



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD
P.O. Box 35066
Fort Wainwright, Alaska 99703

PUBLIC NOTICE DATE:	January 27, 2022
EXPIRATION DATE:	February 25, 2022
REFERENCE NUMBER:	POA-2022-00033
WATERWAY:	Yukon 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 John Sargent at (907) 347-1801 or by email at John.C.Sargent@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Rampart Village Council, Attention: Margaret Moses

AGENT: Alaska Native Tribal Health Consortium, Attention: Karen Brown

LOCATION: The project site is located within Latitude 65.5146° N., Longitude 150.1449° W.; The project site is located near the north end of the Rampart Airport Runway in Rampart, Alaska.

PURPOSE: The applicant's stated purpose is to provide a source of gravel material for local community improvement work particularly the sewage and septic systems and associated infrastructure.

PROPOSED WORK: The applicant proposes to excavate, to a depth of about 3 feet, and transport up to 7,000 cubic yards of sandy gravel from the Yukon River bed below ordinary high water during low water periods within an 88-acre (2,000-foot by 1,925-foot) material site (ADL 421481) adjacent to the confluence of Minook Creek. A wheeled front-end loader would push the material into windrows and load into 14-cubic yard dump trucks. The Dump trucks would transport the material to an upland stockpile location. Approximately 1,111 cubic yards of sandy gravel would be also placed along 1,500 feet by 10 feet of riverbed as needed to stabilize the access route. All work would be performed in accordance with the enclosed plan (sheets 1-3), dated January 12, 2022.

ADDITIONAL INFORMATION: List of other approvals obtained or needed listed on application: Federal Aviation Administration-No Hazard (2021-AAL-407-OE); Alaska Department of Transportation and Public Utilities-Boundary Crossing; Alaska Department of Fish and Game Fish Habitat Permit-FH22-III-0003; Alaska Department of Natural Resources Material Sale (ADL 42181)

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

a. Avoidance: Avoidance would not be possible because the Yukon River material site is the only available site that would provide the necessary amount of gravel needed for future work in the community.

b. Minimization: Natural drainage patterns would be maintained to the extent practicable. An outlet channel from the depression created by the extraction would prevent fish entrapment as water levels fluctuate. The excavation and extraction work would occur when the site is dewatered during low river flow periods. The river naturally replenishes the gravel and sands in this area.

c. Compensatory Mitigation: Compensatory mitigation is not proposed. Gravel is required to construct projects necessary to reduce the environmental and health risks associated with the existing sewage disposal facilities.

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 cultural resources within the vicinity of the permit area. The permit area has been determined to be the proposed project footprint area. Consultation of the AHRs constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time. 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: 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).

The project area is within the known range of spawning, rearing and migrating Chinook salmon, chum salmon, coho salmon, pink salmon, sockeye salmon, Arctic lamprey, sheefish, and whitefish species.

A Fish Habitat Permit has been issued on January 5, 2022, by Alaska Department of Fish and Game (FH22-II-0003).

We have determined the described activity would not adversely affect EFH in the project area.

TRIBAL CONSULTATION: The U.S. Army Corps of Engineers 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) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(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).

() Transport dredged material for the purpose of dumping it into ocean waters - Section 103 Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413). Therefore, our public interest review will consider the criteria established under authority of Section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972, as amended (40 CFR Parts 220 to 229), as appropriate.

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



PUBLIC NOTICE

Alaska Department of Environmental Conservation (DEC)
Wastewater Discharge Authorization Program/401 Certification
555 Cordova Street, Anchorage AK 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 (CWA) 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 CWA, the Alaska Water Quality Standards, and other applicable State laws.

Notice is hereby given that a request for a CWA §401 Water Quality Certification of a Department of the Army Permit application, Corps of Engineers' Reference Number POA-2022-00033, Yukon River, has been received for the discharge of dredged and/or fill materials into waters of the United States (WOUS), including wetlands, as described in the Corps public notice and project figures/drawings (18 AAC 15.180).

Any person desiring to comment on the project with respect to water quality, may submit comments electronically via email to DEC-401cert@alaska.gov by the expiration date of the Corps of Engineer's public notice. All comments need to include the Corps public notice reference number in the subject heading. Physically mailed comments must be postmarked on or before the expiration date of the public notice.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the CWA, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

The permit application and associated documents are available for review. For inquiries or to request copies of the documents, contact dec-401cert@alaska.gov, or call 907-269-6285.

