

Title 11. Natural Resources

Chapter 5. Fees for Department Services.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

11 AAC 05.070(d)(2)(C) is amended to read:

(C) a public easement or right-of-way for a utility, a one-time fee of 70 cents each linear foot **for the first 100 miles and 10 cents each linear foot of each additional mile;**

11 AAC 05.070(d)(2)(I) is amended to read:

(I) an entry authorization for an approved easement or right-of-way for site development for

(i) authorizations addressed in (A), (B), (F)(ii) - (iv), (G), and (H) of this paragraph [(d)(2)(A) THROUGH (d)(2)(C), (d)(2)(F)(ii) THROUGH (iv), AND (d)(2)(G) THROUGH (d)(2)(H) OF THIS SECTION], \$300 annually, plus \$150 annually for each acre above two;

(ii) authorizations addressed in (C) of this paragraph, 70 cents each linear foot annually, not to exceed \$20,000;

11 AAC 05.070(e) is amended to read:

(e) In addition to the fee provided for under (d)(1) of this section, for a private or public easement or right-of-way issued to authorize an unauthorized use, **the applicant shall** [A DIRECTOR'S ORDER ESTABLISHING FEES MAY REQUIRE THE APPLICANT TO] pay

the fee prescribed under **(d)(2)(A), (D), (E), (F)(ii) - (iv), and (I)** [(d)(2)(A) — (G)] of this section for each year the applicant occupied the installation on state land prior to the approval of the easement or right-of-way; this provision may be waived if the department determines the improvements are in the public interest or if the improvements predate the applicant's ownership.

(Eff. 7/1/2018, Register 227; am ____/____/_____, Register _____)

Authority: AS 37.10.050 AS 38.05.035 AS 38.35.020
AS 37.10.058 AS 38.05.565 AS 38.35.050
AS 38.04.058 AS 38.05.810 AS 38.35.140
AS 38.04.200 AS 38.05.850 AS 44.37.020
AS 38.05.020

((Publisher: Nothing in the authority citation has changed but it has been reordered to match drafting conventions for authority citations in regulations.)))

11 AAC 05.900(11) is repealed:

(11) Repealed ____/____/____ [“LINEAR” MEANS A FEATURE THAT HAS A SHAPE WHERE THE WIDTH TO LENGTH RATIO EXCEEDS ONE TO FIVE];

11 AAC 05.900(12) is repealed:

(12) Repealed ____/____/____ [“NON-LINEAR” MEANS A FEATURE THAT HAS A SHAPE WHERE THE WIDTH TO LENGTH RATIO IS LESS THAN ONE TO FIVE].

(Eff. 1/1/86, Register 96; am 12/13/95, Register 136; am 8/23/2001, Register 159; am 12/7/2002, Register 164; am 7/1/2018, Register 227; am ____/____/_____, Register _____)

Authority:	AS 03.10.020	AS 38.05.850	AS 41.21.020
	AS 27.21.030	AS 38.09.110	AS 41.23.440
	AS 38.04.045	AS 38.35.020	AS 44.37.020
	AS 38.05.020	AS 38.35.050	AS 44.37.025
	AS 38.05.035	AS 38.50.160	AS 45.50.315
	AS 38.05.295	AS 41.06.020	AS 46.15.020