

An aerial photograph of a wide, braided river flowing through a deep mountain valley. The river is light-colored, likely due to sediment, and winds in a series of large, sweeping loops. The surrounding mountains are rugged, with some peaks covered in sparse vegetation and others appearing bare rock. The lighting suggests a low sun, creating long shadows and highlighting the textures of the landscape.

# Alaska Hardrock Mining Policy Report

Recommendations Based on a Comparison of State Laws and Regulations



ENVIRONMENTAL  
LAW • INSTITUTE®

---

## About the Environmental Law Institute

ELI is a nonpartisan organization that strives to make law work for people, places, and the planet. We deliver insightful and impartial analysis to opinion makers and provide common ground for debate on important environmental issues.

ELI's Mission is to foster innovative, just, and practical law and policy solutions to enable leaders across borders and sectors to make environmental, economic, and social progress.



ENVIRONMENTAL  
LAW • INSTITUTE®

---

## About the Alaska Conservation Foundation

Founded in 1980, the Alaska Conservation Foundation (ACF) is the only public foundation solely dedicated to conservation in Alaska.

ACF serves as funder and supportive resource for a diverse community of nonprofits working to protect and wisely manage Alaska's natural resources. Over the last four decades, ACF has awarded more than \$60 million in grants to hundreds of Alaskan organizations and individuals.

ACF's mission is to protect Alaska's unique landscapes and ways of life by supporting conservation leaders, organizations, and initiatives.





# Alaska Mining Impacts Network (AKMIN)

- Growing interest in hardrock mining: 14 projects in early exploration, 10 projects in advance exploration, 2 in permitting, and 6 operating.
- AKMIN Purpose: Alaska Mining Impacts Network establishes a convening space for conservation, tribal, and community leaders to create and share resources, build relationships, foster collaboration and strengthen advocacy efforts focused on the impacts of hardrock mining in Alaska.
- 160 participants representing over 60 entities



# Why ACF Commissioned The Report



“Alaska has impressive geology and indeed some of the best mineral deposits in the world. I want to assure companies that we are open for business and that under my leadership, we are working to foster attractive policies that encourage mineral development **while at the same time protecting the environment with some of the world’s most robust environmental protections.** We take pride in that.”



Alaska is unique as it is home to 229 of the 574 federally recognized Tribes. Alaska’s state budget is closely tied to resource development. Over the last couple of years, the State has grappled with balancing budget deficits and providing enough funding for essential public services like education.



AKMIN Vision: An Alaska where stewardship of the land is prioritized and where local communities have the power to ensure that mining and associated development happens only with their free, prior, and informed consent, **under rigorous protective policies and practices**, enabling a future where the land, air, and water will continue to provide traditional and cultural livelihoods for present and future generations.



---

# Alaska Hardrock Mining Overview

- Important economic but destructive activity
- Effective regulation necessary to mitigate negative environmental, economic, and social externalities
- Alaska has many unique characteristics



# Purpose of the Report

---



COMPARE ALASKA'S HARDROCK  
MINING LAWS, REGULATIONS, AND  
POLICIES WITH OTHER HARDROCK  
MINERAL PRODUCING STATES



DEVELOP A SCORECARD TO  
EVALUATE ALASKA AND OTHER  
SELECTED STATES



PROVIDE RECOMMENDATIONS TO  
STRENGTHEN ENVIRONMENTAL,  
ECONOMIC, AND SOCIAL  
PROTECTIONS WITH RESPECT TO  
HARDROCK MINING ACTIVITIES





---

# State Policy Profiles and Scorecards

States: Alaska, Arizona, California, Colorado, Minnesota, Nevada

- Selected based on overall mining scale, similarity of hardrock minerals extracted, and natural resources implicated by mining activities

## Scorecard Key:

-  **Strong:** The law or regulation is comprehensive or robust. It incorporates environmental, economic, or social objectives, and has a significant positive impact on environmental conservation, economic responsibility, or social engagement.
-  **Present:** The law or regulation is in place, though it may have room for improvement. It meets basic environmental, economic, or social objectives, but there may be areas where it lacks thoroughness or needs additional support to achieve environmental conservation, economic responsibility, or social engagement outcomes.
-  **Weak:** The law or regulation is in place, but lacks critical components. It has significant gaps, exemptions, or is otherwise limited in terms of meeting environmental conservation, economic responsibility, or social engagement objectives.
-  **Nonexistent:** There is no state law or regulation in place. The absence of a law or regulation is clear, and there is no formal state structure or framework addressing the need.



