

RULES, REGULATIONS AND PROCEDURES

PERTAINING TO GRANTING LEASES AND PERMITS FOR THE TAKING OF SAND AND GRAVEL, MINERALS, AND TIMBER FROM STATE-OWNED LANDS

Pursuant to authority delegated under the laws of the State of Arkansas and particularly under the provisions of Act 509 of 1993, of the Arkansas General Assembly, the following rules, regulations, and procedures are issued and promulgated by the Commissioner of State Lands as being reasonably necessary to govern, control, and administer the authority contained in the Natural Resources Acts, and in general, to carry out the provisions of the laws of the State of Arkansas. These rules, regulations, and procedures are designed to implement and clarify the aforementioned Act.

1. Scope

These rules, regulations, and procedures shall apply to all beds and bars, navigable rivers and lakes in the state and all other lands or interests in lands, excluding tax forfeited lands and minerals, held in the name of the State of Arkansas or any agency, department, or institution of the State.

2. Definitions

- (a) Unless the context specifically requires otherwise, any words or terms and phrases used herein are used as defined or applicable in Act 509 of 1993.
- (b) “Division” shall mean the Natural Resources Minerals Division.
- (c) “Commissioner” shall mean the State of Arkansas Commissioner of State Lands.

- (d) “Natural Resources Committee” shall mean the Director of the Department of Finance and Administration, the State Forester, the Director of the Oil and Gas Commission, the State Geologist, the director of the Natural Resources Commission, the Director of the Game and Fish Commission, the Director of Parks and Tourism, the Director of the Department of Environmental Quality, the Director of the Natural Heritage Commission and the Commissioner of State Lands, with the Commissioner of State Lands as chairman.
- (e) “State Agency” shall mean constitutional office, department, commission, board, council, committee, or institution of the executive department of the State of Arkansas.
- (f) “Applicant” shall mean person, firm, company, corporation or association.
- (g) “Day” shall mean one calendar day.
- (h) “Commercial Production” shall mean the physical extraction or severance of specified natural resources for marketing purposes.
- (i) “Interested Person” shall mean the person submitting an application for a lease or a permit for himself/herself, firm, company, corporation, or association.
- (j) “Fees” shall mean monetary assessment for application; for processing and for assignments. An applicant and/or bidder will not pay both application and bid fee (\$500.00 application and \$500.00 bid fee), only the fee associated with the appropriate filing process. A processing fee of \$150.00 shall be paid for all assignments of leases or interests therein. Since permits are non-transferable, assignment fees are non-applicable to permit.

3. Application

- (a) Any interested person shall file a written application by using forms prescribed by the Division.
- (b) The application should be filed with the Commissioner of State Lands, Natural Resources Minerals Division, Room 109, State Capitol Building, Little Rock, Arkansas 72201. All applications must be completed in conformance with the Rules and Regulations of the Committee, and the stipulation of the Division before the application will be accepted for filing by the Commissioner. An application shall contain a description and a plat of the permit or lease sought.
- (c) An oil and gas lease application shall not exceed 1,500 acres. An application for highway right-of-way is limited to five (5) miles. An application for a sand and gravel permit must not exceed five (5) river miles per application.
- (d) An application fee per application must be submitted with the application to cover administrative costs.
- (e) Upon receipt of a completed application, the Division shall determine whether issuing a permit or lease would be in the best interest of the State of Arkansas, and if so, a bid number will be assigned to the application and applicant notified of receipt of such.
- (f) The description of the property in question shall be circulated to all specified state agencies and any additional agencies that may have an interest in the lands specified in the application. A time period of ten (10) days is allowed to receive comments or objections from agencies.

- (g) If there are no objections to issuing a lease or permit, and written consent has been received from the agency holding title on the property, the application shall be scheduled for review by the Committee.

4. Committee Meeting

If there are no objections to the issuance of a lease or permit, the Commissioner shall set a reasonable time and place for the Committee to review the application and make recommendations to the Commissioner to advertise for sealed bids and set minimum terms and conditions for various types of permits and leases. Each applicant must be notified of the meeting, but is not required to attend.

