

Instructions for Completing NSB Land Use Permit Application

Form 200 - Commercial Recreation Permit Application

Administrative Approvals, Development Permits and Conditional Development Permits
Village, Resource Development, Conservation, & Transportation Corridor Districts

PART 1 – APPLICANT INFORMATION

Who needs a permit?

Title 19 of the North Slope Borough Municipal Code (NSBMC) requires Commercial Recreation operators to obtain a land use permit for development and uses within the North Slope Borough (NSB) boundaries. This includes the commercial provision of services in support of any of the following: hiking, hunting, camping, boating or overland water and travel, sight seeing, hotels and lodges, flying services, tour operators, the activities of guides and outfitters, and roadside services, retail stores and food services along the Dalton Highway. Activities that are only conducted along public roads (e.g. tour buses using the Dalton Highway) or only use public airports are not required to obtain this permit. NSBMC §19.20.020.

What is the permit fee?

The application fee amount depends on the type of permit. The fee amounts are as follows: Conditional Use Permits (\$500 for a 3-year term, or \$200 per year), Development Permits (\$300 for a 3-year term, or \$125 per year) and Administrative Amendments (\$100 each). Permit fees must be submitted with the permit application and are non-refundable.

When is my permit application due? How long is it valid?

Your permit application should be submitted well in advance of when you need an approved permit. Depending on the permit type, complexity, and need for public review, processing may take up to 90 days assuming no changes are made to the permit application during the review period. The permit will be valid for a three year term from the date of issue.

What happens if my application is incomplete?

Submittal of an application does not guarantee that it will be accepted by the NSB. Only applications that are determined to be entirely complete, including fee payment will be accepted. Incomplete applications will be returned to the applicant for additional information and revision.

Where can I find the NSBMC?

Title 19 of the North Slope Borough Municipal Code (NSBMC) governs zoning and land use permitting. The NSBMC can be found at <http://www.north-slope.org/departments/law/ordinances/>

Who assigns new permit numbers?

NSB will assign a permit number when your application is received. Please refer to this number in all future correspondence.

How do I renew or request an amendment to an existing permit?

A new application must be submitted to renew or amend your existing NSB Commercial Recreation Permit. Your application must include the existing NSB permit number and date of issue. NSB Commercial Recreation Permit must be renewed every three years. Minor alterations to an existing permit may be made during the three year permit term, if approved by the NSB Land Management Administrator.

Is a pre-application meeting required?

NSB requests that you contact the NSB Land Management Regulations (LMR) Manager at (907) 852-0320 to discuss your permit application prior to submittal. The LMR Manager may provide advice on how to complete the application, and will assign a Land Management Specialist to review your permit application. Depending on the complexity of your permit application, the LMR Manager may request a formal meeting via teleconference or in-person to review your application.

PART 2 – DESCRIPTION OF ACTIVITIES

What information do I need to submit to describe my activities?

You must complete Part 2 of the application form by putting an “x” in each box that applies. You must also provide a copy of your State of Alaska Business License, Master-Guide Outfitter License, Guide Use Area Registration, Transporter License, and any federal licenses required for your activities. Additional information must be attached to your application to further describe your activities (see instructions for Part 6 below).

PART 3 – Zoning District

How do I determine what zoning district I will be operating in?

NSB has several zoning districts. You must determine which districts your business operates in to determine the type of permit needed. NSB Zoning District Maps can be obtained by contacting the Geographic Information System (GIS) Division Supervisor at (907) 852-0320.

Are there different types of permits required for different zoning districts?

Yes. Development Permits are required for the Utqiagvik Zoning, Village, Conservation and Resource Development Districts. A Conditional Development Permit is required for the Transportation Corridor.

