

Donlin Gold Project EIS

ONC Environmental Summit, Bethel

Public Meeting Presentation regarding the Results of Scoping

Wednesday, May 22, 2013, 6:00 pm

Attendance:

Don Kuhle, U.S. Army Corps of Engineers; Amanda Shearer, U.S. Army Corps of Engineers; Taylor Brelsford, URS; and, Moxie Alexie, URS, traveled to the Orutsararmiut Native Council (ONC) Regional Environmental Summit in Bethel for an evening presentation on May 22, 2013 and a morning presentation on May 23, 2013. There was strong attendance at both presentations and there were two different audiences. Approximately 40 people from the general public attended the informational meeting held on the evening of May 22, 2013. Don Kuhle made a presentation describing the proposed Donlin Gold project and the scoping process. Taylor Brelsford presented the results from the public scoping period. There was also a KYUK radio call-in program on the afternoon of May 23, 2013.

Issues Raised:

This is a brief summary of issues and comments during the evening meeting on May 22, 2013.

- The meeting started at approximately 6:05 pm.
- A meeting participant asked about the proposed location of the pipeline alignment and Don clarified using a map.
- A meeting participant asked has the location of port facilities been decided yet? Don stated no, but that information will be available for the Draft EIS.
- Taylor began by stating that there was a lot interest in the scoping meetings and that the Corps and EIS Team learned about a range of issues brought up during scoping. One of the biggest concerns was barge traffic, along with subsistence and traditional use, and mercury concerns.
- A meeting participant asked what would happen to the mercury and tailings if there is an earthquake. Taylor stated that seismic stability and the risk of the tailings dam failing were raised as concerns during the scoping period. Another member of the audience asked who would pay for the cleanup? The purpose of the National Environmental Policy Act (NEPA) process is to take a hard look at these questions, such as seismic risk and possible dam failure. Detailed answers on seismic risk, spill response, and who pays will be provided in a little over a year when the Draft EIS is released.
- A meeting participant asked about enforcement of the permit conditions. Taylor stated the agencies take the permit conditions seriously. Don Kuhle has been a regulator for 30 years and the regulatory framework is much more stringent now than it was in the past.
- There was a comment that when the Draft EIS comes out, people want to see the Corps travel to all the Kuskokwim River communities and explain the findings and that every village should have a meeting. Some others agreed with the comment. Taylor stated that

was a fair comment and people have expressed frustration regarding meeting locations during the comment period. There is no easy answer to this, but the Corp will do its best possible to get out to the communities and to take comments on the Draft EIS.

- Another comment was made regarding an earthquake and spills into the Kuskokwim. Who would be responsible, Calista? Taylor clarified roles and the separation between the Corps of Engineers (the Regulator) and Donlin Gold (the Applicant). This is Donlin Gold's proposed project, not the Corps of Engineers. At the end of the mine life there are laws for bonding. Developers have to put together a very significant amount of money to address potential contaminant problems from the mine after closure. There will be a significant chapter in the Draft EIS to address this.
- There was a question about research on the temperature gradient in the Kuskokwim River and the effect on fish. Would such research hold up the timeline for the Draft EIS? Don stated that the permit could be denied for insufficient information. Right now the technical work group is looking at information provided to determine the extent of data gaps or whether additional research is needed. Yes further research could delay the project, but the Corps needs to have all the information before a permit decision can be made.
- There was a question about the fuel barge load as shown in the slides. Taylor stated that the fuel load is for one barge, but there will be four barges in a tow at one time. There was a question why use barges instead of air traffic? Taylor stated that the design for the project has been modified over time. One of the biggest changes is the use of natural gas for the power plant, which reduces the total volume of diesel transport by two thirds. The heavy equipment will still need diesel. The Draft EIS will examine reasonable alternatives.
- A participant asked about whether there is a study being prepared on barge traffic and water levels on the Kuskokwim River, including the effects of high and low water on barging. Taylor stated that climate change impacts will also be part of the analysis. Donlin assumes a certain number of days per year when there won't be enough water. There is still work to be done to answer those questions for the Draft EIS. Someone asked if someone independent from Donlin will be there this summer to really watch the river. Taylor stated the EIS has to be based on empirical data, including observations. There is a team of 30 people working to identify data gaps, which starts with a look at the data/literature Donlin has provided along with other existing materials. Then they will identify additional studies that need to be done. By the time the EIS is completed then there will be a scientific basis to make permit decisions.
- There was a question on what agencies had permitting authorities. Don clarified that the Corps is the lead federal agency under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. There are over 100 permits and authorizations from different agencies and a large number of agencies involved. Each agency has its own jurisdiction and authorities. Most agencies involved will use the EIS to make their

decision. We have the NEPA which requires us to identify impacts of the proposed project. The Corps also has the 404(B)(1) Guidelines which require the Corps to choose the Least Environmentally Damaging Practicable Alternative (LEDPA). The Corps is not responsible for fish habitat other than considering it for the permit decision. An Alaska State Department of Natural Resources representative attends the bi-weekly Cooperating Agency meetings, often with a representative from the Alaska Department of Fish and Game. The State of Alaska is fully engaged. Each agency makes its own permitting decisions. The next question was what if one agency doesn't permit, what happens? Under this circumstance, the applicant would have to come up with an alternative to avoid the problem, or else the problem might negate the whole project.

- A meeting participant asked about the tailings storage facility, what happens with the water when the snow melts and goes someplace downriver? Taylor stated that the intention is to study the weather data and to design the tailings facility so that storm flow would not overtop the dam or result in an overflow that would impact surface hydrology.
- There was a question if there is a plan to remove the Kuskokwim River Watershed Council (KRWC) from the group of Cooperating Agencies (CA)? Don stated that the KRWC does not meet the definition needed to be a CA. However, KRWC can represent a federally recognized tribe as a CA if a tribe designates them and also if KRWC signs a non-disclosure agreement. Don stated that KRWC are a valuable resource for the EIS process but the Corps has to follow the regulations. The Corps wants KRWC to be involved through the proper process. There are definite criteria through which a group can qualify as a CA. Don stated the Corps is not trying to stifle KRWC comments, but is following interpretation by Corps legal counsel. The Corps has let KRWC know that if they get a tribal resolution to represent a tribe and also sign a non-disclosure agreement then they can be a CA.
- A meeting participant asked what if a bird lands on the tailings pit and gets contamination on their feet, will they track it to other areas? Taylor stated that the EIS will look at bird migration pathways, and the risks of contaminant exposure in the tailings storage facility, and how attractive the pit is to birds. This is a very important question we need to learn more about.
- A participant used Red Dog as an example and voiced concern about economic benefits going to urban centers rather than staying in the villages. Will the employees spend their money in the villages or not? Taylor stated that the EIS would look closely to learn from Red Dog. People cannot be ordered to make their homes in the villages, but would anything counteract people wanting to move? The participant asked the team to make sure that's part of the report, not just this is how many jobs will be created. Taylor stated we'll do our best, and then during the review of the Draft EIS the public can look over our shoulders to help us fully address these issues.
- A meeting participant asked if the Health Impact Assessment (HIA) will be included in the assessment. Taylor stated that the HIA is critical to the EIS and there will be an

entire section in the Draft EIS to identify review health information and potential effects. The Alaska Department of Health and Social Services, [Epidemiology Section] is currently conducting the HIA research in the project area. If the study is not adequate, the weaknesses in the data can delay the decision.

- A participant commented that the header on the newsletter and website for the EIS should be changed because it looks like it comes straight from Donlin Gold, not from the Corps.
- Meeting ended at 7:47 pm.