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2022 STATE ISSUES OF CONCERN FOR THE ALASKA MINING INDUSTRY

Mineral Tenure

Ensure that State regulations written to implement SB155 (AS Title 38, Chapter 5) are minimal, clear, effective, and consistent with the statutory changes.

Ballot Initiative Severability

Support legislation that would nullify a ballot initiative if a court finds any segment of the initiative to be unconstitutional.

Water Policy

Require that designation of Tier 3 waters can only be made by a vote of the Legislature. Ensure the State of Alaska does not relinquish any permitting authority to private entities, such as delegating management of the State's water resources by approving instream flow water reservations to private parties. Affirm that existing water quality regulations ensure environmental, fish and wildlife, and human health protections. Defend and ensure reasonable Clean Water Act permitting policies are maintained following the Supreme Court *Maui* decision.

Permitting System

Strengthen Alaska's permitting system by using innovation to attract and retain qualified, experienced personnel and adhering to timelines. Ensure that State agencies understand the role of the Office of Project Management and Permitting to lead and coordinate State agency permitting activity for large projects. Promote and defend the stringent permitting process that protects Alaska's environment, and uphold this process to demonstrate that Alaska is again open for business.

Fiscal Policy

Immediately implement a comprehensive, long-term fiscal plan that ensures responsible spending at sustainable levels using budget reductions, use of Permanent Fund earnings, and new revenues from broad-based sources. Ensure State of Alaska fiscal policy includes strategies to grow and diversify the Alaska private sector economy.

Equitable Local Taxation

Ensure local taxes are broad based and equitable by amending State statutes to preclude severance taxes on the metal mining industry.

Funding Disclosure for Nonprofit Advocacy

Enact legislation to require disclosure when funds from nonprofit organizations are used to affect natural resource policy, permitting, litigation, and initiative proposals.

Permitting Process

- Require that water quality standards are scientifically supportable and developed using site-specific criteria and ongoing evaluation as needed due to changing natural conditions. Ensure continued availability of mixing zones.
- Support establishing State primacy over Section 404 wetlands permitting program. Ensure State coordination with federal regulatory agencies over permitting, mitigation, and management to ensure that projects have access to reasonable wetlands mitigation tools. Help USACE develop rapid functional assessment programs for streams and wetlands to ensure projects have an approved method to calculate credits and debits statewide. Encourage an open, consistent, and predictable statewide compensatory mitigation policy.

- Support establishing State primacy over the Resource Conservation and Recovery Act (RCRA) program.
- Oppose federal encroachment on States' rights, such as the use of preemptive federal veto actions and unnecessary permitting requirements and the purchase of State lands by the federal government which prevents the development of mineral resources.
- Oppose unwarranted Endangered Species Act listings and critical habitat designations in Alaska and ensure all decisions are based on sound science.
- Oppose any policies that are designed to elevate one resource over another and recognize that established policies have proven that Alaska mining projects successfully co-exist with the natural environment.

Land and Mineral Management

- Maintain and defend State sovereignty over navigable waters as granted at Statehood, while supporting protection of the interests of Alaska Natives in their ANCSA land selections and entitlements.
- Require a thorough evaluation of mineral potential and access prior to any State land allocation which would prohibit mineral staking and leasing such as parks, preserves, or land disposals.
- Support State efforts to improve the status of Alaska's baseline mapping and collect resource data, such as airborne geophysical mapping as a means for increasing future State revenues.
- Pursue and defend guaranteed access for all uses across all State and federal lands within Alaska.
- Actively engage with the Department of the Interior and industry to ensure that neither the review process for placing tribal lands into trust, nor the final designation of a parcel as trust land, results in any temporary or permanent restrictions on access to, and development of, resources on adjacent lands.
- Defend from litigation the October 29, 2020, Alaska-specific Roadless Rule Exempting the Tongass from the 2001 Roadless Rule and oppose the Repeal announced by USDA in its November 23, 2021, Notice of Intent to Repeal.
- Pursue Secretarial Orders lifting ANCSA § 17 (d)(1) and other Public Land Orders, while supporting protection of the interests of Alaska Natives in their ANCSA land selections and entitlements.

Mining Education and Training

- Maintain a highly trained Alaskan workforce through support of all mining and geology related degree programs in the UA system, the UAF Mining and Geologic Engineering program, and vocational training programs like MAPTS.
- Maintain State of Alaska/industry partnership that supports Alaska Resource Education (ARE).

Statewide Policy Impacts

- Support continued successful collaboration between the State of Alaska and Province of British Columbia on responsible resource development within the transboundary region.
- Promote a statewide Constitutional amendment to eliminate management of our natural resources by ballot initiative.