

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 is being repealed and readopted (replaced), the new (or replaced) text is not bolded or underlined.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.”

11 AAC 05 is repealed and re-adopted to read:

Chapter 05. Fees for Department Services

11 AAC 05.010. Fees Repealed. ____/____/_____. (Eff. 1/1/86, Register 96; am 8/10/86, Register 99; am 9/28/86, Register 99; am 8/23/87, Register 103; am 1/28/88, Register 105; am 7/1/89, Register 110; addt'l am 7/1/89, Register 110; am 8/16/89, Register 111; am 12/9/89, Register 112; am 1/17/90, Register 113; am 3/16/91, Register 117; am 12/25/91, Register 120; am 5/14/92, Register 122; am 9/16/92, Register 123; am 4/18/93, Register 126; am 5/5/93, Register 126; am 10/1/94, Register 131; am 12/13/95, Register 136; am 2/16/96, Register 137; am 5/24/96, Register 138; am 5/18/97, Register 142; am 2/21/98, Register 145; am 7/29/98, Register 147; am 8/26/98, Register 147; am 9/10/98, Register 147; am 1/29/99, Register 149; am 5/9/99, Register 150; am 2/9/2001, Register 157; am 5/3/2001, Register 158; am 8/23/2001, Register 159; am 10/27/2002, Register 164; am 11/13/2002, Register 164; am 12/7/2002, Register 164; am 1/14/2004, Register 169; am 10/2/2004, Register 171; am 1/16/2005, Register 173; am 9/10/2005, Register 175; am 2/15/2006, Register 177; am 3/13/2006, Register 177; am 11/22/2006, Register

180; am 8/31/2008, Register 187; am 12/14/2008, Register 188; am 8/19/2009, Register 191; am 12/5/2009, Register 192; am 8/29/2013, Register 207: am ____/____/____, Register ____)

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

(1) fees for services, documents, or actions to be performed or provided relating to Alaska Mental Health Trust land as provided in 11 AAC 99.130;

(2) payments, fees, rents or charges which are prescribed by statute or required by statute to be based on an appraisal of market value;

(3) this chapter does not limit the amount the department may charge or receive under contracts, or bonuses, royalties, rentals, or limit any other obligations of contract;

(4) 11 AAC 05.270 provides for higher fees where the department determines that the location or nature of the use makes a higher fee appropriate to ensure a reasonable return to the state or the department determines that a higher fee is necessary to meet estimated actual costs.

(b) A fee prescribed by this chapter is waived for a federal, state, or municipal agency, except that:

(1) recorder's office and uniform commercial code fees prescribed by 11 AAC 05.200 and 11 AAC 05.250 are not waived;

(2) except as prohibited by federal law, water management fees prescribed by 11 AAC 05.260 of this section are not waived for a federal, state, or municipal agency;

(3) the fee is not waived if the federal, state, or municipal agency does not waive its fee for a similar document supplied to or application filed by the department;

(4) a fee for a computer-related service prescribed by 11 AAC 05.050 of this section are not waived if the federal, state, or municipal agency does not reciprocate by providing a similar level of computer-related services to the department free of charge;

(5) a land use fee prescribed by 11 AAC 05.060, 11 AAC 05.070, 11 AAC 05.130, 11 AAC 05.160, 11 AAC 05.180, 11 AAC 05.190, 11 AAC 05.220, 11 AAC 05.230 or 11 AAC 05.270 is waived or reduced only if the federal, state, or municipal agency demonstrates to the department's satisfaction that the waiver or reduction is in the public interest, and a material sale service or fee prescribed by 11 AAC 05.130 is waived or reduced only if the federal, state, or municipal agency agrees to provide goods, services, or other compensation to the department that the department considers sufficient for the service or materials; and

(6) discounts, waivers, and adjustments of fees for facilities, equipment, products, services, and publications of the Division of Geological and Geophysical Surveys are provided in for 11 AAC 05.080(c).

(c) Unless otherwise specified under an applicable statute, this chapter or another chapter of this title, a fee set out in this chapter is non-refundable.

(d) The receipt of a fee for an application or petition for a service or authorization under this chapter does not obligate the department in any way to approve an application or petition, issue an authorization, as requested in whole or in part, or refrain from lawfully revoking or terminating an authorization. Such a determination or action is strictly governed by the specific requirements of applicable Alaska Statutes and regulations relevant to the service, authorization, or approval. (Eff.

___/___/___, 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 46.15.020 |
| | 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 | AS 40.15.370 | |

11 AAC 05.030 Miscellaneous. (a) This section lists fees for products, services publications and filings not mentioned elsewhere:

- (1) late payment service charge, \$50;
- (2) returned check fee, \$50;
- (3) photocopy fee (except as noted elsewhere in this chapter),
 - (A) black and white (up to 8.5" x 14"), \$.25 each sheet;

(B) color (up to 8.5" x 14"), \$.40 each sheet;

(C) black and white (for 11" x 17"), \$.40 each sheet;

(D) color (for 11" x 17"), \$.65 each sheet;

(4) digital copy fee of a public record (except as noted elsewhere in this chapter);

(A) \$0.03 each standard screen page; and

(B) storage medium such as CD-ROM or USB Drive, variable fee that will not exceed the department's actual cost for the storage medium or device;

(5) black and white or color reproduction of a document, map, plat, or diagram, other than in (3) and (4) of this subsection, \$.75 each square foot;

(6) other publications and special-purpose information packets not mentioned elsewhere, variable fee that will not exceed the department's costs to produce the publication;

(7) document certified as true, \$5 each document;

(8) postage, or other delivery method for the production of public records, variable fee that will not exceed the department's costs to deliver the records;

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

(b) The fee under (a)(3) – (a)(5) of this section is waived if fees result in an aggregate cost of \$5.00 or less.

(c) Public records-related services, including those electronic services and products subject to AS 40.25.115;

(1) computer programming, analysis, and production regarding electronic records under AS 40.25.115, the actual amount charged to the department by the Department of Administration for the computer programming, analysis, and production (non-overtime);

(2) computer programming and processing on the state mainframe, the actual amount charged to the department by the Department of Administration for the computer programming and processing;

(3) services or products created by the department

(A) the actual cost of developing or providing the requested electronic service or product; or

(B) fee for staff time for research utilizing existing electronic services AS 40.25.110, \$50 for each hour. (Eff. ___/___/___, Register ___)

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|-------------------|--------------|--------------|--------------|
| Authority: | AS 27.21.030 | AS 38.05.250 | AS 38.95.230 |
| | AS 27.21.940 | AS 38.05.255 | AS 40.15.370 |
| | AS 37.10.050 | AS 38.05.295 | AS 40.17.030 |
| | AS 37.10.052 | AS 38.05.550 | AS 40.25.110 |
| | AS 37.10.058 | AS 38.05.555 | AS 40.25.115 |
| | AS 38.04.045 | AS 38.05.560 | AS 41.06.020 |
| | AS 38.04.900 | AS 38.05.565 | AS 41.21.020 |
| | AS 38.05.020 | AS 38.05.600 | AS 41.21.026 |
| | AS 38.05.035 | AS 38.05.810 | AS 41.23.440 |
| | AS 38.05.057 | AS 38.05.850 | AS 44.37.011 |
| | 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 38.05.133 | AS 38.35.020 | AS 45.29.525 |
| | AS 38.05.177 | AS 38.35.050 | AS 45.50.315 |
| | AS 38.05.180 | AS 38.50.160 | AS 46.15.020 |

11 AAC 05.040. Agriculture. (a) Fees to apply for authorizations, and fees to obtain services from the Division of Agriculture are as follows:

(1) application for agricultural preference right under AS 38.05.069, \$175. (Eff. ___/___/___, Register ___)

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|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.020 | AS 38.05.069 |
| | AS 37.10.058 | AS 38.05.035 | AS 44.37.020 |

11 AAC 05.050. Computer-related services, other than those electronic services and products subject to AS 40.25.115

(1) paper printout for a batch report, the amount charged to the department by the Department of Administration for printing the report;

(2) on-line paper printout,

(A) black and white (up to 8.5" x 14"), \$.25 each page;

(B) color (up to 8.5" x 14"), \$0.40 each page;

(3) programming, analysis, and production, the actual amount charged to the department by the Department of Administration for the computer programming, analysis, and production (non-overtime);

(4) technical training, \$73 each hour for regular time;

(5) computer programming and processing on the state mainframe, the amount charged to the department by the Department of Administration for the computer programming and processing;

(6) other computer processing,

(A) DNR plotter each minute, \$1.75;

(7) plotter media,

(A) opaque paper, \$1.75 each foot;

(B) mylar or acetate, \$5 each square foot;

(Eff. ___/___/___, Register ___)

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|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 37.10.058 | AS 38.05.035 |
| | AS 37.10.052 | AS 38.05.020 | AS 44.37.020 |

11 AAC 05.060. Concessions, other than for State Park Lands.

(No regulations Filed)

11 AAC 05.070. Easements and rights-of-way. (a) The fees for authorizations and services under AS 38 regarding easements and rights-of-way shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts specified under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for a minimum of 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(3) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

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

(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 in length for linear authorizations or three acres in area for non-linear authorizations, \$600;

(ii) for a total greater than 1,500 feet in length for linear authorizations or greater than three acres in area for non-linear authorizations, \$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, a fee equal to 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) public or private easement or right-of-way for unauthorized uses installed prior January 1, 2018, \$500, in addition to fees in (A) or (B) of this paragraph;

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

(E) develop improvements within, or research the existence of, an existing public or private easement or right-of-way, \$250 for up to 10 hours of staff time;

(F) public or private easement or right-of-way for erosion control purposes for a total of no more than 1,500 feet in length for linear authorizations or three acres in area for non-linear authorizations, \$1,500 for up to 60 hours of staff time;

(G) public or private easement or right-of-way for erosion control purposes for a total greater than 1,500 feet in length for linear authorizations or three acres in area for non-linear authorizations, 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) petition to vacate or modify an easement or right-of-way, including an R.S. 2477, \$2,500 for up to 100 hours of staff time;

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

(J) close or restrict 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) 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) fees for surface land use related to easements and rights-of-way, for;

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

(i) a non-exclusive use other than a fiber-optic telecommunications system as provided in (iii) of this subparagraph, an annual fee of \$300 each acre, but no less than \$600;

(ii) an exclusive use other than a fiber-optic telecommunications system as provided in (iii) of this paragraph, an annual use fee equal to the director's estimate of the yearly fair market rental value of the land, and subject to adjustment at five-year intervals;

(iii) a fiber-optic telecommunications system, the greater of either an annual fee equal to the fee listed in (i) of this subparagraph or 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;

(B) fee for a public easement or right-of-way other than for (C) of this paragraph, a one-time fee of \$150 each acre unless otherwise provided in a reciprocal right-of-way agreement;

(C) fee for a public easement or right-of-way for a utility, a one-time fee of 70 cents each linear foot;

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

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

(F) 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 in length for linear authorizations or three acres in area for non-linear authorizations, a one-time fee of \$2,000;

(ii) for a non-exclusive non-commercial use for a total greater than 1,500 feet in length for linear authorizations or three acres in area for non-linear authorizations, an annual fee of \$600; or

(iii) for a non-exclusive commercial use for a total greater than 1,500 feet in length for linear authorizations or three acres in area for non-linear authorizations, an annual fee of \$300 each acre, but no less than \$600;

(G) 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) an entry authorization for an approved easement or right-of-way for site development for authorizations addressed in (b)(2)(A) through (b)(2)(C) of this section, an annual fee of \$150 each acre with a \$300 minimum;

(3) fee for each additional hour in excess of the maximum hours listed in (1) of this subsection.

