



121 W. FIREWEED SUITE 120 | ANCHORAGE, ALASKA | 99503 | 907.563.9229 | ALASKAMINERS.ORG

November 23, 2020

United States Forest Service
Tongass National Forest
Greens Creek NEP SEIS
8510 Mendenhall Loop Road
Juneau, AK 99801
Submitted via www.regulations.gov

RE: Greens Creek Mine Northern Extension Project

To whom it may concern:

The Alaska Miners Association (AMA) writes to provide scoping comments on the Hecla Greens Creek Mining Company's (HGCMC) request to amend the 2013 Greens Creek Mine Plan of Operations, which would expand their Tailings Disposal Facility (TDF) and related infrastructure as described in their North Extension Project (NEP).

AMA is a professional membership trade organization established in 1939 to represent the mining industry in Alaska. We are composed of more than 1,400 members that come from eight statewide branches: Anchorage, Denali, Fairbanks, Haines, Juneau, Kenai, Ketchikan/Prince of Wales, and Nome. Our members include individual prospectors, geologists, engineers, suction dredge miners, small family mines, junior mining companies, major mining companies, Alaska Native Corporations, and the contracting sector that supports Alaska's mining industry.

Greens Creek is a world class mining operation and has been a safe, responsible and prolific producer of silver, zinc, lead and gold resources for the world for decades.

Greens Creek is the only mine in the United States located in a national monument and must maintain a very high standard of environmental performance in order to remain in existence, and rightly so. The 440 employees of Greens Creek, many of whom are our members, take great pride in operating a mine in the same place that many of them recreate, fish, hunt, and gather food.

HGCMC also provides significant regional economic and social benefits. The mine is the largest private employer in Southeast Alaska, the largest property taxpayer in the City and Borough of Juneau, generates \$70 million annually in pay and benefits, and purchases goods and services worth more than \$65 million annually from Alaska business generating another 560 indirect and induced jobs. HGCMC, through the Hecla Charitable Foundation is also a significant contributor to educational, social, and cultural non-profits in the region including long term partnerships with the University of Alaska Southeast to provide degree pathways for local workforce development.

In order to continue their environmentally responsible operations and provision of significant regional benefits, it is important that the USFS complete the Supplemental Environmental Impact Statement (SEIS) process for HGCMC's requested TDF extension in an efficient and timely manner. The AMA believes that the following scoping comments will aid in that effort:

- The existing TDF and area of requested extension has undergone three prior Environmental Impact Statements (EIS) and one Environmental Assessment. The AMA absolutely concurs with the USFS that a SEIS is the appropriate National Environmental Policy Act (NEPA) process to follow.
- In the SEIS, the USFS should rely on, and tier from, the 2013 EIS for analysis of significant issues. The location of the proposed TDF extension is in the same areas that was analyzed in the 2013 EIS and the activities proposed are identical in terms of methods and impacts thus removing the need for additional analyses of issues previously identified.
- While this project commenced before the issuance of the final rule on NEPA reforms by the Council for Environmental Quality (CEQ) we urge that the USFS recognize the intent of these rules in this process by:
 - Efficiently making use of previous NEPA reviews to significantly reduce redundant and duplicative agency review.
 - Working with the cooperating agencies (e.g., US Army Corps of Engineers) to produce a single decision document (i.e., Record of Decision).
 - Expediting the NEPA process to be completed within a 2-year timeframe and limit the SEIS document to 150 pages.
 - Evaluating only new alternatives that have not been previously analyzed or reviewed in prior NEPA documents.
 - Evaluating only alternatives that meet the goal of HGCMC and considering both economic and technical feasibility by HGCMC.
 - Allow greater participation during the NEPA process by HGCMC.
- In the 2013 EIS, the Record of Decision (ROD) recommended various steps including additional feasibility analyses and updates to *Forest Service Manual (FSM) 2800, Mining in Admiralty Island and Misty Fiords National Monuments*, to be completed if further TDF expansions were requested in the Admiralty Monument. HGCMC's proposal will not result in new surface disturbance outside the USFS-approved HGCMC Lease Boundary, and the tailing stack would not extend into the Tributary Creek Watershed, thus removing the need for these steps. In addition, the USFS determined in a letter dated December 15, 2014, that proposed supplements to FSM 2800 were not needed and that *"...considerations of feasibility of mitigation measures and alternatives considered in environmental documents will be guided by existing law and regulation, including the regulations promulgated by the USDA to implement Section 503 of ANILCA (found at 36 C.F.R. § 228.80) and the regulations implementing the National Environmental Policy Act (found at 40 C.F.R. 1500). Specifically, feasibility analyses will meet the requirements of 36 C.F.R. § 228.80(c); they will not use reasoning similar to the "prudent man test" referenced in the proposed manual supplement, and analysis by a Certified Mineral Examiner is not required. However, in compliance with 36 C.F.R. § 1502.22, environmental impact statements (EISs) must include sufficient information to determine whether mitigation measures included in the alternatives considered are feasible, without requiring information that would impose exorbitant costs to obtain. I expect the feasibility of alternatives considered in EISs to be identified and analyzed in Draft EISs, without*

