.</li> <li>– Automated project notifications sent to relevant Tribes.</li> <li>– Tracks project development, consultation, findings, and effects.</li> <li>– Provides dashboard access for Tribes, consultants, agencies, and proponents.</li> </ul> </li> <li>• Aims to improve efficiency, transparency, and reduce redundancy in communications and project tracking.</li> </ul>	<p>Your recommendation to adopt a system modeled on the FCC’s E106 process—including geographic consultation zones, automated notifications, centralized contact management, and dashboard access for Tribes and agencies—will be considered as part of our broader effort to improve transparency, efficiency, and coordination in cultural resource management.</p>
Skagway Traditional Council	<ul style="list-style-type: none"> <li>• Add language recognizing Tribal governments as partners in preservation.</li> <li>• Implement early consultation with affiliated Tribes as part of the permitting process, especially for projects affecting cultural materials.</li> <li>• Require Tribal consent for permits involving sacred or religious sites, aligning with AHPA and federal standards.</li> <li>• Include consultation with Alaska Native groups for identification of cultural/historic sites prior to state projects.</li> <li>• Revise property standards for collected items to allow requests and transfers to affiliated Alaska Native groups, meeting NAGPRA standards.</li> <li>• Establish notification standards for Tribes regarding findings from research/investigations on their traditional lands.</li> <li>• Allow Tribal representatives access to investigation, collection, or excavation sites.</li> <li>• Include Tribal governments/organizations as eligible permit recipients.</li> <li>• Ensure facility standards for transfers/loans of cultural materials are non-discriminatory and reasonably met by Tribal organizations.</li> <li>• Preserve the protective intent of the Alaska Historic Preservation Act (AHPA) in any regulatory revisions.</li> <li>• Oppose “automatic approval” for cultural resource permits; request explicit exemption and adoption of tolling rules.</li> <li>• Strengthen early and ongoing Tribal consultation and consent requirements for projects affecting cultural resources.</li> <li>• Codify uniform stop-work and notification procedures for inadvertent discoveries.</li> <li>• Require cumulative-effects review for linear/corridor projects and coordinate with federal Section 106 obligations.</li> </ul>	<p>Your recommendations—such as recognizing Tribal governments as preservation partners, implementing early consultation for projects affecting cultural materials, requiring Tribal consent for sacred site permits, and revising property standards to meet NAGPRA compliance—will be considered as part of our broader effort to modernize regulations while honoring Tribal sovereignty and cultural stewardship. We also acknowledge the importance of notification standards, Tribal access to investigation sites, and equitable facility standards for cultural material transfers.</p>
Alan Faulkner	<ul style="list-style-type: none"> <li>• Reaffirm confidentiality of sensitive site information and data sovereignty.</li> <li>• Modernize definitions to reflect current standards and Tribal knowledge.</li> <li>• Require cultural-resource awareness training for project managers/contractors; maintain robust “qualified person” criteria.</li> <li>• Add expedited response pathway for climate- and erosion-threatened sites.</li> <li>• Support clear processing timelines, but allow extensions for consultation, seasonal limits, or complex reviews.</li> <li>• Express willingness to participate in future workgroups or technical sessions.</li> </ul>	<p>Your recommendations—such as preserving AHPA’s protective intent, exempting cultural resource permits from automatic approval, codifying stop-work procedures, and requiring cumulative-effects review for corridor projects—will be considered as part of our broader effort to modernize regulations while maintaining statutory integrity and honoring Tribal sovereignty. We also acknowledge the importance of confidentiality, data sovereignty, and cultural-resource awareness training, as well as the need for expedited pathways for climate-threatened sites and flexible timelines for complex reviews. Your willingness to participate in future workgroups and technical sessions is appreciated and will be noted for upcoming stakeholder engagement efforts.</p>

**REGULATORY REFORM INITIATIVE  
AGENCY QUARTERLY REPORT 2026**

*When complete, please submit this form to your assigned OOG contact and to:  
law.regulations@alaska.gov*

**Report Date:**     January 2026         April 2026         July 2026         October 2026

**Reporting Agency**

Department of Natural Resources - Commissioner's Office and Support Services Division
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**2026 Milestones**

