



**US Army Corps
of Engineers®**
Fort Worth District

Three Oaks Mine

Final Environmental Impact Statement Volume II

May 2003



APPENDIX H
DRAFT EIS PUBLIC COMMENTS AND RESPONSES



Draft EIS Public Comments

Number	Commenter
Letters	
1	Tony Zucco
2	U.S. Department of Commerce, National Oceanic and Atmospheric Association, National Marine Fisheries Service
3	Congress of the United States, House of Representatives, 11 th District, Texas
4	City of Cameron, Mayor
5	Citizens National Bank
6	Milam County Judge
7	First National Bank in Cameron
8	Minerva Water Supply Corporation
9	Texas House of Representatives, District 52
10	L. B. Kubiak, D.V.M.
11	Milam County Commissioner, Precinct 4
12	Harold E. Reagan
13	Texas House of Representatives, District 32
14	Thorndale Independent School District
15	Texas State Senate, District 19
16	The Senate of the State of Texas, District 5
17	U. S. Environmental Protection Agency, Region 6
18	Lexington Independent School District
19	Chamber of Commerce, Cameron, Texas
20	Richard Neidig
21	Priscilla Jarvis
22	Rockdale Independent School District
23	Texas Cooperative Extension
24	Cynthia Shelp
25	Carl Altman-Kasagh
26	Bill Glover
27	John F. Franklin
28	Jerry Mehevec
29	Hugh Brown
30	Judy S. Ellis
31	Cathy Snider
32	Betty Beaty
33	Brad Stafford
34	Manville Water Supply Corporation
35	Jerry Mehevic (Duplicate of 28)
36	Randy Waclawczyk
37	Neighbors for Neighbors, Inc.
38	Eva Villegas
39	Leslie Currens
40	Donna Blackstone
41	Save Barton Creek Association

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43	Bastrop County Audubon Society
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45	The Senate of the State of Texas, District 25
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48	Angela Buentello
49	Shudde Bess Bryson Fath
50	City of Taylor, Mayor
51	Greg Barker
52	City Public Service of San Antonio, Texas
53	Robin Lively
54	Ron Giles
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58	Lloyd Sargent
59	Judy S. Ellis
60	The University of Texas at Austin
61	U.S. Environmental Protection Agency, Region 6
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63	Charles Lundgren
64	Elwanda Lundgren
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66	Kay and Joanna Hicks
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70	Erick and Raychelle Schaudies
71	Jeanette Shelby Realtors
72	Silicon Hills Documentation Services
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75	Lower Colorado River Authority
76	Hill Gilstrap Riggs Adams & Graham, L.L.P. (Neighbors for Neighbors, Inc.)
77	Frederick-Law (Neighbors for Neighbors, Inc.)
78	Lost Pines Groundwater Conservation District
79	Bastrop County Environmental Network
80	Neighbors for Neighbors, Inc.
81	George R. Givens
82	Texas Commission on Environmental Quality
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88	Alexander Birchler
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T44	Ron Giles
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T50	Jim Buchanan
T51	Melissa Cole
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T53	Lloyd Sargent
T54	Lisa McClain
T55	Brad Stafford
T56	Carl Altman-Kaough
T57	Joan Hardy
T58	Hugh Brown
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T60	William Montgomery
T61	Cynthia Shelp
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T67	Lilian Kerlin
T68	Jonathan Beisert
T69	Mary Wilson
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Letter 1

Page 1 of 1

Riley Walker, Jennifer L SWF

From: Tony zucco [bravoeco173@yahoo.com]

Sent: Thursday, August 29, 2002 4:29 PM

To: 3oaksels@swf.usace.army.mil

Subject: Comments about Alcoa in Rockdale Texas

To: Ms. Jennifer Walker

1-1 What exactly is going on with Alcoa Inc. Why are they not in compliance with the clean air acts that are already in force?

1-2 If you lived around here you would see how bad the power plant is polluting our air and water. At night they seem to be spilling noxious and offensive odors out of their power plant. I fish the creeks and rivers in the area and at times I see discolored water flowing into the creeks when there is not been any type of rain in the area. I wonder if the plant is pumping or accidentally spilling pollutants into the runoffs.

1-3 They have a man-made lake that used to be open to the public and is now closed. Is it because it has been too polluted to fish in, has any body actually checked these waters on a surprise visit? I understand limited access to their property for security and privacy reasons, but it seems that they have something to hide.

1-4 The people of this area need to be able to breath the air and drink the water. We do not need them to be fined or chastised by the government, we need and expect you to force compliance or shut down. The economic loss cannot be measured against the obedience to the law and the safety of the public.

I have heard before from these companies saying that " We are within the limits and we have paid our fines when we are not".

THIS THE HISTORY OF AGENT ORANGE, AND LOVE CANNAL!!!!!!!!!!!!!!!

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9/6/2002

Responses to Letter 1

1-1 Please see the response to general comment AQ-2 in Section 4.5.6 of the Final EIS relative to proposed reductions in emissions from the power plants.

1-2 Please see the response to general comment NEPA-2 in Section 4.5.1 of the Final EIS regarding the relationship of the proposed Three Oaks Mine to the existing Rockdale facilities.

1-3 Alcoa's cooling water system, also known as Alcoa Lake, was closed to public access when Unit 4 was completed in the early 1980s. The reason for closing access was personal safety. Biological surveys performed by Alcoa have not shown contamination of fish tissue.

1-4 Under federal and state laws, each regulatory agency has specific responsibilities relative to the permits and enforcement programs that it administers. As discussed in Chapter 1.0 of the Draft EIS, the USACE is responsible for preparing this EIS for the proposed Three Oaks Mine in conjunction with the agency's review and processing of the Alcoa's permit application under Section 404 of the Clean Water Act. Part of the role of the EIS is to disclose and analyze environmental impacts associated with the proposed permit issuance or denial. The authority and responsibility of the USACE for the permitting or enforcement of environmental compliance, extends to those regulatory programs under USACE jurisdiction.

Letter 2



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 Southeast Regional Office
 9721 Executive Center Drive N.
 St. Petersburg, Florida 33702

August 27, 2002

Colonel James S. Weller
 District Engineer, Fort Worth District
 Department of the Army, Corps of Engineers
 P.O. Box 17300
 Fort Worth, Texas 76102

Dear Colonel Weller:

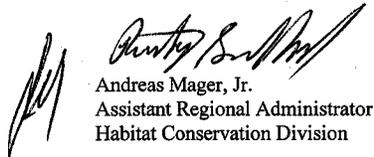
The National Marine Fisheries Service has reviewed the project plans advertised in the following public notices. The resources affected are not ones for which we are responsible. We have no comments regarding issuance of the permits.

2-1

<u>NOTICE NO.</u>	<u>APPLICANT</u>	<u>NOTICE DATE</u>	<u>DUE DATE</u>
200200209	Louisiana Office of State Parks	08/20/02	09/19/02
199900331	Aluminum Company of America (ALCOA)	08/23/02	10/22/02

If we may be of further assistance, please contact Mr. Rusty Swafford of our Galveston Facility at (409) 766-3699.

Sincerely,


 Andreas Mager, Jr.
 Assistant Regional Administrator
 Habitat Conservation Division

AUG 30 2002



Responses to Letter 2

2-1 Comment noted.

Letter 3

Responses to Letter 3

JW
11/10/03
CHET EDWARDS
11th District, Texas
2459 RAYBURN BUILDING
WASHINGTON, DC 20516-4311
(202) 225-6195
FAX (202) 225-0350
701 CLAY AVENUE, SUITE 200
WACO, TX 76706
(254) 752-9600
FAX (254) 752-7789
116 SOUTH EAST STREET
BELTON, TX 76513
(254) 933-2904
FAX (254) 933-2913

Congress of the United States
House of Representatives
Washington, DC
September 10, 2002

HOUSE APPROPRIATIONS COMMITTEE
SUBCOMMITTEE ON MILITARY
CONSTRUCTION
SUBCOMMITTEE ON ENERGY AND
WATER DEVELOPMENT
CHIEF DEPUTY WHIP
DEMOCRATIC STEERING COMMITTEE
<http://www.house.gov/edwards/>

3

Ms. Jennifer Walker
U.S. Army Corps of Engineers
Regulatory Branch, CESWF-PER-R
Post Office Box 17300
Fort Worth, Texas 76102

Dear Ms. Walker:

This letter expresses my personal support for Alcoa's Three Oaks Mine that is scheduled to open soon and provide coal to fuel their Rockdale smelter for the next 30 to 40 years. Alcoa is a prominent corporate member of the Central Texas community which I have been privileged to represent in Congress for almost 12 years.

I have visited and toured Alcoa's current mine, the Sandow Mine, in Milam county and can personally attest to the high quality of the operation which has become a national model for the correct way to do surface mining. The Sandow Mine has earned several state and federal awards during the 1990s including the U.S. Department of the Interior "Best of the Best Award" among all mines in the nation. In my opinion, Alcoa would shepherd the land in Bastrop and Lee counties that make up the Three Oaks Mine in an equally outstanding manner.

3-1

The mining operation is essential to the future of Alcoa's Rockdale smelter, one of the largest employers in my 11th Congressional District. The plant directly employs 1,400 Central Texans and another 400 have contractor jobs on the plant site. The plant's annual payroll is \$100 million, it pays \$3.5 million a year in local taxes and spends over \$300 million a year on goods and services in Central Texas. As you can see, Alcoa is vitally important to the economic health of the City of Rockdale, Milam County and the entire Central Texas region and the Three Oaks Mine will have a positive economic impact on Lee and Bastrop counties.

From my personal review of the Corps Summary of the Draft Environmental Impact Statement it appears that the Three Oaks Mine will not damage the land, water, air, vegetation, wildlife, public health or social and cultural values in Lee and Bastrop counties in any significant manner.

For all these reasons I strongly urge the U.S. Army Corps of Engineers to prepare the Final EIS as soon as possible and issue, without modification, the mining permit to Alcoa.

Sincerely,

Chet Edwards
Member of Congress

CE:sm

3-1 Comment noted.

SEP 16 2002

Letter 4

Responses to Letter 4

JW
144900331

CITY OF CAMERON



September 14, 2002

Ms Jennifer Walker, EIS Project Manager
U.S. Army Corps of Engineers (USACE)
Fort Worth District
P.O. Box 17300
Fort Worth, Texas 76102-0300

Dear Mrs. Walker:

The City Of Cameron has gone on record with the Railroad Commission as being in favor of Alcoa's application to open the Three Oaks Mine in Lee and Bastrop Counties. As the Mayor of the City of Cameron I spoke in support of the mine in one of the Public Hearings to that effect.

I know the economic impact that Alcoa has on the cities and neighborhoods in these counties. As they are the second largest aluminum smelter in the nation their presence here makes it possible for many families and businesses to survive here.

Their approximately 2,000 employees come from every city and community in this area. If the jobs that represents were to be taken away it would be a devastating blow to all of us who live here.

It is my understanding that the present mine will allow for operation of the plant for only two or three year more years. If this is so, then our communities would suffer untold harm when the plant closed. Jobs would be lost, families would be devastated, businesses in our communities would suffer in sales and services. In short, we would all feel a great impact on our lives.

We have looked at the EIS concerning this mine and have found nothing in it which would change our support of Alcoa's mine application.

I have spoken in many places about the great success of the reclamation of the land Alcoa has mined. They have reclaimed the land to be even better and more sightly land that it was before the mining ever took place. They should be recognized for this effort and for their concern, not only for the local environment, but also for the beauty of the landscape for the enjoyment of the citizens of the area.

The DEIS speaks to the quality of the water shed of this entire community. It assures us that our water would continue to be as safe and pure after the mining operation is expanded as it is now. That is always a major concern for all of our people.

We strongly urge the U.S. Corp of Engineers grant the Sect. 404 permit to Alcoa.

Sincerely,

James E. Lafferty
Mayor
City of Cameron, Texas

SEP 16 2002

4-1 Comment noted.

4-1

Letter 5

Responses to Letter 5

JW
144400 331



CITIZENS NATIONAL BANK

PO Drawer 111, Cameron, TX 76520

5

September 13, 2002

Ms. Jennifer Walker, EIS Project Manager
U.S. Army Corps of Engineers (USACE)
Fort Worth District
PO Box 17300
Fort Worth, Texas 76102-0300

Dear Ms. Walker:

I am on record with the Railroad Commission of Texas in support of Alcoa's application to open the new Three Oaks Mine in Lee and Bastrop counties. Alcoa operates the second largest aluminum smelter in the nation and their 2000 employees and contractor people earn in excess of \$100 million a year. At the present time Alcoa has only two or three years of lignite left in its existing mine. Alcoa needs the new Three Oaks Mine as a source of fuel for the Rockdale smelter in order to keep it operating and providing employment for many people in Central Texas for the next 30-35 years.

5-1 Comment noted.

5-1

I have reviewed the U.S. Army Corps of Engineers Draft Environmental Impact Statement (DEIS) and nothing in the statement causes me to alter my support for Alcoa's proposed Three Oaks Mine. The Executive Summary is very concise and gave me a good understanding of the project. In my opinion the DEIS underestimates the impact on Milam and surrounding counties if the permit is not granted.

Although the DEIS addresses reclamation, it does not reflect the dedication of the people involved in this important process. When you tour the reclaimed area it is easy to see why Alcoa has won many state, federal and trade association awards for their reclamation efforts.

It is obvious that the DEIS is very complete and your agency should be complimented on its hard work. I strongly urge that the U.S. Army Corps of Engineers grant the Section 104 permit to Alcoa as quickly as possible.

Sincerely yours,


William C. Meacham
Chairman

WCM:pf

SEP 16 2002

Letter 6

Responses to Letter 6

JW
19990331

6

Milam County Judge

Frank Summers
P.O. Box 1008
Cameron, Texas 76520



Phone 254-697-7000
Fax 254-697-7002
email fsummers@tlab.net

September 13, 2002

Ms. Jennifer Walker
Regulatory Branch
CESWF-PER-R
U.S. Corps of Engineers
P. O. Box 17300
Fort Worth, Texas 76102-0300

Dear Ms. Walker:

We understand that the Corps of Engineers' is scheduled to have a public hearing in Elgin, Texas, on October 2, 2002, to "gather relevant information" pertaining to the Corps' Draft Environmental Impact Statement (DEIS) evaluating potential impacts that would be held before the Railroad Commission can consider approving Alcoa's application to open a new lignite mine.

We will not be able to represent Milam County at the public hearing but we do want it on record that Milam County Commissioners Court supports Alcoa's application to the Railroad Commission to open this lignite mine. Without the new mine, the Rockdale smelter would have to close in another 2-3 years and the closing of this facility would make a huge impact on the economy of Milam County.

6-1 Comment noted.

6-1 After reviewing the DEIS we see virtually nothing in the findings that indicate that opening a new lignite mine would damage the land, water, air, vegetation, wildlife, public health or social and cultural values. The DEIS is very complete, and took a long time to prepare. The Fort Worth District of U. S. Army Corps of Engineers is to be complimented on the amount of work that went into the DEIS. It is now time to issue the permit.

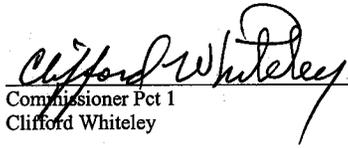
Milam County strongly urges that the U. S. Army Corps of Engineers prepare the final EIS as soon as possible and issue the requested Section 404 permit to Alcoa.

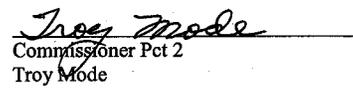
Sincerely,

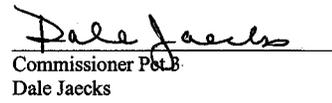
Frank Summers
Milam County Judge

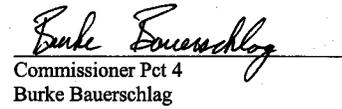
SEP 20 2002

Letter 6 Continued


Commissioner Pct 1
Clifford Whiteley


Commissioner Pct 2
Troy Mode


Commissioner Pct 3
Dale Jaacks

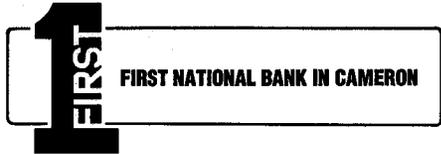

Commissioner Pct 4
Burke Bauerschlag

Letter 7

Responses to Letter 7

7

1999 80331



September 17, 2002

Ms. Jennifer Walker
Regulatory Branch
CESWF-PER-R
U. S. Corps of Engineers
Post Office Box 17300
Fort Worth, Texas 76102-0300

Dear Ms. Walker:

I am on record as supporting Alcoa's application to the Railroad Commission of Texas to open a new lignite mine bordering Bastrop and Lee Counties in Central Texas to sustain the life of the company's aluminum smelter in Rockdale. Alcoa will be out of fuel-or lignite-at its current mine in another 2-3 years and, without the new mine, the Rockdale smelter would close, costing that rural part of the state about 2,000 jobs and over 100 million dollars in annual payroll.

It is my understanding that the Railroad Commission is about to approve Alcoa's application, but one more governmental process is scheduled. It is the Corps of Engineers' October 2, 2002, public hearing in Elgin, Texas, to "gather relevant information" pertaining to the Corps' Draft Environmental Impact Statement (DEIS) evaluating potential impacts that would result from the proposed Three Oaks Mine. It is my further understanding that the Corps of Engineer is preparing the EIS as part of its review of Alcoa's application for a Section 404 permit from your agency.

I will be unable to attend the public hearing but I accept your invitation to submit my comments to you in writing. I have reviewed the DEIS and find even more reason to support the new mine. I see virtually nothing in the findings that indicate such an operation would damage the land, water, air, vegetation, wildlife, public health or social and cultural values. In fact, it would appear that the DEIS under estimates the impact on Milam County if the permit is not granted.

My compliments to the Fort Worth District of U.S. Army Corps of Engineers on the great amount of work that went into the DEIS. It is reassuring to see the effort expended by the Corps to—as directed by Congress—protect the nation's waters from the indiscriminate discharge of materials capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

7-1 Comment noted.

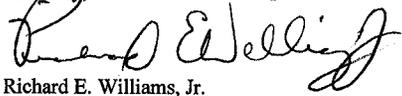
7-1

SEP 19 2002

Letter 7 Continued

7-1 I strongly urge that the U.S. Army Corps of Engineers prepare the Final EIS as soon as possible and issue the requested Section 404 permit to Alcoa.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard E. Williams, Jr.", written in black ink.

Richard E. Williams, Jr.
President

Letter 8

Responses to Letter 8

199908331
JW

8

MINERVA WATER SUPPLY CORPORATION

Ms. Jennifer Walker, EIS Project Manager
U.S. Army Corps of Engineers (USACE)
Fort Worth District
P.O. Box 17300
Fort Worth, Texas 76102-0300

September 18, 2002

Dear Ms. Walker:

Thank you for the opportunity to submit our comments on this very important issue.

I am writing this letter on behalf of the Board of Directors of the Minerva Water Supply Corporation. We are on record with the Texas Railroad Commission as supporting Alcoa's application to open the new Three Oaks Mine in Lee & Bastrop counties.

Minerva is a small community located near the center of Milam County. For almost 40 years Minerva Water Supply Corporation has provided water to the community. Alcoa has been a good neighbor and has offered to help us with new water sources.

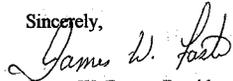
We have reviewed the Army Corps of Engineer's Draft Environmental Impact Statement (DEIS) and find nothing that alters our support for Alcoa's proposed new lignite mine. The Executive Summary is clear and gives us a good understanding of the project.

The effects of the no-action alternative in human terms would be much greater than the simple statement in the DEIS that "the direct losses would raise the numbers of unemployed in Milam County to 1,963 workers, almost 21% of the county labor force." This level of unemployment would drastically affect the residents of the Minerva community as well as the entire county including our schools.

I personally have had an opportunity to view the Sandow mine reclamation. Alcoa is a good steward of the land it holds. They have received many prestigious awards for this work in mine reclamation. I feel sure ALCOA will reclaim Three Oaks Mine to just as good or better than it is today.

We the Board of Directors of the Minerva Water Supply Corporation strongly urge that the Army Corps of Engineers prepare the final EIS as soon as possible and issue requested Section 404 permit to ALCOA.

Sincerely,



James W. Foster, President
Minerva Water Supply Corporation

8-1 Comment noted.

8-1

SEP 23 2002

Letter 9

Responses to Letter 9

19990331
TW

TEXAS HOUSE OF REPRESENTATIVES

P.O. Box 2910
AUSTIN, TEXAS 78768-2910
(512)-463-0670
FAX (512) 463-1469



316 NORTH MAIN
TAYLOR, TEXAS 76574
(512) 365-8341

MIKE KRUSEE

September 19, 2002

Jennifer Walker
Regulatory Branch
CESWF-PER-R
U.S. Corps of Engineers
P.O. Box 17300
Fort Worth, TX 76102-0300

Dear Ms. Walker:

I am on record as supporting Alcoa's application to the Railroad Commission to open a new lignite mine bordering Bastrop and Lee Counties in Central Texas to sustain the life of the company's aluminum smelter in Rockdale. Alcoa will be out of fuel-or lignite-at its current mine in another 2-3 years, and without the new mine, the Rockdale smelter would close, costing that rural part of the state about 2000 jobs and over \$100 million in annual payroll.

On October 2, 2002, the Corps of Engineers has scheduled a public hearing in Elgin, Texas to "gather relevant information" pertaining to the Corps' Draft Environmental Impact Statement (DEIS) evaluating potential impacts that would result from the proposed Three Oaks Mine. I understand that the Corps is preparing the EIS as a part of its review of Alcoa's application for a Section 404 permit from your agency.

9-1

I will be unable to attend the public hearing, but I submit my comments to you in writing. My district staff and I have reviewed the DEIS and find reason to support the new mine. The findings do not indicate such an operation would damage the land, water, air, vegetation, wildlife, public health, or social and cultural values.

My compliments to the Fort Worth District of the Army Corps of Engineers in the great amount of work that went into the DEIS. It is reassuring to see the effort expended by the Coprs to-as directed by Congress-protect the nation's waters from the indiscriminate discharge of materials capable of causing pollution, and to restore and maintain their chemical, physical and biological integrity.

I recommend that the U.S. Army Corps of Engineers prepare the final EIS as soon as possible and issue the requested Section 404 permit.

Sincerely,

Mike Krusee



DISTRICT 52

SEP 23 2002

9-1 Comment noted.

Letter 10

Responses to Letter 10

199900331
JW

10

607 South FM 908
Rockdale, Texas 76567

September 20, 2002

Mrs. Jennifer Walker
Regulatory Branch
CESWF-PER-R
U.S. Corps of Engineers
Post Office Box 17300
Fort Worth, Texas 76102-0300

Dear Ms. Walker:

As a resident of Milam County where ALCOA has been mining lignite for fifty years, and as a former state representative of this district for eight years, I feel that I have seen first hand the positive impact Alcoa has had on this area. Because of this I have been on record and remain in strong support of the Three Oaks Mine in Bastrop and Lee Counties.

