

*Bureau of Land Management
Alaska Resource Advisory Council Meeting
Alaska State Office
November 16 – 17, 2017*

Thursday, November 16, 2017

Council members present: RAC Chair Kathryn Martin, Lee Hart, David Krause, Mark Billingsley, Sara Longan, Suzanne Little, Bronk Jorgenson, Teresa Imm, Faith Martineau, Rosie Barr, Brennan Cain, Gary Morrison.

On phone: PJ Simon (lack of clear communication precluded this access)

Council members not present: Stan Foo and John Hopson, Jr.

BLM representatives present: Karen Mouritsen (BLM Alaska Acting State Director and Designated Federal Official (DFO), Erika Reed, Steve Cohn, Marlo Draper, Geoff Beyersdorff, Callie Weber, Tom Bickaaskas, Lesli Ellis-Wouters, Jim Hart, Earl Williams, Nolan Heath, Tina McMaster-Goering, Geoff Beyersdorf, Nicole Hayes, Shelly Jones.

Proceedings:

Quorum reached

Opened meeting at 8:15 a.m.

RAC Chair Martin announced an adjustment to agenda — NSSI update will replace State presentation (State presenter was unable to attend).

RAC Chair Martin entertained a motion to approve the agenda [so moved, approved].

RAC Chair Martin entertained a motion to approve the minutes [so moved, approved].

Discussion:

- Edit year, name spelling for David Krause
- Edit minutes to include an ACEC subcommittee development

Minutes approved with edits.

Karen Mouritsen introduced herself as the acting state director for BLM Alaska.

BLM Project planning update

Road to Ambler, Tina McMaster-Goering (presentation on file)

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McMaster-Goering explained BLM is lead on the EIS. Cooperating agencies include the Environmental Protection Agency, Alaska Department of Fish and Game, U.S. Park Service, Alaska Industrial Development and Export Authority, and the Coast Guard.

- Ambler Road will be closed to the public.
- BLM has published the notice of intent.
- Scoping has been expanded to Jan. 31, 2018
- Public scoping planned to finish by Jan. 31, 2018; the draft environmental impact statement should be finished by March 2019, and the final EIS should be finished Dec. 2019.

RAC Member Mark Billingsley asked why Ambler Road is closed to the public.

McMaster Goering explained it was an industrial access road, maintained by the State of Alaska

RAC Member Billingsley asked if it's a toll road.

Tina McMaster Goering said she doesn't believe so.

RAC Member Little about disposal of road when the Ambler projects are finished with it.

McMaster-Goering said it's not known what the permittees or State would do after the intended purpose is finished.

RAC Member Longan asked if the Alaska Department of Natural Resources is a cooperating agency for the NEPA.

McMaster-Goering said they are.

RAC Member Jorgensen asked why ANILCA isn't being used in the planning process.

McMaster-Goering explained the Park Service is doing an environmental economic analysis as was required by section 201(4)(d) of ANILCA.

RAC Member Jorgensen suggested it should have general access, limited perhaps, but with the money spent through such a beautiful area, the public should have access.

Ellis-Wouters said the documents will be available online.

Donlin Gold Mine EIS, Bonnie Millon (presentation on file)

Millon explained the scope of the Donlin project:

- BLM is a cooperating agency. U.S. Army Corps of Engineers in the lead agency
- Donlin Mine is on private land.
- Right of Way will pass through 97 miles of BLM-managed lands.
- The final environmental impact statement is expected to be completed in March 2018; record of decision should be July.

Alaska Stand Alone Pipeline, Earle Williams (presentation on file):

BLM has two major pipeline projects: the Alaska Stand Alone Pipeline and Alaska LNG.

Of the 230 miles of BLM-managed land, most is in the Central Yukon planning area. Authority comes from the Mineral leasing act of 1920. Both pipelines must meet NEPA requirements.

ASAP

- The lead federal agency is the U.S. Army Corps of Engineers.
- Prices for natural gas are low compared to the 20-year average.
- ASAP will have 30-mile lateral pipeline to Fairbanks.
- The current ASAP design is covered in a supplemental EIS.
- ASAP was redesigned in 2013 to transport dry gas (utility grade), reduce the number of compressor stations, and increase the pipe diameter.
- The original application was in 2009.

Alaska LNG

- The lead federal agency is the Federal Energy Regulatory Commission.
- It follows the same route as ASAP, except Alaska LNG goes to Cook Inlet.
- The project is a successor to the Alaska Pipeline Project.
- There are no lateral pipelines from Alaska LNG to deliver natural gas to markets in Alaska.
- Alaska LNG is a high-pressure gas line; 2,075 PSIG.
- Original application filed in 2014, updated in 2017.
- Final EIS will likely be complete in 2019

RAC Member Little asked how this work is reflected in the Central Yukon Resource Management Plan.

Williams explained it is within the utility corridor RMP and that both of these projects are compatible with the utility corridor RMP. In this light, the CYRMP is considering the potential impacts.

RAC Member Little asked if there be one or the other, or both?

Williams said plan “A” is AKLNG, plan “B” is ASAP.

RAC Member Billingsley asked how much it costs per application.

Williams said it is cost reimbursable. To date, BLM has charged \$1 million for both. The cost is for processing the application, regardless of actual construction.

RAC Member Billingsley asked about the length of the lease.

Williams stated 30 years.

