

The following are responses to the public comments that were submitted via email to the Department of Natural Resources' (DNR's) Division of Mining, Land and Water¹ concerning the submission of Application for Permits to Mine in Alaska ("APMA") # F20252955 (hereinafter the "application", "plan of operation" and, where relevant the "permit") requesting authorization to conduct mineral exploration drilling and trenching, and associated access construction on state mining claims held by Range Minerals Alaska, LLC, James Oliver, and operations conducted by Great Land Minerals, LLC.

Comment Overview

In rendering a decision on this application, the Department considered comments submitted during the comment period, which ran from May 21st, 2025, to June 4, 2025². DNR received 67 public comments. Comments within the scope of the application review were considered, as well as relevant, competent, and scientifically sound information that the commenter cited in support of their comments.



¹ "DNR" "ADNR", the "Department", the "Division", "DMLW" and "Mining Section," are used to indicate the Alaska Department of Natural Resources, Division of Mining, Land & Water.

² A comment response document is not required by statute or regulation but provides a useful summary of the relevant comments on the application that were submitted to DNR during the comment period and the Department's responses.

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ISSUE TOPIC: OPINION COMMENTS AGAINST THE ISSUANCE OF THE PLAN OF OPERATIONS.

Comment Summary: Commenters voiced general opposition to the activities proposed in the submittal and encouraged denial of any permits.

DMLW Response: General support/opposition comments were noted.

The Division's review of this application was conducted by a team of subject matter experts with extensive experience in mining, environmental science, and natural resource management. Our analysis is based on objective criteria, established scientific principles, and relevant regulations. We approach each application with impartiality, focusing solely on the facts presented and the applicable legal and regulatory framework.

Our team's diverse expertise allows for a comprehensive evaluation of all aspects of the proposed activities, including potential environmental impacts, technical feasibility, and regulatory compliance. We strive to maintain the highest standards of professional integrity in our assessments, ensuring that our decisions are based on sound science and law, rather than personal or political considerations. The Division is committed to transparency in our decision-making process, which is evident in this response to comment document.

After working with Division staff to obtain pre-application technical assistance, Great Land Minerals has submitted a comprehensive and well-prepared application that demonstrates a thorough understanding of the regulatory requirements and the complexities of the proposed activities. The application includes detailed plans, extensive data, and a clear outline of operational procedures, reflecting a commitment to responsible resource management.

The Division has completed a “hard look” and has issued a reasoned decision considering the material facts and issues presented. As noted in the Reclamation Bonding comment response below, Great Land Minerals, LLC., is participating in the Statewide Reclamation Bonding Pool under AS 27.19.040(b). The reclamation bond pool is put in place to protect the state and public lands if the permittee is unable or unwilling to meet permit obligations and complete the required reclamation.

The Division values public input and remains committed to ongoing dialogue with all stakeholders throughout the permitting process and beyond.

ISSUE TOPIC: OPINION COMMENTS IN FAVOR OF THE ISSUANCE OF THE PLAN OF OPERATIONS.

Comment Summary: Commenters generally agreed with the proposed activities and encouraged the issuance of the exploration activities.

DMLW Response: General support/opposition comments were noted. The Division has decided to issue a Plan of Operations Approval with reasonable and appropriate stipulations to protect the state's interest. Issuance of this decision is consistent with the provisions of the Alaska Constitution, Article VII, the Alaska Lands Act (AS 38.05), and Subsurface Resources goals of the Eastern Tanana Area Plan for State Lands which includes providing opportunities through state land management for the exploration and development of mineral resources and the general plan goal of providing opportunities for jobs and income by managing state land and resources to support a vital, self-sustaining, diverse local economy.

ISSUE TOPIC: ALASKA PUBLIC TRUST DOCTRINE AND CONSTITUTIONAL DUTIES

Comment Summary: Commenter stated that under Article VIII of the Alaska Constitution, all natural resources are to be managed for the maximum benefit of the people, in accordance with the sustained yield principle. This project:

- Places the burden of environmental and health risk on the public, while funneling speculative private benefit to external entities.
 - Fails to mitigate foreseeable harm to air quality, water, wildlife habitat, and public recreation areas.
 - Proposes a vague and unenforceable reclamation plan, falling short of fiduciary obligations.
- Approving this project in its current form constitutes a clear breach of the State's public trust responsibilities.

DMLW Response: Comment Noted. Article VIII of the Alaska Constitution establishes that natural resources shall be managed for the maximum benefit of the people, subject to principles

such as sustained yield. Under Article VIII Section 11 and AS 38.05.195, a qualified locator acquires a real property interest in a state mining claim and is entitled to explore and develop minerals, subject to the requirements of applicable permitting processes and environmental protections.

This exploration and bulk sampling application does not represent final authorization of a mine. Instead, it allows limited disturbance under specific, enforceable conditions reviewed through the State's multi-agency permitting system. The project area and proposed activities remain subject to oversight by the Alaska Department of Natural Resources (DNR), Department of Environmental Conservation (DEC), and other agencies responsible for environmental safeguards, including water quality, air quality, habitat, and reclamation standards.

Public Benefit and Private Interest: The Alaska Constitution and statutes recognize both the public value of mineral exploration and the rights of claimants. Revenues generated through rent, fees, royalties, and taxes accrue to the State and its residents. Exploration does not guarantee eventual mine development but provides the data necessary to evaluate whether a resource may be developed in a manner that provides long-term public benefit.

Environmental Protections: State agencies require operators to implement multiple layers of mitigation and reporting. All water use, fuel storage, waste management, and site activities are conditioned to prevent harm to public health, wildlife habitat, and water quality. If air emissions or discharges exceed allowable limits, enforcement mechanisms are available.

Reclamation Plan: Alaska Statute AS 27.19 and related regulations require miners to perform reclamation as a condition of operation. Bonding or other financial assurances ensure reclamation obligations are enforceable and can be carried out if the operator fails to comply. The reclamation plan has been approved, and the proposed reclamation measures meet all applicable reclamation performance standards under the law.

Public Trust Responsibilities: Approving an exploration and bulk sample Plan of Operations is not inconsistent with the State's obligations under the Alaska Constitution. The permitting process is designed to balance resource development opportunities with environmental protection and public use values. Conditions applied to this authorization, along with agency oversight and statutory reclamation requirements, provide mechanisms to safeguard sustained public benefit.

Accordingly, the Division's review considers both the applicant's real property rights in the mining claims and the public interest in responsible resource management. The decision and approval are conditioned to ensure compliance with Alaska statutes, regulations, and constitutional duties.

ISSUE TOPIC: LENGTH OF PLAN OF OPERATIONS APPROVAL

Comment Summary: Commenters stated that approval should be for a single year and that a new application should be required every year.

DMLW Response: Comment Noted. The applicant has applied for a Plan of Operations Approval under 11 AAC 86.150 and 11 AAC 86.800. Under 11 AAC 86.800(d), the plan of operations may cover up to a ten-year period. In review of the proposed activities, the Division does not foresee any conflicts or potential issues that would warrant such a yearly piecemeal permitting approach. Furthermore, the Division views the limitation for the Plan of Operations Approval to one year as a direct conflict with the intent of the application to conduct ongoing advanced exploration around Ester Dome. Requiring an applicant to resubmit an application is counterproductive, and the Division finds that it would be arbitrary, considering the regulation, and constitutes a baseless delay.

During the terms of the permit, the applicant is required to submit reclamation summary reports annually and is subject to inspections to verify reclamation has been completed to the standards outlined in 11 AAC 97³. Additionally, an annual work plan that describes the intended exploration and reclamation for the project location during that year's operations is required.

An amendment must be filed for approval if the operator wants to deviate significantly from the approved plan. Restricting the plan to an annual permitting regime is unnecessary. The Plan of Operations is both facially and legally revocable for cause and at will. The Division also retains the right to modify the Terms of Approval during the duration of the plan.

ISSUE TOPIC: ADEQUACY OF PUBLIC NOTICE AND APPLICATION MATERIALS

Comment Summary: A substantial number of comments received by the Division remarked on the adequacy and constitutionality of a 14-day comment period. Many commenters indicated that a public meeting and a 30-day or 90-day comment period were required.

