

Issue Response Summary MO 1266

Subject	Issue Summary	Response
General Mining Activity Impacts	With Fort Knox Mine nearby, mining activity in the area is already excessive, including low flying helicopters, equipment noise, added litter/oil-fuel spills, and intimidation of locals. Keep mining operations to a minimum.	A Mineral Order is a land classification action under AS 38.05.300 and does not authorize any activities or development. This Mineral Order only opens the subject lands to mineral entry, which allows companies or individuals to evaluate if commercial quantities exist that would merit further mining activities or development. If exploration does not prove successful, further development may not occur. If exploration does merit development, before any such development could occur there would be additional opportunity for public review and comment where required by law. Concerns raised during public review of proposed mining operations may result in development plan modifications to avoid, minimize or mitigate potential impacts.
Incompatible Use	The area is an established, peaceful, residential neighborhood, and a tourism and recreation area. Reopening it to mining activities would create an incompatible use.	<p>Per AS 38.04.065(b) the Department of Natural Resources manages its land for multiple use, which is accomplished through areawide land use plans. Area plans are accompanied by mineral closing orders, which apply to land in locations where subsurface use may conflict with surface use, such as areas proposed for land disposals. In these cases, the initial closure affects an area much larger than what is needed for a disposal program. Closing orders will remain in place in areas developed for residential use, but the state land that surrounds the final residential development may be made available for other uses, and the mineral order is lifted. The area identified as Area 2 in the MO 1266 exhibit was closed under MCO 228 in 1982 for a proposed land disposal. In the Eastern Tanana Area Plan (ETAP), which was adopted in 2015 after a robust public process, DNR released this land from its land disposal program and included it in management unit F-22 with a land use designation of Minerals (See Pg. 3-36 of ETAP at the following link: https://dnr.alaska.gov/mlw/planning/areaplans/etap/).</p> <p>Management intent specifies this unit shall be managed for its mineral values, and that mining operations are to take into consideration adjacent residential uses and the presence of the winter moose range. This mineral opening order is needed for consistency with the management intent for Unit F-22. Regarding the area identified as Area 1 in the MO 1266 exhibit, this land was conveyed to the Fairbanks North Star Borough in 1981, and the borough has requested that DNR lift the mineral closing order on</p>

		its land in this location. Mining activities on this land would be managed through a lease. In both Area 1 and Area 2, before mine development could occur, there would be additional opportunity for public review and comment.
Exclusive Use of Public Land	Opening the area to mining would allocate a large chunk of public land currently enjoyed for multiple uses to a single user.	<p>Opening this land to mineral entry does not preclude other activities. DNR manages its land for multiple use and considers physical, economic, and social factors affecting an area, among other factors as set out in AS 38.04.065(b). Surface uses of mining claims are limited to those necessary for the prospecting for, extraction of and basic processing of minerals and are subject to reasonable concurrent uses under AS 38.05.255. The Fairbanks North Star Borough is a surface landowner of a portion of the area and has requested that DNR lift the mineral closing order on its land in this location.</p> <p>Additionally, any proposed future mining activities on this land would take into consideration its current use, as indicated in the management intent for ETAP management unit F-22 (See ETAP Pg. 3-36).</p>
Mining and Resource Development Benefits to Alaskans	Many Alaskans have paid for higher education through the Alaska Advance College Tuition Program funded by Alaska Permanent Fund dividends, along with other scholarship programs funded by Alaska corporations involved in Alaska resource development.	Noted.
Support Opening More Areas to Mineral Entry	All State of Alaska managed lands should be open to mineral entry. Mineral closing orders should be legislatively prohibited.	Per AS 38.05.300, all state land is open to mineral entry unless it is closed for purposes listed in statute.
Mining Activity Impacts on Recreational Use	Preserve and protect recreational use of the area, including trail use, hunting, trapping, berry harvesting, aurora viewing, dog mushing, snow-mobile riding and skiing. Implement notification process for equipment use of trails, as well as temporary seasonal trail closures like BLM does in nearby White Mountains National Recreation Area.	This is outside the scope of this review. Specific measures to mitigate potential impacts to identified resources or designated uses would be developed during the permitting and adjudication process depending on the type of authorization, for any proposed future activities on the subject land.
Mining Benefits to Local Trail Systems	Trail systems in this region that are used for recreation were originally constructed and maintained by prospectors and miners for access to mining claims. This mineral opening order would encourage mining companies to increase pioneer trail access for later use by Alaskans.	Noted.

