



US Army Corps  
of Engineers  
Alaska District

Juneau Field Office  
Regulatory Division (1145)  
CEPOA-RD  
Post Office Box 22270  
Juneau, Alaska 99802-2270

# Public Notice of Application for Permit

<b>PUBLIC NOTICE DATE:</b>	<b>April 17, 2023</b>
<b>EXPIRATION DATE:</b>	<b>June 1, 2023</b>
<b>REFERENCE NUMBER:</b>	<b>POA-1988-00269</b>
<b>WATERWAY:</b>	<b>Cannery Creek</b>

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Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

All comments regarding this public notice should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the project manager's email as listed below or to [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil). All comments should include the public notice reference number listed above.

All comments should reach this office no later than the expiration date of this public notice to become part of the record and be considered in the decision. Please contact Randal Vigil at (907) 201-5022 or by email at [Randal.P.Vigil@usace.army.mil](mailto:Randal.P.Vigil@usace.army.mil) if further information is desired concerning this public notice.

**APPLICANT:** HECLA Greens Creek Mining Company, Brian Erickson, P.O. Box 32199, Juneau, Alaska 99803.

**AGENT:** HECLA Greens Creek Mining Company, Martin Stearns, P.O. Box 32199, Juneau, Alaska 99803.

**LOCATION:** The project site is located within Sections 22, 23, and 26, T. 43 S., R. 65 E., Copper River Meridian; USGS Quad Map Juneau A-3; Latitude 58.116917° N, Longitude 134.746735° W; Admiralty Island; HECLA Greens Creek Mine, near Juneau, Alaska.

**SPECIAL AREA DESIGNATION:** The project is partly located within the Tongass National Forest, including a portion of the Admiralty Island National Monument.

**PURPOSE:** The applicant's stated purpose is to extend the existing Tailings Disposal Facility (TDF) to provide increased permanent disposal capacity by maximizing use of areas within the existing U.S. Forest Service approved HECLA Greens Creek Mining Company (HGCMC) lease boundary for disposal of tailings and waste rock produced by existing operations.

**PROPOSED WORK:** Discharge fill material into waters of the United States, including wetlands (WOTUS), for the extension of the existing TDF, relocation of the existing B-Road, relocation of the existing power line and substation, raising the embankment around and between Ponds 7 and 10, relocation of the existing freshwater collection system at Cannery Creek, and construction of a clear span bridge over Cannery Creek.

Summary of fill discharge acreages in WOTUS.

<b>National Wetland Inventory Code</b>	<b>Wetland/Waters Type</b>	<b>Impact (Acres)</b>
PEM1	Palustrine Emergent	0.3
PEM1H	Palustrine Emergent	1.0
PEM1 Cleared	Palustrine Emergent Cleared	0.7
PFO4	Palustrine Forested	3.0
<b>Total</b>		<b>5.0</b>

Volume (cubic yards) of estimated fill by type.

<b>Project Component</b>	<b>Fill Volume (Cubic Yards)</b>	<b>Fill Type</b>
North Sump	500	Sand and Gravel Mix 6 Inch Minus, Leveling Course
Tailings Stack	18,500	Sand and Gravel Mix 6 Inch Minus, Leveling Course
Pond 7/10 Raise	10,500	Unconsolidated General Fill Material
B Road Relocation	2,600	Unconsolidated General Fill Material

All work would be performed in accordance with the enclosed plan (sheets 1-10), dated April 05, 2023.

**ADDITIONAL INFORMATION:** The U. S. Forest Service (USFS), Alaska Region, Tongass National Forest is seeking public comment on a Draft Supplemental Environmental Impact Statement (DSEIS) dated March 2023, for the Greens Creek Mine North Extension Project on the Juneau Ranger District and Admiralty Island National Monument, Tongass National Forest. This document analyzes a No Action Alternative and three action alternatives. The alternatives range from continuing the current mining activities and tailings disposal until 2025 when the current TDF would reach functional capacity (No Action) to three action alternatives - each offering a slightly different approach to tailings expansion under various configurations and locations.

The above-described proposed work represents Alternative B in the DSEIS.

The DSEIS is available for review online at: <https://fs.usda.gov/project/?project=57306>.

The applicant would need the following additional authorizations:

- a. Approval of modifications to the General Plan of Operations: USFS, State of Alaska
- b. Approval of the Reclamation Bond: USFS and the State of Alaska
- c. Waste Management Permit Amendment: State of Alaska
- d. Air Quality Permit to Operate Amendment: State of Alaska
- e. Alaska Pollutant Discharge Elimination System Permit Amendment: State of Alaska
- f. Reclamation and Closure Plan Amendment: State of Alaska
- g. Water Authorizations for Diverting and Intercepting Water Amendment: State of Alaska
- h. Certificate of Approval to Construct and Operate a Dam Amendment: State of Alaska

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to WOTUS from activities involving discharges of dredged or fill material.

a. Avoidance: Complete avoidance of impacts to WOTUS is not practicable due to the prevalence of wetlands surrounding the existing Greens Creek Mine and TDF, and the need for the TDF to be located in close proximity to the Greens Creek Mine and to the existing disposal facility and its attendant features.

b. Minimization: The following measures have been incorporated into design and construction of the project:

- 1. Minimize new disturbance outside the existing USFS approved HGCMC lease boundary and minimize disturbance to the portion of the Monument within the lease boundary.
- 2. Avoid direct disturbance to fish-bearing reaches of Tributary Creek and Cannery Creek.
- 3. Avoid construction of a new "remote" TDF.
- 4. Continue the same or similar dry stack tailings disposal method, which has been previously reviewed and approved by the USFS.
- 5. Extend the existing tailings stack in a manner that minimizes new disturbance and impacts to aquatic resources. To the extent practical, locate the extended TDF and new supporting infrastructure on areas already disturbed or on areas immediately adjacent to existing disturbance. Where feasible, use in place infrastructure (such as roads, water treatment facilities, and drainage control).
- 6. Minimize new disturbance to environmental resources and sensitive habitats, such as jurisdictional WOTUS.
- 7. Consider closure and reclamation as part of design and operations.
- 8. Design and construct the TDF to be technically feasible and environmentally sound.
- 9. Comply with applicable federal, state, and local legal and regulatory standards.
- 10. Ground disturbing activities will be limited to the project footprint. Project boundaries shall be clearly identified in the field (e.g., staking, flagging, silt fencing, etc.) prior to site clearing and construction to ensure avoidance of impacts to WOTUS, beyond the authorized project footprint.

11. An Alaska Department of Environmental Conservation (ADEC) 401 Water Quality Certification will be obtained.
12. A Dam Safety Permit or Approval will be obtained from Alaska Department of Natural Resources (ADNR) for raising Pond 7/10.
13. The existing ADEC solid waste permit will be modified, or a new permit will be obtained.
14. Clearing limits will be clearly demarcated prior to construction to ensure impacts stay confined within the project footprint for areas that are near waterbodies. Construction limits will also be staked to ensure that ground disturbing impacts are limited.
15. Prior to construction activities the applicant, or contractor, will obtain coverage under and comply with the Alaska Construction General Permit. They will develop and implement a stormwater pollution prevention plan, implement best management practices for erosion and sediment control, and maintain a spill clean-up kit on-site at all times.
16. Effective erosion control measures shall be installed and maintained before, during, and after construction to prevent erosion and the introduction of sediments and/or contaminants into adjacent WOTUS. These structures shall remain in place until all fills (including side slopes) or other disturbed areas subject to potential erosion have been permanently stabilized.
17. To minimize erosion and sedimentation, disturbed areas resulting from site clearing and excavation shall be adequately stabilized by appropriate erosion and sedimentation control structures and devices (e.g., silt fences, straw wattles, check dams, berms, sediment ponds, slope drains, vegetated and/or rock lined ditches, etc.). These control devices and structures shall be properly installed, and of sufficient size, number, and type to filter or settle out suspended sediments from all construction-related wastewater.
18. All overburden and material stockpiles shall be stockpiled at such a location and in such a manner as to control erosion and subsequent sedimentation into nearby surface waters.
19. All fill material (below the liner) for the authorized work shall be clean, and free from toxic pollutants in toxic amounts. Material used for construction or discharge shall not consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.).
20. Excess fill material shall not be disposed within wetlands or WOTUS, outside of the permitted area.
21. All synthetic erosion control features (e.g., silt fencing, netting, mats), which are intended for temporary use during construction, shall be completely removed and properly disposed of after their initial purpose has been served. Only natural fiber materials, which will degrade after time, may be used as permanent measures, or if used temporarily, may be abandoned in place.
22. All disturbed areas will be stabilized and revegetated upon completion of final grading using vegetation and organic material salvaged from the impact area. USFS approved seed mixes will be used as necessary for soil stabilization.

c. Compensatory Mitigation: No compensatory mitigation is proposed.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the ADEC.

CULTURAL RESOURCES: A Supplemental Environmental Impact Statement (SEIS) is being prepared for the proposed project. The lead Federal agency, the USFS, is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. The U.S. Army Corps of Engineers (Corps) will review the USFS's documentation and either concur with their documentation or continue to work with them until any issues are resolved. A permit for the described work will not be issued until the Section 106 process has been completed and the Corps concurs with the USFS's work or documentation.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

We have determined the described activity would have no effect on any listed or proposed threatened or endangered species and would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) is required. However, the USFS as lead Federal agency in preparation of the SEIS is responsible to initiate the appropriate consultation procedures under Section 7 of the Endangered Species Act with NMFS as needed. Any comments NMFS may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The project area is within EFH for coho (*Oncorhynchus kisutch*), pink (*Oncorhynchus gorbuscha*) and chum salmon (*Oncorhynchus keta*).