DMLW Response: Comments Noted. Many Commenters are confusing the federal agency NEPA/EIS⁴ comment periods that typically range from 45-90 days (depending on the scope of the project) with the public notice requirements for a State of Alaska Plan of Operations Approval. Revocable permits and authorizations, such as the issued Plan of Operations, are not a disposal of a state interest and are exempt from formal public notice requirements described by AS

³ 11 AAC 97 Mining Reclamation

⁴ National Environmental Policy Act (NEPA) / Environmental Impact Statement (EIS)

38.05.945(e). Pursuant to Alaska Constitution Article VIII, Section 10, the Alaska Legislature enacted AS 38.05, including the provisions of AS 38.05.945.

However, the department does retain the discretion to issue an online public notice posting and solicit comments. The Division determined that it was appropriate to post our standard exploration permit/plan of operations approval 14-day posting, which is used for comparable exploration projects elsewhere on state lands. This is the typical timeframe that land use authorizations (such as Plan of Operations Approvals and Land Use Permits) are public noticed by the Mining Section along with the Division's Regional Land Offices for non-mining related land use permits. The public notice contained a clear description of the proposed action, pertinent facts, information, links to submit comments, and the application before the agency for review and consideration.

While not required, the notice provided by the Division was constitutionally adequate⁵; as it was a reasonable and substantial opportunity for the public to participate in the adjudicatory process governing the issuance of the Plan of Operations Approval. The Division received numerous detailed substantive comments and has provided a response to comments document addressing public interests and concerns.

In addition, there is no legal requirement for public meetings or hearings in the adjudication of 11 AAC 86 Plan of Operations Approvals. Permits and other authorizations (such as Plan of Operations Approvals) that are revocable are also exempt from AS 38.05.945 public notice requirements and thus, are exempt from AS 38.05.946 public hearings⁶. DMLW has provided a detailed response to comments document to address concerns and questions raised during the 14-day public notice period.

ISSUE TOPIC: MINING CLAIMS AND AREA PLANS

Comment Summary: Commenters stated that area plans and mining claims in the area are no longer in the best interest of the project area. They claim the area plans are outdated and no longer reflect land use of the area.

DMLW Response: Comment Noted. While the comments are outside the scope of the decision, a brief overview of the process of how area plans are created and how revisions occur will be

⁵ Because Alaska Const. Article VII § 10 "Public Notice" does not specify the requirements and there are no specific requirements for revocable Plan of Operations Approvals, what constitutes constitutionally adequate centers on due process. In the due process context, notice has been found adequate when the party has had actual notice and the opportunity to present its arguments to DNR.

⁶ Under AS 38.05.946

discussed, along with how Mineral Closing Orders are created to prevent mining claims in areas of state land.

Area plans: The project area is covered by the Eastern Tanana Area Plan⁷. Area Plans go through a long, public process to set broad, long-term land use planning. The requirements for creating the plans are governed by Alaska State Statute AS 38.04.065⁸. The Eastern Tanana Area Plan went through the entire public process and was approved and implemented in 2015. More information regarding state land planning can be found at the following website: <https://dnr.alaska.gov/mlw/planning/>

Mineral Closing Orders: Mineral Closing Orders are governed by Alaska Statute AS 38.05.300. However, it should be noted that in accordance with AS 38.05.300, any closure above 640 contiguous acres can only be closed to mineral entry by act of the State Legislature⁹. In addition, if any such order was put in place over the project area, it does not go into effect while preexisting mineral rights remain from the time before the closing order designation by the legislature.

ISSUE TOPIC: CONVEYANCE OF STATE LANDS TO PROPERTY OWNERS

Comment Summary: Commenters believed that the land in the area should be considered settlement only and not open to mining. The mechanism to do so would be for the state to sell the land to private property owners.

DMLW Response: Comment Noted. This comment is beyond the scope of this decision. Conveyance of surface rights requires no encumbrance of title to include, but not limited to, mining claims. To sell surface lands, the land would require reclassification under the Eastern Tanana Area Plan as settlement. Following the change in the area plan classification, legislative action is required to create a mineral closing order for areas larger than 640 acres. Additionally, the parcels would require sale through the state land auctions in accordance with AS 38.05.050¹⁰.

⁷ A complete copy of the Area Plan can be found at <https://dnr.alaska.gov/mlw/planning/areaplans/etap/>

⁸ Sec. 38.04.065. Land use planning and classification

⁹ Sec. 38.05.300. Classification of land. (a) ... If the area involved contains more than 640 contiguous acres, state land, water, or land and water area may not, except by act of the state legislature... (2) be otherwise classified by the commissioner so that mining, mineral entry or location, mineral prospecting, or mineral leasing is precluded or is designated an incompatible use.

¹⁰ Sec. 38.05.050. Disposal of land for private ownership.

ISSUE TOPIC: ACCESS, INCREASED TRAFFIC, AND ROAD DEGRADATION

Comment Summary: Commenters noted an objection to the access to the project site, safety of increasing traffic along St. Patrick Road, Ester Dome rd., and Henderson rd., and the degradation of the road that it will cause.

DMLW Response: Comment Noted. St. Patrick's Road, Ester Dome Road, and Henderson Road are under the authority of the Alaska Department of Transportation and Public Facilities (DOT&PF) as part of the state highway system. Management authority is delegated to DOT & PF and not the Alaska Department of Natural Resources (DNR). The use, access, and general maintenance of the road fall outside the scope of DNR's permitting and regulatory authority. Accordingly, this decision does not address or impose stipulations regarding the use of St. Patrick's Road, Ester Dome Road, and Henderson Road, as the road is not subject to regulation under mineral exploration permitting requirements administered by DNR.

Any vehicle traffic associated with this mineral exploration project, including transport of personnel, heavy equipment, and supplies, is subject to the same traffic laws, regulations, and restrictions applicable to the general public on the state highway system. This includes compliance with load/weight limitations, posted speed limits, seasonal weight restrictions, and other DOT & PF requirements intended to ensure safety and protection of state transportation infrastructure. Responsibility to comply with these requirements rests with the operator and is independent from permits or authorizations issued by DNR for mineral exploration activities.

ISSUE TOPIC: EFFECT ON PROPERTY VALUES AND HAS A NEGATIVE EFFECT ON NEIGHBORHOOD HOSPITALITY AND TOURISM BUSINESSES

Comment Summary: Commenters voiced concern on how the proposed activities will lower the property and home values around the area.

DMLW Response: Comments Noted. In issuing a mineral exploration Plan of Operations Approval, the Division's review is strictly limited to the standards and factors established under statute, regulation, adopted area plans, and permitting policy. The location of this project is designated for mineral extraction as the primary use of state land in the Eastern Tanana Area Plan, which guides management of state lands in the region. Potential effects on adjacent property values or neighborhood character are not among the criteria the Division may consider in this context.

The permitting authority does not serve as a zoning or land valuation mechanism; therefore, speculative reductions in neighboring land values and effect on local hospitality and tourism businesses fall outside the scope of decision-making. If such considerations were relevant, property values and business ventures are influenced by numerous external market factors that cannot be reliably quantified in relation to the temporary and exploratory nature of the proposed activities. Moreover, complex questions of fact and law surrounding property value impacts are beyond the Division's expertise and legal authority, making this Division an inappropriate venue for their resolution.

Although local zoning ordinances and the 2005 Fairbanks North Star Borough Regional Comprehensive Plan¹¹ do not provide direct, instructive guidance to the Division in its permitting process; they remain illuminating in discussions about property values and anticipated uses. The proposed mineral exploration project is in an area zoned General Use-1 (GU-1) by the Fairbanks North Star Borough—this is the broadest zoning category, allowing the widest array of residential, commercial, and industrial activities with very few restrictions. Further, the 2005 Regional Comprehensive Plan designates the area as a High Mineral Potential Zone, signaling that mineral exploration and extraction are authorized and expected uses within this setting. For these reasons, the agency's analysis remains properly focused on measurable, regulatory standards rather than conjectural real estate impacts.

