

McCoy, Shane M CIV USARMY CEPOA (US)

From: Yeargan, Catherine <catherine_yeargan@fws.gov>
Sent: Friday, June 29, 2018 10:34 AM
To: McCoy, Shane M CIV USARMY CEPOA (US)
Cc: Mary Colligan; Melissa Burns; David Wigglesworth; Trent Liebich; Douglass Cooper; Grace Cochon; Johnson, Philip
Subject: [Non-DoD Source] U.S. Fish and Wildlife Service Scoping Comments (POA-2017-271)
Attachments: USFWS PLP Scoping Comments 20180629.pdf

Mr. McCoy,

Enclosed, please find the U.S. Fish and Wildlife Service's (Service) scoping comments, prepared in response to the U.S. Army Corps of Engineers' (USACE) Notice of Intent to Prepare an Environmental Impact Statement and Notice of Scoping for the Pebble Limited Partnership's proposed surface mine and associated infrastructure at the Pebble Deposit in southwest Alaska.

The Service looks forward to continuing to assist the USACE with development of the Environmental Impact Statement as a cooperating agency.

If you have any questions, please contact Mr. Doug Cooper at (907) 271-1467 or douglass_cooper@fws.gov <mailto:douglass_cooper@fws.gov> . In the event Doug is unavailable, please contact me at (907) 271-2066 or catherine_yeargan@fws.gov <mailto:catherine_yeargan@fws.gov> .

A hard copy will not be mailed.

Sincerely,
Catherine Yeargan
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Anchorage Fish and Wildlife Conservation Office
4700 BLM Road
Anchorage, AK 99507
(907) 271-2066



United States Department of the Interior



U.S. FISH AND WILDLIFE SERVICE
1011 East Tudor Road
Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

FWS/R7/FES

JUN 29 2018

Mr. Shane McCoy
Program Manager, Regulatory Division
U.S. Army Corps of Engineers, Alaska District
P.O. Box 6898
Joint Base Elmendorf-Richardson, Alaska 99506-0898

Dear Mr. McCoy:

The U.S. Fish and Wildlife Service (Service) has reviewed the U.S. Army Corps of Engineers' (USACE) Notice of Intent to Prepare an Environmental Impact Statement (EIS) and Notice of Scoping for the Pebble Limited Partnership Project. Pebble Limited Partnership proposes to develop an open-pit surface mine, along with associated infrastructure, at the Pebble copper-gold-molybdenum porphyry deposit (Pebble Deposit), located in the Iliamna region of southwest Alaska and within the Bristol Bay watershed, approximately 200 miles southwest of Anchorage and 60 miles west of Cook Inlet. The Pebble Deposit is located at the headwaters of the South Fork Koktuli River, the North Fork Koktuli River, and Upper Talarik Creek, tributaries to the Nushagak and Kvichak Rivers which flow into Bristol Bay. The closest communities are the villages of Iliamna, Newhalen, and Nondalton, each approximately 17 miles from the Pebble Deposit.

The proposed project would consist of four primary project elements: a mine site, a transportation corridor, a port at Amakdedori, and a natural gas pipeline. The mine site would include an open pit, a tailings storage facility, a low grade ore stockpile, overburden stockpiles, material sites, water management ponds, milling and processing facilities, and supporting infrastructure such as a power plant, water treatment plants, camp facilities, and storage facilities. The 83-mile transportation corridor would connect the mine site to a year-round port (Amakdedori Port) on Cook Inlet, near the mouth of Amakdedori Creek in Kamishak Bay. The transportation corridor would have three main components: a private, double-lane road extending 30 miles south from the mine site to a ferry terminal on the north shore of Iliamna Lake; an ice-breaking ferry to transport materials, equipment, and concentrate 18 miles across Iliamna Lake to a ferry terminal on the south shore near the village of Kokhanok; and a private, double-lane road extending 35 miles southeast from the South Ferry Terminal to the port at Amakdedori on Cook Inlet. The Amakdedori Port site would include shore-based and marine facilities for the shipment of concentrate, freight, and fuel for the project. Other port facilities

would include fuel storage and transfer facilities, power generation and distribution facilities, maintenance facilities, employee accommodations, and offices. The 188-mile natural gas pipeline would start on the Kenai Peninsula, cross Cook Inlet, and terminate at the mine site, with compressor stations located near Anchor Point and the Amakdedori Port. The 12-inch pipeline would follow the transportation corridor from the port to the mine site, crossing Iliamna Lake on the lake bed.

Our comments and recommendations are provided in accordance with the Endangered Species Act (16 U.S.C. 1531-1544), Marine Mammal Protection Act (16 U.S.C. 1361-1407), Migratory Bird Treaty Act (16 U.S.C. 703-712), Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), Clean Water Act (33 U.S.C. 1344), Fish and Wildlife Coordination Act (16 U.S.C. 661-667e), and the National Environmental Policy Act (42 U.S.C. 4321 et seq.), with implementing regulations. The Service is participating as a cooperating agency in the preparation of the EIS pursuant to the National Environmental Policy Act.

Potentially Affected Fish and Wildlife Trust Resources

Service trust resources are natural resources we have been entrusted to protect for the benefit of the American people, and include federally listed threatened and endangered species and their critical habitats, migratory birds, certain marine mammals, interjurisdictional fish, and the habitats upon which they depend.

