



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

ANCHORAGE
Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

PUBLIC NOTICE DATE:	April 8, 2015
EXPIRATION DATE:	May 7, 2015
REFERENCE NUMBER:	POA-1996-237-M1
WATERWAY:	Tripple Creek

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Leslie W. Tose at (907) 753-5515, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at leslie.w.tose@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mr. Jeffrey Keener, Metallogeny, Inc., P.O. Box 82811, Fairbanks, Alaska 99708

LOCATION: The project site is located within Sections 15 and 22; T. 11 S., R. 33 W., Kateel River Meridian; USGS Quad Map Nome B-1 and C-1; Latitude 64.5258° N., Longitude 165.2372° W.; M.P. 3.5 Nome-Taylor Highway, near Nome, Alaska.

PURPOSE: The applicant's stated purpose is to produce commercial quantities of precious metals from private lands.

PROPOSED WORK: Applicant proposes to retain discharge of ±580,000 cubic yards (CY) of organic soils, gravel overburden, and pay gravels into ±18 acres of palustrine tundra wetlands, mined between 2010 and 2014, under a previous operator, Paradise Valley Mining. The applicant proposes to continue the operation under Metallogeny,

and to discharge 20,000 CY of organic soils, 60,000 CY gravel overburden, and 120,000 CY of gravel overburden into 7.9 acres of palustrine tundra wetlands over a period of 5 years, 2015 to 2020. Five cuts are proposed, ranging between 1.7 and 2.5 acres in size. The cuts will range between 35 and 45 feet deep. Reclamation would occur after mining is complete. All work would be performed in accordance with the enclosed plans (sheets 1-14), dated 26 February, 2015.

ADDITIONAL INFORMATION:

Other authorizations:

- Alaska Department of Natural Resources, Division of Mining, Application for Permits to Mine in Alaska (APMA) # 9055: permit renewal is pending.
- Alaska Department of Environmental Conservation: Alaska Pollutant Discharge Elimination System (APDES): permit renewal is pending.

The operation occurs in a location which is comprised of both wetlands and uplands. Wetlands consist of gently rolling, permafrost scrub shrub tundra, landform found on the coastal plain in the Nome vicinity. Photos of the operation and a summary of wetland and upland impacts are provided in the plans.

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

a. Avoidance: The Tripple Creek Placer Mine will disturb areas on both uplands and wetlands. The location of mine pit is determined by the presence of economic quantities of native gold and some disturbance of wetlands cannot be avoided. The access road and reserved aggregate stockpile are located on previously mined, upland area. About half of the pre-existing equipment pad is located on wetlands (1.8 acres). In total, about 57% of the proposed disturbance will occur on wetlands (27 .6 acres), however, about 93% of the disturbed wetlands will be reclaimed as low-lying lands with several ponds to promote a functional lift from low-functioning, emergent dry tundra wetlands to lacustrine shoreline habitat. As much as possible, new overburden stockpiles will be stacked on upland areas or used as backfill in completed mine cuts. Tailings stockpiles will be placed on upland areas or used as backfill in completed mine cuts. Settling and recycle ponds are constructed in previously mined areas. Tripple Creek is an ephemeral stream that is dry for most of the summer, thus it is not fish-bearing. No disturbance to the stream bed or banks is proposed.

b. Minimization: Mining will take place only on that part of the placer gold deposit that is economic to process. The previous operator placed overburden stockpiles on both sides of their mine pits on uplands and wetlands, however, Metallogeny proposes to place new overburden stockpiles on either uplands or used as backfill within completed mine pits. Smaller organic overburden stockpiles will be placed temporarily on wetlands and reserved for reclamation of the mine pit area. In 2014, the previous operator placed fine grained tailings (mud and silt) in a low area near the equipment pad that was created by Pomerence in the 1990s, (Corps of Engineers permit ref.#1996-237), by

mining. This area was reclaimed by contouring and seeding with grass to provide grazing for horses. It does not currently grow wetland vegetation, however, the grass provides forage for a resident herd of musk-oxen during the winter.

c. **Compensatory Mitigation:** It is proposed to implement permittee-responsible mitigation. These measures will include backfilling excavations with tailings and gravel overburden and grading over contoured surfaces with reserved organic overburden. Areas covered with fine-grain tailings will be contoured to create water retention ponds and the settling ponds and the final mine cut will be reclaimed as year-round ponds with sloped and vegetated banks. About 1.8 acres of dry tundra wetlands that were previously filled to make an equipment pad will be reserved for future use and it is intended that the functional lift given to formerly dry tundra wetlands to seasonally flooded lowlands and perennial ponds, (-4+ acres), will offset the disturbance to wetlands by the equipment pad. Reclaimed, emergent areas can be seeded with grass to provide more winter forage for the musk ox.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

No EFH species are known to use the project area.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be

significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are

also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

ANCHORAGE

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA 1996-237-M1, Tripple Creek**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.

Metallogeny, Inc.

