



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:** August 18, 2015

**EXPIRATION DATE:** September 18, 2015

**REFERENCE NUMBER:** POA-2015-283

**WATERWAY:** Chuckchi Sea

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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](mailto:Stephen.A.Moore2@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** North Slope Borough  
POC Jack Packer  
3000 C Street  
Suite 104  
Anchorage, AK 99503  
907-646-8279  
[jack.packer@north-slope.org](mailto:jack.packer@north-slope.org)

**AGENT:** UMIAQ  
POC Whitney Moretti  
6700 Arctic Spur Rd., Anchorage, AK 99518  
907-852-0489  
[whitney.moretti@uicumiaq.com](mailto:whitney.moretti@uicumiaq.com)

**LOCATION:** The project site is located within Section 8, T. 15 N., R. 31 W., on USGS Quad Map AK-Wainwright Point C-2; Umiat Meridian; Latitude 70.664391°N, Longitude 159.966475°W, Wainwright, Alaska.

**PURPOSE:** The project purpose is to construct a gravel stockpile yard for use by the North Slope Borough.

**PROPOSED WORK:** The proposed work is to construct a 3.9 acre gravel stockpile yard. This work would result in the discharge of 50,000 cubic yards of material. All work would be performed in accordance with the plans labeled *NORTH SLOPE BOROUGH GRAVEL STOCKPILE SITE*, sheets 1-4 (attached).

**ADDITIONAL INFORMATION:** None

**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: *The project site was chosen by North Slope Borough's (NSB) Public Works for site control reasons. The property is already owned by the NSB. The proposed site will utilize existing infrastructure, Airport Road for access, thus reducing additional impacts compared to creating a stockpile in a different location. Much of the North Slope is classified as wetlands by the U.S. Army Corps of Engineers (USACE); therefore, any other site would have equal or increased impact to wetlands. This site would not be considered high or moderate value as it borders the landfill with two honey bucket lagoons to the north, and a holding tank and contaminated soils containment area to the south.*

b. Minimization: *The proposed footprint of the stockpile was determined to be the minimum area needed to safely stockpile 50,000 cubic yards of material. The amount of material for the stockpile is based on available funding. NSB gravel needs are predicted to only increase in the future. The site may expand into the stockpile area as the need arises. See Sheet 2. The benefits of a phased development approach include a larger buffer zone to the surrounding wetlands initially, and less capital and permitting cost initially.*

The applicant also proposed a number of standard Best Management Practices (BMPs) as minimization measures.

c. Compensatory Mitigation: *Unavoidable impacts to 3.9 acres of wetlands identified by the National Wetlands Inventory as Palustrine Emergent Persistent Unconsolidated Bottom Semi-permanently Flooded (PEM1/UBF) wetland will occur as a result of this project. These wetlands are considered plentiful in the Wainwright area and on the North Slope of Alaska, and therefore are not unique. Compensatory mitigation may not be appropriate as the wetlands are likely not high or moderate functioning due to the adjacent land uses, and because this project serves the needs of the rural community.*

**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 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 project area is comprised entirely of uplands and the proposed work will have no impact to EFH.

**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 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).

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

DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WQM/401 CERTIFICATION  
555 CORDOVA STREET  
ANCHORAGE, ALASKA 99501-2617  
PHONE: (907) 269-7564/FAX: (907) 334-2415

