

## Chapter 7 Compliance with Environmental Laws and Executive Orders

---

In its role as lead federal agency for the Pogo Mine Environmental Impact Statement (EIS), the U.S. Environmental Protection Agency (EPA) is required to demonstrate compliance with certain environmental laws and executive orders (EOs). The purpose of this chapter is to demonstrate how EPA has so complied.

Each specific act or EO is addressed below. The discussion cites the implementing regulations or policies, presents a brief summary of the applicability of the act or EO, and describes how the Pogo Mine EIS process has complied with it.

### 7.1 Clean Air Act

*Air Quality Act of 1967 (42 United States Code [USC] 7401 et seq.), as amended in 1970 (Clean Air Act)*

Four sections of the Clean Air Act must be considered by EPA during the EIS process.

#### General Conformity

**Regulations** 40 Code of Federal Regulations (CFR) Parts 6, 51, and 93

##### Applicability

General Conformity, as outlined in Section 176, applies to all federal activities other than those by the Federal Highway Administration (FHWA) and the Federal Transit Administration, in nonattainment and maintenance areas. The purpose of General Conformity is to ensure that any federal action does not cause or contribute to any violation of a National Ambient Air Quality Standard (NAAQS).

##### Pogo EIS Compliance

Not applicable because the project is not located in a nonattainment or maintenance area.

#### Transportation Conformity

**Regulations** 40 CFR Part 93

##### Applicability

Transportation Conformity requires EPA and the U.S. Department of Transportation (USDOT), along with local governmental agencies, to integrate air quality planning with transportation planning in areas of nonattainment or maintenance.

##### Pogo EIS Compliance

Not applicable because the project is not located in a nonattainment or maintenance area.



## **Air Toxics**

**Regulations**      **40 CFR Parts 61 and 63**

### **Applicability**

Section 112 requires that emissions standards be developed for hazardous air pollutants. These standards are entitled National Emissions Standards for Hazardous Air Pollutants. One hundred eighty-nine toxic air pollutants were listed to be reduced. Major sources and area sources also were listed to be regulated by source category. However, Section 112 only applies to federal actions that emit pollutants in a designated source category. In addition, the source must be categorized as a major source of emissions.

### **Pogo EIS compliance**

Not applicable because the project would not be a major source of toxic air pollutants.

## **Prevention of Significant Deterioration**

**Regulations**      **40 CFR §52.21 and §51.166**

### **Applicability**

Prevention of Significant Deterioration (PSD) was created to manage industrial growth in NAAQS attainment areas to prevent degradation of air quality. PSD programs are usually implemented by the states, and state programs must be approved by the EPA as meeting minimal requirements. Three major criteria determine whether PSD requirements apply to a project. First, the project must be defined as a major source. Second, whether the source is or would be located in a PSD area must be defined. Third, whether a regulated pollutant would be emitted must be identified.

### **Pogo EIS Compliance**

While the Pogo project would emit regulated pollutants and is in a PSD area, it is not defined as a major source. The Alaska Department of Environmental Conservation (ADEC) has determined that a PSD permit would not be required.

## **7.2 Clean Water Act (CWA)**

### ***Water Pollution Control Act of 1972, as amended in 1977 (Clean Water Act)***

Two sections of the Clean Water Act must be considered by EPA during the EIS process.

## **Wetlands Protection (Section 404)**

**Regulations**      **40 CFR Parts 230 and 231 and 45 CFR 85344**

### **Applicability**

Section 404 of the CWA was written to minimize impacts to waters of the United States (including wetlands) by regulating the discharge of dredged and/or fill material. This section provides authorities to both the EPA and the COE as regulatory agencies. The COE issues permits authorizing the discharge of dredged and fill material according to the Section 404(b)(1) guidelines established by the EPA. The COE cannot issue a

Section 404 permit unless it has been confirmed that a project is in compliance with these guidelines. As the lead agency, EPA must provide a discussion of how the proposed project complies with Section 404(b)(1) guidelines. Permits to discharge dredged or fill material may only be issued if the Applicant has demonstrated to the maximum extent practicable: the avoidance of wetland impacts, the minimization of potential impacts, and if determined necessary, compensatory mitigation as appropriate for any unavoidable impacts.

### **Pogo EIS Compliance**

Both EPA, as lead federal agency for the Pogo Mine EIS, and the COE, as a cooperating agency, will ensure that the proposed permitted action would be in compliance with the CWA Section 404(b)(1) guidelines. The permit will be denied if the discharge would not comply with the guidelines. The mechanism to ensure compliance will be the Section 404 application and review process, which will require adherence to the Section 404(b)(1) guidelines before a permit would be issued. The COE evaluation criteria and procedures (including the public notice) are outlined in Appendix B of this final EIS. Chapter 3 of this document describes the baseline wetland conditions in the proposed project area, and Chapter 4 contains specific acreages for wetlands that would be disturbed for each alternative.

## **National Pollutant Elimination Discharge System (Section 402)**

**Regulations**      **40 CFR Parts 122, 123, 124, 125, and 440**

### **Applicability**

Section 402 establishes the National Pollutant Discharge Elimination System (NPDES) permit program that regulates the discharge of pollutants from point sources into waters of the United States. To obtain an NPDES permit, a new gold mining project like the Pogo project must comply with EPA's New Source Performance Standards (NSPS), which can be found at 40 CFR 440.104. NSPS for the ore mining and dressing point source category require adherence to technology-based effluent limits for several metals, pH, and total suspended solids. An NPDES permit may also impose water quality-based effluent limits to ensure that a facility's discharge complies with applicable water quality standards when technology-based requirements are insufficient to meet those standards.

### **Pogo EIS Compliance**

The Applicant submitted a new source NPDES permit application on August 1, 2000, and an amended application on January 2, 2003. This EIS has been prepared to fulfill EPA's NEPA requirement and support its review of that NPDES permit application.

## **7.3 Noise Control Act**

**Regulations**      **CFR 40 Parts 201, 202, 204, 205, and 211**

### **Applicability**

The Noise Control Act was created to coordinate federal research on noise, authorize federal noise emission standards, and provide information to the public about noise reduction. Two agencies regulate noise standards: the Occupational Safety and Health Administration (OSHA) and the Federal Aviation Administration (FAA). OSHA deals only

with workplace standards, while the FAA concentrates on aircraft standards. EPA considers noise impacts as part of its Section 309 review of all EISs, and discusses possible noise impacts of the action in its EISs.

