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DONLIN GOLD PROJECT
DRAFT ENVIRONMENTAL IMPACT STATEMENT
810(a) PUBLIC HEARING

NUNAPITCHUK, ALASKA

Taken March 17, 2016
Commencing at 3:42 p.m.

Volume I - Pages 1 - 14, inclusive

Taken at
Community Center
Nunapitchuk, Alaska

Reported by:
Mary A. Vavrik, RMR

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1 A-P-P-E-A-R-A-N-C-E-S
 2 For U.S. Bureau of Land Management:
 3 Alan Bittner
 4 Anchorage Field Office Manager
 5 Taken by:
 6 Mary A. Vavrik, RMR
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 17 BE IT KNOWN that the aforementioned proceedings were taken
 18 at the time and place duly noted on the title page, before
 19 Mary A. Vavrik, Registered Merit Reporter and Notary
 20 Public within and for the State of Alaska.
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 22
 23
 24
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1 **MR. EARL SAMUELSON:** Earl Samuelson,
 2 Napaskiak, Calista board member. One of the comments was
 3 in the Executive Summary report, and it came to the study
 4 of the fish in the river during winter months. I don't
 5 recall anything there, so hopefully there would be
 6 something, a study of the species in the river like the
 7 whitefish, pike, sheefish. These gentlemen said earlier
 8 some of the fish that are around this part of the region.
 9 I know sometime it can affect that. So hopefully we will
 10 see something on that. Thank you.
 11 **MR. ALAN BITTNER:** Somebody else?
 12 **MR. JAMES NICHOLAI:** [speaking in Yup'ik.]
 13 I agree with what Bobby Hoffman says. Our young people --
 14 I'm going to speak about young people, especially in the
 15 Army. When we were in the Army, there was lots of us.
 16 [Maybe he's talking about National Guard, too.] Nowadays
 17 there is not that many because maybe what they use
 18 nowadays, and they -- because they do drug test them, and
 19 those people that didn't pass were told to go home.
 20 Nowadays, as they were talking about, we are living
 21 off money. We are living with money. Without money, we
 22 can't do subsistence stuff. And because I've experienced
 23 it, we go down to the Kuskokwim River to fish. Nowadays,
 24 it's not like it was a long time ago.
 25 As Bobby said, [he's repeating] the fish that were

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1 P-R-O-C-E-E-D-I-N-G-S
 2 **MR. ALAN BITTNER:** Once again, my name is
 3 Alan Bittner with the Bureau of Land Management, the field
 4 manager for the Anchorage field office. And because of
 5 our involvement in the project as a cooperater and our
 6 subsistence analysis that we were required to do under
 7 ANILCA, we are required to conduct hearings in various
 8 communities. So this community is one that we elected to
 9 conduct hearings in and present the ANILCA analysis for
 10 subsistence resources.
 11 At this time I'm hereby opening an ANILCA 810 hearing
 12 on the potential subsistence impacts of the proposed
 13 Donlin Gold Project here in the Native Village of
 14 Nunapitchuk. If you would like to provide testimony,
 15 please use the microphone and state your name for the
 16 record. Thanks. I'd like to bring the same mike around
 17 to anybody who would like to provide testimony.
 18 As a reminder, too, anybody that provided subsistence
 19 feedback or mentioned subsistence either in the EIS
 20 process or in providing comments to the Corps, those are
 21 all incorporated by us, as well. But legally I need to
 22 open and close a hearing period here. So if anybody else
 23 wants to talk to or mention anything related to
 24 subsistence, now would be a good time to give your
 25 testimony.

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1 given to the Elders, like the three fish each, and the
 2 fish that were given to the Elders in Bethel, and they are
 3 going to keep doing that.
 4 And the first person that said -- that spoke, yes, we
 5 do live by money alone. Money is important for us in
 6 order to subsist, but when they talk about jobs,
 7 employment should not include drugs or alcohol.
 8 Employment should be employment. They should focus on
 9 employment only. And nowadays, if they don't have
 10 certificate, they can't get jobs. Only those who have
 11 certificates can get jobs. They look at how smart you are
 12 or how educated you are. Those of us who have no
 13 diplomas, we can't do anything. And then we have no
 14 certificates even now. We need to think about that.
 15 A while back or even to now, we cannot lose fishing
 16 because our ancestors from way back then used to do that.
 17 And it needs to go to our younger generations. We need to
 18 teach our children, grandchildren how to do it. We cannot
 19 lose fishing. And we need to use it now. Keep practicing
 20 it. We know we need to buy stuff in order to do
 21 something. And if we don't have money, we sit idle, as
 22 Bobby just pointed out.
 23 And as we heard, people in the Army are being cut.
 24 Everything is being cut.
 25 Our ancestors -- about our ancestors, we walk on

