

**Attachment 7**  
**Federal, State and Local Permitting**

---



**Table 1. Federal Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Clean Water Act Section 404 and Rivers and Harbors Act Section 10 Permit	Section 404 of the Clean Water Act allows materials to be placed in wetlands and rivers. Section 10 of the Rivers and Harbors Act ensures that discharges in rivers or offshore areas do not harm navigability of those waters.	USACE	<ul style="list-style-type: none"> <li>• <u>Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act</u>: Section 404 of the Clean Water Act requires authorization for placement or discharge of dredged and/or fill material into WOUS, including wetlands (33 U.S.C. 1344). Section 10 of the Rivers and Harbors Act of 1899 requires approval prior to the accomplishment of any work in, over, or under navigable WOUS, or which affects the course, location, condition, or capacity of such waters (33 U.S.C. 403).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ Clean Air Act</li> <li>○ Clean Water Act</li> <li>○ Coastal Zone Management Act</li> <li>○ ESA</li> <li>○ Executive Order 11988 (Floodplain Management)</li> <li>○ Executive Order 11990 (Protection of Wetlands)</li> <li>○ Executive Order 12898 (Environmental Justice)</li> <li>○ Executive Order 13175 (Government-to-Government Consultation)</li> <li>○ Executive Order 13186 (Migratory Birds)</li> <li>○ Fish and Wildlife Coordination Act</li> <li>○ Magnuson-Stevens Fishery Conservation and Management Act</li> <li>○ MMPA</li> <li>○ Migratory Bird Treaty Act</li> <li>○ NEPA</li> <li>○ NHPA</li> <li>○ Native American Grave Protection and Repatriation Act</li> <li>○ Wild and Scenic Rivers Act</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 33 CFR Parts 320–332</li> <li>○ 40 CFR Part 230 [contains 404(b)(1) guidelines]</li> </ul> </li> </ul>

**Table 1. Federal Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Marine Protection, Research, and Sanctuaries Act – Ocean Disposal Site Designation	Designates a site for use as an ocean dumping site for disposal of dredged material.	USACE and USEPA	<ul style="list-style-type: none"> <li>• Titles I and II of the MPRSA, also referred to as the Ocean Dumping Act, generally prohibits (1) transportation of material from the U.S. for the purpose of ocean dumping; (2) transportation of material from anywhere for the purpose of ocean dumping by U.S. agencies or U.S.-flagged vessels; (3) dumping of material transported from outside the U.S. into the U.S. territorial sea. A permit is required to deviate from these prohibitions. Under MPRSA, the standard for permit issuance is whether the dumping will "unreasonably degrade or endanger" human health, welfare, or the marine environment. USEPA is charged with developing ocean dumping criteria to be used in evaluating permit applications. (33 U.S.C. 1401-1445). Ocean dumping cannot occur unless a permit is issued under the MPRSA. In the case of dredged material, the decision to issue a permit is made by the USACE, using USEPA's environmental criteria and subject to USEPA's concurrence.</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ Clean Water Act</li> <li>○ Coastal Zone Management Act</li> <li>○ ESA</li> <li>○ Executive Order 11990 (Protection of Wetlands)</li> <li>○ Executive Order 12898 (Environmental Justice)</li> <li>○ Executive Order 13175 (Government-to-Government Consultation)</li> <li>○ Executive Order 13186 (Migratory Birds)</li> <li>○ Fish and Wildlife Coordination Act</li> <li>○ Magnuson-Stevens Fishery Conservation and Management Act</li> <li>○ MMPA</li> <li>○ Migratory Bird Treaty Act</li> <li>○ NEPA</li> <li>○ NHPA</li> </ul> </li> <li>• Applicable Regulations               <ul style="list-style-type: none"> <li>○ 40 CFR Parts 220 - 229</li> </ul> </li> </ul>

**Table 1. Federal Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Federal Right-of-Way Grant	Allows long-term use of federal lands for project activities associated with the pipeline.	BLM	<ul style="list-style-type: none"> <li>• <u>Mineral Leasing Act</u>: Allows that ROWs through any federal lands may be granted by the Secretary of Interior or appropriate agency head for pipeline purposes for the transportation of oil, natural gas, synthetic liquid, or gaseous fuels (30 U.S.C. 185).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ ANILCA</li> <li>○ Archaeological Resource Protection Act</li> <li>○ Bald and Golden Eagle Protection Act</li> <li>○ CERCLA</li> <li>○ ESA</li> <li>○ Executive Order 11988 (Floodplain Management)</li> <li>○ Executive Order 11990 (Protection of Wetlands)</li> <li>○ Executive Order 12898 (Environmental Justice)</li> <li>○ Executive Order 13175 (Government-to-Government Consultation)</li> <li>○ Executive Order 13186 (Migratory Birds)</li> <li>○ Federal Land Policy and Management Act</li> <li>○ Magnuson-Stevens Fishery Conservation and Management Act</li> <li>○ MMPA</li> <li>○ Materials Act</li> <li>○ Migratory Bird Treaty Act</li> <li>○ NEPA</li> <li>○ NHPA</li> <li>○ PRPA</li> <li>○ Safe Drinking Water Act</li> <li>○ Wild and Scenic Rivers Act</li> <li>○ Wilderness Act</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 43 CFR Parts 2880–2888</li> </ul> </li> </ul>
Letter of Authorization – USFWS	Preserves integrity of marine mammal populations while allowing isolated incidents of harassment, injuries, or deaths as a result of activity.	USFWS	<ul style="list-style-type: none"> <li>• <u>Section 101(a)(5) of the Marine Mammal Protection Act</u>: Restricts the taking, possession, transportation, selling, offering for sale, and importing of marine mammals (16 U.S.C. 1361–1362, 1371–1389, 1401–1407, 1421, 1423).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ ESA</li> <li>○ NEPA</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 50 CFR Part 18</li> </ul> </li> </ul>

