

8. CONSULTATION AND COORDINATION

This chapter provides a summary of the public involvement and outreach activities conducted for the Haile Gold Mine Environmental Impact Statement (EIS). This chapter also contains information regarding the federal and state agencies that are participating in the NEPA processes leading to the development of the Draft EIS. The Haile Gold Mine EIS process has included public involvement, consultation, and coordination activities with a variety of stakeholders, including independent outreach efforts.

8.1 Public and Agency Participation

The process of participation by the public, governmental agencies, tribes, and non-governmental organizations (NGOs) is integral to the NEPA process. During preparation of the Draft EIS, the USACE provided numerous avenues for public and agency participation, including:

- Public outreach activities
- Scoping process
- Working groups
- Community/stakeholder briefings
- Public meetings
- Technical briefings

The USACE continued to offer opportunities for agency and public participation throughout completion of the Final EIS.

Two agencies (the USEPA and the SCDHEC) and one Native American sovereign nation (the Catawba Indian Nation) have elected to formally serve as cooperating agencies under NEPA. A *cooperating agency* refers to any agency or Indian tribe with jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative.

The opportunity for public review of the Draft EIS was only one element of the USACE's overall public participation program for the Haile Gold Mine EIS. The program included a framework for (1) broadly distributing and providing public access to information regarding development of the Draft EIS; (2) promoting an understanding of the NEPA process, studies, alternatives evaluation, and environmental analyses; and (3) providing numerous opportunities for public input. Public involvement included coordinating with agencies and tribes, disseminating information, coordinating with the media, and offering opportunities to participate in the EIS process. Key elements of the USACE public outreach activities conducted to date have included:

- Mailings to community residents and immediately adjacent landowners;
- Development and maintenance of a public website about the Project (<http://www.hailegoldmineeis.com>);
- One public scoping meeting, two community informational meetings, and one formal public hearing on the Draft EIS;
- Five meetings with small groups of interested citizens and meetings with interested individuals, as requested;

- Establishing a Public Involvement Advisory Group (PIAG) and a PIAG member website, holding two PIAG meetings, establishing an Interagency Group (IAG), holding one public scoping meeting, and holding one general information meeting with the IAG;
- Publishing a Mine Interactive Experience (MInE) informational tool on the Haile Gold Mine EIS website in response to request by the public for more easily understandable information about the mine and its potential impacts (<http://www.hailegoldmineeis.com/interactive-map/index.html>);
- Ongoing meetings and consultation with cooperating agencies: the USEPA, the SCDHEC, and the Catawba Indian Nation; and
- One meeting with the Kershaw Chamber of Commerce.

Table 8-1 summarizes the details and chronology of these activities.

Table 8-1 Chronological Summary of Public and Agency Involvement Activities (2011–2013)

Activity	Date(s)
The U.S. Army Corps of Engineers (USACE) and South Carolina Department of Health and Environmental Control (SCDHEC) published a Joint Public Notice (JPN) to inform the public about the application for a Department of the Army (DA) permit from Haile Gold Mine, Inc. (Haile) and to request comments.	January 28, 2011
USACE and SCDHEC provided a JPN comment period (including a 30-day extension at the request of the U.S. Environmental Protection Agency (USEPA) for public comments on the DA permit application.	January 28, 2011 – March 29, 2011
USACE and SCDHEC provided a supplemental filing comment period on the JPN.	May 31, 2011 – June 30, 2011
USACE distributed information on the proposed Project, scoping, and environmental review process through the Project website (http://www.hailegoldmineeis.com).	September 27, 2011
USACE published a Notice of Intent to prepare an environmental impact statement (EIS) for the proposed Project in the Federal Register.	September 29, 2011
USACE issued a press release to the media with information on the proposed Project and EIS process.	October 25, 2011
USACE provided a public scoping comment period.	October 27, 2011 – November 28, 2011
USACE distributed invitations to surrounding landowners, state and federal agencies, and federally recognized Indian tribes for the public and agency scoping meetings.	October 7, 2011
USACE held public and agency scoping meetings.	October 27, 2011
The Southern Environmental Law Center requested and was granted an EIS scoping period extension.	November 29, 2011 – December 8, 2011
USACE and USEPA held a cooperating agency status kickoff meeting.	December 18, 2011
USACE published a summary of comments received on the JPN and EIS scoping period on the Haile Gold Mine EIS website.	January 20, 2012
USACE held a community meeting to inform the public about the Project and EIS process.	January 23, 2012
USACE held two citizen group meetings with interested citizen groups to provide information and answer questions on the proposed Project.	January 24, 2012

