



US Army Corps
of Engineers
Alaska District

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

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	5 February, 2018
EXPIRATION DATE:	20 February, 2018
REFERENCE NUMBER:	POA-2011-169-M4
WATERWAY:	Little 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 (U.S.) as described below and shown on the enclosed project drawings.

All comments regarding this Public Notice (PN) should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the Project Manager's email as listed below or to regpagemaster@usace.army.mil. All comments should include the Public Notice reference number listed above.

All comments should reach this office no later than the expiration date of this PN to become part of the record and be considered in the decision. Please contact Leslie 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. Cecil Connor, General Manager, Arctic Gold Mining LLC, 2871 Nome Teller Highway, Post Office Box 1590, Nome, Alaska, 99762.
email: c.connor@arcticgoldmining.com, phone: 907-387-0308

LOCATION: The project site is located within Sections 10, 11, 14, and 15, Township 11 S, Range 34 W, US Quad Map Nome C-1, Kateel River Meridian. Latitude 64.5433 N, Longitude 165.4294 W. in Nome, Alaska.

PURPOSE: The applicant's stated purpose is commercial production of gold.

PROPOSED WORK: The applicant proposes mechanical land clearing and discharge of 72,800 cubic yards of topsoil, 467,830 cubic yards of overburden and 151,530 cubic yards of pay material into 33.3 acres of waters of the U.S., in association with placer mining activities at

the Jailhouse mining project. All work would be performed in accordance with the enclosed plan (sheets 1-6), dated February 2, 2018.

ADDITIONAL INFORMATION

ADFG, Fish Habitat Determination, No Habitat Permit Required 11/20/2017

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

a.) Avoidance

- The area around Nome is predominantly emergent wetlands that cannot be avoided.
- The areas to be disturbed have been drilled and sampled and have been found to contain gold in profitable quantities.
- The mine plan has been drawn up to utilize previously disturbed areas where practicable. (Portions of the area have been disturbed by Alaska Gold Mining Company operations that occurred during the dredge era in Nome (exact dates unknown) and other portions were disturbed during mining conducted between 2012-2014.)
- Disturbance will not occur within or adjacent to the riparian area of Little Creek.

b.) Minimization

- All topsoil will be salvaged from all new areas and used to restore wetlands during reclamation and closure. Separation of topsoil from other overburden will help preserve the seed bank and other propagules (rhizomes) and ensure their placement in the upper horizon at closure, thereby enhancing re-establishment of native species.
- All wetland acres disturbed will be restored.
- Concurrent reclamation will occur during mining to the extent that each cut is backfilled with the excavated material of the next sequential cut. Final reclamation will occur after mining is completed.
- At closure, the mined area will be graded and contoured. The reserved topsoil and organic material will be spread over the mined area to depths of 6-inches or more.
- The surface will be roughened by tracking with equipment to promote moisture retention and seed germination.
- The final cut at the South Pit will retain a shallow Wash Pond #1 will be filled with tailings and left with a shallow (approximate depth of 3-feet) pond, the shoreline of the pond will be contoured and gently sloped. Organic material will be spread along the littoral zone of the pond to promote natural re-vegetation.
- Wash Pond #2 will be partially filled with tailings and left with an approximate ten-foot deep pond area to hold any excess water flow allowing retention time for waster to drain into the ground, thereby ensuring there is no discharge of water to the surrounding area.
- Erosion Control: The terrain for the Jailhouse project is generally flat and hummocky. Topsoil and pay material stockpile locations have been designated outside of areas with visible drainage patterns to minimize erosion. Stockpiles will be built with sustainable

- angles of repose. All stockpiles will be marked with appropriate signs, routinely inspected for stability, and reshaped to a more gradual slope if erosion becomes a problem.
- Sediment Control: The mining activity will be surrounded by tundra mat vegetation which slows any drainage and functions as a natural filter; this will help ensure surface runoff does not carry sediments into down-gradient water bodies. Routine inspection of the stockpiles will include observation for any signs of sediment transport. If sediment is being entrained in stockpile runoff and showing potential to impact nearby wetlands or water bodies, hay bales, silt fencing, or other traditional measures of sediment capture will be employed.

c.) Compensatory Mitigation is not proposed. These activities are occurring on private lands, surrounded by land use that primarily consists of mining, transportation, prison, and limited residences. Reclamation for habitat function will occur.

