

# General Permit Application (Wet)

FOR OPERATIONS OCCURRING IN INTERMITTENT STREAMS,  
PERENNIAL STREAMS OR OTHER BODIES OF WATER

New Mexico Department of Energy, Minerals and Natural Resources  
Mining and Minerals Division  
1220 South Saint Francis Drive  
Santa Fe, NM 87505  
(505) 476-3400

## A. Instructions for Completing Permit:

1. Please read all of the following information before filling out the attached forms.
2. Please pay special attention to the Specific Requirements for General Permit, Section B, and the Exclusions from the General Permit, Section C.
3. This form is to be filled out only if you are mining in intermittent or perennial watercourses or bodies of water.

*Watercourse means any channel having definable beds and banks capable of conducting generally confined runoff from adjacent lands. During floods, water may leave the confining beds and banks, but under normal flows water is confined within the channel. A watercourse may be perennial, intermittent, or ephemeral.*

*A **perennial watercourse** has continuous flow in parts of its bed year round, except in cases of extreme drought. An **intermittent watercourse** flows for part of the year. An **ephemeral watercourse** has flowing water during, and for a short duration after, precipitation events in a typical year.*

## B. Specific Requirements for General Permit:

1. The operation must comply with the following requirements:
  - a. The operation must not excavate greater than 2 cubic yards per day and 100 cubic yards per year;
    - (1) If excavations are less than 2 cubic yards per year and mechanized equipment is not being used, a general permit is not needed.
    - (2) If excavations exceed the limitations discussed above, then a minimal impact

operations permit may be needed.

- b. The operation must maintain a distance of at least 50 yards from other mining operations;
- c. The operation must not excavate into stream banks;
- d. The operation must not drill;
- e. The operation must regrade the disturbed area to blend into and complement the drainage pattern of the surrounding terrain upon cessation of operations;
- f. The operation must revegetate the disturbed area with a seed mix appropriate for the surrounding area upon cessation of operations;
- g. The operation must minimize erosion and sedimentation by use of best management practices;
- h. The operation must safeguard against hazards to the health and safety of humans and domestic animals;
- i. Agree that the operation is subject to inspection, enforcement and penalty provisions of Subpart 11;
- j. The operation is subject to the enforcement provisions of the New Mexico Mining Act and Rules; and
- k. The operation must comply with applicable state and federal requirements and standards.
- l. A map showing the location(s) of your proposed activities, must be included with your application submittal.

**C. Exclusions from the General Permit:**

- 1. If the proposed operation meets any of the following characteristics it does not qualify for this permit:
  - a. Located in designated critical habitat areas as determined in accordance with the Federal Endangered Species Act of 1973 or in areas determined by the Department of Game and Fish likely to result in an adverse impact on an endangered species designated in accordance with the Wildlife Conservation Act, Sections 17-2-37 through 17-2-46 NMSA 1978 or by the State Forestry Division for the Endangered Plants Act, Section 75-6-1 NMSA 1978;

- b. Located in an area with cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties;
- c. Having or expected to have a direct impact on ground water that has a total dissolved solids concentration of less than 10,000 mg/l, except exploratory drilling intersecting ground water;
- d. Expected to use or using cyanide, mercury amalgam, heap leaching or dump leaching in its operations;
- e. Located in a known cemetery or other burial ground;
- f. Located in an area designated as a Federal Wilderness Area, Wilderness Study Area, Area of Critical Environmental Concern, or an area within the National Wild and Scenic River System;
- g. Expected to result in point or non-point source surface or subsurface releases of acid or other toxic substances; or
- h. Requiring a variance from any element of the New Mexico Mining Act Regulations.

**D. Application Procedures:**

1. Complete the attached application and submit it to:

Director  
Mining & Minerals Division  
Energy, Minerals and Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, NM 87505

2. Operators must have a valid general permit prior to commencing operations.
3. This permit is valid for a period of one year once an executed copy of the permit is submitted to the Mining & Minerals Division.
4. A **\$50 fee is required** to be submitted to the Mining & Minerals Division for each permit application and renewal.
5. General Permits must be submitted for renewal at least 10 days prior to expiration.

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PERENNIAL STREAMS OR OTHER BODIES OF WATER

Project Name or Title: \_\_\_\_\_

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_(home) \_\_\_\_\_(work)

Fax: \_\_\_\_\_

Email address: \_\_\_\_\_

## 1.0 Location(s) of Operation:

Check this box if the location of your operation is within the Gold Prospectors Association of America (GPAA) Placer Creek claims AND if you are a GPAA member. ***If checked, skip to Section 5.0 of this application form.***

County: \_\_\_\_\_

Township(s): \_\_\_\_\_ Range(s): \_\_\_\_\_ Section(s) (to 1/4 section): \_\_\_\_\_

Latitude/Longitude: \_\_\_\_\_

USGS Quadrangle: \_\_\_\_\_

*Attach USGS Quadrangle (or copy) showing location(s) of site (Attachment A.)*

Claim Number(s), if applicable: \_\_\_\_\_

## 2.0 Directions to the site:

Provide directions from a known landmark. Include highways and street names and numbers.

**3.0 Name of Watercourse or Waterbody:**

Provide the names of any streams, lakes, wetlands or other waterways to be impacted by the proposed activity.

**4.0 Mineral(s) of Interest:** \_\_\_\_\_

**5.0 Mining Method(s):**

Dredge (equipment type): \_\_\_\_\_

Inlet diameter (inches): \_\_\_\_\_ *(should not exceed 2" diameter)*

Volume to be dredged (cubic yards): \_\_\_\_\_ *(should not exceed 50 cubic yards)*

Describe, in detail, the overall project and proposed activities. Include dimensions of any excavations and structures. If more space is needed, please attach extra sheet(s).

**6.0 Project Schedule:**

Provide dates and schedule of planned mining activity.

**7.0 Reasons and Types of Discharge(s):**

If the activity involves the discharge or temporary placement of material, explain the purpose of the discharge or placement.

Describe the type and amounts (cubic yards) of each material being discharged. Discharge materials include rock, sand, clay, etc.

**8.0 Adverse Water Quality Impacts:**

Describe any adverse water quality impacts that may result from the proposed activity (*i.e.* increased turbidity [cloudy water] or erosion).

How long will the expected impact occur?

Describe the Best Management Practices (practices used to reduce the amount of sediment getting in the stream channel) to be employed.

Describe any measures that will be employed to mitigate/reduce impacts on water quality.

**9.0 Previous Mining/Prospecting Experience**

**10.0 Mining Club Affiliation(s), if any:**

**Signature**

I have read and understand this permit and I agree to meet all conditions and requirements listed in this permit prior to expiration of this permit. I agree to allow the Director or their authorized representative to inspect the operation.

\_\_\_\_\_  
**Applicant**

\_\_\_\_\_  
**Date**