ISSUE TOPIC: NOISE, LIGHT, AND AIR POLLUTION

Comment Summary: Commenters mentioned how noise, light, and air pollution will affect the health, safety, and local aesthetic of the surrounding community.

DMLW Response: Comment Noted.

Noise Pollution: Noise levels based on the equipment proposed to be used are, in general operating at approximately 100 dBA within 50 ft of the machine. Sound dissipates based on the distance away from the source. At the decibel levels of this equipment, the distance from adjacent residential properties to proposed drilling locations, and the vegetation of the area does not create a safety hazard to the surrounding residential properties. Noise at a level that destroys the aesthetic of the area during operation is not within the scope of this decision. The area of operations is not governed by any local noise ordinances and cannot be stipulated to operate at only certain hours or within a certain decibel range. Determination of what constitutes a civil or "private" nuisance

¹¹ More information about the Fairbanks North Star Borough Comprehensive Plan can be found at: <https://www.co.fairbanks.ak.us/DocumentCenter/View/900/Regional-Comprehensive-Plan-PDF>

under Alaska Law is also not within the Division's purview, and pursuit of abatement of civil nuisances must be made through appropriate legal channels.

Light Pollution: In general, portable light plants are what companies use to provide illumination on worksites. These are generally located only while activities are being conducted and during times when illumination is insufficient. The light produced by these light plants is the same produced by a streetlight. The amount of light produced does not pose any health or safety concerns, and aesthetics are outside the scope of this decision.

Air Pollution: Air quality is regulated by the Department of Environmental Conservation (DEC) and is outside the scope of this decision. Required by stipulation Sec. 14 Other Permits,¹² the applicant must follow all laws and regulations that this Approved Plan of Operations does not cover. If DEC determines that the activities require permits, then the applicant cannot conduct operations until it is fully compliant by obtaining said authorization.

ISSUE TOPIC: IMPACTS TO THE EQUINOX MARATHON AND TRAILS

Comment Summary: Commenters are highly concerned about the impacts that the proposed activities will have on the Equinox marathon and the trail.

DMLW Response: Comments Noted. Great Land Minerals in the application stated, "A short suspension of field work will occur during the Equinox Marathon in deference to the increased foot traffic in the area". The department also recognizes the multiple uses that the area has in the community. The surface disturbances that will impact the trail are limited to the clearing of brush and improvements to erosion control measures. There is no mining activities proposed that will have direct impacts on the Equinox Marathon route. In addition, Great Land Minerals has committed to maintaining communication with the organizers of the Equinox Marathon to ensure that the standard required to maintain its traditional operation is ensured. If at any time activities other than those described in the application need to occur, an amendment submission must be made, and a separate adjudication outside of this decision needs to be made to allow for those activities. The department will also be in communication with both parties to ensure that conflicts do not arise that prevent the Equinox Marathon from occurring.

¹² Sec 14. OTHER PERMITS: Be advised that issuance of this authorization does not relieve the applicant of the responsibility of securing other permits required by Federal, State, or local authorities. Neither does this approval constitute certification of any property right nor land status claimed by the applicant.

ISSUE TOPIC: BLASTING AND PRODUCTION MINING

Comment Summary: Commenters stated that the department should not permit production mining, blasting, or exploration in the project area because it will lead to a large open-pit mine.

DMLW Response: Comment Noted. The department does not engage in speculative permitting. The project being approved is for exploration work only, and sampling of up to 4,326 cubic yards of material is authorized.

With regards to the assertion that blasting is going to be conducted as part of the project application is false. Box 21 of the application specifically addresses the use of explosives. The applicant indicated by checking the box “No” that it did not apply for blasting activities to occur when implementing the approved activities associated with this project. Based on the application materials, the department will also not be authorizing any use of explosives for the proposed activities. In addition, production lode mining has not been proposed or approved with this authorization.

ISSUE TOPIC: ESTER DOME RECREATIONAL TRAIL SYSTEM IMPACTS

Comment Summary: Commenters voiced many concerns about the impact to the single-track trailhead, cross country ski trails, and BMX trails near and within the proposed project area.

DMLW Response: Comment Noted.

The single-track trailhead (Henderson Road Drop-in) located on Henderson Road is outside of the claim block where mining activities are proposed. There are no anticipated issues that will impact the trailhead.

The BMX trails are located both within and outside of the areas where the proposed mining activities will be conducted. In areas outside of the claim block, there is no anticipated impact on the trails. Where BMX trails exist within the project area, they are not protected by any authorizations or easements¹³. The disturbance of these trails caused by exploration activities is approved. While Great Land Minerals may engage in reclamation that recreates BMX trail conditions, this is not a permit requirement. Reclamation of the areas where trenching is to occur

¹³ These BMX trails were likely user constructed under Generally Allowed Uses of State Lands 11 AAC 96.020(a)(2)(A) “**brushing or cutting a trail less than five feet wide using only hand-held tools such as a chainsaw;**”, however, as described in that regulation “**making a trail does not create a property right or interest in the trail**”.

is described in other locations of the decision document, permit stipulation and other comment responses.

In addition, Special Stipulations added to the authorization¹⁴ requires that any fallen trees and forest debris to be removed from the trails when clearing occurs and any rutting of trails must be smoothed out prior to the end of each mining season or when the trail will no longer be used; whichever is sooner.

ISSUE TOPIC: USE OF SIGNAGE AROUND WORKING AREAS

Comment Summary: Commenters expressed concerns that exploration activities could lead to safety issues during active operations.

DMLW Response: Comment Noted. The following stipulations have been applied to the permit to facilitate public safety during operations.

- a. Trails impacted by exploration activities are to be temporarily closed when heavy equipment or ground disturbance poses a direct safety risk. Closures will be limited to active work periods only.
- b. Warning signs or barricades will be posted at all approaches to areas where hazards are present.
- c. Signs will be readily visible, legible, and describe the hazard and any protective actions (e.g., “Danger – Heavy Equipment Operating”).
- d. Signs will be posted before and during operations, removed or updated promptly when no longer applicable, and placed to ensure safe visibility for trail and road users.

ISSUE TOPIC: HANDLING OF FOREST DEBRIS AND EXPLORATION TRAIL CONSTRUCTION

Comment Summary: Commenters are concerned about forest debris blocking trails and making them hazardous or impassable.

¹⁴ Special Stipulation: Forest Debris: When using, creating, or maintaining trails, trees and large forest debris must be cleared or fallen in a way that does not obstruct trail use or create a hazard to the public. Trail Reclamation: Any rutting of trails must be smoothed out prior to the end of each mining season or when the trail will no longer be used; whichever is sooner.

DMLW Response: Comment Noted. The concern of blocking trails or making travel on the trails impassable is mitigated by a Special Stipulation to the permit¹⁵ that requires that any fallen trees and forest debris to be left off the trails when clearing occurs, and any rutting of trails must be smoothed out prior to the end of each mining season or when the trail will no longer be used; whichever is sooner.

ISSUE TOPIC: CONTAMINATION OF SOILS

Comment Summary: Commenters expressed concerns that trenching and processing activities would lead to soil contamination, be harmful to the surrounding residents and recreational areas.

DMLW Response: Comment Noted. The activities as described do not provide a way for soil contamination to occur. The exploration trenching that is proposed is near surface host rock and soils, all of which are already fully influenced by current natural conditions. No chemical processing of the excavated rock is proposed or authorized to occur under this authorization. In addition, the naturally occurring weathering of the rock will not be accelerated, nor will the mechanical disturbance of excavation create an environment where contamination of soil can occur. The soil being disturbed is comprised of the very rock being excavated. With regards to reclamation of the trenches where bulk sampling is to occur, local gravels much like those used to build the roads in the area, along with local limestone, do not pose any types of risks for soil contamination.

ISSUE TOPIC: CONTAMINATION OF GROUND WATER AND SURFACE WATER

Comment Summary: Commenters stated that activities could potentially reduce the availability of water in the area's aquifer for consumption and the projects potential to cause contamination of the aquifer with heavy metals.

