

PREVENTION OF DEVELOPMENT OF PEBBLE MINE IN BRISTOL BAY, ALASKA

Final Grant Report to the Nell Newman Foundation

Submitted

By:

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The following is Trout Unlimited Alaska Program's final grant report to the Nell Newman Foundation for our work to protect the headwaters of Bristol Bay - one of North America's most beautiful and productive landscapes. We are grateful for the support.

Update of Recent Work

TU continues to focus a large share of its energy and effort trying to convince the Environmental Protection Agency to use a provision of the Clean Water Act to halt the proposed Pebble open pit gold and copper mine. Section 404c of the Clean Water Act gives the EPA Administrator the power to reject a development proposal if the project will likely have a negative impact on surface water and wetlands – something Pebble and other nearby mine development will undoubtedly have. We have also made significant progress in litigation against the State of Alaska's Bristol Bay Area Plan which was revised in 2005 and stripped of nearly all of the habitat protections previously in place for the 12 million acre planning area.

In response to calls from local, regional and national interests, EPA conducted and released a Watershed Assessment of the Bristol Bay region and determined salmon habitat will be damaged or eliminated by the development of Pebble. The four hundred page document provides critical scientific and historical context to the public at a time when the Pebble Partnership is launching media blitz in Alaska, television, radio and an in print.

The Watershed Assessment was the subject of a series of public hearings in Seattle as well as seven Alaska communities in early June. The hearings, other than the Anchorage meeting where the comments were evenly divided for and against EPA action, were a tremendous success. Comments in favor of proactive protection by EPA were estimated at 94 percent at Bristol Bay regional hearings. These hearing were a culmination of years of hard work by TU and its coalition partners.

Below are few more highlights of our work within Alaska over the past year.

- We facilitated public statements from leaders such as former first lady of Alaska Bella Hammond, Alaska Senate President Gary Stevens and Bristol Economic Development Corporation head Robin Samuelsen;
- Generated hundreds of letters (with a goal longer terms goal of thousands) from Alaskans to EPA supporting the Watershed Assessment and taking 404c action. Highlighted correspondence includes pro-404c letters from the Southwest Alaskan legislators, letters of support and request for 404c action from dozens of commercial fishing groups including United Fishermen of Alaska, and a letter from Alaskan business and lodge owners who do business in BB;
- Led additional Watershed Assessment & 404c informational workshops in ten communities in partnership with BBNC;
- Set up and ran two hugely popular outreach booths in Naknek and Dillingham in June and June 2012;
- Helped prevent introduction of anti 404c legislation and/or resolutions in Alaska legislature;
- Worked with national Conservation organizations such as NRDC to secure 255,000 positive comments on the Watershed Assessment from the American public;
- Lead several stakeholder trips to Washington DC to advocate for action on 404c.
- Convened local leaders and secured support for a “Citizens’ Alternative” to the State’s deeply flawed and illegal Bristol Bay Area Plan;
- Secured more national media exposure with the Hour long “Alaska Gold” on PBS flagship news show, *Frontline* and *National Geographic Explorer*.
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TU nationalization effort

As one of our core strategies, TU began to “nationalize” the Bristol Bay outreach effort in late 2011. Last spring and summer, we hired field organizers in the Pacific Northwest, the Rocky Mountain States and the Upper Midwest. We have also contracted with hunting and fishing organizations such as the New Mexico Wildlife Federation, The Bull Moose Sportsmen, the Theodore Roosevelt Conservation Partnership and the National Council of Churches in order to build strong local and regional support for our Clean Water Act strategy. Heading into 2013, the Washington and Colorado Senate Delegations as well as Senator Boxer from California, Senators Bennett and Udall of Colorado, Senator Merkly from Oregon, and Senator Heinrich from New Mexico, have authored letters of support for the EPA Watershed Assessment of Bristol Bay watershed. We hope to capture more Senate support in the coming months.

The most important product of our Senate outreach work has been the emergence of Senator Maria Cantwell as a champion on this issue. She has spent many hours rallying other congressional supporters and has held a series of press events with commercial and sport fishermen, chefs and others, to raise the profile of Bristol Bay in Washington State and nationally.

