

Notes to reader:

1. Except as discussed in note 2, proposed new text that amends an existing regulation is **bolded and underlined**.
2. If the lead-in line states that a new section, subsection, paragraph, subparagraph, or clause is being added, or that an existing section, subsection, etc. is being repealed and readopted (replaced), the new (or replaced) text is not bolded or underlined.
3. [ALL-CAPS TEXT WITHIN BRACKETS] indicates text that is proposed to be deleted.
4. When the word “including” is used, Alaska Statutes provide that it means “including, but not limited to.”
5. In many cases, text unchanged by these proposed regulation changes is not included below. This has been done to allow the reader to focus on proposed changes.

PROPOSED REGULATIONS – JANUARY 15, 2021

Chapter 05. Fees for Department Services

11 AAC 05.020(a)(2) is amended to read:

11 AAC 05.020. Applicability. (a) This chapter establishes the department’s schedule of standard fees with the following exceptions:

(2) payments, fees, rents, or charges which are prescribed by statute, **regulation,**

contract or required by statute to be based on an appraisal of market value;

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

Authority:	AS 27.21.030	AS 38.05.255	AS 40.15.370
	AS 27.21.940	AS 38.05.295	AS 40.17.030
	AS 37.10.050	AS 38.05.550	AS 40.25.110

AS 37.10.052	AS 38.05.555	AS 40.25.115
AS 37.10.058	AS 38.05.560	AS 41.06.020
AS 38.04.045	AS 38.05.565	AS 41.21.020
AS 38.04.900	AS 38.05.600	AS 41.21.026
AS 38.05.020	AS 38.05.810	AS 41.23.440
AS 38.05.035	AS 38.05.850	AS 44.37.020
AS 38.05.057	AS 38.08.110	AS 44.37.025
AS 38.05.082	AS 38.09.020	AS 44.37.027
AS 38.05.083	AS 38.09.110	AS 45.29.525
AS 38.05.102	AS 38.35.020	AS 45.50.315
AS 38.05.133	AS 38.35.050	AS 46.15.020
AS 38.05.177	AS 38.50.160	AS 46.15.035
AS 38.05.180	AS 38.95.230	AS 46.15.037
AS 38.05.250		

11 AAC 05.030(a)(1) is amended to read:

11 AAC 05.030. Miscellaneous fees. (a) Except as provided in (b) and (c) of this section, this subsection lists fees for products, services, publications and filings not addressed in another provision of the chapter, as follows:

(1) late payment service charge of[;]

(A) \$50; or

(B) for a lease, contract, or easement or right-of-way, an interest rate equal to the prime rate as reported in the Wall Street Journal on the first business day of the month in which the lease, contract, or easement or right-of-way is sent to

the applicant for signature, plus three percent annually of the past-due amount, compounded daily until payment is received by the department;

11 AAC 05.030(c) is amended by adding a new paragraph to read:

(4) for services or products charged to the department, including archived record retrieval, the actual amount charged to the department. (Eff. 7/1/2018,

Register 227, am ___/___/____, Register _____)

Authority:	AS 27.21.030	AS 38.05.255	AS 40.15.370
	AS 27.21.940	AS 38.05.295	AS 40.17.030
	AS 37.10.050	AS 38.05.550	AS 40.25.110
	AS 37.10.052	AS 38.05.555	AS 40.25.115
	AS 37.10.058	AS 38.05.560	AS 41.06.020
	AS 38.04.045	AS 38.05.565	AS 41.21.020
	AS 38.04.900	AS 38.05.600	AS 41.21.026
	AS 38.05.020	AS 38.05.810	AS 41.23.440
	AS 38.05.035	AS 38.05.850	AS 44.37.020
	AS 38.05.057	AS 38.08.110	AS 44.37.025
	AS 38.05.082	AS 38.09.020	AS 44.37.027
	AS 38.05.083	AS 38.09.110	AS 45.29.525
	AS 38.05.102	AS 38.35.020	AS 45.50.315
	AS 38.05.133	AS 38.35.050	AS 46.15.020
	AS 38.05.177	AS 38.50.160	AS 46.15.035
	AS 38.05.180	AS 38.95.230	AS 46.15.037
	AS 38.05.250		

11 AAC 05.050(2)(A) is amended to read:

11 AAC 05.050. Computer-related services, other than those electronic services and products subject to AS 40.25.115. The fees for computer-related services other than those electronic services and products subject to AS 40.25.115, and other than computer-related services addressed in another provision of this chapter, are as follows:

(2) for an online paper printout,

(A) black-and-white, and not larger than **8.5**[3.5] inches by 14 inches, \$0.25 each page;

(B) color, and not larger than 8.5 inches by 14 inches, \$0.40 each page;

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

Authority: AS 38.05.020 AS 38.05.035

11 AAC 05.070(a) is amended to read:

11 AAC 05.070. Easements and rights-of-way. (a) Fees established under this section are for authorizations, petitions and services under AS 38 and AS 19 for easements and rights-of-way. **A fee based on acreage applies to each acre or fractional acre.** The director of the division of mining, land and water may, by written order, reduce or revise one or more of the fees established in (d)(1) or (d)(2) of this section by waiving a portion of the fee. Under this section, an order waiving a portion of a fee[.:]

(1) must apply to all applicants or petitioners for that authorization, petition, or service;

(2) may not exceed 20 percent of the amount established in (d)(1) or (d)(2) of this section for an authorization, petition, or service;

(3) must be published on the division’s public internet webpage and the Alaska Online Public Notice System 30 days before the effective date of the waiver;

(4) may not waive or reduce any additional fees imposed under (c) of this section; and

(5) is not subject to appeal under AS 44.37.011 or 11 AAC 02.

11 AAC 05.070(d) is amended to read:

11 AAC 05.070. Easements and rights-of-way.

(d) The fees for authorizations, petitions and services under AS 38.05 and AS 19.30.410 regarding easements and rights-of-way are as follows:

(1) for an application for surface use authorization, petition or other service related to easements and rights-of-way, for

(A) a public or private easement or right-of-way other than in (F), (G), (H), (I), (J) or (K) of this paragraph,

(i) for a total of no more than **1,500 feet of length**[ONE ACRE IN AREA], \$600;

(ii) for a total greater than **1,500 feet of length**[ONE ACRE IN AREA], \$1,500 for up to 60 hours of staff time;

(B) an amendment of a public or private easement or right-of-way, for

(i) an amendment to right-of-way or easement or development plan that authorizes the use of additional state land or resources, the amount established under (A) of this paragraph;

(ii) an amendment to easement, right-of-way or development plan that does not authorize the use of additional state land or resources, \$300;

(C) a public or private easement or right-of-way for unauthorized uses, \$500, in addition to fees in (A) or (B) of this paragraph;

