



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: February 4, 2016

EXPIRATION DATE: March 4, 2016

REFERENCE NUMBER: POA-2016-030

WATERWAY: Crooked 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 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 Laurel Gale at (907) 474-2166, by fax at (907) 474-2164, or by email at Laurel.A.Gale@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mr. Sam Koppenberg, P.O. Box 109, Cantwell, Alaska 99729

LOCATION: The project site is located within Sections 25 & 26, T. 9 N., R. 13 E., Fairbanks Meridian; USGS Quad Map Circle C-2; Latitude 65.578° N., Longitude 144.945° W.; located at Mile Post 123.5 of the Steese Highway near Central, Alaska, on Crooked Creek.

PURPOSE: The applicant's stated purpose is gold recovery by the use of placer mining.

PROPOSED WORK: The applicant's proposed work is to mine gold from the 66.7 acre project site by using a mobile placer mining system consisting of an eight foot trammel with an eight foot sluice box and a three foot wide oversized conveyer. The project would involve the placement of fill, via mechanized landclearing in 64.7 acres of

wetlands. All work would be performed in accordance with the enclosed plan (sheets 1-6), dated December 28, 2015.

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

a. Avoidance: The applicant states that the camp will be located in uplands on previously disturbed land. The access road to the project site is pre-existing and will avoid further damage which would occur by the creation of a new roadway. Bulk sampling of the site was completed in 2015 to provide an accurate picture of gold quantities within the cuts. Additionally, the applicant states long cuts which host uneconomic gold content will not be stripped and mined, also acting to avoid unnecessary impacts. Fuel storage will be limited to two fuel tanks kept in the upland area at the camp and additional fuel will be purchased off site as needed. The overburden (rock, soil, and organic matter) from the stripped areas will be stockpiled in upland areas and will be utilized to backfill, contour, and revegetate the disturbed land during the reclamation process. All sluice water will be caught in holding ponds and will be 100% recycled. The disturbed land area will be revegetated with naturally occurring plant species to prevent permanent loss of habitat and erosion.

b. Minimization: The applicant states the mining sequence will be located downstream from the top of the claim to minimize the impact. The overburden will be removed and stockpiled in upland areas in such a way the piles are easily accessible and will not cause additional disturbance or runoff. No discharge of fill will be placed into the creek itself or riparian area. All mining will occur well away from the creek, and no stream bypass will be utilized, which would further impair the hydrology of Crooked Creek. The applicant will utilize mobile placer mining which acts to wash the rich alluvial deposits and leaves tailings and mined gravel in place. Additionally, the process acts to minimize impacts by leaving the mined gravels at their natural gradient, slope, and depth, further minimizing impacts. During reclamation, the mined land will then be backfilled over the tailings and mined gravel with the stockpiled overburden, leveled, and then contoured as closely as possible to natural aspects.

c. Compensatory Mitigation: The applicant proposes on-site mitigation. After the mining process, the applicant will redeposit the overburden and organic matter, and then revegetate the affected areas. The new growth created during the reclamation process will provide enhanced wildlife habitat. Off creek ponds will be created by contouring slopes, and allow for shallow littoral zones. The applicant states other such ponds located at similar operations within the Crooked Creek watershed provide diverse habitat and display increased visits by wildlife populations. On-site reclamation will be on going on a yearly basis to maintain a minimal footprint.

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: 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 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 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

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
410 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1795
PHONE: (907) 465-5321/FAX: (907) 465-5274

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-2016-030, Crooked 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.

Tools Layers Legend

Base Map
SDMI BDL

Map Functions

Navigation Tools

Query by Feature (none)

