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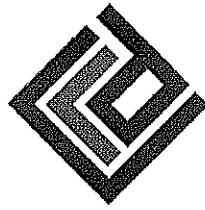
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RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

BREAKFAST MEETING

Thursday, October 5, 2017

1. Call to order – Eric Fjelstad, RDC President
2. Self Introductions
3. Head Table Introductions
4. Staff Report – Marleanna Hall, Executive Director
5. Program

Pebble: A New Path Forward
Tom Collier, President and Chief Executive Officer
Pebble Partnership

Next Meeting: Thursday, November 2nd
Dena'ina Convention Center
A New Look at North Slope Oil and Gas Potential

David Houseknecht, Project Chief, Energy Resources Program for Alaska,
U.S. Geological Survey, Reston, VA

Sign up for RDC e-news online!
This breakfast packet and presentation may be found online at:

akrdc.org



TOURISM



FISHERIES



OIL & GAS



MINING



FORESTRY



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

Membership Form

RDC is a statewide business association comprised of individuals and companies from Alaska's oil and gas, mining, forest products, tourism and fisheries industries. RDC's membership includes Alaska Native Corporations, local communities, organized labor, and industry support firms. RDC's purpose is to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

To join or to view a list of current RDC members, visit akrdc.org/membership

Contact Information:

Name: _____ Title: _____

Organization: _____

Mailing Address: _____

City / State / Zip: _____

Phone: _____ Mobile: _____

Email: _____ Website: _____

Membership Levels

Membership is a one-year term with an annual fee, expiring on the anniversary of your enrollment, with an online renewal option.

Individual:

Basic	\$75
Silver	\$150
Gold	\$300
Platinum	\$500 and up

*Corporate:

Basic	\$500
Silver	\$750
Gold	\$1,500
Platinum	\$3,000 and up

*Corporate members receive a listing on akrdc.org

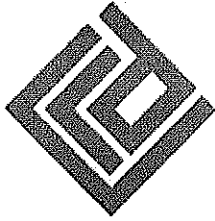
Please select the category or categories in which your business should be classified:

- | | | |
|---|--|--|
| <input type="checkbox"/> Communications/Technology | <input type="checkbox"/> Legal Counsel | <input type="checkbox"/> Timber |
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Membership Amount: \$ _____ Please Invoice Me Check Enclosed

Charge my card: _____ Expiration Date: _____

RDC is classified as a 501(c)(6) non-profit trade association. Membership dues and other financial support may be tax deductible as an ordinary business expense, but not as a charitable contribution. 16.9% of RDC support is non-deductible.



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

Action Alert • Comment Deadline October 17, 2017

EPA Notice to Withdraw Proposed Determination of Pebble Deposit Area

Overview:

The Environmental Protection Agency (EPA) has released a proposal to withdraw its July 2014 Proposed Determination on the Pebble Deposit Area. This proposed determination was a clear overreach and an attempt to assess the effects of a potential mining project, without the project plans.

In 2010, the EPA was petitioned to use its authority under Section 404(c) of the Clean Water Act (CWA) to preemptively veto any dredge or fill permits in wetlands associated with mining and the Pebble Project in Southwest Alaska. Tribes closer to the project asked EPA to refrain from such action until a formal permit application has been submitted and the permitting process under the National Environmental Policy Act (NEPA) initiated. Having never used its authority preemptively, the EPA decided instead to conduct a watershed assessment to help "inform its decision" on the issue. The EPA study began in February 2011, and completed the assessment on an area the size of West Virginia in less than one year. Previous watershed assessments conducted on smaller areas have taken years to complete.

The CWA does give the EPA authority to veto other agencies' approval of permits, however, it is unprecedented that the EPA would administer this authority in advance of any permit application. Moreover, the agency has rarely used its veto authority and never in advance of permits being issued by other agencies.

The proposed determination is not based on actual mine plans. It focuses on the effects of a mining project that has not been proposed, and for which key engineering solutions, environmental safeguards, and mitigation measures have not been provided. This is a deeply flawed speculative approach.

The State of Alaska, many statewide business associations, including RDC, and Native village and tribal organizations in the area have opposed the EPA's actions until there is a formal permit application to properly evaluate the project, and a thorough environmental impact statement is completed.

A copy of the proposed determination and Bristol Bay Final Report 2014 is available online at:
<https://www.epa.gov/bristolbay>

Action Requested:

Please write to the EPA in support of withdrawal of the proposed determination. The withdrawal proposal is a good step to reverse the undermining of existing regulatory processes and federal overreach. The public comment period will run through 7:59 p.m. October 17, 2017.

Submit comments online: Reference Docket #EPA-R10-OW-2017-0369: <http://www.regulations.gov>

Send an email to: ow-docket@epa.gov, include Docket #EPA-R10-OW-2017-0369 in the subject line.

Mail to: Water Docket, Environmental Protection Agency
Mail Code 28221T
Attn.: Docket #EPA-R10-OW-2017-0369
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Public meetings:

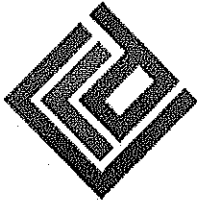
October 11 in Dillingham, 6:00-9:00 p.m., Dillingham Middle School Gym

October 12 in Iliamna, 1:00-4:00 p.m., Old Crowley Hangar, Iliamna Airport

Points to consider in your comments:

