



Environmental Permits

Environmental Permits are all of those processes a concessionaire (natural, legal, private or public person) must undergo before the environmental authority to access the use, utilization, or mobilization of Renewable Natural Resources or for the development of projects, constructions or activities of equipment and infrastructure within a jurisdiction.

Which are the environmental permits related with the mining activities?

- ❖ Environmental License
- ❖ Underground Water Prospecting and Exploitation Permit
- ❖ Surface Waters Concession
- ❖ Underground Waters Concession
- ❖ Forestry Exploitation
- ❖ Wastewater Release Permit
- ❖ Atmospheric Emissions permit
- ❖ Water Course Occupation Permit

Where should the Environmental Permits be requested?

Depending on the exploitation project, environmental licenses and permits must be requested to ANLA or to CAR in the corresponding jurisdictions of the project as indicated as follows:

JURISDICTION FOR GRANTING ENVIRONMENTAL PERMITS AND LICENSES		
	ANLA	CAR
Coal	If the exploitation project is equal or higher than 800,000 Tons/year	If the exploitation project is less than 800,000 Tons/year
Construction materials and clays or non-metallic industrial minerals	If the exploitation project is equal or higher than 600,000 Tons/year for clays, or equal to 250,000 m ³ /year for other construction materials or non-metallic minerals	If the exploitation project is less than 600,000 Tons/year for clays or less than 250,000 m ³ /year for other construction materials or non-metallic minerals
Metallic minerals and precious and semi precious stones	If the total useful and sterile material removal project is equal or higher than 2,000,000 Tons/year	If the total useful and sterile material removal project is less than 2,000,000 de Tons/year
Other minerals and materials	If the mineral exploitation project is equal or higher than 1,000,000 Tons/year	If the mineral exploitation project is equal or less than 1,000,000 Tons/year

Legal References

Decree 1541 of 1978

Decree 2820 of 2010

Act 373 of 1997





Environmental License

What is an Environmental License?

An Environmental License is a permit granted by the competent environmental authority to implement any project, work, or activity that may produce serious deterioration of the renewable natural resources or the environment, or modify in a serious way the landscape.

An Environmental License implies all the permits, authorizations and/or concessions to use, utilize, and/or affect renewable natural resources, necessary for the lifespan of the project, work, or activity.

When is it necessary to request an Environmental License?

An Environmental License is mandatory for constructing, mounting and exploring, utilizing, transporting activities, among other additional exploratory activities during the mining exploitation phase. The license must be requested once the exploration phase has concluded.

Necessary information to request an Environmental License	
1.	Details of the applicant: Legal representative or Proxy
2.	Details of the Project, Work or Activity: <ul style="list-style-type: none"> <input type="checkbox"/> Name of the project, work of activity <input type="checkbox"/> Sector <input type="checkbox"/> Type of project <input type="checkbox"/> Brief description of the project, work or activity <input type="checkbox"/> Value of the project <input type="checkbox"/> List of environmental permits and formalities required <input type="checkbox"/> Ethnic communities <input type="checkbox"/> Impact on the special management areas <input type="checkbox"/> Category <input type="checkbox"/> Location of the special legal regimen project
3.	Attachments <ul style="list-style-type: none"> <input type="checkbox"/> Previous concept of environmental alternative diagnosis <input type="checkbox"/> Project, work or activity location PGAC plan <input type="checkbox"/> Duly authorized power if acting through a proxy <input type="checkbox"/> Certificate of Incorporation and Legal Representation (legal entities) <input type="checkbox"/> Description that includes at least the location, size, and estimated investment costs of the operation <input type="checkbox"/> Description of the general environmental characteristics of the direct influence area of the project, work or activity proposed <input type="checkbox"/> Certificate of the Ministry of Interior stating the presence of ethnic groups <input type="checkbox"/> Self-assessment and two (2) copies of the payment proof for the services of the Environmental Studies of the project, work or activity for those applications submitted to the Ministry of Environment, Housing, and Territorial Development <input type="checkbox"/> Original and digital copy of the Environmental Impact Study (EIA).



Underground Water Prospecting and Exploitation Permit

What is an underground water prospecting and exploitation permit?

It is a permit granted by the competent environmental authority to conduct prospecting and exploration activities, including test drilling activities to search underground water to be used in the future, in both private lands and waste lands.

