

Pebble – The Battle Is Not Over

“The rumors of my death have been greatly exaggerated.” – Mark Twain

While one of America’s most famous authors may have uttered those words, it also applies to one of sporting conservation’s most infamous threats – the proposed Pebble Mine in Bristol Bay, Alaska. The fight to protect the world’s most productive wild salmon fishery and one of the planet’s finest sport fishing destinations has been a long and largely successful one. The sporting community has linked arms and stood side-by-side with Alaska Natives, commercial fishing interests, and other conservationists in an unprecedented alliance to protect 14,000 jobs and a \$1.5 billion industry that has driven proponents of the world’s largest proposed mining projects to the brink of defeat. Indeed, 65% of Alaskans recently voted for a ballot measure that would require additional scrutiny for projects like the Pebble Mine.

But, we can’t rest now, for while the Pebble Mine may be down, it is not out.

In July 2014, the U.S. Environmental Protection Agency proposed a set of common-sense restrictions on any future development of large mining projects within the watersheds of the Nushagak and Kvichak Rivers. These are two of Bristol Bay’s major salmon factories and they also house some incredible sport fishing and hunting opportunities within their reaches. EPA’s proposals laid out a set of impacts that will not be allowed should a developer wish to bring forward an application to mine in Bristol Bay. EPA is letting developers know the high standards to which they will be held up front, which ought to be appreciated by those who have designs on building a large mine in the headwaters of Bristol Bay. If the mine cannot be built with total assurance that this unrivaled wild salmon fishery will suffer no harm, then it should not be done.

Understanding the immense challenge of meeting these standards, it’s unsurprising that the major mining companies who had backed Pebble decided their money would be more wisely spent elsewhere, in one case walking away after investing over \$500 million in the project, and in another case simply donating shares in the project to a pair of charitable organizations.

So, that leaves the Pebble Limited Partnership with only one “partner” – Northern Dynasty Minerals, a junior mining firm out of British Columbia whose only asset is Pebble. The only mining that NDM has ever done is in the stock market, and that’s been going rather poorly for them. With not much money in the bank, Pebble’s backers are desperate, even going so far as to cede 15% of the company to a shady hedge fund based in the Cayman Islands in order to fund its advocacy activity. Like an animal backed into a corner, Pebble’s still dangerous.

Pebble filed several lawsuits against the EPA in hopes of delaying the agency's work. Most of the allegations have been dismissed, but in late November 2014 a judge in Alaska issued a temporary injunction that halted EPA's work – a decision viewed by all involved as procedural in nature.. Until this suit is resolved, Pebble is doing all it can save a dying project, including continuing its legal strategy, waging a multi-faceted PR campaign, and an effort to gut the Clean Water Act. Of course, none of these new activities involved mining, which is odd for a mining company.

Most recently, S. 234 was introduced by Senators David Vitter (LA) and Joe Manchin (WV). Senator Vitter has specifically pointed to EPA's work in Bristol Bay as a reason he wants to take away the agency's ability to use a part of the Clean Water Act as is currently allowed. In February 2015 Representative Bob Gibbs (OH) introduced similar legislation in the House of Representatives. Both bills would severely curtail EPA's ability to use the Clean Water Act "whenever" unacceptable adverse impacts arise; the very criteria by which the law should be applied.

Another threat to EPA being able to conclude their Bristol Bay work exists through the federal budget and appropriations process. If EPA were to have its funding restricted in such a way that prevented the agency from spending money on the Bristol Bay process, which also would stop us short of our goal.

Pebble's strategy is simple, really: delay, delay, delay and hope for a more favorable administration or for the opposition to lose interest.

Knowing these facts, now is not the time for the incredible alliance that has been formed to protect Bristol Bay to take our collective foot off the gas pedal. While the EPA process has moved favorably, there remain a few steps that the agency must complete to finalize the proposed restrictions on disposal of mine waste in Bristol Bay. Until these restrictions are finalized, Bristol Bay remains at risk.

Pebble is counting on its opposition to become complacent. We cannot allow that to happen. We've come too far and fought for too long to be denied victory. Please continue to write your Members of Congress, and tell your friends in the sportsman community to do the same.

This is a fight we can win – but we can't win if we don't fight.

