

USACE Media Teleconference 5-8-19

John Budnik – USACE

David Hobbie – USACE

Dylan Brown – E&E News

Becky Bohrer – Associated Press

Steven Lee – Bloomberg Environment

Tim Sohn – Outside Magazine

Mariah Oxford – Pebble Watch

Margie Bauman – Fisherman's News

Brian Mazurek – Peninsula Clarion

Phil Monahan – American Angler / Orvis Flyfishing

Michael Chee – AECOM

John Budnik: Okay, we are recording. Hey, good morning folks. This is John Budnik with the Army Corps of Engineers, Alaska District, Public Affairs Office. Welcome and thanks for joining us today for our discussion about the Pebble Project Environmental Impact Statement. The purpose for today's teleconference is to give a general status update on where the Corps is in the EIS process. Again my name is John Budnik, I work in the Public Affairs Office, with me today is Mr. David Hobbie chief of the Regulatory Division. We've allotted one hour for this session and as a courtesy just kindly ask that, please place your phone on mute, hold your questions until it's your turn, and please be sure to state your name and affiliation when asking a question. Full disclosure, this call is being recorded in order to provide a transcript at a later time. Before we get started, I'd like to do a quick roll call, just so we know who's on the line, and this is just in order of the RSVPs that I received. So first is Dylan Brown with E&E News, are you there?

Dylan Brown: I am here.

John Budnik: Hey, good morning Dylan. Becky Bohrer with Associated Press.

Becky Bohrer: Here.

John Budnik: Hi Becky. Isabelle Ross with KDLG? [silence] Isabelle's not here. Mariah Oxford, Pebble Watch?

Mariah Oxford: I'm here, good morning.

John Budnik: Good morning. And then, Margie Bauman, Fisherman's News? [silence] No Margie. Jill Burg, Bloomberg Environment? [silence] No Jill. Tim Sohn, Outside Magazine?

Tim Sohn: Yeah I'm here John, morning.

John Budnik: Good morning. Leroy Polk with KTUU? Or someone else from KTUU? [silence] No KTUU. Yereth Rosen with Reuters? [silence] No Yereth. Brian Mazurek, Peninsula Clarion?

Brian Mazurek: Yes, I'm here.

John Budnik: Hi Brian.

Brian Mazurek: Hi.

John Budnik: Phil Monahan with the American Angler Orvis Flyfishing?

Phil Monahan: Good morning.

John Budnik: Good morning, Phil. And is Michael Chee on the line?

Michael Chee: I'm here John.

John Budnik: Thank you Michael. Just full disclosure, Michael Chee is AECOM external affairs, he is a listening participant today. Without further ado, Dave would you like to give an introduction?

David Hobbie: Sure, good morning everybody, I'm David Hobbie, that's H-o-b-b-i-e, I'm the Chief of the Regulatory Division here in Alaska. So, good morning and welcome, and I don't know if you're all sitting in Alaska, but it's a beautiful rainy day. So, welcome.

John Budnik: We're ready to field some questions here. So, for the newcomers on the line we just go through the list, it's a round robin format, usually, just out of courtesy for the group, ask a question and then a follow-up. Depending on time and the discussion, we have some flexibility there, just want to be sure that everybody has the opportunity to ask a question. So, first up is Dylan.

Dylan Brown: Hi, thanks for doing this. David, just looking to get a rationale for the extension. I know previously Shane had mentioned that the reason for the extension was that essentially there wasn't a compelling reason yet so I was just wondering what changed your mind.

David Hobbie: Yeah. Well again, thanks for the question and welcome. So, the Commander and myself and the team, as we looked at all the comments that came in, written, that we received through the testimony at the public hearings and such, and taking a look at the overall document, it came down to a judgment call in a lot of ways between the Commander and myself about, hey, we want to be transparent we want to make sure we're being reasonable with everybody, that means the general public and the applicant, and so we determined that a 30-day extension was a reasonable extension to provide. Again we do understand this is a complex project, originally we believed that 90-days was more than enough but again listening to the public comments during testimony we felt that, it was probably prudent and reasonable to give an additional 30 days.

John Budnik: Did you have a follow-up Dylan?

Dylan Brown: Yeah, how influential was the letter from Senator Murkowski on this decision obviously I mean, Dave kind of reiterated complaints we'd heard previously, just about giving more time and so how did that factor into your decision?