We have also been very successful at generating earned media in states with economic ties to the Bristol Bay fishery and presidential swing states with strong sportsmen populations. Working with our contractor Strategies 360, our team has consistently placed letters to the editor and opinion editorials in target states. We also secured high profile media placements in the New

York Times, Washington Post, Los Angeles Times, and Seattle Times. Earned media placements are circulated weekly to Congress and the Administration.

TU continues to educate federal decision makers by bringing business leaders, elected officials, sportsmen, commercial fishermen and Alaska Natives to Washington DC. In late spring of 2012, The Bristol Bay sportsmen's summit, featured leaders from hunting and angling groups and businesses representing 42 states who met with their elected officials, the EPA administrator and senior White House staff. The summit also featured paid advertisements in DC papers, earned media in Politico and Congress Daily, and an opinion piece in *The Hill* from the current RNC chairman of North Carolina Robin Hayes.

The most powerful partnership we continue to foster and expand is with the Alaska Native community of Southwest Alaska. We enjoy a productive working relationship with 12 Alaska Native Tribal governments as well as the Bristol Bay Native Corporation. The relationship with BBNC has strengthened considerably over the past year and is due in part to the creation of a potential 404c solution that would prevent development of the Pebble Mine but allow for responsible development in Bristol Bay. We retained Thomas Yokum and Bill Riley, two former EPA experts, to craft the report titled *Mining the Pebble Deposit: Issues of 404 compliance and unacceptable environmental impacts*. The report has been a key component to nearly all correspondence with the Alaska Delegation and the White House. TU also jointly released *Bristol Bay's Wild Salmon Ecosystems and the Pebble Mine: Key Considerations for a Large-Scale Mine Proposal* with the Wild Salmon Center in the spring of 2012 and led a series of briefings on the findings of the report.

Faith Community Outreach: The National Association of Churches

Since May of 2011, the Eco-Justice Program of the National Council of Churches in conjunction with the Orthodox community in Bristol Bay and Alaska has increased its engagement in the effort to protect Bristol Bay. With financial support from Trout Unlimited, Eco-Justice Program has educated more than a dozen senior religious leaders about the importance of protecting Bristol Bay and submitted a letter from five west coast Bishops in the Episcopal Church calling for the Environmental Protection Agency to initiate the scientific assessment and eventually protect the Bay. In addition, we also secured more than 250 comments to the EPA from faith leaders around the country urging them to begin the scientific assessment.

Finally, religious leaders and lay leaders from the Pennsylvania faith community have conducted educational meetings with their congressional delegation urging them to support protections for Bristol Bay. In addition to educating Congressional members, the Eco-Justice program has sent out two alerts to our email list educating them about Bristol Bay and providing access to videos and magazine to further engage congregations. To date we know that five presentations have been completed to highlight the importance of faith community engagement in this important effort.

Unifying commercial fishing groups across America

TU staff worked in partnership with Alaskan fishing groups to create a coalition called "Commercial Fishermen for Bristol Bay" which now includes 110 commercial fishing groups from Alaska to Maine. The groups include the Maine Lobstermen's Association, Gloucester

Fishermen's Wives, Maryland Watermen's Association and Southern Shrimp Alliance. In all, they represent 210,000 commercial fishermen across the country working in some of the country's most valued and storied fisheries. This spring, Commercial Fishermen for Bristol Bay sent a letter to the EPA urging the Obama Administration to protect Bristol Bay, its salmon runs and the commercial fishing jobs that rely on them.

Outreach to the food community

Riding the momentum of the successful Chef Trip to Washington DC in 2012, TU's Why Wild program has created a highly motivated group of activist chefs and food writers including: chef celebrity Rick Moonen, author Paul Greenberg, Harvard Medical School Program Director Kathleen Frith, national celeb dietitian Ashley Koff, and New York times Food writer Mark Bittman. Why Wild also organized a NYC reception, co-hosted with Tiffany & Co. Five of NYC's top chefs came together to prepare Bristol Bay salmon appetizers for over 100 top tier guests. Key note speakers included Tiffany and Co. CEO Michael Kowalski, Chef Rick Moonen and Paul Greenberg.