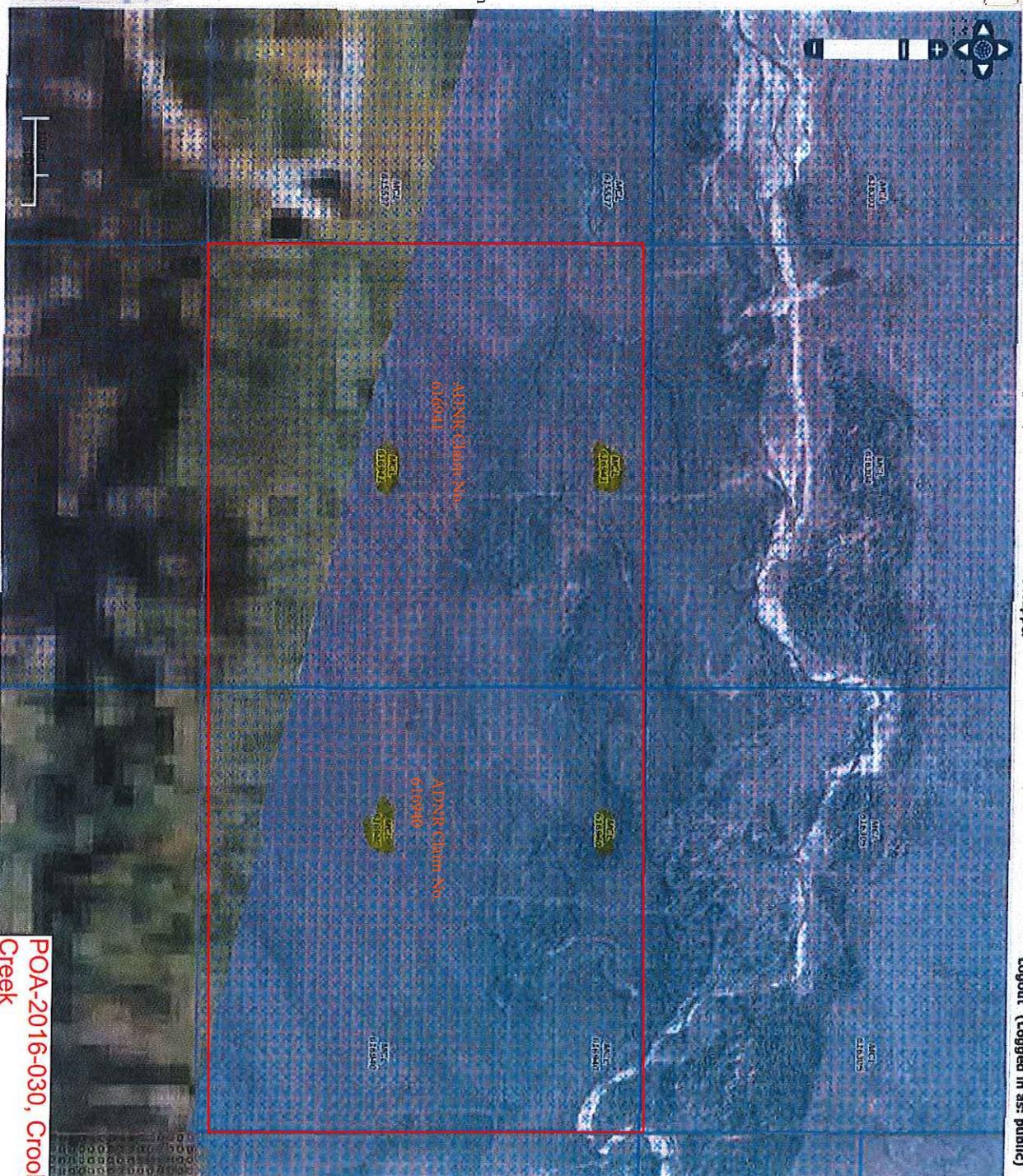
Feature Modify / Other

Run Query Partial

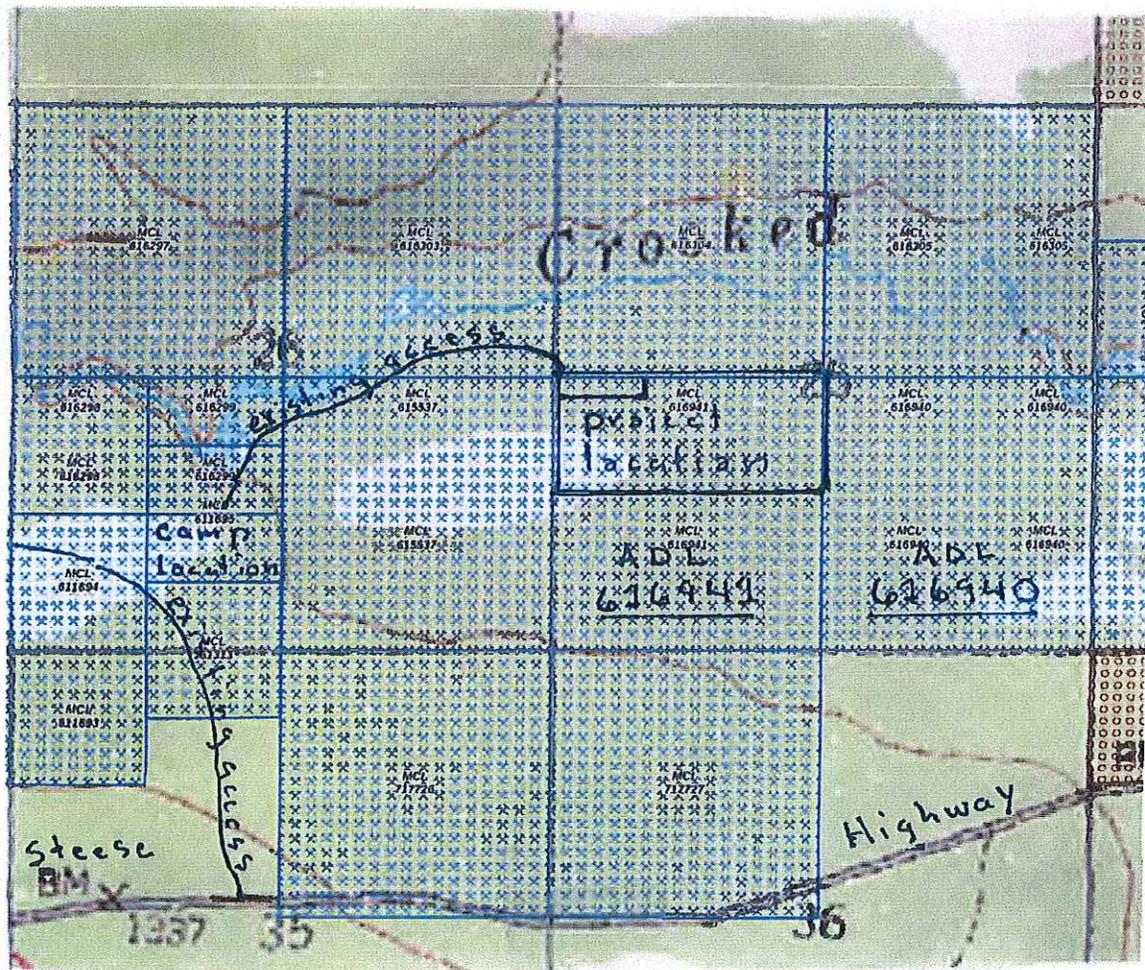
Map Info
Mouse position (DD):
Lat:
Long:
Map Center Township
TWP Links (FOONNO13E)



Indicates Kopperberg Mine Location



POA-2016-030, Crooked
Creek
December 28, 2015
1 of 6



Mile 123.5 Steese

F.M. T9N R13E sections 25, 26

↑ N 1" = 1700'

