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A Message from the Executive Director

Dear AMA Members and Friends,

Happy fall, Alaska Miners! I can't believe it's September already. It's been an incredibly busy summer for all of us, and here's a quick recap of some of what we've been doing.

AMA joined businesses across Alaska to file a complaint challenging the repeal of the Roadless Rule exemption. This was done on the same day the State of Alaska and the Pacific Legal Foundations filed their challenges as well!

As you likely saw, the State of Alaska filed a complaint to the U.S. Supreme Court to directly evaluate the EPA's preemptive 404c veto at the Pebble Project. AMA is currently working to join several other organizations to file an Amicus Brief in support of this. Also, several Alaska trade groups submitted an opinion piece thanking the Governor and reminding of the broad implications to all industries.

This month, the new WOTUS Rule was published in the Federal Register. Recall that EPA and the U.S. Army Corps of Engineers had previously published this but had to revise it significantly following the Sackett decision.

In August, AMA worked with Alaska Metal Mines (formerly CAP), to take legislators to Usibelli Coal Mine, Kinross Fort Knox and Northern Star Resources Pogo Mine. We had wonderful attendance from bipartisan legislators, staff and regulatory agencies, and they left with an immensely positive impression of our operations, the safety culture, environmental standards, the great people working at our mines, and so much more. Thank you so much to the mines for putting together these tours for our lawmakers!

We again held three wonderful and successful Mining Day at the Fair events



around the state.

We really appreciate the partnership with Alaska Metal Mines and the fact that we get to show off our industry in front of Alaskans. The Tanana Valley Fair provided great weather on opening day, and we met, and gold panned with so many Interior residents. The Alaska State Fair was less fair weather, but we had a great time. A HUGE shout out to our friends at GPAA for doing gold panning for hours with a demanding crowd. And our Southeast members continue to carry all the water for the Southeast Alaska State Fair in Haines, showcasing our industry.

Our summer Alaska Miner magazine is on our website and in your mailbox, and you will not want to miss this one. It's chock full of updates like a profile of the dynamic father-daughter duo at Donlin Gold, Danny and Betty Twitchell, other Donlin coverage on their assistance to local communities during flooding, a spotlight on the legislative mine tours conducted this summer, AK Metal Mines' rebranding, Alaska Railroad's 100th anniversary and profiles of vendors who support us.

The Department of Energy has announced up to \$150 million "to advance cost-effective and environmentally responsible processes to produce and refine critical minerals

and materials here in the United States. The funding, provided by the Bipartisan Infrastructure Law, will help meet the growing demand for critical minerals and materials while reducing our dependence on offshore supplies.

By now you should have heard of the rebranding of what was formerly the Council of Alaska Producers, now known as Alaska Metal Mines. AK Metal Mines for short and AKM as an acronym, which captures their objectives to convey the importance of minerals in technology and the future.

This month we are also celebrating Usibelli Coal Mine's announcement that Sept. 6 they celebrated 1,000 days without a lost-time incident! Their success again provides amazing testament to the safety culture at the mine.

We also are back to Zoom meetings every two weeks for the fall. Our schedule looking forward includes Sept. 22, Oct. 6 and 20, Nov. 3 and 17, and Dec. 1 and 15.

Finally, the biggest event in Alaska mining is closer than you think. Our Annual Convention is being held Nov. 6-9 at the Dena'ina Center in Anchorage. I LOVE the theme our committee members came up with: Miners for Generations – from Boomers to Zoomers.

Please check our website regularly as we update it as items get confirmed. And please reach out to Steve Teller (teller.steve@outlook.com) if you have requests for a specific speaker! And please email jennifer@alaskaminers.org to reserve your booth or sponsorship!

**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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EPA Revises Waters Rule to Align With High Court Sackett Decision

By Bloomberg News

A new rule governing federally protected waters and wetlands was issued in August by the EPA to align agency regulations with a US Supreme Court ruling that will allow unpermitted development in wetlands across the country.

The rule revises the Biden administration's earlier waters of the US, or WOTUS, definition finalized in January, removing its legal basis, which was struck down by the Supreme Court in May in *Sackett v. EPA*.

The January WOTUS rule expanded federal Clean Water Act protections over wetlands and waterways. But the Supreme Court in *Sackett* limited the waters that can be protected under the act, potentially allowing construction and pollution in vast swaths of wetlands across the country.

The new post-*Sackett* rule revises the January definition to remove the "significant nexus" standard that was the basis of the earlier rule. It also says wetlands protected under the Clean Water Act must have a continuous surface connection to navigable waterways as required by the *Sackett* ruling.

