

05. Fees for Department Services. (11 AAC 05.010 - 11 AAC 05.900)

Application Fee 11 AAC 05.010 (a)(5)(B)

(a) Non-refundable fees to apply for authorizations, and fees to obtain publications or services from the department, are as follows:

(1) repealed 10/27/2002;

(2) forestry

(A) repealed 9/10/2005;

(B) beach log salvage license fee, \$1,000;

(C) log brand registration fee, \$50;

(D) transfer of log brand registration fee, \$25;

(E) renewal of log brand registration fee, \$25;

(F) repealed 5/5/93;

(G) repealed 9/10/2005;

(3) material sales

(A) application fee for negotiated material sale, \$100;

(B) application fee for competitive material sale, \$100;

(C) document handling fee, \$75;

(4) land disposals

(A) repealed 2/9/2001;

(B) homestead, remote recreational cabin site, or homesite purchase contract fee, \$100;

(C) homestead, remote recreational cabin site, or homesite patent request, \$100;

(D) partial assignment of agricultural rights, \$100, or \$200 if the assignee is a corporation;

(E) assignment of contract, homesite entry permit, or homestead entry permit, \$100, or \$200 if the assignee is a corporation;

(F) amendment of contract, homesite entry permit, or homestead entry permit, \$100;

(G) 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,

(i) homesite entry permit, \$25;

(ii) lottery parcel under [AS 38.05.057](#) , \$25;

(iii) homestead or remote recreational cabin site staking authorization, \$25;

(H) collateral assignment of contract, \$75;

(I) survey deposit before issuance of homestead entry permit, \$250;

(J) 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;

(5) revocable and temporary surface use authorizations

(A) combined application and permit fee for trapping cabin permit, \$100;

(B) application for issuance, extension, or amendment of land use permit, including recreation rivers permit or commercial-use permit application for use within the recreation rivers system, \$100;

11 AAC 05.010 (e)(5)

(e) Except as provided in (f) of this section and in 11 AAC [99.130](#), this subsection is the department's schedule of standard user fees for certain surface land use authorizations and for material sales for public projects under AS 38. It does not apply to authorizations whose rental or use fee is fixed by statute or is required by statute to be based on an appraisal of market value. If a revocable-at-will authorization is revoked without cause, the unused portion of the annual use fee for the authorization is refundable, prorated on a monthly basis, except for use fees required under (22) of this subsection. A fee based on acreage applies to each acre or fractional acre. The fees covered by this subsection are as follows:

(1) 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

(A) \$250 if the facility is removed after a period of less than six months;

(B) \$500 if the facility remains in place six months or more;

(2) 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 family's hunting camp, a tent camp used to support a non-profit scientific research project, a military training camp, a floathouse or mobile home used as the owner's private residence, 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:

(A) \$250 if the facility is removed after a period of less than six months;

(B) \$500 if the facility remains in place six months or more;

(C) repealed 12/7/2002;

(3) 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, or a guide's or outfitter's camp, an annual fee that is the largest of the following applicable fees:

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

(B) if the facility remains in place six months or more, \$1000;

(C) 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

(i) a period of less than six months per year, \$500, plus a fee of \$2 per visitor day for use occurring after December 31, 2003;

(ii) repealed 12/7/2002;

(iii) six to 12 months per year, \$1000, plus a fee of \$2 per visitor day for use occurring after December 31, 2003;

(D) repealed 12/7/2002;

(4) land use permit under [AS 38.05.850](#) for noncommercial use of a structure or facility not covered by (1) or (2) of this subsection, such as a private mooring buoy, float, or dock, a weir, a boat ramp, or a loading ramp for snowmachines or horses, an annual fee of \$100;

(5) land use permit under [AS 38.05.850](#) for commercial use of a structure or facility not covered by (3) of this subsection, 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 \$250 for the first acre, plus \$100 for each additional acre;

(6) land use permit under [AS 38.05.850](#) authorizing early entry onto a prospective surface leasehold for

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

(B) site analysis that involves alteration to the land (including brushing, clearing, or excavating for percolation tests), an annual fee of \$100 for each acre;

(7) land use permit under [AS 38.05.850](#) for grazing livestock, a fee per head month that is 70 percent of the head-month grazing fee for the western states determined under Chapter 2238 of the *Forest Service Manual* (effective March 1, 1991), published by the United States Forest Service, United States Department of Agriculture, with a minimum charge of \$100 per year for each permit;

(8) other land use permit under [AS 38.05.850](#) for a use not covered by (1) - (7) of this subsection that does not hinder other public use, such as moving heavy equipment across state land, no fee;

(9) other land use permit under [AS 38.05.850](#) for a use not covered by (1) - (7) of this subsection that may interfere with public use, an annual fee of \$50 per acre with a \$100 minimum;

(10) personal use cabin permit under 11 AAC [65](#), an annual rental fee of \$100;