Table 8-1 Chronological Summary of Public and Agency Involvement Activities (2011–2013) (Continued)

Activity	Date(s)
USACE held a Public Involvement Advisory Group (PIAG) meeting, a meeting with an interested citizen group, and an Interagency Group (IAG) meeting to provide information and answer questions on the proposed Project.	January 25, 2012
USACE attended a meeting sponsored by the Kershaw Chamber of Commerce to discuss the proposed Project.	January 30, 2013
USACE held three concerned citizen group meetings to provide information and answer questions on the proposed Project.	February 2, 2012
USACE and SCDHEC published a revised JPN to inform the public about the revised DA permit application from Haile and to request comments.	April 9, 2013
USACE and SCDHEC published a revised JPN correction letter with a correction on the overall Project purpose.	April 18, 2013
USACE and SCDHEC provided a revised JPN comment period for public comments on the revised DA permit application.	April 9, 2013 – May 7, 2013
USACE published a Scoping Report on the Haile Gold Mine EIS website containing information on the scoping process and comments received.	April 2013
USACE and SCDHEC published a community meeting notice for various discussion topics, including a discussion of the alternatives to be evaluated, the Applicant’s proposed Compensatory Mitigation Plan, an update on groundwater modeling, and a schedule for the publication of the Draft EIS, as well as open discussion moderated by the USACE.	July 19, 2013
USACE published a Draft Preliminary Report Alternatives Development and Evaluation on the Haile Gold Mine EIS website to provide information and solicit comments on the alternatives being considered in the EIS process.	August 2, 2013
USACE held community and interagency meetings.	August 20, 2013
USACE published the Mine Interactive Experience (MIIE) on the Haile Gold Mine EIS website in response to request by the public for more easily understandable information about the mine and its potential impacts.	August 2013
USACE published a draft report groundwater modeling summary on the Haile Gold Mine EIS website.	November 2013
USACE published the Draft EIS.	March 21, 2014
USACE and SCDHEC provided a comment period for public comments on the Draft EIS.	March 21, 2014 – May 9, 2014
USACE co-hosted a joint public hearing with SCDHEC to provide the public an opportunity to comment on the Draft EIS.	April 24, 2014

8.2 Scoping Process

8.2.1 Joint Public Notice Process

On December 8, 2010, Haile submitted an application for a DA permit for placement of dredge and fill material in Waters of the U. S. for construction of the Haile Gold Mine. Haile submitted a Joint Federal

and State Application Form for Activities Affecting Waters of the United States or Critical Areas of the State of South Carolina.¹

USACE regulations at 33 CFR Part 320.1(a)(5) and SCDHEC regulations at R. 61-101 Section C.1 allow submittal of a single permit application for certification under Section 404 (USACE) and Section 401 (SCDHEC) of the CWA for consideration by both agencies. This is referred to as a *joint application* and the advertisement posted to notify the public of the application is called a *joint public notice*. The USACE and SCDHEC published Joint Public Notice (JPN) # SAC 1992-24122-4IA on January 28, 2011, beginning a 30-day comment period that ended on February 27, 2011, for all commenters except the USEPA. The USEPA requested and was granted a 30-day extension that ended on March 29, 2011.

