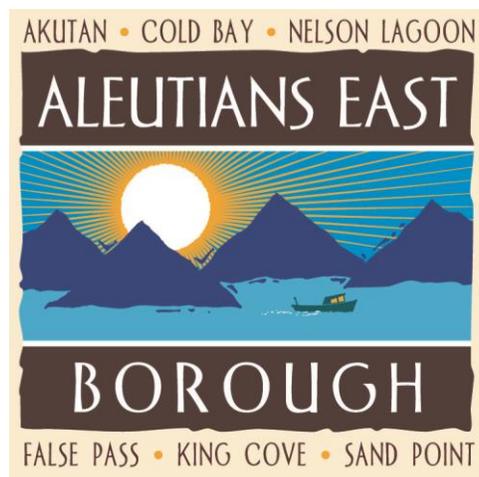
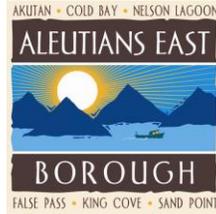


# **Aleutians East Borough Planning Commission Meeting**



**Workshop: Wednesday, March 5, 2014 – 3:00 p.m.**

**Meeting: Wednesday, March 5, 2014 – 4:30 p.m.**



## Agenda

### PLANNING COMMISSION MEETING

(packet available on website [www.aleutianseast.org](http://www.aleutianseast.org) )

**Date:** Wednesday, March 5, 2014  
**Time:** Workshop: 3:00 p.m. Meeting: 4:30 p.m.  
**Location:** By Teleconference in the locations below:  
King Cove AEB office Akutan city office  
Sand Point – AEB office Cold Bay city office - library  
Nelson Lagoon Corp. office Anchorage – 3380 C Street  
False Pass city office

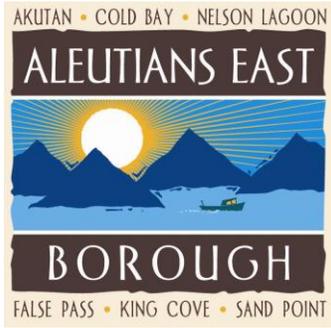
All communities will be provided with conference calling information for the designated location in your community. Public comments on agenda items will take place immediately after the adoption of the agenda. Additional public comments can be made at the end of the meeting.

#### **PLANNING COMMISSION WORKSHOP AGENDA**

1. Oath of Office – Swearing in New Planning Commission Member
2. Roll Call & Establishment of Quorum
3. Complaint Form
4. Example Letters
5. Additional Stipulation Supplement Form
6. Revisions to Permits to Address Streamlined Approval for Minor Amendments and Renewals
7. Permitting Processing & Follow-up Checklist

#### **PLANNING COMMISSION MEETING AGENDA**

1. Roll Call & Establishment of Quorum
2. Adoption of Agenda
3. Community Roll Call and Public Comment on Agenda Items
4. Minutes, December 18, 2013
5. Resolutions:
  - Resolution 14-03, approving Revisions to the Onshore Seafood Processing, Large Mining Operations, and Oil & Gas Permits for the Land Use Permitting System
  - Resolution 14-04, Approving the Complaint Form for the Land Use Permitting System
6. Planning Commission Comments
7. Public Comments
8. Next Meeting Date and Time
9. Adjournment



## OATH OF OFFICE

### ALEUTIANS EAST BOROUGH PLANNING COMMISSION

I, ROBERT GOULD, do solemnly swear that I will support the Constitution of the United States and State of Alaska and the laws and ordinances of the Aleutians East Borough, State of Alaska, and that I will honestly, faithfully and impartially perform the duties of Planning Commission member. So help me God.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

# PLANNING COMMISSION WORKSHOP

# Roll Call & Establishment of a Quorum



To: Planning Commission Members

From: Anne Bailey, Community Development Coordinator

Re: March 5, 2014 Planning Commission Workshop

Date: January 17, 2014

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The Aleutians East Borough is creating a Resource Development Land Use Permitting System to Protect Coastal Resources in the AEB Resource Development District Project, funded with qualified Outer Continental Shelf oil and gas revenues from the Coastal Impact Assistance Program (CIAP), administered by the Fish and Wildlife Service and the U.S Department of the Interior. The purpose of this project is to create and implement a permitting system to regulate resource development activities in the AEB coastal zone and maximize resource development opportunities while protecting coastal resources through an organized, efficient permit program consistent with the goals and objectives of the AEB Code.

At the March 5, 2014 Planning Commission Workshop the Commission will be discussing the following:

**1. Complaint Form**

**2. Example Letters**

- 2.1. Example Request for Additional Information Letter
- 2.2. Example Permit Application Returned Letter
- 2.3. Example Permit Application Approved Letter
- 2.4. Example Permit Application Denied Letter
- 2.5. Example Elevation Letter
- 2.6. Example Planning Commission Decision Letter on Elevated Permit
- 2.7. Example Request for Quarterly, Annual or Final Report Letter
- 2.8. Example Public Notice of a Permit
- 2.9. Example Staff Recommendation
- 2.10. Example Phone Log
- 2.11. Example Meeting Log

**3. Additional Stipulation Supplement Form**

#### **4. Revision to Permits to Address Streamlined Approval for Minor Amendments and Renewals**

- 4.1. Onshore Seafood Processing Permit – March 2014, Rev. 1; revised Section 8, to add a spot for AEB Administrator to approve a Minor Amendment or Renewal that does not require full PC Review and Assembly Approval. Noticed this was missing when working on the checklist.
- 4.2. Large Mining Operations Permit - March 2014, Rev. 1; revised Section 8, to add a spot for AEB Administrator to approve a Minor Amendment or Renewal that does not require full PC Review and Assembly Approval. Noticed this was missing when working on the checklist.
- 4.3. Oil & Gas Permit - March 2014, Rev. 1; revised Section 7, to add a spot for AEB Administrator to approve a Minor Amendment or Renewal that does not require full PC Review and Assembly Approval. Noticed this was missing when working on the checklist.

#### **5. Permit Processing & Follow-up Checklists**

- 5.1. Commercial Recreation (CRO) Checklist
- 5.2. Research (RP) Checklist
- 5.3. Sand, Gravel, Rock Mining (RP) Checklist
- 5.4. Mineral & Coal Mining & Small Mining Operations (ESM) Checklist
- 5.5. Offshore & Direct Marketing Seafood Processing (ODMSP) Checklist
- 5.6. Onshore Seafood Processing (OSP) Checklist
- 5.7. Large Mine (LM) Checklist
- 5.8. Oil & Gas (OGP) Checklist

Please note:

- The Example Letters (Item 2 above), Additional Stipulation Supplement Form (Item 3 above) and the Permit Processing & Follow-up Checklists (Item 5 above) are for discussion purposes only and do not need Planning Commission approval.
- The Revision to Permits to Address Streamlined Approval for Minor Amendments and Renewals (Item 4 above) are before the Commission for discussion and will require Planning Commission approval. These documents can be found in the meeting packet following Resolution 14-03 – Approving Revisions to the Onshore Seafood Processing, Large Mining Operations, and Oil & Gas Permits for the Land Use Permitting System.

The following changes have been made to the permits:

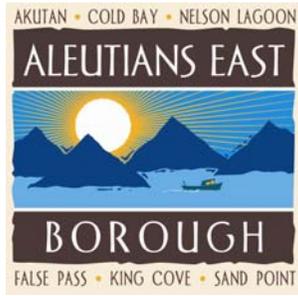
- Onshore Seafood Processing Permit – March 2014, Rev. 1; revised Section 8, to add a spot for AEB Administrator to approve a Minor Amendment or Renewal that does not require full Planning Commission Review and Assembly Approval.
- Large Mining Operations Permit – March 2014, Rev. 1; revised Section 8, to add a spot for AEB Administrator to approve a Minor Amendment or Renewal that does not require full Planning Commission Review and Assembly Approval.

- Oil & Gas Permit – March 2014, Rev. 1; revised Section 7, to add a spot for AEB Administrator to approve a Minor Amendment or Renewal that does not require full Planning Commission Review and Assembly Approval.
  
- The Complaint Form (Item 1 above) is before the Commission for discussion and will require Planning Commission Approval. This document can be found in the meeting packet following Resolution 14-04 – Approving the Complaint Form for the Land Use Permitting System.

# **Complaint Form**

**Please refer to Resolution 14-04 – Approving the Complaint Form for the Land Use Permitting System in the Planning Commission Meeting Packet for a copy of the Complaint Form.**

# Example Letters



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## Example Request for Additional Information Letter

\*Delete this header and enter data into all yellow highlighted areas \*

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Sent by E-mail and U.S. Mail

[Date]

[Applicant Name]

[Applicant Title]

[Applicant Address]

Phone: [enter phone number]

Fax: [enter fax number]

E-mail: [enter e-mail address]

**Re: AEB Permit Application No. [enter number assigned],  
[Enter Application or Project Name]  
Request for Additional Information for Land Use Permit Application**

Dear [Applicant Name],

The Aleutians East Borough (AEB) received your [enter date] land use permit application. Your permit application has been assigned AEB Permit No. [enter permit number]. Please refer to this AEB permit number in all correspondence with us.

Your permit application has been determined to be **incomplete**. Additional information is required to process your application. Your application is suspended until the additional information listed below is received. You have 60 days from the date of this letter to provide the additional information requested. If you do not provide this information within 60 days, the incomplete application and fee payment check will be returned to you.

Please provide the following information to complete your application:

1. [enter description of information needed];

2. [enter description of information needed]; and,
3. [enter description of information needed];

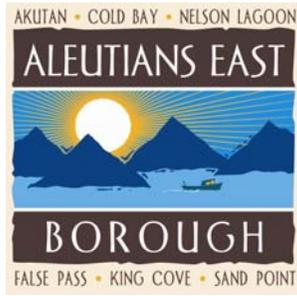
AEB Staff, [enter name] has been assigned to your permit, and can be reached by e-mail at [enter e-mail address], or by phone at (907) [enter phone number] if you have any questions about this request.

Sincerely,

[enter name]

Aleutians East Borough Administrator

Cc: AEB Clerk  
[enter name], AEB Staff Assigned to Permit  
AEB Permit No. [enter permit number] File



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## Example Permit Application Returned Letter

\*Delete this header and enter data into all yellow highlighted areas \*

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**Sent by E-mail and U.S. Certified Mail**

**[note you must send by certified mail and keep receipt in permit file]**

[Date]

[Applicant Name]

[Applicant Title]

[Applicant Address]

Phone: [enter phone number]

Fax: [enter fax number]

E-mail: [enter e-mail address]

**Re: AEB Permit Application No. [enter number assigned],  
[Enter Application or Project Name]  
Land Use Permit Application Returned**

Dear [Applicant Name],

The Aleutians East Borough (AEB) received your [enter date] land use permit application. Your permit application was assigned AEB Permit No. [enter permit number]. Please refer to this AEB permit number in all correspondence with us.

Your permit application was determined to be **incomplete** on [enter date that you sent the request for additional information letter] and the AEB sent you a letter informing you that additional information was required to process your application. Your application was suspended until the additional information listed below was received and you were notified that you had 60 days to provide the additional information requested. The requested information was not provided within 60 days, therefore, the incomplete application and fee payment check is being returned to you.

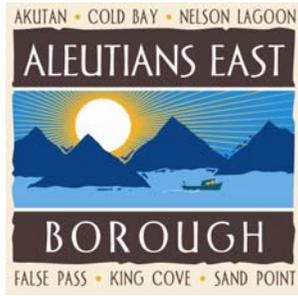
AEB Staff, [enter name] has been assigned to your permit, and can be reached by e-mail at [enter e-mail address], or by phone at (907) [enter phone number] if you have any questions about this determination.

Sincerely,

[enter name]

Aleutians East Borough Administrator

Cc: AEB Clerk  
[enter name], AEB Staff Assigned to Permit  
AEB Permit No. [enter permit number] File



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## Example Permit Application Approved Letter

\*Delete this header and enter data into all yellow highlighted areas \*

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Sent by E-mail and U.S. Certified Mail

[note you must send by certified mail and keep receipt in permit file]

[Date]

[Applicant Name]

[Applicant Title]

[Applicant Address]

Phone: [enter phone number]

Fax: [enter fax number]

E-mail: [enter e-mail address]

**Re: AEB Permit Application No. [enter number assigned],  
[Enter Application or Project Name]  
Land Use Permit Application Approved**

Dear [Applicant Name],

The Aleutians East Borough (AEB) received your [enter date] land use permit application. Your permit application was assigned AEB Permit No. [enter permit number]. Please refer to this AEB permit number in all correspondence with us.

Your permit application was **approved** on [enter date] in accordance with the AEB Municipal Code (AEBMC) Chapter 40. Your permit is effective on [enter date] and expires on [enter date]. To continue operating beyond the expiration date, you must submit a [new or renewal] AEB Land Use Permit Application on or before [enter date].

This Land Use Permit approval is only valid for the scope of operations and activities described in your application. Failure of the Applicant to provide true and correct statements and information in connection

with this permit, without regard to intent, shall render the permit immediately void. Any changes to your operations or activities may require a permit amendment. You must consult with the AEB staff assigned to your permit to determine if an amendment is required before proceeding with any operations or activities not authorized under this approval. You must remain in compliance with the terms and conditions herein. Failure to comply with the conditions of this authorization could result in immediate revocation of this authorization.

[Use this paragraph for permits approved by the AEB Administrator, or delete if the permit was approved by the Assembly]. This permit was approved in accordance with the AEBMC, Chapter 40 and is final unless appealed to the AEB Planning Commission within 14 calendar days from receipt of the Administrator's decision by certified mail. AEBMC § 40.02.020. An Applicant or any Aggrieved Party that submitted timely comments to the Administrator during the public comment period may appeal a decision of the Administrator made under the AEBMC Chapter 40.01 to the Planning Commission in accordance with the procedures established in AEBMC Chapter 40.02.

[Use this paragraph for permits approved by the AEB Assembly, or delete if the permit was approved by the AEB Administrator]. This permit approval was conducted in accordance with the AEBMC, Chapter 40 and is final. A written decision of the Assembly may be appealed by the Applicant or any person who submitted timely written comments or gave oral testimony pursuant to the requirements of AEBMC Chapter 40. In accordance with the procedures established in AEBMC Chapter 40.04, the decision must be appealed to the Superior Court within 30 calendar days from receipt of the Assembly's decision by certified mail.

AEB Staff, [enter name] has been assigned to your permit, and can be reached by e-mail at [enter e-mail address], or by phone at (907) [enter phone number] if you have any questions about this determination.

Sincerely,

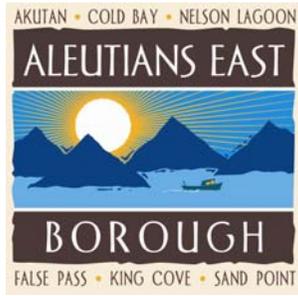
[enter name]

[Aleutians East Borough Administrator or AEB Assembly Chairman]

Cc: AEB Assembly  
AEB Administrator  
AEB Planning Commission  
AEB Clerk

[Note that permit approvals must be mailed to the adjoining property owners, and all persons that submitted written comments by certified mail.]

[enter name], AEB Staff Assigned to Permit  
AEB Permit No. [enter permit number] File



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## Example Permit Application Denied Letter

\*Delete this header and enter data into all yellow highlighted areas \*

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Sent by E-mail and U.S. Certified Mail

[note you must send by certified mail and keep receipt in permit file]

[Date]

[Applicant Name]

[Applicant Title]

[Applicant Address]

Phone: [enter phone number]

Fax: [enter fax number]

E-mail: [enter e-mail address]

**Re: AEB Permit Application No. [enter number assigned],  
[Enter Application or Project Name]  
Land Use Permit Application Denied**

Dear [Applicant Name],

The Aleutians East Borough (AEB) received your [enter date] land use permit application. Your permit application was assigned AEB Permit No. [enter permit number]. Please refer to this AEB permit number in all correspondence with us.

Your permit application was **denied** on [enter date] in accordance with the AEB Municipal Code (AEBMC) Chapter 40. The permit was denied for the following reasons:

1. [explain reason for denial];
2. [explain reason for denial]; and,
3. [explain reason for denial];

[Use this paragraph for permits approved by the AEB Administrator, or delete if the permit was approved by the Assembly]. This permit was denied in accordance with the AEBMC, Chapter 40 and this decision is final unless appealed to the AEB Planning Commission within 14 calendar days from receipt of the Administrator's decision by certified mail. AEBMC § 40.02.020. An Applicant or any Aggrieved Party that submitted timely comments to the Administrator during the public comment period may appeal a decision of the Administrator made under the AEBMC Chapter 40.01 to the Planning Commission in accordance with the procedures established in AEBMC Chapter 40.02.

[Use this paragraph for permits approved by the AEB Assembly, or delete if the permit was approved by the AEB Administrator]. This permit denial was conducted in accordance with the AEBMC, Chapter 40 and this decision is final. A written decision of the Assembly may be appealed by the Applicant or any person who submitted timely written comments or gave oral testimony pursuant to the requirements of AEBMC Chapter 40. In accordance with the procedures established in AEBMC Chapter 40.04, the decision must be appealed to the Superior Court within 30 calendar days from receipt of the Assembly's decision by certified mail.

AEB Staff, [enter name] has been assigned to your permit, and can be reached by e-mail at [enter e-mail address], or by phone at (907) [enter phone number] if you have any questions about this determination.

Sincerely,

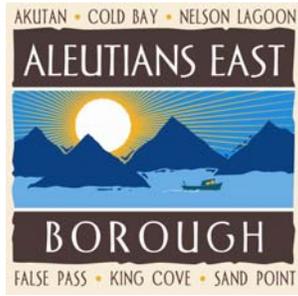
[enter name]

[Aleutians East Borough Administrator or AEB Assembly Chairman]

Cc: AEB Assembly  
AEB Planning Commission  
AEB Clerk

[Note that permit denials should be mailed to the adjoining property owners, and all persons that submitted written comments.]

[enter name], AEB Staff Assigned to Permit  
AEB Permit No. [enter permit number] File



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## Example Elevation Letter

**\*Delete this header and enter data into all yellow highlighted areas \***

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**Sent by E-mail and U.S. Certified Mail**

**[note you must send by certified mail and keep receipt in permit file]**

[Date]

[Applicant Name]

[Applicant Title]

[Applicant Address]

Phone: [enter phone number]

Fax: [enter fax number]

E-mail: [enter e-mail address]

**Re: AEB Permit Application No. [enter number assigned],**

**[Enter Application or Project Name]**

**Land Use Permit Application Elevated to the AEB Planning Commission for a Decision**

Dear [Applicant Name],

The Aleutians East Borough (AEB) received your [enter date] land use permit application. Your permit application was assigned AEB Permit No. [enter permit number]. Please refer to this AEB permit number in all correspondence with us.

The AEB Administrator has decided to elevate your permit application to the AEB Planning Commission for review and decision. AEBMC § 40.01.070.

The Administrator decided to elevate a decision on your permit to the AEB Planning Commission because your proposed application may: [AEBMC § 40.01.070 allows the Administrator to elevate the permit if one or more of these three criteria exists. Select the criteria that apply and delete the others.]

1. Have potential, significant or negative impacts on or in conflict with Borough interests, resources or activities in a manner or to a degree that warrants consideration by the Commission;
2. Conflict with adopted Borough policies in a manner or to a degree that warrants consideration by the Commission and cannot be easily decided by the Borough Planning Director; or,
3. Raised a particular issue or set of issues that warrants consideration by the Commission.

[You can add further explanation here if helpful.]

Permit decisions elevated to the Planning Commission are placed on the next scheduled meeting of the Planning Commission. The next Planning Commission is scheduled on [enter date and time] in [enter location] or explain how to participate by teleconference].

In accordance with the requirements of AEBMC § 40.01.070, you must participate in the Planning Commission meeting and present your application. A Planning Commission decision will be made at the meeting. The permit will either be approved or denied.

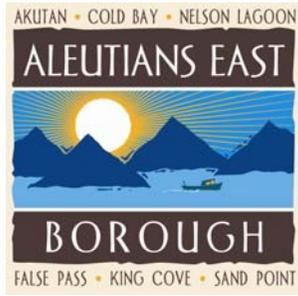
AEB Staff, [enter name] has been assigned to your permit, and can be reached by e-mail at [enter e-mail address], or by phone at (907) [enter phone number] if you have any questions about this determination.

Sincerely,

[enter name]

Aleutians East Borough Administrator

Cc: AEB Assembly  
AEB Planning Commission  
AEB Clerk  
[enter name], AEB Staff Assigned to Permit  
AEB Permit No. [enter permit number] File



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## Example Planning Commission Decision Letter on Elevated Permit

\*Delete this header and enter data into all yellow highlighted areas \*

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Sent by E-mail and U.S. Certified Mail

[note you must send by certified mail and keep receipt in permit file]

[Date]

[Applicant Name]

[Applicant Title]

[Applicant Address]

Phone: [enter phone number]

Fax: [enter fax number]

E-mail: [enter e-mail address]

**Re: AEB Permit Application No. [enter number assigned],  
[Enter Application or Project Name]  
Land Use Permit Application Approved**

Dear [Applicant Name],

The Aleutians East Borough (AEB) received your [enter date] land use permit application. Your permit application was assigned AEB Permit No. [enter permit number]. Please refer to this AEB permit number in all correspondence with us.

[Use this paragraph if the Planning Commission approved the permit, otherwise delete this paragraph.]

On [enter date] you received a letter from the AEB Administrator explaining that your permit application was elevated to the AEB Planning Commission to reach a decision. The AEB Planning Commission has reviewed your application in accordance with the AEB Municipal Code (AEBMC) Chapter 40 and has decided to **approve** your permit. Your permit is effective on [enter date] and expires on [enter date]. To continue operating beyond the expiration date, you must submit a [new or renewal] AEB Land Use Permit Application on or before [enter date].

[Use this paragraph if the Planning Commission approved the permit, otherwise delete this paragraph.]

This Land Use Permit approval is only valid for the scope of operations and activities described in your application. Failure of the Applicant to provide true and correct statements and information in connection with this permit, without regard to intent, shall render the permit immediately void. Any changes to your operations or activities may require a permit amendment. You must consult with the AEB staff assigned to your permit to determine if an amendment is required before proceeding with any operations or activities not authorized under this approval. You must remain in compliance with the terms and conditions herein. Failure to comply with the conditions of this authorization could result in immediate revocation of this authorization.

[Use this paragraph if the Planning Commission denied the permit, otherwise delete this paragraph.] On [enter date] you received a letter from the AEB Administrator explaining that your permit application was elevated to the AEB Planning Commission to reach a decision. The AEB Planning Commission has reviewed your application in accordance with the AEB Municipal Code (AEBMC) Chapter 40 and has decided to **deny** your permit for the following reasons:

1. [explain reason for denial];
2. [explain reason for denial]; and,
3. [explain reason for denial];

This permit decision was made in accordance with the AEBMC, Chapter 40 and is final unless appealed to the AEB Board of Adjustment within 14 calendar days from receipt of the AEB Planning Commission's decision by certified mail. AEBMC § 40.03.040. An Applicant or any Aggrieved Party that submitted timely comments to the Administrator during the public comment period or gave oral testimony at the public hearing before the Planning Commission may appeal a decision of the Planning Commission in accordance with the procedures established in AEBMC Chapter 40.03.

AEB Staff, [enter name] has been assigned to your permit, and can be reached by e-mail at [enter e-mail address], or by phone at (907) [enter phone number] if you have any questions about this determination.

Sincerely,

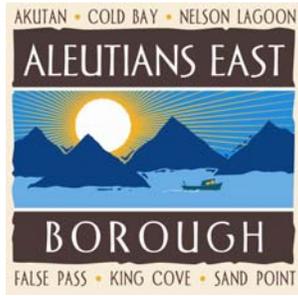
[enter name]

Aleutians East Borough Administrator

Cc: AEB Assembly  
AEB Planning Commission  
AEB Clerk

[Note that permit approvals must be mailed to the adjoining property owners, and all persons that submitted written comments by certified mail.]

[enter name], AEB Staff Assigned to Permit  
AEB Permit No. [enter permit number] File



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**Example Request for Quarterly, Annual or Final Report Letter**

**\*Delete this header and enter data into all yellow highlighted areas \***

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**Sent by E-mail and U.S. Mail**

[Date]

[Applicant Name]

[Applicant Title]

[Applicant Address]

Phone: [enter phone number]

Fax: [enter fax number]

E-mail: [enter e-mail address]

**Re: AEB Permit Application No. [enter number assigned],  
[Enter Application or Project Name]  
Request for [Quarterly, Annual or Final] Report**

Dear [Applicant Name],

Your Aleutians East Borough (AEB) Permit No. [enter permit number] requires you to submit an [Quarterly, Annual or Final] Report on or before [enter date] of each year. The AEB has not received your report.

[If this report is connected with a mining operation and the survey data has not been submitted add this line, otherwise delete it]. Your permit also requires you to submit survey data that verifies the amount of materials that were extracted from the mining operation as part of the Annual Report. The AEB has not received your report.

You must submit your report by [enter date] to comply with your permit terms and conditions. The AEB is providing this additional time to come into compliance with your reporting obligation, because this is the first time that you have not submitted a report [and survey data] in a timely manner. You must submit all future reports [and survey data] on time.

Failure to submit your [Quarterly, Annual or Final] Report by [enter date] will result in a Notice of Violation and penalty. Failure to submit future [Quarterly, Annual or Final] Reports by [enter date] will result in an automatic Notice of Violation and penalty and no grace period will be provided.

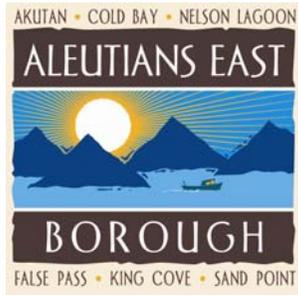
AEB Staff, [enter name] has been assigned to your permit, and can be reached by e-mail at [enter e-mail address], or by phone at (907) [enter phone number] if you have any questions about this request.

Sincerely,

[enter name]

Aleutians East Borough Administrator

Cc: AEB Clerk  
[enter name], AEB Staff Assigned to Permit  
AEB Permit No. [enter permit number] File



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## Example 30 Day Public Comment Period Notice for Land Use Permit Applications

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\*Delete this header and enter data into all yellow highlighted areas\*

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This Notice was posted in two locations in each Aleutians East Borough (AEB) Community and was posted on the AEB Public Notice Webpage as required by AEB Municipal Code (AEBMC) § 1.12.010 and Chapter 40.20.

Akutana at [enter location of posting] and [enter location of posting].  
Cold Bay at [enter location of posting] and [enter location of posting].  
False Pass at [enter location of posting] and [enter location of posting].  
King Cove at [enter location of posting] and [enter location of posting].  
Nelson Lagoon at [enter location of posting] and [enter location of posting].  
Sand Point at [enter location of posting] and [enter location of posting].

[Date]

**Re: AEB Permit Application No. [enter number assigned],  
[Enter Application or Project Name]  
30 Day Public Comment Period**

On [enter date], the Aleutians East Borough (AEB) received a land use permit application from [enter Application or Project Name] for [describe permit type and operations planned]. This permit application has been assigned AEB Permit No. [enter permit number]. Please refer to this AEB permit number in all correspondence with us.

This permit application is being processed in accordance with the AEB Municipal Code (AEBMC) requirements of Chapter 40. This permit is subject to a 30 day public review comment period. Public review started on [enter date] and ends on [enter date]. A copy of the permit application may be found at the AEB Public Notice Webpage, or by contacting the AEB.

AEB Staff, [enter name] has been assigned to process this permit, and can be reached by phone at (907) [enter phone number] if you have any questions about this public notice.

Please provide your written comments to AEB Staff, [enter name] by e-mail at [enter e-mail address], or by U.S. Mail at [enter address]. Please note that comments sent by U.S. Mail must be received on or before day 30 of this public review. Comments received after the 30 day period will not be considered.

All comments must include the AEB Permit No. [enter permit number] and must clearly state whether you support approval or denial of the permit application.

If you support permit approval, you should clearly state the reason(s) that you believe the AEB should approve the permit application. You should also specify if you recommend any additional stipulations be applied to this permit approval (in addition to the standard set of permit stipulations already printed on the permit application).

If you recommend permit denial, you should clearly state the reason(s) that you believe the AEB should deny the permit application. You should also specify if you believe there are changes in the permit application that could be made to change your recommendation to support permit approval.

The public will also have additional opportunities to comment on this permit application at the Planning Commission and Assembly meeting; however, we recommend that you provide comments early in the process so that we can work with the Applicant to address any concerns you may have. The next steps in the approval process include:

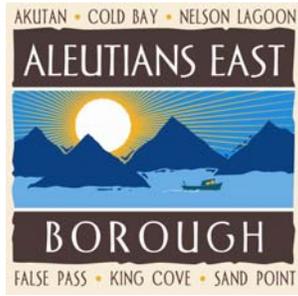
1. At the close of the 30 day public comment period, all comments will be compiled by the AEB Staff and a written Staff Recommendation will be drafted for AEB Administrator review.
2. The AEB Administrator will make a recommendation to the AEB Planning Commission within 90 calendar days of a complete application receipt, excluding Saturdays, Sundays and Borough holidays.
3. The AEB Planning Commission has 60 days to review and make a recommendation to the Assembly on this permit application, once the AEB Administrator's recommendation is provided. The Planning Commission meeting will be open to the public, and this permit will be placed on the agenda for discussion and a period for oral public comment will be provided.
4. The AEB Assembly has 30 days to review and make a decision on this permit application, once the AEB Planning Commission is provided. The Assembly meeting will be open to the public, and this permit will be placed on the agenda for discussion and a period for oral public comment will be provided.

Sincerely,

[enter name]

Aleutians East Borough Administrator

Cc: AEB Assembly  
AEB Planning Commission  
AEB Clerk  
[enter name], AEB Staff Assigned to Permit  
AEB Permit No. [enter permit number] File



---

## Example Staff Recommendation Letter

\*Delete this header and enter data into all yellow highlighted areas \*

---

**Re: AEB Permit Application No. [enter number assigned],  
[Enter Application or Project Name]  
Land Use Permit Staff Recommendation**

Dear AEB Planning Commission,

The Aleutians East Borough (AEB) received a [enter date] land use permit application from [enter Applicant]. This permit application requests approval to [provide a brief summary of permit application here]. A complete copy of the permit application is attached to this Staff Recommendation.

This permit application is being processed in accordance with the AEB Municipal Code (AEBMC) requirements of Chapter 40. This permit is subject to a 30 day public review comment period. Public review started on [enter date] and ended on [enter date]. We received [enter number of comments] supporting the application and [enter number of comments] opposing the application.

