



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

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

**PUBLIC NOTICE DATE:** June 20, 2013  
**EXPIRATION DATE:** July 19, 2013  
**REFERENCE NUMBER:** POA-2009-47-M2  
**WATERWAY:** Sagavanirktok 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 **Melissa Riordan** at (907) 474-2166, by fax at (907) 474-2164, or by email at **Melissa.c.riordan@usace.army.mil** if further information is desired concerning this notice.

**APPLICANT:** Alaska Department of Transportation and Public Facilities (ADOT&PF), 2301 Peger Road, Fairbanks, Alaska 99709 POC: Brett Nelson

**LOCATION:** The project is located within Section 26, T. 11 S., R. 11 E., Umiat Meridian; Latitude 68.4638° N., Longitude 149.484025° W.; near the Galbraith Lake Airport and between MP 274-289 of the Dalton Highway, Alaska.

**PURPOSE:** The applicant's stated purpose is to complete the Dalton Highway MP 274-289 projects, and mine gravel for current and anticipated future needs.

**PROPOSED WORK:** This is a public notice for the review of a proposed modification of the Department of the Army (DA) permit number POA-2009-47-M1, Sagavanirktok River, and for unauthorized activity in 14.5 acres of wetlands. The permit was originally issued on May 5, 2009 to ADOT&PF to discharge 856,250 cubic yards (cy) of temporary and permanent fill into 96.6 acres of wetlands for road construction and 19 acres for gravel mining then modified

on December 3, 2010 to improve road conditions between MP 274-289 of the Dalton Highway by discharging 186,000 cy of temporary and permanent fill material into 78 acres of wetlands.

ADOT&PF presently requests to modify the DA permit to authorize impacts to 1.15 acres of wetlands for additional road work and 85.5 acres of wetlands for gravel mining in material (MS) 65-9-104-2. For the Dalton Highway 274-289 project, ADOT&PF originally planned to obtain project gravels only from upland areas within MS 65-9-104-2; however, in August 2011 it was determined that the contractor had conducted unauthorized work in 14.5 acres of wetlands within MS 65-9-104-2. Since that time, ADOT&PF has determined that gravel is needed from the remaining area (85.5 acres) within the material site boundary, (including the unauthorized 14.5 acre area), to complete the Dalton 274-289 project and for anticipated future needs.

Details on the proposed modification are included on the enclosed Sheets 1-12, dated June 13, 2013.

APPLICANT PROPOSED MITIGATION: The applicant's proposed mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States is presented on Sheet 2 of 12.

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: **In cooperation with ADOT&PF, the Federal Highway Administration (FHWA) issued a finding of no historic properties affected with concurrence from the State Historic Preservation Office (SHPO) on June 10, 2010 for the Dalton Highway 274-289 project; and on November 28, 2006 for MS 65-9-104-2.** 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 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. We have determined the described activity would have no effect on any listed threatened or endangered species, and would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service is required. However, 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. 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

# 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-2009-47-M2, Sagavanirktok 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.

## Project Purpose

Project to rehabilitate the Dalton Highway MP 275-289 is currently underway. Proposed modification of POA-2009-47-M1 is for the expansion of the work area at the Galbraith South material site (MS-65-9-104-2) to include 85.5 acres of wetlands for the current Dalton Highway project as well as future needs for additional material as this is the only sizable site between MP 271-289. Also, the ice rich soils necessitate more area in the pit to thaw and maintain drainage as the ice rich soils thaw. There is also need for additional work areas in the material site as a result of crushing operations, camp sites, and staging and stockpile areas occupying a majority of the acres currently available.

Along the roadway there is need to fill a thermokarst pond to resolve a drainage issue and also some additional grade raises (3) and slope flattening (3) in order to reduce snow drifting.

## Work Description

### **Drainage correction at MP 282.3 thermokarst pond in ditch line**

The department requests authorization to fill a 40' wide x 50' long thermokarst pond, created by subsidence of the constructed ditch line, resulting in standing water at the intersection of the Dalton Highway and a TAPS access road. Filling the 0.05 acre of ponded water with approximately 210 cubic yards of sandy gravel will re-establish the original ground elevation and restore the drainage pattern. (*see Sheets 4-6, plan and profile drawings*)

### **Additional roadbed grade elevations and back slope flattening to further minimize snow drifting**

Increased grade raises are needed at three locations, and will result in an additional 1.1 acre of sliver fill wetlands impacts, utilizing a fill volume of approximately 9,100 cubic yards. Three areas of slope flattening (cut) will entail leveling off some high spots adjacent to the roadway embankment, resulting in an additional 0.8 acres of wetland impacts. The estimated 4,100 cubic yards of material removed will be utilized to smooth areas of the embankment. (*see Sheet , typical views*)

MP	Approx. Length	Area (acres)	Cut/Fill
278.1	250'	0.1	cut
280.5	800'	0.4	cut
281.1	700'	0.5	fill
282.8	200'	0.3	cut
283.4	1,200'	0.4	fill
288.2	1,100'	0.2	fill