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 cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be the footprint of the project ads proposed in this public notice. Consultation of the AHRs constitutes the extent of cultural resource investigations by the Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps has made a No Potential to Cause Effects determination for the proposed project. Consultation with the State Historic Preservation Office (SHPO) is not required, however, 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 or proposed 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 (NMFS) 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 (NMFS) 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 PN 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 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 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

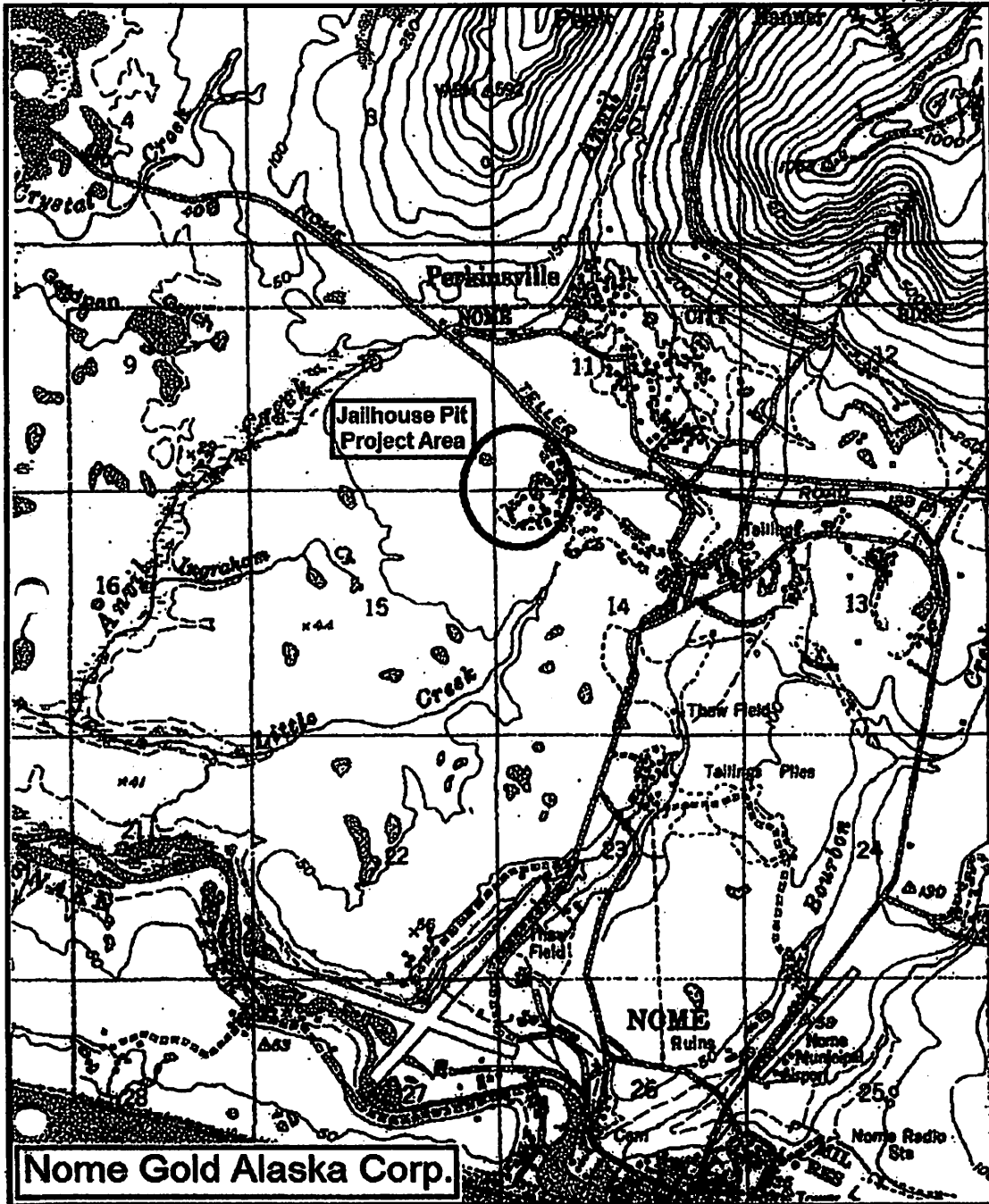
Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation 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 2011-169-M4, Little 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.