(d) In addition to the fee provided for under (c)(1) of this section, for a private or public easement or right-of-way issued to authorize an unauthorized use installed prior to January 1, 2018, a director's order establishing fees may require the applicant for the prior-installed private or public easement or right-of-way issued to pay the fee prescribed under (c)(2)(A) –

(G) of this section for each year the applicant occupied the installation on state land before issuance of easement or the 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. ___/___/___, Register ___)

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|-------------------|--------------|--------------|--------------|
| 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 05.080. Forestry. Fees to apply for authorizations, and fees to obtain publications or services from the Division of Forestry are as follows:

- (1) beach log salvage license fee, \$1,000;
- (2) log brand registration fee, \$50;
- (3) transfer of log brand registration fee, \$25; and
- (4) renewal of log brand registration fee, \$25. (Eff. ___/___/___, Register ___)

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|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.020 | AS 44.37.020 |
| | AS 37.10.058 | AS 38.05.035 | AS 45.50.315 |

11 AAC 05.090. Geological & Geophysical Surveys, facilities, equipment, products, and services. (a) The fees for facilities, equipment, products, services, and publications related

to geological and geophysical surveys shall be established by a written order of the director of the Division of Geological & Geophysical Surveys. The order will

(1) establish fees that will not exceed the greater of the amounts established under (b) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Geological & Geophysical Surveys' public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) Fees for facilities, equipment, products, services, and publications from the center may not exceed the following amounts:

(1) research space, includes basic zoom stereo microscope, digital sample balance, basic sampling equipment, water spray bottles, 10 percent acid solution, fluoroscope, and whiteboards:

(A) single table in main core viewing room, six feet in length,

(i) \$40 each half day;

(ii) \$60 each day;

(B) single roller table in main core viewing room, up to and including 34 feet in length,

(i) \$60 each half day;

(ii) \$125 each day;

(C) entire main core viewing room, five roller tables, 152 total linear feet; \$500 each day;

(D) confidential core-viewing room, includes 25-foot roller table,

(i) \$175 each half-day;

(ii) \$275 each day;

(2) space rental:

(A) conference room, including all audio-visual equipment and conference phone,

(i) \$175 each half-day;

(ii) \$275 each day;

(B) warehouse shelving for storing geologic materials, 1-shelf minimum of three feet by eight feet \$60 each month, \$2.50 each additional square foot each month;

(C) floor space for storing geologic materials, two-pallet minimum of four feet by seven feet \$70 each month, \$35 each additional pallet each month;

(3) equipment rental:

(A) stereoscope,

(i) \$30 each half-day;

(ii) \$50 each day;

(B) advanced, photo-capable petrographic microscope,

(i) \$50 each half day;

(ii) \$80 each day;

(C) advanced, photo-capable stereo zoom microscope,

(i) \$40 each half day;

(ii) \$70 each day;

(iii) rock saw rental, includes use of sample-processing room (saw blades not included), 14-inch, \$80 each day; 20-inch, \$120 each day;

(4) individual services:

(A) drill cuttings delivered to viewing area, \$8 each box;

(B) core samples delivered to viewing area, \$6 each box;

(C) processed slides delivered to viewing area, \$5 each box;

(D) labor, clerical, and/or research support for first hour, no fee; each additional hour, \$56;

(E) sample processing:

(i) longitudinal rock core slabbing or splitting: up to 2.6 inches in diameter, \$8 each foot; greater than 2.6 inches in diameter, \$10 each foot;

(ii) sample tray marking, \$15 each box;

(iii) rock core plugging, \$15 each plug;

(iv) rock sample cutting, miscellaneous processing, \$56 each hour;

(F) digital photography:

(i) core box photo, \$8 each;

(ii) magnified photo of subsection of core, \$5 each;

(iii) thin section photomicrograph, \$8 each;

(iv) hand sample photo, \$4 each;

(v) specimen photo, \$4 each;

(5) large data distribution:

(A) two-dimensional seismic dataset, \$75 each line mile;

(B) three-dimensional seismic dataset, \$300 each square mile plus \$1.50 each gigabyte; and

(C) for all other data, \$56 each hour staff time for data processing in excess of one hour, not including copy time, plus the actual cost of data storage devices if provided to the requestor by the center;

(6) extended rental and service packages:

(A) research package, includes the use of one roller table up to and including 34 feet in length in the main core viewing room, the conference room, counter space, processed slide retrieval and box-pulling, microscope and other equipment, core photography, and sample processing, except core slabbing or splitting,

(i) one work day, \$750;

(ii) one work week, \$3,000;

(iii) one month, \$7,500;

(iv) one year, \$20,000;

(B) confidential research package includes the use of one confidential core viewing room, the conference room, processed slide retrieval and box-pulling, advanced microscope and other equipment use, core photography, and sample processing, except core slabbing or splitting,

(i) one work day, \$900;

(ii) one work week, \$3,500;

(iii) one month, \$10,000;

(iv) one year, \$30,000;

(7) Publications,

(A) available as online downloads, no fee;

(B) available on DVD, \$10 each DVD, plus \$56 each hour staff time for data processing in excess of one hour.

(c) The division shall waive fees under this section for a student who uses facilities, equipment, products, or services for educational purposes. Discounts, waivers, and adjustments of fees under this section, established by order of the director and available on the division's public Internet webpage, are as follows:

(1) with the exception of publications, the director may discount up to and including 100 percent of the fees due under (b) of this section for staff, professors, and students conducting academic research and associated with an accredited university;

(2) in addition to (1) of this subsection, the director may discount or waive a fee prescribed in (b) of this section when the director determines that the reduction or waiver is in the public interest, including for State or Federal agency staff;

(3) the director may waive a fee if the fee is less than \$5.

(d) In this section,

(1) "academic research" means the study of geologic materials or information at the undergraduate, graduate, post-graduate or professional levels through an institute of higher education, with the intent of publishing the results in a thesis, dissertation, or peer-reviewed journal article;

(2) "center" means the Alaska Geologic Materials Center;

(3) "DVD" means digital video disc;

(4) “educational purposes” means a grade school or university student or class using the facility for education, including educators promoting the theory and practice of teaching;

(5) “half-day” means four hours or less of a calendar day;

(6) “each day” means more than four hours of a calendar day;

(7) “director” means Director of the Division of Geological & Geophysical Surveys;

(8) “division” means Division of Geological & Geophysical Surveys. (Eff. ___/___/___, Register ___)

Authority: AS 38.05.020 AS 41.08.030 AS 41.08.045
AS 38.05.035

Editor’s note: Fee and fee discount orders adopted by reference in this section are available at the Department of Natural Resources, Division of Geological & Geophysical Surveys, 3354 College Rd, Fairbanks, Alaska, 99709 and the Department of Natural Resources, Division of Geological & Geophysical Surveys, Geologic Materials Center, 3651 Penland Pkwy, Anchorage, Alaska, 99508, and on the division's Internet web site at <http://dggs.alaska.gov>. Please contact the division at 907-451-5010, dggspubs@alaska.gov or the center at 907-696-0079 for more information regarding payments, invoices, shipping charges, and other related information.

11 AAC 05.100. Land disposals (a) The fees for authorizations and services for certain surface land disposals under AS 38 shall be established by a written order of the director of the

Division of Mining, Land and Water. The order will not cover fees fixed by statute or is required by statute to be based on an appraisal of market value. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(3) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

(1) fee for application or petition for contract or title services, for;

(A) land purchase contract fee, includes patent request when contract satisfied, \$450, plus an additional fee of \$100 if the applicant is a corporation, limited partnership, limited liability partnership, or limited liability company;

(B) land patent request other than (A) of this subsection, \$300, plus an additional fee of \$100 if the applicant is a corporation, limited partnership, limited liability partnership, or limited liability company;

(C) conversion of existing an agricultural interest only patent to agricultural right patent under Chapter 20 SLA 1997, \$300, plus an additional fee of \$100 if the applicant is a corporation, limited partnership, limited liability partnership, or limited liability company;

(D) partial assignment of agricultural rights, \$300, plus an additional fee of \$100 if the applicant is a corporation, limited partnership, limited liability partnership, or limited liability company;

(E) consent to subdivide agricultural land patented after August 5, 1997, \$300, plus an additional fee of \$100 if the applicant is a corporation, limited partnership, limited liability partnership, or limited liability company;

(F) assignment of purchase contract, \$300, plus an additional fee of \$100 if the applicant is a corporation, limited partnership, limited liability partnership, or limited liability company;

(G) assignment or amendment of homesite entry permit, or homestead entry permit, \$300;

(H) preference right to purchase land under former AS 38.05.035(b), AS 38.05.035(f) or AS 38.05.068, AS 38.05.102 or lease term, including amendment or assignment of an application for preference right, \$750, for up to 24 hours of staff time;

(I) sale or other fee disposal under AS 38.05.810, \$500 for up to 16 hours of staff time;

(J) grant of land under AS 38.05.870, \$350 for up to 11 hours of staff time;

(K) collateral assignment of contract, including the release of the collateral assignment, \$300;

(L) sale document handling fee, \$300, plus an additional fee of \$100 if the applicant is a corporation, limited partnership, limited liability partnership, or limited liability company;

(M) repayment agreement for agricultural sale contract payment moratorium, \$500 for up to 16 hours of staff time;

(N) agricultural housing right lien, including its release, \$200, plus an additional fee of \$100 if the applicant is a corporation, limited partnership, limited liability partnership, or limited liability company;

(O) survey deposit before issuance of homestead entry permit, \$750;

(P) sale contract administration services performed by a private person rather than by the department, the actual cost for those services, as set out in the contract between the department and the private person who provides them;

(2) application fee to participate in a state land disposal during the initial filing period or during the period in which land is offered over the counter; the fees for the following shall be established by order of the director, and may not exceed

(A) homesite entry permit, \$25;

(B) lottery parcel under AS 38.05.057, \$25;

(C) homestead or remote recreational cabin site staking authorization, \$75;

(3) Additional fee for each hour in excess of the maximum hours listed in (1) of this subsection \$50. (Eff. ___/___/___, Register ___)

| | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.057 | AS 38.08.110 |
| | AS 37.10.058 | AS 38.05.065 | AS 38.09.020 |
| | AS 38.05.020 | AS 38.05.600 | AS 38.09.110 |
| | AS 38.05.035 | | |

11 AAC 05.110. Leasable minerals, including coal, phosphates, oil shale, sodium, sulphur, potassium, oil and gas, and geothermal. (a) The fees for authorizations and services under AS 38 for leasable minerals shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the greater of the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(4) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

(1) fee for an application for surface or subsurface use for leasable mineral services and authorizations for coal, for

(A) competitive coal lease

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

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

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

(v) if a competitive coal 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. The fee is not otherwise refundable;

;

(B) prospecting permit under AS 38.05.150, a one-time application and use fee, \$1,000 for up to 40 hours of staff time;

(C) conversion of prospecting permit to lease under AS 38.05.150, \$2,000 for up to 80 hours of staff time;

(D) assignment of prospecting permit or lease under AS 38.05.150, \$500 for up to 20 hours of staff time;

(E) amendment or extension of prospecting lease under AS 38.05.150, \$500 for up to 20 hours of staff time;

(F) establishment of a Coal Mining Unit (CMU); \$500 for up to 20 hours of staff time;

(G) rental and royalty relief, \$500;

(H) suspension of production or operations under AS 38.05.140(d), \$500;

(I) modification of work commitment, \$150;

(2) fee for an application for surface or subsurface use for phosphates, sodium, sulphur, oil shale and potassium authorizations are the same as in (1) of this subsection;

(3) fee for an application for an oil and gas, gas only, gas storage or geothermal authorization

(A) geothermal prospecting permit, \$200;

(B) conversion of geothermal prospecting permit to lease, \$200;

(C) assignment of geothermal prospecting permit or lease, \$450;

(D) formation of unit or Cook Inlet discovery royalty, \$10,000;

(E) amendment or expansion of unit agreement, \$1,500;

(F) plan of operations on leased land, \$750 each application;

(G) amendment of a plan of operations on leased lands, \$250;

(H) land use permit for exploration on unleased land, \$500;

(I) rental and royalty relief or reduction, \$500;

(J) suspension of production or operations, \$500;

(K) oil and gas or gas only storage lease, \$500;

(L) modification of work commitment, \$150;

(M) transfer of an interest in an oil and gas or gas only lease, oil and gas or gas only exploration license, geothermal prospecting permit or lease, or gas storage lease, including initial separation of an overriding royalty interest and working interest,

(i) for a single lease, \$300;

(ii) for each additional lease filed as part of a single package, from the same assignor and to the same assignee and transfer percentages as in (i) of this subparagraph, \$100;

(N) extension of an oil and gas or gas only lease, \$2,000;

(4) fee for each additional hour in excess of the maximum hours listed in (1) or

(2) of this subsection \$50. (Eff. ___/___/___, Register ___)

| | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 27.21.030 | AS 38.05.035 | AS 38.05.255 |
| | AS 37.10.050 | AS 38.05.133 | AS 38.05.850 |
| | AS 37.10.058 | AS 38.05.177 | AS 41.06.020 |
| | AS 38.05.020 | AS 38.05.180 | AS 44.37.020 |

11 AAC 05.120. Locatable minerals. (a) The fees for authorizations and services regarding mining operations under AS 27 and AS 38 for locatable minerals shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the greater of the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(3) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

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

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

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

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

(D) a competitive offshore mining lease

(i) for a total of no more than 500 acres in area, \$750 for up to 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 48 hours of staff time;

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

(iv) for a total greater 5,000 acres in area, the fee listed in (iii) of this subparagraph plus \$500 for up to 16 hours of staff time for each additional 1,000acre 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. The fee is not otherwise refundable;

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

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

(F) 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 tide and submerged land prospecting permit or prospecting site,

(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; water use application fees under 11 AAC 05.260 will also be required where appropriate;

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

(H) activities subject to the exemption for small operations described in AS 27.19.050 associated with a mining claim, mining lease, leasehold location, tide and submerged land prospecting permit or prospecting site;

(i) a plan of operations under 11 AAC 86.150 or 11 AAC 86.800, \$250 for up to 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; 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; water use application fees under 11 AAC 05.260 will also be required where appropriate;

(I) filing of a letter of intent for the exemption of small operations under AS 27.19.050 with the application with a plan of operations, no fee;

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

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

(ii) for 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;

(K) 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 tide and submerged land prospecting permit or prospecting site, \$250 for up to 10 hours of staff time;

(M) inspection of a mining claim, mining lease, leasehold location, a tide 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;

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

(2) annual fee for a locatable mining authorization for

(A) a prospecting permit, \$300;

(B) a millsite lease, as determined at the discretion of the director, an annual rent of either;

(i) \$500 each acre; or

(ii) the yearly fair market rental value of the land;

(C) a millsite permit located outside the boundaries of the mining claim, mining lease or leasehold location, the yearly fair market rental value of the land;