David Hobbie: It was a point of information, we also received a letter from the Governor asking us to stay the course, so it's all pieces of information and so we looked at it in totality. So, again, not that we ignored it, or not that it had more influence than anything else. But it's a piece of information that we evaluated and again determined that, was probably a reasonable thing to do.

John Budnik: Ok, thank you Dylan. Becky?

Becky Bohrer: Hi, Becky Bohrer with the Associated Press. Mr. Hobbie, I wanted to ask, one of the concerns that, I think we've heard from critics of the project, is that, their view that the project isn't economically viable and that Pebble is using what it calls a smaller project to get its foot in the door. Can you go through the process, let's say Pebble does get permitted, all these permits it needs for a project this size and it wants to expand. How does that process work? Is there also draft EISs and those sorts of things for any kind of expansion? Can you talk about that, because the draft EIS does refer to cumulative impacts, but obviously you don't have specifics on that. So I'm just trying to understand that idea of, if there's an expansion, then what?

David Hobbie: Ok, let me kind of step you back just a little bit. So right now we have an application that is for a 20-year mine project. So what we would do, first of all, and I do want to go back because there are a large amount of state authorizations that are also required for this project. So I say that just to say, we are the first one that's been applied to, but we're not the only one required. So, what would happen, if they were provided an authorization for this mining project, and then five years down the road, 10 years, pick your number, down the road they came and said, "hey, we want to expand the size of the mine, the duration of the mine," they would have to ask for a modification to the existing permit. Again, depending on what that modification request is for, if they said "hey, look, we need to add an extra half acre size of pad to accommodate," that'd probably be a pretty minor mod. But if they wanted to expand to actual length of the mine or the actual size of the mine, they would have to go back, would most likely do what's called a Supplemental Environmental Impact Statement, which follows pretty much the identical process of a true Environmental Impact Statement, except will use the data from the initial Environmental Impact Statement to kind of start that process. That doesn't mean that more data would not need to be collected, but the process would be the same, there'd be scoping, there would be a draft that would go out, it would be the exact same process.

Becky Bohrer: Thank you.

David Hobbie: Thank you.

John Budnik: Becky did you have a follow-up to that?

Becky Bohrer: Not on that topic.

John Budnik: Ok, thank you Becky. Mariah?

Mariah Oxford: Good morning. I wanted to follow up with you guys about the extension of the deadline for comments on the draft EIS. I know that's June 29th, but you've indicated that the timeline for the 404 permit comment period is still May 30th. Could you tell us what the difference is between commenting on the draft EIS and the 404 permit application?

David Hobbie: Well, I'll give you two answers there. One: we're going to extend the comment period for the public notice also, for the 404. The simple answer is, in reality, there's virtually no difference between the two. The public notice for the 404 is actually a procedure requirement. But, if you sent in a comment saying this is for 404, this is for the NEPA review, they're all going to be looked at in totality. It's not going to be like we're going to separate them out and say this is only for 404 and this is only for NEPA. We'll look at all the comments in totality, so it's kind of a distinction without a difference. But we are going to extend the public notice for the 404 so they're consistent with one another so, to try to avoid getting any confusion, at all, but at the same time, trying to ensure the public understands that, any way that you comment, your comments will be considered for both notices, for NEPA and 404.

Mariah Oxford: Ok, thank you. Just a follow up, was that an oversight that they were different, or was it intentional that you wanted to keep those separate for some reason.

David Hobbie: No, they're required to be separate, by regulation, so, again—the 404 is procedural, as is NEPA, but two different authorities, two different sets of guidelines. So no, they've always been different, they would be different, in an EIS that we've led. So, not an oversight, it's the way the system works.

Mariah Oxford: Ok, thank you.

John Budnik: Thank you, Mariah. Just one very quick second folks. [inaudible conversation between John and David] Alright, next up is Tim, Tim Sohn.

Tim Sohn: Hey, thanks John. Ok, so we've covered the extension stuff. I guess I'm curious whether, you mentioned that part of what went to that was something that you heard at hearings and comments you received. Was there anything specific in terms of the comments that contributed to the extension? Any surprises out of the hearings or the Anchorage hearing in particular?

