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My name is Evelyn Thomas, and I am speaking on behalf of the Crooked Creek Traditional Council (CCTC). October 2012 I was just reelected as President of the CCTC the recognized Tribal Council under the IRA Act of 1934. We appreciate the U.S. Army Corp of Engineers for hosting the scoping process of the permitting of the Donlin Gold project. It is important as a recognized Tribe of the immediate direct impact community we identify specific elements of the we hope we can contribute to address the proposed Gold mine 12 miles from my community. We believe that public participation and government transparency are critical to a successful planning process of the Donlin Project.

Since the arrival of hard rock exploration of upper Kuskokwim CCTC has been very supportive of the Donlin Mineral Exploration Project. In fact CCTC forwarded a support resolution for the exploration project through the AVCP convention, then there was a very hostile environment toward mining. CCTC wanted a fair process of Donlin and the supportive resolution was only until EIS process commenced. CCTC has not made a determination to support the development phase until we are assured environmental, ecological and safe work-place are put in place.

Crooked Creek members are of Yupik and Athabascan descent have very long history of use of the natural resources of the surrounding lands and waters of the Donlin Gold project area. For more than hundreds of years waters and lands from the Donlin Gold project area provided biota to the very people of our Tribal community.

If we determine that there might be significant impacts associated with a concern that is raised during scoping, it is analyzed in detail in the EIS. There are multiple issues of concern of the Donlin Gold:

Traditional Knowledge/Culture

- The Members of CCTC have a long-term intimate understanding of our environment grounded in a long-term relationship with the surrounding lands, rivers, ice and resources. The resources from the biota surrounding Crooked Creek has served our people for thousands of years. We understand the anatomy and biology of resources based on centuries of harvesting and processing of the animals, plants, fish, animals, and plant life. It is our Athabascan and Yupik what some call the Yuralnguq Elders that understand the distribution of all natural resources, animal behavior, seasons, weather and climate, hydrology, river ice, currents, how ecosystems function, and the relationship with our environment.

CCTC members have survived for millennia from the bounties of fish, game, plants, and berries from the lands, rivers, streams, and lakes surrounding Crooked Creek. Moose, caribou, bears, fur bearing animals, salmon, multiple species of white fish, pike are the primary protein diets of the Athabascan and Yupik of Crooked Creek. CCTC members and our families gather multiple types of berries, and plants are gathered from surrounding lands during the summer months stored for use during family potlatches and gatherings.

Hunting, fishing, and gathering is an Athabascan and Yupik Tradition embedded to our very core of family, Tradition, and Culture. Hunting, fishing, and gathering from our waters and lands is called in recent times the Subsistence Economy. Our members by Tradition and Culture are very dependent upon the gifts from Nature for our people to survive.

Since the arrival of hard rock exploration near our community the patterns of hunting, fishing, gathering of berries and plants have changed. We no longer hunt or gather berries and plants upon the mountains

surrounding Donlin Gold exploration properties. Such properties were our Customary and Traditional lands we depended upon for thousands of years. Those properties have Athabascan and Yupik names.

We have a very unique and wonderful thriving culture dependent upon the gifts by Nature through subsistence lifestyles. Even with the introduction of new customs from western society we have still been able to hold on to our Traditions and Cultures passed down generation to generation. Trees and plants gave us baskets and clothes. Our elders teach our young about hunting for caribou, moose, wolves, and rabbit. Our fathers, uncles and older brothers teach us how to fish for salmon, trout, pike, sheefish. Hunting and fishing is about Tradition and Culture spending time with family and friends. By Tradition and Culture we share the bounties provided to us by Nature to our Members and many extended families from other communities. How agutag, dry meat, and bear oil are made is a Yuralnguq (Athabascan and Yupik) Traditional Art. Tradition and Culture community are a necessary aspect for a healthy human lifestyle. We need each other and our connection to the lands and waters surrounding our community to survive. We thrive in having healthy relationships to others and of our natural surroundings.