We have determined the described activity would adversely affect EFH in the project area for the species listed above. The USFS determined that the proposed activity would have adverse effects on EFH for the reasons outlined in Section 3.7.4.5. of the DSEIS. Additionally, Section 3.7.4.6 of the DSEIS identifies mitigation and monitoring measures for EFH. The USFS as lead Federal agency in preparation of the SEIS is responsible to initiate EFH consultation with NMFS. Any comments or recommendations NMFS may have concerning EFH will be considered in our final assessment of the described work.

**TRIBAL CONSULTATION:** The Corps fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal Government. Tribes with protected rights or resources that could be significantly affected by a proposed federal action (e.g., a permit decision) have the right to consult with the Corps, Alaska District, on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This public notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the federal decision-making process regarding the protected Tribal rights or resources. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authority:

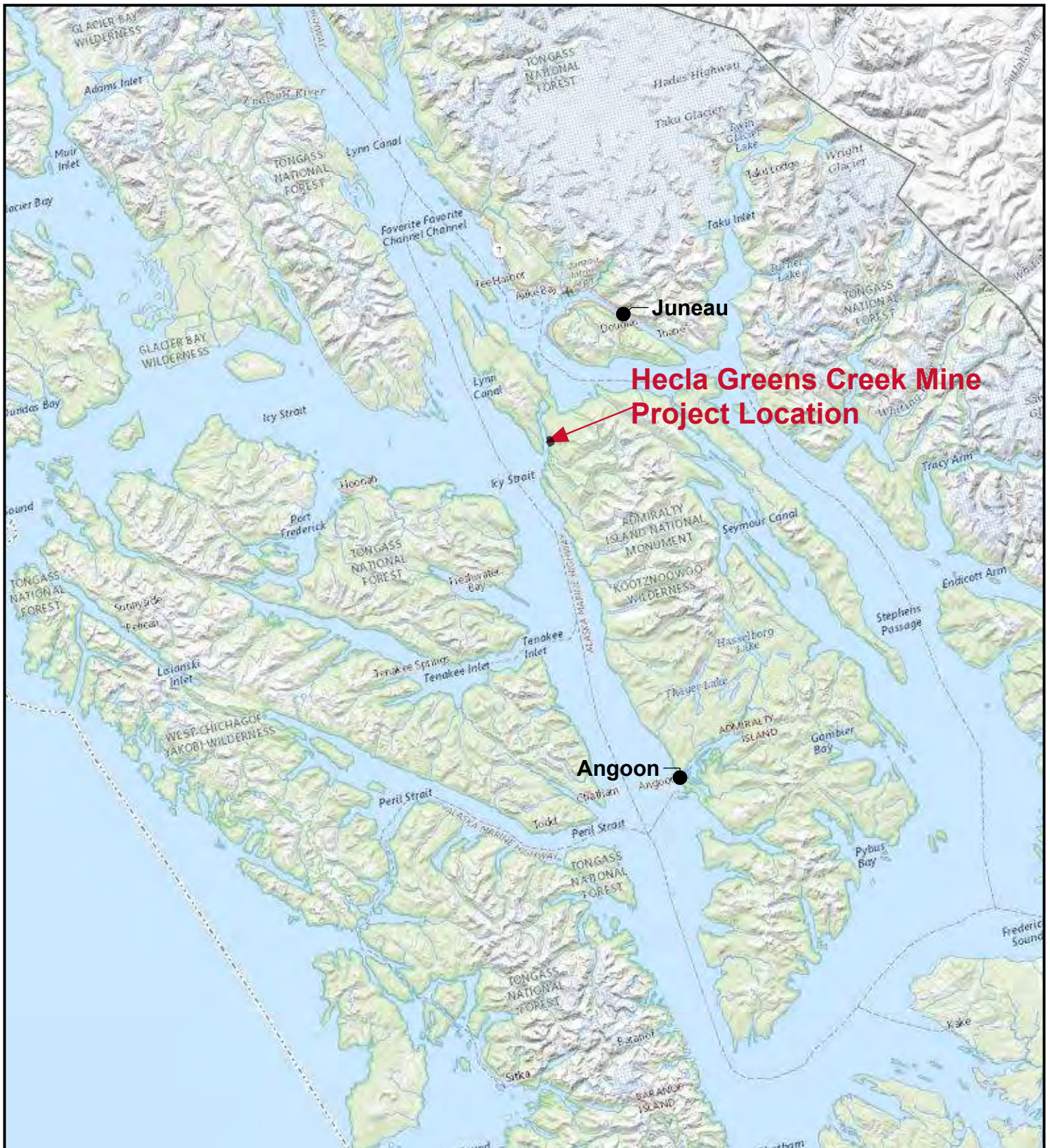
(X) Discharge dredged or fill material into WOTUS – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings are enclosed with this public notice.

