



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: | December 28, 2018 |
| EXPIRATION DATE: | January 28, 2019 |
| REFERENCE NUMBER: | POA-2018-00302 |
| WATERWAY: | Miluveach 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.

All comments regarding this Public Notice 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 Public Notice to become part of the record and be considered in the decision. Please contact Mary Romero at (907) 753-2773, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at mary.r.romero@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mr. Jim Arlington, Afognak Leasing, LLC., 3909 Arctic Boulevard, Suite 500, Anchorage, Alaska, 99503, (907) 222-9532.

AGENT: Ms. Stacey Korsmo, Weston Solutions, Inc., 425 G Street, Suite 300, Anchorage, Alaska 99501, (907) 343-2716.

LOCATION: The project site is located within Sections 4 & 5, T. 10 N., R. 8 E., Section 33, T. 11 N., R. 8 E., Umiat Meridian; USGS Quad Map Harrison Bay B-1; Latitude 70.2557° N., Longitude 150.1408° W.; North Slope Borough, Kuparuk River Unit, approximately 20 miles due east of Nuiqsut, Alaska.

PURPOSE: The applicant's stated purpose is to provide storage space for oil & gas operators on the North Slope of Alaska.

PROPOSED WORK: The applicant proposes to place approximately 182,000 cubic yards of fill material into 21.88 acres of Palustrine wetlands to construct the Cama'i gravel pad to support operational and logistical needs of various North Slope oil and gas operators in an area that minimizes the distance operators have to travel to get their supplies. The pad would be used to store movable buildings, camps, oilfield support equipment, supplies and modules. The space could be used for vehicle and equipment storage and as a laydown yard with adequate space for moving equipment around the modules and facilities contained on the pad. The proposed project would be accomplished in three phases on an as needed basis. All side slopes are planned to be 3:1 with a five-foot thick pad. Material for the project would come from Mine Site C unless another alternative of comparable quality and cost becomes available. All placement of fill would occur outside of the bird nesting season.

Currently the applicant plans to develop Phase I of the project. Phase I would consist of the placement of approximately 92,500 cubic yards of fill material into 11.2 acre of wetlands in a rectangular shaped pad 972 feet by 490 feet by 972 feet by 495 feet with two 65 foot by 30 foot driveways. The main pad would be offset 30 feet from the Spine Road near Mustang Pad and DS-2S. This portion of the project is slated for development Winter-Summer of 2019.

Phase II would place approximately 45,600 cubic yards of fill material into a 495 foot by 492 foot by 490 foot by 467 foot area of 5.42 acre of Palustrine wetlands. It would be constructed contiguous to the southern end of Phase I with one additional 65 foot by 30 foot driveway and would also be offset from Spine Road by 30 feet. This phase is tentatively scheduled for development in the summer of 2021 based upon need within the industry for additional operational and logistical need.

The final phase, Phase III would place approximately 43,900 cubic yards of fill into a 5.26 acres of Palustrine wetlands in the shape mostly square, 494 feet by 463 feet by 497 feet by 463 feet immediately northwest of Phase II. If there is additional need for the fill at the time, it would likely be constructed in the summer of 2023.

All work would be performed in accordance with the enclosed plan (sheets 1-3), dated December 28, 2018.

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 has stated that no fill would be placed into permanently inundated ponds or wetlands abutting permanently inundated ponds. Afognak proposes to construct the pad and driveways to match the existing grade of the Spine Road to provide for adequate ingress/egress currently anticipated. Complete avoidance of wetland is not practicable as there are no uplands in the area.

b. Minimization: To minimize the impact of the project the applicant has proposed the following measures:

- Project boundaries shall be clearly identified in the field
- Site preparation, fill placement and construction activities would be conducted to prevent, minimize, and contain the erosion and suspension of fine material.

- The pad would be constructed with 3:1 side slopes to minimize the footprint across wetlands.
- Natural drainage patterns would be maintained to the extent practicable.
- Work would be completed from the uplands (roadways) adjacent to the proposed fill site, and fill outward toward wetlands where practicable, to minimize disturbance to wetlands.
- No temporary stockpiling would occur on wetland outside the project footprint.

c. Compensatory Mitigation: The applicant has stated, “No approved wetlands mitigation bank with a service area in the Kuparuk Watershed is currently available. If a wetlands mitigation bank with an appropriate service area becomes available during the permit process, Afognak will consider purchase of the appropriate number of credits 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), 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 complete project area. Consultation of the AHRS constitutes the extent of cultural resource investigations by the Corps at this time, and we are otherwise unaware of the presence of such resources. The Corps has made a No Historic Properties Affected (No Effect) determination for the proposed project. 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. The Corps is requesting the SHPO’s concurrence with this determination.