RAC Member Billingsley asked if the analysis was different in 25 years, could they start construction then.

Williams Before we authorize the notice to proceed, they will need to meet current requirements.

RAC Member Longan asked if the Federal Energy Regulatory Commission will issue a joint ROD.

Williams said FERC has their own statutory requirements.

RAC Member Longan asked if the FAST 41 act affects the timeline.

Williams said it affects the transparency and accountability of the agencies involved.

RAC Chair Martin asked what the totals for the lengths for the pipelines are.

Williams gave totals of 727 miles for ASAP and 800 miles for AKLNG.

RMP Update, Nicole Hayes:

The Central Yukon RMP cooperators are State of Alaska, U.S Fish and Wildlife Service, Allakaket tribe

The CYRMP will be submitted to the BLM Washington Office (WO) for review Feb. 2018. BLM Alaska will be working chapter four after the WO review.

The CYRMP will accept public comment in early 2019, the record of decision should be published by late summer 2020.

RAC Member Billingsley asked if the planning process changed much in the last year.

Hayes said it hasn't.

Bering Sea-Western Interior (BSWI), Bonnie Million:

BLM is currently working the RMP process.

- There has been a slight setback with WO review of comments.
- The public comment period will begin in spring of 2019 for the BSWI RMP.
- BLM and cooperating agencies are looking at "Chapter 2, Alternatives."
- We did release a revised 2017 recoverable mineral report (original was in 2010).
 - The 2017 report includes USGS mineral updates.
 - The info is on BSWI website.

RAC Member Krause asked how the Donlin process fits

Million said Donlin is being looked at as a cumulative effect in the analysis.

RAC Member Little asked when the BSWI RMP and ROD are expected.

Million said spring 2019; the final would be fall 2020.

NPR-A, Shelly Jones:

Jones showed the BLM land pattern in Alaska

The National Petroleum Reserve in Alaska is the largest block of public land BLM manages.

- In 1923 NPR-A was established as NPR-23.
- National Petroleum Reserves Production Act of 1976 excludes NPR-A from RMPs; it instead uses an Integrated Activity Plan (IAP).
- The IAP outlines process for lease sales.
- There are 189 existing leases in NPR-A.
- Next lease sale is Dec. 6
- All available tracts will be open — this will be first online lease sale for NPR-A.

RAC Member Martineau noted that high-potential areas have been excluded from the lease sale (high potential zone denoted by a yellow line on the map used by the presenter).

The Greater Mooses Tooth 1 ROD was signed in 2013; construction started 2016/17. This season's construction will focus on the pipeline leading to GMT1.

GMT2 comprises 48 wells on 14 acres. The draft supplemental EIS will hopefully get published in Federal Register by Dec. 1 with public comment starting in January.

RAC Member Jorgensen asked if there will be compensatory mitigation requirements for GMT2.

Jones said BLM hadn't finished the analysis yet.

RAC Member Jorgensen asked if future projects will be subject to compensatory mitigation.

Jones said it's case-by-case. The RMS will play a role in informing the decision if compensatory mitigation should exist, but doesn't mandate compensatory mitigation.

Jones then told the RAC the Willow Discovery is the next potential development. BLM has approached ConocoPhillips about a master development plan (15-20 year projected development).

An upcoming Conoco exploration permit involves an ice road to the Willow Discovery area to build five exploratory wells. Conoco is hoping to start drilling in January.

Jones mentioned Conoco's seismic program; Conoco Bear 3D seismic exploration.

Jones briefly covered the BLM legacy well program.

RAC Member Hart asked Shelly to explain legacy well remediation.

Jones explained there were wells drilled between 1944 and 1980 by the Navy and U.S. Geological Survey. Out of 130 wells drilled, 50 were identified needing cleanup.

Jones discussed the North Star Borough community winter access road networks and explained potential improved snow road.

RAC Member Billingsley asked what BLM's role is.

Jones said BLM would provide the right-of-way to allow construction.

RAC Member Billingsley asked if BLM could actually refuse access to the roads, saying it might be impractical to try.

Jones said the ROW stipulations would play a role in safety, not so much a role in limiting access.

RAC Member Billingsley asked why they would even apply for a permit if they already use the roads without BLM input.

Jones explained there is state funding for maintenance.

RAC Member Krause asked about the redundant routes presented on the map.

Jones said those are alternate routes — we're early in the process; these routes are proposals.

Jones briefly covered the Ukpeaġvik Iñupiat Corporation East Runway gravel project.

Placer mining field season update, RAC Member Morrison:

RAC Member Morrison reported BLM is expediting the release of reclaimed acres.

Most important role of the Placer Mining Subcommittee is facilitating miner and agency communications. There have also been activities this summer that have helped.

Steve Cohn added that the critical thing for this body is the value of the subcommittee in helping BLM communicate with the placer miners. It can't be emphasized enough how important the subcommittee has been.

RAC Member Jorgensen agreed. He explained that as a miner who has some issues with BLM regarding mining, the subcommittee has been important.

RAC Member Little agreed, especially regarding the instruction manual (IM) on upland rehabilitation. We weren't able to go out and get feedback from the miners, so we used the subcommittee.

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RAC Member Longan added that the subcommittee was important to BLM for communication and she hopes the state will continue participating.

RAC Member Morrison asked Sara if she would be able to facilitate a new state rep for the subcommittee.

