

USACE Media Teleconference 9-28-18

John Budnik - USACE

Tom Findter - USACE

Shane McCoy - USACE

Stephen Lee - Bloomberg Environment

Elwood Brehmer - Alaska Journal of Commerce

Tim Sohn - Outside Magazine

Avery Lill - KDLG

Mariah Oxford - Pebble Watch

Tim Bradner - Alaska Legislative Digest

Margie Bauman - Cordova Times

John Budnik: We are recording this to provide a transcript at the later time and before we get started I'd like to go through the RSVP list just in the order that I received them so without further ado Mr. Stephen Lee Bloomberg Environment, on?

Stephen Lee: Hello, I am here.

John Budnik: Hey, good morning there Stephen.

Stephen Lee: Good morning.

John Budnik: Becky Bohrer with Associated Press? No Becky. Is Margie Bauman with Cordova Times? No Margie. Is Tim Bradner on the line? Alright, it is no Tim Bradner. Elwood Brehmer with Alaska Journal of Commerce.

Elwood Brehmer: Hi, I am here.

John Budnik: Hey, good morning Elwood.

Elwood Brehmer: Good morning.

John Budnik: Tim Sohn with Outside Magazine

Tim Sohn: I am here, John.

John Budnik: Hey, good morning Tim.

Tim Sohn: Morning.

John Budnik: Is Avery Lill or one of our counterparts with KDLG, on the line?

Avery Lill: Yes, Avery is here.

John Budnik: Morning, Avery.

Avery Lill: Morning.

John Budnik: Mariah Oxford Pebble Watch.

Mariah Oxford: I am here too. Good morning.

John Budnik: Good morning, Mariah. Sorry time-out Tim Bradner I guess is having trouble joining....

Tim Bradner: No. John, I am on the line now.

John Budnik: Oh...good morning Tim.

Tim Bradner: Good morning.

John Budnik: Alright, is there anyone that I may have missed? Are Becky Bohrer and Margie Bauman on the line? Those were the only two RSVPs that I got that did not confirm just now. Alright, without further ado I will turn it over to your questions. We will start with you Stephen.

Stephen Lee: Thanks John. I want to ask a question about the 2014 proposed determination that was put in place by the Obama's administration. I don't know if you have any comment on this, but there has been a lot of chatter out there in the investment world about the possibility that the EPA is going to rescind that determination and there is a lot of speculations and confusion about whether or not that would happen. So I wondered if you had any comments on if that were to happen how it would affect your work and have you heard anything about the faith of the proposed determination.

Shane McCoy: Thank you Stephen. This is Shane McCoy. I am not going to comment with regards to what the EPA is going or not going to do, but regardless we are going to continue our analysis...development of the analysis until such a point that either we make decision or the application withdrawn.

Stephen Lee: Ok. Thank you.

Shane McCoy: Sure.

John Budnik: Alright, thank you Stephen. Tim Bradner.

Tim Bradner: Shane maybe could you give us a sense of where you are with the timing of the evaluation and completion date and that sort of thing.

Shane McCoy: Sure. We are moving at full steam ahead. We are in the middle of the evaluation of the systems with cooperating agencies developing the draft EIS. Currently the draft EIS is scheduled to be published and made available to the public for comment on January of next year.

Tim Bradner: Ok.

John Budnik: Did you have a follow-up, Tim?

Tim Bradner: Not at this point.

John Budnik: Ok, thank you. Kick it over to you Elwood.

Elwood Brehmer: Hi, Shane. How many alternatives are you going to be looking at in the draft EIS?

Shane McCoy: Good morning, Elwood. So there are a whole suite of alternatives obviously there are four major components and each one of those components will have a suite of all alternatives. I don't have the exact number, but it is greater than 50 that we were considered, but not all of those will be considered and evaluated in the detail in the draft EIS for various reasons.

Elwood Brehmer: Ok, so there will be, sort of, multiple alternatives for each one, for the site of the mine and then for the pipeline and then for the road.

Shane McCoy: Correct. So there are... for the transportation corridor, for the mine, for the gas pipeline, and the port of facility, correct.

Elwood Brehmer: Ok. Thanks.

John Budnik: Alright, thank you Elwood. Tim Sohn.

