**Alaska Department of Natural Resources Division of Mining, Land, and Water**

**Croix Fylpaa**

**Tideland Lease or Permits**

**Summary:** **Applicability:**

Alaska’s Coastal region tidelands are the interface between Private or public ownership, and the state of Alaska ownership. Tidal zone coverage changes throughout the day with incoming and outgoing tides. Alaska Department of Natural Resources Mining, Lands, and Water Division deals with tideland permits and leasing.

Negotiated leases may also be requested by:

1) commercial operators of fishing or hunting camps within an exclusive or joint use guiding area

2) commercial operators of duck shacks, and

3) shore fishery setnetters seeking an upland lease for use in conjunction with their fishing sites.

**Permit Name**

Tideland Leases or Permits

**APPLICABILITY**

 Mining, Temporary Water Removal, Tideland Farming, Shorefishery Leases, Tidal mooring/Dock Construction, Log Transfer Facilities, Dredging, filling, or altering beaches

**PROCESSING TIMES**

The following is a general time table for processing a lease:

1. Application received, serialized and photo copied.

2. In-house and agency review ................................................ \*30 days

3. Preliminary decision................................................................30 days

4. .945 notice letters (A.S. 38.05.945(c) ...................................30 days

5. .945 public notice (newspaper ad)(AS 38.05.945(b))........ 30 days

6. Survey and appraisal (11AAC 58.400 - .410)..................... 60 days

7. Final decision............................................................................ 10 days

8. .945 notice letters (if competitive offerings).......................30 days

9. .945 public notice (if competitive)........................................ 30 days

10. Lease offering........................................................................... 10 days

\* Some upland leases and all tideland leases are within the "coastal zone" and other

permits may be required from other agencies. These go through another review for

consistency with the Alaska Coastal Management Program or approved local coastal plans. Normal review period is 50 days.

**Agency Coordination:**

Alaska Department of Natural Resources Division of Mining, Lands, and Waters

Southcentral Regional Office

OFFICE LOCATION:

 3601 "C" Street, Tenth Floor Anchorage, Alaska Phone: (907)762-2253

MAILING ADDRESS: P.O. Box 107005 Anchorage, Alaska 99510-7005

**Information Necessary:**

Applicants should include the following information with their completed application form:

- Filing fee.

- USGS map 1:63,360 scale with the location marked.

 - Development plan and time schedule.

 - A clear statement of the intended use of the property.

 - Any applicable licenses.

The development plan should contain the following information:

 - A description of the type and location of the temporary and/or permanent structures and a scale drawing depicting all proposed structures.

 - The intended access to the site.

 - An explanation of any clearing or cutting of trees

 - A description of the intended power source and fuel storage area.

 - An explanation of the intended solid waste and waste water disposal method.

 - The water source.

Completion of the Use of Marine Waters (Tide & Submerged Lands) Supplemental Questionnaire beginning on Page 13 of the [Land Use Permit Application](https://dnr.alaska.gov/mlw/cdn/pdf/forms/LUP-Marine-Waters-Supplemental.pdf)

Example Documentation:

* Project scope with map
* Project Boundary with map
* Contact Information
* Landownership within the Project boundary
* Current and past land use within the Project boundary

It is the responsibility of the applicant to arrange and pay for survey, appraisal, and legal notice publication, and to see that these tasks are carried out in a timely manner when directed to do so by the State.

Depending on the time of year, these tasks could be time consuming. If the lease is negotiated, the decision on whether or not to require a survey will be made on a case by case basis and will depend on the type and Appendix A - 91 extent of existing monumentation, the existing uses of the surrounding land, the likelihood that the surrounding land will be developed during the lease term and any other pertinent factors which may apply to a particular parcel of state land.

**Special definitions**

**Enforcement and Penalties:**

**REGULATIONS (CFR)** Applicable statutes for reference:

 A.S. 38.05.035 - Powers and duties of the director.

 A.S. 38.05.070 -- Leasing of lands other than for the

-.105 extraction of natural resources.

 A.S. 38.05.840 – Appraisals

 A.S. 38.05.920 – Assignment

 A.S. 38.05.945 – Notice

 For additional information, contact the local office of the Department of Natural Resources, Division of Land and Water Management:

**Other Resources**

[**Alaska Department of Natural Resources Land Use Permit Application**](https://dnr.alaska.gov/mlw/cdn/pdf/forms/Land-Use-Permit-Application-with-Supplemental-05-2019.pdf)

[Appendix A (AS 38.05.070)](http://dnr.alaska.gov/mlw/planning/mgtplans/nushagak_mulchatna/pdf/Appendix_A.pdf) For more information regarding Leasing of Tidelands in Alaska

Links to AK DNR MLW Division Permits <http://dnr.alaska.gov/mlw/permit_lease/>