RAC Member Longan said she would work with DNR to encourage continued participation on the Place Mine sub-committee.

Cohn said there has been some concern about seed. BLM Alaska has been working with the plant material center for seed and there has been highly successful collaboration between state and BLM.

RAC Member Morrison said he visited a site where they are diverting a stream; they have been working with BLM and report a good working relationship.

Cohn said BLM Alaska gave a presentation for the Upland Revegetation Instruction Manual to the AMA; BLM got pretty critical feedback that the IM was too technical and was missing some critical components. BLM reworked it with the affected stakeholders, which is what the subcommittee allows us to do, and we simplified the doc.

The IM was signed in April and phased in this summer. The IM used a simple measure of 70% cover. It uses boot transects, something a miner can use. When they believe they've achieved the requirement, they call us to inspect.

Some of the other feedback from the subcommittee was that we need more effective communication and we don't provide timely feedback to the miner. We're working on that ability.

Miners also said they would like a single checklist that combines the state and BLM requirements.

Stream guidance will be more complicated. It's more technically complicated for the staff and for the miners.

RAC Member asked if the BLM worked with the state.

Steve Cohn said yes, especially with the Plant Materials Center and asked (?) from the Alaska Department of Natural Resources (DNR) who they can work with from DNR in the future.

Brent Goodrum (Via telephone) We are currently accepting applications; for now work with Mitt. We're always looking for opportunities to work with BLM.

Cohn showed a presentation that illustrated placer mines in various stages of operations. He also told of some of the interactions with miners.

Cohn said BLM Alaska is trying to shift its operations from a compliance focus to a partnership approach.

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BLM staff worked with Dean Race on Jack Wade Creek on the process; the goal was keeping the project cost-effective for the miners.

Some of the highlights from the Jack Wade Creek mine:

- Dean Race used vegetation from future operations to stabilize the stream bank.
- He built-in stream structures; the structures served to reduce energy in the stream, critical for bank stabilization and habitat.
- Expensive—\$100 per linear foot.
- Steve emphasized it's critical that both the BLM and miners are willing to work together and that it's more effective to cooperate beforehand than in a regulatory process.

RAC Member Billingsley asked how many acres are reclaimed each year.

Cohn said it varies. Last year BLM signed off on 15 acres, but it could have been requested three years prior.

RAC Member Billingsley asked how many mines are in Alaska.

Cohn said he would have to get back with the number and that it's also worth mentioning a lot of mines reclaim as they go.

RAC Member Billingsley asked if this could this be performed by a contractor.

RAC Member Jorgensen explained it's hard to come in as a third party. The internal cost of doing the work is a lot cheaper than bringing in a third party in to do the work.

One of the challenges that happens when BLM on the ground can't make a decision. As an operator, you're not going to do more if you don't know what you're doing is working. This has been a long-standing issue. He also said it's going to be important to revisit the placer IM. There was no miner input; it was handed to the miners.

Cohn said BLM would like to get more feedback on the guidance. BLM has had conversations with the Alaska Miners Association and State about a best practices guide. Steve said he was looking to RAC Member Gary Morrison as the chair of the Placer Mining Subcommittee, but if the RAC would like to continue the subcommittee, we would like to fine-tune the upland veg IM and revisit the stream IM.

The U.S. Army Corps of Engineers is also interested in developing a best practices guide.

RAC Member Krause asked how to develop the partnerships in a more constructive way.

RAC Member Jorgensen said the subcommittee has been a very effective forum.

Cohn said one thing BLM has been doing internally is they're forming a "stream team." The team will be able to go out and visit the miner and provide the real-time assistance. There may only be one or two mines interested, but that can save us a lot of time and effort on the back end. It'll add capacity and improve communication. This will make BLM more like an extension service and less like a regulatory agency.

RAC Chair Martin asked if anyone objected to the subcommittee [no objections noted]. All in favor of it continuing? [general approval]

Karen Mouritsen agreed it would be great if this subcommittee would continue, especially with the uplands and stream IM's and best management practices.

Lifting PLO/working with the state, Erika Reed:

Reed introduced Marty Parsons and invited input during presentation.

She gave a brief timeline:

- The Alaska Statehood Act had a compromise, it was written knowing Alaska Native claims would eventually have to be recognized. The Bureau of Indian Affairs applied for the entire state of Alaska on behalf of Natives in December 1968.
- The encumbrance of lands in Alaska started in 1968, making those lands off limits to the state.
- The Alaska Native Claims Settlement Act (ANCSA) was signed in 1973.
- Nine years into statehood, more than half of Alaska was off limits.
- The state sued; DOI and the State settled, allowing the state to select PLO-affected land.
- The Alaska National Interest Lands Conservation Act (ANILCA) passed in 1980; ANILCA is a compromise resulting from ANCSA. Approximately 44 million acres went to private ownership, ANCSA mandated conservation, ANILCA fulfilled the mandate. Most D-2 lands went to conservation, but D-1 was still open for ANCSA selection but not State selection.
- ANILCA gave an additional 10 years to select and allowed topfilings. Topfilings do not segregate the land nor do they count against the over selection.
- The ANILCA public land definition doesn't include selected land; selections encumber the lands from mineral entry.

RAC Member Krause asked why the state can over-select.

Reed said ANILCA allowed the State to overselect. The over selection was a buffer for a number of considerations. For instance, the land hasn't been surveyed, so we're not precisely certain how much land they have actually selected.