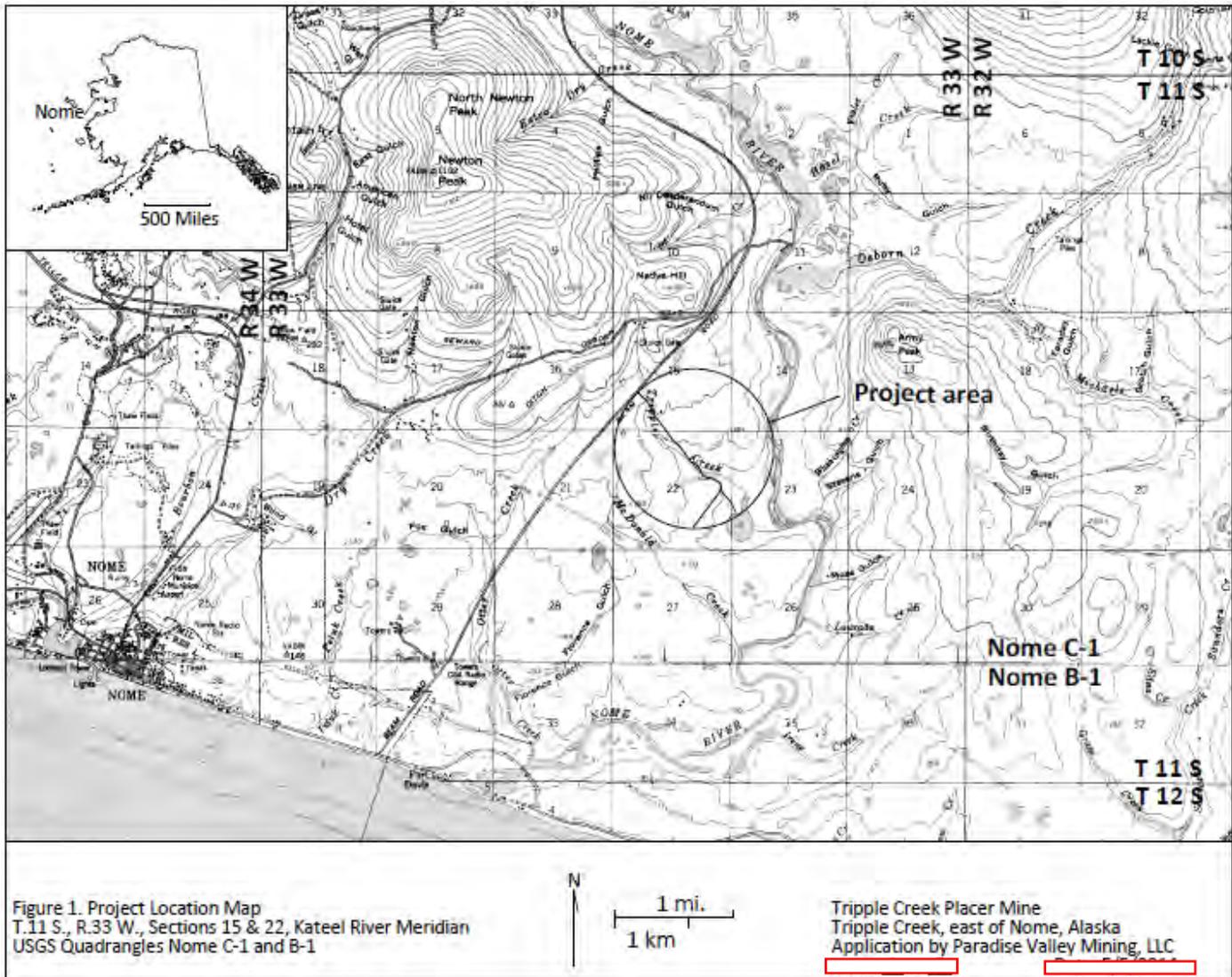
Tripple Creek, Nome Mining District 26 February 2015

Nome B-1 & C-1; 64-31.746N, 165-15.086W

Project Location... (R.B.Murray)

POA-1996-237-M1

APMA F-159055



Metallogeny, Inc.

Tripple Creek, Nome Mining District 26 February 2015

Nome B-1 & C-1; 64-31.746N, 165-15.086W

Claim Map... (R.B.Murray)