(D) an assignment of a public or private easement or right-of-way, \$500 for up to 20 hours of staff time;

(E) an application to develop improvements within an existing public or private easement or right-of-way;

(i) \$250 for up to 10 hours of staff time for development/reconstruction of routes up to one mile in length;

(ii) \$750 for up to 30 hours of staff time for development/reconstruction of routes greater than one mile in length; or

(iii) a one time fee of \$500 for ground-disturbing maintenance activities outside the existing road prism and ditch line, if applicable;

(F) a public or private easement or right-of-way for erosion control purposes for a total of no more than **1,500 feet of length**[ONE ACRE IN AREA], \$1,500 for up to 60 hours of staff time;

(G) a public or private easement or right-of-way for erosion control purposes for a total greater than **1,500 feet of length** [ONE ACRE IN AREA], or a public easement or right-of-way for erosion control purposes by a state or federal agency or municipality, \$5,000 for up to 200 hours of staff time;

(H) a petition to vacate or modify an easement or right-of-way **location or reduction in width, except those addressed in (B) or (I) of this paragraph**, including an R.S. 2477, \$2,500 for up to 100 hours of staff time;

(I) relocating an R.S. 2477 under 11 AAC 51.065(k), \$2,000 for up to 80 hours of staff time;

(J) closing or restricting an existing public easement or right-of-way, including an R.S. 2477 right-of-way,

(i) for a closure or restriction of a public access easement or right-of-way for six months or less, \$500 for up to 20 hours of staff time;

(ii) for a closure or restriction of a public access easement or right-of-way more than six months, \$2,500 for up to 100 hours of staff time;

(K) a pipeline right-of-way, for

(i) a proposed pipeline of less than 50 miles, \$2,000 for up to 80 hours of staff time; or

(ii) a proposed pipeline of 50 miles or more, \$5,000 for up to 200 hours of staff time;

(2) for surface land use related to easements and rights-of-way, for

(A) a private easement or right-of-way for

(i) a non-exclusive use \$600 annually, plus **\$0.20**[\$300] annually for each **foot of length**[ACRE] above **3,000 feet**[TWO]; **or**

(ii) an exclusive use, the yearly fair market rental value of the land, as determined by an appraisal at the applicant's expense, and subject to adjustment at five-year intervals based on the changes in the Consumer Price Index for all

urban consumers, Anchorage Metropolitan Area (semi-annual Average) compiled by the Bureau of Labor Statistics, United States Department of Labor, as revised, rebased, or replaced by that bureau, but no less than the fee prescribed in (i) of this subparagraph;

(B) a public easement or right-of-way other than for (C), (G), or (H) of this paragraph, a one-time fee of **\$0.10**[\$150] **for** each **foot of length**[ACRE] unless otherwise provided in a reciprocal right-of-way agreement;

(C) a public easement or right-of-way for a utility, a one-time fee of **\$0.70** **for** [CENTS]each linear foot;

(D) a closure or restriction of a public access easement or right-of-way for six months or less, \$125 monthly each mile;

(E) a closure or restriction of a public access easement or right-of-way more than six months, \$750 annually each mile;

(F) a private easement or right-of-way for erosion control purposes

(i) for a non-exclusive non-commercial use for a total of no more than **1,500 feet of length**[ONE ACRE IN AREA], a one-time fee of \$2,000;

(ii) for a non-exclusive non-commercial use for a total greater than **1,500 feet of length**[ONE ACRE IN AREA FOR NON-LINEAR AUTHORIZATIONS], \$600 annually;

(iii) for a non-exclusive commercial use for total of no more than **1,500 feet of length**[ONE ACRE IN AREA], \$600 annually;

(iv) for a non-exclusive commercial use for a total greater than **1,500 feet of length**[ONE ACRE IN AREA], \$600 annually, plus **\$0.2**[\$300] annually for each **additional foot over 3,000**[ACRE ABOVE TWO];

(G) a public easement or right-of-way for erosion control purposes by a state or federal agency or municipality, a one-time fee of \$5,000;

(H) a public easement or right-of-way for erosion control purposes [BY] other than by a state or federal agency or municipality,

(i) for no more than **1,500 feet of length**[ONE ACRE], a one-time fee of \$2,000;

(ii) for more than **1,500 feet of length**[ONE ACRE], a one-time fee of \$5,000;

(I) an entry authorization for an approved easement or right-of-way for site development for authorizations addressed in (d)(2)(A) through (d)(2)(C), (d)(2)(F)(ii) through **(iv)**[(v)], and (d)(2)(G) through (d)(2)(H) of this section, in addition to the applicable land use fees, [\$300 ANNUALLY, PLUS]**\$0.10**[\$150] annually for each **foot in length**[ACRE ABOVE TWO];

(3) for each additional hour in excess of the maximum hours listed in (1) of this subsection, \$50.

(4) for an authorization to convey to the state material or improvements located on state land upon expiration or termination of an easement or right-of-way, a fee based on the higher of

(A) the director's estimate of;

(i) the market value of the material or improvements;

(ii) market value of the land; or

(iii) the cost to remove or remediate material or improvements;

or

(B) at the applicant's option and expense after receiving the director's

written estimate of that value, based on appraised fair market value of the use.

(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		

11 AAC 05.100(d)(1)(H) is amended to read:

11 AAC 05.100. Land disposals.

(d) The fees or deposits for authorizations, petitions and services under AS 38.05 authorizations and services for certain surface land disposals under AS 38 are as follows:

(1) for an application, petition for contract, or services, for;

(H) a preference right to purchase land under AS 38.05.035(b), AS 38.05.035(f), AS 38.05.068, AS 38.05.102, AS 38.05.820 or lease term, including an amendment or assignment of an application for a preference right, **\$1,200**[\$750], for up to **48**[24] hours of staff time;

11 AAC 05.100(d)(1)(I) is amended to read:

11 AAC 05.100. Land disposals.

(d) The fees or deposits for authorizations, petitions and services under AS 38.05 authorizations and services for certain surface land disposals under AS 38 are as follows:

(1) for an application, petition for contract, or services, for;

(I) a sale or other fee disposal under AS 38.05.810 or AS 38.05.825, \$500

for up to 16 hours of staff time;

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

Authority:	AS 38.05.020	AS 38.05.065	AS 38.09.020
	AS 38.05.035	AS 38.05.600	AS 38.09.110
	AS 38.05.057	AS 38.08.110	

11 AAC 05.120(d)(1) is amended to read:

11 AAC 05.120. Locatable minerals.

(d) The fees for authorizations and services regarding mining operations under AS 27 and AS 38 for locatable minerals are as follows:

(1) for an application or submission for surface or subsurface use for locatable mineral services and authorizations for mining operations, for

