



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD-N-F
2175 University Avenue, Suite 201E
Fairbanks, Alaska 99709-4927

PUBLIC NOTICE DATE: August 15, 2013

EXPIRATION DATE: September 13, 2013

REFERENCE NUMBER: POA-1988-240

WATERWAY: Snake River

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 **Debby McAtee** at (907) 907-474-2166, by fax at (907) 474-2164, or by email at Debby.J.McAtee@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Nome Gold Alaska Corporation, P.O. Box 1718, Nome, Alaska 99762

AGENT: Doug Baker, P.O. Box 1718, Nome, Alaska 99762

LOCATION: The project site is located within Section 22, T. 11 S., R. 34 W., Kateel River Meridian; USGS Quad Map Nome C-1; Latitude 64.5174°N., Longitude 165.4576° W.; Nome, Alaska.

PURPOSE: The applicant's stated purpose is to mine gold on the un-mined area left behind by the previous mining company.

PROPOSED WORK: The applicant proposes to discharge approximately 5.4 million (M) cubic yards (cy) of overburden and 1.3 M cy of pay material into approximately 121 acres of wetlands to mine for gold. The area would be mined in two phases. Phase I would excavate the East Airport block, (1.7 M. cy overburden and 400,000 cy of pay material), and Phase II would excavate the West Airport block, (3.7 M. cy overburden and 900,000 cy of pay material).

Phase I would be at least 80% completed prior to initiating Phase II. Mining would be conducted by removing the soils and stockpiling them in an area of approximately 200' by 1000' by 30' high, as shown on the attached plans. Overburden would be excavated to a depth of approximately 15' from original ground elevation and would be hauled to the overburden stockpile areas, as shown on the attached plans. The first cut would be mined, removing the overburden and pay. Subsequent cuts would backfill the prior mined out cuts. Both the East and West blocks would be mined in a similar manner.

Paydirt from both mining blocks would be hauled to an existing gravel pad and processed in the existing mine pit located just south of the pay stockpile area. Upon completion of each mining block, a less than 10 acre mined out pit would exist. These sub-grade pits would be used for processing and will result in ponds upon completion.

There are no drainages within the project area. Dewatering of the ponds created by 1990's mining activities would be accomplished by pumping the clear water from the ponds to the Snake River during winter months. Makeup water is available in the flooded sub-grade existing pit, created by 1990's mining activities. If additional makeup water is necessary it would be pumped from the Snake River.

All work would be performed in accordance with the enclosed plan, (sheets 1-5), dated August 8, 2013.

ADDITIONAL INFORMATION: Nome Gold Alaska Corporation (NGAC) purchased Alaska Gold Company's Nome placer deposit, located on over 11,000 acres of patented fee simple lands surrounding the Nome area. The property has had extensive prior mining, which has been the basis of the local economy since the discovery of gold in the early 1900's. Currently, NGAC is planning to mine the Airport block, located adjacent and northwest of the active Nome airport. The exact same footprint was permitted in the 1990's for the same mining activities.

This mining project overlaps the Alaska Department of Transportation and Public Works (DOT&PF) Nome Airport Project (POA-2009-1156) which is currently out on Public Notice. Nome Gold Alaska Corporation is under a short time-frame to mine the area prior to the start of the DOT&PF Project.

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.

The applicant's Mitigation Statement proposes the following:

a. Avoidance:

"The proposed project has unavoidable wetland impacts. The proposed action would impact 121 acres of wetlands and waters of the United States (U.S.) as currently defined. To offset these unavoidable impacts, NGAC proposes the following: To perform concurrent backfill while mining, which returns the area upon completion of mining to a condition similar as to prior to mining. The mining final reclamation will leave the overall topography in the pit areas lower than present, with a final pond established in the north portion of the West Pit. Soils will be spread over all disturbed areas and seeded with an appropriate seed mixture. Shallow depressions will be planned into the contour of the reclaimed surface to allow small water ponds. The 99 acre with prior disturbance will be reclaimed, prior to the completion of the project.

