

So Tom meets every week with the fellow that runs the Army Corps of Engineers in the region – he lives in Anchorage – his name's Dave Hobbie.

And James Fueg he talks almost every day to the colonel – it's a lady – that runs the Army Corps of Engineers office in Anchorage, that actually did all of the technical work.

Investigator: Ok, so there is a good relationship.

Oh yes, very good relationship. And the same team from the Army Corps of Engineers

that did the Donlin permit is doing the Pebble permit,

and James ran permitting for Donlin, for NovaGold-Barrick on the Donlin mine and we hired him when that was finished.

And this guy Dave Hobbie, when Trump was elected he had Hobbie sent to the White House to work on streamlining permitting process for Trump's infrastructure plans,

and Hobbie did all of that but then because Trump didn't get along well enough with the Republicans in the House he couldn't get his infrastructure plans through so that didn't happen.

But Hobbie took all that streamlining and much of it he applied to Pebble. This biggest thing that he did is, historically when you go through permitting the public or the people interested,

they only get to see the document when it's finished. They never get to see all of the detailed information. Hobbie he set up a website for Pebble and every time they asked us a question

– it's called an RFI, a request for information – it was published on the website. And every answer we provided was published on the website, and he would tell people

'When we have public hearings for 30 days, don't ask me for 60 days because all the information's there.

You go read the information now, you don't get any additional time in public hearings. And so that way you won't be surprised about the outcome.

And then once a month he would hold a public press conference where only press could call in and ask questions. One hour, once a month. So he was very transparent on what was going on.

Investigator: I hear you. That's great. Would you consider that the Army Corps, or the Corps of Army, is an ally in developing the

project? They are on our side?

So, so when you look at statute The Clean Water Act, it says that the Army Corps of Engineers 'will issue a permit based on the least environmentally damaging practicable alternative.'

The law is affirmative that they have to issue a permit based on the least damaging alternative. And that's what drives the eNGO nuts because it doesn't say 'withhold the permit'.

It doesn't say 'issue the permit only if there's no damage.' It says 'it will issue a permit based on the least' – so I mean, you may still cause a lot of environmental damage

but if it's the least practicalble alternative you get your permit.

So, I'm gonna tell you guys a couple things that are...that we're sharing with our major investors that we don't want to be completely public at this point.

I made a phone call to the guy who runs the permitting process here in Anchorage who has become somewhat of a friend. I've known him for 25 years.

And said to him, "what the hell is going on?" and he just kinda laughed.

I can send you a copy of the letter that was the big controversy.

Investigator: That would be brilliant.

The guy that signed it is Dave Hobbie, that's who Tom knows and meets with Dave Hobbie. Tom talks with him every week and that's who Tom called on Saturday

to find out is there anything to this Politico story.

nothing is ever pre-approved. I don't want to say that that's the case because that's just not the way the government works here in America. So nothing is ever pre-approved.

But I have sat down with them, shown them what's gonna be in the document that I'm gonna send to them. They are pleased with what's there. They don't see any problems with what's there

I believe that they're going to approve it.

Investigator: Ok. But no guarantee, you mean? That's what you're saying?

TC: Well there's never a guarantee. There's never a guarantee.

I: But all the signals are pretty positive?

Tom Collier: All the signals are very positive.

Investigator: And your discussions are happening at the highest level of the Army Corps with, what's his name? David uh-

TC: Dave Hobbie. And Dave is the guy who is the director of regulatory affairs in the Alaska District Corps of Engineers office.

And he's the decision maker. And that's who we've been speaking to, yes.

Investigator: And so essentially what you guys are discussing is that if the compensation plan that you

guys gonna present in 10 to 15 days follows what you presented with him a few days ago, there shouldn't be major sort of comments or asks for changes?

Tom Collier: That's correct. Let me tell you what he said- Let me tell you what he said exactly. So this is a guy who sent us a letter - and I'm sure you've seen the letter -

that outlined what he wanted in the way of a mitigation plan. We went and briefed him on the mitigation plan and he said to us 'This satisfies all of the issues we raised in our letter.'

So there were two things: there was a letter. That was the letter you were just talking about.

And then there was a press release about the letter.

Investigator: From the Army Corps of Engineers?

Tom Collier: From the Army,

not the Corps of Engineers, so up several steps. And they Army said that the project could not be approved as it had been presented to the Corps of Engineers.

Now, what they meant to say is that we had to comply with the letter, alright?

But that's all they meant to say, is that we should comply with the letter.

Investigator: Essentially present a sound mitigation plan-

Tom Collier: That's correct.

Investigator: That will be discussed, approved -

I mean just saying that's not the end of the process.

Tom Collier: Well it's pretty much the end of the process, yea. And so the Army press release was characterizing the letter,

it just did it by choosing poor language and that was misread by the press. Alright?

And just to prove that that's correct,

about five days after that we finally got the guy who runs the Corps of Engineers in Washington, DC – his name is Ryan Fisher –

and Ryan Fisher is the Deputy Assistant Secretary of the Army for Civil Works, which means he's the guy that runs the Corps of Engineers nationwide for Donald Trump.

And he said 'Don't misread the press release. All the press release was doing was talking about the letter, and you can see what the letter says.'

The letter says 'if they file a comprehensive mitigation plan that meets the requirements then they'll be able to get a Record of Decision.'

Investigator: Why is it that the Army came out with such a statement? Why did they need to do that?

Tom Collier: It looks to me like it was written by some dumb press release writer and nobody else looked at it. That's all I could tell.

Investigator: Hmm. Do you think it's politically motivated?

Tom Collier : I don't!

I mean if it was politically motivated we wouldn't have been able to get the guy who runs the Corps of Engineers to come in and say 'Don't – that doesn't matter.' Right?

He would have never come in and said 'It's the letter that you look at, not the press release'.

If it had been politically motivated.

and typically with the Army Corps of Engineers, if there's something that's going to be out of the ordinary they try and get us that information as soon as possible.

Like this mitigation plan, where we had to go from what was called out-of-kind out-of-watershed mitigation to in-kind in-watershed mitigation.

As soon as that became the requirement they let us know and that was back in June so that allowed us to put the team into the field and get that work done

So we did have almost two months' notice on that. And then we spent, with two teams in the field getting all that work done.

So if we, if they'd been unpredictable then they would not have told us anything to begin with and we would have had to start the mitigation studies in September

and as it stood the mitigation studies took about six weeks in total, in the field.

Investigator: And was it the same with the northern route, when they decided to-

Ron Thiessen: And they gave us a heads up to the northern route before, and they said - they gave us a heads up so we could put documentation in place

if we wanted to challenge their decisions.
And remember I told you it was, you know, we were torn.

We had done all this work on the central, on the ferry alternative, and now we were going the northern corridor

and we were missing one land access agreement on the northern corridor,
so we did challenge them.

But at the end of the day the northern corridor is the better route and it makes it look better for the ultimate litigation against the Army Corps of Engineers.

Then again, they'd made changes, they didn't accept our proposition without any questions.
They made us make some changes.

Those all look good to the courts when the environmentalists sue the Army Corps of Engineers over the permits later this year.

Ultimately there's a few decisions that we can't manage and we have to be able to then manage the change.

And the Army Corps of Engineers knows that and they help us with that by giving us early advice,

letting us know, no surprises, and with lots of time.