

## **USACE Media Teleconference 11-29-18**

John Budnik - USACE

Tom Findter - USACE

Shane McCoy - USACE

Stephen Lee - Bloomberg Environment

Tim Bradner - Alaska Legislative Digest

Elwood Brehmer - Alaska Journal

Sonya Senkowsky - Pebble Watch

Isabelle Ross - KDLG

Jill Burke - Bloomberg Environment

Ann Thompson - NBC News

**John Budnik:** Good morning folks. This is John Budnick with the Army Corps of Engineers I would like to welcome everybody and thanks for joining us today for another discussion about the Pebble Project Environmental Impact Statement. The purpose of today's teleconference is just to give a general status update on where the Corps is on the EIS process and also for you folks to take advantage of our availability to ask your questions. Again my name is John Budnik, I am a public affairs specialist with the Alaska district. Seated next to me is Mr. Shane McCoy. He is the program manager for the Pebble EIS. We have allotted one hour for the session. Shane might have an opening statement or not. I am not sure yet and then we will turn it over to you guys for questions. Just as a courtesy, kindly ask that you place your phone on mute and hold your questions until we are ready and then please state your name and affiliation when asking a question. Just full disclosure we are recording this phone call. We do need to own the fact that we have been lagging on providing transcripts at a later time, but I was just talking to Shane about it and we can probably provide the audio for this teleconference as well as previous ones. Before we get started I just want take a quick roll call just through the RSVP list in the order that I received them. Is Jill Burke on the line? No Jill. Is Ann Thompson? No Ann. Margie Bauman. No Margie. Tim Sohn. No Tim. Stephen Lee.

**Stephen Lee:** Hi John. I am here.

**John Budnik:** Hi Stephen. Becky Bohrer. No Becky and then Tim Bradner.

**Tim Bradner:** I am here John.

**John Budnik:** Hey, good morning Tim. Elwood Brehmer.

**Elwood Brehmer:** Good morning, John.

**John Budnik:** Hey, good morning, Elwood. Is Sonya Senkowsky on there? Are you there?

**Sonya Senkowsky:** Yes, I am.

**John Budnik:** You are filling in for Mariah, is that correct?

**Sonya Senkowsky:** That's correct.

**John Budnik:** Awesome, welcome. Isabelle Ross.

**Isabelle Ross:** Yup, I am here.

**John Budnik:** Good morning, Isabelle. I think I just heard couple of beeps. Whose just join us? Nobody. Ok well, without further ado let's get started. Shane do you have any...

**Shane McCoy:** Nope. Good morning everybody. Thanks for making time to participate in the teleconference. I hope you find it useful. For those of you in local area, I hope your commute was safe. It is pretty sketchy out there. I have no prepared opening statement other than the fact we are currently still in the development of the draft EIS. At this time I would open it up to questions.

**John Budnik:** Alright, opening it up to the first round here. First will be Stephen.

**Stephen Lee:** Hey guys, thanks. Ok, on the draft EIS the rumor is that it will be released on January 16<sup>th</sup> with the 90 day comment period. I am just wondering if you can confirm that specific date.

**Shane McCoy:** No, I can't confirm right now. We are still in the review and you know we haven't received all the comments and the associated interaction with the cooperating agencies at this time. So until we actually see the comments specificity and other consideration. Currently yes that's what the schedule has identified, but I can't confirm that will be the date of release.

**Stephen Lee:** Ok. Thank you.

**Shane McCoy:** Sure. Thank you, Stephen.

**John Budnik:** Thank you. Tim Bradner.

**Tim Bradner:** Shane, one area that I would like you to explain. I think you have probably gone over this before with us, but could you explain the intersection with the State approval of the EIS? I know the State is participating in the EIS, but also in approving of 404-permit. I believe 401 Certification that the DEC does, could you walk us through that procedure again?

**Shane McCoy:** Well, certainly. So when we release the draft EIS we will also put out a public notice which will serve as an initiation for the 401. Basically, there will be a disclaimer in there that states that the applicant has to apply for 401 Certification. That

doesn't affect EIS process, that is really a permitting issue and would have to be resolved prior to us issuing permit as well as I believe the permit for the Coast Guard.