When is it necessary to request a Water Concession permit?

Mining concessionaires must request an underground water prospecting and exploitation permit before the exploration phase starts, if the exploration phase requires prospecting and exploration of underground water activities.

What types of activities require this permit?

Domestic supply, irrigation, forestry, drinking troughs, industrial use, thermal or nuclear generation of electricity, mining exploitation and mineral treatment, oil exploitation, injection of wells for geothermal power generation, hydroelectric power generation, agriculture, fishing, recreation and sports.

Necessary information to request an Underground Water Prospecting and Exploitation Permit

- ID, in case of Colombian citizens (Copy)
- Alien's ID or a resident's visa for foreigners (Copy)
- Duly completed Underground water Prospecting and Exploration request form (Original, duplicate or copy)
- Certificate of Delivery and Unencumbered Property issued no longer than 90 days (Original, duplicate or copy)
- Proper proof of ownership of holding (Original, duplicate or copy)
- Proof of payment of the evaluation service of formalities (Original, duplicate or copy)
- A document containing at least: a) Location and size of the land or lands to explore, indicating if they are owned by the concessionaires, or if they belong to someone else, or if they are wastelands; b) registry name and number of the drilling company, and list and specifications of the equipment to be used in the drilling activities; c) drilling system to be used and work plan; d) hydrological features of the zone; e) List of other underground water sources located within the area of interest; f) Area for which permission is being required and duration of the permit; g) Any other details the environmental authority considers necessary (Original, duplicate or copy)
- Letter of consent by the owner(s) of the lands where exploration activities are going to be carried out, if the lands are owned by someone else (Original, duplicate or copy)
- IGAC plan at a 1:10000 scale indicating the area of exploration (Original, duplicate or copy)
- Duly granted power if acting through a proxy, or public deed if acting through a general representative (Original, duplicate or copy)

Legal Entities

- Certificate of Incorporation and Legal Representation issued no longer than 90 days, or a certificate that states the legal representation of the company (Original, duplicate or copy)



Surface Waters Concession

What is a Surface Waters Concession?

It is a permit granted by the Environmental Authority to a natural or legal person so that such person can use public waters or its courses for a specific time, generally a ten (10) years term depending on the type of activity to be carried out, pursuant to Articles 32 and 33 of Decree 1541 of 1978.

When is it necessary to request a Surface Water Concession Permit?

Concessionaires must request a Surface Waters Concession permit before commencing the exploration phase, if they are going to use public waters or their courses to conduct any of the following activities:

- a. Domestic supply if derivation is needed
- b. Irrigation and forestry
- c. Supply of drinking troughs if derivation is needed
- d. Industrial use
- e. Thermal or nuclear generation of electricity
- f. Mining exploitation and mineral treatment
- g. Oil exploitation
- h. Injection of wells for geothermal power generation
- i. Hydroelectric power generation
- j. Direct kinetic power generation
- k. Floating of logs
- l. Transportation of minerals and toxic substances
- m. Agriculture and fishing
- n. Recreation and sports
- o. Medicinal uses
- p. Other related uses

Necessary information to request a Surface Waters Concession

- ID, in case of Colombian citizens (Copy)
- Alien's ID or a resident's visa for foreigners (Copy)
- Duly granted power if acting through a proxy, or public deed if acting through a general representative (Original)
- Certificate of Incorporation and Legal Representation issued no longer than 90 days, or a certificate that states the legal representation of the company (Original or copy)
- Duly completed Surface Waters Concession request form (Original)
- Certificate of Delivery and Unencumbered Property issued no longer than 90 days (Original, duplicate or copy)
- Proper proof of ownership of holding (Original, duplicate or copy)
- A document containing information regarding collection, derivation, waterworks, restitution of waste, distribution and drainage systems, as well as information on investments, value of investments and investment timetable (Original)
- In case of an aqueduct for human consumption of water, provide the census of users who will benefit from the source upon which the concession will be requested (Original)
- Positive sanitary authorization the corresponding departmental sanitary authority issues to supply providers (Original and Copy)
- If the concession is requested for industrial use, submit the corresponding feasibility study of the industrial project (Original)
- If the concession is requested for refrigeration, submit a document containing the exact amount of water needed for refrigeration, specifications report of the activities carried out to determine the flow rate of the river or stream, as well as the washing operations specifying the periodicity, place and exact site where the release of wastewaters will take place (Original)
- If the concession is requested for energy use activities that do not require an Environmental License, submit the feasibility study of the whole project for those cases and under the guidelines established by Departamento Nacional de Planeación -National Development Plan Unit - (Original)
- If the concession is requested for mining and oil purposes, submit the feasibility study of the whole project (Original)
- Proof of payment for the formality service (Original and copy)



Underground Waters Concession

What is an Underground Waters Concession?