Tim Sohn: Thanks John. Thanks Shane. Good morning.

Shane McCoy: Good morning, Tim.

Tim Sohn: Quick question, I wanted to see if there is any response to an op-ed that was in Chilling News from last week. For the quote from it, the claim was there are no way for people to know whether their comments are really taken into the account, quote "because of the computer program filtered and coded all in the public comments into the electronic data base it is impossible to know if my statement which were supported with explanations facts and references were taken into consideration for the draft EIS". So, any respond to that criticism or comment to sort of temper those fears? That maybe peoples comments were not taken into full review.

Shane McCoy: Yeah, certainly. So there is another option for the public to comment on our analysis, there will be an opportunity to comment on the draft EIS when it is released. With regards to the concern that the computer was coding it; so the computer program was used to initiate the identification of general topics. We received many form letters, many very explicitly the exact same comment from many folks. So the computer identified those and then we had personnel in our staff go back and review the comments that were not identified as form letters to identify specific topics of concern. I am sure as you guys are aware we continue to reiterate, scoping and the scoping document that was release it is really a broad stroke. Scoping is used to identify the topics of concern; it is used to identify topics that are maybe not as much of a concern

as well as the alternative and mitigation that maybe used in the analysis. We will use the comments in the scoping report again as a high level summary document of the comments that we received and again we will go out once the draft is done. We will go out for comments to make sure that we accurately capture the concerns and all the topic of the concerns from the public. Does that answering your question?

Tim Sohn: Yes, it does. I mean...sort of the short version of that question; you are not concerned that you missed any relevant sector of inquiry.

Shane McCoy: No I have high confidence that the topics we are analyzing are the topic of concern by the public, but again I also have a high confidence that when we go out for comment at draft stage that if we have missed any specific concerns that they will be identified during that comment period and we can analyze those and address those at the finalize EIS stage.

Tim Sohn: Ok, thanks.

Shane McCoy: Yup.

John Budnik: Thank you Tim. To you Avery.

Avery Lill: And then my question was also following up on those scoping comments. I know that after the summary was published there were a number of organizations that were concerned that not every single topic, that people that they were involved with, made it into this summary document and I was curious what is the purpose of the summary document. Was the purpose of the summary document to capture every single topic or to summarize main topics that were address in comments?

Shane McCoy: No, every single topic, every single comment is actually still available to the public for review on the public website. The Specificity within that, the comments would not be, for lack of a term, it would be very burdensome for us to publish a comment with every single topic identified. Now that being said it is very broad strokes and the intent of the scoping report is to identify topics of concern so that our independent review can analyze those with the specificity provided during comment for the comment period.

Avery Lill: And then just to follow up on that if I may.

Shane McCoy: Sure.

Avery Lill: When you published the draft EIS, I am assuming the topics you guys considering would be largely represented by what it is in the summary document, is that fair?

Shane McCoy: That is fair. In addition...you know NEPA is a disclosure process. It's a process to inform decisions and the three federal decisions makers the Coast Guard, and the Department of Interiors Bureau of Safety and Environmental Enforcement, and Corps of Engineers are the federal agencies that have the decisions to be made so the draft EIS will address all of the substantive topics that we need to address and that are

found in 404(b)(1) guidelines, in the public interest review as well as the right away discussion for the Bureau of Safety and Environmental Enforcement and the navigation issues that the Coast Guard have to make the decision on.

Avery Lill: Thanks so much.

John Budnik: Alright thank you Avery and to you Mariah.

Mariah Oxford: Thanks. I also had some questions about the op-ed and the scoping comments. I know that you used the data base to ID the topics and that makes sense since there were so many comment that you need to be able to do that.

Shane McCoy: Sure.

Mariah Oxford: How would a commenter know whether their comments would consider substantive or not? Is there going to be access to this data base to look that up for example?

Shane McCoy: There will not be a check box to say substantive or not. So really the opportunity to understand whether or not the concerns were address will be in draft EIS comment period. Again, that will be the opportunity to understand whether or not the Corps and our third party contractor and the federal agencies and the cooperating agencies have addressed the comments that were specifically identified during scoping.