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

(d) The department will establish the fees for a voluntary large mine permitting process on a negotiated basis to reflect agency costs. (Eff. ___/___/___, Register ___)

| | | | |
|------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.035 | AS 44.37.020 |
| | AS 37.10.058 | AS 38.05.250 | AS 46.15.020 |
| | AS 38.04.900 | AS 38.05.255 | AS 46.15.035 |
| | AS 38.05.020 | AS 38.05.850 | |

11 AAC 05.130. Material sales. (a) The fees for authorizations and services regarding disposals of material under AS 38 shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(3) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

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

(A) designation 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) negotiated material sale from a designated material site or source, \$150;

(D) negotiated material sale other than a designated material site or source, such as from state land under a state-issued permit, land lease or right-of-way, for use on

a permit, land lease or right-of-way, \$250 for up to 10 hours of staff time; this application fee may be waived if the application for sale of material is required by the circumstances of the application for a land lease, permit, 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;

(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;

(2) for each cubic yard of material other than (b) of this section, the fee listed in the department's price schedule established under AS 38.05.550 and 11 AAC 71.090;

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

(d) The fee for the sale of materials to a federal, state, or municipal agency for use in constructing, reconstructing, or maintaining a public project,

(1) for the first 5,000 cubic yards of materials to be used on the project, no charge; each year of maintenance on an ongoing basis constitutes a separate project;

(2) for each cubic yard of materials beyond 5,000 cubic yards, the base fee listed in the annual base price schedule established under 11 AAC 71.090; (Eff. ___/___/___, Register ___)

| | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.035 | AS 38.05.560 |
| | AS 37.10.058 | AS 38.05.550 | AS 38.05.565 |

AS 38.04.900

AS 38.05.555

AS 44.37.020

AS 38.05.020

11 AAC 05.140. Mineral regulatory authorities. (a) The fees for authorizations and regulatory services under AS 27 and AS 38

shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(3) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

(1) fee for an application, petition for an authorization or service, for

(A) notice of intent to explore for coal filing fee, \$100;

(B) coal exploration permit, including minor revisions and amendments, \$1,500 for up to 60 hours of staff time;

(C) coal surface mining permit, \$1,500 for up to 60 hours of staff time;

(D) major revision of coal surface mining permit or incidental boundary revision, \$1,500 for up to 60 hours of staff time;

(E) renewal of coal surface mining permit within previously approved boundaries, \$1,500 for up to 60 hours of staff time;

(F) renewal of coal surface mining permit with additional acreage, \$2,000 for up to 80 hours of staff time;

(G) transfer, assignment, or sale of surface coal mining permit, \$1,500 for up to 60 hours of staff time;

(H) geothermal exploration permit, \$150 for up to 6 hours of staff time;

(I) geothermal drilling permit, \$300 for up to 12 hours of staff time;

(J) blaster's certification under 11 AAC 90.775, \$150;

(2) the following annual fees for surface use authorizations shall be established by order of the director, and may not exceed;

(A) coal exploration permit, \$500;

(B) coal surface mining permit, \$500;

(C) geothermal exploration permit, \$500;

(D) geothermal drilling permit, \$500;

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

| | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 27.21.030 | AS 38.04.900 | AS 38.05.181 |
| | AS 27.21.940 | AS 38.05.020 | AS 38.05.255 |
| | AS 37.10.050 | AS 38.05.035 | AS 44.37.020 |
| | AS 37.10.058 | | |

11 AAC 05.150. Non-timber forest products. (a)The fees for limited value non-timber forest product commercial harvest products and services shall be established by a written order of the director of the Division of Mining, Land and Water; the order will;

(1) establish fees that will not exceed the amounts established under (b) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) Fees to obtain products and services listed under this subsection may not exceed the following amounts:

(1) for a combined application and minimum permit fee permit, \$200;

(2) for a permit for the commercial use or commercial harvest of forest products other than timber, with weights determined before drying or processing of the fresh-harvested product, in excess of the minimum fee prescribed in (b)(1) of this section are as follows:

(A) \$3 each for sheets of birch bark up to 10 square feet in size;

(B) \$5 each for strips of cedar bark;

(C) \$.70 each pound for bark other than cedar or birch;

(D) \$3 each gallon for berries and berry-like fruits;

(E) \$.70 each pound of buds and tips;

(F) \$20 each tree for tree burls and galls;

(G) \$.40 each pound for cones;

(H) \$.75 each pound for conks excepting quinine conk or chaga conk;

(I) \$4.50 each for quinine conk;

(J) \$10 each for chaga conk;

(K) \$.2 each for dormant willow, dogwood, and poplar cuttings for revegetation up to two inches in diameter and five feet in length;

(L) \$3 each for stems of diamond willow from two to two-and-a-half inches in diameter, \$4 each for stems of diamond willow up to four inches in diameter, \$6 each for stems of diamond willow up to six inches in diameter, and \$15 each for stems of diamond willow greater than six inches in diameter;

(M) \$.15 each for evergreen boughs;

(N) \$.10 each for stems of floral greenery and decorative seed heads;

(O) \$.75 each pound for leaves and flowers from woody plants;

(P) \$1.50 each pound for lichens and mosses;

(Q) \$1.50 each pound for mushrooms;

(R) \$1.50 each pound for above-ground growth of non-woody perennial plants;

(S) \$1.50 each pound for edible and medicinal roots;

(T) \$.75 each foot for fibrous roots;

(U) \$3 each ounce for seeds;

(V) \$.75 each for stems and branches of deciduous woody species;

(W) \$.75 each for plugs of herbaceous perennials;

(X) \$7 each for shrubby perennials with root ball;

(Y) \$.08 each for sprigs;

(Z) \$10 each for tree saplings not exceeding eight feet tall or one and one half inches in diameter whichever is greater, with diameter measured six feet above ground level, with root ball; and

(AA) \$.75 each tap for birch sap. (Eff. ___/___/___, 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

11 AAC 05.160. Other, or general, land management not covered elsewhere. (a) The fees for authorizations and services for land management not covered elsewhere shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this

section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(2) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

(1) the fees to apply for the following authorizations or other land management services not covered elsewhere, for:

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

(B) 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) 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) 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;

(2) fee for each additional hour in excess of the maximum hours listed in (1) of this subsection, \$50. (Eff. ___/___/___, 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 38.04.065 | AS 38.05.600 | AS 41.23.440 |
| | AS 38.04.900 | AS 38.05.810 | AS 44.37.011 |
| | AS 38.05.020 | AS 38.05.850 | AS 44.37.020 |
| | AS 38.05.035 | AS 38.08.110 | AS 44.37.025 |
| | AS 38.05.057 | AS 38.09.020 | AS 44.37.027 |
| | AS 38.05.082 | AS 38.09.110 | AS 45.29.525 |
| | AS 38.05.083 | AS 38.35.020 | AS 45.50.315 |
| | AS 38.05.102 | AS 38.35.050 | AS 46.15.020 |
| | AS 38.05.133 | AS 38.35.140 | AS 46.15.035 |
| | AS 38.05.177 | AS 38.50.160 | AS 46.15.037 |
| | AS 38.05.180 | AS 38.95.240 | |
| | AS 38.05.250 | AS 40.15.370 | |

11 AAC 05.170. Parks and outdoor recreation. (a) Except for activities in a state park operated under a concession contract or a competitive and exclusive use permit

(1) the fee for overnight use of a developed campsite, except the uses covered in (6) of this subsection, shall be established by order of the director and posted in pertinent campgrounds, but may not exceed the greater of

(A) \$60 each night, each site; or

(B) \$60 each vehicle, each night, except that a second vehicle is free if the developed campsite is numbered and can accommodate a second vehicle without hindering campground traffic flow or the use of nearby or adjoining campsites, parking of the two vehicles will not result in the vehicles being driven or parked off of a developed road or parking space, and the total number of campsite occupants is no more than 12 persons or no more than the total number established under 11 AAC 12.210;

(2) in establishing the fees under (1) of this subsection, the director shall consider

(A) the type of campsites in the park unit;

(B) public demand for the park unit's campsites;

(C) prevailing fees at nearby public and private facilities of a similar nature;

(D) the park unit's proximity to urban areas; and

(E) other factors affecting the park unit's quality, such as density of campsites, forest cover, and adjoining land uses;

(3) the fee for use of a public use cabin in a state park unit shall be established by order of the director, but may not exceed \$200 each night;

(4) the fees for the following shall be established by order of the director, and may not exceed

(A) \$60 each person for guided tours of historic sites;

(B) \$50 each boat each day, or \$300 each boat each year for a calendar year annual boat launching pass decal, for use of an improved boat ramp in a park facility developed principally for boat launching;

(C) \$30 each vehicle for use of a dump station;

(D) \$1,000 each day for a special park use permit that allows the reserved exclusive use of a park facility or building, including a visitor center, historic building, shelter, group picnic area, group activity area, and group camping area;

(E) \$15 each bundle for the sale of firewood;

(F) \$10 each vehicle each calendar day, or \$200 each vehicle for a annual pass, for parking for day use of a developed trailhead, access site, or picnic site that has developed parking and rest rooms;

(G) \$25 for each person over 10 years of age for admission to a visitor center or historic site;

(H) \$60 for each person over 10 years of age who is in attendance at a program related to natural or cultural history, outdoor skills or education, or other topics concerned with public use, enjoyment, or understanding of parks; or

(I) \$100 for a non-transferable calendar year annual historic site pass decal;

(5) fees for a park use permit for a non-commercial activity, as follows:

(A) for a permit required under 11 AAC 18.010(a)(1) or an authorization under 11 AAC 21.120(a)(1), the fee is \$100;

(B) for a permit required under 11 AAC 18.010(a)(2), (4) - (6), (8), (10), or (11), the permit application fee is the cost to the department for processing the application, not to exceed \$500; if the permit is granted, the additional permit fee for department activities directly related to the permit to minimize impacts on the park is the anticipated cost to the department of those activities, not to exceed \$10,000;

(C) for a permit described in this paragraph, the director may waive all or a portion of the fees described in this paragraph, if the director determines that the department's anticipated cost of activities directly related to the permit and the impact on the park of the use under the permit are negligible;

(6) the fees for a non-competitive park use permit for commercial activity, as defined in 11 AAC 12.340, are

(A) a \$500 non-refundable permit application processing fee;

(B) an additional permit fee established by order of the director but not to exceed \$1,000 for residents and not to exceed \$2,000 for non-residents if the application is granted, except that for any sport fishing guide services within the Kenai River Special Management Area a \$1,500 permit fee for residents and a \$3,000 permit fee for non-residents is required if the application is granted;

(C) a park user fee negotiated under 11 AAC 18.030 or 11 AAC 21.100(b);

(D) an annual fee of \$300 for each rental boat provided for use in the Kenai River Special Management Area under 11 AAC 18.030 and 11 AAC 20.890, in addition to fees applicable under (A) or (B) of this paragraph;

(7) for purposes of this section, "director" means the director of the division of parks and outdoor recreation, in the department;

(8) for the purposes of this section, "overnight use" means using or occupying a campsite by a person or vehicle, or erecting a tent or shelter or arranging bedding, or both, in order to stay any time at a site between 6:00 p.m. and 9:00 a.m. local time;

(9) for the purposes of this section, "vehicle" means a motorized or non-motorized device, capable of carrying people or objects, that is used as the principal means of access to or occupancy of a campsite, and includes automobiles, trucks, motorhomes, aircraft, motorcycles, campers, and trailers;

(10) for purposes of this section, "resident" means the same as defined in AS 16.05.940;

(11) for the purposes of this section, "guide services" means services offered or supplied by a person to another person with the intent of receiving valuable consideration through barter, trade, or other commercial means, by accompanying and directing the other person's activities in a state park; "guide services" include operating a vehicle to provide transportation for any recreational activity, including hunting, fishing, hiking, skiing, mountaineering, photography, sightseeing, rafting, kayaking, canoeing, and flying; supplying equipment and personal instruction for its use while in a park; baiting hooks; netting and cleaning fish; cooking meals; assisting with rod and reel operation; assisting in the taking of wildlife; leading; teaching; training; supervising; protecting; and choosing routes, paths, and recreational use methods;

(12) for purposes of this section, "sport fishing guide" means a person who provides guide services to another person in pursuit of catching or taking fish, or the experience associated with attempting to catch or take fish;

(13) for purposes of this section, "rental boat" means a boat as defined in AS 05.25.100 and the provision of which constitutes a commercial activity under 11 AAC 12.340 and 11 AAC 20.890;

(b) For activities in a state park operated under a concession contract or a competitive and exclusive use permit, fees are set by order of the director and

(1) may not exceed the maximum amount established under (a) of this section;

(2) the order must state whether a calendar year annual pass purchased under (a) of this section covers the fees charged under this subsection; and

(3) must be conspicuously posted in the affected state park.

