



Alaska Business Groups dismayed at Final Determination for preemptive veto of Pebble Project

Anchorage, AK – Today, leadership of the Alaska Chamber, the Associated General Contractors of Alaska, the Alaska Forest Association, the Alaska Oil and Gas Association, the Alaska Miners Association, the Alaska Support Industry Alliance, the Council of Alaska Producers, and the Resource Development Council for Alaska expressed frustration with the Final Determination to preemptively veto the Pebble Project.

Following attempts to veto the Pebble Project in 2012, in 2018 the Pebble Partnership entered the federal permitting process, in which the EPA was involved extensively. Permitting spanned two years and concluded with an Environmental Impact Statement that stated mining could be done without negative impacts to the fishery. The U.S. Army Corps of Engineers then pivoted and denied the innovative mitigation activities proposed by Pebble for their Clean Water Act Section 404 permit, a decision that is still under appeal. This decision by the EPA fully constitutes a preemptive veto of not just the proposed Pebble Project, but of any future development to what is a massive State of Alaska asset.

“Today’s decision places Alaska and the United States at an economic and environmental disadvantage,” said Kati Capozzi, President and CEO of the Alaska Chamber. “The EPA’s veto continues us down a slippery slope of regulatory uncertainty and all those that oppose development in our nation are paying close attention and applauding today’s announcement. Any project on the horizon could be next - be it a road, a wind farm, oil exploration, fisheries and associated infrastructure, or a wastewater treatment plant. The Alaska Chamber remains steadfast in our resolve to ensure all projects receive a fair evaluation.

“We have cautioned that should this preemptive veto move forward, it will become accepted as a standard option for stopping development of any kind, including those in Alaska’s forest products industry,” said Tessa Axleson, Alaska Forest Association. “It will have become a validated hypothesis anti-development opponents can use to challenge the National Environmental Protection Act analysis on any project proposed around anadromous waters. Today’s decision casts a dark cloud on Alaska’s future economic potential.”

“AOGA continues to oppose any agency making decisions about projects before the full permitting process, including the appeals process, has been completed,” said Kara Moriarty, President and CEO, Alaska Oil and Gas Association. “Today’s decision undermines regulatory certainty and predictability in Alaska. It is unfathomable that one regulatory agency can stop a project before the project can be afforded full due process by another regulatory agency.”



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"Unfortunately, the only ones who benefit from today's decision to veto Pebble are foreign adversaries who will receive the investment that could have gone toward domestic mining and construction jobs," said Alicia Amberg, Executive Director, Associated General Contractors of Alaska. "When economic and resource development opportunities emerge in Alaska, so does associated infrastructure, and AGC's members want to build the new infrastructure Alaska needs. We want those jobs, and we want the economic benefits for Alaskans. The preemptive veto of Pebble sends our jobs and opportunities out of Alaska and out of our hands."

"It is astonishing that the Biden Administration can publicly recognize the massive need for increased mineral production to achieve its renewable energy goals yet take actions that block development of the domestic mineral deposits that would significantly contribute to those needs," said Deantha Skibinski, Executive Director, Alaska Miners Association. "Copper is an essential mineral for any renewable energy source, and Pebble is one of the most significant sources of copper in the nation and around the world. Improperly shutting down the opportunity at Pebble puts the nation's green goals at risk, and the biggest beneficiary of this will be adversarial foreign countries that lack environmental and social values. This decision is a disgrace to Alaskans and Americans."

"Six years ago the Alliance, on behalf of their contractors who were working on the Pebble project and all contractors working on resource development projects in Alaska, wrote: 'At the end of the day our contention is simple - EPA should not have authority for preemptive or retroactive vetoes. Should EPA be allowed to continue with this authority, Alaska's economic future will be threatened,'" said Rebecca Logan, General Manager of the Alliance. "How sad that our fears have come true today, and not only Alaska's, but America's future is threatened by job-killing decisions that force us to rely on our enemies for the critical minerals we need."