A summary of the comments received is provided below:

### Comments Supporting the Permit Application

1. Comment Submitted by [enter commenter's name]: ["enter comment in quotes"].
2. Comment Submitted by [enter commenter's name]: ["enter comment in quotes"].

### Comments Opposing the Permit Application

1. Comment Submitted by [enter commenter's name]: ["enter comment in quotes"].
2. Comment Submitted by [enter commenter's name]: ["enter comment in quotes"].

The AEB Staff have reviewed the application and all the comments received and have prepared a Staff Recommendation for your review and consideration. The AEB Staff recommend [approval, approval with additional stipulations, or denial] for the following reasons:

1. [state your reasons];
2. [state your reasons]; and,
3. [state your reasons];

A draft Planning Commission Resolution is attached for your review and consideration. We have also provided a draft [approval or denial] letters for Assembly review and consideration.

The AEB Planning Commission has 60 days to review and make a recommendation to the Assembly (by resolution) on this permit application from the date of this letter. The Planning Commission meeting will be open to the public, and this permit will be placed on the agenda for discussion with a period for oral comment.

AEB Staff, [enter name] has been assigned to this permit, and can be reached by e-mail at [enter e-mail address], or by phone at (907) [enter phone number] if you have any questions about this recommendation.

Sincerely,

[enter name]

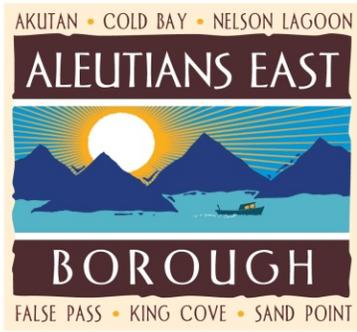
Aleutians East Borough Administrator

Cc: AEB Assembly  
AEB Planning Commission  
AEB Clerk

[Note that permit approvals must be mailed to the adjoining property owners, and all persons that submitted written comments by certified mail.]

[enter name], AEB Staff Assigned to Permit  
AEB Permit No. [enter permit number] File





## Aleutians East Borough Permit Meeting Log

Aleutians East Borough  
P.O. Box 349  
Sand Point, Alaska 99661  
907-383-2699

Permit Number: AEB Permit No. \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_

### Meeting Summary

AEB Staff Name: \_\_\_\_\_ Date: \_\_\_\_\_

Reason for Meeting: \_\_\_\_\_

Meeting Participant Names and Titles:

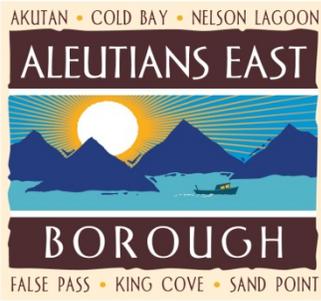
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Summary of Meeting:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Agreed Actions:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_



# ALEUTIANS EAST BOROUGH

## Additional Stipulation Supplement Form

Permit Number: AEB Permit No. \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_

Approved by Name: [enter name of person that approved stipulations]

Approved by Title: [enter title of person that approved stipulations]

Approved by (signature): \_\_\_\_\_

### Additional Stipulations Added to Permit Approval

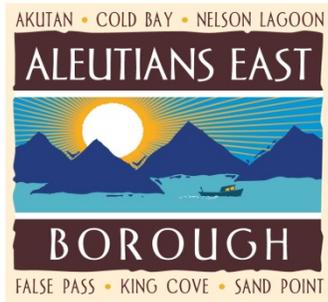
The Aleutians East Borough (AEB) permit application form and approved permit contains a list of standard permit stipulations. Additionally, the AEB has determined that the additional stipulations listed below are required to approve your permit.

1. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
2. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
3. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
4. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
5. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
6. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
7. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
8. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
9. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
10. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
11. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
12. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
13. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
14. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
15. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
16. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
17. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
18. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
19. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]
20. [Enter permit stipulation title in bold font: Enter permit stipulation language in regular font.]

# **Revisions to Permits to Address Streamlined Approval for Minor Amendments and Renewals**

**Please refer to Resolution 14-03 – Approving  
Revisions to the Onshore Seafood Processing, Large  
Mining Operations, and Oil & Gas Permits in the  
Planning Commission Meeting packet for the Land  
Use Permitting System for the permit documents.**

# Permit Processing & Follow-up Checklists



# ALEUTIANS EAST BOROUGH

## COMMERCIAL RECREATION OPERATOR (CRO) LAND USE PERMIT

Authority Aleutians East Borough Municipal Code Title 40

Checklist	
Effective Date:	March 2014
Revision Date(s):	
Revision No:	

### Initial Processing (Database Entry, Permit File Creation, and Permit Assignment)

- Open the AEB Land Use Permit Database and obtain a new permit number. If the permit is amended add an "A1" to the existing permit number, or "A2" for the second amendment, etc.
- Assign the permit number on the first page of the application (in upper right hand corner).
- Write the permit number on the first page of the application (in upper right hand corner).
- Enter Applicant Contact Information from Section No. 1 of the Permit Application into the AEB Land Use Database.
- Scan the permit application and the bank check. Create an Adobe pdf file and store it in the AEB Land Use Database.
- Create a hard copy permit file to store records and checks while permit is being processed and active.
- Place the signed application and bank check in the permit file.
- Notify the permit reviewer if check is missing or amount is incorrect.
- Initial processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit review assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

### Review Application for Completeness

Date permit was received: \_\_\_\_\_ Date permit decision must be issued: \_\_\_\_\_

**Note:** A permit decision must be issued within 10 calendar days of application receipt, excluding Saturday and Sunday and Borough holidays (see AEBMC § 1.12.010 definition of "computation of time") excluding the first day and including the last day, or a Request for Additional Information (RFAI) must be issued to stop the clock.

Application was found:  incomplete (10 day clock stops)  complete (skip to next section and process check)

Date 1<sup>st</sup> Request for Additional Information (RFAI) was issued: \_\_\_\_\_

Date 1<sup>st</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 1<sup>st</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

1<sup>st</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 1<sup>st</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 1<sup>st</sup> RFAI response was:  incomplete (skip to issue 2<sup>nd</sup> RFAI).

If 1<sup>st</sup> RFAI response was:  complete (skip to process bank check and make decision within 10 days.)

If 1<sup>st</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

## Review Application for Completeness (continued)

Date 2<sup>nd</sup> RFAI was issued: \_\_\_\_\_

Date 2<sup>nd</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

2<sup>nd</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 2<sup>nd</sup> RFAI response was:  incomplete (hold meeting with Applicant to resolve).

If 2<sup>nd</sup> RFAI response was:  complete (skip to process the bank check and make decision within 10 days.)

If 2<sup>nd</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

Completeness Review completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

## Process Check

Mark the Fee Paid "yes" box in Section No. 9 of the permit application, and enter the check number and amount paid on the lines provided.

Process the application fee, by sending the bank check to the AEB Finance Department.

Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

## AEB Staff Recommendation

**Recommend Approval.** An approval letter is attached for AEB Administrator approval.

**Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.

**Recommend Elevation to Planning Commission.** An elevation letter is attached for AEB Administrator approval.

**Recommend Denial.** A denial letter is attached for AEB Administrator approval.

**Supplemental memorandum attached.** A supplemental memorandum is attached summarizing the recommendation. This supplemental memorandum may be necessary to provide a more detailed explanation and justification for complex or controversial permits.

AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 10 day clock.

**AEB Administrator Decision to Approve (skip if permit is elevated or denied)**

- Mark "approved" box on Section No. 9 of the permit application form, fill in approval date, and expiration date. **Note:** Commercial Recreation Permits are only valid for one calendar year commencing on January 1<sup>st</sup> and expiring December 31<sup>st</sup>. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- Mark "yes" box on Section No. 9 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- Mark "no" box on Section No. 9 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 9.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Elevate (skip if permit is approved or denied)**

- Mark "elevated" box on Section No. 9 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 9.
- Sign elevation letter.
- AEB staff scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Work with AEB Staff and Planning Commission Chair to place elevated permit on next scheduled meeting of the Planning Commission.
- Contact Applicant and ensure they will attend Planning Commission Meeting and present their permit application.
- Hold Planning Commission meeting and obtain decision on permit elevation by resolution.
- Have Planning Commission Chair sign elevation letter decision that matches Planning Commission resolution decision.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Deny (skip if permit is approved or elevated)**

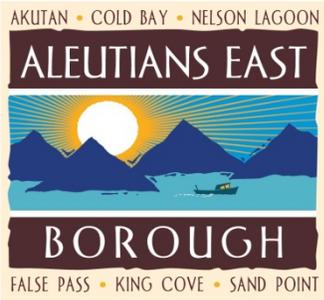
- Mark "denied" box on Section No. 9 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 9.
- Sign denial letter.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Follow-Up**

- 1. Annual Report:** On or before February 1<sup>st</sup> of each year, after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as nearly as possible to pre-existing conditions.
  - Annual Report Review (Year \_\_\_\_\_)**
    - If there are no concerns, scan and file.
    - If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
    - Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- 2. Inspect Site:** If budget allows, inspect site to close out permit file.
  - Inspection Completed?     yes    Date: \_\_\_\_\_
  - Inspection Completed?     no    explain reason why not: \_\_\_\_\_

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  - Review Inspection Report.
    - If there are no concerns, scan and file.
    - If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
    - Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- 3. Filing and Permit Close-out:**
  - Ensure all the records contained in the physical hard copy file are scanned and entered into the AEB Permit Database, so a complete record of all permit documentation is stored electronically.
  - Mark physical hard copy to be destroyed with a date that conforms with AEB's record retention policy.
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_



# ALEUTIANS EAST BOROUGH

## RESEARCH (RP) LAND USE PERMIT

Authority Aleutians East Borough Municipal Code Title 40

Checklist	
Effective Date:	March 2014
Revision Date(s):	
Revision No:	

### Initial Processing (Database Entry, Permit File Creation, and Permit Assignment)

- Open the AEB Land Use Permit Database and obtain a new permit number. If the permit is amended, add an "A1" to the existing permit number. Or if the permit is renewed, add a "R1" to the existing permit number.
- Assign the permit number on the first page of the application (in upper right hand corner).
- Write the permit number on the first page of the application (in upper right hand corner).
- Enter Applicant Contact Information from Section No. 1 of the Permit Application into the AEB Land Use Database.
- Scan the permit application and the bank check. Create an Adobe pdf file and store it in the AEB Land Use Database.
- Create a hard copy permit file to store records and checks while permit is being processed and active.
- Place the signed application and bank check in the permit file.
- Notify the permit reviewer if check is missing or amount is incorrect.
- Initial processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit review assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

### Review Application for Completeness

Date permit was received: \_\_\_\_\_ Date permit decision must be issued: \_\_\_\_\_

**Note:** A permit decision must be issued within 10 calendar days of application receipt, excluding Saturday and Sunday and Borough holidays (see AEBMC § 1.12.010 definition of "computation of time") excluding the first day and including the last day, or a Request for Additional Information (RFAI) must be issued to stop the clock.

Application was found:  incomplete (10 day clock stops)  complete (skip to next section and process check)

Date 1<sup>st</sup> Request for Additional Information (RFAI) was issued: \_\_\_\_\_

Date 1<sup>st</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 1<sup>st</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

1<sup>st</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 1<sup>st</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 1<sup>st</sup> RFAI response was:  incomplete (skip to issue 2<sup>nd</sup> RFAI).

If 1<sup>st</sup> RFAI response was:  complete (skip to process bank check and make decision within 10 days.)

If 1<sup>st</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

## Review Application for Completeness (continued)

Date 2<sup>nd</sup> RFAI was issued: \_\_\_\_\_

Date 2<sup>nd</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

2<sup>nd</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 2<sup>nd</sup> RFAI response was:  incomplete (hold meeting with Applicant to resolve).

If 2<sup>nd</sup> RFAI response was:  complete (skip to process the bank check and make decision within 10 days.)

If 2<sup>nd</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

Completeness Review completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

## Process Check

Mark the Fee Paid "yes" box in Section No. 9 of the permit application, and enter the check number and amount paid on the lines provided.

Process the application fee, by sending the bank check to the AEB Finance Department.

Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

## AEB Staff Recommendation

**Recommend Approval.** An approval letter is attached for AEB Administrator approval.

**Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.

**Recommend Elevation to Planning Commission.** An elevation letter is attached for AEB Administrator approval.

**Recommend Denial.** A denial letter is attached for AEB Administrator approval.

**Supplemental memorandum attached.** A supplemental memorandum is attached to summarizing the recommendation. This supplement memorandum may be necessary to provide a more detailed explanation and justification for complex or controversial permits.

AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 10 day clock.

**AEB Administrator Decision to Approve (skip if permit is elevated or denied)**

- Mark “approved” box on Section No. 9 of the permit application form, fill in approval date, and expiration date. **Note:** Research Permits are valid for the Research period, up to a maximum period of five (5) years. After five (5) years the permit must be renewed. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- Mark “yes” box on Section No. 9 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- Mark “no” box on Section No. 9 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 9.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Elevate (skip if permit is approved or denied)**

- Mark “elevated” box on Section No. 9 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 9.
- Sign elevation letter.
- AEB staff scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Work with AEB Staff and Planning Commission Chair to place elevated permit on next scheduled meeting of the Planning Commission.
- Contact Applicant and ensure they will attend Planning Commission Meeting and present their permit application.
- Hold Planning Commission meeting and obtain decision on permit elevation by resolution.
- Have Planning Commission Chair sign elevation letter decision that matches Planning Commission resolution decision.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Deny (skip if permit is approved or elevated)**

- Mark “denied” box on Section No. 9 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 9.
- Sign denial letter
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Follow-Up**

**1. Annual Report:** On or before February 1st of each year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, providing an update on the status of the research, summarize any significant findings, and provide a schedule update on the time required to complete the research.

- Annual Report Review (Year \_\_\_\_\_)**
  - Annual Report Submitted?  yes    Date Received: \_\_\_\_\_  no
  - If the Annual Report was not submitted, issue a letter to the Permittee requesting the annual report be submitted if this is the first time a report was not submitted on time. Letter issued on: \_\_\_\_\_
  - If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
  - If there are no concerns, scan and file.
  - If there are concerns, raise those concerns to the AEB Administrator’s attention and complete enforcement or follow-up action if required.
  - Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Annual Report Review (Year \_\_\_\_\_)**
  - Annual Report Submitted?  yes    Date Received: \_\_\_\_\_  no
  - If the Annual Report was not submitted, issue a letter to the Permittee requesting the annual report be submitted if this is the first time a report was not submitted on time. Letter issued on: \_\_\_\_\_
  - If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
  - If there are no concerns, scan and file.
  - If there are concerns, raise those concerns to the AEB Administrator’s attention and complete enforcement or follow-up action if required.
  - Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Annual Report Review (Year \_\_\_\_\_)**

- Annual Report Submitted?  yes    Date Received: \_\_\_\_\_  no
- If the Annual Report was not submitted, issue a letter to the Permittee requesting the annual report be submitted if this is the first time a report was not submitted on time. Letter issued on: \_\_\_\_\_
- If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Annual Report Review (Year \_\_\_\_\_)**

- Annual Report Submitted?  yes    Date Received: \_\_\_\_\_  no
- If the Annual Report was not submitted, issue a letter to the Permittee requesting the annual report be submitted if this is the first time a report was not submitted on time. Letter issued on: \_\_\_\_\_
- If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**2. Final Report:** Within 180 days of completing its research, the Permittee shall submit a copy of its final research report in both hard copy and PDF format, and a letter confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as nearly as possible to pre-existing conditions. The final report must be sent to the AEB at P.O. Box 349, Sand Point, Alaska 99661.

- Final Report Submitted?  yes    Date Received: \_\_\_\_\_  no
- If the Final Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time. Letter issued on: \_\_\_\_\_
- If the Final Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

**Final Report Review (Year \_\_\_\_\_)**

- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Distribute Research Report**

- Provide a copy of the Research Report to AEB staff and other interested parties.
- File Research Report in hard copy and electronic form.
- Distribution and Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**3. Inspect Site:** If budget allows, inspect site to close out permit file.

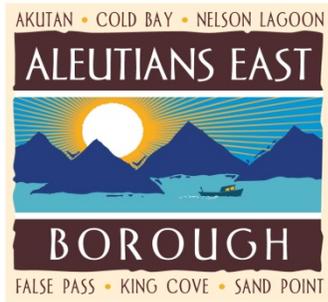
- Inspection Completed?  yes Date: \_\_\_\_\_
  - Inspection Completed?  no explain reason why not: \_\_\_\_\_
- 

Review Inspection Report.

- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**4. Filing and Permit Close-out:**

- Ensure all the records contained in the physical hard copy file are scanned and entered into the AEB Permit Database, so a complete record of all permit documentation is stored electronically.
- Mark physical hard copy to be destroyed with a date that conforms with AEB's record retention policy.
- Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_



# ALEUTIANS EAST BOROUGH

## SAND, GRAVEL, ROCK MINING (SGR) LAND USE PERMIT

Authority Aleutians East Borough Municipal Code Title 40

Checklist	
Effective Date:	March 2014
Revision Date(s):	
Revision No:	

### Initial Processing (Database Entry, Permit File Creation, and Permit Assignment)

- Open the AEB Land Use Permit Database and obtain a new permit number. If the permit is amended, add an "A1" to the existing permit number. Or if the permit is renewed, add a "R1" to the existing permit number.
- Assign the permit number on the first page of the application (in upper right hand corner).
- Write the permit number on the first page of the application (in upper right hand corner).
- Enter Applicant Contact Information from Section No. 1 of the Permit Application into the AEB Land Use Database.
- Scan the permit application and the bank check. Create an Adobe pdf file and store it in the AEB Land Use Database.
- Create a hard copy permit file to store records and checks while permit is being processed and active.
- Place the signed application and bank check in the permit file.
- Notify the permit reviewer if check is missing or amount is incorrect.
- Initial processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit review assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

### Review Application for Completeness

Date permit was received: \_\_\_\_\_ Date permit decision must be issued: \_\_\_\_\_

**Note:** A permit decision must be issued within 10 calendar days of application receipt, excluding Saturday and Sunday and Borough holidays (see AEBMC § 1.12.010 definition of "computation of time") excluding the first day and including the last day, or a Request for Additional Information (RFAI) must be issued to stop the clock.

Application was found:  incomplete (10 day clock stops)  complete (skip to next section and process check)

Date 1<sup>st</sup> Request for Additional Information (RFAI) was issued: \_\_\_\_\_

Date 1<sup>st</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 1<sup>st</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

1<sup>st</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 1<sup>st</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 1<sup>st</sup> RFAI response was:  incomplete (skip to issue 2<sup>nd</sup> RFAI).

If 1<sup>st</sup> RFAI response was:  complete (skip to process bank check and make decision within 10 days.)

If 1<sup>st</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

## Review Application for Completeness (continued)

Date 2<sup>nd</sup> RFAI was issued: \_\_\_\_\_

Date 2<sup>nd</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

2<sup>nd</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 2<sup>nd</sup> RFAI response was:  incomplete (hold meeting with Applicant to resolve).

If 2<sup>nd</sup> RFAI response was:  complete (skip to process the bank check and make decision within 10 days.)

If 2<sup>nd</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

Completeness Review completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

## Process Check

Mark the Fee Paid "yes" box in Section No. 8 of the permit application, and enter the check number and amount paid on the lines provided.

Process the application fee, by sending the bank check to the AEB Finance Department.

Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

## AEB Staff Recommendation

**Recommend Approval.** An approval letter is attached for AEB Administrator approval.

**Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.

**Recommend Elevation to Planning Commission.** An elevation letter is attached for AEB Administrator approval.

**Recommend Denial.** A denial letter is attached for AEB Administrator approval.

**Supplemental memorandum attached.** A supplemental memorandum is attached to summarizing the recommendation. This supplement memorandum may be necessary to provide a more detailed explanation and justification for complex or controversial permits.

AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 10 day clock.

**AEB Administrator Decision to Approve (skip if permit is elevated or denied)**

- Mark “approved” box on Section No. 8 of the permit application form, fill in approval date, and expiration date. **Note:** Sand, Gravel and Rock Mining Permits are valid for up to a maximum period of five (5) years. After five (5) years the permit must be renewed. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- Mark “yes” box on Section No. 8 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- Mark “no” box on Section No. 8 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 8.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Elevate (skip if permit is approved or denied)**

- Mark “elevated” box on Section No. 8 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 8.
- Sign elevation letter.
- AEB staff scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Work with AEB Staff and Planning Commission Chair to place elevated permit on next scheduled meeting of the Planning Commission.
- Contact Applicant and ensure they will attend Planning Commission Meeting and present their permit application.
- Hold Planning Commission meeting and obtain decision on permit elevation by resolution.
- Have Planning Commission Chair sign elevation letter decision that matches Planning Commission resolution decision.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Deny (skip if permit is approved or elevated)**

- Mark “denied” box on Section No. 8 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 8.
- Sign denial letter
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Follow-Up**

**1. Annual Report:** On or before February 1st of each year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met. On or before February 1st of each year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, providing survey data that verifies the amount of materials that were extracted from the mining operation. If a survey is not otherwise required by the land or mineral owner, or is cost prohibitive the Permittee may propose and obtain AEB approval of an alternative, equivalent measuring method. This information may be submitted as part of the Annual Report for efficiency.

- Annual Report Review (Year 1\_\_\_\_\_)**
  - Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
  - Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
  - If the Annual Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
  - If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
  - If there are no concerns, scan and file.
  - If there are concerns, raise those concerns to the AEB Administrator’s attention and complete enforcement or follow-up action if required.

Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

- Annual Report Review (Year 2\_\_\_\_\_)**
  - Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
  - Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
  - If the Annual Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
  - If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
  - If there are no concerns, scan and file.

- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Annual Report Review (Year 3 \_\_\_\_\_)**

- Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
- Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
- If the Annual Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
- If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Annual Report Review (Year 4 \_\_\_\_\_)**

- Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
- Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
- If the Annual Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
- If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**2. Final Report:** Within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as required in the approved Reclamation Plan. On or before February 1st of each year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, providing survey data that verifies the amount of materials that were extracted from the mining operation. If a survey is not otherwise required by the land or mineral owner, or is cost prohibitive the Permittee may propose and obtain AEB approval of an alternative, equivalent measuring method. This information may be submitted as part of the Annual Report for efficiency.

**Final Report Review (Year \_\_\_\_\_)**

- Final Report Submitted?  yes Date Received: \_\_\_\_\_  no
- Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
- If the Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**3. Severance Tax Payment:** AEBMC § 60.40.050 (D) requires: "The return or tax statement along with all taxes due to the Borough for the calendar quarter must be received by the Borough on or before the last business day of the month following the end of the calendar quarter for which the return or statement is required."

**Tax Payment (Year 1\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**Tax Payment (Year 2\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**Tax Payment (Year 3\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**Tax Payment (Year 4\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**Tax Payment (Year 5\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**4. Inspect Site:** If budget allows, inspect site to close out permit file.

- Inspection Completed?     yes    Date: \_\_\_\_\_
- Inspection Completed?     no    explain reason why not: \_\_\_\_\_
- 

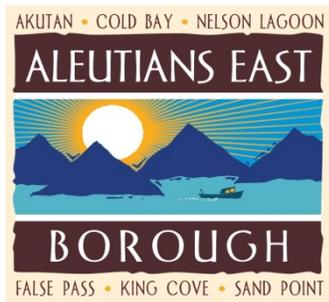
Review Inspection Report.

- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**5. Filing and Permit Close-out:**

- Ensure all the records contained in the physical hard copy file are scanned and entered into the AEB Permit Database, so a complete record of all permit documentation is stored electronically.
- Mark physical hard copy to be destroyed with a date that conforms with AEB's record retention policy.
- Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

DRAFT



# ALEUTIANS EAST BOROUGH

## MINERAL & COAL EXPLORATION & SMALL MINING OPERATIONS (ESM) LAND USE PERMIT

Authority Aleutians East Borough Municipal Code Title 40

Checklist	
Effective Date:	March 2014
Revision Date(s):	
Revision No:	

### Initial Processing (Database Entry, Permit File Creation, and Permit Assignment)

- Open the AEB Land Use Permit Database and obtain a new permit number. If the permit is amended, add an "AI" to the existing permit number. Or if the permit is renewed, add a "R1" to the existing permit number.
- Assign the permit number on the first page of the application (in upper right hand corner).
- Write the permit number on the first page of the application (in upper right hand corner).
- Enter Applicant Contact Information from Section No. 1 of the Permit Application into the AEB Land Use Database.
- Scan the permit application and the bank check. Create an Adobe pdf file and store it in the AEB Land Use Database.
- Create a hard copy permit file to store records and checks while permit is being processed and active.
- Place the signed application and bank check in the permit file.
- Notify the permit reviewer if check is missing or amount is incorrect.
- Initial processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit review assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

### Review Application for Completeness

Date permit was received: \_\_\_\_\_ Date permit decision must be issued: \_\_\_\_\_

**Note:** A permit decision must be issued within 10 calendar days of application receipt, excluding Saturday and Sunday and Borough holidays (see AEBMC § 1.12.010 definition of "computation of time") excluding the first day and including the last day, or a Request for Additional Information (RFAI) must be issued to stop the clock.

Application was found:  incomplete (10 day clock stops)  complete (skip to next section and process check)

Date 1<sup>st</sup> Request for Additional Information (RFAI) was issued: \_\_\_\_\_

Date 1<sup>st</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 1<sup>st</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

1<sup>st</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 1<sup>st</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 1<sup>st</sup> RFAI response was:  incomplete (skip to issue 2<sup>nd</sup> RFAI).

If 1<sup>st</sup> RFAI response was:  complete (skip to process bank check and make decision within 10 days.)

If 1<sup>st</sup> RFAI response was not received return application and check to Applicant. Date returned: \_\_\_\_\_

### Review Application for Completeness (continued)

Date 2<sup>nd</sup> RFAI was issued: \_\_\_\_\_

Date 2<sup>nd</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

2<sup>nd</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 2<sup>nd</sup> RFAI response was:  incomplete (hold meeting with Applicant to resolve).

If 2<sup>nd</sup> RFAI response was:  complete (skip to process the bank check and make decision within 10 days.)

If 2<sup>nd</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

Completeness Review completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

### Process Check

Mark the Fee Paid "yes" box in Section No. 8 of the permit application, and enter the check number and amount paid on the lines provided.

Process the application fee, by sending the bank check to the AEB Finance Department.

Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

### AEB Staff Recommendation

**Recommend Approval.** An approval letter is attached for AEB Administrator approval.

**Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.

**Recommend Elevation to Planning Commission.** An elevation letter is attached for AEB Administrator approval.

**Recommend Denial.** A denial letter is attached for AEB Administrator approval.

**Supplemental memorandum attached.** A supplemental memorandum is attached to summarizing the recommendation. This supplement memorandum may be necessary to provide a more detailed explanation and justification for complex or controversial permits.

AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 10 day clock.

**AEB Administrator Decision to Approve (skip if permit is elevated or denied)**

- Mark “approved” box on Section No. 8 of the permit application form, fill in approval date, and expiration date. **Note:** Mineral & Coal Exploration & Small Mining Operations Permits are valid for up to a maximum period of five (5) years. After five (5) years the permit must be renewed. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- Mark “yes” box on Section No. 8 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- Mark “no” box on Section No. 8 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 8.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Elevate (skip if permit is approved or denied)**

- Mark “elevated” box on Section No. 8 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 8.
- Sign elevation letter.
- AEB staff scans the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Work with AEB Staff and Planning Commission Chair to place elevated permit on next scheduled meeting of the Planning Commission.
- Contact Applicant and ensure they will attend Planning Commission Meeting and present their permit application.
- Hold Planning Commission meeting and obtain decision on permit elevation by resolution.
- Have Planning Commission Chair sign elevation letter decision that matches Planning Commission resolution decision.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Deny (skip if permit is approved or elevated)**

- Mark "denied" box on Section No. 8 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 8.
- Sign denial letter
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Follow-Up**

**1. Annual Report:** On or before February 1st of each year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met. On or before February 1st of each year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, providing survey data that verifies the amount of materials that were extracted from the mining operation. If a survey is not otherwise required by the land or mineral owner, or is cost prohibitive the Permittee may propose and obtain AEB approval of an alternative, equivalent measuring method. This information may be submitted as part of the Annual Report for efficiency.

- Annual Report Review (Year 1\_\_\_\_\_)**
  - Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
  - Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
  - If the Annual Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
  - If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
  - If there are no concerns, scan and file.
  - If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
  - Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Annual Report Review (Year 2\_\_\_\_\_)**
  - Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
  - Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
  - If the Annual Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
  - If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
  - If there are no concerns, scan and file.

- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Annual Report Review (Year 3 \_\_\_\_\_)**

- Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
- Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
- If the Annual Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
- If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Annual Report Review (Year 4 \_\_\_\_\_)**

- Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
- Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
- If the Annual Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
- If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**2. Final Report:** Within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as required in the approved Reclamation Plan. On or before February 1st of each year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, providing survey data that verifies the amount of materials that were extracted from the mining operation. If a survey is not otherwise required by the land or mineral owner, or is cost prohibitive the Permittee may propose and obtain AEB approval of an alternative, equivalent measuring method. This information may be submitted as part of the Annual Report for efficiency.

**Final Report Review (Year \_\_\_\_\_)**

- Final Report Submitted?  yes Date Received: \_\_\_\_\_  no
- Survey Data Submitted?  yes Date Received: \_\_\_\_\_  no
- If the Report (including survey data) was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**3. Severance Tax Payment:** AEBMC § 60.40.050 (D) requires: "The return or tax statement along with all taxes due to the Borough for the calendar quarter must be received by the Borough on or before the last business day of the month following the end of the calendar quarter for which the return or statement is required."

**Tax Payment (Year 1\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**Tax Payment (Year 2\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**Tax Payment (Year 3\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**Tax Payment (Year 4\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**Tax Payment (Year 5\_\_\_\_\_)**

- Was Tax paid April?     yes     no
- Was Tax paid July?     yes     no
- Was Tax paid October?     yes     no
- Was Tax paid January?     yes     no

**4. Inspect Site:** If budget allows, inspect site to close out permit file.

- Inspection Completed?     yes    Date: \_\_\_\_\_
- Inspection Completed?     no    explain reason why not: \_\_\_\_\_
- 

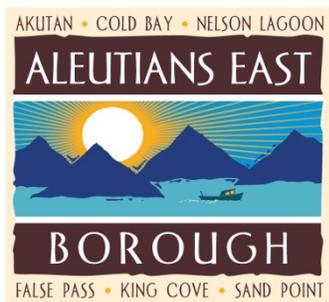
Review Inspection Report.

- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**5. Filing and Permit Close-out:**

- Ensure all the records contained in the physical hard copy file are scanned and entered into the AEB Permit Database, so a complete record of all permit documentation is stored electronically.
- Mark physical hard copy to be destroyed with a date that conforms with AEB's record retention policy.
- Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

DRAFT



**ALEUTIANS EAST BOROUGH**  
**OFFSHORE & DIRECT MARKETING SEAFOOD**  
**PROCESSING (ODMSP) LAND USE PERMIT**  
 Authority Aleutians East Borough Municipal Code Title 40

Checklist	
Effective Date:	March 2014
Revision Date(s):	
Revision No:	

**Initial Processing (Database Entry, Permit File Creation, and Permit Assignment)**

- Open the AEB Land Use Permit Database and obtain a new permit number. If the permit is amended add an "A1" to the existing permit number, or "A2" for the second amendment, etc.
- Assign the permit number on the first page of the application (in upper right hand corner).
- Write the permit number on the first page of the application (in upper right hand corner).
- Enter Applicant Contact Information from Section No. 1 of the Permit Application into the AEB Land Use Database.
- Scan the permit application and the bank check. Create an Adobe pdf file and store it in the AEB Land Use Database.
- Create a hard copy permit file to store records and checks while permit is being processed and active.
- Place the signed application and bank check in the permit file.
- Notify the permit reviewer if check is missing or amount is incorrect.
- Initial processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit review assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

**Review Application for Completeness**

Date permit was received: \_\_\_\_\_ Date permit decision must be issued: \_\_\_\_\_

**Note:** A permit decision must be issued within 10 calendar days of application receipt, excluding Saturday and Sunday and Borough holidays (see AEBMC § 1.12.010 definition of "computation of time") excluding the first day and including the last day, or a Request for Additional Information (RFAI) must be issued to stop the clock.

Application was found:  incomplete (10 day clock stops)  complete (skip to next section and process check)

Date 1<sup>st</sup> Request for Additional Information (RFAI) was issued: \_\_\_\_\_

Date 1<sup>st</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 1<sup>st</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

1<sup>st</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 1<sup>st</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 1<sup>st</sup> RFAI response was:  incomplete (skip to issue 2<sup>nd</sup> RFAI).

If 1<sup>st</sup> RFAI response was:  complete (skip to process bank check and make decision within 10 days.)

If 1<sup>st</sup> RFAI response was not received return application and check to Applicant. Date returned: \_\_\_\_\_

## Review Application for Completeness (continued)

Date 2<sup>nd</sup> RFAI was issued: \_\_\_\_\_

Date 2<sup>nd</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

2<sup>nd</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 2<sup>nd</sup> RFAI response was:  incomplete (hold meeting with Applicant to resolve).

If 2<sup>nd</sup> RFAI response was:  complete (skip to process the bank check and make decision within 10 days.)

If 2<sup>nd</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

Completeness Review completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

## Process Check

Mark the Fee Paid "yes" box in Section No. 8 of the permit application, and enter the check number and amount paid on the lines provided.

Process the application fee, by sending the bank check to the AEB Finance Department.

Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

## AEB Staff Recommendation

**Recommend Approval.** An approval letter is attached for AEB Administrator approval.

**Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.

**Recommend Elevation to Planning Commission.** An elevation letter is attached for AEB Administrator approval.

**Recommend Denial.** A denial letter is attached for AEB Administrator approval.

**Supplemental memorandum attached.** A supplemental memorandum is attached to summarizing the recommendation. This supplemental memorandum may be necessary to provide a more detailed explanation and justification for complex or controversial permits.

AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).

Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 10 day clock.

**AEB Administrator Decision to Approve (skip if permit is elevated or denied)**

- Mark “approved” box on Section No. 8 of the permit application form, fill in approval date, and expiration date.  
**Note:** Offshore & Direct Marketing Seafood Processing Permits are only valid for one calendar year commencing on January 1<sup>st</sup> and expiring December 31<sup>st</sup>. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- Mark “yes” box on Section No. 8 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- Mark “no” box on Section No. 8 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 8.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Elevate (skip if permit is approved or denied)**

- Mark “elevated” box on Section No. 8 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 8.
- Sign elevation letter.
- AEB staff scans the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Work with AEB Staff and Planning Commission Chair to place elevated permit on next scheduled meeting of the Planning Commission.
- Contact Applicant and ensure they will attend Planning Commission Meeting and present their permit application.
- Hold Planning Commission meeting and obtain decision on permit elevation by resolution.
- Have Planning Commission Chair sign elevation letter decision that matches Planning Commission resolution decision.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Administrator Decision to Deny (skip if permit is approved or elevated)**

- Mark "denied" box on Section No. 8 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 8.
- Sign denial letter
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Follow-Up**

- 1. Annual Report:** On or before February 1<sup>st</sup> of each year, after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as nearly as possible to pre-existing conditions.
  - Annual Report Review (Year \_\_\_\_\_)**
    - If there are no concerns, scan and file.
    - If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
    - Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- 2. Inspect Site:** If budget allows, inspect site to close out permit file.
  - Inspection Completed?  yes Date: \_\_\_\_\_
  - Inspection Completed?  no explain reason why not: \_\_\_\_\_

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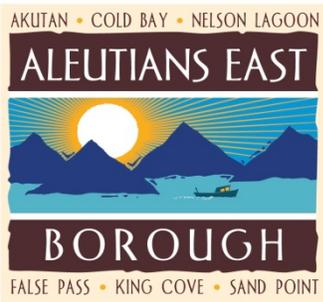
  - Review Inspection Report.
    - If there are no concerns, scan and file.
    - If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
    - Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- 3. Fish Tax Payment:** AEBMC § 60.20.050 (a) requires: "Taxes required to be collected under this chapter during a calendar month are due and payable to the Borough on the last day of the calendar month. AEBMC § 60.20.050 (a) requires: "The completed return, together with the remittance of the tax required to be collected during the calendar month, must be received by the Borough at the address designated on the return form on or before the fifteenth day of the month following the end of the calendar month for which the return is required. If the fifteenth day of a month falls on a Saturday, Sunday or a State holiday, the date for receipt is extended to the next day that is not a Saturday, Sunday or State holiday."

**Tax Payment (Year \_\_\_\_\_)**

- |  |                              |                             |   |
|--|------------------------------|-----------------------------|---|
| <input type="checkbox"/> Was Tax paid January?   | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid February?  | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid March?     | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid April?     | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid May?       | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid June?      | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid July?      | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid August?    | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid September? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid October?   | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid November?  | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |
| <input type="checkbox"/> Was Tax paid December?  | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> N/A no seafood operations occurred |

**4. Filing and Permit Close-out:**

- Ensure all the records contained in the physical hard copy file are scanned and entered into the AEB Permit Database, so a complete record of all permit documentation is stored electronically.
- Mark physical hard copy to be destroyed with a date that conforms with AEB's record retention policy.
- Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_



## ALEUTIANS EAST BOROUGH ONSHORE SEAFOOD PROCESSING (OSP) LAND USE PERMIT

Authority Aleutians East Borough Municipal Code Title 40

Checklist	
Effective Date:	March 2014
Revision Date(s):	
Revision No:	

### Pre-Application Meeting

Pre-Application Meeting was held.                      Date: \_\_\_\_\_

Note: AEBMC § 40.20.060 (D)(1) requires a pre-application meeting to be held before the land use permit application is submitted.

Application Meeting was held.                                      Date: \_\_\_\_\_

Note: AEBMC § 40.20.060 (D)(2) requires an application meeting to be held at least 180 days before the land use permit application is submitted.

### Initial Processing (Database Entry, Permit File Creation, and Permit Assignment)

- Open the AEB Land Use Permit Database and obtain a new permit number. If the permit is amended, add an "A1" to the existing permit number. Or if the permit is renewed, add a "R1" to the existing permit number.
- Assign the permit number on the first page of the application (in upper right hand corner).
- Write the permit number on the first page of the application (in upper right hand corner).
- Enter Applicant Contact Information from Section No. 1 of the Permit Application into the AEB Land Use Database.
- Scan the permit application and the bank check. Create an Adobe pdf file and store it in the AEB Land Use Database.
- Create a hard copy permit file to store records and checks while permit is being processed and active.
- Place the signed application and bank check in the permit file.
- Enter the date of the pre-application meeting and application meeting in Section No. 8 of the permit.
- Enter the date the final application was received in Section No. 8 of the permit.
- Notify the permit reviewer if check is missing or amount is incorrect.
- Initial processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit review assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

### Review Application for Completeness

Date permit was received: \_\_\_\_\_ Date permit decision must be issued: \_\_\_\_\_

**Note:** A permit decision must be issued within 180 calendar days of application receipt, excluding Saturday and Sunday and Borough holidays (see AEBMC § 1.12.010 definition of “computation of time”) excluding the first day and including the last day, or a Request for Additional Information (RFAI) must be issued to stop the clock.

Application was found:  incomplete (90 day clock stops)  complete (skip to next section and process check)

Date 1<sup>st</sup> Request for Additional Information (RFAI) was issued: \_\_\_\_\_

Date 1<sup>st</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 1<sup>st</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

1<sup>st</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 1<sup>st</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 1<sup>st</sup> RFAI response was:  incomplete (skip to issue 2<sup>nd</sup> RFAI).

If 1<sup>st</sup> RFAI response was:  complete (skip to process bank check and make decision within 90 days.)

If 1<sup>st</sup> RFAI response was not received return application and check to Applicant. Date returned: \_\_\_\_\_

### Review Application for Completeness (continued)

Date 2<sup>nd</sup> RFAI was issued: \_\_\_\_\_

Date 2<sup>nd</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

2<sup>nd</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 2<sup>nd</sup> RFAI response was:  incomplete (hold meeting with Applicant to resolve).

If 2<sup>nd</sup> RFAI response was:  complete (skip to process the bank check and make decision within 90 days.)

If 2<sup>nd</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

Completeness Review completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 90 day clock).

### Process Check

Mark the Fee Paid “yes” box in Section No. 8 of the permit application, and enter the check number and amount paid on the lines provided.

Process the application fee, by sending the bank check to the AEB Finance Department.

Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Minor Amendments to Existing Permit (if this is not a minor amendment, skip to 30 day notice)**

Note: Minor Amendments do not require public review, do not require a written Staff Recommendation and can be approved by the Administrator within 10 days of a complete application.

If you do not recommend approval (skip to 30 day public notice and follow the complete permit review process as you would for a major amendment or a new permit application).

- Recommend Approval.** An approval letter is attached for AEB Administrator approval.
- Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.
- AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).
- Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 10 day clock.
- The AEB Administrator marks “approved” box on Section No. 8 of the permit application form, fill in approval date, and expiration date.  
**Note:** Onshore Seafood Operations Permits are valid for up to a maximum period of five (5) years. After five (5) years the permit must be renewed. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- The AEB Administrator marks “yes” box on Section No. 8 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- The AEB Administrator marks “no” box on Section No. 8 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 8.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Renewal to Existing Permit that is in Compliance (if this is not a renewal, skip to 30 day notice)**

Note: Onshore Seafood Processing Land Use Permit renewals may be approved by the Administrator, without public review if the renewal application meets certain criteria. The Onshore Seafood Processing Operation must have operated in compliance for the prior permit term (with no violations) and must have paid all required taxes on time. The renewal application must only include administrative, scope or timing changes that do not increase impact over the original permit approval. Renewal applications that meet these criteria will be processed in 30 days by the Administrator using the procedures described above for a minor amendment. There will be no public review.

If you do not recommend approval (skip to 30 day public notice and follow the complete permit review process as you would for a major amendment or a new permit application).

- Recommend Approval.** An approval letter is attached for AEB Administrator approval.
- Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.
- AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 30 day clock).
- Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 30 day clock.
- The AEB Administrator marks “approved” box on Section No. 8 of the permit application form, fill in approval date, and expiration date.  
**Note:** Onshore Seafood Operations Permits are valid for up to a maximum period of five (5) years.
- The AEB Administrator marks “yes” box on Section No. 8 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- The AEB Administrator marks “no” box on Section No. 8 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 8.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

<b>30 Day Public Comment Period</b> (Required for New Permits, Major Amendments & Some Renewals)
--

- The permit must be reviewed by AEB staff within 90 days (the 30 day public review period must be completed within that time. Mark the start of the permit review on Section No. 8 of the permit application based on the date received, then count 90 days from that time for the end date, excluding holidays and weekends.  
Date 90 day Review Started: \_\_\_\_\_ Date 90 day Review Ended: \_\_\_\_\_
- Provide a 30 calendar day Public Comment Period.  
Date 30 day Public Review Started: \_\_\_\_\_ Date 30 day Public Review Ended: \_\_\_\_\_  
**Note:** The 30 days does not exclude weekend or holidays. The public notice starts when the notice is posted in two locations in each community and is posted on the AEB Public Notice webpage.
- Compile all public comments, scan and enter into the AEB Permit Database.
- Public notice completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 90 day clock).

## AEB Staff Recommendation

- Draft a Written Staff Recommendation.** Draft a staff recommendation for the AEB Administrator's approval. The staff recommendation must document all public comments received and propose how to address the comments.
- If Approval is recommended,** prepare a draft approval letter for AEB Assembly approval to attach to the packet that will go through Planning Commission and Assembly review.
- If Approval with additional stipulations is recommended,** prepare a draft approval letter for AEB Assembly approval with a supplemental stipulation form to attach to the packet that will go through Planning Commission and Assembly review.
- If Denial is recommended,** prepare a draft denial letter for AEB Assembly approval to attach to the packet that will go through Planning Commission and Assembly review.
- Prepare a Planning Commission Resolution.** Prepare a planning commission resolution that supports the AEB Administrator's recommendation. The Planning Commission may amend that recommendation at the meeting if they do not agree.
- Compile all Documents into a Staff Recommendation Packet.** Compile the following documents.
  1. Staff Recommendation (have AEB Administrator approve this document).
  2. A copy of the permit application and all attachments.
  3. A copy of all public comments received on the permit application.
  4. A draft Planning Commission Resolution.
  5. Approval or denial letters in draft form for Assembly approval.
- Staff Recommendation must be issued by date: \_\_\_\_\_ (calculate by adding days left on 90 day clock).
- If the 90 day review period is extended for a good reason, mark yes on Section No. 8 of the permit application and note new date. This must be approved by the AEB Administrator and only for extenuating reasons.  
Revised review period end date: \_\_\_\_\_
- Obtain AEB Administrator Approval on the Staff Recommendation.** Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 90 day clock.
- Provide Staff Recommendation Packet to Planning Commission for Next Meeting.**
- Enter date of final Administrator Recommendation to the Planning Commission on Section No. 8 of the permit application. Date Issued: \_\_\_\_\_
- Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_

### Planning Commission Recommendation

- The permit must be reviewed by the Planning Commission within 60 days. Mark the start of the 60 day period on Section No. 8 of the permit application based on the date received, then count 60 days from that time for the end date, excluding holidays and weekends.

Date 60 day Review Started: \_\_\_\_\_ Date 60 day Review Ended: \_\_\_\_\_

- If the 60 day review period is extended for a good reason, mark yes on Section No. 8 of the permit application and note new date. This must be approved by the AEB Administrator and only for extenuating reasons.

Revised review period end date: \_\_\_\_\_

- Planning Commission approves the Planning Commission Resolution that was drafted by the AEB staff, or modifies it to match the decision made at the Planning Commission meeting.
- The AEB Planning Commission Chairperson signs the resolution.
- The AEB Planning Commission Clerk provides a copy of the resolution and Staff Recommendation Packet to the AEB Assembly for a decision at the Assembly's next meeting.
- Enter date of final Planning Commission Resolution (Recommendation to Assembly) on Section No. 8 of the permit application. Date Issued: \_\_\_\_\_

### AEB Assembly Decision to Approve (skip if permit is denied)

- The permit must be reviewed by the Assembly within 30 days. Mark the start of the 30 day period on Section No. 8 of the permit application based on the date received, then count 30 days from that time for the end date, excluding holidays and weekends.

Date 30 day Review Started: \_\_\_\_\_ Date 30 day Review Ended: \_\_\_\_\_

- If the 30 day review period is extended for a good reason, mark yes on Section No. 8 of the permit application and note new date. This must be approved by the AEB Administrator and only for extenuating reasons.

Revised review period end date: \_\_\_\_\_

- Mark "approved" box on Section No. 8 of the permit application form, fill in approval date, and expiration date. **Note:** Onshore Seafood Processing Permits are valid for up to a maximum period of five (5) years. After five (5) years the permit must be renewed. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- Mark "yes" box on Section No. 8 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- Mark "no" box on Section No. 8 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 8.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.

- Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Assembly Decision to Deny (skip if permit is approved)**

- Mark "denied" box on Section No. 8 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 8.
- Sign denial letter
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Follow-Up**

**1. Annual Report:** On or before February 1st of each year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met.

- Annual Report Review (Year 1 \_\_\_\_\_)**
  - Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
  - If the Annual Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
  - If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
  - If there are no concerns, scan and file.
  - If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
  - Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Annual Report Review (Year 2 \_\_\_\_\_)**
  - Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no
  - If the Annual Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
  - If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
  - If there are no concerns, scan and file.
  - If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
  - Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Annual Report Review (Year 3 \_\_\_\_\_)**

Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no

If the Annual Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

If there are no concerns, scan and file.

If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Annual Report Review (Year 4 \_\_\_\_\_)**

Annual Report Submitted?  yes Date Received: \_\_\_\_\_  no

If the Annual Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

If the Annual Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

If there are no concerns, scan and file.

If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**2. Final Report:** Within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as required in the approved Reclamation Plan.

**Final Report Review (Year \_\_\_\_\_)**

Final Report Submitted?  yes Date Received: \_\_\_\_\_  no

If the Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

If the Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

If there are no concerns, scan and file.

If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**3. Fish Tax Payment:** AEBMC § 60.20.050 (a) requires: "Taxes required to be collected under this chapter during a calendar month are due and payable to the Borough on the last day of the calendar month. AEBMC § 60.20.050 (a) requires: "The completed return, together with the remittance of the tax required to be collected during the calendar month, must be received by the Borough at the address designated on the return form on or before the fifteenth day of the month following the end of the calendar month for which the return is required. If

the fifteenth day of a month falls on a Saturday, Sunday or a State holiday, the date for receipt is extended to the next day that is not a Saturday, Sunday or State holiday.”

**Tax Payment (Year 1 \_\_\_\_\_)**

- Was Tax paid January?       yes     no     N/A no seafood operations occurred
- Was Tax paid February?       yes     no     N/A no seafood operations occurred
- Was Tax paid March?       yes     no     N/A no seafood operations occurred
- Was Tax paid April?       yes     no     N/A no seafood operations occurred
- Was Tax paid May?       yes     no     N/A no seafood operations occurred
- Was Tax paid June?       yes     no     N/A no seafood operations occurred
- Was Tax paid July?       yes     no     N/A no seafood operations occurred
- Was Tax paid August?       yes     no     N/A no seafood operations occurred
- Was Tax paid September?       yes     no     N/A no seafood operations occurred
- Was Tax paid October?       yes     no     N/A no seafood operations occurred
- Was Tax paid November?       yes     no     N/A no seafood operations occurred
- Was Tax paid December?       yes     no     N/A no seafood operations occurred

**Tax Payment (Year 2 \_\_\_\_\_)**

- Was Tax paid January?       yes     no     N/A no seafood operations occurred
- Was Tax paid February?       yes     no     N/A no seafood operations occurred
- Was Tax paid March?       yes     no     N/A no seafood operations occurred
- Was Tax paid April?       yes     no     N/A no seafood operations occurred
- Was Tax paid May?       yes     no     N/A no seafood operations occurred
- Was Tax paid June?       yes     no     N/A no seafood operations occurred
- Was Tax paid July?       yes     no     N/A no seafood operations occurred
- Was Tax paid August?       yes     no     N/A no seafood operations occurred
- Was Tax paid September?       yes     no     N/A no seafood operations occurred
- Was Tax paid October?       yes     no     N/A no seafood operations occurred
- Was Tax paid November?       yes     no     N/A no seafood operations occurred
- Was Tax paid December?       yes     no     N/A no seafood operations occurred

**Tax Payment (Year 3 \_\_\_\_\_)**

- Was Tax paid January?       yes     no     N/A no seafood operations occurred
- Was Tax paid February?       yes     no     N/A no seafood operations occurred
- Was Tax paid March?       yes     no     N/A no seafood operations occurred
- Was Tax paid April?       yes     no     N/A no seafood operations occurred
- Was Tax paid May?       yes     no     N/A no seafood operations occurred
- Was Tax paid June?       yes     no     N/A no seafood operations occurred
- Was Tax paid July?       yes     no     N/A no seafood operations occurred

- Was Tax paid August?       yes     no     N/A no seafood operations occurred
- Was Tax paid September?       yes     no     N/A no seafood operations occurred
- Was Tax paid October?       yes     no     N/A no seafood operations occurred
- Was Tax paid November?       yes     no     N/A no seafood operations occurred
- Was Tax paid December?       yes     no     N/A no seafood operations occurred

**Tax Payment (Year 4 \_\_\_\_\_)**

- Was Tax paid January?       yes     no     N/A no seafood operations occurred
- Was Tax paid February?       yes     no     N/A no seafood operations occurred
- Was Tax paid March?       yes     no     N/A no seafood operations occurred
- Was Tax paid April?       yes     no     N/A no seafood operations occurred
- Was Tax paid May?       yes     no     N/A no seafood operations occurred
- Was Tax paid June?       yes     no     N/A no seafood operations occurred
- Was Tax paid July?       yes     no     N/A no seafood operations occurred
- Was Tax paid August?       yes     no     N/A no seafood operations occurred
- Was Tax paid September?       yes     no     N/A no seafood operations occurred
- Was Tax paid October?       yes     no     N/A no seafood operations occurred
- Was Tax paid November?       yes     no     N/A no seafood operations occurred
- Was Tax paid December?       yes     no     N/A no seafood operations occurred

**Tax Payment (Year 5 \_\_\_\_\_)**

- Was Tax paid January?       yes     no     N/A no seafood operations occurred
- Was Tax paid February?       yes     no     N/A no seafood operations occurred
- Was Tax paid March?       yes     no     N/A no seafood operations occurred
- Was Tax paid April?       yes     no     N/A no seafood operations occurred
- Was Tax paid May?       yes     no     N/A no seafood operations occurred
- Was Tax paid June?       yes     no     N/A no seafood operations occurred
- Was Tax paid July?       yes     no     N/A no seafood operations occurred
- Was Tax paid August?       yes     no     N/A no seafood operations occurred
- Was Tax paid September?       yes     no     N/A no seafood operations occurred
- Was Tax paid October?       yes     no     N/A no seafood operations occurred
- Was Tax paid November?       yes     no     N/A no seafood operations occurred
- Was Tax paid December?       yes     no     N/A no seafood operations occurred

**4. Inspect Site:** If budget allows, inspect site to close out permit file.

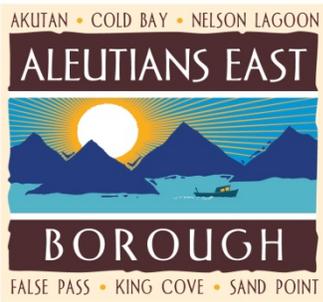
- Inspection Completed?  yes Date: \_\_\_\_\_
- Inspection Completed?  no explain reason why not: \_\_\_\_\_
- 

Review Inspection Report.

- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**5. Filing and Permit Close-out:**

- Ensure all the records contained in the physical hard copy file are scanned and entered into the AEB Permit Database, so a complete record of all permit documentation is stored electronically.
- Mark physical hard copy to be destroyed with a date that conforms with AEB's record retention policy.
- Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_



**ALEUTIANS EAST BOROUGH**  
**LARGE MINING OPERATIONS (LM)**  
**LAND USE PERMIT**

Authority Aleutians East Borough Municipal Code Title 40

<b>Checklist</b>	
Effective Date:	March 2014
Revision Date(s):	
Revision No:	

**Pre-Application Meeting**

- Pre-Application Meeting was held.                      Date: \_\_\_\_\_
- Large Mining Operations Application Fee of \$25,000 must be paid at Pre-Application Meeting.
- Process the application fee, by sending the bank check to the AEB Finance Department.
- Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Note: AEBMC § 40.20.070 (D)(1) requires a pre-application meeting to be held before the land use permit application is submitted.

- Application Meeting was held.                      Date: \_\_\_\_\_

Note: AEBMC § 40.20.070 (D)(2) requires an application meeting to be held at least 180 days before the land use permit application is submitted.

**Initial Processing (Database Entry, Permit File Creation, and Permit Assignment)**

- Open the AEB Land Use Permit Database and obtain a new permit number. If the permit is amended, add an "A1" to the existing permit number. Or if the permit is renewed, add a "R1" to the existing permit number.
- Assign the permit number on the first page of the application (in upper right hand corner).
- Write the permit number on the first page of the application (in upper right hand corner).
- Enter Applicant Contact Information from Section No. 1 of the Permit Application into the AEB Land Use Database.
- Scan the permit application and the bank check. Create an Adobe pdf file and store it in the AEB Land Use Database.
- Create a hard copy permit file to store records and checks while permit is being processed and active.
- Place the signed application and bank check in the permit file.
- Enter the date of the pre-application meeting and application meeting in Section No. 8 of the permit.
- Mark the Fee Paid "yes" box in Section No. 8 of the permit application, and enter the check number and amount paid on the lines provided.
- Enter the date the final application was received in Section No. 8 of the permit.
- Notify the permit reviewer if check is missing or amount is incorrect.

Initial processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Permit review assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

**Review Application for Completeness**

Date permit was received: \_\_\_\_\_ Date permit decision must be issued: \_\_\_\_\_

**Note:** A permit decision must be issued within 180 calendar days of application receipt, excluding Saturday and Sunday and Borough holidays (see AEBMC § 1.12.010 definition of “computation of time”) excluding the first day and including the last day, or a Request for Additional Information (RFAI) must be issued to stop the clock.

Application was found:  incomplete (90 day clock stops)  complete (skip to next section and process check)

Date 1<sup>st</sup> Request for Additional Information (RFAI) was issued: \_\_\_\_\_

Date 1<sup>st</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 1<sup>st</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

1<sup>st</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 1<sup>st</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 1<sup>st</sup> RFAI response was:  incomplete (skip to issue 2<sup>nd</sup> RFAI).

If 1<sup>st</sup> RFAI response was:  complete (skip to process bank check and make decision within 90 days.)

If 1<sup>st</sup> RFAI response was not received return application and check to Applicant. Date returned: \_\_\_\_\_

**Review Application for Completeness (continued)**

Date 2<sup>nd</sup> RFAI was issued: \_\_\_\_\_

Date 2<sup>nd</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

2<sup>nd</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 2<sup>nd</sup> RFAI response was:  incomplete (hold meeting with Applicant to resolve).

If 2<sup>nd</sup> RFAI response was:  complete (skip to process the bank check and make decision within 90 days.)

If 2<sup>nd</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

Completeness Review completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 90 day clock).

**Process Check**

Mark the Fee Paid “yes” box in Section No. 8 of the permit application, and enter the check number and amount paid on the lines provided.

Process the application fee, by sending the bank check to the AEB Finance Department.

Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Minor Amendments to Existing Permit (if this is not a minor amendment, skip to 30 day notice)**

Note: Minor Amendments do not require public review, do not require a written Staff Recommendation and can be approved by the Administrator within 10 days of a complete application.

If you do not recommend approval (skip to 30 day public notice and follow the complete permit review process as you would for a major amendment or a new permit application).

- Recommend Approval.** An approval letter is attached for AEB Administrator approval.
- Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.
- AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).
- Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 10 day clock.
- The AEB Administrator marks “approved” box on Section No. 8 of the permit application form, fill in approval date, and expiration date.  
**Note:** Large Mining Operation Permits are valid for up to a maximum period of five (5) years. After five (5) years the permit must be renewed. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- The AEB Administrator marks “yes” box on Section No. 8 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- The AEB Administrator marks “no” box on Section No. 8 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 8.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Renewal to Existing Permit that is in Compliance (if this is not a renewal, skip to 30 day notice)**

Note: Large Mining Operations Land Use Permit renewals may be approved by the Administrator, without public review if the renewal application meets certain criteria. The Large Mining Operation must have operated in compliance for the prior permit term (with no violations) and must have paid all required taxes on time. The renewal application must only include administrative, scope or timing changes that do not increase impact over the original permit approval. Renewal applications that meet these criteria will be processed in 30 days by the Administrator using the procedures described above for a minor amendment. There will be no public review.

If you do not recommend approval (skip to 30 day public notice and follow the complete permit review process as you would for a major amendment or a new permit application).

- Recommend Approval.** An approval letter is attached for AEB Administrator approval.
- Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.
- AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 30 day clock).
- Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 30 day clock.
- The AEB Administrator marks “approved” box on Section No. 8 of the permit application form, fill in approval date, and expiration date.  
**Note:** Large Mining Operations Permits are valid for up to a maximum period of five (5) years.
- The AEB Administrator marks “yes” box on Section No. 8 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- The AEB Administrator marks “no” box on Section No. 8 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 8.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

<b>30 Day Public Comment Period</b> (Required for New Permits, Major Amendments & Some Renewals)
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- The permit must be reviewed by AEB staff within 90 days (the 30 day public review period must be completed within that time. Mark the start of the permit review on Section No. 8 of the permit application based on the date received, then count 90 days from that time for the end date, excluding holidays and weekends.  
Date 90 day Review Started: \_\_\_\_\_ Date 90 day Review Ended: \_\_\_\_\_
- Provide a 30 calendar day Public Comment Period.  
Date 30 day Public Review Started: \_\_\_\_\_ Date 30 day Public Review Ended: \_\_\_\_\_  
**Note:** The 30 days does not exclude weekend or holidays. The public notice starts when the notice is posted in two locations in each community and is posted on the AEB Public Notice webpage.
- Compile all public comments, scan and enter into the AEB Permit Database.
- Public notice completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 90 day clock).

## AEB Staff Recommendation

- Draft a Written Staff Recommendation.** Draft a staff recommendation for the AEB Administrator's approval. The staff recommendation must document all public comments received and propose how to address the comments.
- If Approval is recommended,** prepare a draft approval letter for AEB Assembly approval to attach to the packet that will go through Planning Commission and Assembly review.
- If Approval with additional stipulations is recommended,** prepare a draft approval letter for AEB Assembly approval with a supplemental stipulation form to attach to the packet that will go through Planning Commission and Assembly review.
- If Denial is recommended,** prepare a draft denial letter for AEB Assembly approval to attach to the packet that will go through Planning Commission and Assembly review.
- Prepare a Planning Commission Resolution.** Prepare a planning commission resolution that supports the AEB Administrator's recommendation. The Planning Commission may amend that recommendation at the meeting if they do not agree.
- Compile all Documents into a Staff Recommendation Packet.** Compile the following documents.
  1. Staff Recommendation (have AEB Administrator approve this document).
  2. A copy of the permit application and all attachments.
  3. A copy of all public comments received on the permit application.
  4. A draft Planning Commission Resolution.
  5. Approval or denial letters in draft form for Assembly approval.
- Staff Recommendation must be issued by date: \_\_\_\_\_ (calculate by adding days left on 90 day clock).
- If the 90 day review period is extended for a good reason, mark yes on Section No. 8 of the permit application and note new date. This must be approved by the AEB Administrator and only for extenuating reasons.  
Revised review period end date: \_\_\_\_\_
- Obtain AEB Administrator Approval on the Staff Recommendation.** Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 90 day clock.
- Provide Staff Recommendation Packet to Planning Commission for Next Meeting.**
- Enter date of final Administrator Recommendation to the Planning Commission on Section No. 8 of the permit application. Date Issued: \_\_\_\_\_
- Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_

### Planning Commission Recommendation

- The permit must be reviewed by the Planning Commission within 60 days. Mark the start of the 60 day period on Section No. 8 of the permit application based on the date received, then count 60 days from that time for the end date, excluding holidays and weekends.