**Table 1. Federal Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Temporary Use Permits	Allow temporary use of federal land for project activities.	BLM	<ul style="list-style-type: none"> <li>• <u>Mineral Leasing Act</u>: Allows that ROWs through any federal lands may be granted by the Secretary of Interior or appropriate agency head for pipeline purposes for the transportation of oil, natural gas, synthetic liquid, or gaseous fuels (30 U.S.C. 185).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ ANILCA</li> <li>○ Archaeological Resource Protection Act</li> <li>○ Bald and Golden Eagle Protection Act</li> <li>○ CERCLA</li> <li>○ ESA</li> <li>○ Executive Order 11988 (Floodplain Management)</li> <li>○ Executive Order 11990 (Protection of Wetlands)</li> <li>○ Executive Order 12898 (Environmental Justice)</li> <li>○ Executive Order 13175 (Government-to-Government Consultation)</li> <li>○ Executive Order 13186 (Migratory Birds)</li> <li>○ Federal Land Policy and Management Act</li> <li>○ Magnuson-Stevens Fishery Conservation and Management Act</li> <li>○ MMPA</li> <li>○ Materials Act</li> <li>○ Migratory Bird Treaty Act</li> <li>○ NEPA</li> <li>○ NHPA</li> <li>○ PRPA</li> <li>○ Safe Drinking Water Act</li> <li>○ Wild and Scenic Rivers Act</li> <li>○ Wilderness Act</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 43 CFR Parts 2880–2888</li> </ul> </li> </ul>

**Table 1. Federal Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Mineral Material Sales Contracts	Allow the purchase and extraction of gravel from federal land.	BLM	<ul style="list-style-type: none"> <li>• <u>Materials Act</u>: Allows for the exploration, development, and disposal of mineral material resources on public lands, and for the protection of the resources and the environment (30 U.S.C. 601).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ ANILCA</li> <li>○ Clean Air Act</li> <li>○ Clean Water Act</li> <li>○ CERCLA</li> <li>○ ESA</li> <li>○ Executive Order 11988 (Floodplain Management)</li> <li>○ Executive Order 11990 (Protection of Wetlands)</li> <li>○ Executive Order 12898 (Environmental Justice)</li> <li>○ Executive Order 13175 (Government-to-Government Consultation)</li> <li>○ Executive Order 13186 (Migratory Birds)</li> <li>○ Federal Land Policy and Management Act</li> <li>○ Magnuson-Stevens Fishery Conservation and Management Act</li> <li>○ Migratory Bird Treaty Act</li> <li>○ NEPA</li> <li>○ NHPA</li> <li>○ Wild and Scenic Rivers Act</li> <li>○ Wilderness Act</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 43 CFR Part 3600</li> </ul> </li> </ul>

**Table 1. Federal Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Bridge Permit	Allows bridging of rivers without harming their navigability. Consultation with USCG will be necessary for installation of the temporary barge bridge.	USCG	<ul style="list-style-type: none"> <li>• <u>General Bridge Act, and Rivers and Harbors Appropriations Act</u>: Prohibits construction of bridges or causeways over or in any navigable river or other navigable WOUS without approval (33 U.S.C. 401, 491, 525).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ Clean Air Act</li> <li>○ Clean Water Act</li> <li>○ Coastal Zone Management Act</li> <li>○ ESA</li> <li>○ Executive Order 11988 (Floodplain Management)</li> <li>○ Executive Order 11990 (Protection of Wetlands)</li> <li>○ Executive Order 12898 (Environmental Justice)</li> <li>○ Farmlands Protection Policy Act</li> <li>○ Fish and Wildlife Coordination Act</li> <li>○ Magnuson-Stevens Fishery Conservation and Management Act</li> <li>○ MMPA</li> <li>○ Migratory Bird Treaty Act</li> <li>○ NEPA</li> <li>○ NHPA</li> <li>○ Native American Grave Protection and Repatriation Act</li> <li>○ Noise Control Act</li> <li>○ Uniform Relocation Assistance and Real Property Acquisitions Act</li> <li>○ Wild and Scenic Rivers Act</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 33 CFR Parts 114 and 115</li> </ul> </li> </ul>
Letter of Authorization- USFWS	Preserves integrity of marine mammal populations while allowing isolated incidents of harassment as a result of activity. Applicable to polar bear and walrus.	USFWS	<ul style="list-style-type: none"> <li>• <u>Section 101(a)(5) of the Marine Mammal Protection Act</u>: Restricts the taking, possession, transportation, selling, offering for sale, and importing of marine mammals (16 U.S.C. 1361–1362, 1371–1389, 1401–1407, 1421, 1423).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ ESA</li> <li>○ Magnuson-Stevens Fishery Conservation and Management Act</li> <li>○ NEPA</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>• 50 CFR Part 216</li> </ul> </li> </ul>