Access via existing roads

1000' x 300' test area on northeast corner
opened up in 2015

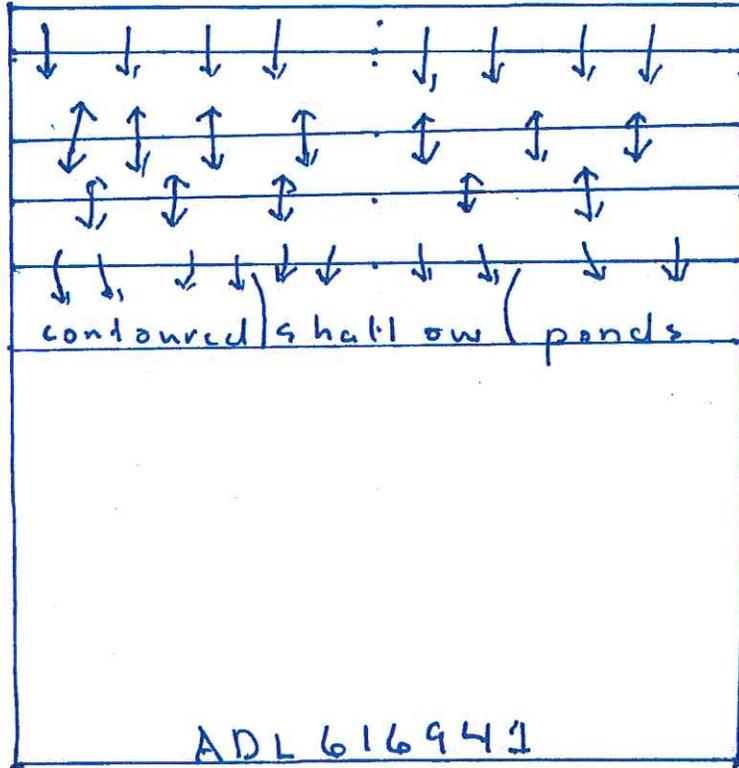
Existing Conditions

POA-2016-030, Crooked Creek

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N
1" = 660'

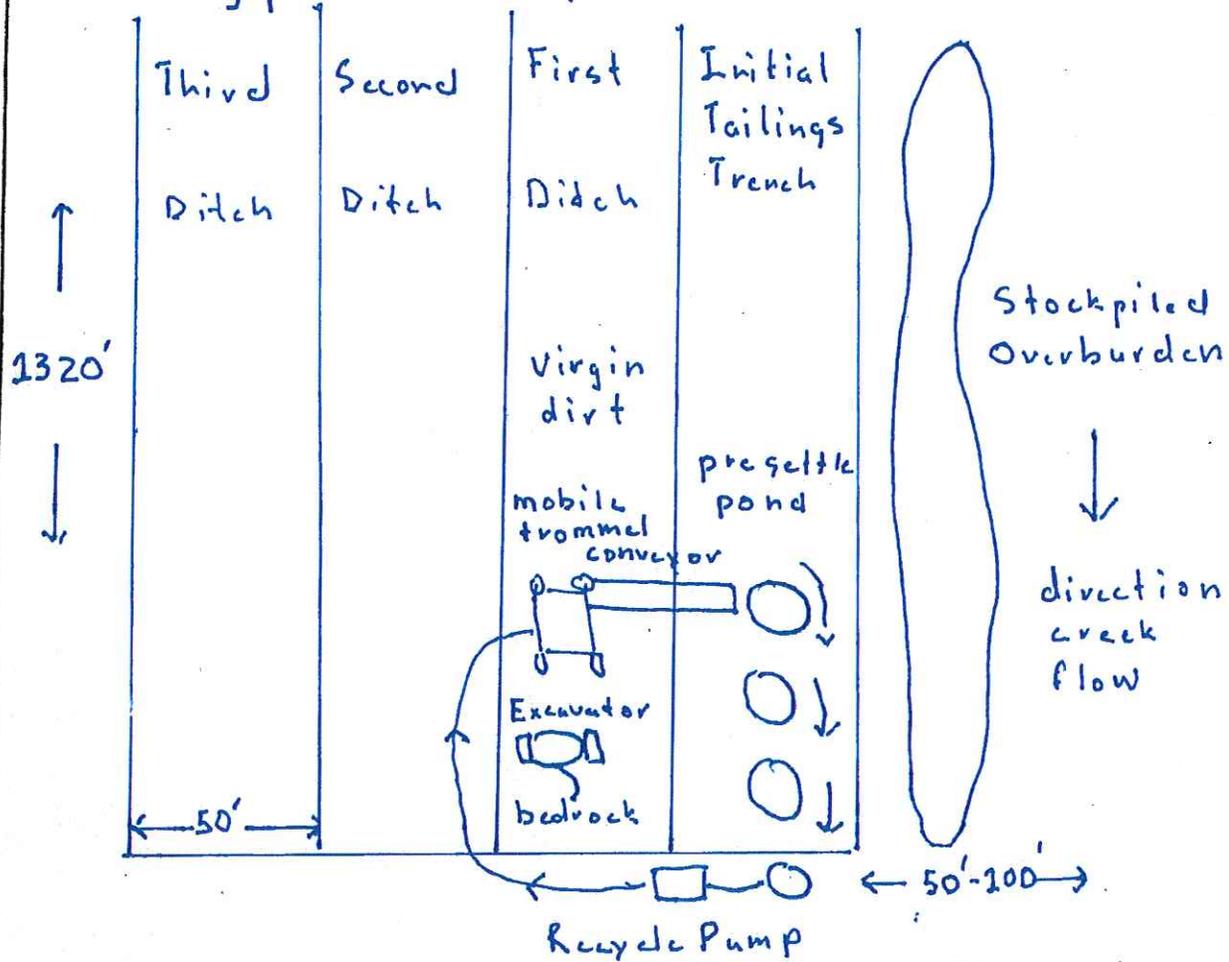


All tailings leveled. Muck overburden
respend. Last cut will be left as ponds
Reclamation will be ongoing with mining
on a yearly basis

