

# Permitting Processes for Activities on State Lands and Waters

*House Fisheries Committee*

*Presented by:*  
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# DEPARTMENT OF NATURAL RESOURCES

**Our mission:** Develop, Conserve, and maximize the use of Alaska's natural resources consistent with the public interest.

**What we do:** DNR manages all state-owned land, water, and natural resources, except for fish and game, on behalf of Alaskans.

**How we are organized:** DNR is comprised of seven divisions that reflect its major programs.

# KEY TERMS

## Sec. 38.05.965. Definitions (abbreviated)

(14) "**navigable water**" means any water of the state forming a river, stream, lake... sea or ocean, or any other body of water or waterway within the territorial limits of the state or subject to its jurisdiction that is navigable in fact in any season, ... and for any useful public purpose...;

(21) "**public water**" means navigable water and all other water, whether inland or coastal, fresh or salt, that is reasonably suitable for public use and utility, habitat for fish and wildlife in which there is a public interest, or migration and spawning of fish in which there is a public interest;

(23) "**shoreland**" means land belonging to the state which is covered by nontidal water that is navigable ... up to ordinary high water mark ...;

(24) "state land" or "land" means all land, including shoreland, tideland, and submerged land, or resources belonging to or acquired by the state;

(25) "**submerged land**" means land covered by tidal water between ... mean low water and seaward to a distance of three geographical miles ...;

(26) "**tideland**" means land that is periodically covered by tidal water between the elevation of mean high water and mean low water;

# DIVISION OF MINING, LAND, AND WATER

Context: Alaska Constitution, state laws & regulations, DNR area plans, agency policy, past precedence, case law



## Generally Allowed Uses

- As provided in 11 AAC 96.020
- Travel across state lands
- Aircraft landing
- Use of watercraft
- Anchoring mooring buoy
- Hunting, fishing, trapping, gathering
- Recreational gold panning/prospecting/suction dredging