The Airport Placer Project on Nome Gold Alaska's private, fee simple land, located adjacent to and west of the Nome Airport was fully permitted for the same action as is now proposed. Fortunately the buried placer deposits in the Nome area are not in active stream channels and concurrent reclamation re-vegetates well creating both grasslands and ponds for wildlife habitat. All of the proposed mining areas at the Airport Project contain no perennial drainages. Waste stockpiles outside the pit area are stacked as high as is reasonable and then contoured to meet the ground topography. Areas with potential erosion along roads and intermittent water courses are protected with coarse rock as needed. Vegetation readily reestablishes naturally and provides protection from erosion."

b. Minimization:

"The operations at the Airport Placer Project are specifically designed to minimize any potential to impact waters of the United States (U.S.), including wetlands. It is a fact, that prior to the Clean Water Act, earlier mining operations at Nome discharged silt and water through gravity drains into waters of the U.S. It is also a fact that numerous pits have been excavated at Nome within low lying benches with relatively little surface water, but within zones of permafrost considered currently as wetlands. Operations have only been developed in areas with known deposits. In addition, overburden is used, as backfill within the active pit as much as is reasonable considering the necessary room to operate. All process water is 100% recycled with no discharge."

c. Compensatory Mitigation:

“It is not our plan to complete compensatory mitigation at the Airport Placer Project, because concurrent reclamation is ongoing and leaves an enhanced environment.”

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 unevaluated properties in the vicinity of the worksite. They have been designated **Samuelson Trail, Marks Field (Nome Airport), and NOM-232-snowfence**. Samuelson Trail runs along the west boundary of the proposed mining operation. Because the property has been determined to lie within the project area, a determination of eligibility and, if needed, a determination of effect will be made in consultation with the State Historic Preservation Officer (SHPO). Consultation of the AHRs constitutes the extent of cultural resource investigations by the District Commander at this time. This application is being coordinated with 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.

This mining project overlaps the Alaska Department of Transportation and Public Works (DOT&PF) Nome Airport Project (POA-2009-1156) which is currently out on Public Notice. 106 Consultation was conducted for the Nome Airport Project:

On March 22, 2012, the SHPO concurred with DOT&PF determination that Marks Field (NOM-105) and Snowfence (NOM-232) are not eligible for the National Register of Historic Places (NRHP).

In April, 2012, DOT&PF consulted with members of the Nome community likely to be knowledgeable about the Samuelson Trail (NOM-244) and gathered oral history about the trail. On May 3, 2012, DOT&PF sent a Section 106 Findings of Effect letter to the SHPO and interested parties. On May 14, 2012, the SHPO concurred with DOT&PF finding of no adverse effect and had no objection to the Federal Aviation Administration (FAA) ***de minimis*** finding.

ENDANGERED SPECIES: The project area is within the known or historic range of the Spectacled Eider (*Somateria jisheri*), and Steller's Eider (*Polysticta stelleri*). Although the listed eiders may migrate through the area and Norton Sound is an important molting area for the Spectacled Eider, neither species currently nests on the Seward Peninsula.

The Kittlitz's Murrelet (*Brachyramphus brevirostris*) is a candidate species that can occur infrequently, but does not nest in the project area.

The Polar Bear (*Ursus maritimus*) is listed as threatened. Polar bears can occur in the project area, especially in winter, but their presence is infrequent.

Preliminarily, we have determined the described activity may affect but is not likely to adversely affect the above threatened or endangered species.

This mining project overlaps the Alaska Department of Transportation and Public Works (DOT&PF) Nome Airport Project (POA-2009-1156) which is currently out on Public Notice

This application is being coordinated with the U.S. Fish and Wildlife Service (USF&W) and the National Marine Fisheries Service (NMFS). Any comments they may have concerning endangered or threatened wildlife or plants 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).

No EFH species are known to use the project area. The proposed mining operation is not located within the Snake River. If additional makeup water is necessary for the project, it would be pumped from the Snake River. A Fish Habitat Permit was issued to Nome Gold Alaska Corp. on June 5, 2013.

We have determined the described activity would not adversely affect EFH in 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 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).

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

SEAN PARNELL,
GOVERNOR

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

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.