The significant nexus test allowed streams and wetlands adjacent to larger water bodies to be protected under the Clean Water Act.

The new rule implements the court's opinion that the Clean Water Act protects only waters and wetlands that are relatively permanent and have a continuous surface connection to navigable waterways, such as the Potomac or Mississippi rivers.

Sackett v. EPA effectively eliminated the federal government's role in regulating many wetlands nationwide, leaving wetlands that aren't directly connected to large rivers, streams, and coastlines either unregulated or regulated only by states.

The EPA finalized the post-*Sackett* rule without issuing a draft for public comment. The agency did so using the rarely-used "good cause" exception to notice-and-comment under the Administrative Procedure Act, which allows federal agencies to forgo public comment when officials think that a rule update is sufficiently urgent.

In this case, the *Sackett* ruling undermined the existing WOTUS regulation, leaving no legal regulation in place to govern wetlands and waterways.

Radhika Fox, chief of the EPA's Office of Water, said in July that the agency will answer questions from the public only after the final rule takes effect.

Industry groups making up the Waters Advocacy Coalition, including the National Mining Association, American Petroleum Institute, American Farm Bureau Federation, and dozens of others, in July offered their

"Given the soaring demand for mined materials and the need for domestic production to both help meet that demand and secure the nation's supply chains, this rule was an opportunity to advance a regulatory framework that would support the development of strong domestic supply chains; instead, it has created a new obstacle.

"The mining industry is committed to protecting our nation's treasured water resources and we support responsible regulatory efforts to achieve that end, but this rule simply misses the mark by irresponsibly ignoring the intent of the Supreme Court."

— Rich Nolan, President & CEO, National Mining Association

comments to the EPA regardless.

The coalition urged the EPA to avoid finalizing a rule that attempts to satisfy the requirements of *Sackett* while also retaining aspects of the old rule that would more broadly protect waters and wetlands.

The National Mining Association (NMA) released a statement from President & CEO Rich Nolan concerning the revised rule.

"Earlier this year, the U.S. Supreme Court provided an important check to the federal government's jurisdiction over water and land features. Now, just three months later, the administration returns with a revised WOTUS rule that perpetuates prior government overreach, infringing on state authority, and disregarding the court's call for clarity, creating more regulatory confusion and uncertainty when just the opposite is needed. Given the soaring demand for mined materials and the need for domestic production to both help meet that demand and secure the nation's supply chains, this rule was an opportunity to advance a regulatory framework that would support the development of strong domestic supply chains; instead, it has created a new obstacle.

"The mining industry is committed to protecting our nation's treasured water resources and we support responsible regulatory efforts to achieve that end, but this rule simply misses the mark by irresponsibly ignoring the intent of the Supreme Court."

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Thank You to Legislators, Interior Mines for the Hospitality!



Photos Courtesy AMA Staff

Usibelli Coal Mine, Kinross Fort Knox and Northern Star Resources recently hosted Alaska legislators and AMA staff for a tour of their mining operations. Thank you to our gracious hosts and everyone who attended!





Legislators Get Firsthand Look at Pogo Mine



Photos by AMA Staff

Northern Star Resources hosted a contingent of Alaska legislators for a tour of the Pogo Mine in August. Half of the Pogo legislative tour attendees, above, stand in front of the Goodpaster River lookout, observing the extensive water quality monitoring done at site. At the conclusion of the Pogo legislative tour, attendees and Northern Star Resources representatives, right, posed together before heading back to Fairbanks.

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Alaska Energy Metals Rediscovering Eureka

By Shane Lasley for Data Mine North

NIKOLAI — Alaska Energy Metals Corp. President and CEO Greg Beischer has returned to finish what he started when he first landed in Alaska as a young geologist for INCO Ltd. in 1995 – outline a world-class nickel deposit at Nikolai, a project that lies on the northern margins of an energy metals enriched geological terrane that arcs across the 49th State.

“Alaska Energy Metals is positioning itself to supply domestic markets with a source of critical and strategic metals,” Beischer said when AEM made its debut earlier this year. “Located in the USA, we intend to help North America transition to electrical power for vehicles and other rechargeable battery powered products.”

A lot has changed since Beischer broke the first nickel-rich massive sulfide sample off an outcrop at Nikolai – INCO was absorbed by Brazilian mining company Vale, the Nikolai project was picked up by a junior that carried forward exploration, and the nickel and associated energy metals found at Nikolai have become exponentially more critical due to the rocketing demands of a world transitioning to clean energy.