In 2004, the Alaska Land Transfer Acceleration Act came into effect; it required deadlines for selection priorities and a report on D-1 withdrawals (158.9 million acres).

Moving forward, BLM is working with state to identify priorities in existing RMPs. CYRMP and BSWI, state will provide input during the planning process.

BLM would like to convey as much of the state's remaining 5.3M acres as possible, allowing for hold-back acreage for State topfiled priorities in Public Land Order 5150 and military acreage (2M and .5M acres respectively).

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BLM Alaska started meeting with the state in June regarding state prioritizations. BLM and the state will be reconciling the data inconsistencies in the future; the state is working their reprioritization.

Reed showed Goodnews Bay as an example (three PLOs, scattered land pattern).

RAC Member Jorgensen asked if Federal unpatented mining claims are excluded in the lifting/revocation of the PLO?

Reed said she could see no reason to exclude them.

BLM hopes to have the Goodnews Bay area revocation to the Washington Office Dec. 1

The next prioritization area the state will submit will be in the Haines area (part of the Ring of Fire RMP).

BLM also has ANCSA conveyances coming up—Doyon and Ahtna. Their areas are most affected by State topfilings.

Doyon is concerned about ACECs affecting many of their selections. Selections predate the ACECs; if an ANCSA corporation has selected lands that have now been recommend to be included in an ACEC, the lands will be conveyed to the ANCSA corporation based on the corporation's priorities and remaining entitlement.

RAC Member Little asked why put an ACEC on land that is selected.

Reed explained the two aren't connected. For decades, we have been developing resource management plans based on resources without knowledge of what the final land pattern would be. Still have a mandate to develop RMPs – conveyances will not stop that process. That's one reason we would like the conveyances to move forward.

RAC Member Hart asked when the conveyances will be completed.

Reed said there is no deadline for fulfillment; the State can maintain a holdover for military lands, for instance. Alaska is not the only state in this predicament

RAC Member Jorgensen asked if there were any updates on survey monumentation?

Reed said BLM will be making some progress soon; some personnel have switched out [and will be working those issues once they're up-to speed].

ANCSA Subcommittee Report, Erika Reed:

The ANCSA Subcommittee had one meeting. The Department of Interior RAC freeze prevented further meetings.

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They discussed RS2477 and 17b easements.

BLM is working a geospatial database to track the approximately 4,000 17b easements across all agencies. The BLM has the responsibility to manage the easements across Native lands to access State land.

BLM has completely digitized all the quads. The user can click on the easement and it'll tell you who the landowner is and other information. It's also important to note the easements are only for access to public lands, NOT recreation [on the easements themselves]. The lack of knowledge or respect for that has caused a lot of trouble.

Phase 2 will be ground truthing. Hopefully we'll be able to GPS that survey work, and perhaps the landowner will be able to do the actual work.

She reported that the ANCSA Subcommittee talked about adding other Native corporations to the conversation.

RAC Member Cain said a region-by-region conversation would be very helpful.

Reed said if we know what the corporation's priorities are in the conveyances that would be very helpful to us.

RAC Member Cain said there is no Native Alaskan representation on the Statement of Cooperation Executive Committee. Perhaps the RAC could recommend Native involvement.

Reed said one of the recommendations we made to the SOC was to have the Denali Commission investigate some of the contaminated sites. There were about 100 sites where either the description or location wasn't clear enough for BLM to determine if or which corporation was affected. Someone needs to truth these claims out.

RAC Chair Martin agreed it was a good meeting and asked if the corporations can manage the easements going through their lands?

Reed said she would look into that.

RAC Chair Martin added that one thing Ahtna did was they worked with the BLM field office to get better signage and notice to the public—it was a good partnership.

Randy Goodwin asked if BLM has an MOU for maintenance on the easement.

Dave Mushovic said they currently consult, but they're working on the manual to update. We technically don't need permission, but we do need to consult.

Reed said BLM wants to increase the level of education of the land owners and general public on 17b easements.

RAC Member Cain agreed it's a good subcommittee, but it would be helpful to know who is on it.

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Mushovic said the members are Brennan Cain, Kathryn Martin, Rosie Barr, PJ Thompson, Theresa Imm, Dave Brown (no longer a RAC member), and Jeff Nelson was recommended.

RAC Chair Martin said the RAC would like to see the 17b Handbook.

Mushovic said when it goes out for review the RAC can see it.

RAC Member Little said the RAC should consider if it should keep the ACEC subcommittee. She expressed support for the subcommittee, and said perhaps hold some public meetings about ACECs to combat misinformation that's been floating around.

RAC Member Longan agreed, saying it's in the State's interest.

RAC Member Jorgensen recalled it was going to be a workshop.

RAC Chair Martin said the minutes showed a workshop was going to be discussed.

RAC Member Morrison said RAC Member Stan Foo was very interested, and agreed the RAC should have it.

RAC Chair Martin asked if BLM needs the RAC to make the recommendation.

Ellis-Wouters said the RAC was planning to host it in October.

RAC Member Cain asked if there is interest in a subcommittee, should the RAC form one.

Karen Mouritsen said if the RAC would like a subcommittee, it would be helpful to BLM to have the input.

RAC Member Longan agreed it would be helpful to have a subcommittee for the workshop.