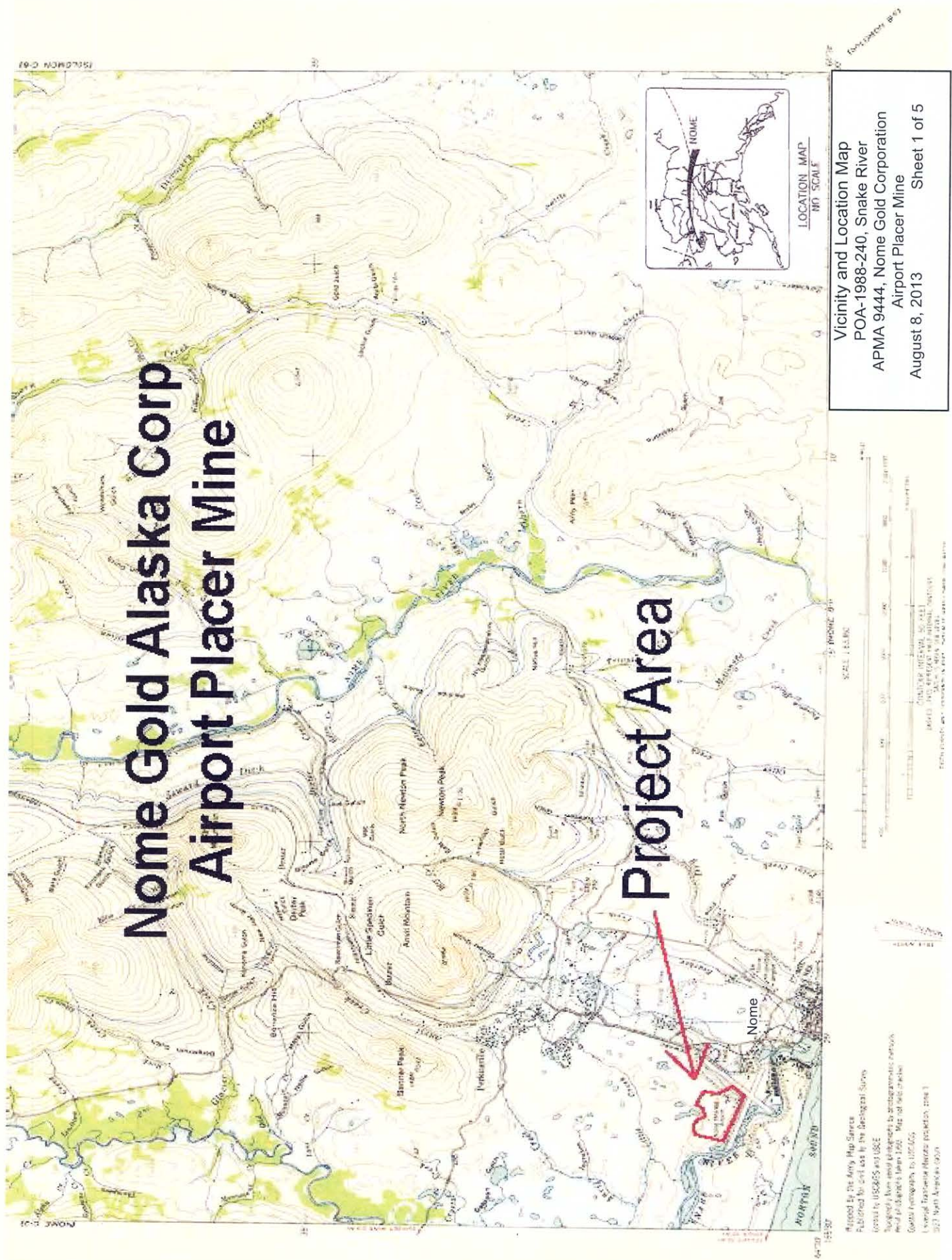
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-1988-240, Snake River**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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.