*Check if completed. If your department has not completed a task by its published deadline, please add an explanatory note in the space provided at the end of the report.*

- Submit proposed regulatory reform plan for review/approval to meet 2026 15% reduction goal **(Due: January 5, 2026)**.
- Post approved regulatory reform plan to Alaska Online Public Notice System **(Due: the earlier of February 1, 2026, or when approved by the implementing agencies)**.
- Submit updated list of guidance documents to implementing agencies for review/approval **(Due: September 30, 2026)**.
- Post approved new/revised guidance documents to Alaska Online Public Notice System **(Due: after review and approval by the implementing agencies)**.
- Submit initial projected regulatory plan to implementing agencies for next fiscal year **(Due: October 1, 2026)**.

**Agency Regulatory Baseline**

<b>Current Baseline:</b> 75	<b>2026 Goal Baseline:</b> 64
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**Regulation Projects *not* included in the agency's regulatory reform plan due Jan 5, 2026:**

Project No.	Project Status	Reqs. Added	Reqs. Reduced

*Add additional rows if needed*

**List the *total* regulatory additions and reductions the agency made since the prior report**

<b>Additions:</b> N/A	<b>Reductions:</b> N/A
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**Do you plan to request drafting assistance from Dept. of Law next quarter?**     Yes     No

**List additional questions, notes, or comments for the implementing agencies**

Note: Appeals resides in the Commissioner's Office and the Recorder's Office resides in the Support Services Division

**Brent Goodrum**

**1-15-2026**

[Print Name]

Date

Agency Regulations Liaison

## Support Services/Commissioner's Office Regulatory Reform Plan

### Section 1: Agency Regulatory Baseline Calculation

- The Support Services Division and Commissioner's Office have identified 75 discretionary regulatory requirements that serve as the baseline for this reform effort for regulations in 11 AAC 02 (administrative appeals) and 11 AAC 06 (document recording and filing).
- The baseline may increase pending Department of Law's response on guidance documents submitted for Law's review in Fall 2025.
- No new regulations have been incorporated since adopting the baseline.

### Section 2: Stakeholder Engagement

The general public was engaged through a written comment period and public meetings. Input was not directly solicited from other stakeholders.

- Public notices were published October 6, 2025; links to the notices are:
  - Appeals:  
<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=221222>
  - Recorder's Office:  
<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=221220>
- Written comments were accepted through October 31, 2025 (25-day comment period)
- Public meetings were held:
  - **Administrative Appeals (11 AAC 02)** – Thursday, October 16, 1:30 – 3:00 p.m.
  - **Recorder's Office/Document Recording and Filing (11 AAC 06)** - Thursday, October 16, 1:30 – 3:00 p.m.
- Public comments received are captured in the table at the end of this report
- Issues and recommended actions received in the comment period will be considered when the associated chapter of regulations is addressed, consistent with the timelines provided in the Regulatory Reform Plan. The Department's acceptance or rejection of each comment will be articulated in the decisional document accompanying a regulation revision.

### Section 3: Proposed Regulatory Reform

#### CY 2026 Quarter 1 (Jan- Mar 2026)

Efforts will begin separately on both 11 AAC 02 and 11 AAC 06 to reduce unnecessary regulatory burden. Drafting assistance from the Department of Law is anticipated to be requested in the later part of CY 2026 Q1.

#### CY 2026 Quarter 2 (April- June 2026)

Efforts will continue on 11 AAC 02 and 11 AAC 06 with the intent of completing all regulatory overhaul to occur in CY 2026 Q3.

Public Comment – Commissioner’s Office and Support Services Division  
 11 AAC 02, Administrative Appeals, and 11 AAC 06, Document Recording and Filing

