

**State of Alaska
Department of Natural Resources**

**Notice of Public Scoping for Possible Updates and Revisions to
DNR Regulations Under Administrative Order 266**

**Conveyance of Materials and Other Arrangements for
Materials as Mitigation of Flooding Areas**

The Alaska Department of Natural Resources is considering whether it should revise its regulations regarding the conveyance of materials and other arrangements for materials as mitigation of flooding areas. Specifically, the department is seeking to implement the revisions made by the Alaska Legislature under Ch. 27, SLA 2012 which, among other things, repealed and reenacted AS 38.05.872 regarding conveyance of materials and other arrangements for materials as mitigation of flooding areas. For more information or a copy of the existing regulations and statutes, go to <http://dnr.alaska.gov/mlw/hottopics>, or contact Joe Joyner at Alaska Department of Natural Resources, 550 West 7th Avenue, Suite 1070, Anchorage, Alaska 99501-3577, joe.joyner@alaska.gov, or (907) 269-8511.

In June of 2015, the department solicited public input regarding possible revisions to its Material Sales regulations under 11 AAC 71 through the AO 266 Public Scoping process. After reviewing and considering comments received, the department identified this additional area for which to solicit public input. Namely, the department identified the issue of conveyance of materials and other arrangements for materials as mitigation of flooding areas where excess material contributes significantly to flooding consistent with a commissioner approved flood mitigation plan.

At this time, the department is only soliciting public input regarding whether it should revise its regulations regarding the conveyance of materials and arrangements for materials as mitigation of flooding areas. At this time, the department is not soliciting public input regarding other aspects of its Material Sales program in 11 AAC 71.

The purpose of this notice is to ask the public for their ideas and suggestions for possible changes and improvements to these regulations *before* the department undertakes the task of drafting any specific proposed revisions to these regulations for public review. These ideas and suggestions can be as broad or as narrow, or as general or as specific, as a submitter may wish.

The department is not currently proposing any *specific* changes at this time. There are no draft regulations to review. The department is soliciting feedback and comments from the public on how they would change or improve these existing regulations before the formal process of drafting any proposed changes begins.

Text for existing regulations is online at <http://dnr.alaska.gov/mlw/hottopics>.

Written suggestions and other input must be received by the department no later than **5:00 p.m. on March 15, 2018** and may be submitted by mail or email to:

Joseph Joyner

Alaska Department of Natural Resources
550 West 7th Avenue, Suite 1070
Anchorage, Alaska 99501-3579
dnr.materials.regulation@alaska.gov

The department will consider the information submitted if and when it proposes regulatory revisions to this Chapter. Any proposed regulatory revisions will subsequently be publicly noticed, and made available for public review and comment under AS 44.62, the Administrative Procedures Act.

The department reserves the right to waive technical defects in this publication. The State of Alaska, Department of Natural Resources, complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aides, services or special modifications to participate in this scoping request may contact the above address, email or the TDD number (907) 269-8411.

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