ALCOA has gone out of its way to protect the environment in our area. I have witnessed reclamation of lands after mining that made them more useable to this rural area than before. I have seen their mining projects work with and comply with the governmental agencies to properly handle our land AND water.

The Fort Worth District of U. S. Army Corps of Engineers is to be commended for their hard work in preparing the Environmental Impact Statement. The study seems to bear out what we in the area of the Sandow Mine of Milam County have known for years: that ALCOA's mining for lignite in the past and in future plans for Three Oaks will not damage water or land. Furthermore, by employing about 2000 people and supporting allied businesses, these rural dwellers earn more than \$100 million per year.

Although I will be unable to attend the October 2nd hearing in Elgin, I respectfully urge a speedy approval of the Final EIS and granting of ALCOA's Section 404 permit.

Sincerely,


L. B. Kubiak, D.V.M.

SEP 23 2002

10-1 Comment noted.

10-1

Letter 11

Responses to Letter 11

19900331
SW

BURKE BAUERSCHLAG
MILAM COUNTY COMMISSIONER
PRECINCT 4
P.O. Box 395
THORNDALE, TEXAS 76577

OFFICE: 512-898-2115

HOME: 512-898-2653



9-18-02

Ms. Jennifer Walker, EIS Project Manager
U.S. Army Corps of Engineers
Fort Worth District
P.O. Box 17300
Fort Worth, Texas 76102

Dear Ms. Walker:

I would like to go on record as supporting ALCOA's application to open the Three Oaks Mine in Bastrop and Lee counties. The 2,000 employees and contractor people earn more than \$100 million per year and greatly influence the economy of Milam County and Central Texas. The new Three Oaks Mine is a must to fuel the Rockdale Smelter and keep it - and all those jobs - in this central Texas locale for the next 30-35 years.

ALCOA has been a positive influence in my life for the past 50 years. ALCOA has been a good friend and neighbor, and a good steward of the water, land, and environment.

11-1

Having been a county commissioner for the past 8 years in Precinct 4, Milam County, I know how vital ALCOA is to the economy of Central Texas and especially Milam County. Precinct 4 is the southwest part of Milam County and encompasses ALCOA's Smelter operation and most of the area currently being mined. To my knowledge, ALCOA has mitigated every problem that has arisen to the mutual satisfaction of everyone involved.

I have reviewed the U.S. Army Corps of Engineers Draft Environmental Impact Statement (DEIS) and found nothing in the findings that would alter my support for ALCOA's proposed lignite mine. I might add that the Executive Summary is very precise and clear, and gave me a good understanding of the project. It is obvious that the DEIS is very complete and detailed, and your agency should be complimented on a very thorough report.

Surface mining means changes. And anyone that has dealt with the public knows that people don't like change. But change is inevitable and one of the constants of this world. The DEIS describes many mitigation measures, such as those included in Appendix E.

11-1 Comment noted.

SEP 23 2002

Letter 11 Continued

11-1

Myself and the Milam County Commissioners Court strongly urge that the U.S. Army Corps of Engineers grant the Section 404 permit to ALCOA as quickly as possible.

Sincerely,

A handwritten signature in cursive script that reads "Duke Bauerschlag".

Responses to Letter 11

Letter 12

Responses to Letter 12

JW
199900331

September 19, 2002

12

Ms. Jennifer Walker
Regulatory Branch
U.S. Army Corps of Engineers
Post Office Box 17300
Fort Worth, Texas 76102-0300

Dear Ms. Walker:

I noticed your ad in the local newspaper concerning an environmental impact statement prepared by your agency on the Central Texas area that Alcoa proposes to mine for lignite to keep its Rockdale smelter operating another 25 or 30 years. I have since reviewed the Draft Environmental Impact Statement (DEIS) and must compliment the Corps on a very comprehensive report.

I also note that you will invite public input on your findings at an open meeting at the Elgin High School on October 2. I don't have the stomach to sit through another 3-4 hours of emotional outcries from a small but vocal group of anti-mining people armed with few facts and virtually no scientific knowledge so I am accepting your offer to submit my thoughts on the DEIS in writing.

I own a beautiful 135-acre ranch in Southwest Milam County, almost in the shadows of Alcoa's plant and next door to its present Sandow Mine, so I think I am qualified to speak on the merits of their future mine plans in a relatively new locale. The findings in the DEIS are right on the money. There will be some impact on the environment and neighboring life, but no lasting damage will occur and any temporary inconveniences will be offset by many positives long-term.

For one thing, the land will be far more productive after mining and reclamation and, if it's like here at the present mine, area farmers and ranchers will be beating down their door to lease it for food and fiber. There will be countless new lakes, great wildlife habitat, job opportunities in a new area for Alcoa (Bastrop County), new tax money for local governmental entities including public schools, and, finally, the company will surely be using more of that area's contractors and vendors, not to mention more local purchase of goods.

Take it from one of Alcoa's many neighbors here in Milam County, folks in Bastrop and Lee Counties will be glad the company is there after the new mine is open and the naysayers mount other crusades. Alcoa and its people are just good, responsible neighbors who will be involved in every walk of community life including United Ways, hospitals, libraries, schools, volunteer emergency services, Scouting and virtually every youth sports program—to mention just a few.

12-1 Comment noted.

12-1

SEP 24 2002

Letter 12 Continued

Again, I have sat through one too many of the circus-like public input meetings on this issue so please include this letter among responses to the DEIS.

12-1 It's my understanding that Alcoa must secure a Section 404 permit from the Corps before opening the new Three Oaks Mine. My family joins me in urging the Corps to prepare the final EIS as quickly as possible and grant the needed permit so Alcoa can get on with its business in this rural part of Central Texas.

Sincerely,

A handwritten signature in black ink that reads "Harold E. Reagan". The signature is written in a cursive style with a large, prominent "H" and "R".

Harold E. Reagan

Letter 13

Responses to Letter 13

199900331
JW



TEXAS HOUSE OF REPRESENTATIVES
GENE SEAMAN
STATE REPRESENTATIVE, DISTRICT 32
Aransas, Calhoun, Jackson & Nueces Counties



13

September 23, 2002

Jennifer Walker
Regulatory Branch
CESWF-PER-R
U.S. Corps of Engineers
P.O. Box 17300
Fort Worth, TX 76102-0300

Dear Ms. Walker:

I am writing in support of Alcoa's application to open a new lignite mine in Bastrop and Lee counties to provide a fuel source for the company's aluminum smelter in Rockdale. The current fuel supply for the smelter will be exhausted in 2-3 years. Without the new mine, the Rockdale smelter will have to close resulting in a loss of about 2000 jobs and \$100 million in annual payroll. The closure of the Rockdale smelter would directly impact my district because it would affect the operations of the Alcoa Point Comfort operations in District 32.

13-1 Comment noted.

13-1

Recently, the Texas Railroad Commission approved Alcoa's permit to open the Three Oaks Mine. On October 2, the Corps of Engineers will hold a public hearing in Elgin, Texas to gather relevant information pertaining to the Corps Draft Environmental Impact Statement (DEIS) evaluating potential impacts that would result from the proposed Three Oaks Mine. It is my understanding that the Corps is preparing the EIS as part of its review for Alcoa's Section 404 application permit from your agency. Since I will not be able to attend the October meeting, I want to submit my letter of support to you on Alcoa's application.

I want to encourage you to prepare the final EIS as soon as possible and issue the Section 404 permit to Alcoa. If you have any questions, please feel free to contact me at 512-463-0672. Thank you for your time and consideration of this matter.

Sincerely,

Gene Seaman
State Representative
District 32

GJS/dtw

SEP 26 2002

Letter 14

Responses to Letter 14

JW
199900331

14

THORNDALE INDEPENDENT SCHOOL DISTRICT
P.O. BOX 870, 101 E. GIBSON STREET
THORNDALE, TEXAS 76577
PHONE (512) 898-2538
FAX (512) 898-5356

September 25, 2002

Ms Jennifer Walker, EIS Project Manager
U.S. Army Corp of Engineers
Fort Worth District
819 Taylor Street
P.O. Box 17300
Fort Worth, Texas 76102-0300

Dear Ms. Walker:

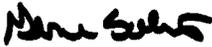
The continued operation of Alcoa's industrial complex in Milam and Lee Counties is extremely important to the Thorndale Independent School District and the overall economy of Milam County.

The effects of the no-action alternative in human terms would be much greater than the simple statement in the DEIS that "the direct losses would raise the number of unemployed in Milam county to 1,963 workers, almost 21% of the county labor force." This level of unemployment would drastically effect all citizens of Milam County and would be devastating to the Thorndale Independent School District.

A significant adverse economic impact would be imposed on the Thorndale Independent School District if Alcoa were not allowed to continue mining in the area and expand to its Three Oaks Mine in Lee and Bastrop Counties.

Again, the Thorndale Independent School District urges that the Three Oaks Mine be granted all the proper permits so that Alcoa may continue to provide much needed jobs for over 20% of the workforce in our area.

Sincerely,


Gene Solis
Superintendent

14-1 Comment noted.

14-1

SEP 27 2002

Letter 15

Responses to Letter 15

199708331
JW



Frank Madla

Texas State Senate
District 19

1313 S.E. Military Dr., Suite 101
San Antonio, Texas 78214-2860
(210) 927-8464
FAX (210) 932-9621
P.O. Box 12068
Austin, Texas 78711
(512) 463-0119
FAX (512) 463-1017
Dial 711 For Relay Calls

15

September 26, 2002

Ms. Jennifer Walker
Regulatory Branch
CESWF-PER-R
U. S. Corps of Engineers
P. O. Box 17300
Fort Worth, TX 76102-0300

Dear Ms. Walker:

Please accept this letter as one of continued support for Alcoa's application to the Texas Railroad Commission for a permit to operate the Three Oaks Mine in Bastrop and Lee Counties.

I have previously provided my support for this project because of its impact to the citizens of the City of San Antonio and the potential benefit to the central Texas economy. The mine will supply the City of San Antonio with over 60 acre-feet of water per year. This is necessary as San Antonio seeks additional water resources to meet the needs of the community and surrounding area.

It is my understanding that the Railroad Commission is nearing its decision regarding Alcoa's application, but one more governmental process is scheduled. As you know, the Corps of Engineers will hold a public hearing in Elgin, Texas on October 2, 2002 to evaluate the Draft Environmental Impact Statement (DEIS) prepared as part of the permitting process. While I will not be able to attend the hearing, I am confident the process will allow your agency to thoroughly examine the positive impacts that such an operation would have on the land, water, air, vegetation, wildlife, and public health.

I hope the hearing allows the U. S. Army Corps of Engineers to proceed with preparing the final EIS as soon as possible and issue the requested permit to Alcoa. Until then, should you have any questions or wish to discuss this issue further, please do not hesitate to contact myself or Jason Anderson, my Legislative Assistant for Natural Resources.

Yours truly,

Frank Madla

Fm/ja

SEP 30 2002

15-1 Comment noted.



Letter 16

Responses to Letter 16

149700333
JW

THE SENATE of THE STATE of TEXAS

16

P.O. Box 12068
Austin, Texas 78711-2068
Tel: (512) 463-0105
Fax: (512) 463-5713
TDD: 1-800-735-2989
steve.ogden@senate.state.tx.us



Stephen E. Ogden

District 5
September 26, 2002

7607 Eastmark Drive, Suite 241
College Station, Texas 77840
Tel: (979) 694-2609
Fax: (979) 694-2709
1-888-694-2609

893 IH-35 North, Suite #220
Round Rock, Texas 78664
Tel: (512) 828-5224
Fax: (512) 828-5229

Ms. Jennifer Walker, EIS Project Manager
U.S. Army Corps of Engineers
Regulatory Branch, CESWF-PER-R
Post Office Box 17300
Fort Worth, Texas 76102

Dear Ms. Walker:

I strongly support Alcoa's application for a Section 404 permit for the Three Oaks Mine in Lee and Bastrop counties.

16-1 Comment noted.

Alcoa's impact is felt throughout central Texas. The company directly employs more than 1,400 and relies on several hundred more private contractors. It has a payroll of \$100 million and contributes nearly \$3.5 million in local taxes to two counties and three school districts. The Three Oaks Mine is expected to increase local tax revenues in Lee and Bastrop counties by \$2 million. The company also provides about \$250,000 a year in scholarships and grants.

16-1

Alcoa has an excellent environmental track record. Currently, the Sandow Mine produces about six million tons of coal each year from about 300 acres of land. It is the 13th largest surface mine in the United States and has received many environmental stewardship awards, including the 1998 Best of the Best Award from the U.S. Office of Surface Mining and the 1999 Texas Reclamation Award from the Railroad Commission of Texas. There is no doubt it will receive similar awards and recognitions for the Three Oaks Mine.

Alcoa's purpose is to produce aluminum. With the Three Oaks Mine, it will be able to do so for another 30-40 years while continuing to provide an environmentally friendly and economically beneficial place for my constituents to live and work. In addition, central Texas will maintain the presence of a significant, stable employer that wisely uses natural coal resources and improves the land through reclamation.

Based on this record, I support Alcoa's application for the Three Oaks Mine and urge the U.S. Army Corps of Engineers to approve it as soon as possible.

Sincerely,

Stephen E. Ogden

Alcoa is a great corporate citizen and will continue to do great job with a permit to proceed.
S.E.O.

Committees: Finance; Administration, Vice-Chairman; Criminal Justice

SEP 30 2002

Letter 17

10/06/2002 SUN 21:11 FAX

001/007



United States Environmental Protection Agency
Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733



17

FAX FORM

Number of Pages, including cover sheet: 7

To: <i>Jennifer Walker</i>	From: <i>Robert D. Lawrence</i>
Phone:	Phone: <i>(214) 665-8150</i>
Fax: <i>817-886-6493</i>	Fax: <i>(214) 665-</i>

Comments on Three Oaks Mine DEIS

Letter 17 Continued

10/06/2002 SUN 21:11 FAX

002/007



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

OCT 04 2002

Colonel Gordon M. Wells
Commander, Fort Worth District
U.S. Army Corps of Engineers
P.O. Box 17300
Fort Worth, TX 76102-0300

Dear Colonel Wells:

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality's (CEQ) Regulations for Implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 Office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (EIS) for the Three Oaks Mine, dated August 23, 2002, in Lee and Bastrop counties, Texas.

EPA has rated the Draft EIS as **LO, Lack of Objections**. Our classification will be published in the Federal Register according to EPA's responsibility under Section 309 of the CAA, to inform the public of our views on proposed Federal actions.

The Draft EIS is quite good, particularly Section 2.0, Alternatives Including the Proposed Action. Clarification or additional information on certain items would help strengthen the Final EIS and the enclosed comments more clearly identify these suggested areas. Please send our office five copies of the Final EIS when it is sent to EPA, Office of Federal Activities, EIS Filing Section, South Ariel Rios Building (Room 7220), 1200 Pennsylvania Ave, N.W., Washington, D.C. 20004. If you have any questions, please contact Joe Swick at (214) 665-7456.

Sincerely yours,

Robert D. Lawrence, Chief
Office of Planning and
Coordination (6EN-XP)

Enclosure

Letter 17 Continued

10/06/2002 SUN 21:11 FAX

003/007

Three Oaks Mine Draft EIS

General Comments:

17-1 1. Pollution prevention can be an effective way to mitigate adverse impacts under NEPA [40 CFR 1502.14(f), 1502.16(h) and 1508.20]. The proposed project provides an opportunity to integrate pollution prevention measures into both construction activities and the decision-making process. Pollution prevention can include: recycling, including using recycled materials in project construction and operation; increasing efficiency and conservation of energy and water resources; and reducing or eliminating contributions to point or non-point (e.g., runoff) source pollution. Pollution prevention includes techniques such as waste stream segregation, 'good housekeeping' or best management practices, and employee training. The Record of Decision (ROD), documenting the final decision, can be a valuable tool to inform the public and others how pollution prevention was not only included in the NEPA process, but also how it will be implemented.

Executive Order (EO) 12856 - Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements - includes commitments that the Federal government "should become a leader in the field of pollution prevention through the management of its facilities, its acquisition practices, and in supporting the development of innovative pollution prevention programs and technologies."

EO 12873 - Federal Acquisition, Recycling, and Waste Prevention - directs the Federal government to more efficiently use natural resources by maximizing recycling and preventing waste whenever possible, and "serve as a model in this regard for private and other public institutions."

17-2 2. The degree and extent of short-term adverse impacts on water quality can be a direct function of construction practices and the use of 'best management practices' at construction sites. To help reduce or mitigate adverse impacts at construction sites of five acres or larger, the Final EIS should include the applicability of EPA's National Pollutant Discharge Elimination System (NPDES) storm water general permit. For example: a) in table 1-1 on page 1-9; b) in paragraph 2.5.2.1 on page 2-40; and c) in paragraph 2.5.2.8 on page 2-44. For additional information on EPA's NPDES storm water general permit see: www.epa.gov/earth1r6/sws.

17-3 3. Page 3.0-1 of the Draft EIS defined long-term impacts as those that would occur beyond 40 years and after mining and reclamation activities had ended. Most impacts were assessed as a result of mining and reclamation and few made distinctions between short-term and long-term effects, with the notable exceptions of ground water and Section 3.17. For example, paragraph 3.1.2.1 on topography made no reference to either the project years or whether the impacts were short-term or long-term, yet adverse impacts on soils from subsidence may be more likely to occur as long-term impacts.

Responses to Letter 17

17-1 If the USACE issues the Section 404 permit, pollution prevention measures would be incorporated into the conditions of the Record of Decision.

17-2 In response to the comment, references to USEPA's NPDES general permit have been added via references to the TPDES program and requirements on pages 2-40, 2-44, and 3.2-83 in the Final EIS.

17-3 All resource sections of the EIS were evaluated and revised, as appropriate, relative to the recommended inclusion of additional specific wording with respect to short-term versus long-term impacts. These revisions are presented in the Final EIS.

Letter 17 Continued

10/06/2002 SUN 21:11 FAX

004/007

17-3 The Final EIS would be strengthened by the additional clarification of those affected resource areas with the potential for long-term impacts, as defined.

Specific Comments:

17-4 1. Table 2-5, on page 2-18, included 359 surface acres to be affected within the lignite transportation corridor, by either truck or conveyor. Since the width of 80 feet was provided for the road, it would be helpful in the Final EIS to also include the width of the conveyor corridor to clarify whether the 359 acres are appropriate for both lignite transportation alternatives.

17-5 2. Page 3.1-16, Topography - in addition to the replacement of approximate land contours, the Final EIS would be strengthened by including the estimated timing associated with reclamation and bond release. For example, the representative amount of time (e.g., in months or years) from when mining activities begin until the bond release of an affected five-year mine block.

17-6 3. Page 3.2-22, Ground Water - potential adverse impacts on private domestic, agricultural and municipal wells (i.e., drawdown projected to average 10 to 20 feet) would be mitigated according to the Railroad Commission of Texas requirements. It is unclear, however, if the proposed mitigation (in paragraph GW-1) included the actual replacement of adversely impacted ground water resources or literally the monitoring of the "potential need for modification or replacement."

17-7 4. Page 3.4-12, Vegetation - the potential impacts to riparian or wetland vegetation were assessed based on similar reaches of streams affected by the Sandow Mine. The Final EIS would be strengthened by including the success rate of the past wetland remediation at the Sandow Mine, and if the success rate took into consideration the replacement of wetland functions that were lost as well as the amount of acreage reclaimed as wetlands.

17-8 5. Page 3.2-83, Water Resources - the Draft EIS stated that reductions in surface water flows from water table drawdown would be outweighed by the pumping and storm water discharges during the life of the mine. The Final EIS would be strengthened by postponing the "trade-offs" until the ROD, which more routinely weighs the positive vs. negative benefits of the project in the NEPA decision-making process.

17-9 6. Page 3.2-85, Water Quality - there appeared to be a contradiction between (in the first paragraph) the runoff episodes from reclaimed areas that could increase nutrient levels and algal species abundance, and (in the second paragraph) the water quality impacts from nutrient-enriched runoff that were expected to be negligible.

Responses to Letter 17

17-4 The 359 acres referenced in the Draft EIS encompasses all components of the transportation corridor such as the haul road, conveyor, power lines, water lines, and lighting systems. For simplicity, the USACE has assumed a conservative total disturbance of this corridor (typical width of 250 feet), although actual disturbance may be less than this in many areas.

17-5 Based on experience at Sandow, Alcoa estimates that the approximate timeframes from initial planting to final bond release would be as follows:

Estimated reclamation timeframes

- 25 months estimated from completion of lignite removal through completion of rough spoil leveling (from Figure 2-11).
- 1 to 3 months from completion of rough spoil leveling through initial revegetation and monitoring period.
- 5 years for extended monitoring.
- 7 to 10 estimated years from completion of rough spoil leveling through bond release.

17-6 Groundwater use and mitigation of impacts to groundwater use by lignite mines in Texas is regulated by the RRC. The RRC guidelines for mitigation of mine-related impacts to groundwater supply require the mining company to replace the water supply lost by a domestic or municipal well. Mitigation could include deepening the well, enlarging the well and installing a bigger pump, or drilling a new well to provide for the lost water supply.

17-7 Alcoa received the 1999 Coal Mining Reclamation Award from the Railroad Commission of Texas in recognition of their reclamation success at the Sandow Mine to mitigate mine-related impacts to waters of the U.S. Based on information provided by Alcoa, a total of 412 acres of ponds, end lakes, streams, forested wetlands, and non-forested wetlands have been created at the Sandow Mine. It is difficult to ascertain the level of success of the reclamation plan since information regarding types and acres of waters of the U.S. including wetlands was not recorded prior to mine development and was not available to compare with existing conditions. As discussed in Section 2.5.3.6 and the Mitigation Plan in Appendix E of the Final EIS, Alcoa has committed to long-term protection and mitigation measures for Three Oaks Mine-related impacts to waters of the U.S. including wetlands. The mitigation ratios as shown in Table 2-14 of the Final EIS for the various types of waters of the U.S. including wetlands at the Three Oaks Mine are higher relative to those used for the Sandow Mine. In addition, specific mitigation ratios for Three Oaks were developed for low-, medium-, and high-quality streams. As stated in Section 2.5.3.6 of the Draft EIS, through successful implementation of the proposed Mitigation Plan, all areas of waters of the U.S. proposed to be restored, created, or enhanced would meet the regulatory definition of waters of the U.S., would function as the intended type of waters of the U.S., and would function at an acceptable level of ecological performance. Buffers, riparian zones, and other areas integral to the enhancement of the aquatic ecosystem would function as the intended type of ecosystem at an acceptable level of ecological performance.

