Data Submitted (UTC 11): 1/5/2021 9:00:00 AM
First name: Mark
Last name: Jen
Organization: UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Title:
Comments: Dear Mr. Reece,

Thank you for the opportunity to review and provide comments on the Draft Supplemental Environmental Impact Statement for the Kensington Mine Plan of Operations Amendment 1. EPA appreciates that the DSEIS addressed certain comments and recommendations that were provided during the scoping process and our review of the preliminary administrative draft documents. However, our review of the DSEIS identified that some of our earlier comments were not addressed and the enclosed comments reiterate key comments from earlier reviews.

We recommend that the following key concerns be addressed in the FSEIS:

* Provide an adequate level of project detail and NEPA analysis for the Proposed Action and Action Alternatives in order to evaluate and compare alternatives and their consequences;
* Disclose changes to water quality in Ophir Creek, Sherman Creek, and East Fork Slate Creek due to mining activities and include mitigation to avoid and reduce water quality impacts.
* Include a section that meaningfully evaluates impacts to groundwater.
* Avoid and minimize impacts to water quality and wetlands at the Comet WRS Facility and the proposed expansion by evaluating other options or mitigation measures, such as disposal of the sludge from the Comet WTPs with the paste backfill underground (instead of in the unlined WRS facility) and/or improved seepage collection measures.
* Defer the decision regarding the TTF tailings cap at closure until further monitoring and testing are conducted closer to the end of the active life of the TTF.
* Remove the addition of dilution water (from the Slate Creek clean water diversion) to the TTF water treatment plant or demonstrate how this practice complies with the Clean Water Act.
* Avoid or minimize graphitic phyllite excavation or disturbance until appropriate treatments are confirmed to minimize acid rock drainage/metal leaching to surface and groundwater.
* Provide wetlands compensatory mitigation concurrent or prior to construction activities to offset spatial and temporal losses and cumulative impacts to wetlands and their functions rather than delaying mitigation until post-closure of the mine.
* Identify the Environmentally Preferable Alternative based on criteria that address the significant issues of tailings dam geotechnical stability and protection of surface water and aquatic resources. EPA recommends that the environmentally preferable alternative includes components of the Filtered Tailings Facility Alternative and the Reduced Water at Closure Alternative since, compared to the Proposed Action and other alternatives, this combination alternative would best comply with best available technology for tailings facilities, have the lowest geotechnical risk, release the lowest volume of tailings and process water in the event of a TTF dam failure, and would have the least adverse impacts on wetlands and aquatic resources.

The attached detailed comments and recommendations provide additional information regarding these key

issues, as well as comments and recommendations that warrant further evaluation by the Forest Service in the FSEIS. We look forward to working with the Forest Service to finalize the SEIS for this project and would appreciate the opportunity to meet with the Forest Service and other cooperating agencies to discuss these comments and recommendations.

Please do not hesitate to contact me if you have any questions.

Best regards,

Mark