

2014 GENERAL ELECTION
November 4, 2014
Official Results

Date:11/25/14
Time:14:55:03
Page:6 of 8

Registered Voters 509011 - Cards Cast 285449 56.08%

Num. Report Precinct 441 - Num. Reporting 441 100.00%

HOUSE DISTRICT 34			
		Total	
Number of Precincts		7	
Precincts Reporting		7	100.0 %
Times Counted	8437/13819	61.1 %	
Total Votes	8251		
McGuan, George	DEM	3090	37.45%
Muñoz, Cathy E.	REP	5132	62.20%
Write-in Votes		29	0.35%

HOUSE DISTRICT 40			
		Total	
Number of Precincts		23	
Precincts Reporting		23	100.0 %
Times Counted	4421/9057	48.8 %	
Total Votes	4102		
Nageak, Benjamin P.	DEM	3982	97.07%
Write-in Votes		120	2.93%

HOUSE DISTRICT 35			
		Total	
Number of Precincts		14	
Precincts Reporting		14	100.0 %
Times Counted	8069/14196	56.8 %	
Total Votes	7843		
Samuelson, Steven A.	REP	3189	40.66%
Kreiss-Tomkins, Jona	DEM	4630	59.03%
Write-in Votes		24	0.31%

Ballot Measure 2 - 13PSUM			
		Total	
Number of Precincts		441	
Precincts Reporting		441	100.0 %
Times Counted	285449/509011	56.1 %	
Total Votes	279945		
YES		149021	53.23%
NO		130924	46.77%

HOUSE DISTRICT 36			
		Total	
Number of Precincts		10	
Precincts Reporting		10	100.0 %
Times Counted	7157/13064	54.8 %	
Total Votes	6978		
Ortiz, Daniel H. "Da	NA	3530	50.59%
Klein, Chere L.	REP	3426	49.10%
Write-in Votes		22	0.32%

Ballot Measure 3 - 13MINW			
		Total	
Number of Precincts		441	
Precincts Reporting		441	100.0 %
Times Counted	285449/509011	56.1 %	
Total Votes	280694		
YES		194654	69.35%
NO		86040	30.65%

HOUSE DISTRICT 37			
		Total	
Number of Precincts		35	
Precincts Reporting		35	100.0 %
Times Counted	5015/9788	51.2 %	
Total Votes	4286		
Edgmon, Bryce	DEM	4173	97.36%
Write-in Votes		113	2.64%

Ballot Measure 4 - 12BBAY			
		Total	
Number of Precincts		441	
Precincts Reporting		441	100.0 %
Times Counted	285449/509011	56.1 %	
Total Votes	273702		
YES		180490	65.94%
NO		93212	34.06%

HOUSE DISTRICT 38			
		Total	
Number of Precincts		31	
Precincts Reporting		31	100.0 %
Times Counted	5198/10328	50.3 %	
Total Votes	4829		
Herron, Bob	DEM	4683	96.98%
Write-in Votes		146	3.02%

Supreme Crt-Justice Stowers			
		Total	
Number of Precincts		441	
Precincts Reporting		441	100.0 %
Times Counted	285449/509011	56.1 %	
Total Votes	233363		
YES		146829	62.92%
NO		86534	37.08%

HOUSE DISTRICT 39			
		Total	
Number of Precincts		33	
Precincts Reporting		33	100.0 %
Times Counted	5835/10718	54.4 %	
Total Votes	5406		
Foster, Neal W.	DEM	5277	97.61%
Write-in Votes		129	2.39%

Sup Court JD1 Menendez			
		Total	
Number of Precincts		43	
Precincts Reporting		43	100.0 %
Times Counted	33700/56357	59.8 %	
Total Votes	28498		
YES		21078	73.96%
NO		7420	26.04%

Working Together.



www.pebblepartnership.com

The new Pebble Partnership is more than two business organizations coming together. We are a progressive mining company committed to people, the environment and communities.

The new Pebble Partnership is about more than just mining. It is about building a better Alaska.