The Bristol Bay watershed, including the Nushagak and Kvichak Rivers, supports all five species of salmon (King, Sockeye, Coho, Pink, and Chum), and several other commercially, recreationally, and ecologically important fish species. The Bristol Bay watershed is home to brown bear, black bear, moose, caribou, wolves, waterfowl, and many other species of mammals and birds (Brna and Verbrugge 2013). Federally-listed threatened northern sea otters and Steller's eiders occur in the waters of Cook Inlet, including Kamishak Bay. Bald eagles nest and feed along the coast and along all of the major salmon spawning rivers in the Bristol Bay and Cook Inlet regions, with a relatively high number of golden eagles also found here. Migratory birds, including waterfowl, shorebirds and landbirds, are abundant throughout the potentially affected area of the proposed project.

Recommendations

The EIS should analyze potential direct, indirect, and cumulative impacts of the proposed project and all associated infrastructure on fish and wildlife including: endangered species or their designated critical habitat; marine mammals; anadromous and resident fish; migratory birds; bald and golden eagles; and fish, wildlife and plant species important to local subsistence users. Specifically, the Service recommends:

- Full analysis of the potential impacts the proposed mine and associated infrastructure could have on salmon and their habitats. Conservation of salmon spawning and rearing habitats within and downstream of the proposed mine and tailings storage areas are essential to maintaining the overall productivity of the Bristol Bay region. Nutrients imported by salmon from the marine environment into freshwater and terrestrial systems

support and enhance all levels of the complex food web, including microorganisms, invertebrates, plants, fish, birds, and mammals. The EIS should evaluate potential impacts to salmon from direct habitat loss or degradation of water quality.

- Evaluation of the potential impacts of the mine and associated infrastructure on water quality as it relates to supporting healthy and viable salmonids at all life stages. In particular, water quality alteration or degradation and potential copper exposure of downstream fish populations, including salmonids in Lake Iliamna, should be fully analyzed.
- Evaluation of the potential for acid mine drainage as a result of the project should be fully analyzed, and ways to prevent, minimize and mitigate acid mine drainage should be identified in the EIS. Emphasis should be placed on the prevention of acid mine drainage, since it is especially difficult to remediate once it has occurred on a large scale (Jennings et al. 2008).
- Conduct a rigorous analysis of the potential effects the project may have on northern sea otters and sea otter critical habitat. This analysis should focus on the proposed Amakdedori Port facility, the proposed pipeline, the proposed lightering of concentrate using barges to transport concentrate to bulk carriers moored in deeper water, and include the risks of fuel and hazardous materials spills on sea otters and sea otter critical habitat. Endangered Species Act section 7 consultation and Marine Mammal Protection Act authorizations should be considered in the EIS.
- Analysis of the potential impacts the proposed mine, transportation corridor (roads and ferry terminals), and Amakdedori Port facility may have on bald and golden eagles. In addition, the EIS should evaluate the likelihood that eagles and their nests may be displaced by the proposed project.
- Development of spill contingency plans for fuel and hazardous waste spills. Lightering of materials, currently proposed for transfer of mineral concentrate, increases the risk of spills. Any lightering of fuel or hazardous materials would result in a higher risk of spills than shoreside transfer of these materials, and spills are a particular concern for listed sea otters and sea otter critical habitat near the proposed port and mooring facility.
- Evaluation of the effects the proposed mine and associated infrastructure could have on traditional subsistence users and nearby villages.
- Development of a detailed reclamation and restoration plan for mine closure and post-mine closure. The Service would like to assist the USACE in reclamation, restoration, and mitigation planning to offset the effects of constructing and operating the proposed surface mine, and to ensure fish, wildlife, plants, and their habitats are conserved for the continuing benefit of the American people.

Mr. Shane McCoy

4

Finally, the Service recommends the USACE revisit the *U. S. Environmental Protection Agency's Bristol Bay Watershed Assessment (2014)* to ensure that previously identified concerns regarding impacts a proposed surface mine and associated infrastructure may have on area fish and wildlife resources are adequately evaluated in the EIS.

The Service understands the USACE will initiate Endangered Species Act section 7 consultations for the project, and the Service recommends the Pebble Limited Partnership apply for Marine Mammal Protection Act authorization, as appropriate.

Thank you for the opportunity to provide scoping comments for this project. If you have any questions, please contact Ecological Services Branch Chief, Mr. Douglass Cooper, Anchorage Fish and Wildlife Conservation Office, at (907) 271-1467 or email douglass_cooper@fws.gov.

Sincerely,



Mary Colligan
Assistant Regional Director,
Fisheries and Ecological Services

Literature Cited:

Brna, P.J., and L.A. Verbrugge, eds. 2013. Wildlife resources of the Nushagak and Kvichak River watersheds, Alaska. Final Report. Anchorage Fish and Wildlife Field Office, U.S. Fish and Wildlife Service, Anchorage, Alaska. 177 pp.

Jennings, S.R., D. R. Neuman, and P.S. Blicher. 2008. Acid mine drainage and effects on fish health and ecology: a review. Reclamation Research Group Publication, Bozeman, Montana. 26 pp.

USEPA (U.S. Environmental Protection Agency). 2014. An assessment of potential mining impacts on salmon ecosystems of Bristol Bay, Alaska. Region 10, Seattle, Washington. EPA 910-R-14-001.