Figure 1 USACE POA 2011-169 Modification #4 Vicinity Map

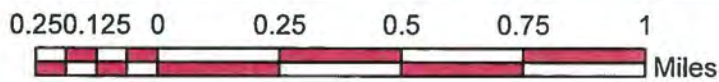
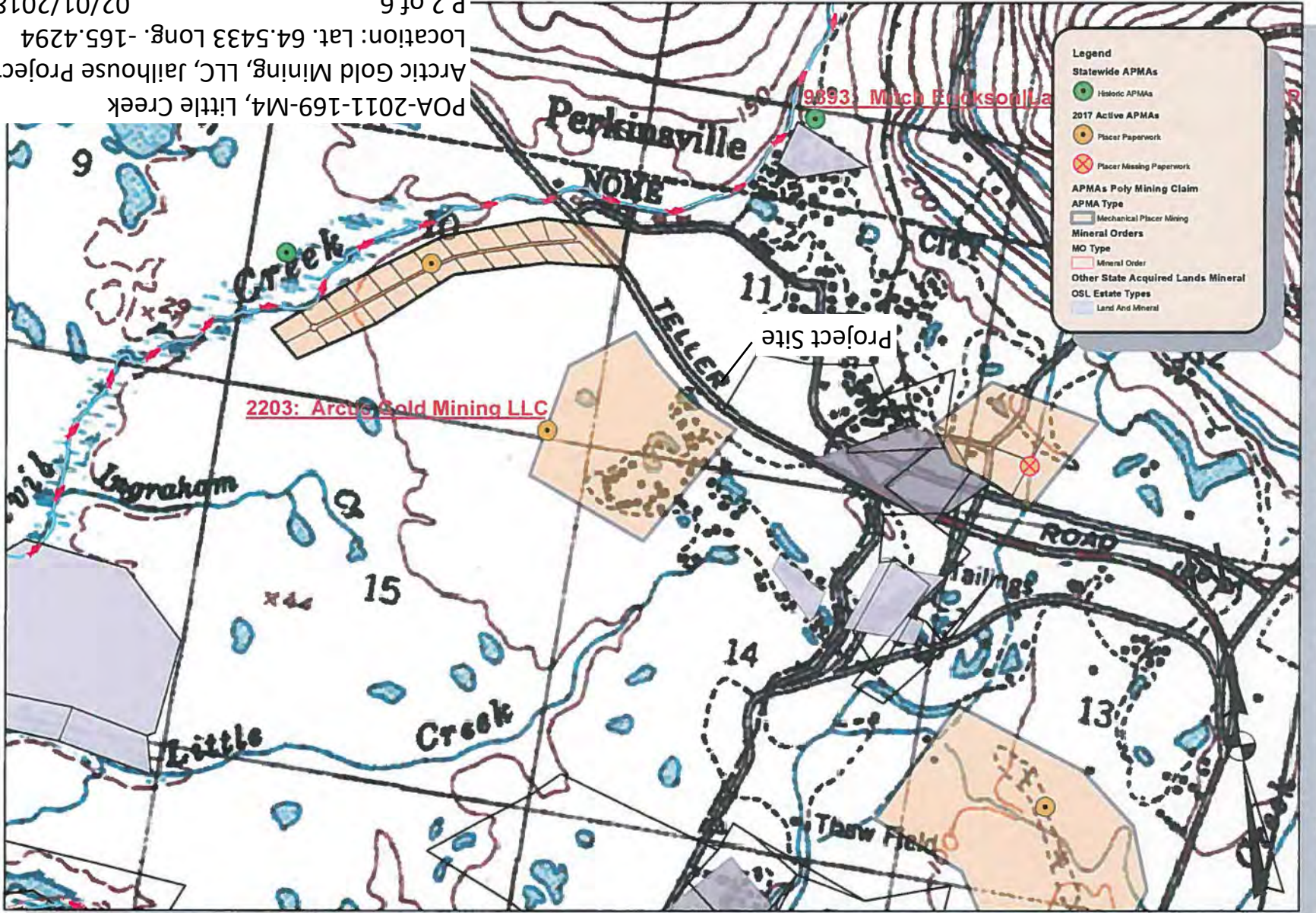