District Commander  
U.S. Army, Corps



Enclosure





Northern Expansion Project -  
Project Vicinity

Hecla Greens Creek

-  Project Location
-  Community



0 5 10  
Miles  
HORIZONTAL DATUM:  
NAD 1983, State Plane Zone 4

APPLICANT: Hecla Greens Creek

FILE NO: POA-1988-269

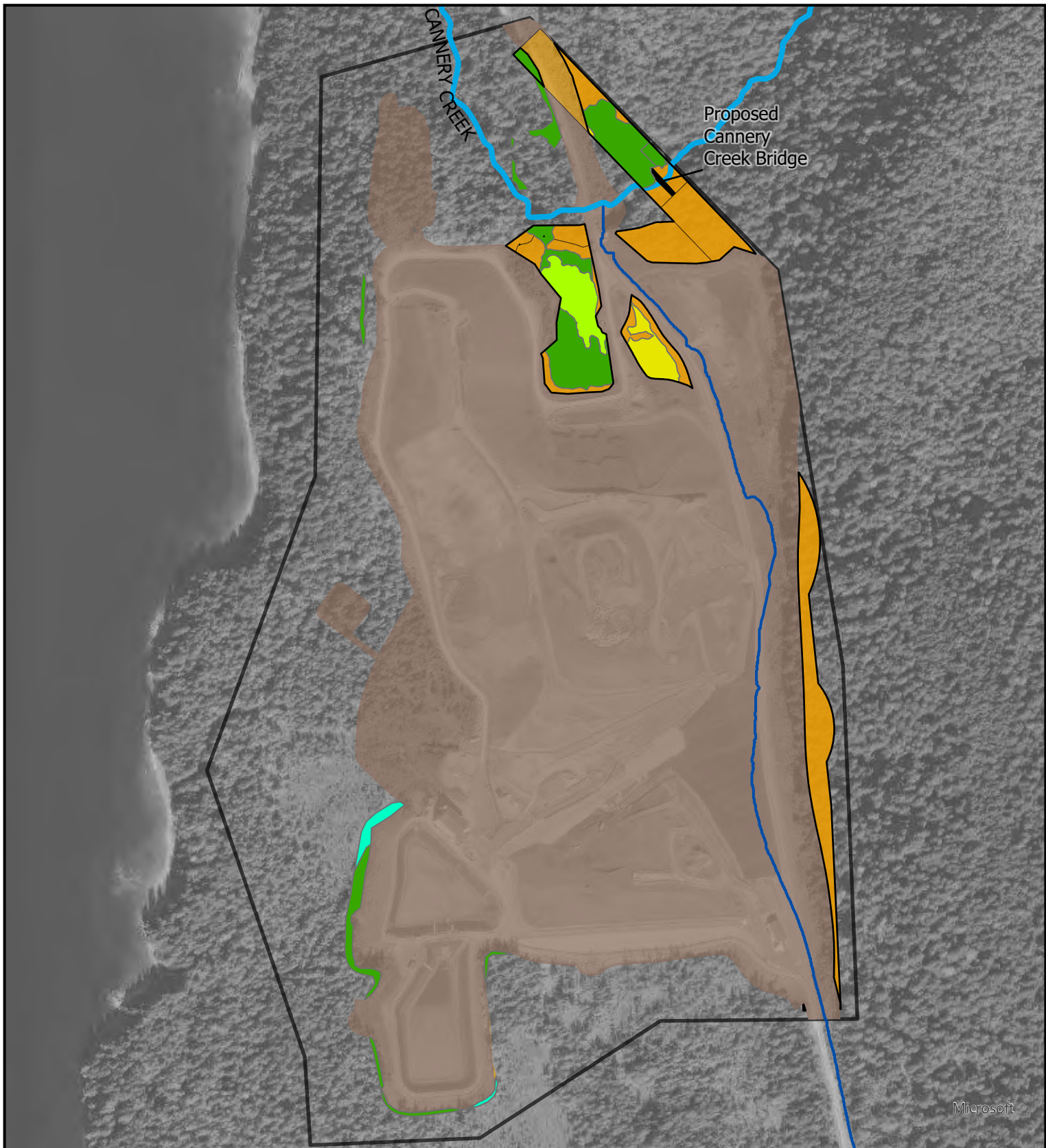
WATERWAY: Cannery Creek

LOCATION: 58.116917N 134.746735W

SHEET 1 OF 10

DATE: 04/05/2023





Northern Expansion Project  
Alternative B - Wetland Impact

Hecla Greens Creek



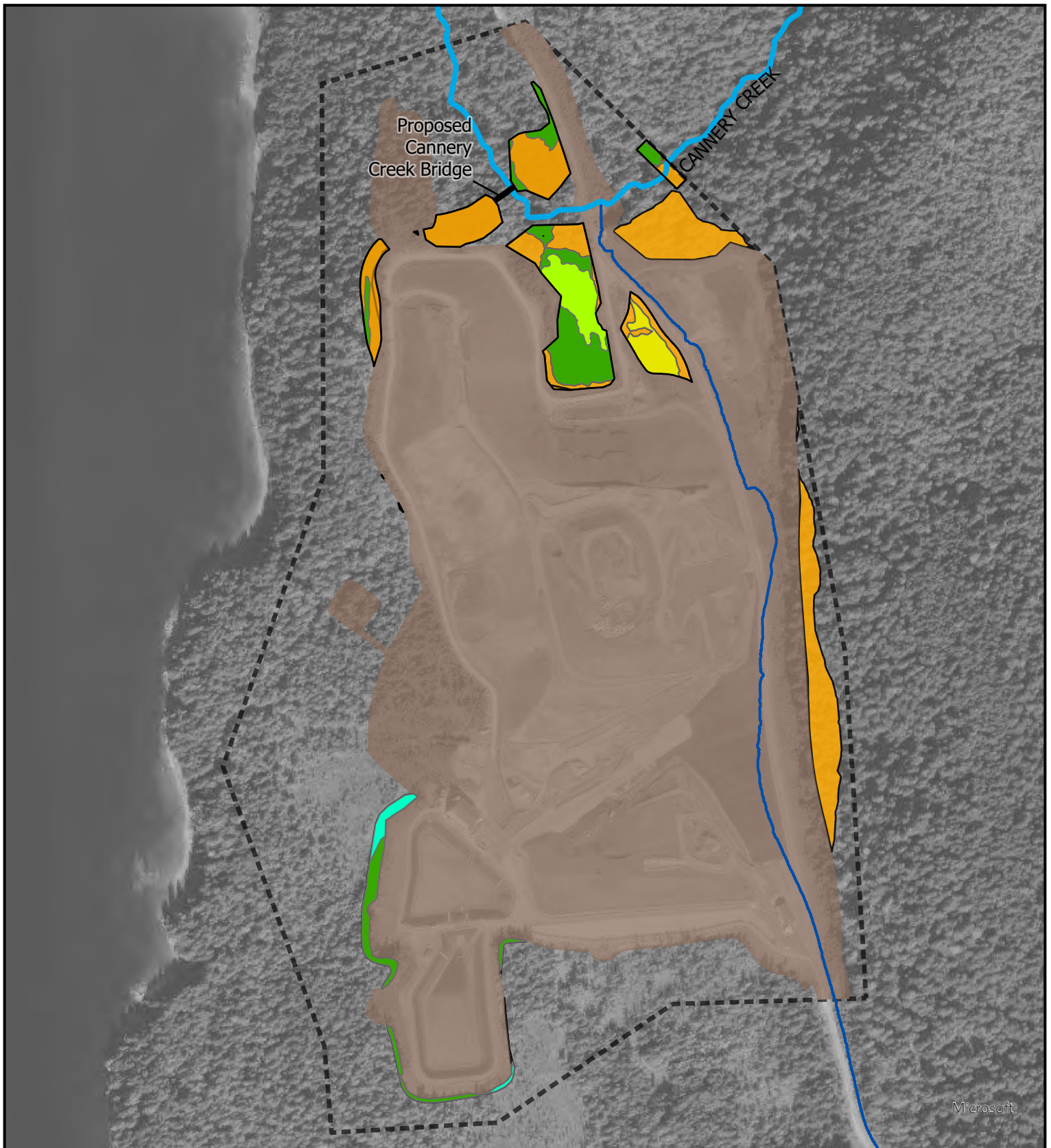
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Feet  
HORIZONTAL DATUM:  
NAD 1983, State Plane Zone 4

- Existing Permitted Disturbance Area
- NEP Additional Proposed Disturbance Area
- Lease Boundary
- Stream

- Wetland Impact
- PEM1H
  - PFO4
  - PEM1
  - PEM1 cleared
  - Waters of the US

APPLICANT: Hecla Greens Creek  
FILE NO: POA-1988-269  
WATERWAY: Cannery Creek  
LOCATION: 58.116917N 134.746735W  
SHEET 2 OF 10  
DATE: 04/05/2023





Northern Expansion Project  
Alternative C - Wetland Impact

Hecla Greens Creek



0 200 400  
Feet  
HORIZONTAL DATUM:  
NAD 1983, State Plane Zone 4

- Existing Permitted Disturbance Area
- Lease Boundary
- NEP Additional Proposed Disturbance Area
- Streams