“The demand for nickel and cobalt for electric vehicle battery manufacture has been growing rapidly and is

projected to increase significantly,” said Beischer.

What has not changed is Nikolai lies at the heart of the Wrangellia Terrane, which happens to be one of the best places in the world to look for nickel deposits enriched with copper, cobalt, and platinum group metals. This is why an AI-powered global search for energy transition metals led KoBold Metals to this same area of Alaska.

While KoBold and its exploration of a property immediately north of AEM’s Nikolai has the backing of Microsoft’s Bill Gates, Amazon’s Jeff Bezos, and Alibaba’s Jack Ma, Alaska Energy Metals has a 30-year head start and the most advanced nickel deposit in the emerging eastern Alaska nickel district.

This lead was solidified with the recent purchase of a database from more than \$30 million of exploration conducted since 1995 at Nikolai.

“This additional information will significantly accelerate our work,” Beischer said.

This accelerated program is already underway, with drills cutting through thick zones of disseminated nickel sulfides at Eureka, a large nickel-mineralized body that runs for at least nine miles across the Nikolai property.



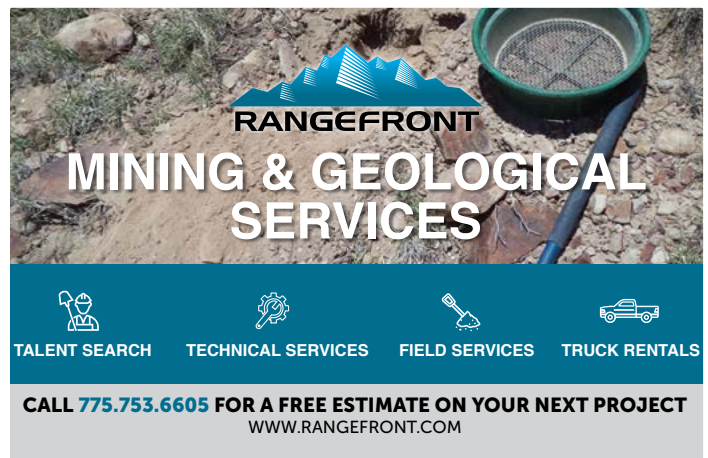
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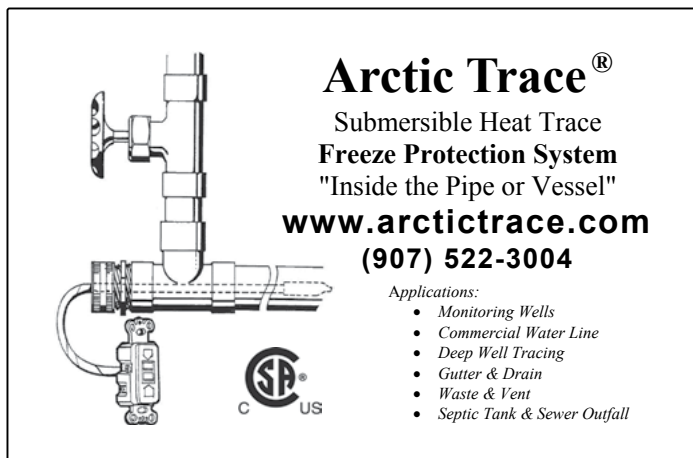
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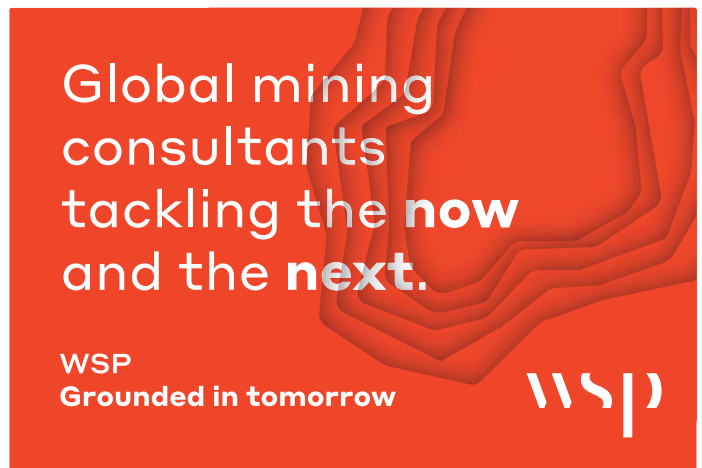
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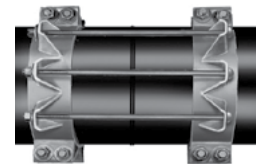
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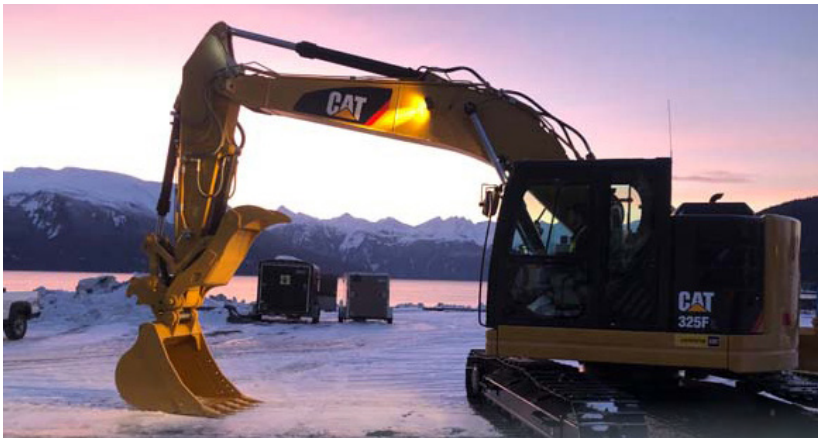
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Governor Tours Estelle Gold Project