**Tim Bradner:** Yeah, could you explain what the 401(c) Certification is?

**Shane McCoy:** Certainly. It is part of Clean Water Act. It was delegated down to the State. Basically, certification that only for the Corps program only clean fill will be acceptable to be placed in to jurisdictional waters.

**Tim Bradner:** Ok, so in this case the clean fill placed in in the waters of the US. Clean field means...fill without...

**Shane McCoy:** Yeah without toxins, pollutants, and without garbage.

**Tim Bradner:** Yeah...so the State DEC would certify that.

**Shane McCoy:** Correct.

**Tim Bradner:** Yeah, ok. How about waste materials that are stored in the storage pit? Would that come up on the certification also?

**Shane McCoy:** Clarify waste materials. Are you talking like refuse?

**Tim Bradner:** No. They are building a containment facility there to contain discharges from the mine. Now that will contain the pollutants, as I recall?

**Shane McCoy:** So that's the operational consideration. The Corps Engineers permit is a construction permit so that wouldn't be contingent upon our authorization...no.

**Tim Bradner:** Ok. I am just trying to understand the State role in the 404-permit so it is the 401-certification.

**Shane McCoy:** Correct.

**Tim Bradner:** So, that's State's only role.

**Shane McCoy:** Yes with regards to our permit.

**Tim Bradner:** Ok and in the EIS itself the State is a participant?

**Shane McCoy:** That is correct. They are a cooperating agency.

**Tim Bradner:** Could you explain what role the cooperating agency has?

**Shane McCoy:** Oh, Certainly. So under CEQ...sorry the Council for Environmental Quality, they are the one who wrote the regulation with regards to the development of NEPA (National Environmental Policy Act) analysis. So the NEPA analysis is used to inform Federal decision. So Federal agency that have jurisdiction by law and then this case the Corps of Engineers as well as the Bureau Safety and Environmental enforcement and the United States Coast Guard must participate in the development so that they can use that analysis to inform their decisions. CEQ also identifies that there

are agencies that have special expertise. So the Corps has invited several agencies with special expertise for very specific review analysis and comment to help inform our analysis so that when we make decisions, that they are well informed decisions. The State of Alaska obviously had as many areas that we would consider them having special expertise including the whole suite of permit authorizations and other considerations that would be part of the review for the State. But the level of analysis associated with their authority would be much smaller; however, we want to make sure that our analysis which will inform our decision is technically accurate and appropriate. So there are several agencies involved, I believe ten in all that are actual cooperating agencies.

**Tim Bradner:** I am sorry, ten State agencies.

**Shane McCoy:** No, ten agencies that are cooperating agencies. So forgive me if I missed one. Right now the State of Alaska is cooperating agency, the Lake and Peninsula Borough is a cooperating agency, the United States Environmental Protection Agency is a cooperating agency, Fish and Wildlife Service, the Coast Guard, the BSEE-Bureau Safety and Environmental Enforcement, National Park Service, the Pipeline Hazardous Safety (PHMSA)...I can't remember exactly what is stand for...my apologies...as well as the Advisor Council and Historic Properties are all cooperating agencies to help us develop the analysis.

**Tim Bradner:** Ok. I am going to ask one more and then I will let somebody else come in. Shane, who is the point of contact with the State as a property agency? Would it be DNR?

**Shane McCoy:** No it is old pump.

**Tim Bradner:** I am sorry. Who would the major point of contact with the State be as a cooperating agency?

**Shane McCoy:** The individual is Kyle Moselle the office of project management.

**Tim Bradner:** Ok. That's part of DNR. Ok, thank you very much. I'll let somebody else ask question.

**John Budnik:** Ok, thanks Tim. Good discussion here. Elwood.

**Elwood Brehmer:** Good morning, Shane. We may have gone over this before in different group. How many alternatives are you working on beside obviously the no action and Pebble's preferred alternative?

**Shane McCoy:** That's kind a complex answer. So in attempt to make this as reader friendly as possible we have, besides the no action alternative, three...what we are terming as three alternatives. It is the applicant's proposed as well as two others. However, within each one of those there are what we would consider variances. Options for potential mitigation within those...so short answer is there are three beside the no action alternative. However, when you take apart the components, because there are several components in this as you know transportation corridor, the pipeline, the

mine, and the port facility. There are multiple variations or variance within the different alternatives.