### **Pogo EIS Compliance**

Chapter 3 of the EIS presents baseline noise conditions in the proposed project area and identifies human receptors. Detailed predictions of project-related noise levels at these receptors, including existing residents along Shaw Creek Road, are presented in Chapter 4. No high impacts are expected. Noise effects on wildlife are discussed. Noise levels within the mill and camp complex would be addressed by OSHA.

## **7.4 Safe Drinking Water Act**

**Regulations**      **40 CFR 141 through 149**

### **Applicability**

The Safe Drinking Water Act (SDWA) was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The SDWA authorizes the EPA to set national health-based standards for drinking water to protect against both naturally occurring and man-made contaminants that may be found in drinking water. EPA, states, and water systems then work together to make sure these standards are met.

### **Pogo EIS Compliance**

The SDWA standards apply to both the quality of the drinking water supplied to the domestic camp and to the quality of waste water discharged from the project to the Goodpaster River. The Applicant and the EIS team conducted extensive analyses of potential water quality impacts to ensure protection of both drinking water and aquatic life in the Goodpaster River system. The results of these analyses are presented in Chapter 4 of the EIS.

## **7.5 National Historic Preservation Act**

**Regulations**      **36 CFR Parts 61, 63, 65, 68, 79, and 800**

### **Applicability**

The National Historic Preservation Act (NHPA), as amended, directs federal agencies to integrate historic preservation into all activities that either directly or indirectly involve land use decisions. Before approving or carrying out a federal, federally assisted, or federally licensed undertaking, Section 106 of the NHPA requires federal agencies to take into consideration the impact that the action may have on historic properties that are included on, or are eligible for inclusion on, the National Register of Historic Places. Section 106 also requires that federal agencies provide the Advisory Council on Historic Preservation (ACHP) with the opportunity to comment on the undertaking. The Section 106 review process is usually carried out as part of a formal consultation with the State Historic Preservation Officer (SHPO), the ACHP, and any other parties, such as Indian Tribes that have knowledge of, or a particular interest in, historic resources in the project area. Formal consultation is concluded upon preparation of a Memorandum of Agreement among the consulting parties that addresses the treatment of any adverse effects.



### Pogo EIS Compliance

EPA as lead federal agency and the COE as a cooperating agency each have Section 106 responsibilities for the proposed project. The project has been subjected to Section 106 review, including participation by the SHPO.

In addition, a cultural resources workshop with Native organizations and individuals to gather information relating to cultural resource in the Pogo mine project area was carried out on August 21, 22, and 23, 2001, in Tok, Dot Lake, and Fairbanks and on September 24, 2001, in Anchorage. Interviews were coordinated by the Healy Lake Traditional Council and were attended by Native individuals from throughout the region. A separate, stand-alone report titled *Results of Native Consultations Concerning Cultural Resources in the Pogo Mine Area of Potential Effect, Cultural Resources Trip Report* (Harritt, 2001) was developed to document these consultations.

EPA, as lead federal agency, in consultation with the COE and the SHPO, has determined that some cultural resources sites may meet the following three criteria: (1) they could be eligible for the National Register of Historic Places under 36 CFR 60.4; (2) they could be adversely affected by construction of the Pogo project; and (3) they have not yet been mitigated under permits previously issued by the SHPO. These sites, therefore, could require mitigation under a programmatic agreement (PA) among the EPA, COE, ACHP, SHPO, and the Applicant. The PA contains provisions for discovery of prehistoric, historic, or paleontological remains during construction, operation, and closure of the Pogo Mine. The PA is provided as Appendix C.1 of this final EIS.

## 7.6 Endangered Species Act

**Regulations** 50 CFR Parts 402, 450, 451, 452, and 453

### Applicability

The Endangered Species Act (ESA) requires that federal agencies protect and conserve endangered and threatened species. Federal agencies are responsible for reviewing possible effects that their actions may have on any listed threatened or endangered species or their critical habitats. If the federal agency determines that the project may affect a listed species or critical habitats, it must initiate consultation with either the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), or both. Projects that are funded, authorized, or carried out by federal agencies must not jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of their habitat.

### Pogo EIS Compliance

Informal ESA consultations were initiated by EPA with the USFWS and NMFS by letter on August 14, 2000. On September 7, 2000, the USFWS responded that there are no threatened or endangered species in the project area. The service noted that the recently delisted American Peregrine Falcon (*Falco peregrinus anatum*) nested within the project area. It concluded, however, that the proposed project and associated activities are not likely to adversely affect peregrine falcons. Because of delay in the EIS schedule, on September 25, 2002, and on May 9, 2003, USFWS again stated there are no threatened or endangered species in the project area.

EPA again requested informal consultation with the NMFS on December 2, 2002. On December 23, 2002, NMFS responded that no endangered species under NMFS



jurisdiction are likely to occur in the vicinity of the project site, and critical habitat for listed species does not occur in the project vicinity. NMFS also stated that no marine mammals protected under the Marine Mammals Protection Act are expected to occur in the vicinity of the project site.

Copies of these documents are contained in Appendix C.2 of this final EIS.

## 7.7 Magnuson-Stevens Fishery Conservation and Management Act – Essential Fish Habitat

**Regulations**      **50 CFR Part 600**

### Applicability

The Magnuson-Stevens Fishery Conservation and Management Act establishes eight regional fishery management councils that are responsible for preparing fishery management plans for optimum yield. Fishery management councils are to submit these plans, including the identification of essential fish habitat (EFH), to the Secretary of Commerce. EFH is defined as “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” Federal agencies must consult with the NMFS for any action that may adversely affect EFH. NMFS is responsible under Section 305(b) to compile information on EFH and make it available to other federal and state agencies. This requirement can be satisfied under National Environmental Policy Act (NEPA) review.

### Pogo EIS Compliance

On August 14, 2000, EPA sent NMFS a copy of the Pogo Mine EIS scoping document and requested an EFH managed species and habitat list. On December 2, 2002, EPA again requested an EFH managed species list. EPA prepared a draft EFH assessment and found there would be no direct, indirect, or cumulative impacts on any EFH within the Pogo project area. That draft EFH assessment was contained in Appendix F.3.2 of the Draft EIS (DEIS), and a copy of that document was sent to NMFS for its review with a request that it specifically comment on the adequacy of the draft EFH assessment. On May 19, 2003, the NMFS responded that it concurred with EPA’s assessment that no substantial adverse individual or cumulative effects of EFH are expected in the project area. A copy of this letter is contained in Appendix C.3 of this final EIS.

