SUPPLEMENTAL NOTICE OF PROPOSED
CHANGES IN THE REGULATIONS OF THE
DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources proposes to adopt regulation changes in Title 11 of the Alaska Administrative Code, dealing with historic, prehistoric and archaeological resources, and including the following:

New regulations

- Provisions for accessing information contained in the Alaska Heritage Resources Survey (11 AAC 16.400)
- Historic preservation permits required for conducting state funded, licensed or permitted projects or projects on state lands, including when permits are not required, application processes, departmental review and assessment of historic, prehistoric and archaeological resource identification needs and effects caused by project, and permit provisions (11 AAC 16.025; 11 AAC 16.500)
- Alaska Landmarks Register eligibility requirements and application procedures (11 AAC 16.300; 11 AAC 16.310)

Amended regulations

- Title to items collected from lands owned or controlled by the state (11 AAC 16.020)
- Permits required for investigation or collection of historic, prehistoric and archaeological resources, including application processes, general permit provisions, who is qualified to conduct historic, prehistoric and archaeological investigations, required reports, and permit restrictions or revocations (11AAC 16.030; 11 AAC 16.040; 11 AAC 16.050; 11 AAC 16.070; 11 AAC 16.080)
- Grants to privately owned Alaska Landmarks, including eligibility, grant applications, allocation of funds, and project agreements (11 AAC 16.100; 11 AAC 16.110; 11 AAC 16.120; 11 AAC 16.130; 11 AAC 16.140; 11 AAC 16.160)
- Alaska Historical Commission activities associated with listing properties in the National Register of Historic Places (11 AAC 16.220; 11 AAC 16.230)
- Applicable definitions for terms used in this chapter (11 AAC 16.900)

Repealed regulations

- Provisions for director's examination of site under permit in 11 AAC 16.090 is repealed and incorporated into 11 AAC 16.030

The proposed regulations are necessary to update the Alaska Historical Commission's role in the State Historic Preservation Program. They include provisions for a process for review of state projects, access to information in the Alaska Heritage Resource Survey, and Alaska Landmark Register requirements and process. They clarify and improve the State Historic Preservation Program standards, update references, and make changes to the regulations to make them internally consistent, including definitions.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES that was issued on December 10, 2009 concerning the proposed regulation revisions contained in the Department of Law file number JU2009200632. This SUPPLEMENTAL NOTICE is being issued because the Department of Natural Resources has decided to extend the comment period

by seventy-five (75) days. **With the seventy-five (75) day extension, COMMENTS MUST BE RECEIVED NO LATER THAN 5 P.M. ON MONDAY, MARCH 30, 2010.** Oral public hearings will be held during the comment period. A separate Supplemental Notice will be issued with the times and places of the oral public hearings.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to:

Office of History and Archaeology
Division of Parks and Outdoor Recreation
550 W 7th Ave Suite 1310
Anchorage, AK 99501-3561

or via email: dnr.oharegs@alaska.gov or by fax 907 269-8908.

The comments must be received no later than 5:00 p.m. on Monday, March 30, 2010.

For a copy of the proposed regulation changes, contact the DNR Public Information Center (550 W. 7th Ave., Suite 1260, Anchorage, AK), write the Office of History and Archaeology, Attention Judith Bittner, 550 W 7th Ave, Suite 1310, Anchorage, Alaska 99501-3561, call the Office of History and Archaeology at 907 269-8721, or visit www.dnr.state.ak.us/parks.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Judith Bittner at 907 269-8721 no later than January 20, 2010 to ensure that any necessary accommodations can be provided.

After the public comment period ends, the Department of Natural Resources will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.

Statutory Authority: AS 41.35.010, AS 41.35.020, AS 41.35.030, AS 41.35.040, AS 41.35.050, AS 41.35.070, AS 41.35.080, AS 41.35.200, AS 41.35.300, AS 41.35.350, AS 44.37.040

Statutes Being Implemented, Interpreted, or Made Specific: AS 41.35.010, AS 41.35.020, AS 41.35.030, AS 41.35.040, AS 41.35.050, AS 41.35.070, AS 41.35.080, AS 41.35.200, AS 44.37.040

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 12/30/2009

Judith Bittner, Chief History and Archaeology
Division of Parks and Outdoor Recreation