



October 23, 2023

Mr. Eric Beightel  
Executive Director  
Federal Permitting Improvement Steering Council  
1800 M St. NW, Suite 6006  
Washington DC 20036

Re: Revising Scope of the Mining Sector Projects Eligible Under FAST-41 (Docket No. 2023-001; RIN 3121-AA04)

Mr. Beightel,

The State of Alaska (State) has reviewed the Federal Permitting Improvement Steering Council's (FPISC) proposed rulemaking to revise the scope of the mining sector with infrastructure projects eligible for coverage under Title 41 of Fixing America's Surface Transportation Act (FAST-41). Mining was added as a FAST-41 sector in January 2021, which the State strongly supported.

The proposed rulemaking to now limit the scope of the mining sector to only apply to critical mineral projects is short sighted for several reasons. To begin, not all critical minerals are listed on the USGS's Critical Minerals List, most recently updated in 2022. The most glaring omissions to the list are copper and molybdenum. Both copper and molybdenum are listed on Canada's Critical Minerals List<sup>1</sup>.

Copper plays a key role in the following:

- Infrastructure (electrical grid, buildings and structures, water service lines and pipes)
- Clean Energy (wind farms, solar panels, energy storage)
- Transportation (electric cars, airplanes, highspeed trains and buses)
- Defense (navy vessels, military gear, military vehicles)
- Other (consumer electronics, healthcare, currency)

Both the Inflation Reduction Act and the Infrastructure Investment and Jobs Act are expected to increase the demand for copper through increased spending on energy and infrastructure projects. Copper is also at risk for supply chain disruptions due to most of the sourcing coming from South America. Molybdenum is a steel alloy, used to strengthen steel. Molybdenum will become increasingly important in transitioning to renewable energy, specifically solar and wind energy.

For all these reasons, the scope of mining as a FAST-41 sector should not be limited to only critical minerals mines, but to all mines (copper and molybdenum mines, in particular). In parallel, although the scope should indeed be expanded to include infrastructure constructed to support

<sup>1</sup> <https://www.canada.ca/en/campaign/critical-minerals-in-canada/critical-minerals-an-opportunity-for-canada.html>

critical minerals supply chain activities, it should also be expanded to include that to support all minerals supply chain activities.

In addition, the United States should prioritize domestically sourced minerals whenever feasible. Doing so would reduce the United States dependence on foreign supply, reducing concerns over sourcing during times of conflict, while also helping to create high wage jobs and injection of funds to local communities and governments. Alaska is eager to play an important role in meeting the growing U.S. national economy and national security needs for renewable energy networks and numerous uses powered by critical minerals, including rare earths.

Responsible natural resource development, including mining, is foundational to Alaska's values and economy. In 2022, Alaska's mineral sector provided 11,400 direct and indirect jobs, \$1 billion in spending on goods and services at local businesses, \$55 million in local tax revenue, \$131 million in state government revenue through mining licenses, rents, royalties, fees and taxes, and \$266 million in royalty payments to Alaska Native Corporations.<sup>2</sup>

Thank you for the opportunity to review and comment on this proposed rulemaking.

Sincerely,



Kate Harper, OPMP Associate Director  
Alaska Department of Natural Resources

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<sup>2</sup> <https://www.alaskaminers.org/economic-benefits>