### **Impact 85.5 acres of jurisdictional wetlands at Material Site (MS) 65-9-104-2, Dalton Highway MP 274.5**

The department requests authorization for gravel mining to include 85.5 acres of wetlands within this 160 acre material site (including 14.5 acres after-the-fact). The Dalton Highway MP 279-284 project conducted gravel mining in the 74.5 upland acres of this 160 acre material site before incursion into the 14.5 acres of wetlands (Figure 1). DOT&PF now calculates that it will need access to the entire material site to move forward with this project and to prepare for upcoming projects in the area. (*see Sheets 8-12, Wetland Delineation Map and Mining Reclamation Plan*)

## **Reason(s) for Discharge**

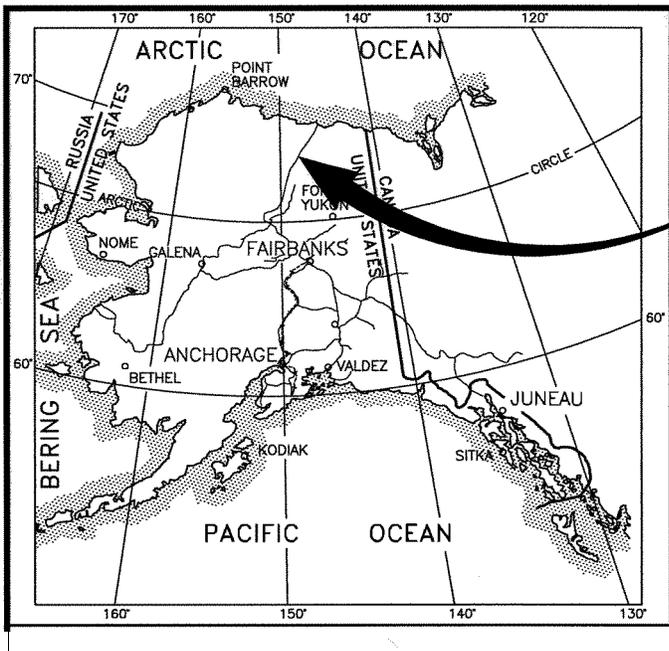
Approximately 85.5 acres of wetlands will be permanently impacted by the expansion of the active work area in the Galbraith South material site. The existing 74.5 upland acres of the 160 acre material site were not providing adequate material quantities once the project was commenced, and there was insufficient room to continue work given the amount of ice rich material present. Discharge of fill along the road will be necessary to fill a thermokarst pond (210 cy) caused by subsidence and resulting in drainage issues. To correct continued snow drifting problems, three areas of grade raises will result in a total of 9,100 cy of fill placed along the roadway, and three areas of slope flattening will result in an estimated 4,100 cy of material removal - which will be placed on the existing embankment for smoothing.

## **Avoidance, Minimization, Compensation**

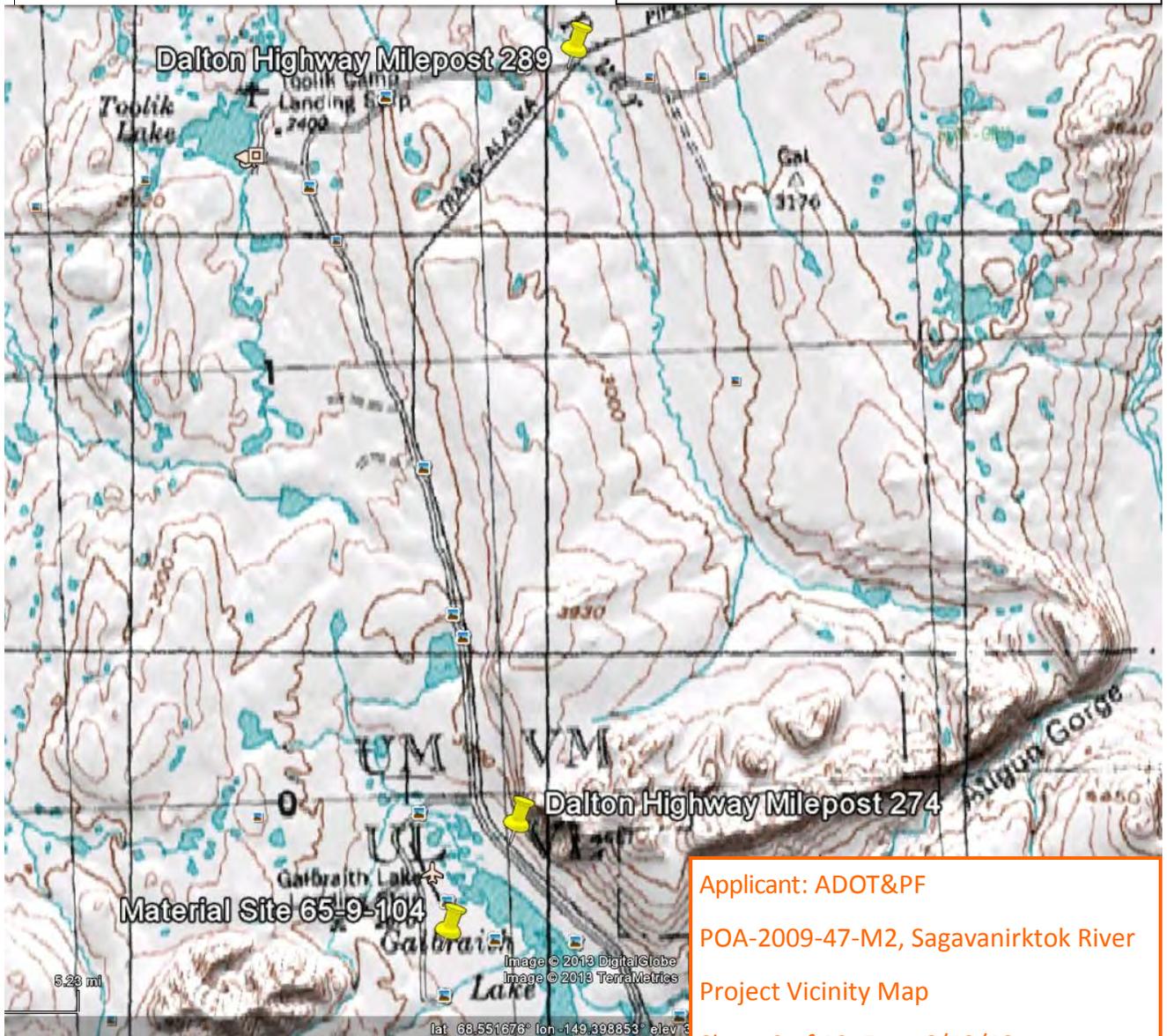
Impacts to wetlands are unavoidable with a project such as this on the North Slope. Wetlands are abundant and wide spread, and all road improvement alternatives would affect wetlands. Direct, long term impacts to wetlands would result from widening the road, realigning two sections, raising the grade and material site development within wetland areas. The project has been designed to avoid and minimize impacts to wetlands to the extent practicable.