**Table 1. Federal Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Letter of Authorization- NMFS	Preserves integrity of marine mammal populations while allowing isolated incidents of harassment, serious injury, deaths, or a combination thereof as a result of activity. Applicable to whales and seals.	NMFS	<ul style="list-style-type: none"> <li>• <u>Section 101(a)(5) of the Marine Mammal Protection Act</u>: Restricts the taking, possession, transportation, selling, offering for sale, and importing of marine mammals (16 U.S.C. 1361–1362, 1371–1389, 1401–1407, 1421, 1423).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ ESA</li> <li>○ Magnuson-Stevens Fishery Conservation and Management Act</li> <li>○ NEPA</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 50 CFR Part 216</li> </ul> </li> </ul>
Incidental Harassment Authorization	Preserves integrity of marine mammal populations while allowing isolated incidents of harassment as a result of activity. Applicable to whales and seals.	NMFS	<ul style="list-style-type: none"> <li>• <u>Section 101(a)(5) of the Marine Mammal Protection Act</u>: Restricts the taking, possession, transportation, selling, offering for sales and importing of marine mammals (16 U.S.C. 1361–1362, 1371–1389, 1401–1407, 1421, 1423).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ ESA</li> <li>○ Magnuson-Stevens Fishery Conservation and Management Act</li> <li>○ NEPA</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 50 CFR Part 216</li> </ul> </li> </ul>
Pipeline Special Permits	Ensure that the pipeline is built and operated to meet the objectives of federal standards even though the applicant proposes to use different methods or material to achieve pipeline integrity and safety. This could include pipe coating, steel pipe properties, or the spacing of special sleeves designed to stop pipeline cracks from spreading. Applicant must obtain a permit for each departure from standards.	USDOT, PHMSA	<ul style="list-style-type: none"> <li>• <u>Pipeline Safety Law</u>: Federal pipeline safety laws authorize waivers of compliance with one or more of the federal pipeline safety regulations, if necessary [49 U.S.C. 60118(c)].</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ Executive Order 12898 (Environmental Justice)</li> <li>○ Executive Order 13175 (Government-to-Government Consultation)</li> <li>○ NEPA</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 49 CFR Parts 190–192, 199</li> </ul> </li> </ul>
Bald and Golden Eagle Protection Act Permit	Preserves integrity of eagle populations while allowing isolated incidents of disturbance, injury, or death as a result of activities.	USFWS	<ul style="list-style-type: none"> <li>• <u>Bald and Golden Eagle Protection Act</u>: Prohibits anyone, without a permit issued by the Secretary of Interior, from “taking” bald and golden eagles, including their parts, nests, or eggs. The act defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb” (16 U.S.C. 668).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ NEPA</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 50 CFR Parts 13 and 22</li> </ul> </li> </ul>

**Table 1. Federal Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Endangered Species Act Section 7 Biological Opinion and Incidental Take Statement – USFWS	Ensures that species listed as endangered or threatened, or their habitat, are not adversely affected by activities.	USFWS	<ul style="list-style-type: none"> <li>• <u>Endangered Species Act</u>: Requires that each federal agency ensures that any action authorized by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which is determined to be critical (16 U.S.C. 1531–1544).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ MMPA</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 50 CFR Parts 17 and 402</li> </ul> </li> </ul>
Endangered Species Act Section 7 Biological Opinion and Incidental Take Statement – NMFS	Ensures that species listed as endangered or threatened, or their habitat, are not adversely affected by activities.	NMFS	<ul style="list-style-type: none"> <li>• <u>Endangered Species Act</u>: Requires that each federal agency ensures that any action authorized by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which is determined to be critical (16 U.S.C. 1531–1544).</li> <li>• Other Applicable Laws:               <ul style="list-style-type: none"> <li>○ MMPA</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 50 CFR Parts 17 and 402</li> </ul> </li> </ul>
<p>Notes:</p> <p>ANILCA – Alaska National Interest Lands Conservation Act            CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act            ESA - Endangered Species Act            MMPA - Marine Mammal Protection Act            MPRSA - Marine Protection, Research, and Sanctuaries Act            NHPA - National Historic Preservation Act            U.S.C. – U.S. Code</p>			

