



US Army Corps
of Engineers
Alaska District

Special Public Notice

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

PUBLIC NOTICE DATE: January 26, 2026

EXPIRATION DATE: February 24, 2026

REFERENCE NUMBER: POA-1995-00120

WATERWAY: Kuskokwim River

Notice of Intent to Prepare a Supplemental Environmental Impact Statement

SUBJECT: This notice is to inform interested parties that the U.S. Army Corps of Engineers, Alaska District-Regulatory Division (USACE), intends to prepare a supplemental environmental impact statement (SEIS) for the Donlin Gold Mine Project (Project). The preparation of a SEIS is needed to meet the requirement of the U.S. District Court (D. Alaska) remand in *Orutsararmiut Native Council, et al. vs. U.S. Army Corps of Engineers, et al.* to evaluate the impacts of a larger tailings spill from the permitted Project. In accordance with the National Environmental Policy Act (NEPA), as amended, 42 U.S.C. 4321 et seq., USACE is preparing a SEIS to analyze these impacts prior to deciding whether to modify, reaffirm, or rescind the existing permit issued under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act (Section 10/404 permit) for the proposed Project. As required by NEPA and USACE's implementing regulations at 33 C.F.R. 333.18, USACE has published this notice of intent to prepare a SEIS to inform the public.

LOCATION: The Mine Site is located at Latitude 62.0179° N., Longitude 158.1884°W, 277-miles west of Anchorage and 10-miles north of Crooked Creek village. The river port (Jungjuk) is located on the north bank of the Kuskokwim River approximately 9-river miles south of Crooked Creek village at Latitude 61.7952° N, Longitude 158.2142° W. The Mine Site airstrip is located approximately 15.5-miles northwest of Crooked Creek village at Latitude 62.0319°N, Longitude 158.2351°W. The natural gas pipeline tie in near the community of Beluga is located at Latitude 61.2694° N Longitude 150.9017°W.

APPLICANT: Donlin Gold LLC
2525 C Street Suite 450
Anchorage, AK 99503

PROJECT DESCRIPTION: Donlin Gold LLC (Donlin Gold) is owned by NOVAGOLD Resources Alaska Inc., a wholly owned subsidiary of NOVAGOLD Resources Inc., and Donlin Gold Holdings LLC, a company wholly owned by investment funds managed by Paulson Advisers LLC. Donlin Gold has proposed the development of a gold mine in southwestern Alaska, which has been permitted by USACE. The resource area for the mine spans lands selected by Calista Corporation and The Kuskokwim Corporation under the Alaska Native Claims Settlement Act.

The Project encompasses the construction of an open-pit mine, tailings storage facility (TSF), a 316-mile natural gas pipeline originating from Cook Inlet, a natural-gas-fired power plant, advanced processing facilities, designated waste management areas, and the necessary transportation infrastructure to support year-round operations. The primary transportation components include a port facility at Angyaruaq (Jungjuk), a 30-mile mine access road from the port (west of Crooked Creek), a 5,000-foot airstrip, airstrip spur road, and material sites. The natural gas pipeline will cross portions of federal lands managed by the Bureau of Land Management (BLM), for which BLM has issued a right-of-way (ROW).

The TSF would consist of a main, lined dam embankment; two temporary, lined, freshwater diversion dams (FWDDs); a fully lined impoundment; a reclaim water system; and a seepage recovery system (SRS). Built in phases, the facility would have the capacity to store 568 million tons, or 335,000 acre-ft of tailings. The height of the tailings dam at completion would be 471 feet and the TSF would have a maximum capacity of 366,000 acre-ft. The tailings dam footprint would be excavated to bedrock, constructed using compacted rockfill, a prepared underlayer, and lined with a 60-mil (0.06-inch) linear low-density polyethylene (LLDPE) composite liner on the upstream face. The tailings impoundment footprint would be lined with a 60-mil (0.06-inch) textured LLDPE liner.

The FWDDs would limit the amount of fresh water entering the TSF during operations and provide control of the volume of water in the impoundment during the first three years of operation. At the end of the third year, the FWDDs would be decommissioned, their liners removed, and the areas regraded. During dam construction, the FWDDs would minimize runoff to the impoundment and facilitate construction of the facility's starter dam and placement of the liner.