(A) a tideland and submerged land prospecting permit, \$1,000 for up to 40 hours of staff time;

(B) conversion of a mining claim, leasehold location or a tideland and submerged land prospecting permit to a mining lease, \$1,000 for up to 40 hours of staff time;

(C) [AN]amendments, assignments, or renewals **as follows**;

(i) for an amendment or renewal of a mining lease, leasehold location, or a tideland and submerged land prospecting permit, \$750 for up to 30 hours of staff time;

(ii) for an assignment of a mining lease, leasehold location, or a tideland and submerged land prospecting permit, \$500 for up to 20 hours of staff time;

(D) **the department to prepare** a competitive [OFFSHORE]mining lease **sale offering under AS 38.05.205 or AS 38.05.250**;

(i) for a total of no more than 500 acres in area, \$750 for up to **30**[24] hours of staff time;

(ii) for a total greater than 500 acres in area but no more than 3,000 acres in area, \$1,500 for up to **60**[48] hours of staff time;

(iii) for a total greater than 3,000 acres in area but no more than 5,000 acres in area, \$2,500 for up to **100**[80] hours of staff time;

(iv) for a total greater than 5,000 acres in area, the fee listed in (iii) of this subparagraph plus \$500 for up to **20**[16] hours of staff time for each additional 1,000-acre area increment;

(v) if a competitive offshore mining lease sale is held by the department for land for which a fee under this subparagraph has been paid, the fee

may be credited to the bid of the applicant who paid the fee or refunded if the bid is not successful; otherwise, the fee is not refundable;

(E) a millsite permit or millsite lease, \$1,000 for up to 40 hours of staff time;

(F) an amendment, assignment or renewal of an millsite permit or millsite lease, \$500 for up to 20 hours of staff time;

(G) activities not subject to the exemption for small operations as described in AS 27.19.050 associated with a mining claim, mining lease, leasehold location or tideland and submerged land prospecting permit or prospecting site, for

(i) a plan of operations under 11 AAC 86.150 or 11 AAC 86.800, \$500 for up to 20 hours of staff time, plus for an application for a multi-year plan of operations, a \$250 fee covering up to 10 hours of staff time for annual work and reports or amendments to an approved plan of operations over the term of the plan to maintain compliance with AS 27.19; separate water use application fees under 11 AAC 05.260 will also be required where appropriate; or

(ii) a land use permit under AS 38.05.850, \$300 for up to 12 hours of staff time, plus for an application for a multi-year permit, a \$100 fee covering up to 4 hours of staff time for annual work and reports or amendments to an approved permit over the term of the permit; **separate** water use application fees under 11 AAC 05.260 will also be required where appropriate;

(iii) a land use permit or plan of operation for an unauthorized surface use or occupation of state land, \$500 in addition to fees in (i) or (ii) of this subparagraph;

(H) an amendment to an approved plan of operations, land use permit or reclamation plan under AS 27.19 in excess of those **hours** addressed in **(G)**[(F)] or **(I)**[(H)] of this paragraph, \$250 for up to 10 hours of staff time;

(I) activities subject to the exemption for small operations described in AS 27.19.050 associated with a mining claim, mining lease, leasehold location, tideland and submerged land prospecting permit or prospecting site as follows:

(i) a plan of operations under 11 AAC 86.150 or 11 AAC 86.800, **\$300**[250] for up to **12**[10] hours of staff time, plus for an application for a multi-year plan of operations, a \$100 fee covering up to 4 hours of staff time for annual work and reports or amendments to an approved plan of operations over the term of the plan to maintain compliance with AS 27.19; **separate** water use application fees under 11 AAC 05.260 will also be required where appropriate; or

(ii) a land use permit under AS 38.05.850, **\$250**[\$300] for up to **10** [12] hours of staff time, plus for an application for a multi-year permit, a \$100 fee covering up to 4 hours of staff time for annual work and reports or amendments to an approved permit over the term of the permit; **separate** water use application fees under 11 AAC 05.260 will also be required where appropriate;

(J) filing of a letter of intent for the exemption of small operations under AS 27.19.050;

(i) with the application with a plan of operations or land use permit, no fee; or

(ii) for non-state owned land, \$100 for up to 4 hours of staff time;

(K) submission of a mineral mining reclamation plan under AS 27.19.030,

(i) for state owned land, **and mixed state owned and non-state owned land**, submitted with a plan of operations or land use permit, no fee;

(ii) for state owned land, **and mixed state owned and non-state owned land**, not submitted with a plan of operations or land use permit, \$1,000 for up to 40 hours of staff time;

(iii) for non-state owned land \$500 for up to 20 hours of staff time;

(L) an amendment, extension, renewal or assignment of a mineral mining reclamation plan under AS 27.19 for a mining claim, mining lease, leasehold location, a tideland and submerged land prospecting permit or prospecting site, \$250 for up to 10 hours of staff time;

(M) **an inspection of mineral mining reclamation to determine compliance with the terms of the reclamation plan** [INSPECTION OF A MINING CLAIM, MINING LEASE, LEASEHOLD LOCATION, A TIDELAND AND SUBMERGED LAND PROSPECTING PERMIT OR PROSPECTING SITE UNDER AS 27.19 SUBJECT TO AN APPROVED PLAN OF OPERATION OR PERMIT] before final release of bond under AS 27.19, \$400 **or the actual cost to the division, whichever is greater;**

(N) a certificate of substantial compliance, \$500 for up to 20 hours of staff time;

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

Authority: AS 38.04.900 AS 38.05.250 AS 44.37.020
AS 38.05.020 AS 38.05.255 AS 46.15.020

AS 38.05.035

AS 38.05.850

AS 46.15.035

11 AAC 05.130(d)(1) is amended to read:

11 AAC 05.130. Material sales.

(d) The fees for authorizations and services regarding disposals of material under AS 38 are as follows:

(1) for an application for surface use authorization or service, for

(A) designation **or expansion** of a material site or source, \$2,000 for up to 80 hours of staff time;

(B) amendment [OR EXPANSION]of a designated material site or source, \$500 for up to 20 hours of staff time;

(C) a negotiated material sale from a designated material site or source,

(i) for a total of no more than two cubic yards per year, no charge;

(ii) for a total of no more than 200 cubic yards, \$25;

(iii) for a total of more than 200 cubic yards, \$125[\$100];

(D) a negotiated material sale other than a designated material site or source, such as from state land under a state-issued permit, surface land lease, or easement or right-of-way, for use on a permit, surface land lease, or easement or right-of-way, \$250 for up to 10 hours of staff time; notwithstanding (a) of this section, this application fee may be waived in full by the director of the division of mining, land and water if the application for sale of material is required by the circumstances of the application for a permit, surface land lease, easement or right-of-way;