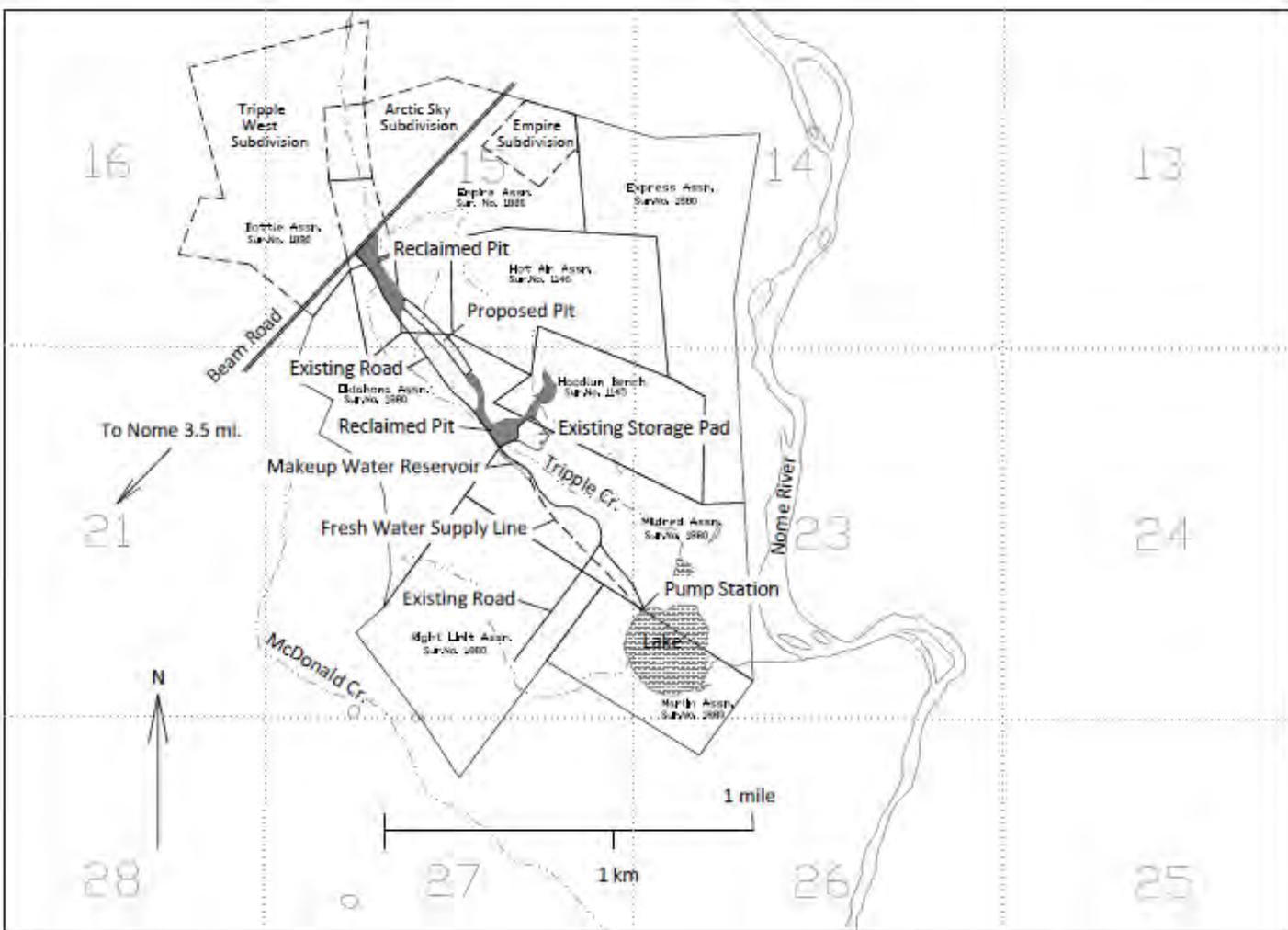


Figure 2. Detail Location Map
T.11 S., R.33 W., Sections 15 & 22, Kateel River Meridian
USGS Quadrangle Nome C-1

Tripple Creek Placer Mine
Tripple Creek, east of Nome, Alaska
Application by Paradise Valley Mining, LLC

POA-1996-237-M1

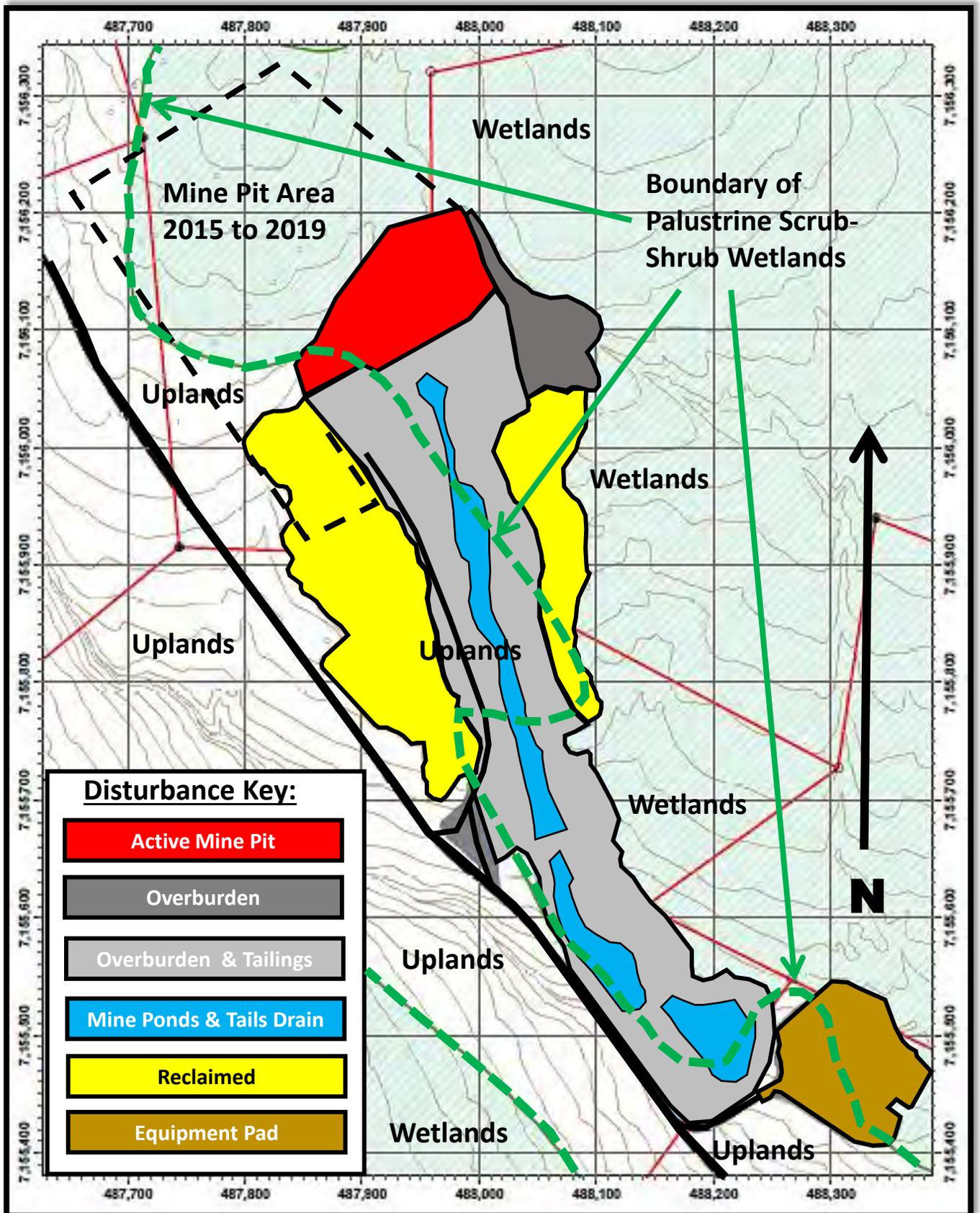


Metallogeny, Inc.