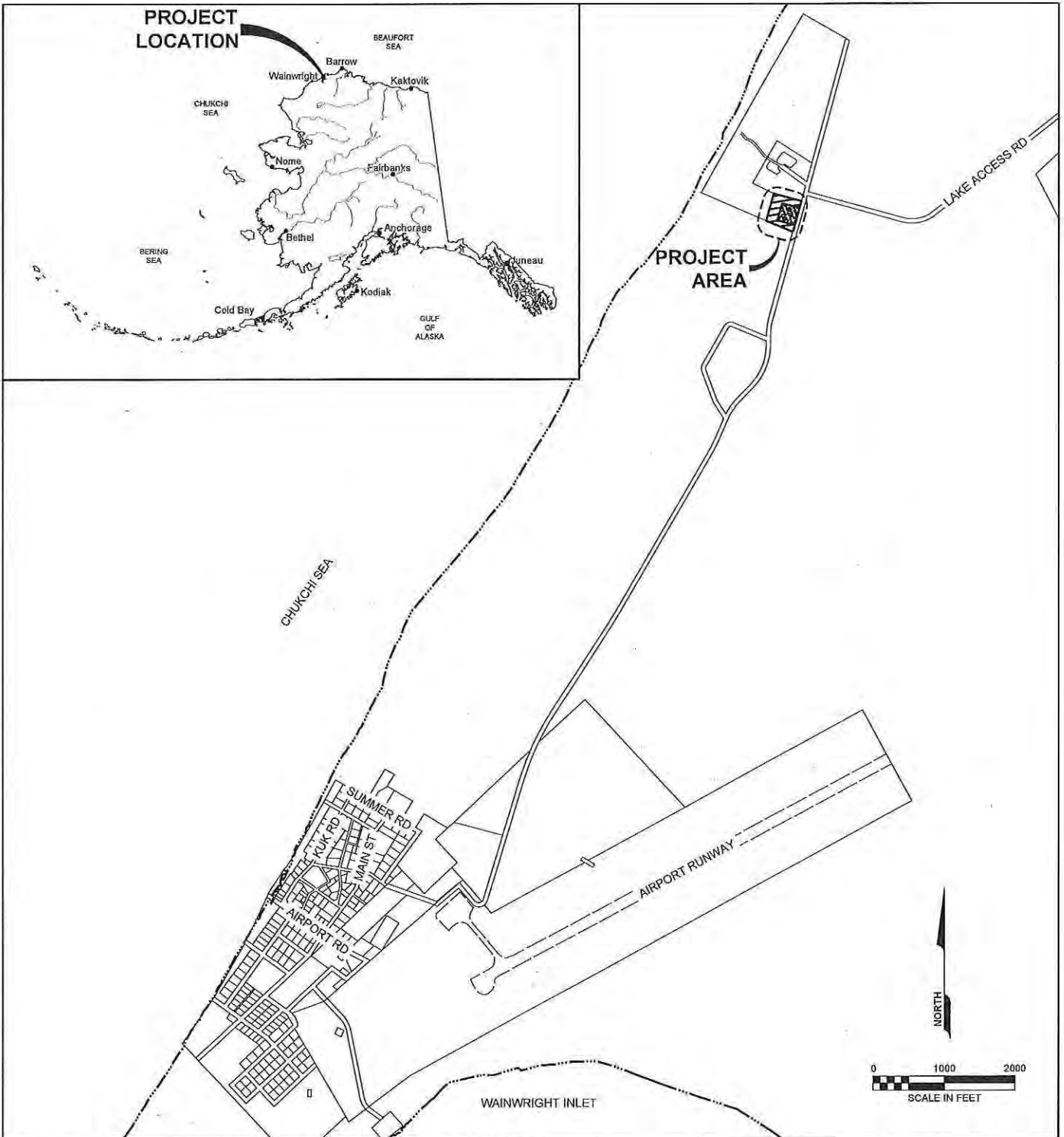
**NOTICE OF APPLICATION  
FOR  
STATE WATER QUALITY CERTIFICATION**

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-2015-283, Chuckchi 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.