(c) The director may waive all or a portion of the fees required under (a)(6)(B) and (a)(6)(C) of this section after determining in writing that:

(1) collection of additional fees would not be cost-effective for the department;

(2) the fees would represent an unreasonable percentage of the receipts collected by the commercial operator for that activity; or

(3) no similar service exists in the park and it is in the public interest to encourage the commercial operation by waiving the fees. (Eff. ___/___/___, Register ___)

| | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.035 | AS 41.21.020 |
| | AS 37.10.058 | AS 38.05.295 | AS 41.21.026 |
| | AS 38.04.900 | AS 38.05.850 | AS 44.37.020 |
| | AS 38.05.020 | | |

11 AAC 05.180. Permits, revocable and temporary surface authorizations and cabin use authorizations. (a) 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. A fee based on acreage applies to each acre or fractional acre. Except where a fee is by statute or required by statute to be based on appraised market value, the fees to apply for authorizations,

fees to obtain revocable and temporary surface use authorizations and fees for services under AS 38 shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(3) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and

including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

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

(A) land use permit for;

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

(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, \$300;

(C) land use permit under AS 38.05.850 not addressed in (A) or (B) of this paragraph, \$500 for up to 20 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 \$5 each visitor day for use;

(H) permit for an unauthorized surface use or occupation of state-owned land initiated prior to January 1, 2018, \$500 in addition to fees in (B) or (C) of this paragraph;

(2) The fees for the following revocable and temporary surface use authorizations and cabin use authorizations shall be established by order of the director, and may not exceed

(A) trapping cabin

(i) use permit under AS 38.95.075, an annual fee of \$300;

(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, an annual fee of

(i) \$500 if the facility is removed after a period of less than six months;

(ii) \$1,000 if the facility remains in place six months 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, an annual fee of:

(i) \$500 if the facility is removed after a period of less than six months, plus a fee of \$0.25 for each square foot of structure authorized;

(ii) \$1,000 if the facility remains in place six months or more, plus a fee of \$0.25 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, an annual fee that is the largest of the following applicable fees:

(i) if the facility is removed after a period of less than six months, \$1,000, plus a fee of \$0.75 for each square foot of structure authorized;

(ii) if the facility remains in place six months or more, \$2,000, plus a fee of \$0.75 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 is used for a period of less than six months each year, \$1,000, plus a fee of \$5 each visitor day for use;

(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 is used for six to 12 months each year, \$2,000, plus a fee of \$5 each visitor day for use;

(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, an annual fee of \$300;

(F) land use permit under AS 38.05.850 for commercial use of a structure or facility not covered by (G) of this paragraph, such as a commercial mooring buoy, fish holding pen, log storage, A-frame logging, or equipment staging area for a construction project, an annual fee of \$750 for the first acre, plus \$300 for each additional acre;

(G) land use permit under AS 38.05.850 for commercial recreational use of state land not covered under (D) or (F) of this paragraph, including commercial filming and recreational events, an annual fee of;

(i) \$1,500 if the activity is, or facility remains, for a period of less than six months, plus a fee of \$5 each visitor day for use;

(ii) \$3,000 if the activity is, or facility remains, in place six months or more, plus a fee of \$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), an annual fee of \$300 for each acre;

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

(i) if fenced, an annual fee of \$500 for first acre, plus an annual fee of \$150 each additional acre, plus a fee each head month that is 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, with a minimum charge of \$500 each year; or

(ii) if unfenced, an annual fee each head month that is 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, with a minimum charge of \$300 each year;

(J) other land use permit under AS 38.05.850 for a use not covered by (B) - (I) of this paragraph that does not hinder other public use, such as moving heavy equipment across state land, an annual fee of \$300;

(K) other land use permit under AS 38.05.850 for a use not covered by (B) - (J) of this subsection that may interfere with public use, including private use ice roads, an annual fee of \$150 each acre with a \$300 minimum;

(L) personal use cabin permit under former AS 38.04.035(4) and 11 AAC 65.040, an annual cabin rental fee of \$300, plus \$0.75 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;

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

(d) In this section, the computation of square feet of authorized structure includes the entirety of the areas authorized, including any out-buildings, sheds, porches decks, boardwalks, covered walkways, addition floors or lofts of a structure, attics, basements or root cellars, driveways and parking areas.

(e) In addition to a fee prescribed under (c)(1) of this section for surface use authorizations issued to authorize an unauthorized use installed prior to January 1, 2018, the applicant for the prior-installed surface use authorization shall pay the annual fee prescribed under (c)(2) of this section for each year the applicant occupied or used state land before issuance of the authorization; this provision may be waived if in the department determines the use or improvement is in the public interest, or if the use or improvements predate the applicant's occupancy or ownership. (Eff. ___/___/___, Register ___)

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|-------------------|--------------|--------------|--------------|
| 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 | |

Editor's note: The Forest Service Manual referenced in 11 AAC 05.180(b)(2)(I) is available for inspection at United States Forest Service offices in Juneau (the regional or main office), Anchorage, Cordova, Girdwood, Seward, Sitka, Ketchikan, Petersburg, Hoonah, Craig, Yakutat, Thorne Bay, and Wrangell.

11 AAC 05.190. Public use areas. (a) 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. A fee based on acreage applies to each acre or fractional acre. Except where a fee is by statute or required by statute to be based on appraised market value, the fees to apply for authorizations, fees to obtain revocable and temporary surface use authorizations and fees for services under AS 38 covered by this section shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) Reserved

(c) For the Knik Public Use Area:

(1) fees for a land use permit under AS 38.05.850 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 for

the following shall be established by order of the director, and may not exceed the following amounts

(A) use or occupancy of the shooting range as follows:

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

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

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

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

(v) personal use or occupancy permit pass, each person, each calendar year, \$250

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

(vii) commercial use or occupancy permit, each calendar day, \$500;

(viii) state, federal or local agency use or occupancy permit, each calendar day, \$250. (Eff. ___/___/___, Register ___)

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|-------------------|--------------|--------------|--------------|
| 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 |

11 AAC 05.200. Recorder's office. (a) Fees for products, publications or services under AS 40 of the recorder's office are as follows:

- (1) recording first page of a document, \$20;
- (2) recording second and each subsequent page of the same document, \$5;
- (3) indexing, each name or location over six, \$2;
- (4) plat recording fee,
 - (A) \$20 for first sheet; and
 - (B) \$5 for each additional sheet;
- (5) certifying copies, \$5 each document;
- (6) conforming copies, \$2 each document;
- (7) photocopies of recorded documents,
 - (A) \$1.25 for first page; and
 - (B) \$.25 for each additional page of the same document;
- (8) plat copies
 - (A) any size on paper, \$5 each sheet;
 - (B) any size on polyester film, \$12 each sheet;
- (9) CD-ROM or electronically transferred files from the archives unit of the state recorder's office of
 - (A) daily recorded document images for a single district not to exceed 100 sequential documents each month, \$10 each district;

(B) daily recorded document images for a single district for 101 to 250 sequential documents each month, \$20 each district;

(C) daily recorded document images for a single district for 251 or more sequential documents each month, \$30 each district;

(D) monthly recorded plat images for a district, \$25 each district;

(E) historical plat images, \$.50 each image, with a \$25 minimum charge for up to 50 plat images;

(F) filed document images for a day or a week, \$10 for up to 50 sequential documents, \$15 for 51 to 100 sequential documents, \$20 for 101 to 250 sequential documents, and \$25 for 251 or more sequential documents;

(G) filed document images for a month, \$50; or

(H) historical book volumes, limit of 10 book volumes each CD, \$25 each book;

(10) recording a nonstandard document as described in 11 AAC 06.040, \$50 each document, in addition to all other applicable recording fees. (Eff. ___/___/___, Register ___)

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|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.035 | AS 44.37.020 |
| | AS 37.10.058 | AS 40.15.370 | AS 44.37.025 |
| | AS 38.04.900 | AS 40.17.030 | AS 45.29.525 |
| | AS 38.05.020 | | |

11 AAC 05.210. Recreation rivers system. (a) 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. A fee based on acreage applies to each acre or fractional acre. Except where a fee is by statute or required by statute to be based on appraised market value, the fees to apply for authorizations, fees to obtain revocable and temporary surface use authorizations and fees for services under AS 38 covered by this section shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(3) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

(1) application for issuance, extension, or amendment of land use recreation rivers permit or commercial-use permit application for use within the recreation rivers system, for

(A) \$300 for up to 20 hours of staff time;

(2) the fees for the following commercial-use revocable and temporary surface use authorizations for recreation-related commercial uses, for

(A) a flat annual rate fee of \$450; plus

(B) on or after January 1, 1997, an additional fee, if applicable, as follows:

(i) five percent of the total gross revenues from fees charged to drop-off clients who are transported to a recreation river and who remain there unaccompanied by the permit holder or an employee of the permit holder;

(ii) a fee of \$15 each day each client accompanied during use of a recreation river by the permit holder or an employee of the permit holder;

(iii) a fee of \$5 for each day's rental of a non-motorized boat, and \$9 for each day's rental of a motorized boat, on a recreation river; no fee is required under this clause if client fees described in (A) or (B) of this paragraph include rental of a boat;

(C) commercial-use permit for a commercial camp within the recreation rivers system, an annual fee determined as in 11 ACC 05.170(b)(2)(E), plus 20 percent, in addition to applicable fees under (3) of this subsection;

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

(d) The commissioner will waive the annual land use permit fee prescribed in this section for access within a recreation river corridor, if the commissioner determines that the permit is necessary to provide access to private property or a mining location within the recreation river corridor and a feasible and prudent alternative does not exist to provide that access. (Eff.

___/___/___, Register ___)

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|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.020 | AS 41.23.440 |
| | AS 37.10.058 | AS 38.05.035 | AS 44.37.020 |
| | AS 38.04.900 | AS 38.05.850 | |

11 AAC 05.220. Special use areas.

(No Regulations Filed)

11 AAC 05.230. Surface land leasing. (a) The fees for authorizations and services, under AS 38 covered by this section. Except where a fee is by statute or required by statute to be based on appraised market value, the fees for authorizations and services under AS 38 for easements and rights-of-way shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(8) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

(1) the following fees for an application for surface use lease under AS 38.05.070, for

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

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

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

(B) surface land lease through AS 38.05.810(a) – (d),

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

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

(C) 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, \$2,500 for up to 100 hours of staff time;

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

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

(ii) for 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 lease, 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 lease, 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 installed prior to January 1, 2018, \$1,000, in addition to fees in (A), (B), (C) or (D) of this paragraph;

(2) the following fees for an application for a shore fishery lease under AS 38.05.082 shall be established by order of the director, and may not exceed

(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) the following fees for an application for an aquatic farmsite lease under AS 38.05.083 shall be established by order of the director, and may not exceed

(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 3 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) for a renewal of an aquatic farmsite lease,

(i) for a total of one acre or less in size, \$350 for up to 14 hours of staff time;

(ii) for a total of greater than one acre but no more than 3 acres, \$750 for up to 30 hours of staff time; or

(iii) for greater than one acre, \$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, \$200 for up to 8 hours of staff time;

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

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

(4) fee for an 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) fees for surface lease issued under AS 38.05.600, the fees for the following shall be established by order of the director, and may not exceed

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

(i) during the first term of the lease, an annual rental fee of \$300 each site;

(ii) during the second term of the lease, an annual rental fee of \$1,500 each site;

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

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

(d) In addition to a fee prescribed under (b)(1) of this section for surface use authorizations issued to authorize a use installed prior to January 1, 2018, the applicant for the prior-installed surface use authorization shall pay the annual fee prescribed under (b)(2) of this section for each year the applicant occupied or used state land before issuance of the authorization; this provision may be waived if in the department determines the use or improvement is in the public interest, or if the use or improvements predate the applicant's occupancy or ownership. (Eff. ___/___/___, Register ___)

| | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.070 | AS 38.05.095 |
| | AS 37.10.058 | AS 38.05.073 | AS 38.05.102 |
| | AS 38.04.900 | AS 38.05.075 | AS 38.05.810 |
| | AS 38.05.020 | AS 38.05.082 | AS 41.23.440 |
| | AS 38.05.035 | AS 38.05.083 | AS 44.37.020 |

11 AAC 05.240. Survey and platting. (a) The fees for authorizations and services under AS 34, AS 38 and AS 40 for surveys and platting services, and approvals shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that an authorization, petition, or other service will require additional costs, or staff time in excess of the maximum hours set out in (c)(1) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(2) of this section for staff time in excess of the maximum hours set out in (c)(1) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(3) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the following amounts:

(1) the fees for the following survey and platting services and approvals, for

(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 tide 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,

(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;

(2) fee for each additional hour in excess of the maximum hours listed in (1) of this subsection, \$75. Eff. ___/___/___, Register ___)

| | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.082 | AS 38.09.110 |
| | AS 37.10.058 | AS 38.05.083 | AS 38.50.160 |
| | AS 38.04.045 | AS 38.05.102 | AS 40.15.305 |
| | AS 38.04.900 | AS 38.05.600 | AS 40.15.360 |
| | AS 38.05.020 | AS 38.05.810 | AS 40.15.370 |
| | AS 38.05.035 | AS 38.05.850 | AS 40.15.380 |
| | AS 38.05.070 | AS 38.09.020 | AS 44.37.020 |

11 AAC 05.250. Uniform commercial code (UCC). (a) Fees (UCC) for services and products are as follows:

- (1) UCC initial financing statement, \$20 each filing;
- (2) UCC amendment, including an assignment, continuation, partial release, or termination, \$10 each function;
- (3) UCC information statement, \$10 each filing;
- (4) UCC transmitting utility filing, \$50 each filing;
- (5) request for information, \$15 each debtor name;
- (6) request for information with copy, \$25 each debtor name;
- (7) individual copy, \$2;

(8) certification, \$5 added to the copy fee set out in (7) of this subsection. (Eff.

