



# Alaska Placer Mining Operations and Claims

## Operator's Guide

*For anyone who owns, leases, or has an interest in placer mining claims in Alaska  
October 2020 Update*

### Mining in Alaska: What are your rights and obligations?

Federal and state agencies have dual roles of encouraging use and protecting resources on public lands. Building a cooperative relationship with these land managers can help ensure the proper use of your mining claims, help protect the land, and uphold everyone's right to mine in Alaska.

**It is your responsibility to understand your rights and obligations prior to mining.** Mining is highly regulated by federal and state governments and sometimes requires multiple permits. Although State of Alaska mining laws are similar to federal mining regulations, there are important differences.

Many placer miners in Alaska take advantage of the convenient Applications for Permits to Mine in Alaska (APMA). The Alaska Department of Natural Resources (ADNR) distributes

completed APMAs to appropriate federal and state agencies to facilitate their permitting processes and reduce paperwork for miners. State claim owners submit an APMA to receive a state land use permit to mine. Federal claim owners on BLM-managed public lands must submit an APMA to access the State of Alaska Bonding Pool to provide a financial guarantee of reclamation. The APMA may not be all you need. Although the BLM may accept the APMA as a Notice or a Plan of Operations, the Forest Service requires different submittals. U.S. Army Corps of Engineers accepts APMA, but also requires supplemental application materials.

Take time to understand what is required, regardless of land ownership. **Before you begin any mining activity on your mining claim, contact the appropriate land manager.**

### Alaska State and Federal Agency Contacts

#### Bureau of Land Management

Anchorage State Office, Public Information Center  
222 West 7th Ave.  
Anchorage, AK 99513-7504  
(907) 271-5960  
[www.blm.gov/alaska](http://www.blm.gov/alaska)

#### Bureau of Land Management

Fairbanks District Office, Public Information Center  
222 University Ave.  
Fairbanks, AK 99709  
(907) 474-2200  
[www.blm.gov/office/fairbanks-district-office](http://www.blm.gov/office/fairbanks-district-office)

#### Alaska Department of Environmental Conservation

610 University Ave  
Fairbanks, AK 99709  
(907) 451-2142  
[www.dec.alaska.gov/water/wastewater/mining/](http://www.dec.alaska.gov/water/wastewater/mining/)

#### Alaska Department of Natural Resources

Mine Permitting/ Mineral Property Mgmt  
550 West 7th Avenue, Suite 900B  
Anchorage, AK 99501  
(907) 269-8400  
[www.dnr.alaska.gov/mlw/mining](http://www.dnr.alaska.gov/mlw/mining)

#### Alaska Department of Natural Resources

Fairbanks Office Mine Permitting, Land & Water  
3700 Airport Way  
Fairbanks, AK 99709  
Water: (907) 451-2790 Mining: (907) 451-2736  
[www.dnr.alaska.gov/mlw/mining](http://www.dnr.alaska.gov/mlw/mining)

#### Alaska Department of Revenue

550 West 7th Ave, Suite 500  
Anchorage, Alaska 99501  
(907) 269-6620  
[www.dor.alaska.gov/](http://www.dor.alaska.gov/)

#### USDA Forest Service Region 10

Regional Office  
709 W. 9th Street  
Juneau, AK 99801-1807  
(907) 586-7869 (Regional Geologist)  
[www.fs.usda.gov/r10](http://www.fs.usda.gov/r10)

#### Tongass National Forest Office

8501 Mendenhall Loop Road  
Juneau, AK 99801  
(907) 586-8800 (Minerals Group)  
[www.fs.usda.gov/tongass/](http://www.fs.usda.gov/tongass/)

#### Chugach National Forest Office

161 East 1st Ave., Door 8  
Anchorage, AK 99501  
(907) 743-9500 (Forest Geologist)  
[www.fs.usda.gov/chugach/](http://www.fs.usda.gov/chugach/)

#### Other Agency Contacts:

**Alaska Department of Fish and Game, Division of Habitat:** (907) 267-2342 or website: [www.habitat.adfg.alaska.gov](http://www.habitat.adfg.alaska.gov)

**U.S. Army Corps of Engineers:** (907) 753-2712 or (800) 478-2712 or website: [www.poa.usace.army.mil/Missions/Regulatory/Placer-Mining/](http://www.poa.usace.army.mil/Missions/Regulatory/Placer-Mining/)

**Environmental Protection Agency:** (907) 271-6561 or (800) 781-0983

**National Park Service:** (907) 644-3571 (NPS Geologist) or [www.nps.gov/akso/](http://www.nps.gov/akso/)

U.S. Department of the Interior  
Bureau of Land Management

## U.S. Army Corps of Engineers (COE)

Under the Clean Water Act, the COE is responsible for protecting and maintaining the physical, chemical and biological integrity of waters of the U.S., while allowing responsible development. The Corps issues permits for activities affecting waters of the U.S., including wetlands. The law applies to all waters and wetlands without regard to property ownership.