**Table 2. State Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Fish Habitat Permit (Title 16)	Required for any work conducted below the ordinary high water mark of an anadromous stream. Required before any action taken to: <ul style="list-style-type: none"> <li>• Construct a hydraulic project</li> <li>• Use, divert, obstruct, pollute, or change the natural flow or bed of a specified river, lake, or stream</li> <li>• Use wheeled, tracked, or excavating equipment or log-dragging equipment in the bed of a specified river, lake, or stream</li> </ul>	ADF&G, Division of Habitat	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ AS 16.05.841. Fishway required.</li> <li>○ AS 16.05.871. Protection of fish and game. States that the commissioner can require:                                     <ol style="list-style-type: none"> <li>(1) full plans and specifications of the proposed construction or work;</li> <li>(2) complete plans and specifications for the proper protection of fish and game in connection with the construction or work, or in connection with the use; and</li> <li>(3) the approximate date the construction, work, or use will begin.</li> </ol> </li> </ul> </li> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 5 AAC 95.700(b). Application procedures (Details information required in application.)</li> <li>○ 5 AAC 95.720(a). Permit conditions and assignment (Identifies permit conditions that may be applied)</li> </ul> </li> </ul>
Collection/Public Safety Permit	Required when interactions with animals and defense of life or property are expected or possible.	ADF&G, Division of Wildlife Conservation	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ AS 16.05.050(a)(5). Powers and duties of commissioner. "The commissioner has, but not by way of limitation, the following powers and duties: ... (5) to take, capture, propagate, transport, buy, sell, or exchange fish or game or eggs for propagating, scientific, public safety, or stocking purposes."</li> </ul> </li> </ul>
Special Area Permit	Required for activities, except for lawful hunting, trapping, fishing, viewing, and photography, occurring in a special area, such as a state game refuge, state game sanctuary, or critical habitat area.	ADF&G, Division of Habitat	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ AS 16.20. Conservation and Protection of Alaska Fish and Game.</li> <li>○ AS 16.20.060. Submission of plans and specifications.</li> </ul> </li> <li>• Applicable Regulations                             <ul style="list-style-type: none"> <li>○ 5 AAC 95.420. Activities requiring a special areas permit.</li> <li>○ 5 AAC 95.700. Application procedures.</li> </ul> </li> </ul>
Certificate of Public Convenience and Necessity	CPCN is a certificate that all public utilities and pipeline carriers are required to obtain from the RCA before operating and receiving compensation for providing a commodity or service.	RCA	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ AS 42.06.140. General powers and duties: (a)(8) "The commissioner... shall require permits for the construction, enlargement in size or operating capacity, extension, connection and interconnection, operation or abandonment of any oil or gas pipeline facility or facilities, subject to necessary and reasonable terms, conditions and limitations..."</li> <li>○ 42.05.221. Certificates required.</li> </ul> </li> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 3 AAC 48.625. Pipeline carrier application. (Lists information required in application)</li> </ul> </li> </ul>

**Table 2. State Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Utility Permit	The ADOT&PF will authorize the activities reasonably required for the construction, maintenance, or operation of the utility facility in an ADOT&PF ROW.	ADOT&PF, Design and Construction Standards, Right-of-Way	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ AS 19.25.010. Use of rights-of-way for utilities.</li> <li>○ AS 19.25.200. Encroachment permits; liability.</li> </ul> </li> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 17 AAC 15.011. Utility permits.</li> <li>○ 17 AAC 15.021. Application for utility permit.</li> </ul> </li> </ul>
Encroachment Permit	Necessary before placing anything in, on, under, or over a state ROW.	ADOT&PF, Design and Construction Standards, Right-of-Way	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 17 AAC 10.010. Encroachments.</li> <li>○ 17 AAC 10.011. Types of encroachments authorized.</li> </ul> </li> </ul>
Driveway/Approach Road Permit	Required before a driveway/access road can be built that connects with a state roadway.	ADOT&PF, Design and Construction Standards, Right-of-Way	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 17 AAC 10.030. Driveway and road approach permits and utilities.</li> <li>○ 17 AAC 10.040. Technical requirements.</li> </ul> </li> </ul>
Lane Closure Permit	Required for temporary closure of a traffic lane or an entire roadway.	ADOT&PF, Design and Construction Standards, Right-of-Way	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 17 AAC 20.017. Lane closure permits.</li> </ul> </li> </ul>
Oversize/Overweight Permit	Required when oversize or overweight vehicles will be used on a state roadway.	ADOT&PF, Measurement Standards and Commercial Vehicle Enforcement, Commercial Vehicle Customer Service Center	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 17 AAC 25.320(b). Permits for oversize or overweight vehicles: "...the department will, as conditions for a permit...establish time limitations for movement, designate routes, limit the number of trips, or otherwise restrict the movement of oversize or overweight vehicles and loads. The movement of permitted oversize or overweight vehicles or loads must comply with...the department's <i>Administrative Permit Manual: Oversize and Overweight Permits</i>, revised as of December 2009, and adopted by reference."</li> <li>○ 17 AAC 25.330(a). Applications for permits.</li> </ul> </li> </ul>
Industrial Use Highway Permit	Required to operate vehicles on an industrial-use highway if the length and weight meet certain limits.	ADOT&PF	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 17 AAC 35.020. Industrial use highway permits.</li> </ul> </li> </ul>
Application for Fire and Life, Safety Plan Review	Required prior to the start of construction of any structure regulated by the State Fire Marshal.	State Fire Marshal's Office, Division of Fire and Life Safety	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 13 AAC 50.027. Non-structural plan review and approval; stop-work orders.</li> </ul> </li> </ul>
Permit to Drill (Injection Well)	Required for the development of a Class I (municipal and industrial waste) disposal well.	Department of Administration, Alaska Oil and Gas Conservation Commission	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 20 AAC 25.005 Permit to drill. (Ensures appropriate equipment is used and appropriate practices are followed to maintain well control, protect groundwater, avoid waste of oil or gas, and promote efficient reservoir development)</li> </ul> </li> </ul>