The permitted design footprint for this project was calculated at the lowest possible level of disturbance to minimize wetland take and still have the potential to resolve the drifting problem. Constructed per project plan and as permitted, the grade raises and slope flattening in these areas, after one winter of monitoring drifting snow, have proven to be inadequate to resolve the safety and maintenance issues caused by the drifting. Adding to the grade raise and slope flattening in these areas is required to resolve the drifting road hazard. This combination of grade raises and slope flattening has been selected to minimize wetland impacts.

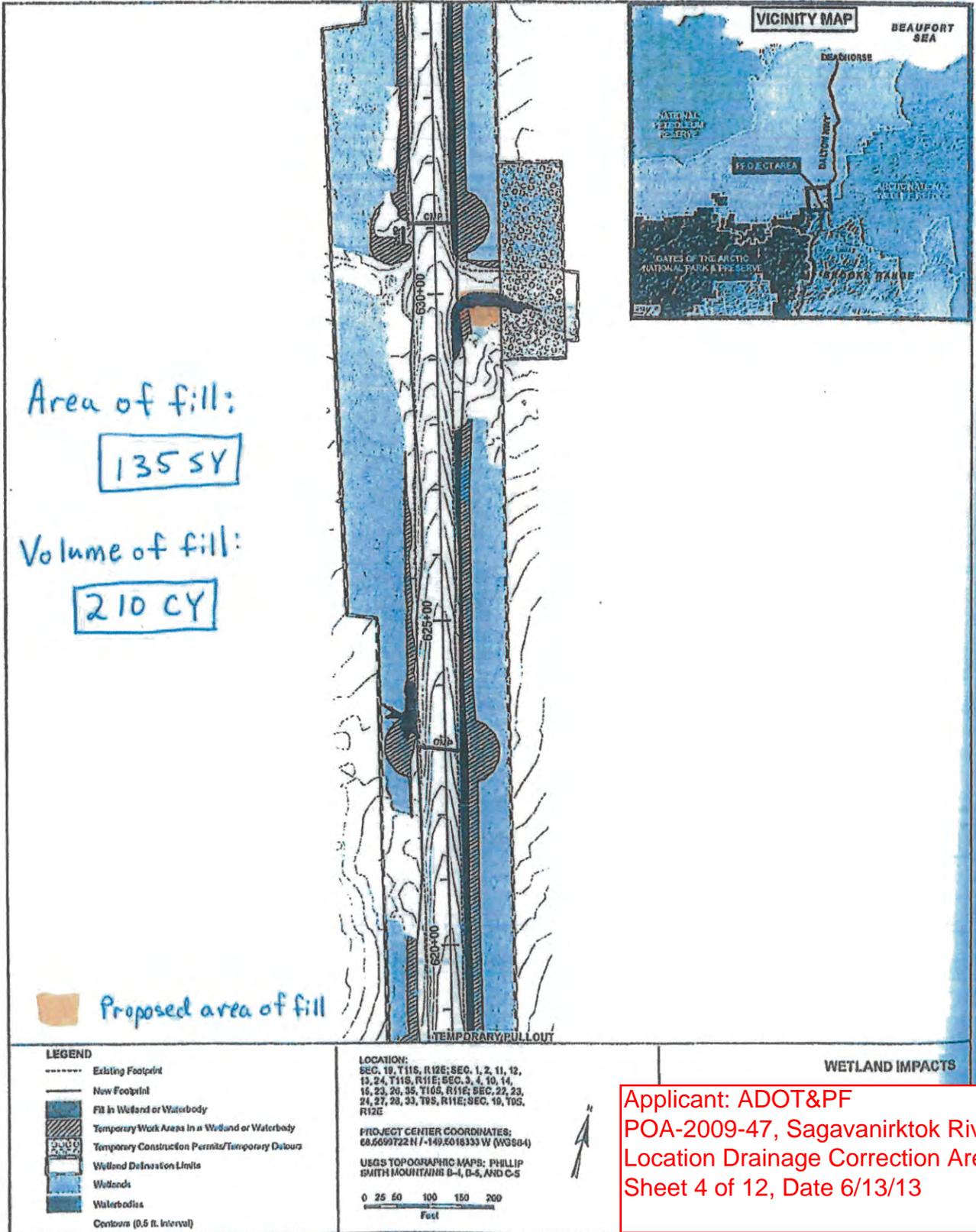
DOT&PF proposes to provide compensatory mitigation for the project's impacts to the jurisdictional wetlands by means of an In-Lieu-Fee payment to The Conservation Fund. Permanent wetland impacts include 14.5 acres of prior impacts, 71.0 acres for further development of the material site, and 2.0 acres of impacts along the roadway. Permanent wetland impacts are primarily PEM1F and PEM1B (Category II wetlands) and as such would be compensated at a ratio of 2:1. This would compensate for the overall permanent loss of 87.5 acres of wetland.