17-8 The USACE notes the recommendation for postponing the evaluation of impact tradeoffs until the Record of Decision (ROD); however, the USACE believes that it is important to identify and evaluate the relative advantages and disadvantages of the Proposed Action and alternatives in the EIS as well as summarizing the tradeoffs in the ROD.

17-9 The text on page 3.2-85 of the Final EIS has been revised to clarify these impacts.

Letter 17 Continued

005/007

10/06/2002 SUN 21:11 FAX

17-10 7. Page 3.5-23, Special Status Species - the Final EIS would be strengthened by including documentation of either: a) a determination of no effect; b) concurrence from the U.S. Fish and Wildlife Service (FWS) that the Federal action or project is likely not to adversely affect Federally-listed species; or c) initiation of formal consultation with the FWS or the biological opinion of the FWS regarding the Federally-listed species.

17-11 8. Page 3.5-33, Aquatic Species - the discussion noted that aquatic species, such as macroinvertebrates and periphyton, were expected to recolonize water bodies even though the overburden and interburden data included selenium levels above topsoil suitability guidelines. The Final EIS would be strengthened by additional information regarding the low potential for impacts from selenium. For example, an explanation of the "selective handling" reclamation practices to be used to eliminate selenium, in relationship to the high levels identified (e.g., 30.2 parts per million) in the overburden core sampling locations on figure 3.3-2.

17-12 9. Page 3.7-6, Cultural Resources - since the cultural resource investigations, including the effects on properties listed, or determined to be eligible for listing, on the National Register of Historic Places is to continue beyond the NEPA process, the Final EIS would be strengthened by a Memorandum of Agreement (MOA), developed with the State Historic Preservation Officer (SHPO) and executed (as a signatory) by the Advisory Council on Historic Preservation (ACHP), to document compliance of the undertaking with Section 106 of the National Historic Preservation Act. The MOA could also document completed consultation with Tribes on potential Native American issues and consultation with Tribal representatives as potential interested and/or concurring parties.

17-13 10. Page 3.8-11, Air Impacts - it would be helpful in the Final EIS to include a cross reference at the end of the discussion on selenium emissions and air impacts on page 3.8-18 (e.g., also see page 3.14-3 on Public Health Impacts).

17-14 The Draft EIS, on page 3.8-1, stated the cumulative effects analysis on air quality encompassed parts of the five county area comprised of Bastrop, Lee, Milam, Travis and Williamson counties. Figure 2-2 and the discussion, on page 3.8-20, referred to other air emission sources, including TXU Unit 4 and the introduction of technology improvements such as electrostatic precipitators and an ozone precursor. The Final EIS would be strengthened by also clarifying the anticipated changes or effects that these improvements would have on air quality.

17-15 Table 3.8-15 presented the 1999 emission inventory for point sources in Lee County as 767 tons per year (tpy) for NO_x, and 624 tpy for CO. In comparison, table 3.8-9 indicated the estimated emissions at the Three Oaks Mine as 663.3 tpy for NO_x and 521.3 tpy for CO. It is unclear why these projected increases (86% for NO_x and 84% for CO) would constitute only a "minor incremental impact" for Lee County.

Responses to Letter 17

17-10 As identified on page 3.4-6 of the Draft EIS, the USACE has prepared a Biological Assessment (BA) for the project in accordance with Section 7(c) of the Endangered Species Act. Based on the assessment, it was determined that the proposed project may affect, but is not likely to adversely affect, one federally listed species (Houston toad) and would have no effect on two federally listed species (whooping crane and bald eagle). The BA was submitted to the USFWS for their concurrence. The USFWS' concurrence letter is presented in Appendix G of the Final EIS.

17-11 Revisions to the text in the surface water section (page 3.2-85a) of the Final EIS have been made in response to the selenium issue.

17-12 Comment noted. The USACE currently is working on a MOA with the SHPO.

17-13 The requested cross reference to public health effects has been added to the Final EIS.

17-14 Please see the responses to general comments AQ-1 and AQ-2 in Section 4.5.6 of the Final EIS relative to cumulative impacts and proposed reductions in emissions from the power plants.

17-15 The projected emissions at the proposed mine are mobile, non-road mobile, and area sources. These emissions are small compared to the total non-point sources in the affected counties. Total non-point emissions in the five-county area, as shown in Table 3.8-15 of the Draft EIS, are 51,374 tons of NO_x and 299,841 tons of CO per year. The estimated mine emissions, as shown in Table 3.8-9 of the Draft EIS, represent less than 2 percent of non-point NO_x and less than 0.2 percent of non-point CO emissions. When the Three Oaks Mine NO_x emissions are compared to the five-county area total NO_x emissions (82,809 tpy), the incremental increase is 0.8 percent. When the Three Oaks Mine CO emissions are compared to the five-county area total CO emissions (323,688 tpy), the incremental increase is 0.2 percent.

Letter 17 Continued

006/007

10/00/2006 SUN 11:11 PAA

- 17-16 11. Page 3.9-1, Land Use and Recreation - it would be helpful in the Final EIS to include a pre-mine land use map or figure to compare with the post-mine land use conceptual plan (figure 2-12). This additional information would help to visualize the differences between the current acres devoted to pasture and undeveloped land (stated to be primarily woodlands), which would be affected by mining activities and reclaimed as the same or a different land use (e.g., fish and wildlife habitat and pastureland).
- 17-17 The Final EIS would be strengthened by clarifying if the larger of the two major post-mining land use types [i.e., fish and wildlife habitat (4,520 acres) over pastureland (3,031 acres)] was primarily the result of Alcoa's mitigation commitment (a replacement ratio of 1.5 or 2.0 to 1) and/or the very high percentage of affected lands that are not in private ownership. Similarly, the cumulative impact analysis, on page 3.9-6, would be strengthened by recognizing the combined effects of other lignite mines that historically were not reclaimed with land uses to the net benefit of fish and wildlife resources.
- 17-18 12. Page 3.10-1, Social and Economic Values - the Draft EIS stated that issues associated with social and economic values included quality of life impacts. The subjects included in paragraph 3.10.2, however, addressed only impacts to population, employment, income, public finance, public education, housing, other public service, and real estate values. The Final EIS would be strengthened by also evaluating the potential social changes and quality of life impacts to the affected individuals and families who would be relocated and/or lose their residences or homesteads.
- 17-19 13. Page 3.11-3, Transportation - as noted in comment #5 (above), "off-setting" risks from increased traffic with roadway improvements (on pages 3.11-3 and 3.11-5) would be more appropriate in the ROD.
- 17-20 The Final EIS would be strengthened by expanding the impact analysis of transportation impacts on the interim periods before the final roadways are in place, since the temporary surfaces and associated detours may not provide the same traffic flow (particularly with additional heavy trucks) and time savings as the completed transportation networks. It would also be helpful in the Final EIS to provide: a) an estimated or average length of time for these situations to give the public a better understanding of the extent of this type of change and impact; and b) a separate figure or map to show the locations and projected dates of the road closures, openings, etc., or reference another figure that also included road relocations, such as 3.12-1 or 3.12-2.
- 17-21 14. Page 3.12-1, Noise - it would strengthen the Final EIS to focus more on the potential noise impacts to those residences located 300 feet from mining activities during years 11 through 25, as noted in table 3.12-2. For example, clarifying the extent of potential noise impacts by including the length of the construction periods (months, years) would help assess the magnitude of noise impacts at these locations and allow affected residents to better approximate their degree of noise disturbance during
- 17-22

Responses to Letter 17

- 17-16 The text on pages 3.9-1 and 3.9-1a of the Final EIS has been revised to clarify the comparison between pre- and post-mine land uses. As requested, a new figure (3.9-2) has been added (see page 3.9-3a of the Final EIS) showing existing land uses. In addition, Table 3.9-1 has been modified and new Table 3.9-2 has been added to the Final EIS for further clarification (see page 3.9-2 and 3.9-5, respectively).
- 17-17 The large percentage of the proposed post-mining fish and wildlife habitat would result from Alcoa's commitment to environmental protection measures during reclamation and is independent of acreage- or ratio-based mitigation requirements (see Section 2.5.4 of the Draft EIS and Table 2-15 of the Final EIS).
- 17-18 Please see the revised text on page 3.9-6 of the Final EIS regarding cumulative reclamation impacts.
- 17-19 All relocations of individuals and families related to the proposed Three Oaks Mine have been or would be voluntary. Alcoa does not have power of eminent domain and would not be able to forcibly displace residents.
- 17-20 Please see the response to comment 17-8.
- 17-21 With the exception of CR 102, there would not be interim periods before the new roads are in place. Existing roads would be maintained in use while the new roads are constructed to final design standards on undisturbed, new rights-of-way. As noted in Section 3.11.2.1 of the Draft EIS, there would be very brief periods, perhaps a few days at a time, of construction delays while new road segments were tied into existing roads. The temporarily rerouted segment of FM 619 would remain in place for approximately 3 years until FM 696 is relocated. This temporary road segment would be constructed to the same standards as new permanent roads. Like other road relocations, new segments of CR 102 would be built on new right-of-way and then tied into existing roadways. CR 102 is unique in the sense that it would be sequentially staged in short segments as discussed in Section 3.11.2.1 of the Draft EIS (page 3.11-4) to maintain access while mining proceeds adjacent to it.
- Heavy mine trucks would use roads constructed by Alcoa within the permit area and would not affect public roads. As noted in Section 3.11.2.1 of the Draft EIS (page 3.11-3), heavy commercial truck traffic on public roads is expected to average 1.5 vehicle trips per hour, which would have a minor effect on public traffic.
- 17-22 The nearest residences noted at 300 feet would be exposed to mining activities (i.e., clearing and grubbing, overburden removal, mining, and reclamation) at close range, but not to construction or lignite handling activities. The duration of exposure is uncertain, although, at the shortest range, it likely would be for a few days to a few weeks. Noise levels would gradually build to the maximum with equipment returning periodically as the pit development and mining moved back and forth across the mine block and toward the residences. L_{dn} at 300 feet would be 80 or 79 dBA, depending on whether a dragline or mobile shovel is used for overburden removal, and 78 dBA for lignite mining. Other mining operations activities would meet the 65 dBA L_{dn} standard at 300 feet (see Table 3.12-10 of the Draft EIS).
- More precise information regarding the location of the subject residences relative to the mine blocks indicates that the nearest residence during the 16- to 20-year period would be approximately 650 feet rather than 300 feet. This correction has been made on page 3.12-7 of the Final EIS.

Letter 17 Continued

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17-23 clearing, overburden removal, lignite mining, reclamation, etc. It would also be helpful in the Final EIS to include a noise contour map to help visualize or demonstrate the extent of modeled noise level increases (e.g., worst case) at or near to affected receptors.

17-24 15. Page 3.13-8, Hazardous Materials - it would be helpful in the Final EIS to clarify in paragraph 3.13.4, Monitoring and Mitigation Measures: a) remediation of a hazardous site, if necessary, would be accomplished in coordination with EPA and/or other appropriate Federal and State agencies; and b) construction and operation activities associated with the proposed mine and associated facilities will follow the label instructions for proper transportation, storage, use and disposal of hazardous materials.

17-25 16. Page 3.14-1, Public Health - since the discussion was basically summarized and cross-referenced from other selected Sections, the Final EIS would be strengthened by also including the potential social and nuisance impacts resulting from increased noise levels at nearby residences and local receptors (e.g., in paragraph 3.14.1.3).

17-26 17. Page 3.15-1, Environmental Justice (EJ) - as noted, the heart of the EJ review is whether or not low income and/or minority populations would experience adverse disproportionate impacts as a result of the proposed project. It would be helpful in the Final EIS to clarify the results of the referenced efforts (i.e., letters and notices), and/or comments received on the Draft EIS from interested parties, regarding the determination that the Three Oaks Mine would not constitute a disproportionate impact for the purposes of the EJ review.

17-27 18. Page 3.17-1, Paragraph 3.17 - "tradeoffs" appear both premature for, and inconsistent to, the subject discussion of the "relationships" between short-term uses of the human environment and the maintenance and enhancement of long-term productivity.

Responses to Letter 17

17-23 A noise contour map was considered, but it would be misleading because the nature of surface lignite mining dictates that noise sources would be constantly moving. No single set (or reasonably small number of sets) of noise contours would accurately represent the noise effects of the proposed Three Oaks Mine over time.

17-24 The recommended wording has been inserted into Section 3.13.4 of the Final EIS.

17-25 Please see the revised text on page 3.14-4 of the Final EIS.

17-26 As described in Chapter 4.0 of the Final EIS, the USACE solicited input from the local public throughout the NEPA process, beginning with solicitation of public comments during the scoping period and continuing through the public comment period for the Draft EIS. In addition, the USACE provided a Spanish translator at the Draft EIS public hearing and prepared and distributed a Spanish version of the handout from the public hearing. Review of public input throughout the NEPA process has not indicated that low income or minority populations would be disproportionately affected by the proposed Three Oaks Mine.

17-27 Please see the response to comment 17-8. The text on page 3.17-1 of the Final EIS has been revised to omit the term "tradeoffs."

Letter 18

Responses to Letter 18

18

19900 331

September 20, 2002

Ms. Jennifer Walker
Regulatory Branch
CESWF-PER-R
U.S. Corps of Engineers
P. O. Box 17300
Fort Worth, TX. 76102-0300

Dear Ms. Walker:

Please accept this letter supporting Alcoa's application to the Railroad Commission of Texas to open a new lignite mine bordering Bastrop and Lee Counties in Central Texas to sustain the life of the company's aluminum operation in Rockdale. Alcoa will be out of fuel, lignite, at its current mine in another 2-3 years and, without the new mine, the Rockdale smelter would close, costing that rural part of the state 2,000 jobs and over 100 million dollars in annual payroll.

Beyond the economic impact on our community, Alcoa has been a valuable community partner for fifty years.

Although the Railroad Commission will soon approve Alcoa's application, one more governmental process is scheduled. It is the Corps of Engineers' October 2, 2002, public hearing in Elgin, Texas, to gather information pertaining to the Corps' Draft Environmental Impact Statement (DEIS) evaluating potential impacts that would result from the proposed Three Oaks Mine. I understand that the Corps is preparing the EIS as part of its review of Alcoa's application for a Section 404 permit from your agency.

Although unable to attend the public hearing, I submit my comments to you in writing. I have reviewed the DEIS and continue to support the new mine. I see nothing in the findings that indicate such an operation would damage the land, water, air, vegetation, wildlife, public health or social and cultural values. No other economically feasible fuel alternatives currently exist.

I compliment the Fort Worth District of U.S. Army Corps of Engineers on the volumes of work that went into the DEIS. It is reassuring to see the effort expended by the Corps to protect the nation's waters from the indiscriminate discharge of materials capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

I request the U.S. Army Corps of Engineers prepare the Final EIS as soon as possible and issue the requested Section 404 permit to Alcoa.

If I may be of further service, please contact me at 979-773-2254.

Sincerely,



Patrick T. Clark
Superintendent of Schools
Lexington I.S.D.

SEP 25 2002

PTC:bj

18-1 Comment noted.

18-1

Letter 19

Responses to Letter 19

19

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Cameron, Texas

"In the heart of things"

102 East 1st Street • P.O. Drawer 432 • Cameron, Texas 76520 • www.cameron-tx.com
Phone: 254-697-4979 • Fax: 254-697-2345 • E-mail: camerontx@clab.net

October 1, 2002

Ms. Jennifer Walker, EIS Project Manager
U.S. Army Corps of Engineers (USACE)
Fort Worth District
P. O. Box 17300
Fort Worth, Texas 76102-0300

Dear Mrs. Walker:

As Economic Development/Chamber Director, I represent the Cameron Chamber of Commerce and Cameron Industrial Foundation and wish to go on record with the Railroad Commission of Texas as supporting Alcoa's application to open the new Three Oaks Mine in Lee and Bastrop Counties. The Cameron Chamber of Commerce and Industrial Foundation are concerned about Alcoa's future in our rural area of Central Texas. Alcoa's Rockdale plant employs or contracts with over 2,000 people producing employee earnings of over \$100 million per year. Of course, this makes them the largest employer in our area. With only a couple of years of lignite left in its Rockdale mine, the new Three Oaks Mine is a must to fuel Alcoa's Rockdale smelter to keep it, and all of these jobs, in this area.

19-1 Comment noted.

19-1 Should this permit not be issued, it would have a devastatingly negative impact on the economy in Central Texas and in particularly, Milam County. It is well known that rural communities already struggle to survive and provide jobs for their local citizens. Without Alcoa providing this significant number of jobs for our community, many individuals might be forced to move away from Cameron to seek employment elsewhere. Please consider the negative impact this would have on all of Central Texas and the quality of life Alcoa employees would be forced to give up.

We have reviewed the U.S. Army Corps of Engineer's Draft Environmental Impact Statement and find nothing in the findings or conclusions that would alter our support for Alcoa's proposed new lignite mine. The DEIS points out positive measures Alcoa has taken in it's land reclamation projects and water quality protection efforts. However, it does not adequately describe the dedication and pride the workers put into these efforts

OCT 07 2002

Letter 19 Continued

and the state and federal recognition they have received as a result of these projects. Awards like they have received are given only to individuals or companies who do more than is expected or excel above and beyond what their competitors are doing. Alcoa is also very supportive of countless local non-profit organizations and their projects in all of the surrounding communities, for which we are very grateful.

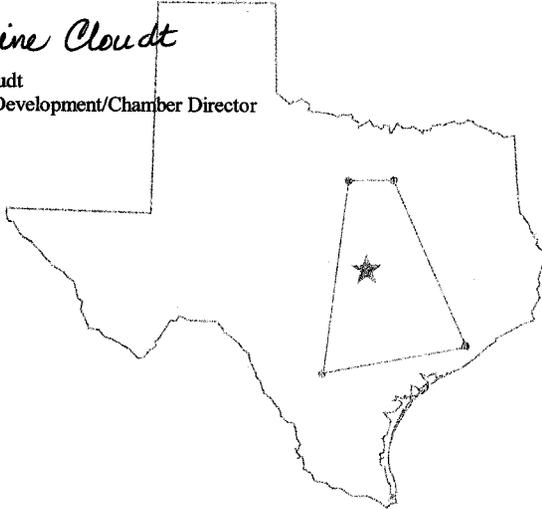
19-1 I mention these points because we want the U.S. Army Corps of Engineers to know that Alcoa is a good neighbor and an asset to our area and we feel that they will also be an asset to Lee and Bastrop Counties should you grant them this permit.

On behalf of the Cameron Chamber of Commerce and Cameron Industrial Foundation, I respectfully request and urge that the U.S. Army Corps of Engineers grant the Section 104 permit to Alcoa as soon as possible.

Sincerely,



Earline Cloudt
Economic Development/Chamber Director



Letter 20

Responses to Letter 20

20

144400331
JW

Richard Neidig
244 Paint Creek Road
McDade, Texas 78650

October 8, 2002

U. S. Army Engineer District, Fort Worth
Corps of Engineers
P. O. Box 17300
Fort Worth, Texas 76102-0300

Dear Sirs:

These are my comments on the Alcoa's proposed Three Oaks mine site. On October 2, 2002, I attended the meeting at Elgin High School. The environmental group was there. Their views matched their appearance. Later, one of the environmental group members who lives about 4 ½ miles from the proposed mining site called me one night about hanging a poster opposing Alcoa on a fence on one of our farms. I said, "No." He said, "We are determined to close down Alcoa and send them to Japan." I said, "America cannot remain strong with our factories in other countries."

My family owns three places in the McDade Three Oaks area. One place, 235 acres, joins the mining site on two sides. Our son and his family live on this place. He is not at all worried about living close to the mine.

I farmed for 32 years in the Three Oaks mine area. I wouldn't want to have to try again to make a living off of this poor land. My mother-in-law sold 200 acres to be mined. This land is in very poor shape, also, with mesquite and deep gullies.

I say let Alcoa mine the coal and then put this land back – it will be in better shape than it was. In the future, we will need all the land possible in production to grow food for our exploding population growth.

The environmental group thinks they know how the environment works. They have made an effort to designate this area as

20-1 Comment noted.

20-1

OCT 09 2002

Letter 20 Continued

habitat for the Houston toad in an effort to stop Alcoa. Here is my experience. One night someone dumped a large number of toads on the county road near our home. We had never before in our 52 years living here heard so many frogs. In about ten days we no longer were hearing the frogs at night. No doubt the fire ants and hawks wiped them out. (All quail and wild turkeys disappeared years ago because of the fire ants.)

Some have expressed concern that sludge will be discharged in the mine area, but I don't believe that is true. Three knowledgeable people with whom I discussed this – an agricultural teacher, a rancher, and a retired 32 year employee of Alcoa – all said that the water pumped from the wells during the mining is crystal clear. (However, the brick plants do discharge sludge into the creeks.)

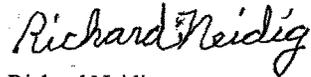
20-1

My family, neighbors, and friends support mining the coal. We want a permit to be granted as soon as possible to Alcoa to start mining. We say, "Use the coal because it is there." That will extend the life of our natural gas supply.

I have never worked for Alcoa, but I have seen and heard a lot of good things about Alcoa. They have always helped different organizations to keep our community and America growing with strength, which makes our nation stronger and better.

We want to thank each and every person associated with the Army Corps of Engineers. Lets keep America and democracy strong!

Yours sincerely,



Richard Neidig

Letter 21

Responses to Letter 21

Comments provided by Priscilla Jarvis on October 2, 2002

21-1 The DEIS does not adequately address the interaction of surface and groundwater in the Simsboro outcrop of the Carrizo-Wilcox aquifer. The DEIS is grossly optimistic that discharges from the proposed strip mine will make up for losses to area streams due to groundwater withdrawals. Water quality impacts resulting from alteration of surface water hydrology are also understated. Internal inconsistencies in the document make it even more difficult to analyze the arguments put forward.

21-2 The DEIS states, in several places, that approximately 300 to 1300 acre-feet of dewatering well water will be produced annually during the life of mine. This water would be routed to "temporary storage ponds" for use in dust suppression and truck washing. On-site operational needs will call for approximately 950 to 1300 acre feet per year, and if dewatering water is not adequate, depressurization water will make up the difference. All of the dewatering water, and some depressurization water will be dedicated to on-site uses; none will be discharged. How, then, can the Corps justify conclusions such as this one: "During the life of the mine, baseflow reductions largely would be outweighed by additional contributions of dewatering and depressurization discharges. . ." (p. 3.2-80)

21-3 The DEIS states that, starting in 2013, all depressurization water not needed for on-site operations will be piped to San Antonio under the SAWS contract. This leaves the depressurization water from mine years 1-9 (2004-2012) as the only water available for discharge to area streams. The mine plan calls for an average of 3313 acre-feet per year to be pumped from depressurizing wells for the first 9 years of mining. Some of this will go to on-site use. Shared equally between Big Sandy and Middle Yegua watersheds, discharges for the first five years would average no more than about 1500 acre-feet per year for each, or about 2 cubic feet per second.