DMLW Response: Comment Noted. Upon reviewing the areas' drill logs for water wells, most local wells are drilled through discontinuous silty permafrost into a water-bearing bedrock aquifer. Some surface water may contribute to recharging the aquifer, but this process is extremely slow.

¹⁵ Special Stipulation: Forest Debris: When using, creating, or maintaining trails, trees and large forest debris must be cleared or fallen in a way that does not obstruct trail use or create a hazard to the public.

The area of recharge for the local wells is vast and includes other drainages. Based on stratigraphy and a large recharge area, it is inferred that no adverse effects will come from the surface disturbance. In addition, the project proposes not to withdraw water from a surface source. No known connectivity exists between the surface and the aquifer. This project is not expected to contaminate the existing aquifer due to the geological barriers. The Alaska Department of Environmental Conservation requested that the applicant adhere to the Recommendation for General Project Activities near a Public Water System source¹⁶.

ISSUE TOPIC: RECLAMATION STANDARDS AND SITE INSPECTIONS

Comment Summary: Commenters stated how reclamation measures described in the application are insufficient.

DMLW Response: Comment Noted. The Division reviewed the proposed reclamation measures included in the APMA and Plan of Operations, including the drill site pad and exploration trail closure work. These measures meet or exceed the State of Alaska's Mine Reclamation performance standards under AS 27.19.020 and 11 AAC 97.200 and are authorized under the APMA F20252955 Reclamation Plan Approval, which also includes surface exploratory drilling operations. The APMA (which includes both the information for the Plan of Operations as well as the Reclamation Plan) described to the Division how the operation will be conducted in a manner that prevents unnecessary and undue degradation of land and water resources along with reclamation measures that will leave the site in a stable condition¹⁷ as required by law. The Division also finds it pertinent to advise that restoration of the microtopography is not required to meet the stable condition requirement under the performance standards described in 11 AAC 97.200(b) and such a requirement to do so would be arbitrarily prescriptive.

¹⁶ <https://dec.alaska.gov/media/23023/dec-eh-dw-recommendations-for-general-project-activities-near-a-pws-source.pdf>

¹⁷ 11 AAC 97.200(a)(1) For the purposes of AS 27.19.100 (6) and this section, a stable condition that "allows for the reestablishment of renewable resources on the site within a reasonable period of time by natural processes" means a condition that can reasonably be expected to return waterborne soil erosion to pre-mining levels within one year after the reclamation is completed, and that can reasonably be expected to achieve revegetation, where feasible, within five years after the reclamation is completed, without the need for fertilization or reseeding. If rehabilitation of a mined site to this standard is not feasible because the surface materials on the mined site have low natural fertility or the site lacks a natural seed source, the department recommends that the miner fertilize and reseed or replant the site with native vegetation to protect against soil erosion; however, AS 27.19 does not require the miner to do so. Rehabilitation to allow for the reestablishment of renewable resources is not required if that reestablishment would be inconsistent with an alternate post-mining land use approved under AS 27.19.030 (b) on state, federal, or municipal land, or with the post-mining land use intended by the landowner on private land.

ISSUE TOPIC: ADDITIONAL PERMITTING REQUIREMENTS

Comment Summary: Commenters requested that other permits be issued and approved prior to DNR issuing a decision on the proposed activities.

DMLW Response: Comment Noted. The authorization that the Division issues is not bound to other permits that may be required for activities to occur. While the Division does not deny that other permits may be required for the proposed activities to be conducted, the issuance of the plan of operations does not rely on all permits being issued for the Division to give land management authorization to conduct the proposed activities. In addition, Stipulation Sec. 14, Other permits¹⁸ requires that prior to the proposed activities to occur, the applicant must receive all required permits.

ISSUE TOPIC: REQUIREMENT OF NEPA

Comment Summary: Commenters stated that prior to any permits being issued, a full Environmental Impact Study (EIS) be conducted.

DMLW Response: Comment Noted. An Environmental Impact Statement is a report mandated by the National Environmental Policy Act of 1969 (NEPA) to assess the potential impact of actions “significantly affecting the quality of the human environment” for activities that involve a federal nexus. NEPA is a federal law that does not apply to the review, adjudication, and issuance of a State of Alaska Plan of Operations Approval. Rather, in this case, the Department of Natural Resources was guided by the provisions provided in Article 8 (Natural Resources) of the Alaska Constitution, the Alaska Lands Act AS 38.05, and in accordance with the Eastern Tanana Area Plan management guidelines.

DMLW’s adjudication of the proposed activities has taken a careful and reasoned review of the potential environmental impacts of the proposed land use activities in accordance with state law, which included agency consultation listed in Section 10 of the memorandum of decision.

¹⁸ OTHER PERMITS: Be advised that issuance of this authorization does not relieve the applicant of the responsibility of securing other permits required by Federal, State, or local authorities. Neither does this approval constitute certification of any property right nor land status claimed by the applicant.

ISSUE TOPIC: CUMULATIVE IMPACT REQUIREMENT

Comment Summary: A commenter cited court precedent in a series of cases that include trustees of Alaska v. State to include Sullivan v. Resisting Envtl. Destr. Indig. Lands, 311 P.3d 625, 635-37 (Alaska 2013) [*“REDOIL”*] to support their assertions that a formal cumulative impacts assessment or analysis is required by the Alaska Constitution before issuance of a Plan of Operations Approval for APMA F20252955.

DMLW Response: Comment Noted. The *REDOIL* case does not apply to 11 AAC 86.800 Plan of Operation Approvals. In *REDOIL*, the Alaska Supreme Court analyzed the relationship between AS 38.05.035’s best interest finding requirement for oil and gas projects and Article VIII.36¹⁹ The Court upheld AS 38.05.035(e)’s provision that best interest findings at each phase of development were not required,²⁰ but determined that “potential impacts must be considered by DNR in the future, at each subsequent phase, as more information becomes known.”²¹ Short of clarifying that cumulative impacts assessments were not a formal NEPA-like analysis, the court left to the legislature to “provide instruction on how the State should analyze cumulative impacts after the lease sale phase.”²²

Despite the commentator's opinion to the contrary, *REDOIL*’s cumulative impacts requirement does not already apply to mineral exploration. In fact, the related statutory question in *REDOIL* regarding a single best interest finding does not apply to Plan of Operations Approvals²³ or even Land Use Permits²⁴ for mineral exploration. In addition, a subsequent mineral exploration case, *Nunamta* expressly declined to address whether *REDOIL* extended to hardrock exploration and mining and thus additionally does not support the commenters position.

The Alaska Constitution allows for very little agency discretion in deciding to dispose of locatable mineral rights. The right to minerals and the authorizations necessary to extract them vests by operation of law,²⁵ and includes the right to use of the surface estate, subject to additional authorizations and reasonable concurrent uses.²⁶ Exploration is an integral part of a claimant’s

¹⁹ 311 P.3d 625 (Alaska 2013).

²⁰ Id. at 631-3.

²¹ Id. at 636.

²² Id. at 637.

²³ AS 38.05.035(e)(6)(A)

²⁴ AS 38.05.035(e) (6)(A) and .035(e)(6) (H)

²⁵ Alaska Const. art. VIII, sec. 11; AS 38.05.195(a). See also *Beluga Min. Co. v. State Dep't of Natural Res.*, 973 P.2d 570, 574 (Alaska 1999) (“A person obtains the exclusive right to possess and extract minerals on state land open to claim staking by discovery, location, and recording.”).

²⁶ See *Gold Dust Mines, Inc. v. Little Squaw Gold Min. Co.*, 299 P.3d 148, 153 (Alaska 2012) (citations omitted). Authorization is not required for mineral exploration activities that fall within generally allowed uses. 11 AAC 96.020(a)(3)(F).

ongoing right to extract minerals and obligation to conduct labor to maintain their claim.²⁷ DNR can manage the impacts of exploration activity through land use authorizations, but the right to the minerals vests upon discovery, location, and filing.²⁸

Even if the constitutional and statutory scheme for the development of locatable minerals and the surface uses of state mining claims is subject to *REDOIL*'s analysis, while it may not be in the form in which the commentor's may expect, the Division decision package for this Plan of Operations Approval issuance shows that the Division identified and took a well-reasoned approach to addressing impacts of authorized activities with a level of analysis and scope that is commensurate with the potential impacts, resources affected and the project scale. As discussed earlier in this response to comment document the activities proposed in the application are discrete and are of limited duration, with a de minimis likelihood of adverse environmental impact.