releasing any proprietary information, to allow the public the opportunity to review how the feasibility affects a reasoned choice among alternatives.”

- Impacts to aquatic resources have always been a concern in prior NEPA analyses at Greens Creek. However, HGCMC has been actively monitoring, sampling and reporting per its required permits for over forty years in Hawk Inlet and the surrounding area. This has created a substantial database of aquatic and biological data since the original baseline studies and this data has been deemed sufficient by multiple permitting agencies to ascertain the impacts of mining activities. In addition, the State of Alaska Department of Environmental Conservation completed a Total Maximum Daily Loads (TMDL) analysis for cadmium, copper, lead, mercury, and zinc in Hawk inlet that was approved by the EPA in 2017. This TMDL analyzed all available data from both HGCMC and other entities and has been incorporated into Alaska’s Water Quality Management plan under Section 303(a) of the Clean Water Act and should be incorporated into the SEIS.
- The existing monitoring requirements in and around Hawk Inlet under existing permits are comprehensive and accurately characterize the biological integrity of Hawk Inlet over time. In the response to comments for the 2015 Alaska Pollution Discharge Elimination System (APDES) Permit No. AK0043206, the Alaska Department of Environmental Conservation stated that:

“The Department reviews and considers the purpose, design, administration, monitoring and effectiveness of the permit and limitations to protect the water body for all designated uses. To date, the monitoring data, including multiple years of water column and biomonitoring sample results, indicate that the permitted discharge is not affecting the biological integrity of Hawk Inlet.

Species tested for metals concentration, mussels and marine worms, came from the lowest trophic levels because when metals do not concentrate in tissue at the lowest level, then excessive metals are not bioavailable for higher trophic levels. Design of the Hawk Inlet Monitoring Program is based on this principle of mass transfer, and data indicate that throughout several stations concentrations of metals (cadmium, copper, mercury, lead, and zinc) in tissue are not increasing when compared to pre-mining baseline metal concentration data.

By design, the Hawk Inlet Monitoring Program chose mussels and marine worms not only because they are from the lowest trophic level, but also because their limited mobility allows focus on the restricted area of Hawk Inlet that is potentially impacted by the discharges from Greens Creek Mine. This maximizes potential impacts on the chosen species. By comparison to mussels and marine worms, predators of seafloor dwelling organisms are extremely mobile. Since the mussels and marine worms are confined to the mine-associated areas and show no increases in metals, it is unlikely that their relatively mobile predators would show a significant effect. The results of the bio-monitoring program indicate no concern over bio-concentrating metals in higher trophic levels, and it was effectively designed to provide those data. Since the sensitive species are unaffected, it is reasonable to conclude that less vulnerable animals are also unaffected. The Department determined that no change to the permit is necessary based on this comment.”¹

Finally, the AMA would like to re-iterate the need to tier back to the 2013 EIS wherever possible in its analysis of HGCMC’s proposal. The proposed areas for extension have been studied extensively in prior NEPA analyses

¹ Response to Comments for Hecla Greens Creek Mining Company, Greens Creek Mine APDES Permit No. AK0043206, August 20, 2015 http://dnr.alaska.gov/mlw/mining/largemine/greenscreek/pdf/gcapdesresponse_ak0043206.pdf



and HGCMC is not proposing any material changes in how it operates the TDF. There is simply no need to unduly delay the SEIS process by re-opening analysis of areas that have already been studied.

Thank you for consideration of our comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "D Skibinski".

Deantha Skibinski
Executive Director