## 7.8 Floodplain Management Executive Order

**Executive Order**      **11988 (May 24, 1977)**

### Regulations

EPA implementing procedures are outlined in “Statement of Procedures on Floodplain Management and Wetlands Protection,” 40 CFR Part 6 (January 5, 1979).

### Applicability

The Floodplain Management Executive Order requires that federal agencies avoid long- and short-term impacts to floodplains to the greatest extent possible. This EO calls for federal agencies to avoid impacts associated with the occupancy and modifications of floodplains and to avoid support of floodplain development wherever there is a practicable alternative. According to the “Floodplain Management Guidelines,” there is a



multi-step, decision-making process that must be fulfilled by federal agencies to help them avoid adverse impacts. The steps include the following: determining if a proposed action would indeed be in a floodplain, conducting public review of the action, identifying and evaluating alternative plans and sites, assessing possible impacts, development of mitigation measures, and informing the public of decisions made. Various actions are subject to this order: acquiring, managing, or disposing of federal lands or facilities; federally created, financed, or assisted construction or improvements; and federal activities that affect land use.

### **Pogo EIS Compliance**

Pursuant to the floodplain management guidelines, EPA has determined that portions of the proposed Pogo Mine project would be in the floodplain of the Goodpaster River. Through the EIS process, which provides a public review of the proposed project, EPA has identified and evaluated project components and alternative sites outside the Goodpaster floodplain, and has developed mitigation measures.

With only one exception, the major mine area facilities would be located permanently in Liese Creek Valley well above the Goodpaster River floodplain. The temporary components that would be within the floodplain during the 2- to 3-year construction period largely would be the already existing exploration camp infrastructure below the present 1525 Portal that would be used to house workers and store materials and supplies. These facilities include the worker camp, offices, fuel storage, and helipad. These facilities would be removed and reclaimed once construction was completed. The existing temporary mineralized and nonmineralized rock storage piles near the 1525 Portal would be moved out of the floodplain during the mine development phase.

Certain other temporary facilities would be developed within the Goodpaster floodplain during the construction period. These facilities include additional gravel pits pits, a concrete batch plant, construction laydown area, and overburden stock piles. These facilities also would be removed and reclaimed after construction.

New facilities or existing facilities that would be within or remain within the floodplain for the duration of project operation would be existing and future gravel pits (including the off-river water treatment works), water supply and underground injection wells, the 3,000-foot airstrip, and the access road.

EPA identified and analyzed alternative sites for the airstrip outside the floodplain, but concluded that because of topography and weather constraints, other sites posed considerable safety hazards and were not deemed practicable (Appendix A.1.).

## **7.9 Wetlands Protection Executive Order**

**Executive Order**      **11990 (May 24, 1977)**

### **Regulations**

Implementing procedures are outlined in Appendix A of 40 CFR Part 6, "Statement of Procedures on Floodplain Management and Wetlands Protection" (January 5, 1979).

### **Applicability**

The Wetlands Protection Executive Order seeks to minimize destruction, loss, or degradation to wetlands from federal actions on federal lands. Wherever effects to wetlands cannot be avoided, federal agencies are to include all practicable measures to



minimize adverse impacts. The EO applies to acquisition, management, and disposition of federal lands and facilities, construction/improvement projects in conjunction with a federal agency, and federal activities/programs that affect land use. Because no federal lands would be involved with permitting the Pogo project, this EO does not apply to the project.

### **Pogo EIS Compliance**

While this EO is not applicable to the Pogo project, both EPA, as lead federal agency for the Pogo Mine EIS, and the COE, as a cooperating agency, have ensured that the proposed project would be in compliance with the CWA Section 404(b)(1) guidelines before it would be allowed to proceed. How the guidelines would be met is described above in Section 7.2.1 (Wetlands Protection).

## **7.10 Migratory Bird Protection Executive Order**

**Executive Order**      **13186 (January 10, 2001)**

**Regulations**      **None**

### **Applicability**

The Migratory Bird Protection Executive Order directs all federal agencies to avoid or minimize the impacts of their actions on migratory birds, and to take active steps to protect birds and their habitat. It directs that agencies ensure that environmental analyses of federal actions required by the NEPA or other established environmental review processes evaluate the effects of actions and agency plans on migratory birds, with emphasis on species of concern.

### **Pogo EIS Compliance**

This EIS addresses migratory bird species and specifically discusses the species of concern. Chapter 3 presents project area baseline information for these species, and Chapter 4 discusses impacts and mitigation measures that would be taken to minimize impacts.

## **7.11 Environmental Justice Executive Order**

**Executive Order**      **12898 (February 11, 1994)**

### **Applicability**

The Environmental Justice (EJ) Executive Order directs federal agencies to develop environmental justice strategies to identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations (including Native American Tribes), with the goal of making EJ a part of their mission and achieving environmental protection for all communities. The EO recognizes the importance of research, data collection, and analysis, particularly with respect to multiple and cumulative exposures to environmental hazards. The EO also provides for agencies to collect, maintain, and analyze information on patterns of subsistence consumption of fish, vegetation, or wildlife. Additionally, the EO stresses access to public information on, and an opportunity for public participation in, matters relating to human health and the environment.





The memorandum that accompanied the EO highlights important ways for federal agencies to consider EJ under NEPA. These include identifying the affected area to determine if minority populations or low-income populations would be affected, analyzing the effects of the agencies' actions on minority populations and low-income populations, evaluating public health data, and assessing possible cultural, social, or historical factors that may be affected by the action. Mitigation measures identified as part of the NEPA process should address significant and adverse environmental effects of proposed actions on minority populations and low-income populations. Moreover, agencies are required to provide opportunities for effective community participation in the NEPA process.

