



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

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

PUBLIC NOTICE DATE: September 14, 2015
EXPIRATION DATE: October 13, 2015
REFERENCE NUMBER: POA-1980-201
WATERWAY: Beaufort Sea

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 Steve Moore at (907) 753-5713, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Stephen.A.Moore2@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Arctic Pipe Inspection
POC Royce Roberts
9500 Sheldon Rd
Houston, TX 77049
281-456-8300
Royce@apioh.com

AGENT: Alaska Frontier Constructors
POC David P. Chaput
PO Box 224889
Anchorage, AK 99522
907-562-5303
davec@akfrontier.com

LOCATION: The project site is located within Section 18, T. 10 N., R. 15 E., USGS Quad Map Beechey A-3, Umiat Meridian; Latitude 70.21836° N, Longitude 148.433091° W, Deadhorse, Alaska.

PURPOSE: The applicant's stated purpose is to expand gravel pads in support of oil and gas industry operations.

PROPOSED WORK: The proposed work entails placing a total of 35,000 cubic yards of gravel on approximately half of Tracts 19B and 20B, to expand the pads by approximately fifty percent. The pad expansions will run parallel to the existing pads with a new area of 200' by 445' on Tract 19B and 200' by 502' on Tract 20B for a total expansion into 4.3 acres of wetlands. All work would be performed in accordance with the plans labeled POA-1980-201, sheets 1-4 (attached).

APPLICANT PROPOSED MITIGATION: **The applicant provided the following statements (in italics) regarding proposed measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material. The Corps has not evaluated the applicants proposed mitigation statements (below) at this time:**

a. *Avoidance: Due to our desire to expand our existing pad and the fact that we are limited by a pipeline, a road and other leased tracts on all other sides, the proposed area is the only area we could feasibly expand into. Additionally, the entire area of Deadhorse is considered a wetlands, so even if we could expand in another direction or it was convenient to build a pad at a separate location, we ultimately would still be required to fill wetlands. This means that avoidance of impacts to the wetlands in this area would be possible only if we did not place any additional fill. This solution is impractical for both our situation and the intended and historical uses of the Deadhorse area.*

b. *Minimization: In order to minimize impacts to the proposed expansion area, instead of filling to the property boundary, we plan to construct an expansion pad only 200 feet out from the existing pad. This minimizes impacts to wetlands.*

c. *Compensatory Mitigation: Compensatory mitigation should not be necessary for this project for several reasons. First, our project does not occur in a rare, difficult to replace, or threatened wetlands nor is it in an area of critical habitat. The area we are proposing to fill is located in Deadhorse on Alaska's North Slope. While the Deadhorse area is already a heavily industrialized area of the North Slope, it is surrounded by literally thousands and thousands of acres of undeveloped wetlands similar to and much more pristine than the area we are proposing to fill. And while the area in general could be utilized by spectacled eiders for nesting, the US Department of Fish and Game had previously ruled that filling the original area of would not adversely affect these endangered birds as the habitat was considered poor due to the proximity and amount of human activity already in the area. Second, although our project will impact some wetlands and the fill we place may be considered impervious due to compaction, the overall degradation of the watershed and unavoidable adverse effects will be negligible as the condition of the watershed has already been severely impacted by the extensive development already in place in the both the immediate and general surrounding areas. Any additional impacts which may occur due to our activities should be minimal enough to require no offset. Finally, we are not placing fill in intertidal waters or within 500' of fish bearing waters (the unnamed lake was verified as non-fishbearing by Bill Morris with the Alaska Department of Fish & Game), our project is not federally funded, nor is our project large scale (it will affect approximately 4.34 acres).*

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: The project area is within the known or historic range of three threatened species, the Polar bear (*Ursus maritimus*), Steller's eider (*Polysticta stelleri*), and Spectacled eider (*Somateria fischeri*).

We have determined the described activity may affect the Polar bear, Steller's eider, and Spectacled eider. We will initiate the appropriate consultation procedures under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service. Any comments they may have concerning endangered or threatened wildlife or their critical habitat will be considered in our final assessment of the described work.

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). The project is in wetlands that are not in close proximity to any EFH. We have determined the described activity would not adversely affect EFH resources.

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 authority:

(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).

District Commander
U.S. Army, Corps of Engineers

Enclosures

STATE OF ALASKA

DEPT. 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-1980-201, Beaufort Sea**, 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.