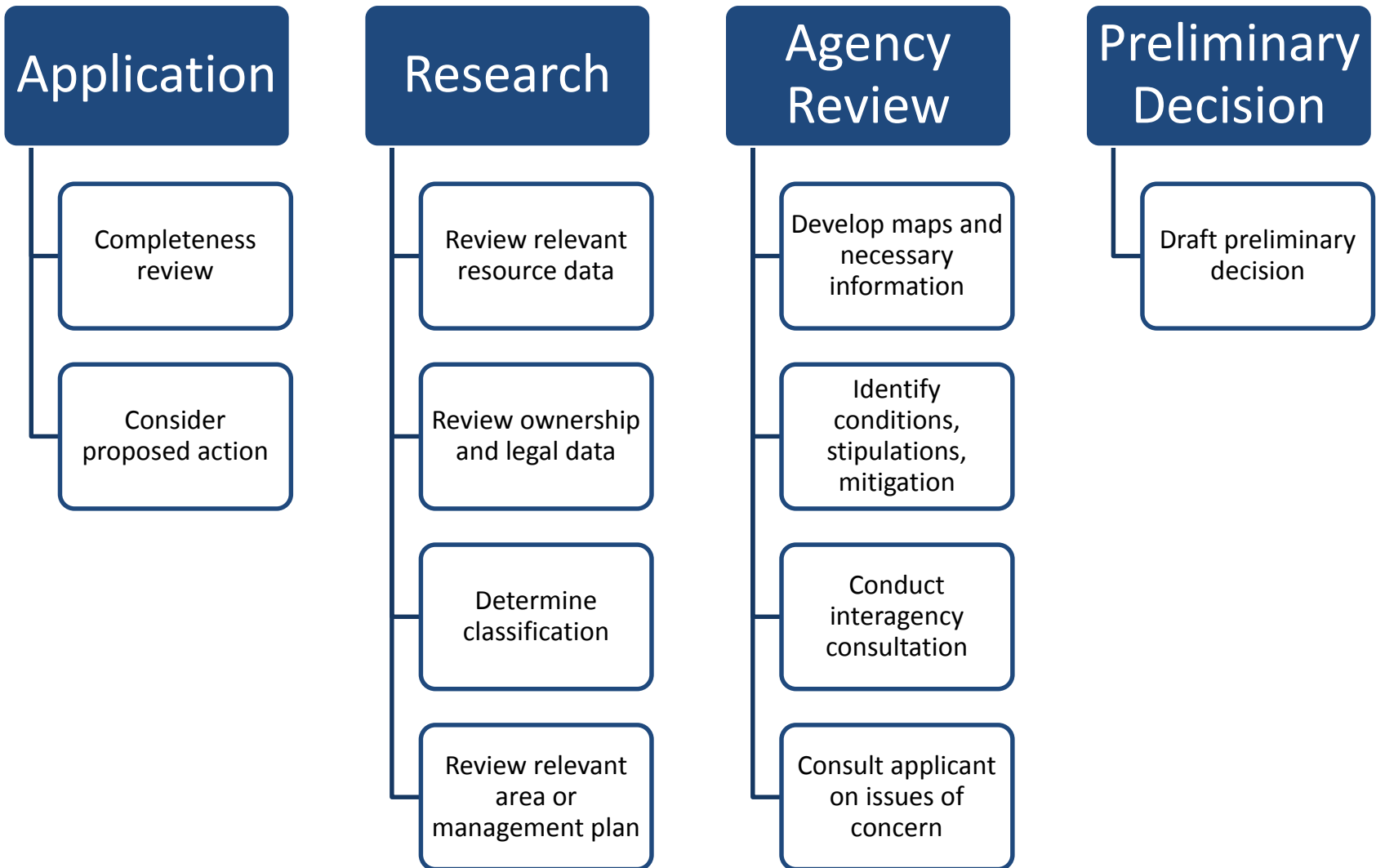
## Permit/Authorization/Approval

- Mineral exploration & mining
- Placer mining
- Temporary water withdrawal
- Commercial recreation activities
- Weir
- Floating dock
- Notice of application may be provided