As it develops, the Pebble Partnership will be guided by five core principles:

- 1 Pebble must benefit people -- Pebble is for all Alaskans
- 2 Pebble must co-exist with healthy fish, wildlife and other valued natural resources
- 3 Pebble must apply the world's best and most advanced science
- 4 Pebble must help build sustainable communities
- 5 At Pebble, we must listen before we act





Fish Come First

The Pebble Partnership's Five Core Principles:

- 1 Pebble must benefit people—Pebble is for all Alaskans
- 2 Pebble must coexist with healthy fish, wildlife and other valued natural resources
- 3 Pebble must apply the world's best and most advanced science
- 4 Pebble must help build sustainable communities
- 5 At Pebble, we must listen before we act

The Pebble Partnership's message to Alaskans about the world-class fisheries of Bristol Bay is clear: fish come first. We simply won't develop Pebble if it harms commercial, subsistence or sport-fishing in this remarkable region.

By working together with local communities, our project can actually enhance Bristol Bay fisheries and the contributions they make to the region's economy and culture. That's what the Bristol Bay Sustainable Fisheries Fund is all about.

But promises are not enough. It is our obligation to show Alaskans how Pebble will protect the fish, water and wildlife resources of Bristol Bay. The Pebble Partnership may be a mining company—but for all of us—fish must come first.

**"We simply will not develop a mine
that damages Alaska's fish and wildlife."**

—Cynthia Carroll, CEO of Anglo American plc, one of two progressive mining companies of The Pebble Partnership



Log on—we would like
to hear from you.
www.pebblepartnership.com



Environment

If it's a choice between fish and mining, we go away. Fish have to come first."

JOHN SHIVELY, FORMER CEO

Interviewed on Dan Rather Reports

That's the commitment that the Pebble Partnership has always made.

Environmental Stewards

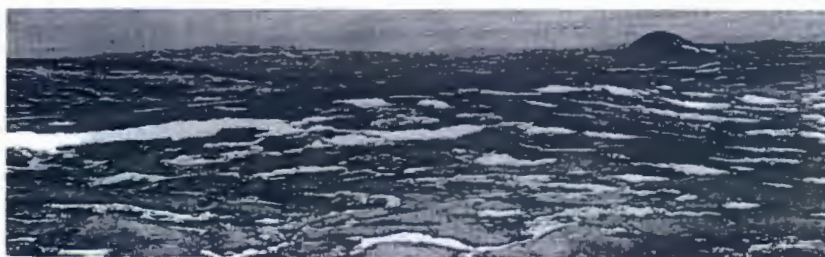
There's a reason we've spent more than 8 years and \$120 million conducting the most extensive environmental studies ever undertaken in Alaska. The Environmental Baseline Document (EBD) is a critical component in the next phase: finalizing a mine plan. It provides an understanding of environmental characteristics as they exist today, on a physical, biological and socioeconomic level. Minimal impact on the ecosystem is the goal, so that day-in, day-out, the natural rhythm of the place is as unchanged as possible. Because in building this mine, we expect to be held accountable. We wouldn't have it any other way.



Climate

"Windy!"

That's what you'd probably say, if you had to choose just one word to describe conditions at the Pebble Deposit. According to the climate scientists who monitor the area's meteorology stations, wind conditions at the mine site can be described as "calm" less than 2% of the time. Hold on to your hats, folks!



In the summertime, the maritime influences of Iliamna Lake, the Cook Inlet and Bristol Bay tend to cool the air, keeping summer temperatures mild. The warmest temperature documented at the Deposit in the EBD was 75.7° Fahrenheit. In the winter, the lake freezes over and the bay ices-up, so they play less of a moderating role; winters at Pebble are overcast and damp. Occasionally, there's a hard cold snap when frigid Arctic air moves in, but that tends to be brief. The lowest temperature recorded at the Deposit in the EBD was measured during just such a cold snap: -31.5° F in January of 2006.

Although it tends to be about 5° colder at the Deposit than at Iliamna Airport, typically, temperatures follow the same curve. You can get a pretty good sense of conditions at Pebble by looking up the airport's meteorological records (the airport code is PAUL).

Plants

The entire mine study area is in an ecological zone termed "low scrub shrub," more than 80% of which is covered in low (under 5' tall) ericaceous shrubs, alders, willows and lichens. Roughly 10% is made up of "herbaceous vegetation" with a smattering of forest, and the rest is water (shallow lakes, rivers and streams).



Ericaceous Shrubs?

