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DONLIN GOLD PROJECT  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC MEETING

6

AKIAK, ALASKA

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Taken February 2, 2016  
Commencing at 2:00 p.m.

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Volume I - Pages 1 - 79, inclusive

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Taken at  
Akiak Community Center  
Akiak, Alaska

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Reported by:  
Mary A. Vavrik, RMR

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Page 2

1                                   A-P-P-E-A-R-A-N-C-E-S  
2 For U.S. Army Corps of Engineers:  
3       Keith Gordon  
4       Project Manager  
5 For U.S. Bureau of Land Management:  
6       Alan Bittner (appearing telephonically)  
7       Anchorage Field Office Manager  
8       Bruce Seppi  
9       Wildlife Biologist  
10 For U.S. Environmental Protection Agency:  
11       Mark Jen  
12       Project Manager  
13 For Alaska Department of Natural Resources:  
14       Kyle W. Moselle  
15       Large Project Coordinator  
16 For AECOM:  
17       Taylor Brelsford  
18       NEPA Advisor  
19       Nancy Darigo  
20       Physical Science Lead  
21       David Every  
22       Biological Science Lead  
23       Donne Fleagle  
24       Senior Rural Outreach Lead  
25       Jon Isaacs  
26       Principal in Charge  
27       Joan Kluwe  
28       Social Science Lead  
29 Yup'ik Translator:  
30       John Active

Page 4

1                                   P-R-O-C-E-E-D-I-N-G-S  
2                   **MR. TAYLOR BRELSFORD:** Headphones are  
3 available for people who would like to follow the Yup'ik  
4 language translation from John Active. And on testifying,  
5 if you are hoping to make some comments on the draft EIS,  
6 this will be a few minutes, about half an hour. And it's  
7 the purpose of our gathering today. We would like you to  
8 get a number. Maybe you could hold up an example for me.  
9 So they look like this at the back table.  
10 And then we will also ask you to be sure and sign in  
11 so that our court recorder, Mary Vavrik, can have people's  
12 names. And when you testify, Mary and Keith will remind  
13 us all again, please say your name and what village you  
14 are from when you are going to provide comments to the  
15 Army Corps of Engineers.  
16 So let's see. I think that's all of the little  
17 details. John, your system is ready?  
18                   **MR. JOHN ACTIVE:** Yeah, the system is  
19 fine. Hardly anybody picked up these, I think.  
20                   **MR. TAYLOR BRELSFORD:** John feels lonesome  
21 if nobody takes the headphones. And people are welcome to  
22 testify in Yup'ik as well as English. And when we get to  
23 that time, John can also help out by retranslating the  
24 Yup'ik for us into English. So Mr. Keith Gordon from the  
25 Army Corps of Engineers, who will be making the

Page 3

1 Taken by:  
2       Mary A. Vavrik, RMR  
3  
4 BE IT KNOWN that the aforementioned proceedings were taken  
5 at the time and place duly noted on the title page, before  
6 Mary A. Vavrik, Registered Merit Reporter and Notary  
7 Public within and for the State of Alaska.  
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Page 5

1 presentation and the receiving of comments today. So  
2 Keith, I believe we are ready for you.  
3                   **MR. KEITH GORDON:** Thank you very much,  
4 Taylor. Good afternoon. We appreciate your  
5 participation. As Taylor mentioned, my name is Keith  
6 Gordon. I'm a project manager of the United States Army  
7 Corps of Engineers Alaska District. I'm the Army Corps of  
8 Engineers regulatory division's project manager for the  
9 proposed Donlin project.  
10 One thing to note regarding the Army Corps of  
11 Engineers' role in this project, we are the lead federal  
12 agency for development of the Environmental Impact  
13 Statement that we are going to be talking about today.  
14 The Army Corps of Engineers is neither a proponent for nor  
15 an opponent of the proposed Donlin project. Our role is  
16 to facilitate the development of unbiased analyses of the  
17 proposed project to disclose information to you all, get  
18 your comments, and then ultimately, as far as our  
19 authorities go, we would decide if our agency can permit  
20 the project either as it's proposed, an alternative to  
21 what's proposed, or not permit it at all.  
22 As you can see on the bottom of the screen, we have  
23 the various cooperating agencies that are assisting us in  
24 developing the Environmental Impact Statement, federal  
25 agencies, State agencies, and tribal governments.

Page 6

1 Under the National Environmental Policy Act, which is  
 2 the authority that requires the development of the  
 3 Environmental Impact Statement, it gives us the  
 4 opportunity to involve folks with special expertise in the  
 5 development of the Environmental Impact Statement and the  
 6 analyses of the potential impacts. And so that's why  
 7 these folks that you see on the screen are cooperators in  
 8 developing the Draft Environmental Impact Statement.  
 9 A little bit about the agenda for this afternoon. We  
 10 are going to go through this opening presentation to give  
 11 you a little bit of idea about what the Environmental  
 12 Impact Statement contains, how you can comment on it, and  
 13 the process it's going to go through in the near future.  
 14 We will have an opportunity for you to take a look at  
 15 some handouts we have that indicate potential impacts, the  
 16 key resource issues, subsistence, overall environmental  
 17 quality, sociocultural impacts, et cetera, after which we  
 18 will initiate the acceptance of your comments, any comment  
 19 you would like to make regarding the proposed project.  
 20 And I'll give you some information in a few minutes about  
 21 how to comment effectively so that we can use your  
 22 comments to expand and improve the analyses that are in  
 23 the draft form at this point in time.  
 24 We have one technical issue that we have to deal  
 25 with. As you have likely seen in the information about

Page 7

1 this meeting, we also intended to do a Bureau of Land  
 2 Management ANILCA 810 subsistence hearing at the same  
 3 time. We still propose to do that; however, the  
 4 particular phone we need to use so that the BLM folks can  
 5 run that from off site is expected to get here on the  
 6 plane at about 2:30. So if that phone gets here on time,  
 7 we will go ahead and do the hearing. If the phone is not  
 8 available, we may not be able to do the hearing today. We  
 9 just have to wait and see.  
 10 I'll very briefly give you a description of the  
 11 proposed project that you are already familiar with just  
 12 so that we have reviewed what we are talking about today.  
 13 You can see on the screen Donlin's proposed mine  
 14 site. The proposed mine consists of three primary  
 15 components: The mine site itself, the transportation  
 16 infrastructure related to it, and a proposed pipeline.  
 17 Number one on the screen indicates the ACMA and Lewis pits  
 18 that would be opened separately initially, but over time  
 19 will become a single pit. That pit is expected to cover  
 20 approximately 2.2 square miles. The second primary  
 21 component of the mine site is the tailings storage  
 22 facility. Tailings are what's left over after ore,  
 23 gold-bearing rock, is crushed for the ore to be removed.  
 24 So basically it's ground up rock that's left over. That  
 25 rock and the water that is used to process it, along with

Page 8

1 some of the other chemicals that go into it, would be  
 2 placed in a valley adjacent to the mine site with a  
 3 tailings dam downstream of it to retain those tailings.  
 4 They would remain there effectively in perpetuity.  
 5 The waste rock facility, waste rock, number three on  
 6 the screen, is simply rock that, A, either it's overburden  
 7 and needs to be removed so they can get to the ore or, B,  
 8 it contains a little bit of gold, but not enough to be  
 9 worth processing through the mill.  
 10 The next slide is the transportation infrastructure  
 11 for the proposed project. Donlin is proposing to build a  
 12 30-mile access road that would run from the proposed mine  
 13 site down to the Kuskokwim River just downstream of  
 14 Crooked Creek. That's a 30-mile, two-lane gravel access  
 15 road that would be used for industrial purposes. A new  
 16 port site at Jungjuk. That port site would be used to  
 17 receive all fuel and cargo proposed to be shipped to the  
 18 mine site for its operations.  
 19 There is a variety of material sources that would  
 20 need to be opened for the development of the road. These  
 21 little rectangles and squares along the road, those are  
 22 gravel sites or gravel pits that would have to be opened  
 23 to construct and maintain the road. And then there is a  
 24 5,000-foot airstrip that would also need to be constructed  
 25 so that the project could operate. And of course, the

Page 9

1 camp facility where the folks working at the mine site  
 2 would live while they are there.  
 3 The transportation component of the project also  
 4 includes the approximately 40 million gallons of diesel  
 5 that would be stored between the port and the mine site  
 6 itself. The project is expected to use approximately 40  
 7 million gallons of diesel fuel per year to operate every  
 8 year of the 27-and-a-half-year life of the proposed life  
 9 of the mine as it's currently proposed.  
 10 As I mentioned, the third and final component of the  
 11 project as proposed is a natural gas pipeline, 315 miles  
 12 long, running from western Cook Inlet through the Alaska  
 13 Range, 14-inch diameter buried steel pipe to transport the  
 14 natural gas. The mill facility, most of the facilities on  
 15 site would operate off of natural gas. The mining  
 16 equipment is what would be using the diesel that would be  
 17 barged into the facility.  
 18 As far as the phases of the project, construction of  
 19 the project is expected to take approximately three to  
 20 four years, assuming the mine is permitted and goes  
 21 forward. Operations of the project are expected to take  
 22 27 and a half years as currently proposed. Closure of the  
 23 mine takes a period of years, but it's important to  
 24 understand that closure and reclamation don't necessarily  
 25 happen the day mining ceases. There are facilities that

Page 10

1 Donlin is proposing to construct that might only operate  
 2 for a couple of years, and then those facilities would be  
 3 reclaimed a matter of a few years into the mine life or  
 4 not until after the mine actually closed. But primarily  
 5 most of the closure and reclamation would take place near  
 6 the end of mine life.  
 7 The -- one of the major components of closure is  
 8 water treatment necessary for the pit lake. The pit --  
 9 the two pits, the ACMA and Lewis pits that would be  
 10 combined into a single pit, if you measure the depth of  
 11 that pit from the lowest elevation next to it, it would be  
 12 1,100 feet deep. If you measure it from the highest  
 13 elevation on the other side of it, it would be about 1,800  
 14 feet deep. That pit -- that 2.2-square-mile pit is  
 15 expected to fill with water over about 50 to 55 years, and  
 16 then that water would have to be treated in perpetuity to  
 17 be able to be released. If it's going to go out into  
 18 Crooked Creek or somewhere else, it's got to be treated  
 19 and discharged.  
 20 There would also be a water treatment plant that  
 21 would operate at the facility over its life from  
 22 construction on to treat any water that was going to be  
 23 released to any of the nearby watersheds.  
 24 As far as the development of an Environmental Impact  
 25 Statement and the process that we go through, you are all

Page 11

1 familiar with scoping, which is the last time the Corps  
 2 was out here to listen to your input on the potential  
 3 effects of the project. That took place between December  
 4 of 2012 and March of 2013. In November of last year, we  
 5 put the Draft Environmental Impact Statement out for your  
 6 and everyone else's comment and review. That comment  
 7 period is currently open until April 30th of 2016.  
 8 After we get your comments and everybody else's  
 9 comments, we will look back at the Draft Environmental  
 10 Impact Statement as it currently exists. And please note  
 11 that the statement is a draft statement. The analyses are  
 12 draft analyses. The conclusions in it are draft  
 13 conclusions. No final decisions have been made in  
 14 relation to the proposed project.  
 15 Once we have everybody's comments, we will determine  
 16 if there are any data gaps we need to fill, additional  
 17 studies that need to be done, analyses that need to be  
 18 worked further, redone, et cetera, any field seasons that  
 19 need to be worked to gather additional information.  
 20 Then we will respond to all the comments and develop  
 21 what is referred to as a Final Environmental Impact  
 22 Statement. That's the last document that we would put out  
 23 as an Environmental Impact Statement for the proposed  
 24 project. That is expected to go out in approximately June  
 25 of 2017 if the schedule stays on track. And EIS schedules

Page 12

1 vary.  
 2 **MS. SHEILA CARL:** How many pages is the  
 3 draft right now, 7,000?  
 4 **MR. KEITH GORDON:** The draft document is  
 5 over 5,500 pages. If you add the additional documents  
 6 that exist, yeah, it's 7,000 pages or more.  
 7 **MS. SHEILA CARL:** Has anyone ever  
 8 considered or asked if it can be translated or possibly  
 9 written in the Yup'ik language for Yup'ik readers?  
 10 **MR. KEITH GORDON:** We attempted a written  
 11 translation of an introduction to the Executive Summary.  
 12 Unfortunately we weren't able to bring that off. What we  
 13 are doing, Mr. Active is going to be doing a series of  
 14 podcasts where he's taking that introduction, translating  
 15 it into Yup'ik, and KYUK will be broadcasting that in  
 16 segments over a period of time. I don't have the current  
 17 schedule for exactly when it's going to be broadcast or  
 18 exactly when the translation will be done, but that's in  
 19 progress.  
 20 **MS. SHEILA CARL:** So we just have till  
 21 April 16 to go through that 7,000 pages and attempt to  
 22 understand it to make a comment on it?  
 23 **MR. KEITH GORDON:** Yeah. April 30 right  
 24 now 2016 is the end of the comment period. But one of the  
 25 comments that can be made and has been made repeatedly is

Page 13

1 folks need more time to review this document. So I am  
 2 going to assume right now that you are telling me you need  
 3 more time to review this document. If you would like to  
 4 make -- you or anybody else would like to make that  
 5 comment later, you are certainly welcome to do that.  
 6 Thank you very much. That's what we are here for.  
 7 We are here to hear what you have to say.  
 8 Okay. After the Final Environmental Impact Statement  
 9 is released, the federal agencies that have a defined NEPA  
 10 role and are using that document in part to make decisions  
 11 produce what's referred to as a Record of Decision. This  
 12 documents our decision regarding whether or not we can  
 13 permit the project as proposed, some alternative that was  
 14 proposed or not permit at all.  
 15 **UNIDENTIFIED FEMALE SPEAKER:** On that last  
 16 one, I don't have my glasses. Is the scale going top to  
 17 bottom or bottom to top?  
 18 **MR. KEITH GORDON:** It's going from the top  
 19 to the bottom.  
 20 So the very first thing on here that I didn't mention  
 21 is the Notice of Intent that we put out in 2012, which is  
 22 just a bureaucratic requirement that says we are going to  
 23 do an EIS, and then we went through scoping developing the  
 24 draft, putting the draft out for comment. We will do the  
 25 final EIS, and then the decisions will be made.

Page 14

1 And you have got -- effectively you appear to have  
 2 the Corps on here twice. This decision is a Record of  
 3 Decision that we would make in relation to the  
 4 Environmental Impact Statement. This decision, the Corps  
 5 permit decision, relates to our section 10/404  
 6 applications that Donlin had given us. Those are the  
 7 authorities that specifically fall under the Army Corps of  
 8 Engineers. The EIS is a National Environmental Policy Act  
 9 document that encompasses all the other analyses that we  
 10 use to make our decisions.  
 11 Okay. As far as what's in the document, I'm going to  
 12 go through the first five chapters just very briefly to  
 13 give you a little bit of information about what's in the  
 14 document and what you will see. And then I'll give you --  
 15 I'll give you the point of why we're here, which is to  
 16 tell you how to make substantive comments to us so that  
 17 they are comments that we can use to determine if we have  
 18 done the analysis correctly.  
 19 One of the things that we have to do, regardless of  
 20 whether it's NEPA or other authorities, is to find the  
 21 overall purpose and need for a project. That's what we  
 22 basically use to figure out how we are going to analyze  
 23 the project.  
 24 You can see the overall purpose that the Army Corps  
 25 of Engineers has defined for the project. Of course,

Page 15

1 Donlin gives us their defined purpose and need, but  
 2 because we are neither a proponent for the project nor an  
 3 opponent of the project, we have to develop an overall  
 4 purpose and need for the project that we will use to do  
 5 the analysis. And that's on the screen.  
 6 The thing that I have to note is if you see this in  
 7 the document you will note that there is a half a sentence  
 8 on there that is not on the screen. That half a sentence  
 9 was intended to be removed, but we didn't get it removed  
 10 before the document went out. That sentence notes that  
 11 part of our overall purpose is to maximize economic  
 12 benefit for Donlin's stockholders, Calista and TKC  
 13 shareholders. Economics of the project are very  
 14 important. We recognize that it is a component of our  
 15 analyses, but because we are neither a proponent for nor  
 16 an opponent of the project, we cannot weight economics too  
 17 heavily in relation to any one entity. If we do, we are  
 18 not doing a middle-of-the-road unbiased analyses.  
 19 So please understand that we are fully aware of how  
 20 important the potential economic benefits of this project  
 21 are. It's just something that we have very specific  
 22 regulations on how we can use economics in the development  
 23 of a project. So that last half a sentence and why it's  
 24 in the document needs to be clarified.  
 25 Okay. Chapter 2, one of the things we do after we

Page 16

1 have looked at a proposed project, after we have  
 2 determined if there are any data gaps out there we need to  
 3 fill, after we have gotten baseline information to  
 4 indicate what the existing environment is, then we start  
 5 looking at ways a project might be constructed that would  
 6 minimize negative impacts of the project.  
 7 One of those ways is the development of alternatives  
 8 to a project as proposed. We looked at over 300  
 9 alternative options that could be crafted into  
 10 alternatives for the proposed project. What we basically  
 11 have gone forward with for detailed analyses are the seven  
 12 alternatives that you see on the screen. And I won't read  
 13 them off to you, but I'll describe them to you momentarily  
 14 as we take a little bit deeper look at them and look at  
 15 how they might minimize potential impacts of the project  
 16 as it's currently proposed.  
 17 The thing I'll note is Alternative 2, the proposed  
 18 action or what Donlin is actually proposing, we are not  
 19 going to discuss that given that we have already discussed  
 20 and described what they are proposing.  
 21 Alternative 1 is what's referred to as the no action  
 22 alternative. NEPA requires that we look at a no action  
 23 alternative. We need to do that to do unbiased analyses.  
 24 This is just -- the no action alternative is the baseline  
 25 as it currently exists. It means that if this alternative

Page 17

1 were selected, nothing is built. The mine doesn't happen.  
 2 There is no change over what currently exists.  
 3 Alternative 3A. As I mentioned, the intent of  
 4 alternatives is to minimize impacts of the project as it's  
 5 proposed. Alternative 3A is referred to as the  
 6 LNG-powered haul truck alternative. Effectively this  
 7 alternative minimizes or moderates impacts of the project  
 8 because less diesel fuel is required to be barged up the  
 9 Kuskokwim River; therefore, there is less potential for  
 10 impact related to barge traffic, less potential for a  
 11 diesel spill on the river, less emissions related to  
 12 operation of the heavy mining equipment off of diesel.  
 13 So under this alternative, the haul trucks, the  
 14 300-ton payload trucks would operate off liquid natural  
 15 gas versus diesel. One of the things to note about this  
 16 alternative is while there are mines that are currently  
 17 using heavy haul trucks that operate off of a combination  
 18 of diesel and LNG, there is no manufacturer currently who  
 19 is producing these 300-ton payload trucks that currently  
 20 run only off of LNG. There is substantial probability or  
 21 possibility that Caterpillar or Teck or someone else will  
 22 have trucks in operation by the time the project were  
 23 constructed if it is permitted.  
 24 So as I mentioned, this alternative has a couple of  
 25 options in relation to reducing diesel use emissions,

Page 18

1 et cetera.  
2 Alternative 3B is referred to as the diesel pipeline  
3 alternative. I mentioned that 315-mile long, 14-inch  
4 steel buried natural gas pipeline. Well, if this  
5 alternative were permitted, that natural gas pipeline is  
6 replaced with a diesel pipeline. Effectively virtually  
7 everything runs off of diesel; not just the mining  
8 equipment, but the mill, the vast majority of the rest of  
9 the facilities. Effectively this alternative virtual  
10 eliminates all diesel barging on the Kuskokwim River.  
11 There would be some limited amount of barging during very  
12 early construction because we have to get stuff upriver so  
13 you can do your construction, but after that, the diesel  
14 would come in via a pipeline.  
15 But as far as tradeoffs of this alternative versus  
16 what Donlin is proposing and the other alternatives, that  
17 315-mile pipeline would maintain the same alignment,  
18 except for an additional 19-mile segment that would run  
19 south toward Tyonek. It would also involve the expansion  
20 of the North Foreland Barge Facility in Tyonek, requires  
21 repositioning of spill equipment along that pipeline  
22 route because if you have a natural gas pipeline and for  
23 some reason there is a leak or a rupture and natural gas  
24 is spilled, well, natural gas is virtually all going into  
25 the air.

Page 19

1 If you replace that natural gas line with a diesel  
2 pipeline and there is a spill or rupture, it's going on  
3 the ground or it's going in the water. So again, anytime  
4 we change something in relation to one alternative, we  
5 potentially change something else and therefore we change  
6 the weight and balance of how we analyze the impacts of  
7 one alternative versus another.  
8 Alternative 4, again this alternative has the  
9 potential to limit impact related to barging. I'll show  
10 you a depiction of how this alternative looks versus what  
11 Donlin is proposing on the next slide. Effectively this  
12 alternative limits how much barging -- not quite how much  
13 barging is done, but where the barging goes to. So on the  
14 screen you can see that this is the proposed mine site.  
15 This is Crooked Creek. This is Donlin's proposed 30-mile  
16 road to the mine site under Alternative 2. Alternative 4,  
17 the Birch Tree Crossing route, follows this purple line.  
18 And so instead of the 30-mile road that Donlin is  
19 proposing to build to their port site at Jungjuk, this is  
20 a 70-mile road down to Birch Tree Crossing.  
21 So what's the benefit of this alternative versus any  
22 of the others or what Donlin is proposing? Well, when we  
23 are talking about barging on the Kuskokwim River, you all  
24 know that not every barge gets where it's going. Some of  
25 them strand. Five of those stranding points are upstream

Page 20

1 of Birch Tree Crossing. So if this alternative were  
2 selected, there is the potential to limit stranding of  
3 barges, potentially limit possible spills, et cetera.  
4 This alternative also means that because virtually no fuel  
5 or cargo is barged upstream of Birch Tree Crossing, that  
6 you are eliminating virtually all barging impacts upstream  
7 of Birch Tree Crossing, impacts to fishing, impacts to  
8 fish, et cetera.  
9 Okay. Now we are going to switch to Alternative 5A.  
10 Alternative 5A is the dry stack tailings alternative.  
11 This alternative, we talked about the tailings storage  
12 facility and the rock that exists in that facility, the  
13 crushed rock that's left over after the ore has gone  
14 through the mill. This is a different methodology by  
15 which that material is stored. Instead of that material  
16 going in as we saw pretty much filling the valley and  
17 filling it near the top with effectively a flat surface,  
18 the tailings would dry to a much more substantial degree  
19 and the tailings would stack up. It's more like the waste  
20 rock facility where things are piled up and tiered up.  
21 Well, if you go to that alternative, it means that,  
22 A, we have to deal with all that water that is removed  
23 from those tailings. And I'll show you a depiction of  
24 that on the next slide. But it also means, B, that we  
25 have a different dam setup and we have the potential for

Page 21

1 impacts from dust.  
2 As you can see in this slide, the dry stack tailings  
3 facility takes up a much smaller footprint than what  
4 Donlin was proposing, but if you stack them up higher,  
5 there is a potential for dust to cover a large area. We  
6 also end up with an operating pond downstream of it. This  
7 is the water that would be removed from the tailings. It  
8 would have to be treated before it could be released if  
9 this alternative went forward.  
10 You also see, instead of a single dam downstream of  
11 the overall tailings facility to retain the tailings, we  
12 now end up with two dams up here to retain the tailings  
13 here and a single hydraulic dam down here to retain the  
14 water. So when you do your spill analyses, by having  
15 different dams in a different setup, that changes how we  
16 have to analyze potential impacts of spill.  
17 Go ahead.  
18 **MS. LENA FOSS:** I'm sorry. Could we ask  
19 everybody to turn off their cell phones because it's very  
20 rude to hear some kind of music in my ears while you are  
21 trying to talk. Thank you.  
22 **MR. KEITH GORDON:** Thank you very much.  
23 The last alternative we will talk about is Alternative 6A.  
24 This is the Dalzell Gorge pipeline route alternative.  
25 There were a variety of pipeline route alternatives that

Page 22

1 were looked at. This is the alternative that was carried  
 2 forward for detailed analyses. What are the differences  
 3 in this alternative versus Donlin's proposed route, other  
 4 than it's in a different alignment? It's about two miles  
 5 shorter. It's in some ways a somewhat technically more  
 6 challenging alternative given the environment it goes  
 7 through. It's a steeper environment and it routes the  
 8 pipeline through Rainy Pass, south fork of the Kuskokwim,  
 9 et cetera.

10 Okay. That was Chapter 2 and the alternatives that  
 11 were contained in it.

12 Chapter 3 is the alternative that effectively -- is  
 13 the chapter that contains the baseline environmental  
 14 condition as it's been described in the document and  
 15 contains the draft analyses of impacts. In the document  
 16 you will see in Chapter 3 we have, depending on your  
 17 definition, 23 or 26 primary resource issues that have  
 18 been defined. When we looked at the project as it's  
 19 currently proposed, we come up with 14 primary resource  
 20 categories that barging might impact. And you can see  
 21 those on the screen.

22 Now we will talk a little bit about one of those  
 23 resource areas and its impacts. When we talk about barge  
 24 traffic, this is something, a category of potential  
 25 impacts that we got a substantial amount of comments on

Page 23

1 during scoping. What you can see by the burnt orange or  
 2 burnt gold color on the bottom of the screen is a picture  
 3 of barging as it currently exists on the Kuskokwim River  
 4 all the way across here. So given that this is the  
 5 existing condition as it relates to barging, to our  
 6 knowledge, you can see that obviously it's the same  
 7 regardless of which alternative we are looking at.

8 But please note that one of the things we are doing  
 9 by way of putting the document out there is we need your  
 10 input regarding not just whether or not our analyses are  
 11 adequate, but did we get the baseline right.

12 So as far as the baseline as it relates to barging on  
 13 the Kuskokwim River, it's our understanding that in an  
 14 average year, 68 barges leave Bethel going upstream. I'm  
 15 not suggesting that they all go up to the vicinity of  
 16 Jungjuk. They just leave Bethel and go upstream, turn  
 17 around at some point and come back down. And the  
 18 configuration that we are typically looking at is a single  
 19 barge pushing -- sorry -- a single tug pushing a single  
 20 barge upstream.

21 What Donlin is proposing to do is -- let's say you  
 22 are standing on the shoreline anywhere between Bethel and  
 23 the proposed port site at Jungjuk this year. You saw  
 24 within a 24-hour period on average a single tug pushing a  
 25 single barge going by you in that 24-hour period one round

Page 24

1 trip. What Donlin is proposing would result in a tug  
 2 pushing four barges going upstream. In that same 24-hour  
 3 period standing on that same spot, you would see three of  
 4 those pass you in a day. That's basically the best way I  
 5 can give you -- description I can give you as to how  
 6 barging might change on the Kuskokwim River.

7 And as you can see by the screen, this slide, what we  
 8 are trying to depict here is the change in barging as it  
 9 relates from one alternative to another.

10 Under Alternatives 2, 4, 5A, 6A, 3A and 3B -- in  
 11 other words, all the alternatives during construction --  
 12 and that's what this slide shows over here is construction  
 13 impacts. The increase in barging goes from the current  
 14 level to this level, and it's the same for all the  
 15 alternatives. But it's important to note that the graphs  
 16 don't always tell you everything. You will see an  
 17 asterisk down here that gives you a little more  
 18 information.

19 Remember that Alternative 4 does not result, except  
 20 for some very limited barging during construction, of  
 21 barges going upstream of Birch Tree Crossing. So there is  
 22 a modification there in that that barging just doesn't go,  
 23 in relation to Alternative 4, as far upstream.

24 As far as operations and the changes in barging from  
 25 one alternative to another, Alternatives 2, 4, 5A, 6A,

Page 25

1 this is what would happen regarding the level of barging  
 2 if any one of those alternatives is selected. Again,  
 3 remember that barging under Alternative 4 doesn't go  
 4 upstream of Birch Tree Crossing.