POA-2011-169-M4, APMA 2203, Little Creek
Arctic Gold Mining, LLC, Jailhouse Project
Location: Lat. 64.5433 Long. -165.4294
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VICINITY MAP

APMA 2203 Claim Status Map

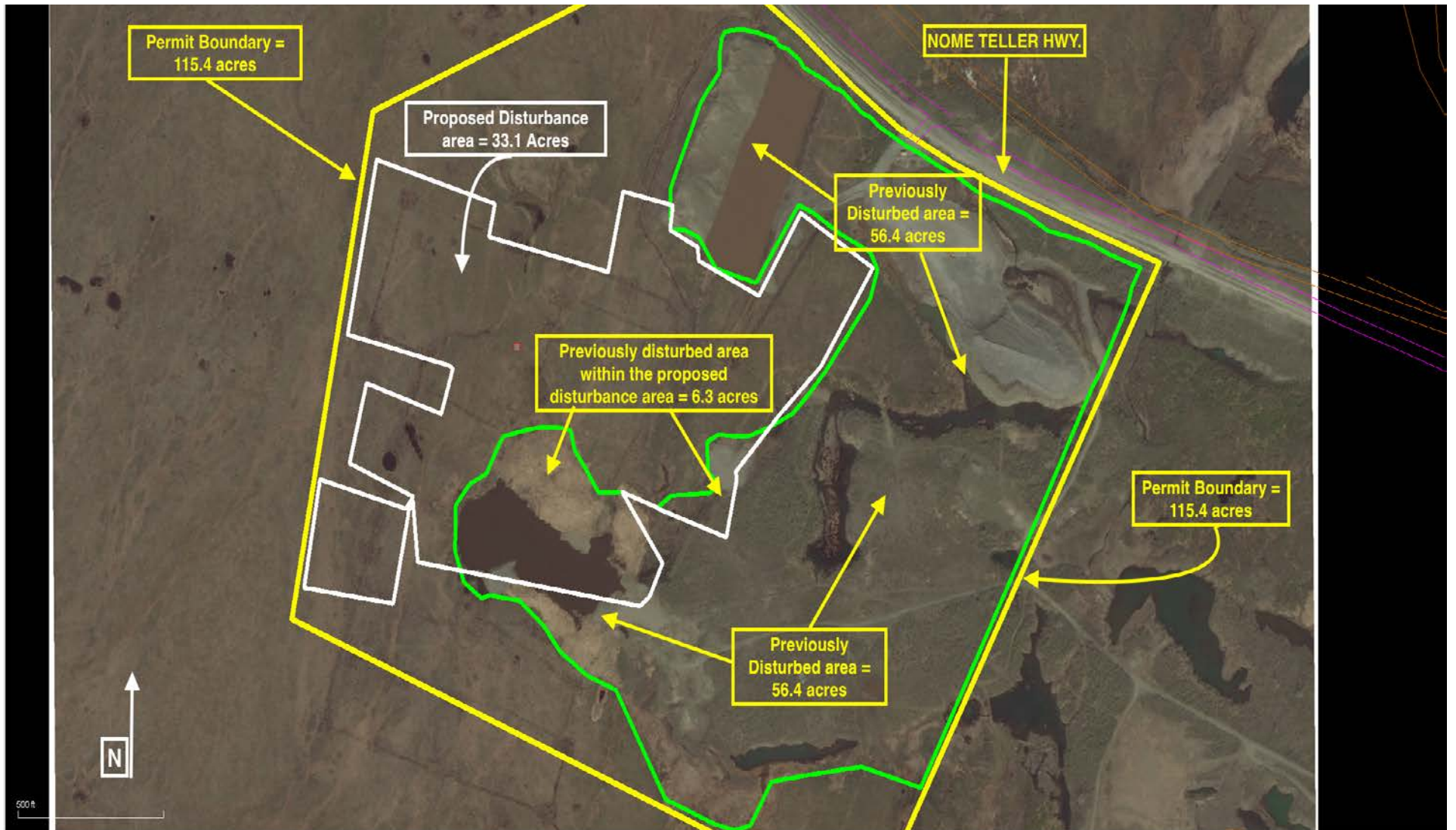
Arctic Gold Mining, LLC, Jailhouse Project
 Location: Lat. 64.5433 Long. -165.4294
 P 2 of 6
 02/01/2018
 PROJECT FOOTPRINT