Runoff to the TSF would be controlled with staged diversion channels built on both sides of the facility, in addition to the two temporary upstream FWDDs. An SRS consisting of a pond, diversion ditches, and monitoring/seepage collection wells would be constructed immediately downstream of the dam. During operations, water from the SRS would be used as process water, pumped back into the impoundment, or treated and discharged. Evaporators would be used to reduce pond size and secondarily to control beach dust.

The construction of all Project components (Mine Site, Transportation Corridor, and Pipeline) will result in the discharge of 4,368,300 cubic yards (cy) of fill material, permanently impacting 2,877 acres of wetlands, 3 acres of fill below the Ordinary High Water Mark (OHWM) of the Kuskokwim River, and 172,844 linear feet of stream, and temporarily impacting 538 acres of wetlands and 53,346 linear feet of stream.

PROJECT BACKGROUND AND U.S. DISTRICT COURT ORDER: In July 2012, Donlin Gold sought a Section 10/404 permit from USACE to allow for the discharge of fill within waters of the U.S. and construction in navigable waters. In April 2018, USACE, as the lead federal agency, published the final environmental impact statement (FEIS) for the Project with the BLM as a cooperating agency. A joint record of decision (JROD) between USACE and the BLM was signed in August 2018, authorizing both the discharge of fill into waters of the U.S. and the ROW over federal lands along the pipeline route.

The FEIS analyzed the potential impacts of a hypothetical failure of the TSF Main Dam, considering a release equivalent to approximately 0.5 percent of the TSF's total capacity. This assessment was informed by an early-stage failure modes and effects analysis. The Orutsararmiut Native Council filed suit in Alaska U.S. District Court, arguing that a larger volume tailings spill should have been evaluated under NEPA.

In September 2024, the District Court found in favor of the Plaintiffs on the tailings spill NEPA claim, stating that the FEIS and the BLM's Alaska National Interest Lands Conservation Act (ANILCA) Section 810 analyses should have evaluated the effects of a larger tailings spill. In June 2025, the Court issued an Order, remanding the FEIS to USACE and the BLM to supplement the FEIS with the evaluation of a larger tailings spill without vacating the Corps' and BLM's authorizations for the Project.

The Court did not specify the size of the tailings spill to be analyzed, and the Order specifically left in place, without supplementation, the other substantive analyses contained within the FEIS and JROD. Therefore, to meet the requirements of the narrow remand, this SEIS analysis will focus only on a larger tailings spill (or range of spill scenarios). The SEIS will rely on the baseline information from the FEIS. The SEIS will analyze the resulting social, economic, physical, chemical, and biological impacts of a larger tailings spill (or range of spill scenarios) on the affected areas, including an analysis of subsistence impacts under ANILCA Section 810. Neither additional alternatives nor other impacts will be evaluated.

SUBMITTAL OF PUBLIC COMMENTS: USACE is requesting public comments on the preparation of the SEIS and the analysis of a larger tailings spill (or range of spill scenarios). All comments must be submitted by the expiration date of this notice through one of the following methods listed below in order to be accepted.

Comments may be submitted in written form to the project website: www.DonlinGoldSEIS.com, by email: donlingoldseis-record@aecom.com, or by mail: Donlin Gold SEIS Comments, USACE, Alaska District, Regulatory Division, P.O. Box

6898, JBER, AK 99506-0898. All written comments should include the project name, Donlin Gold Project in the subject.

PURPOSE AND NEED: The purpose is to meet the requirement of the U.S. District Court's (D. Alaska) remand in *Orutsararmiut Native Council, et al. v. U.S. Army Corps of Engineers, et al.* (Case No. 3:23-cv-00071-SLG) to evaluate the impacts of a larger tailings spill.

ALTERNATIVES: The SEIS will analyze the potential impacts of a larger tailings spill under the selected alternative from the JROD (Alternative 2). No other alternatives will be considered.

EVALUATION FACTORS: The decision would be to modify, reaffirm, or rescind the JROD, ROW and/or Section 10/404 permit based on an evaluation of the potential impacts from a larger tailings spill. That decision will reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the analysis of a larger tailings spill will be considered, including reasonably foreseeable future impacts. The SEIS will analyze the potential social, economic, physical, chemical, and biological impacts to the affected areas, specifically as a result of a larger tailings spill (or range of scenarios).