5 Alternative 3A, the LNG haul truck alternative, less  
 6 diesel fuel needed, so less fuel barging, so less barging  
 7 up the river. Alternative 3B, the diesel pipeline route,  
 8 less barging. This effectively is virtually nothing more  
 9 than cargo barging from Bethel upstream.

10 So again, this is just an indication of when we go  
 11 through the analyses how one alternative changes the  
 12 impacts in relation to another and how we change the  
 13 weight and balance of what we do.

14 What we need to know from you all is have we gotten  
 15 it right. Let's take a look at barge traffic impacts to  
 16 fish. The document -- and this is a very synopsized  
 17 version, but the --

18 Let me take a break here while we try to get the  
 19 phone resolved.

20 Okay. As you know, barge traffic going up and down  
 21 stream can disturb fish, fish habitat, their spawning  
 22 ability and success. It can cause injury and mortality to  
 23 fish. We -- under Alternative 2, the draft conclusion in  
 24 the document is that barge traffic would have a moderate  
 25 impact on fish in the Kuskokwim River in relation to what

Page 26

1 Donlin is proposing. We need to know if that's a correct  
 2 conclusion.  
 3 We also note there is an expectation that those  
 4 impacts would be greater in shallow and narrow segments of  
 5 the river. And again, when you look at the other  
 6 alternatives, those alternatives that reduce the amount of  
 7 diesel needing to be barged -- again, in each case, 3A,  
 8 3B, 4 -- were lessening the impact versus what Donlin is  
 9 proposing. The question is are those lessened impacts  
 10 valid, functional, appropriately weighted in relation to  
 11 what Donlin is proposing versus the alternatives analyzed.  
 12 So we need your input on whether or not we analyzed them  
 13 correctly and weighted them correctly.  
 14 This is just another slide that gives you an idea of  
 15 how the various alternatives modify the potential impacts  
 16 to fish.  
 17 Alternative 3A, well, as I said, we are not sure if  
 18 that alternative will be available if the mine is  
 19 permitted and goes forward, when the mine would be -- its  
 20 initial construction would be done and it might be ready  
 21 to start operation.  
 22 Alternative 3B increases air emissions. It has a  
 23 modification of spill risk and the environments in which a  
 24 spill might happen. And Alternative 4 again limits  
 25 barging, but we have got a longer haul road route by just

Page 27

1 over double. And so a change in air emissions there, a  
 2 change in impacts from noise, et cetera.  
 3 Chapter 4. Chapter 4 talks about cumulative impacts.  
 4 Cumulative impacts are all past, present and reasonably  
 5 foreseeable future impacts that we used in the analyses  
 6 effectively to forecast what might happen in the  
 7 Kuskokwim/Yukon River region as a result of this project  
 8 if it were permitted and went forward. It would help us  
 9 if you had an opportunity to look at Chapter 4 and tell us  
 10 whether we have captured what currently exists versus what  
 11 is proposed and whether or not we have come to reasonable  
 12 draft conclusions regarding how the project might affect  
 13 the Yukon and Kuskokwim River region.  
 14 Mitigation is Chapter 5. Alternatives are a form of  
 15 mitigation. Mitigation is a method or methods by which we  
 16 might minimize or moderate impacts of the proposed  
 17 project. There are a variety of things that Donlin has  
 18 decided not to do just by way of their design. That's one  
 19 level of mitigation. Some of the regulatory requirements  
 20 and industry standards in some cases can be considered  
 21 another form of mitigation. Another form of mitigation  
 22 might be compensatory mitigation where we just tell folks,  
 23 okay, we understand you want to do it this way but, no,  
 24 you have got to do it a different way so that you limit  
 25 your impacts. Change the timing of it, change the method

Page 28

1 by which the work is done, et cetera.  
 2 So Chapter 5 is available for you to look at to give  
 3 us an idea of whether or not we have adequately weighted  
 4 and analyzed the potential mitigation for the project as  
 5 it's currently proposed.  
 6 In a few minutes we will give you an opportunity to  
 7 talk to some of the folks in the room who have had a role  
 8 in development of the Environmental Impact Statement. And  
 9 I specifically have intended not to introduce these folks  
 10 until we take a break for you all to look at the handouts  
 11 we have in the form of posters so that once they are  
 12 introduced, they will tell you their role in the project  
 13 and how they might be able to answer questions for you on  
 14 the project, as well as the posters we have.  
 15 But we are going to do this in a little different  
 16 format than we have done it before. We are going to give  
 17 you the opportunity. It's going to be an opportunity to  
 18 talk to these folks, but also a question-and-answer  
 19 session. So if you want to talk to the folks about the  
 20 posters, we can do that. If you want to go directly to  
 21 question and answers, we can do that.  
 22 Please note that the first three handouts define the  
 23 components of the project: The mine site, the  
 24 transportation infrastructure, et cetera, the pipeline  
 25 that we talked about earlier and then nine of the primary

Page 29

1 resource issues that we have talked about, nine of the 26  
 2 that were looked at in the document.  
 3 But I'm finally getting to what we are here for, and  
 4 that is how can you all comment substantively to us so  
 5 that we can use your comments in the analyses in the  
 6 further development of the Draft Environmental Impact  
 7 Statement into a Final Environmental Impact Statement.  
 8 NEPA is not a voting process. So if 100 people say I  
 9 don't like the project and 100 people say I do like the  
 10 project, how would the Army Corps of Engineers address  
 11 that in the EIS?  
 12 Well, as far as the process goes, once folks make  
 13 comments on the draft EIS, the vast majority of those  
 14 comments are responded to via the Final Environmental  
 15 Impact Statement. We list the comments made, and  
 16 frequently we have comments that are similar enough that  
 17 we group comments. And so in some cases very similar  
 18 comments will be grouped, and we will indicate a response  
 19 to that comment.  
 20 So what would happen if 100 people say I like the  
 21 project? Well, in the Final Environmental Impact  
 22 Statement there would be one comment that says I like the  
 23 project, and our response would be comment noted. If we  
 24 had 100 people that said I don't like the project, then I  
 25 don't like the project would be listed and our response

Page 30

1 would be comment noted.  
 2 That don't seem like it's -- that it carries a lot of  
 3 weight but, like I said, NEPA is not just a voting  
 4 process. What we need are substantive comments if you can  
 5 tell us that, okay, you guys looked at whitefish in  
 6 relation to our subsistence use and its role in sharing,  
 7 and you either categorized it correctly or you didn't  
 8 categorize it correctly. What we really need to know  
 9 about most are the things we didn't do enough of, didn't  
 10 weight properly or just didn't get correct or missed  
 11 altogether.  
 12 So what we need are things you see in the document  
 13 that need to be improved, need to be included that  
 14 weren't, or conclusions where you just disagree with the  
 15 conclusion. The more information you can give us  
 16 regarding why that conclusion needs to be modified,  
 17 changed, expanded, improved, et cetera, the better job we  
 18 can do of using your comments in the development of the  
 19 Final Environmental Impact Statement.  
 20 Okay. How can you comment on the draft? There is a  
 21 variety of methodologies by which you can comment on the  
 22 draft. You can submit written comments by the current  
 23 comment deadline of April 30. You can email them. You  
 24 can mail them. You can fax them. Or you can give them to  
 25 us via the website. And I'll give you a little more

Page 31

1 information on that momentarily.  
 2 You don't have to try to write all this down. We  
 3 have this in the back of the room and can give you  
 4 information on where you can get it. Here is the series  
 5 of the meeting that we are currently holding. You are  
 6 welcome to attend any other meetings or have anybody else  
 7 make the same, similar or different comments than you have  
 8 made at other meetings.  
 9 There is a website that you can see on the screen at  
 10 which you can find the draft EIS as it currently exists.  
 11 It's under this EIS documents tab. It's the whole 5,500  
 12 pages, plus the rest to take it to over 7,000 total.  
 13 There are the newsletters, project information, background  
 14 documents and presentation summaries of presentations we  
 15 have previously done. There is my contact information and  
 16 Ms. Amanda Andraschko's contact information. She is  
 17 tribal liaison for the United States Army Corps of  
 18 Engineers Alaska District. And if you have tribal issues  
 19 you would like to discuss with her, you can contact her  
 20 directly.  
 21 So at this point in time what I'd like to do is have  
 22 the federal and State agency folks that are in the room,  
 23 the AECOM folks that are in the room, and Donlin folks  
 24 that are in the room introduce themselves. I would note  
 25 that, as I mentioned, the federal and State agencies

Page 32

1 are -- as well as tribal governments -- are assisting us  
 2 in developing the EIS. AECOM is an international  
 3 engineering and environmental firm that has a background  
 4 in doing these kind of analyses and, as you know, Donlin  
 5 is the project proponent.  
 6 So could all the federal agency folks who are in the  
 7 room stand up and introduce yourselves? Okay. Mark is  
 8 out of the room, so how about State?  
 9 **MR. KYLE MOSELLE:** Hi. I'm Kyle. I'm  
 10 with the State of Alaska Department of Natural Resources.  
 11 I deal with the permitting. Permitting questions, talk to  
 12 me.  
 13 **MR. KEITH GORDON:** Thank you very much.  
 14 Jon, if you would like to introduce your AECOM folks.  
 15 **MR. JON ISAACS:** Thank you. My name is  
 16 Jon Isaacs. I've spent a little time in the region. I  
 17 helped write the coastal management program, and I'm  
 18 pleased to be back. We have a team of people here today  
 19 who helped write the EIS and can answer some of the  
 20 sections. Taylor Brelsford, who is one of our senior  
 21 social scientists, did a lot of work on subsistence. Joan  
 22 Kluwe -- Joan, where are you? In the back with her hand,  
 23 she worked also with some of the social, the economic and  
 24 subsistence information.  
 25 We have Nancy Darigo also in the back of the room

Page 33

1 worked on a lot of the physical environment: The water  
 2 flow, the geological risks, the tailings dams, air  
 3 quality. We have Dave Every who has worked on a lot of  
 4 the Fish & Wildlife information in the EIS. And then we  
 5 have Donne Fleagle in the back who has been invaluable to  
 6 us for our community outreach.  
 7 So these are people that if you have questions we can  
 8 have a question-and-answer period and you can ask them  
 9 questions and they can help tell you what's in the EIS.  
 10 **MR. KEITH GORDON:** Okay. Thank you very  
 11 much. How about the Donlin folks? Would you --  
 12 **UNIDENTIFIED MALE SPEAKER:** It's your  
 13 meeting.  
 14 **MR. KEITH GORDON:** My point here is we  
 15 have a couple of folks from Donlin who are here who --  
 16 there is nobody who will tell you in greater detail what  
 17 Donlin is proposing than Donlin's folks. So if you have  
 18 any questions, they are here to discuss, if you are  
 19 interested, the project as they propose it. As far as the  
 20 analyses, draft conclusions, et cetera, you would talk to  
 21 one of the agency folks or AECOM.  
 22 **MR. VERNON CHIMEGALREA:** I'm Vern  
 23 Chimegalrea. [Speaking in Yup'ik.] I am part of the  
 24 Donlin staff. And this is Kurt Parkan, manager for the  
 25 community relations departments for Donlin Gold. Also is

Page 34

1 Gene Weglinski. He's also with Donlin Gold. And then we  
 2 also have Ron Rimelman, who is with NOVAGOLD.  
 3 **MR. TAYLOR BRELSFORD:** Okay. Folks, I'm  
 4 going to let you tell me how you want to do this. We have  
 5 the various handouts of the posters that describe the  
 6 project and some of the key resource issues. And if you  
 7 like, we can -- you can ask questions of those folks  
 8 specifically and we can discuss what's on the posters, or  
 9 you can just make any comments or ask questions that you  
 10 have at this point in time.  
 11 Okay. I think what we will do is just open it up to  
 12 comments.  
 13 Mark, would you raise your hand? This is Mr. Mark  
 14 Jen of the Environmental Protection Agency, and he's here  
 15 and available to discuss the project with you, if you  
 16 like.  
 17 Is there anybody -- why don't we start with No. 1 on  
 18 the comments. And if we can pass the microphone out, we  
 19 will start with No. 1 and see what comments you would like  
 20 to make.  
 21 **MR. DAVID GILILA:** My name is David  
 22 Gilila, and I live here in Akiak. I've got a quick  
 23 comment in reference to the proposed gas. And now that  
 24 you have mentioned, might as well put the gas line, the  
 25 diesel pipeline -- probably will be both of them in the

Page 35

1 future in reference to extending that pipeline over from  
 2 the Anchorage site to Donlin. It will have a detrimental  
 3 impact on the public and private lands within the corridor  
 4 from that area all the way to near the Kuskokwim. But it  
 5 will have a major impact on this area in reference to  
 6 wildlife resources that we depend on.  
 7 And the other one is Donlin might even stop barging  
 8 and use that corridor to haul materials directly from  
 9 Anchorage instead of using the river system here. And  
 10 that's another possibility there. And that would increase  
 11 the unwanted traffic from the other side of the country,  
 12 so to speak.  
 13 As you know, we are economically depressed in this  
 14 area. It will affect us economically as well as  
 15 subsistence-wise as to -- as far as animals are concerned.  
 16 We will have increasing traffic to this area from the  
 17 other side.  
 18 And the other question would be, I know it could  
 19 become a publicly used road once the mine is completed.  
 20 And my question would be, after that, what would the  
 21 corridor be used for?  
 22 So in reference to the river down there, we have a  
 23 channel that changes practically every year for the last  
 24 five years that I can remember it. And the last three  
 25 years we have had a change of channel right in front of

Page 36

1 Akiak. It used to go around the bend, but for the last  
 2 couple of years the barges have been taken straight across  
 3 to go up the river. And the channel there in front of us,  
 4 there is a sand bar that is stretching over to the other  
 5 side to the point where the barges are practically kissing  
 6 the other side of the bend in order to pass that section  
 7 down there. And eventually -- from my perspective,  
 8 anyway, eventually the channel is going to change to right  
 9 in front of Akiak.  
 10 Now, at that point in time, how -- looking at the  
 11 barges that are here, there is no way that I can see that  
 12 they will be able to take these four barges up from Bethel  
 13 past Tuluksak. There is no way. From looking at it  
 14 there, it practically looks like water in the channels  
 15 that they will be navigating, especially right below us  
 16 there.  
 17 And my other question would be if we would have an  
 18 erosion of private lands as it is right now. Like I said  
 19 before, the other barges that are coming up the river are  
 20 already destroying private lands within Bethel and  
 21 probably above Kalskag. Because when they turn --  
 22 especially down that shortcut through the Kuskokuak Slough  
 23 there, there are through two places where when they turn,  
 24 they are literally digging under the water on the banks  
 25 there, making a big eddy there and eating under the

Page 37

1 ground, and the ground is just falling in the water.  
 2 Also there would be less barge traffic if the gas  
 3 lines are established, or the diesel. I expect it will be  
 4 diesel that will come into play because my question as far  
 5 as gas is concerned over in the inlet -- like I said,  
 6 before, at one point in time the State of Alaska  
 7 subsidized those companies there because they were running  
 8 out of gas. And my question is, are they in full capacity  
 9 for Donlin to actually siphon some fuel from over there,  
 10 you know. But anyway --  
 11 And my last question would be in reference to that  
 12 trail there that they are going to be building. When we  
 13 were building that -- that oil pipeline from Prudhoe Bay  
 14 to Valdez, there was some companies that exercise -- you  
 15 know the words "eminent domain"? My question will be --  
 16 although the legislature could grant this portion of  
 17 eminent domain to practically any company or entity that  
 18 they are not able to do themselves. So my question would  
 19 be, if -- if push comes to shove, what amount of authority  
 20 or permits, or whatever the words would be, would the  
 21 eminent domain portion of the law be implemented.  
 22 Thank you.  
 23 **MR. KEITH GORDON:** Thank you very much.  
 24 **MR. TAYLOR BRELSFORD:** Alan, this is  
 25 Taylor. We are taking testimony on the draft EIS, so we

Page 38

1 are glad to hear you on line, and we will get back shortly  
 2 in regard to the Section 810 hearing. So please  
 3 participate along with us.  
 4 **MR. ALAN BITTNER:** Okay. Thanks.  
 5 **MR. KEITH GORDON:** Okay. Folks, we are --  
 6 we have been able to establish the line, so after we take  
 7 your comments today, we will go through the 810 hearing  
 8 process. So who has No. 2?  
 9 **MR. VERNON CHIMEGALREA:** I have No. 2.  
 10 And this is more of a comment rather than a question. And  
 11 I just wanted to introduce myself. I'm Vern Chimegalrea,  
 12 part of the Donlin community relations team. And I just  
 13 wanted to mention that it's been great to be working with  
 14 the communities, myself and the rest of my coworkers,  
 15 especially for the last five years, although the project  
 16 has been going on since '96. And working with the  
 17 communities and translating and making the terms and  
 18 translated materials available for the communities in  
 19 Yup'ik. And I just want to say thanks for your  
 20 participation over the years that I have been involved and  
 21 that all of your comments are appreciated and we look  
 22 forward to those comments.  
 23 Quyana.  
 24 **MR. KEITH GORDON:** Okay. No. 3.  
 25 **MR. WILLIE KASAYULIE:** Good afternoon. My

Page 39

1 name is Willie Kasayulie, and I'm from the village of  
 2 Akiakchak, approximately 12 miles downriver from Akiak.  
 3 My comments will be in general terms. I may not have a  
 4 specific question, but I'll be speaking on issues that I  
 5 feel are very important for us to understand. Many of us  
 6 that are elected to serve on village corporations or  
 7 village tribal governments, each and every one of us has  
 8 sworn an oath to protect the interest of the properties  
 9 that we oversee, as well as to benefit the membership of  
 10 our organizations. ANCSA, as everyone knows, was an  
 11 experiment by Congress that created corporations in our  
 12 communities which, in effect, turned our Yup'ik people  
 13 from hunter-gatherers into a corporate business model.  
 14 And there was many challenges in regards to that effect to  
 15 turn our villages into profitable companies.  
 16 If we look at the studies that were conducted in  
 17 regards to the development of ANCSA, one of the charges  
 18 that all of us as corporations are to be dealing with is  
 19 the socioeconomic improvement of the people that we serve  
 20 in our communities. Out here in the region, we have many  
 21 challenges because of high cost of energy and  
 22 transportation. And we have attempted over the years to  
 23 have a dialogue among ourselves as well as the regional  
 24 organizations to seek solutions to improve the  
 25 infrastructure in our community.

Page 40

1 Now with the advent of the challenge of the income  
 2 that the state and federal government have, our challenge  
 3 goes from larger -- that we have to be innovative to seek  
 4 ways to make life comfortable for our people. And one of  
 5 the things that has benefited especially those of us that  
 6 are shareholders in the communities is the sharing of the  
 7 resources with the other regional corporations under  
 8 Section 7(i) and Section 7(j) which the villages received  
 9 from the resources that were extracted elsewhere.  
 10 This project, if it moves forward to be developed, it  
 11 would be the responsibility of the regional corporation to  
 12 share the resources that come out monetarily from the mine  
 13 itself.  
 14 As village corporations, one of our primary reasons  
 15 for selecting the lands were for subsistence purposes.  
 16 And those were the instructions given to us by our fathers  
 17 and Elders when we started selecting land under the  
 18 requirements of the Alaska Native Claims Settlement Act.  
 19 I participated on the village level, but as for the  
 20 regional level, I'm not sure exactly the reasons why they  
 21 were selecting lands, but I'm assuming they selected lands  
 22 to benefit the shareholders in the region based on the  
 23 resources that may be available in those lands.  
 24 As I indicated earlier, we have a tremendous  
 25 challenge out here in the lower Kuskokwim and lower Yukon

Page 41

1 area. We don't have a regional government, per se. But  
 2 we have one quarter of the federally recognized tribes  
 3 living in this region in the state of Alaska. So the  
 4 tribal governments in the region should play a very active  
 5 role in this process.  
 6 We have one of the poorest regions in the state.  
 7 Even Bethel, there was a story just recently that the  
 8 income level of the people in the city of Bethel, despite  
 9 the large population, the Alaska Natives living in that  
 10 community have the lowest income rate versus the people  
 11 that are coming into our region to provide services to us.  
 12 Some of these people that come through Bethel to provide  
 13 services for us are not from the region. So that benefit  
 14 that monetarily to earn wages for our people is not with  
 15 us, with somebody else.  
 16 And we have to understand that the cost of living and  
 17 the cost of transportation even to conduct subsistence  
 18 activity costs money. I have been involved over 30  
 19 years -- 30- to 35-plus years in the education system  
 20 comprising the villages in this district. And one of the  
 21 things that we continue to tell our young people is to  
 22 seek higher education. And that's our responsibility to  
 23 make sure that the young people are qualified, educated to  
 24 come back to our communities to provide services to us.  
 25 But the jobs, we see a lack of jobs, and that's

Page 42

1 because there is no economic development, per se, up here  
 2 in the region. You only see the jobs that we have is  
 3 construction. And in most instances the constructions  
 4 that are taking place in the community are the workforce  
 5 is employed from outside of the region. Very little of  
 6 our people benefit from these seasonal jobs that may be  
 7 available to our people.  
 8 And the decline of commercial fisheries has an  
 9 impact, has a severe impact on the fishery that people  
 10 used to depend on 30 years ago. And at the same time, we  
 11 are being challenged today in the areas of subsistence for  
 12 our people, especially in the summertime for the salmon  
 13 resources that we depend upon.  
 14 So cash economy is very important to our people to be  
 15 beneficial from the project that may be developed 30 miles  
 16 upriver.  
 17 I wish BLM was here because one of the things that  
 18 they are charged with to do is to analyze subsistence for  
 19 us. And this subsistence is very, very critical to our  
 20 people out here. And it would have behooved themselves to  
 21 understand and realize that they need to be here to talk  
 22 to the people. At the same time, they need to show to us  
 23 who their experts are and try to determine what our  
 24 subsistence lifestyle is out here.  
 25 As I understand it, from the analysis that they did

Page 44

1 **MR. KEITH GORDON:** Thank you very much.  
 2 You all have every right to comment in any form you want.  
 3 So please, if you have additional comments you would make,  
 4 please make them.  
 5 And Mr. Alan Bittner and Mr. Bruce Seppi with the  
 6 Bureau of Land Management are currently on the phone. Due  
 7 to scheduling with the airlines, we did not get them in  
 8 here today. They had actually intended to be in the room  
 9 to go through this with you all. At about 3:30, somewhere  
 10 between 3:30, 3:40, we are intending to start BLM's  
 11 hearing and so that you can give testimony directly to  
 12 them in relation to subsistence under ANILCA 810. They  
 13 are having to do that over the phone simply because of  
 14 flight scheduling we couldn't get them here.  
 15 Mary is our court reporter, and she is taking both  
 16 comment and testimony, so we have transcripts of both. We  
 17 have about 30 -- anywhere from 25 to 30 minutes of time  
 18 frame to take additional comments before we need to start  
 19 the hearing, and then the idea is we go back to taking  
 20 comments when the hearing is done.  
 21 So let's go to No. 4. And if you all can -- if you  
 22 can try to give me about three minutes a comment. If we  
 23 need to go beyond that -- what we are trying to do is give  
 24 everybody a chance to comment, and then if we have time  
 25 later we can come back to the things we don't go into

Page 43

1 on ANILCA, it's laughable when I read up on it because  
 2 many of the things that they come up with don't even have  
 3 an impact or -- I doubt if they listen to the people out  
 4 here of the impact to subsistence that our people face up  
 5 here because it's very critical because subsistence is our  
 6 lifestyle. And almost 85 to 90 percent of the resources  
 7 that we depend upon come from the land and water that  
 8 surrounds our homeland.  
 9 As far as the recommendation and the alternatives  
 10 that were presented to us, we are in support of minimum  
 11 transportation of village -- I mean the water use because  
 12 it would have an impact, as Mr. Gilila indicated. It also  
 13 creates problems to our communities downriver. And the  
 14 communities that are on the Kuskokwim upriver from Bethel  
 15 is severely impacted by erosion problems because in some  
 16 years, especially in the fall, the erosion eats up  
 17 anywhere from 40 to 60 feet of the waterfront, so that the  
 18 barge traffic would have some impact to the community.  
 19 But as far as -- I think as Mr. Gilila indicated, it would  
 20 be better for us to see some kind of a system that would  
 21 minimize traffic on the river to bring materials up to the  
 22 mine site.  
 23 I think at this point, I'll end my comments and  
 24 certainly reserve the right to submit written comments  
 25 also. Thank you.