- A preemptive decision, prior to permit or project application and completion of the National Environmental Policy Act (NEPA) process, is unacceptable, whether it be approval or denial of any project in any industry.
- The proposed determination ignored existing processes, undermining agency responsibilities on both the state and federal level. Further, the EPA does not have the authority under the Clean Water Act to preemptively block development in the absence of a permit application.
- The EPA must withdraw its proposed determination because it was based on an untested, ad hoc analysis that is not sanctioned by the CWA or NEPA. Once the NEPA process is initiated, the U.S. Army Corps of Engineers will prepare an Environmental Impact Statement based on project plans.
- Any potential 404(c) actions against the Pebble Project are premature. The project has not yet been finalized and no permit applications – including detailed plans and environmental mitigation strategies – have been submitted to government agencies, nor has the NEPA process been initiated. As a result, the current assessment and any preemptive action would deprive government agencies and stakeholders of the specific information, science, and rigorous reviews that would come out of the multi-year NEPA process.
- Every project, no matter the size or location, should have an opportunity to be reviewed under existing legal processes. In the case of mining, there are more than 60 major permits and hundreds more from local, state, and federal agencies that must be successfully obtained. If the process determines a project as designed cannot protect the environment and other resources, it will not advance. The process will not permit one industry or resource to advance at the expense of another.
- The House Oversight Committee in 2015 concluded that "EPA's use of a preemptive veto (at Pebble) was unprecedented and without a legal basis." The Committee described EPA's course of action as "an unprecedented change in the agency's process for regulating resource and development projects," and called on EPA to "cease all preemptive 404(c) activity" to allow for the normal permitting process to take place.
- Any 404(c) action outside the existing permitting process would be an extreme case of federal overreach and an assault on Alaska sovereignty. The Pebble deposit is not located on federal land, nor inside a refuge or park. It is located on state land designated for mineral exploration. The State of Alaska depends on the responsible development of natural resources on its lands to diversify and support its economy.
- Until an application is filed describing the project in detail and an Environmental Impact Statement is completed, the EPA is prematurely determining adverse impacts based on hypothetical assessments and inapplicable modeling.
- The fate of a project, including Pebble, cannot be rationally decided without consideration of the full social, economic and environmental impacts of the project. This information will be developed through the rigorous NEPA process.
- The actions of the EPA undermine existing regulatory processes and set a dangerous precedent for future projects. If the EPA preemptively stops projects before they enter the permitting process, any large project could be at risk. Preemptive action by the EPA could become a new tool opponents use to stop projects, or at a minimum, introduce significant uncertainty and delay, chilling Alaska's business climate.

Comment Deadline is October 17, 2017



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

ACTION ALERT

Call for comments for Nanushuk Project Environmental Impact Statement Comment Deadline October 16, 2017

Overview

The U.S. Army Corps of Engineers (Corps) has prepared a Draft Environmental Impact Statement (DEIS) for the Nanushuk Project, proposed by Armstrong Energy, LLC. Armstrong's proposed project includes constructing and operating infrastructure and facilities to produce and transport oil to the Trans-Alaska Oil Pipeline System (TAPS). Armstrong anticipates drilling at three sites 52 miles west of Deadhorse to accommodate up to 146 production and injection wells.

The DEIS covers various alternatives, including the No Action Alternative and the Applicant's Proposal, which includes building gravel pads, roads, pipelines and production infrastructure on the site. The project as proposed by Armstrong would include an all-season gravel road between a Kuparuk drill site and the proposed Nanushuk facilities and a central processing facility. The road would be 13-miles long and connect to 11.9 miles of new gravel infield roads to drill sites Two and Three. The total footprint of the project under the Applicant's Proposal is approximately 272 acres.

The company, which is partnering with Repsol SA, describes its new field in the Pikka Unit on state land near the National Petroleum Reserve-Alaska as the largest onshore U.S. conventional oil discovery in 30 years. The field is expected to hold at least 1.2 billion barrels of oil and produce up to 120,000 barrels per day. First oil could begin three to four years after the Corps permitting issuance, depending on when season permits are issued.

A 45-day comment period is now underway and a series of public hearings will be held across the state. Comment deadline is Monday, October 16th. For additional information, visit:
<http://www.NanushukEIS.com/>

Action Requested:

Please participate in the comment period for this important project through attending one of the public meetings and submitting comments on the DEIS, specifically supporting Alternative 2, the Applicant's Proposed Action.

Public Meetings:

Nuiqsut:	Monday, Sept. 25, 4:00-6:00 p.m.	Kisik Community Center
Utqiagvik	Wednesday, Sept. 27, 5:00-7:00 p.m.	Inupiat Heritage Center
Fairbanks	Tuesday, Oct. 3, 6:00-8:00 p.m.	Westmark Fairbanks Hotel
Anchorage	Wednesday, Oct. 4, 6:00-8:00 p.m.	Hilton Garden Inn

Comments via U.S. Postal Service: U.S. Army Corps of Engineers, CEPOA-RD, Ms. Ellen Lyons, 2175 University Avenue, Suite 201E, Fairbanks, AK 99709

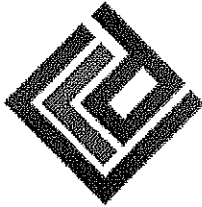
Email: Ellen.H.Lyons@usace.army.mil

Online: <http://nanushukeis.commentinput.com/?id=UpCx2>

Points to consider in your comments:

- The \$5 billion Nanushuk prospect is an important and positive development for Alaska and could be one of the most significant discoveries on the North Slope since the discovery of the Alpine and Kuparuk oil fields. The Corps should approve Alternative 2, the Applicant's Proposed Action, and allow the project to move forward.
- Alaska's economic lifeline, TAPS, is now running at three-quarters empty. The Nanushuk project has the potential to produce up to 120,000 barrels of oil per day, significantly increasing TAPS throughput and revenues to the State of Alaska.
- State and local spending of taxes and royalties paid by the oil and gas industry directly creates jobs in the public sector and indirectly creates jobs throughout the private sector.
- The project would generate significant long-term business and economic activity and up to 600 North Slope construction jobs for Alaskans. In addition, 60 direct jobs would be created in Anchorage and one to three rigs supporting development for five years each would generate 120 to 150 jobs per rig, and more through fabrication, logistics, and indirect jobs. For each direct oil industry job, 20 additional jobs are generated in the Alaska economy.
- The Nanushuk project is located near existing industry infrastructure, minimizing potential environmental impact.
- Thanks to continuing improvements in technology, practices, and oversight, the oil industry has demonstrated that North Slope energy development and environmental stewardship can and do coexist.
- Industry has a proven track record of responsible development in environmentally-sensitive areas, protecting the environment, wildlife and subsistence needs of local residents.