Other highlights from 2012 include:

- National Chef letter is just shy of 300 chefs, restaurateurs and others from around the country signed on in support of protecting Bristol Bay's salmon fishery;
- Formal support (ie, sign-on letter) from Top Chefs, such as: Rick Moonen, Mario Batali, Tom Colicchio, Alice Waters and Mary Sue Milliken;
- Relationship building with national retailers, such as Safeway who sent representatives to speak at a recent Bristol Bay reception, as well as national buying groups such as Food Marketing Institute and the Sustainable Fisheries Partnership;
- Bristol Bay Sockeye was chosen to be spotlighted at Monterey Bay's Cooking for Solutions "Meet the Chefs" reception in May 2012. Bristol Bay sockeye samples and information were shared with over 400 members of the food media, chef celebrities and others seafood leaders;
- Media hits in the following publications: NYT Magazine (Oct 2011), Bon Appetit (March 2012), Eating Well (April 2012) ;
- Radio appearances on the following national food radio shows: Edible Communities, Heritage Food Network;
- Over 50 restaurants have committed to host a Bristol Bay salmon dinner/event during the 2012 summer as a way to create new markets/demand for Bristol Bay salmon, show their support for protection of Bristol Bay and raise awareness about Bristol Bay/Pebble Mine. These dinners are being done in partnership with Chefs Collaborative;
- Over 50 chefs videos gathered from chefs around the country, voicing their support for protecting Bristol Bay (these videos will be used for earned and social media purposes)

Bristol Bay Area Plan Legal Challenge

Late in 2012, the state of Alaska approached TU and its co-plaintiffs – six Alaska Native Tribes and a commercial fishing organization and offered to reopen the deeply flawed Bristol Area Plan. The plan, which covers 12 million acres of the Bristol Bay Watershed, including the Pebble Mine project area, eliminated 94 percent of the fish and wildlife protections that existed in the previous plan, made sport hunting and fishing essentially illegal in large swaths of the planning

area, and failed to provide any protection for subsistence users. The state's offer to reopen the plan provides a tremendous opportunity to engage Bristol Bay stakeholders and if trends continue, to illustrate how disinterested Alaska is in listening to the needs of Alaska Natives and other Bristol Bay dependent users. TU is presently coordinating a citizen based plan revision process that will continue over the next three months.

The rest of 2012 and early 2013

In the latter months of 2012 our momentum slowed considerably - due in large part to the Presidential election. We heard repeatedly nothing would be considered until after November 4. Now, we are waiting to hear who will be named as the new heads of the both the Environmental Protection Agency and the White House Council on Environmental Quality. As we await these decisions, we are planning a series of Washington DC "Salmon Shuttles" comprised of Alaska Native leaders, commercial fishermen, sportsmen's groups, chefs, and other key allies. We are also ramping up efforts in Southcentral Alaska to make Pebble a litmus test for the mid-term Senatorial election; now less than two years away. With the election behind us and the staffing decisions coming into place for the Administration, we feel 2013 holds high potential for success.

Expenditure of Nell Newman Foundation Funds

As you can see in the spread sheet, Nell Newman Foundation funds were used in three areas: salary, meeting expenses and non-staff travel. The Alaska program possesses a quality staff and despite the high stress environment we work in, we have had experienced very little employee turnover. Thanks to the support of the Nell Newman Foundation and many others, we are able to retain our people, who in turn gain experience and provide continuity, which is vital when working on an issue as challenging as protecting Bristol Bay.

The rest of the Nell Newman funds were used to pay for meetings and non-staff travel. One of the great challenges as well as one of the great rewards of the Bristol Bay protection work is working across vast, remote distances and with an extremely diverse group of people. Alaska Natives from the Bristol Bay region are one of the key drivers of this effort and represent the group with the most to lose if Pebble Mine was developed. Trout Unlimited strives to serve as a source of funds for travel and meeting expenditures for small, remote, cash strapped, Alaska Native villages. Several times in the past year, we have paid for air charters, hotel rooms and meeting space for our Alaska Native allies. Our ability to raise money, account for it and provide staff support to our Alaska Native allies is one of TU's most important contributions to the Bristol Bay protection effort.