David Hobbie: Well not that we heard a lot of surprises, so to speak. I mean, there were some very good comments brought forward and things we're going to look into deeper now, based on some of the comments we've heard. And so we want to make sure that we're really tracking stuff. But part of it was just the sheer abundance. And again there's some areas where, when I'm being honest, we the Corps, maybe we think we're being very transparent, we think we're getting the information out there, but, there's times we feel we can always do better. So there's some, in reflection, maybe we could've, gotten information out in a little bit different or better format. So again, we always seek to improve, and I can't point to, yep this was a big mistake that we made, it's just this feeling that yes, sometimes we can do better. And again, it comes down to kind of being a judgement call, there is no black and white, you know, when these two

things happen do you extend or do you don't extend. But, the Commander and I, like I said, we sat down and had a long discussion with regards to the comments we'd heard from individuals at the public hearings and all the written comments and again, made the determination that it was probably prudent and reasonable to grant that 30-day extension.

John Budnik: Tim, did you have a follow up?

Tim Sohn: I guess the other probably would be whether if more feedback comes in or anything changes, I mean, you could theoretically any time during this now extended comment period, extend it again. Do you think that might be a possibility at some point or is this a one and done extension?

David Hobbie: Well, I mean, anything's possible in all honestly, but I hate to say a definite yes or no, right? I mean, anything's possible, but I can't answer at this time that yes we would or no we would not.

Tim Sohn: Ok, thanks. That's it for me now on that topic.

John Budnik: Ok, thank you Tim. Next up is Brian, Mazurek.

Brian Mazurek: Hi, Brian Mazurek, Peninsula Clarion, I actually don't have any questions at the moment [inaudible].

John Budnik: Ok, thank you. Phil Monahan?

Phil Monahan: Hi, Phil Monahan from American Angler and Gray's Sporting Journal. I'm just curious what the two or three most common comments you heard at the public hearings were? And whether there are specific plans to address those? Thank you.

David Hobbie: Well, if I had to summarize probably the two or three most common, one would be, we need more time. That was probably the most common one we heard. We also heard a lot about, are the transcripts going to be available on the website? When are they going to be available? We're making that happen as quickly as possible, but especially in Anchorage, there were a lot of speakers and these court reporters that we brought in do very good jobs, but it does take time and energy to do that, so we are trying to get them posted as soon as possible. Let me kind of separate this way, the majority of it was, we need more time, we think you're moving too fast. That was probably the biggest comment we heard, the most repetitively. The second comment, on a positive note, was, we appreciate that you're out here listening to us and taking the time and energy to do this, because the public hearings are not a requirement, that is something we chose to do. Again to try to be as transparent as possible and at the same time as receptive to public comment as possible. So we did hear some positive comments about the fact that we appreciate that you're here and that you're listening. So those were kind of the themes, there were a lot of one-offs, have you looked enough at McNeil River, have you looked enough at impacts to vibration, have you done enough fishery studies. Those were kind of the one-offs, those weren't the common themes.

Phil Monahan: Thank you, and do you have a rough estimate as the ratio of supportive to critical comments across the several meetings?

David Hobbie: That I don't, and I'm not trying to be crass here, but it's really not like a vote. It's not like if seven people say they like it, and eight people say don't like it. So, we really didn't separate out as 500 positive, 200 negative, or anything like that.

John Budnik: Alright, thank you Phil. That concludes the first round of questions. I just want to see if anybody has joined us late that has not asked a question yet. [silence] If not, then we'll go back to Dylan.

Dylan Brown: Yeah, thanks. Dylan Brown from E&E News. On the issue of access, Dave I know you'd mentioned that you had not heard officially in writing from groups like BBNC to talk about land access along the transportation corridor for Pebble. Have you received that notice yet and where are we at on that issue and has that changed your calculus at all?

David Hobbie: Well, to date we've not received anything in writing from anybody with any authority to say, no they're going to restrict land use or they would not allow land use. Of course, they would have to have surface rights, not just subsurface, they'd have to have surface rights, but we've not heard that. And the reason I say with the right authority is, I could write in a letter saying they couldn't use land but I don't have any authority to make that determination, so it'd have to be somebody with the authority to say that and put it in writing.

Dylan Brown: Ok, so not subsurface, but it'd have to be surface rights.

David Hobbie: Yes.

Dylan Brown: Ok.

John Budnik: Alright, thank you Dylan. Back to you, Becky.