Deadline Monday, October 16, 2017



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

Testimony of Resource Development Council
Carl Portman, Deputy Director
Comments on the Nanushuk Project Draft Environmental Impact Statement
Before U.S. Army Corps of Engineers
Anchorage, AK
October 5, 2017

Good evening. My name is Carl Portman, Deputy Director of the Resource Development Council (RDC). RDC is supportive of the Nanushuk project, which could ultimately prove to be one of the largest fields discovered on the North Slope.

RDC is a statewide, non-profit, business association comprised of individuals and companies from Alaska's oil and gas, mining, timber, tourism and fisheries industries, as well as Native regional and village corporations, local governments, and organized labor.

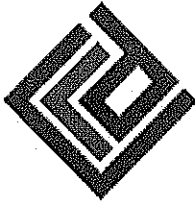
New oil production from Nanushuk could add up to 120,000 barrels of oil per day into the Trans-Alaska Pipeline System, Alaska's economic life-line that is now running at three-quarters empty. Alaska desperately needs more oil production and Nanushuk has the potential to deliver significant new volumes.

This multi-billion project is a vital to Alaska's depressed economy. Nanushuk could be one of the most significant discoveries on the North Slope since the discovery of Kuparuk and Alpine fields.

The project would generate significant long-term economic activity with up to 600 North Slope construction jobs and additional direct jobs in Anchorage. For each direct oil industry job, 20 additional jobs are generated across the Alaska economy.

Given the Nanushuk project is located near existing infrastructure, environmental impacts are likely to be minimal. With evolving improvements in technology, best practices, and oversight, the industry has demonstrated that North Slope energy development and environmental stewardship can and do coexist.

In conclusion, RDC is confident the Nanushuk project can be developed in a responsible and safe manner. We support Alternative 2, the Applicant's Proposed Action and encourage the Corps to move forward in a timely manner. Thank you for the opportunity to express our support for this important project.



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

ACTION ALERT

Call for comments for the Liberty Project Draft Environmental Impact Statement
Comment Deadline: November 18, 2017

Overview

The Bureau of Ocean Energy Management has prepared a Draft Environmental Impact Statement (DEIS) for the Liberty Project, proposed by Hilcorp Alaska, LLC. Liberty is a light-oil reservoir in nearshore federal waters with an estimated 150-330 million barrels of oil in place. Peak production of between 60,000 and 70,000 barrels per day is projected within two years of initial production. The field is located 15 miles east of Prudhoe Bay.

Hilcorp proposes constructing an artificial gravel island about six miles offshore in 19 feet of water that is optimally located to minimize drilling and production risks. The outer perimeter of the 9-acre island would be armored with concrete blocks and steel sheetpile, using proven technology to protect it from ice pressure and storm surges. The island would be similar to the four oil and gas producing islands currently in operation in state waters of the Beaufort Sea – Spy Island, Northstar Island, Endicott Island, and Oooguruk Island. The island will be used for wells, production facilities, a camp, utilities, and a dedicated area for a relief-well. To minimize its environmental footprint, no permanent road or causeway would connect it to the mainland.

Oil would be transported to shore via a subsea pipeline, then through a newly constructed 1.5-mile onshore pipeline connecting to the Badami pipeline and eventually to the trans-Alaska pipeline. The subsea pipeline would be a pipe-within-a-pipe with a 12-inch diameter inner pipe and a 16-inch diameter outer pipeline similar to installations at the offshore Oooguruk and Nikaitchuq fields. The marine segment would be 5.6 miles in length, installed during winter and buried deeply in the subsea floor, safe from ice.

The rigorous multi-year permitting process for Liberty has addressed concerns raised during previous comment periods. Approximately 60 federal, state, and local permits and authorizations are required before the project can move forward. The latest DEIS at 1,270 pages is the result of decades of study and research.

Hilcorp has majority ownership in Liberty with BP Exploration (Alaska) Inc., and AEX ASRC Exploration as partners. Hilcorp would be the operator.

The comment period is now underway and a series of public hearings will be held. The comment deadline is Saturday, November 18. For additional information: boem.gov/hilcorp-liberty/

Action Requested:

Please submit comments urging BOEM to approve the Proposed Action in the DEIS and allow the Liberty project to move forward. In addition, please present brief testimony at one of the upcoming public hearings supporting the project.

Public Hearings: All times 7:00-10:00 PM

Nuiqsut:	Oct. 2 nd	Kisik Community Center	Utqiagvik:	Oct. 5 th	Inupiat Heritage Center
Fairbanks	Oct. 3 rd	Westmark Hotel	Anchorage:	Oct. 10 th	Dena'ina Center
Kaktovik	Oct. 4 th	Kaktovik Community Center			

Submit written comments:

Online: boem.gov/hilcorp-liberty/ or Post to regulations.gov

Search field: BOEM-2015-0068

Points to consider in your comments:

