**STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES**

**DIVISION OF OIL AND GAS**



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**Guidance Document**

**AS 38.05.850 Easement**

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| **APPLICATION REQUIREMENTS** |
| The State of Alaska (State), Division of Oil and Gas (Division) issues easement on State land for roads, trails, ditches, field gathering lines or transmission and distribution pipelines not subject to AS 38.35, telephone or electric transmission and distribution lines, log storage, oil well drilling sites and production facilities for the purposes of recovering minerals from adjacent land under valid lease, and other similar uses or improvements, or revocable, nonexclusive permits for the personal or commercial use or removal of resources that the director has determined to be of limited value.The easement gives the applicant the right to conduct oil and gas activities on State land. It does not authorize activities on non-state lands. This application must be submitted, reviewed, and approved before any operations can begin on State lands. The approved easement authorizes oil and gas activities to begin on State land as defined in the permit.The Information in this application must meet two goals:* Provide sufficient detailed information of the project area and proposed activities for the Division to determine the planned activities’ effect on State lands.
* Present the information in a format that is clear and understandable to other reviewers and the public.

An application must satisfy the goals listed above to meet the minimum requirements for review. |
| **GENERAL INSTRUCTIONS** |
| 1. Use the most current Easement Application Form found on the Division of Oil and Gas website at:
2. Answer all questions. Type or print “N/A” if an item is not applicable.
3. Your application must be accompanied by the appropriate filing fee of $1500, made out to State of Alaska, DNR, DOG. You can also submit payment using our payment portal at <https://dog.dnr.alaska.gov/Payments> The fees for the DOG is effective 7/1/2018, and is available on <http://dog.dnr.alaska.gov/Services/Applications>
4. Project Development Plan that describes construction and operations of the proposed infrastructure is required. Development plan shall include:
* Maps: a USGS map at a scale of at least 1:63,360 showing the location of the proposed project; a blueline drawing or sketch, drawn to scale; and
* Written project description: a detailed written description of the intended use and level of development planned under the authorization and an explanation of the sketch or blueline drawing.
* Front end engineering design documents and/or construction execution plan and schedule
1. Email your completed application to the Division’s Permitting Section at: dog.permitting@alaska.gov.
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| **SECTION I: APPLICANT INFORMATION** |
| Provide the name, full mailing address, phone number, and email of the applicant. The applicant must be an entity licensed to conduct business in Alaska and must possess the authority to undertake the work described in the application. The applicant is the responsible party for the project. |
| **SECTION II: Land Status** |
| 1. This section addresses easement activities located on surface lands owned by the State of Alaska. Provide the meridian, township, range, and section (MTRS).
2. List the oil and gas Units the activities are taking place.
3. Surface ownership and mineral estate lessee information is available through the Alaska Mapper Application on the DNR DMLW website. By researching and providing this information the applicant is informed of additional land management activities or interests and the associated party in the area which the Division will consider during the adjudication of this application.
4. Letter of non-objection or third party commercial agreement may be necessary to initiate and complete the proposed project.
5. In Cook Inlet region there may be private ownership of land that must be considered. List all patents in the Other Consideration.
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| **SECTION III. PROJECT INFORMATION** |
| 1. Enter the project name (name designated by applicant)
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| 1. Proposed start and end date for this project. (this date is determined by mobilizing equipment, establishing staging areas or commencing any field activities subject to the permit.
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| 1. Project Activities:
2. Include a description of where the project is to occur and what type of activities are taking place. What is the purpose of the easement? e.g. well bore, flowline, gravel pads, electric utility, fiber optic conduit or cable, telecommunications tower, road, bridge, airstrip/airport, driveway, trail, drainage):
3. Enter methods of construction: e.g. regulated standards, winter trail, dirt trail, gravel road, paved road, etc.; clearing by hand, clearing/construction by mechanical equipment (state type of equipment to be used. e.g. J.D. 350, 944 F.E. loader, hydro-axe, D-8, or establishment by use only.
4. Enter the parameters of the desired easement.
5. Waste Management: Provide a description of anticipated wastes, containment, and disposal.
6. Staging and Storage Areas: Provide a description of all staging and storage areas for the project and identify on maps if known. Note: staging or storing of permit related equipment or materials may not begin prior to permit issuance and may not persist after permit expiration.
7. Airstrips and Landing Zones: Provide a description of the airstrips and landing zones associated with the proposed activities and identify on maps if known.
8. Historical Properties and Cultural Resources: Provide a description of your plans to preserve historical properties and cultural resources. List any permits issued by the State Historic Preservation Office.
9. Anadromous Fish Streams and Other Streams: Provide a description of all stream crossings for your project and identify on maps if known. List any permits applied for or issued by the Alaska Department of Fish and Game.
10. Fuel and Hazardous Substances: Provide description of toxic and/or hazardous material generation, usage, storage, transportation, contact, and disposal. Does the proposed activities involve storage tanks, either above or below ground? Where will the tank be located? What will be stored in the tank? What will be the tank’s size in gallons? What will the tank be used for? Will the tank be tested for leaks? Will the tank be equipped with leak detection devices? Do you know or any reason to suspect that the site may have been previously contaminated?