It is a permit granted by the Environmental Authority to use underground waters in both owned lands or in lands owned by someone else.

When is it necessary to request an Underground Waters Concession?

Mining concessionaires must request an Underground Waters Concession before the exploration phase starts, in case concessionaires attempt to use underground waters for any of the following:

- a. Domestic supply if derivation is needed
- b. Irrigation and forestry
- c. Supply of drinking troughs if derivation is needed
- d. Industrial use
- e. Thermal or nuclear generation of electricity
- f. Mining exploitation and mineral treatment
- g. Oil exploitation
- h. Injection of wells for geothermal power generation
- i. Hydroelectric power generation
- j. Floating of logs
- k. Transportation of minerals and toxic substances
- l. Agriculture and fishing
- m. Recreation and sports
- n. Medicinal uses
- o. Other related uses

Necessary information to request an Underground Waters Concession

- ID, in case of Colombian citizens (Copy)
- Alien's ID or a resident's visa for foreigners (Copy)
- Duly granted power if acting through a proxy, or public deed if acting through a general representative (Original)
- Certificate of Incorporation and Legal Representation issued no longer than 90 days, or a certificate that states the legal representation of the company (Original or copy)
- Duly completed Underground Waters Concession request form (Original)
- Certificate of Delivery and Unencumbered Property issued no longer than 90 days (Original, duplicate or copy)
- Proper proof of ownership of holding (Original, duplicate or copy)
- A document containing information regarding collection, derivation, waterworks, restitution of waste, distribution and drainage systems, as well as information on investments, value of investments and investment timetable (Original)
- Final design plan of the well (Original)
- In case of aqueduct for communities and municipalities: provide the census of users who will benefit from the source upon which the concession will be requested (Original)
- Positive sanitary authorization the corresponding departmental sanitary authority issues to supply providers (Original and Copy)
- If the concession is requested for industrial use, submit the corresponding feasibility study of the industrial project (Original)
- If the concession is requested for refrigeration, submit a document containing the exact amount of water needed for refrigeration, specifications report of the activities carried out to determine the flow rate of the river or stream, as well as the washing operations specifying the periodicity, place and exact site where the release of wastewaters will take place (Original)
- If the concession is requested for energy use activities that do not require an Environmental License, submit the feasibility study of the whole project for those cases and under the guidelines established by Departamento Nacional de Planeación -National Development Plan Unit - (Original)
- If the underground basins have yet to be studied, submit an administrative act conferring permission to conduct underground waters prospecting and exploration activities(Original)
- If a permission to conduct underground waters prospecting and exploration activities is needed, submit a certificate regarding the submission of the exploration report of underground waters containing the items required in Article 152 of Decree 1541 of 1978. (Copy)
- If the concession is requested for mining and oil purposes, submit the feasibility study of the whole project (Original)
- Proof of payment of the formality (Original and copy)



Forestry Exploitation Permit

What is Forestry Exploitation?

It is the extraction of products from a forest. The process encompasses the obtaining of the resources and their corresponding transformation.

When is it necessary to request a Forestry Exploitation Permit?

Concessionaires must request a Forestry Exploitation permit before the exploration phase starts, if the exploration phase requires the extraction of products from a forest.

What are the types of Forestry Exploitation?

- ❖ **One-off Extraction.** These ones are a one-time-off extractions conducted in areas where, according to technical studies, the soil can be used in a better way than the regular forestry use, or if there are other types of uses dealing with public and social interest.
- ❖ **Persistent Extraction.** These ones are conducted using several sustainability criteria and concessionaires are committed to preserve the regular production of the forests by using silvicultural techniques that guarantee forest renewal and subsistence.
- ❖ **Domestic Extraction.** These ones are conducted with the only purpose of satisfying domestic needs, and the extracted products cannot be traded.