ISSUE TOPIC: ILLEGAL DELEGATION OF ACCESS AND CROSS-COUNTRY TRAVEL AUTHORIZATIONS

Comment : Commenter alleges that the application/ plan of operations approval is an illegal delegation of access and cross-country travel authorization. This APMA improperly assumes authority to conduct cross-country travel over unclaimed public lands which:

- Requires separate authorization under 11 AAC 96.010 and 11 AAC 96.025
- Has not been adjudicated, reviewed, or subject to public notice

Allowing mining-related access without formal land-use authorization violates the Alaska Land Act and constitutes an unlawful delegation of state authority.

DMLW Response: Comment Noted. A cross-country travel authorization from the Division is not required for this proposed operation, as direct access to the mining claims is provided by the state highway system (Ester Dome Road, Henderson Road). Regardless, the commenter fails to account that the Application for Permits to Mine in Alaska is the Division's application form for cross-country travel of equipment across unclaimed state lands under administrative regulation 11 AAC 96.010 "Uses requiring a permit". Likewise, if a cross-country travel authorization would have been necessary, the May 21st public notice clearly indicates cross-country travel on state lands may also be authorized. The Mining Section's Authorized Officer has the same delegated authority

²⁷ See AS 38.05.255; AS 38.05.210; 11 AAC 86.145. See also Gold Dust Mines, 299 P.3d at 165.

²⁸ Alaska Const. Art. VIII, sec. 11.

from the Director of the Division to issue cross-country travel authorizations as the Division's Regional Land Manager.

From the APMA application instructions page 2, “DNR reserves the discretion to approve access travel (not construction or improvements) across state lands in the Plan of Operations Approval issued for the mine²⁹ or issue a separate Land Use Permit solely for the travel. Under DNR policy guidance, the DNR Mining Section coordinates and requires concurrence from the DNR Regional Land Office before approving some travel routes. Access approvals may include seasonal restrictions, weight limits, reporting and other provisions the department determines necessary to assure compliance with land use regulations, to minimize conflicts with other uses, to minimize environmental impacts, or otherwise to be in the interests of the state”

ISSUE TOPIC: REQUIREMENT OF INDEPENDENT BASELINE ENVIRONMENTAL STUDIES, REVIEW, AND DISCLOSURE OF FINDINGS

Comment Summary: Commenters mentioned a perceived lack of baseline data provided with the submitted application.

DMLW Response: Comment Noted. The baseline data needs for the exploratory activities are minimal, as the proposed activities are for a discrete and limited duration with a limited, temporary impact on the land and surface. The Division has reviewed the extensive application materials and proposed activities, as well as consulted with agency partners with the Alaska Departments of Fish and Game and Environmental Conservation. No additional baseline data needs were identified by the State of Alaska or by federal agencies that were provided notice or participated in the agency review process. Imposing additional burdens on the applicant for comprehensive baseline studies would be unwarranted and disproportionate to the scale and potential effects of exploratory activities. The APMA application framework and permit adjudication process recognizes the exploration phase's inherent low-impact characteristics while maintaining appropriate environmental safeguards. Additionally, the Division implements an adaptive natural resource management strategy, retains the ability to stop work, modify provisions and/or revoke the Plan of Operations Approval at will or for cause, can require additional data, monitoring, reclamation, mitigation, or changes in activities if warranted by new information.

²⁹ A Plan of Operations Approval under 11 AAC 86.155 and 11 AAC 86.800 addresses “(7) overland access routes to be used, and whether new roads, landing strips, or other new transportation facilities will be needed;” and constitutes “other written authorization” under 11 AAC 96.010(a).

ISSUE TOPIC: REQUIREMENT OF TRIBAL CONSULTATION

Comment Summary: Several commenters indicated that a formal tribal consultation must occur for the Division to decide on APMA F20252955.

DMLW Response: Comment Noted. The Division wants to assure commenters that the tribal entities have received the same opportunity to participate in the adjudicatory process as all other stakeholders. The Division is committed to fair and equitable treatment of all parties involved in this process. We have thoroughly reviewed and considered all comments received when making our decision. While we recognize the unique status of tribal governments, the regulatory framework for this specific permitting process does not provide for a separate government-to-government consultation beyond the public comment period. We encourage continued engagement and dialogue as we move forward with this and future projects that may affect tribal interests.

To discuss the topic in more detail; The Division provided public notice of the APMA/ Plan of Operations on May 21st, 2025. No existing legal obligation warrants government-to-government consultation for the issued authorization. A 2017 Alaska Attorney General Opinion discussed the status of federally recognized tribes in Alaska and the authority of a sovereign government over its citizens, its land, and people who enter³⁰ its land. The opinion recognizes that sovereignty includes the power of native tribes to form a government and laws, determine tribal citizenship, assert sovereign immunity, and enter certain agreements with the federal government. This advisory opinion does not indicate that the State has a legal obligation to provide a sovereign tribal government with additional or greater rights or consultation opportunities than the rest of the public, or, for example, a municipality.

In contrast with advisory opinions, the notice requirement for revocable permits and authorizations is governed by statute and regulation. Upon receipt and review of an application, the law³¹ provides the Division with discretionary authority to determine whether notice is performed. As beforementioned, the Division provided notice and a 14-day comment period. Tribal entities were able to participate in this public notice process by submitting comments during that time and the Division has responded with a comment response document.

In summary, although the Division did not engage in any specific government-to-government consultation as none is legally required, DMLW provided a substantial opportunity to participate in the adjudicatory process governing the issuance of the permit. The Division received, reviewed,

³⁰ All activities proposed in APMA F20252955 are located on state lands.

³¹ AS 38.05.945(e) provides that notice is not required under this section for a permit or other authorization revocable by the commissioner.

and responded to comments as appropriate. The administrative record supports this finding, and no other law currently mandates DMLW to conduct government-to-government consultation.

ISSUE TOPIC: NHPA SECTION 106 CONSULTATION

Comment Summary: Commenters asked that prior to issuance of any permit, a NHPA section 106 consultation be conducted.

DMLW Response: Comment Noted. The Division consulted with the Department of Natural Resources, Office of History and Archeology, Review and Compliance Unit (OHA)³² who reviewed the proposed activities, the Alaska Heritage Resource Survey (AHRS) data repository OHA indicated that cultural resources survey work is always encouraged. OHA had no comment on the application. Accordingly, the Division has issued the Plan of Operation approval with the standard protective stipulation (inadvertent discovery).³³

The Division notes the following: Most of the proposed activities will utilize existing approved access routes, disturbance of areas to include brushing out vegetation for pedestrian access, and will have limited ground vegetation and earthwork impacts. Nothing in the administrative record provides sufficient evidence to warrant requiring an archaeological survey prior to Great Land Minerals project activities.

However, the Division remains committed to protecting cultural resources. All Great Land Minerals activities under the authorization must be in full compliance with the Alaska Historic Preservation Act (AS 41.35). The permittee must promptly notify the Division and OHA of any discoveries and work may not resume at the site without written permission from the Division/OHA.

The Division also notes that Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to carry out, assist, fund, permit, license, or approve throughout the

³² The Office of History and Archaeology (OHA) is Alaska's primary office with knowledge and expertise in historic preservation dedicated to preserving and interpreting Alaska's past, and serves as Alaska's State Historic Preservation Office (SHPO) pursuant to the National Historic Preservation Act of 1966. OHA administers programs authorized by both the National Historic Preservation Act of 1966 and the Alaska Historic Preservation Act of 1971.