Becky Bohrer: I have a [inaudible] question first, you mentioned that the Governor had written a letter and I didn't find that when I was looking at the written, the comments on the website, so I was wondering if it was possible to share a copy of that letter with us? And the second question I had for Mr. Hobbie was—[inaudible; David talking simultaneously/phone breaking up] --based on the comments and I wondered if you could get into more details about any specific aspects of review, anything, I guess more specifically what we're talking about there that could affect the analysis that you all are doing.

David Hobbie: Ok, to answer your first question we will get it on the website if it's not there. We got it late last week so it might not be posted but we will get it there to make sure that everybody does have access to it. And I'm sorry, you were breaking up on the second part of your question, so I'm not for sure I captured—could you please repeat the second part?

Becky Bohrer: [breaking up] Sure, you had mentioned the question that earlier if there was any decision in the hearing and you had mentioned that there were some things that kind of did stand out that the Corps would be looking into and I wondered if you could expand on that a bit?

John Budnik: I'm terribly sorry Becky, if folks that are not asking questions could please mute your phones. We're getting a lot of feedback, sounds like there's some jostling there going on. Apologize for that, but just for the courtesy of everyone else please mute your phone if you're not asking a question. [silence] Did we get Becky's question?

David Hobbie: Well, let me repeat what I think I heard you say is, what other comments that may be of substance that made us kind of scratch our heads and say yes we need to look at this better or deeper?

Becky Bohrer: Effectively, yes.

David Hobbie: Ok. Yeah, well one of the ones, at least came to my mind was, and I can't remember which public hearing it was, there was a discussion with regards to vibration, vibration on the road and what that might mean to the salmon, their young. So that is something that we'll address, deeper. Also, the different potential alternatives. When I say that, a lot of the village in particular said if you do this, the road corridor, this road corridor is good but we'd prefer you to look at this one, so there were some other variances of alternatives that were brought up that we'll look deeper into. Those are the sorts of things, and, based on what we find, yes, some of the thing may change.

Becky Bohrer: Thank you.

John Budnik: Thank you Becky. Mariah?

Mariah Oxford: Hi there, Mr. Hobbie you've read and heard a lot of testimony, obviously. I'm wondering what are some of the misperceptions you've heard either about the project or about the Corps' role in the process?

David Hobbie: One of the biggest misperceptions is about the tailings dam. There seems to be a real misperception that we, that we actually approve the actual design of the dam or have some sort of control over the structural integrity of the dam. That is actually a State responsibility, not a Corps responsibility. We've actually had people ask us, since we were going to build the dam. The Corps is not building this facility at all, our authority is limited to the actual impacts of the fill material placed and the discharge of that material. But so, the big one is really about the dam, from what I heard at the public hearings-- and I apologize I should've probably brought this up earlier when people talked about concerns, is if this dam fails, what happens? And how are you going to ensure that this dam is safe? That really is a State responsibility, so, that's probably one of the biggest misperceptions.

Mariah Oxford: Ok, thank you. I'm wondering if, that was exacerbated in part because of the risk assessment that the Corps undertook that you pointed out that's not a requirement, but that you did it anyway. Do you think that led to more of the misperception of people thinking that you had something to do with the tailings dam?

David Hobbie: I won't speculate on what people confuse people or didn't. But we were trying to be fully open with it. NEPA is a disclosure law. So we're just trying to disclose, if it caused confusion, not the intent at all. We were trying to be as open and transparent as possible with ,

here's the possibilities, so we were disclosing the right information. And we heard a lot of it, at the scoping meeting and stuff. So we were trying to, again, be as transparent as possible. I can't attest to whether or not it caused confusion or not.

Mariah Oxford: Ok, thank you.

John Budnik: Thank you Mariah. Back to you, Tim.

Tim Sohn: Thanks, I just want to follow up on Dylan's comment about access issues and things like that. So, nothing received in writing yet. I want to drill that a tiny bit on the subsurface rights issue. So, if BBNC were to try to exercise subsurface rights you're saying that would have no bearing on the access issues. Is that what I'm hearing?

David Hobbie: Let me try to be more clear. If someone has subsurface rights, it's my understanding the way the laws are written and in court rulings, they cannot restrict surface use of that land. So, owning subsurface rights doesn't give the right to restrict surface use. That is my understanding.