On April 15, 2011, the USACE requested additional information from Haile about the Project and its potential impacts. Haile submitted additional supporting information on May 26, 2011. The USACE and the SCDHEC then provided a supplemental filing comment period from May 31, 2011 to June 30, 2011 to allow the public to comment on the additional information provided.

In total, the USACE received approximately 126 comments during the JPN comment period and in response to the additional information provided by Haile.

Haile submitted a revised DA application on August 16, 2012. As a result of the availability of this new information, a separate JPN was issued on April 9, 2013 (JPN # SAC 1992-24122-4IA), and the associated comment period occurred from April 9, 2013, to May 7, 2013. The USACE received letters from the USFWS dated May 1, 2013; the SCDNR dated May 7, 2013; and the Southern Environmental Law Center (SELC) dated May 7, 2013.

8.2.2 EIS Scoping Process

The EIS scoping process provided opportunity for the general public, non-governmental organizations (NGOs), government agencies, and other stakeholders to learn about the proposed Project, to comment on the issues that should be evaluated in the environmental analysis, and to comment on the alternatives to the proposed Project that should be considered during preparation of the Draft EIS. Comments provided during the scoping period were considered as the USACE formulated alternatives, focused the impact analysis, and selected a range of reasonable alternatives.

A Notice of Intent (NOI) was published in Vol. 76, No. 189 of the Federal Register (76 FR 189, P. 60474) on September 29, 2011. The NOI announced the USACE's intention to prepare an EIS to assess the potential social, economic, and environmental effects of the proposed construction and operation of a gold mine to extract and process gold from the Haile ore body in wetlands and streams associated with Haile Gold Mine Creek, Lancaster County, South Carolina. The NOI advised the public of the Project background and the Project purpose and explained the alternatives, major issues associated with the process, scoping, and public outreach. The USACE also distributed letters to surrounding landowners, state and federal agencies (sent on October 7, 2011), and to federally recognized Indian tribes to attend the public and agency scoping meetings. A press release was issued to media outlets (on approximately

¹ Authorities: 33 USC 401, 33 USC 403, 33 USC 407, 33 USC 408, 33 USC 1341, 33 USC 1344, 33 USC 1413 and Section 48-39-10 et seq. of the South Carolina Code of Laws. These laws require permits for activities in, or affecting, navigable Waters of the U.S., the discharge of dredged or fill material into Waters of the U.S., and the transportation of dredged material for the purpose of dumping it into ocean waters. The USACE and the State of South Carolina have established a joint application process for activities requiring both federal and state review or approval.

September 25, 2011), including *The State*, *The Kershaw News-Era*, and *The Lancaster News*. The NEPA 30-day scoping period occurred from October 27 to November 28, 2011. An extension was granted to the SELC until December 8, 2011, to submit comments.

Comments received during the scoping period included written comments provided to the USACE at the scoping meetings, formal verbal comments given at the public scoping meeting and transcribed by a court reporter, comments submitted through the Haile Gold Mine EIS website or emailed directly to the USACE, and comments mailed directly to the USACE. In total, the USACE received approximately 296 comments during the scoping period, including comments from federal, state, and local agencies/officials such as the USEPA, USFWS, SCDNR, and National Marine Fisheries Service. NGOs such as the SELC and the South Carolina Environmental Law Project also provided comments.

Table 8-2 Public Comment Periods

Comment Period Description	Comment Period Dates	Extensions Granted	Number of Comments or Letters Received
Joint Public Notice: initial application for a Department of Army (DA) permit	January 28, 2011 – February 27, 2011	30 days – U.S. Environmental Protection Agency	126 comments
NEPA Scoping Period	October 27, 2011 – November 28, 2011	10 days – Southern Environmental Law Center	296 comments
Joint Public Notice: revised application for a DA permit	April 9, 2013 – May 7, 2013	None	4 letters
Draft EIS released to the public	March 21, 2014 – May 9, 2014	None	83 comment submittals