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1 Alaska's land. From our ancestors, beginning from our
 2 ancestors, we have lived off this land. And the State's
 3 land or the federal government's land, when people mention
 4 that, I think about those. Are they really from Alaska?
 5 Those people that are not originally from Alaska speak
 6 like that. But those of us who live here from our
 7 ancestors on have lived off this land for -- for that
 8 long.
 9 The State and federal government have no land. It's
 10 ours. From our ancestors, that's what we have lived on.
 11 And they -- and they used to go subsistence, go to the
 12 wilderness, tundras and stuff. And those that lived a
 13 long time ago, they would camp out there and do their
 14 thing, do their subsistence activities. And though our
 15 villages are populated -- and those of us who are from
 16 here, it is our land.
 17 It's like trying to survive. We need to think
 18 about -- we need to think about what we have heard, the
 19 information we have heard from the two different agencies.
 20 And while they talk about the fish that will be affected,
 21 and the fish that go to the Kuskokwim around here and that
 22 lake -- that lake that was talked about. --
 23 **MR. ALAN BITTNER:** Thank you. Somebody
 24 else?
 25 **MR. HENRY TIKUN, SR.:** Henry Tikun from

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1 Atmautluak. As I watch things nowadays, last year the
 2 fish were -- the blackfish, the amount I've seen has been
 3 reduced. And some people fish for those. Our Creator, we
 4 know that we have a Creator. He gives us these things,
 5 and we know who gives it to us. I thought about that.
 6 [When he thought -- when he was fishing for blackfish],
 7 and it is the same as subsistence. The State Fish &
 8 Game -- [or when he went -- after he went to go fishing,
 9 some of his catch had little -- little fish.] Elders used
 10 to say the little pikes are afraid of smelt because the
 11 smelt eat them -- or blackfish. I'm sorry. Blackfish eat
 12 the little fish. The pikes, we are now seeing many of
 13 them. I never heard them that much -- being that much
 14 before.
 15 Maybe -- maybe some occur are a sign that the little
 16 fish upriver that are coming down are being eaten and we
 17 don't -- we can't predict it. The sheefish and the pike
 18 that eat other fish maybe -- I thought of that. We don't
 19 know -- we can't predict how much fish we are going to
 20 have next year. All these little baby fish are eaten by
 21 others. And my mind thinks about that, too, what we are
 22 going to be like next year.
 23 That mine and the fish that eat the fish, maybe those
 24 are the effects. I would like to understand because we
 25 have no other fish.

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1 **MS. LOUISA VANDEVENTER:** I think more
 2 studies need to be done, too, not just on the fish. All
 3 the greens that we collect, all the berries that we
 4 collect, the birds because we eat their eggs and their
 5 meat. And I think it's going to affect a lot more than
 6 just the fish, and that will affect our subsistence way of
 7 life.
 8 I know financially we are not there. But like a lot
 9 of Elders say, subsistence way of life will always be
 10 here, will always be a part of us. So we need to protect
 11 it and make sure that it is protected and more studies
 12 need to be done other than just the fish because our
 13 greens, our berries, the birds are all going to be
 14 affected. So that's my comment.
 15 **MR. JOHN BERLIN:** [speaking in Yup'ik.]
 16 This is John Berlin. That last summer, after I fished on
 17 the Kuskokwim River, there was hardly any water in this
 18 area, that tundra area, and hardly any fish. And even
 19 though we wanted to go to our berry picking sites, we
 20 couldn't because there was no water. Already the pike
 21 were out because there was no water, or hardly any water.
 22 The water was low. And the blackfish, because there is a
 23 certain place they go to, maybe they are under some
 24 things, the blackfish.
 25 Our ancestors talk about anything. They said when

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1 there is lots of water there is lots of blackfish,
 2 especially in the fall. When there is no water, there is
 3 no blackfish. And they did watch these things. Our
 4 Elders watched these things. And the pike in the
 5 Kuskokwim, the ice fishers, they caught -- they have been
 6 catching lots.
 7 Now there is -- now that there is lots of people
 8 fishing, they think -- they think those lots of people --
 9 too many people on the river. These fish that swim in the
 10 Kuskokwim, they go out to the bay. And now that there is
 11 a lot of people fishing, they are pulling out lots more
 12 fish. It's not the way it was when I first became aware.
 13 In Bethel there was lots of fish, fishermen. They would
 14 go downriver and then fish. Maybe there won't be baby
 15 fish in the spring. We need to watch.
 16 **MR. ALAN BITTNER:** Somebody else?
 17 **MR. DAVID NICHOLAI:** I'm just going to
 18 repeat what I said earlier. I'm just going to back up
 19 again. I wanted to make sure that something is -- we have
 20 a certain window period during the summer to fish for
 21 salmon, and they only give us two to three days a week to
 22 fish. And sometimes they don't give us days to fish at
 23 all.
 24 And what I'd like to see is when Fish & Game provides
 25 us an opening, I would rather see no barge going in and