We are losing precious use of Traditional and Customary lands by way of the Donlin Gold project. How will Donlin Gold place value for such losses? We represent the Traditions and Cultures that the Alaska Native Claims Settlement Act (ANCSA) did not abolish. How will Donlin Gold place a value for loss of access to Traditional and Customary lands? Will there be a valuation be placed by the federal government for such losses? Will we be forced to reach to the federal courts to place value for such losses? ANCSA has increased alienation of Traditional and Customary Lands from us. The Traditional Customary land uses is being usurped by ANCSA of subsurface and surface land-owners and those lands became alienated our traditional families.

CCTC wants to preserve our long historic Traditional and Cultural heritage of way of life of hunting, fishing, gathering of foods from the lands and waters surrounding our community. But we all know this type of lifestyle has been rapidly changing since arrival of subsurface exploration of ANCSA lands. There are significant changes to patterns of caribou migration, and now have to hunt Moose further away from our community. Now we are questioning whether there will be significant change to our environment once Donlin Gold acquires its multiple permits to commence its development stage. Our trappers also are reporting loss of access to some fur trapping animals such as the wolverine. Wolverine through natural instincts keeps their distance from any type of human settlement. Donlin Gold exploration has pushed the wolverine away from our local trappers.

Development does change Traditions and Cultures, that is happening in our community. The arrival of Donlin Gold exploration has already positively and negatively changed socio-economic conditions in our community and of the region.

Congress passed a hodgepodge of federal laws allowing mining companies to lease minerals on tribal lands--often without tribal consent. Congress forgot about Tribal lands when ANCSA become law. ANCSA and Tribes in Alaska are often at odds on use of subsurface and surface lands. Tribal governments were not abolished by ANCSA. In Alaska there are multiple cases of ANCSA and Tribes clashing over land use issues, of which the most watched is the Kivalina case. ANCSA lead to the loss of self-reliance of Alaska Natives. ANCSA has a limitation of owners as Tribes constantly enroll new members.

We have several recommendations for Donlin Gold to work with CCTC:

1. There is value to loss of the integrity of Traditional Customary Lifestyles we have in harmony with our Traditional Lands and Waters surrounding our community. CCTC wants a placement of Value, Valuation for loss of access of Traditional and Customary Lands. Valuation will include present and future value for loss of the privileges of hunting, trapping, fishing, gathering, and loss of Traditional Customary lands. Valuation party should be third party agreeable to both parties. This valuation process shall not include ANCSA companies. ANCSA does not represent Tribal members.
2. Development and fund of a Elders/Youth Council for our community to insure continuance of Traditions and Cultures throughout mine life. Funding would be on a yearly basis to CCTC until mine closure. Funding a Elders/Youth Council would preserve, protect and promote of the traditional knowledge, innovations and practices of our local indigenous community. Elders/Youth council would operate out of the community directly working with our people, not from an urban center.

Social and Economic Changes

While the EIS permitting process remains important for the assessment of Donlin Gold, it should cover all the economic and social impacts of mining on affected communities. Key issues should include:

1. Economic and social impacts should be assessed after the approvals stage;
2. The influences and effects of changes in the scale of operations, such as those influenced by commodity cycles, are rarely assessed; meaning price of gold dips there will be loss of jobs; and
3. The positive and negative impacts of multiple operations on affected communities should be assessed.

There are a number of reasons economic and social impacts of mining should be assessed carefully through the life cycle of mining phases:

1. First, an understanding of the positive impacts that exist can identify ways of enhancing these for local and regional communities.
2. Second, there are many relationships that are synergetic between mining operations and communities where improvements in economic and social relationships can make it easier for mining companies to source labor and access contract workers and professional services. Enhancement of these relationships can facilitate regional development. CCTC members want employment.
3. The third broad reason is that the mining operations can sometimes be associated with negative consequences. Examples of these occur when there are impacts from new developments, like management of drugs and alcohol. ~~We have had several alcohol related accidents of Donlin employees during their leave or breaks from work in their community.~~ At better understanding of these impacts can help to avoid or mitigate the worst effects. Often it is the Tribal governments who will respond to alcohol and drug related accidents.