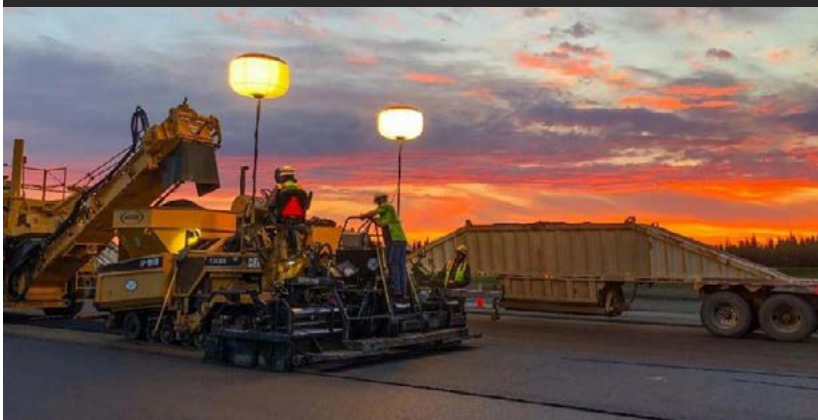


Photo Courtesy Governor's Office

Alaska Gov. Mike Dunleavy toured the West Susitna area and the Estelle exploration project during an August trip.



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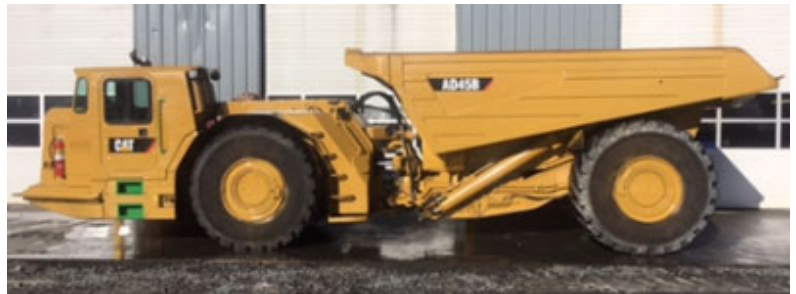
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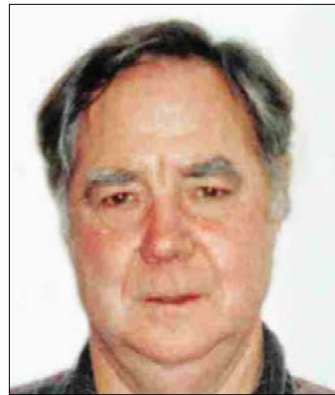
Argile "Beeler" Eugene Pettit, long-time Alaska miner, died Dec. 11 at age 82. He was the son of Woodrow "Puggy" Pettit and Margaret "Bett" Householder Pettit, was born April 4, 1940.

Argile attended Lone Rock School and in 1957, Argile survived a gas explosion at a local skating rink, suffering a fractured skull and other injuries.