Tripple Creek, Nome Mining District 26 February 2015

Nome B-1 & C-1; 64-31.746N, 165-15.086W

Plan View of Current Conditions in September 2014

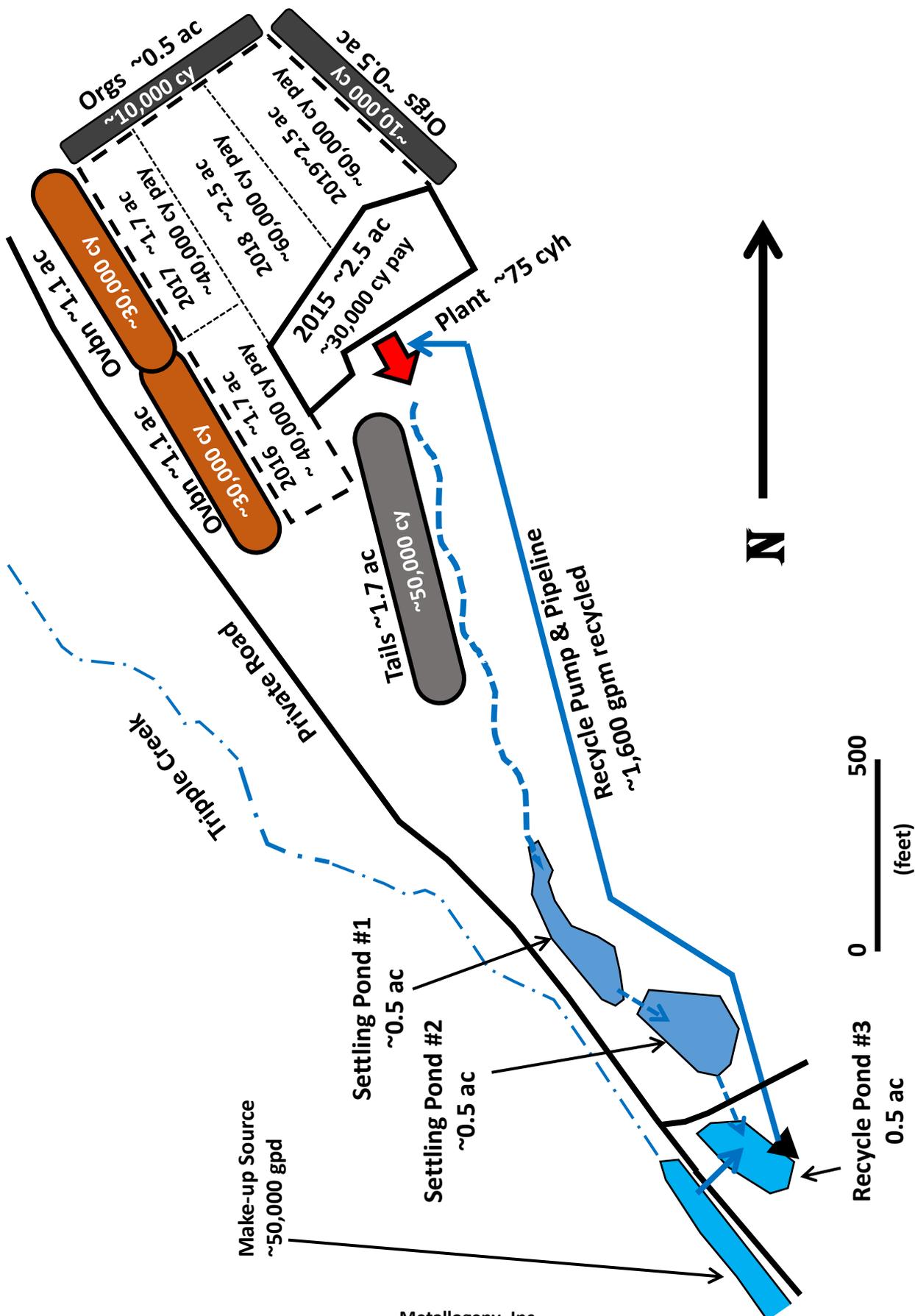


Metallogeny, Inc.

Tripple Creek, Nome Mining District 26 February 2015

Nome B-1 & C-1; 64-31.746N, 165-15.086W

Plan of Operations 2015 to 2019



Metallogeny, Inc.