ENDANGERED SPECIES: The project area is within the known or historic range of 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 and spectacled eider. We have initiated 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 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.

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 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

Wastewater Discharge Authorization Program (WDAP) / 401 Certification

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WDAP/401 CERTIFICATION

555 CORDOVA STREET

ANCHORAGE, ALASKA 99501-2617

PHONE: (907) 269-6285 | EMAIL: dec-401cert@alaska.gov

**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 (PN) Reference Number **POA-2018-00302, Miluveach 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 or via email to dec-401cert@alaska.gov by the expiration date of the Corps of Engineer's Public Notice. All comments should include the PN reference number listed above. Mailed comments must be postmarked on or before the expiration date of the public notice.

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact Theresa Zimmerman at 907-465-6171 or TDD Relay Service 1-800-770-8973/TTY or dial 711 within 5 days of the expiration date of this public notice to ensure that any necessary accommodations can be provided.



607,500

607,800

7,797,100

7,796,800

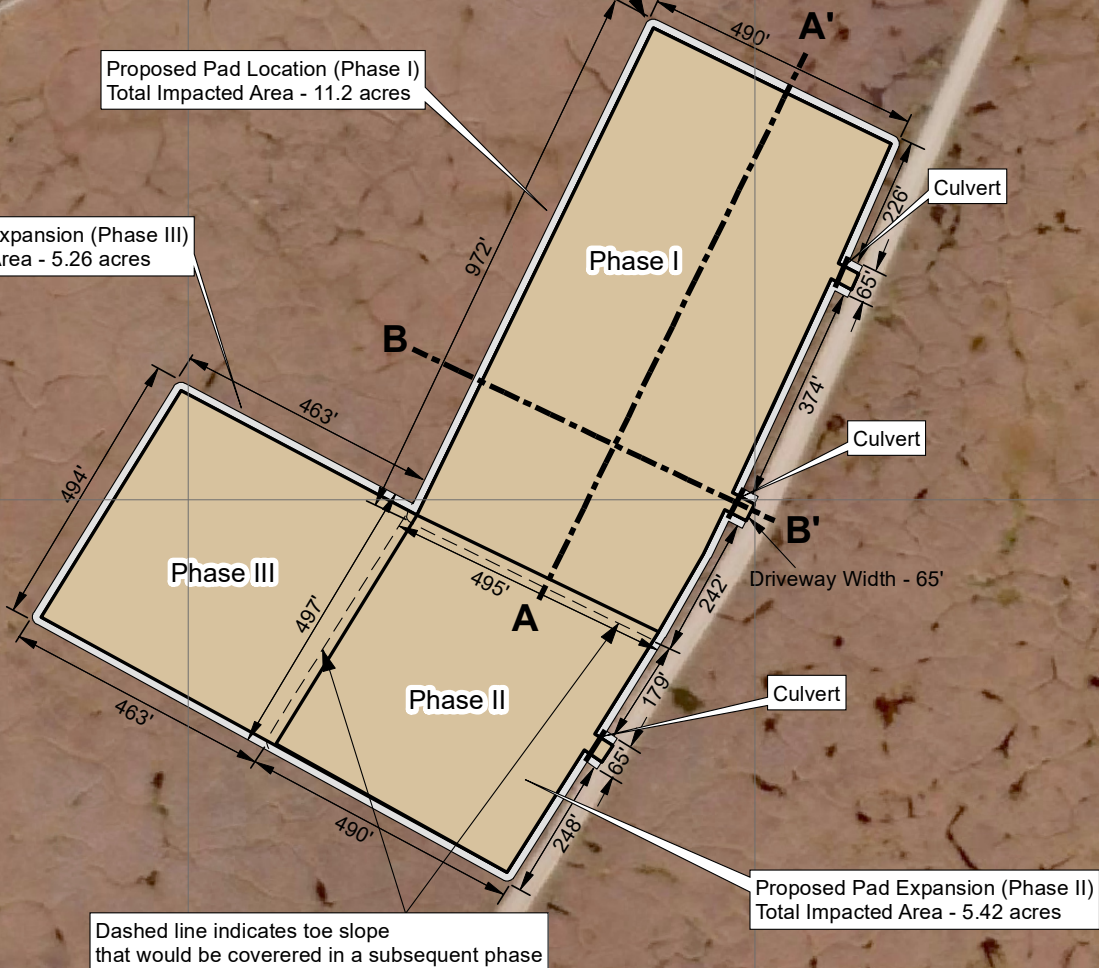
7,796,500

Pipeline (ALPSW, ALPPC, ALPAHF)