"The development of our natural resources requires a regulatory framework that is rigorous, science based, transparent, and predictable," said Karen Matthias, Executive Director, Council of Alaska Producers. "This means allowing permits to be filed, evaluating a specific plan of operation, encouraging public involvement, measuring impacts, and thoroughly assessing options for mitigation and protection. Ignoring the results of the Environmental Impact Statement is not sound science."

"Today's unprecedented action by the EPA is a dangerous abuse of power and federal overreach," said Leila Kimbrell, Executive Director for the Resource Development Council for Alaska (RDC). "Not only does it preemptively veto a proposed project that is still going through the administrative review and appeal process with another federal agency, but it doesn't just stop there. This decision goes beyond the proposed project site and withdraws



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more than 300 square miles of state-owned land. These were lands selected by the state of Alaska from the federal government at statehood specifically for their mineral-rich deposits. This violates the federal government's agreement with Alaska and is an end-run around the federal Alaska National Interest Lands Conservation Act's (ANILCA) "no more" clause. RDC has long advocated for stable, science-backed environmental regulatory permitting processes for any development project in Alaska. If the EPA can now be used to avoid these regulatory processes and simply declare any area of state or private land off-limits to development at the wave of a wand, we should all be scared. Today's decision sets no limit on the federal government stopping future development of our domestic resources in Alaska, or elsewhere, and represents an irresponsible and unbalanced approach to developing our resources in a state with some of the highest environmental standards in the world."

About the Alaska Chamber

The Alaska Chamber is a non-profit founded in 1953 working to promote a positive business environment in Alaska. The Chamber is the voice of small and large business representing more than 700 businesses, manufacturers, and local chambers across Alaska. Our member companies employ more than 55,000 hard-working Alaskans. The Chamber advocates for a positive investment climate that provides certainty and stability for Alaska. More information about the organization is available at www.alaskachamber.com.

About the Alaska Forest Association

The Alaska Forest Association (AFA) is one of Alaska's oldest trade organizations representing a variety of members in the forest products industry in Alaska. AFA's members include small, medium and large operators, tribal organizations, contractors, industry support organizations, and individuals from across the state of AK. While the timber industry is no longer at the height of the 1990s, AFA members continue to provide millions of dollars to a variety of local businesses including stevedoring and barge operations, freight carriers, regional and local airlines, and other related support businesses.

About the Alaska Oil and Gas Association

AOGA is a professional trade association whose mission is to foster the long-term viability of the oil and gas industry in Alaska for the benefit of all Alaskans.

About the Alaska Miners Association

AMA is a professional membership trade organization established in 1939 to represent the mining industry in Alaska. AMA's more than 1,400 members come from eight statewide branches: Anchorage, Denali, Fairbanks, Haines, Juneau, Kenai, Ketchikan/Prince of Wales, and Nome. Alaska's miners are individual prospectors, geologists, engineers, suction



dredge miners, small family mines, junior mining companies, major mining companies, Alaska Native Corporations, and the contracting sector that supports Alaska’s mining industry.

About AGC of Alaska

Associated General Contractors of Alaska is the construction industry’s largest professional trade association, representing over 620 Alaskan contractors, specialty contractors, suppliers, manufacturers, and businesses in Alaska. AGC members abide by the best practices in the industry and take pride in their work to support vital infrastructure and connect Alaska. At AGC, we don’t represent any specific resource industry. We instead advocate for a healthy economy, responsible environmental/developmental partnerships, and proper, legal, and well-established permitting and review process.

About the Alaska Support Industry Alliance

The Alliance promotes responsible exploration, development and production of oil, gas and mineral resources for the benefit of all Alaskans. It represents more than 500 businesses who provide support to the oil and gas and mining industries.

About the Council of Alaska Producers

CAP is a non-profit trade association formed in 1992 to represent the interests of large metal mines and mine developmental projects in Alaska. CAP 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, social benefits, and environmentally sound mining practices.

About the Resource Development Council for Alaska, Inc.

The Resource Development Council for Alaska is an Alaskan trade association comprised of individuals and companies from Alaska’s fishing, forestry, mining, oil and gas, and tourism 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.

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