Ellis-Wouters said subcommittees don't require a *Federal Register* notice, and they don't require the RAC, just RAC members.

RAC members interested in the subcommittee/workshop were: Faith Martineau, Theresa Imm, Stan Foo, Lee Hart, David Krause, Sarah Longan, Suzanne Little

Access/Recreation/Transportation intro and overview, Steve Cohn:

Cohn explained that regarding 17b easements, BLM can't transfer administration to the Native corporations, but BLM can enter into cooperative agreements. BLM can transfer administrative duties to other government agencies.

People tend to go where they want to go, and the agencies try to catch up with that. Steve posed the question, what is the role for BLM as a land management agency as new areas become accessible?

Cohn discussed the economic impact of public lands near population centers.

Cohn said access routes will become increasingly important in coming years.

RAC Member Hart asked how Secretary Zinke's new recreation advisory committee has affected BLM Alaska.

Cohn said BLM Alaska is gathering information — BLM sees a real value in getting input from our stakeholders.

RAC Member Hart said one of the biggest opportunities in Alaska is showing how development and recreation can coexist. They don't have to be mutually exclusive.

Motorized access plans, Randy Goodwin:

Travel management is defined in other states primarily as recreational travel. Alaska is different because of ANILCA; subsistence use and multi-modal.

Goodwin contrasted RMPs and Transportation Management Plans. When developing RMPs, BLM has to identify travel management areas.

Goodwin described how they select routes to go into the BLM transportation network. Assessments include vehicle types (i.e. high-clearance, ATV), dimensions and curb weights, and seasons of use.

RAC Member Billingsley asked if the trails need to be changed/modified to allow for UTV.

Goodwin said the UTV-designated trails are hardened with gravel and wide enough.

RAC Member Hart asked about hovercraft.

Goodwin said in Nome Creek valley BLM has a rule you can't launch a boat with more than 15hp (hovercraft are more powerful than that).

RAC Member Billingsley asked how the BLM tracks usage.

Goodwin explained the BLM does monitoring overflights and has a voluntary register.

In the White Mountains BLM discourages wheeled vehicles in winter to preserve the trails for skiers, dogsleds and snow machines.

Goodwin described travel management process in detail.

RAC Member Hart asked about the timeline.

Goodwin the contractor is just getting started on this multi-year process, but the communities we'll focus on are Anchorage, Ft. Yukon, Fairbanks, Central and Circle.

Three-day Travel management plan workshop scheduled for February in Fairbanks.

RAC Member Hart said BLM should conduct more trail grooming for bicycles.

Goodwin said we're tapped-out for trail maintenance. Perhaps private orgs can step in?

Goodwin described components of TMPs.

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Cohn said TMPs are an opportunity for creativity. It's not just addressing what's there, but what we want to be there in the future.

Travel and Transportation Management training is happening in Fairbanks this spring; RAC members are welcome to attend.

BLM has a very limited Federal Lands Transportation Program in Alaska (described the locations of some trails maintained up to public-road standards).

Goodwin gave update on recent projects and funding.

He gave an overview of sign plans; encouraged ANCSA corporations to work with BLM.

He covered the Alaska interagency travel plan — BLM is working with tribes and conferences. Safety concerns for rural travel was brought up recently; BLM was asked about how to make geo-reference maps.

He gave an overview of data management

He briefly explained visual resource management and acoustics management; dark sky--Northern Lights viewing is increasingly popular.

RAC Member Jorgensen asked if there is a distinction between four and six-wheel vehicles.

Goodwin said as of Oct. 1, 2019, BLM will transition to UTV operation for operator safety. BLM hauls a lot of gravel with six-wheel vehicles. The 1500 pound cutoff had four-wheel vehicles in mind. BLM made the decision to align our policies with the State. Six-wheel and tracked vehicles do cause some additional damage because of the steering mechanism (skid steer), even though the ground pressure may be less.

Cohn asked if BLM is in a position to work with partners to help develop the plans.

Goodwin said yes, where the partners exist. The roads are really a means to an end; to protect their resources. We're trying to improve experiences, not just build trails.

RAC Member Jorgensen said it's been a policy to tear the roads out before the leaseholders leave — those roads should be looked at for potential recreation use.

RAC Member Jorgensen asked how extensive the regulations are.

Goodwin said we'll use a lot of the RMP. It's about [125 pages].

RAC Member Jorgensen commented it's bigger than the whole original Fortymile plan.

RAC Member Billingsley said the re-purposing of the mining roads is a good idea where it's possible. It saves the miners money.

RAC Chair Martin asked why the contractors are from out of state.

Goodwin explained we don't have any in the state. It's a very specialized field.

RAC Member Jorgensen commented the out of state contractors don't understand the culture or terrain and can be a waste of money.

Nolan Heath asked if this can be a joint venture, where they have to work with someone from the state. It might help to develop local contractors.

Goodwin said they do have some people in the state. They also have the BLM process down. The tweak will be getting the Alaska spin.

It is a specialized field. The barrier to entry isn't living in Alaska, it's following the Blanket Purchase Agreement process.

North Slope Science initiative, RAC Member Sara Longan (presentation on file):

NSSI now fully staffed; just Sara Longan and Mark Miller.

NSSI thrives on collaborative relationships. It's a science coordinating team that partially supports energy independence, focusing on shared conservation stewardship principles.