**Project Location**



Applicant: ADOT&PF  
 POA-2009-47-M2, Sagavanirktok River  
 Project Vicinity Map  
 Sheet 3 of 12, Date 6/13/13



STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND  
PUBLIC FACILITIES

# Computations

For..... Corp Permit

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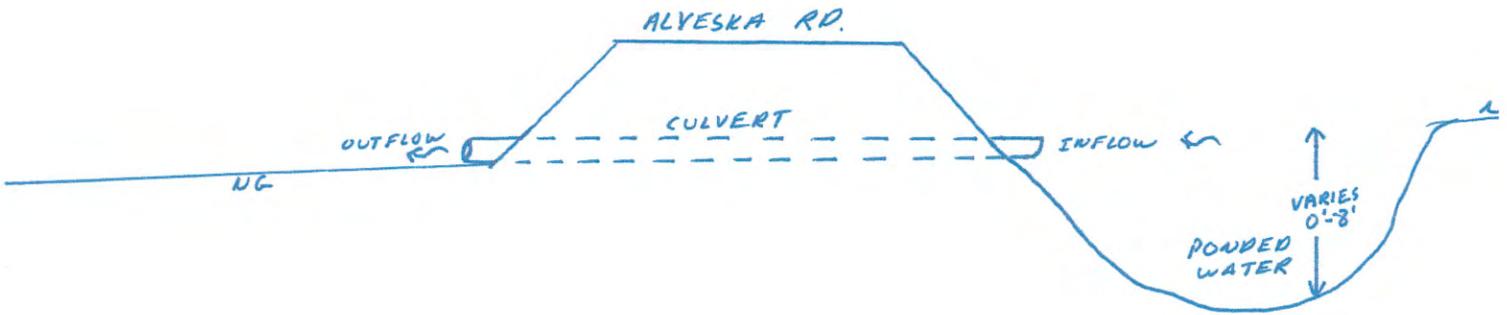
DATE 10-9-12

Project No. \_\_\_\_\_

Project Name Dalton 274-2

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Checked by \_\_\_\_\_



Applicant: ADOT&PF  
POA-2009-47, Sagavanirktok River  
Drainage Correction Typical  
Sheet 5 of 12, Date 6/13/13

STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND  
PUBLIC FACILITIES

Item No. \_\_\_\_\_

DATE 10-12-12

Project No. \_\_\_\_\_

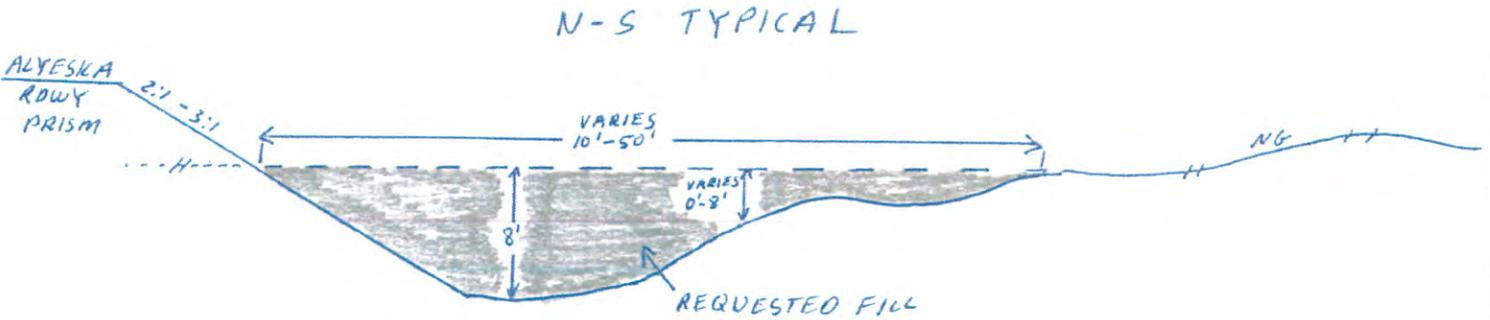
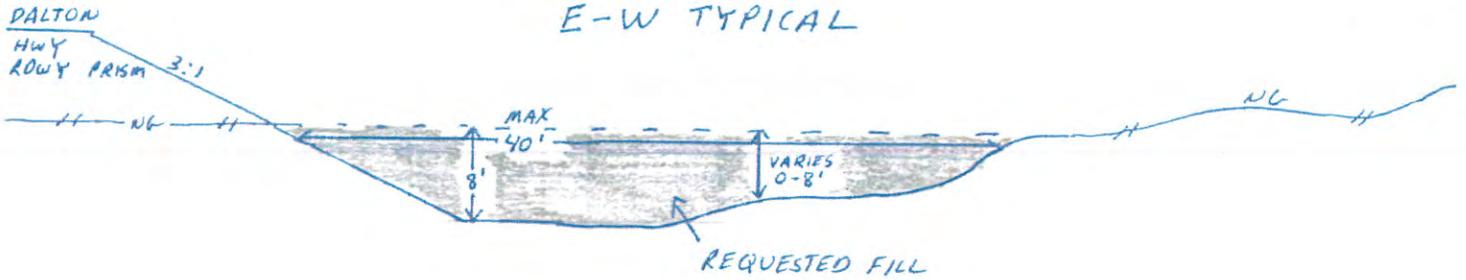
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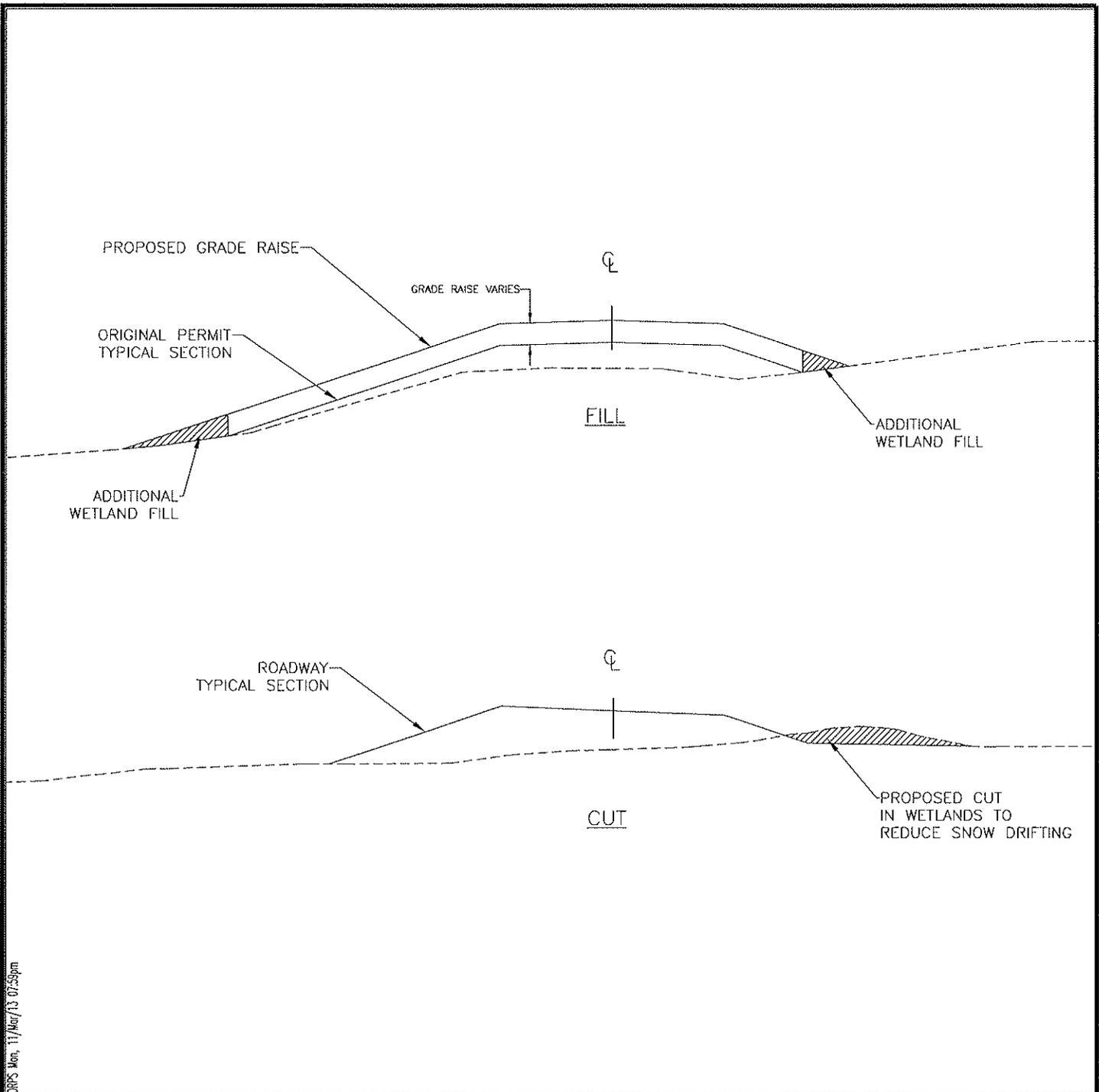
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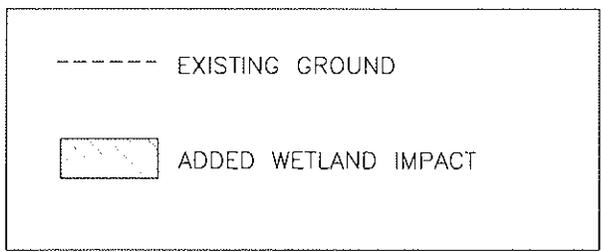