(E) approval, amendment, extension, renewal, or transfer of reclamation plan for a material mining operation under AS 27.19, \$250 for up to 10 hours of staff time; notwithstanding (a) of this section;

(i) this fee shall be waived in full by the director of the division of mining, land and water **for state owned lands** if the director determines that an application for sale of material will not significantly add to the cost of reclaiming the material site or source from which the material is sold; **but**

(ii) this fee shall not be waived by the director of the division of mining, land and water for non-state owned lands;

(F) inspection of material mining reclamation to determine compliance with the terms of the reclamation plan before release of bond under AS 27.19, either \$500 for up to 20 hours of staff time or the division's actual expenses, in the department's discretion;

(G) a negotiated sale of peat as a source of heat or power from other than a designated material site or source, \$2,000 for up to 80 hours of staff time;

(H) for review of a site-specific flood mitigation plan under AS 38.05.872, \$375, for up to 15 hours of staff time;

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

Authority:	AS 27.19.040	AS 38.05.035	AS 38.05.560
	AS 38.04.900	AS 38.05.550	AS 38.05.565
	AS 38.05.020	AS 38.05.555	AS 44.37.020

11 AAC 05.160(d)(1) is amended to read:

11 AAC 05.160. Other, or general, land management not established elsewhere.

(d) The fees for the following authorizations and services for land management not established elsewhere are as follows:

(1) the fees for:

(A) an application for land exchange, under AS 38.50 or AS 29.65, \$750, for up to 30 hours of staff time;

(B) an application for transfer of escheated land under AS 38.95.240(e), \$750, for up to 30 hours of staff time;

(C) inspection of land subject to a land use authorization other than for mineral development if the inspection is required by the authorization, necessary to determine whether previous noncompliance with the authorization has been corrected, or performed to investigate alleged noncompliance and confirms noncompliance, either \$500 or the division's actual expenses, in the director's discretion;

(D) an interagency land management assignment to a state agency, for

(i) a site that will be open to public use and where no significant capital investment will be made, no charge;

(ii) a site not covered by (i) of this subparagraph, a one-time fee of \$ 3,000 [OR SEVEN PERCENT OF THE FAIR MARKET VALUE; WHICHEVER IS LESS];

(iii) amendment of an existing interagency land management assignment, an additional fee determined by the director, but not more than \$3,000[OR SEVEN PERCENT OF THE FAIR MARKET VALUE ADDED AS A RESULT OF THE AMENDMENT];

(iv) inspection of a site to determine compliance with the terms of the interagency land management assignment, either \$100 or the division's actual expenses, in the director's discretion;

(E) review and approval of an appraisal submitted under AS 38.05.840, AS 38.35, or AS 38.50.020(b), \$100;

(F) filing an administrative appeal or request for reconsideration, \$250;

(G) a request for reclassification of state land, \$200 for up to 8 hours of staff time;

(H) fee for staff time for research, \$50 for each hour;

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

Authority:	[AS 27.21.030]	AS 38.05.295	AS 40.15.370
	[AS 27.21.940]	AS 38.05.550	AS 40.17.030
	AS 38.04.045	AS 38.05.555	AS 40.25.110
	AS 38.04.065	AS 38.05.560	AS 40.25.115
	AS 38.04.900	AS 38.05.565	AS 41.06.020
	AS 38.05.020	AS 38.05.600	AS 41.21.020
	AS 38.05.035	AS 38.05.810	AS 41.21.026
	AS 38.05.057	AS 38.05.850	AS 41.23.440
	AS 38.05.082	AS 38.08.110	AS 44.37.020
	AS 38.05.083	AS 38.09.020	AS 44.37.025
	AS 38.05.102	AS 38.09.110	AS 44.37.027
	AS 38.05.112	AS 38.35.020	AS 45.29.525
	AS 38.05.133	AS 38.35.050	AS 45.50.315
	AS 38.05.177	AS 38.35.140	AS 46.15.020

AS 38.05.180	AS 38.50.160	AS 46.15.035
AS 38.05.250	AS 38.95.240	AS 46.15.037
AS 38.05.255		

11 AAC 05.170(d) is amended to read:

11 AAC 05.170. Parks and outdoor recreation.

(d) **In addition to fees based on park impacts and client activities negotiated under 11 AAC 18.030 or 11 AAC 21.100(b), the fees for a non-competitive park use permit for commercial activity as defined in 11 AAC 12.340 may not exceed the following amounts:**
[FEES FOR A NON-COMPETITIVE PARK USE PERMIT FOR COMMERCIAL ACTIVITY,
AS DEFINED IN 11 AAC 12.340, MAY NOT EXCEED THE FOLLOWING AMOUNTS]:

(1) non-refundable permit application processing fee, \$500;

(2) for sport fishing guide services within the Kenai River Special Management Area,[

(A) FOR RESIDENTS, \$1,500;

(B) FOR NON-RESIDENTS,] \$3,000;

(3) for each rental boat provided for use in the Kenai River Special Management Area under 11 AAC 18.030 and 11 AAC 20.890, \$300 annually in addition to fees authorized under (1) or (2) of this subsection;

(4) for non-competitive park use permits for commercial activities other than sport fishing guide services within the Kenai River Special Management Area,[

(A) FOR RESIDENTS, \$1,000;

(B) FOR NON-RESIDENTS,] \$2,000;

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

Authority: AS 38.04.900 AS 38.05.295 AS 41.21.026
AS 38.05.020 AS 38.05.850 AS 44.37.020
AS 38.05.035 AS 41.21.020

11 AAC 05.180(d) is amended to read:

11 AAC 05.180. Permits, revocable and temporary surface authorizations and cabin use authorizations.

(d) The fees for permits, revocable and temporary surface authorizations, and cabin use authorizations are as follows:

(1) application fees for the following revocable and temporary surface use authorizations and cabin use authorizations:

(A) land use permit for

(i) existing trapping cabin under AS 38.95.075, or \$200 for up to 8 hours of staff time; **or**

(ii) new trapping cabin construction under AS 38.95.080, \$500 for up to 20 hours of staff time;

(B) land use permit for commercial use under AS 38.05.850 other than for commercial recreation registration required by 11 AAC 96.018, \$500 for up to 20 hours of staff time;

(C) land use permit under AS 38.05.850 not addressed in (A) or (B) of this paragraph, \$300 for up to 12 hours of staff time;

(D) amendment of a land use permit issued under AS 38.05.850, \$300 for up to 12 hours of staff time;

(E) one-year extension of a land use permit issued under AS 38.05.850, \$300 for up to 12 hours of staff time;

(F) renewal of a personal use cabin permit under former AS 38.04.035(4) and 11 AAC 65.040, \$500;