Tripple Creek, Nome Mining District 26 February 2015

Nome B-1 & C-1; 64-31.746N, 165-15.086W

Plan of Operations 2015 to 2019

**Existing Conditions end of August 2014, looking east
(downstream)**



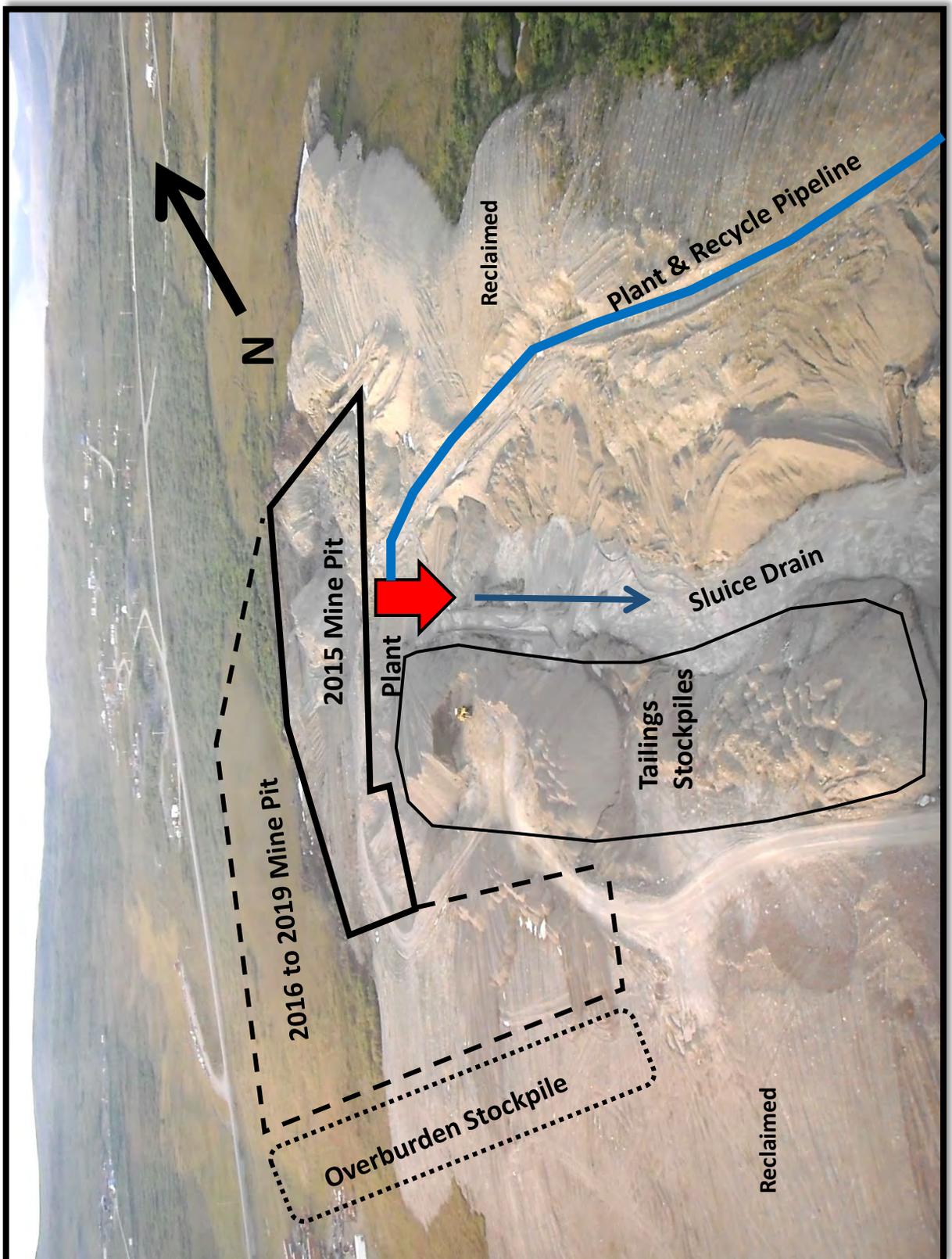
Metallogeny, Inc.

Tripple Creek, Nome Mining District 26 February 2015

Nome B-1 & C-1; 64-31.746N, 165-15.086W

Plan of Operations 2015 to 2019

Showing proposed Mine Pits looking west (upstream)



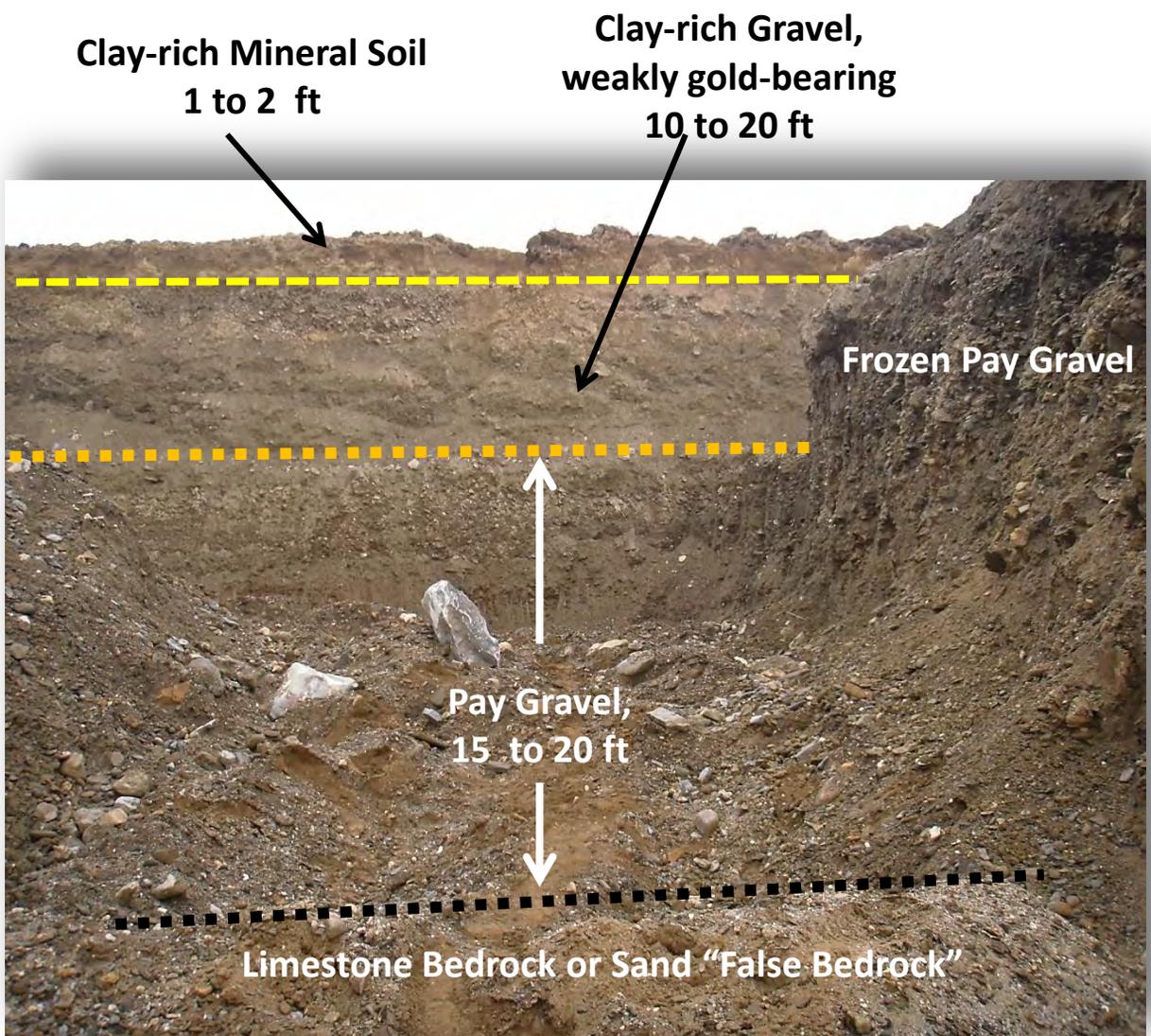
Metallogeny, Inc.