Page 45

1 enough detail on.  
 2 Go ahead.  
 3 **MR. MARTIN NICOLAI:** I'm Martin Nicolai.  
 4 I'm an orthodox priest. I'm from Kwethluk. I'm also a  
 5 board member for Kwethluk, Incorporated. I speak as a  
 6 resident of our Kuskokwim River. That is going to be a  
 7 big part of all of the plans up there. My first choice  
 8 would be Alternative No. 1, no action. And that's because  
 9 of the unforeseen risk of harm and disruption of all life,  
 10 human or otherwise in the Kuskokwim River and the Cook  
 11 Inlet Region's construction operations of the Donlin Gold  
 12 Mine.  
 13 There are so many impacts to all that would be  
 14 affected by the mine that is the life of humans, animals,  
 15 insects, birds, fish and wildlife, land, water, plants,  
 16 air and all of the environment around us. They are listed  
 17 as being minor to moderate on paper, but it's impossible  
 18 to guarantee that nothing will ever go wrong for a period  
 19 of over 30 years through the operation of the mine.  
 20 That's why I want, I'll tell you, No. 1, no action.  
 21 But if it happens that the mine is approved to go  
 22 ahead and operate, then make it something that would  
 23 benefit all the Kuskokwim River and not just Donlin Gold  
 24 Mine. What I mean is going with Alternative 3B, a diesel  
 25 pipeline, that would eliminate most traffic and operations

Page 46

1 and those possible threats to our fish, salmon and all  
 2 other species of fish that we depend on subsistence. They  
 3 will be under safer terms.  
 4 Under Alternative 2, barge traffic will more than  
 5 double for over 30-plus years. And that's what I'm afraid  
 6 of. When I think about in the summertimes during this  
 7 operation, it is going to be hectic for activity for over  
 8 30 years. The diesel pipeline will always have the risk  
 9 of spill, spilling, spill risks. But I may be around  
 10 when -- it seems to me that any spill that occurs on land  
 11 is more tolerable and recoverable than it if happened on  
 12 the river or out at sea.  
 13 The diesel pipeline has another potential impact on  
 14 the Kuskokwim communities. For many years now we have  
 15 been paying high prices for heating fuel and energy.  
 16 Unless we get other means of getting more reasonable rates  
 17 for heating fuel, a pipeline could open an opportunity to  
 18 supply some of the Kuskokwim communities maybe with  
 19 reduced cost of fuel. I would be for that very much.  
 20 Maybe Donlin Gold can partner with some local carrier and  
 21 earn back some of the costs that will incur in the  
 22 construction and operation.  
 23 Qu yana.  
 24 **MR. KEITH GORDON:** Sir, if we could get  
 25 all of your affiliations, Kwethluk, Incorporated. Mary

Page 47

1 wasn't able to capture the rest of them.  
 2 **MR. MARTIN NICOLAI:** I'm a board member  
 3 for the Kwethluk, Incorporated. It's the village  
 4 corporation in Kwethluk. I'm an orthodox priest also for  
 5 over 30 years.  
 6 **MR. KEITH GORDON:** Thank you, sir. No,  
 7 there is no expectation that this project will not have  
 8 negative impacts. That's what we are trying to do is  
 9 characterize positive impacts, negative impacts. So if  
 10 the document appears to be saying nothing will go wrong,  
 11 nothing will ever happen that isn't predicted, everybody  
 12 knows that's not reasonable. It's just a matter of are  
 13 they proposing to do something in the manner that is  
 14 possible to be done and managed a way that is acceptable  
 15 for you all over a range of impacts.  
 16 Regarding barging in and of itself, the actual  
 17 percentage they are talking about, I gave you this example  
 18 of what you see now versus what you would see if the  
 19 project were constructed. What they are proposing is a  
 20 179 percent increase in barge traffic, and it's a  
 21 different type of traffic. It's industrial traffic,  
 22 basically, versus the smaller scale commercial traffic  
 23 that you are seeing now.  
 24 **MR. GEORGE GUY:** For the record, my name  
 25 is George Guy. I'm the business manager for Kwethluk,

Page 48

1 Incorporated. And I'd like to make a disclosure that I'm  
 2 on the board of directors of Calista Corporation, and I  
 3 have been managing our village corporation for the past 27  
 4 years. Kwethluk, Incorporated is a regional Alaska Native  
 5 village corporation. And pursuant to the draft EIS  
 6 statement for the Donlin Gold Project under ANCSA, the  
 7 regional Alaska Native corporations has goals, and that's  
 8 to generate profits for the corporation and shareholders  
 9 and provide joint economic benefits to the shareholders  
 10 and the descendents.  
 11 The content of the draft EIS is -- the project will  
 12 produce significant job opportunities for our shareholders  
 13 during the construction and the operations period and will  
 14 bring benefits to the region and the Alaska Native  
 15 corporations as long as it's developed environmentally  
 16 responsible and to protect our subsistence resources going  
 17 from a technical to a tactical transaction according to  
 18 the draft EIS.  
 19 There is a lot of risks involved dealing with the  
 20 project here, but in the 21st century we are changing from  
 21 the subsistence to the cash economy from no technology to  
 22 the 21st technology.  
 23 And therefore, I support Alternative No. 2, the  
 24 applicant's proposed action, based on the EIS. This is a  
 25 Draft Environmental Impact Statement, and I thank you for

Page 49

1 the opportunity to comment on the proposed project.  
 2 **MR. KEITH GORDON:** Thank you, sir. We  
 3 will go to No. 6. Alan and Bruce, for your planning  
 4 purposes, to my knowledge, we had eight folks that picked  
 5 up comment cards. After we get to all the folks who  
 6 picked up comment cards, we will open it up to folks in  
 7 the room for additional comment in case anybody who didn't  
 8 pick up a card wants to comment. Then we would go to the  
 9 hearing. So probably within the next 15 minutes we may be  
 10 starting the hearing.  
 11 Okay. We are up to 15 now, Alan, so it will be a few  
 12 more minutes beyond that.  
 13 **MR. NICK AYAPAN:** My name is Nick Ayapan,  
 14 and I'm from Kwethluk, and I'm a board member. And my  
 15 comment is the barges that go upriver. Every year we see  
 16 barges going upriver. Anyway, the barges go up and down.  
 17 Upriver from Kwethluk there is a sharp bend that goes like  
 18 this, and it really hugs the corners, like David  
 19 mentioned. And especially in the fall time when there is  
 20 high water, erosion gets -- starts eating up our river.  
 21 And to top that off, the global warming is upon us. It's  
 22 here. And the higher the water level is, the more erosion  
 23 that we are going to get.  
 24 So I think if we have less traffic on the barging,  
 25 that would be great. But if we have more like on the

Page 50

1 land, like David mentioned, the road system, I think that  
 2 would be a better idea instead of the barges.  
 3 And one more thing that I -- I didn't like when I was  
 4 at -- I mean what I saw on Facebook when the river turned  
 5 orange, I think that was when they had a tailing dam  
 6 failure. Would that happen here if we had a tailings at  
 7 Donlin Gold Mine?  
 8 **MR. KEITH GORDON:** That's one of the  
 9 questions in the analyses. We have various spill  
 10 scenarios that have been looked at for various potential  
 11 failures, whether it's a diesel spill, whether it's a  
 12 natural gas spill, whether it's some other chemical,  
 13 whether the tailings dam could have a release of one kind  
 14 or another. That's one of the things we need comments on.  
 15 They are not expecting -- the engineers that have  
 16 looked at it are not expecting a catastrophic failure of  
 17 the tailings dam that would result in a large movement of  
 18 tailings and the water that is a constituent of it  
 19 downstream or down slope, but there is a potential under  
 20 some events that some quantity of that water and/or the  
 21 tailings themselves could go downstream or down slope.  
 22 The question is how far does it go.  
 23 So no, I can't answer your question as to how bad it  
 24 might be. What we are looking for is comments on whether  
 25 or not we have adequately characterized the types of

Page 51

1 spills that might occur, the degree to which they might  
 2 happen, or just questions like -- that you have right now  
 3 because if you are asking a question, it's telling us,  
 4 okay, maybe we don't have enough information in the  
 5 document. Please continue.  
 6 **MR. NICK AYAPAN:** My question is that.  
 7 And what I saw in like -- I don't know, but when I told  
 8 Donlin about the dam spill, they didn't like that. So I  
 9 don't know if -- for myself, I don't like that. It would  
 10 destroy our subsistence way of life, fish. Any leak that  
 11 comes down, it will destroy that.  
 12 **MR. KEITH GORDON:** All right. We will go  
 13 to No. 7. If you all can stand, Mary, as she is keeping a  
 14 transcript, she can to a degree read lips as well as hear  
 15 you, so if she can't see you directly, if you can stand,  
 16 that will help her. Thank you.  
 17 **MR. NICOLAI ALEXIE:** Quyana. My name is  
 18 Nicolai Alexie, and I'm a board member with Kwethluk,  
 19 Incorporated. And my comments, I am for the alternative  
 20 No. 1, no action. That's my first and only alternative  
 21 choice. All things being equal, temporary and possible,  
 22 either it helps us or it hurts us. So we need level  
 23 access to the information. And that information is  
 24 essential to make good decisions. We are only here for a  
 25 short, short, short time. But that if -- if and when that

Page 52

1 dam is completed, it's going to be there for a long time,  
 2 longer than my lifetime. So we have to be careful what we  
 3 are doing here. And it's choices we are going to be  
 4 making because it will affect the future, not just us  
 5 right now.  
 6 Because the people that know where they have been,  
 7 they know where they are going. We do have a past here,  
 8 and we have a history. Our ancestors were here, and they  
 9 made sure we get what we wanted from hunting, fishing,  
 10 gathering, and in our turn we need to do that, pass it on  
 11 to our future -- future generations.  
 12 Quyana.  
 13 **MR. KEITH GORDON:** Thank you very much.  
 14 **MR. NOAH ALEXIE:** Quyana. I would like to  
 15 comment. My name is Noah Alexie from Tuluksak. I'm a  
 16 tribal council member. And my first question is,  
 17 cyanide -- cyanide, is it included?  
 18 **MR. KEITH GORDON:** China in what way? I'm  
 19 sorry. Cyanide. Yes, sir. What Donlin is proposing,  
 20 Donlin uses cyanide in their project as it's currently  
 21 proposed. This is not the open heap leach system that you  
 22 see in some other mines, but cyanide is included in their  
 23 closed process. The cyanide -- they are burning tons and  
 24 tons of cyanide, use it in their process, neutralize it at  
 25 the end, and then that material -- there is material that

Page 53

1 they have to in some cases remove and haul off. Mercury  
 2 is one of those constituents that's taken out. Other  
 3 materials or byproducts of the mining process may have to  
 4 be removed and disposed of.  
 5 So yes, there is substantial quantities of cyanide  
 6 proposed to be used in the process, but it's not the open  
 7 heap leach system that you are seeing in some places in  
 8 Alaska. It's a closed system.  
 9 **MR. NOAH ALEXIE:** Thank you. Thank you  
 10 very much for answering. And my comment is related to  
 11 [indiscernible] folks and this mine. And every year we  
 12 see difference of our water quality. We all know Red  
 13 Devil Mine up the Kuskokwim, and it's leaving heavy metal  
 14 [indiscernible], what can be affected to our bodies. And  
 15 I know that cyanide can be in containers where it can't  
 16 leak because it can't be captured in the air, the water or  
 17 the land.  
 18 So taking no action and so have a better  
 19 environmental analysis, we heard from our colleague  
 20 yesterday. And since I have seen it in the past from the  
 21 river, it was nicely cleared. I could see through the  
 22 riverbed. And I don't see that clearness of that water  
 23 quality.  
 24 And we have been having issues with the Fish &  
 25 Wildlife due to the fish that goes into a count today. If

Page 54

1 we can put all this in the data and report it to the  
 2 people that needs to read it. Thank you very much.  
 3 **MR. KEITH GORDON:** Okay. Folks, and for  
 4 clarification, some of the questions you all are asking I  
 5 can address today. Some of the questions I can't. There  
 6 are things we will take back and look at the analyses. So  
 7 some of you have had a number of questions that haven't  
 8 been addressed; others have fewer questions or more  
 9 questions that have. It's just a matter of what we can  
 10 address today. We may be, near the end of the meeting,  
 11 able to get you some of the subject matter experts in the  
 12 room who can address things that I can't at the moment.  
 13 **MS. LENA FOSS:** My name is Lena Foss. I'm  
 14 the EPA ICAP coordinator. The questions I wanted to ask  
 15 about barge traffic were already asked. Employment and  
 16 global warming.  
 17 In regards to global warming, how -- in regards to  
 18 the barge traffic, do you know, are we going to help the  
 19 communities to do some kind of erosion control to help  
 20 them with this global warming? Because, you know, Akiak  
 21 eroded this fall. And you know, it's because of global  
 22 warming, you know. I don't know if there would be any  
 23 kind of adequate study about global warming, you know,  
 24 because it's affecting Alaska and the ice is melting. You  
 25 know, how are we going to measure the water? How is

Page 55

1 Donlin Gold going to get water? You know, the waters are  
 2 depleting. Even Fairbanks has .1 snow this year, you  
 3 know. Look at Akiak. There is hardly any snow. We  
 4 usually have snow. So how are we going to address global  
 5 warming in regards to water?  
 6 **MR. KEITH GORDON:** Thank you. Global  
 7 climate change is happening. The degree to which is  
 8 manmade versus the degree which is natural, we are in the  
 9 process of determining the formulas that need to be used.  
 10 You all can see that this is a perpetually changing  
 11 process and science to figure out which way to go.  
 12 This Environmental Impact Statement uses current  
 13 methodologies that we are required to use. And then there  
 14 is the question of, okay, we are talking about global  
 15 climate change. In relation to this document, we would  
 16 have to look at this proposed project and try to figure  
 17 out if -- in relation to global climate change, what  
 18 percentage of it might be exacerbated by the proposed  
 19 project.  
 20 So that's why you see in the document the draft  
 21 conclusions to date indicate that this proposed project is  
 22 not expected to have a substantial change or cause a  
 23 substantial change in relation to global climate change  
 24 simply because of the amount of greenhouse gas emissions  
 25 it's expected to produce. But you asked a very important

Page 56

1 related question which is, what about erosion of the  
 2 riverbanks. Well, again, there is potentially a global  
 3 climate change angle there, but there is also a barging  
 4 angle, et cetera.  
 5 So it's -- any way we look at this, there is more  
 6 than one constituent to these issues we need to analyze.  
 7 So we will take your comment and see where we can go with  
 8 the analysis.  
 9 **MR. CHARITON EPCHOOK:** I'm Chariton  
 10 Epchook, chairman of Kwethluk, Incorporated. And our  
 11 board members have been charged additional duty of  
 12 watching over our natural and renewable resources from our  
 13 forefathers as well as the incorporators of Kwethluk,  
 14 Incorporated. We are not just trying to make money for  
 15 our shareholders, but we are watching over our natural and  
 16 renewable resources.  
 17 I'm currently for Alternative No. 1, the no action  
 18 plan for this project. Even though that this project will  
 19 bring jobs to this economically depressed region, we all  
 20 know that mining generally destroys all living things  
 21 within the surface and subsurface and in the water. And  
 22 if for some reason the tailings pond was to breach, both  
 23 Yukon and Kuskokwim River, the salmon, the small fish,  
 24 along with the natural and renewable resources that we  
 25 rely on will end up dying. And with that, us people that

Page 57

1 are living within these two rivers, we will be next to go.  
 2 And the other thing is that my concern was that  
 3 barges coming upriver coming up and down generally because  
 4 they may disrupt the -- especially our Chinook that we  
 5 have been conserving for the past three, four years.  
 6 And those are my two comments regarding the proposed  
 7 project. Thank you.  
 8 **MR. KEITH GORDON:** Thank you very much.  
 9 And No. 11, John, is right here.  
 10 **MR. JOHN ANDREW:** My name is John Andrew.  
 11 I'm from Kwethluk. I'm 71 years old now. I'm a lifetime  
 12 fisherman, hunter and trapper. I go out there -- and  
 13 first of all, I'd like to thank my iluks and angairaq for  
 14 doing their testimonies.  
 15 First of all, I'd like to do a prayer in Yup'ik, give  
 16 my friend over there, John Active, a little bit of work.  
 17 (Speaking in Yup'ik, translated through translator:)  
 18 I have been living here -- I was born, came to in the  
 19 wilderness. My parents taught me how to hunt and fish.  
 20 And now I do that for my grandchildren. But now I don't  
 21 because they are old enough to hunt for me, and I'm very  
 22 thankful for that. When I watch them, people around here,  
 23 they are -- they know that if they make money, it doesn't  
 24 come to a good end.  
 25 1945 when Red Devil Mine was open, a very few people

Page 58

1 worked there. And they made some money, but people --  
 2 because they had more money, they get into trouble, get  
 3 into accidents because of alcohol abuse, I guess. And  
 4 there was also -- in Tuluksak and in Platinum there was a  
 5 bigger mine, and that mine and even in NYAC, the erosion  
 6 from the mine negatively affected the rivers. And even in  
 7 Aniak -- or Tuluksak the fish were dying out because of  
 8 the overflow from the dams.  
 9 And then they would, of course, dig holes into the  
 10 ground and fill in the tailings, and then the people that  
 11 used to work at that mine would get sick and some of them  
 12 from the sicknesses or illnesses through their stomach  
 13 internally. And people who drink water from the rivers  
 14 below the mines would get sick. And even now recently  
 15 they -- they looked at some of the water, took samples  
 16 and -- and they were talking about lush or burbot and pike  
 17 fish had high levels of mercury.  
 18 And recently in McGrath, there was -- they were  
 19 thinking because up in McGrath the water is getting low  
 20 and hunters can't reach where they used to hunt up there.  
 21 Even Lime Village in the beginning, they were all for  
 22 the mine, but later on when the negative effects came,  
 23 they began to be against the mine because it was affecting  
 24 their subsistence lifestyle.  
 25 And we are not young, and if we die, our younger

Page 59

1 generations will be using these ill effects from mines.  
 2 And we who are living will be affected too much. But our  
 3 fishing generations will be affected by the mine.  
 4 (Speaking in English:)  
 5 My major concerns are -- on the actions, number one,  
 6 no action due to the fact if there comes around -- sooner  
 7 or later something is going to go around here and there  
 8 because on the pipelines -- on the pipeline action on the  
 9 natural gas, when I knew a gentleman from McGrath and  
 10 another one from Lime Village, they said they wouldn't be  
 11 able to go hunt and trap or subsist in the area where they  
 12 used to go before. They mentioned that.  
 13 And there was other existing in the past that they  
 14 had Red Devil Mine; Red Devil Mine and the NYAC and the  
 15 Platinum. People that used to go up there used to develop  
 16 some kind of internal -- mostly cancer and some other  
 17 sickness which they would never recover from.  
 18 And then up -- a lady from up in Aniak told me that  
 19 their fish fry or fish around up in that area are  
 20 contaminated with mercury and arsenic. People had to  
 21 consume -- some of them developed cancer of their liver or  
 22 their insides.  
 23 I'm not very good in English, but I think I can do a  
 24 presentable -- do a presentation. Thank you.  
 25 **MR. KEITH GORDON:** Thank you very much.

Page 60

1 I'll just make a note for you as far as the meeting  
 2 progression. We have maybe 19 or 20 people now who would  
 3 like to comment. We do need to get BLM's hearing in, so  
 4 we will continue taking comments until approximately 3:45.  
 5 Then we will go to BLM's hearing. Then we will go back to  
 6 taking comments.  
 7 Please note that if you have a comment that relates  
 8 particularly to subsistence as well as other things, every  
 9 comment you make, regardless of whether it's just a  
 10 comment on the draft EIS or an 810 hearing comment, the  
 11 Corps of Engineers and the other cooperators are using  
 12 those in our EIS analyses, and BLM is using all comments  
 13 made that relate to subsistence for their 810 hearing. So  
 14 we are using this information both ways.  
 15 So there shouldn't be a huge degree of concern about  
 16 whether or not your comment is received in one form or  
 17 another. We are going through all of them.  
 18 **MR. IVAN M. IVAN:** My name is Ivan M.  
 19 Ivan. Chief Akiak Native Community, Akiak Area Council,  
 20 Village of Akiak. My comments will be very brief.  
 21 First of all, I want to thank you for coming here and  
 22 presenting your EIS and looking for comments. I just want  
 23 to let you know last year people said bring us along in  
 24 the process on the EIS. And work in the meeting for us to  
 25 comment. And thank you for extending the deadline that

Page 61

1 you mentioned earlier in the meetings about the closure --  
 2 I believe the closure of your comments in some  
 3 communities.  
 4 And following that, for our future review and  
 5 decision, we ask for the following. And I'm speaking as  
 6 an individual now.  
 7 No. 1, the draft EIS you have and we heard your  
 8 comments. To me that is a lot of paper, words, letters in  
 9 the 7,000 pages. You said it was. It's quite complicated  
 10 for us, so -- but your presentation is good as you did in  
 11 summary. We ask for meeting records if they are allowable  
 12 under federal law, what she's taking, for us to review  
 13 when we have the opportunity, the notes that she is  
 14 taking. And give it to the villages, which would allow  
 15 the Kuskokwim River to keep them along.  
 16 We have had to fight to be recognized as tribes. And  
 17 the input that we tried years before into this process, we  
 18 were pretty much almost shut down. But thank you again  
 19 for bringing it in to make our comments to this and also  
 20 allowing our community to be part of the process in  
 21 delivering your EIS report.  
 22 As far as -- summarize as much as you can the  
 23 information that you have given us and ship it to us with  
 24 her notes.  
 25 No. 2, we would ask that Donlin Gold

Page 62

1 representatives -- who was it here? Mr. Chimegalrea --  
 2 present us a general summary which you didn't do before  
 3 with your meetings in the communities, your development  
 4 plans. Let us know how the people, government agencies  
 5 are progressing and what's up next.  
 6 Finally, we must -- you must allow us to invest in  
 7 our young people to be ready, train for jobs that would be  
 8 used at Donlin Gold. If you could talk to the State and  
 9 federal agencies that will help in job-creating  
 10 opportunities, we ask -- I would ask you to do that.  
 11 Maybe the State can train them. I don't know how it can  
 12 be done. Private labor? Those folks allow them to teach  
 13 our young people of the [indiscernible] and opportunities  
 14 to train them for heavy equipment or whatever may be  
 15 needed up in that mine.  
 16 And that's basically my comment to you right now. I  
 17 will take some time to review what you have presented and  
 18 the options that you are considering. Please bring us  
 19 along, not only here, but thank you for allowing Kwethluk,  
 20 Akiakchak and Tuluksak to do that.  
 21 I know you have a lot to do. I don't envy you.  
 22 Thank you very much.  
 23 **MR. KEITH GORDON:** Thank you very much,  
 24 Chief Ivan. We are trying -- going through the process  
 25 now of determining how we can make the transcript of this

Page 63

1 available to each of the communities we visit. So I thank  
 2 you very much for your input.  
 3 We are aware that we are analyzing a proposed project  
 4 that, if permitted, would be constructed where you live  
 5 and affects you all. I don't live here. That's why we  
 6 need your input because you are the ones that can tell me  
 7 whether or not the analyses are adequate, whether or not  
 8 we need to do more, whether or not we characterized the  
 9 potential impacts of the project. So we're here for your  
 10 input because we need it. But please understand this is  
 11 not your last and only opportunity to do it. There is  
 12 multiple ways you can get it to us.  
 13 At this point in time, as I mentioned, we are going  
 14 to have to go to BLM and have them initiate their hearing,  
 15 but please note that once Alan gets that initiated and you  
 16 all start providing testimony in the hearing, those  
 17 subsistence-related comments that are testimony in the  
 18 hearing will also be considered, as I mentioned, in the  
 19 EIS. And as soon as the hearing concludes, we will go  
 20 back to taking comments on the draft Environmental Impact  
 21 Statement, or anything else you would like to comment  
 22 about.  
 23 Alan, are you ready to initiate BLM's ANILCA 810  
 24 hearing?  
 25 **MR. ALAN BITTNER:** Yes, I'm here.

Page 64

1 **MR. JON ISAACS:** We have your slides that  
 2 we can pull up, and I'll put the microphone next to the  
 3 phone so you can speak.  
 4 **MR. ALAN BITTNER:** Okay. Can you hear me  
 5 okay?  
 6 **MR. JON ISAACS:** Try again.  
 7 **MR. ALAN BITTNER:** And it's being  
 8 amplified in the room all right?  
 9 **MR. JON ISAACS:** Yes.  
 10 **MR. ALAN BITTNER:** Okay. My name is Alan  
 11 Bittner. I'm the Anchorage field manager for the Bureau  
 12 of Land Management. And first, Chief Ivan, I apologize  
 13 for not being able to be there. Mr. Ivan, if you would  
 14 prefer to have us come back at another time, we can  
 15 certainly do that, or if you would like to visit with us  
 16 in consultation, you are certainly welcome to do that at  
 17 any time, as well, either on the phone or we can come and  
 18 visit with you at some point. So I want to make that  
 19 offer to you as chief. So --  
 20 And we will attempt to give this presentation as  
 21 quickly and precisely as we can, as long as I can be heard  
 22 in the room. And then we will open up a brief hearing on  
 23 the potential subsistence impacts and allow people to  
 24 testify for that.  
 25 Keith, are we still looking at being done by 4:30?

Page 65

1 Or I know the charter has to leave, I think, by 5:00.  
 2 Right?  
 3 **MR. KEITH GORDON:** We will have a  
 4 discussion about that as the hearing goes on. We can --  
 5 we discussed the fact that we can start taking down  
 6 everything that we have here so that we can get the  
 7 comments from these folks without getting into some  
 8 bureaucratic problem just with our own schedule and  
 9 everything. So we will work that as the hearing  
 10 continues.  
 11 **MR. ALAN BITTNER:** And if I could,  
 12 Mr. Ivan, are you okay with us continuing with this?  
 13 **MR. IVAN M. IVAN:** I have no problem with  
 14 that. It's up to these folks that are here.  
 15 **MR. ALAN BITTNER:** Okay. I'll just go  
 16 ahead and I apologize for not being able to make it over  
 17 there. Like I said, we will work it out to visit any  
 18 other time or over the phone or any of that to get some  
 19 testimony after that, so --  
 20 **MR. IVAN M. IVAN:** Thank you. This is  
 21 Ivan here. I appreciate your effort to do this right now.  
 22 I don't think is a good time, in my opinion. A  
 23 recommendation from one of our constituents said, here,  
 24 let these guys do their job right now and we can invite  
 25 you later on to do a good job and let these other

Page 66

1 villagers come in, too, with that one thing in mind about  
 2 the ANILCA 810 hearings as I see on the board. So I  
 3 recommend that we go with what we have here, let them get  
 4 done, and bring you in some time nearly in the future.  
 5 **MR. KEITH GORDON:** Okay. Thank you, Chief  
 6 Ivan. With that, we won't be initiating a 810 hearing.  
 7 We will work out how and when that will be done later.  
 8 Alan, any other comments?  
 9 **MR. ALAN BITTNER:** No. I can appreciate  
 10 that, Mr. Ivan. I apologize for not being able to be  
 11 there. So I look forward to visiting each community and  
 12 we look forward to scheduling something with you shortly  
 13 where we can be there and participate with you and the  
 14 nearby communities.  
 15 **MR. KEITH GORDON:** Okay. Thank you, Alan.  
 16 I think we are at No. 13.  
 17 **MR. MICHAEL WILLIAMS:** My name is Michael  
 18 Williams. I'm too old to stand. Thank you very much.  
 19 And please read my lips. Benefit all.  
 20 Yeah, my name is Michael Williams. I'm -- I have  
 21 been on the tribal -- Akiak Native Community Tribal  
 22 Council for a long time; 30, 35 years, I think. And also  
 23 currently the chairman for the 33 federally recognized  
 24 tribes, Kuskokwim Intertribal Fish Commission as I'm  
 25 chairing that right now. And I have a lot of concerns

Page 67

1 with the issue of fish which we have been dealing with  
 2 lately.  
 3 But with the EIS, Akiak Native community chose to be  
 4 a cooperating agency with this process. And early on we  
 5 were concerned about the impacts that it may have on the  
 6 Kuskokwim River, the land, the water, the air, and the  
 7 people. So we are very concerned, and we want to be  
 8 participants in this process if it is ever going to be  
 9 developed.  
 10 You know, Calista Corporation initiated this, our  
 11 regional corporation, which I'm a shareholder of. And we  
 12 had to move forward with their proposal. And I don't know  
 13 what the agreement is between the developer and also our  
 14 corporation.  
 15 But many issues have been said and I'm not going to  
 16 try to repeat them because of the time factor.  
 17 One thing that I am very concerned about is the  
 18 impact on the human health. The issue of suicide is the  
 19 highest in the nation here. The issue of domestic  
 20 violence, sexual abuse are the highest in the nation. And  
 21 the issue of cancer deaths is the highest, very high.  
 22 Accidental deaths is the highest. The issue of substance  
 23 abuse, mainly the issue of alcohol abuse, has impacted and  
 24 continued to kill our people.  
 25 So in looking at all of these impacts, the -- you

Page 68

1 know, I think a lot of the staff have done a good job in  
 2 dealing with the issue of erosion which we need control by  
 3 the Akiak, you know, community and in the villages  
 4 elsewhere that may be impacted by barge activity, you  
 5 know. The State and Feds and everybody needs to -- there  
 6 is more barge impacts on the erosion issue, then we have  
 7 to mitigate.  
 8 And in looking at the winter traffic with the ice  
 9 roads, I was thinking of maybe some transportation in the  
 10 winter will minimize some of that barge traffic in the  
 11 summer. But those are some of the things that, you know,  
 12 I have been thinking about. And we need to assess the  
 13 status of the people here and to do a lot of preventative  
 14 work so our children will be protected, our women will be  
 15 protected.  
 16 And we have been reading about what the impacts have  
 17 been in North Dakota with the oil development. And of  
 18 course, we are the poorest in the nation here economically  
 19 or cash-wise. But I think if this development occurs,  
 20 then we are going to see some cash flow and also alcohol  
 21 in Bethel being available and other substances coming in  
 22 and hurting our people, as we see the history.  
 23 But I think investing in education, investing in  
 24 enhancing a governance that will benefit 56 villages, 56  
 25 tribes here in the region, the way -- the way we are at

Page 69

1 right now, we don't have that structure. The river folks  
 2 are taking a look at the governance structure of  
 3 establishing a borough, and it has been mentioned in  
 4 Bethel. And a lot of us tribes have been looking at  
 5 overall regional structure where if development occurs,  
 6 that we help manage the fisheries, the wildlife, the  
 7 habitat, everything here; the public safety, doing some  
 8 health care work. And it's going to require more housing  
 9 because of the population issues.  
 10 So looking at the draft EIS, I think we need to beef  
 11 up some of those social ills that are going to be coming  
 12 with the development and from outside forces.  
 13 So I think right now is a very good time that those  
 14 people need to -- we need to invest in our education. We  
 15 need to invest in our training activities to prepare these  
 16 folks for the jobs that may be, you know, available up --  
 17 up and down the river here. But those are the things that  
 18 I think we need to take a hard look at.  
 19 Some of the things that I brought up early on, people  
 20 thought I was, you know, against the development of our  
 21 resources, but it was not -- I was very concerned about  
 22 all of the things that are -- that were said here and also  
 23 the impacts on our people here. So I just want to make  
 24 sure that we are protected in the future. And if  
 25 development occurs, then maximum benefits go to all of the

