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March 30, 2022

State of Alaska Legislature Senate Finance Committee

Sent via email to: [Senate.Finance@akleg.gov](mailto:Senate.Finance@akleg.gov)

Re: Support for State Primacy of RCRA and CWA 404 Act Permitting Authority

Dear Co-Chairs Senator Bishop, Stedman, and Members of the Committee:

The Alaska Miners Association (AMA) writes to support funding authorization to implement primacy of the federal Resource Conservation and Recovery Act (RCRA), regulating management of solid and hazardous waste; and federal Clean Water Act Section 404, regulating the discharge of dredge and fill material into wetlands.

AMA is a professional membership trade organization established in 1939 to represent the mining industry in Alaska. We are composed of more than 1,400 members that come from eight statewide branches: Anchorage, Denali, Fairbanks, Haines, Juneau, Kenai, Ketchikan/Prince of Wales, and Nome. Our members include individual prospectors, geologists, engineers, suction dredge miners, small family mines, junior mining companies, and major mining companies, Alaska Native Corporations, and the contracting sector that supports Alaska's mining industry.

Assuming primacy of federal regulatory programs in no way equates to the loosening of environmental protection. In fact, it is quite the opposite. If primacy is implemented, State of Alaska will be required to comply with the Clean Water Act and RCRA, and standards will be at least as, if not more stringent than the federal regulations. Alaska can elect to elevate requirements in any area it may choose, but it cannot decrease them.

What the State of Alaska can do differently than the federal government is bring stability and predictability to our permitting process. For Alaska's small-scale placer mining operations, this would be a significant improvement. Too often, federal employees come to Alaska and serve in their roles for three years or less, often without understanding of the Alaska National Interest Lands and Conservation and the Alaska Native Claims Settlement Acts that guide our land management principles, and Alaska's unique environment and characteristics. Something as basic as an ice road, or the importance of bringing in equipment and the timing of logistics to support a remote mine site when the ground is frozen, is often lost on those new to Alaska. It is not lost on the Alaskans that work at our State's regulatory agencies.

The State of Alaska has an excellent track record of managing federal programs, including the Clean Water Act National Pollutant Discharge Elimination System (NPDES; now the Alaska Pollutant Discharge Elimination System APDES), the Clean Air Act, and the Safe Drinking Act. We are well equipped to manage RCRA and Clean Water Act Section 404 regulation as well, and doing so would bring the regulatory certainty needed to grow investment in resource and community projects, and the Alaska economy.

Thank you for your consideration, and please do not hesitate to contact me with questions.



Deantha Skibinski  
Executive Director