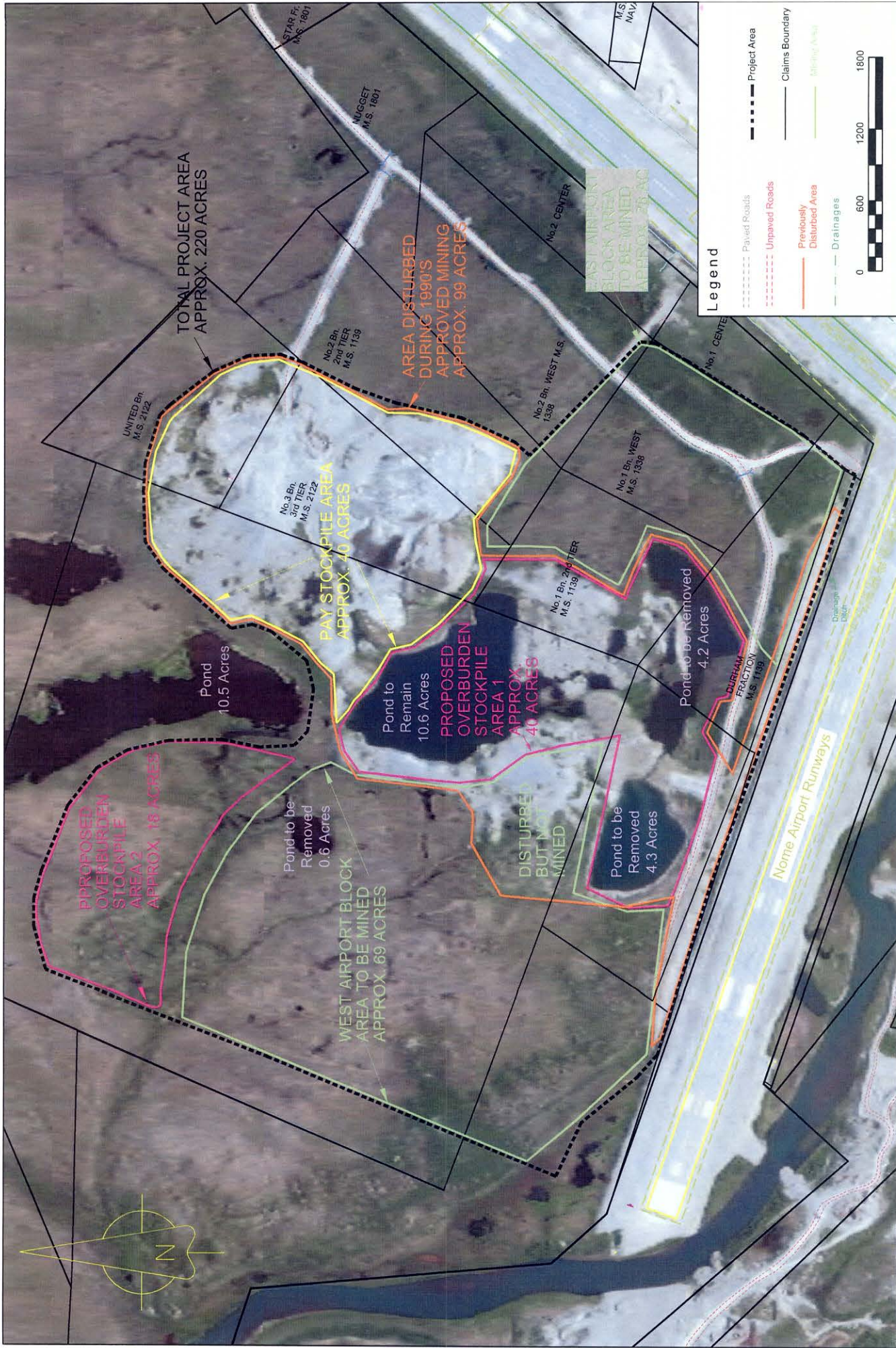
Nome Gold Alaska Corp Airport Placer Mine

Project Area



Vicinity and Location Map
POA-1988-240, Snake River
APMA 9444, Nome Gold Corporation
Airport Placer Mine
August 8, 2013
Sheet 1 of 5

Revised by the Army Map Service
Published for and sold by the Geological Survey
Controlled by USGS and USACE
Revised from aerial photographs by stereographic methods
Map of Alaska's June 1960. Not for sale or other
Geological Survey, 1962-65
Several Topographic sheets included, sheet 1
1023 North American 6059



