

Fact Sheet



Alaska Department of
**NATURAL
RESOURCES**

Division of Mining, Land & Water
July 2018

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

To conduct exploration or mining activities in the State of Alaska, permits and licenses are required by as many as twelve 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), Division of Mining, Land and Water (DMLW) nearest to where the activity will take place. Submission well in advance of the intended “start-up” date is recommended – October or November is not too early! Applicable fees must accompany the application and the amount varies depending on the scale of mining activity. See current Director’s Fee Order for applicable fees. The Mining Section reviews the form for completeness and, when accepted, distributes to all State and Federal 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 or an additional fee; 2) request more information before issuing a permit; 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, as follows:

AGENCY	RESPONSIBILITY
Alaska Department of Fish and Game	Fish Habitat Permit or Special Area Permit
Alaska Department of Revenue-Tax Division	Mining License
Department of Environmental Conservation (DEC)	Alaska Pollution Discharge Elimination System Permit (APDES), Compliance Inspections, & Technical Assistance
DNR, Division of Mining, Land & Water Mining Section	Miscellaneous Land Use Permit, Approved Plan of Operations, and Approved Reclamation Plan (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 Authorization (TWUA) 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 the Alaska Department of Environmental Conservation (DEC), U.S. Army Corps of Engineers (USACE), and DNR Water Section receive copies of the APMA, they may not issue permits if the APMA is inadequate in completely describing the planned level of activity. Separate, individual, applications may be required to be filed with these agencies to receive their respective permits. Other Agencies may also charge a fee separate from the APMA fee.

COMMONLY ASKED QUESTIONS

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

Not necessarily. For example: If you will have a settling pond discharge, you must apply for an Alaska Department 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 an 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 permit could be required for mechanical land clearing, backfilling mine cuts, construction of a stream diversion, some road construction activities and suction dredging in 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 or local telephone contact is 907-753-2712.

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 disturbance, wastewater discharge, surface use, habitat permits, etc.

3. *Does the APMA processing fee for the Application to Mine in Alaska cover the cost of all permits that could be issued?*

No. The fee applies **only** to applications for Miscellaneous Land Use Permits, applications for Approved Plan of Operations, applications for Approved Reclamation Plans, and applications for Winter Cross Country Travel authorizations issued by the Department of Natural Resources Mining Section and the cost of distribution of the application to other State and Federal agencies.

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

Yes, unless you have a "Multi-year APMA" which can be applied for up to five years. If your APMA is for a "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. Activities conducted on a mining property above Generally Allowed Uses on State land will require permitting regardless of the level of mining activity.

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

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