5. Notice

- (a) The Division shall have a notice published in a newspaper of general circulation in this State for no fewer than three (3) consecutive days, and a newspaper of general circulation in the county or counties in which the property is located for not less than one (1) day.
- (b) The notice shall include:
 - (1) The time, place of meeting, and type of application.
 - (2) A legal description, and conditions prescribed for such lease or permit.
 - (3) The minimum lease bonus, royalty rental, and the maximum terms.
 - (4) The application bid number, date, and time of bid opening.
- (c) The applicant shall file a sealed bid with the Division within twenty (20) days of the date of such publication.
- (d) A bid information sheet, bid form, envelope, and instructions shall be mailed to the original applicant,

all names on appropriate mailing list, and to all persons inquiring or requesting information.

6. Notice of Award

On the date specified in the advertisement and bid information sheet, the sealed bids received by the Division shall be opened and an award made to the qualified bidder offering the bid that is in the best interest of the State. The successful bidder will be notified and sent the lease to complete and return with minimum lease bonus. Unsuccessful bidders shall be notified of the successful bid and terms of offer.

7. Minimum Royalties and Terms

Each lease or permit issued by the Division shall be for a specified term as may be determined by the Commissioner, and shall require that a lease or permit shall automatically terminate unless commercial production is commenced within the prescribed time. In cases of oil and gas leases, if the drilling program is successful and commercial quantities of oil or gas are found, the lease will be extended for as long as commercial production continues. Once production ends, and after the primary term ends or the lease is surrendered, any rights to underground minerals granted in the lease revert to the State of Arkansas.

8. Transferability

Leases are only transferable with the approval of the Commissioner. Permits are nontransferable.

9. Renewal

Upon the expiration of a lease or a permit, the lease or permit shall not be renewed or reissued.

10. Cancellations

- (a) Grounds for the cancellation of leases and permits shall be as follows:
 - (1) Transferal of leases without the approval of the Commissioner.
 - (2) Non-payment of severance taxes, royalties, or rental.
 - (3) Failure to commence reasonable commercial production within specified time period or cessation of commercial production within the specified time as prescribed in the lease or permit after such production is initiated.
 - (4) Failure to file monthly itemized production reports with the Division.
 - (5) Violations of the regulations of lease or permit provisions.
 - (6) If the State of Arkansas needs the property covered by the lease, it may be terminated at any time. Should the lease or permit be terminated by the State, a claim for damages may be made to compensate for out-of-pocket expenses.
- (b) The Commissioner will give written notice to the lessee or permittee that the lease or permit will be revoked or terminated within fifteen (15) days, if the Natural Resources Minerals Division does not receive a request for a hearing.

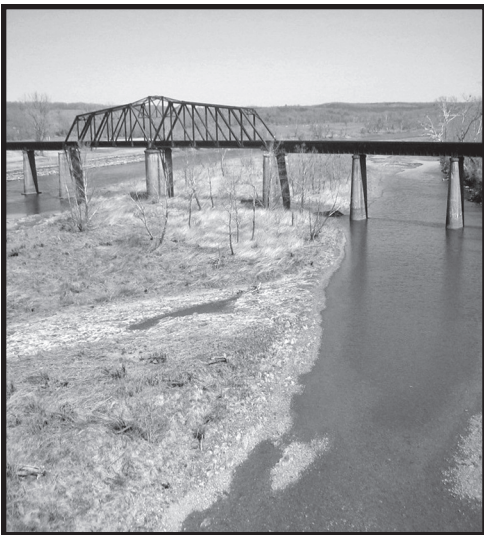
11. Penalties

- (a) Any interested person removing any sand, gravel, oil, natural gas, casinghead gas, or other minerals, or any timber from State-owned lands without first obtaining a lease or permit to do so from the Division shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine, and each day of unauthorized taking shall constitute a separate offense.

- (b) The State of Arkansas may bring suit to recover the value of the sand, gravel, oil, natural gas, casinghead gas, or other minerals or timber illegally removed, as well as all severance taxes and royalties due as a result of such removal.

