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August 2023 Volume 51, Number 8



THE ALASKA MINER

Journal of the Alaska Miners Association

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Dear AMA Members and Friends,

So, how's your summer been?

I hope it's been a great mix of work and exploration, discovery and fishing!

At AMA, we've done a little of all of those.

But mostly, we've been hard at work with our association's leadership to tackle the constant new policy initiatives coming our way, including the newest threat via the BLM lands rule.

In brief, a new proposal by the BLM would radically change how the agency attempts to manage (aka limit use) of land all over the U.S., and it especially hits in Alaska.

You can read our lengthy and detailed comments on the AMA website. But here are some key points we think are irrefutable:

AMA recommends that BLM withdraw the proposed rule as:

- it is not needed,
- is not consistent with the Federal Land Policy and Management Act (FLPMA),
- would require Congressional action and thus exceeds BLM's authority to promulgate, and
- would be detrimental to the mineral industry in Alaska.

Some key excerpts from our letter include:

If the rule is not withdrawn, BLM lands in Alaska should be exempt from the rule as the rule is inconsistent with, and potentially in violation of, the Alaska National Interest Lands Conservation Act (ANILCA), passed by Congress in 1980.

If Alaska is included, it is undeniable that



there would be significant impacts on our members and their ability to develop the critical and strategic mineral supplies our nation desperately needs and BLM must fulfill its legal obligations to do an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA).

It is also undeniable that the Proposed Rule fundamentally changes how the United States government manages millions of acres of BLM lands in Alaska without Congressional authorization. Indeed, Congress. The planning processes in these areas are well evolved and such changes would take years to implement by local staff that are already overwhelmed by their current commitments. Such on the ground implementation challenges and the realities of how they would affect minerals and other important uses of BLM lands are largely ignored in the Proposal Rule and must be considered before any rule is finalized.

The cost of this regulation would be staggering in terms of its economic impacts and its costs of implementation and thus requires Congressional action. Moreover, the Supreme Court also outlined the "major questions doctrine" to affirm that federal agencies must have

clear Congressional authority when regulations issues of importance to the American public.

The Proposed Rule will absolutely have "vast economic and political significance" and would govern land use across millions of acres of public lands. That Congress has chosen not to enact the rule BLM seeks to promulgate here is seen from the fact that in 2016 Congress nullified the substantially similar "Planning 2.0 Rule" that was nullified pursuant to the Congressional Review Act and meets both the two requirements to be considered a major question."

The Proposed Rule substantively conflicts with the Mining Law and disregards Congress' narrow amendment of the Mining Law in all the ways addressed in the preceding Section I. The open access and tenure mandates of the Mining Law would be undermined by the Proposed Rule.

Our full comments cover more than 10,000 words, but you get the gist.

We won't know for a bit if our objections are being heard or are falling on deaf ears, not just on this federal issue, but dozens more. But know that we will continue to advocate on your behalf.

If you have questions, please call or email me and our AMA leaders anytime.

Enjoy our last days of summer, and get ready for a packed fall where we see each others' faces!

**Deantha Skibinski,
Executive Director**

The Alaska Miner is the official journal of the Alaska Miners Association, published eight times a year exclusively to our members.

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We actively seek contributions from our members and the mining industry. Please email story ideas and photos to Lee Leschper.

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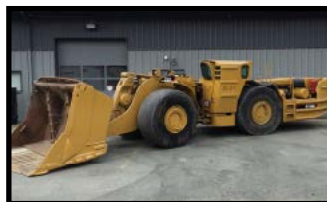
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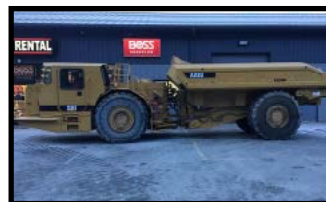
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Gold Rush Days in Juneau!





Photos Courtesy Juneau Gold Rush Days, Inc.