Tripple Creek, Nome Mining District 26 February 2015

Nome B-1 & C-1; 64-31.746N, 165-15.086W

Plan of Operations 2015 to 2019

Mine Sections at West End of 2014 Pit

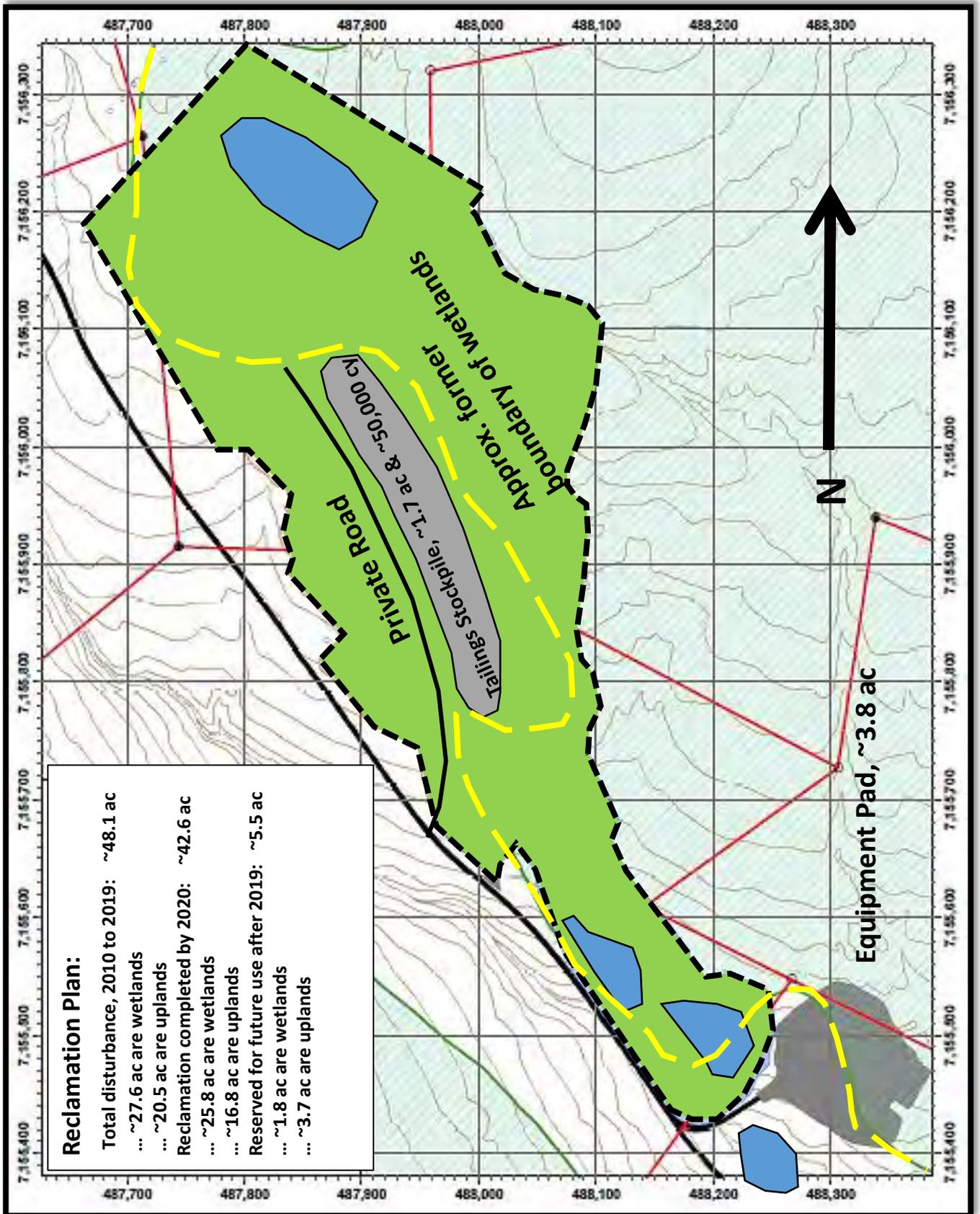


Metallogeny, Inc.

