

STATE OF ALASKA

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
WASTEWATER DISCHARGE AUTHORIZATION PROGRAM**

SEAN PARNELL, GOVERNOR

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March 13, 2012

Certified Mail 7009-2820-0001-7169-2769

Ms. Nicole Hayes
U.S. Army Engineer District, Alaska
Regulatory Division
P.O. Box 6898 CEPOA-RD
JBER, AK 99506-0898

Subject: Nationwide Permit Reissuance
Reference No. POA-2011-6

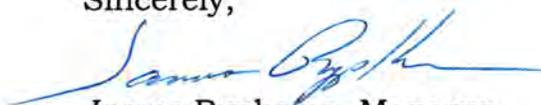
Dear Ms. Hayes:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Alaska Department of Environmental Conservation (DEC) is issuing the enclosed Certificate of Reasonable Assurance for the reissuance of the U.S. Army Corps of Engineers nationwide permits.

DEC regulations provide that any person who disagrees with this decision may request an informal review by the Division Director in accordance with 18 AAC 15.185 or an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340. An informal review request must be delivered to the Director, Division of Water, 555 Cordova Street, Anchorage, AK 99501, within 15 days of the permit decision. Visit <http://www.dec.state.ak.us/commish/ReviewGuidance.htm> for information on Administrative Appeals of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, AK 99811-1800, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

Sincerely,



James Rypkema, Manager
Storm Water / Wetlands Section

Enclosure

cc: (with encl.)
Michael Daigneault, ADF&G/Habitat
Ann Rappoport, USF&WS, Anch
Matt LaCroix, EPA, AK Operations

William Ashton, DEC
Brenda Krauss, DEC
Wade Strickland, DEC
Shannon Morgan, CEPOA-RD

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CERTIFICATE OF REASONABLE ASSURANCE

A Certificate of Reasonable Assurance, in accordance with Section 401 of the Federal Clean Water Act and the Alaska Water Quality Standards, is issued to the U.S. Army Corps of Engineers, Alaska District, Regulatory Branch, PO Box 6898, JBER, Alaska 99506, for the proposed new nationwide permits.

The nationwide permits are general permits that cover a class of activities subject to Corps of Engineers jurisdiction that have minimal individual and cumulative adverse effects on the aquatic environment. Nationwide permits are intended to streamline the process for applicants and agencies while reducing procedural and time requirements. The Department of Environmental Conservation supports a regulatory program that streamlines processes, is responsive to public needs, and protects water quality. The regional conditions address Alaska-specific modifications to the nationwide permits.

The proposed activities are located throughout Alaska.

Public notice of the application for this certification was given as required by 18 AAC 15.180.

Water Quality Certification is required under Section 401 because the proposed activity will be authorized by a Corps of Engineers nationwide permit, and a discharge may result from the proposed activity.

Having reviewed the application and comments received in response to the public notice, the Alaska Department of Environmental Conservation certifies that there is reasonable assurance that the proposed activity, as well as any discharge which may result, will comply with applicable provisions of Section 401 of the Clean Water Act and the Alaska Water Quality Standards, 18 AAC 70.

This certification shall become effective March 19, 2012 and expires at midnight March 18, 2017. If a project is not completed by the expiration date and work under Corps of Engineers Permit will continue, an application must be submitted for renewal of this certification no later than 30 days before the expiration date (18 AAC15.100).

Date

March 13, 2012



James Rypkema, Manager
Storm Water / Wetlands Section