Date 60 day Review Started: \_\_\_\_\_ Date 60 day Review Ended: \_\_\_\_\_

- If the 60 day review period is extended for a good reason, mark yes on Section No. 8 of the permit application and note new date. This must be approved by the AEB Administrator and only for extenuating reasons.

Revised review period end date: \_\_\_\_\_

- Planning Commission approves the Planning Commission Resolution that was drafted by the AEB staff, or modifies it to match the decision made at the Planning Commission meeting.
- The AEB Planning Commission Chairperson signs the resolution.
- The AEB Planning Commission Clerk provides a copy of the resolution and Staff Recommendation Packet to the AEB Assembly for a decision at the Assembly's next meeting.
- Enter date of final Planning Commission Resolution (Recommendation to Assembly) on Section No. 8 of the permit application. Date Issued: \_\_\_\_\_

### AEB Assembly Decision to Approve (skip if permit is denied)

- The permit must be reviewed by the Assembly within 30 days. Mark the start of the 30 day period on Section No. 8 of the permit application based on the date received, then count 30 days from that time for the end date, excluding holidays and weekends.

Date 30 day Review Started: \_\_\_\_\_ Date 30 day Review Ended: \_\_\_\_\_

- If the 30 day review period is extended for a good reason, mark yes on Section No. 8 of the permit application and note new date. This must be approved by the AEB Administrator and only for extenuating reasons.

Revised review period end date: \_\_\_\_\_

- Mark "approved" box on Section No. 8 of the permit application form, fill in approval date, and expiration date. **Note:** Large Mining Operations Permits are valid for up to a maximum period of five (5) years. After five (5) years the permit must be renewed. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- Mark "yes" box on Section No. 8 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- Mark "no" box on Section No. 8 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 8.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.

- Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Assembly Decision to Deny (skip if permit is approved)**

- Mark "denied" box on Section No. 8 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 8.
- Sign denial letter
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Follow-Up**

**1. Annual Survey Report:** On or before February 1<sup>st</sup> of each year, and within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, providing survey data that verifies the amount of materials that were extracted from the mining operation. If a survey is not otherwise required by the land or mineral owner, or is cost prohibitive the Permittee may propose and obtain AEB approval of an alternative, equivalent measuring method.

- Annual Survey Report Review (Year 1\_\_\_\_\_)**
- Survey Report Submitted?  yes    Date Received: \_\_\_\_\_  no
- If the Survey Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
- If the Survey Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

- Annual Survey Report Review (Year 2\_\_\_\_\_)**
- Survey Report Submitted?  yes    Date Received: \_\_\_\_\_  no
- If the Survey Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.  
Letter issued on: \_\_\_\_\_
- If the Survey Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.

- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Annual Survey Report Review (Year 3 \_\_\_\_\_)**
- Survey Report Submitted?  yes Date Received: \_\_\_\_\_  no
- If the Survey Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.
- Letter issued on: \_\_\_\_\_
- If the Survey Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Annual Survey Report Review (Year 4 \_\_\_\_\_)**
- Survey Report Submitted?  yes Date Received: \_\_\_\_\_  no
- If the Survey Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.
- Letter issued on: \_\_\_\_\_
- If the Survey Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Annual Survey Report Review (Year 5 \_\_\_\_\_)**
- Survey Report Submitted?  yes Date Received: \_\_\_\_\_  no
- If the Survey Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.
- Letter issued on: \_\_\_\_\_
- If the Survey Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

2. **Quarterly Report:** By January 15th, April 15th, July 15th and October 15th of each calendar year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that it is complying with all AEB approved plans, permit stipulations and requirements.

**Quarterly Report Review (Year 1 \_\_\_\_\_)**

Quarterly Report Submitted?

January 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

April 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

July 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

October 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

If there are no concerns, scan and file.

If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Quarterly Report Review (Year 2 \_\_\_\_\_)**

Quarterly Report Submitted?

January 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

April 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

July 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

October 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

If there are no concerns, scan and file.

If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Quarterly Report Review (Year 3 \_\_\_\_\_)**

Quarterly Report Submitted?

January 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

April 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

July 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

October 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

- If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

- If there are no concerns, scan and file.

- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Quarterly Report Review (Year 4 \_\_\_\_\_)**

Quarterly Report Submitted?

January 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

April 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

July 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

October 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

- If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

- If there are no concerns, scan and file.

- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Quarterly Report Review (Year 5 \_\_\_\_\_)**

Quarterly Report Submitted?

January 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

April 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

July 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

October 15<sup>th</sup>    yes   Date Received: \_\_\_\_\_    no

- If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

- If there are no concerns, scan and file.

- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

- 3. Final Report:** Within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as required in the approved Reclamation Plan..

**Final Report Review (Year \_\_\_\_\_)**

Final Report Submitted?    yes   Date Received: \_\_\_\_\_    no

- If the Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_

- If there are no concerns, scan and file.

- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

- 4. Severance Tax Payment:** AEBMC § 60.40.050 (D) requires: "The return or tax statement along with all taxes due to the Borough for the calendar quarter must be received by the Borough on or before the last business day of the month following the end of the calendar quarter for which the return or statement is required."

**Tax Payment (Year 1 \_\_\_\_\_)**

Was Tax paid April?    yes    no

Was Tax paid July?    yes    no

Was Tax paid October?    yes    no

Was Tax paid January?    yes    no

- Tax Payment (Year 2\_\_\_\_\_)**
  - Was Tax paid April?       yes     no
  - Was Tax paid July?         yes     no
  - Was Tax paid October?     yes     no
  - Was Tax paid January?     yes     no
  
- Tax Payment (Year 3\_\_\_\_\_)**
  - Was Tax paid April?       yes     no
  - Was Tax paid July?         yes     no
  - Was Tax paid October?     yes     no
  - Was Tax paid January?     yes     no
  
- Tax Payment (Year 4\_\_\_\_\_)**
  - Was Tax paid April?       yes     no
  - Was Tax paid July?         yes     no
  - Was Tax paid October?     yes     no
  - Was Tax paid January?     yes     no
  
- Tax Payment (Year 5\_\_\_\_\_)**
  - Was Tax paid April?       yes     no
  - Was Tax paid July?         yes     no
  - Was Tax paid October?     yes     no
  - Was Tax paid January?     yes     no

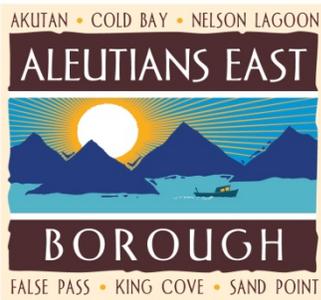
**5. Inspect Site:** If budget allows, inspect site to close out permit file.

- Inspection Completed?     yes    Date: \_\_\_\_\_
- Inspection Completed?     no    explain reason why not: \_\_\_\_\_

- Review Inspection Report.
  - If there are no concerns, scan and file.
  - If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**6. Filing and Permit Close-out:**

- Ensure all the records contained in the physical hard copy file are scanned and entered into the AEB Permit Database, so a complete record of all permit documentation is stored electronically.
- Mark physical hard copy to be destroyed with a date that conforms with AEB's record retention policy.
- Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_



# ALEUTIANS EAST BOROUGH

## OIL & GAS (OGP) LAND USE PERMIT

Authority Aleutians East Borough Municipal Code Title 40

Checklist	
Effective Date:	March 2014
Revision Date(s):	
Revision No:	

**Pre-Application Meeting**

- Pre-Application Meeting was held.                      Date: \_\_\_\_\_
- Oil & Gas Application Fee of \$50,000 must be paid at Pre-Application Meeting.
- Process the application fee, by sending the bank check to the AEB Finance Department.
- Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Note: AEBMC § 40.20.080 (D)(1) requires a pre-application meeting to be held before the land use permit application is submitted.

- Application Meeting was held.                      Date: \_\_\_\_\_

Note: AEBMC § 40.20.080 (D)(2) requires an application meeting to be held at least 180 days before the land use permit application is submitted.

**Initial Processing (Database Entry, Permit File Creation, and Permit Assignment)**

- Open the AEB Land Use Permit Database and obtain a new permit number. If the permit is amended, add an "A1" to the existing permit number. Or if the permit is renewed, add a "R1" to the existing permit number.
- Assign the permit number on the first page of the application (in upper right hand corner).
- Write the permit number on the first page of the application (in upper right hand corner).
- Enter Applicant Contact Information from Section No. 1 of the Permit Application into the AEB Land Use Database.
- Scan the permit application and the bank check. Create an Adobe pdf file and store it in the AEB Land Use Database.
- Create a hard copy permit file to store records and checks while permit is being processed and active.
- Place the signed application and bank check in the permit file.
- Enter the date of the pre-application meeting and application meeting in Section No. 7 of the permit.
- Mark the Fee Paid "yes" box in Section No. 7 of the permit application, and enter the check number and amount paid on the lines provided.
- Enter the date the final application was received in Section No. 7 of the permit.
- Notify the permit reviewer if check is missing or amount is incorrect.

Initial processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Permit review assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

**Review Application for Completeness**

Date permit was received: \_\_\_\_\_ Date permit decision must be issued: \_\_\_\_\_

**Note:** A permit decision must be issued within 180 calendar days of application receipt, excluding Saturday and Sunday and Borough holidays (see AEBMC § 1.12.010 definition of “computation of time”) excluding the first day and including the last day, or a Request for Additional Information (RFAI) must be issued to stop the clock.

Application was found:  incomplete (90 day clock stops)  complete (skip to next section and process check)

Date 1<sup>st</sup> Request for Additional Information (RFAI) was issued: \_\_\_\_\_

Date 1<sup>st</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 1<sup>st</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

1<sup>st</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 1<sup>st</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 1<sup>st</sup> RFAI response was:  incomplete (skip to issue 2<sup>nd</sup> RFAI).

If 1<sup>st</sup> RFAI response was:  complete (skip to process bank check and make decision within 90 days.)

If 1<sup>st</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

**Review Application for Completeness (continued)**

Date 2<sup>nd</sup> RFAI was issued: \_\_\_\_\_

Date 2<sup>nd</sup> RFAI is due (60 calendar days from issue): \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI. Create an Adobe pdf file and store it in the AEB Land Use Database.

2<sup>nd</sup> RFAI response was received within 60 calendar days:  yes  no Date Received: \_\_\_\_\_

Scan 2<sup>nd</sup> RFAI Response. Create an Adobe pdf file and store it in the AEB Land Use Database.

If 2<sup>nd</sup> RFAI response was:  incomplete (hold meeting with Applicant to resolve).

If 2<sup>nd</sup> RFAI response was:  complete (skip to process the bank check and make decision within 90 days.)

If 2<sup>nd</sup> RFAI response was not received, return application and check to Applicant. Date returned: \_\_\_\_\_

Completeness Review completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 90 day clock).

**Process Check**

Mark the Fee Paid “yes” box in Section No. 7 of the permit application, and enter the check number and amount paid on the lines provided.

Process the application fee, by sending the bank check to the AEB Finance Department.

Check processing completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Minor Amendments to Existing Permit (if this is not a minor amendment, skip to 30 day notice)**

Note: Minor Amendments do not require public review, do not require a written Staff Recommendation and can be approved by the Administrator within 10 days of a complete application.

If you do not recommend approval (skip to 30 day public notice and follow the complete permit review process as you would for a major amendment or a new permit application).

- Recommend Approval.** An approval letter is attached for AEB Administrator approval.
- Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.
- AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 10 day clock).
- Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 10 day clock.
- The AEB Administrator marks “approved” box on Section No. 7 of the permit application form, fill in approval date, and expiration date.  
**Note:** Oil & Gas Permits are valid for up to a maximum period of five (5) years. After five (5) years the permit must be renewed. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- The AEB Administrator marks “yes” box on Section No. 7 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- The AEB Administrator marks “no” box on Section No. 7 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 7.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Renewal to Existing Permit that is in Compliance (if this is not a renewal, skip to 30 day notice)**

Note: Oil & Gas Land Use Permit renewals may be approved by the Administrator, without public review if the renewal application meets certain criteria. The Oil & Gas Operation must have operated in compliance for the prior permit term (with no violations) and must have paid all required taxes on time. The renewal application must only include administrative, scope or timing changes that do not increase impact over the original permit approval. Renewal applications that meet these criteria will be processed in 30 days by the Administrator using the procedures described above for a minor amendment. There will be no public review.

If you do not recommend approval (skip to 30 day public notice and follow the complete permit review process as you would for a major amendment or a new permit application).

- Recommend Approval.** An approval letter is attached for AEB Administrator approval.
- Recommend Approval with additional stipulations.** An approval letter is attached for AEB Administrator approval with a supplemental stipulation form.
- AEB Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 30 day clock).
- Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 30 day clock.
- The AEB Administrator marks “approved” box on Section No. 7 of the permit application form, fill in approval date, and expiration date.  
**Note:** Oil & Gas Permits are valid for up to a maximum period of five (5) years.
- The AEB Administrator marks “yes” box on Section No. 7 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- The AEB Administrator marks “no” box on Section No. 7 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 7.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

<b>30 Day Public Comment Period</b> (Required for New Permits, Major Amendments & Some Renewals)
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- The permit must be reviewed by AEB staff within 90 days (the 30 day public review period must be completed within that time. Mark the start of the permit review on Section No. 7 of the permit application based on the date received, then count 90 days from that time for the end date, excluding holidays and weekends.  
Date 90 day Review Started: \_\_\_\_\_ Date 90 day Review Ended: \_\_\_\_\_
- Provide a 30 calendar day Public Comment Period.  
Date 30 day Public Review Started: \_\_\_\_\_ Date 30 day Public Review Ended: \_\_\_\_\_  
**Note:** The 30 days does not exclude weekend or holidays. The public notice starts when the notice is posted in two locations in each community and is posted on the AEB Public Notice webpage.
- Compile all public comments, scan, and enter into the AEB Permit Database.
- Public notice completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Permit must be issued by date: \_\_\_\_\_ (calculate by adding number of days left on 90 day clock).

## AEB Staff Recommendation

- Draft a Written Staff Recommendation.** Draft a staff recommendation for the AEB Administrator's approval. The staff recommendation must document all public comments received and propose how to address the comments.
- If Approval is recommended,** prepare a draft approval letter for AEB Assembly approval to attach to the packet that will go through Planning Commission and Assembly review.
- If Approval with additional stipulations is recommended,** prepare a draft approval letter for AEB Assembly approval with a supplemental stipulation form to attach to the packet that will go through Planning Commission and Assembly review.
- If Denial is recommended,** prepare a draft denial letter for AEB Assembly approval to attach to the packet that will go through Planning Commission and Assembly review.
- Prepare a Planning Commission Resolution.** Prepare a planning commission resolution that supports the AEB Administrator's recommendation. The Planning Commission may amend that recommendation at the meeting if they do not agree.
- Compile all Documents into a Staff Recommendation Packet.** Compile the following documents.
  1. Staff Recommendation (have AEB Administrator approve this document).
  2. A copy of the permit application and all attachments.
  3. A copy of all public comments received on the permit application.
  4. A draft Planning Commission Resolution.
  5. Approval or denial letters in draft form for Assembly approval.
- Staff Recommendation must be issued by date: \_\_\_\_\_ (calculate by adding days left on 90 day clock).
- If the 90 day review period is extended for a good reason, mark yes on Section No. 7 of the permit application and note new date. This must be approved by the AEB Administrator and only for extenuating reasons.  
Revised review period end date: \_\_\_\_\_
- Obtain AEB Administrator Approval on the Staff Recommendation.** Provide AEB Administrator the recommendation and permit file. Be sure they are aware of time left on 90 day clock.
- Provide Staff Recommendation Packet to Planning Commission for Next Meeting.**
- Enter date of final Administrator Recommendation to the Planning Commission on Section No. 7 of the permit application. Date Issued: \_\_\_\_\_
- Staff Recommendation completed by: \_\_\_\_\_ Date: \_\_\_\_\_

### Planning Commission Recommendation

- The permit must be reviewed by the Planning Commission within 60 days. Mark the start of the 60 day period on Section No. 7 of the permit application based on the date received, then count 60 days from that time for the end date, excluding holidays and weekends.

Date 60 day Review Started: \_\_\_\_\_ Date 60 day Review Ended: \_\_\_\_\_

- If the 60 day review period is extended for a good reason, mark yes on Section No. 7 of the permit application and note new date. This must be approved by the AEB Administrator and only for extenuating reasons.

Revised review period end date: \_\_\_\_\_

- Planning Commission approves the Planning Commission Resolution that was drafted by the AEB staff, or modifies it to match the decision made at the Planning Commission meeting.
- The AEB Planning Commission Chairperson signs the resolution.
- The AEB Planning Commission Clerk provides a copy of the resolution and Staff Recommendation Packet to the AEB Assembly for a decision at the Assembly's next meeting.
- Enter date of final Planning Commission Resolution (Recommendation to Assembly) on Section No. 7 of the permit application. Date Issued: \_\_\_\_\_

### AEB Assembly Decision to Approve (skip if permit is denied)

- The permit must be reviewed by the Assembly within 30 days. Mark the start of the 30 day period on Section No. 7 of the permit application based on the date received, then count 30 days from that time for the end date, excluding holidays and weekends.

Date 30 day Review Started: \_\_\_\_\_ Date 30 day Review Ended: \_\_\_\_\_

- If the 30 day review period is extended for a good reason, mark yes on Section No. 7 of the permit application and note new date. This must be approved by the AEB Administrator and only for extenuating reasons.

Revised review period end date: \_\_\_\_\_

- Mark "approved" box on Section No. 7 of the permit application form, fill in approval date, and expiration date. **Note:** Oil & Gas Permits are valid for up to a maximum period of five (5) years. After five (5) years the permit must be renewed. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- Mark "yes" box on Section No. 7 of the permit application form if additional permit stipulations were added, and sign and attach the supplemental permit stipulation form to the permit approval.
- Mark "no" box on Section No. 7 of the permit application form if additional permit stipulations were not added.
- Print name and sign permit application form in Section No. 7.
- Enter date approved on front page of permit (upper right hand corner).
- Sign letter transmitting approved permit to Applicant.
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalizes the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.

- Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
- Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**AEB Assembly Decision to Deny (skip if permit is approved)**

- Mark "denied" box on Section No. 7 of the permit application form and include succinct reason.
- Print name and sign permit application form in Section No. 7.
- Sign denial letter
- Return permit documents to AEB Staff for filing and distribution.
- AEB staff finalize the checklist, scan the final documents, enter the information into the database and file all records related to the permit action.
  - Decision Distribution Completed by: \_\_\_\_\_ Date: \_\_\_\_\_
  - Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Follow-Up**

**1. Quarterly Report:** By January 15th, April 15th, July 15th and October 15th of each calendar year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that it is complying with all AEB approved plans, permit stipulations and requirements..

**Quarterly Report Review (Year 1 \_\_\_\_\_)**

Quarterly Report Submitted?

- January 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no
- April 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no
- July 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no
- October 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Quarterly Report Review (Year 2 \_\_\_\_\_)**

Quarterly Report Submitted?

- January 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no
- April 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

July 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

October 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

- If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Quarterly Report Review (Year 3 \_\_\_\_\_)**

- Quarterly Report Submitted?

January 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

April 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

July 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

October 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

- If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Quarterly Report Review (Year 4 \_\_\_\_\_)**

- Quarterly Report Submitted?

January 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

April 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

July 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

October 15<sup>th</sup>     yes    Date Received: \_\_\_\_\_     no

- If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.

- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**Quarterly Report Review (Year 5 \_\_\_\_\_)**

- Quarterly Report Submitted?
  - January 15<sup>th</sup>  yes    Date Received: \_\_\_\_\_  no
  - April 15<sup>th</sup>  yes    Date Received: \_\_\_\_\_  no
  - July 15<sup>th</sup>  yes    Date Received: \_\_\_\_\_  no
  - October 15<sup>th</sup>  yes    Date Received: \_\_\_\_\_  no

- If the Quarterly Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Quarterly Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**2. Final Report:** Within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as required in the approved Reclamation Plan..

**Final Report Review (Year \_\_\_\_\_)**

- Final Report Submitted?  yes    Date Received: \_\_\_\_\_  no

- If the Report was not submitted, issue a letter to the Permittee requesting the report be submitted if this is the first time a report was not submitted on time.

Letter issued on: \_\_\_\_\_

- If the Report was not submitted, and this is not the first time a report was not submitted on time, issue a Notice of Violation. Notice of Violation issued on: \_\_\_\_\_
- If there are no concerns, scan and file.
- If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.
- Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**3. Inspect Site:** If budget allows, inspect site to close out permit file.

- Inspection Completed?  yes    Date: \_\_\_\_\_
- Inspection Completed?  no    explain reason why not: \_\_\_\_\_

- 
- Review Inspection Report.
    - If there are no concerns, scan and file.

If there are concerns, raise those concerns to the AEB Administrator's attention and complete enforcement or follow-up action if required.

Review Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

**4. Filing and Permit Close-out:**

Ensure all the records contained in the physical hard copy file are scanned and entered into the AEB Permit Database, so a complete record of all permit documentation is stored electronically.

Mark physical hard copy to be destroyed with a date that conforms with AEB's record retention policy.

Filing Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

DRAFT

# PLANNING COMMISSION MEETING

# Roll Call & Establishment of a Quorum

# Adoption of Agenda

# Community Roll Call & Public Comment on Agenda Items

# Minutes

Aleutians East Borough  
Planning Commission Meeting  
December 18, 2013  
3:00 P.M.

#### CALL TO ORDER

The December 18, 2013 Planning Commission meeting was called to order by Chairman Emrich at 3:00 p.m. by teleconference in each community.

#### ROLL CALL

Chair, Chris Emrich	Present
Chris Babcock	Present
Harlen Newman	Present
James Brown	Present
Amy Foster	Present
Josephine Borenin-Shangin	Present
Justine Gundersen	Present

A quorum was present.

#### Staff Present:

Rick Gifford, Administrator  
Anne Bailey, Community Development Coordinator  
Tina Anderson, Clerk  
Susan Harvey, Land Use Permit Project Consultant  
Joe Levesque, AEB Attorney  
Roxann Newman, Finance Director

#### Adoption of Agenda:

##### MOTION

Newman moved to adopt the agenda and second by Brown. Hearing no objections the agenda was ADOPTED AS PRESENTED.

#### Community Roll Call and Public Comment on Agenda Items:

All communities were participating. There were no public comments on agenda items.

#### Minutes, November 14, 2013:

##### MOTION

Gundersen moved to approve the November 14, 2013 Minutes as presented and second by Shangin. Hearing no objections MOTION APPROVED.

Resolution 14-02, approving the permit applications and the Standard Operating Procedures for the Land Use Permitting System:

MOTION

Babcock moved to adopt Resolution 14-02 and second by Gundersen.

DISCUSSION

Consultant, Susan Harvey, reviewed the amendments below that were recommended by the Assembly and one by Borough Attorney Joe Levesque:

- The stipulation entitled, *damages and claims*, which says the permittee shall pay the Borough for damages on Borough property was changed from Borough property to any permitted property to cover all property.
- The Assembly recommended that effective date for all permits be January 1, 2015, which will allow time to get day to day and inspection plans in place. This would be the case for all permits except for large mining and oil & gas permits since those have been required since 2006.
- Increase the minimum large mine balance from \$10,000 to \$12,500. For instance, the oil & gas fund balance was cut in half, from \$50,000 fund balance to \$25,000. To stay consistent it was suggested to cut the mining minimum of \$25,000 in half to \$12,500 instead of \$10,000.
- Date was clarified in the Standard Operating Procedure instructions manual.

AMENDMENT

Gundersen moved to amend Resolution 14-02 to be consistent with the changes recommended above to the permit applications and Standard Operating Procedures instructions. Second by Newman.

No further discussion.

ROLL CALL ON AMENDMENT

Brown-yes, Gundersen-yes, Newman-yes, Shangin-yes, Emrich-yes, Babcock-yes, Foster-yes.  
AMENDMENT PASSED.

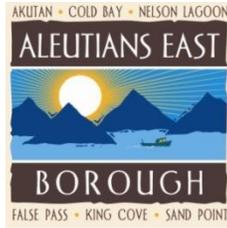
ROLL CALL ON MAIN MOTION

Gundersen-yes, Foster-yes, Shangin-yes, Babcock-yes, Brown-yes, Newman-yes, Emrich-yes.  
MOTION PASSED.

PLANNING COMMISSION COMMENTS



# Resolutions



## AGENDA STATEMENT

January 15, 2014

To: The Aleutians East Borough Planning Commission  
From: Anne Bailey

### **Re: Resolution 14-03 of the Aleutians East Borough Planning Commission Approving Revisions to the Onshore Seafood Processing, Large Mining Operations, and Oil & Gas Permits for the Land Use Permitting System**

The Aleutians East Borough (AEB) is creating a Resource Development Land Use Permitting System to Protect Coastal Resources in the AEB Resource Development District Project (Land Use Permitting System), funded with qualified Outer Continental Shelf oil and gas revenues from the Coastal Impact Assistance Program (CIAP), administered by the Fish and Wildlife Service and the U.S. Department of the Interior. The purpose of this project is to create and implement a permitting system to regulate resource development activities in the AEB coastal zone and maximize resource development opportunities while protecting coastal resources through an organized, efficient permit program consistent with the goals and objectives of the AEB Code.

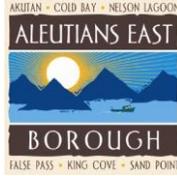
The AEB Planning Commission held Planning Commission Workshops on October 10 and 15, 2013 where they discussed the Proposed Code Revisions to AEB Code Titles 1, 2, 40 and 45; the Fee & Penalty Schedule for AEB Land Use Permits, Permit applications and Standard Operating Procedures for the different resource development permit types. At the November 14, 2013 Planning Commission Meeting the Commission passed Resolution 14-01 recommending the Assembly review and approve Titles 1, 2, 40 and 45 of the Borough Code and the Fee & Penalty Schedules for the different land use permitting types. At the December 18, 2013 Planning Commission Meeting, the Commission passed Resolution 14-02 approving the permit applications and the standard operating procedures for the Land Use Permitting System, which includes commercial recreation; research; sand, gravel, & rock mining; mineral & coal mining & small mining operations; offshore & direct marketing seafood processing; onshore seafood processing; large mining operations and oil & gas.

Throughout the process of writing the permit checklists, Harvey Consulting noticed that the following revisions needed to be made to the onshore seafood processing permit; the large mining operations permit and the oil & gas permit to address streamlined approval for minor amendments and renewals:

- Onshore Seafood Processing Permit – March 2014, Rev. 1; revised Section 8, to add a spot for AEB Administrator to approve a Minor Amendment or Renewal that does not require full Planning Commission Review and Assembly Approval.

- Large Mining Operations Permit – March 2014, Rev. 1; revised Section 8, to add a spot for AEB Administrator to approve a Minor Amendment or Renewal that does not require full Planning Commission Review and Assembly Approval.
- Oil & Gas Permit – March 2014, Rev. 1; revised Section 7, to add a spot for AEB Administrator to approve a Minor Amendment or Renewal that does not require full Planning Commission Review and Assembly Approval.

If approved, Resolution 14-03 will approve the three permits with the revisions outlined above.



## **RESOLUTION 14-03**

### **A RESOLUTION OF THE ALEUTIANS EAST BOROUGH PLANNING COMMISSION APPROVING REVISIONS TO THE ONSHORE SEAFOOD PROCESSING, LARGE MINING OPERATIONS, AND OIL & GAS PERMITS FOR THE LAND USE PERMITTING SYSTEM**

**WHEREAS**, the Aleutian East Borough (AEB) is creating a Resource Development Land Use Permitting System to Protect Coastal Resources in the AEB Resource Development District Project (Land Use Permitting System), funded with qualified Outer Continental Shelf oil and gas revenues from the Coastal Impact Assistance Program (CIAP), administered by the Fish and Wildlife Service and the U.S. Department of the Interior; and

**WHEREAS**, the purpose of this project is to create and implement a permitting system to regulate resource development activities in the AEB coastal zone and maximize resource development opportunities while protecting coastal resources through an organized, efficient permit program consistent with the goals and objectives of the AEB Code; and

**WHEREAS**, the AEB Planning Commission held Planning Commission Workshops on October 10 and 15, 2013 and a Planning Commission Work Session on November 14, 2013 wherein it discussed the Proposed Code Revisions to AEB Code Titles 1, 2, 40 and 45; the Fee & Penalty Schedule for AEB Land Use Permits, Permit applications and Standard Operation Procedures for the different resource development permit types; and

**WHEREAS**, at the December 18, 2013 Planning Commission Meeting the AEB Planning Commission passed Resolution 14-02 approving the permit applications and the standard operating procedures for the Land Use Permitting System, which includes commercial recreation; research; sand, gravel, rock mining; mineral & coal mining & small mining operations; offshore & direct marketing seafood processing; onshore seafood processing; large mining operations and oil& gas; and

**WHEREAS**, revisions were made to the onshore seafood processing; large mining operations, and oil & gas permits to address streamlined approval for minor amendment and renewals.

**NOW THEREFORE BE IT RESOLVED** that the Aleutians East Borough Planning Commission approves the revised Onshore Seafood Processing, Large Mining Operations and Oil & Gas Permit Applications.