POA-2011-169-M4, Little Creek



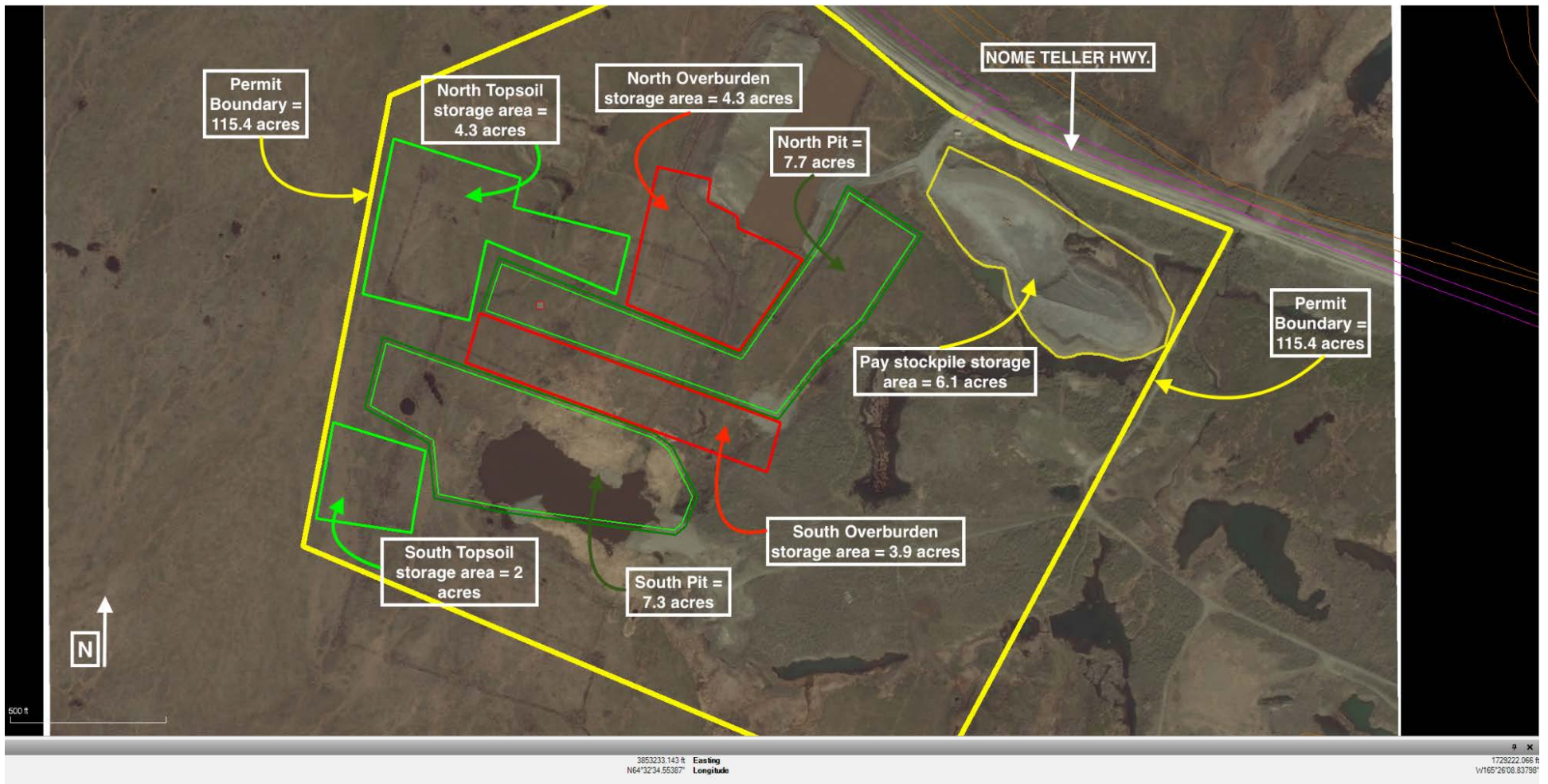
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Date: 11/16/2017