Mariah Oxford: So thank you for that explanation. I did read in the AECOM proposal that they were planning on providing some responses to comments in draft EIS.

Shane McCoy: Yup.

Mariah Oxford: Specific responses so is that still the plan?

Shane McCoy: Well that is not the plan, it is a requirement. So scoping is again to inform our analysis at the draft EIS stage those comments that are provided we will have to provide responses to the comments that received.

Mariah Oxford: Ok, thank you.

Shane McCoy: Sure.

John Budnik: Thank you Mariah and going through the list of our RSVP. Folks, do we have any late comers. Has Becky or Margie join us on the call?

Margie Bauman: Yeah I am on here.

John Budnik: Hi Margie.

Margie Bauman: This is Margie Bauman. Yup!

John Budnik: Hi Margie.

Shane McCoy: Hi Margie.

John Budnik: Go head ask the question if you have a question.

Margie Bauman: Can you remind us, my recollection is that you are going to publish the draft EIS at the end of this year, is that correct or when is that coming out? Do you have date?

Shane McCoy: It is a schedule in the middle of January of next year.

Margie Bauman: Ok.

Shane McCoy: Yup.

Margie Bauman: Yeah, ok. I am good right now.

John Budnik: Thank you Margie. Alright, back to you Stephen.

Stephen Lee: I just wondered if your thinking has evolved or if there is anything new that you are able to tell us about the fact that it increasingly appears as though the applicant is essentially running out of money. I know that in the past you said that's effectively not you're concerned, but as we get closer and closer to a point that seems like Northern Dynasty is just not going to be able to move forward any further. Do you have any thoughts that have surfaced recently on that topic?

Shane McCoy: Thank you Stephen. No. Honestly the applicant is still very responsive to all the data requests that we continued to the request so it's really has not affected our analysis.

Stephen Lee: Ok. So as far as you guys are concerned, things are moving along the way you would expect them to, is that correct?

Shane McCoy: They are moving along as we require them. Yes.

Stephen Lee: Yeah.

Shane McCoy: There has not been any delay or other impediment associated with our request...no.

Stephen Lee: Ok, got it! Thank you.

Shane McCoy: Yup.

John Budnik: Alright, thank you Stephen. To you, Tim Bradner.

Tim Bradner: Shane, just following up on process question again.

Shane McCoy: Sure.

Tim Bradner: When the draft EIS comes out what is the schedule for the final EIS and the record of decision?

Shane McCoy: Currently the schedule so we will go out with the draft EIS make it notice of the availability in the federal register, 90 days public comment period and then

we will use that comments to inform to the revision to the final EIS. Currently the schedule for the final EIS is in February 2020 and the record of decision 90 days after that.

Tim Bradner: Ok, thank you.

Shane McCoy: You are welcome.

John Budnik: Thank you Tim. Back to you Elwood.

Elwood Brehmer: I don't have anything else right now. Thanks.

John Budnik: Thank you Elwood. Tim Sohn.

Tim Sohn: Hi, thanks. Just curious...I guess following up a little on Stephen's question whether anything new to so you said they were continuing to be responsive and continuing to respond to all requests for additional data. I am wondering if there is any additional color you can give to the kind of data gaps that have been found or any specific area you had to drill down for more information at this point.

Shane McCoy: That is a really broad topic. I would suggest that if you go to the public project website pebbleprojecteis.com we continued to post responses to the Request of Information, they are called RFIs on that site, so the topics that are being considered in the information that we requested continued to evolve and is in the full gamut on the public interest review and the guidelines analysis that we are going to need to use this document to inform.

Tim Sohn: Ok. Specifically, can you speak at all to any additional data you requested you put out around either around the port side? Can you be more specific?

Shane McCoy: Well, we asked for the culture resource information. We asked for Bentex Survey, Nearshore Data, Wildlife, the gamut it's really enormous the amount of information that we requested for all of the four major components. Yes.

Tim Sohn: Ok and all of that they have been able to full fill in timely manner.

Shane McCoy: They have. Now be aware that the cultural resources stuff has some sensitivity and it is protected by law so it is not going to make publically available with specifics to that so don't expect that we publish on the public website. We will be using it to inform the analysis that's being currently conducted.