___/___/___, Register ___)

Authority: AS 37.10.050 AS 38.05.020 AS 44.37.020
AS 37.10.058 AS 38.05.035 AS 44.37.027
AS 38.04.900

11 AAC 05.260. Water management and Dam Safety. (a) The fees for designated regulatory services under AS 46.15 shall be established by a written order of the director of the Division of Mining, Land and Water. The order will:

(1) establish fees that will not exceed the amounts established under (c) of this section; and

(2) be posted

(A) continuously from the date of issuance of the order on the Division of Mining, Land and Water's public Internet webpage, and

(B) on the Alaska Online Public Notice System for 30 consecutive days from the date of issuance of the order.

(b) When the department determines that a designated regulatory service under AS 46.15 will require additional costs, or staff time in excess of the maximum hours set out in (c)(2), (3), (4), (5), (10) or (13) of this section, but that a higher fee under 11 AAC 05.270 is not required; then, in addition to the fee established by the director's order under (a) of this section:

(1) the department may

(A) charge additional hourly fee under (c)(2), (3), (4), (5), (10) or (13) of this section for staff time in excess of the maximum hours set out in (c)(2), (3), (4), (5), (10) or (13) of this section to pay for the estimated actual staff cost for provision of the services requested; and

(B) charge any additional fees necessary to pay for estimated actual costs under AS 37.10.050(a), including costs under 11 AAC 05.200 for recordation by the department, and including costs allowable under AS 37.10.052 - 37.10.058 for travel, publication, or professional services;

(2) before charging any additional fees under (1) of this subsection, the department shall attempt to reach a negotiated service agreement with the applicant under AS 37.10.052(b);

(3) the department will provide the applicant or petitioner written estimates detailing any additional costs for the department to continue processing the application;

(4) the department may require payment of the appropriate additional fee amount before the department undertakes additional processing.

(c) The fees established by the director's order in (a) of this section will not exceed the amounts set out in the following table:

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|---|---|--|--|---|
| (1) appropriation of water under AS 46.15.040, for one single-family residence or duplex, or for a water use associated with one single-family residence or | \$150 | \$75 | \$75 | not applicable |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|--|---|--|--|---|
| duplex | | | | |
| (2) appropriation of water under AS 46.15.040, for support of exploration, construction, development, operation, production, | \$2,000, for up to 80 hours of staff time | \$450, for up to 18 hours of staff time | \$1,125, for up to 45 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 |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|--|---|--|--|---|
| transportation, or maintenance activities related to oil and gas and associated substances, except for retail distribution | | | | request |
| (3) appropriation of water under AS | \$2,000, for up to 80 hours of staff | \$450, for up to 18 hours of staff | \$1,125, for up to 45 hours of staff | \$50 each hour, for each |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|---|--|---|---|--|
| 46.15.040, for support of exploration, construction, development, operation, production, transportation, or maintenance activities related to | time | time | time | additional hour in excess of the maximum hours listed in this subparagraph for an application or request |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|---|---|--|--|---|
| locatable mining except for retail distribution | | | | |
| (4) appropriation of water under AS 46.15.040, for hydroelectric power generation | \$2,000, for up to 80 hours of staff time | \$450, for up to 18 hours of staff time | \$1,125, for up to 45 hours of staff time | \$50 each hour, for each additional hour in excess of the maximum hours |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|--|--|---|---|--|
| capacity greater than 100 kilowatts | | | | listed in this subparagraph for an application or request |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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 hydrological unit under AS 46.15.035 and AS 46.15.037 | \$2,000, for up to 80 hours of staff time | \$450, for up to 18 hours of staff time | \$1,125, for up to 45 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 |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|--|---|--|--|---|
| (6) appropriation of water under AS 46.15.040, for 5,000 gallons a day or less, for a use not listed in (1) - (5) of this subsection | \$350 | \$200 | \$250 | not applicable |
| (7) appropriation of water under AS | \$700 | \$350 | \$600 | not applicable |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|---|---|--|--|---|
| 46.15.040, for greater than 5,000 gallons a day and no more than 30,000 gallons a day, for a use not listed in (1) - (5) of this subsection | | | | |
| (8) appropriation of water under AS | \$900 | \$ 350 | \$800 | not applicable |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|--|--|---|---|--|
| 46.15.040, for greater than 30,000 gallons each day and no more than 100,000 gallons each day for a use not listed in (1) - (5) of this subsection | | | | |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|---|--|---|---|--|
| (9) appropriation of water under AS 46.15.040, for greater than 100,000 gallons each day for a use not listed in (1) - (5) of this subsection | \$1,500 | \$350 | \$900 | not applicable |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|--|--|---|---|---|
| (10) reservation of water under AS 46.15.145 | \$2,500, for up to 100 hours of staff time | not applicable | \$1,400, for up to 56 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 |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|---|--|---|---|--|
| (11) statement of beneficial use under 11 AAC 93.130, including recordation by the department under 11 AAC 06.040 of the certificate of appropriation | \$100 | not applicable | not applicable | not applicable |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|---|--|---|---|--|
| (12) preferred use status under AS 46.15.150, fee is in addition to other applicable fees in this subsection, and | \$1,200 | not applicable | not applicable | not applicable |

| Regulatory service to which an application or filing relates: | Application fee for permit or other filing: | Fee for request for extension of either permit or authorization: | Application 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: |
|--|--|---|---|---|
| (13) temporary water use under AS 46.15.155, including up to five water sources for all uses | \$550 for up to 22 hours of staff time | \$350 for up to 14 hours of staff time | \$350 for up to 14 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 |

(c) Fees for dam safely authorizations are as follows:

(1) certificate of approval under 11 AAC 93.167 for a dam constructed before May 31, 1987, \$150 for each foot of vertical height of the dam measured in accordance with 11 AAC 93.153;

(2) certificate of approval under 11 AAC 93.171 for dam construction, repair, modification, a fee, based on the cost estimate prepared under 11 AAC 93.171(f)(4)(D), and according to the following cumulative schedule, but in no case less than \$1,500:

(A) for the first \$100,000, a fee of two percent of that portion of the estimated cost;

(B) for the next \$400,000, a fee of one percent of that portion of the estimated cost;

(C) for the next \$500,000, a fee of one-half of one percent of that portion of the estimated cost;

(D) for all costs in excess of \$1,000,000, a fee of one-quarter of one percent of that portion of the estimated cost;

(3) transfer of certificate of approval issued under 11 AAC 93.167, 11 AAC 93.171, or 11 AAC 93.173, \$300;

(4) certificate of approval under 11 AAC 93.172 for dam removal or abandonment, \$50 for each foot of vertical height of the dam measured in accordance with 11 AAC 93.153 up to a maximum fee of \$2,000;

(d) Fee for staff time for research, \$50 for each hour;

(e) Fees for annual administrative service fee for each appropriation of water for which a permit, certificate, or an authorization for temporary use of water has been issued, \$50 each year; however, the following uses are exempt from the annual administrative service fee:

(1) a permit, certificate or authorization for temporary use of water authorizing the use of 500 gallons or less each day for all uses;

(2) a permit, certificate or authorization for temporary use of water authorizing domestic use of 1,500 gallons or less each day for one single-family residence or duplex;

(3) a reservation of water under AS 46.15.145;

(f) Fees for inspection for onsite monitoring of a permit to appropriate water, a certificate of appropriation, or a temporary water use authorization issued under AS 46.15, not more than \$500 each year each permit, certificate or authorization issued, unless otherwise specified as a condition of the permit, certificate or authorization;

(g) Water conservation fee for water appropriated or to be appropriated in accordance with AS 46.15.040 and removed from a hydrologic unit in accordance with AS 46.15.035 is as follows and applies to the total quantity of water appropriated or removed within a calendar year, by a person, as defined in AS 46.15.260, or a combination of related persons:

(1) \$3 each acre-foot each year for any appropriation of a significant amount of water up to 5,000 acre-feet, or for any other significant amount of water, as defined in 11 AAC 93.035, with a minimum fee of \$ 50;

(2) \$6 each acre-foot each year for more than 5,000 and up to 15,000 acre-feet;

(3) \$8 each acre-foot each year for more than 15,000 and up to 25,000 acre-feet;

(4) \$12 each acre-foot each year for more than 25,000 and up to 50,000 acre-feet;

(5) \$15 each acre-foot each year for more than 50,000 and up to 100,000 acre-feet;

(6) \$18 each acre-foot each year for more than 100,000 and up to 150,000 acre-feet;

(7) \$21 each acre-foot each year for more than 150,000 and up to 300,000 acre-feet;

(8) \$24 each acre-foot each year for more than 300,000 and up to 500,000 acre-feet;

(9) \$27 each acre-foot each year for more than 500,000 and up to 1,000,000 acre-feet; and (10) \$30 each acre-foot each year for more than 1,000,000 acre-feet;

(h) Water conservation fee for water purchased from the state and removed from a hydrologic unit in accordance with AS 46.15.037 is as follows and applies to the total quantity of water purchased within a calendar year, by a person, as defined in AS 46.15.260, or a combination of related persons:

(1) \$2 each acre-foot each year for any water up to 5,000 acre-feet with a minimum fee of \$ 50;

(2) \$4 each acre-foot each year for more than 5,000 and up to 15,000 acre-feet;

(3) \$6 each acre-foot each year for more than 15,000 and up to 25,000 acre-feet;

(4) \$8 each acre-foot each year for more than 25,000 and up to 50,000 acre-feet;

(5) \$10 each acre-foot each year for more than 50,000 and up to 100,000 acre-feet;

(6) \$12 each acre-foot each year for more than 100,000 and up to 150,000 acre-feet;

(7) \$14 each acre-foot each year for more than 150,000 and up to 300,000 acre-feet;

(8) \$16 each acre-foot each year for more than 300,000 and up to 500,000 acre-feet;

(9) \$18 each acre-foot each year for more than 500,000 and up to 1,000,000 acre-feet; and

(10) \$20 each acre-foot each year for more than 1,000,000 acre-feet. (Eff.

___/___/___, Register ___)

| | | | |
|-------------------|--------------|--------------|--------------|
| Authority: | AS 37.10.050 | AS 38.05.020 | AS 46.15.020 |
| | AS 37.10.052 | AS 38.05.035 | AS 46.15.035 |
| | AS 37.10.058 | AS 44.37.020 | AS 46.15.037 |
| | AS 38.04.900 | | |

Editor's note: As of Register 160 (January 2002), the regulations attorney made a technical revision under AS 44.62.125(b)(6), and as authorized in ch. 100, sec. 12, SLA 2001, to change "temporary water use permit" to "authorization for temporary use of water" in 11 AAC 05.260(c)(13) and (e).

11 AAC 05.270. Higher fees. (a) Notwithstanding 11 AAC 05.020, the department may require a fee higher than that set out in 11 AAC 05.030 – 11 AAC.05.260 if the department determines that the location or nature of the use makes a higher fee appropriate to ensure a reasonable return to the state. Under this subsection, and at the department's discretion to ensure a reasonable return to the state, the department may set

(1) a variable fee of 5.0 percent of the gross receipts attributable to the use of the site; or

(2) a fee based on the director's estimate of the market value of the use or, 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;

(b) Notwithstanding 11 AAC 05.020, the department may enter into a reimbursement or prepayment agreement under AS 38.35.140(b) or AS 38.35.145, and may require a fee based on actual reasonable departmental costs that are higher than that set out in 11 AAC 05.030 – 11 AAC.05.260. (Eff. ___/___/___, 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 46.15.020 |
| | AS 38.05.177 | AS 38.50.160 | AS 46.15.035 |
| | AS 38.05.180 | AS 38.95.240 | AS 46.15.037 |

Old (h) Repealing \$25 credit

11 AAC 05.900. Definitions In this chapter

- (1) "department" means the Department of Natural Resources;
- (2) "plat" includes replats;
- (3) "recreation rivers system" means the state recreation rivers, including recreational river corridors, established in AS 41.23.500;
- (4) "CD-ROM" means compact disc-read only memory;
- (5) "commercial recreation" has the meaning given in 11 AAC 96.250;
- (6) "director" means the director of the division that issues or grants the particular authorization;
- (7) "visitor day" has the meaning given in 11 AAC 96.250;
- (8) “as-built survey” means a land survey plat that,**
 - (1) is not required under AS 38.04.045;**
 - (2) is stamped by a professional surveyor licensed under AS 08.48;**
 - (3) is approved by the department; and**
 - (4) depicts the type, character, dimensions, and location of constructed and/or installed improvements located relative to associated boundaries, whether horizontally or vertically;**

(9) “landing” means a point of land where a proposed or installed improvement or line on tideland, shoreland or uplands transitions to the adjacent tideland, shoreland or uplands;

(10) “USB Drive” means flash memory data storage device utilizing a Universal Serial Bus interface;

(11) “linear” means a feature that has a shape where the width to length ratio exceeds one to five;

(12) “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 ___/___/___, 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 |

11 AAC 02.030(a) is amended to read:

11 AAC 02.030. Filing an appeal or request for reconsideration (a) An appeal or request for reconsideration under this chapter must

(1) be in writing;

(2) be filed by personal service, mail, fax, or electronic mail;

(3) be signed by the appellant or the appellant's attorney, unless filed by electronic mail; an appeal or request for reconsideration filed by electronic mail must state the name of the person appealing or requesting reconsideration and a single point of contact to which any notice or decision concerning the appeal or request for reconsideration is to be sent;

(4) be correctly addressed;

(5) be timely filed in accordance with 11 AAC 02.040;

(6) specify the case reference number used by the department, if any;

(7) specify the decision being appealed or for which reconsideration is being requested;

(8) specify the basis upon which the decision is challenged;

(9) specify any material facts disputed by the appellant;

(10) specify the remedy requested by the appellant;

(11) state the address to which any notice or decision concerning the appeal or request for reconsideration is to be mailed; an appellant may also provide a telephone number where the appellant can be reached during the day or an electronic mail address; an appeal or request for reconsideration filed electronically must state a single address to which any notice or decision concerning the appeal or request for reconsideration is to be mailed;

(12) identify any other affected agreement, contract, lease, permit, or application by case reference number, if any; [AND]

(13) include a request for an oral hearing, if desired; in the appeal or request for reconsideration, the appellant may include a request for any special procedures to be used at the hearing; the appeal or request for reconsideration must describe the factual issues to be considered at the hearing; **and**

(14) be accompanied by the applicable fee set out in 11 AAC 05.160. (Eff.