- Wetland Impact
- PEM1H
  - PFO4
  - PEM1
  - PEM1 cleared
  - Waters of the US

APPLICANT: Hecla Greens Creek

FILE NO: POA-1988-269

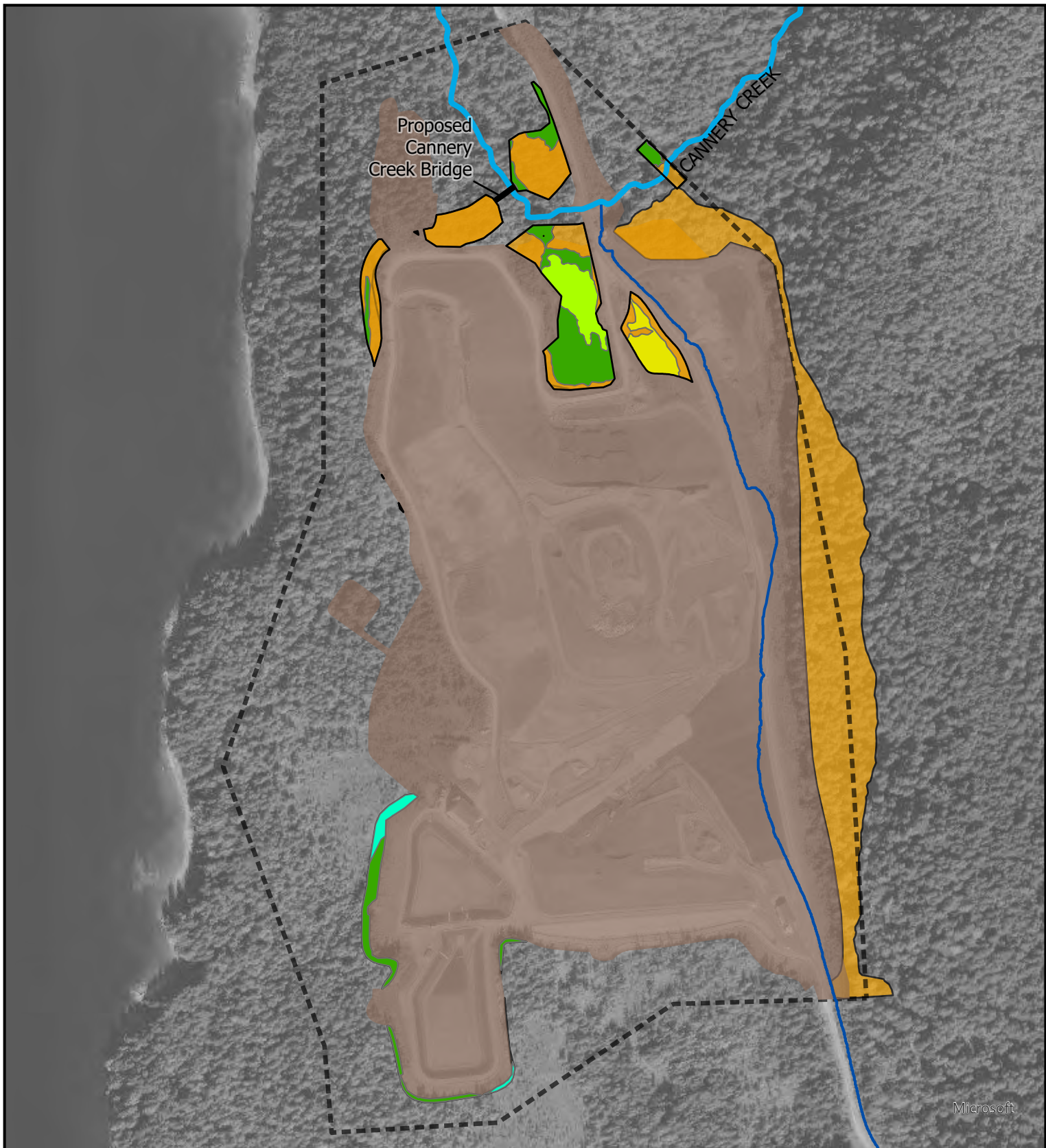
WATERWAY: Cannery Creek

LOCATION: 58.116917N 134.746735W

SHEET 3 OF 10

DATE: 04/05/2023





Northern Expansion Project  
Alternative D - Wetland Impact

Hecla Greens Creek



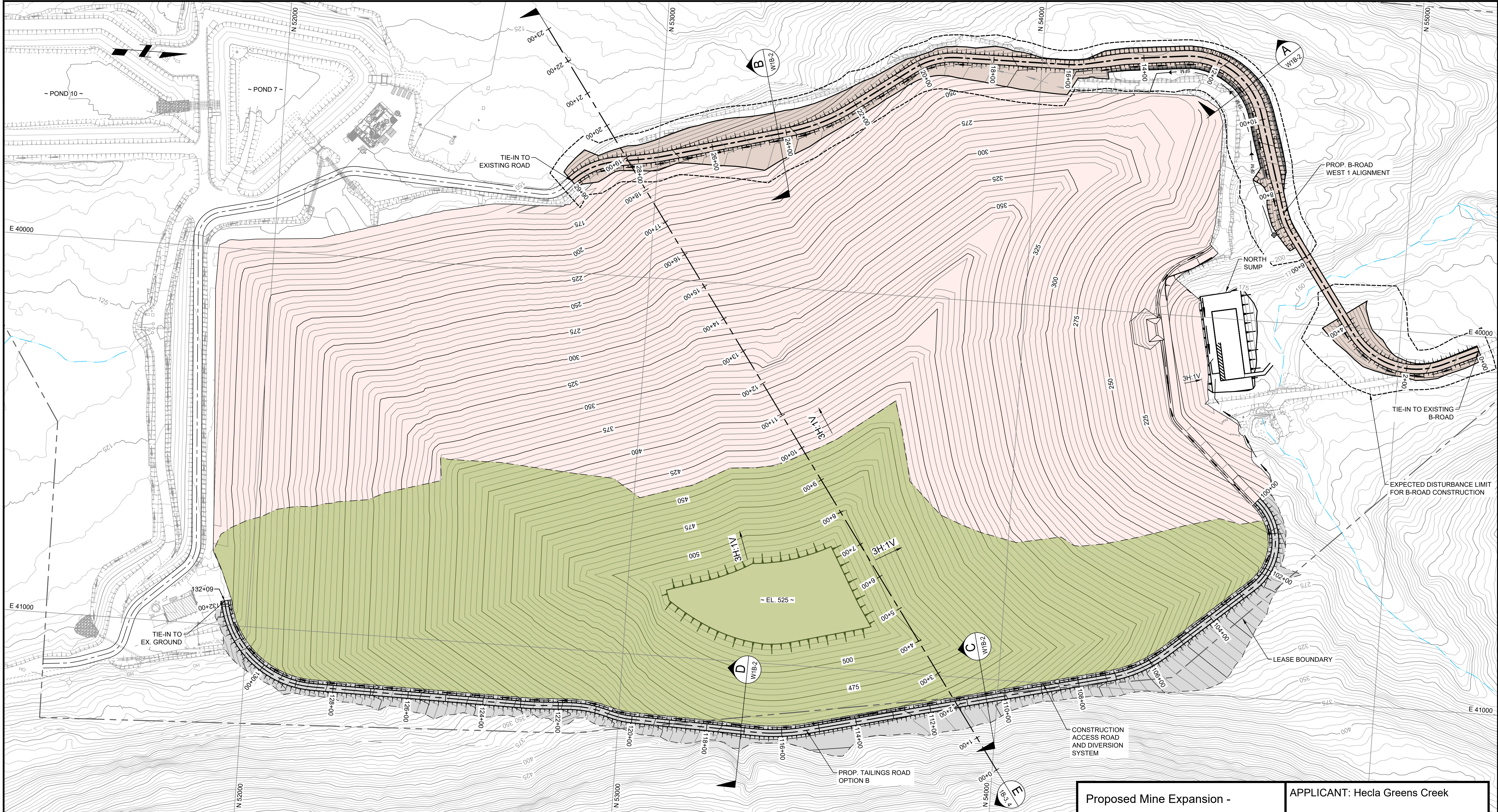
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Feet  
HORIZONTAL DATUM:  
NAD 1983, State Plane Zone 4

- Existing Permitted Disturbance Area
- Lease Boundary
- NEP Additional Proposed Disturbance Area
- Streams

- Wetland Impact
- PEM1H
  - PFO4
  - PEM1
  - PEM1 cleared
  - Waters of the US

APPLICANT: Hecla Greens Creek  
FILE NO: POA-1988-269  
WATERWAY: Cannery Creek  
LOCATION: 58.116917N 134.746735W  