12. Power, Responsibilities of the Commissioner of State Lands

- (a) Shall promulgate any rules or regulations necessary to carry out the purpose of Arkansas Codes, Annotated, §§ 22-5-801-22-5-813 and Act 509 of 1993.
- (b) May conduct a continuous check of the operations of lessees and permittees.
- (c) Shall be authorized to require the posting of a corporate surety bond by any lessee or permittee.
- (d) Shall grant or deny an application, permit, or lease to properly protect the interests of the State, provided that no lease or permit is granted on interests held in the name or managed by a state agency without the written consent of such agency.



Act 509 of 1993

SECTION 1

§22-5-801. Leases and permits- Purpose of this section and §§ 22-5-802 - 22-5-813.

- (a) It is the purpose and intent of this section and §§ 22-5-802-22-5-813 to charge the office of the Commissioner of State Lands with the authority and responsibility for considering applications for and granting leases and permits for the taking of sand, gravel, oil, natural gas, casinghead gas, coal and other minerals, and timber or logs from the beds and bars of navigable rivers and lakes in this state or from any other lands or interests in lands held in the name of the State of Arkansas or any state agency or institution, excluding tax-forfeited lands and minerals, and to supervise activities on state-owned lands by lease holders and permittees.
- (b) As used in this subchapter, “log” means a bulky piece or length of unshaped timber, a length of a tree trunk ready for sawing, or a portion of the trunk of a felled tree that is sunken on the bed of submerged land owned by the State of Arkansas.

§22-5-802. Leases and permits - Exemptions for state agencies.

- (a) The provisions of this section and §§ 22-5-801 and 22-5-803 - 22-5-813 shall not be applicable to the severance, sale, or other disposition of sand, gravel, timber or logs, or minerals salvaged, severed, or removed by a state agency from lands held in the name of or managed by the agency if the sand, gravel, timber or logs, or minerals are salvaged, severed, or removed in the course of managing, developing, and approving the lands by the state agency. This exemption shall not apply to sales for commercial purposes.

- (b) Any state agency, department, or institution or any county, municipality, or other division of government desiring to sever or take any sand, gravel, timber or logs, or minerals from any lands held in the name of or managed by the state or a state agency or from the beds and bars of rivers in the state, other than lands held in the name of or managed by the agency or division of government so desiring, shall obtain a permit to do so from the Commissioner of State Lands Office but shall not be required to comply with the bid procedures contained in §§ 22-5-801 - 22-5-813 or to pay any fee, royalty, or taxes otherwise required by §§ 22-5-801 - 22-5-813.
- (c) The provisions of this section and §§ 22-5-801 and 22-5-803 - 22-5-813 relating to the authority to lease and permit lands held in the name of or managed by the Arkansas State Game and Fish Commission shall not be applicable to the lands of that agency. The Arkansas State Game and Fish Commission shall retain control over the procedures for awarding and shall retain the authority over the issuance of leases for the mineral rights and of permits for the rights to produce and sever minerals from lands held in their name or managed by them. Provided, that the Arkansas State Game and Fish Commission shall use the same requirements, procedures, standards, and methods required under §§ 22-5-801 - 22-5-813 for other state agencies to lease mineral rights and to issue permits to produce and sever minerals.

§22-5-803. Leases and permits - Penalties.

- (a) If any person, firm, company, corporation, or association shall remove any sand, gravel, oil, natural gas, casinghead gas, coal or other minerals, or any timber or logs from the beds or bars of navigable rivers and lakes in this state or from any other lands or interest in lands held in the name of the State of Arkansas without first obtaining a lease or permit

to do so from the Commissioner of State Lands Office, that person, firm, company, or corporation shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than three hundred dollars (\$300) and not more than one thousand dollars (\$1,000). Each day of unauthorized taking shall constitute a separate offense.

- (b) In addition to the fine mentioned in subsection (a) of this section, the State of Arkansas may bring suit in the name of the state to recover the value of the sand, gravel, oil, natural gas, casinghead gas, coal or other minerals or timber or logs which have been illegally removed, as well as all severance taxes and royalties due as a result of the removal.