Page 70

1 56 tribes here in the region and that no village is left  
 2 behind.  
 3 Thank you.  
 4 **MR. KEITH GORDON:** Thank you very much.  
 5 **MR. FRITZ GEORGE:** Qu yana. For the  
 6 record, my name is Fritz George, council member for  
 7 Akiakchak Tribal Council. Like my eluk from Kwethluk,  
 8 although I haven't read the EIS, I choose Alternative  
 9 No. 1, no action. And looking at the -- probably like  
 10 they make promises down in the Lower 48, Mexico and  
 11 Brazil, recently the dam broke and whatever toxins flowed  
 12 down to the Gulf of Mexico and to the Atlantic Ocean,  
 13 contaminating fish and ruined the fishermen down there,  
 14 their livelihood.  
 15 And I'm kind of worried about the seventh generation  
 16 down the line after us. How are they going to cope with  
 17 Donlin mine if an accident happens? And seems like mines  
 18 in Mexico and Brazil probably are going to break and ruin  
 19 the Kuskokwim. But it seems like this is America.  
 20 Hopefully it's not going to happen.  
 21 If an accident happens, what would be the alternative  
 22 foods if salmon stocks are destroyed? And seems like  
 23 hamburgers, pizza, chicken and hot dogs cannot replace our  
 24 subsistence. Like yesterday somebody mentioned that his  
 25 children and grandchildren are now eating hamburgers and

Page 71

1 pizza. We can't afford them.  
 2 And seems like I haven't heard of anybody fighting  
 3 Donlin like the Bristol Bay tribes are fighting and  
 4 defeating Pebble. And right now seems like the Red Devil  
 5 toxins, the mercury -- and I don't know about NYAC, if  
 6 it's still -- if they are still leaking toxins.  
 7 That's all I got. Qu yana.  
 8 **MR. KEITH GORDON:** Okay. Thank you very  
 9 much.  
 10 **MR. JACKSON WILLIAMS:** Yes. Qu yana.  
 11 Jackson Williams from Akiak Corporation and in the past  
 12 involved with all these 40 years that I have been -- I was  
 13 in the tribal council, city council. And you know, part  
 14 of the testimonies I heard are very, very good.  
 15 And one thing I'd like to bring out is, you know,  
 16 that spill that can happen. You know, this past winter, I  
 17 was -- maybe this last winter or last year on the -- we  
 18 have seen on TV -- we seen -- I don't know if it was in  
 19 the U.S. gold mine or another country, looking at that,  
 20 the spill that was on the tailings, the dam broke out,  
 21 erosion maybe.  
 22 And really a lot of the testimonies I heard, the  
 23 [indiscernible] from our river, the Kuskokwim River. Not  
 24 too long ago, we had a 7.1 maybe around Kenai. And I  
 25 remember the 1964 earthquake in Anchorage. 9.1, I think,

Page 72

1 the highest that we ever had for the United States.  
 2 And my question is and my concern that something --  
 3 let's say the mine gets underway and maybe ten years or  
 4 so, 15 -- because, like I said, earthquakes are very  
 5 unpredictable. You can't -- you can't know when they will  
 6 happen, but they do happen. And let's say the mine got  
 7 underway. And just like 7.4 or higher earthquake happen  
 8 up anywhere, you know, the Kuskokwim, after the mine had  
 9 started and that tailings break and they say that  
 10 chemicals flow down the river, is there -- hopefully there  
 11 should be a plan that will try to eliminate that. But I  
 12 know for one thing, I would say that no matter how we try,  
 13 once that dam break and it's in the water, it would be  
 14 good to have that plan.  
 15 But as I was speaking to people speaking out, you  
 16 know, Calista and the regional corporations around the  
 17 river, who is going to pay for that? Hopefully there is a  
 18 plan that will be taken care of. You know, I have been  
 19 just talking around and asking. Hopefully the mine  
 20 workers up there will have money for that very purpose.  
 21 That's what I'm assuming.  
 22 But also my last comment I heard, I was from here, I  
 23 was born here, I'll die here. I'm not going to go  
 24 anywhere. This is my home. Like when I used to be tribal  
 25 council, city council, we tried to ask the Corps of

Page 73

1 Engineers to help us out on our erosion. And the city --  
 2 at the time there was help that came around, but the high  
 3 water, they couldn't put those -- you know, what they was  
 4 going to put along the river. But they put them anyway,  
 5 and it didn't help.  
 6 And my -- and my biggest concern, I hope, you know,  
 7 that they say sludge and the high water, tidal change, you  
 8 know, it's affecting us in the village here. And  
 9 hopefully we will get assistance from the Corps of  
 10 Engineers for that testimonies we hear.  
 11 Thank you.  
 12 **MR. KEITH GORDON:** Thank you very much.  
 13 And as I'm sure you are aware, Mr. Bruce Sexauer of our  
 14 project management branch is the individual who can help  
 15 you all with any additional projects the Corps might  
 16 construct to deal with some of the erosion you might be  
 17 experiencing -- that you are experiencing.  
 18 **MR. EARL SAMUELSON:** Earl Samuelson,  
 19 Napaskiak. Grew up in Bethel. I live in Napaskiak. Also  
 20 disclosing that I'm shareholder of Calista and a director.  
 21 I wanted to -- I came here to listen to you and also to  
 22 support the No. 2. I want to say that because I've flown  
 23 all over the Delta. And you heard it earlier. Our people  
 24 are hurting. Our young people are hurting. We have the  
 25 highest of everything: Highest suicide, jobless, poverty.

Page 74

1 This gives opportunity. Everybody can't be a miner  
 2 or work in a mine, but it opens up the door for our young  
 3 people to be part of it. I also wanted to encourage the  
 4 communities to be part of it just like this, be part of  
 5 the decision making that goes along the river or be  
 6 involved with the salmon. Like Mr. Ivan said, all of  
 7 these villages got to be involved.  
 8 There is one concern about the dock that's proposed  
 9 to build down below Bethel. I know that's a concern for  
 10 me because it's going to reflect diversion of the water  
 11 downstream from us, from the community of Bethel. I'm  
 12 sure there is a lot of engineers that are looking at that,  
 13 and come up with a decision that will benefit not only  
 14 Bethel, but downstream communities.  
 15 Thank you.  
 16 **MR. KEITH GORDON:** Thanks very much.  
 17 **MS. LILLIAN LLIABAN:** Lillian Lliaban,  
 18 Akiak Corporation. 100 years ago Red Devil and NYAC were  
 19 going on and were in operation. 60 years ago there is not  
 20 even a handful of us in here that were boys and girls  
 21 then. Most of you guys were in diapers and most of you  
 22 guys weren't being born. It was different then. And  
 23 during my lifetime ANCSA came, and now it's different.  
 24 Those years, 100 years ago, the gold miners or whoever --  
 25 you can ask around. You didn't have meetings with the

Page 75

1 local people. They just did whatever they wanted to do.  
 2 But today it's different.  
 3 I'm a shareholder, Calista shareholder, and I'm a  
 4 tribal member. And you have heard about NYAC, Tuluksak  
 5 people, and the Red Devil mine. After 40, 50 years,  
 6 something surfaced, a bad thing that happened in Red  
 7 Devil. And it being bad cannot stay hidden. The Creator  
 8 always bring it up and let people see, and we feel it.  
 9 And John Andrew was -- mentioned that about NYAC and Red  
 10 Devil.  
 11 Now, I'm 70 years old. I'm going to become  
 12 fertilizer pretty soon. It's the younger generation that  
 13 I'm worried about after we are gone.  
 14 Subsistence. The welfare food stamp ain't going to  
 15 last long. And the education, after they graduate they  
 16 don't go away from the village. They stay. There is few  
 17 of us parents that have children that went away from the  
 18 village. And most of them are staying behind, staying.  
 19 And it's not that they have no place to go. They just  
 20 making their mind. It's their choice to stay behind. And  
 21 now we got the technology that we have nowadays, I'm  
 22 pretty sure that Donlin Creek might work or might not.  
 23 It's the river we are worried about. Just like  
 24 Mr. Williams was saying, how about if a big earthquake  
 25 came about? The Kuskokwim will be contaminated. And

Page 76

1 where will we eat from? The Kuskokwim, the ocean is our  
 2 [indiscernible], and we survive from that. And there is a  
 3 lot of things that can happen.  
 4 I'm not for Donlin Creek. I'm not against Donlin  
 5 Creek. I'm just neutral. I just watch and listen. Thank  
 6 you.  
 7 **MR. KEITH GORDON:** Thank you very much.  
 8 **MS. SANDRA NICORI:** Sandra Nicori,  
 9 Kwethluk, Incorporated board member. The comment that I  
 10 have to say concerns [indiscernible]. Let me talk about  
 11 what's presently happening. Because we are trying to  
 12 preserve our Chinook runs, it's affecting the -- we don't  
 13 put away as many fish as we have in the past.  
 14 And then with the earthquake in Anchorage, I got to  
 15 thinking, you know, if it came to the point where, you  
 16 know, if anything -- a natural disaster should happen and  
 17 we don't have any fish anymore, I got to thinking because,  
 18 you know, this winter we are kind of running short on our  
 19 dry fish. And it got me to thinking if Donlin Gold would  
 20 come up with or have a committee or come up with a plan  
 21 whereby we would have access to fish from other regions of  
 22 the state.  
 23 I guess that's basically my comment. There is --  
 24 there is different ways they can do it, but they can come  
 25 up with a plan if ever -- if it should ever come to that

Page 77

1 point. Thank you.  
 2 **MR. KEITH GORDON:** Okay. Thank you very  
 3 much. Okay. Is there anybody who doesn't have a number  
 4 who would like to have a comment? You don't have to have  
 5 a number to be able to comment. Okay. We don't have  
 6 to -- our plane, assuming it's on schedule, leaves about  
 7 5:00. We have got some things we have to take down. But  
 8 sir, you had a variety of questions. Some of them, we may  
 9 have folks in the room who can give you answers to some of  
 10 those regarding some of the draft conclusions and draft  
 11 analyses that we currently had. So we have folks in the  
 12 room. If you all would like to talk to anybody, see if we  
 13 can answer some of the comments or questions you brought  
 14 up today, we are here to do that. So please just let us  
 15 know and we will go from there.  
 16 **MR. TAYLOR BRELSFORD:** I wonder if I could  
 17 add a special word of appreciation to the people here who  
 18 joined us three years ago. During the scoping meeting,  
 19 several people talked about long-term health impacts and  
 20 the importance of the local governments, the tribes, the  
 21 cities having advanced notice so that you could plan ahead  
 22 and think about new demands on your government structures  
 23 on your tribes.  
 24 So we actually went around and interviewed Elders to  
 25 ask about current strengths in the cities' and the tribes'

1 current leadership strengths and challenges, leadership  
2 challenges or government's challenges, and then to look  
3 ahead if the Donlin project were to go forward what are  
4 some of those things maybe behavioral health problems like  
5 Mr. Williams spoke about, like infrastructure, housing,  
6 city services, things of that sort. That whole study,  
7 Donne Fleagle, my colleague, traveled last summer to  
8 interview about 30 Elders to put that technical paper  
9 together.  
10 But I just want to say that was inspired by the  
11 comments that people made here three years ago. And then  
12 I heard those same ideas about planning ahead and being  
13 ready if a big development project were to go forward. I  
14 heard those comments again today. So I just want to again  
15 say thank you for the contribution that you made to our  
16 team, to our work, several years ago.  
17 **MR. KEITH GORDON:** Okay. Thank you very  
18 much. I'll put this microphone down, and let's just  
19 discuss whatever you would like to discuss at this point  
20 in time. If you all have comments you want to make that  
21 are part of the transcript, let us know and Mary will  
22 document those, but other than that, we are here to just  
23 have a conversation with you from now until whenever we  
24 have to run over to the airstrip.  
25 (Proceedings adjourned at 4:20 p.m.)

1 **REPORTER'S CERTIFICATE**  
2 I, MARY A. VAVRIK, RMR, Notary Public in and for  
3 the State of Alaska do hereby certify:  
4 That the foregoing proceedings were taken before  
5 me at the time and place herein set forth; that the  
6 proceedings were reported stenographically by me and later  
7 transcribed under my direction by computer transcription;  
8 that the foregoing is a true record of the proceedings  
9 taken at that time; and that I am not a party to nor have  
10 I any interest in the outcome of the action herein  
11 contained.  
12 IN WITNESS WHEREOF, I have hereunto subscribed  
13 my hand and affixed my seal this \_\_\_\_ day of February  
14 2016.  
15  
16 MARY A. VAVRIK,  
17 Registered Merit Reporter  
18 Notary Public for Alaska  
19 My Commission Expires: November 5, 2016  
20  
21  
22  
23  
24  
25

[	<p><b>additional (9)</b> 11:16,19;12:5;18:18; 44:3,18;49:7;56:11; 73:15</p>	<p><b>ain't (1)</b> 75:14</p>	<p><b>although (3)</b> 37:16;38:15;70:8</p>	<p>14:1 <b>appears (1)</b> 47:10</p>
<p><b>[indiscernible] (6)</b> 53:11,14;62:13; 71:23;76:2,10</p> <p><b>[Speaking (1)</b> 33:23</p>	<p><b>address (5)</b> 29:10;54:5,10,12; 55:4</p> <p><b>addressed (1)</b> 54:8</p> <p><b>adequate (3)</b> 23:11;54:23;63:7</p>	<p><b>air (7)</b> 18:25;26:22;27:1; 33:2;45:16;53:16;67:6</p> <p><b>airlines (1)</b> 44:7</p> <p><b>airstrip (2)</b> 8:24;78:24</p> <p><b>Akiak (14)</b> 34:22;36:1,9;39:2; 54:20;55:3;60:19,19, 20;66:21;67:3;68:3; 71:11;74:18</p> <p><b>Akiakchak (3)</b> 39:2;62:20;70:7</p> <p><b>Alan (17)</b> 37:24;38:4;44:5; 49:3,11;63:15,23,25; 64:4,7,10,10;65:11,15; 66:8,9,15</p> <p><b>Alaska (13)</b> 5:7;9:12;31:18; 32:10;37:6;40:18;41:3, 9;48:4,7,14;53:8;54:24</p> <p><b>alcohol (3)</b> 58:3;67:23;68:20</p> <p><b>ALEXIE (5)</b> 51:17,18;52:14,15; 53:9</p> <p><b>alignment (2)</b> 18:17;22:4</p> <p><b>allow (4)</b> 61:14;62:6,12;64:23</p> <p><b>allowable (1)</b> 61:11</p> <p><b>allowing (2)</b> 61:20;62:19</p> <p><b>almost (2)</b> 43:6;61:18</p> <p><b>along (10)</b> 7:25;8:21;18:21; 38:3;56:24;60:23; 61:15;62:19;73:4;74:5</p> <p><b>alternative (69)</b> 5:20;13:13;16:9,17, 21,22,23,24,25;17:3,5, 6,7,13,16,24;18:2,3,5,9, 15;19:4,7,8,8,10,12,16, 16,21;20:1,4,9,10,10, 11,21;21:9,23,23,24; 22:1,3,6,12;23:7;24:9, 19,23,25;25:3,5,5,7,11, 23;26:17,18,22,24; 45:8,24;46:4;48:23; 51:19,20;56:17;70:8, 21</p> <p><b>alternatives (18)</b> 16:7,10,12;17:4; 18:16;21:25;22:10; 24:10,11,15,25;25:2; 26:6,6,11,15;27:14; 43:9</p>	<p><b>altogether (1)</b> 30:11</p> <p><b>always (3)</b> 24:16;46:8;75:8</p> <p><b>Amanda (1)</b> 31:16</p> <p><b>America (1)</b> 70:19</p> <p><b>among (1)</b> 39:23</p> <p><b>amount (5)</b> 18:11;22:25;26:6; 37:19;55:24</p> <p><b>amplified (1)</b> 64:8</p> <p><b>analyses (25)</b> 5:16;6:6,22;11:11, 12,17;14:9;15:15,18; 16:11,23;21:14;22:2, 15;23:10;25:11;27:5; 29:5;32:4;33:20;50:9; 54:6;60:12;63:7;77:11</p> <p><b>analysis (5)</b> 14:18;15:5;42:25; 53:19;56:8</p> <p><b>analyze (5)</b> 14:22;19:6;21:16; 42:18;56:6</p> <p><b>analyzed (3)</b> 26:11,12;28:4</p> <p><b>analyzing (1)</b> 63:3</p> <p><b>ancestors (1)</b> 52:8</p> <p><b>Anchorage (5)</b> 35:2,9;64:11;71:25; 76:14</p> <p><b>ANCSA (4)</b> 39:10,17;48:6;74:23</p> <p><b>and/or (1)</b> 50:20</p> <p><b>Andraschko's (1)</b> 31:16</p> <p><b>ANDREW (3)</b> 57:10,10;75:9</p> <p><b>angairaq (1)</b> 57:13</p> <p><b>angle (2)</b> 56:3,4</p> <p><b>Aniak (2)</b> 58:7;59:18</p> <p><b>ANILCA (5)</b> 7:2;43:1;44:12; 63:23;66:2</p> <p><b>animals (2)</b> 35:15;45:14</p> <p><b>anymore (1)</b> 76:17</p> <p><b>apologize (3)</b> 64:12;65:16;66:10</p> <p><b>appear (1)</b></p>	<p><b>applicant's (1)</b> 48:24</p> <p><b>applications (1)</b> 14:6</p> <p><b>appreciate (3)</b> 5:4;65:21;66:9</p> <p><b>appreciated (1)</b> 38:21</p> <p><b>appreciation (1)</b> 77:17</p> <p><b>appropriately (1)</b> 26:10</p> <p><b>approved (1)</b> 45:21</p> <p><b>approximately (7)</b> 7:20;9:4,6,19;11:24; 39:2;60:4</p> <p><b>April (4)</b> 11:7;12:21,23;30:23</p> <p><b>area (9)</b> 21:5;35:4,5,14,16; 41:1;59:11,19;60:19</p> <p><b>areas (2)</b> 22:23;42:11</p> <p><b>Army (10)</b> 4:15,25;5:6,7,10,14; 14:7,24;29:10;31:17</p> <p><b>around (14)</b> 23:17;36:1;45:16; 46:9;57:22;59:6,7,19; 71:24;72:16,19;73:2; 74:25;77:24</p> <p><b>arsenic (1)</b> 59:20</p> <p><b>assess (1)</b> 68:12</p> <p><b>assistance (1)</b> 73:9</p> <p><b>assisting (2)</b> 5:23;32:1</p> <p><b>assume (1)</b> 13:2</p> <p><b>assuming (4)</b> 9:20;40:21;72:21; 77:6</p> <p><b>asterisk (1)</b> 24:17</p> <p><b>Atlantic (1)</b> 70:12</p> <p><b>attempt (2)</b> 12:21;64:20</p> <p><b>attempted (2)</b> 12:10;39:22</p> <p><b>attend (1)</b> 31:6</p> <p><b>authorities (3)</b> 5:19;14:7,20</p> <p><b>authority (2)</b> 6:2;37:19</p> <p><b>available (11)</b></p>
A	<p><b>ability (1)</b> 25:22</p> <p><b>able (14)</b> 7:8;10:17;12:12; 28:13;36:12;37:18; 38:6;47:1;54:11;59:11; 64:13;65:16;66:10; 77:5</p> <p><b>above (1)</b> 36:21</p> <p><b>abuse (4)</b> 58:3;67:20,23,23</p> <p><b>acceptable (1)</b> 47:14</p> <p><b>acceptance (1)</b> 6:18</p> <p><b>access (4)</b> 8:12,14;51:23;76:21</p> <p><b>accident (2)</b> 70:17,21</p> <p><b>Accidental (1)</b> 67:22</p> <p><b>accidents (1)</b> 58:3</p> <p><b>according (1)</b> 48:17</p> <p><b>ACMA (2)</b> 7:17;10:9</p> <p><b>across (2)</b> 23:4;36:2</p> <p><b>Act (3)</b> 6:1;14:8;40:18</p> <p><b>action (13)</b> 16:18,21,22,24;45:8, 20;48:24;51:20;53:18; 56:17;59:6,8;70:9</p> <p><b>actions (1)</b> 59:5</p> <p><b>Active (5)</b> 4:4,18;12:13;41:4; 57:16</p> <p><b>activities (1)</b> 69:15</p> <p><b>activity (3)</b> 41:18;46:7;68:4</p> <p><b>actual (1)</b> 47:16</p> <p><b>actually (5)</b> 10:4;16:18;37:9; 44:8;77:24</p> <p><b>add (2)</b> 12:5;77:17</p>	<p><b>adjacent (1)</b> 8:2</p> <p><b>adjourned (1)</b> 78:25</p> <p><b>advanced (1)</b> 77:21</p> <p><b>advent (1)</b> 40:1</p> <p><b>AECOM (4)</b> 31:23;32:2,14;33:21</p> <p><b>affect (3)</b> 27:12;35:14;52:4</p> <p><b>affected (5)</b> 45:14;53:14;58:6; 59:2,3</p> <p><b>affecting (4)</b> 54:24;58:23;73:8; 76:12</p> <p><b>affects (1)</b> 63:5</p> <p><b>affiliations (1)</b> 46:25</p> <p><b>afford (1)</b> 71:1</p> <p><b>afraid (1)</b> 46:5</p> <p><b>afternoon (3)</b> 5:4;6:9;38:25</p> <p><b>again (3)</b> 4:13;19:3,8;25:2,10; 26:5,7,24;56:2;61:18; 64:6;78:14,14</p> <p><b>against (3)</b> 58:23;69:20;76:4</p> <p><b>agencies (7)</b> 5:23,25,25;13:9; 31:25;62:4,9</p> <p><b>agency (7)</b> 5:12,19;31:22;32:6; 33:21;34:14;67:4</p> <p><b>agenda (1)</b> 6:9</p> <p><b>ago (8)</b> 42:10;71:24;74:18, 19,24;77:18;78:11,16</p> <p><b>agreement (1)</b> 67:13</p> <p><b>ahead (8)</b> 7:7;21:17;45:2,22; 65:16;77:21;78:3,12</p>	<p><b>Agai (1)</b> 75:14</p> <p><b>Agai (7)</b> 18:25;26:22;27:1; 33:2;45:16;53:16;67:6</p> <p><b>Agai (1)</b> 44:7</p> <p><b>Agai (2)</b> 8:24;78:24</p> <p><b>Agai (14)</b> 34:22;36:1,9;39:2; 54:20;55:3;60:19,19, 20;66:21;67:3;68:3; 71:11;74:18</p> <p><b>Agai (3)</b> 39:2;62:20;70:7</p> <p><b>Agai (17)</b> 37:24;38:4;44:5; 49:3,11;63:15,23,25; 64:4,7,10,10;65:11,15; 66:8,9,15</p> <p><b>Agai (13)</b> 5:7;9:12;31:18; 32:10;37:6;40:18;41:3, 9;48:4,7,14;53:8;54:24</p> <p><b>Agai (3)</b> 58:3;67:23;68:20</p> <p><b>ALEXIE (5)</b> 51:17,18;52:14,15; 53:9</p> <p><b>Agai (2)</b> 18:17;22:4</p> <p><b>Agai (4)</b> 61:14;62:6,12;64:23</p> <p><b>Agai (1)</b> 61:11</p> <p><b>Agai (2)</b> 61:20;62:19</p> <p><b>Agai (2)</b> 43:6;61:18</p> <p><b>Agai (10)</b> 7:25;8:21;18:21; 38:3;56:24;60:23; 61:15;62:19;73:4;74:5</p> <p><b>Agai (69)</b> 5:20;13:13;16:9,17, 21,22,23,24,25;17:3,5, 6,7,13,16,24;18:2,3,5,9, 15;19:4,7,8,8,10,12,16, 16,21;20:1,4,9,10,10, 11,21;21:9,23,23,24; 22:1,3,6,12;23:7;24:9, 19,23,25;25:3,5,5,7,11, 23;26:17,18,22,24; 45:8,24;46:4;48:23; 51:19,20;56:17;70:8, 21</p> <p><b>Agai (18)</b> 16:7,10,12;17:4; 18:16;21:25;22:10; 24:10,11,15,25;25:2; 26:6,6,11,15;27:14; 43:9</p>	<p><b>Agai (1)</b> 31:16</p> <p><b>Agai (1)</b> 70:19</p> <p><b>Agai (1)</b> 39:23</p> <p><b>Agai (5)</b> 18:11;22:25;26:6; 37:19;55:24</p> <p><b>Agai (1)</b> 64:8</p> <p><b>Agai (25)</b> 5:16;6:6,22;11:11, 12,17;14:9;15:15,18; 16:11,23;21:14;22:2, 15;23:10;25:11;27:5; 29:5;32:4;33:20;50:9; 54:6;60:12;63:7;77:11</p> <p><b>Agai (5)</b> 14:18;15:5;42:25; 53:19;56:8</p> <p><b>Agai (5)</b> 14:22;19:6;21:16; 42:18;56:6</p> <p><b>Agai (3)</b> 26:11,12;28:4</p> <p><b>Agai (1)</b> 63:3</p> <p><b>Agai (1)</b> 52:8</p> <p><b>Agai (5)</b> 35:2,9;64:11;71:25; 76:14</p> <p><b>Agai (4)</b> 39:10,17;48:6;74:23</p> <p><b>Agai (1)</b> 50:20</p> <p><b>Agai (1)</b> 31:16</p> <p><b>Agai (3)</b> 57:10,10;75:9</p> <p><b>Agai (1)</b> 57:13</p> <p><b>Agai (2)</b> 56:3,4</p> <p><b>Agai (2)</b> 58:7;59:18</p> <p><b>Agai (5)</b> 7:2;43:1;44:12; 63:23;66:2</p> <p><b>Agai (2)</b> 35:15;45:14</p> <p><b>Agai (1)</b> 76:17</p> <p><b>Agai (3)</b> 64:12;65:16;66:10</p> <p><b>Agai (1)</b></p>