**Your APMA is reviewed to determine if your project affects waters of the U.S. The COE may ask for more information to determine if you are working in wetlands or in a stream channel, to verify if a permit is necessary.**

There are three levels of permits: Nationwide (NWP) for exploration; Regional General Permits (RGP) for mechanical placer operations up to 5 acres and uplands with stream diversions of 1,500 feet or less; and Individual Permits (IP) for larger impact operations. An IP takes 90-120 days to evaluate.

For more information contact Leslie Tose by phone: (907) 753-2712, or email: [leslie.w.tose@usace.army.mil](mailto:leslie.w.tose@usace.army.mil) Corps of Engineers Regulatory website: [www.poa.usace.army.mil/Missions/Regulatory.aspx](http://www.poa.usace.army.mil/Missions/Regulatory.aspx)

## State Of Alaska

### Alaska Department of Natural Resources (ADNR)

For a state mining claim, you should:

1. Properly stake and record your claim's location with the ADNR State Recording District where the claim is located.
2. Timely record annual labor with the Recorder's Office.
3. Pay annual claim rental.
4. If you have a mining license or are in development or production, you must file the Mining License Tax and Production Royalty returns, even if you had no production.
5. File the APMA to obtain a Miscellaneous Land Use Permit for using heavy equipment to mine, evaluate your claim, or to build any structures on your claim.
6. Check if you need a Title 16 Fish Habitat Permit. Website: [www.adfg.alaska.gov/index.cfm?adfg=uselicense.mining](http://www.adfg.alaska.gov/index.cfm?adfg=uselicense.mining)

Failure to do these steps will result in the loss of your claim. ADNR strongly recommends that you visit [www.dnr.alaska.gov/mlw/factsht/](http://www.dnr.alaska.gov/mlw/factsht/) and read the fact sheets pertinent to your situation. Also, read the fact sheet "Generally Allowed Uses on State Lands" about mining activities allowed on State lands without a Miscellaneous Land Use Permit. If any of your planned mining activities are beyond the scope of these allowed activities, you must file the APMA. You need to file the APMA for any structures, even if you have a mining claim or lease.

ADNR forwards your APMA to other appropriate government agencies and will help you with the application process. You can get printed fact sheets and the APMA form at ADNR Public Information Centers in Anchorage or Fairbanks and online at [www.dnr.state.ak.us/mlw/forms/](http://www.dnr.state.ak.us/mlw/forms/). For operators not using the APMA Process, contact the ADNR Water Resources Section (907-451-2790) to determine whether a water use authorization is required. (website: [www.dnr.alaska.gov/mlw/water/](http://www.dnr.alaska.gov/mlw/water/))

### Alaska Department of Revenue (ADOR)

It is illegal to engage in any mining activity in Alaska without an ADOR issued mining license. This includes all owners, lessors and operators and all mining operations on state, federal, municipal, and private lands. For more information go to ADOR's website at [www.tax.alaska.gov](http://www.tax.alaska.gov).

### Alaska Department of Environmental Conservation (ADEC)

The ADEC is responsible for issuing Small and Medium Suction Dredge, Mechanical Placer Mining, and individual wastewater permits previously issued by the EPA. Most ADEC permits can be obtained through the APMA process (see ADNR Section).

For information on obtaining Alaska Pollutant Discharge Elimination System (APDES) permits contact Nick Dallman at (907) 451-2142 or go to the ADEC website:

[www.dec.alaska.gov/water/wastewater/mining/](http://www.dec.alaska.gov/water/wastewater/mining/)

### Alaska Department of Fish and Game (ADF&G) - Habitat Division

The ADF&G, through the Division of Habitat, has the statutory responsibility for protecting freshwater anadromous fish habitat and providing free passage for anadromous and resident fish in fresh water bodies. A Title 16 Fish Habitat Permit Application can determine if restrictions are necessary to protect fish habitat and passage. The Title 16 permit can be found at:

[www.adfg.alaska.gov/index.cfm?adfg=uselicense.mining](http://www.adfg.alaska.gov/index.cfm?adfg=uselicense.mining)



Geology rock hammer and copper ore.