§22-5-804. Leases and permits - Natural Resources Committee - Arkansas State Game and Fish Commission

- (a) The Natural Resources Committee created by this section shall be composed of the Director of the Department of Finance and Administration or his designee, the Director of the Oil and Gas Commission, the State Geologist, the State Forester, the Director of the Arkansas Natural Resources Commission, the Commissioner of State Lands, the Director of the Arkansas State Game and Fish Commission, the Director of the Department of Parks and Tourism or his designee, the Director of the Arkansas Department of Environmental Quality, and the Director of the Arkansas Natural Heritage Commission.
- (b) The chairman of the committee shall be the Commissioner of State Lands.
- (c) The committee shall establish a schedule of minimum fees and royalties, as well as the terms and conditions for various types of permits and leases.

No permit or lease shall be granted for less than the minimum prescribed in the schedule.

- (d) The committee shall have the authority to change the schedule of minimum fees and royalties and the terms of permits and leases.
- (e) The Arkansas State Game and Fish Commission shall have the authority for all lands held in the name of and managed by their agency:
 - (1) To establish a schedule of minimum fees and royalties, as well as terms and conditions for various types of permits and leases for Arkansas State Game and Fish Commission lands;
 - (2) To take bids on and to award the leases and permits to produce or sever minerals from those lands and to set up application procedures and fees for those leases and permits;
 - (3) To set the length of time for leases or permits to expire and the terms and conditions for their transfer or renewal;
 - (4) To set the minimum fees and royalties for leases and permits and to insure that severance taxes on minerals from such leases or permits are paid to the proper agencies; and
 - (5) Shall have such other duties, responsibilities, and authority required for the issuance of mineral leases and permits under §§ 22-5-801 - 22-5-812 for other state lands.

§22-5-805. Leases and permits - Requirements - Application - Terms.

- (a) No person, firm, company, corporation, or association shall take any sand, gravel, oil, natural gas, casinghead gas, coal or other minerals, or sever any

timber or logs, from the beds or bars of navigable rivers and lakes in this state or from any other lands or interest in lands held in the name of the State of Arkansas or any agency, department, or institution of the state, excluding tax-forfeited lands and minerals, unless that person shall have first procured a lease or permit to do so from the Commissioner of State Lands Office.

(b) (1) Any person, firm, company, corporation, or association desiring to take sand, gravel, oil, natural gas, casinghead gas, coal or other minerals, or sever any timber or logs, from state-owned lands shall make application for a lease or permit to do so to the Commissioner of State Lands Office.

(2) Each application shall be on forms prescribed by the Commissioner of State Lands Office and shall contain such information as shall be prescribed by the Commissioner regarding the applicant and the business of the applicant, the sand, gravel, minerals, or timber or logs proposed to be removed from the lands under the lease or permit, and such other information as the Commissioner shall deem necessary and appropriate to properly protect the interest of the state and to assure that the leaseholder will in good faith carry out all his responsibilities under the lease or permit.

(c) (1) Every lease or permit issued under the provision of this section and §§ 22-5-801 - 22-5-804 and 22-5-806 - 22-5-813 shall define the limit of the area from which the lessee or permittee shall be permitted the exclusive right to take sand, gravel, minerals, or timber or logs designated in the lease or permit.

(2) Each lease or permit issued by the Commissioner under the provisions of this section and §§ 22-5-801 - 22-5-804 and 22-5-806 - 22-5-813 shall be for a specific term as may be determined by the

Commissioner of State Lands; shall require that reasonable commercial production of the sand, gravel, mineral, or timber or logs covered by the lease or permit shall commence within a specified period of time as determined by the Commissioner; and shall provide that the lease or permit shall automatically terminate unless commercial production is commenced within the time prescribed unless the time is extended by the Commissioner upon a showing that expenses have been incurred and actual operations are in the process of completion for the commercial production of the oil, natural gas, casinghead gas, sand, gravel, coal or other minerals, or the severance of timber or logs under the lease or permit.

- (d) Once reasonable commercial production is commenced under any lease or permit issued under the section and §§ 22-5-801 - 22-5-804 and 22-5-806 - 22-5-813, the lease or permit shall automatically terminate if commercial production is discontinued for a period of six (6) months or such other period as may be prescribed in the lease.

§ 22-5-806. Leases and permits - Offer to pay minimums - Notice - Award.

