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Department of the Interior
1849 C St. NW
Washington, DC 20240

RE: Request for Information To Inform Interagency Efforts To Develop the American Conservation and Stewardship Atlas, 87 Fed. Reg. 235 (Jan. 4, 2022); Docket Number DOI 2021-0016.

Dear Ms. Barnett,

The Alaska Miners Association appreciates the opportunity to comment on the Biden-Harris administration's Request for Information to Inform Interagency Efforts to Develop the American Conservation and Stewardship Atlas (Atlas). We offer the following suggestions for how the atlas can best serve the public and federal agencies as they proceed with the America the Beautiful Initiative.

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.

We offer comments on the following topics:

- 1) The Administration must clearly and broadly define what level of protection meets the 30x 30 goal;
- 2) By any definition, the atlas and *Conserving and Restoring America the Beautiful* (30x30) initiative needs to recognize that Alaska already far exceed the goal of protecting 30% of its land and no additional land withdrawals should be considered in Alaska;
- 3) As the program is developed, the administration needs to recognize that the Federal Administration's authority to designate additional protection of federal lands is limited by the 1980 Alaska National Interest Lands Conservation Act (ANILCA);
- 4) Millions of additional acres of federal and state lands outside of restrictive land classifications, both in Alaska and other states, need to be identified as having protection and contributing to the overall goal;

5) If the intent of the atlas is to guide future land protection efforts, it must also map lands throughout the United States that have known, valuable mineral resources that should NOT be put into restrictive land designations; and

6) The proposed “classification scheme” and what lands are included within each category should be made available for public review and comment before finalization.

The following address these topics in greater detail.

1) The Administration must clearly and broadly define what level of protection meets the 30x 30 goal. First and foremost, the atlas needs to determine what lands to include in various existing levels of protected status. The inventory must recognize that “Conservation” does not refer only to lands that are largely off limits to any extractive resource use and development.

The administration has failed to define basic terms or clarify what will count as “conserved” land under the initiative, of which the atlas is a key part. Currently, there is no common understanding between initiative proponents and stakeholders about what the goals of the initiative are and what the next steps will be. A quick glance at the web sites of various non- profit organizations regarding the 30x30 effort shows no consistent application or mapping of “protected areas”. For example, some of the maps on organization web sites omit all Alaska state parks or state refuges (over 6 million acres) from their descriptions of the initiative.

It is also necessary to distinguish between “conservation” and “preservation.” Some argue only Federal Wilderness lands are adequately protected, which is an unreasonable, extreme and unrealistic standard for 30% of all lands. We urge those developing the atlas and the “America the Beautiful” (30x30) program to use a broad definition of conservation, that includes lands managed sustainably for activities such as hunting, logging, or mining, but that will permanently be retained in public ownership.

In Alaska, more than 56% of federal lands are set aside as Conservation System Units (CSU) that are off limits to any extractive resource use or potential development. ANILCA defines CSUs to include “any unit in Alaska of the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers Systems, National Trails System, National Wilderness Preservation System, or a National Forest Monument” (see ANILCA Sec 102(4)). Millions of acres of state lands are in “protected status” such as State Parks, State Recreation Areas, State Wildlife Sanctuaries and Refuges, and more. In Alaska, over 40% of the state’s entire land mass is already in areas that by an definition should be considered managed exclusively for Conservation (see table below). This is an area larger that the entire states of California and Washington combined.

In addition, there are additional non-CSU federal lands in Alaska with very restrictive management. Alaska has vast acreages of National Forest, Bureau of Land Management and State of Alaska public lands that are open to some potential resource development but must still be managed to protect environmental values, and under existing federal and state laws, are required to be retained in public ownership. In the atlas and in planning for 30x30 effort, these public lands that are outside of federal CSUs must be recognized as contributing to the 30 by 30 goal. For example, any timber harvest on federal and state lands in Alaska must be managed for sustained yield, in fact for Alaska’s state-owned land this is a requirement of Alaska’s State Constitution (Article VIII, Section 4). Any mineral

development on public land will by its very nature only impact a very small percentage of BLM, Forest Service and state lands.

2) By any definition, the atlas and 30x30 initiative needs to recognize that Alaska already far exceed the goal of protecting 30% of its land and no additional land withdrawals should be considered in Alaska. Once this information is compiled and mapped for Alaska, it will be obvious that Alaska already meets and far exceeds our contribution to President Biden’s goal to conserve 30% of our land and waters by 2030. That goal was met and exceeded in 1980 when Congress passed the Alaska National Interest Lands Conservation Act (ANILCA).

The 2016 USGS report “Completing America’s Inventory of Public Park and Protected Areas”, that is referred to in Executive Order 14008, “*Tackling the Climate Crisis at Home and Abroad*” is to date the only place where an attempt has been made to inventory existing protected lands. More than 40% of Alaska’s total land base meets the report’s definition of “permanently protected”, the highest level of protected lands.

Using the criteria in the 2016 USGS report, at least 148 million acres out of Alaska’s 365 million acres, or more than 40% of Alaska, is “permanently protected” as summarized in this table.