After graduation, Argile worked on road construction. He later enlisted in the United States Air Force in May of 1959. He was able to travel to many countries. Argile was honorably discharged in October 1962. Argile worked on road construction again and then in 1975 he chose to enlist in the Army because he wanted to get signal training. Argile was stationed in Alaska all two years. He was honorably discharged from Fort Richardson, Alaska in 1977 and chose to make Alaska his home.

In Alaska, Argile worked on road construction once again. In 1989, he took time off and worked on the Exxon Valdez oil spill, then went back to road work again.

He enjoyed fishing and hunting, and loved prospecting in the mountains. He did not want to be known as a miner. When the snow was still up in the mountains, he would park



his pickup at Scott's and walk the rest of the way and little by little as the snow melted, he could drive further up the mountain, so he didn't have to walk so far to get to his claims.

He was getting slower going up to the mines and so he said, "I was Knighted?" When asked "What was your title?" he said, "Sure rest a lot."

Argile is survived by two brothers and two sisters: Bernard "Butch" Pettit and his wife Margie of Buckeye, AZ, Gail "Susie" Person and her husband John of Lone Rock, IA, Peggy Preston of Fenton, IA, and Richard "Roscoe" or "Amos" Pettit of Lone Rock, IA, and many nieces and nephews.

Beeler loved Alaska and he had always said, "When I die, I want to be cremated and then spread my ashes in Alaska and that way I will be up here the next 500 years."

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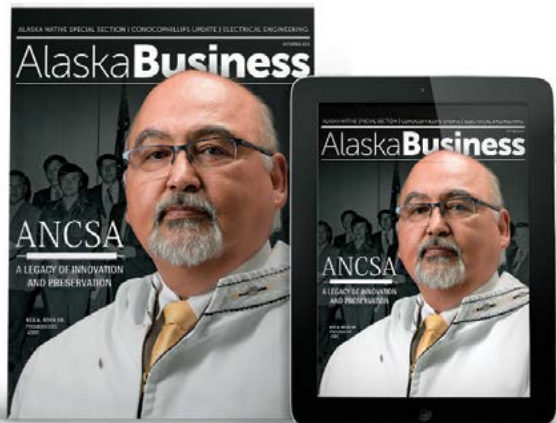