### **Pogo EIS Compliance**

To identify minority and low-income populations in the potentially affected project area, the most recent available census data (1990) was collected and compared with 1980 and 1970 data to ensure that any developing growth trends in minority populations were identified. This analysis, coupled with the collection of anecdotal data in Delta Junction and the surrounding area, suggested that three population groups warranted further research to ensure compliance with the EJ EO:

Native American population

Russian population

- Korean population

### **Native American Population**

While the Government-to-Government (G2G) EO goes a long way toward ensuring that Native American populations have meaningful participation in the environmental assessment of projects that may affect them, the EJ EO seeks to address all potential remaining issues. EPA has both overlapping and separate responsibilities when it comes to communities and Tribes. EJ addresses low-income and people-of-color communities. Native Americans are considered people of color under the EJ EO, and Native Americans in the vicinity of the project area largely fall under the low-income criterion also. Under EJ, EPA needs to have meaningful public participation with all communities that would be disproportionately affected. This public participation can be different from the G2G consultations that EPA has with Tribes. EJ also addresses issues that Tribal Governments do not officially raise, but that may be raised by tribal members that are not part of the government (Letourneau, 2001).

To comply with the EJ EO, EPA made a special effort to encourage individual tribal members to identify issues of concern during the scoping process whether or not they were members of the Tribal Government. In fact, all residents in the 13 villages identified as potentially affected were added to the project mailing list.

The 13 Tribes listed below were considered to be potentially affected by the proposed Pogo Gold Mine project by virtue of their location: (1) within a 125-mile radius of the Pogo Mine site, or (2) within the potentially affected Tanana River watershed.

- Circle Native Community
- Dot Lake Village Council
- Healy Lake Tribal Council
- Native Village of Tanana
- Nenana Native Village
- Northway Traditional Council



- Manley Village Tribal Council
- Mentasta Traditional Council
- Native Village of Eagle
- Native Village of Minto
- Tanacross Village Council
- Tetlin Village Council
- Tok Traditional Council

The consultation efforts that were undertaken by EPA to ensure the EJ EO requirements for Native Americans and the Consultation and Coordination with Indian Tribal Governments EO requirements that were addressed are presented in detail in Section 7.13 of this document.

In addition to the special outreach efforts described in Section 7.13, the following sections of this document include information germane to compliance with the EJ EO:

- Sections 3.16 and 4.11 Socioeconomics
- Sections 3.17 and 4.12 Land Use
- Sections 3.18 and 4.13 Subsistence
- Sections 3.19 and 4.14 Cultural Resources

**Subsistence** Another effort to comply with the EJ EO was adoption of the State of Alaska's expansive definition of subsistence for impacts analysis in this document. As defined by Alaska Statutes (AS), "subsistence uses means the noncommercial, customary and traditional uses of wild, renewable resources by a resident domiciled in a rural [*sic*] area of the state for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of the fish and wildlife resources taken for personal or family consumption, and for customary trade, barter, or sharing for personal or family consumption" (AS 16.05.940[32]). Subsistence activities could include hunting, fishing, trapping, wood gathering, and berry picking.

Specific consultations with Native organizations and individuals relating to potential subsistence and cultural resource impacts of the Pogo mine project were carried out on August 21, 22, and 23, 2001, in Tok, Dot Lake, and Fairbanks, and on September 24, 2001, in Anchorage. These consultations provided opportunities for the actual users to identify subsistence resources regardless of the formal definition of subsistence. Interviews were coordinated by the Healy Lake Traditional Council and were attended by Native individuals from throughout the region. A separate, stand-alone subsistence report titled *Subsistence Uses of the Upper Tanana River Valley: Historical and Contemporary Patterns* (Stephen R. Braund & Associates [SRB&A, 2002a]) was developed to document these consultations. This report was submitted in draft form to the Healy Lake Tribal Council for comment, and its comments were incorporated into the final report.

Through the G2G process, Native concerns and mitigation measures suggested by Native representatives to address those concerns were identified by the communities that would be potentially affected. These concerns and mitigation measures are discussed in Sections 3.18 and 4.13 of this EIS, which address subsistence issues, including seasonal use of the project area.

**Cultural resources** Measures taken during the EIS process to protect Native American cultural resources are described in Section 7.5 (NHPA) of this chapter.

## **Russian Population**

While census data had not yet picked up the substantial in-migrating Russian population in the Delta Junction area at the time of scoping, anecdotal research did. Further research through the Delta Greely School District (DGSD) confirmed that within the last 6 years, Russian families had begun moving to Delta Junction at a high rate. Individuals of Russian nationality do not qualify specifically as a minority under the EJ EO; however, because a majority of the Russian population of the Delta area meets the EO's low-income criterion, the Russian community was considered to fall under the EJ EO.

It was determined that while many of the younger members of these families were taking English classes at a special program at the local school, most did not speak or read English. To make sure this demographic participated meaningfully in the EIS process, a translator was hired to translate the first newsletter into Russian, and 300 copies were distributed within the community. Interviews with locally elected officials and with school district officials in Delta Junction revealed it would be much more effective to distribute the newsletters through the local Russian Orthodox church than by other methods, including a mailing list. The Russian Orthodox minister was contacted to confirm that this method would be most effective; he stated that word of mouth was the best communication methodology with this demographic group. It was decided to proceed with the translation of the first newsletter anyway, and then evaluate its effectiveness.

Subsequent interviews with the Russian Orthodox minister, the local Russian translator, and the DGSD indicated the newsletter approach had not been very effective; however, EPA also obtained permission for the newsletter to be read aloud to the English/Russian language program 1 week before the EIS scoping open house in Delta Junction. The director of the English as a Second Language program reported that a majority of the Russian adults in Delta Junction were enrolled in the English language classes, and that he would be happy to make the newsletter the subject of one of the translation classes. All those interviewed reported this method had been very effective and recommended using it for all future communications with this demographic group. It was also decided that the Russian Orthodox minister would be used as a liaison with the Russian community, a role in which he serves effectively on other community issues.

## **Korean Population**

The small Delta area Korean community falls under the EJ EO definition of a minority community. Therefore, in an effort to gain a more thorough understanding of the communication support needs of the Korean community in Delta Junction, EPA worked through the Presbytery of the Yukon to locate the minister of the Korean church in Delta Junction. Pastor Sun Ae Carpenter presides over a congregation of 11 Korean women in Delta Junction. She stated with certainty that this number represents the total number of Korean residents in Delta Junction. Although these 11 individuals are all Korean nationals, they are all fluent in English. Without exception, they are married to ex-military personnel who have retired from service at the local U.S. Army Base, Fort Greely. She stated that the former population of 30 Korean community members shrank between 1998 and 2001 when Fort Greely began the decommissioning process. Local school district demographics confirmed this. Based on the remaining Korean population's communication skills and their marital integration into the community, it was determined that EPA's normal outreach efforts would adequately address this demographic group.