- (a) Any person applying for a lease or permit under the provisions of this section and §§ 22-5-801 - 22-5-805 and 22-5-807 - 22-5-813 shall offer in the application to pay at least the minimums prescribed in the schedule for the lease or permit.
- (b) (1) Upon receipt of an application for a lease or permit, the Commissioner of State Lands Office shall determine whether issuing a permit or lease would be in the best interests of the State of Arkansas. If so, the Commissioner, within ten (10) days after that determination, shall cause to be published in a newspaper of general circulation in this state for no fewer than three (3) consecutive days, and in a newspaper of general circulation in the county

or counties in which the property is located for not less than one (1) day, a notice that an application has been filed.

(2) The notice shall contain a description of the permit or lease sought, the minimum fee or royalty, and the terms and conditions prescribed for the permit or lease and shall state that persons may bid on the lease or permit by filing a sealed bid in writing with the Commissioner of State Lands Office within the time specified in the publication.

(3) All bids shall be submitted not less than twenty (20) days from the last day of publication.

(c) (1) If no other bids for the lease or permit are filed with the Commissioner within the specified time period, the lease or permit may be awarded to the person applying therefor.

(2) If other bids are received, the lease or permit may be awarded to the highest bidder, but if two (2) or more bids are, in the judgment of the Commissioner, reasonably close, the Commissioner may require an open auction between the high bidders.

(3) After the bidding process is completed, the Commissioner, with the recommendations of the Natural Resources Committee, may reject all offers considered unreasonable or may establish terms considered reasonable and in the best interest of the state which the highest bidder may accept, without further advertising by the state.

§22-5-807. Leases and permits - Notice to, and recommendations from, interested agencies.

(a) When an application for a lease or permit is filed with the Commissioner of State Lands for the taking or production of any sand, gravel, oil, natural gas, casinghead gas, coal or other minerals, or the

severance of any timber or logs, from state-owned lands, the Commissioner shall so notify the Geological Commission, the Arkansas Natural Resources Commission, the Oil and Gas Commission, the Arkansas State Game and Fish Commission, the Department of Parks and Tourism, the Arkansas Department of Environmental Quality, the Arkansas Forestry Commission, and any other appropriate state agency which has or may have a particular interest in the area proposed to be covered by the lease or permit.

- (b) Any interested agency shall have an opportunity to investigate the proposed production or taking of sand, gravel, or minerals or the severance of timber or logs under the lease or permit and to report its findings and recommendations to the Commissioner of State Lands Office, including any recommendations for conditions or limitations to be imposed on the lessee or permittee with respect to the production of sand, gravel, minerals, or the severance of timber or logs under the lease or permit, within the time specified in the notice.
- (c) The Commissioner of State Lands may deny an application or may grant a permit or lease subject to such conditions and requirements as he deems appropriate to properly protect the interests of the State of Arkansas.
- (d) No permit or lease shall be granted in interests held in the name of or managed by a state agency or institution without the written consent of the agency or institution.
- (e) The issuance of a permit or lease shall not be unreasonably delayed or denied without justifiable cause.

§22-5-808. Leases and permits - Records - Fees - Disposition of funds.

- (a) The office of the Commissioner of State Lands shall maintain a permanent record of all leases and permits issued under this section and §§ 22-5-801 - 22-5-807 and 22-5-809 - 22-5-813.
- (b) (1) The person, firm, company, corporation, or association making application or filing a competitive bid for a lease or permit with the State of Arkansas shall pay a fee to cover the cost of processing its application.
- (2) The amount of the fees shall be set by the Commissioner of State Lands and shall be deposited in the State Treasury as cash funds and credited to the Severed Resources Fund.
- (c) (1) The funds shall be used to pay for the advertising, processing, and recording of applications received.
- (2) Fund balances in the Severed Resources Fund in excess of five thousand dollars (\$5,000) on June 30 of each year shall be transferred and credited to the General Revenue Allotment Reserve Fund no later than August 15 following.

§22-5-809. Leases and permits - Monthly statements - Payment of severance tax.

