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Alaska Department of Natural Resources  
Sent via email: [powiap.revision@alaska.gov](mailto:powiap.revision@alaska.gov)

Re: AMA Scoping Comments – Prince of Wales Island Area Plan Revision

To Whom it May Concern:

The Alaska Miners Association (AMA) appreciates the opportunity to provide scoping comments on the Department of Natural Resources' (DNR) revision of the Prince of Wales Island Area Plan (POWIAP).

AMA is a professional membership trade organization established in 1939 to represent the mining industry in Alaska. AMA's more than 1,400 members come from eight statewide branches: Anchorage, Denali, Fairbanks, Haines, Juneau, Kenai, Ketchikan/Prince of Wales, and Nome. Alaska's miners are individual prospectors, geologists, engineers, suction dredge miners, small family mines, junior mining companies, major mining companies, Alaska Native Corporations, and the contracting sector that supports Alaska's mining industry.

The planning area hosts some of Southeast Alaska's most significant mineral resources, and its potential is documented, active, and of growing national importance given current federal critical minerals policy. AMA offers the following comments to ensure the revised plan supports responsible development of these resources.

**Preserve the existing "open unless closed" framework and the General Use default.** The current Chapter 2 Subsurface Resources section correctly states, by statute, all state lands are open to mineral location unless specifically closed; a miner has the right to stake regardless of surface use designation; and adverse effects on surface resources are managed through compliance with state law and plan guidelines. Consistent with that framework, General Use should be the presumptive surface designation for state lands in the planning area, applied unless DNR can articulate a site-specific resource value requiring a more restrictive designation. Restrictive designations should not be applied through blanket approaches or carried forward from legacy mapping without current data support. Critically, the revised plan should state clearly that surface designations such as Habitat, Public Recreation, Settlement, or Waterfront Development do not automatically convey a subsurface closure or leasehold location requirement. Any subsurface restriction must be separately established by a Mineral Closing Order (MCO) or Leasehold Location Order (LLO) supported by a Commissioner's finding of incompatibility under AS 38.05.185(a), and must be co-designated and labeled as such on the plan maps.

As DNR moves into Step 3, AMA requests that the alternatives considered include at least one alternative that prioritizes resource development access. The full range of alternatives should reflect the multiple-use mandate of state land management and the constitutional direction in Article VIII that natural resources be developed for the maximum benefit of Alaskans.

**Apply the precedent of Mineral Order 1080 to existing closures.** In 2008, the Commissioner issued MO 1080 rescinding MCO 466 and reopening approximately 130,360 acres to mineral entry. AMA requests that DNR apply this same framework to existing closures and the LLO within the planning area. Existing closures associated with Grindall Islands and Menefee Anchorage, as well as the LLO covering portions of the Saltery Cove streams and Niblack Anchorage streams, should be reaffirmed only if current data and current statutory standards continue to support a Commissioner's finding of incompatibility. Where they do not, AMA requests that the lands be reopened to mineral entry.

**Recognize critical and strategic mineral resources in management intent statements.** The 1998 plan and 2008 amendment predate the current federal critical minerals framework, the USGS critical minerals list, and Defense Production Act Title III interest in domestic REE supply chains. The Bokan Mountain deposit in Unit 15 (Kendrick) is among the most significant domestic heavy REE resources; the Niblack project in Unit 14 (Moir) and the prospects of the Kasaan Peninsula in Unit 12 similarly host minerals of current economic and strategic importance. AMA requests the revised plan identify these districts by name in the relevant Regional Management Unit intent statements, acknowledge mineral development as a primary or co-primary intended use in units containing documented critical mineral resources.

**Protect access along RS 2477, section line easements, and tidewater.** POW has the most developed road network in Southeast Alaska, much of it crossing a checkerboard of state, Native corporation, federal, and private land. The existing Chapter 2 Trail and Public Access Management section's commitments to identify and assert RS 2477 rights-of-way and to retain section line easements should be preserved and strengthened. Tidewater access, including Waterfront Development designations at logical port sites such as Kendrick Bay, Niblack Anchorage, Polk Inlet, Cholmondeley Sound, and Twelvemile Arm, should be preserved and, where appropriate, expanded.

**Co-designation and management guidelines for mineral activities in Habitat areas.** Where the revised plan applies multiple designations to a single area, AMA requests clear language stating that co-designation does not establish a hierarchy, and conflicts will be resolved through case-by-case best interest analysis. The existing Chapter 2 framework for "Allowing Uses Designated in Chapter 3" within crucial habitat should be retained; it correctly recognizes that with appropriate design and operations, multiple designated uses can be compatible. The existing guideline regarding mineral activities in Habitat-designated areas likewise establishes a workable standard and may proceed where the operator provides adequate information for agencies to determine that activities will not significantly adversely affect fish or wildlife resources and that the activity is in the overall best interest of the state. The revised plan should not adopt language treating mineral activities as presumptively incompatible with Habitat designations or establishing procedural hurdles that functionally preclude exploration or development.

**Specific management unit comments.** Subject to more detailed comments AMA may submit on draft designations and intent statements as the planning process develops, AMA notes the following units as priorities given their documented mineral significance:

- Unit 15 (Kendrick) must accommodate continued exploration and potential development of the Bokan REE deposit, including tidewater access at Kendrick Bay.
- Unit 14 (Moira); the Niblack Anchorage Leasehold Location Order should be reanalyzed under current data and current operational standards.
- Unit 12 (Kasaan Bay) surface designations should accommodate continued exploration and potential redevelopment of Salt Chuck, the Kasaan Peninsula skarn prospects, and adjacent occurrences, recognizing the presence of established communities and balancing mineral access with community values.

The planning area overlaps significantly with Tongass National Forest lands and with Native corporation lands managed by Sealaska and the village corporations. AMA encourages DNR to coordinate with these landowners and managers during plan development to ensure state-managed lands provide complementary access consistent with development of resources on adjacent lands, including mineral projects on private and federal land that depend on state-managed transportation corridors and tidewater facilities.

AMA appreciates DNR's commitment to a robust public process and looks forward to continued engagement throughout plan development, including review of draft management intent statements, draft designations, and the alternatives developed in Step 3. The 1998 POWIAP and the 2008 amendment, together with the Commissioner's finding supporting MO 1080, established a defensible and statutorily sound framework for managing state lands in the planning area. The current revision should preserve that framework, update it to reflect current mineral resource data and federal critical minerals policy, and reanalyze each existing closure and restriction against the standards of AS 38.05.185(a) as required by statute.



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