Provide description of spill response1. Air Quality: Provide description of plans to mitigate, minimize, and/or avoid impacts to air quality. Describe potential impacts to air quality.
2. Water Quality: Provide description of plans to mitigate, minimize, and/or avoid impacts to water quality. Describe potential impacts to water quality.
3. Utilities: Provide description of power source. Electricity, natural gas, fiber optics, and other.
4. Material Sites: Where is the source of gravel or other materials? What is the volume of gravel or other materials in cubic yards? How will it be transported? Where will it be staged?
5. Water Supplies: Provide description of sources, storage, disposal, and water discharge
6. Roads/Access: How will you access the site? is it from existing roads to your project area? Is it from a barge? Include construction, improvements, or necessary maintenance plan, if new roads are proposed.
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| 1. Provide a description of structures associated to the activities. For example: drilling rig, well house, or other associated infrastructure.
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| 1. Indicate whether this will be an existing use. Is the operation authorized under Unit Plan of Operations? Provide documentation.
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| 1. Is this a private or public easement?
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| 1. List all other permits or authorization required and obtained for the project.
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| 1. Rehab Plan:

Rehabilitation plan of all proposed components and operations included in the project description and the project use requirements to include:a. Infrastructure, facilities and equipment removalb. Rehabilitation and restoration activities for vegetation, habitat, impacted wildlife, and other applicable resources.DNR will determine the degree and scope of the required rehabilitation closer to the time of easement termination or surrender. |
| 9. Operating procedures designed to minimize adverse effectsDescribe operating procedures designed to prevent or minimize adverse effects on other natural resources and other uses of the project area and adjacent areas, including fish and wildlife habitats, historic and archaeological sites, and public use areas. Any training related to minimizing adverse effects. i.e. cultural awareness, wildlife awareness etc. should be included. Describe project specific procedures. |
| **SECTION IV: PERFORMANCE GUARANTY** |
| Provide the Division with performance guaranty information related to the project. The easement will not be issued until a performance guaranty, approved by the Division, is in place under 11 AAC 96.060.1. Bonded Company: This should be the same as the applicant listed above.
2. Type: The type of Bond i.e. surety bond, certificate of deposit or other.
3. Number: the identifier assigned to the bond by the Bonding Company.
4. Amount: The monetary value of the bond.
5. Bonding Company: Provide the name and complete mailing address for the company/financial institution holding the bond. Include a phone and fast number and an email address.
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| **SECTION V: INSURANCE** |
| Provide the following insurance information. This easement will not be issued until insurance which complies with AS 21 is in place under 11 AAC 96.065.1. Insurer’s Name
2. Mailing Address
3. Phone, Fax, and Email
4. Type of Insurance: Comprehensive General Liability
5. Amount of Insurance: No less than $1,000,000 per occurrence and $2,000,000 per annual aggregate.
6. Certificate of Insurance (Submit Original Certificate)

To satisfy insurance requirements, the below conditions must be met:1. In the event of cancellation, non-renewal, or material change of condition to insurance 30-day notice must be provided to the Division.
2. The insurance policy must comply with AS 21.
3. The insurance company must be licensed to transact the business of insurance under AS 21.
4. The State shall be listed as additional named insured on the policy.
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| **Appendix A: Maps** |
| Each project will have unique mapping and diagram considerations and may require a different number of maps and diagrams to clearly present the information necessary for adjudication. The maps and diagrams need to accurately convey all project components and related permitting considerations such as land status. Below are guidelines illustrating the different types of maps or diagrams that may be submitted in support of your project. These are guidelines and submissions that will be evaluated on accurate and clear presentation of necessary information. Maps and information may be combined (i.e. project component map with the surface ownership map) so long as the information presented is accurate and clear for adjudication. An example of maps not appropriately being combined: the surface owner mineral estate owner are different: the surface owner and mineral estate owner are different, the color scheme for ownership would conflict.Map Types:1. Regional location: illustrates the location of the project within the State. (This may be inset on a map)
2. Area: illustrates the general vicinity and relative location of the project to regional cities and known landmarks.
3. Project Component Map(s)/diagram(s): Indicates all portions of the proposed project and associated activities at a multiple scale(s) where site access from existing infrastructure and other items such as property lines, ADL’s, leases, easements and landmarks are clearly indicated. Include proposed site/pad layout, facilities, equipment, storage areas and other relevant structures and items necessary to conduct the proposed activities must be clear and accurate. This map/diagram should provide an increased level of detail of the immediate project area.
4. The map must indicate the easement buffer, acreage, length and width requested for construction and operation phases.
5. Surface ownership with the surface project components: state land, federal land, and other land boundaries should be indicated on the map(s) and should include utility rights-of-way and existing roads.
6. Mineral estate with subsurface project components: oil and gas ownership with lease and unit boundaries should be indicated on the map(s).

Note: additional maps, aerial imagery, diagram, schematics, or other images may be required.Information requirements for all maps and diagrams:1. Include a North arrow and scale;
2. Be printed in color;
3. Contain a legend;

Information required for at least one map or diagram, and utilized *when and where appropriate* on all maps and diagrams; these are not requirements of every map and diagram. For example, including project components and ADL numbers on a regional location map is not necessary however this information should be present on all ownership and project component maps and diagrams.1. Utilize a topographic map or aerial imagery as the base map;
2. Include Meridian, Township(s), Range(s), and Section(s);
3. Include ADL number(s);
4. Include Unit name(s);
5. Include lease and unit boundaries;
6. All communities, landmarks, facilities, and infrastructure included on submitted maps must be accurate and clearly labeled, and;
7. All property boundaries, ordinary or mean high water lines, and existing or proposed rights-of-way; major topographic features such as roads, streams, rivers, and lakes, and their geographic names.
8. Locations and dimensions of any gravel pads, or cement foundations, buildings, and other structures and improvements, appropriately labeled.
9. Locations of any buried or above-ground utility lines (power, water, fuel, natural gas, etc.); sewage facilities, including sewage and wastewater outfall point; underground water system; and water source (if any).
10. All easement components must be identifiable on the maps included with the application.
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