Alaska National Wildlife Refuges	77 million acres
Alaska National Parks, Monuments and Preserves	54 million acres
Tongass National Forest Wilderness	6 million acres
Chugach National Forest Wilderness Study Area	2 million acres
BLM Steese National Conservation Area	1.2 million acres
BLM White Mountains National Recreation Area	1 million acres
Alaska State Parks	3.4 million acres
Alaska State Wildlife Areas	3.4 million acres
TOTAL	148 million acres

Sources:

Alaska National Wildlife Refuges: <https://alaskarefugefriends.org/refuges/>

Alaska National Parks, Monuments and Preserves: <https://www.nps.gov/locations/alaska/about-the-region.htm>

Tongass National Forest Wilderness:

<https://www.fs.usda.gov/detail/tongass/specialplaces/?cid=stelprdb5393510>

Chugach Wilderness Study Area: <https://www.fs.usda.gov/main/chugach/about-forest>

BLM Steese National Conservation Area: ANILCA Section 401(a)

BLM White Mts NRA: ANILCA Section 403

Alaska State Parks: <https://dnr.alaska.gov/mlw/cdn/pdf/factsheets/legislatively-designated-areas.pdf?v=1>

Alaska State Wildlife Areas: <https://dnr.alaska.gov/mlw/cdn/pdf/factsheets/legislatively-designated-areas.pdf?v=1>

Alaska far exceeds the report’s nationwide figure that 12% of our lands are “permanently protected”. If the goal is to protect throughout the nation, protecting additional lands at this highest level in Alaska will primarily serve as “easy” acreage but will have extremely detrimental impacts on Alaska’s future development while not fulfilling the objective of protecting the most valuable lands in the United States.

In addition, there are additional lands in Alaska already set aside not included in the category of permanently protected lands in the 2016 USGS report. For example, the report fails to include the 20 legislatively protected LUD II areas designated in the Tongass Timber Reform Act, Public Law 101-626 (12 areas, 722,482 acres) and Sealaska Lands bill Public Law 113-291 (8 additional areas, 152,000 acres). These areas need to be shown in the atlas as already protected. Furthermore, ANILCA Section 502 closes the “Copper River Addition” of the Chugach National Forest to the federal mining laws, this area was also not included as “protected” in the USGS report.

3) As the program is developed, the administration needs to recognize that the Federal Administration’s authority to designate additional protection of federal lands is limited by the 1980 Alaska National Interest Lands Conservation Act (ANILCA). When Congress passed ANILCA in 1980, it declared that no more land withdrawals were necessary in Alaska, and placed specific limits on the federal administration’s efforts to withdraw additional lands. These are often referred to as ANILCA’s “No More” clauses. Congress’ intent is stated in ANILCA Section 101(d):

“This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent the proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition, and this Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby.”

Congress included in ANILCA two very specific restrictions on federal administrative actions:

- ANILCA Section 1326(a) limits federal administrative authority (e.g., limits size of Antiquities Act withdrawals) to 5,000 acres without Congressional approval; and
- ANILCA Section 1326(b) prohibits single purpose studies to establish new conservation areas in Alaska.

4) Millions of additional acres of federal and state lands outside of restrictive land classifications, both in Alaska and other states, need to be identified as having protection and contributing to the overall goal.

Millions of acres of National Forest lands that are outside Wilderness Areas or National Monuments and millions of acres of land managed by the Bureau of Land Management outside of ANILCA CSU’s and Special Areas contribute to the President’s goal. The US Forest Service (USFS) and BLM have a duty under several acts to engage in conservation, restoration, and preservation.

The BLM and USFS are charged with managing lands under their jurisdiction for multiple-use and sustained yield under the guiding principles of the Federal Land Policy and Management Act of 1986 (FLPMA) and the National Forest Management Act (NFMA), respectively. This includes multiple uses, including recreation, grazing, timber, energy and minerals, watershed, wildlife and fish habitat, and conservation.

The acreage of Multiple Use Forest Service and BLM lands in Alaska is significant. There are approximately 14 million acres of National Forest lands outside Wilderness Areas, National Monuments, and the Chugach Forest Wilderness Study Area. The BLM manages approximately 45 million acres of multiple use lands in Alaska outside of the two ANILCA areas and approximately 23 million acres in the National Petroleum Reserve Alaska.

With very limited exceptions, these lands are required to be retained in public ownership. Any timber harvest that might occur on National Forest lands is subject to sustained yield harvest requirements. On both USFS and BLM land, uses are determined through land use plans that are required to address issues such as biodiversity and climate change.

5) If the intent of the atlas is to guide future land protection efforts, it must also map lands throughout the United States that have known, valuable mineral resources that should NOT be put into restrictive land designations.

We understand that fighting climate change is a top priority for the administration, and 30x30 is part of that effort. However, a domestic mineral supply chain is crucial to reducing America's carbon emissions and more broadly to protect and promote biodiversity. Minerals are essential components of every piece of zero-emission technology. Mineral development may be one of the best ways to advance the nation's carbon reduction goals. Many of these mineral resources can be found on federal and state land in Alaska, and should not be set aside for preservation.

6) The proposed "classification scheme" and what lands are included within each category should be made available for public review and comment before finalization. The 2016 USGS report "Completing America's Inventory of Public Park and Protected Areas" omitted or misclassified certain federal and state "protected" areas in Alaska. This is in part due to the attempt to apply uniform criteria across various federal protected areas that often have unique statutory schemes, as well as different state park, refuge and other land management schemes across the 50 states. In order to ensure the 30x30 effort is working from an consistent, complete and accurate information, the state, local, and interested public need to be afforded the opportunity to review a draft of the atlas.

In conclusion, the atlas and planning for the 30x30 initiative needs to recognize that over 40% of Alaska's land mass already meets the most restrictive definition of protected lands. In addition, tens of millions of acres of additional Alaska lands will remain in public ownership where renewable resource development (such as timber harvest) will be managed for sustained yield, and any extractive resource development (such as mining) will be limited to very discrete areas where mines may be developed, subject to rigorous state and federal laws to protect environmental values. In addition, ANILCA struck the appropriate balance between protection and development of lands in Alaska.

Thank you for the opportunity to comment on the American Conservation and Stewardship Atlas and Conserving and Restoring the America the Beautiful (30x30) effort.

Sincerely,



Deantha Skibinski, Executive Director