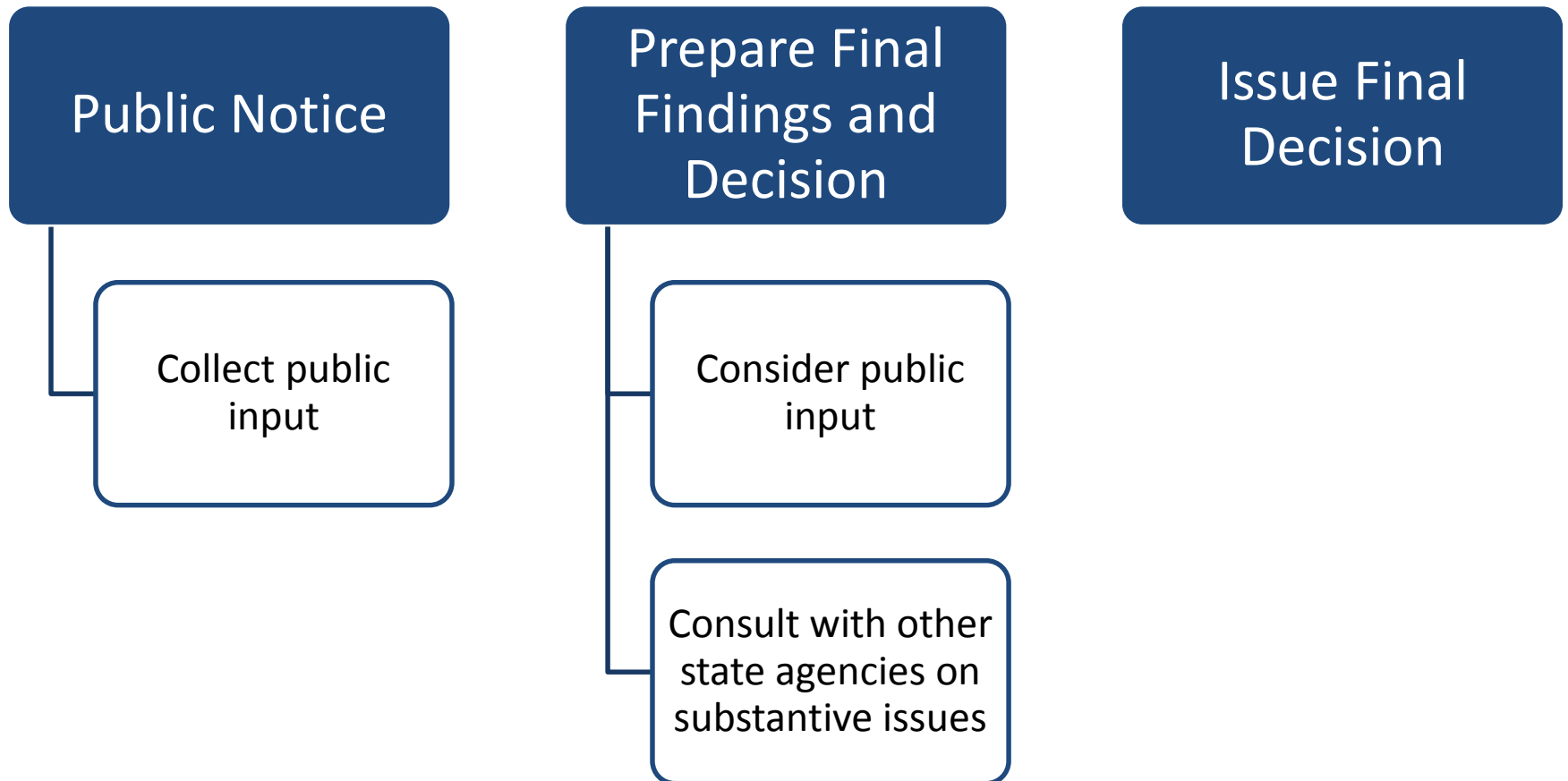
## Easement & Leases

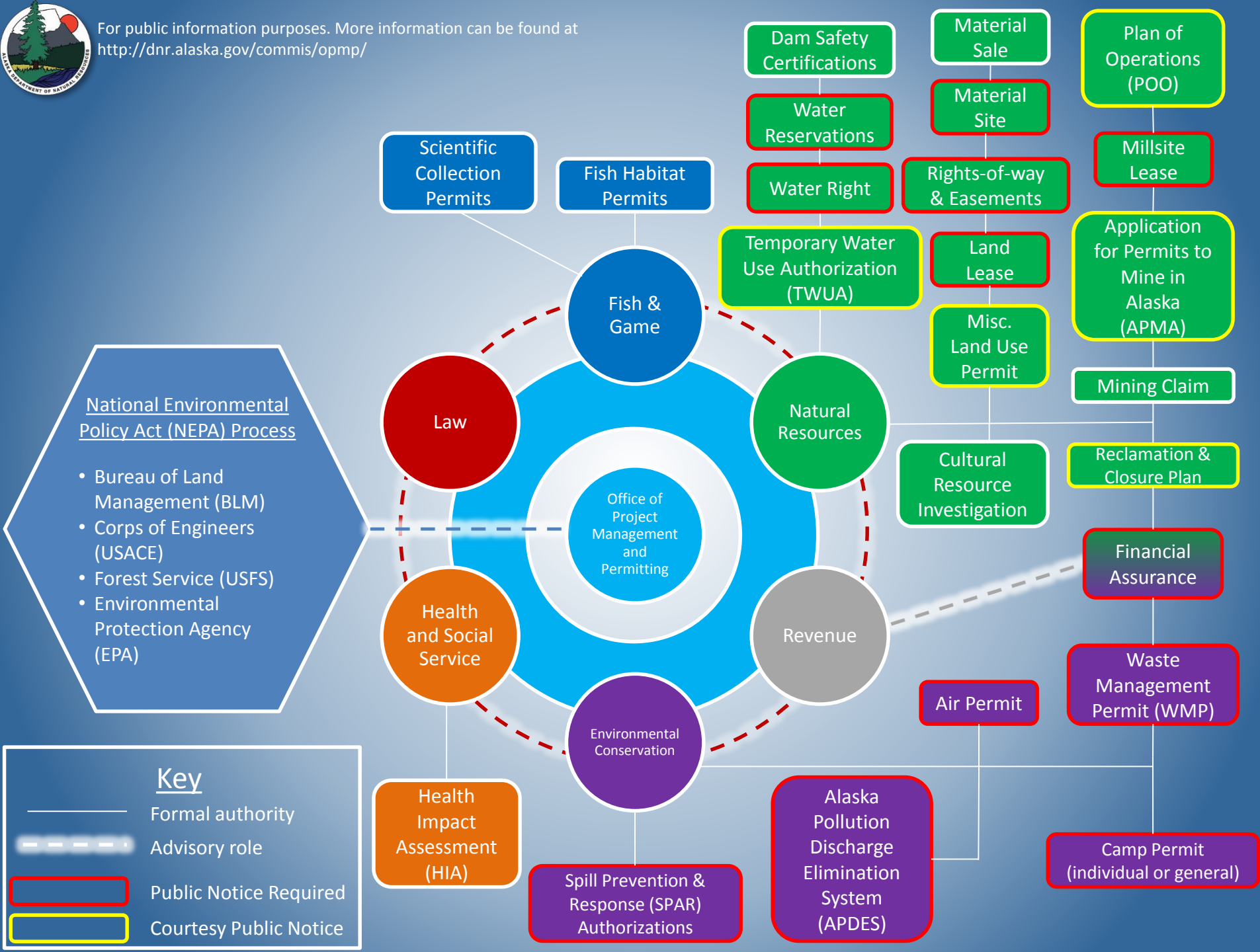
- Rights-of-way
- Utility easement
- Boat launch
- Aquatic farm site
- Marine access facility (commercial dock)
- Public notice required
- Best Interest Finding required

# SINGLE-AGENCY REVIEW



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# IN SUMMARY

- DNR manages all state-owned land, water and natural resources, except for fish and game, on behalf of the people of Alaska.
- Proposed uses of those resources may be generally allowed, or require written authorization from DNR.
- Approvals that diminish state interest must be found to be in the best interest of the state and publicly noticed.
- DNR consults other state agencies and grants deference to ADF&G on fish and wildlife matters and ADEC on water quality.
- For large projects, OPMP facilitates intergovernmental coordination with state, federal, and local government agencies to ensure effective communication, less duplication, and greater consistency in the permitting processes.



# Questions?

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