

# Army Corps won't study tailings dam failure at Pebble Mine, document shows

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The Army Corps of Engineers is doubling down on its decision not to study the effects of a potential "catastrophic" failure of a mine waste dam for the proposed Pebble Mine in Alaska, according to a preliminary final study obtained by POLITICO.

EPA last year [urged the Corps](#) to study how a tailings dam failure would affect downstream areas, including Bristol Bay, a major salmon hatchery.

But the [executive summary](#) of the Corps' preliminary final environmental impact statement said it believes such a failure is an "extremely unlikely" worst-case scenario it is not required to consider. Despite the EPA's warnings that even well-designed and constructed dams can fail, the Corps concluded that the Pebble dam's design is less likely to fail than dams with different designs that failed recently in Canada and Brazil, according to modeling cited in the document.

The Corps last week circulated the preliminary final EIS to the EPA, the Interior Department and other federal and state agencies for a final review. The final document, which would incorporate comments from those agencies, is not expected to be released to the public until this summer, after which the Corps will consider whether to approve discharge permits for the proposed copper, gold, and molybdenum mine.

Local tribes, fishing interests and environmental groups have warned that allowing the mine to go forward could threaten the teeming population of salmon that call Bristol Bay home, and critics say the latest EIS continues to ignore those concerns.

"The permitting process for the proposed Pebble Mine is a corrupt, rushed, scientifically inadequate failure that has ignored more than a decade of input from scientists, tribes, and fishermen, and this joke of a preliminary Final Environmental Impact Statement drives that home," said Tim Bristol, executive director of SalmonState, a Juneau-based group that is part of the left-leaning nonprofit New Venture Fund, in a statement.

Alannah Hurley, executive director of United Tribes of Bristol Bay, a consortium of local tribes, said the Corps is ignoring local concerns. For example, Sen. [Lisa Murkowski](#) (R-Alaska) included report language with this year's [Interior-Environment spending bill](#) that criticized the draft EIS as incomplete, directed the Corps to rely on "sound science" and encouraged agencies to "exercise their discretionary authorities," including the EPA's ability to veto permits for the mine, to ensure local resources are protected.

The preliminary final EIS "shows a complete disregard" for Murkowski's wishes, Hurley said.

Asked about the criticisms on a press call on Tuesday, Sheila Newman, deputy chief of the Alaska District's Regulatory Division, said that there is "a whole team of scientists doing exactly a science-based analysis" and that the document could change during the final review process.

"We are definitely working with all of the cooperating agencies to make sure that we are complying with all of the applicable federal laws and guidelines," Newman said.

EPA and the other agencies will have 45 days to comment internally on the final EIS, and a series of technical meetings is scheduled for mid-March.

The Corps now projects issuing the final EIS in late June or early July, after which further work will be conducted before the Corps decides whether to issue Pebble's discharge permit.

The preliminary document also outlines certain relatively minor changes to details of some supporting infrastructure such as roads, bridges, pipelines and docks. And the Corps says it conducted further water and air quality modeling at the behest of the EPA that came to similar conclusions as the original models.