**PASSED AND APPROVED** by the Aleutians East Borough Planning Commission on this 5<sup>th</sup> day of March 2014.

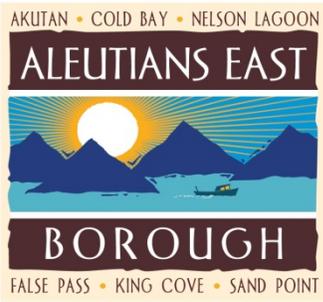
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**Chris Emrich, Chair**

**ATTEST:**

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**Tina Anderson, Clerk**



# ALEUTIANS EAST BOROUGH

## ONSHORE SEAFOOD PROCESSING LAND USE PERMIT

Authority: Aleutians East Borough Municipal Code Title 40

Mail Permit Application to:  
Aleutians East Borough  
P.O. Box 349  
Sand Point, Alaska 99661  
907-383-2699

AEB Use Only	
Permit No.	OSP: ___-___-_____
Date Received:	___/___/___
Date Approved:	___/___/___

### Section No. 1: Permit Applicant Information

Type of Seafood    Fish    Shellfish    Other \_\_\_\_\_

New Permit    Permit Renewal

Minor Permit Amendment (administrative change)    Major Permit Amendment ( any increase in impact )

Name of Individual or Corporation: \_\_\_\_\_

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

Contact Person: (name) \_\_\_\_\_ (title) \_\_\_\_\_

Physical Address: (Street) \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

Office Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_      Cell Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_

Satellite Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_      Office Fax: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_

Email Address: \_\_\_\_\_@\_\_\_\_\_.\_\_\_\_\_      Webpage Address: www. \_\_\_\_\_.

Number of Years in Business: \_\_\_\_\_

Alaska Business License No.: \_\_\_\_\_ Issue Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

ADEC Permit No.: \_\_\_\_\_ Issue Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Federal Tax Identification EIN No. \_\_\_\_\_

### Section No. 2: Facility Information

Township: \_\_\_\_\_, Range: \_\_\_\_\_ Section: \_\_\_\_\_, Meridian: \_\_\_\_\_

Name of Facility: \_\_\_\_\_

Property Address : \_\_\_\_\_

Describe Operations and Location: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Hours of Operation: \_\_\_\_\_ Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Months of Operation:    January    February    March    April    May    June  
                                   July    August    September    October    November    December

Map(s) of Location Attached to Application (required)    Routes of Access Shown on Map(s) (required)

**Section No. 3: Property Ownership and Access**

Land Owned by Applicant       AEB Land       State Land       Federal Land

Private (Name): \_\_\_\_\_  Other (Name): \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

For properties not owned by the Applicant, describe the instrument used to obtain legal access to land.

Lease       Contract       Permit       License       Other

Name of legal document: \_\_\_\_\_

Date of Agreement/Issue: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Does the instrument used to obtain legal access allow for the type, location, amount, and extent of operations described in this permit application?       Yes       No

If you answered "yes," are there any limitations placed on your operations?       Yes       No

If you answered "yes," please describe the limitations \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Existing Facilities: Legal Access Granted to Use/Operate Existing Facilities on Property:       Yes       No

Access Granted to These Existing Facilities:       Building/Structure       Runway       Road       Port/Dock

Other: \_\_\_\_\_

Other: \_\_\_\_\_

Other: \_\_\_\_\_

New Facilities: Legal Access Granted to Construct/Operate New Facilities on Property:       Yes       No

Access Granted to These Existing Facilities:       Building/Structure       Runway       Road       Port/Dock

Other: \_\_\_\_\_

Other: \_\_\_\_\_

Other: \_\_\_\_\_

Construction/Installation Date: \_\_\_\_\_ All Required Permits Obtained?       Yes       No

For facilities not owned by the Applicant, describe legal access to use or operate the facilities.

Lease       Contract       Permit       License       Other

Name of legal document: \_\_\_\_\_

Date of Agreement/Issue: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

**Section No. 4: Required Attachments to Permit Application**

- Location Map(s): Must clearly show land ownership, all buildings, and township, range and section.
- Transportation Map(s) including routes of access, showing ingress and egress routes
- Plot plan showing the location, name, and brief description of all buildings in the seafood processing facility including housing and employee services. Attach a drawing with buildings labeled by name and use.

All maps & drawings must be submitted electronically for incorporation into the Borough's electronic system.

- Plan of Operations
- Design Plans (for any new facilities)
- Reclamation Plan
- Emergency & Medical Plan
- Transportation Plan
- A copy of the most recent complete (all five pages) applicant's ADEC Seafood Processors Application
- A copy of the most recent complete (all three pages) applicant's Application for Federal Processor Permit
- A copy of all State of Alaska Permits, Fisheries Business License, and APDES/NPDES (Notice of Intent Form)
- A copy of all federal permits including EPA Seafood Processing Waste Permit
- Fee Payment to the Aleutians East Borough for the Application Fee
- Local Economic Development Plan
- Historical and Cultural Resources Protection Plan
- Pollution Prevention Plan
- Hazardous Materials and Hazards Assessment Plan
- Good Neighbor Plan

(\$1,000 for new permit applications and renewal applications. \$50 for each permit amendment.)

**Section No. 5: Prior Operating Experience in Aleutians East Borough**

- Business has previously processed seafood within the AEB boundaries.  Yes  No
- Business has operated this business in AEB boundaries in prior years.  Yes  No Number of Years: \_\_\_\_\_
- Business has all required private, local, state, and federal permits, licenses, and/or authorizations.  Yes  No
- Business has operated in compliance with all local, state & federal requirements since inception.  Yes  No
- Business paid sales tax to AEB as required.  Yes  No
- Permits, licenses and/or authorizations for this business are subject to current enforcement action.  Yes  No
- Reason for enforcement action : \_\_\_\_\_
- Permits, licenses and/or authorizations for this business have been revoked in the past.  Yes  No
- Reason for revocation: \_\_\_\_\_

**Section No. 6: Agreement to Comply with Sales Tax Payment**

The Aleutians East Borough collects a two percent sales tax of raw fish product within its boundaries. The tax applies to the sale of raw fish whether delivered directly or indirectly to the buyer in the Borough. The tax levied by the Borough is an obligation of the seller. The buyer shall collect the tax at the time of sale by withholding from payment to the seller the amount of the tax. If payment is not made at the time of sale or delivery, the buyer shall segregate from funds of the buyer an amount equal to the tax due on the sale. I agree to comply with Aleutian East Borough's Municipal Code Chapter 60.20, Sales Tax payment requirements.

Applicant Name (printed): \_\_\_\_\_ Title: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Section No. 7: Certification of Accuracy and Agreement to Comply, Indemnify and Hold Harmless**

I certify that the information given by me in this land use permit application is true, complete, and correct. I agree to comply with local, state and federal laws, regulations and requirements pertaining to my business operations and land use. I agree to comply with all permit stipulations placed on this permit. I have reviewed the AEB penalty schedule and agree to immediately notify AEB of any potential violations, remedy any violations on the schedule required by AEB and pay penalties within 30 days. I hereby defend, indemnify, and hold the Aleutians East Borough harmless from any and all claims, damages, law suits, losses, liabilities and expenses related to the death or injury of persons and for the damage to or loss of property arising out of or in connection with the entry on and use of the property within the Aleutian's East Borough boundaries by me, the company I represent, and all contractors, subcontractors, guests, clients and their employees.

Applicant Name (printed): \_\_\_\_\_ Title: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Section No. 8: Permit Decision [AEB Use Only]**

Fee Paid:  Yes  No Check No.: \_\_\_\_\_ Amount: \_\_\_\_\_

**Minor Amendment or Renewal Eligible for AEB Administrator Approval?:**  Yes  No

Approved Approval Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Additional Permit Stipulations Attached (in addition to Section No. 9 Permit Stipulations)  Yes  No

AEB Administrator or Designee Name (printed): \_\_\_\_\_

AEB Administrator or Designee Signature: \_\_\_\_\_

**New Permit, Major Amendment or Renewal Not Eligible for AEB Administrator Approval?:**  Yes  No

Pre-Application Meeting Held Date: \_\_\_\_\_

Application Meeting Held Date: \_\_\_\_\_

**Final Complete Application Submitted** Date: \_\_\_\_\_

90 Day Application Review Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Note: 90 day review period includes 30 day written public review that must be completed within that 90 day period.

30 Day Public Review Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

90 Day Application Review Period Extended  No  Yes New End Date: \_\_\_\_\_

**Administrator Recommendation to PC** Date: \_\_\_\_\_

60 Day PC Application Review Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Note: 60 day review period includes one meeting of Planning Commission (PC) with opportunity for public comment

60 Day Application Review Period Extended  No  Yes New End Date: \_\_\_\_\_

**PC Recommendation to Assembly** Date: \_\_\_\_\_

30 Day Assembly Decision Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Note: 30 day review period includes one meeting of Assembly with opportunity for public comment

30 Day Assembly Decision Period Extended  No  Yes New End Date: \_\_\_\_\_

**Assembly Decision**

Approved: Approval Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Denied: Reason: \_\_\_\_\_

Additional Permit Stipulations Attached (in addition to Section No. 9 Permit Stipulations)  Yes  No

Mayor or Designee Name (printed): \_\_\_\_\_

Mayor or Designee Signature: \_\_\_\_\_

## Section No. 9: Land Use Permit Stipulations

- ✦ **Permit Term:** This land use permit is issued for the period specified in the permit; a period not to exceed five years. Permittee shall have an approved permit prior to conducting any processing operations. The permit is not a property right; it is revocable at the discretion of the Aleutians East Borough (AEB), at any time upon notice.
- ✦ **Compliance with Requirements:** Permittee shall not conduct any operations that are not specifically described in the permit application and supporting documents submitted and approved as part of this permit. Permittee shall comply with all local, state, and federal laws, regulations, rules and orders, and requirements and stipulations included in this authorization. Permittee shall inform and ensure compliance with these stipulations by his agents, employees, clients, and guests. This authorization is revocable immediately upon violation of any of its terms, conditions, and stipulations or upon failure to comply with any applicable laws, statutes, or regulations.
- ✦ **Land Owner Authorization:** Permitted activities on private, local, state, or federal land may not commence without land owner approval (this includes travel across lands and use of lands). The AEB reserves the right to request a copy and verify all land owner authorizations related to this permit. Land owner approval to access lands described in this permit shall be maintained during the permit term or this permit is null and void. No permanent facilities may be constructed or placed on AEB lands without obtaining a lease or contract with the AEB. This permit does not authorize permanent facilities on AEB lands.
- ✦ **Indemnification:** Permittee assumes all responsibility, risk and liability for all activities of the Permittee, its employees, agents, clients guests, contractors, subcontractors or licensees directly or indirectly conducted in conjunction with this permit, including environmental and hazardous substance risks and liabilities, whether occurring during or after the term of this permit. Permittee shall defend, indemnify and hold harmless the AEB, its employees and agents from and against any and all suits, claims, actions, losses, costs, penalties and damages of whatever kind of nature including all attorney fees and litigation costs, arising out of, in connection with or incident to any act or omission by the Permittee, its employees, agents, clients, guests, contractors, subcontractors or licensees. This indemnification shall survive the expiration or termination of this permit.
- ✦ **Damages and Claims:** Permittee shall pay the AEB for any damage to permitted property resulting from use. This permit is subject to valid adverse claims heretofore or hereafter acquired.
- ✦ **Reservation of Rights:** The AEB reserves the right to grant additional authorizations for compatible uses on or adjacent to the land covered under this authorization. Authorized concurrent users of lands within the AEB; their agents, employees, contractors, subcontractors and licensees shall not interfere with the operation or maintenance activities of each user.
- ✦ **Licenses, Permits and Authorizations:** Permittee shall maintain its State of Alaska Business License and any other private, local, state or federal license, permit or authorization required during the entire permit term or this permit will be null and void. The AEB reserves the right to request a copy of all licenses, permits, or authorizations.
- ✦ **Compliance with Approved Plans:** Permittee must adhere to its approved maps, drawings, Plan of Operations, Local Economic Development Plan, Design Plans, Historical and Cultural Resources Protection Plan, Reclamation Plan, Water, Waste Water and Solid Waste Management Plan, Emergency & Medical Plan, and Hazardous Materials and Hazards Assessment Plan.
- ✦ **Site Disturbance:** All activities shall be conducted in a manner that will minimize the disturbance of soil and vegetation and changes in the character of natural drainage systems to protect local habitat, except for those areas specifically authorized for seafood processing. Particular attention shall be paid to prevent pollution and siltation of streams, lakes, ponds, seeps and marshes, and to prevent disturbances to fish and wildlife populations and habitats.
- ✦ **Fish Habitat Protection:** Permittee's operations shall not adversely affect spawning, rearing, migrating, or over wintering areas for anadromous fish. Permittee's operations shall avoid causing increases in sedimentation, siltation and the resulting turbidity that could have a significant adverse impact to aquatic productivity and habitats, marine fish, shellfish, or anadromous fish populations in marine, estuarine, and freshwater environments. In streams and their floodplains which provide habitat for anadromous fish, operations shall minimize clearing of riparian vegetation and disturbance of natural banks.
- ✦ **Water Appropriation:** Operations shall not withdraw surface waters at a withdrawal rate or timing which adversely affects anadromous fish habitat, particularly spawning or overwintering areas
  - ✦ **Water Quality:** Operations shall not adversely impact water quality and natural productivity of streams, rivers, and lakes within the Borough and shall significantly increase water turbidity or rate of sediment deposition above natural levels. Toxic/harmful effluents shall not be discharged into the Borough watersheds or water bodies. Zero water pollution discharge should be achieved unless the Applicant proves to the Borough that it is not technically feasible.
  - ✦ **Human Health and Socioeconomics:** Facilities must be sited, designed and operated in a manner that protects human health from adverse impacts. Facilities must improve the quality of life for local residents and must not have adverse socioeconomic affects.

- ✦ **Air Quality:** Operations shall not adversely impact air quality or human health.
- ✦ **Best Available Air Emission Control Technology:** shall be installed for criteria air pollutants (including oxides of nitrogen and sulfur, carbon monoxide, particulate matter, volatile organic compounds) and hazardous air pollutants.
- ✦ **Fuel/Power Selection:** The lowest air pollution impact fuel sources shall be used. Solar, wind and other alternative power sources must be considered unless the Applicant proves to the Borough that it is not technically feasible. Where alternative energy options are not technically feasible, natural gas fired combustion systems shall be used whenever possible. Ultra-low sulfur diesel fuels shall be used.
- ✦ **Vapor Controls:** All equipment and facilities must install vapor recovery systems to reduce volatile organic compounds (VOCs) and Hazardous Air Pollutants (HAP) by at least 98%. Direct venting of VOCs and HAPs to the atmosphere is prohibited.
- ✦ **Transportation:** Transportation routes and methods used to bring equipment and supplies to the processing plant and to transport product from the plant shall not adversely impact biological resources or community lifestyle. Any damage to road systems, docks or other public transportation infrastructure shall be repaired by the Permittee at its cost.
- ✦ **Docks, Ports and Loading Facilities:** Docks, ports and loading facilities must be sited to limit impact on fish, shellfish, wildlife and their habitat. Fisherman and local vessels must be allowed safe harbor. Dredging must not adversely impact fish or shellfish resources.
- ✦ **Fires:** Permittee shall take all reasonable and prudent precautions to prevent and suppress forest, brush, and grass fires and comply with Alaska Fire Marshal regulations. Open burning of hazardous or contaminated material is strictly prohibited. Black smoke is prohibited.
- ✦ **Solid Waste:** Prior to removal, all garbage and debris that are subject to decomposition shall be stored in bear-proof containment. All solid waste, debris and hazardous substances generated processor's use or other activities conducted in accordance with this authorization shall be removed to a facility approved by the Alaska Department of Environmental Conservation (ADEC). Permittee shall keep the operating areas and facilities used in a neat, orderly, and sanitary condition.
- ✦ **Watershed Protection:** Watershed areas shall be protected. All operations shall be conducted to minimize or eliminate siltation, road and surface runoff and pollution of the water supply. No stationary or mobile equipment may be transported over, refueled on, or operated on a public drinking water supply.
- ✦ **Grey Water and Human Waste Disposal:** Portable or permanently installed sanitation systems shall be provided for workers use. All grey water and human waste shall be collected and disposed of at an ADEC approved disposal site.
- ✦ **Fuel and Chemical Storage:** All fuel and chemical storage containers shall be clearly marked with the contents and the Permittee's name. The Permittee is responsible for preventing spillage and contamination of contiguous land and water as well as cleaning up any oil or other pollutants that result from activities associated with this permit. Drip pans and absorbent pads shall be available to contain and clean up spills from any transfer or handling of fuel.
- ✦ **Spills:** All spills of fuels or chemicals shall be reported to AEB (907) 383-2699 and ADEC (800) 478-9300 within 24 hours and be cleaned up immediately and thoroughly to the AEB's satisfaction.
- ✦ **Alaska Historic Preservation Act:** The Alaska Historic Preservation Act (AS 41.35.200) prohibits the appropriation, excavation, removal, injury, or destruction of any state owned historic, prehistoric (paleontological) or archaeological site without a permit from the commissioner. Should any sites be discovered during the course of operations, activities that may damage the site will cease and the Office of History and Archaeology in the Division of Parks and Recreation (907) 269-8721 and the appropriate coastal district shall be notified immediately.
- ✦ **Removal of Temporary Equipment and Facilities:** All temporary equipment and facilities, supplies, waste, and fuel shall be removed before the end of each authorized term of use, or on or before permit termination.
- ✦ **Permanent Facilities, Structures and Access Routes:** This permit does not grant the Permittee the right to construct any road, dock, port, or runway or erect, construct or place any building, structure, or other fixture on lands within the AEB boundaries. The Permittee shall obtain legal access and authorization from the land owner prior to these activities. A separate lease or contract is required to construct permanent facilities, structure and access routes on AEB lands.
- ✦ **Permit Evidence and Inspection:** Permittee and Permittee's employees shall carry a copy of this permit at all times or a copy should be posted at the processing plant in a location visible to all employees and the public. Authorized representatives of the AEB have the right to enter and inspect the operations approved under this permit at any time to ensure that the activity is being or has been accomplished in accordance with the terms and conditions of this permit.
- ✦ **Permit Assignment:** This permit is not transferable and cannot be assigned or subleased, in whole or in part, to another party. If the processing business permitted under this authorization is purchased by another owner, this permit is no longer valid. A new permit application shall be submitted by the new owner, and approved by AEB.
- ✦ **Amendments:** Permittee shall immediately notify AEB of any change of information submitted in this application. Permittee is only authorized to conduct the processing operations described in this permit application and approval. Any change to the operation will require a permit amendment application to be submitted and approved prior to conducting those

activities.

- ✦ **Violations and Enforcement:** Pursuant to AEB Municipal Code (AEBMC) Chapter 1.24, a person who violates a provision of this permit is subject to any action available to the AEB for enforcement and remedies, including revocation of the permit, civil action for forcible entry and detainer, ejection, trespass, damages, and associated costs, or arrest and prosecution for criminal trespass in the second degree. The AEB may seek damages available under a civil action.
- ✦ **Additional Stipulations:** AEB reserves the right to modify the stipulations attached and made a part of this permit or to attach additional stipulations when deemed necessary. If stipulations are added or modified by AEB, the permit will be reissued with the revised permit stipulations. The Permittee will have 60 days to come into compliance with the new requirements.
- ✦ **Communication with AEB about the Permit:** All communication regarding activities and reports required under this permit must be clearly marked with the AEB permit number on the front page of the document and submitted to the AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✦ **Recordkeeping:** Permittee shall keep and preserve all records of business activities conducted in AEB for at least 5 years after the permit has been discontinued.
- ✦ **Complaints:** Permittee shall notify the AEB of any written or verbal complaint received within 48 hours by contacting the AEB at (907) 383-2699. The AEB will also notify the Permittee of any complaints received at the AEB Offices. Within seven (7) calendar days of receiving a complaint or being notified of a complaint by the AEB, the Permittee shall provide a written response to the AEB explaining the steps taken to resolve the complaint, or explain why it is not a valid complaint. This permit may be revoked if the AEB receives and validates a complaint regarding impact to subsistence use, trespass, human health, excessive noise, or safety.
- ✦ **Annual Report:** By January 15<sup>th</sup> of each calendar year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that it is complying with all AEB approved plans, permit stipulations and requirements.
- ✦ **Final Report:** Within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as required in the approved Reclamation Plan.

## General Permit Instructions

- ✦ **Who needs a permit?** Effective January 1, 2015, Title 40 of the Aleutians East Borough Municipal Code (AEBMC) requires Onshore Seafood Processors to obtain a land use permit within the Aleutians East Borough, excluding the municipal lands where AEB has delegated land use planning authority to an AEB municipality (see AEBMC § 40.01.020).
  - ✦ “Onshore Seafood Processor” means a for-profit company that buys, processes, and/or exports a fishery resource using facilities located onshore. This definition excludes Offshore Seafood Processors and Direct Marketing Seafood Processors.
- ✦ **Do I need a permit if I plan to process seafood within an AEB Municipality (Incorporated City) that has land use planning authority under AEBMC § 40.01.020?** You do not need an AEB land use permit. You may be required to obtain a city business license, register your business, and/or obtain a city land use permit. Please contact the city office for more information on their requirements.
- ✦ **How do I complete the Application? Is there an electronic version of this form?** An Adobe Acrobat, PDF fillable version of the application can be found at <http://www.aleutianseast.org/> under the Permitting Page. Please save a copy to your computer, rename the file, and fill it in electronically on the computer. Please note that you must print and sign a final hard copy of the application and mail the completed application, along with a check for the fees and all required information to AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✦ **Can I submit a handwritten application?** No. This application must be typed.
- ✦ **Where do I send my Permit Application?** Please mail a completed copy of the permit application, a check for the application fee, and all required information to the AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✦ **Who do I call if I have a question?** Please contact the AEB Clerk/Planner at (907) 383-2699.
- ✦ **What is the permit fee?** The application fee is \$1,000 for the initial permit application and each renewal application. Permits are valid for up to 5 years maximum. Each amendment to an existing permit costs \$50.
- ✦ **How long will it take to obtain a permit?** Permit approval timelines will vary based on permit application complexity, completeness, and degree of public interest; however, you should plan for at least a period of one year. Your first step should be to meet with the AEB for a Pre-Application Meeting to discuss your permit application and goals, this meeting will give the AEB a better understanding of your project proposal and will provide AEB with the opportunity to identify and fund resources to assist on the project.
- ✦ **Is a Pre-Application Meeting required?** Yes. You must meet with the AEB for a pre-application meeting at least 180 days period to submitting the application for approval.
- ✦ **When is my permit application due?** Your permit application should be submitted at least 180 days prior to the time you

need an approved permit. Most permit approvals should be issued within 180 business days; however, delays can occur during peak work periods or during holidays.

- ✦ **How long is the permit valid?** Approved permits are valid for the period specified in the permit; a period not to exceed five years. The permit remains valid, provided applicant complies with permit terms and conditions. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- ✦ **What happens if my application is incomplete?** Submittal of an application does not guarantee that it will be accepted. Only applications that are determined to be entirely complete, (including permit fee payment) will be accepted. Incomplete applications will be returned to the applicant for additional information and revision.
- ✦ **Who assigns new permit numbers?** The AEB will assign a permit number when your application is received. Please refer to this number in all future correspondence.
- ✦ **How do I renew an existing permit?** Approved permits are valid for the period specified in the permit; a period not to exceed five years. A renewal application must be submitted at least 180 days before your permit expires. Permittees that have operated in compliance for the prior permit term (with no violations) and have paid all required taxes on time, may be eligible for an expedited renewal process if the renewal application does not increase impact over the original permit approval. Renewal applications that meet these criteria will be processed in 30 days by the Administrator without public review.
- ✦ **How do I amend an existing permit?** A permit amendment may be submitted at any time during the period that the existing permit is valid. The permit applicant must explain the reason for the permit amendment. Minor amendments may be approved by the Administrator within 30 days without public review. Major amendments require Assembly approval and can take 3-6 months, and require public review.
- ✦ **What is the difference between a major and minor amendment?** A minor amendment includes administrative, scope or timing changes that do not increase impact over the original permit approval. Major amendments increase impact over the original permit approval.

## Section No. 1 Instructions

Please fill out all the required information in Section No. 1. Check all boxes that apply.

- ✦ **What if I don't have a State of Alaska Business License?** All businesses operating in the State of Alaska are required to have a business license. See [http://www.commerce.state.ak.us/occ/home\\_bus\\_licensing.html](http://www.commerce.state.ak.us/occ/home_bus_licensing.html). You must obtain a license before submitting your application.
- ✦ **What if I don't have a Federal Tax ID?** All businesses operating in the State of Alaska are required to have a Federal Tax ID. See [http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Employer-ID-Numbers-\(EINs\)](http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Employer-ID-Numbers-(EINs)). You must obtain a federal Tax ID before submitting your application.

## Section No. 2 Instructions:

Please fill out all the required information in Section No. 2. Check all boxes that apply. Please provide a brief description of your operations and location. You are also required to provide a Plan of Operations with your permit application where you can provide more detail.

## Section No. 3 Instructions:

Please fill out all the required information in Section No. 3. Check all boxes that apply.

- ✦ **Why do I have to provide information on property ownership and access?** The AEB needs you to provide sufficient information to verify that you either own the property that you plan to conduct business on, or that you have obtained legal access to that land for the period that this permit will be valid, before issuing you a permit. The AEB will not issue permits to applicants that cannot demonstrate that they own or have secured legal access to use private, local, state, or federal lands for commercial purposes. Please provide a contact name and phone number that can verify your legal agreement.

## Section No. 4 Instructions:

Please provide all the required information in Section No. 4.

- ✦ **Is there a specific format that must be used for maps?** Yes, please consult with the AEB at your pre-application meeting. Maps are requested electronically, in Adobe acrobat pdf, and at least two hard copies.
- ✦ **What information must be contained in the Plan of Operations?** Please describe your project scope, schedule, and plans for operating the facility.
- ✦ **What information must be contained in the Local Economic Development Plan?** Please explain your plans to: (1) train local residents to become qualified for jobs; (2) plan for recruiting and hiring local residents, including a mechanism for announcing jobs and recruiting locally qualified applicants in the lease area; (3) plan for using local contractors and local

businesses, including mandatory notification to qualified local contractors and businesses announcing contract opportunities; and, (4) reporting process documenting the success of the Economic Opportunity Plan in providing local hire and contracting opportunities to AEB residents.

- ✦ **What information must be contained in Design Plan?** Design Plans should be submitted if any new facilities are planned. The plans should show the location, size and type of new facilities planned.
- ✦ **What information must be contained in the Historical and Cultural Resource Protection Plan?** This plan should demonstrate that the proposed site of the facilities has been cleared by an expert, and that construction on this site will not adversely impact historical and cultural resources.
- ✦ **What information must be included in the Transportation Plan and Maps?** The map shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must describe existing and new transportation infrastructure needed, anticipated haul routes, and points of ingress and egress to the facilities (including a map of these routes). An outline and estimated schedule of planned annual crew changes should be included.
- ✦ **What information must be included in the Pollution Prevention Plan?** The Pollution Prevention Plan must include best management practices for protecting drinking water, air, and local food sources from pollution, including a recycling program. Water requirements, sources and methods of obtaining water, rate of acquisition, design of wastewater treatment systems, and solid waste estimates handling methods should all be included.
- ✦ **What information must be included in the Good Neighbor Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060. It must include a plan to ensure surrounding residential properties are not adversely impacted by excessive noise, fumes, odors, pollution, contamination, glare, smoke, light, vibration, dust, litter or interference with media reception and should include charitable or in-kind contributions to support local education, art, and charities, and provide employment training programs to maximize local hire.
- ✦ **What information must be included in the Emergency & Medical Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must provide for adequate medical, rescue, fire, and other emergency services. The plan should preferably include proposals to fund expansion of existing emergency services to support increased demands created by the new Resource Development project.
- ✦ **What information must be included in the Hazardous Materials & Hazards Assessment Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must include an evaluation of all potential hazardous material discharges, and hazards to the facility including, but not limited to, geophysical hazards, fire, flood, erosion, earthquake, coastal storms, and ice.
- ✦ **How do I find a copy of the AEB's Coastal Zone Enforceable Policies?** A copy can be found at <http://www.alutianseast.org/> under the Permitting Page.
- ✦ **Who do I make the permit fee check out to?** The Aleutians East Borough.
- ✦ **Can I pay for the permit fee using a credit card?** No. The AEB does not accept credit card payment at this time.
- ✦ **Can I pay for the permit fee using cash?** No. You must pay by check.

### Section No. 5 Instructions:

Please fill out all the required information in Section No. 5. Check all boxes that apply. The AEB will take into consideration any currently pending enforcement action, non-payment of taxes, or prior revocations in making its decision on whether or not to approve the permit.

### Section No. 6 Instructions:

Please sign and date Section No. 6. Applications that are not signed will not be accepted.

### Section No. 7 Instructions:

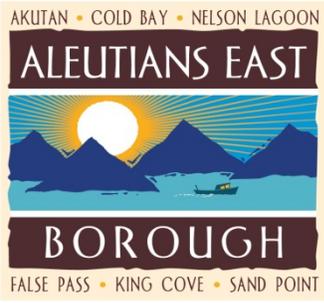
Please sign and date Section No. 7. Applications that are not signed will not be accepted.

### Section No. 8 Instructions:

Section No. 8 is for AEB administrative use only. This section of the permit allows AEB to track the permit approval process.

### Section No. 9 Instructions:

Section No. 9 is a list of standard permit stipulations that will be applied to your permit approval. Additionally, AEB reserves the right to add additional site-specific, operator-specific stipulations to this list. Your final permit may include an additional addendum listing additional permit stipulations that you must comply with for your operation.



# ALEUTIANS EAST BOROUGH

## LARGE MINING OPERATIONS LAND USE PERMIT

Authority Aleutians East Borough Municipal Code Title 40

Mail Permit Application to:  
Aleutians East Borough  
P.O. Box 349  
Sand Point, Alaska 99661  
907-383-2699

AEB Use Only	
Permit No.	LM: 20 ___-___-___
Date Received:	___/___/___
Date Approved:	___/___/___

**Section No. 1: Permit Applicant Information**

Type of Mining     Coal     Mineral (name type (s)) \_\_\_\_\_

New Permit     Permit Renewal

Permit Amendment will not increase impact (minor)     Permit Amendment will increase impact (major)

Name of Operator: \_\_\_\_\_

Business Name: \_\_\_\_\_

Address: (Street) \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

Contact Person: (name) \_\_\_\_\_ (title) \_\_\_\_\_

Office Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_    Cell Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_

Satellite Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_    Office Fax: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_

Email Address: \_\_\_\_\_@\_\_\_\_\_.\_\_\_\_\_    Webpage Address: www. \_\_\_\_\_.