Reclamation

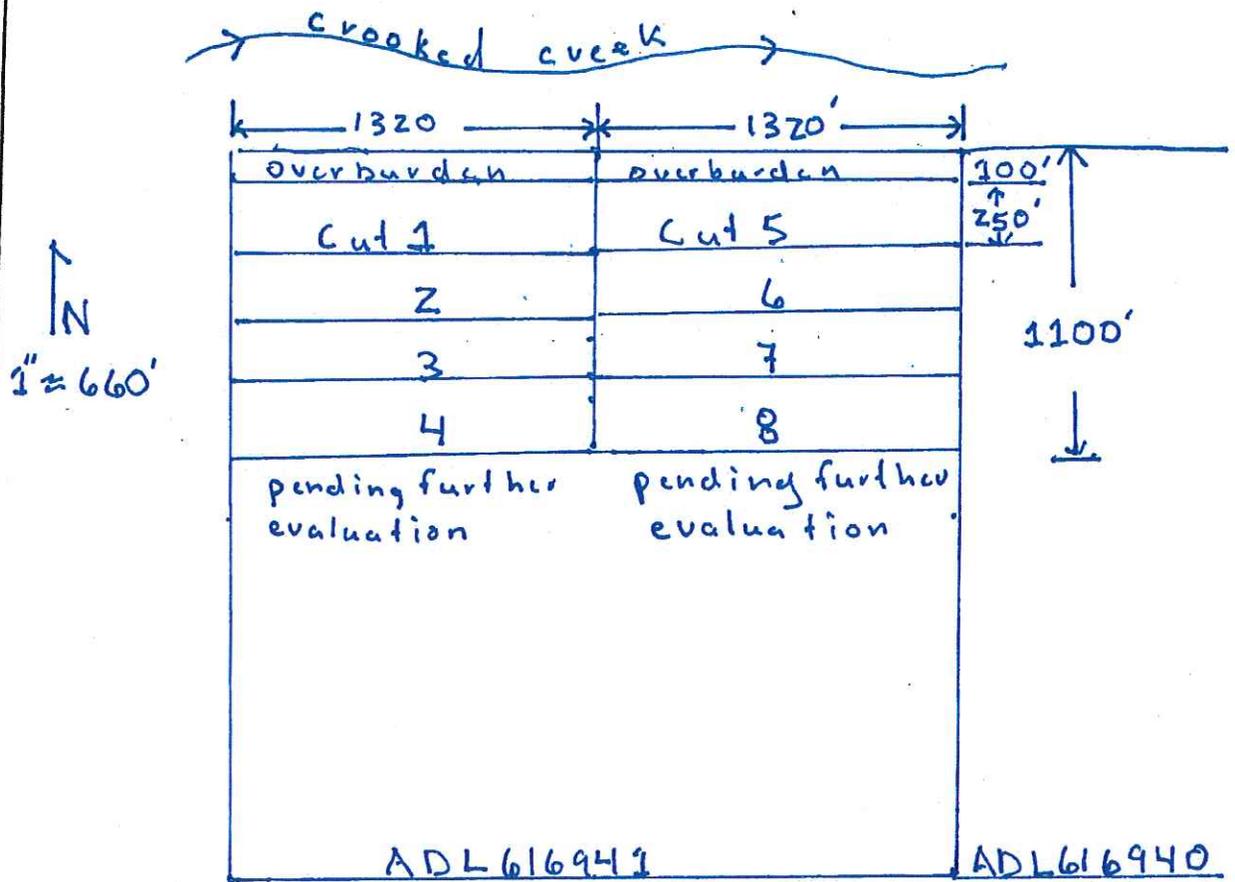
POA-2016-030, Crooked Creek
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The "kantishna" mobile method. A initial trench is dug to bedrock with overburden and top gravels segregated & stockpiled to one side. Pay is placed on the other side to run with first cut. Oversize tailings are deposited into the trench which serves as prepond & filter. Mining proceeds in parallel cuts.