4:3;7:8;26:18;28:2; 34:15;38:18;40:23; 42:7;63:1;68:21;69:16 <b>average (2)</b> 23:14,24 <b>aware (3)</b> 15:19;63:3;73:13 <b>away (3)</b> 75:16,17;76:13 <b>Ayapan (3)</b> 49:13,13;51:6	<b>began (1)</b> 58:23 <b>beginning (1)</b> 58:21 <b>behavioral (1)</b> 78:4 <b>behind (3)</b> 70:2;75:18,20 <b>behooved (1)</b> 42:20 <b>below (3)</b> 36:15;58:14;74:9 <b>bend (3)</b> 36:1,6;49:17 <b>beneficial (1)</b> 42:15 <b>benefit (10)</b> 15:12;19:21;39:9; 40:22;41:13;42:6; 45:23;66:19;68:24; 74:13 <b>benefited (1)</b> 40:5 <b>benefits (4)</b> 15:20;48:9,14;69:25 <b>best (1)</b> 24:4 <b>Bethel (16)</b> 23:14,16,22;25:9; 36:12,20;41:7,8,12; 43:14;68:21;69:4; 73:19;74:9,11,14 <b>better (4)</b> 30:17;43:20;50:2; 53:18 <b>beyond (2)</b> 44:23;49:12 <b>big (4)</b> 36:25;45:7;75:24; 78:13 <b>bigger (1)</b> 58:5 <b>biggest (1)</b> 73:6 <b>Birch (7)</b> 19:17,20;20:1,5,7; 24:21;25:4 <b>birds (1)</b> 45:15 <b>bit (7)</b> 6:9,11;8:8;14:13; 16:14;22:22;57:16 <b>BITTNER (10)</b> 38:4;44:5;63:25; 64:4,7,10,11;65:11,15; 66:9 <b>BLM (4)</b> 7:4;42:17;60:12; 63:14 <b>BLM's (4)</b> 44:10;60:3,5;63:23 <b>board (8)</b> 45:5;47:2;48:2;	49:14;51:18;56:11; 66:2;76:9 <b>bodies (1)</b> 53:14 <b>born (3)</b> 57:18;72:23;74:22 <b>borough (1)</b> 69:3 <b>both (5)</b> 34:25;44:15,16; 56:22;60:14 <b>bottom (5)</b> 5:22;13:17,17,19; 23:2 <b>boys (1)</b> 74:20 <b>branch (1)</b> 73:14 <b>Brazil (2)</b> 70:11,18 <b>breach (1)</b> 56:22 <b>break (5)</b> 25:18;28:10;70:18; 72:9,13 <b>BRELSFORD (6)</b> 4:2,20;32:20;34:3; 37:24;77:16 <b>brief (2)</b> 60:20;64:22 <b>briefly (2)</b> 7:10;14:12 <b>bring (9)</b> 12:12;43:21;48:14; 56:19;60:23;62:18; 66:4;71:15;75:8 <b>bringing (1)</b> 61:19 <b>Bristol (1)</b> 71:3 <b>broadcast (1)</b> 12:17 <b>broadcasting (1)</b> 12:15 <b>broke (2)</b> 70:11;71:20 <b>brought (2)</b> 69:19;77:13 <b>Bruce (3)</b> 44:5;49:3;73:13 <b>build (3)</b> 8:11;19:19;74:9 <b>building (2)</b> 37:12,13 <b>built (1)</b> 17:1 <b>burbot (1)</b> 58:16 <b>Bureau (3)</b> 7:1;44:6;64:11 <b>bureaucratic (2)</b> 13:22;65:8 <b>buried (2)</b>	9:13;18:4 <b>burning (1)</b> 52:23 <b>burnt (2)</b> 23:1,2 <b>business (2)</b> 39:13;47:25 <b>byproducts (1)</b> 53:3  <b>C</b>  <b>Calista (6)</b> 15:12;48:2;67:10; 72:16;73:20;75:3 <b>came (7)</b> 57:18;58:22;73:2,21; 74:23;75:25;76:15 <b>camp (1)</b> 9:1 <b>can (101)</b> 4:11,23;5:19,22; 6:12,21;7:4,13;8:7; 12:8,25;13:12;14:17, 24;15:22;18:13;19:14; 21:2;22:20;23:1,6; 24:5,5,7;25:21,22; 27:20;28:20,21;29:4,5; 30:4,15,18,20,21,22,23, 24,24,24;31:3,4,9,10, 19;32:19;33:7,8,9; 34:7,7,8,9,18;35:24; 36:11;44:11,21,22,25; 46:20;51:13,14,15; 53:14,15;54:1,5,9,12; 55:10;56:7;59:23; 61:22;62:11,11,25; 63:6,12;64:2,3,4,14,17, 21,21;65:4,5,6,24;66:9, 13;71:16;73:14;74:25; 76:3,24,24;77:9,13 <b>cancer (3)</b> 59:16,21;67:21 <b>capacity (1)</b> 37:8 <b>capture (1)</b> 47:1 <b>captured (2)</b> 27:10;53:16 <b>card (1)</b> 49:8 <b>cards (2)</b> 49:5,6 <b>care (2)</b> 69:8;72:18 <b>careful (1)</b> 52:2 <b>cargo (3)</b> 8:17;20:5;25:9 <b>CARL (3)</b> 12:2,7,20 <b>carried (1)</b> 22:1	<b>carrier (1)</b> 46:20 <b>carries (1)</b> 30:2 <b>case (2)</b> 26:7;49:7 <b>cases (3)</b> 27:20;29:17;53:1 <b>cash (3)</b> 42:14;48:21;68:20 <b>cash-wise (1)</b> 68:19 <b>catastrophic (1)</b> 50:16 <b>categories (1)</b> 22:20 <b>categorize (1)</b> 30:8 <b>categorized (1)</b> 30:7 <b>category (1)</b> 22:24 <b>Caterpillar (1)</b> 17:21 <b>cause (2)</b> 25:22;55:22 <b>ceases (1)</b> 9:25 <b>cell (1)</b> 21:19 <b>century (1)</b> 48:20 <b>certainly (4)</b> 13:5;43:24;64:15,16 <b>cetera (12)</b> 6:17;11:18;18:1; 20:3,8;22:9;27:2;28:1, 24;30:17;33:20;56:4 <b>chairing (1)</b> 66:25 <b>chairman (2)</b> 56:10;66:23 <b>challenge (3)</b> 40:1,2,25 <b>challenged (1)</b> 42:11 <b>challenges (5)</b> 39:14,21;78:1,2,2 <b>challenging (1)</b> 22:6 <b>chance (1)</b> 44:24 <b>change (21)</b> 17:2;19:4,5,5;24:6,8; 25:12;27:1,2,25,25; 35:25;36:8;55:7,15,17, 22,23,23;56:3;73:7 <b>changed (1)</b> 30:17 <b>changes (4)</b> 21:15;24:24;25:11; 35:23 <b>changing (2)</b>
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<p>48:20;55:10 <b>channel (4)</b> 35:23,25;36:3,8 <b>channels (1)</b> 36:14 <b>Chapter (10)</b> 15:25;22:10,12,13, 16:27;3,3,9,14;28:2 <b>chapters (1)</b> 14:12 <b>characterize (1)</b> 47:9 <b>characterized (2)</b> 50:25;63:8 <b>charged (2)</b> 42:18;56:11 <b>charges (1)</b> 39:17 <b>CHARITON (2)</b> 56:9,9 <b>charter (1)</b> 65:1 <b>chemical (1)</b> 50:12 <b>chemicals (2)</b> 8:1;72:10 <b>chicken (1)</b> 70:23 <b>Chief (5)</b> 60:19;62:24;64:12, 19;66:5 <b>children (3)</b> 68:14;70:25;75:17 <b>CHIMEGALREA (5)</b> 33:22,23;38:9,11; 62:1 <b>China (1)</b> 52:18 <b>Chinook (2)</b> 57:4;76:12 <b>choice (3)</b> 45:7;51:21;75:20 <b>choices (1)</b> 52:3 <b>choose (1)</b> 70:8 <b>chose (1)</b> 67:3 <b>cities (1)</b> 77:21 <b>cities' (1)</b> 77:25 <b>city (5)</b> 41:8;71:13;72:25; 73:1;78:6 <b>Claims (1)</b> 40:18 <b>clarification (1)</b> 54:4 <b>clarified (1)</b> 15:24 <b>cleared (1)</b> 53:21</p>	<p><b>clearness (1)</b> 53:22 <b>climate (5)</b> 55:7,15,17,23;56:3 <b>closed (3)</b> 10:4;52:23;53:8 <b>Closure (6)</b> 9:22,24;10:5,7;61:1, 2 <b>coastal (1)</b> 32:17 <b>colleague (2)</b> 53:19;78:7 <b>color (1)</b> 23:2 <b>combination (1)</b> 17:17 <b>combined (1)</b> 10:10 <b>comfortable (1)</b> 40:4 <b>coming (7)</b> 36:19;41:11;57:3,3; 60:21;68:21;69:11 <b>comment (46)</b> 6:12,18,21;11:6,6; 12:22,24;13:5,24;29:4, 19,22,23;30:1,20,21, 23;34:23;38:10;44:2, 16,22,24;49:1,5,6,7,8, 15;52:15;53:10;56:7; 60:3,7,9,10,10,16,25; 62:16;63:21;72:22; 76:9,23;77:4,5 <b>comments (58)</b> 4:5,14;5:1,18;6:18, 22;11:8,9,15,20;12:25; 14:16,17;22:25;29:5, 13,14,15,16,17,18; 30:4,18,22;31:7;34:9, 12,18,19;38:7,21,22; 39:3;43:23,24;44:3,18, 20;50:14,24;51:19; 57:6;60:4,6,12,20,22; 61:2,8,19;63:17,20; 65:7;66:8;77:13;78:11, 14,20 <b>commercial (2)</b> 42:8;47:22 <b>Commission (1)</b> 66:24 <b>committee (1)</b> 76:20 <b>communities (18)</b> 38:14,17,18;39:12, 20;40:6;41:24;43:13, 14;46:14,18;54:19; 61:3;62:3;63:1;66:14; 74:4,14 <b>community (14)</b> 33:6,25;38:12;39:25; 41:10;42:4;43:18; 60:19;61:20;66:11,21;</p>	<p>67:3;68:3;74:11 <b>companies (3)</b> 37:7,14;39:15 <b>company (1)</b> 37:17 <b>compensatory (1)</b> 27:22 <b>completed (2)</b> 35:19;52:1 <b>complicated (1)</b> 61:9 <b>component (4)</b> 7:21;9:3,10;15:14 <b>components (3)</b> 7:15;10:7;28:23 <b>comprising (1)</b> 41:20 <b>concern (6)</b> 57:2;60:15;72:2; 73:6;74:8,9 <b>concerned (6)</b> 35:15;37:5;67:5,7, 17;69:21 <b>concerns (3)</b> 59:5;66:25;76:10 <b>concludes (1)</b> 63:19 <b>conclusion (4)</b> 25:23;26:2;30:15,16 <b>conclusions (7)</b> 11:12,13;27:12; 30:14;33:20;55:21; 77:10 <b>condition (2)</b> 22:14;23:5 <b>conduct (1)</b> 41:17 <b>conducted (1)</b> 39:16 <b>configuration (1)</b> 23:18 <b>Congress (1)</b> 39:11 <b>conserving (1)</b> 57:5 <b>considered (3)</b> 12:8;27:20;63:18 <b>considering (1)</b> 62:18 <b>consists (1)</b> 7:14 <b>constituent (2)</b> 50:18;56:6 <b>constituents (2)</b> 53:2;65:23 <b>construct (3)</b> 8:23;10:1;73:16 <b>constructed (5)</b> 8:24;16:5;17:23; 47:19;63:4 <b>construction (12)</b> 9:18;10:22;18:12,13; 24:11,12,20;26:20;</p>	<p>42:3;45:11;46:22; 48:13 <b>constructions (1)</b> 42:3 <b>consultation (1)</b> 64:16 <b>consume (1)</b> 59:21 <b>contact (3)</b> 31:15,16,19 <b>contained (1)</b> 22:11 <b>containers (1)</b> 53:15 <b>contains (4)</b> 6:12;8:8;22:13,15 <b>contaminated (2)</b> 59:20;75:25 <b>contaminating (1)</b> 70:13 <b>content (1)</b> 48:11 <b>continue (3)</b> 41:21;51:5;60:4 <b>continued (1)</b> 67:24 <b>continues (1)</b> 65:10 <b>continuing (1)</b> 65:12 <b>contribution (1)</b> 78:15 <b>control (2)</b> 54:19;68:2 <b>conversation (1)</b> 78:23 <b>Cook (2)</b> 9:12;45:10 <b>cooperating (2)</b> 5:23;67:4 <b>cooperators (2)</b> 6:7;60:11 <b>coordinator (1)</b> 54:14 <b>cope (1)</b> 70:16 <b>corners (1)</b> 49:18 <b>corporate (1)</b> 39:13 <b>corporation (11)</b> 40:11;47:4;48:2,3,5, 8;67:10,11,14;71:11; 74:18 <b>corporations (8)</b> 39:6,11,18;40:7,14; 48:7,15;72:16 <b>Corps (17)</b> 4:15,25;5:7,7,10,14; 11:1;14:2,4,7,24; 29:10;31:17;60:11; 72:25;73:9,15 <b>correctly (5)</b></p>	<p>14:18;26:13,13;30:7, 8 <b>corridor (3)</b> 35:3,8,21 <b>cost (4)</b> 39:21;41:16,17; 46:19 <b>costs (2)</b> 41:18;46:21 <b>council (9)</b> 52:16;60:19;66:22; 70:6,7;71:13,13;72:25, 25 <b>count (1)</b> 53:25 <b>country (2)</b> 35:11;71:19 <b>couple (4)</b> 10:2;17:24;33:15; 36:2 <b>course (4)</b> 8:25;14:25;58:9; 68:18 <b>court (2)</b> 4:11;44:15 <b>cover (2)</b> 7:19;21:5 <b>coworkers (1)</b> 38:14 <b>crafted (1)</b> 16:9 <b>created (1)</b> 39:11 <b>creates (1)</b> 43:13 <b>Creator (1)</b> 75:7 <b>Creek (6)</b> 8:14;10:18;19:15; 75:22;76:4,5 <b>critical (2)</b> 42:19;43:5 <b>Crooked (3)</b> 8:14;10:18;19:15 <b>Crossing (7)</b> 19:17,20;20:1,5,7; 24:21;25:4 <b>crushed (2)</b> 7:23;20:13 <b>cumulative (2)</b> 27:3,4 <b>current (6)</b> 12:16;24:13;30:22; 55:12;77:25;78:1 <b>currently (21)</b> 9:9,22;11:7,10; 16:16,25;17:2,16,18, 19;22:19;23:3;27:10; 28:5;31:5,10;44:6; 52:20;56:17;66:23; 77:11 <b>cyanide (9)</b> 52:17,17,19,20,22,</p>
--	---	---	--	---

23,24;53:5,15	<b>degree (6)</b> 20:18;51:1,14;55:7, 8:60:15	11:20;15:3;59:15	48:1	<b>door (1)</b> 74:2
<b>D</b>	<b>delivering (1)</b> 61:21	<b>developed (5)</b> 40:10;42:15;48:15; 59:21;67:9	<b>discuss (7)</b> 16:19;31:19;33:18; 34:8,15;78:19,19	<b>double (2)</b> 27:1;46:5
<b>Dakota (1)</b> 68:17	<b>Delta (1)</b> 73:23	<b>developer (1)</b> 67:13	<b>discussed (2)</b> 16:19;65:5	<b>doubt (1)</b> 43:3
<b>Dalzell (1)</b> 21:24	<b>demands (1)</b> 77:22	<b>developing (4)</b> 5:24;6:8;13:23;32:2	<b>discussion (1)</b> 65:4	<b>down (26)</b> 8:13;19:20;21:13; 23:17;24:17;25:20; 31:2;35:22;36:7,22; 49:16;50:19,21;51:11; 57:3;61:18;65:5;69:17; 70:10,12,13,16;72:10; 74:9;77:7;78:18
<b>dam (12)</b> 8:3;20:25;21:10,13; 50:5,13,17;51:8;52:1; 70:11;71:20;72:13	<b>Department (1)</b> 32:10	<b>development (21)</b> 5:12,16;6:2,5;8:20; 10:24;15:22;16:7;28:8; 29:6;30:18;39:17;42:1; 62:3;68:17,19;69:5,12, 20,25;78:13	<b>disposed (1)</b> 53:4	<b>downriver (2)</b> 39:2;43:13
<b>dams (4)</b> 21:12,15;33:2;58:8	<b>departments (1)</b> 33:25	<b>Devil (9)</b> 53:13;57:25;59:14, 14;71:4;74:18;75:5,7, 10	<b>disrupt (1)</b> 57:4	<b>downstream (8)</b> 8:3,13;21:6,10; 50:19,21;74:11,14
<b>Darigo (1)</b> 32:25	<b>depend (5)</b> 35:6;42:10,13;43:7; 46:2	<b>dialogue (1)</b> 39:23	<b>disruption (1)</b> 45:9	<b>draft (33)</b> 4:5;6:8,23;11:5,9,11, 12,12;12:3,4;13:24,24; 22:15;25:23;27:12; 29:6,13;30:20,22; 31:10;33:20;37:25; 48:5,11,18,25;55:20; 60:10;61:7;63:20; 69:10;77:10,10
<b>data (3)</b> 11:16;16:2;54:1	<b>depending (1)</b> 22:16	<b>diameter (1)</b> 9:13	<b>District (3)</b> 5:7;31:18;41:20	<b>drink (1)</b> 58:13
<b>date (1)</b> 55:21	<b>depict (1)</b> 24:8	<b>diapers (1)</b> 74:21	<b>disturb (1)</b> 25:21	<b>dry (4)</b> 20:10,18;21:2;76:19
<b>Dave (1)</b> 33:3	<b>depiction (2)</b> 19:10;20:23	<b>die (2)</b> 58:25;72:23	<b>diversion (1)</b> 74:10	<b>Due (3)</b> 44:6;53:25;59:6
<b>DAVID (4)</b> 34:21,21;49:18;50:1	<b>depleting (1)</b> 55:2	<b>diesel (25)</b> 9:4,7,16;17:8,11,12, 15,18,25;18:2,6,7,10, 13;19:1;25:6,7;26:7; 34:25;37:3,4;45:24; 46:8,13;50:11	<b>division's (1)</b> 5:8	<b>during (8)</b> 18:11;23:1;24:11,20; 46:6;48:13;74:23; 77:18
<b>day (2)</b> 9:25;24:4	<b>depressed (2)</b> 35:13;56:19	<b>difference (1)</b> 53:12	<b>dock (1)</b> 74:8	<b>dust (2)</b> 21:1,5
<b>deadline (2)</b> 30:23;60:25	<b>depth (1)</b> 10:10	<b>differences (1)</b> 22:2	<b>document (23)</b> 11:22;12:4;13:1,3, 10;14:9,11,14;15:7,10, 24;22:14,15;23:9; 25:16,24;29:2;30:12; 47:10;51:5;55:15,20; 78:22	<b>duty (1)</b> 56:11
<b>deal (4)</b> 6:24;20:22;32:11; 73:16	<b>descendents (1)</b> 48:10	<b>different (13)</b> 20:14,25;21:15,15; 22:4;27:24;28:15;31:7; 47:21;74:22,23;75:2; 76:24	<b>documents (4)</b> 12:5;13:12;31:11,14	<b>dying (2)</b> 56:25;58:7
<b>dealing (4)</b> 39:18;48:19;67:1; 68:2	<b>describe (2)</b> 16:13;34:5	<b>dig (1)</b> 58:9	<b>dogs (1)</b> 70:23	
<b>deaths (2)</b> 67:21,22	<b>described (2)</b> 16:20;22:14	<b>digging (1)</b> 36:24	<b>domain (3)</b> 37:15,17,21	<b>E</b>
<b>December (1)</b> 11:3	<b>description (2)</b> 7:10;24:5	<b>difference (1)</b> 53:12	<b>domestic (1)</b> 67:19	
<b>decide (1)</b> 5:19	<b>design (1)</b> 27:18	<b>differences (1)</b> 22:2	<b>done (15)</b> 11:17;12:18;14:18; 19:13;26:20;28:1,16; 31:15;44:20;47:14; 62:12;64:25;66:4,7; 68:1	
<b>decided (1)</b> 27:18	<b>despite (1)</b> 41:8	<b>different (13)</b> 20:14,25;21:15,15; 22:4;27:24;28:15;31:7; 47:21;74:22,23;75:2; 76:24	<b>Donlin (48)</b> 5:9,15;8:11;10:1; 14:6;15:1;16:18;18:16; 19:11,18,22;21:4; 23:21;24:1;26:1,8,11; 27:17;31:23;32:4; 33:11,15,17,24,25; 34:1;35:2,7,37:9; 38:12;45:11,23;46:20; 48:6;50:7;51:8;52:19, 20;55:1;61:25;62:8; 70:17;71:3;75:22;76:4, 4,19;78:3	
<b>Decision (9)</b> 13:11,12;14:2,3,4,5; 61:5;74:5,13	<b>destroy (2)</b> 51:10,11	<b>different (13)</b> 20:14,25;21:15,15; 22:4;27:24;28:15;31:7; 47:21;74:22,23;75:2; 76:24	<b>Donlin's (5)</b> 7:13;15:12;19:15; 22:3;33:17	
<b>decisions (5)</b> 11:13;13:10,25; 14:10;51:24	<b>destroyed (1)</b> 70:22	<b>dig (1)</b> 58:9	<b>Donne (2)</b> 33:5;78:7	
<b>decline (1)</b> 42:8	<b>destroying (1)</b> 36:20	<b>digging (1)</b> 36:24		<b>EARL (2)</b> 73:18,18
<b>deep (2)</b> 10:12,14	<b>destroys (1)</b> 56:20	<b>directly (5)</b> 28:20;31:20;35:8; 44:11;51:15		<b>earlier (4)</b> 28:25;40:24;61:1; 73:23
<b>deeper (1)</b> 16:14	<b>detail (2)</b> 33:16;45:1	<b>director (1)</b> 73:20		<b>early (3)</b> 18:12;67:4;69:19
<b>defeating (1)</b> 71:4	<b>detailed (2)</b> 16:11;22:2	<b>directors (1)</b> 48:2		<b>earn (2)</b> 41:14;46:21
<b>define (1)</b> 28:22	<b>details (1)</b> 4:17	<b>disagree (1)</b> 30:14		<b>ears (1)</b> 21:20
<b>defined (4)</b> 13:9;14:25;15:1; 22:18	<b>determine (3)</b> 11:15;14:17;42:23	<b>disaster (1)</b> 76:16		<b>earthquake (4)</b> 71:25;72:7;75:24; 76:14
<b>definition (1)</b> 22:17	<b>determined (1)</b> 16:2	<b>discharged (1)</b> 10:19		<b>earthquakes (1)</b> 72:4
	<b>determining (2)</b> 55:9;62:25	<b>disclose (1)</b> 5:17		
	<b>detrimental (1)</b> 35:2	<b>disclosing (1)</b> 73:20		
	<b>develop (3)</b>	<b>disclosure (1)</b>		

<p><b>eat (1)</b> 76:1</p> <p><b>eating (3)</b> 36:25;49:20;70:25</p> <p><b>eats (1)</b> 43:16</p> <p><b>economic (5)</b> 15:11,20;32:23;42:1; 48:9</p> <p><b>economically (4)</b> 35:13,14;56:19; 68:18</p> <p><b>Economics (3)</b> 15:13,16,22</p> <p><b>economy (2)</b> 42:14;48:21</p> <p><b>eddy (1)</b> 36:25</p> <p><b>educated (1)</b> 41:23</p> <p><b>education (5)</b> 41:19,22;68:23; 69:14;75:15</p> <p><b>effect (2)</b> 39:12,14</p> <p><b>effectively (11)</b> 6:21;8:4;14:1;17:6; 18:6,9;19:11;20:17; 22:12;25:8;27:6</p> <p><b>effects (3)</b> 11:3;58:22;59:1</p> <p><b>effort (1)</b> 65:21</p> <p><b>eight (1)</b> 49:4</p> <p><b>EIS (28)</b> 4:5;11:25;13:23,25; 14:8;29:11,13;31:10, 11;32:2,19;33:4,9; 37:25;48:5,11,18,24; 60:10,12,22,24;61:7, 21;63:19;67:3;69:10; 70:8</p> <p><b>either (5)</b> 5:20;8:6;30:7;51:22; 64:17</p> <p><b>Elders (3)</b> 40:17;77:24;78:8</p> <p><b>elected (1)</b> 39:6</p> <p><b>elevation (2)</b> 10:11,13</p> <p><b>eliminate (2)</b> 45:25;72:11</p> <p><b>eliminates (1)</b> 18:10</p> <p><b>eliminating (1)</b> 20:6</p> <p><b>else (7)</b> 10:18;13:4;17:21; 19:5;31:6;41:15;63:21</p> <p><b>else's (2)</b> 11:6,8</p>	<p><b>elsewhere (2)</b> 40:9;68:4</p> <p><b>eluk (1)</b> 70:7</p> <p><b>email (1)</b> 30:23</p> <p><b>eminent (3)</b> 37:15,17,21</p> <p><b>emissions (5)</b> 17:11,25;26:22;27:1; 55:24</p> <p><b>employed (1)</b> 42:5</p> <p><b>Employment (1)</b> 54:15</p> <p><b>encompasses (1)</b> 14:9</p> <p><b>encourage (1)</b> 74:3</p> <p><b>end (9)</b> 10:6;12:24;21:6,12; 43:23;52:25;54:10; 56:25;57:24</p> <p><b>energy (2)</b> 39:21;46:15</p> <p><b>engineering (1)</b> 32:3</p> <p><b>Engineers (14)</b> 4:15,25;5:7,8,14; 14:8,25;29:10;31:18; 50:15;60:11;73:1,10; 74:12</p> <p><b>Engineers' (1)</b> 5:11</p> <p><b>English (4)</b> 4:22,24;59:4,23</p> <p><b>enhancing (1)</b> 68:24</p> <p><b>enough (6)</b> 8:8;29:16;30:9;45:1; 51:4;57:21</p> <p><b>entity (2)</b> 15:17;37:17</p> <p><b>environment (5)</b> 16:4;22:6,7;33:1; 45:16</p> <p><b>Environmental (29)</b> 5:12,24;6:1,3,5,8,11, 16;10:24;11:5,9,21,23; 13:8;14:4,8;22:13; 28:8;29:6,7,14,21; 30:19;32:3;34:14; 48:25;53:19;55:12; 63:20</p> <p><b>environmentally (1)</b> 48:15</p> <p><b>environments (1)</b> 26:23</p> <p><b>envy (1)</b> 62:21</p> <p><b>EPA (1)</b> 54:14</p> <p><b>EPHOOK (2)</b></p>	<p>56:9,10</p> <p><b>equal (1)</b> 51:21</p> <p><b>equipment (5)</b> 9:16;17:12;18:8,21; 62:14</p> <p><b>eroded (1)</b> 54:21</p> <p><b>erosion (13)</b> 36:18;43:15,16; 49:20,22;54:19;56:1; 58:5;68:2,6;71:21; 73:1,16</p> <p><b>especially (8)</b> 36:15,22;38:15;40:5; 42:12;43:16;49:19; 57:4</p> <p><b>essential (1)</b> 51:24</p> <p><b>establish (1)</b> 38:6</p> <p><b>established (1)</b> 37:3</p> <p><b>establishing (1)</b> 69:3</p> <p><b>et (12)</b> 6:17;11:18;18:1; 20:3,8;22:9;27:2;28:1, 24;30:17;33:20;56:4</p> <p><b>even (11)</b> 35:7;41:7,17;43:2; 55:2;56:18;58:5,6,14, 21;74:20</p> <p><b>events (1)</b> 50:20</p> <p><b>eventually (2)</b> 36:7,8</p> <p><b>everybody (6)</b> 11:8;21:19;44:24; 47:11;68:5;74:1</p> <p><b>everybody's (1)</b> 11:15</p> <p><b>everyone (2)</b> 11:6;39:10</p> <p><b>exacerbated (1)</b> 55:18</p> <p><b>exactly (3)</b> 12:17,18;40:20</p> <p><b>example (2)</b> 4:8;47:17</p> <p><b>except (2)</b> 18:18;24:19</p> <p><b>Executive (1)</b> 12:11</p> <p><b>exercise (1)</b> 37:14</p> <p><b>exist (1)</b> 12:6</p> <p><b>existing (3)</b> 16:4;23:5;59:13</p> <p><b>exists (7)</b> 11:10;16:25;17:2; 20:12;23:3;27:10;</p>	<p>31:10</p> <p><b>expand (1)</b> 6:22</p> <p><b>expanded (1)</b> 30:17</p> <p><b>expansion (1)</b> 18:19</p> <p><b>expect (1)</b> 37:3</p> <p><b>expectation (2)</b> 26:3;47:7</p> <p><b>expected (9)</b> 7:5,19;9:6,19,21; 10:15;11:24;55:22,25</p> <p><b>expecting (2)</b> 50:15,16</p> <p><b>experiencing (2)</b> 73:17,17</p> <p><b>experiment (1)</b> 39:11</p> <p><b>expertise (1)</b> 6:4</p> <p><b>experts (2)</b> 42:23;54:11</p> <p><b>extending (2)</b> 35:1;60:25</p> <p><b>extracted (1)</b> 40:9</p>	<p>24:23,24;29:12;33:19; 35:15;37:4;43:9,19; 50:22;60:1;61:22</p> <p><b>fathers (1)</b> 40:16</p> <p><b>fax (1)</b> 30:24</p> <p><b>federal (9)</b> 5:11,24;13:9;31:22, 25;32:6;40:2;61:12; 62:9</p> <p><b>federally (2)</b> 41:2;66:23</p> <p><b>Feds (1)</b> 68:5</p> <p><b>feel (2)</b> 39:5;75:8</p> <p><b>feels (1)</b> 4:20</p> <p><b>feet (3)</b> 10:12,14;43:17</p> <p><b>FEMALE (1)</b> 13:15</p> <p><b>fertilizer (1)</b> 75:12</p> <p><b>few (7)</b> 4:6;6:20;10:3;28:6; 49:11;57:25;75:16</p> <p><b>fewer (1)</b> 54:8</p> <p><b>field (2)</b> 11:18;64:11</p> <p><b>fight (1)</b> 61:16</p> <p><b>fighting (2)</b> 71:2,3</p> <p><b>figure (3)</b> 14:22;55:11,16</p> <p><b>fill (4)</b> 10:15;11:16;16:3; 58:10</p> <p><b>filling (2)</b> 20:16,17</p> <p><b>final (9)</b> 9:10;11:13,21;13:8, 25;29:7,14,21;30:19</p> <p><b>finally (2)</b> 29:3;62:6</p> <p><b>find (2)</b> 14:20;31:10</p> <p><b>fine (1)</b> 4:19</p> <p><b>firm (1)</b> 32:3</p> <p><b>first (10)</b> 13:20;14:12;28:22; 45:7;51:20;52:16; 57:13,15;60:21;64:12</p> <p><b>fish (27)</b> 20:8;25:16,21,21,23, 25;26:16;33:4;45:15; 46:1,2;51:10;53:24,25; 56:23;57:19;58:7,17;</p>
<b>F</b>				
			<p><b>face (1)</b> 43:4</p> <p><b>Facebook (1)</b> 50:4</p> <p><b>facilitate (1)</b> 5:16</p> <p><b>facilities (4)</b> 9:14,25;10:2;18:9</p> <p><b>facility (12)</b> 7:22;8:5;9:1,14,17; 10:21;18:20;20:12,12, 20;21:3,11</p> <p><b>fact (2)</b> 59:6;65:5</p> <p><b>factor (1)</b> 67:16</p> <p><b>failure (2)</b> 50:6,16</p> <p><b>failures (1)</b> 50:11</p> <p><b>Fairbanks (1)</b> 55:2</p> <p><b>fall (4)</b> 14:7;43:16;49:19; 54:21</p> <p><b>falling (1)</b> 37:1</p> <p><b>familiar (2)</b> 7:11;11:1</p> <p><b>far (17)</b> 5:18;9:18;10:24; 14:11;18:15;23:12;</p>	