- BOEM should approve the Proposed Action in the DEIS and allow the Liberty project to move forward. Liberty is an important project for Alaska as it will produce an estimated 60,000 to 70,000 barrels of oil per day, creating hundreds of new jobs, and providing royalty payments to the State of Alaska, as well as tax revenue to the North Slope Borough.
- Alaska's economic lifeline, TAPS, is now running at three-quarters empty. Liberty will increase TAPS throughput, helping to keep it operating longer and more efficiently.
- State and local spending of taxes and royalties paid by the oil and gas industry directly creates jobs in the public sector and indirectly creates jobs throughout the private sector. The project would generate significant long-term business and economic activity. For each direct oil industry job, 20 additional jobs are generated in the Alaska economy.
- The Liberty production island will be well-protected from the polar ice pack, sheltered by a belt of offshore barrier islands.
- The Liberty project builds upon more than 30 years of proven technology and safe operation in the shallow waters of the Beaufort Sea. Artificial islands in the Beaufort Sea date back to the mid-1970s. In the last 40 years, 18 islands have been responsibly constructed for exploration and development of oil and gas.
- The offshore Liberty pipeline will be buried in the subsea floor. It will include automatic leak detection and temperature-monitoring technology, proven technology utilized on existing production islands in the region.
- The rigorous multi-year permitting process for Liberty has addressed the concerns that were raised during the previous comment period. Approximately 60 federal, state, and local permits and authorizations are required before the project can move forward.
- Hilcorp has committed to signing a Conflict Avoidance Agreement with local whaling groups to engage with the whalers to protect subsistence activities.

Deadline Saturday, November 18, 2017

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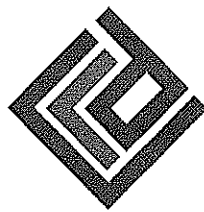
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Chad Steadman
Phil Steyer
John Sturgeon
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Governor Bill Walker



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

September 27, 2017

The Honorable Scott Pruitt, Administrator
U.S. Environmental Protection Agency
Office of the Administrator: Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Via www.regulations.gov

Re: Environmental Protection Agency and Army Corps of Engineers proposal to rescind the "Water of the United States" Definition, Docket No. EPA-HQ-OW-2017-0203

Dear Administrator Pruitt:

The Resource Development Council for Alaska, Inc. writes to comment on the U.S. Environmental Protection Agency's (EPA) and U.S. Army Corps of Engineers (Corps) proposed rule to redefine the "Waters of the United States" (WOTUS), Recodification of Pre-existing Rules, Docket No. EPA-HQ-OW-2017-0203.

RDC is an Alaskan business association comprised of individuals and companies from Alaska's oil and gas, mining, forest products, tourism and fisheries industries. RDC's membership includes Alaska Native Corporations, local communities, organized labor, and industry support firms. RDC's purpose is to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

RDC supports the proposal to rescind the Clean Water Rule: Definition of "Waters of the United States," 80 Fed. Reg. 37,054 (June 29, 2015), and codify the status quo that is now being implemented under the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 Rule. The 2015 Rule, if implemented, would inhibit job creation and economic investment and growth, subject resource development operations to undue permitting delays and expenses, unlawfully expand federal jurisdiction over land and waterways, and create further regulatory confusion and financial risks for Alaska's resource development industries.

RDC submitted comments on the Proposed Rule November 14, 2014, and at that time stated that the agencies had introduced a rule that radically defined the definition of a "Water of the United States" much further than what is statutorily authorized. Additionally, our letter explains the significant negative impacts the 2015 Rule would have on Alaska, and RDC's membership. A copy of the 2014 letter is attached.

The definition of WOTUS is of utmost importance to RDC and its membership. As Alaska is a resource development state, and with more wetlands than all other states combined, and more coastline than the contiguous 48 states, Alaska is uniquely vulnerable when it comes to EPA regulations.

Under the 2015 Rule, the obscure and poorly defined changes and significant expansion of the Clean Water Act jurisdiction in 2015 could result in conflict with other Federal regulations, such as 43 C.F.R. 3809 reclamation regulations, and will undoubtedly result in significant delay and additional cost burden in permitting – which is not aligned with this Administration's priorities.

The Alaskan economy is dependent on natural resource development, therefore it is vital to have predictable and efficient federal and state permitting processes that are based on sound science. Article VIII, Section I of the Alaska Constitution mandates "the settlement of Alaska's land and the development of its resources by making them available for maximum use consistent with the public interest," to encourage economic prosperity for Alaska's peoples. RDC is concerned the 2015 rule will impact the ability of its membership to responsibly develop Alaska's natural resources.

One major concern lies in the lack of clarity throughout the document. Definitions of numerous key terms and concepts, like waters, floodplain, wetlands, subsurface connection, adjacent, ordinary high water mark, dry land, and significant nexus., etc. are ambiguous and unclear. Without explicit definition of all technical and enforceable terms, we are left with an unpredictable and confusing rule.

Moreover, by allowing for jurisdiction over remote, isolated features, ephemeral washes and on-site water management features, the 2015 Rule improperly reads the word "navigable" out of the statute and implicates significant constitutional concerns about the appropriate scope of federal authority. Furthermore, nothing in the record created during the 2015 rulemaking process dictated the adoption of such a sweeping definition of "Waters of the United States."

To immediately address these concerns, RDC supports rescinding the 2015 Rule and urges the EPA and Corps to recodify the regulations in place immediately prior so that the Code of Federal Regulations accurately reflects the applicable regulations. Since the Sixth Circuit's October 2015 issuance of a nationwide stay, the agencies have been currently implementing the regulations defining WOTUS that were in effect immediately before the 2015 Rule. The proposed action would simply continue that practice and recodify the status quo that has been in place for decades.

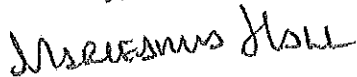
In regards to wetlands policy, RDC members across Alaska's natural resource sectors have serious concerns regarding the requirement of compensatory mitigation for development projects in the state.

A "no net loss" of wetlands policy designed for the Lower 48 states is not practicable or realistic in Alaska due to the limited availability of sites or technical/logistical limitations. The Corps needs a policy that is unique to Alaska and recognizes the reality of the Alaska environment – a state with little or no opportunities for compensatory mitigation.

RDC urges the EPA and Corps to improve and clarify the proposed rule to avoid litigation and unintended consequences. In an effort to provide a better understanding of the potential impacts to Alaska, RDC appreciates continued communications and opportunities to comment on the proposed rule, and we are grateful for the additional time afforded for us to fully understand and formally comment on the proposed rule.