Each cut consists of 5 ditches
 & 250' wide total

Mining Method
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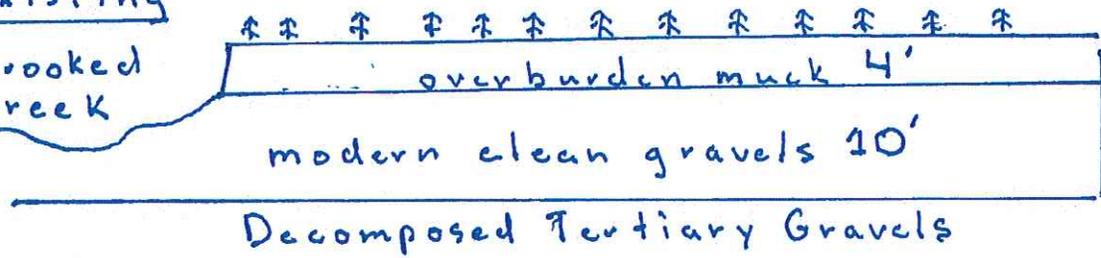
8 cuts mobile mining method
 100% recycle groundwater makeup only
 Overburden muck stockpiled on previous cut
 except in initial cut
 All gravels mined
 Cuts 4 & 8 left as off creek ponds that will
 be contoured and sloped into shallow ponds

Mining Plan

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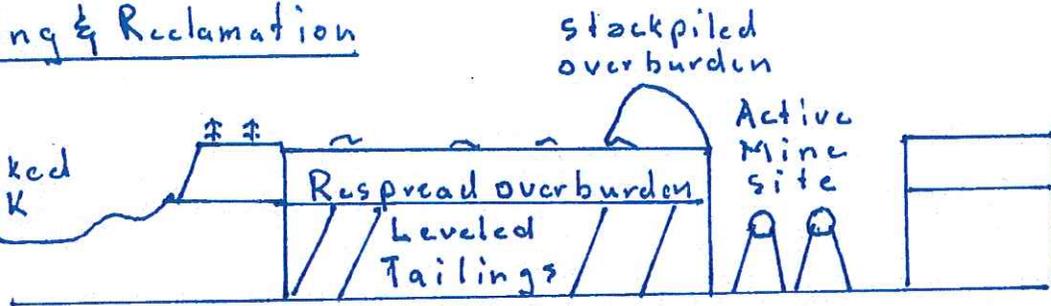
Existing

Crooked Creek



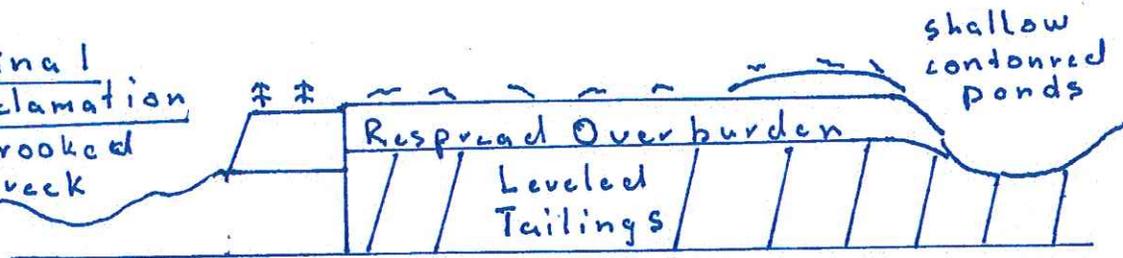
Mining & Reclamation

Crooked Creek



Final Reclamation

Crooked Creek



Horizontal 1" ≈ 250'

Vertical 1" ≈ 20'

Black Muck

$$2640' \times 1100' \times 4' / 27 = \underline{430,222 \text{ yd}^3 \text{ muck}}$$

Gravel

$$2640 \times 1100 \times 10' / 27 =$$

$$\underline{1,075,555 \text{ yd}^3 \text{ gravel}}$$

Footprint

$$2640' \times 1100' / 43560'$$

$$\approx \underline{66.7 \text{ acres}}$$

Typical Cross Section & Volumes

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