**Table 2. State Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Solid Waste Disposal Permit	Required for the operation of a solid waste disposal facility.	ADEC, Division of Environmental Health	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 18 AAC 60.210. Permit application.</li> <li>○ 18 AAC 60.245. Prompt closure.</li> <li>○ 18 AAC 60.265. Proof of financial responsibility.</li> <li>○ 18 AAC 60.800 – 18 AAC 60.860. Monitoring and Corrective Action Requirements.</li> </ul> </li> </ul>
Forest Clearing Approval	Required when state-owned/managed forest land will be cleared for project construction and operation.	ADNR, Division of Forestry	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ AS 41.17. Forest Resources and Practices.</li> </ul> </li> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 11 AAC 95.010 – 11 AAC 95.900. Forest resources and practices.</li> <li>○ 11 AAC 95.190. Applicability.</li> <li>○ 11 AAC 95.220. Detailed plan of operation.</li> </ul> </li> </ul>
Land Use Permit	Required for any use of state lands not identified as a “generally allowed use.”	ADNR, Division of Mining, Land & Water	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ AS 38.05.035(a) authorizes the director to decide what information is needed to process an application for the sale or use of state land and resources.</li> </ul> </li> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 11 AAC 96.010. Uses requiring a permit. (Lists activities for which MLUP is required)</li> <li>○ 11 AAC 96.020. Generally allowed uses</li> </ul> </li> </ul>
Material Sales Permit	Required for the extraction and sale of materials (gravel, rock, timber) from state lands.	ADNR, Division of Mining, Land & Water	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ AS 38.05.115(a). “The commissioner shall determine the timber and other materials to be sold, and the limitations, conditions, and terms of sale. The limitations, conditions, and terms shall include the utilization, development, and maintenance of the sustained yield principle, subject to preference among other beneficial uses...”</li> </ul> </li> </ul>

**Table 2. State Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
<p>Temporary Water Use Permit – filed for each water source to be used</p>	<p>May be needed if the amount of water to be used is a significant amount, the use continues for less than 5 consecutive years, and the water to be used is not appropriated. This authorization does not establish a water right but will avoid conflicts with fisheries and existing water right holders.</p> <p>A significant amount of water is defined by 11 AAC 93.035(a) and (b) as:</p> <ul style="list-style-type: none"> <li>• The consumptive use of more than 5,000 gallons of water from a single source in a single day</li> <li>• The regular daily or recurring consumptive use of more than 500 gpd from a single source for more than 10 days per calendar year</li> <li>• The non-consumptive use of more than 30,000 gpd (0.05 cubic feet per second) from a single source or</li> <li>• Any water use that may adversely affect the water rights of other appropriators or the public interest.</li> </ul>	<p>ADNR, Division of Mining, Land &amp; Water</p>	<ul style="list-style-type: none"> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 11 AAC 93.220. Procedure for temporary water use.                   <ul style="list-style-type: none"> <li>▪ (b) Details information required in an application.</li> <li>▪ (f) “The department may issue an authorization for temporary use of water subject to conditions including suspension or termination, considered necessary to protect the water rights of other persons or the public interest.”</li> </ul> </li> </ul> </li> </ul>
<p>Water Rights Permit</p>	<p>Required for a water appropriation of longer than 5 years for water that is not otherwise appropriated. A water right allows a specific amount of water from a specific water source to be diverted, impounded, or withdrawn for a specific use. When a water right is granted, it becomes appurtenant to the land where the water is being used for as long as the water is used.</p>	<p>ADNR, Division of Mining, Land &amp; Water</p>	<ul style="list-style-type: none"> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 11 AAC 93.040. Application for a water right. (Details information to be included in application)</li> </ul> </li> </ul>
<p>Right-of-Way Lease</p>	<p>Required for the construction of a common carrier pipeline across state lands.</p>	<p>ADNR, State Pipeline Coordinator's Office</p>	<ul style="list-style-type: none"> <li>• Applicable Laws:               <ul style="list-style-type: none"> <li>○ AS 38.35.050. Applications for right-of-way leases.</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 11 AAC 80.005. Applications for right-of-way leases.</li> </ul> </li> </ul>