Ericaceous shrubs are members of the heather family, *Ericaceae*, and they're the most common plant in the mine study area. You're probably familiar with some of the edible species of *Ericaceae*, like the lingonberry (*Vaccinium vitis-idaea*), black crowberry (*Empetrum nigrum*) or bog bilberry (*Vaccinium uliginosum*). There are also much less edible ericaceous shrubs, like the poisonous bog rosemary (*Andromeda polifolia*), which isn't related to rosemary at all.

One interesting understory plant is horsetail or snakegrass (*Equisetum*). As a modern plant, *Equisetum* are not rare—they're found on every continent but Antarctica, and can be considered invasive—but botanically they're notable for being something of a living fossil. *Equisetum* is the only surviving member of a plant family that dominated the forests of the late Paleozoic Era before the advent of the dinosaurs. Some grew to be over 100 feet tall, and were the trees of their day.



In some places, the willows and alders form thickets. In their understories, we find plants like Devil's club (*Oplopanax horridus*), Alaska spiraea (*Spiraea beauverdlana*), broad buckler ferns (*Dryopteris dilatata*), white currants (*Ribes glandulosum*), and perhaps Alaska's most distinctive flower, fireweed (*Epilobium angustifolium*).

Water

As mentioned above, about 10% of the mine study area is surface water, and through rivers, streams and seepage much of it eventually flows into rivers that lead to Bristol Bay. Technically, there are eight watersheds in the Bristol Bay area. The Pebble Deposit is near the headwaters of three tributaries: the north and south fork Koktuli, and Upper Talarik Creek. Cumulatively, the three watersheds represented by these tributaries amount to less than 1% of the Bristol Bay Drainage.

Maintaining water quality will always be a concern, as many streams and rivers of the region are spawning and rearing grounds for all five species of Alaska salmon, as well as Arctic grayling, Dolly Varden, trout and other sport, subsistence and commercial fish. It's very important that we understand as much as possible about the waterways and how they interrelate.



Surface, Subsurface and Quality

We funded years of research into the water of the study area—surface water and groundwater hydrology, and overall water quality—to develop a comprehensive understanding of both water quality and quantity, and how the different systems interact. Through a network of automated sensors, stream flow was measured every 10–15 minutes during ice-free months, and manually through bore-holes after freeze-up. Piezometers installed at hundreds of monitoring locations recorded more than 14,000 groundwater level measurements to document subsurface water behavior. And 3,400 samples were



taken from streams and rivers, lakes and marshes, shallow- and deep-bore wells, testing temperature and pH, nutrients, ions, dissolved and trace elements, organic carbon and more.

What did we learn about water?

More than can be neatly summarized here—the details span six chapters of Pebble's Environmental Baseline Document. A thumbnail description of the watershed would be a bit like describing the Mona Lisa as "an enigmatic smiling lady." Accurate if you're already familiar with her, but not very useful if you aren't. It's complicated, and very much greater than the sum of its highly interrelated parts. As an introduction to the findings, we suggest referring to pages 37–46 of our overview publication, The Pebble Environment.



Wildlife

Co-existence. It's not a term or goal the Pebble Partnership takes lightly—co-existing with fish and the surrounding environment is a core principle at Pebble. To support a cooperative mine design, we're studying what species of fish are present and how they use the nearby streams. Where are the fish spawning, rearing and feeding? What does the fish habitat look like and how does it function? How wide and deep is the channel? How fast are the flows? Are there pools, runs, riffles, backwaters? What types of organisms feed fish? This information, combined with water quality data, are part of the many puzzle pieces the Partnership is evaluating.

Studying the fish specifically and indications of impacts to the fishery is only part of the equation. However, the fact that fish migrate to sea for several years and are exposed to numerous threats from fishing to marine hazards, makes them poor indicators of local and real time impacts. So Pebble also studies macroinvertebrates and periphyton, small stream dwelling organisms that are extremely sensitive to environmental change and tell us almost immediately of any changes to the local environment.



Mammals

A 2009 study, conducted in cooperation with the Alaska Department of Fish and Game, estimated about 48–58 brown bears per 386 square miles in the area surrounding Lake Iliamna. That's a lot of bears that you might accidentally encounter while out in the field, and it's why one of the important jobs that area residents have taken on during the project's discovery phase is serving as bear guards. It's difficult for scientists and engineers to focus on fieldwork and maintain a constant lookout, so bear guards are trained to do it—and their traditional knowledge of the area is invaluable. When a bear is spotted, all work stops, and, if necessary, helicopters are called in. Getting people out of the bears' way, rather than the other way around, is the fundamental principle of our bear program.