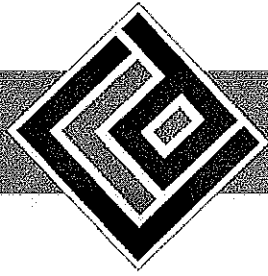
Thank you for the opportunity to provides comments on the proposal to withdraw the poorly promulgated 2015 rule. RDC looks forward to working with the EPA as a rulemaking is developed that articulates the extent of the CWA authority while providing regulatory clarity for important projects across Alaska.

Sincerely,

A handwritten signature in black ink that reads "Marleanna Hall". The signature is written in a cursive, slightly slanted style.

Marleanna Hall
Executive Director

cc: U.S. Senator Lisa Murkowski
U.S. Senator Dan Sullivan
Congressman Don Young
Governor Bill Walker



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

November 14, 2014

Water Docket
Environmental Protection Agency
Mail Code 2822T
1200 Pennsylvania Avenue NW.
Washington, D C 20460

Re: Attention: Docket ID No. EPA-HQ-OW-2011-0880

Via regulations.gov

To Whom It May Concern:

The Resource Development Council for Alaska, Inc. (RDC) is writing to comment on the U.S. Environmental Protection Agency's (EPA) and the U.S. Army Corps of Engineers (Corps) proposed rule defining the scope of waters protected under the Clean Water Act (CWA).

RDC is an Alaskan business association comprised of individuals and companies from Alaska's oil and gas, mining, forest products, tourism and fisheries industries. RDC's membership includes Alaska Native Corporations, local communities, organized labor, and industry support firms. RDC's purpose is to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

RDC urges the EPA and Corps to withdraw the proposed rule for "water of the United States." (WOTUS), and halt efforts to further expand the EPA's jurisdiction of areas in Alaska and across the United States. RDC has many concerns regarding the proposed rule, including many Alaska-specific issues, as well as broader concerns at the national level.

As the CWA triggers the onerous permitting process for areas in Alaska considered "waters of the U.S.," RDC is further concerned the broad expansion that will likely result from this proposed rule will devastate the Alaskan economy.

The expense and uncertainty in the process for obtaining a permit under the CWA discourages investment in Alaska, a place where the cost of doing business is already high and the extreme weather conditions often delay or impact projects. The proposed rule would significantly expand the scope of navigable waters subject to Clean Water Act jurisdiction by regulating small and remote waters – many of which are in Alaska.

The proposal is too fluid, and asserts federal control over waters that were under jurisdiction of Alaska and each individual state. Ultimately, WOTUS includes wetlands, creeks, ponds, lakes, sloughs, and other wet areas. More resource and community

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development projects will be subject to additional lengthy and expensive federal permitting, likely without added benefit to the environment.

Background

Alaska contains approximately 174 million acres of wetlands¹ (65% of the nation's total), with nearly 80% of the state underlain in permafrost. RDC is concerned about the potential vast consequences the proposed rule to define "waters of the United States" will have because of the immense wetlands and permafrost.

Alaska has 63% of the nation's jurisdictional waters and is one-fifth of the U.S. land mass, yet EPA's analysis for the definition of WOTUS rule making did not include adequate analysis of Alaska. RDC is further concerned the rule will result in disproportionate impacts to Alaska, and the agencies should address the flawed economic analysis described in the rule. RDC's members, from oil and gas, to maritime, Alaska Native corporations, and rural communities, will be unreasonably burdened by this proposed rule. Alaska and other states should have the authority to develop land use practices and protections, not the federal government.

Clarifications and definitions

The following is an example of areas in the proposed rule where further clarity is necessary, as well as defined examples for terms:

- The rule introduces terms such as "tributary," "riparian area," and "flood plain" and then defines these terms extremely broadly, likely inferring large amounts of intrastate land and waters are always within the agencies' authority.
- The technical definition of permafrost as "soil and/or rock that has remained below 32°F for more than two years, regardless if significant amounts of ice exist or not" will likely cause confusion for Alaska when considering how EPA and the Corps use it to define WOTUS.
- The definition of a "significant nexus" remains unclear, and should have a specific definition applicable to the distinct characteristics in Alaska. Additionally, "floodplain" and "adjacent waters" should be clearly defined, as a "floodplain" could encompass all of the North Slope.
- The rule should offer clarity on ditches and trenches, as well as snowpack, artificial ponds, and ephemeral streams.
- In regards to "permafrost," as the larger part of Alaska is considered permafrost, clarify if the inclusion of permafrost would then put even more of Alaska under the CWA permitting regime.
- Whether or not the rule would make industrial ditches into "tributaries," where maintenance activities in ditches and other "tributaries" would trigger costly dredge and fill permits.

Equally important is the inclusion and use of the best available science, as well as research that includes temperate regions and is reflective of connections in an arctic environment.

Instead of allowing the science to be developed, peer-reviewed, and released for public review, the EPA compiled a Draft Report on the Connectivity of Waters while developing this proposed rule. The draft scientific report was released for public comment at the same time the EPA released the rule to the Office of Management and Budget for inter-agency review. The Science Advisory Board had not finished its peer review, and the public already began commenting.

¹ Source: http://water.epa.gov/grants_funding/wetlands/facts/upload/alaska.pdf

Existing permits and regulations

The EPA and Corps should evaluate the potential impacts approval of the proposed rule will have on existing permits and permit stipulations. The evaluation should be published with potential opportunities for mitigation.

Given Alaska's unique conditions, any revised or new guidance provided by the Corps should include regional guidance with examples or case studies. Development of regional guidance should include broad participation in the process from the regulated and regulatory communities. Likewise, the revised form the Corps and EPA are developing for field regulators for documenting the assertion or delineation of CWA jurisdiction should be specific to Alaska. Development of both national and regional forms should be a public process, open to review and comment.

