

**US Fish and Wildlife Service Comments – Pebble Project Preliminary Draft EIS, Section 4.25 - Threatened and Endangered Species**

Agency	Comment No.	Section, Paragraph, and Page #	Cooperating Agency Comment (and Purpose of Comment)	Proposed Resolution (Additions or Deletion of Text)	Response
USFWS	1		Rework and expand the action area, as described in the second paragraph, fourth and fifth sentences, to include discussion of the entire project. As currently written, these sentences state: "The action area encompasses all marine components (all proposed port locations, lightering locations, and natural gas pipeline routes), plus a surrounding 5-mile buffer in the marine environment. No terrestrial components of the project (e.g., the mine site, ferry terminals, terrestrial portion of the transportation and natural gas pipeline corridors, and compressor station on the Kenai Peninsula) are included in the action area, because TES do not occur in the area; only marine components of the project are included in the action area." We recommend the action area in each of the sections of Chapter 4 be described the same way, and include the four main project components, as described in Chapter 2, Alternatives: the Mine Site, the Transportation Corridor, the Amakdedori Port and Lightering Locations, and the Natural Gas Pipeline. Standardizing the action area, and evaluating each of the four main project components for potential impacts to resources of concern, would ensure impacts of the proposed project are fully analyzed and disclosed in the final Environmental Impact Statement (EIS) and documented in the record of	Action area as defined should match the action area provided in the Biological Assessment.	The EIS analysis area has been defined as the extent of direct and indirect impacts. The source of indirect impacts that are anticipated to extend the greatest distance is underwater noise from construction at the port. The analysis area has been defined as the greatest extent where harm or harassment may occur to marine mammals from noise. For consistency the EIS analysis area has been aligned to match the action area of the Biological Assessment.

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			decision.		
USFWS	2		Include analysis of potential water quality impacts at the mine site, along the transportation corridor, and at the Amakdedori Port for discussion in this section, with a focus on impacts to listed species and protected marine mammals. This should include the potential for water quality alteration or degradation to originate at the mine site, then move downstream to Lake Iliamna and Cook Inlet, and impact or affect listed species and protected marine mammals. Please note this recommended water quality analysis differs from analysis referenced in Chapter 4.27 Spill Risk.	Read/refer to the WQ section.	Impacts from potential changes to water quality are discussed in Section 4.18 Water Quality. Water discharged from the project would comply with permit conditions and including water quality standards.
USFWS	3		Some of the language in this section appears to minimize the environmental consequences the project may have on listed species. Chapter 3.25 Threatened and Endangered Species notes that 2018 environmental field survey results will be incorporated into the DEIS, when available. Until a full analysis of the project's impacts and effects on listed species is complete and included in the environmental consequences chapter, reference to effects as minimal, localized, limited, negligible, etc. are premature. The Service recommends review of the entire section, and removal of minimizing language.		Additional data from surveys in 2018 have been added to Section 3.25 and are discussed where appropriate in Section 4.25. Minimizing language has been removed.

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USFWS	4		Include a rigorous analysis of the impacts and effects of the proposed port facility, the proposed pipeline, the proposed lightering of concentrate using barges to transport concentrate to bulk carriers moored in deeper water, including the risks of fuel and hazardous materials spills, on sea otters and sea otter critical habitat through all phases of the project. For example, currently no analysis of fuel or hazardous materials spills is included in this section. In addition, there is no meaningful analysis or quantification of anticipated impacts to sea otters or sea otter critical habitat for the construction and operation of the two port facilities under consideration. Additional details on the anticipated impacts of each alternative during construction and operation of the proposed port facility, the proposed pipeline, the proposed lightering of concentrate using barges to transport concentrate to bulk carriers moored in deeper water, is essential to compare the effects and impacts of each alternative. Simply saying, "All impacts are anticipated to be the same for the two alternatives..." is not sufficient.		Additional text has been added to provide more specificity. The Biological Assessment provides the greatest level of detail and has been included as an appendix to the Draft EIS.  Impacts from spills are discussed in Section 4.27, Spill Risk and are not included in the individual resource-specific sections.
USFWS	5		Discussion of the environmental consequences on Northern sea otter critical habitat, as found in Section 4.25.2.5 Northern Sea Otter, Critical Habitat, is lacking specificity. This section states, "all sea otter critical		Additional text has been added to provide more specificity. The Biological Assessment provides the greatest level of detail and has been included as an appendix to the Draft EIS.  Impacts from spills are discussed in

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			habitat primary constituent elements...would be directly affected," but does not detail how. This section does not fully analyze the proposed project's impacts and effects on each primary constituent element, and does not analyze the impacts and effects of fuel or hazardous materials spills on sea otter critical habitat.		Section 4.27, Spill Risk and are not included in the individual resource-specific sections.
USFWS	6		The Steller's eider section is a good example of analyzing and disclosing potential environmental consequences of the project on listed species. The information and discussion in this section is thorough, based upon the biology of the species, and does not use minimizing or qualifying language. Similar rigorous analysis and discussion should be conducted for all listed species in this chapter.		Comment noted and text added to the other sections for other listed species.
USFWS	7		The Service recommends the following sentence in Section 4.25.4.1 Summary of Key Impacts be removed or rephrased: "For all TES, it is not possible to quantify the exact number of individuals that may be impacted by vessel collisions or strikes; therefore, the number is considered less than significant." Please note being unable to quantify an impact in terms of numbers of individuals is not the same as the impact being "less than Significant". It would be more correct to state the impact of vessel collisions or strikes is "unquantifiable" or "unknown."		Text modified as suggested to "unknown".

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USFWS	8		The Service has no comment at this time on Figure 4.25-1: Federally Listed Marine Mammal Critical Habitat and Location within the Action Area, or Figure 4.25-2: Steller's Eider Molting and Wintering Locations within the Action Area.		Comment noted.
USFWS	9	Appendix K4.25	The Service has no comment at this time on Appendix K 3.25 Threatened and Endangered Species. Please continue to coordinate any required Marine Mammal Protection Act Incidental Harassment Authorization or Incidental Take Regulations with the Service's Marine Mammals Management program.		Comment noted.