Prior disturbance & Proposed Mining
 POA-1988-240, Snake River
 APMA 9444, Nome Gold Corporation
 Airport Placer Mine
 August 8, 2013
 Sheet 2 of 5

Total Project Area
 = 220 acres

East Block Mining Area = 28 acres
Pay Stockpile Area = 40 acres
West Block Mining Area = 69 acres
Overburden Stockpile Areas = 58 acres
Miscellaneous Disturbances = 25 acres

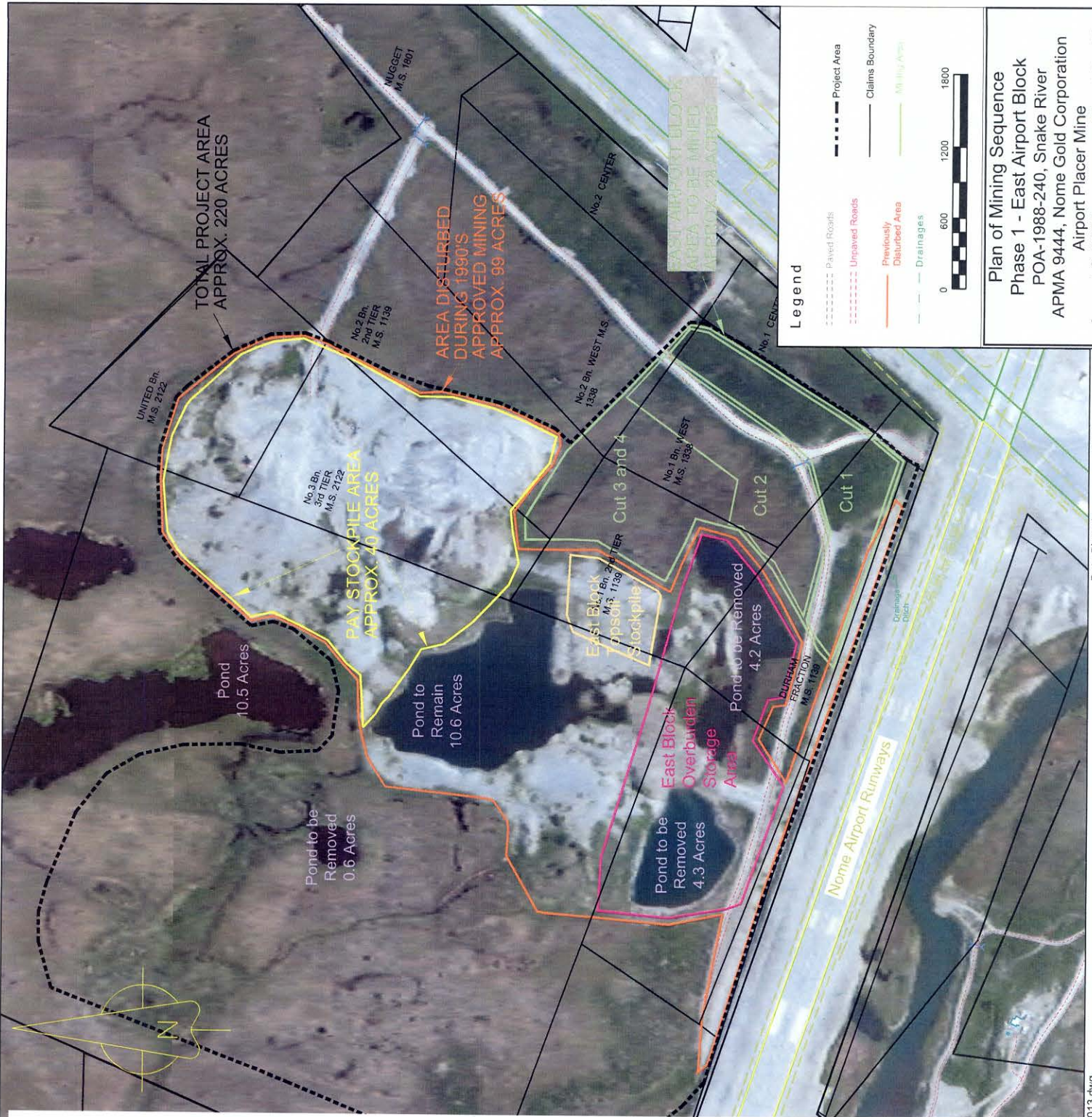
Total Previously Disturbed Area = 99 acres
Total New Disturbed Area = 121 acres
Total Project Area = 220 acres

