

Pebble EIS Draft Sections 3.1, 3.5, 4.1, 4.5
EPA Comments
11/9/18

Thank you for the opportunity to review draft Sections 3.1, 3.5, 4.1 and 4.5 of the Pebble EIS, in accordance with our role as a Cooperating Agency. Our comments are provided in table format below. Due to the absence of a complete document to review as a whole for context, our ability to accurately and adequately comment is limited and our public comments on the Draft EIS may include additional concerns or recommendations.

Page	Section	Text from Draft Section	Comment
	3.1	Affected Environment - Introduction	
General	3.1		<p>The introduction to the affected environment focuses on the proposed action (e.g., Section 3.1.1 Project Components and Section 3.1.4 Project Physical Setting). It is important that the affected environment characterize the potential area of impact for all alternatives. We recommend revising the text in Section 3.1 such that it does not focus solely on the proposed action. Please also ensure that the information in each resource section of Chapter 3 appropriately characterizes the affected environment for the potential impact area of the full range of alternatives carried forward for analysis.</p> <p>In addition, we recommend that each resource section include a subsection that summarizes the data gap analysis that was performed and clearly identifies any data gaps for the impact area of the proposed action and alternatives.</p>
	3.5	Affected Environment - Recreation	
General	3.5		No comments.
	4.1	Environmental Consequences - Introduction	
4.1-2	4.1.3	<p>“Actions are considered reasonably foreseeable if they are proximate to the project area and are anticipated to enter the permitting process in the next 5 years, are identified in planning documents as scheduled for development, or if significant resources have been committed to the proposed action.”</p>	<p>The 5-year timeframe presented here appears to conflict with a statement later in this section that “the USACE has determined that expansion of the Pebble Project to develop 55 percent of its reserves over a 78-year period, as outlined in the Wardrop 2011 Preliminary Assessment Technical Report, will be analyzed under the cumulative effects analysis (see Table 4.1-1 for further discussion). Therefore, other reasonably foreseeable future activities that may occur in the 78-year time period will also be considered” (pg. 4.1-4). Based on our review, it appears that the 78-year timeframe was used in assessing RFFAs, which is reasonable because it aligns the analysis of potential cumulative impacts with the reasonably foreseeable future impacts of the Pebble Project. We recommend that the document clarify throughout the document that a</p>

			78-year timeframe is used for consideration of reasonably foreseeable future actions.
4.1-3	4.1.3.1	Commercial and Subsistence Harvest of Fish and Wildlife: “However, fish and wildlife resources are managed by the Alaska Department of Fish and Game (ADF&G) and federal land managers to maintain sustainable populations, and there are no long-term adverse effects or trends affecting the resource.”	We recommend adding a reference to documents reviewed or other information/analysis that discusses how the authors reached this conclusion.
4.1-3	4.1.3.1	Mining Exploration Activities: “In the immediate area of the project, there has been no mineral production activity that has had lingering adverse effects on the environment.”	We recommend adding a reference to documents reviewed or other information/analysis that discusses how the authors reached this conclusion.
4.1-3	4.1.3.1	Mining Exploration Activities paragraph	Given the extensive amount of exploration work conducted at the Pebble site, we recommend that more information be supplied to support the conclusions of this paragraph. Specifically, we recommend that the draft EIS: (1) summarize the amount and type of exploration work that has occurred (number of drill holes, acreage of surface disturbance, number of years of exploration activity, etc.); (2) explain the best management practices and reclamation actions that occurred; and (3) discuss whether this has resulted in impacts to wetlands, surface water, and ground water.
4.1-4 to 4.1-5	4.1.3.2	Parameters used to identify potential reasonably foreseeable future activities for the cumulative effects analysis	We recommend that the EIS provide additional explanation of how the six parameters listed in the bullets on pages 4.1-4 to 4.1-5 were applied to identify potential reasonably foreseeable future activities. For example, please clarify how many of these factors need to be met, whether all factors are equally weighted, and whether there is a sequence in which the factors are applied.
4.1-5	4.1.3.2	“The question of whether development of the project would facilitate development of other nearby mineral deposits depends in part on proximity to the project and ability to use project infrastructure... While the access road would be privately funded on State land, the State of Alaska would likely require allowing access to other mineral deposit owners if an agreement could be reached with PLP regarding operation and maintenance costs,	We recommend that the document provide additional information regarding how the future potential use of the road is being analyzed in the EIS. As provided in the EPA’s scoping comments, we recommend that the analysis of indirect effects in the EIS consider the extent to which it is reasonably foreseeable that the proposed transportation corridor and natural gas pipeline may be made accessible to the public and may stimulate additional reasonably foreseeable mining exploration and development projects in the area, and potential environmental effects associated with that induced mining.