- Ecological concerns such as the possible impacts of subsurface development on marine mammals, birds, fish and animals and the natural habitats that support these resources.
- Sociological concerns such as development-related changes in population or demands for public transportation, education, or health care services. Other social factors involved may include possible changes in the cultural, religious, or recreational traditions of affected communities.
- Economic concerns often center on marine-related employment, like commercial fishing and tourism.

Water Resources/Water Quality

Predicting water quality at mine sites as we understand it, not an exact science from mine to mine. The art of predicting water quality has been practiced for over 30 years, and yet many methods and models used to predict water quality at hard rock mine sites has their limitations. The art of scientific predictions is uncomfortable especially of pit lake quality, because sciences have not been successful predicted meteorology of selected geological areas. CCTC concerns are several:

1. Tailings runoff from unpredictable major spring runoffs and rain.
2. Heap and dump leach materials runoff.
3. Acid drainage runoff infiltration through soil over time.
4. Low grade or stockpiles and waste rock runoff infiltration through time and discharged surface water can be harmful.
5. Pitlake runoff
6. Health Concerns

CCTC wants assurances in long term predictions that conceptual models have safeguard measures of managing hydrology and chemistry of the proposed site and their effects. We want promises during development phase of Donlin Gold there should be continued sampling of geology and mineralogy and waste, continued acid-waste accounting and active testing of mined materials. If waste will be stored at surface there should be field test designs. Tailings runoffs concern some type of bench scale testing should be adopted.

Development of a waste management plan must be monitored by the federal agencies that include changes in groundwater chemistry from dewatering and mining related causes. In other words the Mine Waste Management Plan must have detailed hydrogeochemical models for managing water quality.

During the active mining stage CCTC recommends continued geochemical testing of mined materials in the field and laboratory's. Burying of metallic ores or waste which can contain high level of toxic substances is a major concern. Very important there be verification the mine management plan will manage all wastes from the mine site. Independent collection and sampling of leaching materials (solution and liquid waste) from waste rock, tailings and its facilities. Testing water quality of the all up and down streams and groundwater gradients. Same active phase testing of water properties of mined material such as waste rock, heap leach material, tailings. CCTC concern that there be continued testing of changes in groundwater chemistry from mined related material. Comparison of predicted and actual water quality and evaluation of ongoing monitoring programs, operational controls, mine planning, to reclamation, and closure.

During post closure, reclamation, and closure of mining it is the desire of CCTC for Donlin Gold to adopt the comparison of predicted and actual water quality by sampling of quality and quantity of the water resources from surface water, groundwater, leach water of the compliance zone. Compliance zone does include our community. Measuring any type of change over time in water, groundwater levels will hurt fish, game, plants=All BIOTA of the area. We are concerned who will and how often will the monitoring program be tested of the effectiveness of all mitigation measures employed to address and manage water performance.

Water is the essential mark to life of the Athabascan and Yupik everyday survival. Water provides life. Will Donlin Gold insure water quality will be safe at any measures of its development, active, and closure stages? We understand all baseline studies are continuing of the water, biology, plants, geological units, climatic conditions, process of water, air flow, geochemistry, aquatic biota, rivers, streams, lakes, groundwater, wildlife so Donlin Gold can develop all safety measures for a safe mine. There is in any planning uncertainty when reality is recognized when accidents occur especially in managing water quality. We do not want any type of water contamination:

- For storage reservoirs, how will impacts from soil contamination and erosion, upland discharge, surface water discharge, and earthquakes be analyzed, and mitigation measures identified?
- We suggest that there be a charge for all water diverted from the river.
- What will be the true consumptive use of water?

What is scope of water quality analysis? Will it include:

- Potential for spills of contaminants w/emergency response plans, mitigation?
- Which water bodies, river or stream lines might be impacted by construction of reservoirs, including impacts, specific pollutants?
- Anti-degradation provisions of the Clean Water Act? Locations of impacted wetlands and how Section 404 requirements and Wet lands, compliance will be met?

o Riparian/wetland restoration along Yakima River or tributaries?