## ALASKA

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

## COLORADO

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

## ARIZONA

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

## MINNESOTA

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

## CALIFORNIA

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

## NEVADA

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

# ALASKA

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

# ARIZONA

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				



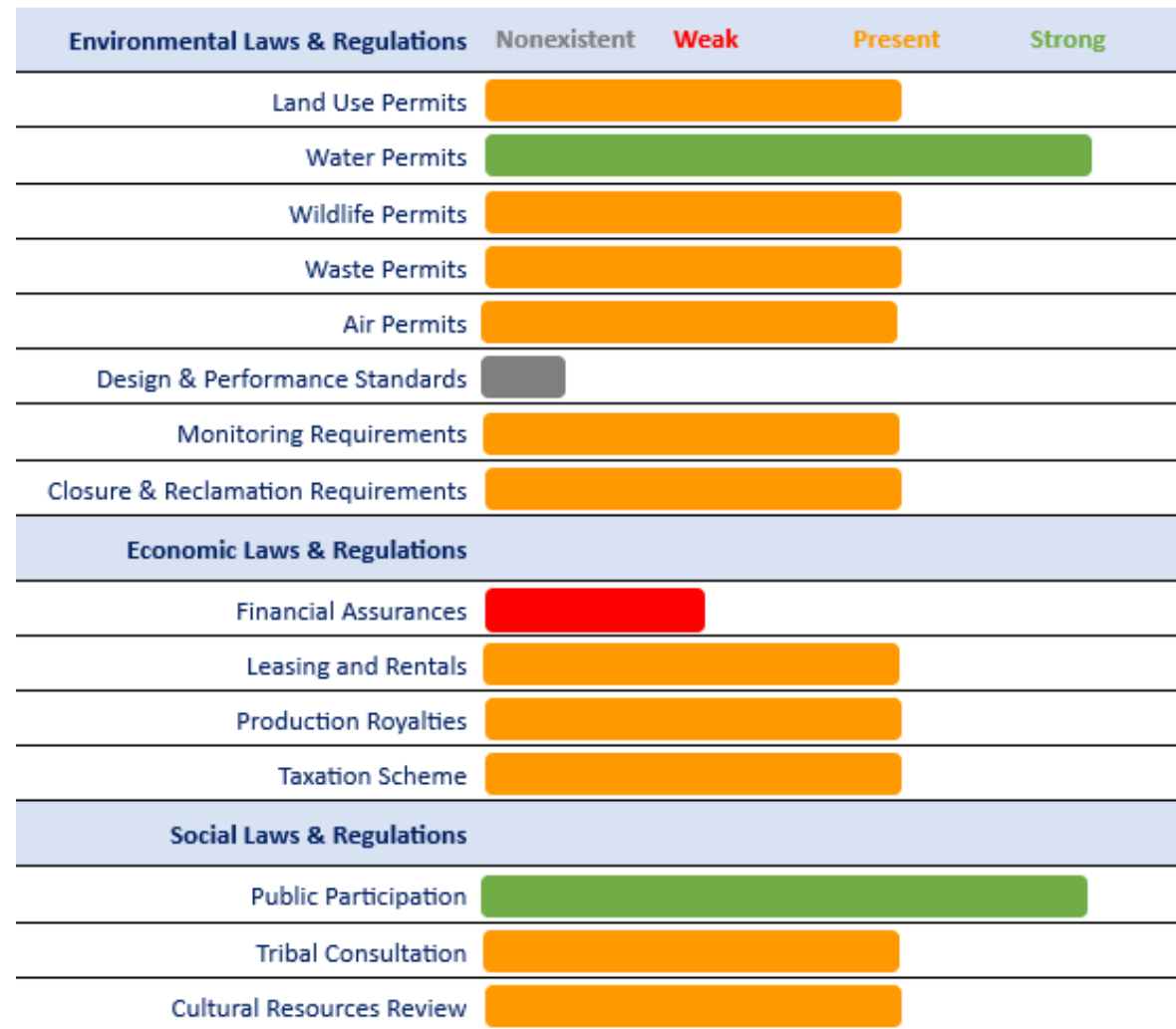
# CALIFORNIA

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

# COLORADO

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

# MINNESOTA





# NEVADA

Environmental Laws & Regulations	Nonexistent	Weak	Present	Strong
Land Use Permits				
Water Permits				
Wildlife Permits				
Waste Permits				
Air Permits				
Design & Performance Standards				
Monitoring Requirements				
Closure & Reclamation Requirements				
Economic Laws & Regulations				
Financial Assurances				
Leasing and Rentals				
Production Royalties				
Taxation Scheme				
Social Laws & Regulations				
Public Participation				
Tribal Consultation				
Cultural Resources Review				

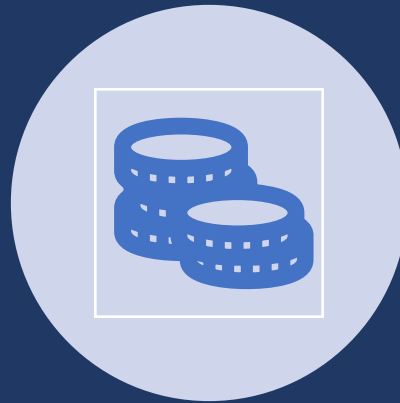
---

# Policy Recommendations for Alaska

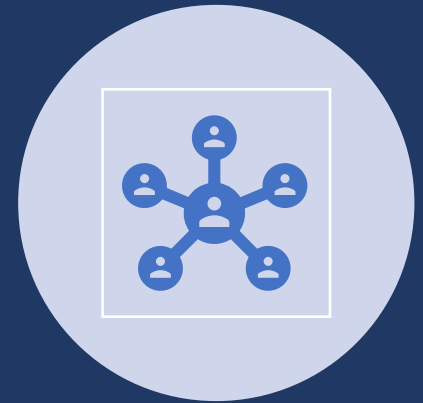
Informed by experts and state policy profiles