21-4 Stormwater discharges, also routed through the outfalls to area streams, will likely be more substantial than depressurization water discharges. Alcoa's mine permit application indicates much higher total dissolved solids in runoff than in depressurization water or in area stream baseflows. USGS data for Big Sandy Creek show levels of total dissolved solids ranging from 77 to 173 milligrams per liter. Alcoa states that runoff from disturbed areas at the mine will average 1000 milligrams per liter. It is unclear how large quantities

10/2/2002

a)

21-1 Please see the response to comment 73-10 regarding interaction of surface flows and groundwater in the Simsboro outcrop areas.

21-2 Comment noted.

21-3 The text on page 3.2-80 of the Final EIS has been modified to clarify these expected conditions.

21-4 Please see the response and text modifications for comment 21-3.

21-5 Please see the response to general comment SW-2 in Section 4.5.5 of the Final EIS relative to TDS. Background information for baseline flows is provided in Appendix C of the Draft EIS. For example, these data indicate that elevated TDS, chloride, and sulfate concentrations occur naturally and commonly in these tributaries. Text changes have been made on page 3.2-66 of the Final EIS in response to this comment to further describe the existing conditions and clarify the assessment. No additional impacts are anticipated, however.

Letter 21 Continued

Page 2 of 2

21-5 [of stormwater will be adequately treated prior to discharge to area streams, particularly during storm events. No matter how you look at it, these discharges will degrade Big Sandy Creek.

21-6 [The DEIS does not even acknowledge the likelihood that, in areas where gaining streams cross over the Simsboro outcrop, substantial drawdowns could permanently reverse the direction of surface-groundwater interaction, changing those stretches into losing streams. Water from the stream will be pulled down into the aquifer if this occurs, leading to degradation of groundwater since discharges will be of lesser water quality than present base flows.

21-7 [The DEIS acknowledges that impacts to the aquifer will take 100 years to reverse, after pumping stops at Three Oaks. The Corps needs to take a harder look at the effects of such long-term impacts on the interaction of surface and groundwater in the sensitive outcrop areas of the aquifer, and the ways in which such impacts would degrade water quality both above and below the ground surface.

21-8 [I am opposed to Alcoa's plans to expand their mining operations. I request the US Army Corps of Engineers to deny the permit for the proposed Three Oaks mine.

Pussilla Jarvis
783 Lower Elgin Rd.
Elgin, TX 78621

Responses to Letter 21

21-6 The potential impacts would not change from those described in the Draft EIS. Aquifer water quality is not expected to be degraded, due to discharge water quality controls and the fact that near-surface water quality in the streambeds and adjacent terraces already is affected by existing surface runoff. Baseline surface water quality data are presented in Appendix C of the Draft EIS; these data show that naturally occurring exceedences of standards for TDS and other constituents commonly occur in existing streamflows. Please see the response to general comment SW-2 in Section 4.5.5 of the Final EIS relative to TDS. The potential conditions referred to by this comment are discussed in the Draft EIS under cumulative impacts on pages 3.2-91 and 3.2-92. With respect to potential direct impacts from the Proposed Action, page 3.2-78 of the Final EIS has been modified in response to the comment.

21-7 The potential effects of mine-related groundwater drawdown and the associated projected recovery time were analyzed in Sections 3.2.3.2, 3.2.4.2, 3.4.2, and 3.5.2 for groundwater, surface water, vegetation, and wildlife and fisheries resources, respectively, of the Draft EIS. Also see the response to comment 21-6 relative to potential groundwater drawdown effects on water quality.

The Simsboro aquifer would take approximately 100 years to fully rebound after pumping ceases at the Three Oaks Mine, assuming there are no other demands on the aquifer in the vicinity of Three Oaks or Sandow. Rebound to approximately 90 percent of the original water level in the Simsboro would take approximately 20 to 30 years, again assuming no additional wells are pumping in the area of Three Oaks and Sandow. In reality, regional municipal demand on the Simsboro aquifer would keep the aquifer from ever rebounding. Because of regional municipal demand, of which SAWS may be a part, aquifers like the Simsboro would continue to show water level declines in the future. The impact on the Simsboro aquifer by the proposed Three Oaks Mine would be minimal compared to regional municipal groundwater pumpage.

21-8 Comment noted.

Letter 22

Responses to Letter 22

22



Walter R. Pond
Superintendent

Monica Criswell, Ed. D.
*Assistant Superintendent
 for Instruction*

Arnold Proctor
*Assistant Superintendent
 for Business*

Raymon Puente
*High School Principal
 (512) 430-6140*

Allen Sanders
*Junior High Principal
 (512) 430-6100*

Andrew Griffith
*Elementary Principal
 (512) 430-6030*

**RESOLUTION IN SUPPORT OF
 ALCOA'S MINING OPERATIONS AT ITS THREE OAKS MINE**

WHEREAS, Alcoa's Rockdale Operations has been a major supporter of Rockdale schools since beginning production here in 1952, and the largest taxpayer in the district since then; and

WHEREAS, Alcoa and the Alcoa Foundation have been extremely generous with its resources, both money and manpower, to work with the school system and greatly enhance our effectiveness for the benefit of our youth as well as adults; and

WHEREAS, the Alcoa facility provides some of the best-paying manufacturing jobs in the state, which allows many of our students to remain in their home community after graduation; and

WHEREAS, the Rockdale Independent School District staff has reviewed the U. S. Army Corps of Engineers' Draft Environmental Impact Statement and concurs with the Corps' findings of no significant adverse impacts on the land, water, air, vegetation, wildlife, transportation and other areas; and

WHEREAS, Alcoa has identified exceptional mitigation measures to help minimize changes associated with mining; and

WHEREAS, the Draft Environmental Impact Statement is very complete and addresses all areas of concern identified in the public scoping process.

THEREFORE, BE IT RESOLVED that the Rockdale Independent School District Board of Trustees supports Alcoa's Three Oaks mining operations, requests that the Corp issue the requested Section 404 permit at the earliest possible date and requests that Rockdale Independent School District Board of Trustees President Gaye Bland present this resolution for the record at the October 2, 2002, public hearing at Elgin, Texas.

Adopted this the 16th day of September, 2002.

Gaye Bland
 GAYE BLAND, PRESIDENT

Sept. 16, 2002
 DATE

22-1 Comment noted.

22-1

Letter 23

Responses to Letter 23

23



100 East First Street
Cameron, Texas 76520
(254)697-7045
(254)697-7046 fax
milam-tx@tamu.edu

September 30, 2002

Ms. Jennifer Walker, EIS Project Manager
U.S. Army Corps of Engineers (USACE)
Fort Worth District
P.O. Box 17300
Ft. Worth, Texas 76102-0300

Dear Ms. Walker:

As an employee of Texas Cooperative Extension I cannot recommend/endorse a single individual, company or product. I am not a hydrologist and will not attempt to address the water issues surrounding the Three Oaks Mine. I would like mention the positive impact ALCOA has had on the youth of Milam County.

ALCOA provides monetary support to the various Little League Associations, Boys and Girls Scouts Groups, FFA Chapters, County 4-H Program as well as hosting a number of contests at their training facility. In addition to their financial support, the management team at ALCOA-Rockdale Works and its employees provide countless hours volunteer service to a wide range of worth while organizations. This service comes in the form of general leadership and group participation. Without the help and support of ALCOA and its employees, Milam County would not be the wonderful place it is today.

ALCOA has proven itself to be a supportive community member!

Sincerely,

Cullen D. Tittle
County Extension Agent
Agriculture and Natural Resources
Milam County

23-1 Comment noted.

Letter 24

Responses to Letter 24

24

Working in the health care system in Texas for over 20 years I am appalled to read the DEIS conclusion that Alcoa's proposed plans are "not anticipated to adversely affect the health of local residents."

This is a conclusion of convenience - a conclusion that can only be reached by ignoring the purposes for which Alcoa wants to strip mine lignite. It is convenient for the Army Corps of Engineers to refuse to examine supporting Alcoa's plans in the use of lignite to supply power to Alcoa's Rockdale aluminum smelter.

Please do not ignore the statistics that represent citizens paying for polluters profit margin with our very lives and taxpayers carrying the cost of treatment and care.

Please know that.....

-Fragile lung tissue is easily damaged by pollutants in the air, resulting in increased risk of asthma and allergies, chronic bronchitis, lung cancer and other respiratory diseases.

-Sulfur dioxide is formed when burning coal fuel containing sulfur and during metal smelting processes. The major health concerns associated with exposure to high concentrations of sulfur dioxide include effects on breathing, respiratory illness, alterations in the lungs' defenses, and aggravation of existing cardiovascular disease.

Major subgroups of the population that are most sensitive to sulfur dioxide include asthmatics and individuals with cardiovascular disease or chronic lung disease, as well as children and the elderly.

-Lung disease is America's number three killer, responsible for one in seven deaths. Over the last decade, the death rate for lung disease has risen faster than that of any of the top five causes of death. Every year, close to 361,000 Americans die of lung disease. In Texas, more than 2.2 million people currently have lung disease.

Reports indicate a dramatic increase in numbers of asthma sufferers over the last decade, during which asthma prevalence has almost doubled. A 1998 survey reports 48% of Americans said they suffer from asthma. In Texas, asthma is the leading cause of childhood hospitalizations.

-Asthma annually accounts for approximately 5,000 deaths, 500,000 hospitalizations and two million emergency room visits.

-The cost of asthma in 2000 was estimated by the National Institutes of Health to be \$12.7 billion, with direct costs amounting to \$8.1 billion and lost earnings due to illness and death totaling \$4.6 billion.

24-1 Comment noted.

24-1

Letter 24 Continued

- 24-1 Asthma affects more children than any other chronic disease. 1 in 13 children suffer from asthma, that is about 5 million nationwide. The most rapid rise in asthma has occurred in children under the age of 5 - an increase of more than 160%.
- Only about a quarter of the children with asthma become symptom-free when their airways reach adult size; for the rest, the condition is a lifelong ordeal.
- Research links air pollution from power plants like Alcoa's to stroke, heart disease, cancer, chronic and acute respiratory illnesses. We are all at risk from Alcoa's pollution. Children breathe twice as much air; they are doubly at risk.
- In January of this year federal and state environmental agencies formally charged Alcoa Inc. of improper and illegal dumping of massive amounts of health-damaging air pollutants since the mid-1980s.
- 24-2 Notices of violation issued by the EPA and TNRCC state Rockdale's Alcoa broke federal and state air pollution laws by failing to install modern pollution-control equipment after modifying old coal-fired power plants at the smelter starting in 1982, resulting in fines in the millions of dollars for illegal polluting. Strip-mining is not illegal, polluting Texas air is.
- 24-3 I have cared for children with asthma, I know what your conclusion of convenience will cost in suffering. Over the next 30 years, how many generations of children will be paying for that conclusion? In Texas, one million suffer from asthma, one third of them children. If you can't breathe, nothing else matters.
- It is unconscionable and inhumane for the Corps of Engineers to ignore these facts and health impacts. This is America --not a third world polluters paradise, Texans demand protection from corporate greed hidden behind, "cost effectiveness", and the deadly bottom line of illegal polluters.

Cynthia Shelp
141 Bilmar
Elgin, Texas 78621

Responses to Letter 24

- 24-2 Please see the responses to general comments AQ-1 and AQ-2 in Section 4.5.6 of the Final EIS relative to cumulative impacts and proposed reductions in emissions from the power plants.
- 24-3 Comment noted.

Letter 25

25

I am here tonight to talk about location.

25-1 The Corps of Engineers has fallen victim to Alcoa's specious argument that there are no significant differences between the region of its proposed Three Oaks strip mine and its current Sandow mine. No one with a thorough knowledge of this area could reasonably trivialize the issue of the proposed location, as this Draft Environmental Impact Statement does.

Location is, in fact, one of the major issues regarding Alcoa's proposed plans - an issue Alcoa, and now the DEIS, sidesteps through sleights of hand such as lumping Bastrop, Lee, and Milam counties together into a so-called "regional economy." Let me highlight a few critical differences:

- The Three Oaks permit area is barely 20 miles east of the Austin city limits. Austin has designated the areas east of the city as a "smart growth" corridor.
- Alcoa's Sandow mine is located primarily in Milam County, whose mono-economy has been - to quote the Rockdale newspaper - "stuck in low gear" for years. Three Oaks would be located in Lee and Bastrop counties, whose economies are more diversified and much more strongly linked to the Austin economy.
- Bastrop County - whose population is greater than that of Milam and Lee counties combined - is experiencing burgeoning growth. With population increases far exceeding the state average and accelerating annually, Bastrop County is now the 30th fastest-growing county in the United States.
- Bastrop County has pinned its economic future on activities that are antithetical to a massive strip-mining operation such as Alcoa's. Contrary to statements in the DEIS, the city of Elgin - a municipality only 4 miles from the proposed mine - ~~does~~ have a land use plan that focuses specifically on attracting high-tech industrial development and absorbing more growth from Austin. Bastrop County Judge Ronnie McDonald has informed the Texas Railroad Commission that, "Bastrop County has engaged in an effort to guide the County's rapid growth... It is my view that Alcoa's proposed lignite strip mining is incompatible with our planning goals."

25-3 Citizens, businesses, and local governments in the Three Oaks area are strongly opposed to Alcoa's proposed strip-mining, water-pumping plans - a documented fact that the DEIS conveniently ignores.

Carl Aftman-Kasogh
188 Meadows Dr.
Elgin, TX 78621

Responses to Letter 25

25-1 Please refer to the response to general comment SE-2 in Section 4.5.10 of the Final EIS relative to the presentation of aggregated data. Also, the data in Section 3.10 of the Draft EIS were provided in disaggregated form by county.

25-2 Please refer to the response to general comment LU-1 in Section 4.5.9 of the Final EIS regarding the Smart Growth corridor. The differential growth rates noted by the commentor are discussed in Section 3.10.1.1 of the Draft EIS. Regarding Bastrop County's land use plans, please refer to Section 3.9.1.1 of the Draft EIS, which explains that the county has no regulations in place to guide or control land development. (The county has no authority under Texas law to enact such regulations.) Also, please refer to the response to general comment LU-1 in Section 4.5.9 in the Final EIS relative to growth and development management by local jurisdictions.

25-3 Comment noted.

Letter 25 Continued

25-4 [Perhaps if the Corps had not relied on the work of Alcoa consultants for its economic analyses, these facts and others would be reflected in the DEIS.

25-5 [It's about the water. Marketing of water. ^{CPS} -Mamie
Natural gas alternative - smelter won't have to shut down.
Who paid for production of this document?
" Things change" → change levels!

Responses to Letter 25

25-4 As identified in the Draft EIS, the economic baseline data relies on official federal and Texas state agency information, and the primary tool used to estimate economic effects was the IMPLAN model for the State of Texas, maintained by Texas A&M University (Jones 2002). As identified, the model run was conducted at the request of Alcoa to provide information relative to the potential economic and fiscal impacts of the proposed project. However, regardless of the data source, it is the responsibility of the federal agency preparing the EIS to thoroughly review the adequacy and accuracy of the data used in the analysis. In the case of the Three Oaks Mine EIS, the USACE reviewed the model in-put and out-put data to ensure the data's accuracy for impact assessment. Also see the response to general comment NEPA-1 in Section 4.5.1 of the Final EIS regarding the use of Alcoa baseline data.

25-5 As discussed in Section 2.4.1.3 of the Draft EIS and in the response to general comment Alternatives-1 in Section 4.5.2 of the Final EIS, fuel costs, conversion costs, and additional infrastructure costs cause this substitution to be economically impractical and would result in the closure of Alcoa's smelter operations.

Letter 26

Ms. Jennifer Walker
Regulatory Branch
CESWF-PER-R
U.S. Army corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102-0300

October 2, 2002 ²⁶

26-1

Thank you for letting me make this comment. Since our politicians have as yet not done anything to fix the old outdated Rule of Capture Law, The (usace) has an opportunity here to give them time to do it. Hopefully we have some politicians that are trying to do this. Its not right to ask Alcoa to police themselves, it's a job for government. Water must remain affordable for our nation to prosper, our state has and opportunity here to be a leader, The US Army Corps of Engineers has an opportunity to help insure affordable water for future generations. I am certain that you could if you so desire, find any number of reasons to delay the permit that ALCOA needs, untill the the Voters have a chance to vote on THE LOST PINES GROUNDWATER CONSERVATION DISTRICT.

Bill Glover Sr.
Bill Glover
1260 Hwy. 290 East
Elgin, Texas 78621
billglo3@juno.com

Responses to Letter 26

26-1 Please refer to the response to general comment GW-5 in Section 4.5.4 of the Final EIS regarding the role and jurisdiction of groundwater conservation districts.

Letter 28

Responses to Letter 28

28

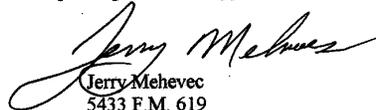
September 30, 2002

TO: Public Hearing Examiner
U.S. Army Corps of Engineers

RE: Environmental Impact Statement Concerning ALCOA, Inc. Proposed Three Oaks Mine in Lee and Bastrop Counties, State of Texas

I have reviewed the Corps of Engineers Environmental Impact Study and agree that under Section 404, ALCOA meets or exceeds the minimum standards as set forth by the regulations of the Clean Water Act. Bastrop County presently has mining operations which date back to the early 1900's. ALCOA has a record of reclaiming mined land and restoring it to better than before and has received many national reclamation awards for its Sandow Mine at Rockdale, Texas. Long term reclamation at Three Oaks would reinforce the existing rural character and tend to offset urbanizing pressure on the area.

28-1 As Williamson County Commissioner, Precinct #4, for 20 years (1978-1998), I became very familiar with the area that the Three Oaks Mine would encompass since our precinct was adjacent to the area where this mine is proposed in Bastrop County. As I made monthly inspections of Williamson County roads, I often traveled into Bastrop County and visited with the County Commissioner on problems that were common to both counties. I have also personally observed the present and past clay mines south of the Williamson County Line. I am in complete agreement to approve the Section 404 application.


Jerry Mehevec
5433 F.M. 619
Taylor, TX 76574
Tel: 512-365-7031

28-1 Comment noted.

Letter 29 Continued

Responses to Letter 29

Comments by Hugh Brown to the United States Army Corps of Engineers about the Three Oaks Mine Draft Environmental Impact Statement, 2 October 2002.

My comments will be about ponds, water, and reclamation.

I own 153 acres in the Joseph Jackson and Alex Armstrong surveys in Lee County about a mile from the Three Oaks Permit Area. I have lived there since 1975. I have always operated the land as a wildlife refuge and over the years I have tried to improve its quality as habitat for the native wildlife, focusing on birds.

I like to watch birds here and I take notes on what I see. My bird data is from 1975 to ~~now~~ now. I include a checklist of the birds on my land which summarizes the massive quantity of data I have. If you need more detailed data on my bird observations, feel free to contact me at the address and telephone number on the checklist.

Here are some ^{guidelines} ~~parameters~~ for making ponds attractive and productive for wildlife. Marshes and shallow ponds are better than deep lakes. It is good to have a little deep water in ponds where a permanent fish population is desired, ~~so~~ so that in droughts the fish will have some place to go. On my land I have a deep pond that never goes dry. It overflows in big rains into a shallow marsh. I try to fill up the marsh in winter and let it go dry in summer. I can add water to the pond or marsh via pipe and ditch from a well. There is also a pipe which can partly draw the pond into the marsh. Overflow or drain water from the pond also restocks the marsh with fish. When the marsh ~~is~~ ^{is going} dry in summer, it is very attractive to white-faced ibis, wood stork, roseate spoonbill, and the various herons and egrets, all of whom gather to feed on the concentrated fish, frogs, and macroinvertebrates. The marsh also attracts ~~many~~ many more ducks than the pond. The non-diving ("puddle ducks") ducks depend on

29-1 Comment noted.

29-2 Comment noted.

29-1

29-2

Letter 29 Continued

Responses to Letter 29

HUGH BROWN COMMENT PAGE 2

29-2

SHALLOW WATER FOR FEEDING. THEY FEED BY "TIPPING UP", REACHING DOWN WITH THEIR BILLS WHILE THEIR TAILS STAY ABOVE WATER. EVEN THE DIVING DUCKS, THE MOST NUMEROUS HERE BEING RING-NECKED DUCK, SEEM HAPPIER IN THE MARSH, FEEDING BY DIVING IN WATER ABOUT 2-6 FEET DEEP. IN THE POND, MOST OF THE FEEDING TAKES PLACE IN THE SHALLOW WATER AROUND THE EDGE, ALTHOUGH WADING DUCKS DO NOT CARE ABOUT WATER DEPTH.

29-3

2. LENGTH OF SHORELINE MATTERS. WADING BIRDS, ~~AND~~ SHOREBIRDS, ~~WATER~~ RAILS, YELLOWTHROATS, BLACKBIRDS, SWAMP SPARROWS AND OTHER BIRDS WORK THE SHORELINE OR THE VEGETATION ALONG THE SHORELINE. SO DO OTHER ANIMALS, SUCH AS WATER SNAGS AND RACCOONS. SHORELINE IS ALSO PRIME HABITAT FOR FROGS, WHICH ARE FOOD FOR A WIDE VARIETY OF BIRDS, MAMMALS, AND REPTILES. PONDS WITH A LOT OF ~~WALDS~~ WILDS, COVES, AND PENINSULAS ARE PREFERABLE TO PONDS WITH A ~~STRAIGHT~~ STRAIGHTER, MORE EVEN SHORELINE. ISLANDS ARE ALSO A GOOD ~~WAY~~ WAY TO ADD SHORELINE. INCREASED SHORELINE ALSO HELPS MAKE FOR MORE SHALLOW WATER.

29-4

3. A GOOD POND HAS SNAGS. SOON AFTER I BUILT MY MARSH, I DUG POST HOLES AT VARIOUS PLACES IN THE MARSH AND PUT IN SOME CUT ASHE JUNIPER TREES (RESISTANT TO ROT) AS SNAGS. THEY HAVE BEEN VERY POPULAR WITH THE WADING BIRDS, ALSO EASTERN PROBES, ~~AND~~ BELTED KINGFISHER, HAWKS AND OTHER BIRDS. PLANT BLACK WILLOWS AROUND PONDS. THE BIRDS LIKE THEM. WHEN THEY DIE, THEY ARE GOOD SNAGS. OFTEN THEY FALL (WHEN ALIVE OR WHEN DEAD) INTO THE WATER. HORIZONTAL ^{SNAGS} ~~SNAGS~~ AT OR JUST ABOVE WATER LEVEL ARE FAVORITE LOAFING SPOTS FOR DUCKS AND TURTLES. THE ~~WATER-LEVEL~~ WATER-LEVEL HORIZONTAL SNAGS ALSO LET HERONS FEED IN DEEPER WATER.