NSSI was established under Title III, Oil and Gas, of the Energy Policy Act (2005).

RAC Member Longan explained the organization and focus (NPR-A, oil and gas emphasis, and adjacent seas).

- NSSI's partnerships, especially ASRC and North Slope Borrow.
- Overview of projects — one primary product was the North Slope Science Catalog, a single source for science related to the North Slope. She told the group if data isn't there, please contact the NSSI staff; they'll gather it and include it.
- Overview of products and initiatives
- Way ahead; industry approached them, met November 1 along with multiple agencies. NSSI should help facilitate collaborative scientific studies to prevent impacts by scientists.

RAC Member Longan asked the attendees to remember the Science Technical Advisory Panel (STAP) nominations (see the October 25, 2017 news release at the BLM website).

Public Comment period

No comments received.

RAC Member Longan commented on ACECs. The State is aware they are updating ANILCA guidance. It would be good to include information in the next ACEC subcommittee meeting.

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Ellis-Wouters said she believes that referred to field guidance, but hasn't come to fruition.

RAC Member Jorgensen said BLM can address Ambler Road under Title 2 of ANILCA. Currently BLM is looking at it under Title 11.

Goodwin said he believes Title 2 covers Park Service.

Karen Mouritsen said BLM will have to look into that.

RAC Member Barr asked where the Red Devil Remediation plan is.

Cohn said he would check if the project manager is available for an update November 17.

Cohn briefly talked about the award recipient for the small hard-rock miner's reclamation work. Gave RAC Member Jorgensen a mounted poster to take back to the Miners association.

Meeting Adjourned 5 p.m.

Friday, November 17, 2017

Council members present: RAC Chair Kathryn Martin, Lee Hart, David Krause, Mark Billingsley, Sara Longan, Suzanne Little, Bronk Jorgenson, Teresa Imm, Faith Martineau, Rosie Barr, Brennan Cain, Gary Morrison.

Council members not present: Stan Foo, P.J. Simon and John Hopson, Jr.

BLM representatives present: Karen Mouritsen (BLM Alaska Acting State Director and Designated Federal Official (DFO), Erika Reed, Steve Cohn, Marlo Draper, Geoff Beyersdorff, Callie Weber, Mike McCrum, Tom Bickauskas, Lesli Ellis-Wouters, Jim Hart.

Representatives of agencies other than BLM:

Members of the public present (or on the teleconference line):

RAC Chair Martin called the meeting to order at 08:08 a.m.

Recreation Fees, Tom Bickauskas (presentation on file):

Federal Lands Recreation Enhancement Act (FLREA), 2004, allowed fees for fee sites and special recreation permits.

Alaska's 2016 fee income was \$370,000; 40% from Campbell Creek Science Center. Money generated from recreation fees stays local, with 15% allowed for administration costs. Cabin fees go into an account and are not allocated to specific cabins.

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Fees for campsites and cabins haven't increased in 15-20 years.

RAC Member Morrison asked if wood is provided for cabins [it is not] and asked the BLM to stick with wood. Other public-use cabins use oil and it isn't practical.

FLREA has been extended through 30 Sep, 2019

Bickauskas explained what areas/types of fees can be charged:

- Some fees are state-specific; published in the *Federal Register*, they need public input.

Bickauskas explained FLREA prohibitions on fees, minimum amenities required before BLM can charge. Went into detail about the listed amenities and how they apply to Alaska.

RAC Member Hart asked if sites were first come/serve.

Bickauskas responded that there isn't sufficient demand for reservations at campsites, but for the cabins there is. Currently, the reservations are only 30-days out; this can be problematic for out-of-area visitors planning excursions. Currently, there is a contractor working on the reservation system to allow multi-cabin rental.

RAC Member Morrison stated that other agencies allow up to six months and reminded council members that reservation times are East Coast times.

RAC Member Morrison asked if the money from the reservation website goes to BLM.

Bickauskas answered that the cabin fees go to BLM, while the reservation site fees do not.

Bickauskas explained special recreation permit program. Incl. outfitters and guides, races, temporary vending.

Karen Mouritsen: On the previous slide, when you said we can create rules, does that mean land management or money?

Bickauskas: Both. We can manage behavior and fees. Cost recovery applies over 50 person-hours, starting from hour zero. It is separate from the special recreation permit fee.

RAC Member Lee: Asked who determines the fees charged.

Bickauskas: Special Recreation Permit (SRP) fees are set by the BLM Director. The BLM State Director sets the fees on campsites and cabins. Commercial SRP fees are 3% of gross and can be significant, if paid in a lump sum. We explain it and try to work with the permittee early so there are no surprises.

RAC Member Jorgensen asked regarding cost recovery if BLM has have to reinvent the wheel each time.

Bickauskas said once the NEPA is done, you don't have to redo it the next year. Staff travel time accounts for a lot of the costs we do charge. Not every SRP is charged cost recovery. Only those which require over 50hrs of management are charged cost recovery.

RAC Member Hart asked what kind of documentation is required to prove gross income.

Bickauskas said bank statements are a third-party verification of income. In addition, a permittee should show a BLM-income deposit log, other income, and receipts supporting deductions, if needed. There is significant difficulty to produce the documentation of gross receipts with most of the permittees due to our general language on permits. The system has been a sort of honor system, but that will soon change as we update our stipulations on permits to clarify what records we would need to review. When BLM does come and check, we have a third party check both the permittee and BLM records.