SHEET 4 OF 10  
DATE: 04/05/2023





**NOTE**

1. EXISTING TOPOGRAPHY AND INFRASTRUCTURE LOCATIONS PROVIDED BY HECLA GREENS CREEK MINING COMPANY.

**LEGEND**

EXISTING	---	MINE LEASE BOUNDARY	~~~~~	CUTOFF WALL
---	---	EXISTING TOP OF SLOPE	---	PROPOSED TOP OF SLOPE
---	---	EXISTING DITCH	---	DITCH
---	---	SURFACE CONTOURS (MAJOR)	---	ADDITIONAL TAILINGS STORAGE ABOVE PROPOSED ACTION
---	---	SURFACE CONTOURS (MINOR)	---	PROPOSED ACTION FINAL TAILINGS SURFACE
---	---	CREEK	---	RELOCATED B-ROAD
---	---	TRANSMISSION LINE AND POLES	---	

PLAN  
SCALE A

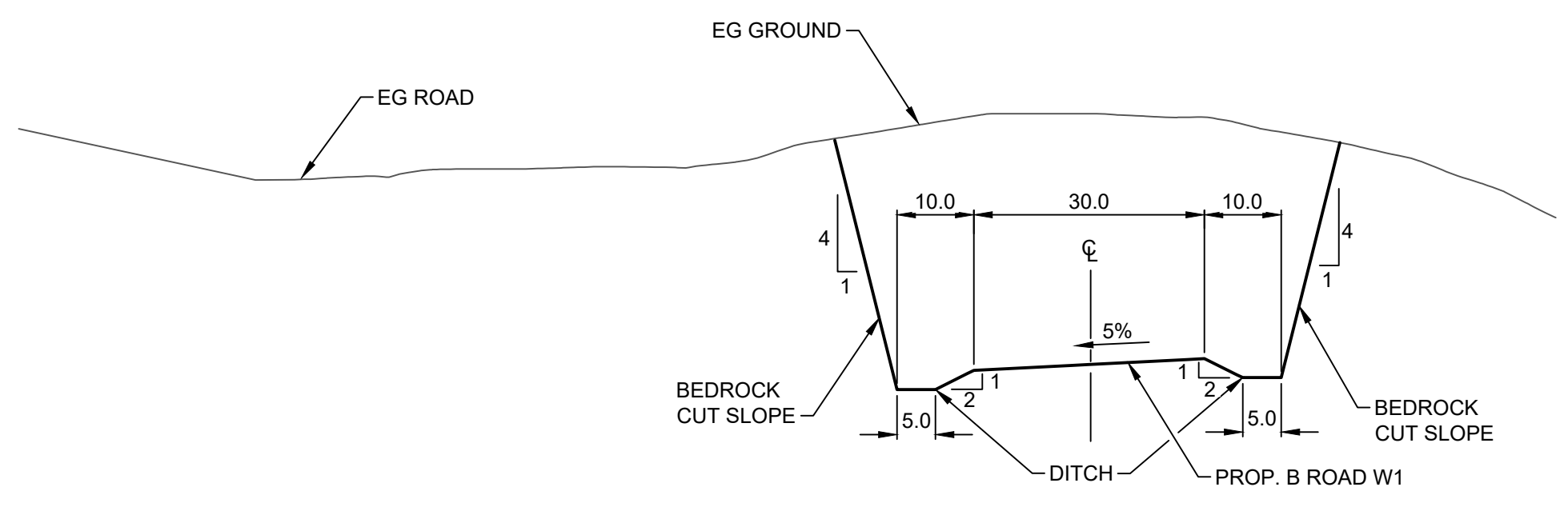
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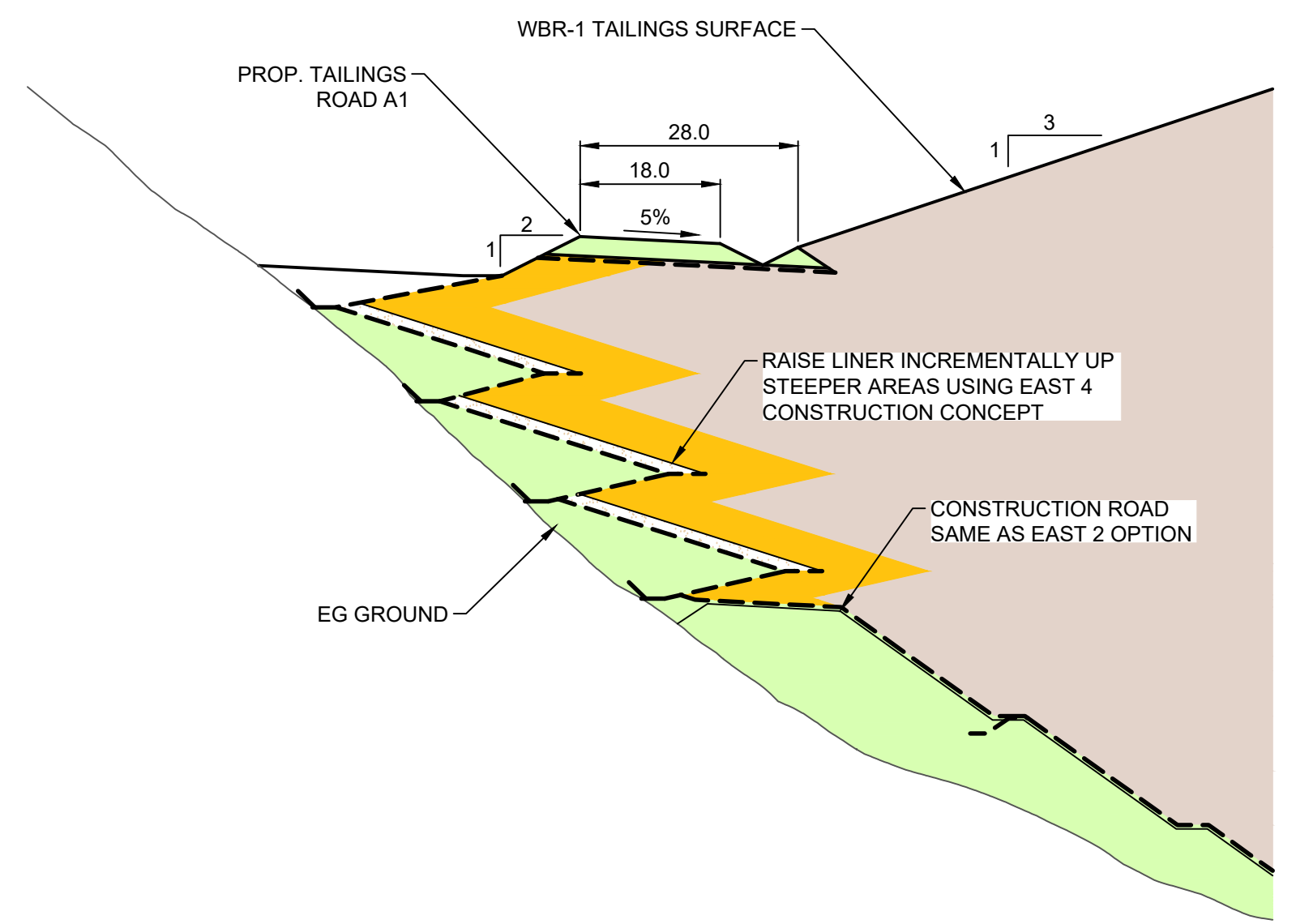
Proposed Mine Expansion -  
Tailings Disposal Facility  
B-Road Trade-Off  
Alternative D  
Hecla Greens Creek