**Table 2. State Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Archaeological Resources Protection Act Permit	Required to protect from loss or damage archaeological resources that will be excavated/removed.	ADNR, Office of History and Archaeology	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ Section 106 review requirements contained in 36 CFR 800.</li> </ul> </li> </ul>
Cultural Resource Permit	Required for the investigation, excavation, gathering, or removal from the natural state, of any historic, prehistoric, or archaeological resources of the state.	ADNR, Office of History and Archaeology	<ul style="list-style-type: none"> <li>• Applicable Laws:                             <ul style="list-style-type: none"> <li>○ AS 41.35.080. Permits: "The commissioner may issue a permit for the investigation, excavation, gathering, or removal from the natural state, of any historic, prehistoric, or archeological resources of the state..."</li> </ul> </li> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 11 AAC 16.030. Investigation and collection permits: (b) "After consultation with the state archaeologist the director may issue a permit to a qualified person for investigation, excavation, gathering and removal from the natural state of historic, prehistoric or archaeological resources of the state."</li> </ul> </li> </ul>
Minor General Permit 9 for Rock Crushers	Required for owner/operator before construction, operation, or relocation of a stationary source containing a rock crusher that has a rated capacity >5 tons per hour and emits <100 tons of a regulated pollutant.	ADEC, Division of Air Quality	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 18 AAC 50.345. Construction, minor, and operating permits: standard permit conditions.</li> <li>○ 18 AAC 50.045. Prohibitions: (d) "A person who causes or permits bulk materials to be handled, transported, or stored, or who engages in an industrial activity or construction project shall take reasonable precautions to prevent particulate matter from being emitted into the ambient air."</li> <li>○ 18 AAC 50.502(b). Minor permits for air quality protection.</li> <li>○ 18 AAC 50.560. General minor permits.</li> </ul> </li> </ul>
Open-Burning Approval Application	Required for open/prescribed burning of ≥40 acres/year.	ADEC, Division of Air Quality	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 18 AAC 50.065. Open burning.</li> </ul> </li> </ul>

**Table 2. State Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Construction Permit	<p>Used for following permitting activities:</p> <ol style="list-style-type: none"> <li>1. PSD permit (18 AAC 50.306)</li> <li>2. Nonattainment area major stationary source permit (18 AAC 50.311)</li> <li>3. Construction permit for a major source of hazardous air pollutants (18 AAC 50.316)</li> </ol> <p>Required to authorize construction of a new or modification to a major stationary source of air pollution. The major source is capable of emitting more than 250 tons per year of a criteria pollutant, defined as the following: NO<sub>x</sub>, CO, PM<sub>10</sub>, SO<sub>2</sub>, and ozone.</p>	ADEC, Division of Air Quality	<ul style="list-style-type: none"> <li>• Applicable Laws:               <ul style="list-style-type: none"> <li>○ AS 46.14.130. Stationary sources requiring permits. (Major stationary source permits)</li> </ul> </li> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 18 AAC 50.300 – 18 AAC 50.390. Article 3, Major Stationary Source Permits.</li> <li>○ 18 AAC 50.302. Construction permits.</li> <li>○ 18 AAC 50.345. Construction, minor, and operating permits: standard permit conditions.</li> <li>○ 18 AAC 50.346. Construction and operating permits: other permit conditions.</li> <li>○ 18 AAC 50.306. PSD permits: (d) "In each PSD permit issued under this section, the department will include terms and conditions                   <ul style="list-style-type: none"> <li>"(1) as necessary to ensure that the permittee will construct and operate the proposed stationary source or modification in accordance with this section, including terms and conditions consistent with AS 46.14.180 that require the permittee to                       <ul style="list-style-type: none"> <li>"(A) install, use, and maintain monitoring equipment;</li> <li>"(B) sample emissions according to the methods prescribed by the department, at locations and, intervals specified by the department, and by procedures specified by the department;</li> <li>"(C) provide source test reports, monitoring data, emissions data, and information from analysis of any test samples;</li> <li>"(D) keep records; and</li> <li>"(E) make periodic reports on process operations and emissions, and reports consistent with 18 AAC 50.235 - 18 AAC 50.240."</li> </ul> </li> </ul> </li> </ul> </li> </ul>
Title I Minor Stationary Source Air Permit	<p>Required before beginning construction of a new stationary source with a potential to emit</p> <ul style="list-style-type: none"> <li>• 15 TPY of PM<sub>10</sub>,</li> <li>• 40 TPY of nitrogen oxides,</li> <li>• 40 TPY of sulfur dioxide,</li> <li>• 0.6 TPY of lead, or</li> <li>• 100 TPY of CO within 10 kilometers of a CO nonattainment area.</li> </ul> <p>Required for an air pollutant that is not significant under 40 CFR 52.21(b)(23), adopted by reference in 18 AAC 50.040, and if a permit is not required under 18 AAC 50.311.</p>	ADEC, Division of Air Quality	<ul style="list-style-type: none"> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 18 AAC 50.502 – 18 AAC 50.560. Article 5. Minor Permits.</li> <li>○ 18 AAC 50.544. Minor permits: content. (Contains standard conditions that will be included in each permit)</li> </ul> </li> </ul>