**PURPOSE:**  
 GRAVEL STOCKPILE

**ADJACENT PROPERTY OWNERS:**  
 NORTH SLOPE BOROUGH  
 OLGONNIK CORPORATION

**VICINITY MAP**

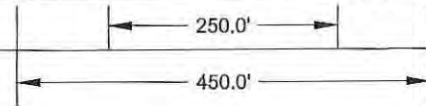
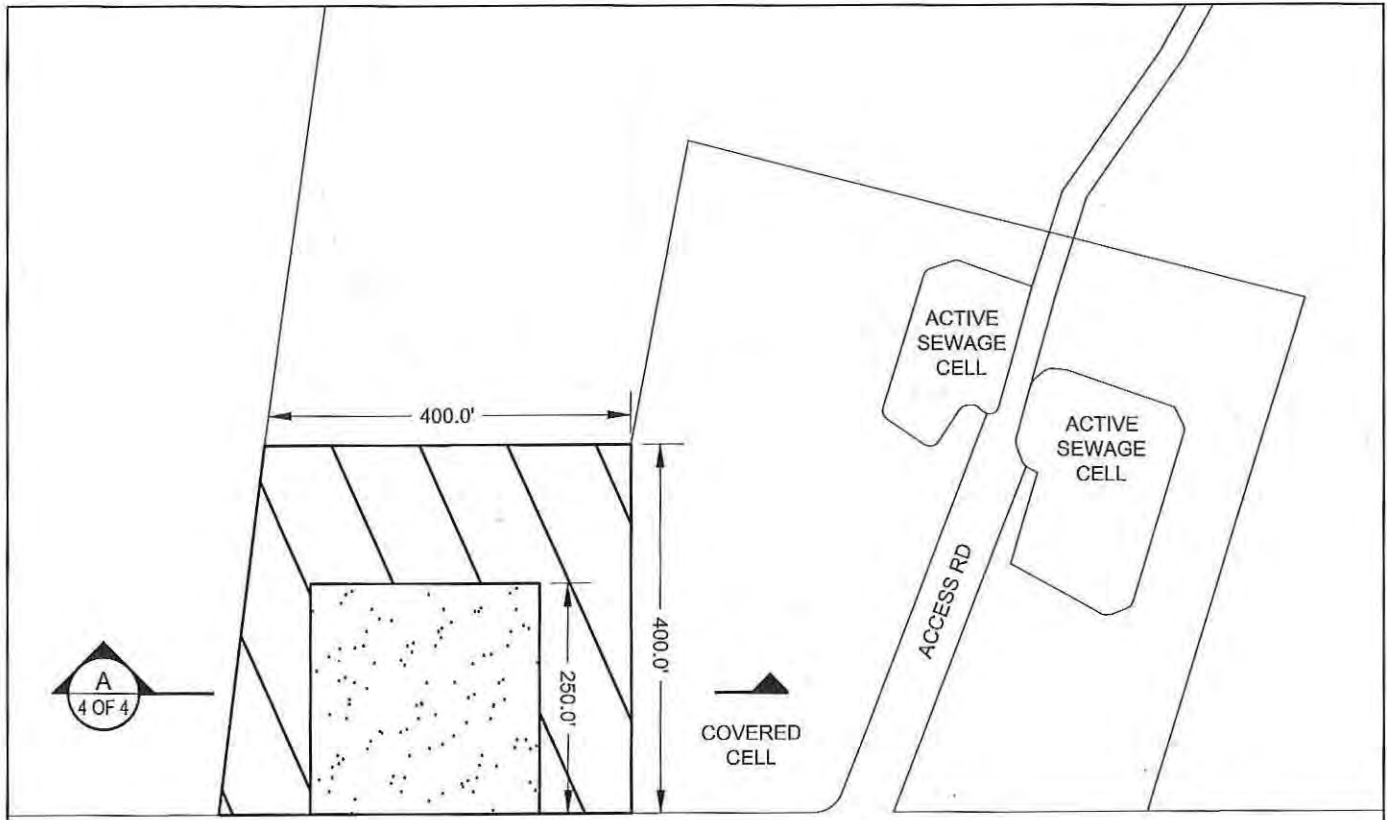
**APPLICANT/AGENT:**  
 UMIAQ

**AGENT:**  
 UMIAQ  
 6700 ARCTIC SPUR ROAD  
 Anchorage, Alaska 99518

**NORTH SLOPE BOROUGH  
 GRAVEL STOCKPILE SITE**

WAINWRIGHT, ALASKA  
 T15N, R31W, SECTIONS 7 AND 8

DATE: 04-10-15      SHEET: 1 OF 4



**LEGEND**

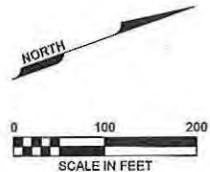
- PROPOSED STOCKPILE AREA
- PROPOSED FOOTPRINT OF STOCKPILE

**NOTES:**

1. DISTANCES ARE APPROXIMATE.
2. GRAVEL INFO HAS BEEN ADDED BY ANCHORAGE CIPM DEPARTMENT TO:

PLAT 85-8,  
B.R.D.  
TRACT 8  
LANDFILL SITE  
68.222 ACRES

WATER LAKE  
ACCESS R.O.W.  
PLAT 86-9, B.R.D.