**Elwood Brehmer:** Ok. So basically, you've got what Pebble wants to do and then a couple options for the transportation corridor, a couple options for the port infrastructure and those things can almost be mixed and matched?

**Shane McCoy:** That is correct.

**Elwood Brehmer:** Ok, thanks.

**Shane McCoy:** But, we didn't want it to get so complex to try and make it look like 27 alternatives because it would be a little bit confusing to the public.

**Elwood Brehmer:** Yeah.

**Shane McCoy:** We are trying to make this as understandable as possible.

**Elwood Brehmer:** Ok, thank you.

**Shane McCoy:** Yup.

**John Budnik:** Thank you Elwood. Sonya.

**Sonya Senkowsky:** Thank you. I am of course calling on behalf of Pebble Watch and we are interested in a little bit more about the role of cooperating agencies. Sounds like you are still... that cooperating agencies are expected to continue having the role. However, we have heard some concerns that the Corps may plan on dropping cooperating agencies entirely after the draft EIS. That they wouldn't be involved in the development of the final EIS and that would be very different anything done in past. Is that true?

**Shane McCoy:** That is absolutely not true.

**Sonya Senkowsky:** So what is the role...

**Shane McCoy:** I don't know where you heard that, but that is never been on our agenda...no.

**Sonya Senkowsky:** I am sure that people would be happy to hear that. So what is the role beyond the draft EIS? Is it the same ten cooperating agencies that you named?

**Shane McCoy:** It will be as long as they want to participate. Any cooperating agency can step out at any time that they want. However, we do rely heavily on expertise outside of our own, the Corps expertise, to help to inform this. And as I am sure everyone is aware, that the draft will generate substantive comments and we are going to need a lot of the experts to help us make sure the analysis is accurate.

**Sonya Senkowsky:** Right. Ok, thank you.

**Shane McCoy:** Yeah.

**Sonya Senkowsky:** In terms of... Of course we have a change in State of Administration and in what ways is that impacting your process and in what ways would that impact the participation of the cooperating agencies would you anticipate there?

**Shane McCoy:** I can't speak to that. Right now, it hasn't affected our process at all.

**Sonya Senkowsky:** And I believe Tim's question may have covered this, but the anticipated release state of the draft EIS is that not known at all at this point.

**Shane McCoy:** Well, we have a schedule for middle of January. However again until we see all the comments and the revision and until we get to a place where we are absolutely comfortable releasing it...we won't. Again, right now the target is middle of January.

**Sonya Senkowsky:** And....

**Shane McCoy:** I would like to you know....qualify that as...we are not driven by the schedule, but we are driven by the quality of the document.

**Sonya Senkowsky:** And today you were saying that there are still more comments coming in and you want to allow...you are looking to consider all of them...I think previously we had the idea that all scoping comments are on the website?

**Shane McCoy:** Yup, correct.

**Sonya Senkowsky:** Sorry.

**Shane McCoy:** That is correct. All the scoping comments are on the website.

**Sonya Senkowsky:** We were not able to find the National Park Service comments; we understood that they did submit some. Is that something you can speak to and let us know how to download them in bulk?

**Shane McCoy:** Yeah, there is no easy way to download them all in bulk. My apologies. I haven't figured out a way to do that for you. With regards the Park Service and comments during scoping I couldn't find any. We did receive a letter on May 14<sup>th</sup> in which the Park Service provided some insight as well as a request to become a cooperating agency at that time we considered their request and we did actually accept their request and involved them from that point forward as a cooperating agency, but I could not find any Park Service scoping comments.

**Sonya Senkowsky:** Ok, so NPS is currently cooperating agency?

**Shane McCoy:** They are.

**Sonya Senkowsky:** And I think we just had another couple of questions related to be scientific sources underpinning the draft EIS. So Pebble Watch sent you links to videos of keystone public meetings, I am sure aware of them, where independent scientist had reviewed Pebble's environmental baseline documents, awhile back. Can you confirm whether AECOM has reviewed those and if not how exactly is the environmental

baseline document being reviewed for the accuracy?

**Shane McCoy:** So when you say, had they reviewed those are you talking about the videos?

**Sonya Senkowsky:** Actually, the results or the comments that came from the scientists, from public meeting.

**Shane McCoy:** AECOM is reviewing all publish materials, the environmental baseline, and the EPA assessment. All published material that they are aware of and available.