**Table 2. State Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Title V Air Permit	Required for operation of facilities with PTE regulated air pollutant >100 TPY. Permit not issued until 1 year after construction.	ADEC, Division of Air Quality	<ul style="list-style-type: none"> <li>• Applicable Regulations:</li> <li>• 18 AAC 50.345. Construction, minor, and operating permits: standard permit conditions.</li> <li>• 18 AAC 50.346. Construction and operating permits: other permit conditions.</li> </ul>
401 Certification for 404 Permit	Any applicant for a federal license or permit to conduct an activity that may result in discharge into WOUS is required to certify that the discharge will comply with Clean Water Act, Alaska Water Quality Standards (18 AAC 70), and other applicable state laws.	ADEC, Division of Water	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 18 AAC 60.200. Permit requirement. (b) "If the department certifies an activity under 33 U.S.C. 1344 (Clean Water Act, section 404) and attaches conditions to that certification, and if the department decides that certification may be substituted for a permit required under this chapter, the department will enforce the terms and conditions of the certification in the same way it will require compliance with a permit issued under this chapter for the same activity."</li> <li>○ 18 AAC 70.005 – 18 AAC 70.990. Water Quality Standards.</li> </ul> </li> </ul>
Multi-Sector General Permit (Stormwater discharges associated with industrial activity)	Required for any facility discharging stormwater. Discharge must comply with applicable requirements set forth by 40 CFR 122.26, and adopted by reference in 18 AAC 83.010.	ADEC, Division of Water	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 18 AAC 83.010. Requirements, guidelines, and policy documents adopted by reference.</li> <li>○ 18 AAC 83.615. Stormwater discharges.</li> <li>○ 18 AAC 72.040. Discharge to sewers.</li> </ul> </li> </ul>
Alaska Pollutant Discharge Elimination System, General Permit, Contained Water	Required for any point source wastewater discharge into WOUS. Discharge must meet the purposes of AS 46.03 and be in accordance with 33 U.S.C. 1342 (Clean Water Act, Section 402) and the requirements adopted by reference at 18 AAC 83.010.	ADEC, Division of Water	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 18 AAC 83.005 – 18 AAC 83.990. Alaska Pollutant Discharge Elimination System Program.</li> <li>○ 18 AAC 83.010. Requirements, guidelines, and policy documents adopted by reference.</li> <li>○ 18 AAC 70.005 – 18 AAC 70.990. Water Quality Standards.</li> <li>○ Note: No regulations specific to contained waters identified.</li> <li>○ Discharge monitoring shall conform to methods described in 18 AAC 70.020(c).</li> </ul> </li> </ul>
General Permit for Discharges from Large and Small Construction Activities (Permit No.: AKR100000)	Required for any discharge of pollutants in stormwater associated with construction activities into WOUS.	ADEC, Division of Water	<ul style="list-style-type: none"> <li>• Applicable Regulations:                             <ul style="list-style-type: none"> <li>○ 18 AAC 83.305. Permit application forms and general information requirements.</li> <li>○ 18 AAC 83.315. Permit application requirements for manufacturing, commercial, mining, and silvicultural facilities that discharge only non-process wastewater.</li> <li>○ 18 AAC 83.360. Permit application requirements for new sources and new discharges.</li> <li>○ 18 AAC 83.405 – 18 AAC 83.560. Article 5, Permit Conditions – General.</li> <li>○ 18 AAC 83.615. Stormwater discharges.</li> <li>○ Operator may be required to submit information to the Department and/or an operator of a municipal separate storm sewer system for review prior to filing the notice of intent and commencement of construction activities.</li> </ul> </li> </ul>

**Table 2. State Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
Alaska Pollutant Discharge Elimination System, Discharge of Non-process Wastewater	Required for a new or existing industrial facility that discharges only non-process wastewater into WOUS. (Process wastewater is water that comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, waste product, or wastewater.)	ADEC, Division of Water	<ul style="list-style-type: none"> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 18 AAC 83.115. Draft permit, fact sheet, and applicant review.</li> <li>○ 18 AAC 83.120. Public notice and comment; hearing on permit; issuance of final permit.</li> <li>○ 18 AAC 83.125. Permit preparation by third-party contractors or an applicant.</li> <li>○ 18 AAC 83.160. Permit variance.</li> <li>○ 18 AAC 83.205. General permits.</li> <li>○ 18 AAC 83.210. Administration of general permits.</li> <li>○ 18 AAC 83.215. Exceptions to general permit requirement; individual permits.</li> <li>○ 18 AAC 83.305. Permit application forms and general information requirements.</li> <li>○ 18 AAC 83.315. Permit application requirements for manufacturing, commercial, mining, and silvicultural facilities that discharge only non-process wastewater.</li> <li>○ 18 AAC 83.410. Special reporting obligations: (d) Monitoring report.</li> </ul> </li> </ul>
Water System Permit and Plan Review	Required for construction, installation, alteration, renovation, operation, or improvement of a community water system, non-transient non-community water system, or transient non-community water system, or any part of one. Also, must have prior written approval of engineering plans that comply with 18 AAC 80.205.	ADEC, Division of Water	<ul style="list-style-type: none"> <li>• Applicable Regulations:               <ul style="list-style-type: none"> <li>○ 18 AAC 80.005 – 18 AAC 80.1990. Drinking Water.</li> </ul> </li> </ul>
Wastewater System Permit and Plan Review	<p>Required for construction, alteration, installation, modification, or operation of any part of a nondomestic wastewater treatment works or disposal system.</p> <p>Permit required for disposal of nondomestic wastewater into or onto land, surface water, or groundwater nondomestic (18 AAC 72.500 and 18 AAC 83).</p> <p>An engineered plan must be submitted to the Department and be approved in writing before constructing, modifying, or installing any part of a domestic wastewater collection, treatment, or disposal system. Prior approval is not required for conventional systems constructed under the Certified Installer Program (18 AAC 72.010).</p>	ADEC, Division of Water	<ul style="list-style-type: none"> <li>• <u>Applicable Regulations</u> (Nondomestic Wastewater):               <ul style="list-style-type: none"> <li>○ 18 AAC 72.005 – 18 AAC 72.990. Wastewater Treatment and Disposal.</li> <li>○ 18 AAC 72.010. Permit and plan approval requirements.</li> <li>○ 18 AAC 72.500. Permit required.</li> <li>○ 18 AAC 72.600. Application for department approval.</li> <li>○ 18 AAC 72.900. General permit.</li> <li>○ 18 AAC 72.910. Procedures for general permit.</li> <li>○ 18 AAC 72.920. Professional submittals.</li> <li>○ 18 AAC 72.930. Reports.</li> <li>○ 18 AAC 83.005 – 18 AAC 72.990. Alaska Pollutant Discharge Elimination System Program.</li> </ul> </li> </ul>