NOTE: ACREAGES ARE APPROXIMATE

File Name: X:\Nome Placer\AutoCAD\Nome Placer 8August2013.dwg
 Date Plotted: 8/8/13

Phase 1

1. Excavate and haul the organic topsoil from entire East Airport Block and place in stockpile adjacent and west of the block. Shown on map in tan.
2. Dewater the ponds located in the southern portion of the overburden stockpile area (just north of the runway) by pumping the clean water with an 8" pump to the Snake River via an 8" HDPE pipeline run along the frozen tundra after October 15 and before March.
3. Excavate and haul the overburden from the entire East Airport Block to a depth of 15' from original ground elevation, and place the overburden on top of the southern half of the South OB stockpile areas as shown in purple.
4. Excavate and haul the remaining overburden down to the top of the pay from Cut 1 of East Airport Block and place overburden in same location as step 3.
5. Excavated and haul pay from Cut 1 and place in pay stockpile shown in yellow.
6. Backfill Cut 1 with overburden from Cut 2. Excavate and haul from Cut 2 to pay stockpile.
7. Repeat excavating cuts and placing overburden in prior cuts and removing and stockpiling pay.
8. Last Cut leaves a pond which can be used for processing pay in later years.



Plan of Mining Sequence
 Phase 1 - East Airport Block
 POA-1988-240, Snake River
 APMA 9444, Nome Gold Corporation
 Airport Placer Mine
 August 8, 2013

Phase 2

1. Excavate and haul organic topsoil from approximately 30% of the West Airport Block (starting on the south side) and place in stockpile adjacent and east of the block.
2. Excavate and haul the overburden from approximately 30% of the West Airport Block to a depth of 15' from original ground elevation, and place the overburden on top of North Overburden stockpile area as shown in purple.
3. Excavate the overburden and pay in long narrow cuts similar to Phase 1, backfilling the prior cuts with the advancing cuts overburden. Upon completion a less than 10 acre pit will remain. This pit will be used for processing.