Agency guidance should recognize Alaska's unique circumstances. While scarcity is an overriding concern elsewhere in the nation, the sheer abundance of wetlands in Alaska is an important element to take into consideration. Further, Alaska is a state with substantial, remote wetlands. Often there are challenges associated with identifying a nexus to traditional navigable waters, especially in ice-rich regions. The limited field season and the lack of understanding of functions for some types of Alaskan wetlands are two other challenging elements that should be recognized.

Additionally, the proposed rule creates more confusion. It does not streamline the process, or provide permitting clarity.

State jurisdiction

The State of Alaska should continue to have existing jurisdiction of waters without a new, additional level of bureaucracy such as this proposed rule.

In the CWA, Congress granted the Corps and the EPA jurisdiction over "navigable waters," defined in the Act as "waters of the United States" without further clarification. The Act grants that all waters not regulated by the federal government fall under the jurisdiction of state and local governments for protection.

Maps prepared by the EPA show that the rule will expand federal jurisdiction over waters from 3.5 million river and stream miles to well over eight million river and stream miles, much of which is in Alaska.

Cost of permitting to public and private sectors

According to the Waters Advocacy Coalition, private and public sectors spend \$1.7 billion a year to obtain Section 404 permits. The timeline to obtain a 404 permit through the Corps takes an estimated 788 days, with an average cost of over \$271,000, excluding additional expenses such as mitigation.

Expanding jurisdiction will cause delays and increase construction costs. Expanding federal authority over water and land use will increase the number of projects required to obtain a federal clean water act permit. The expanded federal permitting process will slow economic growth by increasing the cost of and delay necessary improvements to the public and private infrastructure that forms the foundation of our nation's economy, such as: highways, bridges, airports, schools, and drinking and waste water facilities.

In addition to increased permitting costs, the cost of implementing expansion of the 404 section will unnecessarily increase the federal government budget.

Impacts to future infrastructure, rural Alaska

Alaska, being a relatively young state with vast lands and few inhabitants, is mostly undeveloped. Alaska lacks critical infrastructure for community and resource development. RDC is concerned the proposed rule will further impact projects, given most of Alaska's non-mountainous lands are or would be considered wetlands.

Rural Alaska, which has a vital need for improved infrastructure and projects, such as roadways, power lines, and pipelines, will have to obtain additional permits and be under greater, yet unnecessary scrutiny in order to be approved. RDC notes the impact will disproportionately affect rural Alaska, and in particular, Alaska Natives.

Furthermore, much of Alaska's lands are already owned by the government, with less than one percent in conventional private ownership. As a large percent of wetlands is under public management, it's likely not to be available for development nor for compensatory mitigation.

Under the proposal, even if a project can get a permit, businesses will likely have to agree to costly restoration and/or mitigation projects. Moreover, the proposal does little or nothing to actually improve water quality. Instead, it gives EPA and the Corps virtually limitless authority to control community and development projects, especially in Alaska. This proposed rule is seriously legally flawed and again, RDC urges EPA and the Corps to withdraw it.

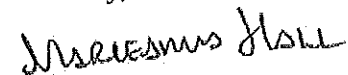
Conclusion

In addition to the concerns listed in this letter, RDC urges you to consider and address the comments of the Waters Advocacy Coalition, National Mining Association, American Exploration and Mining Association, the Energy Producing States Coalition, and the U.S. Chamber of Commerce. These organizations have submitted extensive technical comments detailing issues with legality, clarification, and implementation, and RDC urges you to consider their recommendations.

If ultimately necessary, and to develop a balanced rule to continue to protect wetlands, RDC urges the EPA and Corps to meet with Alaskans and stakeholders in other states. These groups can help the EPA and Corps better understand what is already in place and effectively working in each state, while protecting the livelihood of Americans. It is in the best interest of all Alaskans to protect the lands and waters within Alaska's borders.

RDC urges the EPA and Corps to improve and clarify the proposed rule to avoid litigation and unintended consequences. In an effort to provide a better understanding of the potential impacts to Alaska, RDC appreciates continued communications and opportunities to comment on the proposed rule.

Sincerely,


Marleanna Hall
Projects Coordinator



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Featured speakers include:

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- **Dan Robinson**, Chief – Research and Analysis Division Alaska Department of Labor and Workforce Development
- **Lea Souliotis**, Global Wells Purchasing Supply Chain Manager Alaska, BP
- **Lisa Bruner**, Vice President, North Slope Operations & Development, ConocoPhillips
- **Dr. Pearl Brower**, President, Iisagvik College

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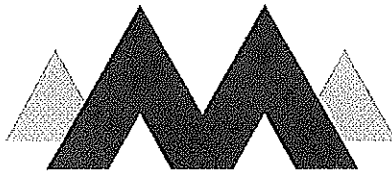
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2017 AMA Core Shack Exhibit

Tuesday and Wednesday, November 7-8, 2017

Call for Exhibitors

Industry professionals interested in displaying core and results from mineral exploration and development projects are invited to present at the Core Shack Exhibit at the Fall 2017 AMA Convention in Anchorage.

The Core Shack provides a showcase for participants of projects that are generating meaningful new results, or have not participated in AMA's core shack before, to show off their core and discuss results with interested attendees. In addition, reactivated mines, extensions, or satellite to existing operations are encouraged participants, particularly where new results are generating interest in future development potential of the project. Hand samples, maps, charts, and other technical information are also welcome.

The Core Shack event will run for two days from Tuesday November 7th, to Wednesday, November 8th, on the first floor in the main exhibition hall. Since this event is relatively new for AMA, participation is heavily incentivized through the offer of a complimentary exhibit space and complimentary conference registration for the lead exhibitor. Please support your Alaska Miners Association by participating in and helping us grow the Core Shack.

