

Fact Sheet



Alaska Department of
**NATURAL
RESOURCES**

Division of Mining, Land & Water

Title: MINING PERMITS THROUGH THE APPLICATION FOR PERMITS TO MINE IN ALASKA (APMA)

January 2014

To conduct exploration or mining activities in the State of Alaska, permits and licenses are required by as many as 12 State and Federal agencies. To assist the industry with applications in the complex permitting process, the State designed the Application for Permits to Mine in Alaska (APMA).

Each year a claim owner intends to conduct mining activity, including exploration, mining, or transportation of equipment, an APMA should be completed and submitted to the Alaska Department of Natural Resources (DNR), Mining, Land & Water Office (Mining Section) nearest to where the activity will take place. A \$150 processing fee must accompany the application. Submission well in advance of the intended “start-up” date is recommended – November or December is not too early! The Mining Section reviews the application for completeness and, when accepted, distributes to all State, Federal and private agencies involved in the permitting process – thus, expediting the paperwork for the benefit of the applicant. Permits may or may not be required by the agencies receiving copies of each application. After reviewing the application, an agency may: 1) issue a required permit, sometimes with stipulations; 2) request more information before issuing a permit; or 3) deny the permit under their statutory and regulatory authority, or by order of court injunction.

Agencies involved in the permitting process, along with the respective permits/licenses managed, follows:

AGENCY	RESPONSIBILITY
Alaska Department of Fish & Game	Fish Habitat Permit or Special Area Permit
Alaska Department of Revenue- Tax Division	Mining Licenses
Department of Environmental Conservation	Wastewater Discharge, Compliance Inspections, & Technical Assistance
Department of Environmental Conservation	Alaska Pollution Discharge Elimination System permit
DNR, Division of Mining, Land & Water Mining Section	Miscellaneous Land Use Permit (On claim activity only, including surface use)
DNR, Division of Mining, Land & Water Land Section	Miscellaneous Land Use Permit (Access across state land)
DNR, Division of Mining, Land & Water Water Section	Temporary Water Use Authorizations, Permit to Appropriate Water, or a Certificate of Appropriation
DNR, Division of Parks	Special Park Use Permit or SHPO requirements
DNR, Division of Forestry	Timber Purchase may be required
Bureau of Land Management	Approved Plan of Operation or Notice of Operation
U.S. Forest Service	Approved Plan of Operation
U.S. Park Service	Approved Plan of Operation
U.S. Army Corps of Engineers (USACE)	Dredge and Fill Permit in Waters of the U.S.

NOTE: Although Alaska Department of Environmental Conservation (ADEC) and U.S. Army Corps of Engineers (USACE) receive copies of the APMA, they may not issue permits if the APMA is inadequate in completely describing the planned activity. Separate, individual, applications may be required to be filed with these agencies to receive their respective permits (ADEC – Alaska Pollutant Discharge Elimination System (APDES) Permits and USACE – Dredge & Fill Permits).

COMMONLY ASKED QUESTIONS

1. Will the Application for Permits to Mine in Alaska get me every permit I may need?

Not necessarily. If you will have a settling pond discharge, you must apply for an Alaska Department of Environmental Conservation Alaska Pollutant Discharge Elimination System (APDES) Permit. If the operation qualifies for a General Permit, the APMA acts as a Notice of Intent for issuance of a APDES Permit. If your operation does not qualify for a General Permit, a separate application with that agency will be necessary. In addition, a U.S. Army Corps of Engineers (USACE) permit could be required for mechanical land clearing, backfilling mine cuts, construction of a stream diversion, some road construction activities, and suction dredging in a stream or offshore. Contact them directly for this determination. U.S. Army Corps of Engineers, Regulatory Division, P O Box 6898, Anchorage, AK 99506; 1-800-478-2712 within Alaska, or 907-753-2712 (outside Alaska).

Online: <http://www.poa.usace.army.mil/reg/gps.htm>

2. Isn't a mining license the only permit I need?

No. A mining license is the Alaska's Department of Revenue's way of tracking your income tax obligation to the State (can be deferred for the first 3 ½ years of production IF an Affidavit of Initial Production is filed). It is not a mining permit and does not have anything to do with authorizing surface use or disturbance, wastewater discharge, habitat permits, etc.

3. Does the \$150 processing fee for the Application for Permits to Mine in Alaska cover the cost of all permits that could be issued?

No. The fee applies only to land use/water use permits and certificates to appropriate water issued by the Alaska Department of Natural Resources and the cost of duplication and distribution of the application to other State and Federal agencies. The Temporary Water Use Authorization may be issued with the APMA Application. For those applicants requesting Water Rights, the Application for Water Right needs to be included with the APMA. There is no additional fee if submitted with the APMA.

4. Do I need to complete and submit a new Application for Permits to Mine in Alaska each year?

Yes, unless you have a "Multi-year APMA" which may be good for up to five years (\$350 fee). If your APMA is "single year" and you intend to perform any type of mining related activity that requires a permit, you must apply each year.

5. If I am not mining, only prospecting or performing exploration work, do I still need permits?

Yes. Permits or Notices of Operation are required for any activity involving heavy, mechanized equipment on all State and Federal lands.

6. I'm only a recreational miner using a suction dredge, not a commercial venture with big equipment. Do I still need permits?

Possibly. Any suction dredge activity must be coordinated through a local Habitat Division of an Alaska Department of Fish and Game Office and the Alaska Department of Environmental Conservation. Generally on State mining claims, operation of suction dredges with a nozzle intake six inches or less, powered by a 18 HP motor or less without additional mechanized equipment, is considered "recreational activity". Recreational dredging requires authorization from the Department of Fish and Game and the Department of Environmental Conservation.

On Federal mining claims, suction dredges with nozzle intakes larger than four inches are considered commercial and require a Notice/Plan of Operation to be submitted or an APMA, in addition to authorization from the Department of Fish & Game and the Alaska Department of Environmental Conservation.

FOR MORE INFORMATION, OR FOR AN APPLICATION, VISIT: <http://dnr.alaska.gov/mlw/forms/>