



Council of  
**Alaska Producers**

**Comments on the Revised Bristol Bay Assessment  
Docket #EPA-HQ-ORD-2013-0189**

May 29, 2013

Office of Environmental Information (Mail Code: 28221T)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

Also by email to [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov)

To Whom It May Concern:

The Council of Alaska Producers (CAP) continues to have significant concerns with the Environmental Protection Agency's revised Bristol Bay Assessment.

CAP is a non-profit trade association formed in 1992 and serves as a spokesperson for the large metal mines and major metal developmental projects in the state. Bringing together mining companies with interest in Alaska, the Council represents and informs members on legislative and regulatory issues, supports and advances the mining industry, educates members, the media, and the general public on mining related issues, and promotes economic opportunity and environmentally sound mining practices.

This letter is in addition to letters CAP submitted on May 11, 2012 and July 23, 2012, as well as oral testimony, expressing concerns regarding the EPA's draft assessment and the possibility that the EPA could preemptively use its Section 404(c) authority under the Clean Water Act to prohibit large mine development in the region without due consideration of any permit applications.

The Council strongly believes that development of our natural resources should be accomplished through a permitting and regulatory framework that is rigorous, science based, transparent, and predictable. This means allowing permits to be filed, evaluating a specific plan of operation, providing opportunities for public input and involvement, measuring impacts, and assessing options for mitigation and protection.

The mine scenarios in the revised Bristol Bay assessment could not be permitted under existing state or federal law. It is inherently flawed to draw conclusions about the impact of a hypothetical mine that does not fully incorporate modern mining technology, environmental mitigation strategies, and current state regulatory requirements. These issues were raised during the initial public comment period and by the peer review panel, but the EPA has not adequately addressed these concerns in the revised assessment.

For any development in the Bristol Bay watershed, we urge the EPA to wait until permit applications are filed and an environmental impact statement is completed so a specific plan of operations can be fully and responsibly assessed. Preemptive decisions without respect for due process create uncertainty, discouraging investment and economic development. This makes us less economically competitive as a state and as a nation.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Matthias". The signature is fluid and cursive, with a large initial "K" and a long, sweeping tail.

Karen Matthias  
Managing Consultant