(G) commercial recreation registration required by 11 AAC 96.018, [\$100, PLUS A FEE OF]~~3~~[\$5] each visitor day [FOR USE];

(H) permit for an unauthorized surface use or occupation of state-owned land, \$500 in addition to fees in (B) or (C) of this paragraph;

(I) commercial recreation permit that authorizes land use that occupies a site for 14 days or less, \$100;

(2) permit fees for the following revocable and temporary surface use authorizations and cabin use authorizations:

(A) trapping cabin

(i) use permit under AS 38.95.075, \$300 annually; **or**

(ii) construction permit under AS 38.95.080, an annual fee established under AS 38.95.080(c)(5);

(B) land use permit under AS 38.05.850 for floating caretaker housing for a facility whose operator is a qualified regional association under AS 16.10.380,

(i) \$500 annually if the facility is removed after a period of **six months or** less [THAN SIX MONTHS]**each year; or**

(ii) \$1,000 annually if the facility remains in place **more than** six months **each year**[OR MORE];

(C) land use permit under AS 38.05.850 for noncommercial use of a structure or facility that is or can be occupied, such as a tent camp, a military training camp, a floathouse or mobile home used as the owner's private residence, anchoring a vessel longer than 14 consecutive days, or a floathouse used to provide caretaker housing for a noncommercial or non-profit operation, including a non-profit mariculture operation,

(i) \$500 annually if the facility is removed after a period of **six months or less each year**[THAN SIX MONTHS], plus **\$0.75**[0.25] annually for each square foot of structure authorized; **or**

(ii) \$1,000 annually if the facility remains in place **more than** six months **each year**[OR MORE], plus **\$0.75**[0.25] annually for each square foot of structure authorized;

(D) land use permit under AS 38.05.850 for commercial use of a structure or facility that is or can be occupied, such as a floating logging camp, caretaker's housing adjacent to a log storage site, a floating lodge, a guide's or outfitter's camp, or anchoring a vessel longer than 14 consecutive days, the greater of:

(i) if the facility is removed after a period of [LESS THAN]six months **or less each year**, \$1,000 annually, plus \$0.75 annually for each square foot of structure authorized;

(ii) if the facility remains in place **for more than** six months **each year**[OR MORE], \$2,000 annually, plus \$0.75 annually for each square foot of structure authorized;

(iii) if the facility is used for a commercial recreational purpose, such as a floating lodge or a guide's or outfitter's camp, and if the facility **remains in place**[IS USED] for a period of [LESS THAN]six months **or less** each year, \$1,000 annually, [PLUS \$5 EACH VISITOR DAY FOR USE] **plus \$0.75 annually for each square foot of structure authorized;** or

(iv) if the facility is used for a commercial recreational purpose, such as a floating lodge or a guide's or outfitter's camp, and if the facility **remains in place for a period of six months or more**[IS USED FOR SIX TO 12 MONTHS] each year, \$2,000 annually, [PLUS \$5 EACH VISITOR DAY FOR USE]**plus \$0.75 annually for each square foot of structure authorized;**

(E) land use permit under AS 38.05.850 for noncommercial use of a structure or facility not covered by (B) or (C) of this paragraph, such as a private mooring buoy, float, or dock, a weir, a boat ramp, a loading ramp [FOR SNOWMACHINES OR HORSES,]or anchoring a vessel longer than 14 consecutive days, \$300 annually;

(F) land use permit under AS 38.05.850 for commercial use of a structure or facility not covered by **(D)**[(G)] of this paragraph, such as a commercial mooring buoy **other than in (P) of this paragraph**, fish holding pen, log storage, A-frame logging, **equipment storage**, or equipment staging area [FOR A CONSTRUCTION PROJECT], \$750 annually for the first acre, plus \$300 for each additional acre;

(G) land use permit under AS 38.05.850 for commercial **filming and commercial** recreational use of state land not covered under (D) or (F) of this paragraph, **for any period exceeding 24 consecutive hours** [INCLUDING COMMERCIAL FILMING AND RECREATIONAL EVENTS];

(i) \$1,500 annually if the activity is, or facility remains, for a period of less than six months[, PLUS \$5 EACH VISITOR DAY FOR USE]; **or**

(ii) \$3,000 annually if the activity is, or facility remains, in place six months or more[, PLUS \$5 EACH VISITOR DAY FOR USE];

(H) land use permit under AS 38.05.850 authorizing entry onto an approved surface leasehold for

(i) site development, an annual fee equal to the director's estimate of the prospective rental; or

(ii) site analysis that involves alteration to the land (including brushing, clearing, or excavating for percolation tests), \$300 annually for each acre;

(I) land use permit under AS 38.05.850 for grazing livestock;

(i) if fenced, \$500 for first acre, plus \$150 each additional acre annually, plus the greater of \$500 annually or 100 percent of the head-month grazing fee for the western states determined under Chapter 2238 of the Forest Service Manual (effective September 9, 2005 or current version), published by the United States Forest Service, United States Department of Agriculture; or

(ii) if unfenced, the greater of \$300 annually or 100 percent of the head-month grazing fee for the western states determined under Chapter 2238 of

the Forest Service Manual (effective September 9, 2005 or current version), published by the United States Forest Service, United States Department of Agriculture;

(J) other land use permit under AS 38.05.850 for a use not covered by (B) - **(I), (P), (Q), or (R)** of this paragraph that does not hinder other public use, such as **cross country travel**[MOVING HEAVY EQUIPMENT ACROSS STATE LAND, \$300 ANNUALLY];

(i) for non-commercial use, \$300 annually;

(ii) for commercial use, \$750 annually;

(K) other land use permit under AS 38.05.850 for a use not covered by (B) - **(J), (P), (Q), or (R)** of this subsection that may interfere with public use, [INCLUDING PRIVATE USE ICE ROADS] the greater of[,] \$300 annually or \$150 each acre annually;

(L) personal use cabin permit under former AS 38.04.035(4) and 11 AAC 65.040, \$300 annually, plus \$0.75 annually for each square foot of structure authorized;

(M) land use permit or letter of non-objection for a non-commercial event or assembly of more than 50 persons, \$300;

(N) letter of non-objection or letter of determination for use of state owned lands subject to generally allowed use under 11 AAC 96.020, \$300;

(O) use of a public use cabin not within a state park unit, \$200 each night;

(P) land use permit under AS 38.05.850 for commercial use of a mooring buoy within the Kasilof River within the Kasilof River Special Use Area, \$400 annually;

(Q) land use permit under AS 38.05.850 for a commercial recreational event or assembly of more than 50 persons, \$500 annually for up to the first five acres, plus \$150 annually for each additional acre, plus a fee of \$5 per day per vendor or commercial user;

(R) commercial recreation permit that authorizes land use that occupies sites for 14 consecutive days or less, if;

(i) the land use is for a period of six months or less each year, \$750 annually; or

(ii) the land use is for a period of more than six months each year, \$1,500 annually;

(3) for each additional hour in excess of the maximum hours listed in (1) of this subsection, \$50.