Tim Sohn: Right, if, for example one of these alternatives for a road corridor were to involve surface and subsurface for whatever reason--

David Hobbie: [inaudible] --It would not change the NEPA review at all, it may change the overall least environmentally damaging practicable alternative, what we call the LEDPA, but again, we'd have to wait until we got further in the weeds on that to speculate too much on if or what impact it may have.

Tim Sohn: Ok, and then, to follow up on that issue. If you were to receive, in writing, from some native authority, in the format that meets the requirements, a statement saying that passage over these lands that are necessary for one of these alternatives will not be possible, what would happen to that alternative?

David Hobbie: That alternative most likely would be determined not to be practicable anymore so it would be taken out of the evaluation process.

Tim Sohn: Ok, thank you.

John Budnik: Alright, thank you Tim. Back to you Brian.

Brian Mazurek: Hey, Brian Mazurek, Peninsula Clarion. So, you mentioned earlier that you didn't take a tally of people in support versus people critical. But, what would you say was your general consensus? Was there an overwhelming majority on one side or the other, or did it seem to be fairly equal in terms of public comment?

David Hobbie: No, I think on the general public comment side, and the public testimony's what I heard, I think more people were opposed to it than supported it. They had different varying reasons why they were opposed to it. But the way our regs are written is, again, not really a voting system. We look at national perspective, not just a local perspective when we, make our

determination, our overall end determination. But again, from the public hearings I would say there were more people that were opposed to it than were for it.

Brian Mazurek: Ok, thank you

John Budnik: Thank you Brian. Back to you, Phil.

Phil Monahan: Thank you, while I understand that it is not the Corps' job to assess the design of the dam, is it part of the environmental impact review to consider the effects of a dam failure? Thank you.

David Hobbie: Well, we do look at probabilities and such and make a determination. And when we did the assessment, we disclosed that hey, you know, the 55 percent release within the document, it does do that. There's nothing that says you have to look at the most catastrophic event, which would say, the dam fails and everything runs right down to Bristol Bay, that, based on our discussion with the experts in the field, that's why we made the determination that the 55 percent escape of tailings would be a prudent way to go, and to provide that assessment, which we did.

Phil Monahan: Thank you.

John Budnik: Alright, thank you Phil. That concludes round two of questions. Has anybody joined us that has not asked a question--

Margie Bauman: Hello, yeah—

John Budnik: Is that Margie?

Margie Bauman: hello, yeah.

John Budnik: Hi Margie. Well then, if you have a question, you're up.

Margie Bauman: Well, thank you. Sorry about that, I had a little problem finding the phone number here this morning. Yeah, one of the questions I did have, which may be a little out of order, is what are the probabilities at this point of any further extension of the comment period? There's still, from what I saw, nobody was particularly happy with the 30-day extension, some people thought it was not necessary at all and other people thought it was not enough, is there any chance at this point that the comment period might be extended beyond June 29th? Thank you.

David Hobbie: When asked that question, and I tried to answer this before, which is, in reality I won't speculate on what the probability is of it being extended or not being extended. Again, we're still working through this process and depends on what possible comments we get or information we uncover that would drive that. So, I really don't want to speculate on there's a 10 percent or 20 percent probability of anything happening, it would be strictly a guess and I really don't want to do that to anybody.

Margie Bauman: Alright, thank you. So there is a probability but there isn't, in other words. It could happen but you're not—

David Hobbie: I won't take anything off the table, you know, of it happening or not happening.

Margie Bauman: Mhmm.

David Hobbie: Everything's always still on the table, right? So, yeah I just don't want to assign any probabilities.

Margie Bauman: Thank you.

David Hobbie: Thank you.

John Budnik: Thank you Margie. Anyone else that may have joined late? [silence] Alright, then without further ado, we'll go back to Dylan with E&E news.

Dylan Brown: I'm good for now, thank you.

John Budnik: Alright, thank you Dylan. Becky?

Becky Bohrer: [breaking up] I just wanted to ask about climate change, which is mentioned in the draft EIS, and because we have something of a dynamic system with climate change, can you talk a bit about how the Corps is, if part of this review is trying to take into account changing landscape and—

[inaudible speaking over Becky]

David Hobbie: Well, I'll explain to you the best I can what we were trying to accomplish, which is, what the impacts that the actual construction might have on climate change, not so much trying to predict what could happen to the area as effect—you know, of changing temperatures because, a couple of issues there, one when you really talk about trying to move out and kind of speculate on some things that would be a pretty far reach for us. So, we were really focused on what impacts that the actual construction would have on overall climate change, not so much, again, what would happen with the area if the climate were to change.