29-5

4. ~~SHOREBIRDS~~ MANY SHOREBIRDS (SANDPIPERS AND PROBES) LIKE EXPOSED MUD. A ^{BIG} ~~SHALLOW~~ SHALLOW POND ~~WITH~~ WITH A VERY SLIGHT SLOPE TO THE BOTTOM WILL EXPOSE A LOT OF MUD AS ~~THE~~ THE WATER LEVEL DROPS.

29-6

THE PROBLEM OF THE END LAKES.
HAVING GIVEN THE GUIDELINES ABOVE, I SEE ~~THE~~ ALCON'S PROPOSED END LAKE AS LARGELY WASTED AS A POTENTIAL WILDLIFE RESOURCE. THE REASON THEY DO

29-3

The Mitigation Plan in Appendix E of the Final EIS identifies the mitigation replacement ratio for waters of the U.S. (including jurisdictional ponds, wetlands, and streams) that would be affected by the Proposed Action, as well as the general design configuration for these features and the subsequent reclamation of associated riparian and fringe habitats. Also, Section 2.5.3.7 of the Draft EIS describes the proposed establishment of fringe habitat around the final end lakes.

29-4

Please see the response to comment 29-3.

29-5

Comment noted.

29-6

The suggested scenario would enable potential interconnection of two aquifers. As a result, water from the Calvert Bluff, which is of poorer quality, could migrate to the Simsboro. The RRC and TCEQ both are bound by the Texas Water Code, which does not allow interconnection of aquifers.

Letter 29 Continued

Hugh Brown Comment page 3

THE END LAKES THAT WAY IS BECAUSE IT IS CHEAP. YOU GET TO THE END, YOUR DIG, AND WITH NO MORE COAL TO MINE, YOU LEAVE, AND LET WATER FILL PIT. ALCOA CAN DO BETTER THAN THAT. ALCOA MUST DO BETTER THAN THAT

HERE IS MY SOLUTION TO THE ENDLAKE PROBLEM. AFTER THE LAST OF THE COAL IS DUG OUT, ^{WITH DEPRESSURIZING WELLS GOING} THE DRAGLINE DIGS A BIG HOLE IN THE PIT DOWN TO THE SANDS OF THE SIMSBORO AQUIFER. THE DRAGLINE LEAVES THE PIT AND THE HOLE TO THE AQUIFER IS FILLED WITH SAND. THEN THE LAND IS SLOPED DOWNWARD TOWARDS THE END PIT, WHICH IS MOSTLY FILLED WITH OVERBUNDEN AS THE PIT IS FILLED, SAND IS ADDED TO THE SAND PREVIOUSLY INSTALLED, SO A BIG, WIDE COLUMN OF SAND EXTENDS CONTINUOUSLY UPWARD FROM THE AQUIFER. THE LAND IS THEN SHAPED SO IT LOOKS REASONABLY NATURAL, RE ALL THE MINE AREA PLUS WHAT IS UPHILL OF IT AND DRAINS ONTO IT ALL DRAIN INTO ONE OF THE TWO END LAKES, WHICH THROUGH THEIR SAND COLUMNS FEED TO

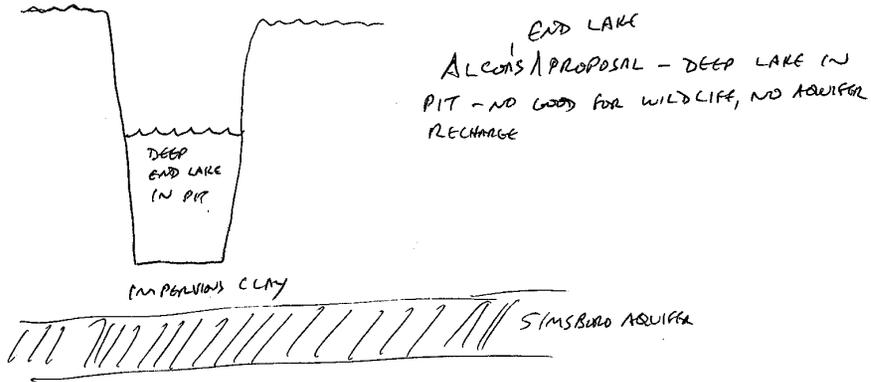
29-6

SIMSBORO AQUIFER THEIR WATER, AND THE END LAKES BECOME BIG, SHALLOW, MARSH, LAKES THAT GO UP AND DOWN WITH THE RAINFALL. PUT A FEW DEEP SPOTS IN THE END LAKES NOT NEAR THE SAND COLUMNS THAT WILL MAINTAIN A FISH POPULATION AND WILL RESTOCK THE ENDLAKE AFTER IT DRIES UP IN DRY WEATHER. (SEE ILLUSTRATION, NEXT PAGE). THE TOTAL CAPACITY OF THE ENDLAKE BASIN WILL BE GREATER THAN ANY RAIN WOULD EVER FILL, SO NO SPILLWAY IS NECESSARY, SO ALL THE RUNOFF EITHER EVAPORATES OR ~~GOES~~ GOES INTO THE AQUIFER. MOST GOES UNDERGROUND. WHAT WE ARE DOING IS STOPPING THE AQUIFER FULL OF WATER. SINCE SOME OF THE CREEK DRAINAGE AREA HAS BEEN DIVERTED, WHAT HAPPENS TO THE CREEKS?

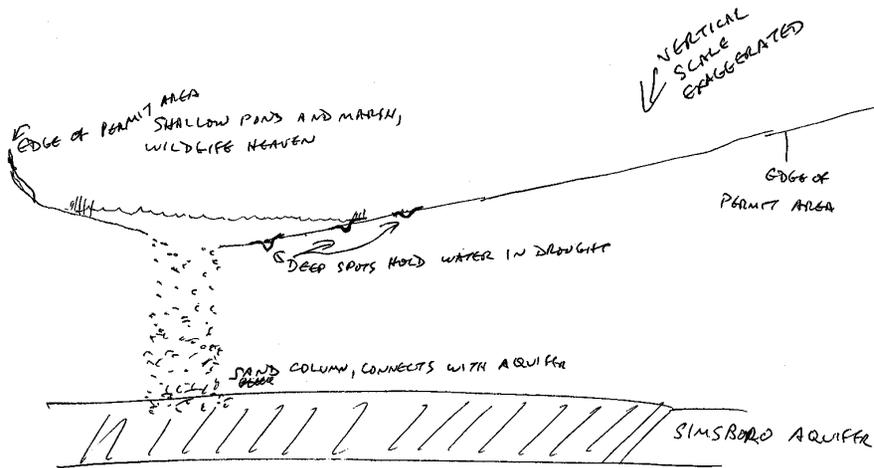
TWO THINGS. FIRST, ~~THE~~ FLOODS WILL STILL HAPPEN, BECAUSE THE CREEKS DRAIN MORE THAN THE MINE. BUT THE FLOODS WON'T BE AS SEVERE, BECAUSE SOME OF THE WATER WILL BE DIVERTED TO THE SIMSBORO. SECOND, AND THIS BRING UP AN IMPORTANT POINT \Rightarrow NO WATER IS EXPORTED TO SAN ANTONIO OR ANYWHERE ELSE !!!, ~~AND~~ SECOND, SPRINGS START FLOWING AGAIN, AND IN GREATER VOLUME, SO THE CREEKS HAVE MORE WATER IN THEM IN DRY SPELLS.

Letter 29 Continued

HUGH BROWN COMMENT, PAGE 4



My END LAKE PROPOSAL - SHALLOW LAKE,
WILDLIFE IN ABUNDANCE, AQUIFER RECHARGE



Letter 29 Continued

Responses to Letter 29

29-6

HUGH BROWN COMMENT PAGE 5

INTERMITTENT-FLOW CREEKS AND DRAWS START FLOWING WITH PERMANENT WATER. NOT ONLY THAT, THERE WILL BE ENOUGH ARTESIAN PRESSURE IN THE AQUIFER SO ~~DOWNHILL~~ DOWNHILL FROM THE ENDLAKES WE CAN DRILL WELLS THAT WILL BE ARTESIAN FLOWING WELLS, ARTIFICIAL SPRINGS WHEREVER WE WANT ALONG THE CREEKS, ~~OR~~ SPRINGS WE CAN BY TURNING A VALVE, CONTROL THE OUTPUT OF. SO, FOR INSTANCE, IN THE MITIGATION AREA BY ~~THE~~ MIDDLE YUMA CREEK WE CAN BUILD A MARSH BEHIND A DIKE ^{WITH A DRAIN} BY THE CREEK AND RAISE AND LOWER THE WATER LEVEL AT WILL. IF THE ARTESIAN PRESSURE IS SUFFICIENT, ~~ARTESIAN~~ ARTESIAN WELLS COULD KEEP RANCHERS' STOCK PONDS FULL BEFORE THE EXCESS OVERFLOWED TO KEEP A GOOD FLOW IN THE CREEK. YOU DON'T NEED A LOT OF FLOW IN THE CREEK - THE WATER ALREADY PRESENTLY HAS RUNNING IN CROSS CREEK IS PROBABLY WAY TOO MUCH - JUST ENOUGH TO KEEP IT GOING GENTLY. WE COULD HAVE ALL THE WETLANDS WE WANT, AND PEOPLE HERE COULD MAKE MONEY WITH DUCK-HUNTING LEASES.

THANKS IT FOR MY WATER COMMENTS. ON TO WILDLIFE. THERE IS A GENERAL ASSUMPTION THAT WILDLIFE FORCED OFF THE MINE SITE WILL GO SOMEWHERE ELSE AND BE JUST AS HAPPY. I HAVE BAD NEWS FOR YOU, IT DOESN'T WORK LIKE THAT.

29-7

WILD ANIMALS (AND PLANTS, ALSO) HAVE POPULATIONS THAT INCREASE UNTIL STOPPED BY SOME LIMITING FACTOR. ~~ANIMAL~~ ANIMAL POPULATIONS MAY BE LIMITED BY LACK OF FOOD, WATER, NESTING SITES, TERRITORY OR OTHER NEEDED FACTORS, OR BY EXCESS DISEASE, STRESS, PREDATION, FIRE, BAD WEATHER, ETC. IN NORMAL HABITAT IN NORMAL CONDITIONS, AN ANIMAL HAS A REPRODUCTION RATE GREATER THAN ~~REPRODUCTION~~ THAT WHICH WOULD MERELY REPLACE BY NEW ADULTS OF THE SPECIES. THIS IS SO THE ANIMAL CAN RECOVER FROM HARD TIMES AND CAN MULTIPLY IF THE HABITAT IMPROVES. CONSEQUENTLY, HABITAT THAT IS IN EQUILIBRIUM, THAT HASN'T CHANGED MUCH IN A WHILE, WILL HAVE ABOUT ALL THE CARDINALS, COYOTES, LARGEMOUTH BASS, OR ANY OTHER ANIMAL, THAT IT CAN SUPPORT. ADD MORE ~~OR~~ INDIVIDUALS OF A SPECIES TO AN AREA

29-7

Potential impacts to wildlife species, including potential displacement of wildlife and the possible reduction in local populations, are described in Section 3.5.2 of the Draft EIS.

Letter 29 Continued

29-7 HIGHT BROWN COMMENT, PAGE 6
AND THE CARRYING CAPACITY FOR THAT SPECIES IN THAT AREA WILL BE EXCEEDED AND LIMITING FACTORS WILL GET MORE SIGNIFICANT, AND THE DEATH RATE FOR THAT SPECIES WILL GO UP (THE BIRTH RATE MAY ALSO DROP), SO THAT PRETTY SOON, THE POPULATION WILL BE BACK WHERE IT WAS BEFORE THE NEW INDIVIDUALS OF THAT SPECIES WERE INTRODUCED. IN OTHER WORDS, DISPLACED ANIMALS DON'T LIVE HAPPILY EVER AFTER, THEY SOON DIE, OR THE CROWDING ~~OF THEM~~ THEY CAUSE MAKES OTHERS OF THEIR KIND DIE, AS WELL AS MEMBERS OF SPECIES THEY COMPETE WITH.

29-8 SPECIFICALLY, THIS POINTS UP A PROBLEM WITH ALCOA'S PROPOSAL. ALCOA PROPOSES TO CATCH AND MOVE ANY CANEBRAKE RATTLESNAKE IT FINDS IN THE PERMIT AREA TO "NEARBY SUITABLE HABITAT OUTSIDE THE MINE AREA". IF ~~THEY~~ ALCOA DOES THIS, THEY WILL OVERLOAD SAID SUITABLE HABITAT WITH CANEBRAKE RATTLESNAKES AND CAUSE ABOUT AS MANY RATTLESNAKE DEATHS AS RATTLESNAKES MOVED. ~~OR~~ IN OTHER WORDS, ALCOA MIGHT AS WELL KILL THE RATTLESNAKES RATHER THAN MOVE THEM. THE PROBLEM IS THAT KILLING THE RATTLESNAKES IS NOT A SATISFACTORY OPTION. THEY ARE A THREATENED SPECIES. WHAT SHOULD ALCOA DO? HERE IS A SUGGESTION. FIGURE OUT WHAT IS A REALISTIC EQUILIBRIUM POPULATION FOR CANEBRAKE RATTLESNAKES ON THE LANDS TO BE DISTURBED ^{AFTER IT IS RECLAIMED.} CATCH ALL THE RATTLESNAKES YOU CAN IN THE PERMIT AREA AND KEEP THEM IN CAPTIVITY. BREED THEM IN CAPTIVITY UP TO THE EQUILIBRIUM POPULATION FOR THE RECLAIMED LAND AND TURN THEM LOOSE WHEN THE HABITAT THERE IS SATISFACTORY. THIS WILL ALSO COVER ^{FOR} THE MANY CANEBRAKE RATTLESNAKES NO ONE EVER SEES, BUT ARE QUIETLY SQUASHED UNDER BULLDOZER TRACKS AS THE LAND IS CLEARED FOR MINING. IT WOULDN'T HURT TO DO THIS PROCESS WITH OTHER ANIMALS, EITHER. BY THE WAY, ~~SEVERAL~~ CANEBRAKE RATTLESNAKES ALMOST CERTAINLY OCCUR IN THE 3 OAKS PERMIT AREA. I HAVE FOUND SEVERAL CANEBRAKE RATTLESNAKES ON MY LAND, A MILE OR SO FROM THE PERMIT AREA.

29-9 ANOTHER ANIMAL LISTED AS A UNITED STATES FISH AND WILDLIFE SERVICE

Responses to Letter 29

29-8 As presented in Table 2-15 of the Final EIS, Alcoa's committed environmental protection measures for the timber/canebrake rattlesnake would include employee education measures and the relocation of timber/canebrake rattlesnakes found in the disturbance area. Based on concerns raised during the Draft EIS comment period regarding the survivability of this species as a result of relocation, Alcoa also has committed to conducting radio-telemetry studies in coordination with the TPWD to determine the survivability of relocated timber/canebrake rattlesnakes within the Three Oaks Mine and Sandow Mine areas. This mitigation has been added to Table 2-15 of the Final EIS.

29-9 Please refer to Section 3.5.2.1 of the Draft EIS relative to potential impacts to the plains spotted skunk.

Letter 29 Continued

HIGH BROWN COMMENT, PAGE 7

29-9 SPECIES OF CONCERN IS THE PLAINS SPOTTED SKUNK, LISTED AS OCCURRING IN BASTROP COUNTY. I ONCE ~~WAS~~ LIVE-TRAPPED AND RELEASED A SPOTTED SKUNK ON MY LAND (LEE COUNTY, A MILE OR SO FROM PERMIT AREA), SO SPOTTED SKUNK SHOULD ALSO OCCUR IN THE PERMIT AREA.

29-10 AS ALCOA MINES, THEY SHOULD NOT JUST KNOCK DOWN AND DESTROY ALL THE TREES IN THEIR WAY. RATHER, THEY SHOULD BUY A FLEET OF THOSE BIG TRUCKS THAT CAN DIG UP AND MOVE BIG TREES AND REPLANT THEM TO REPLACE TREES DESTROYED AT SANDOWN, OR TO MAKE FORESTED AREAS IN OLD FIELDS AT THREE OAKS. THIS IS ESPECIALLY IMPORTANT WITH THE TREE SPECIES THAT GROW ALONG CREEKS AND DRAWS. THEY NEED TO RUN THOSE TRUCKS 24 HOURS A DAY IN COOL WEATHER, FALL & WINTER, & NEED TO START NOW, AHEAD OF MINING & ROADBUILDING. THIS WOULD CUT YEARS OFF TIME FOR RECLAMATION OF THE LAND.

29-11 BIRDS. THE WOOD STORK IS A REGULAR VISITOR AS A POST-BREEDING WANDERER. THEY LIKE PONDS IN ~~THE~~ SUMMER AND FALL THAT HAVE ALMOST DRIED UP, WHERE FISH AND OTHER FOOD IS CONCENTRATED AND EASY TO EAT.

29-12 THE LOGGERSHEAD SHRIKE IS FAIRLY COMMON ON MY LAND IN FALL AND WINTER, LESS SO IN SPRING AND SUMMER. I DON'T THINK IT NESTS ON MY LAND, BUT I DO THINK IT NESTS IN THE COUNTY. MY ~~SHRIKES~~ SHRIKES ARE MOST LIKELY WINTERING BIRDS AND TRANSIGTS. I CAN'T IMAGINE WITH LOGGERSHEAD SHRIKES WOULD NOT BE FOUND IN THE PERMIT AREA.

29-13 BLACK-CAPPED VIREO, A FEDERAL ENDANGERED SPECIES, NEEDS GREATER MENTION IN THE ENVIRONMENTAL IMPACT STATEMENT. I HAVE SEEN BLACK-CAPPED VIREO TWICE ON MY LAND, ONCE IN JUNE, A SINGING MALE (BREEDING??).

Responses to Letter 29

29-10 The majority of trees and shrubs present within the project area are larger than seedling size and have extensive root systems that are not conducive to transplanting. If these trees and shrubs were removed from their existing locations and transplanted in to previously mined areas, they likely would have a high mortality rate as a result of damage to their root systems and subsequent physiological stress. As stated in Section 2.5.3.5 of the Draft EIS, Alcoa has committed to the planting of native upland and bottomland tree species (Table 2-12 of the Draft EIS) using bare rootstock and plugs. The survival and growth rates of tree rootstock and plugs would be appreciably higher than the relocation of existing trees.

29-11 As described in Sections 3.5.1.5 and 3.5.2.1 of the Draft EIS, occurrence by the wood stork within the study area would be limited to transitory individuals in appropriate foraging habitat during post-breeding dispersal in late summer and early fall. As a result, potential mine-related impacts to this species are anticipated to be low.

29-12 As described in Sections 3.5.1.5 and 3.5.2.1 of the Draft EIS, it is highly likely that breeding, transient, and wintering loggerhead shrikes could occur within the study area. However, as discussed, impacts to this species are anticipated to be low based on the implementation of the Alcoa's committed environmental protection measures.

29-13 As described in Table F-3 in Appendix F of the Draft EIS, the potential for occurrence by the black-capped vireo within the study area would be low, and the potential for breeding by this species within the study area would be extremely low. This is consistent with the Biological Assessment that the USACE submitted to the USFWS for the Three Oaks Mine. Please refer to the USFWS concurrence letter in Appendix G of the Final EIS.

Letter 29 Continued

- 29-13 HUGH BROWN COMMENT PAGE 8
IS BLACK-CAPPED VIREO A RARE BREEDER IN LEE COUNTY??
- 29-14 THE ONLY WHOOPING CRANE I EVER SAW HERE WAS FLYING OVER, ACCOMPANYING A FLOCK OF SANDHILL CRANES.
- 29-15 PEREGRINE FALCON I ~~NEVER~~ HAVE SEEN ONCE HERE, YOU CAN CONSIDER IT RARE IN THE PERMIT AREA
- 29-16 WHITE-FACED IBIS IS MORE NUMEROUS, BUT NOT SO MUCH AS WOOD STORK
- 29-17 ALCOA ~~IS~~ PROPOSES TO REMOVE MILLIONS AND MILLIONS AND MILLIONS OF DOLLARS OF LIGNITE FROM THREE CARS. THEY CAN AFFORD TO SPEND A FEW MILLION ON RECLAMATION, THEY DONT WANT TO SPEND ANY MORE THAN THE LAW MAKES THEM SPEND, BECAUSE THEY WANT EVERY PENNY OF PROFIT THEY CAN GET THEIR HANDS ON, BUT THEY CAN AFFORD TO DO A GOOD JOB. WHAT ALCOA NEEDS TO DO IS RECLAMATION AND RESTORATION AS GOOD AS HUMANLY POSSIBLE, WHICH MEANS ~~IS~~ A WHOLE LOT BETTER THAN HAS EVER BEEN DONE BEFORE. EACH OF US HAS A MORAL OBLIGATION TO LEAVE THE WORLD A BETTER PLACE FOR OUR HAVING LIVED IN IT. I AM TRYING TO DO THIS ON MY LAND. ALCOA NEEDS TO DO IT ON THEIRS.

73,
C/L Brown
HUGH BROWN

Responses to Letter 29

- 29-14 As described in Section 3.5.1.5 of the Draft EIS, it is possible that migrating whooping cranes temporarily could utilize potential roosting and foraging habitat within the study area, based on reported sightings in the region.
- 29-15 As described in Section 3.5.1.5 of the Draft EIS, the incidence of foraging peregrine falcons within the study area would be expected to be infrequent and transitory in nature.
- 29-16 As described in Section 3.5.1.5 of the Draft EIS, it is possible that the white-faced ibis potentially could occur in shallow water habitat within the study area.
- 29-17 Comment noted.

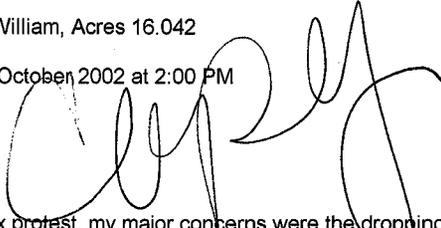
Letter 30 Continued

September 30, 2002

Bastrop County Central Appraisal District
P.O. Drawer 578
Bastrop, Texas 78602

RE: R10281 A180 Goodwin, William, Acres 16.042
168 Potato Smith Road
Hearing scheduled for 01 October 2002 at 2:00 PM

Dear Mr. Mark Boehnke,



When I submitted my property tax protest, my major concerns were the dropping of the homestead and agricultural exemptions, and the non-agricultural value of the land. This was the result of my refinancing the parcel with a change to the names on the deed, along with a miscommunication I had with BCAD at the time I checked if anything needed to be done on your end. I have been told these issues were resolved and through a phone conversation with Ms Leslie Muller last week, had stated that since the homestead and agricultural exemptions were restored (the non-agricultural value does not have much impact), I would withdraw my protest.

Since the conversation with Ms. Muller, I have received a Draft Environmental Impact Statement prepared for Alcoa by the US Army Corps of Engineers. This study had identified a number of Alcoa activities that will greatly impact this parcel in the very, very near future.