- (a) (1) Every person obtaining a lease or permit under this section and §§ 22-5-801 - 22-5-808 and 22-5-810 - 22-5-813 shall keep an accurate record and account of all sand, gravel, oil, natural gas, casinghead gas, coal and other minerals taken and all timber or logs severed from the land covered by the lease or permit and shall file with the Revenue Division of the Department of Finance and Administration monthly an itemized verified statement of the total

conventional weight or volume of any and all minerals and timber or logs taken under the lease or permit during the preceding month. The reports shall be made on forms prescribed by the Revenue Division of the Arkansas Department of Finance and Administration.

(2) Every person obtaining a lease or permit under this section and §§ 22-5-801 - 22-5-808 and 22-5-810 - 22-5-813 shall keep an accurate record and account of all sand, gravel, oil, natural gas, casinghead gas, coal and other minerals taken and all timber or logs severed from the land covered by the lease or permit and shall file with the Commissioner of State Lands Office monthly an itemized verified statement of the total number of tons of sand and gravel, barrels of oil, thousands of cubic feet of natural gas and casinghead gas, tons of coal, and the conventional weight or volume of any and all other minerals and timber or logs taken under the lease or permit during the preceding month. These reports shall be made on forms prescribed by the Commissioner.

(b) (1) At the time of filing the reports, the lessee or permittee shall pay the severance tax to the Department of Finance and Administration in the same manner and at the same rate as all other severance taxes collected by the Revenue Division of the Department of Finance and Administration.

(2) The lessee or permittee shall also pay monthly to the Commissioner of State Lands Office royalties on the amount of actual consideration for the sand, gravel, minerals, or timber or logs taken or severed from the state-owned lands under the conditions of the lease or permit issued by the Commissioner of State Lands.

(3) The Commissioner of State Lands shall further be authorized to require the posting of a corporate surety bond by any lessee or permittee to guarantee the payment of the taxes, royalties, and consideration.

(c) (1) Except for application and bid fees, all funds received by the Commissioner of State Lands Office as fees, compensation, or royalties for leases or permits issued for the taking of any sand, gravel, minerals, or timber for lands owned or held in the name of a state agency or institution shall be special revenues and shall be deposited in the State Treasury and credited to the fund or account from which the agency or institution receives its support.

(2) Except for application and bid fees, all funds received by the Commissioner of State Lands for leases or permits for the taking of any sand, gravel, minerals, or timber from all other state-owned lands shall be deposited in the State Treasury as general revenues.

(3) Except for application and bid fees derived from the removal of logs, all funds received by the Commissioner of State lands for leases or permits for the taking of logs from lands owned or held in the name of the state shall be deposited as cash funds in the State Treasury for the Land Department. The Commissioner of State lands shall distribute cash revenues deposited in the State Treasury for the Land Department to counties from which logs were removed in accordance with the value of the logs as determined by the Commissioner of State lands.

(4) All funds received by the Arkansas State Game and Fish Commission as fees, compensation, or royalties, including any application or bid fees, for leases or permits issued for the taking of any minerals for land held in the name of the Arkansas

State Game and Fish Commission shall be special revenues and shall be deposited in the State Treasury and credited to the Game Protection Fund for the use of the commission.

§22-5-810. Leases and permits - Liability - Transferability - Renewal.

- (a) Each person, firm, company, corporation, association, or other business entity holding a lease or permit for the taking or production of any sand, gravel, timber or logs, minerals, or other natural resources shall be absolutely liable for all severance taxes, royalties, and actual consideration for all the sand, gravel, or minerals produced or timber or logs severed under the lease or permit regardless of whether the lessee or permittee is actually producing or severing the minerals or timber or logs from the land.
- (b) (1) All leases issued under the authority of this section and §§ 22-5-801 - 22-5-809 and 22-5-811 - 22-5-813 shall be transferable only with the approval of the Commissioner of State Lands.
- (2) Any lease transferred in violation of subdivision (b)(1) of this section shall be subject to cancellation by the Commissioner.
- (3) All permits issued under the authority of this section and §§ 22-5-801 - 22-5-809 and 22-5-811 - 22-5-813 shall not be transferable.
- (c) Upon the expiration of any lease or permit issued under the authority of this section and §§ 22-5-801 - 22-5-809 and 22-5-811 - 22-5-813, the lease or permit shall not be renewed or reissued.

§22-5-811. Leases and permits- Existing ones to continue.