Public Meetings

Four public meetings were held during the EIS development period. A public scoping meeting was held on October 27, 2011; community meetings were held on January 23, 2012 and August 20, 2013; and a formal public hearing on the Draft EIS was held on April 24, 2014, at the Andrew Jackson Recreation Center in Kershaw, South Carolina. Prior to the formal start of the meetings, an open-house event was held during which the public could visit information stations with displays and handouts. The stations presented information on the proposed Project, potential environmental issues, and the NEPA process. At all four meetings, a sign-in table was provided where attendees could receive printed Project materials such as tri-fold handouts and USACE contact information, and sign up to receive future USACE mailings by joining the EIS mailing list. During the scoping meeting open house and for a portion of the Draft EIS public hearing open house, a court reporter station was available to accept oral comments. Additionally, comment cards were available at several locations for attendees to fill out and place in the comment form repository at both the scoping meeting and the public hearing on the Draft EIS.

The public scoping meeting was a formal meeting during which the USACE gave a brief introduction of its role in the EIS process, summarized the proposed Project, and then accepted verbal and written comments from the public.

The community meetings were informal and included question-and-answer sessions in which the USACE responded to questions. Typically, the first part of each community meeting was used to inform the public on the general EIS process and present updates to the Project. Specific items discussed at the various

meetings included Project schedule, the USACE's role and regulatory authority, the Mine Interactive Experience (MInE) website (<http://www.hailegoldmineeis.com>), the alternatives analysis, Haile's proposed compensatory mitigation plan, and a wide range of technical topics. Before and after the meetings, individuals were given an opportunity to speak with the USACE and its contractor about the proposed Project and EIS process. Approximately 200 people attended the October 2011 scoping meeting. During the January meeting, approximately 250 members of the public attended. The August meeting was attended by over 300 participants.

The USACE attended meetings with interested citizens on January 24 and 25, 2011, and on February 2, 2012. Group sizes ranged between four and approximately 40 people. The USACE attended these meetings in response to invitations from local citizens groups, with the intent to engage interested citizens in the EIS process and provide them with the opportunity to learn more, make comments, and ask questions in an informal setting.

At the request of the Kershaw Chamber of Commerce, the USACE attended the Chamber's January 30, 2011 meeting. At that meeting, the USACE answered Commerce members' questions about the EIS process, the USACE's regulatory role, and Haile's proposed Project permit application.

The April 24, 2014 joint public hearing on the Draft EIS was a formal meeting in which the USACE and the SDHEC accepted public comments on the Draft EIS. The event was attended by approximately 320 individuals, including members of the public, representatives of governmental agencies and interested organizations, and the Applicant. All attendees were given the opportunity to comment in writing throughout the event, and 34 individuals provided oral comments that were transcribed during the hearing.

Public Involvement Advisory Group Meetings

PIAG meetings were held on January 25, 2012, and on August 20, 2013. The first meeting was held at the Camden Country Club, had 21 attendees, and was used to define the PIAG's role in the EIS process. Information also was provided on the overall EIS process and proposed Project details. To facilitate communication with the PIAG between meetings, the USACE provided a PIAG website where members could post comments or questions and access Project information. The August meeting was held at the Kershaw Train Depot. The 27 attendees focused on the alternatives analysis report and Haile's MMP; they discussed concerns about water resources, groundwater modeling, Haile's Compensatory Mitigation Plan, and SCDHEC permitting.

Interagency Group Meetings

The USACE hosted two IAG meetings at the Train Depot in Kershaw, South Carolina. The first was an IAG scoping meeting held on October 27, 2011. Twenty-four people attended to review the Project description, receive information on the EIS process, and address agency comments and concerns. To facilitate communication with the IAG between meetings, the USACE provided an IAG website for members to access Project information. Twenty-four people also attended the second meeting on January 25, 2012, in which the USACE provided an update on the technical analysis progress and EIS schedule.