RAC Member Krause asked if there are there any fees associated with the spectators.

Bickauskas said not on our end. If the permittee wants to charge, it needs to be reflected in the gross receipts. The public lands are open.

RAC Member Krause asked how BLM recovers costs of damage from spectators.

Tom Bickauskas said that would be included in the permit operations plan under mitigation/remediation. It is one of the more difficult parts of public land management.

Bickauskas discussed Iditarod fees, how the BLM tries to keep costs down. All of the permits that use the Iditarod trail are coming due. Because the various races are predictable, we can handle through a programmatic NEPA. This allowed us to keep the cost in house and not hand it down to the permittees.

There may be an increase in fees to better use the fee authority to generate locally retained income. The additional income will help offset a decreasing budget, increased visitor expectations and increasing visitor base. The FLREA law provided for a recreation RAC oversight of fees, but Alaska's governor at the time opted out of that requirement.

RAC Member Jorgensen expressed concern about cost recovery, saying the government isn't the most efficient in how they implement procedures and policies. Fees are acceptable, but the government is often wasteful in how it conducts its business. BLM campgrounds and cabins aren't a for-profit business, they're a service. He said he is happy to hear the fees stay local.

Ellis-Wouters said even though the governor opted out, we still welcome input from the RAC regarding fees.

Confluence Summit Recap: RAC Member Lee Hart (presentation on file)

Confluence started in 2016 and has the contract to maintain three state parks.

RAC Member Hart explained the economics/economic impact of various industries in Alaska.

Outdoor activities are broadly defined in the economic analysis presented. Recreational activities are attributable to 72,000 direct jobs, \$7.3 billion, according to the Outdoor Industry Association.

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She gave statistics regarding outdoor activities as it relates to various subjects (i.e. obesity, education) and showed a slide highlighting states with offices of outdoor recreation.

She then explained how partnerships help with maintenance. Valdez Adventure Alliance is asking the state to take back the trails they are currently maintaining.

RAC Member Hart challenged BLM to look into efficiencies in the permitting process, perhaps BLM should look into using private-sector models for permitting. She also asked that BLM give stakeholders time to adjust/provide input into TMPs.

She also asked if BLM Alaska has a RAC for recreation.

RAC Member Jorgensen asked if there is any engagement with Alaska Tourism Industry Association.

RAC Member Hart: Yes. One of our members is on the board.

RAC Member Krause asked what they need the RAC to do.

RAC Member Hart said perhaps engage more, attend events; not sure what the RAC can do within their charter.

Cohn asked what the results are in the six states with offices of outdoor rec — was there any increases in recreation?

RAC Member Hart said it's too new to say, but Louis Benitez, Colorado Outdoor Recreation Industry Office Director, won the outdoor recreation show to Denver from Salt Lake City for the next (?) years.

RAC Member Longan mentioned reclaimed sites in the European Union where recreation and eco-tourism sites have been constructed in-part to address past contamination and reclamation.

RAC Member Hart mentioned New Zealand logging industry and mountain biking cooperation; logging interests let local mountain bike associations know when they're moving the logging operations months in advance. This allows the orgs enough time to set up new trails in other areas in time for the start of logging in the area mountain bikers were previously using.

Trans-Alaska Trail presentation, Nate Sievert, Nat Haslet presenting with State Representative Jonathan Kreiss-Tomkins on the phone (presentation on file)

State Rep. Jonathan Kreiss-Tomkins gave an introduction over phone.

The presenters explained that the pilot trail starts in Valdez and stretches 63 miles. They also highlighted the Appalachian Trail has had to institute permitting from all the demand. They envision use of the trail as an open air museum, taking advantage of longstanding tourism demand.

They showed images of road houses and other permit-only trail segments.

The pilot trail segment follows an underground portion of the Trans-Alaska Pipeline, partially mitigating security concerns. They see compatible use between industry and recreation along the Trans-Alaska Pipeline right-of-way.

They mentioned if people are willing to travel to New Zealand for similar recreation, the potential is phenomenal for Alaska.

They are looking into a 501(c)3 partnership and working actively with Alyeska regarding a list of concerns and agencies.

RAC Member Jorgensen asked if the proposed trail is strictly non-motorized?

Nate Sievert said that would be determined in close cooperation with Alyeska. We see DNR's requirements as a good starting point.

RAC Member Gary Morrison asked who would maintain the route.

Nate Sievert and Nat Haslet explained they're working with Alyeska and their goal is to not add a burden.

Sec. Order 3356, Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories, presented by Steve Cohn

Cohn walked the RAC through the order, explained how it applies to BLM and federal lands, touching the highlights.

He said the order has teeth — SES employees (state director level) will be held accountable for how they implement it through their performance evaluations.

RAC Member Longan asked about Cat X, if it is fee or non-fee. Also asked if the Cat X option is for fee-based commercial recreation or hunting activities only.

Cohn said the order does not specify.

RAC Member Martineau asked for clarification—there is currently not a Cat X for activities that aid species/habitat?

Cohn said not currently. The Forest Service has a lot more. Several of the ones BLM does have are to do with wildlife protection (i.e. to protect wild animals from drowning in watering sites; requiring gates over abandoned mines have openings that allow bats to escape).