Becky Bohrer: Can you clarify what that means? The impacts on construction of climate change? --

[inaudible speaking over Becky]

Becky Bohrer: --potential impacts on habitat? I'm sorry for being dense on that but I just don't understand--

David Hobbie: -- that's ok. You know, if constructed, they're going to have diesel generators, they're going to have heavy equipment working, of course you're going to have emissions and such, so what might that contribute overall to climate change. You know, at the end of the day, with regards to, actual change on the environment due to changing climate, that is something that becomes very, very speculative for us as far as, what, how the habitat may change, might

some of it go from wetlands to uplands if it were to dry out? Stuff like that. We didn't speculate that far.

Becky Bohrer: Got it, thank you.

David Hobbie: Thank you.

John Budnik: Thank you Becky. Back to you, Mariah.

Mariah Oxford: Yeah, my question is about whether this June 29th extension effected the overall timeline for this process?

David Hobbie: Right now, no. We're still predicting, projecting to have a final record of decision and permit decision sometime around that April May June timeframe. Any time you develop a schedule you always try to put a little bit of what we call float in there. What will drive probably more of the schedule is what sort of substantive comments and that we've received and actually have to try to address.

Mariah Oxford: Ok, thank you. And I've asked this before, but I wasn't able to get it documented too well, was the EPA's 404c action still hanging out there, is it true that the Corps can do a ROD and a permit but no government action? Or, how does that work?

David Hobbie: A final agency decision cannot be rendered, which would actually be the actual issuance or denial of a permit, until the 404c is resolved.

Mariah Oxford: Ok, thank you.

John Budnik: Thank you, Mariah. Yep, we're getting a lot of feedback as well on our end here.

Margie Bauman: Yeah, could you repeat that last answer that the Corps cannot say what because I had a lot of interference.

David Hobbie: So the 404c really hinges on a final agency decision. In the Corps' case that would be the issuance or denial of a permit. So at that point, EPA could invoke C, is my understanding. Again, I'm not the legal expert that can talk about the agreement that was reached between EPA and the Pebble Limited Partnership. But it's my understanding that EPA currently still retains the ability to do a 404c veto.

John Budnik: Alright, we're going to go ahead and move on to Mr. Tim Sohn.

Tim Sohn: Yeah, thanks John. I guess just to stick with that line of questioning, on timeline, I'm curious what sort of, I mean obviously it can change given what comes out of the comment period and if there's anything you have to go back to, are there any substantial data gaps that have emerged or things like that you've received requiring enough more study that it would push the timeline, has anything like that come up yet?

David Hobbie: We haven't seen any of those issues arise yet. That doesn't mean that some may still come up, right? Again, which the reason we do this is we want feedback so if we have missed something we can take a look at it right? So, again, to date we have not got that. That'd

really just be we'd have to go back and say there's a bunch of things we missed, or even one big thing we missed, you need to really go back and look at. But if, as we start to answer some of the questions with regards to the comments we've received, we may find that there is a data gap we've not been able to dive into every substantive comment yet because we're kind of still in this process, but that could happen.

Tim Sohn: Ok, and then if the data gaps were one thing and I'm also wondering, as this process, it is a lengthy process, Pebble's been at this a very long time. I'm curious if there are any areas in which the data might be deemed simply too old, too out date to be useful now, if there's any case of expiring data sets that might have to be looked at over again?

David Hobbie: There's nothing that has been brought to our attention which would make us believe that, I mean, typically when you look at data, especially if you look up biological data and stuff, in areas around the country, if you look at California, Florida, that might be very true because the environment changes so much due to development and stuff in the surrounding areas. Where Pebble's located, other than natural events occurring, whether it's weather, the environment has not changed, so we really wouldn't really expect anything to change so much that we'd need to look at new data. There's nothing that's really, I would say manmade development that's affected that area to date, so we wouldn't expect anybody to say to us the data's so old. However, again as we dive into these comments and look at substantive issues anything's a possibility, but it doesn't look that way right now.

Tim Sohn: Ok, and then, last question on that timeline extension and these subsequent studies. If, and this is obviously not your purview, Pebble's finances, but if it got to a point where they lacked the funding to respond to further requests for information, what would happen then?