		based on the precedent set in state permit conditions for granting Pogo Mine Access (S. Buckley, personal communication 2018).”	
4.1-6	Table 4.1-1	Description of Pebble Project Expansion	<p>To ensure a complete description, we recommend that the description of the Pebble Project Expansion reasonably foreseeable future action also include a waste rock storage facility and an underground mine component.</p> <p>In addition, we note that our scoping comments recommended that the Corps consider evaluating the expansion and continued operation of the currently proposed project as a reasonably foreseeable indirect effect of the proposed action under NEPA.</p>
4.1-6	Table 4.1-1	Potential Mineral Deposits in Southwest and Southcentral Alaska	<p>The table lists a number of potential mineral development projects in southwest and southcentral Alaska (Pebble South through Copper Joe) and makes decisions about whether these projects are RFFAs for exploration and/or development. We recommend that more information be provided for projects that are determined not to be reasonably foreseeable development projects, so that the basis for these determinations are strongly supported. For example, Groundhog will be considered an RFFA for further exploration but not for development since “Resource delineation has not progressed sufficiently, is not subject to development permitting or in a planning document and is not considered reasonably foreseeable in the 78-year time frame.” Please describe which of these factors was key to determining that development of Groundhog is not reasonably foreseeable and describe the basis for that determination. We recommend that the document describe the basis for the statement that resource delineation has not progressed sufficiently and provide reference to any documents or websites that were reviewed to support this determination. We recommend a similar discussion be provided for each of the development projects listed.</p>
4.1-6	Table 4.1-1	“Note: Because claims are currently owned by NDM Ltd., if future drilling and resource delineation indicate that it is feasible to develop the project, it is possible that construction and operations could access and utilize the Pebble Project transportation system.”	<p>The entries for Pebble South and other potential projects listed say “No” to development and production but include this Note. We recommend clarifying in the table that a separate NEPA analysis would have to be done for these future projects.</p>
4.1-10	Table 4.1-1	Whistler Deposit	<p>The table includes Copper Joe, a porphyry copper deposit “located significantly north of the Pebble Project, in close proximity to the Whistler Deposit,”</p>

			but does not include the Whistler Deposit itself. Please clarify why the Whistler Deposit is not listed as a potential mineral deposit.
4.1-18	4.1.7	Incidental or induced mortality of fish and wildlife resulting from project construction and operations, as well as any reduction in habitat value, could result in localized irretrievable commitment of these resources during the life of the project	We recommend revising this statement to acknowledge that impacts to fish, wildlife, or habitat may exist beyond the life of the project.
4.1-19	4.1.8	Financial Assurance and Bonding	As discussed in our scoping comments, we recommend that the draft EIS disclose the estimated financial assurance costs to reclaim and close the site, including long term water treatment costs. We believe that this information is necessary to evaluate the effectiveness of reclamation and closure, which is a key component in determining the environmental impacts of the Pebble project. Our scoping comments provide recommendations on the level of detail to include.
	4.5	Environmental Consequences - Recreation	
4.5-4	4.5.2.3	“Boat traffic to and from the port would be minimal: up to 27 concentrate vessels and 33 supply barges per year during operations.”	Regarding potential recreation impacts at Amakdedori Port, the draft document notes the number of concentrate vessels and supply barges anticipated per year but does not discuss the amount of time these vessels would remain in port. We continue to recommend including this information, because it is relevant to the level of impact at the port location and the time in port may differ among alternatives or variations. This information would also be relevant to consider for other resource sections in addition to Recreation, including fish and wildlife impacts. AECOM Response: Text edited as appropriate