**Sonya Senkowsky:** So that would include any written results from the keystone public meetings?

**Shane McCoy:** I can't speak to that specifically. That would take a little bit digging on my part and I apologize that I have not have had the time to confirm that specific...comments from that specific meeting.

**Sonya Senkowsky:** Ok. That's just something after the fact...I know we had sent this on to John earlier so that is just something to double check. We have been following that process before so that would be a great to update for us to be able to provide.

**Shane McCoy:** Sure.

**Sonya Senkowsky:** And I...thank you. How exactly do you review something like the environmental baseline document for accuracy when you have input from so many scientists on different specialties?

**Shane McCoy:** I am sorry you cut in and out little bit. Can you repeat the question?

**Sonya Senkowsky:** Yeah, what is the process of reviewing the environmental baseline document for accuracy?

**Shane McCoy:** Oh, certainly. So I am sure aware that AECOM has a large suite of independent scientists. Part of their job is to independently review and critically examine all statements whether it is in the environment baseline data or other, but there is a whole suite of other folks that are independently reviewing it as well as you know cooperating agencies, if they so choose.

**Sonya Senkowsky:** So they essentially review the documents and then provide you a written assessment of each...this is essentially from science or....

**Shane McCoy:** Well, they are not in the job to rebut. the assertions, they are in the job to take all the available sciences and use that to inform their analysis, but I have not required them to go through any or every document and provide the Corps whether or not they believe it is technically accurate or not. I believe the scientific process itself leans itself to, and the independent review would lean itself to them making independent judgement without having to inform the Corps every opinion or I guess professional stance.

**Sonya Senkowsky:** Ok. That makes sense and just one last item that was on our list as well. Document library has close to a thousand documents on it and there was a document I know that my colleague Mariah Oxford has sent on forward to John in advance of this meeting and requested if... There is a document in particular that she forwarded that was basically crowd sourcing information on topic of liquefaction and not a peer review journal article or document, so that is where the question comes from about how are things being reviewed and can you shed more light on the types of documents that scientist are actually using to prepare the draft EIS and that will be my last question.

**Shane McCoy:** So they are using all available and I understand what you are saying is the one that was cited in the email is not peer reviewed. However, specific to liquefaction various very technical experts world renown both from the State, from the applicants, consulting parties, and AECOM have gotten together and have been systematically going through that kind of materials.

**Sonya Senkowsky:** And is that part of the cooperating agencies process or that's in the addition to?

**Shane McCoy:** No that is part of it. Again, what the cooperating agencies role are is to provide us technical expertise and assist us in the development of the analysis and that is exactly... one of the technical brake out sessions had to do with that for sure.

**Sonya Senkowsky:** Right, thank you.

**Shane McCoy:** Sure.

**John Budnik:** Alright, thank you Sonya. Isabelle.

**Isabelle Ross:** So the Alaska Peninsula Corporation struck a deal with PLP granting them access to their land for the transportation corridor pending the permits and I was wondering if you could speak to the alternative of the transportation corridor on APC land?

**Shane McCoy:** I don't know what the question is. I am sorry.

**Isabelle Ross:** Sorry I guess, what are the alternative transportation corridors that the US Army Corps comparing or considering?

**Shane McCoy:** Well those will be make available at the draft EIS, but they are variants of the original, I guess for the lack of a better word, is the consideration of the Northern route and the applicants proposed and subsections of those, but they are not specific to any land owner.

**Isabelle Ross:** Ok, got it. And you mentioned a 90 day comment period following the release of draft EIS.

**Shane McCoy:** I believe somebody else mentioned that, but yes.

**Isabelle Ross:** Got it. And I was wondering if that 90 day comment period would involve



any...the US Army Corps was planning any scoping meetings in the communities during that 90 day comment period?

**Shane McCoy:** So...I just hate to be that technical guy, but scoping is different than what we would be doing at the draft EIS stage. So scoping is really to help inform us what the issues are, potential alternatives, as well as general information the specific information to be included in the analysis. We will be hosting in the same communities in which we visited during scoping for public hearings for public comments on the actual draft EIS. So I am not trying to be that guy, but there is a distinction between what the intent of a scoping meeting is versus the hearings associated with the draft EIS.

