US Army Corps
of Engineers
Alaska District

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

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	**June 18, 2015**
EXPIRATION DATE:	**July 20, 2015**
REFERENCE NUMBER:	**POA-2015-250**
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 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: Alaska Frontier Constructors, P.O. Box 224889, Anchorage, Alaska 99522. Ph: 907-562-5303

Agent: none

LOCATION: The project site is located within Section 17, T. 10 N., R. 15 E., on USGS Quad Map AK-Beechey Point A-3; Umiat Meridian; Latitude 70.2175°N, Longitude 148.3905°W, immediately north of Nana Reservoir, Deadhorse, Alaska.

PURPOSE: The overall project purpose is to provide approximately 1,130,800 cubic yards of gravel for commercial sale within and around the community of Deadhorse, Alaska.

PROPOSED WORK: The proposed work is to create a 40 acre gravel pit within the floodplain of the Sagavanirktok River by excavating approximately 1,130,800 cubic yards of gravel over the course of two summer (July, August, September) seasons. Phase 1 is approximately 20 acres in size and Phase 2 is approximately 20 acres in size. Upon completion of mining activities, the gravel pit will be connected hydrologically to the Sagavanirktok River via the construction of permanent intake and outfall structures with the intent of creating a 40 acre, 25 foot-deep overwintering fish habitat. There are no wetlands within the project area.

ADDITIONAL INFORMATION: The proposal requires material sales approval from the Alaska Department of Natural Resources and a Habitat Permit from the Alaska Department of Fish & Game. The statuses of these authorization requests are unknown.

APPLICANT PROPOSED MITIGATION: No known wetlands impacts will occur as a result of the proposal. The applicant proposes that the creation of approximately 40 acres of overwintering fish habitat in the floodplain of the Sagavanirktok River be considered as compensatory mitigation.

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).

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 species 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 Corps has not made a determination regarding impacts to potential EFH the project may have at this time.

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)(l) 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).

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

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

BILL WALKER, GOVERNOR

STATE OF ALASKA

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-2015-250, Sagavaniktok 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.