- Utqiagvik Zoning District, Village District, Conservation District or a Resource Development District. You need a permit to conduct Commercial Recreation if you run a business within any of these districts. You must obtain a Development Permit. Development Permits require an application fee (\$300 for a 3-year term, or \$125 per year) and a 20 day public notice period. Minor alterations to a Development Permit are called an Administrative Approval, require a \$100 fee and may be approved by the NSB Land Management Administrator without public review.
- Transportation Corridor District. All Commercial Recreation permits within the Transportation Corridor District require a Conditional Development Permit. These permits require an application fee (\$500 for a 3-year term, or \$200 per year), public review, and must be approved by the NSB Planning Commission. The NSB Planning Commission meets monthly.

PART 4 – PROPERTY OWNERSHIP

Do I need to show evidence of property owner approval to use private, government or Native lands?

Yes. Unless you are landowner, you must provide proof of landowner land use approval with your application. For state and federal lands, please submit a copy of a state or federal land use permit, or written consent. For private and Native lands, please submit written authorization signed by the landowner or Native Allotment Owner. Information on Native Allotments can be obtained from ICAS Reality at (907) 852-4227. The property owner approval must clearly state that your business is allowed to operate on these lands for the full term of a NSB permit. If the property owner restricts your access to a shorter term, your NSB permit will be limited to that term.

PART 5 – CERTIFICATE OF IHLC/TLUI CLEARANCE

What is a Certificate of IHLC/TLUI Clearance?

A Certificate of IHLC/TLUI Clearance is a formal approval process developed by the NSB Department of Planning and Community Services to ensure that sites listed in NSB’s TLUI are protected. The requirement to identify and protect TLUI sites is not new; however, the previous, less formal process resulted in some unintended impacts to TLUI sites. This new process will ensure that developers thoroughly study and survey the area they propose to develop, and demonstrate they have a plan to protect and respect TLUI sites. The Certificate does not constitute clearance/approval by the SHPO. You must also obtain SHPO approval to ensure Alaska Historic Resource Sites (AHRS) are protected.

Do I need a Certificate of IHLC/TLUI Clearance?

Maybe. Most Commercial Recreation Operators will not be required to obtain a Certificate of IHLC/TLUI Clearance. However, if you are a Commercial Recreation Operator proposing new construction, earth moving activities, or ice roads/pads you must apply for a Certificate of IHLC/TLUI Clearance. Please contact the NSB Cultural Resources Specialist at (907) 852-0320 to obtain a copy of NSB Application Form 500 and instructions on how to complete it.

PART 6 – REQUIRED ATTACHMENTS TO THE APPLICATION FORM

What information must I submit with my application?

All Commercial Recreation permits require public review, so it is very important that your application describe your proposed plan of operation in as much detail as possible. Complete, detailed applications expedite the permitting process. Incomplete applications will be suspended while additional information is requested to complete your application.

The following information must be submitted with your permit application before NSB will start processing your application:

Maps: Your application must include a General Vicinity Map and a Location Map, showing township, range, section, the proposed area of use, land ownership, and natural features. Private, government, and Native land ownership must be shown. One hard copy of each map or an electronic version (pdf) must be submitted.

Scope: Your application must include a written description of the proposed scope of commercial recreation activities. You must also provide a list of state and federal authorizations and permits required for your activities and their current status at the time of your NSB application. NSB has received a number of complaints about trespass on private and Native lands; therefore you must demonstrate that your activities will not impact private or Native lands or that you have approval to use that land.

Licenses: Your application must include a copy of your State of Alaska Business License, Master-Guide Outfitter License, Guide Use Area Registration, Transporter License, and any federal licenses required for your activities.

Plans: You must submit an Emergency and Medical Plan to demonstrate your ability to provide emergency and medical support to your clients.