Tim Sohn: Ok. Thanks.

Shane McCoy: Sure.

John Budnik: Thank you Tim. Back to you Avery.

Avery Lill: I don't have more questions at this time.

John Budnik: Thank you Avery. Mariah.

Mariah Oxford: Hi, as you know I am a fan of all the info that you put up on the website. So thank you very much. You have something like 772 documents in the Document Library which is somewhat over 90 thousands pages of information. So I understand that you guys are processing a lot. Is that all of the resources that the subject matter experts are using in their analysis and if not what else that are they using?

Shane McCoy: I have not memorized that everything up on our website to be honest. I would suggest that is not everything is being used is up as there are technical memoranda as well that will be develop in the accordance with...I guess the practical standards of the industry. But I can't speak to the exactly if every single document that we reviewed is out there right now so my apologies.

Mariah Oxford: Oh no...that's ok. I don't expect you to memorize all those documents, but one of the things that I like to follow-up that I am interested in is the body of work it is been done by independent scientist over the last several years and what the criteria would be for any of that information to be considered of as a valid resource. I know that in the beginning some of those were posted to the Document Library and they were taken off. So I am just curious about if you guys could be transparent or clear about what the criteria is?

Shane McCoy: Well, do understand that there will be the bibliography in the draft EIS so the documents that's will be reference will be part of that review or part of the disclosure at that time.

Mariah Oxford: Ok, but you don't have any detail about when the cooperating agencies or AECOM or the Corps look at the specific resource that's been recommended. Like a few months ago Margie recommended a book edited by Carol Ann Woody that talks a lot about characteristics in Bristol Bay. I don't see that on the Document Library as of yet. So I am just wondering, is the resource like that be consider and if not why not?

Shane McCoy: Oh, everything that available will be considered. In fact, there is a large volume for lack of better term anecdotal or ethnographic type information that's being considered. I don't believe everything is actually on the website apparently, but as far as criteria is given a hard look and independent review.

Mariah Oxford: Ok, thank you.

John Budnik: Alright, thank you Mariah. Margie.

Margie Bauman: Yeah, are you considering the book that Carol Ann Woody edited is anecdotal?

Shane McCoy: No, not at all.

Margie Bauman: Oh, wondering about that?

Shane McCoy: No, what I meant to say is we are considering all information available to us including what would not be...I guess quantifiable or you know western science.

We are also taking consideration traditional ecological knowledge and for the lack of better term... maybe anecdotal is dismissive, but that's not my intent. The intent is to really inform that all information that is available to us and especially local knowledge is extremely useful to the analysis. So I am not saying Carol Ann Woody that her work considered anecdotal at all. No.

Margie Bauman: Yeah, well...she edited that, but large part and from what I read in the book it was specifically designed not only to inform people in the region and beyond, but to be an aide in this whole process.

Shane McCoy: Sure.

Margie Bauman: Thank you.

Shane McCoy: Absolutely. No, thank you for bringing it-up. I'll check with third party contract see why is actually not on the list because I know after you brought to our attention I checked with them to make sure that they aware of it.

Margie Bauman: Hhmm. Thank you.

John Budnik: Alright, thank you Margie. Did Becky Bohrer join us, yet? I just want to check. Well that concludes to our second round and will go back to Stephen.

Stephen Lee: Thanks, John. I guess this is a follow-up on the particular previous question about the independent research. I was recently speaking with a couple of geologists in Alaska and these gentlemen were describing the threat of earthquakes that they see in and near the mine plan. I think the one they named most was called the Lake Clark Fault and there is another one. According to these guys we don't know where the fault line goes, but there is a chance they will go underneath the mine and of course endanger the dam and any number of other things. They also said that it is their opinion that the scoping document does not address in a serious way this threat. I wonder if you have a response to that. How much have you, or have you closely looked at this fault line and just the threat of the earthquake generally?

Shane McCoy: Yeah, so the scoping document would not address those. I would say that the scoping document does capture the fact that seismic activity is a concern. So in chapter 3 the baseline stuff there is extensive discussion with regards to seismic activity, historical trends, as well as all statistical available data that we have. You are absolutely right; there are fault lines associated with the area.