Due to the amount of work needing to be preformed to effectively present my case at tomorrow's hearing, **I am withdrawing my protest for the current valuation.** But, I would like these items to be considered for future valuations of my property.

- I am located less than ¼ mile from the discharge point (outfall) from 2 mine sedimentation ponds.
- The outfall will receive water from the 2 mine ponds, waters pumped for mine depressurization and mine dewatering.
- The discharge route for the outfall is Chocolate Creek to Big Sandy Creek. Both these creeks, north of Old McDade Road, are classified by TNRCC as intermittent streams.

30-1

Responses to Letter 30

30-1 Comment noted.

Letter 30 Continued

Responses to Letter 30

30-1

- Chocolate Creek runs parallel to my back property line, within feet of my fence line. A large portion of my land is on the same level as Chocolate Creek. Chocolate Creek in this area is only a few feet wide and, at most, a few feet deep, has a well defined channel that 'winds' around (is not a straight line) a heavily wooded terrain.
- Alcoa discharge for this outfall is estimated at 3.3 to 8.7 cfs (DEIS pg 3.2-82) with a notation stating 'may increase substantially for periods of days or weeks following storms'.
- One cubic foot of water is about 7.5 gallons. At 3.3 cubic feet per second, it calculates out to 2,138,400 gallons per day and at 8.7 cubic feet per second, 5,637,600 gallons per day; all designated to run through Chocolate Creek along my property line. Of course, these calculations assume no rainfall.
- Big Sandy Creek at Old McDade Road will receive all Chocolate Creek discharge along with Alcoa water from outfall 2. At this point, the DEIS estimates 3.3 to 9.7 cfs discharge (pg 3.2-93), again with the notation 'may increase substantially for periods of days or weeks following storms'.
- Big Sandy Creek has a history of flooding to the point of making Old McDade Road in passable in this area. This occurs about 1 or 2 times a year after heavy rains. The flooding usually recedes in a few hours.
- Old McDade Road also has a history of flooding to the east of Big Sandy, where it runs under a railroad bridge. Potato Smith Road is located between these 2 points.
- There is an unnamed creek running eastward from Big Sandy Creek, parallel to Old McDade Road, that transverses Potato Smith Road at a low water crossing. The low water crossing floods when waters in Big Sandy rise, although it is passable with a large vehicle. This low water crossing does flood to where it is impassable about 4 or 5 times a year with heavy rains, but recedes quickly.
- Potato Smith Road is the only access to my property.
- Big Sandy Creek is currently receiving discharges from the brickyards. Normally, at this time of the year, Big Sandy Creek would be dry with small pools of water. With the permitted discharges, it is about 3 to 4 feet deep, more than ½ it's capacity as defined by the creek's banks.

30-2

- According to a FEMA floodplain map for this area, Chocolate Creek, Big Sandy Creek and the unnamed creek at Potato Smith Road are within the

30-2

Please see the response to general comment SW-3 in Section 4.5.5 of the Final EIS relative to potential downstream flooding. The text on pages 3.2-71 through 3.2-71c of the Final EIS has been revised.

Letter 30 Continued

same 100 year floodplain. Based on the map, it appears that up to 1/4 of this parcel will become part of a lake.

30-2 Any reasonable person who can comprehend the massive amount of water to pass through these creeks will come to the conclusion it will flood this area for the duration of Three Oaks Mine life. These discharges will be continual, every day, every week, every year for the life of the mine. The DEIS does not address the floodplains for Chocolate Creek or Big Sandy Creek. The DEIS does not address the capacity for discharge the receiving streams can handle without flooding, or the social and economical impact to property owner's in it's route. The DEIS does not address the loss of use for Old McDade Road or Potato Smith Road and the impact of eliminating the only access to privately held property. The DEIS does state, there is no alternative plan available to Alcoa for the discharge of waters.

30-3 In addition to water discharges, the EDIS discusses noise levels to be expected at this property after year 6 of the mine. The levels in many cases will be above the HUD approved limits. Per the report, the noises will be bothersome to area residents, and will be on going, day and night. The report also notes that there are no noise restrictions in Bastrop County, thus noise is not much of a consideration for Alcoa's Three Oaks Mine (but they need to be prepared for complaints). I have not completed reviewing this section of the report, so I am unable to elaborate any more than what I've noted.

This property has a few other risks due to Alcoa's Three Oaks Mine:

30-4 1. On several maps in the EDIS, it appears Chocolate Creek within the mine boundary is being designated as wetlands as part of the mine reclamation process. It is believable for a large portion of this property to be included in the designation and therefore useless for a homestead.

30-5 2. In early 1999 I was contacted by Alcoa for the purpose of purchasing this property. In conversations at that time, I was told Alcoa would be willing to pay \$50,000 to \$60,000.

30-6 3. There is a water supply contract between Alcoa and San Antonio Water Systems (SAWS). In this contract, SAWS states it will acquire any lands Alcoa wants which they are unable to acquire. This property is in the path of water to be delivered to SAWS, already desired by Alcoa, and would therefore be subject to condemnation by SAWS at market value. Market value will not be much considering the impact from Alcoa's activities to date and that which will be starting in the very near future.

30-7 Due to the existence of the EDIS, any prospective buyer would have to be advised of flooding on the property and noise from Alcoa's Three Oaks Mine. They would also have to be advised that access to the property will not exist, or if

Responses to Letter 30

30-3 Comment noted.

30-4 The reconstruction of wetland areas within the mine permit area, as required for mitigation of wetland disturbance under the Clean Water Act, is not expected to affect adjacent private properties. The potential for increased flooding below Alcoa's planned discharge outfalls is addressed in the response to general comment SW-3 in Section 4.5.5 of the Final EIS.

30-5 Comment noted.

30-6 Please refer to the response to general comment SE-3 in Section 4.5.10 of the Final EIS regarding property values.

30-7 Comment noted.

Letter 30 Continued

30-7

it does, will be subject to weeks where such access is flooded. Next, they would need to be told the land maybe designated as a wetland in which case any human activity on it would be forbidden. And, to top it off, they would need to be informed of the Alcoa / SAWS water contract and the ability of SAWS to take it all away from them with a 30 day notice.

This is an endangered property and I would like the appraisal board to consider this in their valuation.

Sincerely,

Judy S. Ellis
168 Potato Smith Road
Elgin, Texas 78621

Letter 31

Responses to Letter 31

31

Public Health Impacts related to Groundwater Contamination by Coal Combustion Waste

I would like to comment on what I see as a major deficiency in the US Corps of Engineers' consideration of the public health effects of the proposed Three Oaks Mine project as related to groundwater pollution.

The draft EIS disregards the human health risks associated with the improper disposal of coal combustion wastes, including bottom ash, which Alcoa plans to use as backfill at the Three Oaks Mine. These wastes are highly toxic. They contain concentrated levels of metals like arsenic, chromium, nickel, and selenium that persist in the environment and can contaminate groundwater used for human consumption. The DEIS glosses over legitimate concerns about this danger by noting that the EPA had not "identified a case where placement of coal wastes can be determined to have actually caused increased damage to groundwater." From this, USACE concludes that the use of bottom ash as minefill material, in other words, its disposal in unlined pits, is not expected to degrade groundwater and thus is not expected to pose a health risk.

Interestingly, in the same document from which that sentence is excerpted, the public comment and agency response to the EPA Report to Congress on Wastes from the Combustion of Fossil Fuels, the EPA also says, "We have determined that the establishment of national regulations is warranted for coal combustion wastes when they are placed in surface or underground mines because: (a) we find that these wastes when minefilled have the potential to present a danger to human health and the environment, (b) minefilling of these wastes has been an expanding practice and there are few states that currently operate comprehensive programs that specifically address the unique circumstances of minefilling, making it more likely that any damage to human health or the environment would go unnoticed or unaddressed". The response goes on to say, "Although we have identified no damage cases involving minefilling, we are also aware of situations where coal combustion wastes are being placed in direct contact with ground water in both surface and underground mines. We concluded in our recent study of cement kiln dust management practices that placement of cement kiln dust in direct contact with ground water led to a substantially greater release of hazardous metals than we predicted would occur when the waste was placed above the water table. For this reason, we find that there is a potential for increased releases of hazardous metals as a result of placing coal combustion wastes in direct contact with groundwater. Also, there are damage cases associated with coal combustion wastes in landfills. The Agency believes it is reasonable to be concerned when similar quantities of coal combustion wastes are placed in mines, which often are not engineered disposal units and in some cases involve direct placement of wastes into direct contact with ground water." That is exactly the situation that would occur in the proposed Three Oaks Mine.

Surely, the judgement of the EPA that coal combustion wastes, when minefilled, have the potential to present a danger to human health deserves more rigorous investigation by USACE than that afforded by this draft Environmental Impact Statement.

Speaker #14
Cathy Sneider
P.O. Box 805
Elgin TX 78621
(512) 281-3740

31-1 Please see the response to general comment PA-1 in Section 4.5.3 of the Final EIS regarding bottom ash recycling and disposal.

31-1



US Army Corps
of Engineers
Fort Worth District

U.S. Army Corps of Engineers
Three Oaks Mine Draft EIS
Public Comments



PLEASE PRINT CLEARLY

Name	Agency/Organization	Mailing Address
Betty Beatty	Landowner, future resident Lee County	3402 Grooms St Austin TX 78705
Three Oaks Mine Draft EIS - Comments		
<div style="display: flex; justify-content: space-between;"> 32-1 32-2 32-3 </div> <p>I am currently building my home in the Blue Community of Lee County. My 20 acres of land is located in the deepest draw-down area within ACoag proposes to de-water the Carrizo-Wilcox (Sims bars) Aquifer. I can't believe that the eventual destruction of the aquifer will not have a significant environmental impact on every landowner in the area.</p>		
<p>I also know that, as the strip mine proceeds, as the pollution from Rockdale continues and increases, and as what's left of our groundwater starts to test positive for mining contaminants over the next few decades, the property value of my 20 acres (and my home -- into which I have poured my life savings) will decrease year by year.</p>		
<p>I feel that the USACE Impact Study was far heavily influenced by ACoA. I believe that you owe the public a more honest and unbiased accounting of what the future really holds.</p>		

Mail comments to: Ms. Jennifer Walker, Regulatory Project Manager, Regulatory Branch, CESWF-PER-R, U.S. Army Corps of Engineers,
P.O. Box 17300, Fort Worth, TX 76102-0300

Email comments to: 3oakseis@swf.usace.army.mil

Must be received by: October 22, 2002

30

Responses to Letter 32

- 32-1 Comment noted.
- 32-2 Please refer to the response to general comment SE-3 in Section 4.5.10 of the Final EIS relative to property values.
- 32-3 Please see the response to NEPA-1 in Section 4.5.1 of the Final EIS.

Letter 33

Brad Stafford
374 Old Lexington Road
512-281-2923

10/02/2002

33

33-1 The Corps has done a lousy job of assessing one of the most critical issues related to Alcoa's proposed strip-mining plans: that of comparative fuel costs. The DEIS contains inconsistencies, errors of fact, unsupported assumptions, and omissions - all of which conveniently support Alcoa's proposals.

33-2 Let me point out just a few of the more egregious problems. First, the DEIS is inconsistent in its figures regarding the heat content of Three Oaks lignite, a significant problem when you're trying to compare costs. On page 3.1-12, the DEIS notes that Three Oaks lignite has a heat content of 6,100 BTUs per pound. Yet in comparing the costs of lignite with that of Western coal, the DEIS uses a heat content of 6,585 BTUs per pound, an 8 percent advantage.

33-3 At the same time the DEIS appears to underestimate the heat content of Western coal, noting on page 2-8 that approximately 5 million tons of Western coal per year would be needed to match current fuel supplies. In fact, that is an overestimate of some 12 percent. This inaccuracy gets multiplied if you account for the possibility, outlined in the DEIS, that Alcoa will be unable to successfully blend lower-quality Three Oaks lignite with higher-quality lignite, and will be forced to abandon the lower-quality lignite as spoil.

33-4 The DEIS is careful to detail every possible cost that may be involved in switching to Western coal or natural gas. But it presents no cost savings figures for such things as:

Responses to Letter 33

33-1 Please see the response to general comment Alternatives-1 in Section 4.5.2 of the Final EIS relative to the comparative costs of alternative fuel sources. See the response to general comment NEPA-1 in Section 4.5.1 of the Final EIS relative to the use of Alcoa information.

33-2 As noted in the footnotes to Table 2-2 in the Draft EIS, Walter and Blair (2000) used an average heat content of Bastrop-Lee County lignite of 13.17 MMBTU per ton (6,585 BTU per pound) for their economic comparisons. The Draft EIS correctly notes on page 3.1-12 that the average heat content of lignite to be mined at the Three Oaks Mine is slightly lower at approximately 6,100 BTU per pound (actual weighted average has since been calculated by Alcoa as approximately 6,175 BTU per pound). The reader should keep in mind that the analysis done by Walter and Blair is a relatively general analysis using average local lignite quality and average costs of production. Not only is the actual heat content of the Three Oaks Mine lignite lower than the two county-wide average, but the projected cost of production at Three Oaks (\$0.95 per MMBTU) also is significantly below the Texas average cost of lignite production (\$1.14 per MMBTU) as shown in Figure 2-1 of the Draft EIS. The minor differences between actual Three Oaks Mine values and those used by Walter and Blair do not change the conclusions from the comparison between the projected cost of \$0.95 per MMBTU at Three Oaks with the \$1.37 per MMBTU for western coal (used by Walter and Blair) or the \$1.49 per MMBTU for western coal as calculated by the USACE. Also see the response to general comment Alternatives-1 in Section 4.5.2 of the Final EIS.

33-3 Alcoa plans to produce approximately 7 million tons of lignite per year at the Three Oaks Mine. Using the weighted average heat content for Three Oaks Mine lignite of 6,175 BTU per pound, this equates to approximately 4,920,319 (rounded to 5 million) tons per year of western coal at the assumed heat content of 8,785 BTU per pound. The USACE recognizes that coal quality, including heat content, varies from one mine to another, even within a given coal field. Based on data available at <http://www.eia.doe.gov>, the average for Wyoming coals produced in 1999 (latest year included) was 8,785 BTU per pound. Also see the response to general comment Alternatives-1 in Section 4.5.2 of the Final EIS.

33-4 The USACE acknowledges that some of the factors listed in the comment would result in a cost savings associated with the use of western coal. The reduction in ash would not represent direct savings proportional to the reduction in volume since the ash from western coal would not have the same qualities as the ash from lignite and would not serve as a suitable substitute under the existing contracts for recycling lignite ash. Thus, while disposal costs may be reduced, so may be the revenues associated with ash recycling.

Likewise the costs of lignite drying would be largely offset by similar preparation costs associated with coal usage. Power consumption at the mine is a component of the production and utilization costs associated with Three Oaks Mine lignite and is already incorporated into the cost of lignite and the resultant cost comparisons between fuels.

Letter 33 Continued

33-4 * the acknowledged 30 to 40 percent reduction in ash disposal required for Western coal and the 100 percent reduction for natural gas,
* the savings in operations and maintenance costs for lignite dryers, and
* the substantial savings in electrical power by the elimination of miles of inefficient mobile power cables, the 2 electrically powered draglines, conveyor systems, etc.

33-5 There are also problems with the substantial capital costs listed in the DEIS as necessarily associated with switching fuels. For example, unless it elects to shut down its three antiquated power plant units, Alcoa will have to make massive capital expenditures for them anyway. In fact the scenario assumed by the DEIS is that these boilers will be torn down and replaced with new fluidized bed systems.

33-6 The DEIS also states that Alcoa would have to make capital investments in order to obtain electric power from the grid. Yet Texas Utilities recently announced a shutdown for the purpose of modifying its Sandow power plant; in the interim, Alcoa will be obtaining replacement power from the grid.

33-7 Finally, regarding Alcoa's contractual commitment to supply Texas Utilities with Western coal if lignite is not available: I strongly urge the Corps to make a thorough inspection of the Alcoa-TXU contract and to obtain information directly from TXU. It is impossible to imagine a corporation with the kinds of legal representation that Alcoa boasts entering into a contract that lacks any escape routes from such onerous conditions. And besides, Alcoa's contract with San Antonio's City Public Service allows that agency to take Three Oaks lignite for its own use at any time. If CPS decides it wants a ready supply of lignite, and if the TXU

Responses to Letter 33

The cost savings identified in this comment are minor relative to the fuel costs and are not expected to affect the overall cost comparisons. For example, Alcoa estimates that the ash disposal costs associated with Three Oaks Mine lignite would amount to less than \$0.02 per MMBTU. Elimination of this entire cost would not affect the choice of fuels for the Rockdale facility.

33-5 Since the Draft EIS was prepared, Alcoa has entered into an agreement with the USEPA and TCEQ (formerly TNRCC) involving boiler modifications at the three Alcoa generating units. Alcoa expects the capital costs associated with these modifications to be substantial and estimates that they may be comparable to the projected capital costs for converting these three units plus the TXU unit to burn western coal. However, as indicated in Section 4.5.2 of the Final EIS, the cost of western coal alone makes its use at Rockdale a moot point. Alcoa's Rockdale facilities need a stable, long-term operating cost that allows aluminum to be produced at a cost that is competitive in the global market. As described in the Draft EIS and clarified in response to general comment Alternatives-1, that is not possible with western coal, natural gas, or grid electrical power.

33-6 Alcoa's generating units are connected to the electrical grid and either can provide power to the grid or receive power from the grid. However, the existing configuration is designed for relatively small power exchanges rather than the massive power transfer that would be required to operate the smelter directly on grid power. The TXU shutdown mentioned in the comment took place with Alcoa's Units 1, 2, and 3 running. The scenario cited in the Draft EIS assumed that Units 1, 2, and 3 were shutdown. Additionally, when Unit 4 is down, Alcoa obtains "banked" power from the grid. When Unit 4 is running, there is some amount of Alcoa allocated generation that TXU puts on the grid and credits to Alcoa in a power bank. The cost Alcoa pays for this banked power would be its cost of generation and is not the price Alcoa would pay for totally purchased power.

33-7 Comment noted.

Letter 33 Continued

33-7 | contract is so ironclad, Alcoa would find itself in
the very same bind.

Letter 34

Responses to Letter 34

34

**Manville Water Supply Corporation
PO Box 248
Coupland, TX 78615**

My name is J. S. Duncan, and I am a member of the Board of Directors of the Manville Water Supply Corporation. Our Chairman can not be here tonight, since he is attending the annual water conference in San Antonio, and the Board has asked me to appear and read this statement.

34-1 Comment noted.

Manville Water Supply Corporation is a member-owned nonprofit public water utility, and currently serves more than six thousand families and businesses in Travis, Lee, Bastrop, and Williamson Counties. With the inclusion of our wholesale agreements, Manville actually provides water to approximately twice that number of customers who are served directly by other utilities. We provide up to 110 million gallons of water per month to the residential and business users in our service area.

It is the opinion of Manville that the DEIS underestimates the economic impact on Central Texas if the Alcoa permit is not granted. While focusing on the increased impact of unemployment in Milam County, a fact significant in and of itself, the DEIS overlooks the potential economic impact on Manville's four county service area, and the service areas of other utilities in the region.

34-1

Alcoa has committed itself to becoming a key partner in the ongoing challenge to ensure an adequate and continuous water supply in the region. As a by-product of its mining operations, Alcoa pumps substantial quantities of ground water. Many companies might simply waste this water, but Alcoa has offered Manville water at little or no cost for our public water supply purposes. Manville has recently entered into an agreement with Alcoa that will provide us with 1000 acre feet of water per year at no cost, with an option to buy another 1000 acre feet at a low rate. With the anticipated growth in this part of Central Texas, this water may well mean the difference between a safe and dependable water supply for families and businesses in the Manville service area, or a system that is forced to impose severe seasonal rationing and curtailments. When coupled with the potential for significant price increases, and the inability to meet future demands, lack of availability of this water could be devastating. Simple put: we need this water to continue to serve our customers in the manner to which they are accustomed, and to be able to serve new families and businesses as the region grows.

Letter 34 Continued

Alcoa Statement

Page Two

By taking the actions that it has, Alcoa has become an integral part of the area's water resource management efforts. The availability of this water, along with our own well fields in Lee County, has allowed Manville to commit to the largest project in its history – a nearly ten million dollar pipeline that will bring the water westward where it can be put to productive use. Without Alcoa's participation, our area would lose a valuable water asset. We believe that the loss of these water resources would have a significant adverse economic impact that would extend well beyond the mining area, and that would affect development in Manville's four county service area for years to come.

34-1 Before entering into the agreement for water, the Manville Board toured the Alcoa operations, and asked many hard questions. We were impressed with Alcoa's environmental initiatives, especially their reclamation efforts; their concern for species habitat; and the measures taken to protect the quality of the water that leaves the mine area. Most notably, we were impressed that Alcoa took the initiative to ensure that a significant portion of the water produced by its mining operations would not be wasted, and that it would instead be made available to the citizens of Central Texas.

We realize that mining is an emotional issue. All too often, emotions can overshadow the scientific and technical aspects of those operations, including the reclamation, mitigation and water conservation efforts. We believe that the mitigation measures described in the DEIS will minimize the long term consequences of the mining project, and that they are worthy of support.

In summary, we believe that the Alcoa mining operations have an economic impact that extends well beyond the immediate mining area. Their operations, and their willingness to share water, have become vital to the continuing service efforts of Manville and other water utilities in Travis, Lee, Bastrop and Williamson Counties. To deny the permit would have far reaching and negative economic consequences for the entire region. We therefore urge the issuance of the permit without further delay.

Letter 35

Responses to Letter 35

35

September 30, 2002

TO: Public Hearing Examiner
U.S. Army Corps of Engineers

RE: Environmental Impact Statement Concerning ALCOA, Inc. Proposed Three Oaks Mine in Lee and Bastrop Counties, State of Texas

I have reviewed the Corps of Engineers Environmental Impact Study and agree that under Section 404, ALCOA meets or exceeds the minimum standards as set forth by the regulations of the Clean Water Act. Bastrop County presently has mining operations which date back to the early 1900's. ALCOA has a record of reclaiming mined land and restoring it to better than before and has received many national reclamation awards for its Sandow Mine at Rockdale, Texas. Long term reclamation at Three Oaks would reinforce the existing rural character and tend to offset urbanizing pressure on the area.

35-1 Comment noted.

35-1

As Williamson County Commissioner, Precinct #4, for 20 years (1978-1998), I became very familiar with the area that the Three Oaks Mine would encompass since our precinct was adjacent to the area where this mine is proposed in Bastrop County. As I made monthly inspections of Williamson County roads, I often traveled into Bastrop County and visited with the County Commissioner on problems that were common to both counties. I have also personally observed the present and past clay mines south of the Williamson County Line. I am in complete agreement to approve the Section 404 application.