Number of Years in Business: \_\_\_\_\_

State of Alaska Business License No.: \_\_\_\_\_    Issue Date: \_\_\_\_\_    Expiration Date: \_\_\_\_\_

Federal Tax Identification EIN No. \_\_\_\_\_

**Section No. 2: Mining Description, Location and Timing**

Township: \_\_\_\_\_, Range: \_\_\_\_\_ Section: \_\_\_\_\_, Meridian: \_\_\_\_\_

Property Address : \_\_\_\_\_

Estimated number of tons mined per year: Coal \_\_\_\_\_ Mineral(s) \_\_\_\_\_

Estimated surface area to be disturbed: \_\_\_\_\_ (acres)    Depth of excavation \_\_\_\_\_ (feet)

Describe Operations and Location: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Hours of Operation: \_\_\_\_\_ Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_ Reclamation Date: \_\_\_\_\_

Days of Operation:  Monday  Tuesday  Wednesday  Thursday  Friday  Saturday  Sunday

Months of Operation:  January  February  March     April     May     June

July     August     September  October  November  December

Map(s) of Location Attached to Application (required)     Routes of Access Shown on Map(s) (required)

**Section No. 3: Property Ownership and Access**

Land Owned by Applicant       AEB Land       State Land       Federal Land  
 Private (Name): \_\_\_\_\_  Other (Name): \_\_\_\_\_  
Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

For properties not owned by the Applicant, describe the instrument used to obtain legal access to land.

Lease       Contract       Permit       License       Other  
Name of legal document: \_\_\_\_\_  
Date of Agreement/Issue: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Does the instrument used to obtain legal access allow for the type, location, amount and extent of coal or mineral excavation operations described in this permit application?       Yes       No

If you answered "yes," are there any limitations placed on your operations?       Yes       No

If you answered "yes," please describe the limitations \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Existing Facilities: Legal Access Granted to Use/Operate Existing Facilities on Property:       Yes       No

Access Granted to These Existing Facilities:       Building/Structure       Runway       Road       Port/Dock  
 Other: \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Other: \_\_\_\_\_

New Facilities: Legal Access Granted to Construct/Operate New Facilities on Property:       Yes       No

Access Granted to These Existing Facilities:       Building/Structure       Runway       Road       Port/Dock  
 Other: \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Other: \_\_\_\_\_

Construction/Installation Date: \_\_\_\_\_ All Required Permits Obtained?       Yes       No

For facilities not owned by the Applicant, describe legal access to use or operate the facilities.

Lease       Contract       Permit       License       Other  
Name of legal document: \_\_\_\_\_  
Date of Agreement/Issue: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

**Section No. 4: Required Attachments to Permit Application**

- Location Map(s): Must clearly show land ownership, natural features, and township, range and section. Maps must be submitted electronically for incorporation into the Borough’s electronic information system.
- Transportation Plan including routes of access marked on map(s) showing ingress and egress routes.
- Project Scope and Schedule
- Study & Project Monitoring Plan
- Field Office Plan
- Good Neighbor Plan
- Pollution Prevention Plan
- Reclamation Plan
- A copy of State of Alaska Business License
- A copy of final Federal Environmental Impact Statement (EIS) or Environmental Assessment (EA), if required.
- A copy of all state and federal permit decisions.
- Large Mining Operations Permit Fee Fund Payment (Confirmation that \$25,000 was deposited at the pre-application meeting.)
- Large Mining Operations Permit Fee Fund Balance of at least \$12,500 (renewals and amendments)
- Conflict Avoidance Plan (Fisheries and Subsistence Use)
- Local Economic Development Plan
- Infrastructure Support Plan
- Historical and Cultural Resources Protection Plan
- Hazards Assessment Plan
- Surety
- Emergency Plan

**Section No. 5: Prior Operating Experience in Aleutians East Borough**

I have previously explored for minerals or coal at this location under an AEB permit.  Yes  No

I have operated this business in AEB boundaries in prior years.  Yes  No Number of Years: \_\_\_\_\_

I have all required private, local, state, and federal permits, licenses and/or authorizations.  Yes  No

Business has operated in compliance with all local, state & federal requirements since inception.  Yes  No

I have paid severance tax to AEB as required since 2011.  Yes  No  No mining since 2011

Permits, licenses and/or authorizations for this business are subject to current enforcement action.  Yes  No

Reason for enforcement action : \_\_\_\_\_

\_\_\_\_\_

Permits, licenses and/or authorizations for this business have been revoked in the past.  Yes  No

Reason for revocation: \_\_\_\_\_

\_\_\_\_\_

**Section No. 6: Agreement to Comply with Severance Tax Payment**

Mining, extracting, harvesting, removing or producing for sale, profit or commercial use, any copper, gold, silver, zinc, lead, molybdenum, or other metallic mineral product, compound, or combination of mineral products or mining, quarrying, or producing for sale, profit, or commercial use any coal anywhere within the Aleutian East Borough is subject to a Severance Tax of 1.5% times the gross production value per ton unless the annual gross production value of the operation does not equal or exceed \$5,000 annually. I agree to comply with Aleutian East Borough’s Municipal Code Chapter 60.40, Severance Tax payment requirements.

Applicant Name (printed): \_\_\_\_\_ Title: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Section No. 7: Certification of Accuracy and Agreement to Comply, Indemnify and Hold Harmless**

I certify that the information given by me in this land use permit application is true, complete, and correct. I agree to comply with local, state and federal laws, regulations and requirements pertaining to my business operations and land use. I agree to comply with all permit stipulations placed on this permit. I have reviewed the AEB penalty schedule and agree to immediately notify AEB of any potential violations, remedy any violations on the schedule required by AEB and pay penalties within 30 days. I hereby defend, indemnify, and hold the Aleutians East Borough harmless from any and all claims, damages, law suits, losses, liabilities and expenses related to the death or injury of persons and for the damage to or loss of property arising out of or in connection with the entry on and use of the property within the Aleutian's East Borough boundaries by me, the company I represent, and all contractors, subcontractors, guests, clients and their employees.

Applicant Name (printed): \_\_\_\_\_ Title: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Section No. 8: Permit Decision [AEB Use Only]**

Fee Paid:  Yes  No Check No.: \_\_\_\_\_ Amount: \_\_\_\_\_

**Minor Amendment or Renewal Eligible for AEB Administrator Approval?:**  Yes  No

Approved Approval Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Additional Permit Stipulations Attached (in addition to Section No. 9 Permit Stipulations)  Yes  No

AEB Administrator or Designee Name (printed): \_\_\_\_\_

AEB Administrator or Designee Signature: \_\_\_\_\_

**New Permit, Major Amendment or Renewal Not Eligible for AEB Administrator Approval?:**  Yes  No

Pre-Application Meeting Held Date: \_\_\_\_\_

Application Meeting Held Date: \_\_\_\_\_

**Final Complete Application Submitted** Date: \_\_\_\_\_

90 Day Application Review Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Note: 90 day review period includes 30 day written public review that must be completed within that 90 day period.

30 Day Public Review Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

90 Day Application Review Period Extended  No  Yes New End Date: \_\_\_\_\_

**Administrator Recommendation to PC** Date: \_\_\_\_\_

60 Day PC Application Review Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Note: 60 day review period includes one meeting of Planning Commission (PC) with opportunity for public comment

60 Day Application Review Period Extended  No  Yes New End Date: \_\_\_\_\_

**PC Recommendation to Assembly** Date: \_\_\_\_\_

30 Day Assembly Decision Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Note: 30 day review period includes one meeting of Assembly with opportunity for public comment

30 Day Assembly Decision Period Extended  No  Yes New End Date: \_\_\_\_\_

Denied: Reason: \_\_\_\_\_

Additional Permit Stipulations Attached (in addition to Section No. 9 Permit Stipulations)  Yes  No

Mayor or Designee Name (printed): \_\_\_\_\_

Mayor or Designee Signature: \_\_\_\_\_

## Section No. 9: Land Use Permit Stipulations

- ✦ **Permit Term:** This land use permit is issued for the period specified in the permit; a period not to exceed five years. Permittee shall have an approved permit prior to conducting any mineral or coal mining operations. An approved permit must be maintained by the mineral or coal mining Operator until the mining operations and Reclamation Plan are completed. The permit is not a property right; it is revocable at the discretion of the Aleutians East Borough (AEB), at any time upon notice.
- ✦ **Compliance with Requirements:** Permittee shall not conduct any operations that are not specifically described in the permit application and supporting documents submitted and approved as part of this permit. Permittee shall comply with all local, state, and federal laws, regulations, rules and orders, and requirements and stipulations included in this authorization. Permittee shall inform and ensure compliance with these stipulations by his agents, employees, clients and guests. This authorization is revocable immediately upon violation of any of its terms, conditions, and stipulations or upon failure to comply with any applicable laws, statutes, or regulations.
- ✦ **Land Owner Authorization:** Permitted activities on private, local, state, or federal land may not commence without land owner approval (this includes travel across lands and use of lands). The AEB reserves the right to request a copy and verify all land owner authorizations related to this permit. Land owner approval to access lands described in this permit shall be maintained during the permit term or this permit is null and void. No permanent facilities may be constructed or placed on AEB lands without obtaining a lease or contract with the AEB. This permit does not authorize permanent facilities on AEB lands.
- ✦ **Indemnification:** Permittee assumes all responsibility, risk and liability for all activities of the Permittee, its employees, agents, clients guests, contractors, subcontractors or licensees directly or indirectly conducted in conjunction with this permit, including environmental and hazardous substance risks and liabilities, whether occurring during or after the term of this permit. Permittee shall defend, indemnify and hold harmless the AEB, its employees and agents from and against any and all suits, claims, actions, losses, costs, penalties and damages of whatever kind of nature including all attorney fees and litigation costs, arising out of, in connection with or incident to any act or omission by the Permittee, its employees, agents, clients, guests, contractors, subcontractors or licensees. This indemnification shall survive the expiration or termination of this permit.
- ✦ **Damages and Claims:** Permittee shall pay the AEB for any damage to permitted property resulting from use. This permit is subject to valid adverse claims heretofore or hereafter acquired.
- ✦ **Reservation of Rights:** The AEB reserves the right to grant additional authorizations for compatible uses on or adjacent to the land covered under this authorization. Authorized concurrent users of lands within the AEB; their agents, employees, contractors, subcontractors and licensees shall not interfere with the operation or maintenance activities of each user.
- ✦ **Licenses, Permits and Authorizations:** Permittee shall maintain its State of Alaska Business License and any other private, local, state or federal license, permit or authorization required during the entire permit term or this permit will be null and void. The AEB reserves the right to request a copy of all licenses, permits, or authorizations.
- ✦ **Conflict Avoidance Plan (Fisheries and Subsistence Use):** Permittee must adhere to its approved Conflict Avoidance Plan. The plan requires that Commercial Fishing, Subsistence Use, and Sport Harvest Conflicts will be avoided. Commercial fishing, subsistence use, and sport harvest have priority. Permittee's uses of land and wildlife habitat shall minimize adverse impacts on subsistence activities and resources. Noise shall be mitigated to avoid disruption to subsistence activities and nearby communities.
- ✦ **Compliance with Approved Plans:** Permittee must adhere to its approved Project Scope and Schedule, Study & Project Monitoring Plan, Local Economic Development Plan, Field Office Plan, Infrastructure Support Plan, Transportation Plan, Historical and Cultural Resources Protection Plan, Good Neighbor Plan, Pollution Prevention Plan, Hazards Assessment Plan, Reclamation Plan, and Emergency Plan.
- ✦ **Site Disturbance:** All activities shall be conducted in a manner that will minimize the disturbance of soil and vegetation and changes in the character of natural drainage systems to protect local habitat, except for those areas specifically authorized for mining of minerals and coal. Particular attention shall be paid to prevent pollution and siltation of streams, lakes, ponds, seeps and marshes, and to prevent disturbances to fish and wildlife populations and habitats.
- ✦ **Fish Habitat Protection:** Permittee's mining operations shall not adversely affect spawning, rearing, migrating, or over wintering areas for anadromous fish. Mining shall not be conducted in locations which have been documented to provide spawning, rearing or over wintering habitat for anadromous fish. Permittee's mining operations shall avoid causing increases in sedimentation, siltation and the resulting turbidity that could have a significant adverse impact to aquatic productivity and habitats, marine fish, shellfish, or anadromous fish populations in marine, estuarine, and freshwater environments. In streams and their floodplains which provide habitat for anadromous fish, mining operations shall minimize clearing of riparian vegetation and disturbance of natural banks and mining site configurations shall be shaped to blend with physical features and surroundings to provide for diverse riparian and aquatic habitats.
- ✦ **Explosives:** To protect fish, explosives shall not be detonated within, beneath, or adjacent to marine, estuarine, or fresh waters that support fish unless 1) the detonation of the explosives produces an instantaneous pressure change in the water

body of no more than 2.7 pounds per square inch, and a vibration of no more than 0.5 inches per second or 2) the water body, including its substrate, is frozen, or 3) fish and marine mammals are not present.

- ✦ **In-stream Mining:** Mining operations in stream floodplains shall be located and designed to avoid adverse changes to channel hydraulics and the potential for channel diversion through the mining site. A stable bank and bed profile shall be maintained during mining. A stable bank and bed profile is one that will not alter river currents or change erosion and deposition patterns downstream.
- ✦ **Stream Alteration:** Mining operations shall not adversely affect natural stream hydraulics by channelization, diversion, spur dike construction, or other activities.
- ✦ **Water Appropriation:** Mining operations shall not withdraw surface waters at a withdrawal rate or timing which adversely affects anadromous fish habitat, particularly spawning or overwintering areas.
- ✦ **Water Quality:** Mining operations shall not adversely impact water quality and natural productivity of streams, rivers, and lakes within the Borough and shall significantly increase water turbidity or rate of sediment deposition above natural levels. Toxic/harmful effluents shall not be discharged into the Borough watersheds or water bodies. Zero water pollution discharge should be achieved unless the Applicant proves to the Borough that it is not technically feasible.
- ✦ **Air Quality:** Operations shall not adversely impact air quality or human health.
  - ✦ **Best Available Air Emission Control Technology:** shall be installed for criteria air pollutants (including oxides of nitrogen and sulfur, carbon monoxide, particulate matter, volatile organic compounds) and hazardous air pollutants.
  - ✦ **Fuel/Power Selection:** The lowest air pollution impact fuel sources shall be used. Solar, wind and other alternative power sources must be considered when technically feasible. Where alternative energy options are not technically feasible, natural gas fired combustion systems shall be used whenever possible. Ultra-low sulfur diesel fuels shall be used.
  - ✦ **Vapor Controls:** All equipment and facilities must install vapor recovery systems to reduce volatile organic compounds (VOCs) and Hazardous Air Pollutants (HAP) by at least 98%. Direct venting of VOCs and HAPs to the atmosphere is prohibited.
- ✦ **Overburden Disposal:** No overburden shall be disposed of in lakes, within the mean annual floodplain of streams or rivers, or below the limit of mean high water in intertidal areas and estuaries. Overburden in upland areas shall be saved and replaced on the cleared area to conform to the natural topography as part of the reclamation procedure.
- ✦ **Human Health and Socioeconomics:** Mines must be sited, designed and operated in a manner that protects human health from adverse impacts. Mines must improve the quality of life for local residents and must not have adverse socioeconomic affects.
- ✦ **Transportation:** Transportation routes and methods used to bring equipment and supplies to the mine site and to transport recovered minerals or coal from the mine site shall not adversely impact biological resources or community lifestyle. Any damage to road systems, docks or other public transportation infrastructure shall be repaired by the Permittee at its cost.
- ✦ **Docks, Ports and Loading Facilities:** Docks, ports and loading facilities must be sited to limit impact on fish, shellfish, wildlife and their habitat. Docks and ports must be added to accommodate mine needs. Fisherman and local vessels must be allowed safe harbor. Dredging must not adversely impact fish or shellfish resources.
- ✦ **Timber Use:** Permittee shall not cut any timber on lands or remove other resources from the land without prior written permission of the land owner.
- ✦ **Fires:** Permittee shall take all reasonable and prudent precautions to prevent and suppress forest, brush, and grass fires. Open burning of hazardous or contaminated material is strictly prohibited. Black smoke is prohibited.
- ✦ **Solid Waste:** Prior to removal, all garbage and debris that are subject to decomposition shall be stored in bear-proof containment. All solid waste, debris and hazardous substances generated from short-term (portable) camp use or other activities conducted in accordance with this authorization shall be removed to a facility approved by the Alaska Department of Environmental Conservation (ADEC). Permittee shall keep the operating areas and facilities used in a neat, orderly, and sanitary condition.
- ✦ **Watershed Protection:** Watershed areas shall be protected. All operations shall be conducted to minimize or eliminate siltation, road and surface runoff and pollution of the water supply. No stationary or mobile equipment may be transported over, refueled on, or operated on a public drinking water supply.
- ✦ **Grey Water and Human Waste Disposal:** Portable or permanently installed sanitation systems shall be provided at the mining operation for workers use. All grey water and human waste shall be collected and disposed of at an ADEC approved disposal site.
- ✦ **Fuel and Chemical Storage:** All fuel and chemical storage containers shall be clearly marked with the contents and the Permittee's name. The Permittee is responsible for preventing spillage and contamination of contiguous land and water as well as cleaning up any oil or other pollutants that result from activities associated with this permit. Drip pans and absorbent pads shall be available to contain and clean up spills from any transfer or handling of fuel.

- ✦ **Spills:** All spills of fuels or chemicals shall be reported to AEB (907) 383-2699 and ADEC (800) 478-9300 within 24 hours and be cleaned up immediately and thoroughly to the AEB's satisfaction.
- ✦ **Alaska Historic Preservation Act:** The Alaska Historic Preservation Act (AS 41.35.200) prohibits the appropriation, excavation, removal, injury, or destruction of any state owned historic, prehistoric (paleontological) or archaeological site without a permit from the commissioner. Should any sites be discovered during the course of field operations, activities that may damage the site will cease and the Office of History and Archaeology in the Division of Parks and Recreation (907) 269-8721 and the appropriate coastal district shall be notified immediately.
- ✦ **Removal of Temporary Equipment and Facilities:** All temporary equipment and facilities, supplies, waste, and fuel shall be removed before the end of each authorized term of use, or on or before permit termination.
- ✦ **Permanent Facilities, Structures and Access Routes:** This permit does not grant the Permittee the right to construct any road, dock, port, or runway or erect, construct or place any building, structure, or other fixture on lands within the AEB boundaries. The Permittee shall obtain legal access and authorization from the land owner prior to these activities. A separate lease or contract is required to construct permanent facilities, structure and access routes on AEB lands.
- ✦ **Reclamation:** Lands shall be restored to meet the Reclamation Plan submitted and approved as part of this permit.
- ✦ **Surety Bond.** A surety bond in the amount required by AEB must be provided to AEB prior to conducting any operations under this permit, and must be maintained until AEB has determined in writing that all requirements under this permit have been met, including site reclamation to AEB's satisfaction.
- ✦ **Permit Evidence and Inspection:** Permittee, and Permittee's employees shall carry a copy of this permit at all times or a copy should be posted at the mine site in a location visible to all employees and the public. Authorized representatives of the AEB have the right to enter and inspect the operations approved under this permit at any time to ensure that the activity is being or has been accomplished in accordance with the terms and conditions of this permit.
- ✦ **Permit Assignment:** This permit is not transferable and cannot be assigned or subleased, in whole or in part, to another party. If the mining business permitted under this authorization is purchased by another owner, this permit is no longer valid. A new permit application shall be submitted by the new owner, and approved by AEB.
- ✦ **Amendments:** Permittee shall immediately notify AEB of any change of information submitted in this application. Permittee is only authorized to conduct the mining operations described in this permit application and approval. Any change to the operation will require a permit amendment application to be submitted and approved prior to conducting those activities.
- ✦ **Violations and Enforcement:** Pursuant to AEB Municipal Code (AEBMC) Chapter 1.24, a person who violates a provision of this permit is subject to any action available to the AEB for enforcement and remedies, including revocation of the permit, civil action for forcible entry and detainer, ejection, trespass, damages, and associated costs, or arrest and prosecution for criminal trespass in the second degree. The AEB may seek damages available under a civil action.
- ✦ **Additional Stipulations:** AEB reserves the right to modify the stipulations attached and made a part of this permit or to attach additional stipulations when deemed necessary. If stipulations are added or modified by AEB, the permit will be reissued with the revised permit stipulations. The Permittee will have 60 days to come into compliance with the new requirements.
- ✦ **Communication with AEB about the Permit:** All communication regarding activities and reports required under this permit must be clearly marked with the AEB permit number on the front page of the document and submitted to the AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✦ **Recordkeeping:** Permittee shall keep and preserve all records of business activities conducted in AEB for at least 5 years after the site has been remediated to the AEB's satisfaction and the permit has been discontinued.
- ✦ **Complaints:** Permittee shall notify the AEB of any written or verbal complaint received within 48 hours by contacting the AEB at (907) 383-2699. The AEB will also notify the Permittee of any complaints received at the AEB Offices. Within seven (7) calendar days of receiving a complaint or being notified of a complaint by the AEB, the Permittee shall provide a written response to the AEB explaining the steps taken to resolve the complaint, or explain why it is not a valid complaint. This permit may be revoked if the AEB receives and validates a complaint regarding impact to subsistence use, trespass, human health, excessive noise, or safety.
- ✦ **Quarterly Report:** By January 15<sup>th</sup>, April 15<sup>th</sup>, July 15<sup>th</sup> and October 15<sup>th</sup> of each calendar year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that it is complying with all AEB approved plans, permit stipulations and requirements.
- ✦ **Survey or Another Approved Measurement Method:** On or before February 1<sup>st</sup> of each year, and within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, providing survey data that verifies the amount of materials that were extracted from the mining operation. If a survey is not otherwise required by the land or mineral owner, or is cost prohibitive the Permittee may propose and obtain AEB approval of an alternative, equivalent measuring method.

- ✦ **Final Report:** Within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as required in the approved Reclamation Plan.

## General Permit Instructions

- ✦ **Who needs a permit?** Title 40 of the Aleutians East Borough Municipal Code (AEBMC) requires Large Mining Operations to obtain a land use permit within the Aleutians East Borough Resource Development District, excluding the municipal lands where AEB has delegated land use planning authority to an AEB municipality (see AEBMC § 40.01.020). Large Mining Operations may only occur, if permitted by AEB within the Aleutians East Borough Resource Development District.
  - ✦ “Coal Mining” means mining, extraction, harvesting removing or producing for sale, profit or commercial use any coal and all associated processing, refining, and transportation and distribution infrastructure required to commercially develop these resources.
  - ✦ “Mineral Mining” means mining, extraction, harvesting, removing or producing for sale, profit or commercial use any copper, gold, silver, zinc, lead, molybdenum, or other metallic mineral product, compound or combination of mineral products and all associated processing, refining, and transportation and distribution infrastructure required to commercially develop these resources.
  - ✦ “Large Mining Operations” means Coal Mining or Mineral Mining operations of five (5) acres or more at any one time.
- ✦ **Do I need a permit if I plan to mine within an AEB Municipality that has delegated land use planning authority under AEBMC § 40.01.020?** You may be required to obtain a local business license, register your business and/or obtain a municipal land use permit. Please contact the AEB Municipality for more information on their requirements.
- ✦ **Is this a new requirement?** No. In 2006, AEB’s Assembly revised the AEBMC to require mining operations to obtain a land use permit within the AEB boundaries. In 2013, AEB updated its land use permitting requirements for mining operations, to streamline and clarify the permit application process and develop this specific permit application. The main elements of the 2006 requirements and permit approval criteria were retained.
- ✦ **How do I complete the Application? Is there an electronic version of this form?** An Adobe Acrobat, PDF fillable version of the application can be found at <http://www.aleutianseast.org/> under the Permitting Page. Please save a copy to your computer, rename the file, and fill it in electronically on the computer. Please note that you must print and sign a final hard copy of the application and mail the completed application, along with a check for the fees and all required information to AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✦ **Can I submit a handwritten application?** No. This application must be typed.
- ✦ **Where do I send my Permit Application?** Please mail a completed copy of the permit application, a check for the Resource Development Fee Fund and all required information to the AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✦ **Who do I call if I have a question?** Please contact the AEB Clerk/Planner at (907) 383-2699.
- ✦ **What is the permit fee?** Large Mining Operations Permit Applicants must submit an initial Large Mining Operations Permit Fee Fund payment of \$25,000 which AEB will use to pay for the cost of reviewing and approving the proposed application (See AEBMC Chapter 40.20.050). If the permit is approved the fund will also be used by the AEB to monitor mine operations for compliance with permit requirements. The Large Mining Operations Permit Fee Fund payment must be provided to the AEB at the pre-application meeting. A minimum balance of \$12,500 must be maintained in this fund at all times. Depending on the complexity of the permit application, need for experts, and the cost of inspection and oversight once the project is in operation, the AEB may not require this entire fund, or may require additional funds. Unused funds will be returned to the Applicant at the completion of the project, or if an application is withdrawn from consideration.
- ✦ **How long will it take to obtain a permit?** Permit approval timelines will vary based on permit application complexity, completeness and degree of public interest; however, you should plan for at least a period of one year. Your first step should be to meet with the AEB for a Pre-Application Meeting to discuss your permit application and goals, this meeting will give the AEB a better understanding of your project proposal and will provide AEB with the opportunity to identify and fund resources to assist on the project.
- ✦ **Is a Pre-Application Meeting required?** Yes. You must meet with the AEB for a pre-application meeting at least 180 days period to submitting the application for approval.
- ✦ **When is my permit application due?** Your permit application should be submitted at least 180 days prior to the time you need an approved permit. Most permit approvals should be issued within 180 business days; however, delays can occur during peak work periods or during holidays.
- ✦ **How long is the permit valid?** Approved permits are valid for the period specified in the permit; a period not to exceed five years. The permit remains valid, provided applicant complies with permit terms and conditions. Once the permit is issued,

the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.

- ✦ **What happens if my application is incomplete?** Submittal of an application does not guarantee that it will be accepted. Only applications that are determined to be entirely complete, (including permit fee payment) will be accepted. Incomplete applications will be returned to the applicant for additional information and revision.
- ✦ **Who assigns new permit numbers?** The AEB will assign a permit number when your application is received. Please refer to this number in all future correspondence.
- ✦ **How do I renew an existing permit?** Approved permits are valid for the period specified in the permit; a period not to exceed five years. A renewal application must be submitted at least 180 days before your permit expires. Permittees that have operated in compliance for the prior permit term (with no violations) and have paid all required taxes on time, may be eligible for an expedited renewal process if the renewal application does not increase impact over the original permit approval. Renewal applications that meet these criteria will be processed in 30 days by the Administrator without public review.
- ✦ **How do I amend an existing permit?** A permit amendment may be submitted at any time during the period that the existing permit is valid. The permit applicant must explain the reason for the permit amendment. Minor amendments may be approved by the Administrator within 30 days without public review. Major amendments require Assembly approval and can take 3-6 months, and require public review.
- ✦ **What is the difference between a major and minor amendment?** A minor amendment includes administrative, scope or timing changes that do not increase impact over the original permit approval. Major amendments increase impact over the original permit approval.

### Section No. 1 Instructions

Please fill out all the required information in Section No. 1. Check all boxes that apply.

- ✦ **What if I don't have a State of Alaska Business License?** All businesses operating in the State of Alaska are required to have a business license. See [http://www.commerce.state.ak.us/occ/home\\_bus\\_licensing.html](http://www.commerce.state.ak.us/occ/home_bus_licensing.html). You must obtain a license before submitting your application.
- ✦ **What if I don't have a Federal Tax ID?** All businesses operating in the State of Alaska are required to have a Federal Tax ID. See [http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Employer-ID-Numbers-\(EINs\)](http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Employer-ID-Numbers-(EINs)). You must obtain a federal Tax ID before submitting your application.

### Section No. 2 Instructions:

Please fill out all the required information in Section No. 2. Check all boxes that apply. Please provide a brief description of your operations and location. You are also required to provide a Project Scope and Schedule with your permit application where you can provide more detail.

### Section No. 3 Instructions:

Please fill out all the required information in Section No. 3. Check all boxes that apply.

- ✦ **Why do I have to provide information on property ownership and access?** The AEB needs you to provide sufficient information to verify that you either own the property that you plan to conduct business on, or that you have obtained legal access to that land for the period that this permit will be valid, before issuing you a permit. The AEB will not issue permits to applicants that cannot demonstrate that they own or have secured legal access to use private, local, state or federal lands for commercial purposes. Please provide a contact name and phone number that can verify your legal agreement.

### Section No. 4 Instructions:

Please provide all the required information in Section No. 4.

- ✦ **Is there a specific format that must be used for maps?** Yes, please consult with the AEB at your pre-application meeting. Maps must be submitted electronically for incorporation into the AEB's Geographic Information System, in Adobe acrobat pdf, and at least two hard copies.
- ✦ **What information must be included the Project Scope and Schedule?** The Project Scope and Schedule shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050:
  1. Information on proposed Applicant (Operator) and any partners in the planned mine;
  2. Proposed mining operations, location and timing;
  3. Size and purpose of the operation;

4. Landownership and legal agreements that allow mining on the property and any past mining operations at this site;
5. A list and description of the required equipment, facilities, infrastructure and personnel;
6. Mining methods including overburden removal and storage and the amounts of material to be handled, processed or removed, and whether blasting, drilling, crushing, or screening will be performed;
7. Area and depth of the mining operation, including a map showing the topography, vegetation, distance to waterbodies, wetlands, residential areas, and other private structures or operations;
8. Amount and type of fuel that will be used and stored at the mine site and oil spill prevention measures that will be used;
9. Amounts of material to be handled, processed or removed; how the material will be processed; and how the tailings will be disposed of;
10. The actions that will be taken to minimize detrimental effects to fish and wildlife;
11. Environmentally or culturally sensitive areas at or near the mine site (e.g. fish spawning habitat, subsistence use area, nearby residential properties or schools);
12. Water and fish habitat protection measures that will be used;
13. Water requirements (i.e., intended use of appropriated waters, sources and methods of obtaining water, rate of acquisition, design of wastewater treatment systems, and instream requirements);
14. Type and quantity of any elements or chemicals to be used in mining or mineral recovery and storage plans;
15. Location and size of camp facilities and overland transportation;
16. Anticipated restriction on other surface uses of the lease area, including public access;
17. Noise, visual and dust suppression mitigation measures that will be implemented to lessen impacts on surrounding neighbors and properties;
18. Plans to comply with AEB's Coastal Zone Enforceable Policies if mining is planned in the coastal lands and waters of the Borough;
19. Safety and Security that will be used at the site; and,
20. A summary of all required local, state and federal permits and the status of those permits. If the permits have been obtained please provide the permit number and date of expiration. If permits are in the process of being issued, please provide information on the date you applied for the permit and the expected date of issue.

✚ **What information must be included in the Conflict Avoidance Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must demonstrate that Commercial Fishing, Subsistence Use and Sport Harvest Conflicts will be avoided. Commercial fishing, subsistence use and sport harvest have priority. You may propose alternative site locations, transportation routes, and other mitigation measures to avoid conflict.