**Isabelle Ross:** Got it. But there are public meetings being planned regarding the draft EIS?

**Shane McCoy:** Yes.

**Isabelle Ross:** Go it. Thanks.

**Shane McCoy:** Yup.

**John Budnik:** Thank you, Isabelle. I just want to quickly go through roster to see if we have any late comers. Is Jill and Margie, Tim or Becky, have they joined us so far?

**Jill Burke:** Hi, This is Jill. I joined in late.

**John Budnik:** Hi Jill. We will go ahead and start with you on our second round here. If you have any question for Shane.

**Jill Burke:** I don't. At the moment I apologize I missed the first ten minutes so I missed the initial presentation.

**John Budnik:** Ok, no worry. It has really just been a Q&A session. So if you think of anything we will come back to you.

**Jill Burke:** Ok.

**John Budnik:** Unless is there any other Ann, Margie, Tim or Becky out there?

**Ann Thompson:** Hi

**John Budnik:** Hi, is that Becky?

**Ann Thompson:** Hi. It's Ann.

**John Budnik:** Hi Ann. Nice to...

**Ann Thompson:** I also like Jill missed the first ten minutes and I apologize, but from what I can pick up and just correct me if I am wrong the draft EIS at this point is targeted for mid-January sometimes in that period after which there would be 90 day comment period and then when would be the final EIS be issued?

**Shane McCoy:** Well so understand that all the schedules are contingent upon available information and an evolution associated with comments and data. Currently the schedule has the draft EIS being published in January and the final EIS being published in 2020.

**Ann Thompson:** Given other past projects, how did the number of comments and the responses you've gotten compare to other projects that you have done environmental impact statements about?

**Shane McCoy:** Oh, well I said this one right now is the largest number of comments we received with the caveat that the lion's share the comments we received were form letters or form emails.

**Ann Thompson:** Would you assume those are in opposition to the mine?

**Shane McCoy:** You know we had the whole gamut.

**Ann Thompson:** Yeah.

**Shane McCoy:** There are a lot of people for the mine and there are a lot people against the mine. That's part of our process, to take into consideration all aspects. But it is not a vote, obviously is not a vote.

**Ann Thompson:** Yeah. I understand it is not a vote. Can you write down if you got more comments for the mine then against or more comments...can you give me a sense?

**Shane McCoy:** Yeah, I would say if we are talking numerically the number of comments if we were to differentiate between form letters and otherwise I would say probably more against the mine, but...

**Ann Thompson:** Is it by pretty close one to one ratio or is it more...

**Shane McCoy:** I really could not answer that. I apologize, Ann.

**Ann Thompson:** And then do you have a number how many comments you gotten?

**Shane McCoy:** Yeah, just fewer than 175 thousands.

**Ann Thompson:** Ok.

**Shane McCoy:** But that's scoping comments.

**Ann Thompson:** And if you could explain scoping to me again? I apologize.

**Shane McCoy:** Sure. No...so the initiation of the environmental impact statement is initiated with the notice of intent and then scoping. Scoping is to help the public inform the agencies with regards to specific concerns or comments, potential alternatives to be develop, potential benefits, potential negative attributes of the project which will help in the develop the draft and to help us identified potential alternatives and mitigation and stuff like that.

**Ann Thompson:** Thank you so much and thanks for doing this. I apologize for hopping on late.

**Shane McCoy:** No that's alright, Ann.

**John Budnik:** Thank you for joining us Ann. We are going to go ahead and kick it back up to Stephen.

**Stephen Lee:** Hi, thanks John. Shane just to quickly clarify, did you just say that the Corps has received more comments on this mine than it ever has on any other project? Is that correct?

**Shane McCoy:** I said more than I have ever worked on. I can't speak to the Corps and if you are saying the Corps as the Nation, because it is a National program I can't speak to that to be honest.

**Stephen Lee:** Ok, got it. Hey, I wanted to ask you about Marine Mammals. So it is my understanding that Pebble has not done any Marine Mammal surveys at the port site and that it has not gotten a permit from the National Marine Fishery Service to do so and I also understand that the Fishery Service is not a cooperating agency in the NEPA process. Not sure if that is correct, but that is my understanding. So it seems like given those facts there are some questions about how you guys are going to issue your draft you know in a fairly short amount of time without that Marine Mammal survey having been done and I think that the Beluga whale, an endangered species that are really at the heart of these questions. Can you address that Shane?