<p>59:19,19;66:24;67:1; 70:13;76:13,17,19,21 <b>fisheries (2)</b> 42:8;69:6 <b>fisherman (1)</b> 57:12 <b>fishermen (1)</b> 70:13 <b>fishery (1)</b> 42:9 <b>fishing (3)</b> 20:7;52:9;59:3 <b>five (4)</b> 14:12;19:25;35:24; 38:15 <b>flat (1)</b> 20:17 <b>Fleagle (2)</b> 33:5;78:7 <b>flight (1)</b> 44:14 <b>flow (3)</b> 33:2;68:20;72:10 <b>flowed (1)</b> 70:11 <b>flown (1)</b> 73:22 <b>folks (35)</b> 6:4,7;7:4;9:1;13:1; 27:22;28:7,9,18,19; 29:12;31:22,23,23; 32:6,14;33:11,15,17, 21;34:3,7;38:5;49:4,5, 6;53:11;54:3;62:12; 65:7,14;69:1,16;77:9, 11 <b>follow (1)</b> 4:3 <b>following (2)</b> 61:4,5 <b>follows (1)</b> 19:17 <b>food (1)</b> 75:14 <b>foods (1)</b> 70:22 <b>footprint (1)</b> 21:3 <b>forces (1)</b> 69:12 <b>forecast (1)</b> 27:6 <b>forefathers (1)</b> 56:13 <b>Foreland (1)</b> 18:20 <b>foreseeable (1)</b> 27:5 <b>fork (1)</b> 22:8 <b>form (7)</b> 6:23;27:14,21,21; 28:11;44:2;60:16</p>	<p><b>format (1)</b> 28:16 <b>formulas (1)</b> 55:9 <b>forward (13)</b> 9:21;16:11;21:9; 22:2;26:19;27:8;38:22; 40:10;66:11,12;67:12; 78:3,13 <b>FOSS (3)</b> 21:18;54:13,13 <b>four (4)</b> 9:20;24:2;36:12; 57:5 <b>frame (1)</b> 44:18 <b>frequently (1)</b> 29:16 <b>friend (1)</b> 57:16 <b>FRITZ (2)</b> 70:5,6 <b>front (3)</b> 35:25;36:3,9 <b>fry (1)</b> 59:19 <b>fuel (10)</b> 8:17;9:7;17:8;20:4; 25:6,6;37:9;46:15,17, 19 <b>full (1)</b> 37:8 <b>fully (1)</b> 15:19 <b>functional (1)</b> 26:10 <b>further (2)</b> 11:18;29:6 <b>future (9)</b> 6:13;27:5;35:1;52:4, 11,11;61:4;66:4;69:24</p>	<p><b>generally (2)</b> 56:20;57:3 <b>generate (1)</b> 48:8 <b>generation (2)</b> 70:15;75:12 <b>generations (3)</b> 52:11;59:1,3 <b>gentleman (1)</b> 59:9 <b>geological (1)</b> 33:2 <b>GEORGE (4)</b> 47:24,25;70:5,6 <b>gets (5)</b> 7:6;19:24;49:20; 63:15;72:3 <b>GILILA (4)</b> 34:21,22;43:12,19 <b>girls (1)</b> 74:20 <b>given (6)</b> 14:6;16:19;22:6; 23:4;40:16;61:23 <b>gives (5)</b> 6:3;15:1;24:17; 26:14;74:1 <b>glad (1)</b> 38:1 <b>glasses (1)</b> 13:16 <b>global (12)</b> 49:21;54:16,17,20, 21,23;55:4,6,14,17,23; 56:2 <b>goals (1)</b> 48:7 <b>goes (11)</b> 9:20;19:13;22:6; 24:13;26:19;29:12; 40:3;49:17;53:25;65:4; 74:5 <b>gold (15)</b> 8:8;23:2;33:25;34:1; 45:11,23;46:20;48:6; 50:7;55:1;61:25;62:8; 71:19;74:24;76:19 <b>gold-bearing (1)</b> 7:23 <b>Good (12)</b> 5:4;38:25;51:24; 57:24;59:23;61:10; 65:22,25;68:1;69:13; 71:14;72:14 <b>Gordon (37)</b> 4:24;5:3,6;12:4,10, 23;13:18;21:22;32:13; 33:10,14;37:23;38:5, 24;44:1;46:24;47:6; 49:2;50:8;51:12;52:13, 18;54:3;55:6;57:8; 59:25;62:23;65:3;66:5, 15;70:4;71:8;73:12;</p>	<p>74:16;76:7;77:2;78:17 <b>Gorge (1)</b> 21:24 <b>governance (2)</b> 68:24;69:2 <b>government (4)</b> 40:2;41:1;62:4; 77:22 <b>governments (5)</b> 5:25;32:1;39:7;41:4; 77:20 <b>government's (1)</b> 78:2 <b>graduate (1)</b> 75:15 <b>grandchildren (2)</b> 57:20;70:25 <b>grant (1)</b> 37:16 <b>graphs (1)</b> 24:15 <b>gravel (3)</b> 8:14,22,22 <b>great (2)</b> 38:13;49:25 <b>greater (2)</b> 26:4;33:16 <b>greenhouse (1)</b> 55:24 <b>Grew (1)</b> 73:19 <b>ground (5)</b> 7:24;19:3;37:1,1; 58:10 <b>group (1)</b> 29:17 <b>grouped (1)</b> 29:18 <b>guarantee (1)</b> 45:18 <b>guess (2)</b> 58:3;76:23 <b>Gulf (1)</b> 70:12 <b>GUY (2)</b> 47:24,25 <b>guys (4)</b> 30:5;65:24;74:21,22</p>	<p><b>happen (16)</b> 9:25;17:1;25:1; 26:24;27:6;29:20; 47:11;50:6;51:2;70:20; 71:16;72:6,6,7;76:3,16 <b>happened (2)</b> 46:11;75:6 <b>happening (2)</b> 55:7;76:11 <b>happens (3)</b> 45:21;70:17,21 <b>hard (1)</b> 69:18 <b>Hardly (2)</b> 4:19;55:3 <b>harm (1)</b> 45:9 <b>haul (7)</b> 17:6,13,17;25:5; 26:25;35:8;53:1 <b>Headphones (2)</b> 4:2,21 <b>health (4)</b> 67:18;69:8;77:19; 78:4 <b>heap (2)</b> 52:21;53:7 <b>hear (6)</b> 13:7;21:20;38:1; 51:14;64:4;73:10 <b>heard (11)</b> 53:19;61:7;64:21; 71:2,14,22;72:22; 73:23;75:4;78:12,14 <b>hearing (23)</b> 7:2,7,8;38:2,7;44:11, 19,20;49:9,10;60:3,5, 10,13;63:14,16,18,19, 24;64:22;65:4,9;66:6 <b>hearings (1)</b> 66:2 <b>heating (2)</b> 46:15,17 <b>heavily (1)</b> 15:17 <b>heavy (4)</b> 17:12,17;53:13; 62:14 <b>hectic (1)</b> 46:7 <b>help (12)</b> 4:23;27:8;33:9; 51:16;54:18,19;62:9; 69:6;73:1,2,5,14 <b>helped (2)</b> 32:17,19 <b>helps (1)</b> 51:22 <b>Hi (1)</b> 32:9 <b>hidden (1)</b> 75:7 <b>high (7)</b></p>
	<b>G</b>			
	<p><b>gallons (2)</b> 9:4,7 <b>gaps (2)</b> 11:16;16:2 <b>gas (18)</b> 9:11,14,15;17:15; 18:4,5,22,23,24;19:1; 34:23,24;37:2,5,8; 50:12;55:24;59:9 <b>gather (1)</b> 11:19 <b>gathering (2)</b> 4:7;52:10 <b>gave (1)</b> 47:17 <b>Gene (1)</b> 34:1 <b>general (2)</b> 39:3;62:2</p>			
			<b>H</b>	
			<p><b>habitat (2)</b> 25:21;69:7 <b>half (5)</b> 4:6;9:22;15:7,8,23 <b>hamburgers (2)</b> 70:23,25 <b>hand (2)</b> 32:22;34:13 <b>handful (1)</b> 74:20 <b>handouts (4)</b> 6:15;28:10,22;34:5</p>	

39:21;46:15;49:20; 58:17;67:21;73:2,7 <b>higher (4)</b> 21:4;41:22;49:22; 72:7 <b>highest (8)</b> 10:12;67:19,20,21, 22;72:1;73:25,25 <b>history (2)</b> 52:8;68:22 <b>hold (1)</b> 4:8 <b>holding (1)</b> 31:5 <b>holes (1)</b> 58:9 <b>home (1)</b> 72:24 <b>homeland (1)</b> 43:8 <b>hope (1)</b> 73:6 <b>Hopefully (5)</b> 70:20;72:10,17,19; 73:9 <b>hoping (1)</b> 4:5 <b>hot (1)</b> 70:23 <b>hour (1)</b> 4:6 <b>housing (2)</b> 69:8;78:5 <b>huge (1)</b> 60:15 <b>hugs (1)</b> 49:18 <b>human (2)</b> 45:10;67:18 <b>humans (1)</b> 45:14 <b>hunt (4)</b> 57:19,21;58:20; 59:11 <b>hunter (1)</b> 57:12 <b>hunter-gatherers (1)</b> 39:13 <b>hunters (1)</b> 58:20 <b>hunting (1)</b> 52:9 <b>hurting (3)</b> 68:22;73:24,24 <b>hurts (1)</b> 51:22 <b>hydraulic (1)</b> 21:13	<b>ice (2)</b> 54:24;68:8 <b>idea (5)</b> 6:11;26:14;28:3; 44:19;50:2 <b>ideas (1)</b> 78:12 <b>ill (1)</b> 59:1 <b>illnesses (1)</b> 58:12 <b>ills (1)</b> 69:11 <b>iluks (1)</b> 57:13 <b>Impact (37)</b> 5:12,24;6:3,5,8,12; 10:24;11:5,10,21,23; 13:8;14:4;17:10;19:9; 22:20;25:25;26:8;28:8; 29:6,7,15,21;30:19; 35:3,5;42:9,9;43:3,4, 12,18;46:13;48:25; 55:12;63:20;67:18 <b>impacted (3)</b> 43:15;67:23;68:4 <b>impacts (41)</b> 6:6,15,17;16:6,15; 17:4,7;19:6;20:6,7,7; 21:1,16;22:15,23,25; 24:13;25:12,15;26:4,9, 15;27:2,3,4,5,16,25; 45:13;47:8,9,9,15; 63:9;64:23;67:5,25; 68:6,16;69:23;77:19 <b>implemented (1)</b> 37:21 <b>importance (1)</b> 77:20 <b>important (7)</b> 9:23;15:14,20;24:15; 39:5;42:14;55:25 <b>impossible (1)</b> 45:17 <b>improve (2)</b> 6:22;39:24 <b>improved (2)</b> 30:13,17 <b>improvement (1)</b> 39:19 <b>included (3)</b> 30:13;52:17,22 <b>includes (1)</b> 9:4 <b>income (3)</b> 40:1;41:8,10 <b>Incorporated (9)</b> 45:5;46:25;47:3; 48:1,4;51:19;56:10,14; 76:9 <b>incorporators (1)</b> 56:13 <b>increase (3)</b>	24:13;35:10;47:20 <b>increases (1)</b> 26:22 <b>increasing (1)</b> 35:16 <b>incur (1)</b> 46:21 <b>indicate (4)</b> 6:15;16:4;29:18; 55:21 <b>indicated (3)</b> 40:24;43:12,19 <b>indicates (1)</b> 7:17 <b>indication (1)</b> 25:10 <b>individual (2)</b> 61:6;73:14 <b>industrial (2)</b> 8:15;47:21 <b>industry (1)</b> 27:20 <b>information (20)</b> 5:17;6:20,25;11:19; 14:13;16:3;24:18; 30:15;31:1,4,13,15,16; 32:24;33:4;51:4,23,23; 60:14;61:23 <b>infrastructure (5)</b> 7:16;8:10;28:24; 39:25;78:5 <b>initial (1)</b> 26:20 <b>initially (1)</b> 7:18 <b>initiate (3)</b> 6:18;63:14,23 <b>initiated (2)</b> 63:15;67:10 <b>initiating (1)</b> 66:6 <b>injury (1)</b> 25:22 <b>Inlet (3)</b> 9:12;37:5;45:11 <b>innovative (1)</b> 40:3 <b>input (7)</b> 11:2;23:10;26:12; 61:17;63:2,6,10 <b>insects (1)</b> 45:15 <b>insides (1)</b> 59:22 <b>inspired (1)</b> 78:10 <b>instances (1)</b> 42:3 <b>instead (5)</b> 19:18;20:15;21:10; 35:9;50:2 <b>instructions (1)</b> 40:16	<b>intended (4)</b> 7:1;15:9;28:9;44:8 <b>intending (1)</b> 44:10 <b>Intent (2)</b> 13:21;17:3 <b>interest (1)</b> 39:8 <b>interested (1)</b> 33:19 <b>internal (1)</b> 59:16 <b>internally (1)</b> 58:13 <b>international (1)</b> 32:2 <b>Intertribal (1)</b> 66:24 <b>interview (1)</b> 78:8 <b>interviewed (1)</b> 77:24 <b>into (21)</b> 4:24;8:1;9:17;10:3, 10,17;12:15;16:9; 18:24;29:7;37:4;39:13, 15;41:11;44:25;53:25; 58:2,3,9;61:17;65:7 <b>introduce (5)</b> 28:9;31:24;32:7,14; 38:11 <b>introduced (1)</b> 28:12 <b>introduction (2)</b> 12:11,14 <b>invaluable (1)</b> 33:5 <b>invest (3)</b> 62:6;69:14,15 <b>investing (2)</b> 68:23,23 <b>invite (1)</b> 65:24 <b>involve (2)</b> 6:4;18:19 <b>involved (6)</b> 38:20;41:18;48:19; 71:12;74:6,7 <b>ISAACS (5)</b> 32:15,16;64:1,6,9 <b>issue (9)</b> 6:24;67:1,18,19,21, 22,23;68:2,6 <b>issues (10)</b> 6:16;22:17;29:1; 31:18;34:6;39:4;53:24; 56:6;67:15;69:9 <b>Ivan (16)</b> 60:18,18,18,19; 62:24;64:12,13;65:12, 13,13,20,20,21;66:6, 10;74:6	<b>J</b>
<b>I</b>				<b>JACKSON (2)</b> 71:10,11 <b>Jen (1)</b> 34:14 <b>Joan (2)</b> 32:21,22 <b>job (5)</b> 30:17;48:12;65:24, 25;68:1 <b>job-creating (1)</b> 62:9 <b>jobless (1)</b> 73:25 <b>jobs (7)</b> 41:25,25;42:2,6; 56:19;62:7;69:16 <b>John (10)</b> 4:4,17,18,20,23;57:9, 10,10,16;75:9 <b>joined (1)</b> 77:18 <b>joint (1)</b> 48:9 <b>Jon (6)</b> 32:14,15,16;64:1,6,9 <b>June (1)</b> 11:24 <b>Jungjuk (4)</b> 8:16;19:19;23:16,23
				<b>K</b>
				<b>Kalskag (1)</b> 36:21 <b>KASAYULIE (2)</b> 38:25;39:1 <b>keep (1)</b> 61:15 <b>keeping (1)</b> 51:13 <b>Keith (40)</b> 4:12,24;5:2,3,5;12:4, 10,23;13:18;21:22; 32:13;33:10,14;37:23; 38:5,24;44:1;46:24; 47:6;49:2;50:8;51:12; 52:13,18;54:3;55:6; 57:8;59:25;62:23; 64:25;65:3;66:5,15; 70:4;71:8;73:12;74:16; 76:7;77:2;78:17 <b>Kenai (1)</b> 71:24 <b>key (2)</b> 6:16;34:6 <b>kill (1)</b> 67:24 <b>kind (9)</b> 21:20;32:4;43:20; 50:13;54:19,23;59:16;

70:15;76:18 <b>kissing (1)</b> 36:5 <b>Kluwe (1)</b> 32:22 <b>knew (1)</b> 59:9 <b>knowledge (2)</b> 23:6;49:4 <b>knows (2)</b> 39:10;47:12 <b>Kurt (1)</b> 33:24 <b>Kuskokuak (1)</b> 36:22 <b>Kuskokwim (28)</b> 8:13;17:9;18:10; 19:23;22:8;23:3,13; 24:6;25:25;27:13;35:4; 40:25;43:14;45:6,10, 23;46:14,18;53:13; 56:23;61:15;66:24; 67:6;70:19;71:23;72:8; 75:25;76:1 <b>Kuskokwim/Yukon (1)</b> 27:7 <b>Kwethluk (16)</b> 45:4,5;46:25;47:3,4, 25;48:4;49:14,17; 51:18;56:10,13;57:11; 62:19;70:7;76:9 <b>KYLE (2)</b> 32:9,9 <b>KYUK (1)</b> 12:15	60:23;63:11;71:17,17; 72:22;75:15;78:7 <b>lately (1)</b> 67:2 <b>later (6)</b> 13:5;44:25;58:22; 59:7;65:25;66:7 <b>laughable (1)</b> 43:1 <b>law (2)</b> 37:21;61:12 <b>leach (2)</b> 52:21;53:7 <b>lead (1)</b> 5:11 <b>leadership (2)</b> 78:1,1 <b>leak (3)</b> 18:23;51:10;53:16 <b>leaking (1)</b> 71:6 <b>leave (3)</b> 23:14,16;65:1 <b>leaves (1)</b> 77:6 <b>leaving (1)</b> 53:13 <b>left (4)</b> 7:22,24;20:13;70:1 <b>legislature (1)</b> 37:16 <b>LENA (3)</b> 21:18;54:13,13 <b>less (10)</b> 17:8,9,10,11;25:5,6, 6,8;37:2;49:24 <b>lessened (1)</b> 26:9 <b>lessening (1)</b> 26:8 <b>letters (1)</b> 61:8 <b>level (9)</b> 24:14,14;25:1;27:19; 40:19,20;41:8;49:22; 51:22 <b>levels (1)</b> 58:17 <b>Lewis (2)</b> 7:17;10:9 <b>liaison (1)</b> 31:17 <b>life (9)</b> 9:8,8;10:3,6,21;40:4; 45:9,14;51:10 <b>lifestyle (3)</b> 42:24;43:6;58:24 <b>lifetime (3)</b> 52:2;57:11;74:23 <b>likely (1)</b> 6:25 <b>Lillian (2)</b> 74:17,17	<b>Lime (2)</b> 58:21;59:10 <b>limit (4)</b> 19:9;20:2,3;27:24 <b>limited (2)</b> 18:11;24:20 <b>limits (2)</b> 19:12;26:24 <b>line (6)</b> 19:1,17;34:24;38:1, 6;70:16 <b>lines (1)</b> 37:3 <b>lips (2)</b> 51:14;66:19 <b>liquid (1)</b> 17:14 <b>list (1)</b> 29:15 <b>listed (2)</b> 29:25;45:16 <b>listen (4)</b> 11:2;43:3;73:21; 76:5 <b>literally (1)</b> 36:24 <b>little (14)</b> 4:16;6:9,11;8:8,21; 14:13;16:14;22:22; 24:17;28:15;30:25; 32:16;42:5;57:16 <b>live (5)</b> 9:2;34:22;63:4,5; 73:19 <b>livelihood (1)</b> 70:14 <b>liver (1)</b> 59:21 <b>living (7)</b> 41:3,9,16;56:20; 57:1,18;59:2 <b>LLIABAN (2)</b> 74:17,17 <b>LNG (3)</b> 17:18,20;25:5 <b>LNG-powered (1)</b> 17:6 <b>local (3)</b> 46:20;75:1;77:20 <b>lonesome (1)</b> 4:20 <b>long (8)</b> 9:12;18:3;48:15; 52:1;64:21;66:22; 71:24;75:15 <b>longer (2)</b> 26:25;52:2 <b>long-term (1)</b> 77:19 <b>look (22)</b> 4:9;6:14;11:9;16:14, 14,22;25:15;26:5;27:9; 28:2,10;38:21;39:16;	54:6;55:3,16;56:5; 66:11,12;69:2,18;78:2 <b>looked (9)</b> 16:1,8;22:1,18;29:2; 30:5;50:10,16;58:15 <b>looking (15)</b> 16:5;23:7,18;36:10, 13;50:24;60:22;64:25; 67:25;68:8;69:4,10; 70:9;71:19;74:12 <b>looks (2)</b> 19:10;36:14 <b>lot (14)</b> 30:2;32:21;33:1,3; 48:19;61:8;62:21; 66:25;68:1,13;69:4; 71:22;74:12;76:3 <b>low (1)</b> 58:19 <b>lower (3)</b> 40:25,25;70:10 <b>lowest (2)</b> 10:11;41:10 <b>lush (1)</b> 58:16	43:2;45:13;46:14; 67:15;76:13 <b>March (1)</b> 11:4 <b>Mark (3)</b> 32:7;34:13,13 <b>MARTIN (3)</b> 45:3,3;47:2 <b>Mary (6)</b> 4:11,12;44:15;46:25; 51:13;78:21 <b>material (5)</b> 8:19;20:15,15;52:25, 25 <b>materials (4)</b> 35:8;38:18;43:21; 53:3 <b>matter (5)</b> 10:3;47:12;54:9,11; 72:12 <b>maximize (1)</b> 15:11 <b>maximum (1)</b> 69:25 <b>may (15)</b> 7:8;39:3;40:23;42:6, 15;46:9;49:9;53:3; 54:10;57:4;62:14;67:5; 68:4;69:16;77:8 <b>Maybe (12)</b> 4:8;46:18,20;51:4; 60:2;62:11;68:9;71:17, 21,24;72:3;78:4 <b>McGrath (3)</b> 58:18,19;59:9 <b>mean (3)</b> 43:11;45:24;50:4 <b>means (5)</b> 16:25;20:4,21,24; 46:16 <b>measure (3)</b> 10:10,12;54:25 <b>meeting (8)</b> 7:1;31:5;33:13; 54:10;60:1,24;61:11; 77:18 <b>meetings (5)</b> 31:6,8;61:1;62:3; 74:25 <b>melting (1)</b> 54:24 <b>member (8)</b> 45:5;47:2;49:14; 51:18;52:16;70:6;75:4; 76:9 <b>members (1)</b> 56:11 <b>membership (1)</b> 39:9 <b>mention (2)</b> 13:20;38:13 <b>mentioned (16)</b> 5:5;9:10;17:3,24;
<b>L</b>			<b>M</b>	
<b>labor (1)</b> 62:12 <b>lack (1)</b> 41:25 <b>lady (1)</b> 59:18 <b>lake (1)</b> 10:8 <b>Land (10)</b> 7:1;40:17;43:7;44:6; 45:15;46:10;50:1; 53:17;64:12;67:6 <b>lands (7)</b> 35:3;36:18,20;40:15, 21,21,23 <b>language (2)</b> 4:4;12:9 <b>large (3)</b> 21:5;41:9;50:17 <b>larger (1)</b> 40:3 <b>last (18)</b> 11:1,4,22;13:15; 15:23;21:23;35:23,24; 36:1,37:11;38:15;			<b>mail (1)</b> 30:24 <b>mainly (1)</b> 67:23 <b>maintain (2)</b> 8:23;18:17 <b>major (3)</b> 10:7;35:5;59:5 <b>majority (2)</b> 18:8;29:13 <b>making (6)</b> 4:25;36:25;38:17; 52:4;74:5;75:20 <b>MALE (1)</b> 33:12 <b>manage (1)</b> 69:6 <b>managed (1)</b> 47:14 <b>Management (5)</b> 7:2;32:17;44:6; 64:12;73:14 <b>manager (5)</b> 5:6,8;33:24;47:25; 64:11 <b>managing (1)</b> 48:3 <b>manmade (1)</b> 55:8 <b>manner (1)</b> 47:13 <b>manufacturer (1)</b> 17:18 <b>many (9)</b> 12:2;39:5,14,20;	