Necessary information to request a Forestry Exploitation Permit

- ID, in case of Colombian citizens (Copy)
- Alien's ID or a resident's visa for foreigners (Copy)
- Duly completed Forestry Exploitation request form (for those companies with access to such form) or request letter (Original, duplicate or copy)
- Duly granted power if acting through a proxy, or public deed if acting through a general representative (Original, duplicate or copy)
- Proof of payment of the evaluation service of formalities (Original, duplicate or copy)
- Copy of the public deed of the targeted land (for exploitation in private-owned lands) (Original, duplicate or copy)
- Certificate of Incorporation and Legal Representation issued no longer than 90 days (for exploitation in private-owned lands) (Original, duplicate or copy)
- Proper proof of ownership of holding (for exploitation in private-owned lands) (Original, duplicate or copy)
- Technical study showing soils can be used in a better way than the regular forestry use or showing there are other types of uses dealing with public and social interest (Applies only to One-Off extraction processes) (Original, duplicate or copy)
- Forestry Exploitation Plan according to the terms of reference of the Autonomous Regional Corporation, including the purpose of the forestry products and the corresponding reparation measures. (For areas with a size equal or larger than twenty (20) twenty Hectares, an additional chapter regarding environmental considerations must be included in which the necessary actions to be conducted to prevent, mitigate, control, repair and correct the possible negative impacts caused during the implementation of forestry exploitation activities are described) (Applies only to One-Off extraction processes) (Original, duplicate or copy)
- Forestry Management Plan according to the terms of reference of the Autonomous Regional Corporation. (For areas with a size equal or larger than twenty (20) twenty Hectares, an additional chapter regarding environmental considerations must be included in which the necessary actions to be conducted to prevent, mitigate, control, repair and correct the possible negative impacts caused during the implementation of forestry exploitation activities are described) (Applies only to Persistent Exploitation processes) (Original, duplicate or copy)

Legal Entities

- Certificate of Incorporation and Legal Representation issued no longer than 90 days, or a certificate that states the legal representation of the company (Original, duplicate or copy)
- Legal status certificate and/or certificate of registration of dignitaries in case of Community Action Councils (Original, duplicate or copy)



Wastewater Release Permit

What is a Wastewater Release Permit?

It is a permit granted by the Environmental Authority to a natural or legal person as well as to government entities (without exception) to manage the final disposal of liquid waste generated while developing mining activities, after a previous water treatment.

When is it necessary to request Wastewater Release Permit?

Concessionaires must request a Forestry Exploitation permit before the exploration phase starts, if they are going to release waste water, either domestic or industrial waste waters, into other water bodies.

Necessary information to request a Wastewater Release Permit

- ID, in case of Colombian citizens (Copy)
- Alien's ID or a resident's visa for foreigners (Copy)
- Duly granted power if acting through a proxy, or public deed if acting through a general representative (Original, duplicate or copy)
- Duly completed Wastewater Release Permit request form (Original)
- Certificate of Delivery and Unencumbered Property issued no longer than 90 days (Original, duplicate or copy)
- Proper proof of ownership of holding (Original, duplicate or copy)
- Plan detailing the origin, quantity and georeferenced location of waste water release into a water body or soil. This plan must be submitted in a 100 cm x 70 cm hard copy (Original)
- Characterization of the wastewater release or final status of the release plan (Original, digital)
- A document containing the location, details of the operations, technical reports and conceptual and basic engineering designs, detail plans of the system of water treatment, and efficiency conditions of the water treatment system to be used. Studies must be conducted by specialized companies or qualified professionals, and the plans must be submitted in a 100 cm x 70 cm hard copy (Original)
- Concept letter regarding the use of lands issued by the competent municipal authority (Original, duplicate or copy)
- Evaluation of the environmental wastewater release activities if they are generated by industrial, commercial, and service activities, as well as of the wastewater release coming from housing developments (If demanded by the Environmental Authority). This evaluation must meet Article 43 of Decree 3930 of 2010. The evaluation must be conducted by specialized companies or by qualified professionals (Original)
- Wastewater release Risk Management Plan in case of industrial, commercial and service activities. The Risk Management Plans must be drawn up by specialized companies or by qualified professionals (Original)
- Wastewater Release Fulfillment Plan for current activities with no release permission in those activities the competent environmental authority considers necessary the submission of a permit in compliance with current wastewater release regulations. (Original)
- Proof of payment (Original, duplicate or copy)
- Certificate of Incorporation and Legal Representation issued no longer than 90 days, or a certificate that states the legal representation of the company (Original or copy)



Atmospheric Emissions Permit

What are Atmospheric Emissions?