³³ Sec 7. ALASKA HISTORIC PRESERVATION ACT: The Alaska Historic Preservation Act (AS41.35.200) prohibits the appropriation, excavation, removal, injury, or destruction of any State-owned historic, prehistoric (paleontological) or archaeological site without a permit from the Commissioner. If cultural or paleontological resources are inadvertently discovered as a result of or during the activities authorized by this plan approval, all activities which would disturb such resources shall be stopped and measures taken to protect the site. The State Historic Preservation Officer (907-269-8722) shall be contacted immediately so that compliance with state laws may begin. If burials or human remains are found, in addition to the State Historical Preservation Officer, the State Troopers are to be notified immediately.

country. However, the review, adjudication, and issuance of a Plan of Operations Approval³⁴ to consider the effects on historic properties of projects the³⁵ by the Division is purely a state action.

ISSUE TOPIC: REQUIREMENT OF PUBLIC HEARING

Comment Summary: A common remark in comments and correspondence received by DMLW during the public comment period was that a “public meeting”, “public hearing” and “open house” is required or requested for DMLW to make a permitting decision.

DMLW Response: Comments Noted. There is no legal requirement for public meetings or hearings in the adjudication of 11 AAC 86.800 Plan of Operations Approvals. Permits and other authorizations (such as Plan of Operations Approvals) that are revocable are also exempt from AS 38.05.945 public notice requirements and thus, are exempt from AS 38.05.946 public hearing. DMLW has provided a detailed response to comments document to address concerns and questions raised during the 14-day public notice period.

ISSUE TOPIC: PROPOSED SCOPE OF WORK

Comment Summary: Commenters stated that the scope of exploration work is beyond what is required to identify and map a resource.

DMLW Response: Comment Noted. The exploration activities, equipment, and methodology are consistent with general industry standards, are reasonable, and are necessary surface uses under AS 38.05.255/ 11 AAC 86.145(a). The Division does not see the activities proposed as excessive or outside the scope of a reasonable hardrock mineral exploration program.

ISSUE TOPIC: LACK OF TEMPORARY WATER USE AUTHORIZATION.

Comment Summary: Commenters expressed concern that an application for a temporary water use authorization is not being applied for.

³⁴ If a federal or federally-assisted project has the potential to affect historic properties, a Section 106 review will take place and is administered by the appropriate federal officials in cooperation with the State Historic Preservation Officer.

³⁵ 11 AAC 86.150 and 11 AAC 86.800

DMLW Response: Comment Noted. The operation described in the application does not propose using water. As such, a temporary water use authorization is not required.

ISSUE TOPIC: ACID ROCK DRAINAGE (ARD) POTENTIAL DURING OPERATIONS AND POST RECLAMATION

Comment Summary: Commenters raised concerns with ARD and metal leaching during operations and post reclamation and its impact on nearby waterways and groundwater.

DMLW Response: Comment Noted. The concern that acid rock drainage (ARD) or metal leaching could occur during operations or post-reclamation is not supported by the geochemical or temporal conditions of the proposed project.

The generation of ARD requires four critical factors to act simultaneously over sustained timeframes:

- The presence of sulfide-bearing minerals (potential acid generators).
- Sufficient oxygen exposure to promote sulfide oxidation reactions.
- Continuous or repeated contact with water to mobilize oxidation products.
- Adequate time (typically years to decades) for measurable geochemical reactions to occur and drainage to develop.

While the specific quantity of sulfide-bearing minerals in the trenching areas is unknown and may in fact be negligible, this uncertainty does not alter the conclusion. Even if significant amounts of sulfides were present, the extremely short duration of trench exposure and the application of neutralization measures ensure that no mechanism exists for ARD or metal leaching to occur under the proposed plan.

The planned trenching and reclamation work spans only two weeks, which is well below the minimum timescale necessary for sulfide oxidation to produce acidity or mobilize metals. Laboratory and field studies consistently demonstrate that measurable ARD requires long-term exposure cycles, with significant residence time for water-rock interaction. Given the rapid backfilling and neutralization approach, the kinetic constraints on ARD development essentially preclude any potential for acid generation or metal mobilization during the short duration of operations.

Given the extremely short duration of exposure and the high neutralization capacity of the materials, no mechanism exists for ARD or metal leaching to occur under the proposed plan. Nevertheless, Great Land Minerals has elected to incorporate limestone bedding as a **voluntary safeguard**, not because it is required, but to provide additional assurance and address public concerns. This measure exceeds regulatory standards and ensures that conditions remain strongly non-acid-generating throughout reclamation.

As part of this approach, the following additional measures will be implemented:

- **Neutralization Buffering:** A bedding layer of 6–12 inches of crushed limestone will be placed in all trench bottoms where sulfide-bearing material is exposed. The limestone will supply carbonate alkalinity capable of buffering any incipient acid production.
- **Neutralization Potential Ratio (NPR):** Material application rates are designed to exceed an NPR of 2.0, meaning that the available carbonate neutralization capacity is at least twice the acid-generating potential. An NPR > 2.0 is widely recognized in geochemical assessment as placing material firmly in the *non-acid-generating* category.
- **Material Stockpiling:** Approximately 0.5–1 cubic yard of limestone per trench will be available onsite, with supplemental stockpiles maintained to allow for real-time adjustments, ensuring complete neutralization if needed.

With both kinetic limitations (insufficient time for ARD reactions to occur) and thermodynamic safeguards (highly positive neutralization capacity with voluntary limestone bedding), there is no credible scenario under which ARD or metal leaching could occur during operations or after reclamation in this project setting, regardless of the actual sulfide content in the trench areas

ISSUE TOPIC: LOCATION OF BULK SAMPLE STORAGE, PROCESSING, AND RECLAMATION ON BOTH STATE AND PRIVATE LANDS

Comment Summary: Commenters questioned the location of storage once removed from the project area, the types of processing, and post processing reclamation. Commenters also were inquiring if any further permits are required for storage and processing activities on private lands.

DMLW Response: Comment Noted.

Private Lands: The storage and processing of the ore will occur on private property elsewhere, not state land that is subject to this Plan of Operations Approval decision. As part of the Divisions review, the Alaska Department of Environmental Conservation (DEC) was provided with the application, and the following advisory comments were received.

- 1.) As described in the application, SWPPP developed under a DEC's Multi-Sector General Permit must prevent erosion.
- 2.) Storage areas must not allow for accumulation of wastewater as ice over the winter.
- 3.) Waste rock must be completely removed from the storage areas and returned to trenches as described by the reclamation proposed by the applicant.
- 4.) Ore piles must be removed and not stored over the winter on the property.

It should be noted that if the storage of waste rock and ore is not completed as described, DEC must be contacted as further permitting requirements may be needed to include but not limited to amendments of the Reclamation Plan and DEC Division of Water permits.

Additionally, processing is to occur only on private lands and is mechanically sorted only. Great Land Minerals will be utilizing a TOMRA COM Tertiary XRT or similar sorting machine. This methodology does not use water to assist with the sorting of the material. Once sorted, the ore will be shipped out of state for further refinement and processing, rock that is considered "non ore bearing" will be taken back to project area and used to assist in refilling the trench that it was removed from.

State Lands: For operations that are occurring on state lands DEC suggested the following stipulations be added to the Plan of Operation approval.

- 1.) Stockpiles of bulk sample or waste rock must follow the timeline and guidance provided in the application.
- 2.) Stockpiles consisting of bulk sample or "non ore bearing" sample is not allowed to be placed on state lands when ongoing activities are seasonally suspended.
- 3.) Trenches must be reclaimed in a manner that prevents the accumulation of ice over the winter and water in the summer.

It should be noted that if the storage of waste rock and ore is not completed as described, DEC must be contacted as further permitting requirements may be needed to include but not limited to amendments of the Reclamation Plan and DEC Division of Water permits.

ISSUE TOPIC: REGULATORY ENFORCEMENT FOR RECLAMATION

Comment Summary: Commenters described frustrations with the current regulatory framework of which reclamation standards are defined. Commenters described them as "weak" and lack enforceability.

DMLW Response: Comment Noted. The adequacy of the regulatory framework is beyond the scope of this decision. With respect to the comments that express concerns that the reclamation standards and plan issued prevents the ability for DNR to hold accountable the applicant in case

of violations is covered under 11 AAC 97.620³⁶. In addition, if a written notice of violation is issued, and the issue is not addressed, 11 AAC 97.630³⁷ describes the administrative procedures that would be taken to both environmentally and financially resolve the violations. Another option outside of administrative procedures lies within the authority of the Attorney General for the State of Alaska to file civil and/or criminal charges for violations of reclamation regulations and statutes.

