



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 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.
- ✦ **Survey or Another Approved Measurement Method:** On or before February 1st 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. 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.