Atmospheric emissions is the release of substances or elements in solid, liquid or gas state, or any combination of the aforementioned into the air from a fixed or mobile source. Any release or emission of pollutants to the atmosphere may only be carried out within the admissible limits and conditions established by the Law and the environmental regulations.

What is an Atmospheric Emissions Permit?

It is a permit granted by the Environmental Authority to a natural or legal person so that such person may release pollutants into the air within the admissible limits and conditions established by the Law and the environmental regulations. These emission permits apply nationwide, and protect authorized emissions as long as the area where emissions are released and the concentration of pollutants do not exceed the acceptable levels of prevention, or the pollutant release is not a direct cause, due to its displacement, of pollutant concentrations higher than the established for the acceptable levels of prevention in other areas.

When is it necessary to request an Atmospheric Emissions Permit?

Concessionaires must request an Atmospheric Emissions permit before the exploration phase starts.

Necessary information to request a Atmospheric Emissions Permit

- Duly granted power if acting through a proxy, or public deed if acting through a general representative (Original)
- ID, in case of Colombian citizens (Original)
- Alien's ID or a resident's visa for foreigners (Original)
- Duly completed Fixed Source Atmospheric Emissions permit request form (Original)
- Certificate of Delivery and Unencumbered Property issued no longer than 90 days (Original, duplicate or copy)
- Proper proof of ownership of holding (Original, duplicate or copy)
- Proof of payment for the formality service (Original, duplicate or copy)
- Concept letter regarding the use of lands issued by the competent municipal authority (Original, duplicate or copy)
- A document containing the basic meteorological information of the area affected by emissions (Original)
- A document containing the registry of the production, maintenance, treatment, storing or release works, processes, and activities generated by emissions, and the plans required by the said activities. A flow chart indicating and characterizing emission points, location and quantity of release points, as well as their corresponding description, and the plans of the pipelines, chimneys, or diffuse sources, including a list of their materials, measures and technical characteristics (Original)
- A document containing the technical information regarding the current or projected production, expansion projects and production estimates for the next five (5) years (Original)
- Evaluation of the processes of combustion or production of emissions. Information about consumption of raw materials, fuels and other materials involved (Original)
- Current or projected Atmospheric Emissions control systems design plans, their location and corresponding engineering report (Original)
- Technical study of dispersion of pollutants for oil refineries, cement plants, chemical and petrochemical plants, steel plants, controlled open-burning sites carried out in agro-industrial activities and thermoelectric plants (Original)
- IGAC plan showing the exact location of the project (Original)
- Profile: Legal Entities
- Certificate of Incorporation and Legal Representation issued no longer than 90 days, or a certificate that states the legal representation of the company (Original, duplicate or copy)



Water Course Occupation Permit

What is a Water Course Occupation Permit?

It is a permit granted by the Environmental Authority to any person whose economic activity or services include works to use or utilize water or to defend and preserve water sources or lands, or in those cases in which the course and/or water bed of a water source is at stake.

When is it necessary to request a Water Course Occupation Permit?

Concessionaires must request a water course occupation permit before the exploration phase starts, in case such phase requires the construction of works that occupy a water course or water deposit.

Necessary information to request a Water Course Occupation Permit

- ID, in case of Colombian citizens (Copy)
- Alien's ID or a resident's visa for foreigners (Copy)
- Certificate of Delivery and Unencumbered Property issued no longer than 90 days (Original, duplicate or copy)
- Proper proof of ownership of holding (Original, duplicate or copy)
- Duly completed Water Course, Beach, and Water Bed Occupation permit request form (Original, duplicate or copy)
- Proof of payment for the formality service (Original, duplicate or copy)
- Location plan of the water source in the area of influence (Original, duplicate or copy)
- Plans and calculation specifications (Original, duplicate or copy)
- Profile: Legal Entities
- Certificate of Incorporation and Legal Representation issued no longer than 90 days, or a certificate that states the legal representation of the company (Original, duplicate or copy)
- Duly granted power if acting through a proxy, or public deed if acting through a general representative (Original, duplicate or copy)