



REGION 10

SEATTLE, WA 98101

April 7, 2025

Mr. Randal Vigil
Project Manager
U.S. Army Corps of Engineers
Alaska District, Regulatory Division
Post Office Box 22270
Juneau, Alaska 99802-2270

Dear Mr. Vigil:

The U.S. Environmental Protection Agency has reviewed the U.S. Army Corps of Engineers, Alaska District (Corps) Public Notice (PN) POA-1988-00269, Cannery Creek, dated March 4, 2025. The PN describes a proposal by Hecla Greens Creek Mining Company (Hecla) to discharge 32,100 cubic yards of fill material into 4.9 acres of palustrine emergent and palustrine forested wetlands located within the Admiralty Island National Monument, Tongass National Forest.¹ The proposed discharges would allow Hecla to expand the existing Tailings Disposal Facility, raise the embankment around and between Ponds 7 and 10, relocate the existing freshwater collection system at Cannery Creek, and to relocate the existing B-Road.²

In addition to the PN, the EPA reviewed the Permit Application,³ Project Description to Support USACE Section 404 Individual Permit Application,⁴ and the Final Supplemental Environmental Impact Statement (FSEIS) prepared by the U.S. Forest Service.⁵ We appreciate being provided with the additional requested project materials.

The proposed discharges require a Department of the Army permit under Section 404 of the Clean Water Act (CWA).⁶ The EPA has reviewed the proposed discharges for compliance with the restrictions

¹ PN. p. 2.

² U.S. Army Corps of Engineers. 2025. Public Notice of Application for Permit (PN), POA-1988-00269, Cannery Creek. March 4, 2025.

³ Hecla Greens Creek Mining Company. ENG Form 4345 Application for Department of the Army Permit (Permit Application). January 20, 2025.

⁴ Hecla Greens Creek Mining Company. Project Description to Support USACE Section 404 Individual Permit Application. February, 21, 2025.

⁵ Green's Creek Mine North Extension Project, Final Supplemental Environmental Impact Statement (FSEIS), February 2024, U.S. Forest Service, Volume 1, R10-MB-891a.

⁶ 33 USC § 1344.

on discharge contained in the CWA Section 404(b)(1) Guidelines (Guidelines).⁷ The Guidelines are the substantive environmental criteria for the evaluation of proposed discharges of dredged or fill material into waters of the U.S. Compliance with the Guidelines must be demonstrated before proposed discharges of dredged or fill material may be permitted.

The EPA sent a comment letter⁸ on a previous PN, dated April 18, 2023, in which we raised concerns about whether the proposed discharges were the least environmentally damaging practicable alternative (LEDPA) to achieve the project purpose, and the lack of a proposal to provide compensatory mitigation for the unavoidable aquatic resource impacts.

The proposed discharges identified in the 2023 PN differed from those identified as proposed in the draft SEIS. The current PN indicates that the discrepancy with the SEIS has been resolved. EPA no longer has any reason to doubt that the proposed discharges are the LEDPA as required by 40 CFR 230.10(a).

The current PN also indicates that Hecla now proposes to offset the unavoidable impacts of their proposed discharge by purchasing third-party compensation credits from an approved in-lieu fee program sponsor. The PN also identifies the measures incorporated by Hecla to avoid and minimize aquatic resource impacts. The EPA no longer has concerns that the proposed discharges do not comply with 40 CFR 230.10(d).

The EPA appreciates that the applicant applied our recommendations from the previous comment letter on POA-1988-00269. Should you have any questions or require further information, please do not hesitate to contact me at (206) 553-0285 or by email at jensen.amy@epa.gov, or you may contact Caroline Pierce at (206) 553-5780 or by email at pierce.caroline@epa.gov.

Sincerely,

Amy Jensen
Regional Wetland Coordinator

cc: regpagemaster@usace.army.mil
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⁷ 40 CFR Part 230.

⁸ U.S. Environmental Protection Agency. Comment Letter on POA-1988-00269 Cannery Creek. June 1, 2023.