500' minimum

Proposed Pad Location (Phase I)
Total Impacted Area - 11.2 acres

Proposed Pad Expansion (Phase III)
Total Impacted Area - 5.26 acres



Dashed line indicates toe slope that would be covered in a subsequent phase

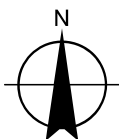
Proposed Pad Expansion (Phase II)
Total Impacted Area - 5.42 acres

Notes: Pad dimensions and total impacted area are toe to toe of the pad. Culverts will be installed under the driveways, running parallel to the Spine Road.

| Phase(s) | Pad Surface Area (acres) | Total Impacted Area (acres) |
|-------------|--------------------------|-----------------------------|
| I | 10 | 11.2 |
| I & II | 15 | 16.62 |
| I, II & III | 20 | 21.88 |

Legend

- Top of Pad
- Slope



Legend

- Cross-Section Line
- 0 200 400 600 Feet

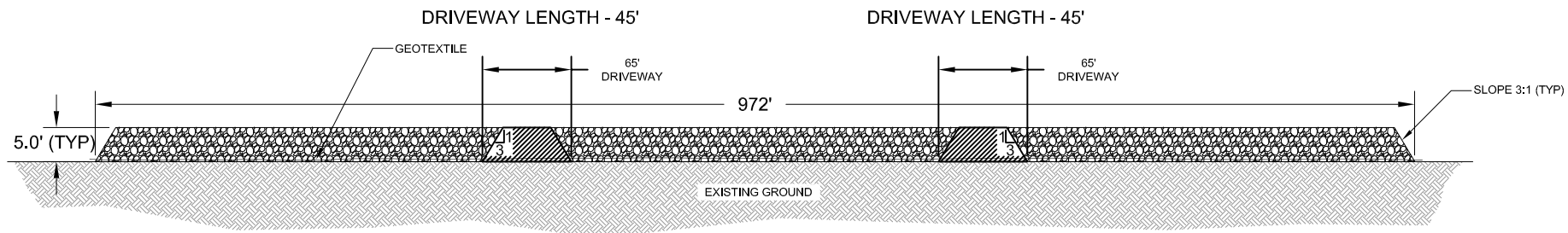
PROPOSED CAMA'I GRAVEL PAD

POA-2018-00302, Miluveach River
 Afognak Leasing, LLC.
 Drawings dated December 27, 2018
 Sheet 2 of 3

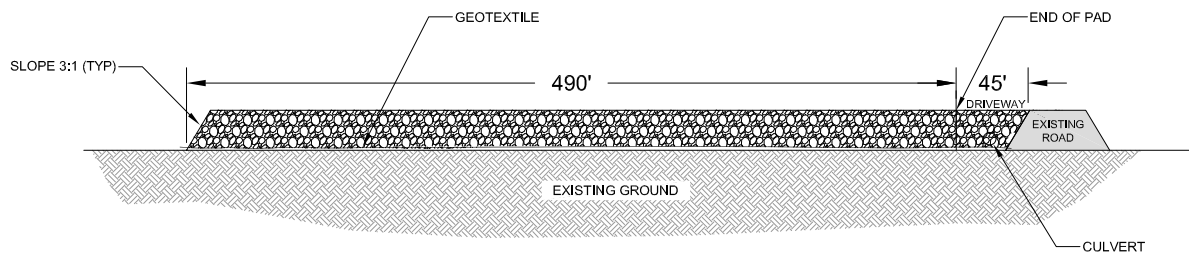
Pipelines
 (2)PNLSM1, 2PNLSPO,
 2NLPO, 2PNLSG1)

Date: 26 Dec 2018 Cartography by: SJ K:\PROJECTS\Industrial-Commercial\North_Slope\Afognak_Pad\MXDs\Proj_Descrip\2018_Cama1_Pad-04.mxd

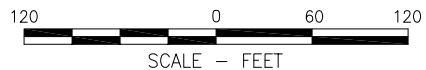
Imagery Source: Google Earth Pro, Digital Globe, 26 AUG 2014
Grid Coordinate System: UTM WGS84, Zone 5N, meters



A - A'



B - B'



VERTICAL EXAGGERATION - 5x

DATE: 16 JUL 2018

PREPARED BY: S. Johnson

REVIEWED BY: M. Larson

PROJECT No:



**AFOGNAK PAD
CROSS-SECTIONS**

FIGURE
POA-2018-00302, Miluveach River
Afognak Leasing, LLC.
Drawings dated December 27, 2018
Sheet 3 of 3