11 AAC 05.180(f) is amended to read:

(f) In addition to a fee prescribed under (d)(1) of this section for surface use authorizations issued to authorize an unauthorized use, the applicant shall pay the **applicable** annual fee prescribed under (d)(2) of this section for each year the applicant occupied or used state land prior to the issuance of the authorization; **not withstanding (a) of this section**, this provision may be waived, **in whole or in part**, if the department determines the use or improvement is in the public interest, or if the use or improvements predate the applicant's occupancy or **responsibility**[OWNERSHIP].

11 AAC 05.180 is amended by adding a new subsection to read:

(g) Commercial operators of aircrafts, vessels or watercraft that access or navigate, including ancillary use of State upland, on state owned navigable waters will not be charged visitor day use fees charged under (d)(1)(G) of this subsection and are not required to register under 11 AAC 96.018. In this subsection, an aircraft, vessel or watercraft means a vessel, watercraft, or aircraft intended and used for navigation or transportation, including ships, boats, barges and aircraft used for picking up or dropping off passengers or freight, but does not include platforms, structures or other commercial facilities fixed in location on navigable waters.

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

Authority:	AS 37.10.050	AS 38.05.020	AS 38.05.850
	AS 37.10.058	AS 38.05.035	AS 44.37.020
	AS 38.04.900	AS 38.05.810	

11 AAC 05.190(a)(2) is amended to read:

11 AAC 05.190. Public use areas. (a) Fees established under this section are for permits and revocable and temporary surface authorizations within Public Use Areas. If a revocable-at-will authorization is revoked without cause, the unused portion of the annual use fee for the authorization is refundable, prorated on a monthly basis. Except where a fee is by statute or required by statute to be based on appraised market value, the director of the division of mining, land and water may, by written order, reduce or revise one or more of the fees established in (d) of this section by waiving a portion of the fee. Under this section, an order waiving a portion of a fee

(2) may not exceed [20] **100** percent of the amount established in (d) of this section for an authorization, petition, or service;

11 AAC 05.190(d)(1) is amended to read:

(d) For the Knik **River** Public Use Area as described in AS 41.23.230,

(1) for a land use permit under AS 38.05.850 **not covered under 11 AAC 05.180** for a person to use or occupy the *Kenny and Patti Barber Shooting Range*, depicted on the map entitled *Kenny and Patti Barber Shooting Range*, and adopted by reference in 11 AAC 96.016(b)(5), fees are as follows:

(A) for an application for a revocable personal use or occupancy permit, no charge;

(B) for an application for a revocable commercial use or occupancy permit, \$100;

(C) for an application for a revocable non-commercial organized group use or occupancy permit, \$100;

(D) for a personal use or occupancy permit, each person, each calendar day, \$25;

(E) for a personal use or occupancy permit pass, each person, each calendar year, \$250;

(F) for a personal use or occupancy permit, each non-commercial organized group, each calendar day, \$250;

(G) for a commercial use or occupancy permit, each calendar day, \$500;

(H) for a state, federal or local agency use or occupancy permit, each calendar day, \$250. (Eff. 7/1/2018, Register 227, am ___/___/____, Register ____)

Authority:	AS 37.10.050	AS 38.05.020	AS 38.05.850
	AS 37.10.058	AS 38.05.035	AS 44.37.020
	AS 38.04.900	AS 38.05.810	

11 AAC 05.210(d)(3) is amended to read:

11 AAC 05.210. Recreation rivers system.

(d) The fees for permits, revocable and temporary surface authorizations, and cabin use authorizations are as follows:

(3) for a commercial-use permit for a commercial camp within the recreation rivers system, an annual fee determined as in 11 AAC 05.180[170](d)(2)(D), plus 20 percent, in addition to applicable fees under (2) of this subsection;

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

Authority:	AS 38.04.900	AS 38.05.035	AS 41.23.440
	AS 38.05.020	AS 38.05.850	AS 44.37.020

11 AAC 05.230(d) is amended to read:

11 AAC 05.230. Surface land leasing; shore fisheries land leasing.

(d) The fees for surface land leasing, shore fisheries land leasing and services are as follows:

(1) for an application for a surface use lease under AS 38.05.070, for

(A) a surface land lease, including a tideland or submerged land lease, not otherwise described in this subsection;

(i) one acre or less, \$1,500 for up to 60 hours of staff time;

(ii) greater than one acre, \$2,500 for up to 100 hours of staff time;

(B) a surface land lease under AS 38.05.810[(a) – (d)],

(i) one acre or less, \$750 for up to 60 hours of staff time; or

(ii) greater than one acre, \$1,500 for up to 100 hours of staff time;

(C) a preference right to lease land by existing lessee under AS 38.05.102, or former AS 38.05.100, or lease term, including amendment or assignment of an application for preference right, \$750, for up to 24 hours of staff time;

(D) renewal of lease not otherwise described in this subsection,

(i) one acre or less, \$750 for up to 30 hours of staff time; or

(ii) greater than one acre, \$1,000 for up to 40 hours of staff time;

(E) extension of lease not otherwise described in this subsection, \$500 for up to 20 hours of staff time;

(F) assignment of lease not otherwise described in this subsection, \$750 for up to 30 hours of staff time;

(G) an amendment of a lease or development plan not otherwise described in this subsection;

(i) an amendment to a lease, or development or grazing plan that requires a finding under AS 38.05.035(e), \$1,000 for up to 40 hours of staff time;

or

(ii) an amendment to **a** lease, **or** development or grazing plan other than (i) of this subparagraph, \$200;

(H) security assignment of lease, \$500 for up to 20 hours of staff time;

(I) consent to sublease, \$500 for up to 20 hours of staff time;

(J) grazing lease, \$1,500 for up to 60 hours of staff time;

(K) lease for an unauthorized use, \$1,000, in addition to fees in (A), (B),

(C) or (D) of this paragraph;

(L) extension of entry authorization authorized by an existing leasing decision, \$500 for up to 20 hours of staff time;

(2) application for a shore fishery lease under AS 38.05.082 for,

(A) a shore fisheries lease, \$300;

(B) a renewal or extension of shore fisheries lease, \$250;

(C) an amendment of shore fisheries lease, \$200;

(D) a transfer or assignment of shore fisheries lease or lease application, \$250;

(E) a partial transfer or assignment of a shore fisheries lease, \$300;

(3) application for an aquatic farmsite lease under AS 38.05.083 for,

(A) aquatic farmsite lease;