**Table 2. State Permitting Matrix**

TITLE	PURPOSE/CRITERIA	AGENCY	APPLICABLE LAWS AND REGULATIONS
<p>Class I Injection Well Wastewater Disposal General Permit (Permit No. 2010DB0001)</p>	<p>Required for any non-hazardous sanitary wastewater discharge injected into a well for disposal below lowermost underground drinking water source supply. Class I injection wells are used for deep injection of non-hazardous sanitary, domestic, or industrial fluids beneath the lowermost underground source of drinking water.</p>	<p>ADEC, Division of Water</p>	<ul style="list-style-type: none"> <li>• <b>Applicable Laws:</b> <ul style="list-style-type: none"> <li>○ AS 46.03.120. Termination or modification of waste management and disposal.</li> </ul> </li> <li>• <b>Applicable Regulations (Domestic Wastewater):</b> <ul style="list-style-type: none"> <li>○ 18 AAC 72.010. Permit and plan approval requirements</li> <li>○ 18 AAC 72.215. Permit required.</li> </ul> </li> <li>• <b>Applicable Regulations (Nondomestic Wastewater):</b> <ul style="list-style-type: none"> <li>○ 18 AAC 72.500. Permit required: (a) "In addition to the plan approval required by 18 AAC 72.600 a person who disposes of nondomestic wastewater into or onto land, surface water, or groundwater in this state must have a permit issued by the department under this chapter or under 18 AAC 83 for that disposal."</li> <li>○ 18 AAC 72.600. Application for department approval.</li> <li>○ 18 AAC 72.510. Sludge disposal.</li> </ul> </li> </ul>
<p>Notes: AAC - Alaska Administrative Code CO - carbon monoxide CPCN - Certificate of Public Convenience and Necessity gpd - gallons per day</p>	<p>MLUP - miscellaneous land use permit NOx - nitrogen oxides PM<sub>10</sub> - particulate matter less than 10 micron in size PRPA - Paleontological Resources Preservation Act</p>	<p>PSD - Prevention of Significant Deterioration PTE - potential to emit SO<sub>2</sub> - sulfur dioxide TPY - ton per year</p>	

**Table 3. Local Permitting Matrix**

Title	Purpose/Criteria	Agency	Applicable Laws and Regulations
Construction in Right-of-Way Permit	Required prior to any work taking place, including driveway installations, within the ROW of a public road.	FNSB, Rural Services Division	<ul style="list-style-type: none"> <li>FNSB Code of Ordinance 14.03. Excavation and Construction on Public Roads Within Road Service Areas.</li> </ul>
Floodplain Permit Application	For any new or substantially improved structure, alteration of a watercourse, or other development within the flood hazard area (Flood Zone A).	FNSB, Department of Community Planning	<ul style="list-style-type: none"> <li>Ordinance 15.04.040, Floodplain Permits Required.</li> <li>Required data and information contained in 15.04.050 B. through F.</li> </ul>
Land Management Regulations Permit Application (Development Permit)	Compliance with land management requirements.	NSB	<ul style="list-style-type: none"> <li>NSB Ordinances Chapters 19.30, 19.40, 19.50, 19.60, and 19.70.</li> </ul>
Land Use and/or Zoning Permits	Compliance with land use and/or zoning plans.	FNSB DB MSB	<ul style="list-style-type: none"> <li>Land Use and/or Zoning Plans.</li> </ul>
Approval from local landfill operators to deposit non-hazardous solid waste	Disposal of non-hazardous solid waste.	NSB FNSB DB MSB	<ul style="list-style-type: none"> <li>Local Ordinances.</li> </ul>