DEPARTMENT OF THE ARMY
ALASKA DISTRICT, US ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
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JBER, AK 99506-0898

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U.S. Environmental Protection Agency
David Allnut
1200 6th Avenue
Seattle WA 98101

Special Public Notice

US Army Corps
of Engineers
Alaska District

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

PUBLIC NOTICE DATE:	**July 24, 2020**
EXPIRATION DATE:	**August 24, 2020**
REFERENCE NUMBER:	**POA-2017-00271**
WATERWAY:	**MULTIPLE**

NOTICE OF AVAILABILITY FOR THE PEBBLE PROJECT FINAL ENVIRONMENTAL IMPACT STATEMENT

Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers, Alaska District, Regulatory Division (USACE), in cooperation with U.S. Coast Guard (USCG), Department of the Interior's Bureau of Safety and Environmental Enforcement (BSEE), the Advisory Council on Historic Preservation (ACHP), the U.S. Fish and Wildlife Service (USFWS), the U.S. Environmental Protection Agency (EPA), the U.S. Department of Interior National Park Service (NPS), the Pipeline and Hazardous Materials Safety Administration, the State of Alaska, the Lake and Peninsula Borough, the Curyung Tribal Council, and the Nondalton Tribal Council, has completed and is making available to the public, a Final Environmental Impact Statement (FEIS) for the proposed Pebble Project.

The proposed Pebble Project includes the construction of an open-pit mine and associated ore processing facilities; an 82-mile road from the mine site to a port facility; a port facility near Diamond Point; a lightering location in Iniskin Bay; a 164-mile natural gas pipeline originating on the Kenai Peninsula and extending across Cook Inlet to the port facility, following the transportation corridor and terminating at the mine site; a 164-mile fiber optic cable paralleling the natural gas pipeline; concentrate and return water pipelines which parallel the transportation corridor between the mine site and the port facility; and power generation facilities located at the mine and the port site.

The Notice of Availability (NOA) of the FEIS was published in the *Federal Register* on July 24, 2020. In accordance with NEPA regulations, the USACE will not issue a Joint Record of Decision (JROD) on the proposed action until at least 30 days after the NOA publication date. The JROD will state the decision of USACE and of USCG on whether to authorize the portions of the Pebble Project which require USACE or USCG authorization, and if authorizations are issued, the conditions under which the activities would be allowed to occur, and the factors considered in the decisions.

The FEIS, as well as the Department of the Army permit application and its revisions, and other supporting information can be viewed on the Pebble Project EIS website: www.pebbleprojecteis.com. In addition, copies of the FEIS may be viewed at the following locations: Bristol Bay Borough Libraries (serving King Salmon, Naknek, and South Naknek); Dillingham Public Library, Dillingham, Alaska; Georgetown University, Washington, D.C.; Homer Public Library, Homer, Alaska; Kenai Community Library, Kenai, Alaska; Soldotna Public Library, Soldotna, Alaska; Z.J. Loussac Public Library, Anchorage, Alaska; Alaska Resource Library and Information Services, Anchorage, Alaska; and the University of Alaska/Pacific University, Anchorage Consortium Library, Anchorage, Alaska.

WATER QUALITY CERTIFICATION: Department of the Army authorization of discharges of dredged or fill material into waters of the United States cannot 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.

HISTORIC PROPERTIES: In accordance with Section 106 of the National Historic Preservation Act, the USACE expects to make an Adverse Effect determination for the proposed project. A description of the efforts to identify historic properties and known potential historic properties that may be affected by the project is provided in the FEIS. USACE, in consultation with ACHP, the State Historic Preservation Officer, and other consulting parties, is drafting a Programmatic Agreement (PA). The PA would direct the identification, evaluation, and assessment of effects to historic properties, as well as resolution of adverse effects to historic properties which would occur as a result of the work under the requested permit. A copy of the draft PA is located in Appendix L of the FEIS.

By copy of this notice, USACE seeks comments on the draft PA. In addition, USACE continues to seek any comments concerning potential historic properties that may affected by work under the requested permit. Comments regarding the draft PA or potential historic properties should be sent to USACE at the address above and should include the Public Notice reference number above. All comments should be post marked no later than the expiration date of this Public Notice to become part of the record and be considered.

Any questions pertaining to this notice may be directed to Shane McCoy, Program Manager, USACE, at (907) 753-2712, toll free from within Alaska at (800) 478-2712, via email at poaspecialprojects@usace.army.mil, by fax at (907) 753-5567, or at the address above.

District Commander
U.S. Army, Corps of Engineers

Enclosure: Notice of Application for State Water Quality Certification

MICHAEL J. DUNLEAVY, GOVERNOR

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
Wastewater Discharge Authorization Program (WDAP) / 401 Certification

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WDAP/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-6285 | EMAIL: dec-401cert@alaska.gov

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 this Corps of Engineers' Public Notice (PN) Reference Number **POA-2017-00271, Multiple Waterbodies**, 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 or via email to dec-401cert@alaska.gov by the expiration date of the Corps of Engineer's Public Notice. All comments should include the PN reference number listed above. Mailed comments must be postmarked on or before the expiration date of the public notice.

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact Kate Orozco at 907-465-6171 or TDD Relay Service 1-800-770-8973/TTY or dial 711 within 5 days of the expiration date of this public notice to ensure that any necessary accommodations can be provided.