David Hobbie: If they were unable to answer questions we had to address, information and NEPA or a final agency decision as far as a permit goes, issuance or denial, we'd probably withdraw their application.

Tim Sohn: So would-- forgive my ignorance on the technical terms, withdraw? Or, is that hitting pause? Or is that saying, you know--[inaudible]

David Hobbie: No, we would withdraw their application and say, pending your ability to respond to our questions, everything's being set aside basically. That doesn't mean that if all of a sudden they found funding that they couldn't come back in and ask us to start back up. So if they ran out of money, we'd withdraw their application, which is a standard-- when I say it's a standard practice for us, if applicant's fail to respond to our requests for additional information in any case over a certain period of time, we tend to-- don't tend to but we do, withdraw their application.

John Budnik: Thank you Tim, we're getting a lot of feedback again. I apologize, don't mean to nag you guys, but please do put your phones on mute if you're not asking a question. You may be doing that, might be a weather issue that we just have to live with, but, appreciate that for the benefit of the group. Nonetheless, next up is Brian Mazurek with Peninsula Clarion.

Brian Mazurek: Hi, so you also mentioned earlier that the public comments are not required so what do you see as— [inaudible]

David Hobbie: --no, I didn't say public comments, I said the actual public hearings were not a requirement--

Brian Mazurek: --oh, hearings ok.

David Hobbie: We did that because again, we wanted public feedback, we wanted to hear from people directly and hopefully provide us some new information or just information that we didn't currently have. And understanding that a lot of these areas that were remote, we thought us being there personally would add a benefit to that.

Brian Mazurek: Ok, that's all I have.

David Hobbie: Thank you.

John Budnik: Thank you Brian. Phil?

Phil Monahan: Hi, thank you. Following up on the previous question about new areas of inquiry, one of the things I've seen in research is discussions of the effects of dust from the mining operation on the surrounding habitat, and is that something that is considered in the EIS and if not, will it be? Thank you.

David Hobbie: Yes, it is being considered in the EIS. [pause] And, just so everyone's aware, dust is not a new issue, when I say not a new issue, especially with regards to development in Alaska on the North Slope where they do a lot of oil and gas exploration, of course, dust is a considerable amount of the concern they have there also, with regards to impacts on the tundra, so, dust is not a new issue, whether it's mining or oil and gas.

Phil Monahan: Thank you.

John Budnik: Ok, thank you Phil. Back to you Margie.

Margie Bauman: Has the Corps considered the dust issue before people starting bringing it up again in their comments at the hearings?

David Hobbie: Yes ma'am.

Margie Bauman: Uh huh. Ok, thank you.

John Budnik: Thank you Margie. Alright, that concludes, I think round two-- lost count of my rounds here, but nonetheless, we'll go through the list again. We're coming down on the home stretch I think, but back to you, Dylan.

Dylan Brown: I'm alright, thank you.

John Budnik: Alright, thank you Dylan. Becky?

Becky Bohrer: Nothing further from me, thank you.

John Budnik: Thank you Becky. Mariah?

Mariah Oxford: I don't have any other questions either.

John Budnik: Ok, thank you Mariah. Tim?

Tim Sohn: I guess the last question I would have is just in terms of other EIS processes, other development projects, anything else that you've been involved with in Alaska, obviously it's hard to generalize and compare, but is there, in terms of other precedence, comparisons-- I've been looking for what an analog might be to-- if we're trying to line up this timeline against a similarly complex project, what's a comparative kind of thing and how does this process compare to other EIS processes that you've been through?

David Hobbie: Well, so I've worked all over the country for the Corps, I worked on several large EISs-- I've worked on large EISs for [inaudible] restoration, worked on some outside of Miami where it could have affected the drinking water for 3 million people. So, as far as complex and complicated I would say I have experience working on ones that are very-- as complex or as complicated. As far as timeline goes, some of those were longer, and I can't recall, I won't say that I've worked on any shorter, but about the same timeframes, yes. You know, and right now, when you look at what BLM is trying to do with the Ambler Project, for the mine district, they're on a very tight timeline, and I'm really not trying to compare and contrast too much, what I would say is, for me it's not about how fast or how long is it, it's about are we doing the appropriate amount of analysis and the appropriate amount of disclosure under NEPA. So for me it's not about can we get it done in a week or two weeks, or does it take us two years or ten years, it's more about have we done an appropriate level of analysis and public disclosure and evaluation in our documentation before we render a final decision. I know everybody keeps focusing on the timeline, the benefit that Alaska has right now is it has some very experienced people that have done a lot of this. So, the benefit I've had in my career is I've made a lot of mistakes, so learning from those mistakes is always a benefit, and as you learn from those mistakes you tend to hopefully do things better. So in this case, I think we brought a lot of lessons learned forward, to help maybe make this more, not only more expeditious, but also more rigorous and more transparent.