## 7.12 Protection of Children from Environmental Risks Executive Order

**Executive Order 13045 (April 21, 1997)**

### Applicability

The EO recognizes that a growing body of scientific knowledge demonstrates children may suffer disproportionately from environmental health risks and safety risks. These risks arise because children's neurological, immunological, digestive, and other bodily systems are still developing; children eat more food, drink more fluids, and breathe more air in proportion to their body weight than adults; children's size and weight may diminish their protection from standard safety features; and children's behavior patterns may make them more susceptible to accidents because they are less able to protect themselves. Federal agencies are directed to make it a high priority to identify and assess environmental health risks and safety risks that may disproportionately affect children, and to ensure their policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks.

### Pogo EIS Compliance

This EO is not applicable because the mine is located more than 30 miles from the nearest settled area containing children, and because the project would operate under air, water, and other environmental permits designed to meet accepted standards.

## 7.13 Consultation and Coordination with Indian Tribal Governments Executive Order

**Executive Order 13084 (November 6, 2000)**

### Applicability

The Consultation and Coordination with Indian Tribal Governments Executive Order directs federal agencies to establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications, strengthen the G2G relationships with Indian Tribes, and reduce the imposition of unfunded mandates upon Indian Tribes. EPA Region 10 views "consultation" to mean the process of seeking, discussing, and considering the views of federally recognized Tribal Governments at the earliest time in EPA's decision-making. Consultation generally means more than simply providing information about what the agency is planning to do and allowing comment. Rather, consultation means two-way communication that works toward a consensus reflecting the concerns of the affected federally recognized Tribe(s).

In addition, EPA Region 10 has developed a set of internal guiding principles to further facilitate G2G consultation.

- The Region will consult with federally recognized Tribal Governments in a sensitive manner respectful of tribal sovereignty and culture.
- The Region will maintain G2G communications with federally recognized Tribal Governments by interacting through officials of appropriate stature and authority as determined by the Regional Administrator and Tribal Government. For major



consultation issues, the time frame and manner in which EPA will consult with a specific Tribe will be negotiated between EPA and the Tribe.

- In situations for which EPA has the ultimate decision-making authority, federal policies direct EPA to consult with affected federally recognized Tribal Governments prior to decision-making.
- On specific matters, the Region should contact and provide any available materials necessary to the potentially affected federally recognized Tribes as early as practicable, to provide time for consultation prior to making a decision.
- Where feasible and appropriate, the Region will encourage regular participation of federally recognized elected tribal representatives or their designees on regional planning groups and work groups.
- The Region will directly notify federally recognized Tribe(s) when specific tribal interest or trust resources may be involved, and offer the respective Tribe(s) an opportunity to participate without resolving whether the Tribe(s) has a legal right to consultation.
- The Region will meet with individual federally recognized Tribes upon request of the Tribe's leaders.
- The Region should endeavor to build an ongoing relationship with each federally recognized Tribal Government(s) to increase communication, and to ensure that consultation on specific proposals will be more constructive and effective.
- The Region will encourage meetings with federally recognized Tribal Governments on their homelands, to the extent resources allow, to strengthen the EPA federal-tribal relationship and facilitate EPA understanding of respective tribal issues, concerns, and perspectives.
- Public participation, which involves individual citizens of Indian Country, is not the same as consultation with affected federally recognized Tribal Governments. EPA has the responsibility to consult with federally recognized Tribal Governments separate from, and in addition to, the public participation process for interested stakeholders.
- Consultation with Tribal Governments should occur independent of the public participation process. tribal consultation does not replace requirements to promote public participation that may apply to a given proposed federal action.

Should disputes arise between one or more Tribes and EPA Region 10, the parties will strive to address the matter informally, at the staff level. In the event that staff are unable to resolve a dispute, the issue will be presented to immediate supervisors, who will attempt to resolve the dispute. If the dispute is not resolved, the staffs will present the matter to progressively higher levels of management until consensus is reached. In the event consensus is not reached, the EPA Regional Administrator, after consulting with the elected leader(s) of the federally recognized Tribe(s), will make the final decision.

### **Pogo EIS Compliance**

To comply with the G2G EO requirement to achieve meaningful consultation during the EIS process, the EPA Tribal Office's first effort was to work with the NPDES permit writer to determine which Tribes it considered to be potentially affected by the proposed Pogo Gold Mine project. Then EPA contacted the Tribe closest to the proposed project to discuss the proposed criteria for identifying potentially affected Tribes. After several



discussions, the 13 Tribes listed below were determined to be potentially affected by the project by virtue of their location: (1) within a 125-mile radius of the Pogo Mine site, or (2) within the potentially affected Tanana River watershed.

- Circle Native Community
- Dot Lake Village Council
- Healy Lake Tribal Council
- Manley Village Tribal Council
- Mentasta Traditional Council
- Native Village of Eagle
- Native Village of Minto
- Native Village of Tanana
- Nenana Native Village
- Northway Traditional Council
- Tanacross Village Council
- Tetlin Village Council
- Tok Traditional Council

EPA then worked with these Tribes to develop a plan that would ensure each would not only be fully informed and able to comment on the proposed project, but also be able to consult and influence the approach that would be used to ensure meaningful G2G consultation. The G2G consultations that have occurred to date since commencement of the EIS process are presented below in Table 7.13-1.

The COE, as a cooperating federal agency for the Pogo Mine EIS, has stated it will follow EPA’s lead throughout the NEPA process. The Corps will participate as practical in all meetings and tribal teleconferences with the various tribal entities throughout the EIS process. However, if it is determined that direct formal tribal consultation is necessary, then the COE Alaska District would proceed as stated in these guidance documents: (1) Department of Defense American Indian and Alaska Native Policy, and (2) U.S. Corps of Engineers Tribal Policy Principles dated April 1998.

The Alaska Department of Natural Resources (ADNR) coordinates the State of Alaska’s consultation with the 13 potentially affected Tribal Governments. ADNR conducted a face-to-face consultation with these Tribal Governments during the scoping phase of the Pogo Mine project EIS to solicit comments and provide clarification on those portions of the EIS process that relate to the management of state land, including access issues. ADNR has been and remains available to meet with Tribes if invited to do so, and this cooperating agency has contacted the Tribes during key stages of the process, and will continue to do so as it finalizes its decisions and authorizations. Any comments received from the Tribes will be considered in developing the State of Alaska’s decisions on its authorizations, and will also be forwarded to the entire EIS team.