**PURPOSE:**  
GRAVEL STOCKPILE

**SITE PLAN**

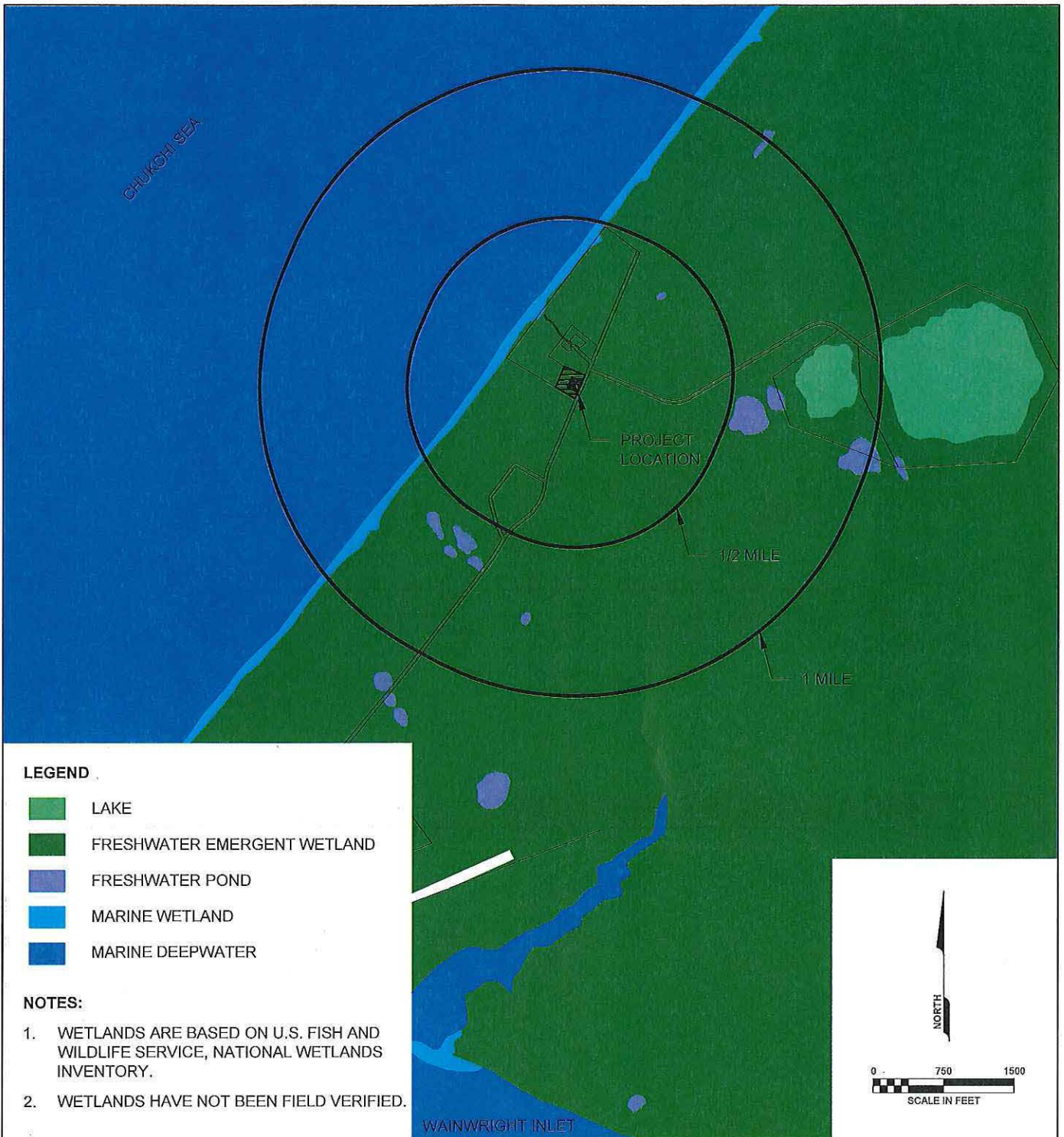
**NORTH SLOPE BOROUGH  
GRAVEL STOCKPILE SITE**

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WAINWRIGHT, ALASKA  
T15N, R31W, SECTIONS 7 AND 8

DATE: 04-10-15    SHEET: 2 OF 4



**LEGEND**

- LAKE
- FRESHWATER EMERGENT WETLAND
- FRESHWATER POND
- MARINE WETLAND
- MARINE DEEPWATER

**NOTES:**

1. WETLANDS ARE BASED ON U.S. FISH AND WILDLIFE SERVICE, NATIONAL WETLANDS INVENTORY.
2. WETLANDS HAVE NOT BEEN FIELD VERIFIED.