The Mulchatna Caribou Herd has a varied history of use of the area but currently their principal range is farther to the west. In recent years they migrate into the area around midsummer after calving elsewhere.

Of course, there are more than just brown bears and caribou in the study area. Biologists documented the presence, in low densities, of more than 40 species of mammal including coyote, river otters, moose, red fox, wolverines, black bear, beaver, tundra hare, lynx, gray wolves and martens. A 2010 survey of moose estimated 0.03 moose per .39 square miles, or 33 moose for the mine area. The combined mine and transportation study areas were estimated to be home to about 96 moose.

Bird Life

From geese and ducks to cormorants and cranes, at least 37 species of waterbirds inhabit the ponds, lakes, river and wetlands of the Bristol Bay drainage study area, with 16 species using the Cook Inlet drainage study area. Some come to breed, others merely passthrough on their migration. Hundreds of ducks gather in the lower Iniskin River in preparation for spring and fall migrations, for example. The area is also home to raptors—eagles, falcons, owls, ravens and more. Over two seasons—2004 and 2005—researchers identified 73 raptor nests in the mine study area belonging to seven species, and 23 nests in the much smaller Cook Inlet study area belonging to three species. In both areas, bald eagle nests were the most abundant of all. And of course, there are the landbirds and shorebirds—neither waterfowl nor raptor. These typically smaller, colorful birds swarm the area each summer.

While the practice is not as common today, cormorants in China and Japan have been trained to use their natural diving abilities to catch fish for fisherman. Many of us remember first learning about these birds in the children's book *The Story About Ping*, by Marjorie Flack.

Bristol Bay Fishermen's Association

(formerly AIFMA)

P.O. Box 60131

Seattle, WA 98160

Phone/Fax (206) 542-3930



January 30, 2017

Representative Louise Stutes Via Fax: 907-465-4956
State Capitol, Room 406
Juneau, AK 99801

Re: HB 14 – our support.

Dear Representative Stutes,

I am enclosing a copy of our written testimony in support of HB 14. Please enter it and this letter into the record for the hearing on January 31, 2017 before the House Fisheries Committee.

In 1972, the Legislature enacted the Bristol Bay Fisheries Reserve (at AS 38.05.140(f)). It provides that within state land beneath navigable waters (i.e., submerged and shorelands) a surface entry permit for oil and gas drilling in the Reserve may not be issued until the Legislature finds that such activities will not constitute a danger to the fisheries. In 2014, the voters enacted an initiative (AS 38.05.142) which provides that in addition to permits or authorizations otherwise required by law, any metallic sulfide mine in the drainages of the Reserve must obtain a final authorization by the Legislature taking the form of a law that contains a finding that such a mining operation will not constitute a danger to the fisheries.

HB 14 clarifies or improves the initiative in several respects, including these:

1. HB 14 improves the quality of science in decision-making. HB 14 requires the Departments of Natural Resources, Fish and Game, and Environmental Conservation to independently prepare and submit reports to the Legislature, that are subjected to public comment and peer review, to document whether an applicant for permits and authorizations for a large scale metallic sulfide mine in the Reserve has carried the burden of proving beyond a reasonable doubt that such a mine will not constitute a danger to the fisheries within the Reserve. Peer review strengthens, and a high standard of proof science-based decisions.

2. HB 14 clarifies and defines "fisheries" consistent with existing statute. HB 14 defines "fisheries" to mean subsistence, personal use, sport or commercial fisheries as those fisheries are defined in AS 16.05.940. Requiring an applicant to carry the burden of proof, and defining "fisheries" consistent with statute, implement:

- the pledges of Pebble Limited Partnership that "fish come first" and that PLP will not develop a mine that damages Alaska's fish, wildlife or communities dependent on them;
- the Sustained Yield Clause of the Alaska Constitution (Art. VIII. § 4), and
- the State's Sustainable Salmon Management Policy at 5 AAC 39.222(c)(5)(A)(v), which places the burden of proof on those who plans or activities could be a danger to the fisheries.

Regards,

A handwritten signature in black ink, appearing to read "David Harsila".