(11) private right-of-way or easement under [AS 38.05.850](#) for

(A) a non-exclusive use other than a fiber-optic telecommunications system as provided in (C) of this paragraph, an annual fee of \$100 per acre, but no less than \$200;

(B) an exclusive use other than a fiber-optic telecommunications system as provided in (C) of this paragraph, an annual fee equal to the director's estimate of the yearly fair market rental value;

(C) a fiber-optic telecommunications system, an annual fee equal to 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 after a reappraisal at the applicant's expense;

(12) public right-of-way or easement under [AS 38.05.850](#) for a road, trail, or airstrip, a one-time fee of \$50 per acre unless otherwise provided in a reciprocal right-of-way agreement;

(13) public right-of-way or easement under [AS 38.05.850](#) for a utility, a one-time fee of 10 cents per linear foot;

(14) repealed 2/9/2001;

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

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

(B) a site not covered by (A) of this paragraph, a one-time fee of \$3,000 or seven percent of the fair market value, whichever is less;

(C) 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;

(D) 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;

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

(A) 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;

(B) 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](#);

(17) commercial-use permit for recreation-related commercial uses within the recreation rivers system

(A) a flat rate fee of \$150 if the permit holder is a state resident, or \$450 if the permit holder is not a state resident; "state resident" is determined by applying the definition set out in (C) of this paragraph; 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 \$5 per day per client accompanied during use of a recreation river by the permit holder or an employee of the permit holder;

(iii) a fee of \$2 for each day's rental of a non-motorized boat, and \$3 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 (i) or (ii) of this paragraph include rental of a boat;

(C) for the purposes of this paragraph, "state resident" means a person who holds a current Alaska business license; submits an application for a permit under [AS 41.23](#) under the name appearing on that license; has maintained a place of business within the state staffed by the applicant or an employee of the applicant; is incorporated or qualified to do business under the laws of the state, is a sole proprietorship and the proprietor is a resident under [AS 01.10.055](#), or

is a partnership and all partners are residents under [AS 01.10.055](#) ; and if a joint venture, is composed entirely of ventures that qualify as state residents under this subparagraph;

(18) commercial-use permit for a commercial camp within the recreation rivers system, an annual fee determined as in (3)(C) of this subsection, plus 20 percent, in addition to applicable fees under (17) of this subsection;

(19) lease of a remote recreational cabin site under [AS 38.05.600](#) (b)

(A) during the first term of the lease, an annual rental fee of \$100 per site;

(B) during the second term of the lease, an annual rental fee of \$1,000 per site;

(20) land use permit for a noncommercial event or assembly, or for a commercial event or assembly of no more than 50 persons, no charge;

(21) land use permit for a commercial event or assembly of more than 50 persons, \$100;

(22) 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,

(A) \$1 each for sheets of birch bark up to 10 square feet in size;

(B) \$2 each for strips of cedar bark;

(C) \$.20 per pound for bark other than cedar or birch;

(D) \$1 per gallon for berries and berry-like fruits;

(E) \$.20 per pound of buds;

(F) \$10 each tree for tree burls and galls;

(G) \$.10 per pound for cones;

(H) \$.05 per pound for conks excepting quinine conk;

(I) \$1.50 each for quinine conk;

(J) \$.01 each for dormant willow, dogwood, and poplar cuttings for revegetation up to two inches in diameter and five feet in length;

(K) \$1 each for stems of diamond willow from two to two-and-a-half inches in diameter, \$2 each for stems of diamond willow up to four inches in diameter, \$3 each for stems of diamond willow up to six inches in diameter, and \$5 each for stems of diamond willow greater than six inches in diameter;

- (L) \$.05 each for evergreen boughs;
 - (M) \$.01 each for stems of floral greenery and decorative seed heads;
 - (N) \$.20 per pound for leaves and flowers from woody plants;
 - (O) \$.50 per pound for lichens and mosses;
 - (P) \$.20 per pound for mushrooms;
 - (Q) \$.50 per pound for above-ground growth of non-woody perennial plants;
 - (R) \$.50 per pound for edible and medicinal roots;
 - (S) \$.10 per foot for fibrous roots;
 - (T) \$1 per ounce for seeds;
 - (U) \$.20 each for stems and branches of deciduous woody species;
 - (V) \$.20 each for plugs of herbaceous perennials;
 - (W) \$2 each for shrubby perennials with root ball;
 - (X) \$.01 each for sprigs;
 - (Y) \$5 each for tree saplings not exceeding eight feet tall or two inches in diameter, with diameter measured six inches above ground level, with root ball;
 - (Z) \$.20 per tap for birch sap.
- (f) Notwithstanding (e) of this section, the director may require a fee higher than that set out in (e) of this section if the director 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 director's discretion to ensure a reasonable return to the state, the director may set
- (1) a variable fee of 2.5 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 an appraisal of the market value of the use.
- (g) 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.

(h) From the application or registration fee that would otherwise apply under (a) of this section, the department will deduct a data entry credit of \$25 for the applicant's or registrant's completion of an application or registration form available on the department's Internet web site.

History: 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