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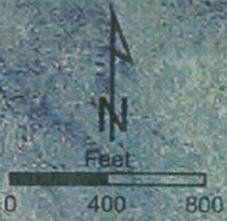
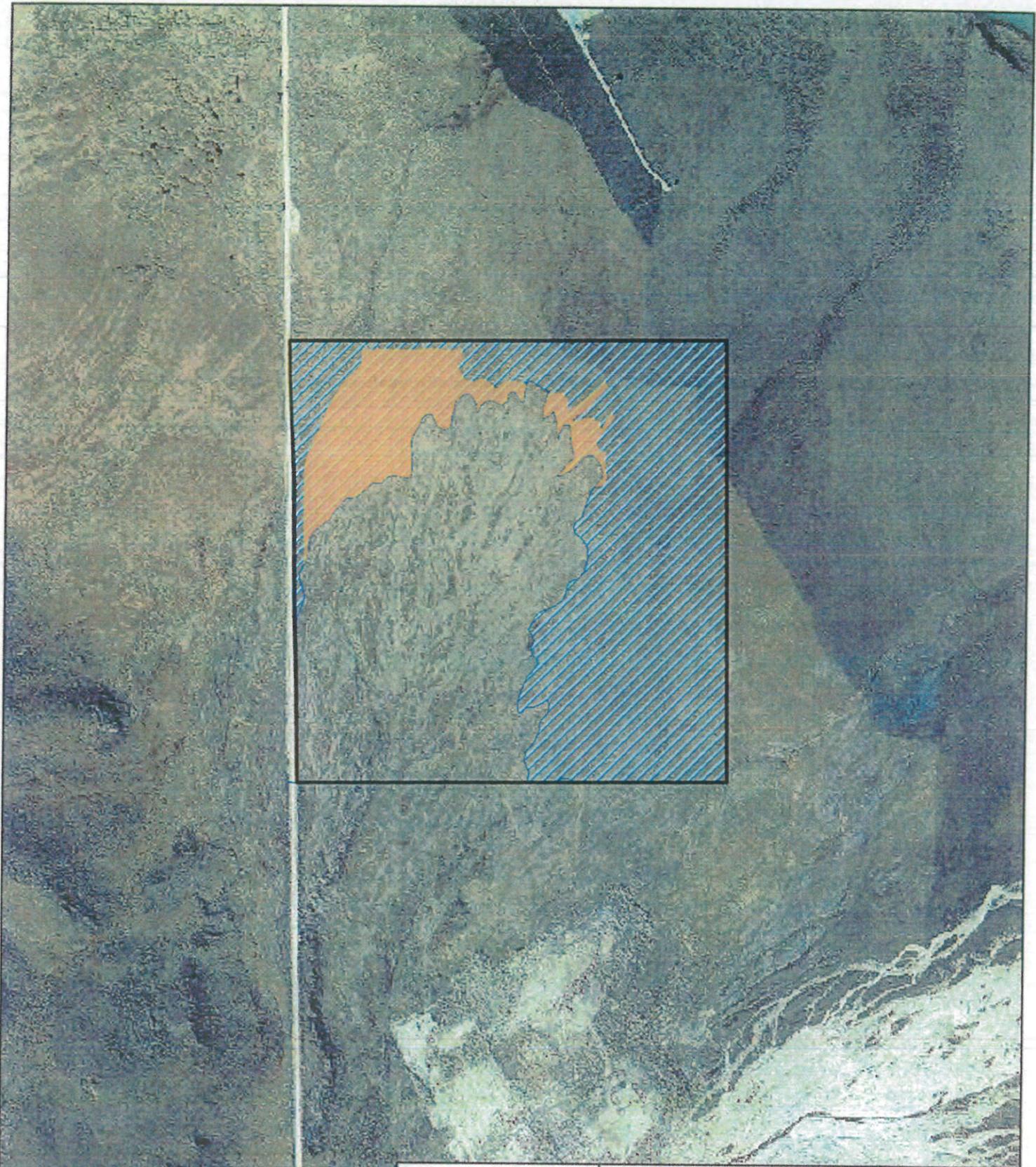
Applicant: ADOT&PF  
POA-2009-47, Sagavanirktok River  
Drainage Correction Typical  
Sheet 6 of 12, Date 6/13/13



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Applicant: ADOT&PF  
 POA-2009-47, Sagavanirktok River  
 Grade Raise and Back Slope Flattening  
 Sheet 7 of 12, Date 6/13/13



	Material Site
	Wetlands
	Wetland Impacts 14.5 Acres

**WETLAND IMPACTS**  
(As of September 14, 2011)

**GALBRAITH LAKE MATERIALS SITE**

Applicant: ADOT&PF  
POA-2009-47, Sagavanirktok River  
Material Site 65-9-104-2 Wetland Map  
Sheet 8 of 12, Date 6/13/13

**State of Alaska**  
**Department of Transportation & Public Facilities**  
**Mining and Reclamation Plan Guidelines**  
**MS 65-9-104-2 – Galbraith South**

This document provides guidelines for contractors in preparing project-specific mining plans for this site. Contractors are required to submit a Project Mining and Reclamation Plan for approval. Mining activities at this site are subject to all applicable permit requirements including the Bureau of Land Management permit for land use.