✚ **What information must be included in the Study and Project Monitoring Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050. The plan must be comprehensive and collect sufficient baseline and periodic monitoring data to ensure protection of human health and the environment is being achieved. The plan must be reviewed and approved by the Borough Scientific Advisory Council or an expert designated by the Borough.

✚ **What information must be included in the Local Economic Development Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must include a local hire manpower plan, local business contracting plan, training program, and mentoring program for both construction and operation phases of the resource extraction project.

✚ **What information must be included in the Field Office Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must explain how a field office will be set up and manned at the mine site to provide project oversight, monitoring, address local concerns, and ensure compliance.

✚ **What information must be included in the Infrastructure Support Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must include a joint tribal, local community and Applicant agreement approved by all parties, and submitted to the AEB Borough that agrees on whether it will be beneficial to expand community infrastructure to include resource extraction needs, or whether it would be more appropriate to institute enclave development requirements.

✚ **What information must be included in the Transportation Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must describe existing and new transportation infrastructure

needed, anticipated haul routes, and points of ingress and egress to the mine site (including a map of these routes).

- ✦ **What information must be included in the Historical and Cultural Resources Protection Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must demonstrate that traditional, historical, and cultural sites will not be disturbed or adversely impacted during the construction or operation of the mine.
- ✦ **What information must be included in the Good Neighbor Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050. It must include a plan to ensure surrounding residential properties are not adversely impacted by excessive noise, fumes, odors, pollution, contamination, glare, smoke, light, vibration, dust, litter or interference with media reception and should include charitable or in-kind contributions to support local education, art, and charities, and provide employment training programs to maximize local hire. This program should provide a fund for impact assistance if adverse impacts are realized by the community or individual residents.
- ✦ **What information must be included in the Pollution Prevention Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must include best management practices for protecting drinking water, air, and local food sources from pollution, including a recycling program.
- ✦ **What information must be included in the Hazards Assessment Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must include an evaluation of all potential hazards to the mine including, but not limited to, geophysical hazards, fire, flood, landslides, erosion, earthquake, coastal storms, and ice.
- ✦ **What information must be included in the Reclamation Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050. The Reclamation Plan shall include a description of your reclamation plans including a timeline and plans to comply with AEB's Coastal Zone Enforceable Policies if mining is planned in the coastal lands and waters of the Borough.
- ✦ **What information must be included in the Emergency Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.050 and must provide for adequate medical, rescue, fire, and other emergency services. The plan should preferably include proposals to fund expansion of existing Borough emergency services to support increased demands created by the new Resource Development project.
- ✦ **How do I determine the amount of Surety Bond required?** You must meet with the AEB and discuss the amount of Surety Bond required for your mine. AEBMC Chapter 40.20.050 requires that the surety bond be sufficient to fund: (1) Environmental clean-up and restoration requirements; (2) Compensate residents for any adverse human health impacts; (3) Compensate commercial fisherman and subsistence users for adverse impacts; and (4) Dismantle, remove, and restore the Resource Development site to its original condition prior to development.
- ✦ **What if my EIS or EA is not complete?** You should discuss the status of any federally required EIS or EA for your project with AEB at your pre-application meeting. Preferably, your permit application should be submitted after the EIS or EA is complete. If your application is submitted while the EIS or EA decision is pending, the AEB will hold your permit application decision in abeyance until the EIS and EA decision is complete, unless this requirement is waived by the AEB.
- ✦ **What if state and federal permit applications have been submitted, but decisions are pending?** You should discuss the status of any state or federal permits for your project with AEB at your pre-application meeting. Preferably, your permit application should be submitted after the state and federal permits are complete. If your application is submitted while the permit decisions are pending, the AEB will hold your permit application decision in abeyance until permits are approved, unless this requirement is waived by the AEB.
- ✦ **How do I find a copy of the AEB's Coastal Zone Enforceable Policies?** A copy can be found at <http://www.aleutianseast.org/> under the Permitting Page.
- ✦ **Who do I make the permit fee check out to?** The Aleutians East Borough.
- ✦ **Can I pay for the permit fee using a credit card?** No. The AEB does not accept credit card payment at this time.
- ✦ **Can I pay for the permit fee using cash?** No. You must pay by check.

## Section No. 5 Instructions:

Please fill out all the required information in Section No. 5. Check all boxes that apply. The AEB will take into consideration any currently pending enforcement action, non-payment of taxes, or prior revocations in making its decision on whether or not to approve the permit.

**Section No. 6 Instructions:**

Please sign and date Section No. 6.

Mining, extracting, harvesting, removing or producing for sale, profit or commercial use, any copper, gold, silver, zinc, lead, molybdenum, or other metallic mineral product, compound, or combination of mineral products or mining, quarrying, or producing for sale, profit, or commercial use any coal anywhere within the Aleutian East Borough is subject to a Severance Tax of 1.5% times the gross production value per ton unless the annual gross production value of the operation does not equal or exceed \$5,000 annually. You must sign this section of the application certifying that you will comply with Aleutian East Borough's Municipal Code Chapter 60.40, Severance Tax payment requirements. Applications that are not signed will not be accepted.

**Section No. 7 Instructions:**

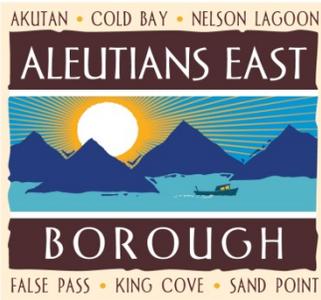
Please sign and date Section No. 7. Applications that are not signed will not be accepted.

**Section No. 8 Instructions:**

Section No. 8 is for AEB administrative use only. This section of the permit allows AEB to track the permit approval process.

**Section No. 9 Instructions:**

Section No. 9 is a list of standard permit stipulations that will be applied to your permit approval. Additionally, AEB reserves the right to add additional site-specific, operator-specific stipulations to this list. Your final permit may include an additional addendum listing additional permit stipulations that you must comply with for your operation.



# ALEUTIANS EAST BOROUGH

## OIL & GAS LAND USE PERMIT

Authority Aleutians East Borough Municipal Code Title 40

Mail Permit Application to:  
 Aleutians East Borough  
 P.O. Box 349  
 Sand Point, Alaska 99661  
 907-383-2699

AEB Use Only	
Permit No.	OGP: 20 __-__-__
Date Received:	___/___/___
Date Approved:	___/___/___

### Section No. 1: Permit Applicant Information

Type of Application (check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Onshore                         | <input type="checkbox"/> Offshore                  | <input type="checkbox"/> Seismic Exploration |
| <input type="checkbox"/> Oil Exploration Drilling        | <input type="checkbox"/> Gas Exploration Drilling  | <input type="checkbox"/> Oil Pipelines       |
| <input type="checkbox"/> Oil Production Drilling         | <input type="checkbox"/> Gas Production Drilling   | <input type="checkbox"/> Gas Pipelines       |
| <input type="checkbox"/> Oil Production Facilities       | <input type="checkbox"/> Gas Production Facilities | <input type="checkbox"/> Loading Terminal    |
| <input type="checkbox"/> Oil Transportation              | <input type="checkbox"/> Gas Transportation        | <input type="checkbox"/> LNG Facility        |
| <input type="checkbox"/> Oil Distribution                | <input type="checkbox"/> Gas Distribution          | <input type="checkbox"/> Refinery            |
| <input type="checkbox"/> Support Facilities (list) _____ |  |  |
| <input type="checkbox"/> Other (list) _____              |  |  |
| <input type="checkbox"/> Other (list) _____              |  |  |
| <input type="checkbox"/> Other (list) _____              |  |  |

- New Permit   
  Permit Renewal   
  Permit Amendment   
 Reason: \_\_\_\_\_  
 Permit Amendment will not increase impact (minor)   
 Permit Amendment will increase impact (major)

Name of Operator: \_\_\_\_\_

Business Name: \_\_\_\_\_

Address: (Street) \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

Contact Person: (name) \_\_\_\_\_ (title) \_\_\_\_\_

Office Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_      Cell Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_

Satellite Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_      Office Fax: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_

Email Address: \_\_\_\_\_@\_\_\_\_\_.\_\_\_\_\_      Webpage Address: www.\_\_\_\_\_.

Number of Years in Business: \_\_\_\_\_

State of Alaska Business License No.: \_\_\_\_\_ Issue Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Federal Tax Identification EIN No. \_\_\_\_\_

**Section No. 2: Oil and Gas Operations Description, Location and Timing**

Township: \_\_\_\_\_, Range: \_\_\_\_\_ Section: \_\_\_\_\_, Meridian: \_\_\_\_\_

Property Address : \_\_\_\_\_

Brief description of planned oil and/or gas operations and location: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Hours of Operation: \_\_\_\_\_ Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_ Reclamation Date: \_\_\_\_\_

Days of Operation:  Monday  Tuesday  Wednesday  Thursday  Friday  Saturday  Sunday

Months of Operation:  January  February  March  April  May  June  
 July  August  September  October  November  December

Map(s) of Location Attached to Application (required)  Routes of Access Shown on Map(s) (required)

**Section No. 3: Property Ownership and Access**

Land Owned by Applicant  AEB Land  State Land  Federal Land

Private (Name): \_\_\_\_\_  Other (Name): \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

For properties not owned by the Applicant, describe the instrument used to obtain legal access to land.

Lease  Contract  Permit  License  Other

Name of legal document: \_\_\_\_\_

Date of Agreement/Issue: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Does the instrument used to obtain legal access allow for the type, location, amount and extent of oil and gas operations described in this permit application?  Yes  No

If you answered "yes," are there any limitations placed on your operations?  Yes  No

If you answered "yes," please describe the limitations \_\_\_\_\_

\_\_\_\_\_

Existing Facilities: Legal Access Granted to Use/Operate Existing Facilities on Property:  Yes  No

Access Granted to These Existing Facilities:  Building/Structure  Runway  Road  Port/Dock

Other: \_\_\_\_\_

New Facilities: Legal Access Granted to Construct/Operate New Facilities on Property:  Yes  No

Access Granted to These Existing Facilities:  Building/Structure  Runway  Road  Port/Dock

Other: \_\_\_\_\_

Construction/Installation Date: \_\_\_\_\_ All Required Permits Obtained?  Yes  No



**Section No. 6: Certification of Accuracy and Agreement to Comply, Indemnify and Hold Harmless**

I certify that the information given by me in this land use permit application is true, complete, and correct. I agree to comply with local, state and federal laws, regulations and requirements pertaining to my business operations and land use. I agree to comply with all permit stipulations placed on this permit. I have reviewed the AEB penalty schedule and agree to immediately notify AEB of any potential violations, remedy any violations on the schedule required by AEB and pay penalties within 30 days. I hereby defend, indemnify, and hold the Aleutians East Borough harmless from any and all claims, damages, law suits, losses, liabilities and expenses related to the death or injury of persons and for the damage to or loss of property arising out of or in connection with the entry on and use of the property within the Aleutian's East Borough boundaries by me, the company I represent, and all contractors, subcontractors, guests, clients and their employees.

Applicant Name (printed): \_\_\_\_\_ Title: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Section No. 7: Permit Decision [AEB Use Only]**

Fee Paid:  Yes  No Check No.: \_\_\_\_\_ Amount: \_\_\_\_\_

**Minor Amendment or Renewal Eligible for AEB Administrator Approval?:**  Yes  No

Approved Approval Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Additional Permit Stipulations Attached (in addition to Section No. 9 Permit Stipulations)  Yes  No

AEB Administrator or Designee Name (printed): \_\_\_\_\_

AEB Administrator or Designee Signature: \_\_\_\_\_

**New Permit, Major Amendment or Renewal Not Eligible for AEB Administrator Approval?:**  Yes  No

Pre-Application Meeting Held Date: \_\_\_\_\_

Application Meeting Held Date: \_\_\_\_\_

**Final Complete Application Submitted** Date: \_\_\_\_\_

90 Day Application Review Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Note: 90 day review period includes 30 day written public review that must be completed within that 90 day period.

30 Day Public Review Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

90 Day Application Review Period Extended  No  Yes New End Date: \_\_\_\_\_

**Administrator Recommendation to PC** Date: \_\_\_\_\_

60 Day PC Application Review Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Note: 60 day review period includes one meeting of Planning Commission (PC) with opportunity for public comment

60 Day Application Review Period Extended  No  Yes New End Date: \_\_\_\_\_

**PC Recommendation to Assembly** Date: \_\_\_\_\_

30 Day Assembly Decision Period Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Note: 30 day review period includes one meeting of Assembly with opportunity for public comment

30 Day Assembly Decision Period Extended  No  Yes New End Date: \_\_\_\_\_

Denied: Reason: \_\_\_\_\_

Additional Permit Stipulations Attached (in addition to Section No. 8 Permit Stipulations)  Yes  No

Mayor or Designee Name (printed): \_\_\_\_\_

Mayor or Designee Signature: \_\_\_\_\_

## Section No. 8: Land Use Permit Stipulations

- ✦ **Permit Term:** This land use permit is issued for the period specified in the permit; a period not to exceed five years. Permittee shall have an approved permit prior to conducting any oil and/or gas operations. An approved permit must be maintained by the oil and/or gas Operator until the operations and Reclamation Plan are completed. The permit is not a property right; it is revocable at the discretion of the Aleutians East Borough (AEB), at any time upon notice.
- ✦ **Compliance with Requirements:** Permittee shall not conduct any operations that are not specifically described in the permit application and supporting documents submitted and approved as part of this permit. Permittee shall comply with all local, state, and federal laws, regulations, rules and orders, and requirements and stipulations included in this authorization. Permittee shall inform and ensure compliance with these stipulations by his agents, employees, clients and guests. This authorization is revocable immediately upon violation of any of its terms, conditions, and stipulations or upon failure to comply with any applicable laws, statutes, or regulations.
- ✦ **Land Owner Authorization:** Permitted activities on private, local, state, or federal land may not commence without land owner approval (this includes travel across lands and use of lands). The AEB reserves the right to request a copy and verify all land owner authorizations related to this permit. Land owner approval to access lands described in this permit shall be maintained during the permit term or this permit is null and void. No permanent facilities may be constructed or placed on AEB lands without obtaining a lease or contract with the AEB. This permit does not authorize permanent facilities on AEB lands.
- ✦ **Indemnification:** Permittee assumes all responsibility, risk and liability for all activities of the Permittee, its employees, agents, clients guests, contractors, subcontractors or licensees directly or indirectly conducted in conjunction with this permit, including environmental and hazardous substance risks and liabilities, whether occurring during or after the term of this permit. Permittee shall defend, indemnify and hold harmless the AEB, its employees and agents from and against any and all suits, claims, actions, losses, costs, penalties and damages of whatever kind of nature including all attorney fees and litigation costs, arising out of, in connection with or incident to any act or omission by the Permittee, its employees, agents, clients, guests, contractors, subcontractors or licensees. This indemnification shall survive the expiration or termination of this permit.
- ✦ **Damages and Claims:** Permittee shall pay the AEB for any damage to permitted property resulting from use. This permit is subject to valid adverse claims heretofore or hereafter acquired.
- ✦ **Reservation of Rights:** The AEB reserves the right to grant additional authorizations for compatible uses on or adjacent to the land covered under this authorization. Authorized concurrent users of lands within the AEB; their agents, employees, contractors, subcontractors and licensees shall not interfere with the operation or maintenance activities of each user.
- ✦ **Licenses, Permits and Authorizations:** Permittee shall maintain its State of Alaska Business License, City Business License (or business registration as required), and any other private, local, state or federal license, permit or authorization required during the entire permit term or this permit will be null and void. The AEB reserves the right to request a copy of all licenses, permits, or authorizations.
- ✦ **Conflict Avoidance Plan (Fisheries and Subsistence Use):** Permittee must adhere to its approved Conflict Avoidance Plan. The plan requires that Commercial Fishing, Subsistence Use, and Sport Harvest Conflicts will be avoided. Commercial fishing, subsistence use, and sport harvest have priority. Permittee's uses of land and wildlife habitat shall minimize adverse impacts on subsistence activities and resources. Noise shall be mitigated to avoid disruption to subsistence activities and nearby communities.
- ✦ **Compliance with Approved Plans:** Permittee must adhere to its approved Project Scope and Schedule, Study & Project Monitoring Plan, Local Economic Development Plan, Field Office Plan, Infrastructure Support Plan, Transportation Plan, Historical and Cultural Resources Protection Plan, Good Neighbor Plan, Pollution Prevention Plan, Hazards Assessment Plan, Reclamation Plan, and Emergency Plan.
- ✦ **Site Disturbance:** All activities shall be conducted in a manner that will minimize the disturbance of soil and vegetation and changes in the character of natural drainage systems to protect local habitat, except for those areas specifically authorized for oil and gas operations. Particular attention shall be paid to prevent pollution and siltation of streams, lakes, ponds, seeps and marshes, and to prevent disturbances to fish and wildlife populations and habitats.
- ✦ **Fish Habitat Protection:** Permittee's operations shall not adversely affect spawning, rearing, migrating, or over wintering areas for anadromous fish. Oil and gas operations shall not be conducted in locations which have been documented to provide spawning, rearing or over wintering habitat for anadromous fish. Permittee's operations shall avoid causing increases in sedimentation, siltation and the resulting turbidity that could have a significant adverse impact to aquatic productivity and habitats, marine fish, shellfish, or anadromous fish populations in marine, estuarine, and freshwater environments. In streams and their floodplains which provide habitat for anadromous fish, operations shall minimize clearing of riparian vegetation and disturbance of natural banks and areas required for permitted operations shall be shaped to blend with physical features and surroundings to provide for diverse riparian and aquatic habitats.
- ✦ **Explosives:** To protect fish, explosives shall not be detonated within, beneath, or adjacent to marine, estuarine, or fresh waters that support fish unless 1) the detonation of the explosives produces an instantaneous pressure change in the water body of no more than 2.7 pounds per square inch, and a vibration of no more than 0.5 inches per second or 2) the water

body, including its substrate, is frozen, or 3) fish and marine mammals are not present.

- ✦ **Stream Alteration:** Operations shall not adversely affect natural stream hydraulics by channelization, diversion, spur dike construction, or other activities. Operations in stream floodplains shall be located and designed to avoid adverse changes to channel hydraulics and the potential for channel diversion. A stable bank and bed profile shall be maintained and is one that will not alter river currents or change erosion and deposition patterns downstream.
- ✦ **Water Appropriation:** Operations shall not withdraw surface waters at a withdrawal rate or timing which adversely affects anadromous fish habitat, particularly spawning or overwintering areas.
- ✦ **Water Quality:** Operations shall not adversely impact water quality and natural productivity of streams, rivers, and lakes within the Borough and shall significantly increase water turbidity or rate of sediment deposition above natural levels. Toxic/harmful effluents shall not be discharged into the Borough watersheds or water bodies.
- ✦ **Zero Water Pollution Discharge:** should be achieved whenever technically feasible unless the Applicant proves to the Borough that it is not technically feasible.
  - ✦ Drilling Fluids, Drilling Cuttings, and Cement shall not be discharged to onshore or offshore waters, during exploration or production operations. Drilling waste must be collected and disposed of by injecting the waste into a wellbore annulus or disposal well. Top-hole muds and cuttings may be discharged, if the operator demonstrates to the Borough that it is not technically feasible to collect this waste.
  - ✦ Produced Water shall not be discharged into onshore or offshore waters and must be collected and disposed of by subsurface injection.
  - ✦ Sanitary and Domestic Wastes shall not be discharged from onshore or nearshore terminals or pipeline facilities into onshore or offshore waters. Sanitary and domestic waste from onshore or nearshore facilities shall receive tertiary treatment prior to discharge, or be collected and injected into a disposal well. Offshore sanitary or domestic waste shall receive the highest level of treatment technically feasible (no less than primary treatment) and if a disposal well is available, this waste shall be collected and injected along with the other platform waste.
  - ✦ Non-Contact Cooling Water shall only be discharged into fresh or marine waters if there is technical and scientific proof provided to the Borough that the thermal impact will not harm the ecosystem.
  - ✦ Well Test and Well Work-Over Fluids including (produced oil, produced water, acids, frac sands, proppant material and other well stimulant materials) shall not be discharged into onshore or offshore waters.
  - ✦ Un-segregated Ballast Water shall not be discharged into onshore or offshore waters during exploration or production operations. Waste must be collected and disposed of by subsurface injection.
  - ✦ Disposal Wells shall be designed to ensure protection of drinking water sources, by injecting waste several thousand feet below any known drinking water sources.
  - ✦ All other wastes shall be treated to remove oil and grease prior to discharge. No waste shall be discharged containing toxic compounds.
  - ✦ Ballast Water Exchange shall be conducted no less than 200 nautical miles from any Aleutian Island coastline. Sufficient volumes of water shall be used to purge ballast water tanks to ensure non-indigenous species removal. Ballast water exchange must be conducted by all foreign and domestic vessels prior to discharge at a terminal facility or platform. If ballast water exchange is not possible due to foul weather, or other reasons, ballast water treatment must be conducted prior to discharge. If ballast water exchange is not possible, ballast water must be treated to remove non-indigenous species prior to discharge into the Aleutian Island coastline and treatment methods must ensure non-indigenous species.
- ✦ **Air Quality:** Operations shall not adversely impact air quality or human health.
  - ✦ Best Available Air Emission Control Technology: shall be installed for criteria air pollutants (including oxides of nitrogen and sulfur, carbon monoxide, particulate matter, volatile organic compounds) and hazardous air pollutants.
  - ✦ Fuel/Power Selection: The lowest air pollution impact fuel sources shall be used. Solar, wind and other alternative power sources must be considered when technically feasible. Where alternative energy options are not technically feasible, natural gas fired combustion systems shall be used whenever possible. Ultra-low sulfur diesel fuels shall be used.
  - ✦ Vapor Controls: All equipment and facilities must install vapor recovery systems to reduce volatile organic compounds (VOCs) and Hazardous Air Pollutants (HAP) by at least 98%. Direct venting of VOCs and HAPs to the atmosphere is prohibited.
  - ✦ Flaring: All flaring shall be limited to safety and emergency use only.
- ✦ **Human Health and Socioeconomics:** Oil and Gas projects must be sited, designed and operated in a manner that protects human health from adverse impacts. Oil and gas projects must improve the quality of life for local residents and must not have adverse socioeconomic affects.
- ✦ **Transportation routes and methods:** used to bring equipment and supplies to the site and to transport recovered oil and/or

gas from site shall not adversely impact biological resources or community lifestyle. Any damage to road systems, docks or other public transportation infrastructure shall be repaired by the Permittee at its cost.

- ✦ **Transportation, Utility Corridors and Infrastructure Siting:** Transportation routes, utility corridors and infrastructure shall be carefully sited and constructed to allow for the free passage and movement of fish and wildlife, to avoid construction during critical migration periods for fish and wildlife. Pipelines shall be buried wherever possible. The siting of facilities, other than docks, roads, utility or pipeline corridors, or terminal facilities, is prohibited within one-half mile of the coast, barrier islands, reefs and lagoons, fish bearing waterbodies and 1,500 feet from all surface water drinking sources.
- ✦ **Offshore Loading Facilities:** No offshore LNG or oil loading facilities will be permitted. Loading facilities must be located onshore.
- ✦ **Bering Sea Transportation:** All oil and gas produced in the Bering Sea must be transported by subsea pipeline across the Aleutian Peninsula to an onshore loading facility on the Pacific Ocean side. No oil or LNG tankers shall be allowed to operate in the Bering Sea.
- ✦ **Tankers:** No single hull tankers will be allowed to transport oil or LNG. Double hull tankers with redundant navigation and safety systems are required.
- ✦ **Vessel Traffic and Communication System:** must be developed. Designated shipping lanes must be established for LNG and oil tanker traffic on the Pacific Ocean side, to reduce tanker collision risk, and eliminate interference with the fishing industry. Designated traffic routes must be established for vessel traffic related to platform operations (construction, operation, crew changes, resupply, etc.) to eliminate interference with the fishing industry. Vessel traffic for seismic surveys or other studies must select a route and season that will not interfere with fishing activities. A radio communication notification and reporting system must be established to enhance communication between fishing vessels and oil and gas vessel traffic and enhance safety for both industries. The communication system must monitor traffic in the Bering Sea and Pacific Ocean.
- ✦ **Onshore Facilities:** Onshore facilities must be sited to limit impact on fish, shellfish, wildlife and their habitat. LNG Facilities must be designed to in a way that does not impact fish and shell fish and its habitat, including cooling water facilities.
- ✦ **Docks, Ports and Loading Facilities:** Docks, ports and loading facilities must be sited to limit impact on fish, shellfish, wildlife and their habitat. Docks and ports must be added to accommodate oil and gas facility needs. Fisherman and local vessels must be allowed safe harbor. Dredging must not adversely impact fish or shellfish resources.
- ✦ **Hydrographic Surveys:** shall be completed to accurately survey and select the safest designated tanker shipping lanes and designated traffic routes to platform operations, as well as selecting the least damaging pipeline route through fisheries habitat.
- ✦ **Seismic Design:** The North Aleutian Basin is ranked the highest seismic risk category (Zone IV). All onshore and offshore facilities must be designed to the Seismic Zone IV, Uniform Building Code design standard for the Aleutian Chain to mitigate the risk to human health and the environment.
- ✦ **Offshore Pipelines:** Offshore pipeline construction and operation must not adversely impact fish, shellfish, wildlife and their habitat, especially during migration and spawning to minimize impacts to survival and reproduction.
- ✦ **Offshore oil and gas facilities, transportation and utility corridors:** must be consolidated, sited and constructed to allow for the free passage and movement of fish and wildlife. Construction must not occur during critical migration periods for fish and wildlife.
- ✦ **Offshore Pipelines** must be buried under the seabed floor at a depth sufficient to protect the pipeline from damage from ice or other hazards. The offshore to onshore pipeline transition must be designed to take into account coastal erosion. Pipelines must be designed and constructed to:
  - ✦ Assure integrity against climatic conditions (including high winds), coastal erosion and geophysical hazards.
  - ✦ Corrosion prevention systems must be installed and corrosion monitoring systems must be operated. Pipeline inspection pigs and maintenance pigging systems must be installed and used routinely. Pipelines must be inspected at least annually.
  - ✦ Pipeline leak detection systems must be installed and operated. Pipeline valves must be installed to shut down the pipeline, isolate hydrocarbon flow and limit the amount of hydrocarbon discharge. Tanks must be placed on and offshore to evacuate the pipeline system in case of pipeline damage.
- ✦ **Onshore Pipelines & Facilities:** Onshore facilities must be sited to meet the following requirements:
  - ✦ Wildlife and their habitat shall not be impacted particularly during migration. Calving and over-wintering areas shall be protected to minimize impact to the survival or reproduction of caribou, moose and bear.
  - ✦ Fish, shellfish and their habitat shall not be impacted particularly during migration and spawning to minimize impacts to survival and reproduction.

- ✦ Onshore oil and gas facilities, transportation and utility corridors shall be consolidated, sited and constructed to allow for the free passage and movement of fish and wildlife.
- ✦ Construction shall not occur during critical migration periods for fish and wildlife.
- ✦ Onshore oil and gas facilities (other than docks, roads, utility or pipeline corridors, or terminal facilities) shall be sited at least one-half mile away from the coast, barrier islands, reefs and lagoons and all fish bearing water bodies and at least 1,500 feet away from all current surface drinking water sources. Additionally, siting of such facilities is prohibited within one-half mile of the banks of the Igushik, Naknek, Egegik, King Salmon (tributary to Egegik), David, Milky, Ugashik, King Salmon (tributary to Ugashik), Cinder, Meshik, Ilnik, Muddy, Sandy, Bear, Nelson, Caribou, Sapsuk and Dog Salmon Rivers, Black Hills, Steelhead, Painter and Pumice Creeks, Becharof and Ugashik Lakes and Franks Lagoon.
- ✦ Road, utility, and pipeline crossings shall be consolidated and aligned perpendicular to water courses.
- ✦ Pipelines shall utilize existing transportation corridors and be buried.
- ✦ Pipeline gravel pads shall be designed to facilitate the containment and cleanup of spilled fluids. Pipelines shall be designed and constructed to assure integrity against climatic conditions and geophysical hazards.
- ✦ Pipelines and facilities shall be designed and constructed to:
  - ✦ Assure integrity against climatic conditions (including high winds), coastal erosion and geophysical hazards.
  - ✦ Corrosion prevention systems must be installed and corrosion monitoring systems must be operated.
  - ✦ Pipeline inspection pigs and maintenance pigging systems must be installed and used routinely. Pipelines must be inspected at least annually.
  - ✦ Pipeline leak detection systems must be installed and operated. Pipeline valves must be installed to shut down the pipeline, isolate hydrocarbon flow and limit the amount of hydrocarbon discharge.
- ✦ Tanks must be placed onshore to evacuate the pipeline system in case of pipeline damage.
- ✦ **Timber Use:** Permittee shall not cut any timber on lands or remove other resources from the land without prior written permission of the land owner.
- ✦ **Fires:** Permittee shall take all reasonable and prudent precautions to prevent and suppress forest, brush, and grass fires. Open burning of hazardous or contaminated material is strictly prohibited. Black smoke is prohibited.
- ✦ **Solid Waste:** Prior to removal, all garbage and debris that are subject to decomposition shall be stored in bear-proof containment. All solid waste, debris and hazardous substances generated from short-term (portable) camp use or other activities conducted in accordance with this authorization shall be removed to a facility approved by the Alaska Department of Environmental Conservation (ADEC). Permittee shall keep the operating areas and facilities used in a neat, orderly, and sanitary condition.
- ✦ **Watershed Protection:** Watershed areas shall be protected. All operations shall be conducted to minimize or eliminate siltation, road and surface runoff and pollution of the water supply. No stationary or mobile equipment may be transported over, refueled on, or operated on a public drinking water supply.
- ✦ **Grey Water and Human Waste Disposal:** Portable or permanently installed sanitation systems shall be provided at the operation for workers use. All grey water and human waste shall be collected and disposed of at an ADEC approved disposal site.
- ✦ **Fuel and Chemical Storage:** All fuel and chemical storage containers shall be clearly marked with the contents and the Permittee's name. The Permittee is responsible for preventing spillage and contamination of contiguous land and water as well as cleaning up any oil or other pollutants that result from activities associated with this permit. Drip pans and absorbent pads shall be available to contain and clean up spills from any transfer or handling of fuel.
- ✦ **Oil, Chemical and Fuel Spill Prevention:**
  - ✦ Tanks: All hydrocarbons, hazardous materials and hazardous chemicals shall be stored in tanks located in secondary containment systems holding 110% of the tank capacity. Tanks must be equipped with cathodic protection, leak detection systems and overfill alarms.
  - ✦ Pipelines: Pipelines shall be equipped with tank and pump systems capable of evacuating the pipeline, cathodic protection systems, and redundant leak detection systems.
  - ✦ Drilling Rigs: Blowout prevention systems shall be installed prior to drilling into over-pressured or hydrocarbon bearing zones.
  - ✦ Tankers: No single hull tankers shall be allowed to transport oil or LNG. Double hull tankers with redundant navigation and safety systems are required.
  - ✦ Supply/Fuel Vessels: Double hull vessels are required in the presence of ice.