John Budnik: Tim did you have a follow up?

Tim Sohn: Ok, thank you. I guess my only follow up would be then, in terms of that rigor and transparency and all of that, what the mechanism is for deciding which comments or which groups of comments then merit further study, how that decision is made?

David Hobbie: Well, we'll look at every comment, and again, and I'll generalize here, I don't mean to, but, if we get comments that just say we don't like the project, those are comments, and or if we get comments that say we like the project, those are comments. If we get comments, again, I'll use dust as an example since you brought it up, that say what sort of analysis or we think you need a different analysis on dust we will look at what has been accomplished or if we need additional information to respond to that actual comment and if it's actually in the document then we've done an appropriate job and it's covered. So, but we're not trying to, just weed out comments, we'll review every comment to determine what sort of response and how deep does it have to go, depending on the comment itself.

Tim Sohn: I'm sorry, [inaudible] you said it's not the case if simply you get a comment you cross reference and say that's already in the document [inaudible] throw that out.

David Hobbie: If they have a comment and if, again, if it just says hey, have you looked at dust and we've actually done that, we can answer them quite easily. If they bring up certain aspects of the dust, particulate size, drift levels, or whatever, and we have not done an accurate job, then we will go back and further analyze those comments to make sure we've done an accurate job so we can address those concerns.

Tim Sohn: Ok, thank you.

John Budnik: Alright, thank you Tim. Back to you Brian, with Peninsula Clarion?

Brian Mazurek: No further questions, thank you

John Budnik: Thank you Brian, Phil?

Phil Monahan: I'm good as well, thank you.

John Budnik: Thank you Phil. Margie?

Margie Bauman: Yeah, and again I apologize because I jumped in on this late. I do have a final question. One of the folks I interviewed after the extension was announced, said that he felt that it was a 30-day extension of a very failed process and he said they should start over with real economic analysis of the feasibility, scientific proof of the proposal, and objective analysis of alternatives including the obvious conclusion that investors have made after millions of dollars spent in lawsuits that the only option is to say no, in other words on one side, and of course that's their opinion, that this is not what is needed that it's not a [inaudible] document as it is, could you comment on that please?

David Hobbie: I appreciate their comments and thoughts and they have that right--

Margie Bauman: --not my thoughts, theirs.

David Hobbie: I got it. I appreciate their thoughts and comments.

John Budnik: Alright, I think we've pretty much exhausted questions, but I do want to give an opportunity if there's anything else out there in the group that has not been asked yet. [silence] Alright--

Margie Bauman: --John, will you be available on the phone I have a quick question after this is done.

John Budnik: Yeah, you can call on my direct line there.

Margie Bauman: ok.

John Budnik: If you don't mind giving me maybe 15 minutes after the end of the call.

Margie Bauman: Ok, no problem.

Tim Sohn: John, I have one more question. This is Tim.

John Budnik: Sure.

Tim Sohn: Just following up on my last one. So, if additional RFIs go out that'll be posted on the project website in the same kind of real time as they were previously is that correct?

David Hobbie: Yes sir.

Tim Sohn: Alright, excellent, thank you.

John Budnik: Fantastic. Dave do you have any closing remarks?

David Hobbie: A couple things, first of all, I do appreciate you all calling in, I know this takes time on your part. Our real goal is to be as transparent, but also hopefully try to be educational because there are some misunderstandings of our authorities at times and what we can or can't do, so it does give us an opportunity at times to hopefully explain ourselves better if we don't do a good job upfront. So I do appreciate that, and thank you all for your time. Again, I do greatly appreciate it, and hopefully we can kind of continue this, I think we do this monthly right, John?

John Budnik: Yes.

David Hobbie: Thanks.

John Budnik: Alright, with that, folks again, thanks for joining us, enjoy the rest of your day; have a good work week.

Multiple: Thanks, thank you.

John Budnik: Bye.