***Description***

This undeveloped 160 acre site lies 1 mile south of the Galbraith Lake Airport at MP 274.7 Dalton Highway, within Sec. 26, T11S, R11E, Umiat Meridian. An existing gravel road runs along the west side of the site. This material site is an alluvial fan deposit that slopes gently to the northeast. Material consists of several feet of gravel, cobbles and boulders with silt and sand, over silty gravel with sand, cobbles, and boulders. The percentage of oversized material (greater than 3-inch) ranged from 30 to 60% in the upper 8 feet, mostly as cobbles but with 5 to 15% boulders present. Permafrost is present throughout the site. Vegetation consists of treeless tundra with dwarf shrubs. Overburden is less than 1 foot of silt with organics. This site may be used for borrow or crushed aggregate, with appropriate processing.

ADOT&PF has a file on this site with compiled exploration and laboratory test results, available for viewing at the Northern Region Material Section office, 2301 Peger Road, Fairbanks, (907) 451-2245.

***Mining Plan Guidelines***

This site shall be mined and maintained to ensure its continued viability as a long-term source to meet ADOT needs for both construction projects and maintenance activities.

1. The contractor shall survey and mark material site boundaries and buffer areas prior to breaking ground.
2. Mining shall occur in one cell (see attached map) until materials have been exhausted before moving to a new cell. Due to the presence of frozen ground, it may be practical to open up a second cell while natural thawing occurs in a partially mined cell.
3. A 50-foot buffer will be maintained around the site. The buffer is not to be disturbed, except for access road construction.
4. Do not place vegetation, overburden, or rejected materials in any future mining areas.
5. Surface vegetation and overburden soil shall be stockpiled (bermed) for future reclamation on the perimeter of cells, adjacent to the 50-foot buffer.
6. Do not place stockpiles or berms in a manner that will pool water or disrupt natural surface drainage.



Applicant: ADOT&PF  
POA-2009-47, Sagavanirktok River  
Mining Reclamation Plan  
Sheet 9 of 12, Date 6/13/13

7. Slopes:
  - a) Active pit side-slopes should not be steeper than 1(H):1(V)
  - b) Slopes adjacent to future mining areas should be 1(H):1(V) or flatter.
  - c) Slopes along site boundaries (final slopes to be reclaimed) should be 3(H):1(V).
  - d) The final pit floor should be graded flat or sloped gently to the northeast.
8. If a water table develops, the pit floor should be maintained at least 2 feet above the water level. If subsurface exploration shows that material is available then mining below a water table may occur within a cell once all material above the water table is removed. Subaqueous development (slopes, etc.) should be in accordance with guidelines from Alaska Dept. of Fish & Game Technical (ADF&G) Report 93-9.
9. Conduct mining activities to put materials to their best use.
10. All mining activities will be in accordance with applicable Construction General Permits (CGP) and Storm Water Pollution Prevention Plans (SWPPP).

### ***Reclamation Objectives and Guidelines***

As cells are fully depleted they will be reclaimed as part of the current project.

#### ***Reclamation Objectives:***

1. To leave the pit in a safe manner that will not endanger users, the public or wildlife.
2. To prevent erosion and sediment transport to surrounding areas.
3. To blend with other reclaimed areas.
4. To reestablish vegetation.
5. To not disturb previously reclaimed areas.
6. To not hinder future development of un-mined areas.

#### ***Reclamation Guidelines:***

1. Reclaim slopes along property boundaries or where future development is not anticipated:
  - a. Side slopes will be re-graded to 3(H):1(V).
  - b. Final pit floor will be sloped gently to the northeast to match original slope.
2. Vegetation berms/stockpiles shall be spread on reclaimed slopes or regraded to blend with reclaimed slopes (the amount of available material may be limited).
3. Seed and fertilize reclaimed slopes to accelerate revegetation.
4. Reclamation activities will be in accordance with applicable documents including the project Construction General Permit (CGP) and Storm Water Pollution Prevention Plan (SWPPP).
5. Any ponds formed from mining shall be reclaimed in accordance with guidelines in ADF&G Technical Report 93-9.



Applicant: ADOT&PF  
POA-2009-47, Sagavanirktok River  
Mining Reclamation Plan  
Sheet 10 of 12, Date 6/13/13

### ***Project Mining and Reclamation Plan***

Prior to any use of this site, the contractor shall submit a project mining and reclamation plan in accordance with AS 27.19 and 11 AAC 97 for approval by both ADOT and BLM. The project mining and reclamation plan, consisting of a Sketch Map and Narrative, describes the contractor's proposed methods of operation and must be in compliance with the conditions outlined here. After approval, this plan will be followed by the contractor and Project Engineer.

The Sketch Map should be scaled appropriately to be useful. Map(s) should include:

1. Site boundaries (with monumentation, basis of survey)
2. Access route
3. Working limits to be marked on the ground
4. Approximate contours
5. Material stockpile areas
6. Stripping, overburden and reject stockpile areas
7. Other feature locations, such as for processing equipment, weigh scales, etc.
8. Final slope ratios and site drainage
9. North arrow, scale and specific dimensions as needed.