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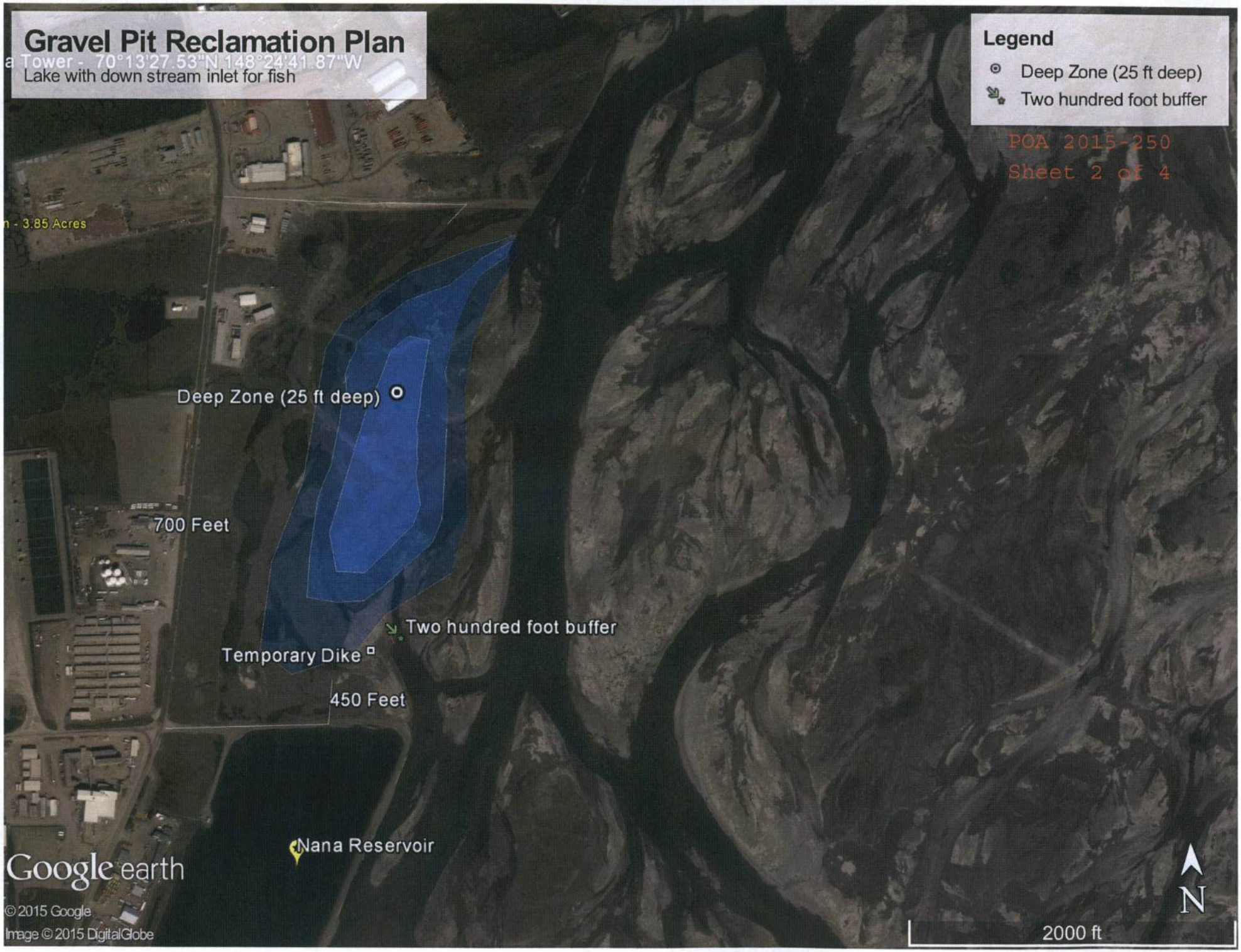
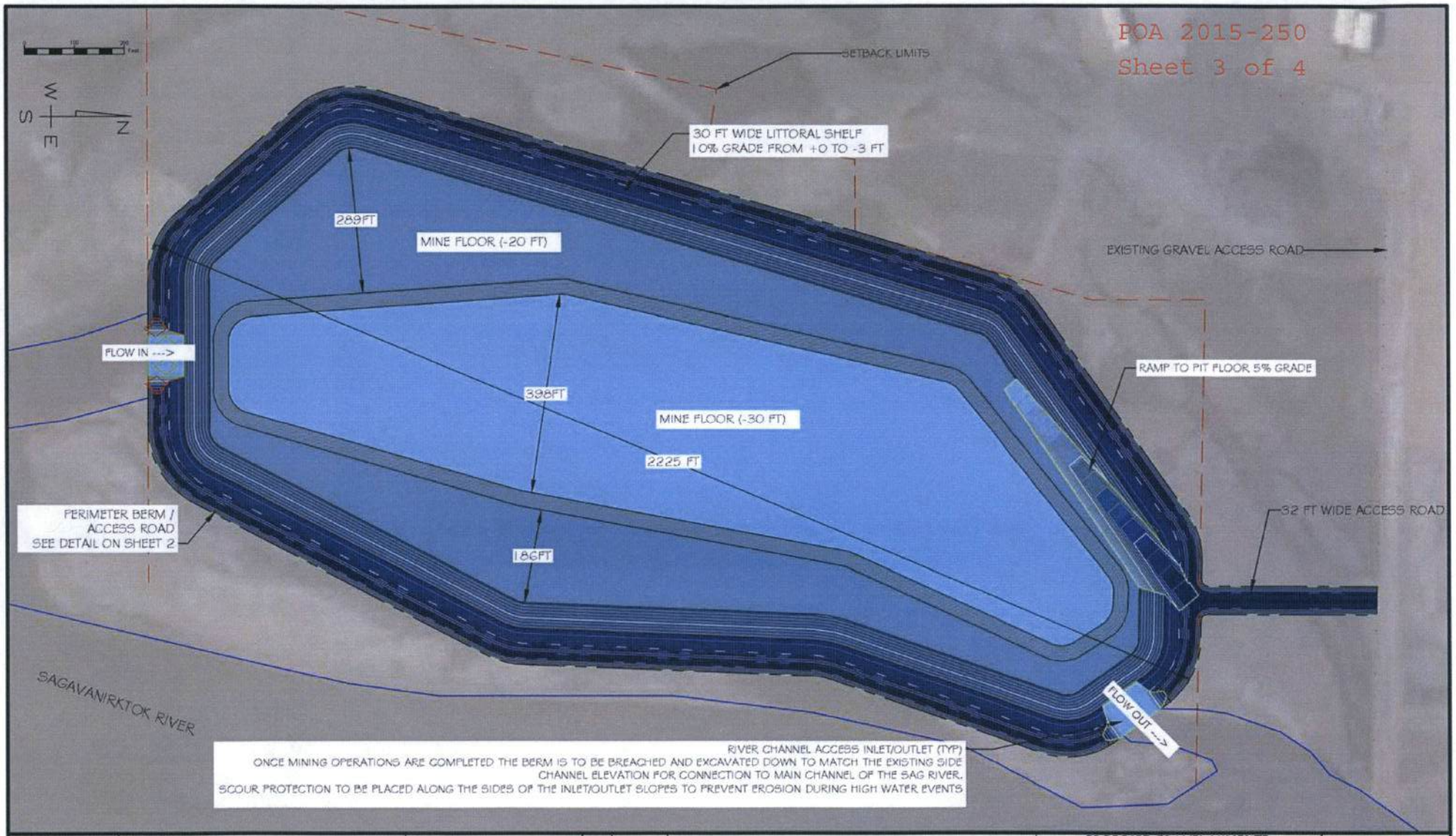

Gravel Pit Reclamation Plan
Tower - 70°13'27.53"N 148°24'41.87"W
Lake with down stream inlet for fish
Legend
Deep Zone (25 ft deep)
Two hundred foot buffer
POA 2015-250
Sheet 2 of 4
- 3.85 Acres
Deep Zone (25 ft deep)
700 Feet
Two hundred foot buffer
Temporary Dike
450 Feet
Nana Reservoir
Google earth
© 2015 Google
Image © 2015 DigitalGlobe
N
2000 ft

