

Letter to USACE

Dear Colonel Borders:

While I appreciate the recent request by Senator Lisa Murkowski seeking an extension to the U.S. Army Corps of Engineers (USACE) public comment period for the Draft Environmental Impact Statement (DEIS) for proposed Pebble Project, I write today in strong opposition to this request and ask on behalf of the State of Alaska that you maintain the existing 90-day public comment window.

To begin, I commend the USACE for their entire approach for this project. From the beginning, your staff has understood this is a controversial project and as such has sought to be forthright in communications with concerned stakeholders. The USACE established a high level of transparency to ensure access to timely information about the project and about your process.

I recognize and commend your decision to undertake a 90-day public comment period with the understanding that this is already twice the norm for a DEIS review. This was done in full recognition of the intense interest and scrutiny this project generates. And it was done to ensure sufficient time for public input and comment.

Senator Murkowski cites the comment period for the Environmental Protection Agency's (EPA) 2012 first draft of the Bristol Bay Watershed Assessment (BBWA) as a reason for the USACE to extend the DEIS comment window. There are two important distinctions that I would like to share with you about this. First, the 2012 BBWA was released to the Alaska public in May of 2012 with a 60-day public comment period. This is important to note because this complex issue was released to Alaskans in May – as many begin to gear up for the summer season in our state. The comment window went through June which is perhaps one of our busiest months as most Alaskans are focused on being outside for a range of recreational and commercial opportunities. Second, the EPA chose to not extend that comment period even after receiving the request from our senator.

A key reason to not support this comment period extension is that it would push the conclusion of the USACE comment period to the end of June. As noted above, June is perhaps one of Alaska's busiest months and the notion that extending this comment period into June would help engage Alaskans simply does not make sense.

I have also heard from your staff and in public comments that the USACE specifically sought guidance from Bristol Bay area tribal groups and other stakeholders about the best timeframe to undertake public review and comment periods for the Pebble Project. The advice you heard and responded to recommended avoiding a public comment window during Alaska's busy summer months. Thank you for listening to Alaskans, respecting their views and responding accordingly.

When I took office, my top priority was to grow Alaska's economy by letting the world know that Alaska was open for business and to encourage companies across the globe to invest in our state. The number one way to accomplish this goal is to let potential investors know that we have regulatory and permitting stability in Alaska. The USACE has taken a very positive and accountable step in announcing a schedule for the Pebble Project and has thus far met every deadline. I commend you and your staff for achieving this.

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Arbitrarily extending the public comment period sends a direct and negative message to the global investment community that the regulatory process in Alaska is not accountable. I urge you to resist requests that will not add value to the public processes you have undertaken.

This issue is of such importance to Alaska's future economic growth that all of Alaska's major business and trade organizations sent a letter to Alaska's congressional leaders expressing support for the USACE 90-day public comment period and urged them to resist calls to extend it. They summed the issue up well in stating:

*"The establishment of a project schedule with clear timelines and responsibilities for all stakeholders at the start of the process should be applauded, not questioned or criticized."*

I take heed with their words as these organizations and their member companies are responsible for making Alaska's economy work and grow. They are in the trenches every day battling for a promising economic future for Alaska and regulatory stability allows them to tell the world that Alaska is indeed open for business.

Please keep the original 90-day public comment window for the proposed Pebble Project. Thank you and your team for the work you are accomplishing here in Alaska.