APPLICANT: Hecla Greens Creek  
FILE NO: POA-1988-269  
WATERWAY: Cannery Creek  
LOCATION: 58116917N 134.746735W  
SHEET 5 OF 10  
DATE: 04/05/2023

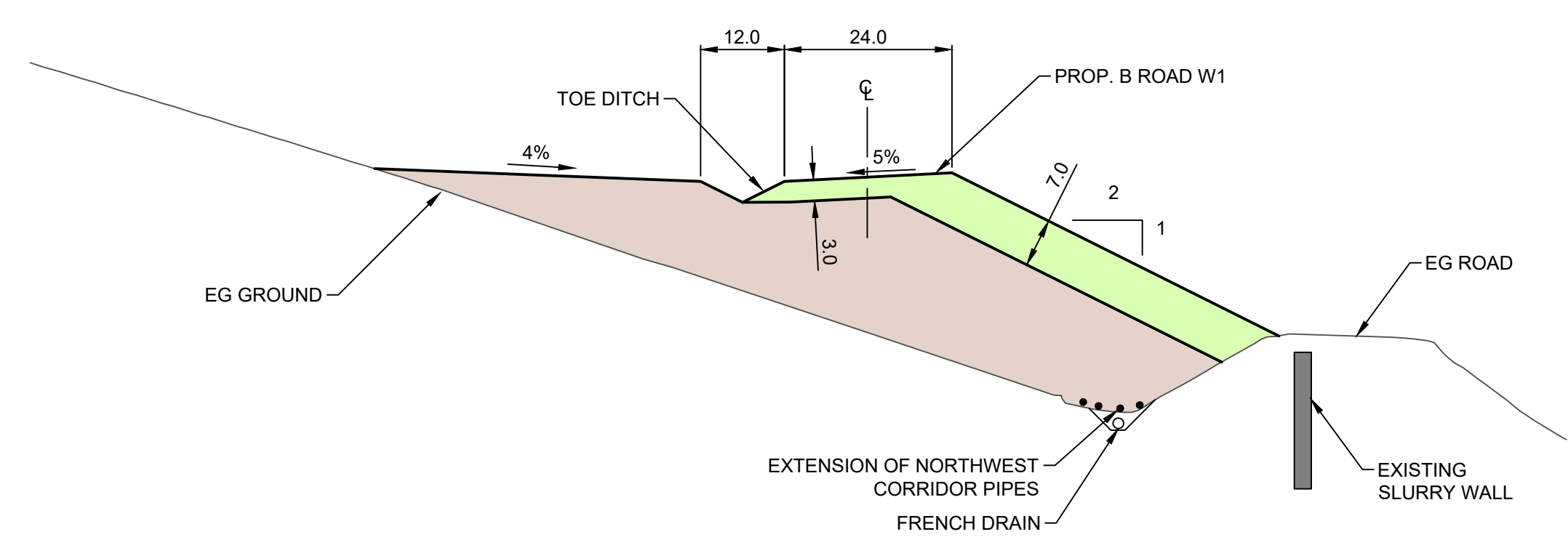




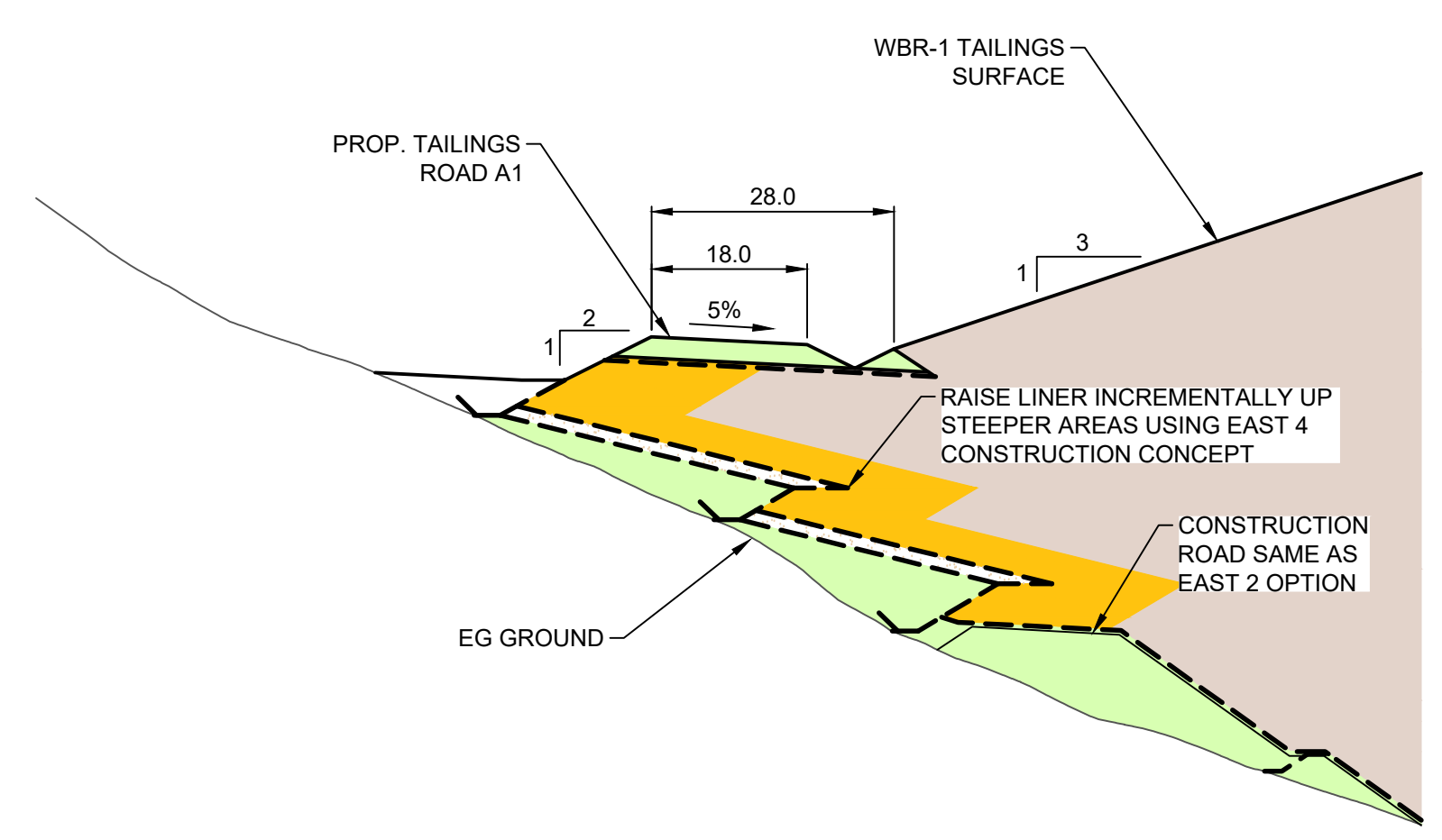
SECTION A  
SCALE A  
W1B-1



SECTION C  
SCALE A  
W1B-1  
NOTE 2



SECTION B  
SCALE A  
W1B-1



SECTION D  
SCALE A  
W1B-1  
NOTE 2

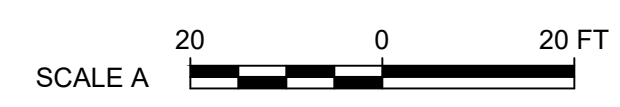
**NOTE**

1. EXISTING TOPOGRAPHY AND INFRASTRUCTURE LOCATIONS PROVIDED BY HECLA GREENS CREEK MINING COMPANY.

2. SECTIONS C AND D APPLY TO THE WEST 1, 2 AND 3 OPTIONS.

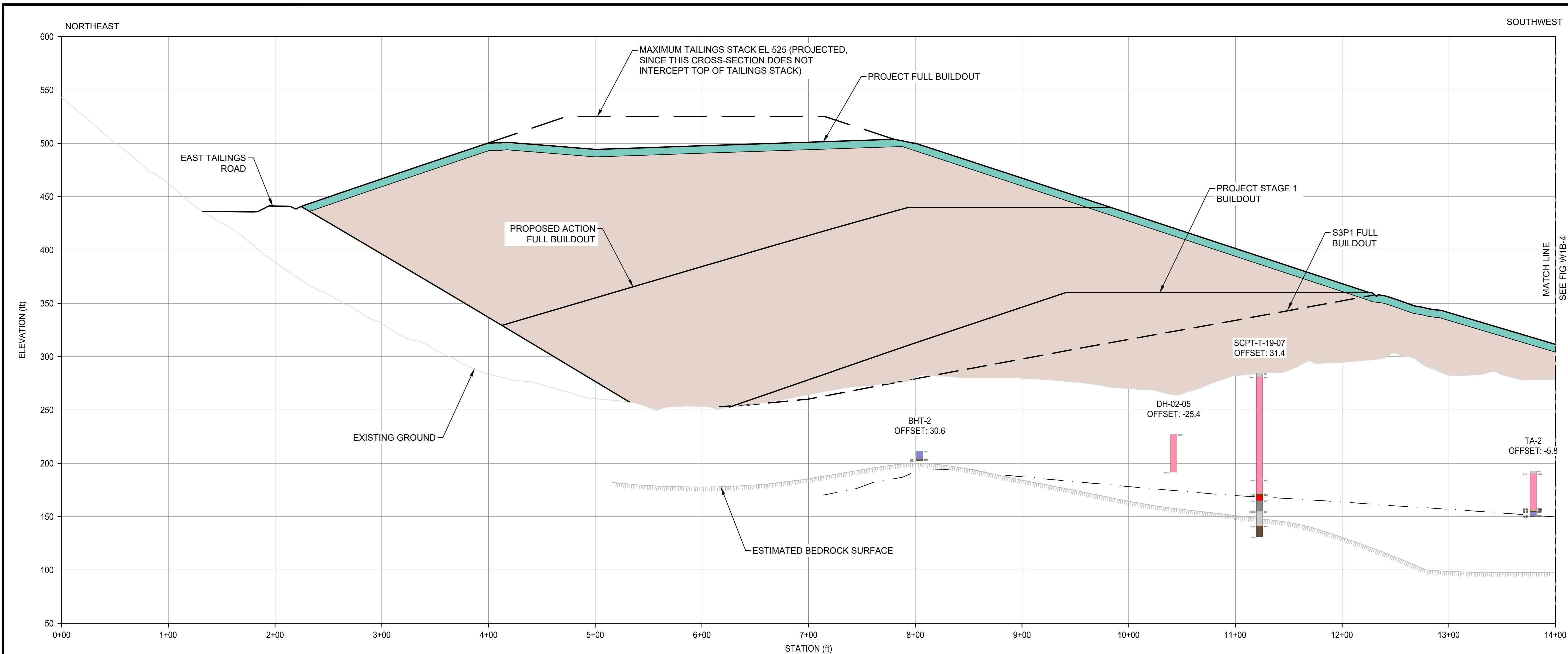
LEGEND	
PROPOSED	
CLEAN FILL (ROAD BASE / COVER MATERIAL)	
TAILINGS	
SERVICE LAYER	
GRANULAR FILL	
GEOMEMBRANE	

NOT FOR CONSTRUCTION



Proposed Mine Expansion - Tailings Disposal Facility Full Buildout Cross Sections Hecla Greens Creek	APPLICANT: Hecla Greens Creek FILE NO: POA-1988-269 WATERWAY: Cannery Creek LOCATION: 58.116917N 134.746735W SHEET 6 OF 10 DATE: 04/05/2023
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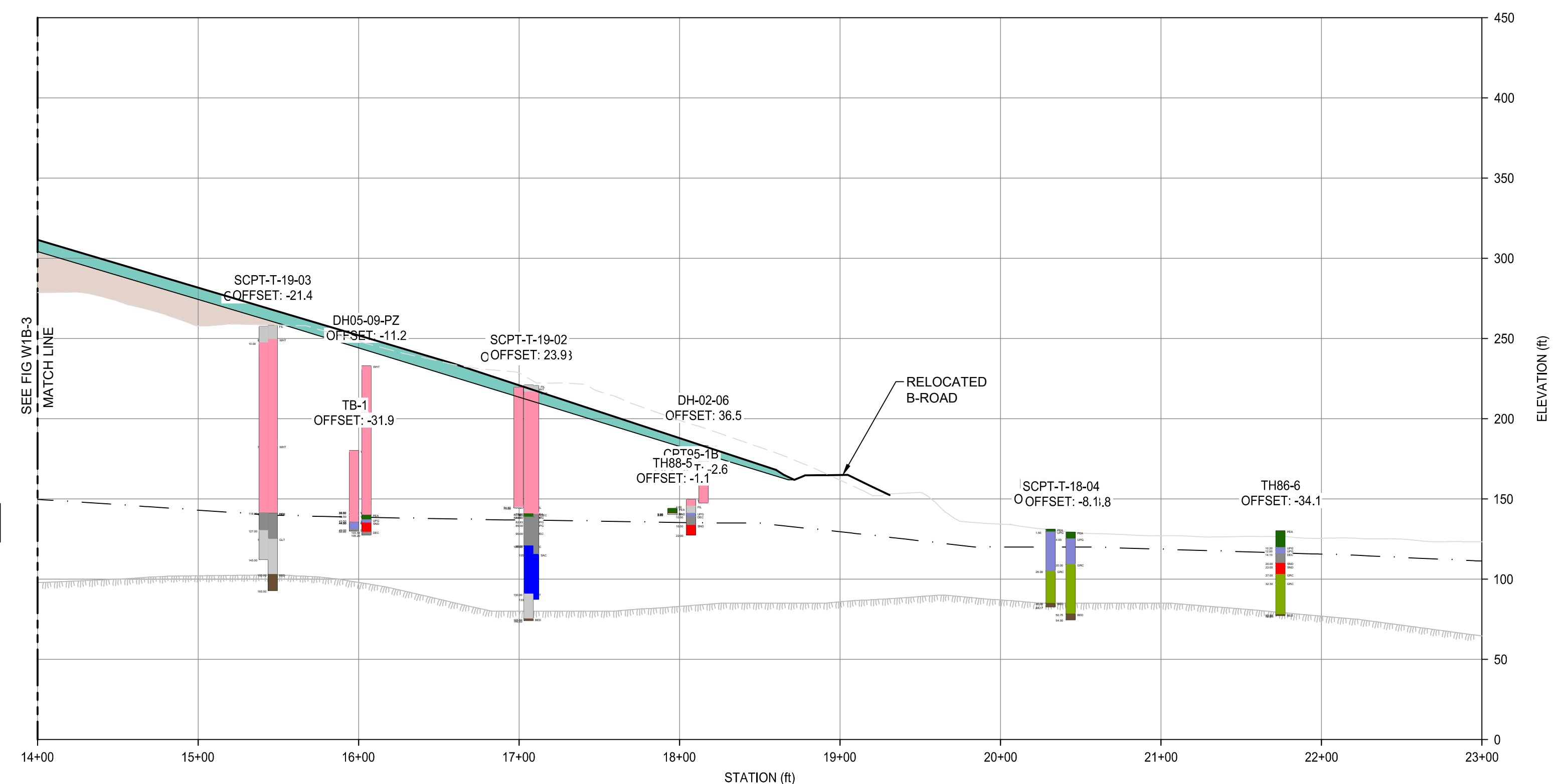
SECTION E  
SCALE A  
W1B-1

## LEGEND

EXISTING	
	FOUNDATION UNIT BOUNDARY
	BEDROCK SURFACE
	PROJECT FULL BUILDOUT
	CURRENTLY PERMITTED FULL BUILDOUT
	BOTTOM OF STACK
	2020 GROUND SURFACE
PROPOSED	
	CLOSURE COVER
	PROJECT TAILINGS
	TAILINGS STACK FOUNDATION LINER