Juneau Gold Rush Days was a huge success in July with an action-packed celebration of mining and logging events, local fair foods, booths of arts and crafts, and activities for children. Competitions featured mining and logging-specific events such as jackleg drilling, spike driving, hand mucking, axe throwing, speed climbing, hand bucking and log rolling.





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It is with a heavy heart we share the news that longtime Porcupine Creek placer miner and AMA Haines Chapter member "Dakota" Fred Hurt passed away July 11 after a courageous battle against cancer.

Fred Hurt first appeared on "Gold Rush" in its 2010 first season as an antagonist, taking over another prospector's claim in Porcupine Creek, Alaska. He later explained to his fans that the purported takeover had actually been an amicable sale, with the drama ramped up for reality TV.

Hurt remained on "Gold Rush" for four seasons, prospecting in Alaska's Cahoon Creek in season four. He and his crew then left the series, intending to launch a show called "All that Glitters."

Instead, in 2018, Hurt and his son, Dustin, began starring in the new spinoff, "Gold Rush: White Water." This time, the crew prospected for gold in Haines Borough, Alaska, targeting the area's whitewater creeks and waterfalls in their search.

Hurt remained on the show until his death. Its most recent season began in late 2022 and had its finale just a month before his death.



Hurt also appeared on the reality shows "Gold Rush: South America" and "Gold Rush: The Legend of Porcupine Creek."

Prior to his life as a prospector, Hurt worked in construction and commercial diving. In his memory, his family requested donations to the Mike Rowe WORKS

Foundation.

"My son-in-law, Paul, said he had always wanted to go gold mining. I agreed to go with him and asked where he wanted to start. I was shocked and delighted that he said 'Alaska!'" —from a 2015 interview for Susan Finlay Writes

See Fred celebrate his 77th birthday on YouTube:

<https://www.legacy.com/news/celebrity-deaths/dakota-fred-hurt-1943-2023-gold-rush-reality-tv-star>

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DEC Commissioner Jason Brune Announces Resignation

Gov. Mike Dunleavy has regretfully accepted Department of Environmental Conservation (DEC) Commissioner Jason Brune's resignation. Commissioner Brune is leaving to pursue opportunities in the private sector. His last day will be Aug. 20.

"Commissioner Brune's tenure in DEC demonstrated his uncanny ability to balance environmental protection with responsible natural resource development," Dunleavy said. "While I am sorry to see him go, I respect his decision with the knowledge that his outstanding leadership at a new venue will continue to move Alaska forward."

"It has been an honor to serve with Gov. Dunleavy and so many great commissioners over the years," Brune said. "I'm so proud of and grateful for the hard work DEC employees do on a daily basis, in close collaboration with the regulated community, to advance our economy while protecting human health and the environment."

Deputy Commissioner Emma Pokon will serve as acting commissioner until Dunleavy selects a permanent replacement later this year.

"It was great to have a commissioner who understood mining and its importance to our communities, our state and our country. The commissioner's job is one that is never done and many tough decisions must be made," said AMA President Bartly Kleven. "The hours are tremendously long and there are many sacrifices that are made — time with family being first on the list. Thanks to you, Commissioner Brune and to your family for your service to our state."

"Commissioner Brune was no stranger to our industry and when he was appointed, we knew we'd see a terrific DEC Commissioner, but he exceeded our already high expectations," said AMA Executive Director Deantha Skibinski. "He was fair, thorough, and tireless even during some significant challenges. We'll miss his fierce advocacy for development and environmental protection occurring together, however, I am hopeful and confident our paths will continue to cross here in Alaska."



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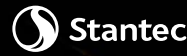
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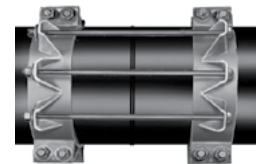
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The AMA Convention planning committee has been hard at work. Soon, we will release a Preliminary Schedule and more details about our Convention. In the meantime, please start planning your involvement!

And there are so many ways you can be a part of this, the biggest mining event in Alaska each year.