## Bureau of Land Management (BLM)

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You can prospect, explore, claim, access, develop, and extract minerals from all federal lands under the General Mining Law of 1872 as amended, except for those lands designated for other uses, such as parks or wilderness areas.

The BLM administers subsurface mineral mining claims on all federal lands. This includes adjudication of mining claims, maintaining mining claim files, documentation, location, and fee collection. For federal mining claim information, contact the local Public Information Center (see front page for locations and phone numbers) or the BLM Alaska Mining and Minerals webpage: [www.blm.gov/alaska/mining](http://www.blm.gov/alaska/mining)

The BLM also manages the surface use and occupancy for 70 million acres of BLM-managed public lands in Alaska. There are three generally recognized levels of mining operations on BLM-managed lands, and each of these represent increasing environmental impact:

1. Casual Use are activities ordinarily resulting in only negligible disturbance, such as non-motorized prospecting with hand tools and gold pans.

2. Notice Level Operations are operations that are exploratory in nature, will result in a cumulative surface disturbance of 5 acres or less, and are located outside of special status areas.
3. Plan Level Operations involve areas greater than 5 acres or production phase operations regardless of size.

Each Plan or Notice must include a reclamation plan and a financial assurance of reclamation. Most BLM placer operations use the State of Alaska Reclamation Bonding Pool to provide financial assurance of reclamation. An APMA must be submitted to access the Bonding Pool (See Alaska ADNR section). Work with the local BLM Field Office before submitting an APMA to ADNR. Operations may begin after a Plan or Notice is accepted as complete, reviewed, and determined to be in compliance with BLM regulations and local resource management plans. All operations must post a reclamation bond. The mining operation is then regularly inspected for compliance with the approved Plan or Notice and BLM regulations. For information on federal regulations and BLM Land Use Policies, go to: [www.blm.gov/programs/energy-and-minerals/mining-and-minerals/locatable-minerals](http://www.blm.gov/programs/energy-and-minerals/mining-and-minerals/locatable-minerals)

## U.S. Forest Service

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The Forest Service manages the surface use and occupancy of nearly 23 million acres of National Forest System lands in Alaska including administering mining operations.

Proposed mining activities on lands managed by the Forest Service may require submitting a Notice of Intent (NOI) or Plan of Operations to the appropriate District Ranger. The Forest Service will conduct a completeness review and establish a case file when they receive your plan. You may be required to provide additional information. After an environmental review, you must provide a bond as determined by the projected level of disturbance prior to receiving an approval. Following approval of the plan, the Forest Service will periodically inspect operations for compliance with the approved plan and regulations.

There are three levels of mining activities on National Forest System lands that represent increasing environmental impacts. Level of surface disturbance may vary according to site-specific conditions:

1. Casual Use are activities that the general public may undertake without a written authorization.
2. Notice of Intent are activities that do not result in any significant surface disturbance.
3. Plan of Operations are operations that are causing or will likely cause significant surface disturbance.

The District Ranger will determine whether your proposed operations may cause a significant surface disturbance. The BLM's "5-acre-rule" does not apply to operations on National Forest System lands. You can find the Plan of Operations requirements in 36 CFR 228 Subpart A. A Plan of Operations must include a reclamation plan and a financial assurance of reclamation. The Forest Service does not accept the State of Alaska Bond Pool as a financial assurance.

Forest Service Plan form, regulations and other information can be found at: [www.fs.fed.us/geology/minerals.html](http://www.fs.fed.us/geology/minerals.html)



