

Ms. Eddie Bernice Johnson, Ranking Member
Committee on Science, Space & Technology
“Examining EPA’s Predetermined Efforts to Block the Pebble Mine”
Thursday, November 5, 2015, 9 a.m.

Thank you Mr. Chairman.

Despite what I fear may be attempts to obscure the facts at today’s hearing, the issue surrounding the proposed Pebble Mine in Bristol Bay is a simple one. Namely, the people of Alaska, including the native Alaskan tribes, the commercial fisherman who make their living off of the abundant salmon fisheries in Bristol Bay, and everyone else who cares about the environment and protecting the natural beauty of this land want to be confident that the proposed Pebble Mine would not do irreparable damage.

That is why the EPA was asked to assess the potential environmental dangers of placing one of the largest open pit copper and gold mines in the world in the midst of one of the largest and most pristine watersheds in our country.

I fully believe that some environmental groups and some EPA officials thought that building a large metal mine in Bristol Bay may have been a bad idea from the start. Many people did. The Majority, though, has declared in the title of today’s hearing that those misgivings were “predetermined efforts to block the Pebble Mine.” They were not. Indeed, instead of acting precipitously on the logical, common sense concern that the Pebble Mine was the wrong mine in the wrong place, EPA officials took years to conduct a thorough, scientifically valid and peer-reviewed analysis of the environmental impacts of the proposed Pebble Mine on the Bristol Bay Watershed.

EPA could have used their authority under the Clean Water Act’s 404(c) process to prevent the proposed Pebble Mine from moving forward years ago, but they did not. For the past decade, no one has prevented the Pebble Partnership from filing a permit to place a mine in Bristol Bay, but to date the Partnership has not. Because of this long delay, and based on EPA’s lengthy scientific analysis, the agency finally decided to act and initiated the 404(c) process last year.

Despite the Majority’s misleading interpretation of this process, the EPA *does* have the authority to act pre-emptively to deny the building of the Pebble Mine even though the Pebble Partnership has failed to date to apply for a permit. Indeed, in 1988 the EPA under President Reagan acted pre-emptively to help protect Florida’s Everglades.

In addition, some in the Majority want the public to believe that the EPA has engaged in secretive meetings with environmental organizations, and that five years ago certain EPA officials came up with a sinister plan to block construction of the Pebble Mine. I suspect they

will present e-mails at today's hearing from environmental groups and EPA officials in an attempt to paint a picture of some sort of illicit or inappropriate activity between them.

The notion that EPA officials should now be wary of communicating with environmentalists or others defies logic, but I believe this is the intent of some who oppose EPA's actions. , That is why I find it so disturbing that in a court case they filed against the EPA related to their proposed Bristol Bay mine, the Pebble Partnership has subpoenaed or sought to subpoena the records of 72 third party individuals and organizations. Let me repeat—72 separate third parties. These are not EPA officials, but rather anyone who has voiced concerns about the proposed Pebble Mine in Bristol Bay.

The list includes the Universities of Alaska, Washington, and Oregon State; Tiffany & Company jewelers; their former business investor Rio Tinto; the American Fisheries Society; and Pew Charitable Trusts to name just a few.

It is also disheartening to me that today's hearing is largely a platform for the Pebble Partnership to air their grievances with the EPA. Three of today's four witnesses either work for Pebble or have been paid by Pebble to issue a quote – "independent" report regarding EPA's actions concerning the proposed Pebble Mine.

That is why I am so appreciative of our witness, Mr. Rick Halford, who travelled to this hearing from Bristol Bay, Alaska where he has lived for 50 years. Mr. Halford was a Member of the Alaska Legislature for 25 years and served as the Republican Senate President and Majority Leader.

He is a commercial pilot, fishing and hunting guide, and is married to a native Alaskan. He has not always supported the EPA in the past, but he believes strongly in their efforts and presence in Bristol Bay today. I am glad we have one voice in the room that represents the interests of Alaskans and not just the Pebble Partnership. Mr. Halford, welcome. I look forward to hearing your testimony.

Thank you Mr. Chairman. I yield back.