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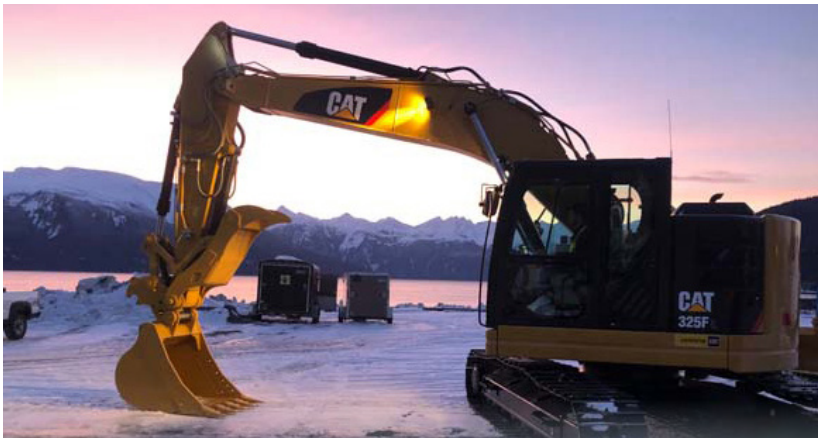
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equipment, too!

Submit a Talk Proposal or Suggestion. If you have ideas or requests for a topic to be covered in the Technical Sessions and other presentations, please submit via email to teller.steve@outlook.com and deantha@alaskaminers.org

There is so much in store for us this November — we are looking forward to seeing you!



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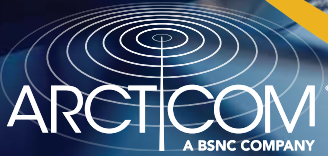
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The Circle Mining District annual picnic was a huge success and annual reunion of Interior miners.

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Alaska Miners Association and Council of Alaska Producers members did a great job showcasing Alaska mining at the Tanana Valley State Fair this summer. Volunteers make all these events possible . . . thanks to all our members who volunteered and participated. Next up is Mining Day at the Alaska State Fair in August!

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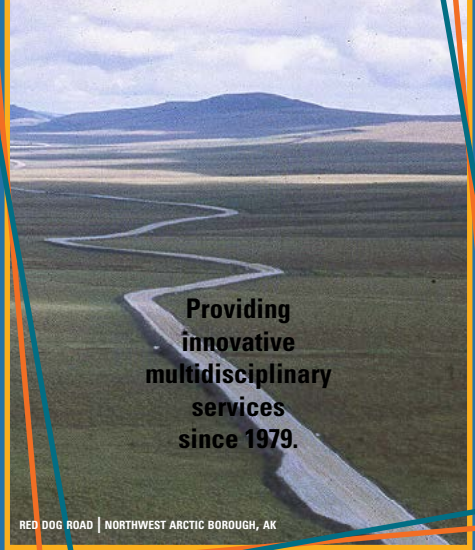
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Alaska Mining Calendar

- **Aug. 19:** Mining Day at Alaska State Fair
- **Oct. 2-5:** Mine Closure Conference. ACG's Mine Closure 2023 Conference. Reno, Nevada, USA at the Nugget Resort Casino in collaboration with the University of Nevada Reno; www.acgmineclosure.com
- **Nov. 6-9:** AMA Annual Convention, Anchorage

AMA Branch Meetings

- AMA Statewide Branch meetings are not held during the summer season. They will resume in September and are scheduled bi-monthly. These meetings are hosted on Zoom and take place at 7 a.m. on Fridays.
- Visit www.alaskaminers.org/ama-member-branches for next dates in the fall.
- AMA Branch meetings are also on hold for the summer, but in-person meetings should resume in September.
- For your local branch schedule, please visit www.alaskaminers.org/ama-member-branches or contact Jennifer at jennifer@alaskaminers.org.

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- All-in Sustaining Costs (AISC) years 1-5 \$1,038/oz, LOM \$1,171/oz.
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