Jerry Mehevec
5433 F.M. 619
Taylor, TX 76574
Tel: 512-365-7031

37

NEIGHBORS FOR NEIGHBORS

Summary Outline of Oral Comment before U. S. Army Corps of Engineers
On Draft Environmental Impact Statement for ALCOA, Inc.'s proposed Three Oaks Mine
Public Meeting: October 2, 2002 at 6:30 p.m. at Elgin High School, Elgin, Texas
Presented by: Michelle A. McFaddin, Counsel, Neighbors for Neighbors, Inc.

ALCOA'S proposed Re-Use and Disposal of Industrial Wastes at Three Oaks Mine Site

In its surface mining and reclamation permit application for the Three Oaks Mine site, ALCOA proposes to continue to re-use and dispose of enormous volumes of certain coal combustion wastes generated at its steam electric generating plants and smelter facilities in Rockdale, Texas as mine fill and road base with no liner or monitoring requirements. Although the draft EIS only mentions these reuse and disposal practices in passing, the draft EIS indicates that more than **800,000 TONS/YEAR** of fly ash and/or bottoms ash are being "recycled" at ALCOA's lignite mining sites. Although the Corps is aware of these practices, it completely ignores them in its discussion of hazardous materials in the draft EIS. Certainly, these wastes in these volumes should present significantly more concern to the Corps and to the public than ALCOA's management of used oil and diesel fuel, issues that are addressed in those sections of the EIS dealing with hazardous materials.

Neighbors for Neighbors is very concerned about the impact that these re-use and disposal activities will have on the quality of the surface water and groundwater resources in and around the Three Oaks Mine Site. Not only can hazardous, chemical constituents leach into the groundwater from unlined pits, landfills and minefill areas, storm water runoff from these areas can contaminate both surface water and groundwater supplies. Moreover, wind dispersal of these materials may disperse these hazardous constituents throughout the countryside if adequate fugitive emissions controls are not implemented. When you consider the volumes of industrial wastes that are referenced in the draft EIS, these issues take on even more significance.

Why are we concerned? Not only did the enormous volumes of waste being shipped out to ALCOA's mines alert us to this issue, in recent EPA regulatory determinations on coal combustion wastes dated May, 2000 and March, 1999, the EPA determined that:

- 1) No data is available on the organic constituents such as dioxins and furans that may be present in coal combustion wastes generated by non-utility facilities such as ALCOA;
- 2) No data is available on the quantities of non-utility, CCW wastes being reused as mine fill and road base at mine sites;
- 3) that further study is needed on the risks associated with disposing of CCW at mine sites since such activities can result in the leaching of hazardous constituents into groundwater and surface water supplies;
- 4) that further study is needed of the risks posed by elevated levels of arsenic in these wastes (levels which exceeded the EPA's screening criteria);

37-1 Please see the responses to general comments PA-1 and PA-2 in Section 4.5.3 of the Final EIS regarding bottom ash.

37-1

Letter 37 Continued

- 5) that further study is needed on the risks posed by excessive levels of mercury, dioxins and radionuclides that may be present in CCW wastes generated by the burning of lignite, the dirtiest and lowest form of coal; and
- 6) In its May, 2000 Regulatory Determination on CCW wastes, the EPA states that "it will establish national regulations under RCRA Subtitle D for coal combustion wastes disposed of in surface impoundments and landfills and used as mine fills." The EPA would not be taking this step if there were not legitimate and scientifically defensible reasons to be concerned about the environmental impacts that may be caused by the management of these wastes in unlined and unmonitored waste management units.

37-1

The EPA also discusses the fact that primary drinking water standards for arsenic and selenium have been violated in downgradient monitoring wells at a lignite mining facility in North Dakota, the only other state that burns significant quantities of lignite. The damage cases reported by the EPA are important since the TCEQ has recently published papers addressing the bioaccumulation of mercury in certain East Texas lakes located in proximity to other lignite mining sites as well as potential problems with selenium levels in fish tissues in East Texas.

Despite the public comment already submitted to both the U.S.A.C.E. and the TCEQ by environmental groups that include NFN and Hoosier Environmental Council relating to the need to monitor ALCOA's Three Oaks Mine site for releases of arsenic, mercury and selenium along with other heavy metals, dioxins and radionuclides, this issue has remained unaddressed in the EIS. Worse, the TCEQ draft TPDES (wastewater) permit fails to require any monitoring of ALCOA's wastewater discharges for any of these constituents even though every other permitted, lignite mine site in Texas is required to perform at least some monitoring for heavy metals.

37-2

Not wanting, however, to sound paranoid in this hearing, NFN attempted to review what little analytical information is available on the coal combustion wastes that are currently being shipped by both ALCOA and Texas Utilities - Sandow Steam electric generating facility to ALCOA's Sandow mine site. We have been surprised to find that not only is there virtually no analytical information on the fly ash, bottom ash and other coal combustion wastes that are being shipped to the Sandow mine site by ALCOA, there is little or no information on the quantities that will be shipped to these mine sites in the future.

37-3

Moreover, no information whatsoever on those materials being shipped by TXU to ALCOA's mine sites is present in any federal or state agency file. NFN believes that TXU may be acting illegally to dispose of its industrial, solid wastes at ALCOA's mine sites since TXU does not own or operate these mining sites and these sites do not have permit authorization from the TCEQ. In fact, we could only find one piece of paper in any agency file relating to TXU-Sandow's solid waste generation, storage, treatment and disposal practices - and it was dated August 8, 1985. TXU has never even obtained an EPA ID number; nor does it report on the generation, storage, treatment or disposal of its industrial solid wastes or wastewater streams. This should be surprising to everyone in this room since even WalMart and local car dealerships in Rockdale, Texas are registered with the EPA as industrial waste generators. NFN has

37-4

Responses to Letter 37

37-2 Please see the response to general comment SW-1 in Section 4.5.5 of the Final EIS relative to surface water monitoring. The text on pages 3.2-71 through 3.2-71c of the Final EIS has been revised, and additional mitigation (SW-5) has been added (see page 3.2-98 of the Final EIS).

37-3 Please see the response to general comment PA-1 in Section 4.5.3 of the Final EIS regarding bottom ash.

37-4 Comment noted.

Letter 37 Continued

Responses to Letter 37

37-4 requested both the EPA and TCEQ to immediately investigate this activity to determine whether TXU has appropriate authorization to send its wastes out to ALCOA's mine sites.

37-5 The only analytical information that we have been able to locate on those industrial wastes being shipped out to ALCOA's mines was obtained by ALCOA in 1986. ALCOA only tested for the presence of heavy metals and it used an outdated test method on samples collected from only one combustion unit, Sandow #4. NFN has not been able to locate a single, thorough analytical profile of any of the wastes that are being shipped out to Sandow by either ALCOA or TXU despite the fact that according to the U.S.A.C.E. draft EIS, more than **800,000 TONS/YEAR** of these wastes are being and will be shipped to ALCOA's mine sites. This fact should raise some red flags for all of the regulators sitting in this room this evening.

37-6 NFN would remind the Corps and TCEQ that no requirements for liners or monitoring systems are proposed for the mine areas that will manage these materials; nor are emission control requirements present in any permit application or draft permit. In short, ALCOA and TXU are not even managing these materials in units that meet garbage dump requirements. With the sole exception of the oil and gas E&P industry, no other industrial facility in this country is allowed to manage its industrial solid wastes in unlined and unmonitored pits and landfill units. This type of practice was outlawed for every other industry in this country in 1980. If ALCOA truly believes that these wastes are properly characterized as Class III, inert wastes, then it should have no problem agreeing to additional surface water and groundwater monitoring requirements in its surface mining, wastewater and air quality permits.

37-7 It is not enough to simply state that there may be issues or concerns with respect to ALCOA's proposed activities, but that another agency's permits or licenses will address the problem which is, in effect, what the draft EIS does. It appears to NFN that each of the federal and state agencies with jurisdiction over ALCOA's proposed activities are simply ducking their responsibility to address these issues by pointing the finger at another agency's need to take action. The Railroad Commission has already issued the surface mining and reclamation permit - it was not willing to wait even a couple of months for the Corps EIS. The TCEQ also appears to be taking the position that these waste management issues are not relevant to the TPDES permitting procedure notwithstanding the fact that the TPDES permit will regulate storm water discharges from these waste disposal areas. Moreover, the TCEQ has not indicated any willingness to wait on the Corps' final EIS or on the groundwater modeling efforts that are currently underway at the Texas Water Development Board before issuing the TPDES permit.

37-8 Since our state agencies do not appear to care about these issues, NFN is looking to federal agencies such as the Corps, the Office of Surface Mining and the EPA to investigate these waste management activities and to determine whether they are adequately protective of human health and the environment. We believe that the EPA's May, 2000 regulatory determination already indicates that some regulation is warranted under RCRA, Subtitle D for minefilling activities. We are disappointed that the EPA's determinations in this regard have been completely ignored by the State of Texas and we remain hopeful that ALCOA's financial resources and political muscle will not overwhelm or intimidate those federal agencies with environmental jurisdiction over these proposed activities.

37-5 Please see the response to general comment PA-1 in Section 4.5.3 of the Final EIS regarding bottom ash.

37-6 Please see the responses to general comments PA-1, PA-2, GW-4, SW-1, and AQ-1 in Sections 4.5.3, 4.5.4, 4.5.5, and 4.5.6, respectively, of the Final EIS.

37-7 Comment noted.

37-8 Please see the responses to general comments PA-1 and PA-2 in Section 4.5.3 of the Final EIS regarding bottom ash disposal.

Letter 39

Page 1 of 1

39

Riley Walker, Jennifer L SWF

From: leslie currens [lcurrens@yahoo.com]
Sent: Thursday, October 03, 2002 1:13 PM
To: 3oakseis@swf.usace.army.mil
Subject: Please Reject Alcoa's permit for strip mining

Dear Ms. Walker,

39-1 I have lived in the Austin area all my life. During most of my life, Alcoa has been polluting the air that I breathe with their plant in Rockdale. Now Alcoa wants to strip mine for the dirty fuel, lignite, and continue to pollute the air that my daughters and I breathe for the next 25 years. This is not acceptable.

I request that you reject the permit application for Strip Mining from Alcoa. Alcoa should not be allowed to pollute our air, destroy Texas habitat, streams, and grasslands, and deplete precious water supplies from the aquifer. This is not in the public interest.

39-2 Alcoa is welcome to switch to clean burning natural gas as an alternative to this environmentally devastating strip-mining-air-polluting-water-depleting plan that they have. Please reject their permit in the name of public health and environmental concern.

Sincerely,

Leslie Currens

6404 Deer Hollow Lane

Austin, Texas 78750

Do you Yahoo!?
New DSL Internet Access from SBC & Yahoo!

Responses to Letter 39

39-1 Please see the responses to general comments AQ-1 and AQ-2 in Section 4.5.6 of the Final EIS relative to cumulative air quality impacts of the Rockdale facilities.

39-2 Please see the response to general comment Alternatives-1 in Section 4.5.2 of the Final EIS regarding alternative fuel costs.

Letter 40

40

Riley Walker, Jennifer L SWF

From: Donna Blackstone [DonnaB@publicans.com]
Sent: Thursday, October 03, 2002 1:11 PM
To: '3oakseis@swf.usace.army.mil'
Subject: Three oaks Mine Draft EIS

As a state of Texas and United States of America tax payer, assisting in paying all of you guys salaries....I request that you do your job...i.e., earn your salary.

If in fact you do your job, you will without a doubt have to acknowledge the inconsistencies and problems with Alcoa's proposed mining scheme.

As stated by another tax payer on October 2, 2002, water is not replaceable....lignite is.

40-1

I cannot accept the fact that I will be forced, for a few years, to drink contaminated water.

I cannot accept the fact that after a few years, there will be no available water resource for me and my family in Bastrop County.

As a member of Neighbors for Neighbors, we have presented to you extreme inconsistencies in the DEIS--- factual geological and environmental inconsistencies. Or, I think a better term than inconsistencies is inaccuracies.

Please do your jobs and open your eyes and READ what Alcoa is attempting to do to our world-- then act appropriately.

thank you,

Donna Blackstone
213 W. Kaanapali
Bastrop, TX 78602

Responses to Letter 40

40-1 Comment noted.

Letter 41

Responses to Letter 41

19900331
JW



Save Barton Creek Association

P.O. Box 5923 • Austin, Texas 78763 • (512) 480-0055

October 8, 2002

To: Jennifer Walker, EIS Project Manager
U.S. Army Corps of Engineers, Ft. Worth District
P.O. Box 17300
Ft. Worth, Texas 76102-0300

Re: Alcoa Three Oaks Mine Proposal

The Save Barton Creek Association opposes the new Alcoa lignite mine planned for Bastrop and Lee Counties. We believe dewatering of the Carrizo Wilcox Aquifer will occur.

Our concern is the effect on the Colorado River from a decline in the ground water from the Carrizo Wilcox. Also, if the withdrawal will exceed the aquifer's recharge, the declining water levels may create problems of excessive pumping lifts and migration of highly mineralized water into surrounding wells.

41-1

We believe it will not be possible to mitigate the negative effects. The Barton Springs Zone of the Edwards Aquifer faces similar issues, and we do not want the Corps of Engineers to set a precedent of ignoring the rights of existing residents.

We believe the decision against this lignite mine can also be based on sound economic grounds if all secondary costs to the region are taken into account. For example, the LCRA and City of Austin chose to fuel their power plants with hard coal from Wyoming due to the negative effects of mining lignite.

Sincerely,

Jon Beall, President

41-1 Please see the response to general comment GW-6 in Section 4.5.4 of the Final EIS regarding effects of mine dewatering and depressurization on flows in the Colorado River.

OCT 11 2002



Letter 42

Responses to Letter 42

19970080
JW

42

William B. Montgomery
PO Box 656, Elgin, TX 78621
Studio: 512-281-0046 Home: 512-281-5667
montgomery6@earthlink.net

**IN RESPONSE TO THE U.S. CORP OF ENGINEERS DRAFT
ENVIRONMENTAL IMPACT STATEMENT, CONCERNING THREE
OAKS MINE**

In Regard To The Canebrake Rattlesnake, *Crotalus Horridus*

42-1 In section 3.5, page 35 of the Environmental Impact Statement, under Special Status Species and Species of Special Concern, it is stated that "direct impacts to sensitive species from surface disturbance activities would result in the incremental short-term loss of potentially suitable habitat until final reclamation is complete". This statement is not true; the fact is, the impact in regard to the Canebrake Rattlesnake would be long-term and extremely detrimental. Research has shown that this species has a very limited home range, and is very sensitive to habitat disturbance. Efforts to relocate it have proven to be largely unsuccessful (see enclosed information). Reclamation of the habitat will not bring back the Canebrake Rattlesnake.

42-2 It is further stated that, in regard to the Canebrake Rattlesnake and the Loggerhead Shrike, "based on Alcoa's committed environmental protection measure for the Timber/Canebrake Rattlesnake and the commitment to either clear vegetation outside of the breeding season or conduct breeding bird surveys prior to disturbance during the breeding season, it is anticipated that the Three Oaks Mine's potential contribution to cumulative impacts for these species would be low". On the contrary, the impact on the Canebrake Rattlesnake would be devastating. There is no way that the area could be cleared and mined for a period of approximately twenty years without destroying the entire population, and there will be no way to bring it back. Once they are gone, they are gone forever.

William B. Montgomery, President
BASTROP COUNTY AUDUBON SOCIETY

Former President, Texas Herpetological Society

42-1 Please see the response to comment 29-8 relative to the timber/canebrake rattlesnake.

42-2 Please see the response to comment 29-8 relative to the timber/canebrake rattlesnake.

OCT 11 2002

Letter 43

Responses to Letter 43

199900331
JW

43

Translocation of Timber (Canebrake) Rattlesnakes,

Crotalus horridus

In Regard to Alcoa's proposed Three Oaks Mine

William B. Montgomery, President
BASTROP COUNTY AUDUBON SOCIETY
P.O. Box 656, Elgin, Texas 78821
512-281-0046
tliiqua2@earthlink.net

Alcoa's proposed Three Oaks Mine includes suitable habitat within the range of the Canebrake (Timber) Rattlesnake, *Crotalus horridus*, a species listed as "Threatened" by Texas Parks and Wildlife. Alcoa's proposal includes plans to search out the rattlesnakes and relocate them. This will not work for several reasons.

43-1

First of all, Alcoa's plan states that "a once-per-year search and removal/relocation survey" will be conducted. This species is secretive and difficult to find. According to researcher John Sealy, "the combination of coloration and cryptic behavior is so effective that even telemetered snakes are often difficult to see when coiled on the surface of the forest floor". Even under ideal circumstances it would be impossible to collect more than just a small percentage of the population. Those that are not collected will presumably be killed by mining operations.

43-1

Please see the response to comment 29-8 relative to the timber/canebrake rattlesnake.

43-2

Second, research on this and other rattlesnake species has shown that relocation does not work. To quote noted snake expert Harry Greene: "Timber Rattlers have regular, idiosyncratic seasonal movements to and from winter and summer sites. If Timber Rattlers are translocated a short distance, they just orient back to where they want to be. If adults are translocated longer distances they try to find their way home, generally fail at that AND fail to establish themselves in a new home range: they then slowly starve, fail to survive the winter due to use of an inadequate shelter, or perish because in traveling so much they make themselves more vulnerable to predators, auto traffic, human persecution, etc." At a recent meeting of the Timber Rattlesnake Conservation Action Plan committee, it was actually stated that we should consider translocation of the snakes to be a threat to the species.

43-2

Please see the response to comment 29-8 relative to the timber/canebrake rattlesnake.

In a recent study by Howard Reinert and Robert Rupert, "translocated snakes exhibited atypical movement patterns consisting of extensive and long-distance travelling." In spite of the fact that the snakes were moved to an area that contained a healthy resident population and ideal habitat, their mortality rate was 5 times that of the resident population.

The available research on Timber rattlesnakes supports the position that to capture this species and move them is tantamount to extermination.

OCT 11 2002

Letter 43 Continued

Bibliography

NOWAK, ERIKA M. 2000. Management of Nuisance Rattlesnakes: Translocation Research in the Southwestern United States. *Biology of the Vipers* (in press)

REINHERT, HOWARD K. and ROBERT R. RUPERT 1999. Impacts of Translocation on Behavior and Survival of Timber Rattlesnakes, *Crotalus horridus*. *Journal of Herpetology*, Vol. 33, No. 1, pp. 45-61

SEALY, JOHN. 1997. Short Distance Translocations of Timber Rattlesnakes in a North Carolina State Park. *Sonoran Herpetologist* 10 (9)

Letter 44

JW
199900331

Ms. Jennifer Walker
Regulatory Branch
CESWF-PER-R
U.S. Army Corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102-0300

RE: ALCOA – Three Oaks Mine Draft EIS

My name is Gary L. Trdy, I am employed by Zachry Construction Corporation as a Project Manager at Alcoa Rockdale Operations. I am a life long citizen of Milam County and have raised my two sons in Cameron Texas. Because of the less hectic lifestyle in a small community I wish to make this area my home for life.

I have read and reviewed the U.S. Army Corps of Engineers Draft EIS, it is a very complete and informative study. I applaud the U.S. Army Corps of Engineers for the time and effort it took to research and put this statement together.

It is now time to move forward and grant the permit (Section 404 permit 2) which will allow ALCOA to begin mining in the 3 Oaks Area. The content of the Draft EIS revealed no long term effects on the environment.

A couple of items that I have knowledge about as far as the Draft EIS is concerned are: The impact that the 3 Oaks Mine will have on the local counties of Milam and Lee. If the permit is not issued, unemployment rates will skyrocket and the lost jobs would effect not only the employees and their families (most who own homes and property and have lived in this area their whole lives) but also impact local businesses. The effect would be personal for these employees. A ripple effect would also impact the tax revenues for Milam and Lee Counties thus becoming a county wide problem. My current workforce is 70 employees – 90% of these make their homes locally. We have put our roots down in this area and pulling up these roots would be very painful to us and our families. The permit issues that are before you now have very personal ramifications for myself and my employees.

Measures to protect the quality of water leaving the mine area, the treatment of threatened and endangered species and mine reclamation are significant issues where ALCOA has shown a total commitment. This can be seen throughout the history of the existing Sandow Mine.

I respectfully ask that Section 404 permit 2 be approved without conditions and permits be issued to ALCOA.

Gary L. Trdy

Gary L. Trdy
715 East 10th St.
Cameron, TX 76520

Responses to Letter 44

44

44-1 Comment noted.

44-1

OCT 11 2002

Letter 45

Responses to Letter 45

JW 1999 00 331

SENATOR JEFF WENTWORTH
SENATE DISTRICT 25



*The Senate of
The State of Texas*

September 18, 2002

AUSTIN
Capitol Building, Room 1E.9
P. O. Box 12068
Austin, Texas 78711
(512) 463-0125
Toll-Free (888) 824-6984
FAX (512) 463-7794
Dial 711 for Relay Calls

INTERNET E-MAIL
jeff.wentworth@senate.state.tx.us

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San Angelo, Texas 76904
(915) 942-8522
FAX (915) 942-8621

SAN ANTONIO
1250 N. E. Loop 410, Suite 720
San Antonio, Texas 78209
(210) 826-7800
FAX (210) 826-0571

Ms. Jennifer Walker
Regulatory Branch
CESWF-PER-R
U.S. Corps of Engineers
Post Office Box 17300
Fort Worth, Texas 76102-0300

Dear Ms. Walker:

I am on record as supporting Alcoa's application to the Texas Railroad Commission to open a new lignite mine bordering Bastrop and Lee Counties in Central Texas to sustain the life of the company's aluminum smelter in Rockdale. Alcoa will be out of fuel - or lignite - at its current mine in another two or three years and, without the new mine, the Rockdale smelter would close, costing that rural part of the state about 2,000 jobs and over \$100 million in annual payroll.

I understand that the Railroad Commission is about to approve Alcoa's application, but one more governmental process is scheduled. It is the Corps of Engineers' October 2, 2002, public hearing in Elgin, Texas, to "gather relevant information" pertaining to the Corps' Draft Environmental Impact Statement (DEIS) evaluating potential impacts that would result from the proposed Three Oaks Mine. I understand that the Corps is preparing the EIS as part of its review of Alcoa's application for a Section 404 permit from your agency.

I will be unable to attend the public hearing, but I accept your invitation to submit my comments to you in writing. My district staff and I have reviewed the DEIS and find even more reason to support the mine. We see virtually nothing in the findings that indicate such an operation would damage the land, water, air, vegetation, wildlife, public health, or social and cultural values.

45

COMMITTEES

Chairman, Redistricting
Jurisprudence
Nominations

COUNTIES IN SENATE DISTRICT 25

Bandera	Llano (part)
Bexar (part)	Mason
Blanco	Medina (part)
Comal (part)	Schleicher
Gillespie	Sutton (part)
Guadalupe (part)	Tom Green (part)
Kendall	Travis (part)
Kerr	Williamson (part)
Kimble	

45-1 Comment noted.