Tripple Creek, Nome Mining District 26 February 2015

Nome B-1 & C-1; 64-31.746N, 165-15.086W

Reclamation Plan, 2019 & 2020



Metallogeny, Inc.

Tripple Creek, Nome Mining District

26 February 2015

Nome B-1 & C-1; N64-31.746', W165-15.086'

Plan of Operations 2015 to 2019

Introduction

Paradise Valley Mining LLC ("PVM") has been mining on the Tripple Creek patented claims, northeast of Nome, since 2010 and has terminated the mining agreement with the property owner, Robert B. Murray. Metallogeny, Inc. ("MI") has entered into an agreement with Mr. Murray to lease certain patented mining claims and to continue the placer mining operation on Tripple Creek. Current disturbance is 27 acres and the current reclamation bond is for 32 acres. MI proposes to complete the PVM 2014 Mine Pit in 2015 and to mine successive small mine pits over the next four years (to 2019) by adding from 2.8 acres to 3.0 acres of new disturbance each year for a total new disturbance of 11.6 acres. During this time, it will be necessary to continue to use the previous mine workings for a tailings stockpile, settling and recycle ponds, and for a sluice tailings drain. In 2019, it is anticipated that a total active disturbance will be ~38.6 acres, not including 9.5 acres reclaimed by PVM in 2013. Reclamation of the entire site will occur at the end of the mining season in 2019 and perhaps some follow-up work in 2020.

Project Location and Access

The Tripple Creek Placer Mine is located ~6 road miles northeast of the city of Nome, on Willy's Way Road, off the Nome-Taylor Highway (aka Kougarok Road or Beam Road). Tripple Creek is a tributary of the Nome River, but is mostly dry due to cavernous limestone bedrock. The placer gold deposit is located on patented mining claims owned by Robert B. Murray. The placer deposits on these claims have been mined at various times since ~1900 using hand methods (Gold Rush era) and modern small-scale, mechanized methods (Pomeranke, 1990's & PVM, 2010-2014).

Placer Deposit and Ground Surface

Tripple Creek is an intermittent stream that carries water at the surface only in brief periods during annual spring break-up and extended rainy periods. The Tripple Creek placer gold deposit is a small alluvial concentration of native gold found in re-worked sand and gravel resting on either a carbonate bedrock or on a bed of older coarse sand. Most of the gold appears to be concentrated several hundred feet to the north of the modern channel of Tripple Creek. The placer gold pyastreak is not defined by a

bedrock channel due to the cavernous nature of the limestone bedrock, but appears to be more "patchy" over an area as much as 800 feet wide. The older sand unit appears to be marine in origin and is weakly gold-bearing and may be part of the Third Beach concentration. In practice, about 1 foot of fractured bedrock or older sand is taken up with the pay gravel and included as ore to be processed. The overlying, gold-bearing sand and gravel "Pay" units are sorted and imbricated and may indicate a provenance outside of the local Tripple Creek drainage. The pay gravel is overlain by unsorted, weakly gold-bearing gravels with some clay and silt that appear to be re-mobilized by downhill creep and cryoturbation. A thin layer of organic soil caps the surface and supports the usual dry tundra flora and wet soil alders and willows found in the Nome area foothills. In mine section:

1 to 2 feet of Organic Soil (Organic overburden)... seasonally frozen

10 to 20 feet of Clay-rich Gravel (Gravel overburden)... discontinuously frozen

10 to 25 feet of Sandy Gravel (Pay gravel, plus 1 ft bedrock)... generally thawed and drained

Cavernous limestone bedrock or void-filling marine (?) sands (false bedrock)... thawed and drained

Previous Mining

During the 1990's, Steve Pomerence (COE 1996-237) mined in two areas on the north bank of Tripple Creek (left-limit). Most of this ground was reclaimed and seeded. An equipment pad measuring ~3.8 acres was left to store equipment for the owner and others. In 2010, Paradise Valley Mining began mining a location to the north of Tripple Creek that the previous operator had skipped. PVM continued to mine through the 2014 mining season, during which there was a total disturbance of ~36.5 acres and ~580,000 cubic yards of overburden and pay gravel. Approximately 9.5 acres of overburden stockpiles have been reclaimed by grading and contouring. Washed tailings have been stockpiled for aggregate re-sale to the City of Nome for utilidor bedding and to the State of Alaska for road construction. Current active disturbance is 27 acres. The current reclamation bond is for 32 acres.

2015 to 2019 Camp and Fuel Storage

The mining crew will be comprised of three miners and one supervisor. A small trailer at the mine site will serve as a field office and break-room. The crew will live in Nome and commute to the minesite. Fuel will be stored in a 5,000 gallon ISO double-walled tank located on the Equipment Pad. Mobile fuel will be stored in a 200 gallon fuel tank mounted on the bed of a pickup truck or on a trailer, and in four to six 55-gallon fuel drums in a pickup bed or in a foldable spill containment cell on the ground.