Any person, firm, company, corporation, state agency, or other business entity holding a lease or permit on March 21, 1975, for the taking or production of any sand, gravel, minerals, or timber or logs from state-owned lands shall be permitted to continue to take or produce sand, gravel, minerals, or timber or logs from state-owned lands in accordance with such existing lease or permit.

SECTION 2

§22-5-812. Leases and permits - Rules and Regulations

- (a) The Commissioner shall promulgate any rules and regulations which may be deemed necessary to carry out the provisions of this section and §§ 22-5-801 - 22-5-811 and 22-5-813.
- (b) The Commissioner shall include in the rules and regulations all grounds and conditions for the revocation or termination of any lease or permit issued under this section and §§ 22-5-801 - 22-5-811 and 22-5-813 and shall provide for reasonable notice to the lessee or permittee of an opportunity to be heard prior to terminating or revoking any lease or permit.
- (c) The Arkansas State Game and Fish Commission shall promulgate rules and regulations necessary to lease mineral rights and to issue permits to produce and sever minerals on Arkansas State Game and Fish Commission lands in conformity with the requirements, procedures, standards, and methods as provided in §§ 22-5-801 - 22-5-813.

- (d) All rules and regulations currently in effect shall inure to the Commissioner of State Lands for the implementation of this act.

§22-5-813. Leases and permits - Compliance with this section and §22-5- 801-22-5-812.

The Commissioner of State Lands Office may conduct a continuing check of the operations by lessees or permittees to assure that each lessee or permittee is meeting all the requirements and complying with the conditions of the lease or permit and the provisions of this section and §§ 22-5-801 - 22-5-812.

§22-5-814. Removal of sand and gravel from navigable waters.

- (a) Sand and gravel may be removed from the beds or bars of any navigable river or lake by the Arkansas State Highway and Transportation Department, any county or road district, or any federal agency to be used for road building or maintenance, without paying the State of Arkansas any amount whatsoever.
- (b) All persons, firms, or corporations taking or removing sand or gravel from the beds or bars of any navigable river or lake within the State of Arkansas and selling the sand or gravel for commercial gain to the Arkansas State Highway and Transportation Department, to any county or road district, or to any federal agency for the purpose of road construction or maintenance and all highway contractors who remove sand or gravel from the beds or bars of any navigable river or lake within State of Arkansas for the purpose of road building or maintenance shall be required to pay to the State of Arkansas the customary royalties as provided by law.

- (c) Any person, firm, or corporation taking or removing sand or gravel from the beds or bars of any navigable river or lake within the State of Arkansas, to be used in road building, shall keep a detailed account of all gravel or sand so removed.
- (d) A copy of the account shall be filed with the Commissioner of State Lands, a copy with the county judge of the county where the sand or gravel is taken and removed, and a copy shall be retained by the person removing the sand or gravel.



Natural Resources Committee

Commissioner of State Lands
109 State Capitol Building
Little Rock, AR 72201
(501) 324-9422

Arkansas Department of Finance &
Administration
1509 West 7th Street
Little Rock, AR 72201
(501) 682-2242

Arkansas Forestry Commission
3821 West Roosevelt Drive
Little Rock, AR 72204
(501) 296-1940

Arkansas Oil and Gas Commission
2215 West Hillsboro
El Dorado, AR 71731
(870) 862-4965

Arkansas Geological Commission
3815 West Roosevelt Road
Little Rock, AR 72204
(501) 296-1877

Arkansas Game & Fish Commission
#2 Natural Resources Drive
Little Rock, AR 72205
(501) 223-6300

Arkansas Department of Parks & Tourism
One Capitol Mall
Little Rock, AR 72201
(501) 682-2535

Natural Resources Committee Cont'd

Arkansas Department of Environmental Quality
8001 National Drive
Little Rock, AR 72209
(501) 682-0744

Arkansas Natural Heritage Commission
1500 Tower Building - 323 Center Street
Little Rock, AR 72201
(501) 324-9619

Arkansas Natural Resources Commission
101 East Capitol – Suite 350
Little Rock, AR 72201
(501-682-1611)



**COMMISSIONER
OF STATE LANDS**

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Commissioner of State Lands Office