



June 4, 2013

The Honorable Bob Perciasepe  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Dear Administrator Perciasepe:

We, the undersigned coalition of taxpayer groups and non-partisan policy organizations from across the country write in opposition to the proposal that the EPA take the unprecedented action of preemptively prohibiting the development of a copper mine in Southwest Alaska (AKA Pebble Mine) before the project has even had the chance to go through the permitting process. New studies show that development of Pebble Mine would result in significant job creation and would generate much needed revenue for state coffers, both in Alaska and the lower 48. President Obama has talked about the need to create high-paying jobs and grow the economy. Development of Pebble Mine would accomplish both. As such, it is imperative that this important project be given a fair hearing.

Over the past several years, environmental lobbying organizations have written to the EPA seeking action to study or to stop the development of Pebble Mine in Southwest Alaska, which would be located on state land designated for mining. In response to these requests, the EPA has undertaken a “watershed assessment” of the Bristol Bay region (the Bristol Bay Assessment). This unprecedented action, which is an “extra regulatory” process, is especially odd given that the Pebble Partnership has yet to formally apply for any permits to construct a mine or enter the NEPA process. Simply put, the EPA’s watershed assessment is an ecological risk analysis of a hypothetical mine that has no basis in reality.

The EPA’s risk assessment of a hypothetical mine – a mine that, as invented by the EPA could never be permitted today – predicts negative consequences if the hypothetical mine is built. This whole exercise has been unnecessary and unhelpful. Pebble Partnership has invested over \$150 million already in developing environmental baseline data and has stated that the project will not move forward if it cannot be built in a way that meets the most stringent environmental standards and protects the local fishery. The baseline data extensively compiled was virtually ignored by the EPA in creating its assessment.



Our practical concern with the EPA exercise now is the unfair manner in which the agency is conducting its most recent public comments and peer review. The public comment period and peer review of the latest draft of the Bristol Bay Assessment are being conducted concurrently. This means that the peer reviewers will not see the public comments before they give the Agency their assessment. In the last peer review process, where peer reviewers actually held a public comment session, significant flaws in the EPA's science were found – science upon which they may base future decisions. This is not only unfair to parties currently involved in this issue, but also discourages future mining projects and prohibits the creation of jobs.

In addition, the EPA has admitted to cherry picking scientific studies that support its conclusions that the mine will cause environmental damage and sending those studies out for peer review. Many of these studies were produced by known and sometimes outspoken critics of mining (Kuipers, Earth Works, Woody, and others). As previously stated, special credence was given to these environmental groups and the environmental baseline data compiled by the Pebble Partnership was ignored. This is not science. It is bias and it is unacceptable in a report that is portrayed as a scientific document used for future decision-making.

Making matters worse, the actions undertaken by the EPA threaten the creation of thousands of well-paying, private sector jobs in an economic sector that is starved for gainful employment. In fact, studies have shown that the initial construction stages of the mine would create over 4,000 jobs. When completed, Pebble Mine would generate another 3,000 jobs paying an average of \$80,000 per year. Not only will jobs be created in Alaska, Pebble Mine would support up to 11,000 jobs in the lower 48 states. The EPA's present course of actions threatens to kill these jobs before they are even created, or create a false pretense to do so in the future.

Premature judgment and action by the EPA is cause for great concern, not just in Alaska, but across the country. Interested stakeholders should be able to gather information about the potential risks of a mining plan, the potential economic effects, and the true risks of mining development near their communities once an actual plan has been proposed.

Additionally, the agency should separate the public comment process from the peer review so that the peer reviewers have a chance to see the public comments before rendering its opinion to the Agency. Given that no permit application has been submitted, there should be no rush to complete this scientific inquiry.

We appreciate your consideration.

Signed:

Nathan Mehrens  
President, Americans for Limited Government

James Valvo  
Director of Policy, Americans for Prosperity

Nansen Malin  
State Director, AFP-Washington State

Grover Norquist  
President, Americans for Tax Reform

Jim Waters,  
President, Bluegrass Institute for Public Policy

Peter J. Nelson  
Director of Public Policy, Center of the American Experiment

Fred Smith  
President, Competitive Enterprise Institute

Michael Quinn Sullivan,  
President, Empower Texans

Myron Ebell  
Executive Director, Freedom Action

Jonathan Bechtle  
CEO, Freedom Foundation

Benita Dodd  
Vice President, Georgia Public Policy Foundation

Mike Needham  
Chief Executive Officer, Heritage Action for America

Wayne Hoffman  
Executive Director, Idaho Freedom Foundation

Daniel Simmons  
Director of Regulatory & State Affairs, Institute for Energy Research

Jon Sanders  
Director of Regulatory Studies, The John Locke Foundation

Pete Sepp  
Executive Vice-President, National Taxpayers Union

Carl Graham  
CEO, Montana Policy Institute

Kevin P. Kane  
President, Pelican Institute for Public Policy

Don Racheter  
Chief Operating Officer, Public Interest Institute

Paul Gessing  
President, Rio Grande Foundation

Mike Stenhouse  
CEO, Rhode Island Institute for Freedom & Prosperity

Kathleen Hartnett White  
Director, Texas Public Policy Foundation's Armstrong Center for Energy  
and the Environment