Cooperating Agency Meetings

Two agencies and one Indian tribe requested and were granted cooperating agency status on the Haile Gold Mine EIS: the USEPA, the SCDHEC, and the Catawba Indian Nation. The USACE stayed in frequent contact with the cooperating agencies throughout development of the Draft EIS. Communication

methods included weekly cooperating agency conference calls, inclusion in written correspondence to the Applicant, prompt notification and distribution of information received from the Applicant via a website, coordination meetings, and inclusion in technical conference calls and webinars with the Applicant.

Project Website

The USACE created a website (<http://www.hailegoldmineeis.com>) on September 27, 2011. The website is used to provide the public with information about the EIS process and review. This information has included Project updates, a Project overview, explanations of the scoping and environmental review processes, a Project schedule, opportunities for public input, supporting documents, local notices about the federal permit application, a summary of comments received on the JPN, and a link to the USACE website.

In response to community comments, the USACE developed an interactive visual simulation of the mine, also known as the MInE (<http://www.hailegoldmineeis.com>). The website enables users to virtually explore the mine site and proposed facilities and to learn more about the proposed Haile Gold Mine Project, the construction and operations over the life of the mine, potential impacts on the natural and human environment, and mine closure and reclamation activities.

A password-protected website with separate pages for the PIAG, IAG, and EIS Development Team was used as a tool to facilitate information exchange within those groups. The EIS Development Team consists of the USACE, its contractor, and the cooperating agencies.

Technical Bulletin on Mitigation

In response to the large number of questions the USACE received from the public during the August 20, 2013 community meeting, the USACE produced a *Technical Bulletin: Focus on Mitigation* in December 2013. It was directly mailed to 1,885 recipients on December 20, 2013; and an additional 655 copies were hand delivered to local, public distribution points in Kershaw, South Carolina on January 2, 2014. Topics addressed include the USACE's regulatory mission and the NEPA definition of *mitigation* and *compensatory mitigation* as defined in the USACE's regulations pursuant to the CWA.

Scoping Comments Received

In total, approximately 422 formal comments were received during the original JPN comment period and the scoping comment period. Comments reflected neutral, positive, and negative opinions of the proposed Project; and some letters included multiple comments on a variety of topics. Approximately 126 comments were received during the JPN comment period (January 28, 2011, to March 30, 2011), and supplemental filing comment period (May 31, 2011 – June 30, 2011). In addition, members of the public and interested agencies submitted approximately 296 comments during the EIS scoping process (September 29, 2011, to November 28, 2011). Four comment letters were received in response to the JPN for the revised DA permit application.

The individual comments were categorized by issue or topic. Details regarding the comments received during the scoping periods can be found in the Scoping Report (Appendix D). All comments received were considered both individually and collectively during preparation of the Draft EIS.

8.3 Distribution and Comment Period for the Draft EIS

The Draft EIS was made broadly available to the general public, interested parties, adjacent landowners, parties on the EIS mailing list, agencies, tribes, and NGOs. Hard copies and/or DVDs were mailed to the

cooperating agencies, and those on the EIS mailing list received a DVD containing the Draft EIS and appendices in electronic format. Hard copies of the Draft EIS also were provided at locations in Kershaw, including the local library and Train Depot.

The USACE provided the public with a variety of methods by which to comment on the Draft EIS:

- Orally and in writing at the Public Hearing on Thursday April, 24, 2014 at the Andrew Jackson Recreation Center in Kershaw, South Carolina.
- By email to Richard.Darden@usace.army.mil;
- On the Project website at www.hailegoldmineeis.com; and
- Via mail to Richard Darden, U.S. Army Corps of Engineers, 69A Hagood Avenue, Charleston, SC 29403.

8.4 Final EIS and Record of Decision

Following the close of the comment period for the Draft EIS, comments were reviewed and cataloged, and responses were prepared. A comment-response table in Chapter 10 of this Final EIS describes the response to each comment or groups of similar comments, and copies of all comments submitted are available in Appendix P. The Draft EIS was revised as necessary according to public and agency input to create this Final EIS.

Following publication of the Final EIS, the USACE will prepare an ROD for the action. A public notice will be published following completion of the ROD.