



Fact Sheet: Converting Your Federal Mining Claims to State Mining Claims

You may Elect to Convert Your Federal Mining Claim to a State Mining Claim

The Alaska Statehood Act authorized the state to select vacant, unappropriated, and unreserved federal lands for conveyance to the State of Alaska; active Federal mining claims are not available for conveyance to the State of Alaska. However, the Alaska National Interest Lands Conservations Act (ANILCA) authorized the state to ‘top file’ a state selection on lands not available.

When these lands became available, i.e., the mining claim(s) was relinquished or closed, the state could take title to them. Often, the state has already received title to the land surrounding active federal mining claims. The State of Alaska normally considers lands which contain valuable minerals as a high priority for conveyance. Historically many miners have chosen to relinquish their federal claims and operate under a state mining claim filing, but the amount of time that elapsed between relinquishment of their federal mining claims and actual conveyance to the state involved risk of losing the mining claim. During this interim period, miners could not operate either their federal mining claim (because it had been relinquished) or their state mining claim (because the state did not own the land).

Working together, BLM and the state has developed a process that nearly eliminates the “at risk” period for the miner. This process requires close coordination between the mining claimant, DMLW’s Realty Services Section, DMLW’s Regional Offices, DMLW’s Mining Section, BLM’s Conveyance Section, and BLM’s Mineral Law Division.

Do you Meet the Requirements to be Eligible for Conversion of Your Mining Claim?

- Do you own active federal mining claims in Alaska?
- Does the State of Alaska have a top-filed land selection on your mining claim(s)?
- Has the State of Alaska received conveyance to the surrounding lands, and did the Bureau of Land Management (BLM) exclude your federal mining claim from the state’s conveyance(s)?
- Are the encompassing lands open to the staking of state mining claims?

- Have you staked state mining claims over your federal mining claims in preparation for transfer of the land to the State of Alaska? And are you the senior locator?
- Has the state told you that it is willing to take title to the land?

If you can answer yes to all of these questions, you may choose to participate in the “relinquishment process” described below. This process nearly eliminates the unknown time or “at risk” period between relinquishment of your federal mining claims and conveyance of the land to the state of Alaska.

How Long Will the Conversion Process Take?

The determination and conveyance process can take a considerable amount of time to complete, depending on the need for a field inspection, issue resolution, and DNR’s workload. The process has been known to take between one to two years.

Waiver of Exclusion / Relinquishment Process

1. Contact the Bureau of Land Management, Division of Resources AK932, Attn: Mineral Law Specialist, Alaska State Office, 222 West 7th Avenue #13, Anchorage, Alaska 99513-7504. They will work with the federal mining claimant(s) to verify that their federal mining file(s) and BLM’s electronic records are current and complete, i.e., annual filings or payments have been submitted, and shows the mining claimant is authorized to sign the waiver of exclusion, and relinquishment.

Application Process

1. Contact the State of Alaska’s Mineral Property Management, 550 West 7th Avenue, Suite 900B, Anchorage, Alaska, 99501-3577 or by email at dnr.dmlw.mpm@alaska.gov, and request an application for conveyance of open federal mining claims.
2. Complete the application and obtain the requested documents as listed on the application form. This may require contacting BLM and DEC to obtain the requested reports.

3. Return the completed application along with the requested documentations to:

Department of Natural Resources
Mineral Property Management
550 W. 7th Avenue, Suite 900B
Anchorage, Alaska, 99501-3577

State of Alaska DMLW Functions

The process for various offices is as follows:

Mineral Property Management Section

1. Conduct review of the application to determine completeness.
2. Review the State and Federal Mining claims to verify ownership.
3. Determine the mineral nature of the requested lands.

Regional Land Offices

1. Review the inspection reports included in the application packet.
2. Evaluate and determine if site inspections will be required by BLM and the State.
3. Evaluate site inspection report(s) to determine any corrective actions that need to be conducted prior to recommend acceptance of the land.

Realty Services Section

1. Realty Services will undertake the agency review, including coordination with the Mining Section of DMLW and the appropriate regional land office.

2. Determine it is in the State of Alaska's best interest to accept the lands.
3. Submit a formal request for conveyance to the BLM with a copy to AK932 - BLM's Mineral Law Section.

BLM Function and Process

BLM will work with the federal mining claimant to obtain a signed Waiver of Exclusion. The Waiver must be received by BLM **prior to** an approval decision being issued for conveyance of the land to the State of Alaska. Absent any issues, or appeals, and BLM's receipt of a signed relinquishment, and at the State' directive, a final deed will be issued. *The federal mining claimant is requested to sign and date a relinquishment of their claim(s), relinquishment occurs simultaneously with the deed being signed transferring the land to the State of Alaska.*

Will I be Notified When the Process is Complete?

Once the state receives title to the land, DMLW Mining Section and the claimant are notified; and state mining claims will be activated.

Where Can I Get Answers to Questions Not Covered in this Fact Sheet?

General information can be obtained from the Division's Mineral Property Management Section:

550 West 7th Ave., Suite 900B
Anchorage, AK 99501-3577
Phone: 907-269-7889
Fax: 907-269-8949