If you are interested in presenting at the Core Shack please provide contact names, affiliation, contact information, and the name of the deposit or prospect to Varina Zinno (vzinno@millrockresources.com) and Traci Hartz (thartz@millrockresources.com) by October 6th, although earlier submittals are encouraged and will facilitate planning. Further details included abstract specifications will be distributed to confirmed exhibitors. The abstract deadline is October 13, 2017.

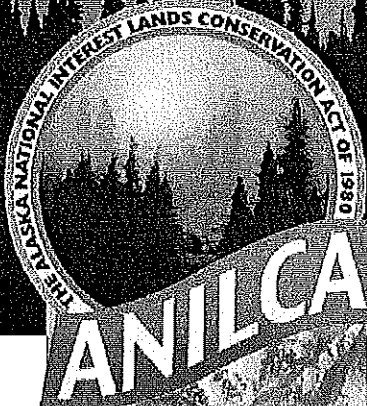
Sincerely,

Varina Zinno, M.Sc.
Exploration Geologist
Anchorage, Alaska

Anyone who wants to understand Alaska's future must understand ANILCA. The Alaska National Interest Lands Conservation Act.

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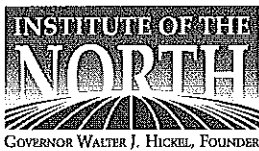


What is ANILCA?

Through ANILCA, Congress designated 104 million acres of new national parklands, wildlife refuges, and other conservation lands in Alaska, for a total of 139 million acres (more than one third of the state). Congress balanced the unprecedented scale of these designations with similarly unprecedented accommodations for Alaskans' way of life and reliance on a resource-based economy.

ANILCA Training Includes

- Summary of Alaska's land history from Territorial days to present
- Context of ANILCA's passage – including
 - major constituents
 - issues of the day
 - the Great Compromise
- Overview of ANILCA statutory provisions
- Key access provisions of ANILCA, including access for traditional activities, subsistence, inholdings, and transportation & utility systems
- Subsistence on federal lands
- Wilderness reviews and management
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- Case studies



Presented by
Institute of the North
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www.institutenorth.org



SPONSOR This course is offered in partnership with the US Department of the Interior University (DOIU), building on a curriculum developed in 2004 with an appropriation from Congress – and now substantially improved to meet contemporary needs.



ANILCA Training Objectives

Seek a greater understanding of this sweeping legislation and its influence on conservation policy, business opportunities, Alaska residents' way of life, resource development, and public land management in Alaska.

Understanding ANILCA assists both federal managers and non-federal stakeholders in finding implementation solutions that continue to balance conservation and Alaska's unique circumstances. Participation by multiple agencies and non-federal stakeholders enriches the learning experience.

Recommended for

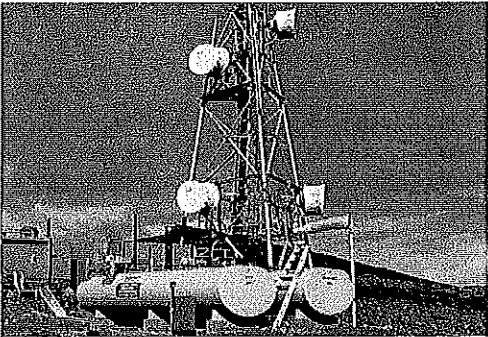
Federal agencies with ANILCA implementation responsibilities, state and local land and resource managers, Native corporations, rural residents and inholders, as well as community leaders, policy makers, consultants, the academic community and the interested public.

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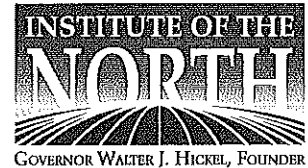
Cost

\$575 tuition includes two days of instruction, copy of ANILCA & Amendments; presentation documents; "Alaska in Maps - A Thematic Atlas"; and a portable USB drive with relevant laws, regulations and other supporting documents.



The Institute of the North

Founded by Governor Walter J. Hickel, the Institute of the North's mission is to inform public policy and cultivate an engaged citizenry.



The Institute of the North works to increase knowledge of northern issues at local, national, and global levels and to strengthen Alaskans' voices in northern decision-making.



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ANILCA Trainings are typically held in Anchorage at the Campbell Creek Science Center each Spring and Fall. Upcoming dates include:

- November 7-8, 2017
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2018 Alaska Ocean Leadership Awards

Walter J. & Ermalee Hickel's Lifetime Achievement Award

\$500 cash prize

Sponsored by: Governor Walter J. and Ermalee Hickel

Awarded to an individual or institution that has made an exceptional contribution to management of Alaska's coastal and ocean resources over a period of 20 or more years.

2010 Recipient: Senator Ted Stevens and Dr. Vera Alexander

2011 Recipient: Dr. Clarence Pautzke

2012 Recipient: Caleb Pungowiyi

2013 Recipient: Clement V. Tillion

2014 Recipient: Stan Stephens

2015 Recipient: Al Burch

2016 Recipient: Captain Ed Page

2017 Recipient: Dorothy Childers

Stewardship and Sustainability Award

Sponsored by: Jason Brune

Awarded to an industry initiative that demonstrates the highest commitment to sustainability of ocean resources.

2010 Recipient: The Marine Conservation Alliance

2011 Recipient: Shell Alaska Venture

2012 Recipient: North Pacific Fishery Management Council

2013 Recipient: Holland America Line

2014 Recipient: Pollock Conservation Cooperative Research Center

2015 Recipient: Alyeska Pipeline's Vessel of Opportunity Program

2016 Recipient: SeaShare

2017 Recipient: ConocoPhillips

Marine Research Award

\$500 cash prize

Sponsored by: Drs. Clarence Pautzke and Maureen McCrae

Awarded to a scientist, team of scientists or an institution that is acknowledged by peers to have made an original breakthrough contribution or a career spanning achievement in any field of scientific knowledge about Alaska's oceans.