David Harsila,
BBFA President

In Support of HB 14
Written Testimony of Bristol Bay Fishermen's Association
Before the House Special Committee on Fisheries
Alaska Legislature – January 31, 2017

I am David Harsila, President of the Bristol Bay Fishermen's Association, formerly the Alaska Independent Fishermen's Marketing Association. Our Association has represented the commercial fishermen of Bristol Bay since 1966. We support HB 14. I'll explain why.

In 1972, the Legislature enacted the Bristol Bay Fisheries Reserve (at AS 38.05.140(f)). It provides that within state land beneath navigable waters (i.e., submerged and shorelands) a surface entry permit for oil and gas drilling in the Reserve may not be issued until the Legislature finds that such activities will not constitute a danger to the fisheries.

In 2014, the voters enacted an initiative (AS 38.05.142) which provides that in addition to permits or authorizations otherwise required by law, any metallic sulfide mine in the drainages of the Reserve must obtain a final authorization by the Legislature taking the form of a law that contains a finding that such a mining operation will not constitute a danger to the fisheries.

What HB 14 Does

HB 14 clarifies or improves the initiative in several respects, including these:

1. HB 14 improves the quality of science in decision-making by requiring independent peer-reviewed reports to the Legislature to facilitate any legislative consideration required by the initiative. HB 14 requires the Departments of Natural Resources, Fish and Game, and Environmental Conservation to independently prepare and submit reports to the Legislature, that are subjected to public comment and peer review, to document whether an applicant for permits and authorizations for a large scale metallic sulfide mine in the Reserve has carried the burden of proving beyond a reasonable doubt that such a mine will not constitute a danger to the fisheries within the Reserve.

Requiring peer review strengthens science-based decision-making by agencies (i.e., DNR, DEC, and ADF&G), and ultimately by the legislature under AS 38.05.142. In a March 31, 2015 letter to the Chair of the Fisheries Committee, the Council of Alaska Producers, a trade association of the mining industry in Alaska, claimed falsely that HB 119 in the 29th Legislature (the predecessor of HB 14) would politicize what should be science-based decisions. Peer review strengthens, rather than politicizes, science-based decisions.

2. HB 14 clarifies and defines “fisheries” consistent with existing statute. HB 14 defines “fisheries” to mean subsistence, personal use, sport or commercial fisheries as those fisheries are defined in AS 16.05.940.

Reasons for these Clarifications and Improvements

Requiring an applicant to carry the burden of proof, and defining “fisheries” consistent with statute, implement:

- the pledges of Pebble Limited Partnership that “fish come first” and that PLP will not develop a mine that damages Alaska’s fish, wildlife or communities dependent on them;
- the Sustained Yield Clause of the Alaska Constitution (Art. VIII. § 4), and
- the State’s Sustainable Salmon Management Policy at 5 AAC 39.222(c)(5)(A)(v), which places the burden of proof on those who plans or activities could be a danger to the fisheries.

Thank you.

Rep. Andy Josephson

m: Taralyn <taralyndicus@gmail.com>
Sent: Monday, January 30, 2017 10:36 PM
To: Rep. Andy Josephson
Subject: Support HB 14

Dear Representative Josephson,

Please support HB 14 and protect Bristol Bay drainages for risky mines such as Pebble.

Alaska's wilderness and natural resources are part of what makes our state great, and, especially because I am a mother of two young Alaskan boys, I believe it is imperative that we take steps toward protecting and preserving these precious gifts so that they can be appreciated by generations to come.

Thank you for your time and consideration.

Sincerely,

Taralyn Dicus
1180 South Jewel Street
ner, AK 99645
(907) 841-8277

Pennsylvania Code (see highlighting below regarding mining and beyond a reasonable doubt standard, (also see link below)

§ 86.102. Areas where mining is prohibited or limited.

Subject to valid existing rights as defined in § 86.1 (relating to definitions), surface mining operations except those which existed on August 3, 1977, are not permitted:

(1) On lands within the boundaries of the National Park System, the National Wildlife Refuge System, the National System of Trails, the National Wilderness Preservation System, the Wild and Scenic Rivers System, including study rivers designated under section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C.A. § 1276(a)) or study rivers or study river corridors as established in guidelines under that act and National Recreation Areas designated by act of Congress.

(2) On Federal lands within the boundaries of a National forest. Surface mining operations may be permitted on the lands, if the Secretary of the United States Department of Interior and the Secretary find that there are no significant recreational, timber, economic or other values incompatible with surface mining operations and the surface mining operations and impacts are incident to an underground coal mine.

