



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

PUBLIC NOTICE DATE: June 5, 2018

EXPIRATION DATE: July 5, 2018

REFERENCE NUMBER: POA-1984-12-M51

WATERWAY: Middle Fork Red Dog
Creek

*****PUBLIC NOTICE RESPONSE PERIOD EXTENDED*****

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

All comments regarding this Public Notice (PN) 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. All comments should include the PN reference number listed above.

All comments should reach this office no later than the expiration date of this PN to become part of the record and be considered in the decision. Please contact Janet Post at (907) 753-2831, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at janet.l.post@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Teck Alaska Incorporated, Attention: Chris Eckert, 3105 Lakeshore Drive, Bldg. A, Suite 101, Anchorage, AK, 99517, Tel. 907-754-5139, email: chris.eckert@teck.com.

LOCATION: The project site is located within Section 29, T. 31N., R. 18W., Kateel River Meridian; Latitude 68.0520° N., Longitude 162.8479° W.; near Kivalina, Alaska.

PURPOSE: The applicant's stated purpose is to expand the Red Dog Mine's Tailings Storage Facility and Waste Dump facility to contain mill material and waste rock from the Red Dog Mine's Aqqaluk and Qanaiyaq deposits.

PROPOSED WORK:

- Waste dump facility and access road: Placement of contaminated waste rock from Aqqaluk and Qanaiyaq deposits into 31.7 acres, including uplands and wetlands.
- Tailings storage pond: The placement of 68,085 cubic yards (CY) of clean fill into 12 acres of uplands, and the placement of 20,104 CY of clean gravel into 12.5 acres of wetlands to raise the level of the Red Dog Mine Tailings Pond. This will include raising all sides of the tailings pond, including the main and back dams from 986 feet to 1,006 feet above mean sea level in phases between 2018 and 2024. The main haul road will also be relocated to accommodate the back dam raise.
- All work would be performed in accordance with the enclosed main waste dump extension plans (sheets 1-3), dated March 8, 2018 and tailings pond expansion (sheet 1) dated March 8, 2018.

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

a. Proposed Avoidance:

Main Waste Dump Extension: "The design of the Main Waste Dump Extension has been confined within the drainage basin currently captured by mine operations to avoid impacting wetlands and waters outside of the currently affected operational area. The proposed footprint has been placed in an area where a 2017 wetland survey showed minimal wetland resources."

Tailings Pond Expansion: "The tailings expansion extends the operational life of the existing tailings facility. All new fill is contained within the same watershed for the mine operation. The haul road is routed around mapped wetlands."

b. Proposed Minimization:

Main Waste Dump Extension: "The design of the Main Waste Dump Extension has been reduced to the minimum amount necessary to provide for the environmentally safe storage of the waste rock and maintain drainage from the waste rock into the tailings pond or main pit water storage areas. Several design options were put forth; the design with the smallest footprint is presented in this application."

Tailings Pond Expansion: "The use of existing components decreases fill in wetlands. Culverts will be placed at road stream crossings and will be designed to manage the expected flows. Construction BMPs will be implemented under the Alaska DEC Red Dog Mine Pollution Prevention Plan and APDES permit."

c. Proposed Compensatory Mitigation:

"Teck Alaska worked with NANA to identify lands in proximity to the Red Dog Mine that have a threat of destruction or adverse modification. Along the North Fork of Red Dog Creek, there is an area that has been considered for natural gas exploration and mine development including the drilling of exploration gas wells. The North Fork of Red Dog Creek has a long history of fish studies and habitat inventory. This data substantiates the fish value of the area (Ott and Bradley 2017).

"An area of high-value wetland riparian habitat in this exploration area is proposed to be protected with a deed restriction. This site provides important function for the watershed by providing habitat and water quality for anadromous and resident fish, both at the site and downstream, and for terrestrial mammals and vegetative subsistence resources. Permanently protecting this area will contribute to the ecological sustainability of the watershed by helping to maintain subsistence-related aquatic resources.