You must submit a waste management plan to demonstrate the methods that will be used to properly dispose of human and solid waste. NSB Public Works (Service Area 10 Division) operates wastewater and landfill services within the NSB. Please contact NSB Public Works at 907-382-2621 to discuss the best way to handle your waste. NSB Service Area 10 waste facilities must be used unless otherwise permitted. Mayor approval is required for exceptions to use of Service Area 10 facilities (NSBMC Title 9). Please note that open burning of waste will not be permitted without careful review by the NSB Land Management Administrator. If you request approval to conduct open burning, your application must include a schematic or photo of the structure and equipment that will be used for open burning, a list of materials that will be burned, and site plans drawn to scale accurately reflecting on-site conditions. You must explain how you will ensure human health in the nearest village will be protected, as well as how the human health of any subsistence use hunters near your project areas during the burn will be protected. Your plan must include cleanup procedures for ash and residue at the burn site, and proper waste disposal at an authorized site. Small camp fires (less than 4' in diameter, using clean wood) are allowed when safe. Permittee is liable for any damage caused by camp fires. Small incinerators may be permitted (please provide information on the type and size of incinerator and type of waste proposed for incineration in your application).

If you are constructing temporary or permanent facilities, you must submit a copy of your design plans.

Certificate of IHLC/TLUI Clearance: If you are required to obtain a Certificate of IHLC/TLUI Clearance (please see instructions for Part 5), you must attach a copy of the certificate to your application.

Fees: Your application must include a check made payable to the North Slope Borough for the application fee. NSB will not start processing your application until this fee is received. All fees are non-refundable. Fees must be paid by corporate check or cashier's check. If paying by credit card, you must call (907)852-2611 and ask for the Cashier.

Surety Bond: Your application must include a surety bond for \$25,000 to provide funds for the NSB to use for reclamation or mitigation of any damage caused by your operations. A surety bond of up to \$25,000 is required for A copy of a \$25,000 surety bond required by NSBMC §19.30.070(A)(1-3) to provide funds for reclamation or mitigation for permits that include structures, roads, runways and fuel or chemical storage.

Insurance: Historically, commercial recreation operators have called upon NSB Search and Rescue Services to provide emergency and medical support. To ensure NSB Search and Rescue has adequate funds to support your activities, you must provide a \$100,000 liability insurance policy (under which NSB is a beneficiary), or provide proof that your company has its own emergency service capability required under your Emergency & Medical Plan. If you already have an existing business insurance policy, it is acceptable to add NSB as an additional insured party.

NSBMC Title §19.60 Analysis: A written analysis of compliance with the NSBMC Title §19.60. This is required for Conditional Development Permits only. NSB staff will provide you with more information on how to complete a NSBMC Title §19.60 analysis at your pre-application meeting.

PERMIT PROCESSING

How do I submit my application?

Signed applications must be mailed to the NSB Land Management Administrator, NSB Department of Planning and Community Services, P.O. Box 69, Utqiagvik, Alaska 99723 or emailed to NSBPermitSubmittal@north-slope.org, along with a copy of all required attachments and fee payment. You must submit (1) signed copy of the application and all attachments. NSB will not start processing the application until a signed original and payment is received at the Utqiagvik office.

Who do I call if I have a question on how to fill out this application?

Please contact the Land Management Regulations (LMR) Manager, or one of the Land Management Specialists at (907) 852-0440.

How long will it take to obtain a permit?

