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Recreation Rivers Planning  
550 W 7<sup>th</sup> Ave Suite 1050  
Anchorage, AK 99501  
*Submitted via email*

Re: Comments on the Public Review Draft (PRD) of the Susitna Basin Recreation Rivers Management Plan

To Whom It May Concern:

The Alaska Miners Association (AMA) writes to submit the following comments on the Public Review Draft (PRD) of the Susitna Basin Recreation Rivers Management Plan.

AMA is a professional membership trade organization established in 1939 to represent the mining industry in Alaska. We are composed of more than 1,500 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.

The original Susitna Basin Recreation Rivers Management Plan was adopted in 1991, and per the plan's "Letters to Interested Parties" and other documents, indicates the plan will serve as the basis for the management of the Basin and six recreation rivers for the next 20 years. AMA understands the need for an updated Plan, however, we have concerns with some of the proposed provisions. We wish to provide input on for consideration in the preparation of the final Plan.

### New Terms

There are several new terms introduced and defined in the document, including the critical items listed below, that we seek clarification on:

- Contiguous wetlands and non-contiguous wetlands
- Water Dependent for a project in river
- Airspace, in the context of, "*Construction of utility projects below ordinary high water or in the airspace above waterbodies may be allowed if the project is in the best public interest.*"

AMA would appreciate further and detailed information on definitions and implications of these new terms.

### Mineral leasing and activity

The PRD indicates stream corridors are closed to mineral leasing with only a small portion open to new activity. This is a highly mineralized area, and the plan must evaluate mineral potential of the area before making a final decision. In addition, we request the plan take into account recreational mining activity, which is prevalent and successful in the Susitna Basin. AMA is more than willing to engage and provide more information on this.

### Navigable Waters

In several areas in the document, navigable waters, and waters under the jurisdiction of the U.S. Army Corps of Engineers are inconsistent. While the document obviously is for state navigable waters, the final Plan must correctly identify waters.

### Revised Statute 2477 (RS2477s)

AMA cannot locate in the PRD where existing RS2477s or winter trails are mapped showing how existing users cross the rivers. The plan is for the rivers, but these actions affect adjacent land management and users. The final plan must assess this.

### Implementation and integration with federal requirements

The PRD references in areas projects that will be reviewed *“through applicable agency review processes, including the Clean Water Act Section 404 process.”* Projects will only be reviewed if the wetlands are jurisdictional. However, significant changes are in the works as a result of the *Sackett vs EPA* decision by the U.S. Supreme Court. The PRD outlines that all wetlands are regulated in the corridors. It also points to both contiguous and non-contiguous wetlands, which will certainly be addressed by the *Sackett* decision. This may or may not be true as a result of forthcoming requirements, and the final plan will need to evaluate this. AMA urges you to coordinate with the Alaska Department of Environmental Conservation and the Alaska Department of Law to correctly craft provisions for the final Plan.

### Implementation and integration with state requirements

The PRD discusses drainage and associated fill in the *“Wetlands Drainage and Associated Discharge.”* Section. The provisions proposed will again, be impacted by *Sackett*, but also go outside of the scope of a land management plan:

To protect these wetland values, drainage into wetlands will be authorized only in a manner that:

1. There shall be no impediment to fish passage.
2. Ditches shall not physically connect to any natural bodies of water.
3. Settling ponds and grease separators shall be used to maintain water quality. A strict maintenance schedule shall be undertaken.
4. Disturbed soil areas shall be revegetated by the next growing season. Natural revegetation is acceptable if the site is suitable and will revegetate itself within the next growing season.
5. Discharged waters shall not exceed the state water quality standards.
6. Excess material excavated from the site that is not needed for site development shall be disposed of at an upland site or outside the Recreation Rivers.

7. Side slopes shall not exceed 2:1.

Many of the requirements outlined in the numbered list above are permitting provisions regulated by the Departments of Environmental Conservation and Fish and Game (ADF&G). When projects are proposed near fish habitat, ADF&G evaluates the proposal and issues appropriate permits. When water quality impacts and standards need review, ADEC performs that role. It is not appropriate to regulate via management plan, and the final Plan must address this.

AMA looks forward to working with you for further improvement on the Plan. Thank you for your consideration of these comments.

Sincerely,



Deantha Skibinski  
Executive Director