*Placer gold displayed by a miner.*

<b>Activity proposed on mining claim</b> <i>(Production operations in AK require a Mining License and annual filing of Mining License Tax. See Dept. of Revenue Section)</i>	<b>APMA, notice or plan required?</b>	<b>STATE</b> <b>Alaska Dept. of Natural Resources (ADNR)</b> <i>(A Production Royalty Tax is also required on production from State Claims, see State of Alaska Section)</i>	<b>FEDERAL</b> <b>Bureau of Land Management (BLM)</b>	<b>FEDERAL</b> <b>U.S. Forest Service</b>
<b>Simple mining claim maintenance;</b> or in the case of assessment work for small miners, casual use activities only.	NO	Perform and file annual labor, pay annual rental fees: See ADNR <a href="#">Rental and Labor Factsheet</a>	Pay maintenance fees or (if less than 10 claims) submit Maintenance Fee Waiver Certification then perform and file evidence of assessment work. See <a href="#">Mining Claims and Sites on Federal Lands</a> .	Same as BLM land. See <a href="#">U.S. Forest Service Geology</a> site.
<b>Prospecting<sup>1</sup> and panning:</b> via non - motorized access.	NO	Allowed on State land open to mineral entry.	The public is generally allowed to prospect on unclaimed BLM land.	Allowed on lands open to mineral entry.
<b>Prospecting<sup>1</sup> and panning:</b> via motorized access.	<b>May be required</b>	ATV's do not require APMA, see ADNR: Generally Allowed Uses Fact Sheet (See above for website or ADNR Section).	Restrictions exist; check with local Field Office for more information.	Motorized restrictions exist. ATV's not allowed off road or on most roads/trails without a Plan of Operations <sup>4</sup> , Check with District Office.
<b>Suction Dredging</b> (less than 6" nozzle within active stream channel)	<b>May be required</b> (2) (3)	Generally allowed with up to 6" nozzle. Fish Habitat Permit required from ADF&G. ADEC wastewater permit required.	Contact local Field Office for more information. Most BLM land is closed to suction dredging outside of active claims. ADF&G and ADEC permits required.	Generally allowed without a written authorization but restrictions exist. ADF&G and ADEC permits required <sup>2</sup> . (Restricted to active stream channel or unvegetated gravel bars.)
<b>High banking</b> (outside active stream and banks) (If inside the active stream and banks, ADF&G and ADEC permits are required.)	<b>May be required</b> (2)	Allowed on unencumbered State land.	Restrictions exist for motorized prospecting equipment. Contact local Field Office for more information.	Plan of Operations may be required. <sup>4</sup> Contact District Office.
<b>Accessing Claims:</b> via non- motorized methods.	NO	Allowed	Allowed	Allowed
<b>Accessing Claims:</b> via motorized vehicles. (Stream crossings may require permit from ADF&G.)	<b>May be required</b>	Restrictions apply, contact local BLM Field Office.	Restrictions may apply, contact local BLM Field Office.	Plan of Operations required for most motorized access <sup>4</sup> . (See Forest Service Section)
<b>Larger Exploration Operations</b> (less than 1,000 tons of presumed ore for testing and/or less than 5 acres disturbed).	<b>Yes</b> (2) (3)	APMA required for activities other than Generally Allowed Uses; other required permits are variable. <sup>2</sup>	A Notice must be filed with the BLM before beginning activities. Notice reviewed by BLM Field Office (additional permits and reclamation bond required <sup>2</sup> ).	File a Plan of Operations, <sup>4</sup> additional permits required <sup>2</sup> . Analysis required under NEPA.
<b>Production Operations</b> (or exploratory operations exceeding 5 acres of disturbance and/or greater than 1,000 tons of presumed ore for testing)	<b>Yes</b> (2) (3)	APMA required for activities other than Generally Allowed Uses; required permits are variable. <sup>2</sup> NEPA review required. <sup>3</sup>	Plan of Operations required. Use APMA. Significant permits <sup>2</sup> and bond required. Environmental Analysis is required under NEPA, <sup>3</sup> BLM generally conducts the analysis and prepares the EA or EIS, and decision document.	Plan of Operations required (significant permits required <sup>2</sup> ). Environmental Analysis is required under NEPA. <sup>3</sup> Forest Service generally conducts the analysis and prepares the EA or EIS, and decision document.

<sup>1</sup> Prospecting typically includes non-motorized panning, hand sluicing, activities with hand tools and use of metal detectors (local restrictions apply)

<sup>2</sup> Additional permits or reviews possibly required: APMA, ADF&G Title 16 Fish and Wildlife Fish Habitat permit, ADEC-APDES Permits (see ADEC section), Corp of Engineers permits (see COE section), MSHA, OSHA, ATF, etc.

<sup>3</sup> National Environmental Policy Act requires federal agencies to consider environmental impacts in decision making.

<sup>4</sup> State APMA is not applicable or accepted in lieu of Plan of Operations by the Forest Service.

*The authors of the chart above provide no warranty, expressed or implied, as to the accuracy, reliability, or completeness of this data. It is recommended that anyone interested in mining related activities in Alaska, contact the appropriate agency and/or a qualified attorney experienced with mining law and regulations.*

*This guide was produced through the cooperation of the Alaska Miners Association (AMA)– Small Scale Mining Committee, the State of Alaska, BLM, and the U.S. Forest Service. The AMA can provide additional contacts or information: (907) 563-9229 [www.alaskaminers.org](http://www.alaskaminers.org)*