11/7/90, Register 116; am 9/19/2001, Register 159; **am / / , Register)**

| | | | |
|-------------------|----------------------------|--------------|--------------|
| Authority: | AS 03.05.010 | AS 38.05.035 | AS 41.17.055 |
| | AS 29.65.050 | AS 38.08.110 | AS 41.21.020 |
| | AS 29.65.120 | AS 38.09.110 | AS 44.37.011 |
| | <u>AS 37.10.050</u> | AS 38.50.160 | AS 46.15.020 |
| | AS 38.04.900 | AS 41.15.020 | AS 46.17.030 |
| | AS 38.05.020 | | |

11 AAC 06.040(a)(3)(B) is amended to read:

(B) for original documents only, it is a nonstandard document and is accompanied by an additional fee for nonstandard documents as set out in **11 AAC 05.200**[11 AAC 05.010(a)(14)]; for purposes of this subparagraph, a document

(i) is a nonstandard document if it does not substantially meet the margin requirements in (A)(i) and (ii) of this paragraph, but meets all other requirements to be eligible for recording; and

(ii) does not substantially meet the margin requirements in (A)(i) and (ii) of this paragraph if a substantial portion of the document exceeds those

requirements, or if any portion of the document exceeds those requirements by more than one-half inch;

11 AAC 06.040(a)(4) is amended to read:

(4) it is accompanied by the fee for recording set out in 11 AAC 05.200[11 AAC 05.010(a)(14)];

(Eff. 6/1/86, Register 98; am 1/17/90, Register 113; am 8/23/2001, Register 159; am 4/2/2004, Register 169; am 12/14/2008, Register 188; am 12/5/2009, Register 192; am 7/10/2011, Register 199; am / / , Register))

Authority: AS 09.80.020 AS 40.17.030 AS 45.29.502
AS 09.80.150 AS 40.17.110
AS 40.15.010 AS 44.37.025

11 AAC 06.051(a)(2) is amended to read:

(2) it is accompanied by the fee for filing, as set out in 11 AAC 05.250[11 AAC 05.010(a)(15)];

(Eff. 8/23/2001, Register 159; am 4/2/2004, Register 169; am 12/14/2008, Register 188; am 8/29/2013, Register 207; am / / , Register))

Authority: AS 44.37.027 AS 45.29.503 AS 45.29.522
AS 45.29.502 AS 45.29.516; AS 45.29.525

11 AAC 06.062(b)(3) is amended to read:

(3) include the appropriate fee in accordance with 11 AAC 05.250(a)(5) or (6)
[11 AAC 05.010(a)(15)(E) or (F)].

(Eff. 8/23/2001, Register 159; am / / , Register)

Authority: AS 44.37.027 AS 45.29.519 AS 45.29.523
AS 45.29.515 AS 45.29.522 AS 45.29.525

11 AAC 09.050(3) is amended to read:

(3) for each inspection to determine whether the noncompliance has been corrected, an inspection fee as required by 11 AAC 05.160[11 AAC 05.010(a)(7)] will be charged;

(Eff. 12/13/95, Register 136; am / / , Register)

Authority: AS 38.05.020 AS 41.23.420 AS 41.23.470
AS 41.23.400 AS 41.23.440

11 AAC 09.200(b)(2) is amended to read:

(2) the fee as required by 11 AAC 05.210[11 AAC 05.010]; and

11 AAC 09.200(d) is amended to read:

(d) Before issuance of a permit under this section, the department will notify the applicant of the amount of performance guarantee for each specific permitted activity. The amount of the performance guarantee shall be based on the past performance of the applicant related to the activities for which a permit is requested, the potential damage to state resources or liability incurred by the state, and the potential cost to the state of restoration because of activities related to the permit. The amount of the performance guarantee may not exceed estimated potential costs or liability, but shall not be less than \$1,000. The department will not

issue the permit before receiving the required performance guarantee and annual fee as prescribed for a land use permit in **11 AAC 210**[11 AAC 05.010, UNLESS THE DEPARTMENT HAS WAIVED THE ANNUAL FEE UNDER 11 AAC 05.010(g)].
(Eff. 12/13/95, Register 136; am 12/7/2002, Register 164; am / / , Register)

Authority: AS 41.23.400 AS 41.23.420 AS 41.23.470
AS 41.23.410 AS 41.23.440 AS 41.23.500

11 AAC 09.300(b)(2) is amended to read:

(2) the fee as required by **11 AAC 210**[11 AAC 05.010]; and

(Eff. 12/13/95, Register 136; am 12/7/2002, Register 164; am / / , Register)

Authority: AS 41.23.410 AS 41.23.440

11 AAC 09.310 is amended to read:

The flat rate fee required by **11 AAC 05.050(1)**[11 AAC 05.010(a)(17)(A)] must be paid before obtaining a commercial-use permit. The additional fees required by **11 AAC 05.050(2)**[11 AAC 05.010(a)(17)(B)] must be paid on either a monthly or seasonal basis, as directed by the commissioner, except that the commissioner will, in the commissioner's discretion and after determining it to be in the financial interest of the state, waive all or part of the additional fees required by **11 AAC 05.050(2)** [11 AAC 05.010(a)(17)(B)].

(Eff. 12/13/95, Register 136; am / / , Register)

Authority: AS 41.23.410 AS 41.23.440

11 AAC 12.230(g) is amended to read:

(g) An annual day use parking pass decal, issued upon payment of the fee required by **11 AAC 05.160(a)(4)**[11 AAC 05.010(a)(12)(F)] must be permanently affixed in plain view in the lower driver's side corner of a motor vehicle's windshield.

11 AAC 12.230(i) is amended to read:

(i) An annual boat launching pass decal, issued upon payment of the fee required by **11 AAC 05.170(a)(4)**[11 AAC 05.010(a)(12)(F)], must be permanently affixed in plain view to the left side of the boat trailer tongue, approximately one foot back from the hitch assembly.

(Eff. 8/1/68, Register 27; am 1/13/73, Register 44; am 5/11/85, Register 94; am 7/1/89, Register 110; am 5/24/96, Register 138; am 4/20/2002, Register 162; am 12/20/2002, Register 164; am 1/16/2005, Register 173; **am / / , Register**)

Authority: AS 41.21.020 AS 41.21.040 AS 41.21.950

11 AAC 12.250(a) and (b) are amended to read:

(a) No person may use a state park system facility for which a fee is charged under **11 AAC 05.170**[11 AAC 05.010] without first paying the fee and displaying the fee receipt as directed by department personnel.

(b) If a fee is charged under **11 AAC 05.170**[11 AAC 05.010] for the use of a developed campsite, a sewage holding tank dump station, an improved boat ramp, or parking at a developed facility, but either the fee has not been paid or the fee receipt is not properly displayed, the department will consider the violator of (a) of this section to be the registered owner of the vehicle using the dump station or boat ramp or parked at the developed campsite or other developed facility, as applicable, unless the registered owner proves, to the satisfaction of the

department, that the vehicle was being used without the owner's consent at the time of the violation.

(Eff. 1/28/88, Register 105; am 10/1/94, Register 131; am / / , Register)

Authority: AS 41.21.020 AS 41.21.026

11 AAC 18.010(b) is amended to read:

(b) For a permit required under this section, a fee must be paid if required under **11 AAC 05.170(a)(4)**[11 AAC 05.010(a)(12)(F) OR (a)(12)(G)]. However, nothing in this section limits the department's authority to charge other applicable fees under **11 AAC 05.170**[11 AAC 05.010].

Eff. 1/13/73, Register 44; am 5/11/85, Register 94; am 1/28/88, Register 105; am 7/1/89, Register 110; am 12/25/91, Register 120; am 11/15/2015, Register 216; am / / , Register)

Authority: AS 41.21.020 AS 41.21.026 AS 41.21.040

11 AAC 20.885(b) is amended to read:

(b) To qualify for a Kenai River guide permit, for professional guide services other than services as a sport fishing guide, a person must meet the applicable requirements of 11 AAC 18 and pay the applicable fees required under **11 AAC 05.170(a)(6)**[11 AAC 05.010(a)(12)(I)].

11 AAC 20.885(c)(2) is amended to read:

(2) must pay the applicable fees required under **11 AAC 05.170(a)(6)**[11 AAC 05.010(a)(12)(I)];

(Eff. 7/1/89, Register 110; am 5/24/96, Register 138; am 3/13/2006, Register 177; am 8/6/2010, Register 195; am / / , Register)

Authority: AS 41.21.020 AS 41.21.506

11 AAC 21.100(b)(4) is amended to read:

(4) the applicant pays the nonrefundable fees, established under **11 AAC 05.170**[11 AAC 05.010] with the advice of the council, which will give the state a fair and reasonable return in light of the cost of administering the activity permitted, the impact of the proposed activity on the preserve, the incidental benefit that might be provided the preserve, goods or services provided to the state, and the gross business receipts attributable to the activity;

(Eff. 2/3/88, Register 105; am / / , Register)

Authority: AS 41.21.020 AS 41.21.040 AS 41.21.616
AS 41.21.026 AS 41.21.610

11 AAC 21.120(c) is amended to read:

(c) The person who will be responsible for the activity shall file an application for authorization at the district office of the division in Haines and shall pay the required nonrefundable permit fee established in **11 AAC 05.170**[11 AAC 05.010]. The application will be forwarded to the regional office of the division for action.

(Eff. 2/3/88, Register 105; am 11/7/90, Register 116; am 9/19/2001, Register 159; am 12/27/2012, Register 204; am / / , Register)

Authority: AS 41.21.020 AS 41.21.040 AS 44.37.011

11 AAC 53.180 is amended to read:

At the discretion of the director, for a parcel that is unsurveyed at the time of entry, the applicant may be allowed to deposit with the division the plat review and filing fees prescribed by **11 AAC 05.240**[11 AAC 05.010], plus an amount estimated by the division as sufficient to cover the cost of surveying the parcel. The division will then be responsible for surveying the parcel and preparing the plat before the expiration of any time limits imposed by law. If the amount of money deposited by the applicant for the survey costs is not sufficient to cover the division's actual survey and plat preparation costs, the division will require the applicant to pay the remaining costs before it passes title to the applicant. If the amount of money deposited for the survey costs exceeds the division's actual survey and plat preparation costs, the division will refund the excess money to the applicant.

(Eff. 3/27/80, Register 73; am 1/1/86, Register 96; **am / / , Register**)

Authority: AS 38.04.045 AS 38.05.020 AS 38.05.035
AS 38.04.900

11 53.620(a)(2) is amended to read:

(2) plat review fees required by **11 AAC 05.240**[11 AAC 05.010];

(Eff. 7/5/2001, Register 159; **am / / , Register**)

Authority: AS 40.15.305 AS 40.15.370

11 AAC 53.720(b)(4) is amended to read:

(4) recording fees must be paid in accordance with **11 AAC 05.200**[11 AAC 05.010].

(Eff. 7/5/2001, Register 159; am / / , Register)

Authority: AS 40.15.330 AS 40.15.370

11 AAC 53.730(c) and (d) are amended to read:

(c) The plat review and filing fees required by 11 AAC 05.240[11 AAC 05.010] must accompany the petition.

(d) No more than 60 days after a petition is filed and the fees required by 11 AAC 05.240[11 AAC 05.010] have been received, a public hearing will be held on the petition at a place designated by the commissioner. At least once a week for two consecutive weeks, a notice of hearing that meets the requirements of AS 29.40.130 will be published in a newspaper of general circulation published within each judicial district in which the land is located. If no such newspaper exists, the notice will be posted in the local post office or other place of general visitation. A copy of the notice will be mailed by registered mail to each

(1) petitioner;

(2) known person not joining the petition who is the owner of record of land located within the petition area or within 500 feet of the petition area; and

(3) affected public agency and utility.