POA 2015-250
Sheet 3 of 4



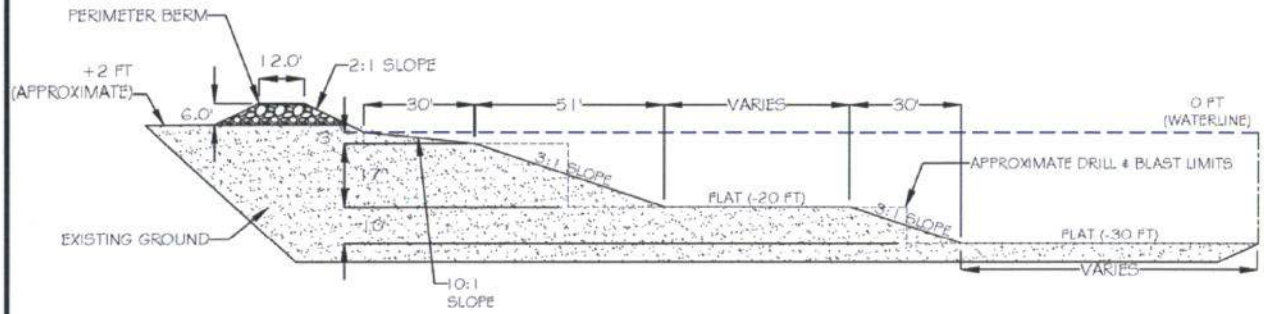
REFERENCE DOCUMENTS	DESCRIPTION

REV	DATE	DESCRIPTION

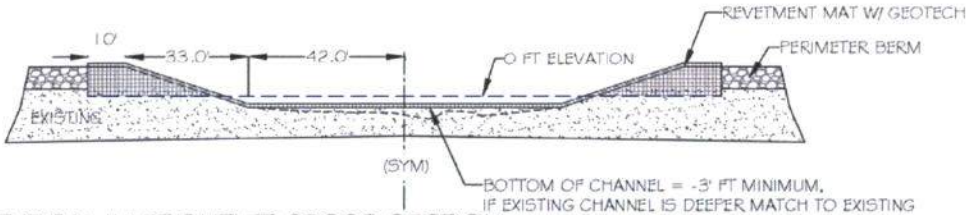
PROPOSED GRAVEL MINESITE
SAGAVANIRKTOK RIVER

AFC Alaska Frontier Constructors, inc.

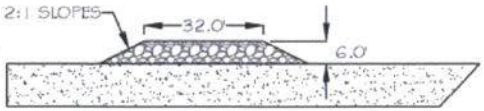
DRAWN BY: JCE
SCALE: SEE DRAWING
DATE: 05/02/2015
REV 0
SHEET: 1 OF 2



TYPICAL SHOULDER CROSS SECTION



TYPICAL INLET/OUTLET CROSS SECTION



TYPICAL ACCESS ROAD / RAMP CROSS SECTION

Volume Summary			
Item	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.) (Cut + / Fill -)
Mine Base Volume	1,360,363	0	1,360,363
Perimeter & Access Road	0	(29,978)	(29,978)
Ramp Volume	7	(9,294)	(9,286)
Outlet Cut	1,530	0	1,530
Inlet Cut	1,529	0	1,529
Total Quantities	**1,363,429**	**(39,272)**	**1,324,158**

NOTES

- 0 FT ELEVATION DENOTES AVERAGE RIVER SURFACE ELEVATION. ALL ELEVATIONS GIVEN ON PLAN SHEET ARE RELATIVE.
- ORIGINAL GROUND ASSUMED + 2 FT ELEVATION FOR QUANTITY TAKEOFFS.
- MAXIMUM ALLOWED EXTRACTION = 1.1 MILLION CUBIC YARDS
- CONSTRUCTION SEQUENCE
  - PHASE 1 (GRAVEL EXTRACTION YEAR 1) - ACCESS ROAD, RAMP, AND PERIMETER BERM ARE TO BE CONSTRUCTED DURING FIRST WINTER MINE DEVELOPMENT SEASON.
  - PHASE 2 (ONGOING EXTRACTION) - BERM MUST BE MAINTAINED AROUND MINESITE
  - PHASE 3 (CLOSEOUT) - INLET AND OUTLET TO BE CONSTRUCTED DURING WINTER MONTHS DUE TO ACCESS/CONSTRUCTABILITY. INLETS/OUTLETS MAY BE CONSTRUCTED PRIOR TO CLOSEOUT WITH USE OF ADDITIONAL TEMPORARY BERMS ON INTERIOR OF MINESITE TO DETER WATER DURING DEVELOPMENT PHASES.

REFERENCE DOCUMENTS	DESCRIPTION

REV	DATE	DESCRIPTION

PROPOSED GRAVEL MINESITE
SAGAVANIRKTOK RIVER

AFC Alaska Frontier Constructors, inc.

DRAWN BY: JCE
SCALE: SEE DRAWIG
DATE: 05/02/2015
REV 0 SHEET: 2 OF 2