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1 out so people can fish for their food. Is that something
 2 you guys can set up, or is that something you have to --
 3 you know, when the barges start coming in --
 4 **MR. KEITH GORDON:** Sir, there have been
 5 comments made by several folks concerned about the fact
 6 that when you have limited openers to fish or just the
 7 fact that for some species you have a limited period of
 8 time to fish when that species is running up the river,
 9 that there may be interference either with existing barge
 10 traffic or barge traffic that would result from Donlin's
 11 project or one of the alternatives. So yes, that is
 12 something we need comment on.
 13 The Army Corps of Engineers, in relation to the
 14 Environmental Impact Statement, is disclosing these
 15 potential effects and asking for folks' input on what
 16 might happen. We are not in a position to say that Donlin
 17 can only operate in this time frame. What we are doing is
 18 if the Army Corps of Engineers makes a recommendation in
 19 our own agency to permit the project or some alternative,
 20 we would be saying that, well, if we did so, we think
 21 these sorts of stipulations or restrictions or management
 22 criteria would need to apply.
 23 And so this is something that's been brought up
 24 before, the need for coordination not only between Donlin
 25 and the State, but the federal government, as well, as to

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1 mechanisms by which people can do their subsistence
 2 fishing without undo interference, whether it's just with
 3 your equipment being out there or the time you need to
 4 catch the fish, et cetera.
 5 And then in relation to kings, you don't know, we
 6 don't know, the State and federal folks who set the
 7 regulations don't know next year what the restrictions on
 8 kings will be or when they will be there.
 9 **MR. DAVID NICHOLAI:** That's exactly what
 10 I'm telling you. We don't know if they are going to give
 11 us openings. And if they do, I'm pretty sure everybody is
 12 going to go out there and want to fish.
 13 **MR. KEITH GORDON:** So if this project went
 14 forward or some other project went forward that had an
 15 impact on kings or another species, there needs to be a
 16 management mechanism so people can still catch their fish.
 17 So this is exactly the kind of comment we need because
 18 this is exactly the kind of thing that has to be
 19 considered for this or any other project to be functional.
 20 **MR. DAVID NICHOLAI:** Thank you.
 21 **MS. LOUISA VANDEVENTER:** Did you know
 22 just -- I wanted to say, did you know that subsistence is
 23 run by commercial end of fishing and not subsistence? And
 24 that was brought up by State of Alaska, which was a big
 25 surprise for me. And I don't know if a lot of people know

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1 that. The commercial fishing end of fisheries runs the
 2 subsistence way or how it's going to come out. So you do
 3 need to do your homework and educate yourself, all the
 4 State because the last -- I think in February one of the
 5 State workers brought that up. Her, herself, was
 6 surprised that the subsistence way of life was actually
 7 run by the commercial end of fishing.
 8 **MR. ALAN BITTNER:** Any other comments for
 9 the subsistence hearing before we close it? Anybody else?
 10 Okay.
 11 Thank you for your testimony today. The ANILCA 810
 12 hearing on the potential subsistence impact for the
 13 proposed Donlin Gold Project here in the Native Village of
 14 Nunapitchuk is now closed. Thank you.
 15 **MR. KEITH GORDON:** Thank you very much.
 16 Is there anybody else who would like to comment on the
 17 Draft Environmental Impact Statement or anything else?
 18 Mr. Mayor, would you like to make any closing comments
 19 before we close the meeting today?
 20 **MR. JAMES BERLIN, SR.:** Thank you for
 21 coming to Nunapitchuk and having this opportunity for the
 22 people to be heard from both Atmautluak, Bethel, Napaskiak
 23 and Kasigluk. We are honored to have -- to host this
 24 gathering, and I hope you had a good stay. And I guess
 25 all the people here stated what most of our Akulmiut

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1 people had in mind under subsistence and controlling the
 2 upcoming opening of Donlin Gold.
 3 Quyana.
 4 **MR. KEITH GORDON:** Thank you, Mr. Mayor.
 5 Thank you all for your participation and your hospitality.
 6 And again, if you have comments you would like to make,
 7 please forward them to us. Have a good day. Thank you.
 8 (Proceedings adjourned at 4:08 p.m.)
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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 21st day of March 2016.

14

15

16

MARY A. VAVRIK,
Registered Merit Reporter
Notary Public for Alaska

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My Commission Expires: November 5, 2016

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