RAC Member Martineau said it might be more appropriate to approach from a national level with a blanket permit/exclusion instead of each state handling their own.

Cohn added it's very helpful to have stakeholder input.

Recreation Round Table

RAC Member Longan suggested BLM may need to be prepared to respond if this is non-fee or fee work. For instance, how it might to NEPA and Cat X — can it apply if there is a FONSI?

BLM may need to be prepared to respond if this is non-fee or fee work, as it relates to commercial fishing, hunting, and recreation. Also, further clarity on how this Order and its initiatives might inter-relate with NEPA analysis (if applicable) for the same activities. Will NEPA or federal planning be required (if applicable) for activities covered under this order? Under NEPA generally, Cat X's are typically allowable after a Finding of No Significant Impact (FONSI) is issued. Otherwise, upon a simple read of the Order, it appears the intent is to increase efficiency in support of hunting, fishing, and wildlife conservation.

Karen Mouritsen said BLM wants us to be as efficient and collaborative as they can be when it comes to permitting; especially a by using a programmatic approach.

RAC Member Longan added it would be critical for it to be clarified.

RAC Member Jorgensen asked if BLM Alaska wants a RAC recreation subcommittee, given the Secretary's Order and earlier discussion.

RAC Chair Martin entertained a motion to create the Recreation Subcommittee [passed].

Volunteer RAC members are: **Lee Hart (lead), David Krause, Mark Billingsley , Suzanne Little, Kathryn Martin, Bronk Jorgensen. Sara Longan** is seeking possible Alaska Department of Natural Resources involvement. **Erika Reed** and **Steve Cohn** want to participate. The BLM point of contact will be **Marlo Draper**.

RAC Member Jorgensen said subsistence should be key and the subcommittee should also focus on motorized recreation; there are large numbers of people with ATVs and snow machines damaging public and Native lands.

Next meetings/important dates:

- ~ September 13 in Valdez; potentially visit first part of proposed Trans-Alaska Trail
- ~ Week of February, 20-28 or first week of March in Fairbanks
- ~ Call for nominations in February
- ~ Possible visit to Red Devil, early June/July
- ~ November meeting would be preferable (RAC Member Jorgensen)

Red Devil Mine Update (addition to agenda), Mike McCrum presenting

Mike gave the background about Red Devil mine (an abandoned mercury mine) on the Kuskokwim River. The mine was most active in the 1940s-50s, closed in 1971.

The BLM removed physical hazards, but the processed tailings remain (220k cubic yards).

Mercury, arsenic and antimony were mined. Rich tailings are still on site. The mercury assessment determined there is no significant human health risk.

BLM Alaska is working with multiple agencies, including the Alaska Department of Natural Resources, Environmental Protection Agency, Health and Human Services, and the Alaska Department of Fish & Game.

Remedial investigation work should be done next spring. A proposed plan possible in the winter of 2018/19. The BLM will seek input from affected communities in spring.

RAC Member Jorgensen asked if BLM has the surface and subsurface rights at Red Devil and if it's topfiled by the State.

McCrum said it is selected by a village corp, Challista Corporation and the State.

RAC Member Morrison asked if BLM is going to move dirt.

McCrum said it's a possibility.

BLM hasn't looked at the ground water and river in the remedial investigation; the supplemental investigation will.

According to the fish studies, there is no way you can contribute mercury levels in local fish to the mine specifically; the fish are getting their mercury from a number of natural sources in the region.

Mike explained alternatives ranging from no action to moving tailings to higher elevation and capping it (on-site disposal) or shipping them to a facility. He noted that the tailings left in place are not classified as hazardous waste. When shipped off-site, they become hazardous waste.

RAC Member Cain mentioned he has noticed improved relationships between state and BLM over the years.

McCrum said it has been a progression. There was a lot of controversy and resulting scrutiny; much of the controversy has waned, and the group is working more collaboratively.

RAC Member Barr asked about the cost of studying the ground water and river.

McCrum <response to cost, everything related to Red Devil is expensive>. The fence surrounding the property was \$1.5 million. To dispose of the tailings — onsite ranged from \$20-60 million, depending on system used; removing to offsite facility is \$185 million.

RAC Member Hart asked if the company is on the hook for any of it.

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McCrum said there are no previous owners that are economically viable. If it's a private owner (not incorporated), the liability doesn't transfer. This was incorporated, but they went bankrupt.

RAC Member Cain pointed out that if the Native corporation receives contaminated lands, they would receive the liability.

RAC Member Barr added NANA has a former gold mine they're dealing with. She asked if there is any funding to help with clean-up.

McCrum said not without a congressional line item. Red Devil cleanup dwarfs the entire DOI cleanup budget.

Reed explained the corporations are in a sticky situation, as is the United States. It's an unintended consequence of the law. The law didn't require a physical inspection of the land. We have no option to reject a Native corporation's selection of contaminated lands; this will take cooperation from a number of entities to fix.

RAC Member Barr said Native corporations are hesitant to report a site because the Alaska Department of Environmental Conservation will hold the new owners responsible.

She suggested if some of the money from the lease sales could be diverted for the clean-up operations, it would go a long way.

RAC Member Cain asked if the Helium Act could help

RAC Member Longan added the NPR-A impact program has funding for remediation and perhaps a program like this would work.

RAC Member Cain suggested this could be an ANCSA Subcommittee report.

Meeting Adjourned: 11:58