Stephen Lee: Ok. So I guess it would be fair to say that if going forward that is...sounds you guys very much aware of it. So going forward that you expect that to be a core part of the draft EIS. Is that fair to say?

Shane McCoy: Well, there is definitely going to be a concern effort to discuss and evaluate dam safety. If that's what the question is?

Stephen Lee: In addition to the dam safety, just the fault lines themselves and where they go and what is the threat.

Shane McCoy: Oh, absolutely. In fact, in the information that I had reviewed, it seems to be of substantial amount of very active fault line closer to the coast as well. So those are all considerations that are going to be evaluated in the EIS and disclose.

Stephen Lee: Ok, thank you.

Shane McCoy: Yup.

John Budnik: Thank you Stephen. Back to you Tim Bradner.

Tim Bradner: Hi, this just more following up on the question of the process. Once the ROD is issued, is this dredging flood permit automatically issued or is there time period for their evaluation? Maybe you could explain the relationship. Then I have the follow up question too on that regard.

Shane McCoy: Certainly. So the record of the decision for the Corps of Engineers is the decision. It will be whether or not we permit for the discharge of dredge, fill materials, water US and the activities that may affect navigable waters at the US. So at the signing of the record of decision, the decision whether or not to issue a permit will have been made.

Tim Bradner: So it's happen simultaneously then?

Shane McCoy: It is the record of decision.

Tim Bradner: Ok and the permit will be issued at that time.

Shane McCoy: It is the decision whether or not to issue a permit and we are pre-decisional. We do not get there until after we do the analysis and used the analysis to inform our decision. So we are not deciding to issue a permit or not. It's that the record of the decision that the Commander of District will sign as to whether or not to issue a permit.

Tim Bradner: Ok, when is the permit issued?

Shane McCoy: The decision will be made at the signing of the record of decision.

Tim Bradner: So that's when we will find out when the permit is issued.

Shane McCoy: That's when we find out if the permit will be issued.

Tim Bradner: Ok and then the timing also...see where I am going?

Shane McCoy: If the decision is affirmative the permit will be issued at that time and it will be signed by our Commander.

Tim Bradner: Ok...ok. No just the follow-up question. At what point does the State have a role in participating...I mean besides just being the participating agency, does the State have to sign-off on any Federal permit?

Shane McCoy: The short answer is no, but you absolutely capture the fact the State is

the cooperating agency in development of the analysis and understand that for this project to continue forward regardless of decision on any federal agency the State will have decision to make on several levels.

Tim Bradner: Ok, if I can ask one more to the related follow-up. The air quality permit is not part of this because the State does have definite role on the air quality permit if I understand it.

Shane McCoy: Correct.

Tim Bradner: So that's separate process. That has nothing to do with this process.

Shane McCoy: No. So understand that the Federal decisions again are for the right of way, for the natural gas pipeline on the outer continental shelf for the Department of Interior Bureau of Safety and Environmental Enforcement, the other decision by the Coast Guard will be for the bridge, the proposed bridge over the New Haven, and the Corps authority again is anything that may affect the Corps condition the capacity of the Nation Navigable Waters on the Section 10 of the Rivers and Harbors Act., and under the Section 404(b)(1) the Clean Water Act the discharge of dredge or fill and materials under the Water of the US including Wetlands. But all the other authorization has been designated to the State are the States responsibilities.

Tim Bradner: The Clean Air Act permit is not part of this process.

Shane McCoy: Well...the Clean Air Act permit has been delegated to the State so it's not an authority with which the Corps will be making the decision on. No.

Tim Bradner: So the Clean Air Act is not part of this process.

Shane McCoy: The Clean Air Act determination is not the Corps responsibility.

Tim Bradner: Ok. Thank you.

Shane McCoy: Yup.

John Budnik: Thank you Tim. Back to you Elwood.

Elwood Brehmer: I do have a question for this go around and certainly, please correct me if my baseline of understanding is wrong, but it is my understanding that the Corps can't issue a record of decision with an outstanding 404(c) proposal. I guess, with the 404(c) proposal is still out there.

Shane McCoy: That is correct.

Elwood Brehmer: Which it still is.

Shane McCoy: Correct.