2015 to 2019 Water Supply

Make-up water will be pumped from the existing pumping station on an un-named lake at the lower end of Tripple Creek. The lake is kept at constant level by natural springs and during rainy periods, will drain into the Nome River through a shallow outlet. The make-up supply pipeline(6-inch PVC) has been in-place since the 1990's and will continue to serve through 2019. A four-inch pump will draw water from the lake at a rate of up to 400 gpm for up to 8 hours per day, as needed to fill a naturalized pond on the south side of the subdivision road. Water flows by gravity from the fresh water pond through a gated pipe under the road into the Recycle Pond (Pond #3). Recycle process water is then pumped to the washplant with an 8-inch pump at a rate of up to 1,500 gpm for ten hours per day. This facility will be operated to recycle process water 100% with zero discharge to Tripple Creek. Since an APDES General Permit has been maintained for mining on Tripple Creek, it is requested that Metallogeny, Inc. be listed as the Operator and responsible party.

No stream bypass or dam is required.

2015 Mine Plan

In 2015, it is proposed to commission a new washplant composed of a vibrating screen deck, sluice, and tailings conveyor. The 2015 mining activity will occur within the 2014 Mine Pit area and will focus on processing pay gravel that still lies within the 2014 Pit. Any remaining overburden will be used to backfill the completed parts of the Pit. No new disturbance is planned for 2015.

A dozer will be used to dress the pit and doze small stockpiles of pay gravel for the loader to pick up and haul to the washplant stockpile. The excavator will feed the washplant from the pay stockpile at a rate of up to 75 cubic yards per hour. Coarse sand tailings will be segregated with a loader and stockpiled away from the washplant for future resale as an aggregate construction product. Sluice tailings will be stockpiled with a loader or dozer along the limits of the tails drain, or in segregated stockpiles for re-sale as an aggregate bedding product. About 30,000 cubic yards of pay gravel will be processed in 2015. The reclamation bond will be renewed for 27 acres.

2016 to 2019 Mine Plan

Overburden will be removed with a dozer and excavator by placing organic overburden and gravel overburden in temporary, segregated stockpiles. Where possible, gravel overburden will be used to backfill a completed mine cut. Each annual mine cut will be 1.7 to 2.5 acres in area and from 35 to 45 feet deep. Overburden placed on un-mined surfaces will be stacked as high as practical to minimize the footprint on the ground. About 50,000 cubic yards of tailings to be used as aggregate product will be stockpiled on previously ground (~1.7 ac), previously mined by PVM in 2010 to 2014. The remainder of the tailings will be contained within the PVM mine area and used to backfill their workings.

During the period 2016 to 2019, the total new disturbance is estimated to be:

Organic overburden... ~1.0 acres & ~20,000 cubic yards

Gravel overburden... ~2.2 acres & ~60,000 cubic yards; about 120,000 cubic yards of gravel overburden will be used to backfill completed cuts, thereby creating no additional surface disturbance

Mine cuts... ~8.4 acres & ~200,000 cubic yards of pay gravel to process

Therefore, the total new disturbance during 2016 to 2019 is ~11.6 acres and ~400,000 cubic yards of overburden and pay gravel.

Reclamation Plan, 2019 & 2020

Ongoing reclamation is problematic in that most of the remaining PVM disturbance will be needed for use as tailings stockpiles and settling ponds. The new Mine Pit (2015 to 2019) will be mostly backfilled with overburden from the subsequent annual mine cuts, but will need to be kept open to allow for haulage access. It may be possible to move the washplant to a new location and begin backfilling the new mine cuts with tailings. The preferred approach is to conduct most reclamation at the end of the 2019 mining season, or sooner, if mining ceases before 2019.

At the end of 2019, it is estimated that there will be a total un-reclaimed disturbance of 38.6 acres, including the Equipment Pad. Of this, the Equipment Pad (~3.8 ac) and the Aggregate Tailings Stockpile (~1.7 ac) will be reserved for future use. Therefore, the remaining 33.1 acres will be reclaimed by backfilling with tailings and gravel overburden and capping with any reserved organic overburden. Several ponds (~3.5 ac) will be left with nicely graded banks to allow for a functional lift development of wetland-lacustrine habitat. Most of this work will occur at the end of the 2019 mining season, but some dress-up work is likely to occur in 2020, after break-up. In total, MI will reclaim 33.1 acres.

Tripple Creek

Nome Mining District, Alaska

Mining Disturbance from 2010 to 2014 & projected to 2019

Currently Disturbed Areas, 2010 to 2014:

Type of surface material	Acres Wetlands	Acres Uplands	Total Acres
Sand tailings & ponds	7.2	4.8	12.0
Sand tailings stockpile	0.3	0.1	0.4
Gravel overburden	1.5	0.5	2.0
Organic overburden	0.3	0.0	0.3
Prepared	1.2	0.3	1.5
Mine pit, active	1.8	0.0	1.8
Mine pit, backfilled	2.8	2.4	5.2
Equipment pad	1.8	2.0	3.8
Sub-totals:	16.9	10.1	27.0

Reclaimed areas, as of 2014:

Recontoured overburden	2.8	6.7	9.5
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Total bonded in 2014			32.0
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Proposed new disturbance, 2015 to 2019:

2015	0.0	0.0	0.0
2016	0.2	2.6	2.8
2017	1.7	1.1	2.8
2018	3.0	0.0	3.0
2019	3.0	0.0	3.0
Sub-totals:	7.9	3.7	11.6
Totals:	27.6	20.5	48.1

Proposed reclamation, 2019 & 2020:

Reserved areas			
... equipment pads	1.8	2.0	3.8
... aggregate stockpile	0.0	1.7	1.7
Reserved totals:	1.8	3.7	5.5
To be reclaimed by 2020	25.8	16.8	42.6