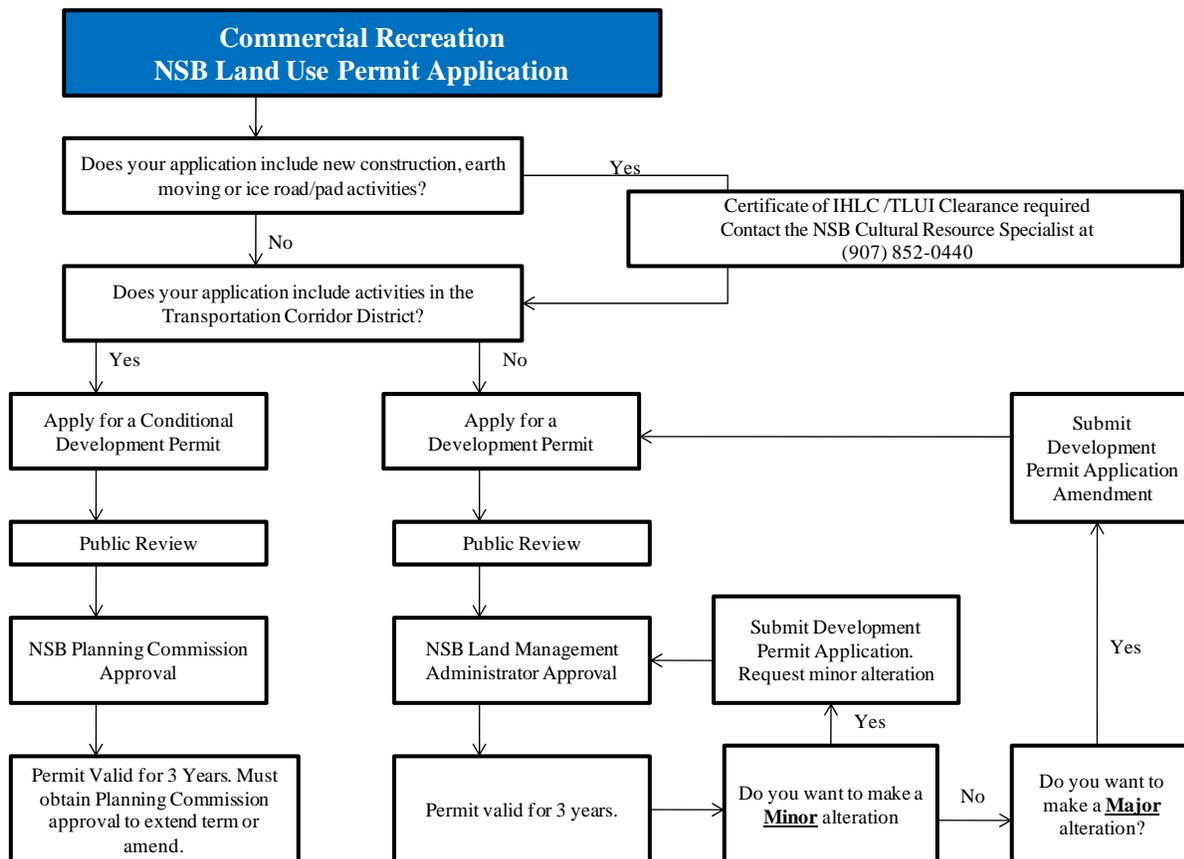
Once an application is deemed complete, it takes on average 30 days to approve a new Development Permit and 60-90 days to approve a Conditional Development Permit. Please plan your business accordingly to ensure you leave sufficient time to obtain a permit prior to start of operations. Administrative Approvals to make a minor alteration to an existing Development Permit can take 7-10 days.

How long will my permit be valid?

Your permit will be valid dependent on the type of permit applied for from the date of issue, provided you remain in compliance with the terms and conditions of your permit. If you plan to continue operations beyond the permit term, you must submit a new application to extend the permit term, at least 90 days prior to expiration.

Is there a permit process flow chart that I can refer to?

NSB has developed the process flow chart below to help you navigate the Commercial Recreation Permit requirements. Please contact the Land Management Regulations (LMR) Manager, or one of the Land Management Specialists at (907) 852-0440 if you have any additional questions.



PENALTIES

What are the penalties for non-compliance?

NSB has established a penalty schedule for Commercial Recreation Operators that do not comply with the NSB Municipal Code and permit requirements. The following penalties apply:

Failure to apply for a permit application prior to conducting land use activities.

\$2500

Violation of a permit condition, self reported within 24-hours, and resulting in no adverse impact.

\$100

Violation of a permit condition, self reported within 24-hours, resulting in adverse impact.

\$1000

Violation of a permit condition that is not self-reported and is found by NSB and confirmed by NSB.

\$5000, plus the NSB's cost to conduct the investigation, including the cost of NSB experts.