(Eff. 7/5/2001, Register 159; am / / , Register)

Authority: AS 38.04.045 AS 38.05.020 AS 40.15.305
AS 38.04.900

11 AAC 58.320 is amended to read:

A person seeking to lease state land must apply at the regional office of the division nearest the land applied for on a form provided by the department. The fees prescribed by **11 AAC 05.230**[11 AAC 05.010] must accompany each application.

(Eff. 7/1/60, Register 1; am 8/15/64, Register 17; am 3/20/66, Register 22; am 1/1/86, Register 96; **am / / , Register)**

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.075

11 AAC 60.020 is amended to read:

An applicant for a grazing lease must apply to the division on a form provided by the department. The application fee prescribed by **11 AAC 05.230**[11 AAC 05.010] must accompany each application.

(Eff. 4/16/70, Register 34; am 1/1/86, Register 96; **am / / , Register)**

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.070

11 AAC 63.030(a)(2) is amended to read:

(2) include the non-refundable application fee required by **11 AAC 05.230**[11 AAC 05.010];

(Eff. 7/1/89, Register 110; am 6/14/98, Register 146; am 12/27/2012, Register 204; **am / / , Register)**

Authority: AS 38.05.020 AS 38.05.075 AS 38.05.083
AS 38.05.070

11 AAC 63.110(4) is amended to read:

(4) A proposed amendment to the lease development plan for the lease must be submitted to the department for approval before a change in development occurs, and must be accompanied by the application fee required by 11 AAC 05.230[11 AAC 05.010]. However, under this paragraph

(A) the following changes do not require an amendment of the lease development plan:

(i) any change in the species or number of shellfish or aquatic plants being raised if the change is permitted by the Department of Fish and Game;

(ii) a change in the number or type of rearing structures authorized within the lease boundaries, if the change does not increase obstructions to navigation or to other public use;

(B) the department will not authorize a proposed amendment to the lease development plan for a "change of use"; for the purpose of this subparagraph and AS 38.05.083(d), "change of use" means a change from the raising of shellfish and aquatic plants to any other use; and

(C) the approval of an amendment of an aquatic farmsite lease does not relieve the lessee of the obligation to obtain other necessary authorizations.

(Eff. 7/1/89, Register 110; am 6/15/98, Register 146; am 2/8/2001, Register 157; am 12/27/2012, Register 204; am / / , Register)

Authority: AS 38.05.020 AS 38.05.085 AS 38.05.920
AS 38.05.035 AS 38.05.095
AS 38.05.083 AS 38.05.103

11 AAC 64.260(b) is amended to read:

(b) A nonrefundable filing fee, as prescribed by 11 AAC 05.230[11 AAC 05.010], must accompany each application.

(Eff. 4/18/64, Register 16; am 3/30/85, Register 93; am 8/23/87, Register 103; am / / , Register)

Authority: AS 38.05.020 AS 38.05.082

11 AAC 65.040(a) is amended to read:

(a) Application for renewal of a permit must be made in writing at least 90 days, but not more than 180 days, before the expiration of the permit. The application must be accompanied by the fee prescribed by 11 AAC 05.180[11 AAC 05.010].

(Eff. 12/16/84, Register 92; am 5/5/93, Register 126; am / / , Register)

Authority: AS 38.04.035 AS 38.05.020 AS 41.21.020
AS 38.04.900

11 AAC 65.090(4) is amended to read:

(4) is not valid unless the annual cabin rental fee prescribed by 11 AAC 05.180[11 AAC 05.010] is timely received by the department;

(Eff. 12/16/84, Register 92; am 5/5/93, Register 126; am / / , Register)

Authority: AS 38.04.035 AS 38.05.020 AS 41.21.020
AS 38.04.900

11 AAC 67.142(b)(2) is amended to read:

(2) a mail-in application must be accompanied by a nonrefundable check or money order to cover the fee for a staking selection procedures packet and mailing charges prescribed by **11 AAC 05.100**[11 AAC 05.010].

(Eff. 5/31/84, Register 90; am 8/10/86, Register 99; am 8/23/87, Register 103; **am / / , Register)**

Authority: AS 38.05.020 AS 38.09.010 AS 38.09.110
AS 38.05.035

11 AAC 67.835(2) and (3) are amended to read:

(2) the annual rental fee for the first term of the lease, including any extension granted under (1) of this subsection for a fourth year, is as set out in **11 AAC 05.230**[11 AAC 05.010(e)(19)(A)] and may be paid quarterly;

(3) the annual rental fee for the second term of the lease is as set out in **11 AAC 05.230**[11 AAC 05.010(e)(19)(B)];

(Eff. 2/9/2001, Register 157; **am / / , Register)**

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.600

11 AAC 67.879 is amended to read:

A 10-day grace period after the date due is allowed on all installment payments. The department will assess the late payment service charge prescribed by **11 AAC 05.030**[11 AAC 05.010], plus interest due, on each installment payment that is received more than 10 days after the due date, unless provided otherwise in the installment contract.

(Eff. 11/21/82, Register 84; am 7/19/85, Register 95; am 1/1/86, Register 96; am / /,
Register)

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.065

11 AAC 69.040(2) is amended to read:

(2) include a receipt or other proof of payment of the application fee required
under **11 AAC 05.160**[11 AAC 05.010]; and

(Eff. 8/16/89, Register 111; am / /, Register)

Authority: AS 38.05.020 AS 38.95.240 AS 44.17.030
AS 38.95.230

11 AAC 71.035(a) is amended to read:

(a) A person seeking to negotiate the purchase of more than 10 M.B.M. of timber or more than 200 cubic yards of material must file an application at the regional office of the division nearest the desired purchase site on a form provided by the department. The applicant must file a separate application for each sale. The application fee, if any, prescribed by **11 AAC 05.080 or 05.130**[11 AAC 05.010] must accompany the application. The application must contain the contract numbers of each timber or material contract the applicant has entered into with the state during the previous 12 months. The applicant need not list the applicant's log salvage licenses. For negotiated sales, the division will consider the subsidiaries, divisions, branches, partnerships, or joint ventures of the applicant to be the same applicant.

(Eff. 7/2/82, Register 83; am 1/1/86, Register 96; am 2/8/2001, Register 157; am / /,
Register)

Authority: AS 38.05.020 AS 38.05.110 AS 38.05.120;
AS 38.05.035 AS 38.05.115 AS 38.05.850

11 AAC 71.415(b) is amended to read:

(b) The license fee prescribed by **11 AAC 05.080**[11 AAC 05.010] must accompany each application for a log salvage license.

11 AAC 71.415(f) is amended to read:

(f) A log salvage licensee may annually renew a log salvage license obtained under 11 AAC 71.400(a)(1) for up to three years by paying the license fee prescribed by **11 AAC 05.080**[11 AAC 05.010] at least 30 days before the expiration date of the license, and by qualifying under 11 AAC 71.405. The division will include provisions relating to renewal of a log-salvage license under this section in the original license.

(Eff. 3/2/78, Register 65; am 7/2/82, Register 83; am 1/1/86, Register 96; **am / / ,**
Register)

Authority: AS 38.05.020 AS 38.05.115 AS 38.05.120
AS 38.05.035

11 AAC 71.530 is amended to read:

An application must be accompanied by the registration or renewal fee prescribed by **11 AAC 05.080**[11 AAC 05.010] and, if requested by the department, an impression of the brand to be registered and additional descriptive information.

(Eff. 2/15/81, Register 77; am 1/1/86, Register 96; **am / / , Register**)

Authority: AS 45.50.210 AS 45.50.260 AS 45.50.315
AS 45.50.220

11 AAC 71.570 is amended to read:

No registered brand may be transferred to or used by or on behalf of a third party except after prior written notice to the department, accompanied by a true copy of the instrument of transfer as required by AS 45.50.260, together with the registration transfer fee prescribed by **11 AAC 05.080**[11 AAC 05.010]. Upon receipt and filing for record of a copy of the transfer instrument and the fee, the department will register the brand and issue a certificate to the new owner.

(Eff. 2/15/81, Register 77; am 1/1/86, Register 96; **am / / , Register**)

Authority: AS 38.05.020 AS 45.50.260 AS 45.50.315

11 AAC 80.005(d) is amended to read:

(d) The application fee prescribed by **11 AAC 05.070 or 11 AAC 05.270**[11 AAC 05.010] must accompany each application.

(Eff. 3/3/74, Register 49; am 10/28/83, Register 88; am 1/1/86, Register 96; am 8/16/89, Register **111; am / / , Register**)

Authority: AS 38.05.020(b) AS 38.35.020(a) AS 38.35.110
AS 38.05.035 AS 38.35.050
AS 38.35.015 AS 38.35.100

11 AAC 82.615(g) is amended to read:

(g) Filing fees will be assessed in accordance with **11 AAC 05.110**[11 AAC 05.010] for each application for approval of assignments.

(Eff. 9/5/74, Register 51; am 7/22/79, Register 71; am 7/1/89, Register 110; am 9/22/95, Register 135; **am / / , Register**)

Authority: AS 38.05.020 AS 38.05.132 AS 38.05.920
AS 38.05.131 AS 38.05.133

11 AAC 83.306(6) is amended to read:

(6) the application fee prescribed by **11 AAC 05.110**[11 AAC 05.010].

(Eff. 6/28/81, Register 78; am 8/15/82, Register 83; am 3/18/83, Register 85; am 1/1/86, Register 96; **am / / , Register**)

Authority: AS 38.05.020 AS 38.05.145 AS 38.05.180
AS 38.05.035

11 AAC 83.1020(d) is amended to read:

(d) The lessee shall submit the application fee prescribed in **11 AAC 05.110**[11 AAC 05.010(a)(10)(D)] for the application for Cook Inlet discovery royalty with the application for a discovery well certification.

(Eff. 2/21/98, Register 145; **am / / , Register**)

Authority: AS 38.05.020 AS 38.05.135 AS 38.05.180(f)
AS 38.05.134 AS 38.05.145

11 AAC 84.820(6) is amended to read:

(6) the application fee prescribed by 11 AAC 05.110[11 AAC 05.010].

(Eff. 5/8/83, Register 86; am 1/1/86, Register 96; am / / , Register)

Authority: AS 38.05.020 AS 38.05.145 AS 41.06.030
AS 38.05.035

11 AAC 86.125(b) is amended to read:

(b) An application for a certificate of substantial compliance must include the name and address of the mining lessee or locator, the name of the location or lease, any serial number assigned by the department to the location or lease, an application fee as set out in 11 AAC 05.120(b)(1)(N)[11 AAC 05.010(a)(9)(G)], a statement of the specific failure to comply the reasons for the failure, and any other information the director considers necessary to determine the circumstances of the case.

(Eff. 9/5/74, Register 51; am 5/30/85, Register 94; am 8/26/98, Register 147; am / / , Register)

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.185

11 AAC 87.030(b) is amended to read:

(b) The application fee prescribed by 11 AAC 05.140[11 AAC 05.010] must accompany each application for an exploration permit. The application must include the following information:

- (1) the name and address of the landowner;
- (2) the name and address of the operator;
- (3) the legal description and map of the exploration area;

- (4) the approximate location of each proposed hole;
- (5) the type and size of drilling rig;
- (6) the proposed drilling program, including the drilling system or type of circulating medium for, approximate depth of, and casing program for each hole;
- (7) the type of drilling sump and proposed method of sump abandonment at each location;
- (8) the approximate length of time that each hole will be used for observation;
- (9) the proposed method of abandonment for each hole;
- (10) sufficient information to enable the commissioner to determine whether the proposed operation will comply with 11 AAC 84.895; and
- (11) any other relevant information the commissioner determines necessary.

(Eff. 5/8/83, Register 86; am 1/1/86, Register 96; am / / , Register)

Authority: AS 38.05.020 AS 41.06.020 AS 46.15.020
AS 38.05.035 AS 41.06.040
AS 38.05.181 AS 41.06.050

11 AAC 87.070(b) is amended to read:

(b) The application fee prescribed by 11 AAC 05.140 [11 AAC 05.010] must accompany each application for a drilling permit. The application must include the following:

- (1) the name and address of the landowner or lessee;
- (2) a legal description and map of the parcel and well location;
- (3) the name and address of the operator;
- (4) the well name and number;

- (5) the proposed bottom-hole coordinates for a directionally drilled well;
- (6) the datum elevation or elevation of the derrick floor, rotary table, or kelly bushing, relative to surface level;
- (7) the elevation of the ground, relative to sea level;
- (8) the estimated depth of the intended zone of completion, relative to datum;
- (9) the estimated planned total depth, relative to datum;
- (10) a description of the proposed casing program as required in 11 AAC 87.120;
- (11) a description of the blowout prevention equipment to be used and the information required by 11 AAC 87.130;
- (12) a description of the proposed sump plan and method of sump abandonment;
- (13) an indemnity bond as required by 11 AAC 87.080; and
- (14) any other relevant information the commissioner determines necessary.

(Eff. 5/8/83, Register 86; am 1/1/86, Register 96; am / / , Register)

Authority: AS 38.05.035 AS 41.06.040 AS 41.06.050
AS 41.06.020

11 AAC 88.105(7) is amended to read:

(7) be accompanied by the filing fee or fees prescribed by

11 AAC 05.110 or 11 AAC 05.140[11 AAC 05.010]; this filing fee is retained as a service charge in all cases, including cases in which the application is rejected, denied, or withdrawn in whole or in part.