LEGEND DRILLHOLE LOGS	
	WHT Whole Tailings
	PEA Peat and Organic Soils
	UPG Upper Granular
	DEC Desiccated Clay
	LSS Laminated Sand and Silt
	GRC Gravelly Clay
	BED Bedrock

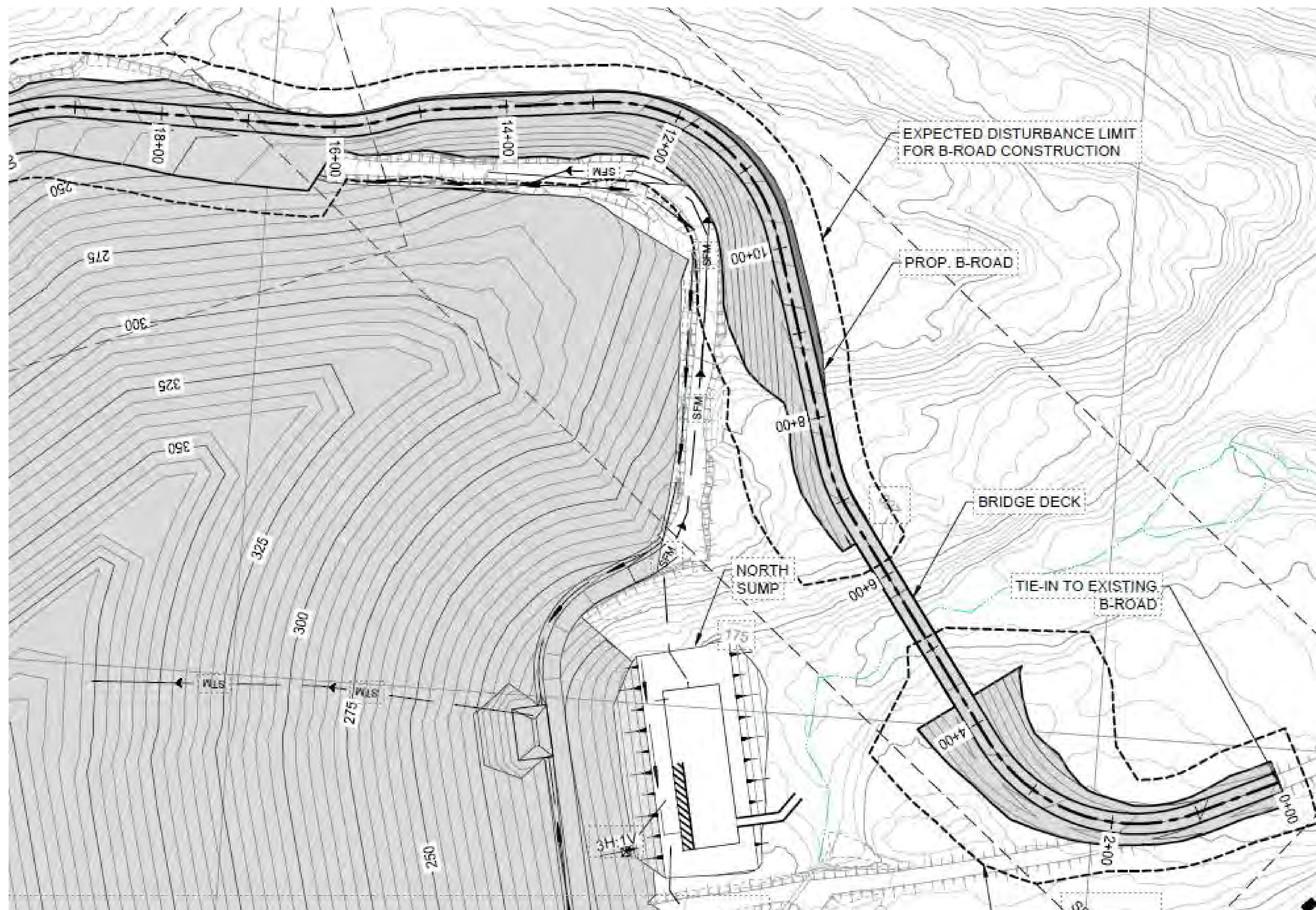
NOT FOR CONSTRUCTION



SECTION E  
SCALE A  
W1B-1

Proposed Mine Expansion  
-Tailings Disposal Facility  
Full Buildout  
Cross Sections  
Hecla Greens Creek

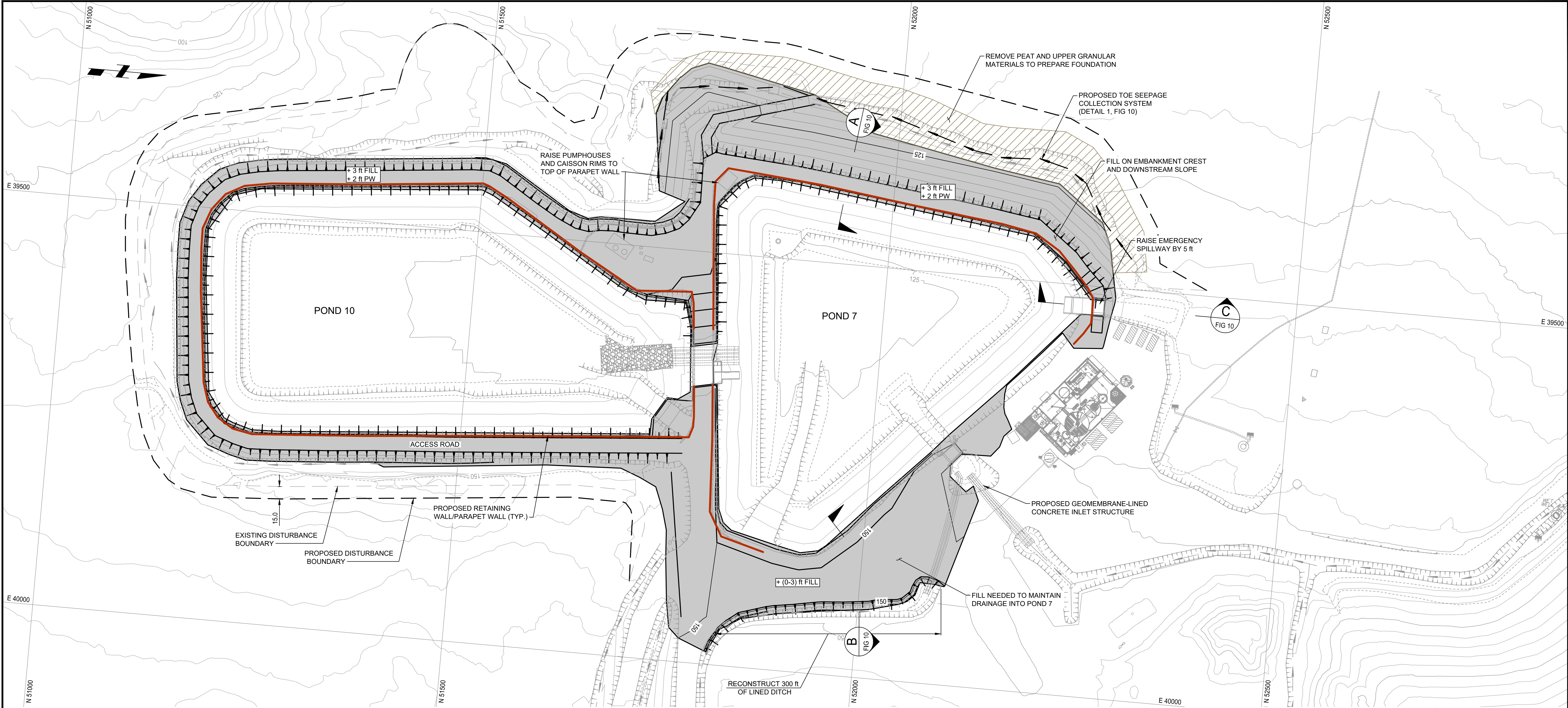
APPLICANT: Hecla Greens Creek  
FILE NO: POA-1988-269  
WATERWAY: Cannery Creek  
LOCATION: 58.116917N 134.746735W  
SHEET 7 OF 10  
DATE: 04/05/2023



Proposed Mine Expansion -  
Tailings Disposal Facility  
Bridge at Cannery Creek  
Hecla Greens Creek

APPLICANT: Hecla Greens Creek  
FILE NO: POA-1988-269  
WATERWAY: Cannery Creek  
LOCATION: 58.116917N 134.746735W  
SHEET 8 OF 10  
DATE: 04/05/2023





**NOTES**

1. EXISTING TOPOGRAPHY AND INFRASTRUCTURE LOCATIONS PROVIDED BY HECLA GREENS CREEK MINING COMPANY.

**LEGEND**

EXISTING		PROPOSED	
	EXISTING TOP OF SLOPE		PROPOSED TOP OF SLOPE
	EXISTING DITCH		PROPOSED SEEPAGE
	SURFACE CONTOURS (MAJOR)		HEIGHT OF FILL AND PARAPET WALL (PW)
	SURFACE CONTOURS (MINOR)		PROPOSED CLEAN FILL

