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Mr. John Shively
Chief Executive Officer
Pebble Limited Partnership
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Mr. Mark Cutifani
Chief Executive Officer
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20 Carlton House Terrace
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Mr. Ron Thiessen
Chief Executive Officer
Northern Dynasty Minerals
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Messrs. Shively, Cutifani and Thiessen:

I write today with regard to the Pebble Limited Partnership (PLP)'s timeline for releasing a project description and submitting permit applications for development of the Pebble deposit in the Bristol Bay region of Alaska. As you know, in anticipation of PLP taking these actions, I have been and remain neutral on potential development in this area.

To that end, I have encouraged all stakeholders to withhold judgment until a project description is released, permit applications filed, and all relevant analyses completed. Because of that position, I have opposed the prospect of a preemptive veto of development in Alaska by the Environmental Protection Agency (EPA) under Section 404(c) of the Clean Water Act. Such an action would be based purely upon speculation and conjecture. It would deprive relevant government agencies and all stakeholders of the specifics needed to make informed decisions. But failure to describe the project and submit permit applications has the same effect.

For nearly a decade, Alaskans have been told that these actions are imminent. This has generated a broad range of responses from people throughout the state. Yet today, after years of waiting, it is anxiety, frustration, and confusion that have become the norm in many communities – rather than optimism about the new economic opportunities that responsible development of the Pebble deposit might be able to deliver.

As you know, I have been highly critical of EPA and protective of the due process that any entity considering investment in Alaska should be provided. But your own actions have created uncertainty among the people I represent, and the time has come to tell Alaskans whether and how you plan to proceed. I have addressed this correspondence to all of you, as a group, because your organizations are collectively responsible for these issues. You are also the only ones in a position to remedy them.

At least as far back as November 3, 2004, Northern Dynasty Minerals asserted that the submission of permit applications was imminent, stating that the company expected "completion in 2005 of ... permit

applications.”¹ On August 12, 2005, another statement was issued, claiming that “a full permitting process for a port, access road and open pit mine [were] all slated to begin in 2006.”²

On October 27, 2008, Alaskans were assured that those seeking to develop the Pebble deposit were “on schedule to finalize a proposed development plan in 2009 and, following input from project stakeholders, apply for permits in early 2010.”³ Six months later, on March 18, 2009, this timeline was reaffirmed, with an announcement that PLP was in the midst of “preparation to initiate state and federal permitting under the National Environmental Policy Act (NEPA) in 2010.”⁴

On February 1, 2010, Alaskans were told that PLP was “preparing to initiate project permitting under the National Environmental Policy Act (NEPA) in 2011.”⁵ Yet on May 2, 2011, came the announcement that PLP intended “to enter the permitting phase towards the end of 2012.”⁶ On October 18, 2011, came another revision, as Alaskans were told by a PLP representative that “We have never even said that we’re going to [seek a] permit. We may not.”⁷

Most recently, on June 13, 2013, a PLP representative said that you “hope to have a project to take into permitting this year.”⁸ And in what seems representative of the confusing message being communicated to Alaskans, at the time of this letter, a PLP company website still asserts that you are planning on “initiating permitting by late 2012.”⁹

By failing to take the next step – by failing to decide whether to formally describe the project and seek permits for it – PLP has created a vacuum that EPA has now filled with not one, not two, but three hypothetical mine scenarios contained in its so-called Watershed Assessment.

So I have a simple request: please establish a timeline and adhere to it. Clarity and certainty over how you intend to proceed is in the best interest of all who are involved with – and all who could be affected by – development of the Pebble deposit.

Sincerely,


Lisa Murkowski
United States Senator

¹ “Northern Dynasty Secures Listing With Symbol ‘NAK’ on the American Stock Exchange,” Northern Dynasty Minerals Ltd. press release, November 3, 2004, on the Northern Dynasty Minerals Ltd. website, <http://bit.ly/1cmYd03>, accessed June 26, 2013.

² “Northern Dynasty Welcomes New Director to Board,” Northern Dynasty Minerals Ltd. press release, August 12, 2005, on the Northern Dynasty Minerals Ltd. website, <http://bit.ly/138vpW1>, accessed June 26, 2013.

³ “Successful 2008 Study Program Continues At Alaska’s Pebble Project,” Northern Dynasty Minerals Ltd. press release, October 27, 2008, on the Northern Dynasty Minerals Ltd. website, <http://bit.ly/10Vbp7S>, accessed June 26, 2013.

⁴ “Pebble 2009 Work Plan to Focus on Finalizing Prefeasibility Study,” Pebble Limited Partnership press release, March 18, 2009, on the Pebble Limited Partnership website, <http://bit.ly/120vTWM>, accessed June 26, 2013.

⁵ “Updated Mineral Resource Estimate Confirms the Pebble Project as North America’s Most Important New Copper-Gold-Molybdenum Development Opportunity,” Northern Dynasty Minerals Ltd. press release, February 1, 2010, on the Northern Dynasty Minerals Ltd. website, <http://bit.ly/14a3MbK>, accessed June 26, 2013.

⁶ “\$91 million work program underway to prepare Pebble Project for permitting in 2012,” Northern Dynasty Minerals Ltd. press release, May 2, 2011, on the Northern Dynasty Minerals Ltd. website, <http://bit.ly/15FP3Du>, accessed June 26, 2013.

⁷ Lempinen, Edward W., “Proposed Pebble Mine Has Alaskan Community Focused on Critical Science and Policy Issues,” AAAS news release, October 18, 2011, on the AAAS website, <http://bit.ly/nhZqnW>, accessed June 26, 2013.

⁸ Shively, John. Interview by Monica Trauzzi, OnPoint, E&ETV, “Bristol Bay: Pebble mine’s Shively discusses future of project, EPA’s watershed assessment,” June 13, 2013, online, <http://bit.ly/16zAHXq>, accessed June 26, 2013.

⁹ AngloAmerican, “Case studies: Pebble partnership,” <http://bit.ly/19tRNeA>, accessed June 26, 2013.