(Eff. 9/5/74, Register 51; am 1/1/86, Register 96; am 7/1/89, Register 110; am / / , Register)

Authority: AS 38.05.020(b)

11 AAC 93.040(c)(1) is amended to read:

(1) the applicable application fee prescribed in **11 AAC 05.260**[11 AAC 05.010];
(Eff. 2/8/67, Register 23; am 12/29/79, Register 72; am 1/1/86, Register 96; am 11/7/90, Register
116; am 8/20/2004, Register 171; am 12/27/2012, Register 204; **am / / , Register)**)

Authority: AS 46.15.020 AS 46.15.040

11 AAC 93.120(f) is amended to read:

(f) Upon the department's receipt of a permittee's completed request for a permit extension showing diligent effort toward completing the appropriation, the department may extend the permit once for a period of time equal to or less than the time allowed under the original permit if the department determines that the permittee has demonstrated a diligent effort toward completing the appropriation. The request for a permit extension must be accompanied by the applicable fee prescribed in **11 AAC 05.260**[11 AAC 05.010].

(Eff. 12/29/79, Register 72; am 11/7/90, Register 116; am 8/20/2004, Register 171; **am / / , Register)**)

Authority: AS 46.15.010 AS 46.15.080 AS 46.15.140
AS 46.15.020 AS 46.15.100

11 AAC 93.130(a)(1) is amended to read:

(1) the permit holder submits a statement of beneficial use stating that the means necessary for the taking of water have been developed and the permit holder is beneficially using

the quantity of water to be certificated; the fee required under **11 AAC 05.260**[11 AAC 05.010] must accompany the statement of beneficial use; and

(Eff. 12/29/79, Register 72; am 11/7/90, Register 116; am 2/15/2006, Register 177; **am** / / , Register)

Authority: AS 46.15.010 AS 46.15.120 AS 46.15.256
AS 46.15.020

11 AAC 93.142(b)(9) is amended to read:

(9) be accompanied by the application fee prescribed by **11 AAC 05.260**[11 AAC 05.010].

(Eff. 9/11/83, Register 87; am 1/1/86, Register 96; am 11/7/90, Register 116; **am** / / , Register)

Authority: AS 46.15.020 AS 46.15.080 AS 46.15.145
AS 46.15.040

11 AAC 93.147(a)(4) is amended to read:

(4) a written request by the certificate holder to the department, seeking authority to abandon, convey, transfer, assign, or convert the certificate of reservation to another use; the fee required under **11 AAC 05.260**[11 AAC 05.010] must accompany the request.

(Eff. 9/11/83, Register 87; am 11/7/90, Register 116; am 2/15/2006, Register 177; **am** / / , Register)

Authority: AS 46.15.020 AS 46.15.140 AS 46.15.145

11 AAC 93.167(a) is amended to read:

(a) The owner of a dam that was constructed before May 31, 1987 shall submit to the department a complete application, on a form provided by the department, for a certificate of approval to operate the dam under 11 AAC 93.173(a)(3), along with the applicable fee under **11 AAC 05.260(c)(1)**[11 AAC 05.010(a)(8)(I)].

(Eff. 8/16/89, Register 111; am 10/2/2004, Register 171; **am / / , Register**)

Authority: AS 38.05.035 AS 46.17.030 AS 46.17.050
AS 46.17.010 AS 46.17.040

11 AAC 93.171(f)(1)(B) is amended to read:

(B) a completed application form provided by the department, signed by the owner, and accompanied by a non-refundable deposit on the application fee described under **11 AAC 05.260(c)(2)**[11 AAC 05.010(a)(8)(J)], calculated based on preliminary estimates of the applicable costs;

11 AAC 93.171(f)(4)(E) is amended to read:

(E) a non-refundable application fee supplement that is equal to the difference between the fee deposit submitted under (1)(B) of this subsection and the fee required under **11 AAC 05.260(c)(2)**[11 AAC 05.010(a)(8)(J)], calculated by using the certified cost estimate submitted under (D) of this paragraph; and

(Eff. 8/16/89, Register 111; am 10/2/2004, Register 171; **am / / , Register**)

Authority: AS 38.05.035 AS 46.17.040 AS 46.17.070

AS 46.17.010 AS 46.17.050
AS 46.17.030 AS 46.17.060

11 AAC 93.172(a)(1) is amended to read:

(1) a completed application form provided by the department, signed by the owner, and accompanied by a non-refundable application fee described under **11 AAC 05.260(c)(2)**[11 AAC 05.010(a)(8)(J)], based on estimates of the applicable costs prepared as required in 11 AAC 93.171(f)(4)(D);

(Eff. 10/2/2004, Register 171; **am / / , Register**)

Authority: AS 38.05.035 AS 46.17.030 AS 46.17.070
 AS 46.17.010 AS 46.17.040

11 AAC 93.173(j) is amended to read:

(j) An owner may not assign or otherwise transfer a certificate of approval issued under 11 AAC 93.167, 11 AAC 93.171, or this section. To request that the department transfer a certificate of approval issued under 11 AAC 93.167, 11 AAC 93.171, or this section, the transferor and the transferee must submit a joint application on a form provided by the department and pay the applicable fees provided in **11 AAC 05.260(c)(3)**[11 AAC 05.010(a)(8)(K)]. The department may approve the transfer and issue a new certificate of approval including any terms and conditions that the department determines are necessary to ensure that the dam will be operated and maintained in a safe manner.

(Eff. 8/16/89, Register 111; am 10/2/2004, Register 171; **am / / , Register**)

Authority: AS 38.05.035 AS 46.17.040 AS 46.17.070

AS 46.17.010 AS 46.17.050
AS 46.17.030 AS 46.17.060

11 AAC 93.210(c) is amended to read:

(c) Upon the commissioner's receipt of a written request from the permittee, an authorization for temporary use of water will, in the commissioner's discretion, be extended one time for good cause for a period of time not to exceed five years. The request for an extension of the authorization for temporary use of water must be accompanied by the fee prescribed by **11 AAC 05.260**[11 AAC 05.010].

(Eff. 2/8/67, Register 23; am 12/29/79, Register 72; am 11/7/90, Register 116; am 9/16/92, Register 123; am 8/20/2004, Register 171; **am / / , Register**)

Authority: AS 46.15.020 AS 46.15.133 AS 46.15.155
 AS 46.15.040

11 AAC 93.220(b)(1) is amended to read:

(1) the application fee prescribed by **11 AAC 05.260**[11 AAC 05.010];

(Eff. 12/29/79, Register 72; am 11/7/90, Register 116; am 8/20/2004, Register 171; **am / / , Register**)

Authority: AS 46.15.020 AS 46.15.100 AS 46.15.155
 AS 46.15.040 AS 46.15.133

11 AAC 93.240 is amended to read:

An applicant for preferred use status shall submit the applicable fee prescribed in **11 AAC 05.260**[11 AAC 05.010] and provide the department written evidence that establishes, to the satisfaction of the department, that

(1) the use of water is for a public water utility that serves the general public as defined by AS 42.05.990(4) and (5);

(2) the available water supply is or will be inadequate in quantity to satisfy the needs of the applicant; and

(3) water conservation measures are or will be employed to minimize damages to prior appropriators as a result of preferred use status.

(Eff. 2/8/67, Register 23; am 12/29/79, Register 72; am 11/7/90, Register 116; am 8/20/2004, Register 171; **am / / , Register**)

Authority: AS 46.15.020 AS 46.15.150

11 AAC 93.930(a) is amended to read:

A person with a permit to appropriate or certificate of appropriation who intends to change the location of the point of water withdrawal, diversion, or impoundment, depth of taking, nature of use, point of return flow, or place of use, or add points of withdrawal, diversion, or impoundment, shall apply in writing for permission to make the change and include the applicable fee prescribed in **11 AAC 05.260**[11 AAC 05.010].

(Eff. 12/29/79, Register 72; am 11/7/90, Register 116; am 8/20/2004, Register 171; **am / / , Register**)

Authority: AS 46.15.020 AS 46.15.160

11 AAC 94.010(b) is amended to read:

(b) The combined application and permit fee prescribed by 11 AAC 05.180[11 AAC 05.010] must accompany each application.

(Eff. 11/6/77, Register 64; am 3/30/83, Register 85; am 1/1/86, Register 96; am / / , Register)

Authority: AS 38.05.035 AS 38.95.080

11 AAC 96.018(a)(3) is amended to read:

(3) paying a registration fee as required by 11 AAC 05.180[11 AAC 05.010(a)].

(Eff. 12/7/2002, Register 164; am / / , Register)

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.850

11 AAC 96.020(a)(5)(A) is amended to read:

(5) uses not listed in (1) - (4) of this subsection that

(A) are not conducted for a commercial [RECREATIONAL] purpose, except as provided under 11 AAC 96.018 and 11 AAC 96.020(a)(4)(A);

(B) are not listed in 11 AAC 96.010;

(C) do not cause or contribute to significant disturbance of vegetation, drainage, or soil stability;

(D) do not interfere with public access or other public uses or interests;

and

(E) do not continue for more than 14 consecutive days at any site; moving the use to another site at least two miles away starts a new 14-day period.

(Eff. 1/1/70, Register 31; am 12/7/2002, Register 164; am 11/9/2008, Register 188; **am** / / , Register)

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.850

11 AAC 96.030(a) is amended to read:

(a) An application for a permit under 11 AAC 96.010 must be accompanied by the nonrefundable application fee required by **11 AAC 05.180**[11 AAC 05.010(a)]. The application must contain the following information in sufficient detail to allow evaluation of the planned activities' effect on the land:

(1) except if the application is for a limited non-timber forest product commercial harvest permit, a map at a sufficient scale showing the general location of all activities and routes of travel of all equipment for which a permit is required;

(2) a description of the proposed activity, any associated structures, and the type of equipment that will be used.

(Eff. 1/1/70, Register 31; am 8/6/94, Register 131; am 12/7/2002, Register 164; am 8/31/2008, Register 187; **am** / / , Register)

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.850

11 AAC 96.035(a) is amended to read:

(a) The department may, upon receipt of the fees required under **11 AAC 05.150(b)(1) and (b)(2)**[11 AAC 05.010(a)(5)(G) AND (e)(22)], issue a limited non-timber forest product commercial harvest permit without public notice.

11 AAC 96.035(c)(2) is amended to read:

(2) an applicant must make payment in full of all fees required under **11 AAC 05.150(b)(2)**[11 AAC 05.010(e)(22)] before receipt of a limited non-timber forest product commercial harvest permit under this subsection; the filing fee required under **11 AAC 05.150(b)(1)** [11 AAC 05.010(a)(5)(G)] will be applied to satisfy all or a portion of the cumulative fees required under this section;

(Eff. 8/31/2008, Register 187; am 12/27/2012, Register 204; **am / / , Register)**)

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.850

11 AAC 96.040(g) is amended to read:

(g) The permit will not be effective until executed by the department and the permittee has paid any applicable use fee required by **11 AAC 05.180**[11 AAC 05.010(e)] and provided a certificate of insurance and security, if required under 11 AAC 96.060 and 11 AAC 96.065.

(Eff. 1/1/70, Register 31; am 8/6/94, Register 131; am 12/7/2002, Register 164; am 8/31/2008, Register 187; **am / / , Register)**)

Authority: AS 38.05.020 AS 38.05.035 AS 38.05.850

11 AAC 97.425(d) is amended to read:

(d) No reclamation plan approval goes into effect until the bonding pool deposit and annual nonrefundable fee are paid. The annual nonrefundable fee for the first year of a reclamation plan may not be prorated or reduced. Subsequent annual nonrefundable fees for any unreclaimed acreage are due by April 1 of each year that the reclamation is not completed or before the mining operation begins in each calendar year, whichever is earlier. If the amount of acreage requiring reclamation varies from year to year under the plan, the miner is responsible for making the appropriate payment, including an increased deposit when required, each year. If the acreage decreases, the miner may apply, under 11 AAC 97.435, for a refund of the excess deposit. The miner must pay the annual nonrefundable fee, and the increased deposit when required by the reclamation plan, without billing from the department. A late payment automatically suspends approval of the reclamation plan until full payment, including the late-payment fee set out in **11 AAC 05.030**[11 AAC 05.010], is received, at which time the reclamation plan is automatically reinstated. During such a suspension, the miner may not engage in a mining operation.

(Eff. 7/30/92, Register 123; am 1/4/95, Register 133; **am / / , Register**)

Authority: Sec. 2, ch. 92, SLA; 1990 AS 27.19.030 AS 27.19.040

11 AAC 99.130(c) is amended to read:

(c) Except for **11 AAC 05.030(a)(1)-(5), (7) and (8), and 11 AAC 05.270**[11 AAC 05.010(a)(16)(A) - (D), (H), AND (I), AND (f)], statutes and regulations applicable to other state land that appear to be in conflict with this section do not apply to trust land unless determined by

the executive director, on a case-by-case basis, to be consistent with 11 AAC 99.020. The determination shall be stated in a written finding.

(Eff. 3/31/97, Register 141; am / / , Register)

Authority: AS 37.14.009 AS 38.05.035 AS 38.05.801
AS 38.05.020