18:3;31:25;34:24; 49:19;50:1;59:12;61:1; 63:13,18;69:3;70:24; 75:9 <b>Mercury (4)</b> 53:1;58:17;59:20; 71:5 <b>metal (1)</b> 53:13 <b>method (2)</b> 27:15,25 <b>methodologies (2)</b> 30:21;55:13 <b>methodology (1)</b> 20:14 <b>methods (1)</b> 27:15 <b>Mexico (3)</b> 70:10,12,18 <b>MICHAEL (3)</b> 66:17,17,20 <b>microphone (3)</b> 34:18;64:2;78:18 <b>middle-of-the-road (1)</b> 15:18 <b>might (22)</b> 10:1;16:5,15;22:20; 24:6;26:20,24;27:6,12, 16,22;28:13;34:24; 35:7;50:24;51:1,1; 55:18;73:15,16;75:22, 22 <b>miles (5)</b> 7:20;9:11;22:4;39:2; 42:15 <b>mill (4)</b> 8:9;9:14;18:8;20:14 <b>million (2)</b> 9:4,7 <b>mind (2)</b> 66:1;75:20 <b>mine (51)</b> 7:13,14,15,21;8:2,12, 18;9:1,5,9,20,23;10:3, 4,6;17:1;19:14,16; 26:18,19;28:23;35:19; 40:12;43:22;45:12,14, 19,21,24;50:7;53:11, 13;57:25;58:5,5,6,11, 22,23;59:3,14,14; 62:15;70:17;71:19; 72:3,6,8,19;74:2;75:5 <b>miner (1)</b> 74:1 <b>miners (1)</b> 74:24 <b>mines (5)</b> 17:16;52:22;58:14; 59:1;70:17 <b>minimize (6)</b> 16:6,15;17:4;27:16; 43:21;68:10 <b>minimizes (1)</b>	17:7 <b>minimum (1)</b> 43:10 <b>mining (6)</b> 9:15,25;17:12;18:7; 53:3;56:20 <b>minor (1)</b> 45:17 <b>minutes (7)</b> 4:6;6:20;28:6;44:17, 22;49:9,12 <b>missed (1)</b> 30:10 <b>mitigate (1)</b> 68:7 <b>Mitigation (8)</b> 27:14,15,15,19,21, 21,22;28:4 <b>model (1)</b> 39:13 <b>moderate (3)</b> 25:24;27:16;45:17 <b>moderates (1)</b> 17:7 <b>modification (2)</b> 24:22;26:23 <b>modified (1)</b> 30:16 <b>modify (1)</b> 26:15 <b>moment (1)</b> 54:12 <b>momentarily (2)</b> 16:13;31:1 <b>monetarily (2)</b> 40:12;41:14 <b>money (6)</b> 41:18;56:14;57:23; 58:1,2;72:20 <b>more (24)</b> 12:6;13:1,3;20:18, 19;22:5;24:17;25:8; 30:15,25;38:10;46:4, 11,16;49:12,22,25; 50:3;54:8;56:5;58:2; 63:8;68:6;69:8 <b>mortality (1)</b> 25:22 <b>MOSELLE (1)</b> 32:9 <b>most (8)</b> 9:14;10:5;30:9;42:3; 45:25;74:21,21;75:18 <b>mostly (1)</b> 59:16 <b>move (1)</b> 67:12 <b>movement (1)</b> 50:17 <b>moves (1)</b> 40:10 <b>much (32)</b> 5:3;13:6;19:12,12;	20:16,18;21:3,22; 32:13;33:11;37:23; 44:1;46:19;52:13; 53:10;54:2;57:8;59:2, 25;61:18,22;62:22,23; 63:2;66:18;70:4;71:9; 73:12;74:16;76:7;77:3; 78:18 <b>multiple (1)</b> 63:12 <b>music (1)</b> 21:20 <b>must (2)</b> 62:6,6 <b>myself (3)</b> 38:11,14;51:9  <b>N</b>  <b>name (16)</b> 4:13;5:5;32:15; 34:21;39:1;47:24; 49:13;51:17;52:15; 54:13;57:10;60:18; 64:10;66:17,20;70:6 <b>names (1)</b> 4:12 <b>Nancy (1)</b> 32:25 <b>Napaskiak (2)</b> 73:19,19 <b>narrow (1)</b> 26:4 <b>nation (3)</b> 67:19,20;68:18 <b>National (2)</b> 6:1;14:8 <b>Native (7)</b> 40:18;48:4,7,14; 60:19;66:21;67:3 <b>Natives (1)</b> 41:9 <b>natural (18)</b> 9:11,14,15;17:14; 18:4,5,22,23,24;19:1; 32:10;50:12;55:8; 56:12,15,24;59:9; 76:16 <b>navigating (1)</b> 36:15 <b>near (5)</b> 6:13;10:5;20:17; 35:4;54:10 <b>nearby (2)</b> 10:23;66:14 <b>nearly (1)</b> 66:4 <b>necessarily (1)</b> 9:24 <b>necessary (1)</b> 10:8 <b>need (43)</b> 7:4;8:20,24;11:16,	17,17,19;13:1,2;14:21; 15:1,4;16:2,23;23:9; 25:14;26:1,12;30:4,8, 12,13,13;42:21,22; 44:18,23;50:14;51:22; 52:10;55:9;56:6;60:3; 63:6,8,10;68:2,12; 69:10,14,14,15,18 <b>needed (2)</b> 25:6;62:15 <b>needing (1)</b> 26:7 <b>needs (5)</b> 8:7;15:24;30:16; 54:2;68:5 <b>negative (4)</b> 16:6;47:8,9;58:22 <b>negatively (1)</b> 58:6 <b>neither (3)</b> 5:14;15:2,15 <b>NEPA (5)</b> 13:9;14:20;16:22; 29:8;30:3 <b>neutral (1)</b> 76:5 <b>neutralize (1)</b> 52:24 <b>new (2)</b> 8:15;77:22 <b>newsletters (1)</b> 31:13 <b>next (8)</b> 8:10;10:11;19:11; 20:24;49:9;57:1;62:5; 64:2 <b>nicely (1)</b> 53:21 <b>NICK (3)</b> 49:13,13;51:6 <b>NICOLAI (5)</b> 45:3,3;47:2;51:17,18 <b>NICORI (2)</b> 76:8,8 <b>nine (2)</b> 28:25;29:1 <b>NOAH (3)</b> 52:14,15;53:9 <b>nobody (2)</b> 4:21;33:16 <b>noise (1)</b> 27:2 <b>nor (3)</b> 5:14;15:2,15 <b>North (2)</b> 18:20;68:17 <b>note (14)</b> 5:10;11:10;15:6,7; 16:17;17:15;23:8; 24:15;26:3;28:22; 31:24;60:1,7;63:15 <b>noted (2)</b> 29:23;30:1	<b>notes (3)</b> 15:10;61:13,24 <b>Notice (2)</b> 13:21;77:21 <b>NOVAGOLD (1)</b> 34:2 <b>November (1)</b> 11:4 <b>nowadays (1)</b> 75:21 <b>number (7)</b> 4:8;7:17;8:5;54:7; 59:5;77:3,5 <b>NYAC (6)</b> 58:5;59:14;71:5; 74:18;75:4,9  <b>O</b>  <b>oath (1)</b> 39:8 <b>obviously (1)</b> 23:6 <b>occur (1)</b> 51:1 <b>occurs (4)</b> 46:10;68:19;69:5,25 <b>Ocean (2)</b> 70:12;76:1 <b>off (12)</b> 7:5;9:15;12:12; 16:13;17:12,14,17,20; 18:7;21:19;49:21;53:1 <b>offer (1)</b> 64:19 <b>oil (2)</b> 37:13;68:17 <b>old (4)</b> 57:11,21;66:18; 75:11 <b>Once (6)</b> 11:15;28:11;29:12; 35:19;63:15;72:13 <b>One (49)</b> 5:10;6:24;7:17;10:7; 12:24;13:16;14:19; 15:17,25;16:7;17:15; 19:4,7;22:22;23:8,25; 24:9,25;25:2,11;27:18; 29:22;32:20;33:21; 35:7;37:6;39:7,17; 40:4,14;41:2,6,20; 42:17;50:3,8,13,14; 53:2;56:6;59:5,10; 60:16;65:23;66:1; 67:17;71:15;72:12; 74:8 <b>ones (1)</b> 63:6 <b>only (8)</b> 10:1;17:20;42:2; 51:20,24;62:19;63:11; 74:13
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<p><b>open (8)</b> 11:7;34:11;46:17; 49:6;52:21;53:6;57:25; 64:22</p> <p><b>opened (3)</b> 7:18;8:20,22</p> <p><b>opening (1)</b> 6:10</p> <p><b>opens (1)</b> 74:2</p> <p><b>operate (8)</b> 8:25;9:7,15;10:1,21; 17:14,17;45:22</p> <p><b>operating (1)</b> 21:6</p> <p><b>operation (7)</b> 17:12,22;26:21; 45:19;46:7,22;74:19</p> <p><b>operations (6)</b> 8:18;9:21;24:24; 45:11,25;48:13</p> <p><b>opinion (1)</b> 65:22</p> <p><b>opponent (3)</b> 5:15;15:3,16</p> <p><b>opportunities (3)</b> 48:12;62:10,13</p> <p><b>opportunity (11)</b> 6:4,14;27:9;28:6,17, 17;46:17;49:1;61:13; 63:11;74:1</p> <p><b>options (3)</b> 16:9;17:25;62:18</p> <p><b>orange (2)</b> 23:1;50:5</p> <p><b>order (1)</b> 36:6</p> <p><b>ore (4)</b> 7:22,23;8:7;20:13</p> <p><b>organizations (2)</b> 39:10,24</p> <p><b>orthodox (2)</b> 45:4;47:4</p> <p><b>others (2)</b> 19:22;54:8</p> <p><b>otherwise (1)</b> 45:10</p> <p><b>ourselves (1)</b> 39:23</p> <p><b>out (33)</b> 4:23;10:17;11:2,5, 22,24;13:21,24;14:22; 15:10;16:2;23:9;32:8; 34:18;37:8;39:20; 40:12,25;42:20,24; 43:3;46:12;53:2;55:11, 17;57:12;58:7;65:17; 66:7;71:15,20;72:15; 73:1</p> <p><b>outreach (1)</b> 33:6</p> <p><b>outside (2)</b> 42:5;69:12</p>	<p><b>over (33)</b> 7:18,22,24;10:15,21; 12:5,16;16:8;17:2; 20:13;24:12;27:1; 31:12;35:1;36:4;37:5, 9;38:20;39:22;41:18; 44:13;45:19;46:5,7; 47:5,15;56:12,15; 57:16;65:16,18;73:23; 78:24</p> <p><b>overall (7)</b> 6:16;14:21,24;15:3, 11;21:11;69:5</p> <p><b>overburden (1)</b> 8:6</p> <p><b>overflow (1)</b> 58:8</p> <p><b>oversee (1)</b> 39:9</p> <p><b>own (1)</b> 65:8</p>	<p>17:14,19</p> <p><b>Pebble (1)</b> 71:4</p> <p><b>people (59)</b> 4:3,21;29:8,9,20,24; 32:18;33:7;39:12,19; 40:4;41:8,10,12,14,21, 23;42:6,7,9,12,14,20, 22;43:3,4;52:6;54:2; 56:25;57:22,25;58:1, 10,13;59:15,20;60:2, 23;62:4,7,13;64:23; 67:7,24;68:13,22; 69:14,19,23;72:15; 73:23,24;74:3;75:1,5, 8;77:17,19;78:11</p> <p><b>people's (1)</b> 4:11</p> <p><b>per (3)</b> 9:7;41:1;42:1</p> <p><b>percent (2)</b> 43:6;47:20</p> <p><b>percentage (2)</b> 47:17;55:18</p> <p><b>period (10)</b> 9:23;11:7;12:16,24; 23:24,25;24:3;33:8; 45:18;48:13</p> <p><b>permit (5)</b> 5:19,21;13:13,14; 14:5</p> <p><b>permits (1)</b> 37:20</p> <p><b>permitted (6)</b> 9:20;17:23;18:5; 26:19;27:8;63:4</p> <p><b>permitting (2)</b> 32:11,11</p> <p><b>perpetually (1)</b> 55:10</p> <p><b>perpetuity (2)</b> 8:4;10:16</p> <p><b>perspective (1)</b> 36:7</p> <p><b>phases (1)</b> 9:18</p> <p><b>phone (9)</b> 7:4,6,7;25:19;44:6, 13;64:3,17;65:18</p> <p><b>phones (1)</b> 21:19</p> <p><b>physical (1)</b> 33:1</p> <p><b>pick (1)</b> 49:8</p> <p><b>picked (3)</b> 4:19;49:4,6</p> <p><b>picture (1)</b> 23:2</p> <p><b>pike (1)</b> 58:16</p> <p><b>piled (1)</b> 20:20</p>	<p><b>pipe (1)</b> 9:13</p> <p><b>pipeline (24)</b> 7:16;9:11;18:2,4,5,6, 14,17,21,22;19:2; 21:24,25;22:8;25:7; 28:24;34:25;35:1; 37:13;45:25;46:8,13, 17;59:8</p> <p><b>pipelines (1)</b> 59:8</p> <p><b>pit (8)</b> 7:19,19;10:8,8,10,11, 14,14</p> <p><b>pits (4)</b> 7:17;8:22;10:9,9</p> <p><b>pizza (2)</b> 70:23;71:1</p> <p><b>place (4)</b> 10:5;11:3;42:4; 75:19</p> <p><b>placed (1)</b> 8:2</p> <p><b>places (2)</b> 36:23;53:7</p> <p><b>plan (7)</b> 56:18;72:11,14,18; 76:20,25;77:21</p> <p><b>plane (2)</b> 7:6;77:6</p> <p><b>planning (2)</b> 49:3;78:12</p> <p><b>plans (2)</b> 45:7;62:4</p> <p><b>plant (1)</b> 10:20</p> <p><b>plants (1)</b> 45:15</p> <p><b>Platinum (2)</b> 58:4;59:15</p> <p><b>play (2)</b> 37:4;41:4</p> <p><b>please (15)</b> 4:13;11:10;15:19; 23:8;28:22;38:2;44:3, 4;51:5;60:7;62:18; 63:10,15;66:19;77:14</p> <p><b>pleased (1)</b> 32:18</p> <p><b>plus (1)</b> 31:12</p> <p><b>pm (1)</b> 78:25</p> <p><b>podcasts (1)</b> 12:14</p> <p><b>point (15)</b> 6:23;14:15;23:17; 31:21;33:14;34:10; 36:5,10;37:6;43:23; 63:13;64:18;76:15; 77:1;78:19</p> <p><b>points (1)</b> 19:25</p>	<p><b>Policy (2)</b> 6:1;14:8</p> <p><b>pond (2)</b> 21:6;56:22</p> <p><b>poorest (2)</b> 41:6;68:18</p> <p><b>population (2)</b> 41:9;69:9</p> <p><b>port (5)</b> 8:16,16;9:5;19:19; 23:23</p> <p><b>portion (2)</b> 37:16,21</p> <p><b>positive (1)</b> 47:9</p> <p><b>possibility (2)</b> 17:21;35:10</p> <p><b>possible (4)</b> 20:3;46:1;47:14; 51:21</p> <p><b>possibly (1)</b> 12:8</p> <p><b>posters (5)</b> 28:11,14,20;34:5,8</p> <p><b>potential (20)</b> 6:6,15;11:2;15:20; 16:15;17:9,10;19:9; 20:2,25;21:5,16;22:24; 26:15;28:4;46:13; 50:10,19;63:9;64:23</p> <p><b>potentially (3)</b> 19:5;20:3;56:2</p> <p><b>poverty (1)</b> 73:25</p> <p><b>practically (4)</b> 35:23;36:5,14;37:17</p> <p><b>prayer (1)</b> 57:15</p> <p><b>precisely (1)</b> 64:21</p> <p><b>predicted (1)</b> 47:11</p> <p><b>prefer (1)</b> 64:14</p> <p><b>prepare (1)</b> 69:15</p> <p><b>prepositioning (1)</b> 18:21</p> <p><b>present (2)</b> 27:4;62:2</p> <p><b>presentable (1)</b> 59:24</p> <p><b>presentation (6)</b> 5:1;6:10;31:14; 59:24;61:10;64:20</p> <p><b>presentations (1)</b> 31:14</p> <p><b>presented (2)</b> 43:10;62:17</p> <p><b>presenting (1)</b> 60:22</p> <p><b>presently (1)</b> 76:11</p>
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<p><b>preserve (1)</b> 76:12</p> <p><b>pretty (4)</b> 20:16;61:18;75:12, 22</p> <p><b>preventative (1)</b> 68:13</p> <p><b>previously (1)</b> 31:15</p> <p><b>prices (1)</b> 46:15</p> <p><b>priest (2)</b> 45:4;47:4</p> <p><b>primarily (1)</b> 10:4</p> <p><b>primary (6)</b> 7:14,20;22:17,19; 28:25;40:14</p> <p><b>private (4)</b> 35:3;36:18,20;62:12</p> <p><b>probability (1)</b> 17:20</p> <p><b>probably (5)</b> 34:25;36:21;49:9; 70:9,18</p> <p><b>problem (2)</b> 65:8,13</p> <p><b>problems (3)</b> 43:13,15;78:4</p> <p><b>Proceedings (1)</b> 78:25</p> <p><b>P-R-O-C-E-E-D-I-N-G-S (1)</b> 4:1</p> <p><b>process (20)</b> 6:13;7:25;10:25; 29:8,12;30:4;38:8; 41:5;52:23,24;53:3,6; 55:9,11;60:24;61:17, 20;62:24;67:4,8</p> <p><b>processing (1)</b> 8:9</p> <p><b>produce (3)</b> 13:11;48:12;55:25</p> <p><b>producing (1)</b> 17:19</p> <p><b>profitable (1)</b> 39:15</p> <p><b>profits (1)</b> 48:8</p> <p><b>program (1)</b> 32:17</p> <p><b>progress (1)</b> 12:19</p> <p><b>progressing (1)</b> 62:5</p> <p><b>progression (1)</b> 60:2</p> <p><b>project (80)</b> 5:6,8,9,11,15,17,20; 6:19;7:11;8:11,25;9:3, 6,11,18,19,21;11:3,14, 24;13:13;14:21,23,25; 15:2,3,4,13,16,20,23;</p>	<p>16:1,5,6,8,10,15;17:4, 7,22;22:18;27:7,12,17; 28:4,12,14,23;29:9,10, 21,23,24,25;31:13; 32:5;33:19;34:6,15; 38:15;40:10;42:15; 47:7,19;48:6,11,20; 49:1;52:20;55:16,19, 21;56:18,18;57:7;63:3, 9;73:14;78:3,13</p> <p><b>projects (1)</b> 73:15</p> <p><b>promises (1)</b> 70:10</p> <p><b>properly (1)</b> 30:10</p> <p><b>properties (1)</b> 39:8</p> <p><b>proponent (4)</b> 5:14;15:2,15;32:5</p> <p><b>proposal (1)</b> 67:12</p> <p><b>propose (2)</b> 7:3;33:19</p> <p><b>proposed (46)</b> 5:9,15,17,20,21; 6:19;7:11,13,14,16; 8:11,12,17;9:8,9,11,22; 11:14,23;13:13,14; 16:1,8,10,16,17;17:5; 19:14,15;22:3,19; 23:23;27:11,16;28:5; 34:23;48:24;49:1; 52:21;53:6;55:16,18, 21;57:6;63:3;74:8</p> <p><b>proposing (18)</b> 8:11;10:1;16:18,20; 18:16;19:11,19,22; 21:4;23:21;24:1;26:1, 9,11;33:17;47:13,19; 52:19</p> <p><b>protect (2)</b> 39:8;48:16</p> <p><b>protected (3)</b> 68:14,15;69:24</p> <p><b>Protection (1)</b> 34:14</p> <p><b>provide (5)</b> 4:14;41:11,12,24; 48:9</p> <p><b>providing (1)</b> 63:16</p> <p><b>Prudhoe (1)</b> 37:13</p> <p><b>public (2)</b> 35:3;69:7</p> <p><b>publicly (1)</b> 35:19</p> <p><b>pull (1)</b> 64:2</p> <p><b>purple (1)</b> 19:17</p> <p><b>purpose (7)</b></p>	<p>4:7;14:21,24;15:1,4, 11;72:20</p> <p><b>purposes (3)</b> 8:15;40:15;49:4</p> <p><b>pursuant (1)</b> 48:5</p> <p><b>push (1)</b> 37:19</p> <p><b>pushing (4)</b> 23:19,19,24;24:2</p> <p><b>put (12)</b> 11:5,22;13:21;34:24; 54:1;64:2;73:3,4,4; 76:13;78:8,18</p> <p><b>putting (2)</b> 13:24;23:9</p>	<p>68:16</p> <p><b>ready (6)</b> 4:17;5:2;26:20;62:7; 63:23;78:13</p> <p><b>realize (1)</b> 42:21</p> <p><b>really (3)</b> 30:8;49:18;71:22</p> <p><b>reason (2)</b> 18:23;56:22</p> <p><b>reasonable (3)</b> 27:11;46:16;47:12</p> <p><b>reasonably (1)</b> 27:4</p> <p><b>reasons (2)</b> 40:14,20</p> <p><b>receive (1)</b> 8:17</p> <p><b>received (2)</b> 40:8;60:16</p> <p><b>receiving (1)</b> 5:1</p> <p><b>recently (4)</b> 41:7;58:14,18;70:11</p> <p><b>reclaimed (1)</b> 10:3</p> <p><b>reclamation (2)</b> 9:24;10:5</p> <p><b>recognize (1)</b> 15:14</p> <p><b>recognized (3)</b> 41:2;61:16;66:23</p> <p><b>recommend (1)</b> 66:3</p> <p><b>recommendation (2)</b> 43:9;65:23</p> <p><b>Record (4)</b> 13:11;14:2;47:24; 70:6</p> <p><b>recorder (1)</b> 4:11</p> <p><b>records (1)</b> 61:11</p> <p><b>recover (1)</b> 59:17</p> <p><b>recoverable (1)</b> 46:11</p> <p><b>rectangles (1)</b> 8:21</p> <p><b>Red (9)</b> 53:12;57:25;59:14, 14;71:4;74:18;75:5,6,9</p> <p><b>redone (1)</b> 11:18</p> <p><b>reduce (1)</b> 26:6</p> <p><b>reduced (1)</b> 46:19</p> <p><b>reducing (1)</b> 17:25</p> <p><b>reference (5)</b> 34:23;35:1,5,22; 37:11</p>	<p><b>referred (5)</b> 11:21;13:11;16:21; 17:5;18:2</p> <p><b>reflect (1)</b> 74:10</p> <p><b>regard (1)</b> 38:2</p> <p><b>regarding (10)</b> 5:10;6:19;13:12; 23:10;25:1;27:12; 30:16;47:16;57:6; 77:10</p> <p><b>regardless (3)</b> 14:19;23:7;60:9</p> <p><b>regards (5)</b> 39:14,17;54:17,17; 55:5</p> <p><b>region (15)</b> 27:7,13;32:16;39:20; 40:22;41:3,4,11,13; 42:2,5;48:14;56:19; 68:25;70:1</p> <p><b>regional (10)</b> 39:23;40:7,11,20; 41:1;48:4,7;67:11; 69:5;72:16</p> <p><b>regions (2)</b> 41:6;76:21</p> <p><b>Region's (1)</b> 45:11</p> <p><b>regulations (1)</b> 15:22</p> <p><b>regulatory (2)</b> 5:8;27:19</p> <p><b>relate (1)</b> 60:13</p> <p><b>related (6)</b> 7:16;17:10,11;19:9; 53:10;56:1</p> <p><b>relates (5)</b> 14:5;23:5,12;24:9; 60:7</p> <p><b>relation (14)</b> 11:14;14:3;15:17; 17:25;19:4;24:23; 25:12,25;26:10;30:6; 44:12;55:15,17,23</p> <p><b>relations (2)</b> 33:25;38:12</p> <p><b>release (1)</b> 50:13</p> <p><b>released (4)</b> 10:17,23;13:9;21:8</p> <p><b>rely (1)</b> 56:25</p> <p><b>remain (1)</b> 8:4</p> <p><b>Remember (4)</b> 24:19;25:3;35:24; 71:25</p> <p><b>remind (1)</b> 4:12</p> <p><b>remove (1)</b></p>
		<b>Q</b>		
		<p><b>qualified (1)</b> 41:23</p> <p><b>quality (4)</b> 6:17;33:3;53:12,23</p> <p><b>quantities (1)</b> 53:5</p> <p><b>quantity (1)</b> 50:20</p> <p><b>quarter (1)</b> 41:2</p> <p><b>question-and-answer (2)</b> 28:18;33:8</p> <p><b>quick (1)</b> 34:22</p> <p><b>quickly (1)</b> 64:21</p> <p><b>quite (2)</b> 19:12;61:9</p> <p><b>Quyana (8)</b> 38:23;46:23;51:17; 52:12,14;70:5;71:7,10</p>		
		<b>R</b>		
		<p><b>Rainy (1)</b> 22:8</p> <p><b>raise (1)</b> 34:13</p> <p><b>Range (2)</b> 9:13;47:15</p> <p><b>rate (1)</b> 41:10</p> <p><b>rates (1)</b> 46:16</p> <p><b>rather (1)</b> 38:10</p> <p><b>reach (1)</b> 58:20</p> <p><b>read (6)</b> 16:12;43:1;51:14; 54:2;66:19;70:8</p> <p><b>readers (1)</b> 12:9</p> <p><b>reading (1)</b></p>		