ISSUE TOPIC: ADEQUACY OF BONDING

Comment Summary: Commenters expressed concerns about the size and efficacy of the Statewide Reclamation Bonding Pool as an adequate mechanism to perform reclamation if default were to occur.

DMLW Response: Comment Noted. Great Land Minerals is participating in the State of Alaska Mine Reclamation Bond Pool established by the Alaska Legislature in AS 27.19.040(b), which is administered by the Department of Natural Resources, Division of Mining, Land & Water. The bond pool is a program where the overall mining industry's payments along with compounding interest have been contributing to an increased account corpus since 1992. These funds³⁸ are available to DMLW after an administrative process should the operator default on their reclamation obligation. Great Land Minerals, LLC is also liable to the state in a civil action for the full amount of reclamation and administrative cost incurred upon a violation and default.

The Division, including the Authorized Officer, who along with other professional technical review staff are subject matter experts in reclamation and closure. As such, the Division reviewed the proposal and determined that due to the limited scope and surface disturbance acreage and ease of access to the project site that a reclamation cost estimate is not needed. The Division has a rigorous oversight and administrative program to ensure that the Bond Pool is not overleveraged, as required by AS 27.19.040(b), which requires the Division to consider reclamation costs in relation to the size of the bonding pool. In the unlikely event of default, an operation in the bonding pool which necessitates expenditures that reduce the equity balance. The Division's adaptive

³⁶ 11 AAC 97.620. Violation of reclamation plan. AS 27.19.040(c) applies to a participant in the statewide bonding pool in the same way as to a miner who has filed an individual performance bond. Under the circumstances set out in AS 27.19.040(c), a statewide bonding pool participant's bonding pool deposit will become nonrefundable.

³⁷ 11 AAC 97.630. Administrative determination of violation. If, after the commissioner issues a written order to a miner, the miner fails to correct a violation of AS 27.19 or this chapter within the period set by the commissioner, the commissioner will, in his or her discretion, serve an accusation in accordance with AS 44.62.360, and 44.62.380 and will conduct further proceedings in accordance with AS 44.62.330 - 44.62.650.

³⁸ The full equity balance (immediately available to the Department) of the bond pool is in excess of 3 million us dollars. This, and any of the miner's refundable deposits into the bond pool may be used by the Department to conduct reclamation upon bond forfeiture.

management strategy allows for the ability to refuse operations access to the bond pool due to their projected reclamation costs³⁹.

ISSUE TOPIC: UPDATES OF REGULATION AND FEES TO MIMIC MANAGEMENT PRACTICES OF THE UNIVERSITY OF ALASKA

Comment Summary: Commenters suggested that the state adopt regulations and fees to be comparable to University of Alaska land management practices to include daily transit fees, substantial environmental bonding, and mandate large reclamation bonding.

DMLW Response: Comment Noted. The comment above is outside the scope of this authorization. Laws and regulations about the management of state lands are defined by the State of Alaska legislature (statutes) and the Executive Branch (regulations) of state government to include fee and financial requirements for use of state lands. The statewide bonding pool, as discussed in this response to comments document, is the current law for which exploration work such as those proposed in the application are bonded. After consideration of the costs associated with the reclamation of the activities, the statewide bond pool is adequate to cover reclamation cost if default were to occur.

ISSUE TOPIC: SWPPP PROTOCOLS AND EROSION CONTROL FOR HENDERSON ROAD AND THE PROJECT AREA

Comment Summary: Commenter were concerned that Great Land Minerals Inc. did not provide SWPPP protocols in the application and should be required to prior to the issuance of any permit.

DMLW Response: Comment Noted.

Project Area: SWPPP permitting is conducted through the Department of Environmental Conservation (DEC). If a SWPPP is required to perform activities a separate application is required to be submitted to DEC. It is outside the scope of this decision to require SWPPP permit be issued

³⁹ Thus, would be required to provide Individual Financial Assurance, for example in the form of a surety bond or other bonding instrument allowed by law.

prior to the issuance of this permit. If a permit is required, Section 14 of the Plan of Operations Approval Other Permits applies⁴⁰.

DOT right-of-ways: Great Land Minerals has contacted the Alaska Department of Transportation & Public Facilities (ADOT&PF) and confirmed that the use of the unmaintained section of Henderson Road without additional permits or further communication. The proposed use of this unmaintained section will be limited to loading and unloading equipment and materials. By using the unmaintained section of Henderson Road, there is no reason to block or widen DOT-maintained roads. Maintenance of this section of Henderson Road will be of the same or better standard than prior to operations. Should any rutting, erosion, or other wear occur due to Great Lands use, corrective grading or stabilization measures will be applied. Naturally occurring voids in vegetation will be utilized as designated pull-outs or parking areas so vehicles can stage without obstructing traffic.

In addition, Great Land Minerals voluntarily proposes to enact the following:

- Erosion and Sediment Control: Install silt fences, wattles, or similar perimeter controls at any points where road runoff could discharge to adjacent ditches, slopes, or wetlands. Disturbed surfaces adjacent to the road will be promptly stabilized (gravel cover, tracking, or seeding if appropriate).
- Stabilized Construction Entrance/Exit: Maintain a stabilized gravel pad at access points where equipment transitions from Henderson Road to project areas to minimize tracking of sediment onto the roadway.
- Good Housekeeping: Establish fueling, maintenance, and washout areas off the road in designated containment zones. No fueling, concrete washouts, or material storage will occur on Henderson Road itself. Spill kits will be staged on site.
- Winter Considerations: Before fall freeze-up, any disturbed areas adjacent to the road will be stabilized and perimeter controls set to function through spring thaw. Snow storage and drainage pathways will be planned to avoid obstructing the roadway or discharging directly into adjacent watercourses.
- Traffic & Access Management: Great Land Minerals will ensure Henderson Road remains passable at all times. Parking and unloading will only occur in widened or

⁴⁰ Sec 14. OTHER PERMITS: Be advised that issuance of this authorization does not relieve the applicant of the responsibility of securing other permits required by Federal, State, or local authorities. Neither does this approval constitute certification of any property right nor land status claimed by the applicant.

previously disturbed pull-outs. During active equipment movement, traffic control and flagging will be implemented if necessary to maintain safe passage for the public and other land users.

It is the opinion of the department that if the proposed protocols are utilized that Henderson Road will remain accessible and prevent degradation to the road.

ISSUE TOPIC: TOXICITY OF ANTIMONY ORE AND EFFECTS ON HUMAN HEALTH

Comment Summary: Several commenters expressed health concerns related to antimony, its processing methodologies and effects on human health as a carcinogen.

DMLW Response: Comment Noted. The Department acknowledges public concerns regarding the potential health risks associated with antimony. The proposed project area on state lands does not include facilities for crushing, processing, or milling ore to extract antimony.

The mineral present in the rock being removed for a bulk sample is stibnite, a crystalline mineral that contains antimony. Stibnite dust can be hazardous if the mineral is crushed or milled, but such activities will not occur at the project site. The proposed work consists only of mechanical excavation and sorting of rock, which does not generate stibnite dust.

Additionally, stibnite is insoluble in water, so surface exposure does not result in antimony dissolving into surface waters. Based on these conditions, the proposed activities are not expected to liberate antimony into the environment or pose a health risk to nearby communities.

ISSUE TOPIC: ROYALTIES TO THE STATE

Comment Summary: Commenters stated that no royalties would be received from the activities and should not be approved since no beneficiation to the state will be realized. It was further stated that the royalties received by the state are insufficient and outdated to be of any benefit to the state.

DMLW Response: Comment Noted. This comment is beyond the scope of this decision. Production royalties are defined by AS 38.05.212⁴¹. Production royalties are assessed only when mineral resources are produced and result in a product generating net proceeds. If the activities of

⁴¹ Sec. 38.05.212. Production royalty.

the project are determined that royalty is required, the applicant is required to pay the said amount to the state.