The Narrative shall include:

1. Methods of operation
2. Length and times of operation (day, month, year, and working hours)
3. Equipment being used, fueling locations and storage of fueling equipment
4. Air and water pollution control measures
5. Reclamation measures.

### ***Supplements and Amendments***

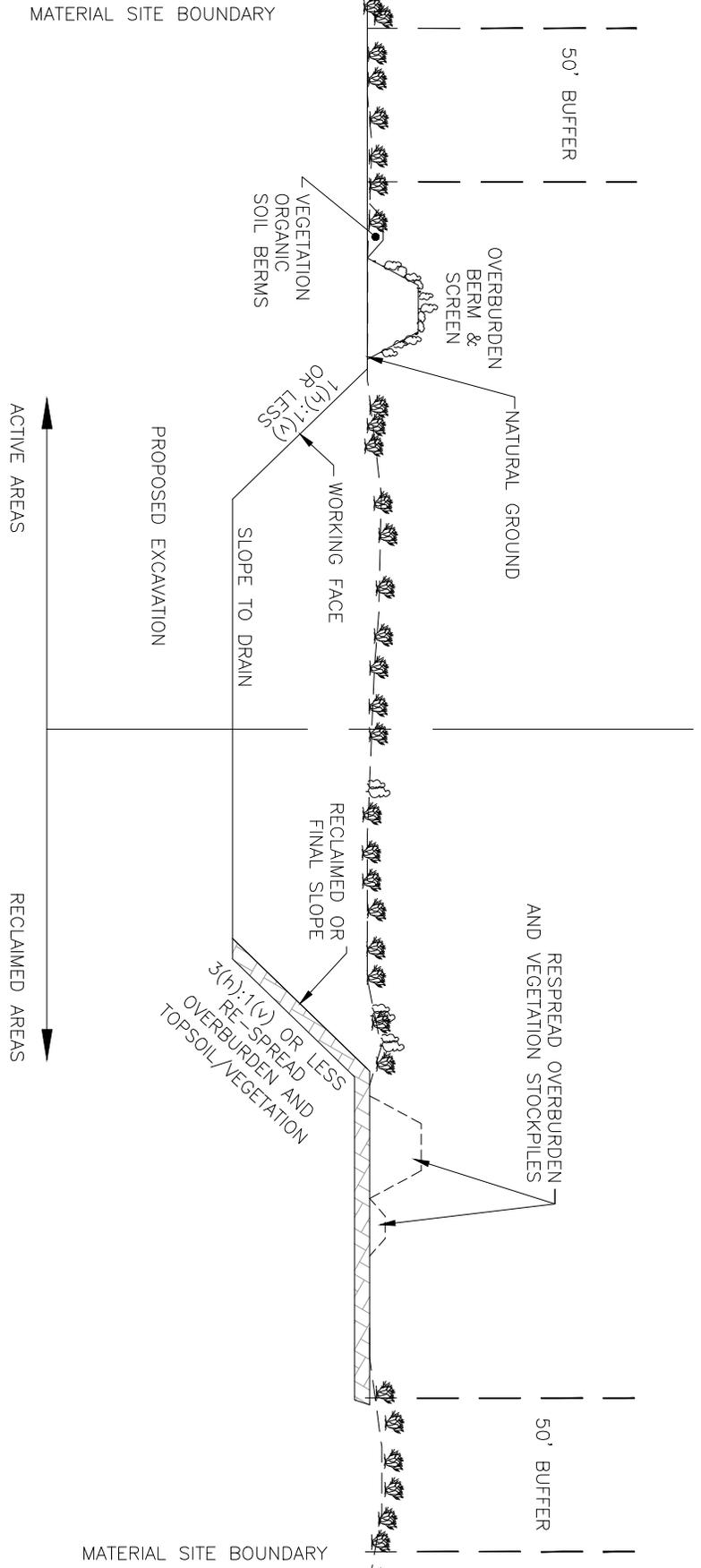
Supplements and amendments to an approved mining and reclamation plan may be initiated by the contractor or the Project Engineer when conditions warrant.

Supplements and amendments must be mutually agreed upon and proper approval obtained prior to commencement of work of a changed nature.

1. Minor changes are those that affect the handling of the details of the operation, but remain in compliance with the development guidelines. These changes may be authorized by the Project Engineer.
2. Major changes are those which cause the final outcome of the site to be significantly different from the approved mining and reclamation plan or are not in compliance with the development guidelines. These require coordination with appropriate agencies prior to approval by the Engineer.



Applicant: ADOT&PF  
POA-2009-47, Sagavanirktok River  
Mining Reclamation Plan  
Sheet 11 of 12, Date 6/13/13



TYPICAL CROSS SECTION OF EXCAVATION ABOVE WATER TABLE  
NOT TO SCALE

Applicant: ADOT&PF  
POA-2009-47, Sagavanirktok River  
Material Site Typical Section  
Sheet 12 of 12, Date 6/13/13

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES	
DATA: SM	M.S. 65-9-104-2
DRAWN: JB	GALBRAITH SOUTH MINING PLAN
APPROVED: SM	PROJECT NO.
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