Topic	Commenter	Comment	Agency Response
<p>Appeals 11 AAC 02</p>	<p>Hal Shepherd / Kachemak Bay Watershed Council and Norton Bay Watershed Council</p>	<p>These comments are submitted on behalf of the Kachemak and Norton Bay Watershed Councils (KBWC)/(NBWC) regarding the above scoping notice (Notice). KBWC &amp; NBWC have been organized to operate exclusively for the public benefit purposes including advocating for sustainable management and protection of water and subsistence resources of the Norton and Kachemak Bay Watersheds. Our main concern with proposed changes to general public regarding regulations and materials incorporated by reference in 11 AAC 02 relating to Appeals, is that they are being conducted in accordance with Governor Mike Dunleavy’s Administrative Order 360 directing State agencies to “identify outdated, unnecessarily burdensome, or unclear regulations and propose reforms to improve government efficiency.” It is clear, however that the Administration adopted the Order to clear a path for the extraction industry to access Alaska’s natural resources when it states the “State of Alaska is committed to growing its economic base, increasing its gross domestic product (“GDP”), and ensuring Alaskans have the freedom to do business, innovate, and pursue opportunities while complying with state and federal laws.”<sup>1</sup> Therefore, because the administration likely adopted Order 360 for the primary purpose of creating a basis for truncating environmental analysis and rolling back environmental regulations it appears that once again, it is prepping to make major changes in water quality permitting, analysis and regulatory standards that will favor industrial extraction and harm public health. <sup>1</sup> Office of the Governor, PR – Administrative Order No. 360 (August 4, 2025). (Administrative Order No. 360 - Mike Dunleavy) I. The Proposed Changes Are disguised as House Keeping Procedures so that DEC Can Gut Environmental Permitting</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Chapter of regulations is addressed consistent with the timelines provided in the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

Public Comment – Commissioner’s Office and Support Services Division  
11 AAC 02, Administrative Appeals, and 11 AAC 06, Document Recording and Filing

		<p>Requirements While the Notice implies that DEQ is seeking public input on routine administration process in order to create more efficiency such as “clarify existing regulatory obligations,” “reduce costs for the public, industry, or government,” “reduce administrative burdens,” “improve communication procedures,” and “clarify interagency roles,” buried in the list of programs slated for reform also includes to “improve or streamline procedures, application requirements, and review processes, for example reducing the time required to apply for a license, permit, or benefit,” “streamline permitting procedures,” and “provide greater transparency with respect to standards.” Based on previous experience with proposed changes to environmental regulatory under the current administration, indicate an intention to gut environmental analysis, permitting requirements and regulation that protect public health and welfare. While this seemingly innocuous terminology makes it look like these regulations are mere housekeeping procedures, the real reason the Dunleavy administration wants to take these actions is likely to gut regulations in favor of industrial development, thereby failing to protect the public from exposure to toxic effluents. This is illustrated by the fact that administration has already applied Administrative Order 360 to gut regulations preventing impacts on fish and wildlife in the Kachemak Bay Critical Habitat Area.<sup>2</sup> In addition, the Order is more likely to weaken protections the ecosystems Alaskans depend on by requiring DNR to include a provision for automatic approval deadlines are not met” in all permits. In plain language: if agencies miss a deadline, permits are rubberstamped without review. Merit, expertise and public input are thrown out the window in favor of arbitrary timelines – a loophole that makes it far easier for harmful projects to move forward. In fact, when deciding what is eligible for</p>	
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Public Comment – Commissioner’s Office and Support Services Division  
 11 AAC 02, Administrative Appeals, and 11 AAC 06, Document Recording and Filing

		<p>cutting, the governor’s office has ordered all agencies to calculate requirements that go beyond the exact demands listed in state law. 2 Alaska Supreme Court allows personal watercraft in Kachemak Bay, reversing lower court, Homer News (October 2, 2025) Therefore, any proposed changes to the regulations could have substantial impacts on human health and welfare and the environment since the Notice lists potential changes to the 11 AAC 58 relating to water including Critical Water Management Areas, Temporary Water Uses and Water Rights. CONCLUSION The administration’s strategy, a wasteful exercise in political pandering, is to eliminate 15 percent of regulatory standards by December 31, 2026 and 25 percent by December 31, 2027. many of which protect public health and welfare from the impacts of climate change and abusive land management practices by next December. But they truly counterproductive part of Order 360 requires state agencies to have “all anticipated rulemaking actions” pre-approved by the Governor before the start of every year. The Commissioner should not make any changes to existing regulations. In addition, we recommend that DNR seek legislative oversight of Order 360 and other with wide ranging consequences. Please contact me if you have any questions regarding these comments.</p>	
<p>Appeals 11 AAC 02</p>	<p>Jacqueline Muehlbauer</p>	<p>The ability to appeal DNR decisions is vital for fairness and accountability, but the current system under 11 AAC 02 is intimidating, expensive, and inaccessible to most citizens. Residents who discover new land or mining authorizations often have little time or clarity to respond before final decisions are made. Provide direct notice to nearby residents, local governments, and registered community organizations. Extend the appeal window to 30 days from verified notice.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort</p>