"Additionally, the North Fork of Red Dog Creek flows to the Wulik River, which is the source of drinking water for Kivalina. The area is under potential threat of development from natural gas and mineral development. A permanent deed restriction will ensure the stream and riparian areas are buffered from any future development".

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 Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. The permit area has been determined to be 13 acres of wetlands. The applicant has submitted a cultural resource survey prepared by WHPacific for the proposed bulk fuel tank pad expansion project. The survey states that the following cultural resources are located within a one-mile vicinity of the permit area:

DEL-00158, DEL-00159, DEL-00163, DEL-00166, DEL-00168, DEL-00169, DEL-00171, DEL-00172, DEL-00182, DEL-00240, DEL-00246, DEL-00281, DEL-00282, DEL-00283, DEL-00284, DEL-00285, DEL-00286, DEL-00287, DEL-00288, DEL-00289, DEL-00292, DEL-00293, DEL-00294, DEL-00343, DEL-00377, DEL-00378

This application is being coordinated with the State Historic Preservation Office (SHPO). SHPO has requested a status update and condition assessment of the known AHRS sites

within the Red Dog Mine Boundary; the inventory and documentation be conducted by individuals meeting the Secretary of the Interior's professional standards; documentation provided to AK SHPO to include updated AHRs cards; a professional report that will include revised recommendations of eligibility on known sites; and should new sites be identified during survey, then they will also be documented and included in the report to USACE and AK SHPO pursuant 36 CFR 800.

Any additional comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work. The Corps of Engineers (Corps) has made a No Historic Properties Affected (No Effect) determination for the proposed project. The Corps is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: The project area is within the known or historic range of the Steller's eiders (*Polysticta stelleri*).

We are currently gathering information regarding these species and have yet to make a determination of effect. Should we find that the described activity may affect the species listed above, and/or their designated critical habitat, we will follow the appropriate consultation procedures under section 7 of the Endangered Species Act of 1973 (87 Stat. 844). Any comments the U.S. Fish and Wildlife Service or the National Marine Fisheries Service 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, as amended by the Sustainable Fisheries Act (NMFS) 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).

No EFH species are known to use the project area, and we have determined the described activity would not adversely affect EFH.

TRIBAL CONSULTATION: The Alaska District 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 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 PN 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 right or resource. 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 of Engineers (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 waters of the United States – 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 and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures

STATE OF ALASKA
DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

**NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION**

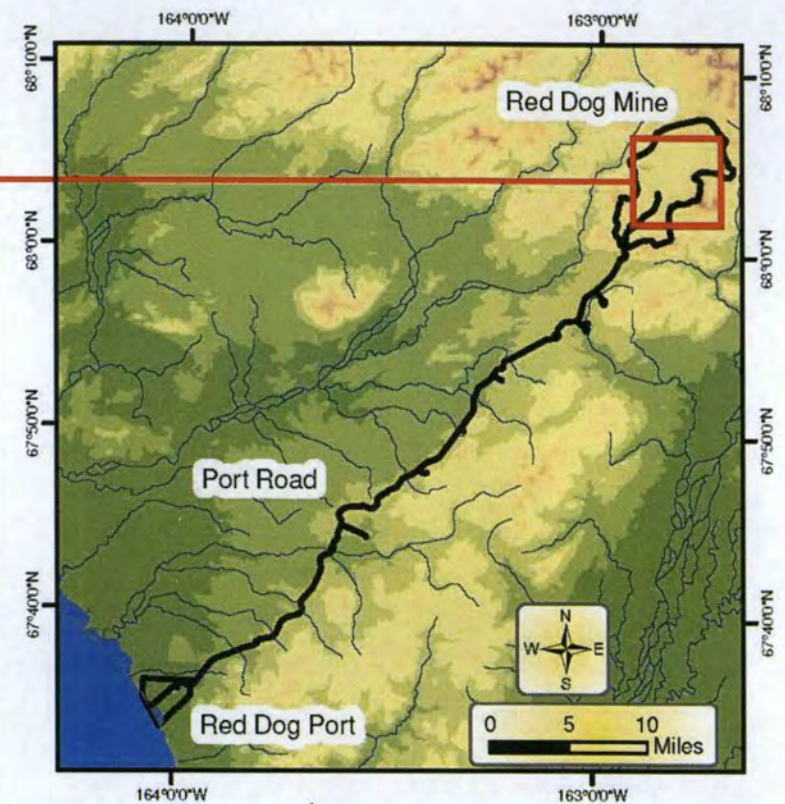
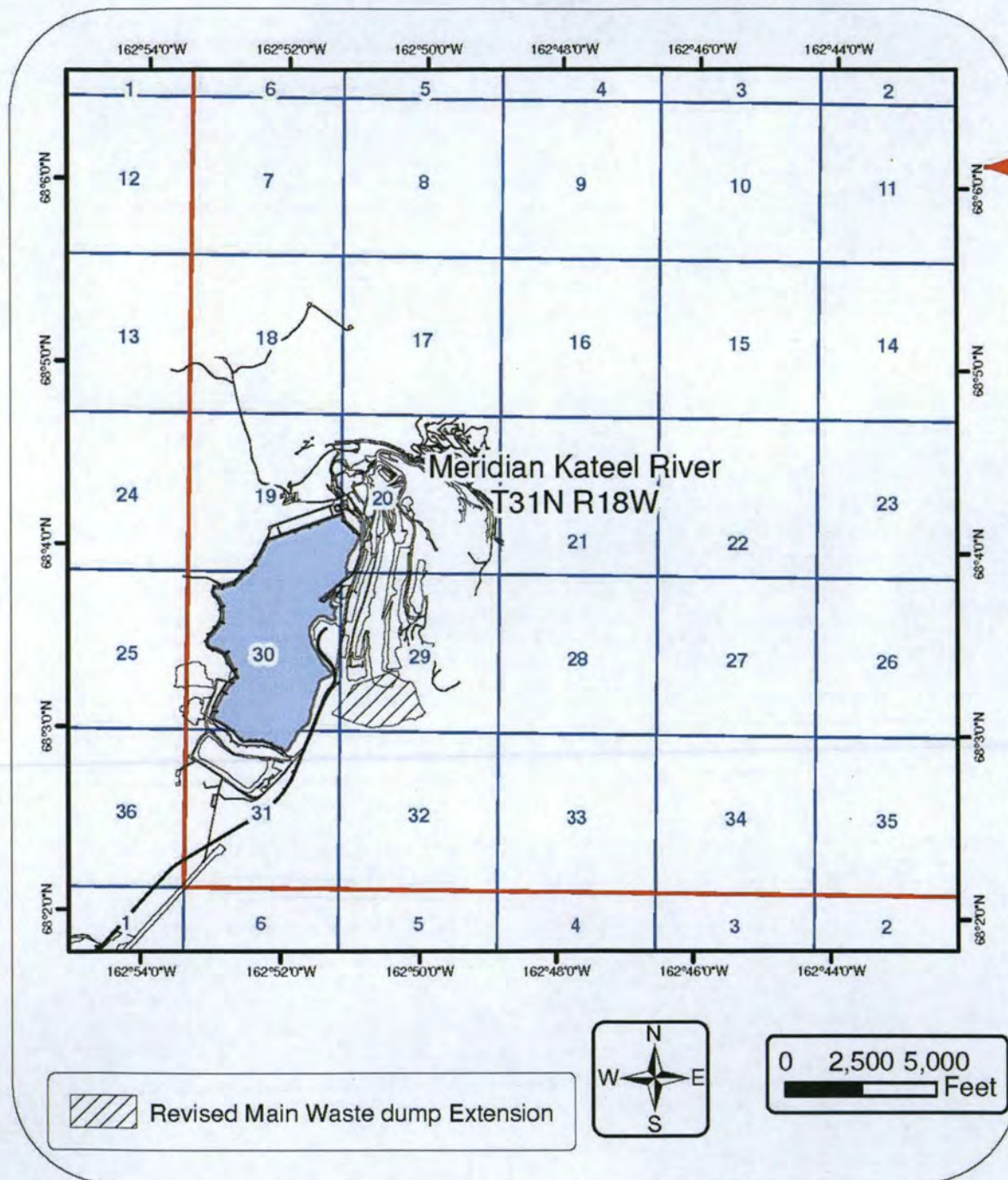
Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **1984-12-M51, Middle Fork Red Dog Creek**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.