ISSUE TOPIC: QUALIFICATIONS OF MINING OPERATORS

Comment Summary: Commenters asserted that sufficient financial and technical resources do not exist for Great Land Minerals to properly conduct operations and reclamation.

DMLW Response: Comment Noted. The Division acknowledges comments regarding the financial and technical qualifications of Great Land Minerals to carry out exploration and reclamation activities. While matters of financial capability and corporate qualifications are outside the scope of this authorization, several safeguards exist to ensure responsibilities are met.

Financial sufficiency for reclamation is addressed through participation in the statewide bond pool, which requires approval before authorization. Technical authorization to explore the mineral resource is granted through meeting the statutory qualifications to hold a state mining claim. Once authorized, Great Land Minerals is legally responsible for performing reclamation in accordance with state law and the stipulations of this authorization, as well as complying with the requirements of all other applicable permits.

In addition, the Division's Mining Section staff has met on multiple occasions with Great Land Minerals management and their mining geologists during preparation of the APMA submission and throughout the adjudicatory process. Based on these engagements, the Division is satisfied that the company possesses extensive specialized mining and geological expertise necessary to conduct the proposed exploration program responsibly and to remain in compliance.

ISSUE TOPIC: LONG-TERM WATER MONITORING

Comment Summary: Commenters state that a requirement to provide a long-term water monitoring program should be a stipulated requirement of the authorization.

DMLW Response: Comment Noted. The requirement of water monitoring is a determination of the Department of Environmental Conservation (DEC) and outside the scope of this authorization. DEC water section was notified and consulted as part of the adjudication of the application. DEC water section determined that no permits or water monitoring requirements were needed to perform the described exploration activities. Additionally, if at some point in the future DEC determines

that such monitoring is required, DEC holds the jurisdictional authority to manage and permit such activities.

ISSUE TOPIC: SUBSIDENCE OF THE SURFACE

Comment Summary: Commenters stated concerns about subsidence of the surface caused by permafrost degradation, trenching and clearing of the vegetative mat.

DMLW Response: Comment Noted. The reclamation plan describes how subsidence will be mitigated. The back filling of clean gravels to the surface and replacement of vegetation in trenching locations by the conclusion of each mining season is adequate to maintain the contouring of the local area and prevent any unnecessary and undue degradation of state lands. The proposed methodology is commonly utilized in many mining operations around the Ester Dome and greater Fairbanks area that has proved successful.

Surface subsidence in relation to permafrost degradation is a natural process occurring throughout the interior of Alaska. In general, short-term removal of vegetative media and then being recovered has minimal long-term impacts. Comparatively, in cases such as locations of wildfires, vegetative media does not recover in a timely manner. Wildfire destroys all the vegetative media and recovery of such media is a multiple year process. In the multiple year process of vegetative media recovery, thermal degradation impact is distributed throughout large horizontal surface areas and deep, vertical thermal warming within mineral soils that contain ice. This combination creates broad, area wide subsidence. The impacts to the vegetative mat in the proposed activities are limited to less than a single season, small surface areas, and limited vertical thermal impacts resulting in relatively low instability within the frozen soils.

In addition, the project area is a mix of birch, alder, white and black spruce. Areas with mixed forests are also less likely to be ice rich. Most permafrost in the Fairbanks area occurs in valleys, north facing slopes in areas dominated by black spruce that doesn't reflect on the vegetative nature of activity locations. The project area may have isolated pockets of ice rich soils that have some subsidence associated with the proposed activities. However, this is expected to be minimal and have little impact on the area.

ISSUE TOPIC: U.S. ANTIMONY AND ITS AFFILIATION WITH THE PROJECT

Comment Summary: Commenters noted that U.S. Antimony was included in the application narrative but not included as an applicant for the project.

DMLW Response: Comment Noted. United States Antimony Corporation (USAC) is pursuing this project through its wholly owned subsidiary, Great Land Minerals. Great Land Minerals was established in 2024 to manage USAC's new mining claims and leases in Alaska and is the authorized operator for this application. While USAC is the parent company, all permitting and operational activities for this project are being carried out under its subsidiary, Great Land Minerals.

ISSUE TOPIC: GREATEST ECONOMIC BENEFITS

Comment Summary: Commenters suggested that the greatest economic benefit of state land in the project area is not mining, and the project should be denied.

DMLW Response: Comment Noted. All state lands are open to mineral entry unless otherwise closed by legislative action or by a mineral closing order under AS 38.05.185. The project area is open to mineral entry (claim staking) under state law. Additionally, in consideration of the classifications established in the applicable area plans, the Eastern Tanana Area Plan identifies the project area as one of high mineralization and prioritizes mining and recreation, with mining designated as the primary use. Similarly, for illustrative purposes, the Fairbanks North Star Borough zoning ordinances designate the zoning of the project area General Use (GU-1) and is within the High Mineral Potential classification in the 2005 Fairbanks North Star Borough Regional Comprehensive Plan. This indicates that both the state and local government have recognized the economic value of mineral development. The applicant also holds a valid property interest in the form of mining claims within the project area.

The economic benefit of mineral exploration and development on state land is well established and self-evident, as reflected in Alaska's area plans, zoning ordinances, and mineral development policy statutes. The law does not require the Division to undertake a separate or dispositive economic analysis in response to generalized comments. Commenters have not presented a specific, competing land use proposal supported by economic data that demonstrates a greater economic benefit to the State. Absent such evidence, speculative or general statements are not sufficient to warrant further analysis. Furthermore, under AS 38.05.255 (Surface uses of land and

water), recreational or other proposed activities could constitute reasonable, concurrent uses of state land, not uses that **preclude** mining.

Accordingly, while this response does not constitute a separate agency decision, the administrative record demonstrates that mining and mineral exploration, as described in the application, represents the greatest economic benefit to the State for this area, and no further consideration of alternative uses is warranted.

ISSUE TOPIC: REQUIREMENTS FOR VEGETATION, TIMBER, AND HABITAT SURVEYS

Comment Summary: Commenters requested that timber, vegetation, and habitat surveys be conducted prior to issuance of any permit to ensure the same vegetation is returned when work is completed. Timber surveys should also be conducted to determine the commercial value of timber in the project area.

DMLW Response: Comment Noted. The Department does not require there to be timber, vegetation, or habitat surveys for this project. The timber and vegetation stockpiling creates a seed bank for the vegetation to be replaced by the same vegetation that was present prior to the disturbance. This is a reclamation practice that is used throughout the State of Alaska. The habitat upon reclamation will re-establish itself as regrowth occurs. Timber surveys to determine the commercial value of the timber is not required. For trees to be sold and considered for commercial sale, a classification of timberland or designation of forestry must be assigned through the area plan and management plan. The project area does not carry such a designation or management plan. In addition, AS 38.05.255⁴² allows for the clearing of trees within the location for use on the mining claim. This includes reclamation, as the applicant has proposed as a reclamation technique to be utilized.

⁴² Sec. 38.05.255. Surface use of land or water. Timber from land open to mining without lease, except timberland, may be used by a mining claimant or prospecting site locator for the mining or development of the location or adjacent claims under common ownership.

ISSUE TOPIC: MIGRATORY BIRD TREATY ACT COMPLIANCE AND BALD AND GOLDEN EAGLES PROTECTION ACTS

Comment Summary: Commenters asked if the activities are in compliance with the Migratory Bird Treaty Act (MBTA).

DMLW Response: Comment Noted. The MBTA is enforced by the United States Fish and Wildlife Service (USFWS). USFWS is a participating agency in the Application for Permits to Mine in Alaska (APMA) application program. APMA F20252955 was provided to the USFWS designated APMA program contact as an agency review distribution via email on May 21, 2025 and was also uploaded to the Interagency APMA Distribution Portal that all our agency partners, USFWS included, utilize to access APMA's. USFWS was offered the opportunity to provide comments as a part of the agency notice period and provided no comments or concerns about the application to the Division. The Division is satisfied that no significant, adverse impacts to migratory birds will result from the permitted activities. If at any time permits are required in accordance with the MBTA, those applications are submitted directly to the USFWS and are outside the scope of this permit.