**Table 7.13-1 Pogo Mine EIS Process G2G Communications/Consultations**

Date	Action
8/11/00	13 potentially affected Tribes identified; Draft G2G Consultation Plan and Scoping Document mailed to each Tribe for review and comment. EPA initiated follow-up fax and phone calls to each Tribe to invite them to participate in a teleconference with agency representatives to discuss (1) mutually agreeable consultation process and (2) issues to be addressed in the EIS.
8/31/00	Invitation to Tribes to participate in cumulative impacts assessment training in Seattle
9/4 and 9/19/00	Written and follow-up telephonic invitations from EPA to Tribes to attend 9/26/00 teleconference with permitting agencies to discuss tribal concerns to be addressed in EIS.
9/25/00	EPA face-to-face consultation with Healy Lake Tribal Council in the village to discuss proposed project description and scoping issues that Tribes considered important to address in the EIS.



**Table 7.13-1 Pogo Mine EIS Process G2G Communications/Consultations**

Date	Action
9/25/00	Follow-up invitations to Tribes to participate in 9/26/00 afternoon teleconference.
9/26/00	Scheduled teleconference with tribal representatives in Delta Junction to discuss and receive comments on Scoping Document; no tribal members logged on during open line of 1 hour 15 minutes. Tanana Chiefs Conference Environmental Tech for Healy Lake, Tanacross, Northway, Dot Lake, Tetlin, and Tok (not an official tribal rep) outlined issues of concern per her reading of the Scoping Document.
9/26/00, 9/27/00	Advertised public open houses held in Delta Junction and Fairbanks: opportunity for tribal members not resident in villages to participate.
9/27/00	EPA met with Tanana Chiefs Conference officials to research appropriate G2G consultation procedures.
10/5/00	Mailed Draft Scoping Responsiveness Summary document to 13 Tribes.
11/9/00	Telephone consultation with Tribes to discuss Draft Scoping Responsiveness Summary document.
11/10/00	Distributed again the Draft Scoping Responsiveness Summary document to Tribes for review and comment.
11/20-11/22/00	Follow-up phone calls to Tribes to confirm receipt of Draft Scoping Responsiveness Summary document.
11/23/00	Repeat mailing of Draft Scoping Responsiveness Summary document to Tribes.
1/01	8-page EPA project state update mailed to all village residents summarizing proposed G2G consultation process, requesting feedback, and offering contact information for agency decision-makers.
1/6/01	EPA e-mail sent to Tribes requesting input for Pogo EIS update article on issues of tribal concern.
1/9/01, 1/16/01	Invitation to 13 Tribes to participate in 1/16/01 teleconference to consult on Draft Scoping Responsiveness document.
1/16/01	EPA tribal consultation to discuss Draft Scoping Responsiveness Summary document and collect comments. Tribal participants: Healy Lake, Minto, Nenana, Tanana, Tanacross, and Tetlin. Also Tanana Chiefs Conference (Tok) and Yukon River Inter-Tribal Watershed Council. Agency participants: EPA, COE, ADNR.
1/24/01, 2/13/01	Invitation to 13 Tribes to participate in 2/14/01 COE tribal consultation.
2/14/01	COE tribal discussions (telephonic) to discuss and receive comments on (1) appropriate Section 106 implementation, and (2) cultural resource issues/comments. Tribal participants: Healy Lake, Minto, Nenana, Northway and Tanana. Also: Tanana Chiefs Conference. Agency participants: COE, EPA, ADNR.
3/8/01	EPA tribal consultation (by teleconference) to discuss and receive comments on proposed screening criteria and screening process for alternatives. Tribal participants: Healy Lake, Minto, Northway, Tanana, and Tanacross. Also: Tanana Chiefs Conference and Yukon River Intertribal Watershed Council. Agency participants: EPA, ADNR, COE.
4/16/01	EPA hosted tribal G2G face-to-face meeting in Fairbanks with other permitting agencies to discuss (1) adequacy of baseline data, (2) screening evaluation criteria, (3) development of alternatives, (4) alternative screening process, (5) scoping responsiveness, and (6) elevation of authority within permitting agencies. Participating Tribes: Healy Lake, Dot Lake, Manley, Minto, Tanana, and Tanacross. Also: Tanana Chiefs Conference. Participating agencies: EPA, COE, ADNR, State Attorney General's Office, USFWS, ADFG, and ADEC.
4/16/01	Tribes met with Applicant to discuss issues of concern in Pogo Project Description document and ask questions/make proposals regarding tribal participation in operation of the proposed mine.
5/22/01	EPA Elevation of Authority letter issued delineating the process by which issues and concerns can and will be elevated beyond staff level if so requested by the Tribes.



**Table 7.13-1 Pogo Mine EIS Process G2G Communications/Consultations**

Date	Action
8/21 and 8/23/01	Healy Lake Tribal Council hosted three-day workshop in Tok, Dot Lake, and Fairbanks for EPA consultants and Native residents from throughout the upper Tanana region to identify cultural and subsistence resources and uses throughout the region.
9/24/01	EPA consultants interview tribal elder in Anchorage to obtain additional subsistence and cultural resources.
10/01	8-page EPA project status update mailed to all village residents summarizing tribal issues raised to date, requesting feedback, and offering contact information for agency decision-makers.
4/01 thru 4/02	Additional data gathered to (1) answer questions raised during the scoping process and (2) supplement baseline data as requested.
6/02	8-page EPA project status update mailed to all village residents describing Applicant's revised project description and EIS schedule, requesting feedback, and offering contact information for agency decision-makers.
8/23/02	EPA distributed copies of the Preliminary Draft EIS (PDEIS) to the 13 potentially affected Tribes for a five-week review and comment period.
9/02	EPA contacted Tribes to determine need for meeting to discuss PDEIS and Tribal Government comments, and if Tribes would like technical experts available to explain issues.
10/2/02	EPA hosted tribal G2G face-to-face meeting in Fairbanks with other permitting agencies to discuss the PDEIS and other tribal concerns. Participating Tribes: Healy Lake, Minto, Circle, Eagle, and Tanacross (by phone). Also: Tanana Chiefs Conference. Participating agencies: EPA, COE, ADNR, ADFG, and ADEC.
1/03	EPA contacted Tribes to determine whether they wish to review the draft NPDES permit. EPA provided Tribes with draft NPDES permit for review and comment.
3/14/03	DEIS distributed to the Tribes for 60-day comment period.
4/29 and 4/30	Public hearings on DEIS in Fairbanks and Delta Junction, hosted by EPA. ADNR, ADEC, ADFG, and COE participate.
4/30/03	EPA hosted tribal G2G face-to-face meeting in Fairbanks with other permitting agencies to discuss the DEIS and other Tribal concerns. Participating Tribes: Healy Lake, Minto, Nenana, and Dot Lake. Also: Tanana Chiefs Conference. Participating agencies: EPA, COE, ADNR, and ADFG.
9/19/03	Final EIS published and provided to the Tribes. Accompanying EPA and ADNR cover letter outlined the changes made between the DEIS and the FEIS, and offered to meet and discuss any concerns with the Tribes during the 30-day period after FEIS publication and prior to issuance of EPA's Record of Decision (ROD) and State of Alaska's final authorizations. Any input received from the Tribes will be considered in developing EPA's ROD and the State of Alaska's final authorizations.