(3) Which will adversely affect a publicly-owned park or a place included on the National Register of Historic Places, unless approved jointly by the Department and the Federal, State or local governmental agency with jurisdiction over the park or places.

(4) On lands within the State park system. Surface mining activities may be permitted if the Department of Conservation and Natural Resources and the Department find that significant land and water conservation benefits will result when remining of previously mined land is proposed.

(5) On lands within State forest picnic areas, State forest natural areas and State forest wild areas. Surface mining operations may be permitted on State forest lands other than picnic areas, natural areas and wild areas, if the Department of Conservation and Natural Resources and the Department find that one or more of the following apply:

(i) There will be no significant adverse impact to natural resources, including timber, water, wildlife, recreational and aesthetic values.

(ii) Significant land and water conservation benefits will result when remining of previously mined lands is proposed.

(6) On lands within the game land system of this Commonwealth. Surface mining operations may be permitted by the Department if the Game Commission consents and finds that one or more of the following apply:

(i) There will be no significant long-term adverse impacts to aquatic or terrestrial wildlife populations and their habitats.

(ii) Significant wildlife habitat and land and water conservation benefits will result when remining of previously mined lands is proposed.

(7) On lands within the authorized boundaries of Pennsylvania Scenic River Systems which have been legislatively designated as such under the Pennsylvania Scenic Rivers Act (32 P. S. §§ 820.21—820.29). Surface mining operations may be permitted if the Department of Conservation and Natural Resources and the Department find that significant land and water conservation benefits will result when remining of previously mined lands is proposed, and that the surface mining operation is consistent with the Scenic Rivers System designation and will not adversely affect the values which the designation is designed to protect.

(8) Within 100 feet (30.48 meters) measured horizontally of the outside right-of-way line of a public road, except:

(i) For mine access roads or haulage at the point where they join the right-of-way lines.
(ii) When the Department, with concurrence of the agency with jurisdiction over the road, allows the public road to be relocated or the area affected to be within 100 feet (30.48 meters) of the road, after the following:

(A) Public notice and opportunity for a public hearing in accordance with § 86.103(c) (relating to procedures).

(B) Making a written finding that the interests of the affected public and landowners will be protected.

(9) Within 300 feet (91.44 meters) measured horizontally from an occupied dwelling, unless one or more of the following exist:

(i) The only part of the surface mining operations which is within 300 feet (91.44 meters) of the dwelling is a haul road or access road which connects with an existing public road on the side of the public road opposite the dwelling.

(ii) The owner thereof has provided a written waiver by lease, deed or other conveyance clarifying that the owner and signatory had the legal right to deny surface mining operations and knowingly waived that right and consented to surface mining operations closer than 300 feet (91.44 meters) of the dwelling as specified.

(A) A valid waiver shall remain in effect against subsequent owners who had actual or constructive knowledge of the existing waiver at the time of purchase.

(B) Subsequent owners shall be deemed to have constructive knowledge if the waiver has been properly filed in public property records or if the surface mining operations have proceeded to within the 300 foot (91.44 meters) limit prior to the date of purchase.

(iii) A new waiver is not required if the applicant for a permit had obtained a valid waiver prior to August 3, 1977, from the owner of an occupied dwelling to mine within 300 feet (91.44 meters) of the dwelling.

(10) Within 300 feet (91.44 meters) measured horizontally of a public building, school, church, community or institutional building or public park.

(11) Within 100 feet (30.48 meters) measured horizontally of a cemetery. Cemeteries may be relocated under the act of April 18, 1877 (P. L. 54, No. 54) (9 P. S. § § 41—52)).

(12) Within 100 feet (30.48 meters) measured horizontally of the bank of a perennial or intermittent stream. The Department may grant a variance from this distance requirement if the operator demonstrates beyond a reasonable doubt that there will be no adverse hydrologic impacts, water quality impacts or other environmental resources impacts as a result of the variance. The variance will be issued as a written order specifying the methods and techniques that shall be employed to prevent adverse impacts. Prior to granting a variance, the operator is required to give public notice of application thereof in two newspapers of general circulation in the area once a week for 2 successive weeks. If a person files an exception to the proposed variance within 20 days of the last publication thereof, the Department will conduct a public hearing with respect thereto. The Department will also consider information or comments submitted by the Fish and Boat Commission prior to taking action on a variance request.