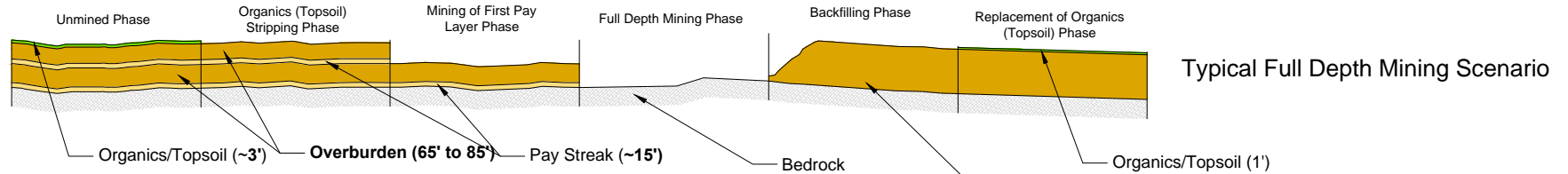
All areas within the Permit Boundary not previously disturbed are considered palustrine emergent wetlands.

POA-2011-169-M4, APMA 2203, Little Creek
 Arctic Gold Mining, LLC, Jailhouse Project
 Location: Lat. 64.5433 Long. -165.4294
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 PROJECT FOOTPRINT, DISTURBED AREAS, WETLANDS

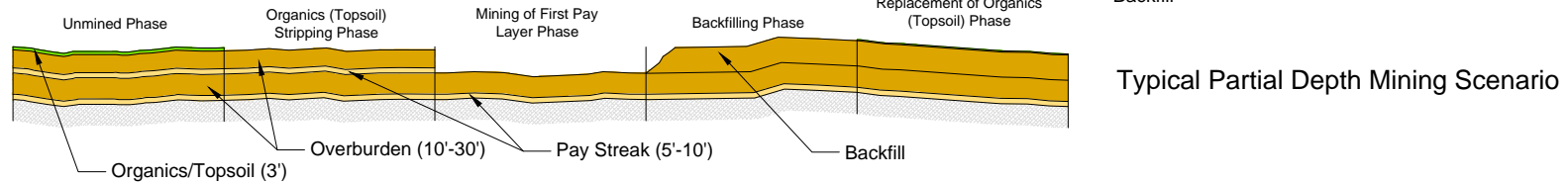


POA-2011-169-M4, APMA 2203, Little Creek
 Arctic Gold Mining, LLC, Jailhouse Project
 Location: Lat. 64.5433 Long. -165.4294
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 PLAN OF OPERATIONS