**Shane McCoy:** Certainly. Well there are other agencies that have done surveys so we are using their data for otters, whales, eiders which are all listed or threatened and we are using that information to incorporate into the analysis for potential affects in Chapter 4. I believe that you are correct in that the applicant Pebble Limited Partnership has not applied for any Marine Mammal or ESA authorizations. But you could check with Pebble to confirm or deny.

**Stephen Lee:** Ok. So...and using surveys that have been done by other agencies, I mean is that standard operating procedure for you guys? You typically do things like that.

**Shane McCoy:** Absolutely.

**Stephen Lee:** Ok. You know off the top of your head, what those agencies are?

**Shane McCoy:** No, I am sorry I don't. I know the State has information as well as Fish and Wildlife Service. Do understand that will be biological assessment for the ESA species in the draft EIS as well.

**Stephen Lee:** Ok. You mentioned otters, whales and I didn't catch what you said after that.

**Shane McCoy:** Spectacle eiders.

**Stephen Lee:** Ok. It doesn't sounds like you think there is going any sort of timing issue here with the mid-January, you know target date that is still your expectation using these other agencies survey, is that correct?

**Shane McCoy:** Well we have information from them and... I am sorry I would probably have to go back look on the website to see if the information was provided by Pebble from other agencies or provided by Pebble from themselves, but my apologies for being vague on that. But no I don't anticipate...we have the information we need to proceed, yes.

**Stephen Lee:** Ok, got it. Thank you very much.

**John Budnik:** Thank you, Stephen. Tim Bradner, he may have left.... Elwood.

**Elwood Brehmer:** Howdy again Shane. Who make the final decision on the record of decision as to which alternative is chosen?

**Shane McCoy:** Well, understand the record of decision isn't a permit and it doesn't mean that the permit will be issued. It's record of decision on the NEPA analysis. That will be the Colonel, the District Engineer.

**Elwood Brehmer:** Ok. So that here in the Alaska District.

**Shane McCoy:** Correct.

**Elwood Brehmer:** And is he/she taking recommendation from you or like their own analysis of the EIS?

**Shane McCoy:** He is fully engaged. His name is Colonel Borders. He is fully engaged. He is taking recommendations from the team including myself and of course the Regulatory Chief Mr. David Hobbie, but yes...he is taking our recommendations and he will read the document himself, the record of decision of course.

**Elwood Brehmer:** Ok. So who makes the final decision? Is he the one who makes the final decision whether or not to issue for the 404 permit?

**Shane McCoy:** He is.

**Elwood Brehmer:** Ok. Thanks.

**John Budnik:** Ok, thank you Elwood. Back to you Sonya.

**Sonya Senkowsky:** Ok, well...not too much more. Just in terms of the National Park Service letter, is that something that would be added to the website or is that just something we can access as well as the one that you mentioned earlier?

**Shane McCoy:** Well...it is part administrator record so will not be added to the website, no. It is not a comment.

**Sonya Senkowsky:** That was essentially their request to be cooperating agency message?

**Shane McCoy:** Correct, and there was some background information with regards to their program.

**Sonya Senkowsky:** Ok. Sorry I misunderstood. I thought that they had also made some comments in that letter. Other than that, I know you mentioned you are following up with me on...I believe the keystone question so we can just do that by email.

**Shane McCoy:** Ok.

**John Budnik:** Alright...

**Sonya Senkowsky:** Thank you so much.

**John Budnik:** Thank you Sonya. Isabelle.

**Isabelle Ross:** Yeah, I was just wondering if you could clarify how the Public input during the 90 day comment following the release of the draft EIS would factor into the final EIS.

**Shane McCoy:** Certainly. It will help inform both the public interest review factors at the end of EIS process for substantive discussion and decision, but you know the comments hopefully will be very well informed by reading the document. If the document itself isn't clear enough or hasn't provided an analysis substantive to the Federal decision making it will help inform the revision for the final.