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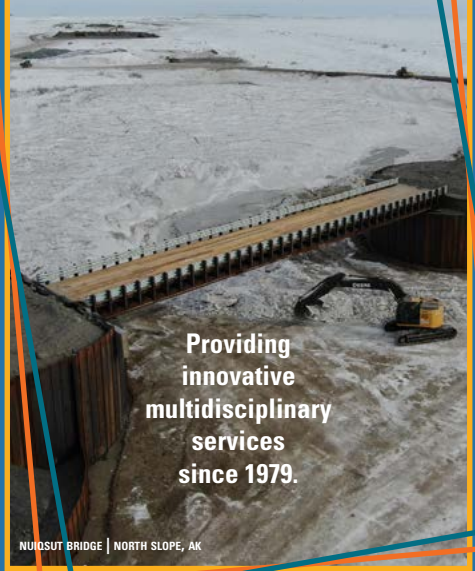
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Dawson City Chamber of Commerce	Klondike Placer Miners' Association	Royal Gold Inc.
Delta Constructors	Kuna Engineering	Ryan Air Inc.
Delta Industrial Services Inc.	Lifewater Engineering Company	Samson Tug & Barge
Denali Industrial Supply Inc.	Lignite Energy Council	Sandvik Mining and Rock Technology
Desert Air Alaska	Lynden Logistics	Sealaska Corporation/Alaska Coastal Aggregates LLC
DGI Geoscience US	Madison Lumber & Hardware Inc.	Semperit Conveyor Belting
Donlin Gold LLC	Mascott Equipment Company	Shoreside Petroleum Inc.
Dorsey & Whitney LLP	Matson	SLR International Corporation
DOWL	McKinley Research Group	Society For Mining, Metallurgy & Exploration
Doyon, Ltd	MFCP	Soloy Helicopters LLC
DXP Alaska Pump & Supply	Mitsubishi Materials USA Corp	Sophie Station Suites - Fountainhead Hotels
Eastern Oregon Mining Association	Montana Mining Association	Southeast Conference
Ecological Land Services Inc.	MTA	SRK Consulting
Energy Laboratories Inc.	M-W Drilling, Inc	Stantec Consulting Inc.
Equipment Source, Inc.	NANA Regional Corp	Stoel Rives LLP
ERM	National Mining Association	Sullivan Water Wells
ESS Support Services Worldwide	Nebari Partners	Sundance Mining Group
Everts Air Cargo	Nevada Mining Association	Swick Drilling North America
Fairbanks Economic Development Corporation	New Mexico Mining Association	T & J Enterprises Inc.
Fairweather LLC	NMS	Tagiuk Gold, LLC
Felix Gold Ltd - Wiseman Metals	North Star Terminal & Stevedore Co. LLC	Taiga Mining Company Inc.
Ferguson Industrial	Northern Air Cargo	TDX Corporation
First Things First Alaska Foundation	Northern Industrial Training, LLC (Anchorage)	Teck Alaska Inc. - Red Dog
Freegold Ventures Ltd	Northern Industrial Training, LLC (Palmer)	Tectonic Metals Inc.
Frontier Supply Company	Northern Permafrost Consulting	Temco Helicopters Inc.
GCI Business	Northern Star Resources - Pogo Mine	The Alaska Support Industry Alliance
General Refining Corporation	Northrim Bank	The Silver Institute
Geosyntec Consultants	Northspan Drilling Ltd	TOTE Maritime Alaska
Geotemps Inc.	Northwest Mine Supply	Tower Hill Mines Inc. - Livengood Project
Global External	Northwest Territories & Nunavut Chamber of Mines	Trilogy Metals, Inc.
Granite Construction Company	Nova Minerals Limited	Tyler Rental Inc.
Graymont	Nuna Geologic Services	U.S. GoldMining Inc
Great Northwest Inc.	Orica USA Inc.	Ucore Rare Metals Inc.
Greater Fairbanks Chamber of Commerce	Oxford Assaying & Refining Corp.	University Redi-Mix
Greenstone Station Inc	Pacific Rim Chemicals	Usibelli Coal Mine Inc.
Ground Truth Americas Inc.	Pathfinder Aviation, LLC	Utah Mining Association
HDR	Pebble Limited Partnership	Valdez Creek Mining
Hecla Greens Creek Mining Company	Perkins Coie LLP	Victus Solutions Group
Heliostar Metals Ltd.	Petro Marine Services	Visit Anchorage
HighGold Mining Inc	PolarX Limited	Weir Minerals North America
Holland & Hart LLP	Property Rights Foundation of America, Inc.	Wells Fargo Bank Alaska
Holland America Line - Princess Cruises	Prospectors & Developers Association of Canada	Western Alaska Minerals
Horst Expediting & Remote Operations Inc.	RAM Enterprise, Inc.	Western Pacific Crane & Equipment
Hyak Mining Co.	Ravn Alaska	White Rock Minerals Ltd.
Hy-Tech Drilling USA Inc.	Redpath USA Corporation	Women's Mining Coalition
Idaho Mining Association	Regeneration Enterprises	World Trade Center Alaska
IMDEX	Reliable Transfer Corporation	Wyoming Mining Association
Industrial Pumps of Alaska	Remote Made Easy (PSSA)	Yukon Chamber of Mines
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New and Renewing Members

Thank you to all the AMA corporate and individual members who joined or renewed their membership to the association in July. You make AMA possible!

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Alaska Industrial Hardware Inc
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Mitsubishi Materials USA Corp
North Star Terminal & Stevedore Co. LLC
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Alaska Mining Calendar

- **Sept. 23:** Public Lands Day event at Campbell Creek Science Center
- **Sept. 26-28:** Alaska Chamber Fall Forum in Anchorage
- **Oct. 2-5:** Mine Closure Conference 2023. 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.
- **Oct. 5:** Fairbanks Industry Update Forum, Alaska Support Industry Alliance. Westmark Hotel and Convention Center, Fairbanks. www.alaskaalliance.com.
- **Nov. 6-9:** AMA Annual Convention in Anchorage; Convention registration, agenda and more details at www.alaskaminers.org/convention
- **Nov. 15-16:** 44th Annual Alaska Resources Conference, Alaska Resource Development Council, Anchorage. www.akrdc.org/conference
- **Dec. 6:** Alaska Session
- November AGC Annual Convention: www.agcak.org/annual-conference
- December AEMA Annual Meeting: www.miningamerica.org/annualmeeting


AMA Branch Meetings

- AMA Statewide Branch meetings have resumed! These meetings are held biweekly on Zoom. For meeting schedule and Zoom link, visit www.alaskaminers.org
- AMA local branches are meeting in person. Contact your branch chair or visit www.alaskaminers.org for your local branch schedule
- Contact Jennifer, jennifer@alaskaminers.org, with any questions.

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