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## 2026 FEDERAL ISSUES OF CONCERN FOR THE ALASKA MINING INDUSTRY

### Critical Priorities

#### Mining in America

Prioritize Alaska's vast mineral resources and make the state a leading jurisdiction to increase mining and processing in America.

Support legislation to codify Executive Order 14153, Unleashing Alaska's Extraordinary Energy Potential and Executive Order 14242, Immediate Measures to Increase American Mineral Production.

#### Permitting Reform

Implement NEPA reforms that provide certainty to project proponents and stakeholders including strict adherence to the recently re-affirmed limited scope of the reviews and mandatory timelines. Reform litigation practices to shorten appeal timelines and provide clear limits to the scope of opposition litigation against proposed projects and remedies available. Federal agencies must be adequately resourced to efficiently and durably permit large projects that provide a steady supply of minerals and grow our economy.

Support utilization of FAST-41 permitting processes whenever possible to ensure transparent, efficient, and predictable permitting pathways. Maximize opportunities provided by the Memorandum of Understanding (MOU) with The Permitting Council and State of Alaska to collaborate between all cooperating agencies to efficiently permit mining projects.

#### Critical and Essential Minerals

Support federal incentives for domestic mineral production and processing, and ensure they are applicable to all minerals regardless of the status of the various critical mineral and material lists. Conduct a periodic review of the published list to ensure strategic mineral needs, for example, materials like gold, are included and prioritized.

#### Federal Land Management and Access

As required by federal law, including ANILCA, ANCSA, Alaska Statehood Act, and FLPMA, ensure access to and across all federal lands to maintain multiple use as the priority and primary principle of land management.

Define the term withdrawals used in ANILCA 1326 as follows: Notwithstanding any other provision of law, the word "withdrawal(s)" as applied in this Section shall mean any prohibition or restriction on the development and use of the resources on and within the public lands, including without limitation, all lands managed by NPS, FWS, BLM, USFS, not in effect on December 3, 1980.

Oppose all federal actions (RMPs, ACECs, PLOs, etc.) that effectively close Alaska lands to resource development and/or multiple use. Revise recent restrictive land management plans and related decisions that unnecessarily restrict mineral exploration and access.

Permanently exempt the Tongass National Forest from the Roadless Rule. Prohibit use of USFS Forest Plan amendments that close or restrict Alaska National Forest lands to resource development or multiple use.

Pursue blanket Federal approval of all State-designated navigable waterways as State managed, with the burden on the Federal agencies to prove otherwise.





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## **Water Policy**

Require all actions, including Clean Water Act regulations, comply with the Sackett decision. The EPA must work with the State of Alaska to implement regulations that reflect Alaska's unique waters and wetlands, including exempting permafrost from Waters of the United States.

Direct that a consistent and practicable statewide CWA 404 Compensatory Mitigation policy following the fundamentals agreed to the 2018 Memorandum of Agreement signed by USACE and EPA, and ensure that projects have access to reasonable and workable wetland mitigation tools.

Streamline the process for EPA approval of State water quality standards proposals, including adoption of scientifically-supportable water quality standards developed using site-specific criteria in permitting decisions.

Encourage the Environmental Protection Agency to respond quickly with complete timely, meaningful, and constructive comments when replying to USACE on Alaska Clean Water Act Section 404 Public Notices.

Support legislation to reduce the time during which EPA can issue a Clean Water Act Section 404c veto to a period of time no longer than the period of time from when a project application is deemed complete until the ROD is issued.

## **Permitting and Land Management Principles**

Limit ESA listings and critical habitat designations to those with established and rigorous scientific justification and complete cost-benefit analyses.

Finalize land conveyances to the State of Alaska and Alaska Native Corporations and rescind all federal withdrawals and public land orders established by the Secretary of Interior under ANCSA §17 (d)(1) and ANILCA.

Reauthorize the Alaska Land Use Council.

Require evaluation of the mineral potential in any area subject to federal land use planning. Require USGS to fulfill its ANILCA mineral reporting and assessment mandates.

Reinstate USACE's Appendix C procedures relating to NHPA Section 106.

Ensure transboundary mining issues are addressed through cooperation between the State of Alaska and neighboring Canadian provincial and territorial governments.

Ensure all federal agencies' land and resource management planning and decisions are consistent with ANILCA, with no designation of wilderness-like lands or study areas or any similar withdrawals of lands or waters within and surrounding Alaska.

Require roads and infrastructure corridors across all lands in Alaska, including Conservation System Units.