OVERBURDEN STOCKPILES INCLUDE APPROX. 10 ACRES FOR TOPSOIL STORAGE

PROPOSED OVERBURDEN STOCKPILE AREA 2 APPROX. 18 ACRES

Pond to be Removed 0.6 Acres

WEST AIRPORT BLOCK AREA TO BE MINED APPROX. 69 ACRES

Pond to Remain 10.6 Acres

DISTURBED BUT NOT MINED

Pond to be Removed 4.3 Acres

West Block Topsoil Stockpile

Pond to be removed 4.2 Acres

PAY STOCKPILE AREA APPROX. 40 ACRES

PROPOSED OVERBURDEN STOCKPILE AREA 1 APPROX. 40 ACRES

EAST AIRPORT BLOCK WEST BACKFILLED

AREA DISTURBED DURING 1990'S APPROVED MINING APPROX. 99 ACRES

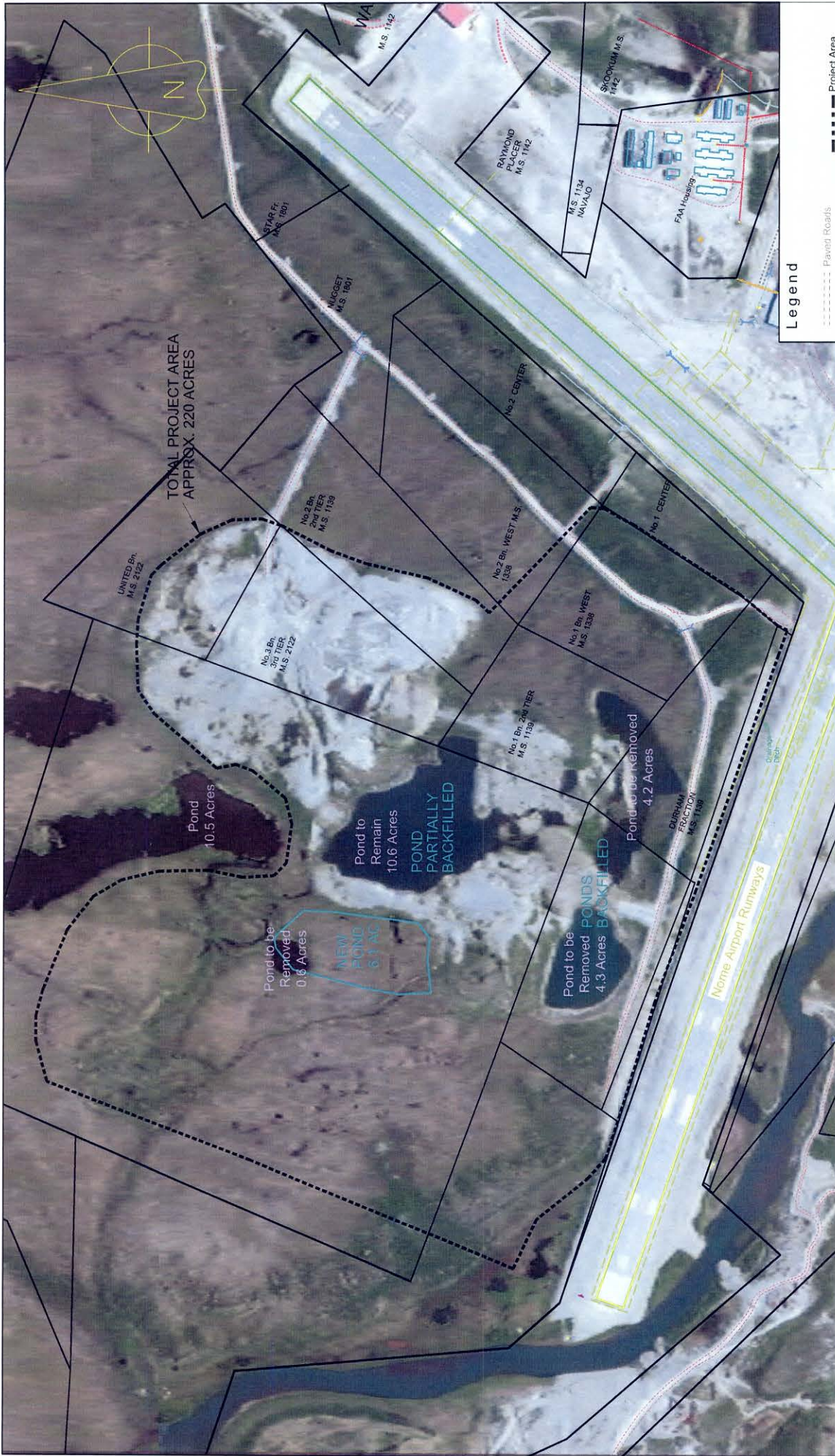
TOTAL PROJECT AREA APPROX. 220 ACRES

Legend

- Pavement Roads
- Unpaved Roads
- Previously Disturbed Area
- Drainages
- Project Area
- Claims Boundary
- Mining Aids

0 600 1200 1800

Plan of Mining Sequence
 Phase 2 - West Airport Block
 POA-1988-240, Snake River
 APMA 9444, Nome Gold Corporation
 Airport Placer Mine
 August 8, 2013



Final Reclamation

1. Both the East and West Airport mining blocks will be backfilled at least 60% with the unfilled portions leaving two sub-grade ponds. The ponds will have banks with slopes of less than 2 to 1.
2. Soils will be spread over washed gravel areas.
3. All areas will be re-contoured so no overburden or processed tailings are unstable.
4. The majority of reclamation will be conducted concurrent with mining operations, due to cut and backfill method to be used.

Plan of Mining Sequence
 Plan of Reclamation
 POA-1988-240, Snake River
 APMA 9444, Nome Gold Corporation
 Airport Placer Mine
 August 8, 2013