

NTC Comments – Pebble Project Preliminary Draft EIS, Appendix E - Permits, Approvals, and Consultations Required

Agency	Comment No.	Section, Paragraph, and Page #	Cooperating Agency Comment (and Purpose of Comment)	Proposed Resolution (Additions or Deletion of Text)	Response
NTC	1	App E, E1.1		Revised First paragraph under Section E1.1 to read: The National Environmental Policy Act (NEPA) of 1969 (42 United States Code [USC] 4321 et seq.) applies to all federal agencies and is triggered by “major federal action[s]” that have the potential to affect the human environment.	The first paragraph under Section E1.1 has been revised to incorporate the language of “major federal actions”.
NTC	2	App E, E1.9	The Archaeological Resources Protection Act and the Antiquities Act do not apply to this project as it is not located on federal public lands or Indian lands. The Alaska Historic Preservation Act also does not apply because this is a federal permitting action.	Rewrite section as edited in the track-changes.	ARPA and the Antiquities Act are limited to federal lands and therefore do not apply and were removed. NHPA does apply (since the permitting is a federal action). This has been clarified in Appendix E (Section E1.8). The Alaska Historic Preservation Act applies to submerged lands under state control, so would apply to this project.
NTC	3	App E, E1.10	NAGPRA does not apply to this project because it is not located on federal public lands or Tribal lands	Rewrite section as edited in the track-changes.	NAGPRA applies on tribal lands, which would include native allotments. This has been clarified in Appendix E (Section E1.9).
NTC	4	App E, E1.31		Revise paragraph to read: This order instructs federal agencies to develop environmental justice strategies to identify and address disproportionately high and adverse human health and environmental effects of their programs, policies, and activities on minority populations and low-income populations. This order specifically requires federal agencies to consider these effects to Native American and Alaska Native	Revised as suggested (Section E1.29).

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				communities.	
NTC	5	App E, Table E-1, National Historic Preservation Act		Revise as edited in the track-changes.	Accepted track change edits.
NTC	6	App E, Table E-1		Add row for Advisory Council on Historic Preservation as edited in track-changes	Added.
NTC	7	App E, Table E-1, Alaska Historic Preservation Act		Revise row as edited in the track-changes.	Accepted track change edits.
NTC	8	App E, Table E-1, National Historic Preservation Act		Add row for Tribal jurisdiction under the NHPA as edited in track-changes	Added.