2010 Recipient: Dr. Gordon Kruse

2011 Recipient: Dr. Jeremy Mathis

2012 Recipient: Jan Straley

2013 Recipient: Drs. Katrin Ilken, Brenda Konar,
Russ Hopcroft and Bodhil Bluhm

2014 Recipient: Dr. Tom Weingartner

2015 Recipient: Drs. Jacqueline Grebmeier and Lee Cooper

2016 Recipient: Gunnar Knapp

2017 Recipient: Dr. Stanley "Jeep" Rice

Marine Science Outreach Award

(Formerly Ocean Literacy and Ocean Media Awards)

\$500 cash prize

Sponsored by: Alaska Ocean Observing System

Awarded to a person, team or organization that has made an outstanding contribution to ocean literacy via formal or informal education, media or other communications about Alaska's marine ecosystems.

Ocean Literacy

2010 Recipient: Kenai Fjords Tours Marine Science Explorer Program

2011 Recipient: Elizabeth Trowbridge - CACS

2012 Recipient: Kurt Byers & Sea Grant Staff

2013 Recipient: Bonita Nelson

Ocean Media

2010 Recipient: Elizabeth Arnold

2011 Recipient: Marine Conservation Alliance

2012 Recipient: Deborah Mercy

2013 Recipient: Thomas Litwin and Lawrence Hott

Marine Science Outreach

2014 Recipient: Laurie "Poppy" Benson

2015 Recipient: Benjamin Carney

2016 Recipient: Susan Saupe

2017 Recipient: Phyllis Shoemaker

Hoffman-Greene Ocean Youth Award

\$500 cash prize

Sponsored by: Dale Hoffman

Awarded to an individual or team of Alaskan youth ages 12-19 who has displayed a dedication to promoting the understanding and stewardship of Alaska's oceans.

2013 Recipient: Ahmaogak Sweeney

2014 Recipient: Pribilof Student Marine Research Student Team

2015 Recipient: Alisa Aist

2016 Recipient: Sofia Astaburuaga Larenas

2017 Recipient: Cade Emory Terada

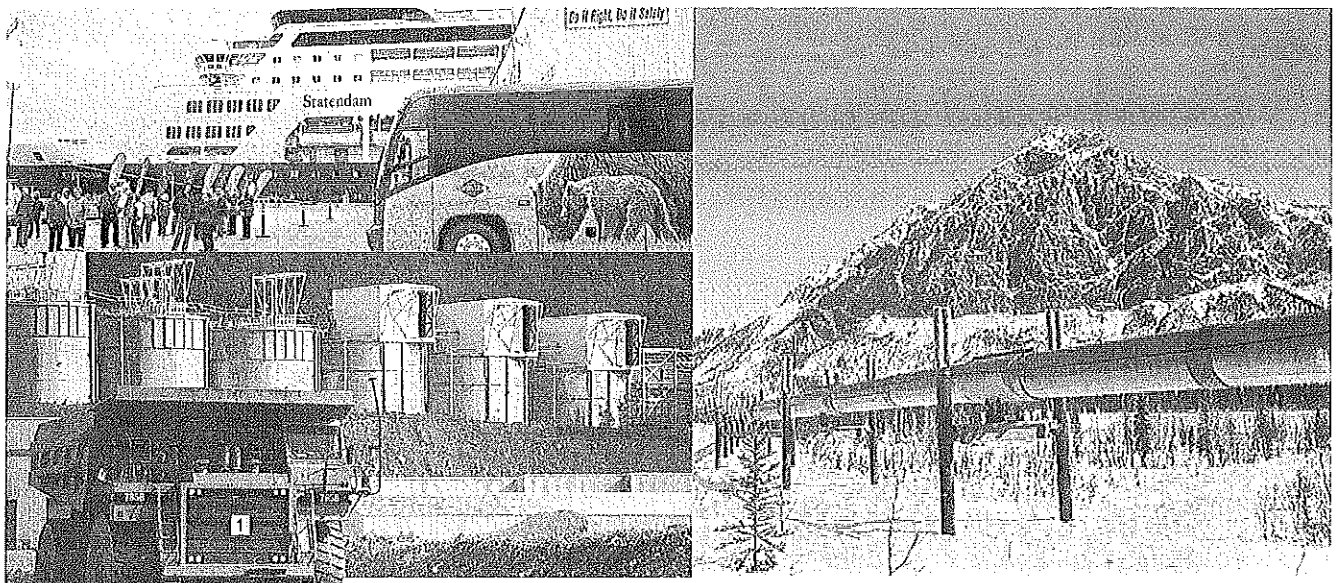
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Ocean Ambassador Award

The Ocean Ambassador Award was created to recognize an individual or organization that has made outstanding contributions in promoting public awareness and appreciation of Alaska's oceans, coasts, and marine ecosystems.

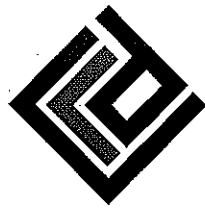
2015 Recipient: Ray Troll

2016 Recipient: Arliss Sturgulewski



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Black Gold Express
Builders Choice
CH2M
Cook Inlet Region, Inc.
Donlin Gold LLC
Dowland Bach
Equipment Source Inc.
Fairweather, LLC
First National Bank Alaska
Judy Patrick Photography
Lynden
Marsh and McLennan Agency LLC
Morris Engineering Group, LLC
NANA WorleyParsons
Northern Economics, Inc
Northern Industrial Training
Northrim Bank
North Star Terminal & Stevedore Co LLC
Petroleum News
PistenBully / PowerBully Kassbohrer ATVs
Quantum Spatial, Inc.
ROTAK Helicopter Services
Security Aviation
SGS North America Inc
Shoreside Petroleum
Sophie Station Suites
Spenard Builders Supply
Stellar Designs
Surveyors Exchange
TEMSCO
TerraSond Limited
UAF-Rural Alaska Honors Institute (RAHI)
UIC Oil & Gas Support Services
Valley General Energy Services
Waste Management