### Pogo Mine EIS Issues Raised During G2G Consultations

While G2G consultations were ongoing throughout the EIS process, issues raised by the Tribes may be categorized as those received during the scoping process, and those received following publication of the draft EIS.

**Issues raised during scoping** Following is a summary of concerns raised by the 13 potentially affected Tribes in the course of G2G consultations during the scoping phase of the Pogo Gold Mine EIS process. For ease of reference, individual comments have been grouped below under particular issues.



**◆ Water Quality**

- How the wastewater for 300 to 500 people is managed is of concern. If it is by leach field, then the field should be reclaimed when the mine is closed.
- Fuel tanks should be designed as dual walled and should allow for adequate bermed containment. (Existing design and management of fuel tank site at Pogo mine site is not adequate.)
- What will the mine do to the water?
- Cyanide levels in the water should be monitored to ensure that the maximum allowable discharge is not exceeded.
- We are concerned about the high levels of arsenic in the Pogo area and how the arsenic in the tailings might be hazardous.
- We are concerned about any chemicals or other threats to water quality and fish habitat that might affect the rest of the watershed.

**◆ Noise**

- What will the noise do to the animals? Our fear is that it will result in hearing loss to the animals that will not allow them to escape from predators. A research project in Delta Junction showed that birds of prey lost 30 percent of their hearing from sonic booms. We are requesting that the Air Force fly their new planes at 7,500 feet – as opposed to the old requirement of 5,000 feet.

**◆ Wetlands**

- Wetlands should be avoided in all of these new developments.

**◆ Socioeconomics**

- The pressures to form borough governments in our area need to be considered in this analysis insofar as the Mandatory Borough Formation Act will affect or be affected by this mining project and other development that might come with an all-season road.

**◆ Land Use**

- It would allow immediate access to timber sales according to George Mackie the University of Alaska Fairbanks Professor of Economics.
- The Pogo access road would result in uncontrollable access to new timber reserves.
- No matter which access alternative is selected, there will be increased timber harvests.
- We are concerned about what an all-season road will bring in terms of additional mines, logging, big game hunters and guiding, trappers.
- Once the road is in place, then people will move into the open tracts.
- History has shown us that a new road into an undeveloped area – even improvements to existing roads – opens the door for more and more development.
- The new mining prospects at Ogopogo will put even more pressure on our people.

- How do we protect against a general loss of wilderness? We want to preserve the pristine nature of Alaska – one of the last special places.
- ◆ **Subsistence Resource Impacts**
- Potential impacts to all game must be evaluated and minimized – especially migratory caribou, marten, and salmon.
- There is potential for accidental and inadvertent dumping of chemicals into waterways, thus affecting fish populations and health.
- Underground blasting in the project area could affect wildlife (e.g., physically damage the hearing of wildlife in the project area and/or frighten wildlife away from the project area).
- The Fortymile Caribou Herd population is on a large cycle – they are on the rebound – finally returning to their former range - so now is a vulnerable time to be considering this project. It is believed that a new road into the area may cause the herd to split again.
- There have already been changes in the caribou migration patterns – they used to come down to the airstrip at Pogo, but they are not any more.
- Do not affect John Healy trap line through the Clearwater Flats, or the trapping area on the lake, along the road; or the beaver trapping area near the house on Michigan Creek.
- Korean and Russian immigrants to Delta Junction are affecting our subsistence resources: the Koreans have fished out two lakes and the U.S. government is giving away homestead land to the Russians. Twenty-five relocated Russian families in Delta are eligible for state funding programs.
- Road access would allow for increased hunting pressure. Once outsiders get above the ridgeline, they'll be able to run the caribou along the ridge and then direct them to the soft snow in order to stop them. This could massacre the whole herd.
- Duck hunting by outsiders pushes game up into the high country.
- Trapping/small animal populations would be affected along a road.
- The caribou population will experience greater impacts than the moose.
- The possibility of an all-season road raises a concern for impacts to fish habitat.
- EPA needs to understand that the Healy Lake Tribe has a long tradition of sharing the rich subsistence resources in our area with other Tribes – so impacts to the Goodpaster drainage would affect more than just our Tribe.
- We live off of the land in Healy Lake – we hunt, fish, trap, cut wood. There is no welfare in our village.
- The road will keep animals away – especially the small animals. If the animals are gone, where are our children going to hunt and trap?
- Native foods are important to village life.

### ◆ Cultural Resources

- Our Native land uses need to be documented – especially historic sites, sacred sites and trapping areas.
- The Native people of Salcha should be consulted regarding potential impacts to Salchaket Tribe archeological resources.
- Do not overlook the historic and sacred sites at the Old Village of Goodpaster; these people were ancestors to Native peoples in Nenana, Old Nabesna Village, and Salchaket.
- A siting analysis should be done. What is the proposed site's relationship to our sacred sites, camping sites, and community sites?
- There are family secrets, sacred sites (such as burial sites), in many drainages – and we need to preserve the delicate balance between ensuring their preservation and divulging too much information, thus placing the sites at risk.
- The Luke Family has many burial sites in the area and they need to be consulted.