Red Dog Mine Main Waste Dump Extension General Location - Revised Design

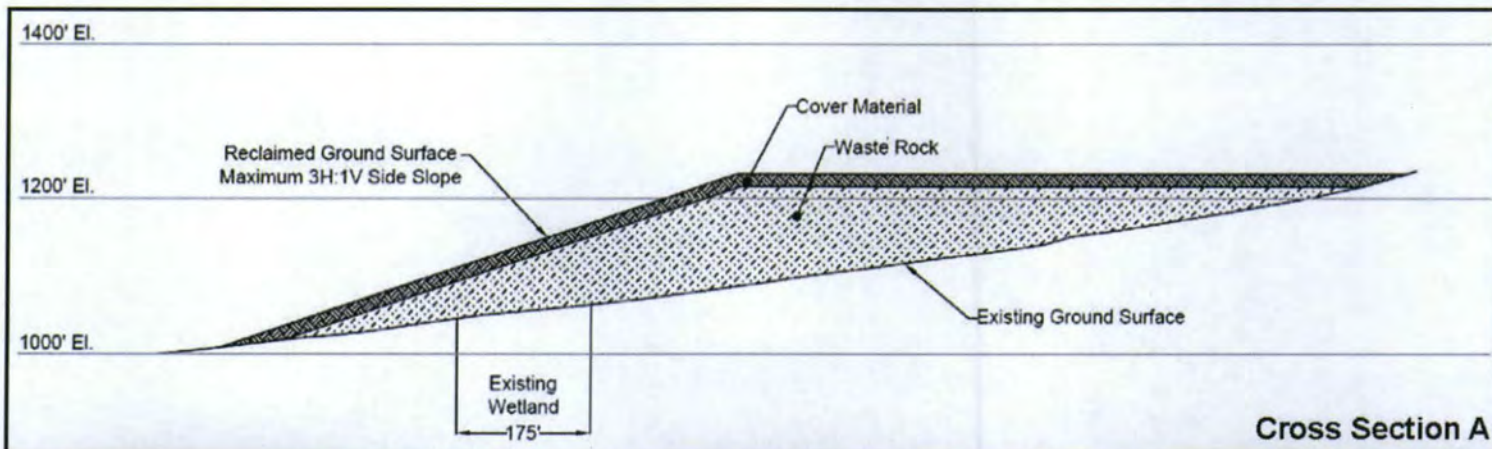


POA-1984-12-M51

Teck Alaska

Mar 8, 2018

Sheet 1 of 3



Waste Dump
Extension Area

Temporary Access
Road

0 250 500 1,000
Feet

POA-1984-12-M51 1:6,000
Teck Alaska 1 inch = 500 feet
Mar 8, 2018
Sheet 2 of 3

**Red Dog Mine
Main Waste Dump Extension
Wetland Disturbance
Plan View and Cross Section**



Legend

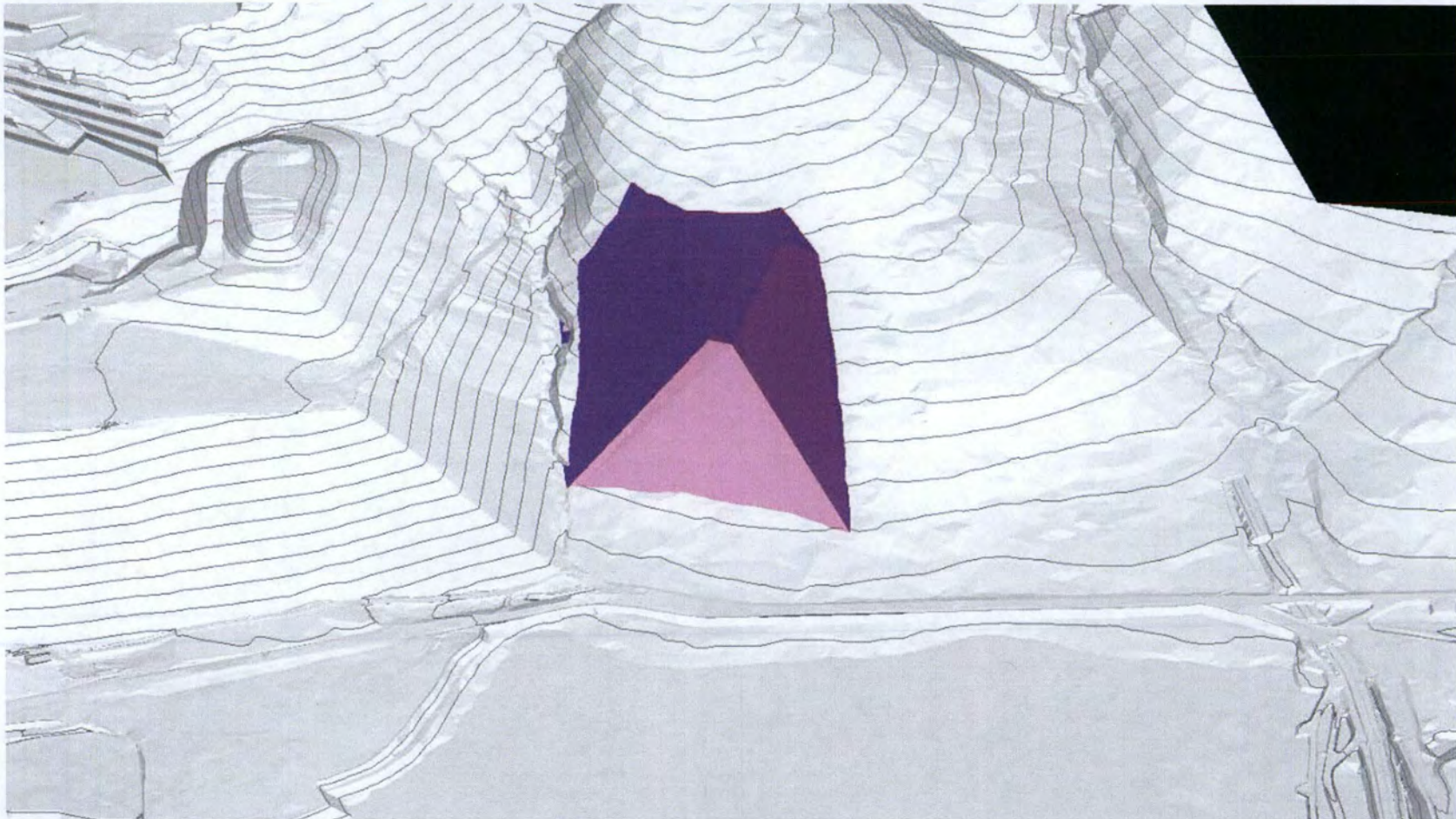
- Project Footprint (Upland)
- Project Footprint (Wetland Status to be Determined)
- Project Footprint (Wetland)
- Undisturbed Wetland

0 500 1,000 2,000
Feet

1:15,000 POA-1984-12-M51
1 inch = 1,250 feet Teck Alaska
Mar 8, 2018

**Red Dog Mine
Main Waste Dump Extension
and Tailings Expansion
Wetland Disturbance**

Revised Design - Main Waste Dump Extension



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Red Dog Teck Alaska
Mar 8, 2018
Sheet 3 of 3