- ✦ **Oil Spill Response:** Operator must own, or have under contract, state-of-the-art oil-spill response equipment, sufficient to respond to the worst-case discharge as well as protect fisheries, subsistence use areas and other environmentally sensitive areas. The Operator must consult with the AEB to determine the optimal spill response equipment staging location. Equipment must be staged to rapidly respond to drilling platform and pipeline spills, to respond to onshore tank, pipeline, and processing and terminal facility spills, and to respond to tanker spills. The Operator must hold contracts with a sufficient number of fishing vessels to support a rapid oil spill response. Dispersant may not be used without AEB approval.
- ✦ **Geographic Response Strategies (GRS):** The Operator must ensure oil spill response equipment is pre-positioned for immediate deployment to protect fisheries, subsistence use areas and other environmentally sensitive areas in the event of a spill. The Operator must develop geographic response strategies (in consultation with AEB), field test them, train staff and pre-position the equipment to implement the GRS, prior to start of operations.
- ✦ **Well Control Equipment & Personnel:** The Operator must own, or have under contract well control equipment to control a well blowout, including well capping equipment and access to a relief well rig. The Operator must employ, or have under contract, a well control expert. Well blowout control, well capping equipment, and the well control expert must be located in the project area while wells are drilled.
- ✦ **Spills:** All spills of fuels or chemicals shall be reported to AEB (907) 383-2699 and ADEC (800) 478-9300 within 24 hours and be cleaned up immediately and thoroughly to the AEB's satisfaction.
- ✦ **Alaska Historic Preservation Act:** The Alaska Historic Preservation Act (AS 41.35.200) prohibits the appropriation, excavation, removal, injury, or destruction of any state owned historic, prehistoric (paleontological) or archaeological site without a permit from the commissioner. Should any sites be discovered during the course of field operations, activities that may damage the site will cease and the Office of History and Archaeology in the Division of Parks and Recreation (907) 269-8721 and the appropriate coastal district shall be notified immediately.
- ✦ **Removal of Temporary Equipment and Facilities:** All temporary equipment and facilities, supplies, waste, and fuel shall be removed before the end of each authorized term of use, or on or before permit termination.
- ✦ **Permanent Facilities, Structures and Access Routes:** This permit does not grant the Permittee the right to construct any road, dock, port, or runway or erect, construct or place any building, structure, or other fixture on lands within the AEB boundaries. The Permittee shall obtain legal access and authorization from the land owner prior to these activities. A separate lease or contract is required to construct permanent facilities, structure and access routes on AEB lands.
- ✦ **Reclamation:** Lands shall be restored to meet the Reclamation Plan submitted and approved as part of this permit.
- ✦ **Surety Bond.** A surety bond in the amount required by AEB must be provided to AEB prior to conducting any operations under this permit, and must be maintained until AEB has determined in writing that all requirements under this permit have been met, including site reclamation to AEB's satisfaction.
- ✦ **Permit Evidence and Inspection:** Permittee, and Permittee's employees shall carry a copy of this permit at all times or a copy should be posted at each operational site in a location visible to all employees and the public. Authorized representatives of the AEB have the right to enter and inspect the operations approved under this permit at any time to ensure that the activity is being or has been accomplished in accordance with the terms and conditions of this permit.
- ✦ **Permit Assignment:** This permit is not transferable and cannot be assigned or subleased, in whole or in part, to another party. If the operations permitted under this authorization are purchased by another owner, this permit is no longer valid. A new permit application shall be submitted by the new owner, and approved by AEB.
- ✦ **Amendments:** Permittee shall immediately notify AEB of any change of information submitted in this application. Permittee is only authorized to conduct the operations described in this permit application and approval. Any change to the operation will require a permit amendment application to be submitted and approved prior to conducting those activities.
- ✦ **Violations and Enforcement:** Pursuant to AEB Municipal Code (AEBMC) Chapter 1.24, a person who violates a provision of this permit is subject to any action available to the AEB for enforcement and remedies, including revocation of the permit, civil action for forcible entry and detainer, ejection, trespass, damages, and associated costs, or arrest and prosecution for criminal trespass in the second degree. The AEB may seek damages available under a civil action.
- ✦ **Additional Stipulations:** AEB reserves the right to modify the stipulations attached and made a part of this permit or to attach additional stipulations when deemed necessary. If stipulations are added or modified by AEB, the permit will be reissued with the revised permit stipulations. The Permittee will have 60 days to come into compliance with the new requirements.
- ✦ **Communication with AEB about the Permit:** All communication regarding activities and reports required under this permit must be clearly marked with the AEB permit number on the front page of the document and submitted to the AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✦ **Recordkeeping:** Permittee shall keep and preserve all records of business activities conducted in AEB for at least 5 years after the site has been remediated to the AEB's satisfaction and the permit has been discontinued.

- ✦ **Complaints:** Permittee shall notify the AEB of any written or verbal complaint received within 48 hours by contacting the AEB at (907) 383-2699. The AEB will also notify the Permittee of any complaints received at the AEB Offices. Within seven (7) calendar days of receiving a complaint or being notified of a complaint by the AEB, the Permittee shall provide a written response to the AEB explaining the steps taken to resolve the complaint, or explain why it is not a valid complaint. This permit may be revoked if the AEB receives and validates a complaint regarding impact to subsistence use, trespass, human health, excessive noise, or safety.
- ✦ **Quarterly Report:** By January 15<sup>th</sup>, April 15<sup>th</sup>, July 15<sup>th</sup> and October 15<sup>th</sup> of each calendar year, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that it is complying with all AEB approved plans, permit stipulations and requirements.
- ✦ **Final Report:** Within 180 days after this permit expires, the Permittee shall submit a letter to the AEB at P.O. Box 349, Sand Point, Alaska 99661, confirming that all permit stipulations and requirements have been met and that the area used is clean and restored as required in the approved Reclamation Plan.

## General Permit Instructions

- ✦ **Who needs a permit?** Title 40 of the Aleutians East Borough Municipal Code (AEBMC) requires Oil and Gas Mining Operators to obtain a land use permit within the Aleutians East Borough Resource Development District, excluding the municipal lands where AEB has delegated land use planning authority to an AEB municipality (see AEBMC § 40.01.020). Oil and Gas Operations may only occur, if permitted by AEB within the Aleutians East Borough Resource Development District.
- ✦ **Do I need a permit if I plan to conduct Oil and Gas Operations within an AEB Municipality that has delegated land use planning authority under AEBMC § 40.01.020?** You may be required to obtain a local business license, register your business and/or obtain a municipal land use permit. Please contact the AEB Municipality for more information on their requirements.
- ✦ **Is this a new requirement?** No. In 2006, AEB's Assembly revised the AEBMC to require Oil and Gas Operators to obtain a land use permit within the AEB boundaries. In 2013, AEB updated its land use permitting requirements for oil and gas operations, to streamline and clarify the permit application process and develop this specific permit application. The main elements of the 2006 requirements and permit approval criteria were retained.
- ✦ **How do I complete the Application? Is there an electronic version of this form?** An Adobe Acrobat, PDF fillable version of the application can be found at <http://www.aleutianseast.org/> under the Permitting Page. Please save a copy to your computer, rename the file, and fill it in electronically on the computer. Please note that you must print and sign a final hard copy of the application and mail the completed application, along with a check for the fees and all required information to AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✦ **Can I submit a handwritten application?** No. This application must be typed.
- ✦ **Where do I send my Permit Application?** Please mail a completed copy of the permit application, a check for the Resource Development Fee Fund and all required information to the AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✦ **Who do I call if I have a question?** Please contact the AEB Clerk/Planner at (907) 383-2699.
- ✦ **What is the permit fee?** Oil and Gas Permit Applicants must submit an initial Oil and Gas Permit Fee Fund payment of \$50,000 which AEB will use to pay for the cost of reviewing and approving the proposed application (See AEBMC Chapter 40.20.050). The Oil and Gas Permit Fee Fund payment must be provided to the AEB at the pre-application meeting. If the permit is approved the fund will also be used by the AEB to monitor mine operations for compliance with permit requirements. A minimum balance of \$25,000 must be maintained in this fund at all times. Depending on the complexity of the permit application, need for experts, and the cost of inspection and oversight once the project is in operation, the AEB may not require this entire fund, or may require additional funds. Unused funds will be returned to the Applicant at the completion of the project, or if an application is withdrawn from consideration.
- ✦ **How long will it take to obtain a permit?** Permit approval timelines will vary based on permit application complexity, completeness and degree of public interest; however, you should plan for at least a period of one year. Your first step should be to meet with the AEB for a Pre-Application Meeting to discuss your permit application and goals, this meeting will give the AEB a better understanding of your project proposal and will provide AEB with the opportunity to identify and fund resources to assist on the project.
- ✦ **Is a Pre-Application Meeting required?** Yes. You must meet with the AEB for a pre-application meeting at least 180 days period to submitting the application for approval.
- ✦ **When is my permit application due?** Your permit application should be submitted at least 180 days prior to the time you need an approved permit. Most permit approvals should be issued within 180 business days; however, delays can occur during peak work periods or during holidays.

- ✦ **How long is the permit valid?** Approved permits are valid for the period specified in the permit; a period not to exceed five years. The permit remains valid, provided applicant complies with permit terms and conditions. Once the permit is issued, the permit may be amended. An amended permit is only valid for the remaining term on the originally issued permit.
- ✦ **What happens if my application is incomplete?** Submittal of an application does not guarantee that it will be accepted. Only applications that are determined to be entirely complete, (including permit fee payment) will be accepted. Incomplete applications will be returned to the applicant for additional information and revision.
- ✦ **Who assigns new permit numbers?** The AEB will assign a permit number when your application is received. Please refer to this number in all future correspondence.
- ✦ **How do I renew an existing permit?** Approved permits are valid for the period specified in the permit; a period not to exceed five years. A renewal application must be submitted at least 180 days before your permit expires. Permittees that have operated in compliance for the prior permit term (with no violations), may be eligible for an expedited renewal process if the renewal application does not increase impact over the original permit approval. Renewal applications that meet these criteria will be processed in 30 days by the Administrator without public review.
- ✦ **How do I amend an existing permit?** A permit amendment may be submitted at any time during the period that the existing permit is valid. The permit applicant must explain the reason for the permit amendment. Minor amendments are approved by the Administrator within 30 days. Major amendments require Assembly approval and can take 3-6 months.
- ✦ **What is the difference between a major and minor amendment?** A minor amendment includes administrative, scope or timing changes that do not increase impact over the original permit approval. Major amendments increase impact over the original permit approval.

### Section No. 1 Instructions

Please fill out all the required information in Section No. 1. Check all boxes that apply.

- ✦ **What if I don't have a State of Alaska Business License?** All businesses operating in the State of Alaska are required to have a business license. See [http://www.commerce.state.ak.us/occ/home\\_bus\\_licensing.html](http://www.commerce.state.ak.us/occ/home_bus_licensing.html). You must obtain a license before submitting your application.
- ✦ **What if I don't have a Federal Tax ID?** All businesses operating in the State of Alaska are required to have a Federal Tax ID. See [http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Employer-ID-Numbers-\(EINs\)](http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Employer-ID-Numbers-(EINs)). You must obtain a federal Tax ID before submitting your application.

### Section No. 2 Instructions:

Please fill out all the required information in Section No. 2. Check all boxes that apply. Please provide a brief description of your operations and location. You are also required to provide a Plan of Operations with your permit application where you can provide more detail.

### Section No. 3 Instructions:

Please fill out all the required information in Section No. 3. Check all boxes that apply.

- ✦ **Why do I have to provide information on property ownership and access?** The AEB needs you to provide sufficient information to verify that you either own the property that you plan to conduct business on, or that you have obtained legal access to that land for the period that this permit will be valid, before issuing you a permit. The AEB will not issue permits to applicants that cannot demonstrate that they own or have secured legal access to use private, local, state or federal lands for commercial purposes. Please provide a contact name and phone number that can verify your legal agreement.

### Section No. 4 Instructions:

Please provide all the required information in Section No. 4.

- ✦ **Is there a specific format that must be used for maps?** Yes, please consult with the AEB at your pre-application meeting. Maps must be submitted electronically for incorporation into the AEB's Geographic Information System, in Adobe acrobat pdf, and at least two hard copies.
- ✦ **What information must be included the Project Scope and Schedule?** The Project Scope and Schedule shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060:
  1. Information on proposed Applicant (Operator) and any partners in the planned Oil and Gas project;
  2. Proposed Oil and Gas operations, location and timing;

3. Size and purpose of the operation;
4. Landownership and legal agreements that allow Oil and Gas operations on the property and any past mining operations at this site;
5. A list and description of the required equipment, facilities, infrastructure and personnel;
6. Area of Oil and Gas operations, including a map showing the topography, vegetation, distance to waterbodies, wetlands, residential areas, and other private structures or operations;
7. Amount and type of oil, fuel, and chemicals that will be used and stored at the project site and oil spill prevention measures that will be used;
8. The actions to be taken to minimize detrimental effects to fish and wildlife;
9. Environmentally or culturally sensitive areas at or near the project (e.g. fish spawning habitat, subsistence use area, nearby residential properties or schools);
10. Water and fish habitat protection measures that will be used;
11. Water requirements (i.e., intended use of appropriated waters, sources and methods of obtaining water, rate of acquisition, design of wastewater treatment systems, and in stream requirements);
12. Location and size of camp facilities and overland transportation;
13. Anticipated restrictions on other surface uses of the lease area, including public access;
14. Noise, visual and dust suppression mitigation measures that will be implemented to lessen impacts on surrounding neighbors and properties;
15. Plans to comply with AEB's Coastal Zone Enforceable Policies if Oil and Gas is planned in the coastal lands and waters of the Borough;
16. Safety and security that will be used at the site; and,
17. A summary of all required local, state and federal permits and the status of those permits. If the permits have been obtained please provide the permit number and date of expiration. If permits are in the process of being issued please provide information on the date you applied for the permit and the expected date of issue.

✚ **What information must be included in the Conflict Avoidance Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060 and must demonstrate that Commercial Fishing, Subsistence Use and Sport Harvest Conflicts will be avoided. Commercial fishing, subsistence use and sport harvest have priority. You may propose alternative site locations, transportation routes, and other mitigation measures to avoid conflict.

✚ **What information must be included in the Study and Project Monitoring Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060. The plan must be comprehensive and collect sufficient baseline and periodic monitoring data to ensure protection of human health and the environment is being achieved. The plan must be reviewed and approved by the Borough Scientific Advisory Council or an expert designated by the Borough.

✚ **What information must be included in the Local Economic Development Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060 and must include a local hire manpower plan, local business contracting plan, training program, and mentoring program for both construction and operation phases of the resource extraction project.

✚ **What information must be included in the Field Office Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060 and must explain how a field office will be set up and manned at the project site to provide project oversight, monitoring, address local concerns, and ensure compliance.

✚ **What information must be included in the Infrastructure Support Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060 and must include a joint tribal, local community and Applicant agreement approved by all parties, and submitted to the AEB Borough that agrees on whether it will be beneficial to expand community infrastructure to include resource extraction needs, or whether it would be more appropriate to institute enclave development requirements.

✚ **What information must be included in the Transportation Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060 and must describe existing and new transportation infrastructure needed, anticipated haul routes, and points of ingress and egress to the project site (including a map of these routes).

✚ **What information must be included in the Historical and Cultural Resources Protection Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060 and must demonstrate that traditional, historical, and cultural sites will not be disturbed or adversely impacted during construction or operation.

- ✦ **What information must be included in the Good Neighbor Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060. It must include a plan to ensure surrounding residential properties are not adversely impacted by excessive noise, fumes, odors, pollution, contamination, glare, smoke, light, vibration, dust, litter or interference with media reception and should include charitable or in-kind contributions to support local education, art, and charities, and provide employment training programs to maximize local hire. This program should provide a funds and systems for impact assistance if adverse impacts are realized by the community or individual residents.
- ✦ **What information must be included in the Pollution Prevention Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060 and must include best management practices for protecting drinking water, air, and local food sources from pollution, including and a recycling program.
- ✦ **What information must be included in the Hazards Assessment Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060 and must include an evaluation of all potential hazards to the project including, but not limited to, geophysical hazards, fire, flood, landslides, erosion, earthquake, coastal storms, and ice.
- ✦ **What information must be included in the Reclamation Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060. The Reclamation Plan shall include a description of your reclamation plans including a timeline and plans to comply with AEB's Coastal Zone Enforceable Policies if oil and gas operations are planned in the coastal lands and waters of the Borough.
- ✦ **What information must be included in the Emergency Plan?** The plan shall include, at a minimum, a description of the information required by AEBMC Chapter 40.20.060 and must provide for adequate medical, rescue, fire, spill response, and other emergency services. The plan should preferably include proposals to fund expansion of existing Borough emergency services to support increased demands created by the new Resource Development project.
- ✦ **How do I determine the amount of Surety Bond required?** You must meet with the AEB and discuss the amount of Surety Bond required for your project. AEBMC Chapter 40.20.060 requires that the surety bond be sufficient to fund: (1) Environmental clean-up and restoration requirements; (2) Compensate residents for any adverse human health impacts; (3) Compensate commercial fisherman and subsistence users for adverse impacts; and (4) Dismantle, remove, and restore the Resource Development site to its original condition prior to development.
- ✦ **What if my EIS or EA is not complete?** You should discuss the status of any federally required EIS or EA for your project with AEB at your pre-application meeting. Preferably, your permit application should be submitted after the EIS or EA is complete. If your application is submitted while the EIS or EA decision is pending, the AEB will hold your permit application decision in abeyance until the EIS and EA decision is complete, unless this requirement is waived by the AEB.
- ✦ **What if state and federal permit applications have been submitted, but decisions are pending?** You should discuss the status of any state or federal permits for your project with AEB at your pre-application meeting. Preferably, your permit application should be submitted after the state and federal permits are complete. If your application is submitted while the permit decisions are pending, the AEB will hold your permit application decision in abeyance until permits are approved, unless this requirement is waived by the AEB.
- ✦ **How do I find a copy of the AEB's Coastal Zone Enforceable Policies?** A copy can be found at <http://www.aleutianseast.org/> under the Permitting Page.
- ✦ **Who do I make the permit fee check out to?** The Aleutians East Borough.
- ✦ **Can I pay for the permit fee using a credit card?** No. The AEB does not accept credit card payment at this time.
- ✦ **Can I pay for the permit fee using cash?** No. You must pay by check.

### Section No. 5 Instructions:

Please fill out all the required information in Section No. 5. Check all boxes that apply. The AEB will take into consideration any currently pending enforcement action, or prior revocations in making its decision on whether or not to approve the permit.

### Section No. 6 Instructions:

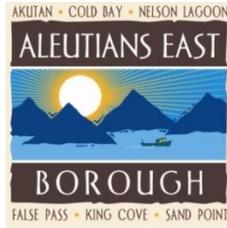
Please sign and date Section No. 6. Applications that are not signed will not be accepted.

### Section No. 7 Instructions:

Section No. 7 is for AEB administrative use only. This section of the permit allows AEB to track the permit approval process.

**Section No. 8 Instructions:**

Section No. 8 is a list of standard permit stipulations that will be applied to your permit approval. Additionally, AEB reserves the right to add additional site-specific, operator-specific stipulations to this list. Your final permit may include an additional addendum listing any additional permit stipulation that you must comply with for your operation.



## AGENDA STATEMENT

January 15, 2014

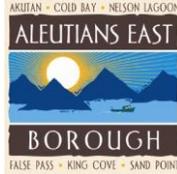
To: The Aleutians East Borough Planning Commission  
From: Anne Bailey

### **Re: Resolution 14-04 of the Aleutians East Borough Planning Commission Approving the Complaint Form for the Land Use Permitting System**

The Aleutians East Borough (AEB) is creating a Resource Development Land Use Permitting System to Protect Coastal Resources in the AEB Resource Development District Project (Land Use Permitting System), funded with qualified Outer Continental Shelf oil and gas revenues from the Coastal Impact Assistance Program (CIAP), administered by the Fish and Wildlife Service and the U.S. Department of the Interior. The purpose of this project is to create and implement a permitting system to regulate resource development activities in the AEB coastal zone and maximize resource development opportunities while protecting coastal resources through an organized, efficient permit program consistent with the goals and objectives of the AEB Code.

The AEB Planning Commission held Planning Commission Workshops on October 10 and 15, 2013 where they discussed the Proposed Code Revisions to AEB Code Titles 1, 2, 40 and 45; the Fee & Penalty Schedule for AEB Land Use Permits, Permit applications and Standard Operating Procedures for the different resource development permit types. At the November 14, 2013 Planning Commission Meeting the Commission passed Resolution 14-01 recommending the Assembly review and approve Titles 1, 2, 40 and 45 of the Borough Code and the Fee & Penalty Schedules for the different land use permitting types. At the December 18, 2013 Planning Commission Meeting, the Commission passed Resolution 14-02 approving the permit applications and the standard operating procedures for the Land Use Permitting System, which includes commercial recreation; research; sand, gravel, & rock mining; mineral & coal mining & small mining operations; offshore & direct marketing seafood processing; onshore seafood processing; large mining operations and oil & gas.

At the March 5, 2014 Planning Commission Workshop the Commission will discuss the complaint form for the Land Use Permitting System. The complaint form is the method the public should use to file complaints or report any violations regarding resource development activities in the Resource Development District.



## **RESOLUTION 14-04**

### **A RESOLUTION OF THE ALEUTIANS EAST BOROUGH PLANNING COMMISSION APPROVING THE COMPLAINT FORM FOR THE LAND USE PERMITTING SYSTEM**

**WHEREAS**, the Aleutian East Borough (AEB) is creating a Resource Development Land Use Permitting System to Protect Coastal Resources in the AEB Resource Development District Project (Land Use Permitting System), funded with qualified Outer Continental Shelf oil and gas revenues from the Coastal Impact Assistance Program (CIAP), administered by the Fish and Wildlife Service and the U.S. Department of the Interior; and

**WHEREAS**, the purpose of this project is to create and implement a permitting system to regulate resource development activities in the AEB coastal zone and maximize resource development opportunities while protecting coastal resources through an organized, efficient permit program consistent with the goals and objectives of the AEB Code; and

**WHEREAS**, the AEB Planning Commission held Planning Commission Workshops on October 10 and 15, 2013 and a Planning Commission Work Session on November 14, 2013 wherein it discussed the Proposed Code Revisions to AEB Code Titles 1, 2, 40 and 45; the Fee & Penalty Schedule for AEB Land Use Permits, Permit applications and Standard Operation Procedures for the different resource development permit types; and

**WHEREAS**, at the November 14, 2013 Planning Commission Meeting the AEB Planning Commission passed Resolution 14-01 recommending the AEB Assembly review and approve the AEB Code Revisions for Titles 1, 2, 40 and 45 and the proposed Fee & Penalty Schedule for the AEB Land Use Permits;

**WHEREAS**, at the December 18, 2013 Planning Commission Meeting the AEB Planning Commission passed Resolution 14-02 approving the permit applications and the standard operating procedures for the Land Use Permitting System; and

**WHEREAS**, at the March 5, 2014 Planning Commission Workshop the AEB Planning Commission discussed the complaint form for the land use permitting system.

**NOW THEREFORE BE IT RESOLVED** that the Aleutians East Borough Planning Commission approves the Complaint Form for the Land Use Permitting System.

**PASSED AND APPROVED** by the Aleutians East Borough Planning Commission on this 5<sup>th</sup> day of March 2014.

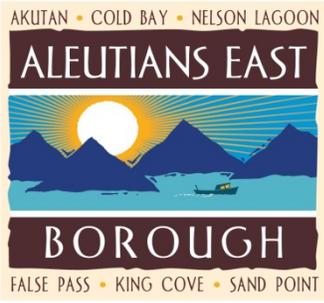
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**Chris Emrich, Chair**

**ATTEST:**

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**Tina Anderson, Clerk**



# ALEUTIANS EAST BOROUGH

## LAND USE COMPLAINT FORM

Authority Aleutians East Borough Municipal Code Title 40

Mail Complaint Form to:  
Aleutians East Borough  
P.O. Box 349  
Sand Point, Alaska 99661  
907-383-2699

### Part 1: Contact Information for Person Filing Complaint

Name: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: (Street) \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_  
Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_ Cell Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_  
Email Address: \_\_\_\_\_@\_\_\_\_\_.\_\_\_\_\_  
Aleutians East Borough Resident:  Yes  No

I certify that the information given by me in this complaint is true, complete, and correct.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Part 2: Contact Information for Subject of Complaint (if known)

Name: \_\_\_\_\_  
Company Name: \_\_\_\_\_  
Project Name: \_\_\_\_\_  
Address: (Street) \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_  
Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_ Email Address: \_\_\_\_\_@\_\_\_\_\_.\_\_\_\_\_  
\_\_\_\_\_

### Part 3: Summarize the Complaint

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Part 4: Location of Complaint**

Please provide address, GPS coordinates, or other landmarks to aide in identifying the location of the complaint.

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**Part 5: Type of Complaint** (check all boxes that apply)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Zoning Violation              | <input type="checkbox"/> Permit Violation            | <input type="checkbox"/> Operating without a Permit |
| <input type="checkbox"/> Construction without a Permit | <input type="checkbox"/> Access Blocked              | <input type="checkbox"/> Improper Abandonment       |
| <input type="checkbox"/> Building/Structure Unsafe     | <input type="checkbox"/> Fire Hazard                 | <input type="checkbox"/> Spill                      |
| <input type="checkbox"/> Tundra Damage                 | <input type="checkbox"/> Historic or Cultural Impact | <input type="checkbox"/> Fish or Wildlife Impact    |
| <input type="checkbox"/> Litter                        | <input type="checkbox"/> Noise                       | <input type="checkbox"/> Water Pollution            |
| <input type="checkbox"/> Other _____                   |  |   |
| <input type="checkbox"/> Other _____                   |  |   |
| <input type="checkbox"/> Other _____                   |  |   |

**Part 6: Time and Duration**

- |                                   |                                    |                                  |                                 |                                      |
|-----------------------------------|------------------------------------|----------------------------------|---------------------------------|--------------------------------------|
| <input type="checkbox"/> Morning  | <input type="checkbox"/> Afternoon | <input type="checkbox"/> Evening | <input type="checkbox"/> Night  | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> One Time | <input type="checkbox"/> Non-Stop  | <input type="checkbox"/> Daily   | <input type="checkbox"/> Weekly | <input type="checkbox"/> Other _____ |
| Date Problem Started: _____       |                                    | Date Problem Stopped: _____      |                                 |                                      |

**Part 7: Urgency of Complaint**

Is this an Urgent Situation:  Yes  No  Don't Know If you checked "yes" explain why.

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**Part 8: Impact to You**

Please explain the impact this problem is having to you, your family, your business, etc.

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**Part 9: Compliant Reported to Other Agencies**

Please describe below whether you reported this complaint to any other local, state or federal agencies. Please provide the name of the agency, date it was reported and the contact information for that agency, so that AEB can coordinate a resolution.

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**Part 10: Desired Action & Remedy**

Please describe what action you recommend the AEB take to remedy the complaint.

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**Section No. 11: AEB Action Taken On Complaint [AEB Use Only]**

Date Form Received by AEB: \_\_\_\_\_

- Contacted Complainant to Discuss Complaint: Date: \_\_\_\_\_
- Contacted Subject of Complaint to Discuss Complaint: Date: \_\_\_\_\_
- Investigated Complaint: Date: \_\_\_\_\_
- Inspected Complaint Location: Date: \_\_\_\_\_
- Investigation and/or Inspection Report on Complaint Completed: Date: \_\_\_\_\_
- Enforcement Action Taken Date: \_\_\_\_\_
- Complaint Resolved Date: \_\_\_\_\_
- Called Complainant to Explain Resolution Date: \_\_\_\_\_

Summary of Resolution: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AEB Administrator or Designee Name (printed): \_\_\_\_\_

AEB Administrator or Designee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Complaint Form Instructions

- ✚ **How do I complete the Application? Is there an electronic version of this form?** An Adobe Acrobat, PDF fillable version of this form can be found at <http://www.aleutianseast.org/> under the Permitting Page. Please save a copy to your computer, rename the file, and fill it in electronically on the computer. Please note that you must print and sign a final hard copy of the complaint and mail it to AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✚ **Can I submit a handwritten complaint?** Yes, the AEB will accept a hand written complaint. Please print clearly and legibly.
- ✚ **Where do I send the complaint form?** Please mail a completed copy of form to the AEB at P.O. Box 349, Sand Point, Alaska 99661.
- ✚ **Who do I call if I have a question?** Please contact the AEB Clerk/Planner at (907) 383-2699.
- ✚ **Can I submit this complaint anonymously?** No. You must provide your full contact information when filing a complaint. All complaints are a matter of public record. This information will allow the AEB staff to contact you to discuss your complaint. If enforcement action is taken, you may be called as a witness, or to testify; therefore, your identity must be known.
- ✚ **How much information should I provide on my complaint?** Please provide as much detail on your complaint as possible to assist AEB in investigating and resolving the complaint. You may also want to call and speak to the AEB staff personally about your complaint. You can attach additional paper to this form, if necessary to fully describe your concerns.
- ✚ **How do I know if my complaint is resolved?** The AEB staff will contact you to discuss your complaint when your form is received. The AEB may also call you periodically to appraise you of the status of the complaint resolution. You may call the AEB Clerk/Planner at (907) 383-2699 to get a status update on the complaint.
- ✚ **What action will AEB take to resolve my complaint?** The AEB staff will contact the subject of the complaint to discuss the problem. If you have reported the complaint to other agencies, the AEB staff will contact those agencies to coordinate investigation and resolution. Based on the information received in the complaint, the information provided by the subject of the complaint, and in coordination with other agencies that may be involved, AEB will determine if further investigation is warranted to bring the matter to resolution. AEB staff may be sent to the location to investigate the complaint depending on the nature, urgency and severity of the complaint. If the problem can be resolved by a limited investigation, AEB staff will contact you to apprise you of the resolution. If problem resolution requires a more in-depth investigation and inspection, that work will be completed and a report will be prepared. If enforcement action is required, AEB will take enforcement action. AEB will document its actions.
- ✚ **Can I request a copy of the inspection report or enforcement action documents related to my complaint?** The inspection report and enforcement action documents are public record once finalized and approved by the AEB. You may request a copy of the documents from the AEB Clerk/Planner at (907) 383-2699.

# Planning Commission Comments

# Public Comments

Next Meeting Date

# Adjournment