### ◆ Access

- We want the project to proceed, but we are adamantly opposed to an all-season road. The road would open up the back side of Native lands.
- An access road would open up the high country northeast of Healy Lake. This country is relatively easy terrain to travel once one makes it back that far, and it encompasses a relatively large area. It would seriously increase the hunting pressure on the area.
- The state could never control access once the road was built. The road would open up new areas to nonlocal and urban sport hunters. This hunting pressure would infringe on Athapaskan subsistence use areas. For example, it is not uncommon for Delta Junction residents to travel 50 miles by truck and then 20 miles by snowmachine to go trapping.
- Another example: the road to Rampart was put in by miners and it has been used by Fairbanks area residents for access. It has resulted in property damage and loss of wildlife.
- The Haul Road was just recently opened formally – but before that it could be used to get all the way to Deadhorse any time.
- Impacts that have resulted from the existing ice road to Healy Lake include theft of timber from Native lands, generation of garbage, property damage, and loss of wildlife.
- The development of new access infrastructure should be as limited as possible. Is there a real need for new airstrip if they are allowed to build an all-season road?
- An all-season road to Pogo would allow possible access into the Yukon Charlie River National Park and Preserve.
- If there is an all-season road, then certain restrictions should be in place. It should be patrolled, and access to the road should be restricted as stringently as access to the mine itself.

- Who will be allowed to use the access road is a tough issue for our villages; for example, Doyon has adjacent land that they wish to develop/mine.
- Once public funds are involved in the construction, maintenance, or even management of the road, then the state will be forced to open the road to public use.
- The state would not be able to control access if the road is built – regardless of intent.
- One Healy Lake resident summarized many of the above concerns above by saying (SRB&A, 2002a)
 

“Our concerns are increased access, increased hunting pressure, increased population, less game, and increased trapping. Due to increased access, there will be a socioeconomic effect of increased population. Due to local hire jobs, non-Natives will come to the area. You cannot keep people from moving in to trap and hunt. An all-season road will mean roads encircle Healy Lake village. It will surround the village with modernization. The village will be in a ‘bubble’ with the Taylor Highway, the Alaska Highway, and the Pogo road. Once people can get into the high country, there is an ease of movement across the high country. Once there is a road to Pogo, a connection to Forty Mile District is imminent; it is only 26 miles. Roads will encircle the village. Healy Lake will be in the middle of a circle of roads. Roads beget roads. Roads beget more development.”

#### ◆ Cumulative Impacts

- Impacts to other users should be addressed in a cumulative impacts analysis.

#### ◆ EIS Process and Permit Issues

- Many EIS process issues raised during G2G consultations have been addressed by the G2G communications/consultation plans and actions described earlier in this Section 7.13. The comments below raise legitimate concerns that have been, or may be, addressed in ongoing G2G consultations.
- How can we be assured that the issues that we raise in consultations with EPA are (1) integrated into the EIS/permitting process, and (2) shared with all of the other Tribes and tribal members in the potentially affected watershed?
- All of the downstream Tribes should be consulted – including Nenana, Manley, and Tanana.
- EPA should add the regional Fish and Game Advisory Boards to their research efforts – especially Tanana, Rampart, Manley, and Nenana; these people are very knowledgeable about subsistence resources.
- Government does not have a good track record for cleaning up the messes that are made by the Army or developers in the course of past projects. How can we be assured that this project will be different – that reclamation promises will be kept?
- What controls would be in place once the permits are issued?
- Who will be responsible for and be prepared to deal with the impacts associated with natural disasters at the mine site and downstream such as forest fires, earthquakes, floods, spring runoff?
- Bottom line: protect us.

### ◆ **Narrow Concerns**

The following concerns are narrow in scope. They either are discussed in the EIS section cited or are responded to in parentheses.

- Couldn't some of the mine facilities be built off-site – in already developed areas? Appendix A.1 (Options Screening)
- If the company disturbs merchantable timber in the course of building the road and/or mine site development, then they should be required to salvage that timber. (This is a permit, not EIS, issue. By policy, ADNR requires that all merchantable timber be purchased, cut, and removed from state lands.)

### ◆ **Miscellaneous**

The following expressed concerns are beyond the scope of this EIS.

- We are not against development, we just want to make sure that our health and safety are protected before development is allowed in our area.
- Canadian companies are notorious for tearing up the country.
- Why do they want to hurt Native People?

**Issues raised following DEIS publication** In addition to Tribal comments submitted at or following the public meetings, a government-to-government meeting was held in Fairbanks on April 30, 2003, with representatives of four potentially affected tribes and four federal and state agencies. Tribal representatives raised concerns and questions about several aspects of the proposed project as described in the draft EIS. By the nature of the meeting these questions and concerns were addressed at that time, and references were given to locations in the draft EIS where more detail could be found.

- How will the mine's water discharge affect fish?
- What will be the cultural impacts of the mine access road?
- How will caribou be affected?
- Will agencies seriously consider Tribal concerns?
- There will be impacts from the road on traditional subsistence use areas.
- The Healy Lake Traditional Council opposes any of the road being open to public use.
- What monitoring will be done by ADNR to control trespass on closed portions of the road?
- What will happen to the road after the mine closes.
- Where will wastewater discharge monitoring occur?
- Are there any benefits from the project for residents of Dot Lake and Healy Lake?
- Some tribal members have been working, or training for work, with the Pogo project.
- Applicant needs to get word out better about possible jobs and training.
- Are there any other local benefits other than jobs?
- The Applicant has been a good neighbor and helped in an emergency situation at Healy Lake.

- The Applicant has been working very closely and well with the community.
- What impact would the road have on wildlife?
- How many new hunters would use the road?
- Has there been an analysis of impacts if DOF were to build a road up Shaw Creek Valley?
- How much of the road would be reclaimed after mine closure?
- Are there any Native Alaskans with land in the Tanana Valley State Forest?
- How would the road be reclaimed?
- Can the Applicant's bond be renegotiated in the future?
- Will there be a domestic dump site at the mine?
- Has there been any consultation with the Tribes concerning waste disposal?
- What is the Applicant's position on road reclamation?
- Where have the DEIS public meetings been held?
- The applicant has actively tried to have local people on the project.
- It would be easier for village residents if these meetings were held in the villages.
- The Applicant has been in contact with the Tanana Chiefs Conference (TCC) employment department, and TCC is working with appropriate villages for employment opportunities.
- Appreciates the federal and state G2G consultation process.
- Rural economic development is very important to keep the villages viable.
- Would like to be able to comment on the road bridges after they are in place.
- Will there be an effort to inform Tribes not present about issues raised during this G2G meeting?
- How will the State treat the comments received during this G2G meeting?