LEAD AND COOPERATING AGENCIES: USACE will serve as the lead federal agency in the preparation of the SEIS. Agencies that are invited to act as cooperating agencies include:

- Bureau of Land Management
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- State of Alaska
- Crooked Creek Traditional Council
- Chuathbaluk Traditional Council
- Knik Tribal Council
- Napaimute Traditional Council
- Aniak Traditional Council
- Akiak Native Community

OTHER ENVIRONMENTAL REVIEW AND CONSULTATION REQUIREMENTS: Other environmental review and consultation requirements that will be incorporated into the SEIS include Executive Order 13175 Consultation and Coordination with Indian Tribal Governments. Consultation for Section 106 of the National Historic Preservation Act of 1966, Section 7 of the Endangered Species Act, and the Magnuson-Stevens Act Essential Fish Habitat is not anticipated for the SEIS.

POTENTIAL IMPACTS: The SEIS will analyze the potential social, economic, physical, chemical, and biological impacts associated with a larger tailings spill under the selected alternative (Alternative 2 of the FEIS). All reasonably foreseeable potential

impacts associated with the potential larger tailings spill (or range of scenarios) will be evaluated in the SEIS.

PUBLIC HEARING: Any person may request, in writing, that a public hearing be held to consider this SEIS. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

SCHEDULE OF DECISION-MAKING PROCESS: The District Engineer will complete the SEIS no later than the date that is 2 years after the date on which the District Engineer publishes this notice of intent to prepare the SEIS. During the process of preparing the SEIS, the District Engineer may publish a draft statement or other materials that in their judgment may assist in fulfilling their NEPA responsibilities. If the District Engineer determines they are not able to meet the deadline prescribed by NEPA Section 107(g)(1)(A), 42 U.S.C. 4336a(g)(1)(A), they must consult with the applicant pursuant to NEPA Section 107(g)(2), 42 U.S.C. 4336a(g)(2). After such consultation, if needed, and for cause stated, the District Engineer may establish a new deadline and must notify the Division Engineer and Headquarters, USACE, of the deadline extension. The Project is covered under the Fixing America's Surface Transportation Act, Title 41 (FAST 41). FAST 41 established a process for improving the timeliness, predictability, and transparency of environmental review and permitting of covered projects for project proponents and the public. The Project's FAST-41 Permitting Dashboard and Timetable may be found at <https://www.permits.performance.gov/permitting-project/fast-41-covered-projects/donlin-gold-project>. USACE and BLM plan to render a final decision to modify, reaffirm, or rescind the original JROD, ROW, and Section 10/404 permit by May 28, 2027.

ADDITIONAL INFORMATION: For additional information regarding the proposed Project plans and construction, please contact the applicant at the address above.

AUTHORITY: The SEIS is required for a permit that was issued under the following authorities:

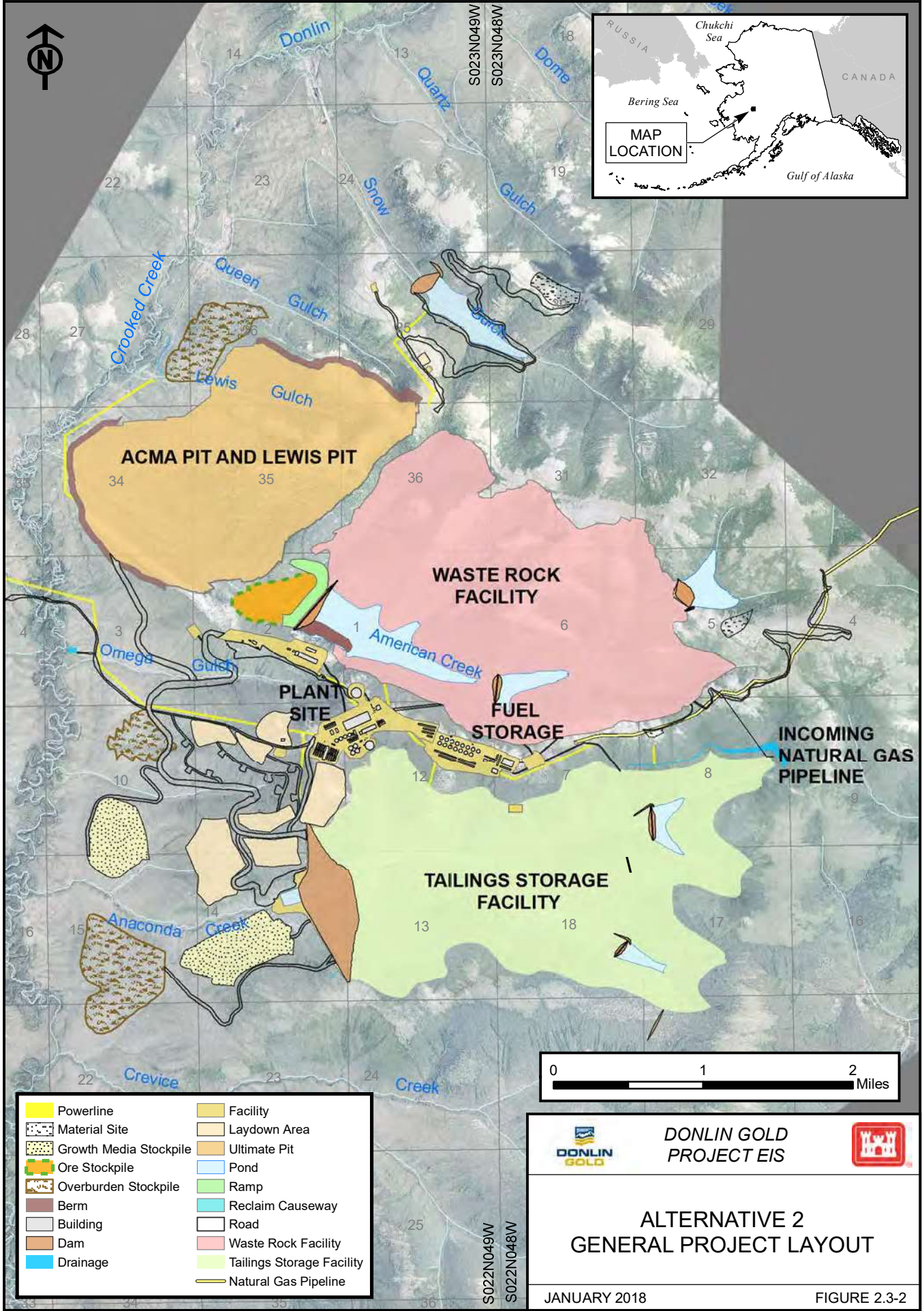
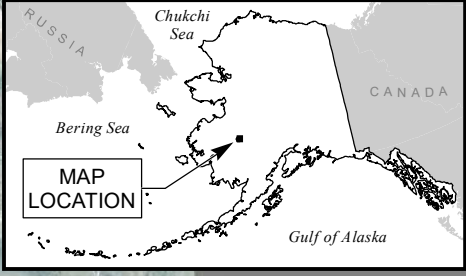
(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344).

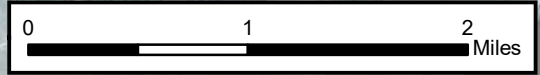
For further information and/or questions about this notice, the NEPA process, please contact Jonathan Hegna at the Alaska District, by telephone: 907-753-2708, by email Jonathan.r.hegna@usace.army.mil, or by mail: U.S. Army Corps of Engineers, Regulatory Division, P.O. Box 6898, Joint Base Elmendorf Richardson, AK 99506-0898.

For inquiries from the media, please contact John Budnik by telephone: (907) 753-2615.

To be added to the Project mailing list and for additional information, please visit the following website: DonlinGoldSEIS.com



Powerline	Facility
Material Site	Laydown Area
Growth Media Stockpile	Ultimate Pit
Ore Stockpile	Pond
Overburden Stockpile	Ramp
Berm	Reclaim Causeway
Building	Road
Dam	Waste Rock Facility
Drainage	Tailings Storage Facility
	Natural Gas Pipeline



DONLIN GOLD PROJECT EIS

**ALTERNATIVE 2
GENERAL PROJECT LAYOUT**

JANUARY 2018 FIGURE 2.3-2