(i) for a total of one acre or less, \$750 for up to 24 hours of staff time;

(ii) for a total of greater than one acre but no more than three acres, \$1,500 for up to 60 hours of staff time; or

(iii) for a total of greater than three acres, \$2,500 for up to 100

hours of staff time;

(B) renewal of an aquatic farmsite lease,

(i) for a total of one acre or less in size, ~~\$750~~[350] for up to ~~30~~[14]

hours of staff time;

(ii) for a total of greater than one acre but no more than three acres,

~~\$1,000~~[750] for up to ~~40~~[30] hours of staff time; or

(iii) for greater than three acres, \$1,500 for up to 60 hours of staff

time;

(C) assignment of aquatic farmsite lease, \$200 for up to 8 hours of staff

time;

(D) extension of an aquatic farmsite lease, ~~\$500~~[200] for up to ~~20~~[8] hours

of staff time;

(E) amendment of an aquatic farmsite lease or development plan;

(i) amendment to lease or development plan that requires a finding

under AS 38.05.035(e), \$500 for up to 20 hours of staff time; or

(ii) amendment to lease or development plan other than (i) of this

subparagraph, \$200;

(4) application for a remote recreational cabin site lease, \$300 for up to 12 hours

of staff time for the first term; no application fee for an extension or for a renewal for a second

term;

(5) surface lease issued under AS 38.05.600 for,

(A) lease of a remote recreational cabin site under AS 38.05.600(b)

(i) during the first term of the lease, \$300 annually each site;

(ii) during the second term of the lease, \$1,500 annually each site;

(6) approval of a sublease of an existing surface land lease, not less than 25 percent of the value of the sublease;

(7) each additional hour in excess of the maximum hours listed in (1), (3) or (4) of this subsection, \$50.

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

- Authority:**
- | | | |
|--------------|--------------|--------------|
| AS 38.04.900 | AS 38.05.075 | AS 38.05.102 |
| AS 38.05.020 | AS 38.05.082 | AS 38.05.810 |
| AS 38.05.035 | AS 38.05.083 | AS 41.23.440 |
| AS 38.05.070 | AS 38.05.095 | AS 44.37.020 |
| AS 38.05.073 | | |

11 AAC 05.240(d)(1) is amended to read:

11 AAC 05.240. Survey and platting

(d) The fees for authorizations and services under AS 34, AS 38 and AS 40 for surveys and platting services, and approvals are as follows:

(1) for the following survey and platting services and approvals, as follows:

(A) issuance or amendment of survey instructions;

(i) for a remote recreational cabin site lease, \$300 for up to 8 hours of staff time;

(ii) under AS 38.04.045 for conveyances for a municipal entitlement, municipal tideland or submerged lands, public and charitable, or preference right, \$2,500 for up to 67 hours of staff time;

(iii) under AS 38.04.045 for a land sale, lease or any other type of survey, \$1,500 for up to 40 hours of staff time;

(iv) under 11 AAC 51.065 for an easement or right-of-way vacation or relocation, \$1,500 for up to 40 hours of staff time;

(v) for an as-built plat on upland, shoreland, tideland or submerged land, for a linear easement or right-of-way no more than 0.5 miles in length, including up to two landings, \$150;

(vi) for an as-built plat on upland, shoreland, tideland or submerged land, for a non-linear easement or right-of-way no more than 1.0 acre in area, including up to two landings, \$150;

(vii) for an as-built plat on upland, shoreland, tideland or submerged land, for a linear easement or right-of-way greater than 0.5 miles in length but no more than 1.0 mile in length, including up to two landings, \$300 for up to 8 hours of staff time;

(viii) for an as-built plat on upland, shoreland, tideland or submerged land, for a non-linear easement or right-of-way greater than 1.0 acres

but no more than 3.0 acres in area, including up to two landings, \$300 for up to 8 hours of staff time;

(ix) for an as-built plat on upland or tideland, for a linear easement or right-of-way greater than 1.0 mile in length, in addition to the fee in (vii) of this subparagraph, \$150 for up to 4 hours of staff time for each additional 6-mile segment or portion thereof in excess of 1.0 mile in length;

(x) for an as-built plat on shoreland or submerged land, for a linear easement or right-of-way greater than 1.0 mile in length, in addition to the fee in (vii) of this subparagraph, \$40 for up to 1 hour of staff time for each additional 6-mile segment or portion thereof in excess of 1.0 mile in length;

(xi) for an as-built plat on upland, shoreland, tideland or submerged land, for a non-linear easement or right-of-way greater than 3.0 acres in area, in addition to the fee in (viii) of this subparagraph, \$150 for up to 4 hour of staff time for each additional 12-acre segment or portion thereof in excess of 3.0 acres in area;

(xii) for an as-built plat on upland, shoreland, tideland or submerged land, for a linear or non-linear easement or right-of-way, in addition to the applicable fee in (v), (vi), (vii) or (viii) of this subparagraph, for each additional landing, \$150 for up to 4 hours of staff time;

(B) plat review under AS 38.04.045[,] **or for title defense under AS**

38.05.035(a)(7).

(i) for first two reviews of first parcel or tract each plat other than (iv) of this subparagraph, \$1,500 for up to 40 hours of staff time, plus \$200 for up to 4 hours of staff time for each additional parcel or tract each plat; and

(ii) for third and each additional review of first parcel or tract each plat other than (iv) of this subparagraph, \$500 for up to 13 hours of staff time, plus \$200 for up to 5.5 hours of staff time for each additional parcel or tract each plat;

(iii) for final plat approval and signing, no fee; or

(iv) for a remote recreational cabin site lease \$300, for up to 8 hours of staff time;

(C) as-built plat or record of survey review for an easement or right-of-way,

(i) for first two reviews of one plat sheet, \$200 for up to 5.5 hours of staff time, plus \$100 for up to 2.5 hours of staff time for each additional plat sheet; and

(ii) for the third and each additional review of one plat sheet, \$50 for up to 1.5 hour of staff time, and \$50 for up to 1.5 hours of staff time for each additional plat sheet;

(iii) for final plat approval and signing, no fee;

(D) request for proposal,

(i) for first copy, no fee; and

(ii) for each additional copy, \$50;

(E) combined shore fishery diagram preparation instructions and diagram review, \$450, which is in lieu of the fees set out in (A) and (B) of this paragraph;

(F) plat review under AS 40.15.305;

(i) for first two reviews of a plat, \$1,000 for up to 27 hours of staff time for the first two parcels or tracts, for each plat, plus \$100 for up to 3 hours of staff time for each additional parcel or tract each plat; and

(ii) for the third and each additional review of a plat, \$400 for up to 11 hours of staff time for each additional parcel or tract for each plat, plus \$50 for up to 1.5 hour of staff time for each additional parcel or tract for each plat; and