<p>53:1  <b>removed (7)</b>                  7:23;8:7;15:9,9;                  20:22;21:7;53:4  <b>renewable (3)</b>                  56:12,16,24  <b>repeat (1)</b>                  67:16  <b>repeatedly (1)</b>                  12:25  <b>replace (2)</b>                  19:1;70:23  <b>replaced (1)</b>                  18:6  <b>report (2)</b>                  54:1;61:21  <b>reporter (1)</b>                  44:15  <b>representatives (1)</b>                  62:1  <b>require (1)</b>                  69:8  <b>required (2)</b>                  17:8;55:13  <b>requirement (1)</b>                  13:22  <b>requirements (2)</b>                  27:19;40:18  <b>requires (3)</b>                  6:2;16:22;18:20  <b>reserve (1)</b>                  43:24  <b>resident (1)</b>                  45:6  <b>resolved (1)</b>                  25:19  <b>resource (6)</b>                  6:16;22:17,19,23;                  29:1;34:6  <b>Resources (13)</b>                  32:10;35:6;40:7,9,                  12,23;42:13;43:6;                  48:16;56:12,16,24;                  69:21  <b>respond (1)</b>                  11:20  <b>responded (1)</b>                  29:14  <b>response (3)</b>                  29:18,23,25  <b>responsibility (2)</b>                  40:11;41:22  <b>responsible (1)</b>                  48:16  <b>rest (4)</b>                  18:8;31:12;38:14;                  47:1  <b>result (4)</b>                  24:1,19;27:7;50:17  <b>retain (4)</b>                  8:3;21:11,12,13  <b>retranslating (1)</b>                  4:23</p>	<p><b>review (6)</b>                  11:6;13:1,3;61:4,12;                  62:17  <b>reviewed (1)</b>                  7:12  <b>right (24)</b>                  12:3,23;13:2;23:11;                  25:15;35:25;36:8,15,                  18;43:24;44:2;51:2,12;                  52:5;57:9;62:16;64:8;                  65:2,21,24;66:25;69:1,                  13;71:4  <b>Rimelman (1)</b>                  34:2  <b>risk (3)</b>                  26:23;45:9;46:8  <b>risks (3)</b>                  33:2;46:9;48:19  <b>River (37)</b>                  8:13;17:9,11;18:10;                  19:23;23:3,13;24:6;                  25:7,25;26:5;27:7,13;                  35:9,22;36:3,19;43:21;                  45:6,10,23;46:12;                  49:20;50:4;53:21;                  56:23;61:15;67:6;69:1,                  17;71:23,23;72:10,17;                  73:4;74:5;75:23  <b>riverbanks (1)</b>                  56:2  <b>riverbed (1)</b>                  53:22  <b>rivers (3)</b>                  57:1;58:6,13  <b>road (11)</b>                  8:12,15,20,21,23;                  19:16,18,20;26:25;                  35:19;50:1  <b>roads (1)</b>                  68:9  <b>rock (9)</b>                  7:23,24,25;8:5,5,6;                  20:12,13,20  <b>role (7)</b>                  5:11,15;13:10;28:7,                  12;30:6;41:5  <b>Ron (1)</b>                  34:2  <b>room (15)</b>                  28:7;31:3,22,23,24;                  32:7,8,25;44:8;49:7;                  54:12;64:8,22;77:9,12  <b>round (1)</b>                  23:25  <b>route (7)</b>                  18:22;19:17;21:24,                  25;22:3;25:7;26:25  <b>routes (1)</b>                  22:7  <b>rude (1)</b>                  21:20  <b>ruin (1)</b>                  70:18</p>	<p><b>ruined (1)</b>                  70:13  <b>run (5)</b>                  7:5;8:12;17:20;                  18:18;78:24  <b>running (3)</b>                  9:12;37:7;76:18  <b>runs (2)</b>                  18:7;76:12  <b>rupture (2)</b>                  18:23;19:2  <p style="text-align: center;"><b>S</b></p> <b>safer (1)</b>                  46:3  <b>safety (1)</b>                  69:7  <b>salmon (5)</b>                  42:12;46:1;56:23;                  70:22;74:6  <b>same (10)</b>                  7:2;18:17;23:6;24:2,                  3,14;31:7;42:10,22;                  78:12  <b>samples (1)</b>                  58:15  <b>SAMUELSON (2)</b>                  73:18,18  <b>sand (1)</b>                  36:4  <b>SANDRA (2)</b>                  76:8,8  <b>saw (4)</b>                  20:16;23:23;50:4;                  51:7  <b>saying (2)</b>                  47:10;75:24  <b>scale (2)</b>                  13:16;47:22  <b>scenarios (1)</b>                  50:10  <b>schedule (4)</b>                  11:25;12:17;65:8;                  77:6  <b>schedules (1)</b>                  11:25  <b>scheduling (3)</b>                  44:7,14;66:12  <b>science (1)</b>                  55:11  <b>scientists (1)</b>                  32:21  <b>scoping (4)</b>                  11:1;13:23;23:1;                  77:18  <b>screen (13)</b>                  5:22;6:7;7:13,17;                  8:6;15:5,8;16:12;                  19:14;22:21;23:2;24:7;                  31:9  <b>se (2)</b>                  41:1;42:1</p>	<p><b>sea (1)</b>                  46:12  <b>seasonal (1)</b>                  42:6  <b>seasons (1)</b>                  11:18  <b>second (1)</b>                  7:20  <b>section (5)</b>                  14:5;36:6;38:2;40:8,                  8  <b>sections (1)</b>                  32:20  <b>seeing (2)</b>                  47:23;53:7  <b>seek (3)</b>                  39:24;40:3;41:22  <b>seem (1)</b>                  30:2  <b>seems (6)</b>                  46:10;70:17,19,22;                  71:2,4  <b>segment (1)</b>                  18:18  <b>segments (2)</b>                  12:16;26:4  <b>selected (4)</b>                  17:1;20:2;25:2;                  40:21  <b>selecting (3)</b>                  40:15,17,21  <b>senior (1)</b>                  32:20  <b>sentence (4)</b>                  15:7,8,10,23  <b>separately (1)</b>                  7:18  <b>Seppi (1)</b>                  44:5  <b>series (2)</b>                  12:13;31:4  <b>serve (2)</b>                  39:6,19  <b>services (4)</b>                  41:11,13,24;78:6  <b>session (1)</b>                  28:19  <b>Settlement (1)</b>                  40:18  <b>setup (2)</b>                  20:25;21:15  <b>seven (1)</b>                  16:11  <b>seventh (1)</b>                  70:15  <b>several (2)</b>                  77:19;78:16  <b>severe (1)</b>                  42:9  <b>severely (1)</b>                  43:15  <b>Sexauer (1)</b>                  73:13</p>	<p><b>sexual (1)</b>                  67:20  <b>shallow (1)</b>                  26:4  <b>share (1)</b>                  40:12  <b>shareholder (4)</b>                  67:11;73:20;75:3,3  <b>shareholders (7)</b>                  15:13;40:6,22;48:8,                  9,12;56:15  <b>sharing (2)</b>                  30:6;40:6  <b>sharp (1)</b>                  49:17  <b>SHEILA (3)</b>                  12:2,7,20  <b>ship (1)</b>                  61:23  <b>shipped (1)</b>                  8:17  <b>shoreline (1)</b>                  23:22  <b>short (4)</b>                  51:25,25,25;76:18  <b>shortcut (1)</b>                  36:22  <b>shorter (1)</b>                  22:5  <b>shortly (2)</b>                  38:1;66:12  <b>shove (1)</b>                  37:19  <b>show (3)</b>                  19:9;20:23;42:22  <b>shows (1)</b>                  24:12  <b>shut (1)</b>                  61:18  <b>sick (2)</b>                  58:11,14  <b>sickness (1)</b>                  59:17  <b>sicknesses (1)</b>                  58:12  <b>side (5)</b>                  10:13;35:11,17;36:5,                  6  <b>sign (1)</b>                  4:10  <b>significant (1)</b>                  48:12  <b>similar (3)</b>                  29:16,17;31:7  <b>simply (3)</b>                  8:6;44:13;55:24  <b>single (9)</b>                  7:19;10:10;21:10,13;                  23:18,19,19,24,25  <b>siphon (1)</b>                  37:9  <b>site (19)</b>                  7:5,14,15,21;8:2,13,</p>
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<p>16,16,18;9:1,5,15; 19:14,16,19;23:23; 28:23;35:2;43:22 <b>sites (1)</b> 8:22 <b>slide (7)</b> 8:10;19:11;20:24; 21:2;24:7,12;26:14 <b>slides (1)</b> 64:1 <b>slope (2)</b> 50:19,21 <b>Slough (1)</b> 36:22 <b>sludge (1)</b> 73:7 <b>small (1)</b> 56:23 <b>smaller (2)</b> 21:3;47:22 <b>snow (3)</b> 55:2,3,4 <b>social (3)</b> 32:21,23;69:11 <b>sociocultural (1)</b> 6:17 <b>socioeconomic (1)</b> 39:19 <b>solutions (1)</b> 39:24 <b>somebody (2)</b> 41:15;70:24 <b>someone (1)</b> 17:21 <b>somewhat (1)</b> 22:5 <b>somewhere (2)</b> 10:18;44:9 <b>soon (2)</b> 63:19;75:12 <b>sooner (1)</b> 59:6 <b>sorry (3)</b> 21:18;23:19;52:19 <b>sort (1)</b> 78:6 <b>sources (1)</b> 8:19 <b>south (2)</b> 18:19;22:8 <b>spawning (1)</b> 25:21 <b>speak (3)</b> 35:12;45:5;64:3 <b>SPEAKER (2)</b> 13:15;33:12 <b>speaking (6)</b> 39:4;57:17;59:4; 61:5;72:15,15 <b>special (2)</b> 6:4;77:17 <b>species (1)</b> 46:2</p>	<p><b>specific (2)</b> 15:21;39:4 <b>specifically (3)</b> 14:7;28:9;34:8 <b>spent (1)</b> 32:16 <b>spill (16)</b> 17:11;18:21;19:2; 21:14,16;26:23,24; 46:9,9,10;50:9,11,12; 51:8;71:16,20 <b>spilled (1)</b> 18:24 <b>spilling (1)</b> 46:9 <b>spills (2)</b> 20:3;51:1 <b>spoke (1)</b> 78:5 <b>spot (1)</b> 24:3 <b>square (1)</b> 7:20 <b>squares (1)</b> 8:21 <b>stack (4)</b> 20:10,19;21:2,4 <b>staff (2)</b> 33:24;68:1 <b>stamp (1)</b> 75:14 <b>stand (4)</b> 32:7;51:13,15;66:18 <b>standards (1)</b> 27:20 <b>standing (2)</b> 23:22;24:3 <b>start (8)</b> 16:4;26:21;34:17,19; 44:10,18;63:16;65:5 <b>started (2)</b> 40:17;72:9 <b>starting (1)</b> 49:10 <b>starts (1)</b> 49:20 <b>State (13)</b> 5:25;31:22,25;32:8, 10;37:6;40:2;41:3,6; 62:8,11;68:5;76:22 <b>Statement (25)</b> 5:13,24;6:3,5,8,12; 10:25;11:5,10,11,11, 22,23;13:8;14:4;28:8; 29:7,7,15,22;30:19; 48:6,25;55:12;63:21 <b>States (3)</b> 5:6;31:17;72:1 <b>status (1)</b> 68:13 <b>stay (3)</b> 75:7,16,20 <b>staying (2)</b></p>	<p>75:18,18 <b>stays (1)</b> 11:25 <b>steel (2)</b> 9:13;18:4 <b>steeper (1)</b> 22:7 <b>still (4)</b> 7:3;64:25;71:6,6 <b>stockholders (1)</b> 15:12 <b>stocks (1)</b> 70:22 <b>stomach (1)</b> 58:12 <b>stop (1)</b> 35:7 <b>storage (2)</b> 7:21;20:11 <b>stored (2)</b> 9:5;20:15 <b>story (1)</b> 41:7 <b>straight (1)</b> 36:2 <b>strand (1)</b> 19:25 <b>stranding (2)</b> 19:25;20:2 <b>stream (1)</b> 25:21 <b>strengths (2)</b> 77:25;78:1 <b>stretching (1)</b> 36:4 <b>structure (3)</b> 69:1,2,5 <b>structures (1)</b> 77:22 <b>studies (2)</b> 11:17;39:16 <b>study (2)</b> 54:23;78:6 <b>stuff (1)</b> 18:12 <b>subject (1)</b> 54:11 <b>submit (2)</b> 30:22;43:24 <b>subsidized (1)</b> 37:7 <b>subsist (1)</b> 59:11 <b>subsistence (24)</b> 6:16;7:2;30:6;32:21, 24;40:15;41:17;42:11, 18,19,24;43:4,5;44:12; 46:2;48:16,21;51:10; 58:24;60:8,13;64:23; 70:24;75:14 <b>subsistence-related (1)</b> 63:17 <b>subsistence-wise (1)</b></p>	<p>35:15 <b>substance (1)</b> 67:22 <b>substances (1)</b> 68:21 <b>substantial (6)</b> 17:20;20:18;22:25; 53:5;55:22,23 <b>substantive (2)</b> 14:16;30:4 <b>substantively (1)</b> 29:4 <b>subsurface (1)</b> 56:21 <b>success (1)</b> 25:22 <b>suggesting (1)</b> 23:15 <b>suicide (2)</b> 67:18;73:25 <b>summaries (1)</b> 31:14 <b>summarize (1)</b> 61:22 <b>Summary (3)</b> 12:11;61:11;62:2 <b>summer (2)</b> 68:11;78:7 <b>summertime (1)</b> 42:12 <b>summertimes (1)</b> 46:6 <b>supply (1)</b> 46:18 <b>support (3)</b> 43:10;48:23;73:22 <b>sure (9)</b> 4:10;26:17;40:20; 41:23;52:9;69:24; 73:13;74:12;75:22 <b>surface (2)</b> 20:17;56:21 <b>surfaced (1)</b> 75:6 <b>surrounds (1)</b> 43:8 <b>survive (1)</b> 76:2 <b>switch (1)</b> 20:9 <b>sworn (1)</b> 39:8 <b>synopsized (1)</b> 25:16 <b>system (9)</b> 4:17,18;35:9;41:19; 43:20;50:1;52:21;53:7, 8</p>	<p><b>table (1)</b> 4:9 <b>tactical (1)</b> 48:17 <b>tailing (1)</b> 50:5 <b>tailings (24)</b> 7:21,22;8:3,3;20:10, 11,18,19,23;21:2,7,11, 11,12;33:2;50:6,13,17, 18,21;56:22;58:10; 71:20;72:9 <b>talk (13)</b> 21:21,23;22:22,23; 28:7,18,19;32:11; 33:20;42:21;62:8; 76:10;77:12 <b>talked (4)</b> 20:11;28:25;29:1; 77:19 <b>talking (7)</b> 5:13;7:12;19:23; 47:17;55:14;58:16; 72:19 <b>talks (1)</b> 27:3 <b>taught (1)</b> 57:19 <b>TAYLOR (9)</b> 4:2,20;5:4,5;32:20; 34:3;37:24,25;77:16 <b>teach (1)</b> 62:12 <b>team (3)</b> 32:18;38:12;78:16 <b>technical (3)</b> 6:24;48:17;78:8 <b>technically (1)</b> 22:5 <b>technology (3)</b> 48:21,22;75:21 <b>Teck (1)</b> 17:21 <b>telling (2)</b> 13:2;51:3 <b>temporary (1)</b> 51:21 <b>ten (1)</b> 72:3 <b>terms (3)</b> 38:17;39:3;46:3 <b>testify (3)</b> 4:12,22;64:24 <b>testifying (1)</b> 4:4 <b>testimonies (4)</b> 57:14;71:14,22; 73:10 <b>testimony (6)</b> 37:25;44:11,16; 63:16,17;65:19 <b>thankful (1)</b> 57:22</p>
			<b>T</b>	
			<b>tab (1)</b> 31:11	

<p><b>Thanks (3)</b> 38:4,19:74:16</p> <p><b>therefore (3)</b> 17:9;19:5;48:23</p> <p><b>thinking (6)</b> 58:19;68:9,12;76:15, 17,19</p> <p><b>third (1)</b> 9:10</p> <p><b>though (1)</b> 56:18</p> <p><b>thought (1)</b> 69:20</p> <p><b>threats (1)</b> 46:1</p> <p><b>three (10)</b> 7:14;8:5;9:19;24:3; 28:22;35:24;44:22; 57:5;77:18;78:11</p> <p><b>tidal (1)</b> 73:7</p> <p><b>tiered (1)</b> 20:20</p> <p><b>till (1)</b> 12:20</p> <p><b>timing (1)</b> 27:25</p> <p><b>TKC (1)</b> 15:12</p> <p><b>today (15)</b> 4:7;5:1,13;7:8,12; 32:18;38:7;42:11;44:8; 53:25;54:5,10;75:2; 77:14;78:14</p> <p><b>together (1)</b> 78:9</p> <p><b>told (2)</b> 51:7;59:18</p> <p><b>tolerable (1)</b> 46:11</p> <p><b>tons (2)</b> 52:23,24</p> <p><b>took (2)</b> 11:3;58:15</p> <p><b>top (5)</b> 13:16,17,18;20:17; 49:21</p> <p><b>total (1)</b> 31:12</p> <p><b>toward (1)</b> 18:19</p> <p><b>toxins (3)</b> 70:11;71:5,6</p> <p><b>track (1)</b> 11:25</p> <p><b>tradeoffs (1)</b> 18:15</p> <p><b>traffic (21)</b> 17:10;22:24;25:15, 20,24;35:11,16;37:2; 43:18,21;45:25;46:4; 47:20,21,22;49:24; 54:15,18;68:8,10</p>	<p><b>trail (1)</b> 37:12</p> <p><b>train (3)</b> 62:7,11,14</p> <p><b>training (1)</b> 69:15</p> <p><b>transaction (1)</b> 48:17</p> <p><b>transcript (3)</b> 51:14;62:25;78:21</p> <p><b>transcripts (1)</b> 44:16</p> <p><b>translated (3)</b> 12:8;38:18;57:17</p> <p><b>translating (2)</b> 12:14;38:17</p> <p><b>translation (3)</b> 4:4;12:11,18</p> <p><b>translator (1)</b> 57:17</p> <p><b>transport (1)</b> 9:13</p> <p><b>transportation (8)</b> 7:15;8:10;9:3;28:24; 39:22;41:17;43:11; 68:9</p> <p><b>trap (1)</b> 59:11</p> <p><b>trapper (1)</b> 57:12</p> <p><b>traveled (1)</b> 78:7</p> <p><b>treat (1)</b> 10:22</p> <p><b>treated (3)</b> 10:16,18;21:8</p> <p><b>treatment (2)</b> 10:8,20</p> <p><b>Tree (7)</b> 19:17,20;20:1,5,7; 24:21;25:4</p> <p><b>tremendous (1)</b> 40:24</p> <p><b>tribal (13)</b> 5:25;31:17,18;32:1; 39:7;41:4;52:16;66:21, 21;70:7;71:13;72:24; 75:4</p> <p><b>tribes (9)</b> 41:2;61:16;66:24; 68:25;69:4;70:1;71:3; 77:20,23</p> <p><b>tribes' (1)</b> 77:25</p> <p><b>tried (2)</b> 61:17;72:25</p> <p><b>trip (1)</b> 24:1</p> <p><b>trouble (1)</b> 58:2</p> <p><b>truck (2)</b> 17:6;25:5</p> <p><b>trucks (5)</b></p>	<p>17:13,14,17,19,22</p> <p><b>try (9)</b> 25:18;31:2;42:23; 44:22;55:16;64:6; 67:16;72:11,12</p> <p><b>trying (7)</b> 21:21;24:8;44:23; 47:8;56:14;62:24; 76:11</p> <p><b>tug (3)</b> 23:19,24;24:1</p> <p><b>Tuluksak (6)</b> 36:13;52:15;58:4,7; 62:20;75:4</p> <p><b>turn (6)</b> 21:19;23:16;36:21, 23;39:15;52:10</p> <p><b>turned (2)</b> 39:12;50:4</p> <p><b>TV (1)</b> 71:18</p> <p><b>twice (1)</b> 14:2</p> <p><b>two (6)</b> 10:9;21:12;22:4; 36:23;57:1,6</p> <p><b>two-lane (1)</b> 8:14</p> <p><b>Tyonek (2)</b> 18:19,20</p> <p><b>type (1)</b> 47:21</p> <p><b>types (1)</b> 50:25</p> <p><b>typically (1)</b> 23:18</p>	<p><b>unwanted (1)</b> 35:11</p> <p><b>up (63)</b> 4:8,19;7:24;17:8; 20:19,20,20;21:3,4,6, 12,12;22:19;23:15; 25:7,20;32:7;34:11; 36:3,12,19;42:1;43:1,2, 4,16,21;45:7;49:5,6,6, 8,11,16,20;53:13; 56:25;57:3;58:19,20; 59:15,18,18,19;62:5, 15;64:2,22;65:14; 69:11,16,17,19;72:8, 20;73:19;74:2,13;75:8; 76:20,20,25;77:14</p> <p><b>upon (3)</b> 42:13;43:7;49:21</p> <p><b>upriver (7)</b> 18:12;42:16;43:14; 49:15,16,17;57:3</p> <p><b>upstream (11)</b> 19:25;20:5,6;23:14, 16,20;24:2,21,23;25:4, 9</p> <p><b>use (15)</b> 6:21;7:4;9:6;14:10, 17,22;15:4,22;17:25; 29:5;30:6;35:8;43:11; 52:24;55:13</p> <p><b>used (17)</b> 7:25;8:15,16;27:5; 35:19,21;36:1;42:10; 53:6;55:9;58:11,20; 59:12,15,15;62:8; 72:24</p> <p><b>uses (2)</b> 52:20;55:12</p> <p><b>using (9)</b> 9:16;13:10;17:17; 30:18;35:9;59:1;60:11, 12,14</p> <p><b>usually (1)</b> 55:4</p>	<p><b>Vavrik (1)</b> 4:11</p> <p><b>Vern (2)</b> 33:22;38:11</p> <p><b>VERNON (2)</b> 33:22;38:9</p> <p><b>version (1)</b> 25:17</p> <p><b>versus (13)</b> 17:15;18:15;19:7,10, 21;22:3;26:8,11;27:10; 41:10;47:18,22;55:8</p> <p><b>via (3)</b> 18:14;29:14;30:25</p> <p><b>vicinity (1)</b> 23:15</p> <p><b>village (17)</b> 4:13;39:1,6,7;40:14, 19;43:11;47:3;48:3,5; 58:21;59:10;60:20; 70:1;73:8;75:16,18</p> <p><b>villagers (1)</b> 66:1</p> <p><b>villages (7)</b> 39:15;40:8;41:20; 61:14;68:3,24;74:7</p> <p><b>violence (1)</b> 67:20</p> <p><b>virtual (1)</b> 18:9</p> <p><b>virtually (5)</b> 18:6,24;20:4,6;25:8</p> <p><b>visit (4)</b> 63:1;64:15,18;65:17</p> <p><b>visiting (1)</b> 66:11</p> <p><b>voting (2)</b> 29:8;30:3</p>
		<b>U</b>		<b>W</b>
		<p><b>ultimately (1)</b> 5:18</p> <p><b>unbiased (3)</b> 5:16;15:18;16:23</p> <p><b>Under (18)</b> 6:1;14:7;17:13; 19:16;24:10;25:3,23; 31:11;36:24,25;40:7, 17;44:12;46:3,4;48:6; 50:19;61:12</p> <p><b>underway (2)</b> 72:3,7</p> <p><b>unforeseen (1)</b> 45:9</p> <p><b>Unfortunately (1)</b> 12:12</p> <p><b>UNIDENTIFIED (2)</b> 13:15;33:12</p> <p><b>United (3)</b> 5:6;31:17;72:1</p> <p><b>Unless (1)</b> 46:16</p> <p><b>unpredictable (1)</b> 72:5</p>	<b>V</b>	<p><b>wages (1)</b> 41:14</p> <p><b>wait (1)</b> 7:9</p> <p><b>wants (1)</b> 49:8</p> <p><b>warming (7)</b> 49:21;54:16,17,20, 22,23;55:5</p> <p><b>waste (3)</b> 8:5,5;20:19</p> <p><b>watch (2)</b> 57:22;76:5</p> <p><b>watching (2)</b> 56:12,15</p> <p><b>water (36)</b> 7:25;10:8,15,16,20, 22;19:3;20:22;21:7,14; 33:1;36:14,24;37:1; 43:7,11;45:15;49:20, 22;50:18,20;53:12,16, 22;54:25;55:1,5;56:21;</p>

58:13,15,19;67:6; 72:13;73:3,7;74:10 <b>waterfront (1)</b> 43:17 <b>waters (1)</b> 55:1 <b>watersheds (1)</b> 10:23 <b>way (16)</b> 23:4,9;24:4;27:18, 23,24;35:4;36:11,13; 47:14;51:10;52:18; 55:11;56:5;68:25,25 <b>ways (7)</b> 16:5,7;22:5;40:4; 60:14;63:12;76:24 <b>website (2)</b> 30:25;31:9 <b>Weglinski (1)</b> 34:1 <b>weight (5)</b> 15:16;19:6;25:13; 30:3,10 <b>weighted (3)</b> 26:10,13;28:3 <b>welcome (4)</b> 4:21;13:5;31:6; 64:16 <b>welfare (1)</b> 75:14 <b>weren't (3)</b> 12:12;30:14;74:22 <b>western (1)</b> 9:12 <b>what's (11)</b> 5:21;7:22;13:11; 14:11,13;16:21;19:21; 33:9;34:8;62:5;76:11 <b>whenever (1)</b> 78:23 <b>whereby (1)</b> 76:21 <b>whitefish (1)</b> 30:5 <b>whole (2)</b> 31:11;78:6 <b>wilderness (1)</b> 57:19 <b>Wildlife (5)</b> 33:4;35:6;45:15; 53:25;69:6 <b>WILLIAMS (7)</b> 66:17,18,20;71:10, 11;75:24;78:5 <b>WILLIE (2)</b> 38:25;39:1 <b>winter (5)</b> 68:8,10;71:16,17; 76:18 <b>wish (1)</b> 42:17 <b>within (6)</b> 23:24;35:3;36:20;	49:9;56:21;57:1 <b>without (1)</b> 65:7 <b>women (1)</b> 68:14 <b>wonder (1)</b> 77:16 <b>word (1)</b> 77:17 <b>words (4)</b> 24:11;37:15,20;61:8 <b>work (13)</b> 28:1;32:21;57:16; 58:11;60:24;65:9,17; 66:7;68:14;69:8;74:2; 75:22;78:16 <b>worked (6)</b> 11:18,19;32:23;33:1, 3;58:1 <b>workers (1)</b> 72:20 <b>workforce (1)</b> 42:4 <b>working (3)</b> 9:1;38:13,16 <b>worried (3)</b> 70:15;75:13,23 <b>worth (1)</b> 8:9 <b>write (3)</b> 31:2;32:17,19 <b>written (4)</b> 12:9,10;30:22;43:24 <b>wrong (2)</b> 45:18;47:10  <b>Y</b>  <b>year (11)</b> 9:7,8;11:4;23:14,23; 35:23;49:15;53:11; 55:2;60:23;71:17 <b>years (37)</b> 9:20,22,23;10:2,3, 15;35:24,25;36:2; 38:15,20;39:22;41:19, 19;42:10;43:16;45:19; 46:5,8,14;47:5;48:4; 57:5,11;61:17;66:22; 71:12;72:3;74:18,19, 24,24;75:5,11;77:18; 78:11,16 <b>yesterday (2)</b> 53:20;70:24 <b>young (7)</b> 41:21,23;58:25;62:7, 13;73:24;74:2 <b>younger (2)</b> 58:25;75:12 <b>Yukon (3)</b> 27:13;40:25;56:23 <b>Yup'ik (10)</b> 4:3,22,24;12:9,9,15;	38:19;39:12;57:15,17 <b>Yup'ik] (1)</b> 33:23  <b>1</b>  <b>1 (10)</b> 16:21;34:17,19;45:8, 20;51:20;55:2;56:17; 61:7;70:9 <b>1,100 (1)</b> 10:12 <b>1,800 (1)</b> 10:13 <b>10/404 (1)</b> 14:5 <b>100 (6)</b> 29:8,9,20,24;74:18, 24 <b>11 (1)</b> 57:9 <b>12 (1)</b> 39:2 <b>13 (1)</b> 66:16 <b>14 (1)</b> 22:19 <b>14-inch (2)</b> 9:13;18:3 <b>15 (3)</b> 49:9,11;72:4 <b>16 (1)</b> 12:21 <b>179 (1)</b> 47:20 <b>19 (1)</b> 60:2 <b>1945 (1)</b> 57:25 <b>1964 (1)</b> 71:25 <b>19-mile (1)</b> 18:18  <b>2</b>  <b>2 (13)</b> 15:25;16:17;19:16; 22:10;24:10,25;25:23; 38:8,9;46:4;48:23; 61:25;73:22 <b>2.2 (1)</b> 7:20 <b>2.2-square-mile (1)</b> 10:14 <b>2:30 (1)</b> 7:6 <b>20 (1)</b> 60:2 <b>2012 (2)</b> 11:4;13:21 <b>2013 (1)</b> 11:4	<b>2016 (2)</b> 11:7;12:24 <b>2017 (1)</b> 11:25 <b>21st (2)</b> 48:20,22 <b>23 (1)</b> 22:17 <b>24-hour (3)</b> 23:24,25;24:2 <b>25 (1)</b> 44:17 <b>26 (2)</b> 22:17;29:1 <b>27 (2)</b> 9:22;48:3 <b>27-and-a-half-year (1)</b> 9:8  <b>3</b>  <b>3 (3)</b> 22:12,16;38:24 <b>3:30 (2)</b> 44:9,10 <b>3:40 (1)</b> 44:10 <b>3:45 (1)</b> 60:4 <b>30 (12)</b> 12:23;30:23;41:18; 42:10,15;44:17,17; 45:19;46:8;47:5;66:22; 78:8 <b>30- (1)</b> 41:19 <b>300 (1)</b> 16:8 <b>300-ton (2)</b> 17:14,19 <b>30-mile (4)</b> 8:12,14;19:15,18 <b>30-plus (1)</b> 46:5 <b>30th (1)</b> 11:7 <b>315 (1)</b> 9:11 <b>315-mile (2)</b> 18:3,17 <b>33 (1)</b> 66:23 <b>35 (1)</b> 66:22 <b>35-plus (1)</b> 41:19 <b>3A (6)</b> 17:3,5;24:10;25:5; 26:7,17 <b>3B (6)</b> 18:2;24:10;25:7; 26:8,22;45:24	<b>4</b>  <b>4 (13)</b> 19:8,16;24:10,19,23, 25;25:3;26:8,24;27:3, 3,9;44:21 <b>4:20 (1)</b> 78:25 <b>4:30 (1)</b> 64:25 <b>40 (5)</b> 9:4,6;43:17;71:12; 75:5 <b>48 (1)</b> 70:10  <b>5</b>  <b>5 (2)</b> 27:14;28:2 <b>5,000-foot (1)</b> 8:24 <b>5,500 (2)</b> 12:5;31:11 <b>5:00 (2)</b> 65:1;77:7 <b>50 (2)</b> 10:15;75:5 <b>55 (1)</b> 10:15 <b>56 (3)</b> 68:24,24;70:1 <b>5A (4)</b> 20:9,10;24:10,25  <b>6</b>  <b>6 (1)</b> 49:3 <b>60 (2)</b> 43:17;74:19 <b>68 (1)</b> 23:14 <b>6A (3)</b> 21:23;24:10,25  <b>7</b>  <b>7 (1)</b> 51:13 <b>7,000 (5)</b> 12:3,6,21;31:12;61:9 <b>7.1 (1)</b> 71:24 <b>7.4 (1)</b> 72:7 <b>70 (1)</b> 75:11 <b>70-mile (1)</b> 19:20 <b>71 (1)</b> 57:11
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**7i (1)**  
40:8

**7j (1)**  
40:8

**8**

**810 (9)**  
7:2;38:2,7;44:12;  
60:10,13;63:23;66:2,6

**85 (1)**  
43:6

**9**

**9.1 (1)**  
71:25

**90 (1)**  
43:6

**96 (1)**  
38:16