Public Comment – Commissioner’s Office and Support Services Division  
 11 AAC 02, Administrative Appeals, and 11 AAC 06, Document Recording and Filing

			under guidance provided in AO 360.
Appeals 11 AAC 02	Jones Hotch / Chilkat Indian Village	<p>This letter is being submitted by the Chilkat Indian Village (Tlákwan Aan – Klukwan) Tribal Council on behalf of its Tribal Members and the residents of the Village of Klukwan. The Chilkat Indian Village (CIV), a federally recognized Tribal government, respectfully provides the following comments regarding potential revisions to 11 AAC 02, the Department of Natural Resources’ appeals regulations, as part of the Administrative Order 360 review. CIV strongly supports improving clarity, consistency, and transparency in DNR’s administrative appeals process. However, the purpose of 11 AAC 02 is not merely to expedite decisions, but to ensure that agency actions are lawful, accountable, and equitable. The appeals process is the sole procedural safeguard available to the public and Tribal governments once a decision is issued. Any “streamlining” that limits standing, shortens timelines, or increases financial barriers would erode due process and further marginalize communities that already bear the costs of state permitting decisions. True efficiency lies in getting decisions right the first time. A fair and transparent appeals process reduces litigation, builds public trust, and strengthens interagency coordination. In particular, CIV urges DNR to:</p> <ol style="list-style-type: none"> <li>1. Affirm that federally recognized Tribes have standing to appeal decisions that may affect their lands, waters, or cultural resources;</li> <li>2. Pause appeal deadlines to engage in active government-to-government consultation, with Tribal governments, ensuring that consultation is meaningful and not procedural;</li> <li>3. Waive or refund filing fees for Tribal governments and other public-interest appellants; and</li> <li>4. Maintain full public transparency of appeal outcomes and rationales through a central, accessible docket. These measures align with AO 360’s objectives to clarify obligations,</li> </ol>	Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.

Public Comment – Commissioner’s Office and Support Services Division  
 11 AAC 02, Administrative Appeals, and 11 AAC 06, Document Recording and Filing

		<p>improve communication, and enhance transparency without undermining due process or consultation responsibilities. CIV respectfully requests that DNR treat any revisions to 11 AAC 02 as an opportunity to strengthen—not streamline away—the integrity of the appeals process.</p>	
<p>Appeals 11 AAC 02</p>	<p>Tom Paragi</p>	<p>My primary concern with the Department of Natural Resources appeals process under 11 AAC 02 is that there is no period defined for response by the Commissioner to appeals, only to requests for reconsideration, regardless of argument merit or best interest of the public. This leaves undue discretion to prolong or functionally ignore valid appeals that are in the best interest of the public or justice. A member of the public has to pay \$250 to file an appeal under 11 AAC 05.160(d)(1)(F) and then wait an indeterminate period for a response. The only further recourse to a timely response is to advance an appeal to the state Superior Court, at further public member expense. In contrast, the Department of Environmental Conservation has a 10 day response period requirement when people ask for arbitration, appeal, reconsideration, etc. (18 AAC 15.220. Action on hearing requests) and 15-20 days for decision responses (18 AAC 15.237. Agency decision record). Based on the considerations mentioned above, I recommend: •periods for Commissioner response be created in 11 AAC 02 that are of similar duration as DEC, recognizing that the processes for appeal, reconsideration, arbitration, administrative court, etc. differ between the agencies. Any definition of response period for the DNR Commissioner is an improvement. •11 AAC 02.070. Waiver of procedural violations be repealed. It gives to the Commissioner undue latitude to ignore public process or justify inaction. An administrative judge can determine such matters in instances of unresolved dispute. Thank you for the opportunity to comment.</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>