45-1

OCT 11 2002

Letter 45 Continued

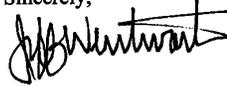
Ms. Jennifer Walker
September 18, 2002
Page Two

45-1

My compliments to the Fort Worth District of the U.S. Army Corps of Engineers on the great amount of work that went into the DEIS. It is reassuring to see the effort expended by the Corps to -- as directed by Congress -- protect the nation's waters from the indiscriminate discharge of materials capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

I strongly urge that the U.S. Army Corps of Engineers prepare the final EIS as soon as possible and issue the requested Section 404 permit to Alcoa.

Sincerely,



Jeff Wentworth

JW/jm

Letter 46

Responses to Letter 46

199900331
SW

City of Milano

46

P.O. Box 52 • Milano, Texas 76556
(512) 455-7848 • Fax (512) 455-7849

October 3, 2002

Ms. Jennifer Walker, EIS Project Manager
U. S. Army Corps of Engineers (USACE)
Fort Worth District
P. O. Box 17300
Fort Worth, Texas 76102-0300

Dear Mrs. Walker:

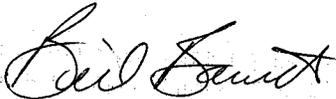
The City of Milano has gone on record supporting Alcoa's application to open the new Three Oaks Mine in Lee and Bastrop Counties with the Railroad Commission of Texas. The City of Milano, as small as it is, would be adversely affected by the loss of Alcoa's Rockdale Works. We understand that the opening of the mine would prolong the life of the Rockdale smelter for the next 30 to 35 years.

46-1 Comment noted.

46-1 I have reviewed the U. S. Army Corps of Engineers Draft Environmental Impact Statement (DEIS) and find nothing that would alter my decision and Alcoa has our full support for the proposed new lignite mine.

Therefore, the City of Milano would strongly urge the U. S. Corps of Engineers to issue the requested Section 104 permit to Alcoa as soon as possible.

Sincerely,



Bill Barnett, Mayor
City of Milano

OCT 11 2002

Billy Barnett Mayor ★ Sara Myers-Keno Mayor Pro-Tem ★ Carol Newman City Secretary ★ Henry Dykes Council Member ★ Edward Westbrook Council Member

Letter 47

47

Riley Walker, Jennifer L SWF

From: Kristen Marie Freeman [freemankristen@hotmail.com]
Sent: Monday, October 14, 2002 11:49 AM
To: 3oakseis@swf.usace.army.mil
Subject: Against Alcoa mine

To Whom it May Concern:

I am writing today to register my strong opinion and desire that Alcoa not be allowed to strip mine 15,000 acres for lignite 25 miles east of Austin.

I was surprised at the findings of the current Corps draft report that finds that the mine would cause little or no long-term harm.

Two areas are of particular concern to me, the first being the impact on groundwater supplies, as the Alcoa plan calls for the draining of an aquifer. My second concern is that of air quality, as Alcoa is already the area's largest air polluter, and mining for cheap lignite fuel will allow them to continue to pollute the air in our region for 25 more years.

Instead of these destructive projects to retrieve temporary dirty fuel sources, we should be concentrating our efforts on renewable, sustainable energy sources such as solar and wind powered generators.

Thank you kindly for your time and attention.

Sincerely,
Kristen Freeman

Kristen Marie Freeman, M.A. in Spanish Literature, UT
Bilingual Pre-Kindergarten Teacher, Graham Elementary
freemankristen@hotmail.com

8515 Shoal Creek Blvd. Apt. #202
Austin, TX 78757
512-451-5370

"Courage is fear that has said its prayers."

--Karl Barth

Chat with friends online, try MSN Messenger: <http://messenger.msn.com>

Responses to Letter 47

47-1

While both solar and wind-generated power are commercially available in some areas, neither mode of power generation is economical enough to satisfy the applicant's need for maintaining smelter operations at Rockdale. Thus, these modes fail to meet the purpose and need of the project. Also see the response to general comment AQ-2 in Section 4.5.6 of the Final EIS regarding Rockdale facility air quality improvements. See Section 3.2.3.2 of the Draft EIS relative to potential groundwater impacts.

47-1

Letter 48

Page 1 of 1

48

Riley Walker, Jennifer L SWF

From: Angela Buentello [abuentello@smithville.isd.tenet.edu]

Sent: Tuesday, October 15, 2002 12:12 PM

To: 3oakseis@swf02.usace.army.mil

48-1

Yes, what knowledgeable sources do you have to say in opposition of the Bastrop County Proposal?

Could you please email me back with this information.

Responses to Letter 48

48-1 Comment noted.

10/18/2002

Letter 49

Responses to Letter 49

44900331

49

1005 Bluebonnet Lane
Austin, Texas 78704
October 8, 2002

Jennifer Walker
EIS Project Manager
U.S. Army Corps of Engineers
Fort Worth District
P.O. Box 17300
Fort Worth, TX 76102-0300

In re: Alcoa's Three Oaks Mine proposal

Dear Friends:

As my comment on the above proposal, I herewith request that the environmental impact statement be expanded to include an economic analysis ordered by you and prepared by independent experts. This economic analysis is to study the cost differential as well as the environmental impact comparison between Alcoa's proposal to continue burning low-grade lignite versus Alcoa's switching to burning hard coal from Wyoming or some other feasible source.

Probably you are aware that decades ago the Lower Colorado River Authority and the City of Austin began operating electric generation plants in Fayette County, Texas using Wyoming coal as the fuel. In fact, managing partner LCRA abandoned its original plan to mine and burn local lignite and chose instead to burn Wyoming coal.

It is my understanding that the price of Wyoming coal as well as the railroad freight charges to deliver that coal to Fayette County have DECREASED as the years roll by--because of competition and demand factors.

Since 1977, I have been a member of the citizens' advisory Electric Utility Commission appointed by Austin City Councils. I will be glad to furnish historical perspective on this matter, if needed by you or the future independent consultants making the comparisons. Of course, most everyone knows that burning hard coal causes less air pollution than lignite. Moreover, using out-of-state hard coal would preclude strip-mining and excessive water consumption in Lee and Bastrop Counties.

I was born and raised in Bastrop but have lived in Austin since graduating from the University of Texas at Austin in 1937.

Sincerely,
Shudde Bess Bryson Fath
Shudde Bess Bryson Fath, age 86
Telephone & FAX 512-442-2718

OCT 17 2002

*49-1
P.S. Natural gas is another possible fuel, but its future predictability than plentiful coal.*

49-1

49-1 The primary purpose of the EIS is to examine and evaluate the potential impacts associated with the Proposed Action and realistic alternatives that meet the purpose and need of the project and that may result in less environmental degradation than the Proposed Action. As discussed in Chapter 2.0 of the Draft EIS and in the response to general comment Alternatives-1 in Section 4.5.2 of the Final EIS, the USACE has examined the costs associated with various fuel options to confirm that neither western coal or natural gas would meet the purpose and need for continued smelter operations at Rockdale. Also see the response to general comment NEPA-1 in Section 4.5.1 of the Final EIS relative to information provided by Alcoa.

Letter 50

Responses to Letter 50



50

October 15, 2002

Ms. Jennifer Walker, EIS Project Manager
U. S. Army Corps of Engineers (USACE)
Fort Worth District
P. O. Box 17300
Fort Worth, TX 76102-0300

Dear Ms. Walker:

I am on record with the Railroad Commission of Texas as supporting Alcoa's application to open the new Three Oaks Mine in Lee and Bastrop counties. I am greatly concerned about Alcoa's future in this rural part of Central Texas. They operate the second largest aluminum smelter in the nation, and their 2,000 employees and contractor people earn more than \$100 million a year. Alcoa has only two to three years of lignite left in its present mine, and the new Three Oaks Mine is a must to fuel the Rockdale smelter and keep it--and all those jobs--in this Central Texas areas for the next 30-35 years.

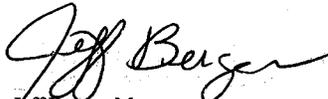
50-1

The proof of Alcoa's good stewardship of the land they mine can be seen in the finished product. The land that has been mined then reclaimed and restored is some of the most attractive and useful land in the area providing new water sources, wildlife habitat, and great ranch land.

Alcoa deserves the opportunity to continue to operate in Central Texas and supply good jobs to our residents; also helping to improve the quality of life for all residents of Central Texas by being a good corporate neighbor and citizen.

Please review their request and issue a permit to Alcoa for their Three Oaks Mine Project. Alcoa's success is vital to the economy and well being of our area.

Sincerely,


Jeff Berger, Mayor
City of Taylor

OCT 18 2002

50-1 Comment noted.

Letter 51

JW

2002 Oct 17

Ms. Jennifer Walker
Regulatory Branch, CESWF-PER-R
U.S Army Corps of Engineers
P.O. Box 17300
Ft. Worth, TX 76102-0300

Re: USACE Project Number 199900331 Draft Environmental Impact Statement

Dear Ms. Walker:

51-1 I believe all applications for permits related to the proposed Three Oaks Mine are deficient in that they do not identify the State of Texas as a co-applicant by virtue of contractual commitment of public lands and resources by the City of San Antonio outside its jurisdiction. By acquiescence or default, the state has consented to action of its agents. San Antonio's City Public Service (CPS) acquired interests in area land for the purpose of generating electricity for public use. Private use now appears to be the purpose for a subdivision of the state retaining title. Perhaps the legality of this conversion (and the compensation process for it) is explained in Draft backup material, which I have not seen. For its original purpose CPS had reason to develop an environmental impact database. It is not clear why that is only now being done. Convenience of the current permit applicant cannot justify not taking the time to make a lot less speculative predictions of natural fluctuations and the consequences of so disruptive a project.

51-2 The Draft Environmental Impact Statement (DEIS) itself is deficient in that it does not clearly identify agency responsibility for monitoring all probable environmental impacts of the proposed project. Further, the Corps has failed to provide due process by not independently verifying the accuracy of baseline data appropriate for monitoring. For example, the applicant has admitted one-time streamflow measurements were taken during a dry spell. The possible effects of storm events in upstream watersheds have not been established. Neither is it reasonable to assume that contaminants from the proposed project would be diluted downstream or downpiped before causing harm.

51-4 A well-executed impact statement has potential value as a reference document way beyond facilitating the applicant's control of local resources. If the process does not allow for a second, revised draft with all attendant review and that includes a conspicuously independent and verifiable database, then the Corps must choose the "NO ACTION" alternative.

Sincerely,

Greg Barker
3437 CR 304
Elgin TX 78621

OCT 25 2002

Responses to Letter 51

51

- 51-1 Through its mine permit application to the RRC and the associated reviews and revisions, Alcoa has demonstrated that it has the legal right to mine lignite resources on its lands and various leases executed with CPS and other entities. The specific lease arrangements involved in this access are not considered by the USACE to be a pertinent subject of this EIS. Alcoa alone is the applicant, since it would be the operator of the Three Oaks Mine. Alcoa acquired lands or interests in lands by numerous transactions with numerous individuals and entities, and CPS is only one of those. Under the theory apparently being asserted by the commenter, permit applications would be complete only if all those holding title to or any interests in any of these lands are listed as co-applicants. This assertion is incorrect. It is unsupported by the legal framework of the permits in question and would lead to unmanageable and unreasonable results. Second, even under the incorrect theory asserted by the commenter, there could be no plausible argument for including the State of Texas as a co-applicant on any of the Three Oaks Mine applications because of the transaction by which Alcoa acquired lands or interests in lands from CPS. CPS is separate and distinct from the State of Texas, and the State does not hold title to or other interest in any lands by reason of CPS holding title to or other interest in such lands.
- 51-2 Oversight of Alcoa's environmental monitoring in relation to the proposed Three Oaks Mine would be a shared responsibility among the USACE, USFWS, USEPA, TCEQ, TPWD, RRC, THC, and potentially other agencies, based on the individual permitting responsibilities of each agency (see Section 1.3 of the Draft EIS). Alcoa would conduct the required monitoring and submit appropriate monitoring reports to the appropriate agencies relative to each agency's responsibility.
- 51-3 Please see the responses to general comments NEPA-1 and SW-1 in Sections 4.5.1 and 4.5.5, respectively, of the Final EIS.
- 51-4 Comment noted. Please see the response to comment 81-1 regarding a revised or supplemental Draft EIS.

Letter 52

Responses to Letter 52

52



City Public Service of San Antonio, Texas

October 22, 2002

Ms. Jennifer Walker
Regulatory Branch, CESWF-PER-R
U.S. Army Corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102-0300

RE: U.S. Army Corps of Engineers Draft Environmental Impact Statement (DEIS), Three Oaks Mine, Lee and Bastrop Counties, Texas; Application No. 19990031 (applicant Alcoa Inc.), Section 404, Clean Water Act

Dear Ms. Walker:

As the municipally-owned electric and natural gas utility of San Antonio, Texas, City Public Service (CPS) provides the electric power needs for the more than one million area citizens in the San Antonio and Bexar County, Texas area. To serve those needs reliably and cost effectively, CPS must secure and maintain a diverse fuel supply. Accordingly, CPS is the principal land and mineral owner in the Three Oaks Mine area, and the lignite reserves represent significant CPS effort and investment in securing an additional fuel supply.

52-1 Three Oaks lignite has been a key part of CPS' fuel and electric generation plans since 1975. CPS first targeted startup for its lignite project in the 1980's. However, partly due to having a strong lignite option, CPS managed to obtain more competitive rates for western coal. With capital costs for gas generation facilities much lower than those for coal generation, or for lignite generation and lignite mine development, CPS chose to add more natural gas generation. CPS' fuel and generation alternatives, favorably impacted by our lignite option, resulted in delaying plans to mine lignite. In 1998 with the delay reaching 20 years, CPS chose to lease its lignite reserves to Alcoa.

52-2 Despite leasing to Alcoa, Three Oaks lignite remains an important economic resource for CPS and the citizens of the San Antonio area. Although U.S. Army Corps of Engineers (USACE) action on Three Oaks may have direct and significant impacts on CPS, the DEIS does not address those impacts. For example, CPS suggests that the DEIS section 1.2 Purpose of and Need for Action include:

52-1 Comment noted.

52-2 The benefits to CPS of developing the Three Oaks Mine are not part of the applicant's (i.e., Alcoa's) purpose and need for the project.

Letter 52 Continued

Ms. Jennifer Walker, USACE, p2
CPS DEIS comments

52-2

Although secondary to Alcoa's need for a stable fuel supply, it is also significant that Three Oaks development by Alcoa provides CPS the option to take lignite for the power generation needs of its customers. Three Oaks development will also return and protect the investment made by CPS on behalf of its customers.

It is important to include the benefits of Alcoa's Three Oaks development to CPS. If the Section 404 permit is denied Alcoa, CPS believes any future permitting attempts to develop Three Oaks will be jeopardized.

52-3

Assessing the lignite project feasibility has been an ongoing exercise in CPS' evaluation and assembly of the Three Oaks lignite reserves. CPS is encouraged that findings of the Texas Railroad Commission, through granting of the mining permit, support the years of study, effort, and planning by CPS, as well as by Alcoa. Likewise USACE's DEIS supports the project feasibility, having identified only minor or mitigable impacts. CPS is confident that the Final EIS results will confirm those findings.

Sincerely,



Barry S. Williams
Geologist, Fuels Division

cc: William C. Gunst
Mark D. Werner
Zandra Narvaez

Responses to Letter 52

52-3 Comment noted.

Letter 53

Page 1 of 1

53

Riley Walker, Jennifer L SWF

From: Robin Lively [ralsmall@worldnet.att.net]

Sent: Tuesday, October 22, 2002 7:43 PM

To: 3oakseis@swf.usace.army.mil

Subject: Alcoa and strip mining in Bastrop County, Texas

I am strongly against Alcoa being granted a permit from the Corps to discharge dredge and fill material into the area creeks and rivers in and around Bastrop County. I do not understand why Alcoa is not held to stricter environmental standards. Alcoa should be made to clean up what they have already created, instead of allowed to expand their operations.

Robin Lively
161 Abbey Lane
Smithville, Texas 78957

53-1 Comment noted.

53-1

Letter 54

Responses to Letter 54

54

Ron Giles 221 Mountain Valley Drive • Smithville, Texas 78957 (512)360-4053

October 2, 2002

Corps of Engineers
Subject: Draft EIS Re. Proposed Alcoa strip-mining in Bastrop and Lee Counties, Texas

Dear COE Representative:

It appears that Alcoa plans to recycle and dispose of bottom ash on-site, using it as road base for service roads, and disposing of it in unlined mine pits. The draft EIS (DEIS) does not adequately address the degradation of groundwater and surface water quality that will result from these practices

Service roads will be subject to run-on and runoff, and stormwater will ultimately be discharged to area streams, according to Alcoa's mine plan. In addition, the DEIS acknowledges that bottom ash disposed of in mine pits will be subject to acid minewater leaching, resulting in the suspension of barium and selenium from the ash into the leachate. However the DEIS concludes that "burial of bottom ash in the reclaimed pits should not degrade water in the nearby undisturbed Calvert Bluff aquifer."

It's unclear what supports this conclusion, particularly since other information in the DEIS indicates that the adjacent undisturbed aquifer will have higher horizontal permeability than the disturbed spoil aquifer. It appears that the selenium and barium-rich leachate will accumulate in the bottom of the "spoil aquifer," and in the end lakes, which would be located at the deepest part of the mine. To quote from the DEIS: " Recharge to the Calvert Bluff aquifer would come from infiltration of precipitation over the undisturbed 95 percent ~~of the~~ of the Calvert Bluff Formation outcrop and from infiltration of water from the end lakes."

The DEIS also refers to a masters' thesis by Pollock, which examined resaturation of reclaimed spoil at Sandow Mine. I quote, "Based on studies conducted at the Sandow Mine, resaturation of reclaimed spoil typically is achieved within 20 to 30 years following the completion of reclamation." Do barium and selenium leach out of the bottom ash spoiled at Sandow? EPA's Toxic Release Inventory indicates that an average of 2,500 TONS of barium are disposed of every year at Sandow by Alcoa. The TRI also indicates that barium concentrations in surface discharges to Yegua Creek have doubled every year since discharges were monitored at Sandow. Surface water discharges were not monitored for selenium. However, the amounts of selenium disposed of at Sandow have nearly doubled every year, in tandem with the monitored barium releases.

It appears that barium - and almost certainly selenium as well - ARE degrading shallow groundwater at Sandow, and the problem is getting worse. In my view, the Corps needs to revisit this issue, before determining that disposal of bottom ash in mine pits causes no harm to water resources.

Sincerely,



Ron Giles

54-1 Please see the response to general comment PA-1 in Section 4.5.3 of the Final EIS relative to bottom ash recycling and disposal. Please also see the response to general comment SW-5 in Section 4.5.5 of the Final EIS relative to the use of the Sandow Toxic Release Inventory (TRI) data in the EIS.

54-1

Letter 55

Responses to Letter 55

RON PAUL
14TH DISTRICT, TEXAS

FINANCIAL SERVICES COMMITTEE

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OVERSIGHT AND INVESTIGATIONS
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Congress of the United States
House of Representatives
Washington, DC 20515-4314

October 15, 2002

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SUITE 210
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(979) 230-0000

JW
1999 10 31

Ms. Jennifer Walker
U.S. Corps of Engineers
PO Box 17300
Fort Worth, TX 76102-0300

Dear Ms. Walker:

I am on record as supporting Alcoa's application to the Railroad Commission of Texas to open a new lignite mine bordering Bastrop and Lee Counties in Central Texas to sustain the life of the company's aluminum smelter in Rockdale. Alcoa will be out of fuel-or lignite-at its current mine in another 2-3 years and, without the new mine, the Rockdale smelter would close, costing that rural part of the state about 2,000 jobs and over 100 million dollars in annual payroll.

I strongly urge that the U.S. Army of Corps of Engineers prepare the Final EIS as soon as possible and issue without modifications the permit to Alcoa.

Thank you for your timely consideration of this important application.

Sincerely,



Ron Paul

55-1 Comment noted.

55-1

OCT 29 2002

Letter 56

Responses to Letter 56

199900331
JW

56

October 20, 2002

Army Corps of Engineers
Fort Worth, TX

Dear Army Corps of Engineers,

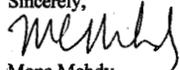
56-1

I am writing to give my opinion on the application of Alcoa for new strip mining near Elgin. I am opposed to allowing the proposed mining on health and environmental grounds. The mine will yield a high sulfur lignite coal which will continue to be used at Alcoa's smelter with no new abatement for air pollution coming into effect for years (the recent decision by the Texas Comm. on Environ. Quality to require reducing air pollution by Alcoa's smelter will not require any change for years). By allowing Alcoa's continued reliance on cheap polluting coal instead of cleaner energy sources, Alcoa's pollution will continue to damage the health of people living in Austin and surrounding areas as well as the pollution travels to distant regions in the state and elsewhere.

56-2

The environmental damage expected is equally or more dangerous. Alcoa proposes to pump out large amounts of water as part of the mining operation which will drastically lower the water table having a profound effect on the aquifers, watershed, vegetation, wildlife and people in the region. The traffic related to construction and operation of the mine will also have a negative impact. I strongly urge you to oppose the strip mining request by Alcoa.

Sincerely,



Mona Mehdy
5004 Smokey Mountain Drive
Austin TX 78727

56-1

Please see the responses to general comments AQ-1 and AQ-2 in Section 4.5.6 of the Final EIS relative to cumulative impacts and proposed reductions in emissions from the power plants.

56-2

Potential impacts to aquifers, watersheds, vegetation, wildlife, and public health as a result of the mine-related groundwater drawdown are discussed in Sections 3.2.3.2, 3.2.4.2, 3.4.2, 3.5.2, and 3.14.1, respectively, of the Draft EIS. Mitigation being considered by the USACE for identified impacts on these resources are presented in Sections 3.2.3.4, 3.2.4.4, 3.4.4, and 3.5.4, respectively. Potential traffic impacts are discussed in Section 3.11.2.1 of the Draft EIS.

OCT 24 2002

Letter 57

Responses to Letter 57

199900331
JW



IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Post Office Box 649
Albuquerque, New Mexico 87103

57

October 21, 2002

ER 02/813

Jennifer Walker, EIS Project Manager
U.S. Army Corps of Engineers, Fort Worth District
819 Taylor Street
PO Box 17300
Fort Worth, TX 76102-0300

Dear Ms. Walker:

The U.S. Department of the Interior has reviewed the Draft Environmental Impact Statement,
Three Oaks Mine, in Lee and Bastrop Counties, TX. In this regard, we have no comment.
Thank you for the opportunity to review this document.

57-1

Sincerely,

A handwritten signature in cursive script that reads "Glenn B. Sekavec".

Glenn B. Sekavec
Regional Environmental Officer

57-1 Comment noted.

OCT 24 2002