

# Pebble, Permitting & How YOU Can Help PROTECT BRISTOL BAY

In December 2017, Pebble applied for the **dredge and fill permit** it will need from the **U.S. Army Corps of Engineers (USACE)**. This is the **FIRST** state or federal development permit Pebble has applied for, and it's a major one that is being rushed through the process, if USACE's timeline is adhered to it will be the fastest processed permit for a project of this size in history. The application includes plans for the 1750 foot deep mine pit, extensive new roads, ice-breaking ferry across Iliamna Lake, 188-mile gas pipeline from the Kenai Peninsula to the project site, 270 MW power plant, and other infrastructure. The USACE is the federal agency leading the review of this application, which centers around an **Environmental Impact Statement (EIS)**. The EIS (essentially a very long report) must identify the environmental impacts of the proposed mine and will be used to help guide the USACE decisions on permitting. An EIS looks at impacts to the natural and physical environment, and how that could impact people (socially, culturally/spiritually, and economically). To protect our water and way of life, we must weigh in at every possible opportunity!

## **EIS Phase 1: Scoping – Spring 2018**

The EIS process started with SCOPING, which looked at the **area and impacts** of the proposed mine. Thousands of people weighed in during the comment period; many grave concerns of Bristol Bay residents, fishermen and scientific experts were ignored in the Army Corps' scoping report.

## **Phase 2: Draft EIS- Spring 2019**

USACE and other government entities developed the first draft of the EIS behind closed doors, analyzing the project's impacts to people and the environment. The draft looks at multiple options for developing the mine, including Pebble's plan and variations such as different transportation routes and a "No Action" alternative, the NO MINE option.

**The Army Corps is holding a 90-day comment period on the Draft EIS beginning March 1. Comments about gaps in the document and the mine's impacts are CRITICAL. This is the LAST opportunity for public comment in this process.**

## **Phase 3: Final EIS & Record of Decision- 2020**

After gathering public comment on the draft EIS, USACE and others go back behind closed doors to turn the draft EIS into a final document. Once finalized, the EIS is released to the public. Then, USACE makes a decision about the dredge and fill permit, and announces the decision.

The USACE is also doing a review of historic properties and cultural resources that could be impacted – called the **Section 106 review**. The law requires impacts to historic and cultural resources be addressed and potentially mitigated. You can include these in your DEIS comments!

## **Phase 4: Permit?**

A permit could be issued once the record of decision is finalized. The USACE rarely denies permits, but other possibilities remain.

Under the terms of EPA's settlement with the Pebble Limited Partnership, the proposed 404(c) protections come back into play when the EIS is finalized OR in May 2021, whichever comes first. At this point, the EPA \*could\* finalize restrictions that protect Bristol Bay from a mine like Pebble, which would stop the project.

Because of the 2014 Bristol Bay Forever initiative, the Alaska Legislature must also vote to approve the mine. A strong record opposing the project will assist in potential denials.

## **That's Not All....**

While this is a key permit, Pebble also needs DOZENS of other state and federal permits. As of February 2019, they had not applied for any of them.

State requirements will include fish habitat permits, dam safety certification, water reservations and rights, spill prevention and response certifications and more. Each will have its own process, and some will include public comment opportunities. The Lake and Peninsula Borough also has its own permit requirements. **THE MINE CANNOT BE BUILT WITHOUT THESE.** Stay tuned, and we will help you stay engaged!