Public Comment – Commissioner’s Office and Support Services Division  
 11 AAC 02, Administrative Appeals, and 11 AAC 06, Document Recording and Filing

<p>Appeals 11 AAC 02</p>	<p>Tyler Breen / Southeast Alaska Conservation Council</p>	<p>Governing authority. The DNR Commissioner’s Office administers appeals procedures primarily under AS 38.05.035(i) (Alaska Land Act) and implementing regulations at 11 AAC 02 (Appeals). These provisions govern how parties may challenge decisions made by divisions within DNR, including land disposals, permits, leases, and other authorizations. Right to appeal. Under 11 AAC 02.010(a), “A person who is aggrieved by a final written decision of the department may appeal that decision to the commissioner.” Timeliness. Appeals must be filed “within 20 days after the date of the decision,” unless the commissioner grants an extension for good cause. Contents of appeal. The regulation requires appellants to include “a clear statement of the issues presented and the relief requested.” Commissioner’s decision. The commissioner’s written decision constitutes the department’s final administrative action and may then be subject to judicial review under AS 44.62.560 of the Alaska Administrative Procedure Act (APA). In practice, this appeals framework allows the public, stakeholders, and affected parties to seek review of DNR decisions before finalization. The system also ensures internal accountability, as the Commissioner’s Office provides an opportunity for administrative correction without resorting to litigation. Appeal notices, decisions, and related correspondence are typically accessible through DNR’s Online Public Notices system or upon request under Alaska’s Public Records Act (AS 40.25). This transparency supports fairness, ensures consistency, and strengthens confidence in DNR’s decision-making processes. Recommendations Preserve public access to the appeals process. Maintain existing language ensuring that any “person who is aggrieved” may file an appeal. Avoid narrowing eligibility definitions or limiting standing. Access to administrative appeal is a cornerstone of transparent</p>	<p>Issues and recommended actions identified in this comment will be reviewed and considered when this specific Title and Chapter of regulations are addressed consistent with the Regulatory Reform Plan as part of our broader effort under guidance provided in AO 360.</p>
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Public Comment – Commissioner’s Office and Support Services Division  
11 AAC 02, Administrative Appeals, and 11 AAC 06, Document Recording and Filing

		<p>governance and should remain broadly available. Ensure adequate timeframes and notice. Retain the 20-day filing period in 11 AAC 02.010(c) and maintain requirements that written decisions include a notice of appeal rights and filing instructions. Consider extending the timeline to 30 days for complex or multi-party decisions to allow meaningful public participation. Maintain impartial review procedures. Preserve the Commissioner’s authority to assign appeal reviews to staff or administrative law judges who are not involved in the original decision. This separation supports fairness and reduces conflicts of interest. Enhance public documentation. Develop a centralized repository of appeal decisions, indexed by case number, date, and subject matter. Public access to precedent decisions would improve consistency and understanding of DNR’s interpretive practices. Clarify reconsideration and remand processes. Provide explicit guidance on when the commissioner may remand a decision for further agency action and the standards for reconsideration. This clarity would improve efficiency without compromising fairness. Avoid “streamlining” that limits procedural rights. Any changes proposed under Administrative Order 360 should avoid reducing opportunities for review, compressing deadlines, or removing notice requirements. Efficiency should not supersede due process or the public’s right to challenge agency decisions. Conclusion SEACC appreciates the opportunity to comment on OPN 221222. Alaska’s administrative appeals system is a functional, essential component of fair and transparent public decision-making. It provides a necessary avenue for recourse when disputes arise and serves as an internal check on agency actions. We do not support broad reforms that could limit access to appeals or constrain the Commissioner’s review process. Instead, we recommend modest</p>	
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Public Comment – Commissioner’s Office and Support Services Division  
11 AAC 02, Administrative Appeals, and 11 AAC 06, Document Recording and Filing

		improvements focused on transparency, public accessibility, and procedural clarity.	
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**REGULATORY REFORM INITIATIVE  
AGENCY QUARTERLY REPORT 2026**

*When complete, please submit this form to your assigned OOG contact and to:  
law.regulations@alaska.gov*