**Isabelle Ross:** Got it. Thanks.

**John Budnik:** Thank you Isabelle. Jill.

**Jill Burke:** Hi, thank you. I am fine at this time.

**John Budnik:** Ok, thank you Jill. Ann.

**Ann Thompson:** I am good. Thank you very much.

**John Budnik:** Thank you Ann. Has Margie, Tim or Becky joined us on the call? Alright, might be getting near the end of the questions here, but we will kick it back up to Stephen.

**Stephen Lee:** Hey, I am good thank you.

**John Budnik:** Thank you Stephen. Tim Bradner, he may have left. But...ok. Elwood.

**Elwood Brehmer:** Yeah, Shane you said a couple things earlier in the call that sparked a question.

**Shane McCoy:** Sure.

**Elwood Brehmer:** You mentioned you are reviewing for the construction permit and you know no surprise to you or a lot of folks here. A lot of people are concerned about the impacts just the construction of the mine could have while others are more fearful or

at least as fearful about the potential impacts of an accident that could happen. There is a litany of accidents that could happen. Is the Corps evaluating, or trying to evaluate those accidents, the potential impacts of you know a tailing dam release or something like that, or does another agency do it, or does nobody do that? Because you are working on what the mine would look like as it is designed. Sorry for the rambling...

**Shane McCoy:** No...no...that is quite alright. Yeah, obviously during the scoping that was one of the major concerns. Obviously, we, The Corps, doesn't permit mining. We permit the discharge of dredge and fill material. However, because it was such a substantial number of comments with regards to operational and closure concerns as specifically as you pointed out, a tailings dam failure. The State when it would be reviewing the tailings dams they have the process called failure mode and effects analysis; it's at a very late stage of design for tailings dams and other dams. We did convene folks together for very high level spill risk scenarios that included again the folks from Pebble, the folks from the State as well as AECOM specialists, but it's at a much higher level then what would be required for an actual dam permit. But yes because it was such a concern to the public we do have a specific section called for the spill risk associated with the tailings dams and the water management pond, and the larger features.

**Elwood Brehmer:** Ok. So the specific evaluation will be the State's responsibility?

**Shane McCoy:** The very detailed analysis would be at the State permitting level, but again we did understand and they did go through the whole different groupings of spill risk scenarios associated with the three major facilities, yes.

**Elwood Brehmer:** Ok and you mentioned Pebble was a part of that reviewed. Which State agencies were?

**Shane McCoy:** Well the dam permitting guys.

**Elwood Brehmer:** Ok. Just one more along those lines, Pebble when they released this latest Pebble 2.0 as it were, their smaller mine plant ahead submitting their application to you. They sort of discounted the potential impacts of a failure of a total tailings dam failure saying it would impact a very small portion of the overall Bristol Bay water shed and the impacts wouldn't make it downstream. How did those assertions play into your albeit higher level of analysis?

**Shane McCoy:** Well...we are actually still running modelling on that so I don't have an answer for that.

**Elwood Brehmer:** No...that answers it. Thanks.

**Shane McCoy:** Yeah.

**John Budnik:** Cool. Awesome. Thank you Elwood. I think we have exhausted a lot of the questions. So I think what I'll do is I will open it up to the floor here there is a remaining questions out there. Sonya, Isabelle, Jill, or Ann, Stephen... Alright.

**Stephen Lee:** My only question....

**John Budnik:** Oh go head.

**Stephen Lee:** Are you guys planning on having another one of these in late December?

**John Budnik:** That's a good question.

**Stephen Lee:** Given a holiday and then the timing.

**John Budnik:** Yeah...no that's a great question. Thank you for asking. We were going to prep you guys in that. We are not planning a December call so the next one will be in January. So we certainly wish everybody a safe and happy holiday. I am going to be out of town myself the last two weeks of December, but if there are no more questions I just want to thank everybody for taking time out of your busy schedule to join us. I just want to reiterate the purpose of this monthly media teleconferences, are really for you and for us to make ourselves available to answer your questions. Obviously, we have got a high level public interest on this application and this EIS and we want to do our best in communicating what we are working on and do it in the most efficient manner and that is the purpose of these calls, so thank you. We may not always have breaking news for you every month, but again it is your opportunity to ask the questions that are out there and to keep your readers informed. So appreciate everybody joining us and once again, happy holidays to everybody and we will be in touch.

***\*End of Call\****