API Gravel Pad Expansion

Deadhorse AK - 35,000 CY

Legend

 API Pad - Tract 19 B & 20 B



Google earth

Image Landsat
© 2015 Google
Image IBCAO
Image © 2015 DigitalGlobe



6 mi

API Pad

Gravel Fill - 35,000 CY

Legend

- API
- Colleen Lake
- Polygon Measure

API

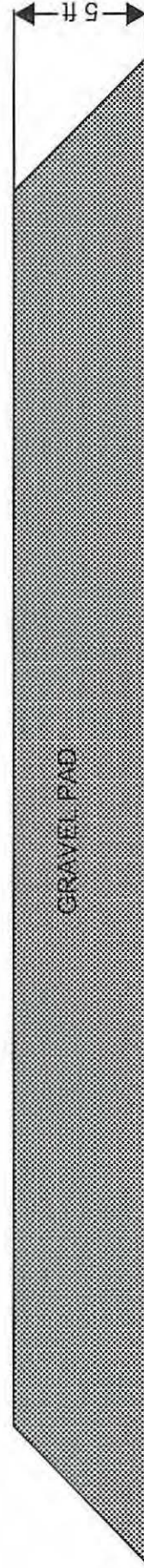


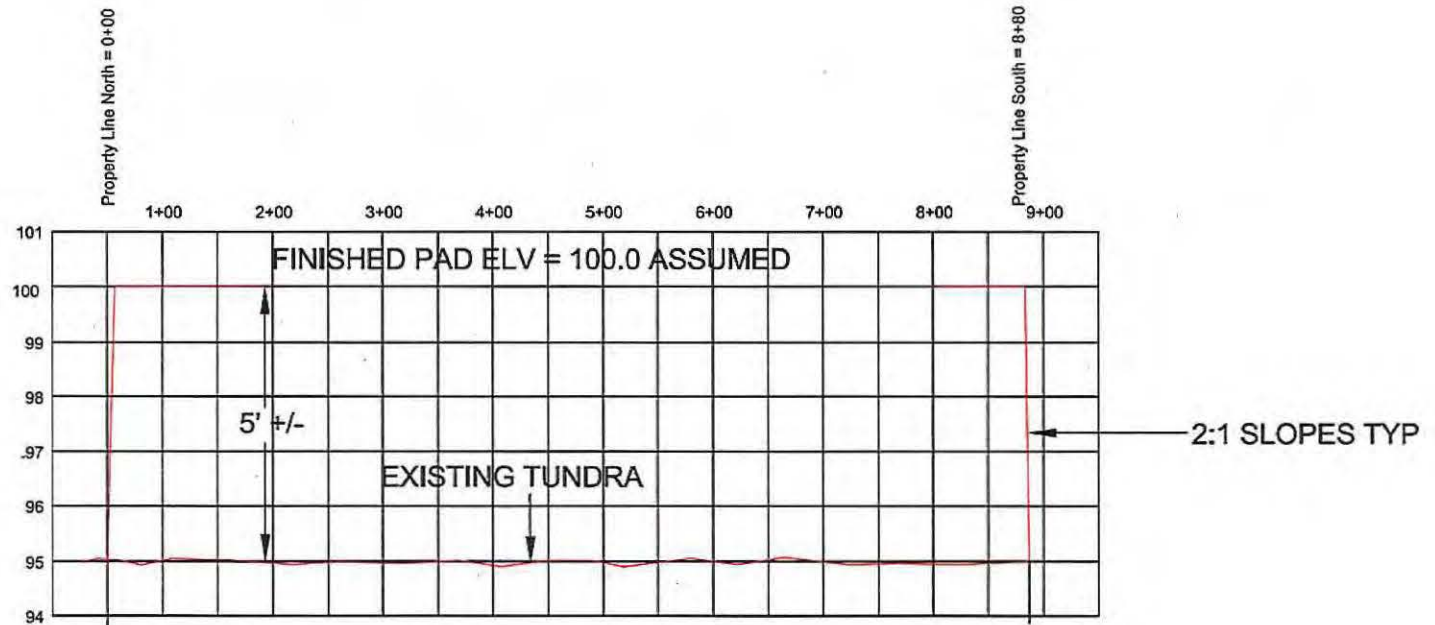
400 ft

Google earth

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API TRACT 19B & 20B GRAVEL PAD
Gravel Pad Cross-Section
w 2:1 side slopes and 5 FT Thick





TOE OF GRAVEL FILL
TO BE INSIDE
PROPERTY LINE
ON THE NORTH SIDE

GRAVEL FILL
Tracts 19B and 20B

ALASKA FRONTIER CONSTRUCTORS, INC.

PO BOX 224889
ANCHORAGE AK, 99522

(p): 907-562-5303
(f): 907-562-5309

API PAD EXPANSION
35,000 CY GRAVEL

DATE	APRIL 22, 2015	DWG NO.	TRACTS 19B AND 20B	REV	2
NTS	DRAWN BY	BL	SHEET	1 of 1	