Elwood Brehmer: Ok, so that is right

Shane McCoy: That is correct. We can continue our administrator review, but we can't

make a decision until that issue has been resolved.

Elwood Brehmer: Ok. Now, I understand your record of decision is still quite a ways out, but time flies. Has there been any discussion that you are aware of between Corps and the EPA about resolving that issue one way or another?

Shane McCoy: I am not aware of that. No.

Elwood Brehmer: Ok.

John Budnik: Thank you Elwood.

Elwood Brehmer: Yeah, thanks.

John Budnik: Back to you Tim. Tim Sohn.

Tim Sohn: Thanks. My question ties into Elwood's question... What sort of major surprises or road block or whatever may come along that you can see knocking you off the currently proposed timeline? I guess having that outstanding 404(c) proposal determination is one of them. So can you speak to that any other things that either may come up routinely in this draft EIS or anything else specific in this case that may prove a road block?

Shane McCoy: I guess I wouldn't say there is anything that has routinely come up that would prohibit us from continuing on the schedule as it is right now. The thing that would actually be the biggest road block for the analysis would be if some significant data gap analysis that would need to be resolved by additional field work...I guess next field season or in the future that we don't have. That would be the major road block barring the 404(c) determination as well.

Tim Sohn: Ok. So the most predictable one will be the 404(c) determination is not being resolved.

Shane McCoy: Yes.

Tim Sohn: And then beyond that are there any data gap that you could think of that required additional work for next field season?

Shane McCoy: No, we haven't identified anything, but that's also why we go out for public comment for the draft EIS stage so that we are fully informed of issues that we may need more information, but currently no there are no data gap that we identified that would be a stopper right now.

Tim Sohn: Ok. Sorry last follow-up on those 404(c) issues, if you got to that point in 2020, and you would have had the draft EIS comment period and yet to final EIS and there is still no resolution on the EPA side, then what happens? The EIS is put on the shelves until that is resolved? Is there expiration date? How does the process work then?

Shane McCoy: There is no expiration date on the NEPA document. There is some

dictatorial time constraint with regards to the court decree so there are time constrain build-in to that the settlement between Pebble and EPA.

Tim Sohn: Right. Ok. Alright, thank you Shane.

John Budnik: Thank you Tim. Back to you Avery.

Avery Lill: I don't have any questions.

John Budnik: Alright, thank you. To you Mariah.

Mariah Oxford: Hi, yeah. I have some questions going back to the other state and Federal permit that would be required for the project to proceed. To my knowledge, Pebble Partnership hasn't applied for any of these. So does that affect the way you all reviewed and consider the 404 permit?

Shane McCoy: The short answer is no. It doesn't affect us.

Mariah Oxford: Ok. So you would finalize your permit and potential make a decision even if none of the other permit applications or decisions have been made.

Shane McCoy: We will make a decision. There are two very specific authorizations that are required prior to us making the decision. One of those is 401 Water Quality Certification from the State and the other will be the Coastal Zone and as I am sure you are all aware are our Coastal Zone Management Agency has sunsetted so that's not applicable. So the 401 Certification would be required prior to making a final decision.

Mariah Oxford: Ok. Thank you.

John Budnik: Thank you Mariah. Back to you Margie.

Margie Bauman: No further question at this time. Thank you.

John Budnik: Thank you Margie. We go through the list again and going back to Stephen.

Stephen Lee: Yes, Shane. I am following up on the...I think Tim's question about the 404(c). You mentioned the settlement and the ticking clock on that and my understanding, my recollection that is 2021 that that expires so if we reach 2021 and there still is no resolution. What happens at that point?

Shane McCoy: Well we can make a decision at that point.

Stephen Lee: Ok.

Shane McCoy: Because that would be resolved at that point by court order.

Stephen Lee: Right, ok. I see, thank you.

John Budnik: Thank you Stephen. Back to you Tim Bradner.

Tim Bradner: Shane, just more on the process question. 401 Water Quality

Certification, maybe just refresh us on what it says and how it works? This is essentially the State certifying at the discharges under the project will meet under the State water quality standard, is that correct?

Shane McCoy: Yeah, the point source discharges will be the clean field.

Tim Bradner: I am sorry saying that again, Shane.