**PURPOSE:**  
 GRAVEL STOCKPILE

**WETLANDS MAP**

**APPLICANT/AGENT:**  
 UMIAQ

**NORTH SLOPE BOROUGH  
 GRAVEL STOCKPILE SITE**

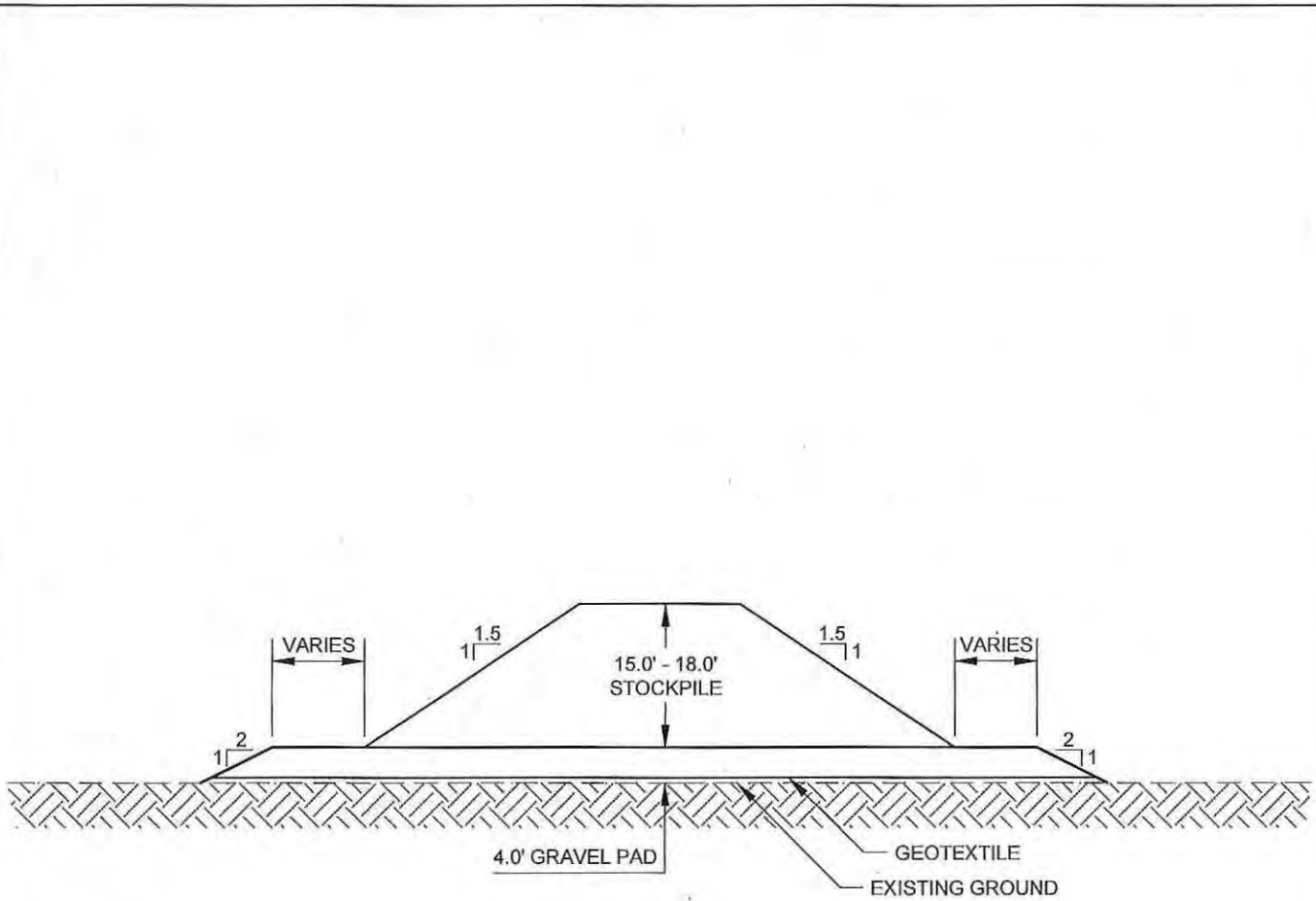
**ADJACENT PROPERTY OWNERS:**  
 NORTH SLOPE BOROUGH  
 OLGONNIK CORPORATION

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WAINWRIGHT, ALASKA  
 T15N, R31W, SECTIONS 7 AND 8

DATE: 04-10-15      SHEET: 3 OF 4





**A** **TYPICAL CROSS SECTION**  
 4 OF 4 SCALE: N.T.S.

FILE: C:\Users\sharbarat\min-resolved\project\civil\temp\Publsh\_0-2025\FIGURES 4.dwg  
 PRINTED: 07/27/2015 16:55 mjb\pof\mjb\classon LAYOUT: Figure 4 XREFS: None IMAGES: None

PURPOSE: GRAVEL STOCKPILE  ADJACENT PROPERTY OWNERS: NORTH SLOPE BOROUGH OLGONNIK CORPORATION	<b>CROSS SECTION</b>	NORTH SLOPE BOROUGH GRAVEL STOCKPILE SITE  WAINWRIGHT, ALASKA T15N, R31W, SECTIONS 7 AND 8	
	APPLICANT/AGENT: UMIAQ  AGENT: UMIAQ 6700 ARCTIC SPUR ROAD Anchorage, Alaska 99518		