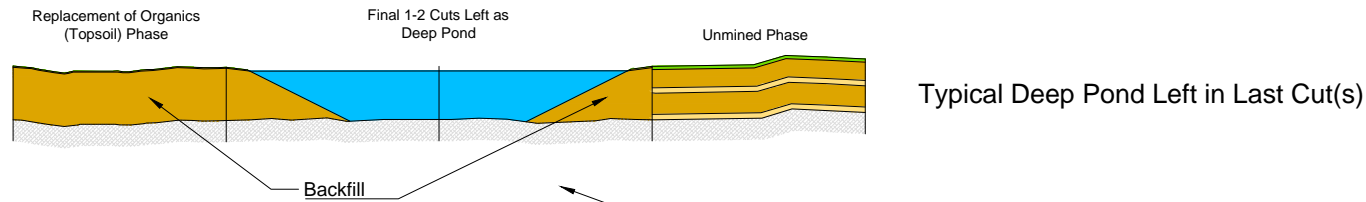
JAILHOUSE PROJECT - TYPICAL SECTION VIEWS



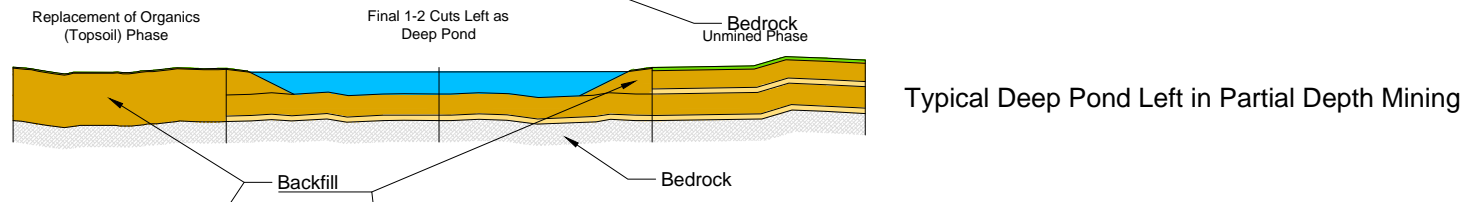
Typical Full Depth Mining Scenario



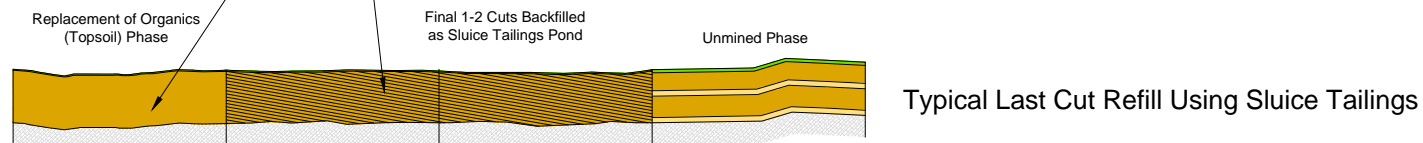
Typical Partial Depth Mining Scenario



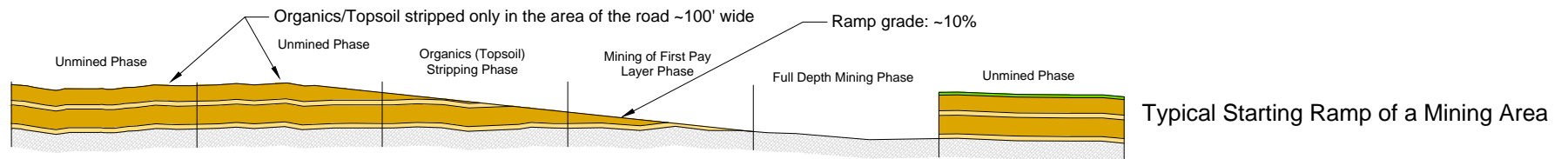
Typical Deep Pond Left in Last Cut(s)



Typical Deep Pond Left in Partial Depth Mining

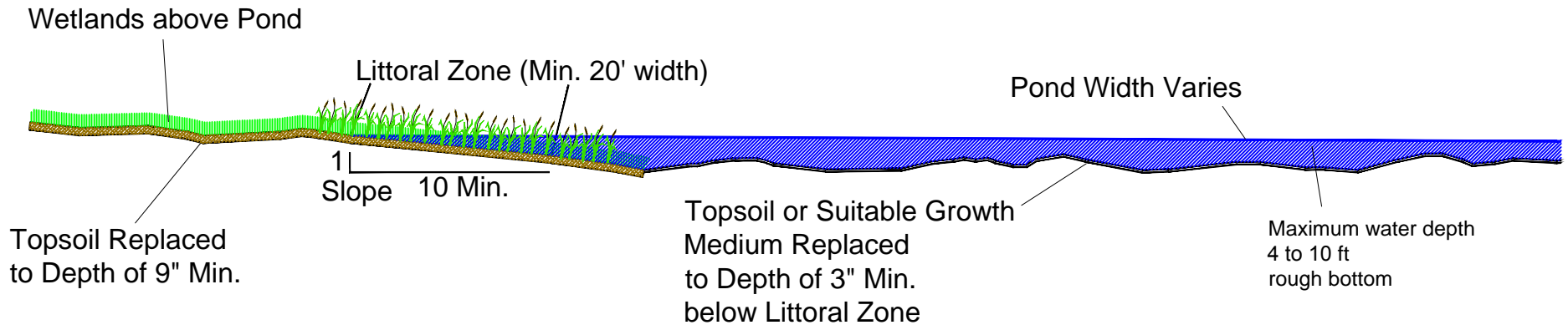


Typical Last Cut Refill Using Sluice Tailings



Typical Starting Ramp of a Mining Area

Typical Cross-Section of Reclaimed Littoral Zones for Shallow Ponds



Typical Cross-Section of Reclaimed Littoral Zones for Deep Ponds