Shane McCoy: The point source discharges...the direct point.

Tim Bradner: Right, the point where the f-load comes out of the pipe at that point has to be State Water Quality Certification.

Shane McCoy: That's the 402 Certification. So that's a non-point source that's entirely different authorization all together. So basically, what the 401 certification requires is that any discharge, fill and materials, and water are clean. It is pollutant free.

Tim Bradner: But as clean as to a certain standard. With State Water Quality Standard or....?

Shane McCoy: Yes.

Tim Bradner: Ok. I guess I am a little confused about the difference between the two. 401 and 402 so...

Shane McCoy: Yeah is not the entirely intuitive. One of them has to do with basically like fill material that's 401. As supposed to materials in water being discharge which is 402 non-point source or overview.

Tim Bradner: Ok, but anyway you can't issue the ROD until you have those authorization from the State.

Shane McCoy: The authorization 401, correct.

Tim Bradner: Yup, ok. Thanks, Shane.

Shane McCoy: Sure.

John Budnik: Thank you Tim. Elwood.

Elwood Brehmer: I am good for today, thanks.

John Budnik: Alright, thank you Elwood. Back to you Tim Sohn.

Tim Sohn: I think I am all set. Thank you guys.

John Budnik: Thank you Tim. Avery.

Avery Lill: I am also set.

John Budnik: Alright, Mariah.

Mariah Oxford: I just had one more question that relates back to the 20 year mine life that is being considered in the proposal the last time that you said you are also considering 78 year alternative. Are you considering any other longer alternative?

Shane McCoy: No that's the extent of our reasonably foreseeable future action is the 78 year.

Mariah Oxford: Ok. I am just asking that because the project continues to be described as a small footprint for the first number of years and opportunity to expand to 11 billion tons and the Northern Dynasty Mineral CEO just gave the presentation on Wednesday at the Denver Gold Forum and reiterate the same thing so I am just curious about why you wouldn't consider the alternative for mining the entire deposit.

Shane McCoy: Well, If this was authorized and they did proposed to continue beyond what we look at it is required additional National Environment Policy Act review and of course an additional authorization. So right now, we are looking at what they proposed because that's what in the application and that's required by law, by regulation and if they were to modify that request we would review accordingly, but they will not be able to operate without additional evaluation and analysis.

Mariah Oxford: Ok, great. Just to follow-up, in your experience with large projects that have expanded, do you consider the process to be as rigorous when they come back and ask for extension? Is it shorter, the same length?

Shane McCoy: We would go out again and it will be the same process and what I mean by that we go out and ask the public for their input during scoping. Yes, I do consider it just as rigorous. In fact many of our supplemental EIS have taken as long... and longer than the original EIS so it's absolutely as rigorous and it is essential to evaluate any potential additional impacts, of course.

Mariah Oxford: Ok, thank you. That's all I have for today.

Shane McCoy: Sure.

John Budnik: Thank you Mariah and back to you Margie.

Margie Bauman: Yeah, given what is going on with the climate change I would assume if they do come back in a future year that the criteria and the standard may see some changes. So are all those going to be considered in the process?

Shane McCoy: At the time that would be and additional evaluation, we would use the current standard...of course.

Margie Bauman: Yeah, I mean any future earthquake that happen between now and then so forth...not to be a pessimist, but yeah...

Shane McCoy: Oh...we will use all available information for sure, Margie. We use all the best available information we can to inform our analysis...of course.

Margie Bauman: Yeah, well...probably not going to be us, but thank you. Since 78

years we will all hopefully be retired...yes, ok.

Shane McCoy: Hopefully we will.

Margie Bauman: Thank you.

Shane McCoy: Sure.

John Budnik: Alright, thank you Margie. I think we exhausted most of the questions, but I would to open it up to the floor if there is any questions still a remaining to anybody out there. Alright...well folks, I really appreciate you joining us again for another monthly teleconference. I hope you guys are getting value out of this. I think here at the Corps we are also getting value out of this. You know it help us kind understand what is out there, all the public concerns, kind where we can better explain our process and our regulation that we abide by in the EIS process so we certainly appreciate your participation and thank you. We will talk to you again in the next month.

****End of Call****