(iii) for final plat approval and signing, no fee; or

(iv) for a petition to replat an existing approved plat under 11 AAC 53.730, \$500 for up to 13 hours of staff time;

(v) under 11 AAC 53.730(e) for an extension of time to submit a final plat of a replat, \$40 for up to one hour of staff time;

(G) review of plat or record of survey for a vacation, modification or relocation of easement or right-of-way under 11 AAC 51.065, \$240 for up to 6 hours of staff time;

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

Authority: AS 38.04.045 AS 38.05.102 AS 38.50.160

AS 38.04.900	AS 38.05.600	AS 40.15.305
AS 38.05.020	AS 38.05.810	AS 40.15.360
AS 38.05.035	AS 38.05.850	AS 40.15.370
AS 38.05.070	AS 38.09.020	AS 40.15.380
AS 38.05.082	AS 38.09.110	AS 44.37.020
AS 38.05.083		

11 AAC 05.260(b)(3) is amended to read:

11 AAC 05.260. Water management and Dam Safety.

(b) The fees established for designated regulatory services under AS 46.15 are as follows:

Regulatory service to which an application or filing relates:	Fixed fee for permit or other filing:	Fixed fee for request for extension of either permit or authorization:	Fixed fee for transfer and change of appropriation under AS 46.15.155(g) and (i), 11 AAC 93.210(b), 11 AAC 93.930, or for request under 11 AAC 93.147(a)(4):	Hourly Fee for regulatory service if processing requires time in excess of specified maximum:
(3) appropriation of water under AS 46.15.040, for support of exploration, construction,	\$1,500, for up to 60 hours of staff time; fixed fee not established	\$450, for up to 18 hours of staff time	\$900, for up to 36 hours of staff time	\$50 each hour, for each additional hour in excess of the maximum hours listed in this

Regulatory service to which an application or filing relates:	Fixed fee for permit or other filing:	Fixed fee for request for extension of either permit or authorization:	Fixed fee for transfer and change of appropriation under AS 46.15.155(g) and (i), 11 AAC 93.210(b), 11 AAC 93.930, or for request under 11 AAC 93.147(a)(4):	Hourly Fee for regulatory service if processing requires time in excess of specified maximum:
development, operation, production, transportation, or maintenance activities related to locatable <u>lode</u> mining except for retail distribution				subparagraph for an application or request

11 AAC 05.260(b)(5) is amended to read:

11 AAC 05.260. Water management and Dam Safety.

(b) The fees established for designated regulatory services under AS 46.15 are as follows:

Regulatory service to which an application or filing relates:	Fixed fee for permit or other filing:	Fixed fee for request for extension of either permit or authorization:	Fixed fee for transfer and change of appropriation under AS 46.15.155(g) and (i), 11 AAC 93.210(b), 11 AAC 93.930, or for request under 11 AAC 93.147(a)(4):	Hourly Fee for regulatory service if processing requires time in excess of specified maximum:
(5) appropriation of water under AS 46.15.040, for water removal out of a hydrologic [HYDROLOGICAL] unit under AS 46.15.035 and AS 46.15.037	\$1,500, for up to 60 hours of staff time; fixed fee not established	\$450, for up to 18 hours of staff time	\$900, for up to 36 hours of staff time	\$50 each hour, for each additional hour in excess of the maximum hours listed in this subparagraph for an application or request

(Eff. 7/1/2018, Register 227, am ___ / ___ / ___, Register ___)

Authority: AS 37.10.050 AS 38.05.020 AS 46.15.035
AS 37.10.052 AS 38.05.035 AS 46.15.037
AS 37.10.058 AS 46.15.020 AS 46.17.050

11 AAC 05.270(c) is amended to read:

11 AAC 05.270. Higher fees.

(c) Notwithstanding 11 AAC 05.020, in addition to the fees set out in 11 AAC 05.030 – 11 AAC.05.260, the department may enter into [AN] **a reimbursement or prepayment** agreement [AND MAY] **to recover** actual reasonable departmental costs of responding to contaminated sites **or discharges of oil and other hazardous substances** under 18 AAC **75.** [75.300 – 18 AAC 75.320 AND TO ADDRESS CONTAMINATED SITES UNDER 18 AAC 75.320 – 18 AAC 75.396, INCLUDING] **The department’s response activities may include adjudication, research, consultation, document review, meetings, implementation and use of institutional controls and communication, public hearings,** investigation, **site** inspection, cleanup, remediation, and monitoring. (Eff. 7/1/2018, Register 227, am ___/___/___, Register ___)

Authority:	AS 27.21.030	AS 38.05.255	AS 40.17.030
	AS 27.21.940	AS 38.05.295	AS 40.25.110
	AS 37.10.050	AS 38.05.550	AS 40.25.115
	AS 37.10.052	AS 38.05.555	AS 41.06.020
	AS 37.10.058	AS 38.05.560	AS 41.21.020
	AS 38.04.045	AS 38.05.565	AS 41.21.026
	AS 38.04.900	AS 38.05.600	AS 41.23.440
	AS 38.05.020	AS 38.05.810	AS 44.37.011
	AS 38.05.035	AS 38.05.850	AS 44.37.020
	AS 38.05.057	AS 38.08.110	AS 44.37.025
	AS 38.05.082	AS 38.09.020	AS 44.37.027
	AS 38.05.083	AS 38.09.110	AS 45.29.525
	AS 38.05.102	AS 38.35.020	AS 45.50.315

AS 38.05.133	AS 38.35.050	AS 46.03.822
AS 38.05.177	AS 38.50.160	AS 46.15.020
AS 38.05.180	AS 38.95.240	AS 46.15.035
AS 38.05.250	AS 40.15.370	AS 46.15.037

11 AAC 96.018(a) is amended to read:

11 AAC 96.018. Uses requiring registration (a) Entry will be permitted under 11 AAC 96.020 as a generally allowed use for commercial recreation purposes on a day-use basis with no camp or facility, whether occupied or unoccupied, that remains overnight[, AND INCLUDING LANDING COMMERCIAL RECREATION CLIENTS ON STATE LAND BY AIRCRAFT OR WATERCRAFT OTHER THAN AT AN AIRPORT OR HARBOR MANAGED BY A MUNICIPALITY OR BY THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES], if the operator complies with the following requirements:

(1) registering with the department before the use each calendar year;

(2) providing information required by the department, including the name of the business, type of activity, geographic area, number of clients served, number of visitor days, number of days in operation, and means of access to and from the area; and

(3) paying a registration fee as required by 11 AAC 05.180.

(Eff. 12/7/2002, Register 164; am 7/1/2018, Register 227; am ___/___/___, Register ___)

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.850