Use of Public Trails and Roads	Object to miners' use of trails and roads that volunteers and taxpayers maintain. Old Murphy Dome Road is the only access road to neighborhoods, and the primary public safety road for wildland fire protection. This road is not compatible with mining exploration and development.	Road and trail use must be consistent with statutes and regulations, as well as the conditions of a right of way or easement grant.
Mining Activity Impacts on Wildlife	The subject area is a sensitive wildlife corridor; mining would have devastating impacts to the environment and wildlife habitat.	Specific measures to mitigate potential impacts to identified resources or designated uses would be developed during the permitting and adjudication process depending on the type of authorization, for any proposed future activities on the subject land.
Mine Landfills Instead of Mines	Suggest miners explore existing landfills for metals and other materials rather than destroy an ecosystem.	Noted.
Mining Activity Impacts on Land Value	Mining would decimate land value for local residents. Homes were built with the assurance that investments were protected.	This is a land classification action under AS 38.05.300 to open the subject land to mineral entry and does not authorize any activities. Specific measures to mitigate potential impacts to identified resources or designated uses would be developed during the permitting and adjudication process depending on the type of authorization, for any proposed future activities on the subject land.
Potential Exposure to Toxins	The military has left debris in the area that if disturbed would cause a major toxic situation the state would have to clean up.	This is outside the scope of this review. Specific measures to mitigate potential impacts to identified resources or designated uses would be developed during the permitting and adjudication process depending on the type of authorization, for any proposed future activities on the subject land.
Mining Activity Impacts on Neighborhoods	How will noise be mitigated for those living in Hattie Creek Subdivision? How will water wells be protected from damage?	This is outside the scope of this review. Specific measures to mitigate potential impacts to identified resources or designated uses would be developed during the permitting and adjudication process depending on the type of authorization, for any proposed future activities on the subject land.
Foreign Corporations	Object to actions that disproportionately advantage foreign corporations to the detriment of long-established residential neighborhoods.	This mineral opening order is a land classification action under AS 38.05.300, which would open the subject land to mineral entry. Any future mining activities proposed on this land would be subject to the permitting process and is outside the scope of this review.
Unconstitutional Use	Reopening a residential area to mineral entry would not be to the maximum benefit of all Alaskans as mandated in the state constitution.	This mineral order reopens vacant state-owned land and Fairbanks North Star Borough-owned land to mineral entry, and does not reopen land in residential neighborhoods, which would remain closed to mineral entry.

Economic Impracticability	The state does not receive enough economic benefit from mining development commensurate to environmental damage, thus it is not in the state's interest. More extractive projects make for an unsustainable future.	MO 1266 only opens land to mineral entry. Any future mining development will require a rigorous permitting and regulatory review by the Department of Natural Resources (and other agencies) that is commensurate to the scope of activity and potential for adverse effects. Mining License Tax rates and production royalty payments are set by the legislature and are outside the scope of this decision.
Public Process	Very little public notice regarding this development. There were no public hearings in communities to inform the public about this request from mining companies. Please provide public meetings to include maps of what is planned now, showing all points of access, planned road use and streams and drainage impacts.	Public notice for MO 1266 was conducted according to the requirements of AS 38.05.945. This mineral order is a land classification action under AS 38.05.300 to open the subject land to mineral entry. Any future activities proposed on this land would be subject to state statutes and regulations, and managed according to the provisions of Eastern Tanana Area Plan and the permitting process.
Public Process	A "courtesy notice" of two weeks to comment on APMA's and MOs understates and undervalues the potential for significant and negative impacts, and the potential for conflicts between residents, recreationists and developers. DNR should extend the public notice period from two weeks to at least 30 days on all of its public notices.	Per AS 38.05.945, a 30-day notice period was provided for MO 1266. The APMA referenced in comments is a separate action, which does not include or reference any land encumbered by MO 1266. See AS 38.05.945 for DNR authorizations and actions that require a minimum 30-day public notice period.