**PLAN**

1:60

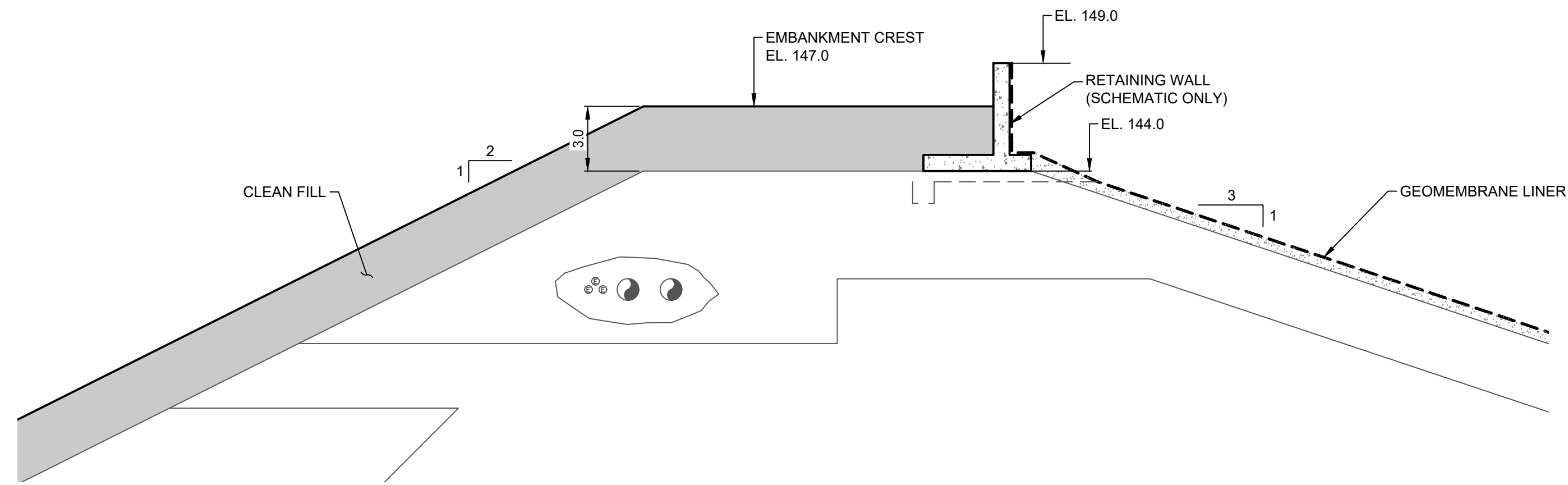
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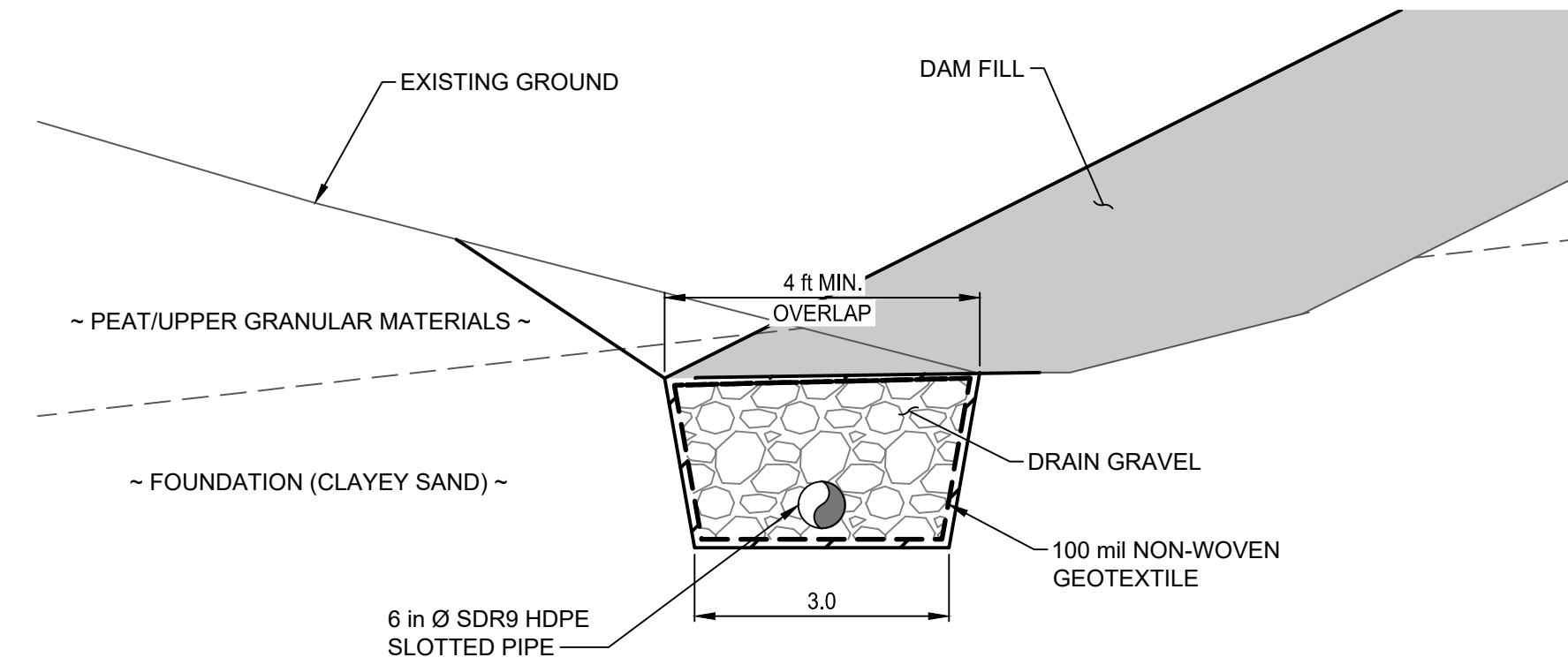
Proposed Mine Expansion -  
Pond 7/10 Expansion  
Hecla Greens Creek

APPLICANT: Hecla Greens Creek  
FILE NO: POA-1988-269  
WATERWAY: Cannery Creek  
LOCATION: 58.116917N 134.746735W  
SHEET 9 OF 10  
DATE: 04/05/2023

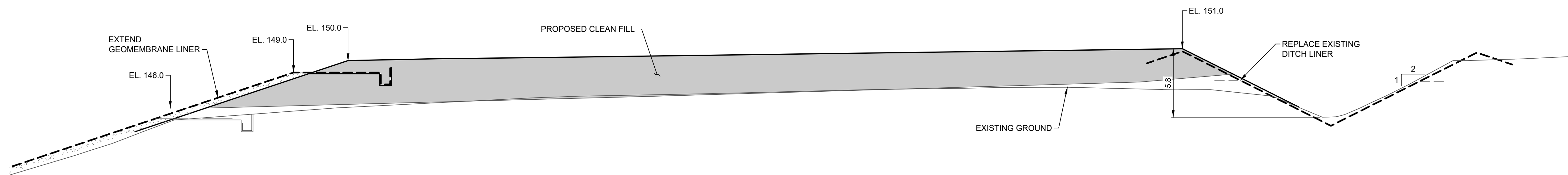




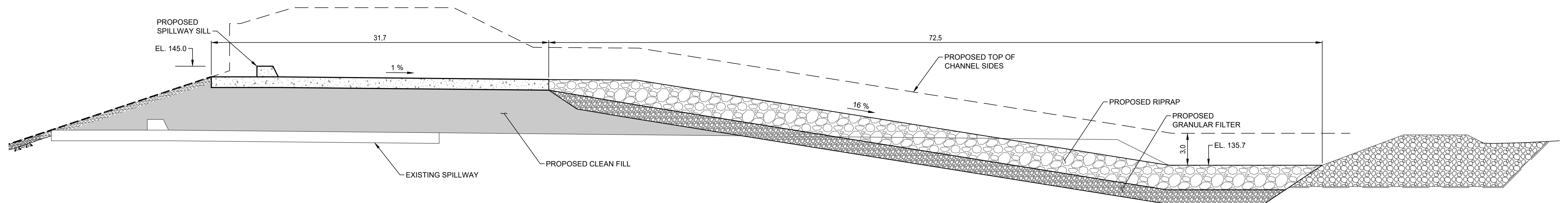
SECTION **A** EMBANKMENT CREST AND  
SCALE A FIG 9 GEOMEMBRANE DETAIL (TYP.)



DETAIL **1** TOE SEEPAGE COLLECTION  
SCALE B FIG 9 SYSTEM (TYP.)

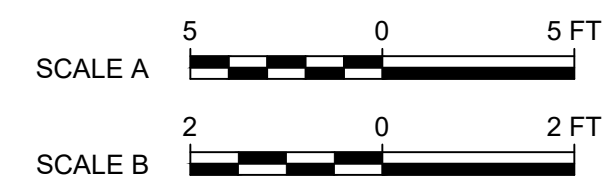


SECTION **B** POND 7 LAYDOWN FILL  
SCALE A FIG 9



SECTION **C** EMERGENCY SPILLWAY PROFILE  
SCALE A FIG 9

NOT FOR CONSTRUCTION



Proposed Mine Expansion -	APPLICANT: Hecla Greens Creek
Pond 7/10 Expansion	FILE NO: POA-1988-269
Cross Sections A/B/C	WATERWAY: Cannery Creek
Hecla Greens Creek	LOCATION: 58.116917N 134.746735W
	SHEET 10 OF 10
	DATE: 04/05/2023