



THE STATE
of **ALASKA**

GOVERNOR MICHAEL J. DUNLEAVY

Department of Natural Resources

COMMISSIONER'S OFFICE

550 W. 7th Avenue, Suite #1400

Anchorage, AK 99501

Main: 907.269.8431

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October 3, 2022

**Re: Department Regulations, Title 11, Alaska Administrative Code
Opportunity to Comment on Proposed Regulations**

Dear Alaskan:

The Department of Natural Resources (DNR) proposes to amend regulations concerning the Kenai River Special Management Area (KRSMA) generally described as state land, including shoreland and waters, within units as designated by the Kenai River Comprehensive Management Plan.

Brief Description

DNR is proposing to revise its regulations regarding KRSMA as outlined in the Alaska Administrative Code in 11 AAC 96.014. The purpose of the revisions is to facilitate adjudication of a permit application for a hydroelectric facility located within KRSMA at Grant Lake. Revision to these regulations is necessary for the State to adjudicate this type of permit application. More information on the project can be found here:

<https://dnr.alaska.gov/mlw/grant-lake-hydro/>

Why Do We Need This Regulation Change Now?

DNR has amended the Kenai River Special Management Area. This proposed regulation amendment would ensure the regulation is consistent with the plan amendment. This proposed regulation amendment also removes other information that may be confusing and allows DNR to manage lands consistent with the new plan.

Scope of Proposed Regulation Change

DNR proposes amending the dates listed in 11 AAC 96.014(b)(15) to August 30, 2022 in order to reflect the date the plan amendment was signed.

Opportunity for Comment

Interested parties are encouraged to review the proposed regulations and submit any comments to DNR. Enclosed is the official "Notice of Proposed Changes to Regulations Pertaining to the Kenai Special Management Area Special Use Land," which provides details regarding submitting public comments. You can view the proposed regulations on the Alaska Online Public Notice System and on DMLW's website at <https://dnr.alaska.gov/mlw/news/>.

You are invited to comment on these proposed regulation changes. For your comments to be considered, DNR must receive them no later than **5:00 p.m. on November 2, 2022**. Comments must be in writing, and may be submitted via the online comment portal, or may be mailed, faxed, or e-mailed using the contact information provided below. Please see the Notice of Proposed Changes for additional information.

Attn: Angie Fraker
Division of Mining, Land and Water
550 W 7th Ave., Suite 1070
Anchorage, Alaska 99501-3579
Fax: (907) 269-8904
E-Mail: dmlwprogramsupport@alaska.gov
Online Comment Portal: <https://dnr.alaska.gov/mlw/comment/>

You may also submit written questions relevant to the proposed regulations to the contact information provided above. Questions must be received at least 10 days before the end of the public comment period (**by October 24, 2022**). The Department of Natural Resources will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on our website at: <https://dnr.alaska.gov/mlw/news/>.

For more information regarding the proposed regulations or a copy of the proposed regulation changes, go to <https://dnr.alaska.gov/mlw/news/>, or contact Angie Fraker at the contact information provided above.

If you are a person with a disability who needs a special accommodation to participate in this process, please contact Angie Fraker no later than **October 24, 2022**, to ensure that any necessary accommodations can be provided.

Thank you for your consideration of these proposed regulations. DNR looks forward to reading your comments and suggestions.

Sincerely,



Christy Colles
Acting Director, Division of Mining, Land and Water
Department of Natural Resources

NOTICE OF PROPOSED CHANGES ON REGULATIONS
PERTAINING TO
THE KENAI RIVER SPECIAL MANAGEMENT AREA SPECIAL USE LAND

The Department of Natural Resources (DNR) proposes to adopt a regulation change to Title 11 of the Alaska Administrative Code to reflect a recent amendment of the Kenai River Comprehensive Management Plan (Plan), Appendix G, Table 1. The proposed revision is:

11 AAC 96.014(b)(15) is amended in part and repealed in part to reflect a recent amendment to the Kenai River Comprehensive Management Plan and Special Use Designation

You may comment on the proposed regulation changes, including the potential costs to private persons required to comply with the proposed changes, by submitting written comments to Angie Fraker at the Division of Mining, Land and Water, 550 W. 7th Ave., Ste. 1070, Anchorage, AK 99501, by our online public comment portal at <https://dnr.alaska.gov/mlw/comment/>, by email at dmlwprogramsupport@alaska.gov, or by fax at 907-269-8904. The comments must be received no later than **5:00 p.m. on Wednesday, November 2, 2022**.

You may submit written questions relevant to the proposed action to the contact information provided above. The questions must be received at least 10 days before the end of the public comment period **by 5:00 p.m. on Monday October 24, 2022**. DNR's program support section will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and agency website at <https://dnr.alaska.gov/mlw/news/>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Angie Fraker at dmlwprogramsupport@alaska.gov or 907-269-8513, no later than **5:00 p.m. on Monday October 24, 2022**, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation change and related plan amendment is available on the Alaska Online Public Notice System, by contacting Angie Fraker at the contact information provided above, or on the agency website at <https://dnr.alaska.gov/mlw/news/>.

After the public comment period ends, DNR will either: (1) without further notice, adopt the proposed regulation change or other provisions dealing with the same subject; or (2) decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 38.04.005 AS 38.04.015 AS 38.04.065 AS 38.04.070 AS 38.04.900 AS 38.05.020 AS 38.05.035 AS 38.05.128 AS 38.05.300 AS 38.05.850

Statutes being implemented, interpreted, or made specific: AS 38.04.005 AS 38.04.015 AS 38.04.065 AS 38.04.070 AS 38.04.900 AS 38.05.020 AS 38.05.035 AS 38.05.128 AS 38.05.300 AS 38.05.850

Fiscal information: The proposed change to regulations does not require an appropriation.

Date: October 03, 2022



Christy Colles
Acting Director, Division of Mining, Land
and Water
Department of Natural Resources