**Report Date:**     January 2026         April 2026         July 2026         October 2026

**Reporting Agency**

Trust Land Office

**2026 Milestones**

*Check if completed. If your department has not completed a task by its published deadline, please add an explanatory note in the space provided at the end of the report.*

- Submit proposed regulatory reform plan for review/approval to meet 2026 15% reduction goal (**Due: January 5, 2026**).
- Post approved regulatory reform plan to Alaska Online Public Notice System (**Due: the earlier of February 1, 2026, or when approved by the implementing agencies**).
- Submit updated list of guidance documents to implementing agencies for review/approval (**Due: September 30, 2026**).
- Post approved new/revised guidance documents to Alaska Online Public Notice System (**Due: after review and approval by the implementing agencies**).
- Submit initial projected regulatory plan to implementing agencies for next fiscal year (**Due: October 1, 2026**).

**Agency Regulatory Baseline**

<b>Current Baseline:</b>	34	<b>2026 Goal Baseline:</b>	29
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**Regulation Projects *not* included in the agency’s regulatory reform plan due Jan 5, 2026:**

Project No.	Project Status	Reqs. Added	Reqs. Reduced
NA	NA	NA	NA

*Add additional rows if needed*

**List the *total* regulatory additions and reductions the agency made since the prior report**

<b>Additions:</b>	0	<b>Reductions:</b>	0
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**Do you plan to request drafting assistance from Dept. of Law next quarter?**     Yes     No

**List additional questions, notes, or comments for the implementing agencies**

Decision and plan submitted to DNR Commissioner's Office 12/30/25. The TLO will consult with the Alaska Mental Health Trust Authority Board of Trustees Resource Management Committee on 1/22/26 and the Alaska Mental Health Trust Authority Board of Trustees on 2/19/26.

Brent Goodrum

1-15-2026

[Print Name]

Date

Agency Regulations Liaison

# Trust Land Office Regulatory Reform Plan

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## Section 1: Agency's Baseline Calculation

Baseline Number: 35

Verifications Completed: 12/30/25

2026 Reduction target: 29 (reducing by 15%)

## Section 2: Stakeholder Engagement

**Two notices were issued, one for a public meeting and one for written input.**

### Virtual Public Meeting:

Stakeholder: Public

Regulation input solicited: 11 AAC 99, Management of Alaska Mental Health Trust Land

Date notice published: 10/1/25

Length of notice: 14 days

Length of comment period: 2 hours (virtual meeting held for 2 hours)

Meeting date and duration: 12-2 pm, 10/14/25

Recommendations Received: No written or verbal comments received

Accepted Recommendations: N/A, no comments received

Rejected Recommendations: N/A, no comments received

### Written Public Notice:

Stakeholder: Public

Regulation input solicited: 11 AAC 99, Management of Alaska Mental Health Trust Land

Date notice was published: 10/1/25

Length of comment period: 30 days (ending 11/1/25)

Recommendations Received: No written or verbal comments received

Accepted Recommendations: N/A, no comments received

Rejected Recommendations: N/A, no comments received

### **Section 3: Proposed Regulatory Reform**

Regulations Identified for Reform: 11 AAC 99, Management of Alaska Mental Health Trust Land

Project Organization: TLO project goals are to 1) advance land management solely in the best interest of the Trust and its beneficiaries; 2) improve or streamline procedures and review processes; and 3) reduce and/or eliminate administrative burdens. These goals will be organized by the following framework:

**Phase 1 (Jan 15–Jan 21):** Inventory and categorize regulations based on the goals above

**Phase 2 (Jan 22–Feb 18):** Conduct analysis and incorporate AMHTA Resource Management Committee feedback

**Phase 3 (Feb 19–Feb 24):** Incorporate AMHTA Board of Trustees input and finalize draft revisions

**Feb 25:** Submit to Department of Law

Drafting Responsibility: Trust Land Office (TLO), subsequent to Alaska Mental Health Trust Authority (AMHTA) consultation

Timeline for submission of draft revised regulations to Department of Law: 2/25/26

TLO must consult with AMHTA before submitting draft regulations to the Department of Law. TLO will meet this legal requirement by consulting with AMHTA's Resource Management Committee on 1/22/26 and subsequently the AMHTA Board of Trustees on 2/19/25.