ENVIRONMENTAL



ECONOMIC



SOCIAL

# Environmental Policy Recommendations

---

Recalibrate Water  
Reservation and  
Appropriation  
Mechanisms

Improve Water  
Quality Protections

Strengthen Salmon  
Protections

Consider Climate  
Change Impacts

Retain Federal  
Primacy over CWA  
Section 404 Permits

Establish In-  
perpetuity Water  
Treatment Law



# Economic Policy Recommendations

---

Remove Reclamation  
Financial Assurance  
Exemptions for Small  
Mines

Strengthen Financial  
Assurances

Exact Fees

Base Severance  
Taxes on Gross  
Income

Remove Royalty  
Deductions

# Social Policy Recommendations

---

Establish State  
Review  
Framework

Require Tribal  
Consultation

Lengthen  
Comment Periods

Require Hearings



An aerial photograph of a large-scale mining or construction site. The terrain is heavily disturbed, with deep tracks from heavy machinery and large piles of earth and rock. In the center, there's a large, dark, rectangular structure, possibly a piece of heavy equipment or a building. To the right, there's a small cluster of buildings and a green vehicle. The overall scene depicts a significant area of land being excavated or moved.

# Conclusion

- Opportunities to strengthen environmental, economic, and social protections.
- List of recommendations is not exhaustive.
- Report does not constitute legal advice.



Thank you



ENVIRONMENTAL  
LAW • INSTITUTE®