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act (ADA) 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 ADA Coordinator Brian Blessington at 907-269-6272 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.

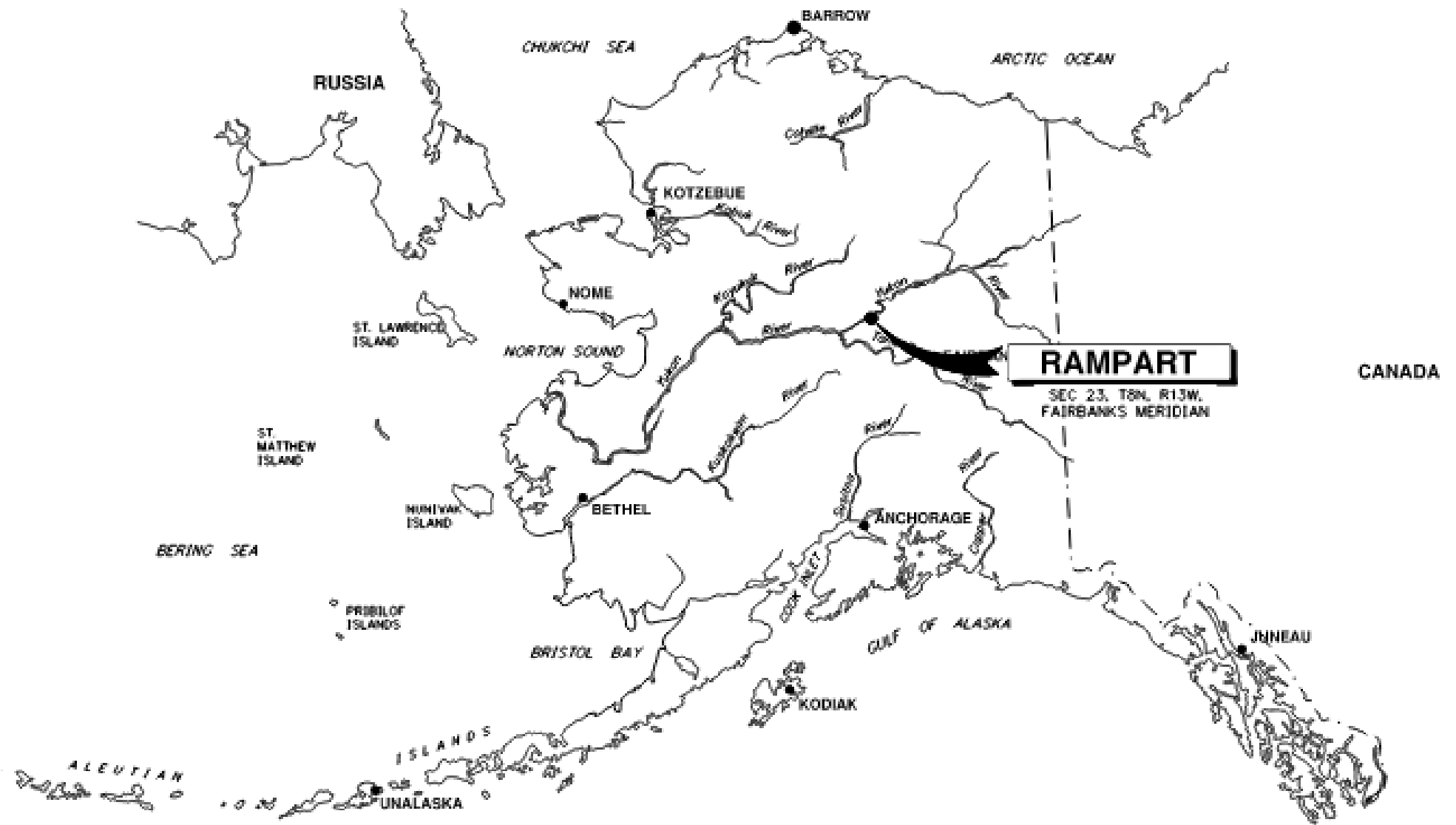
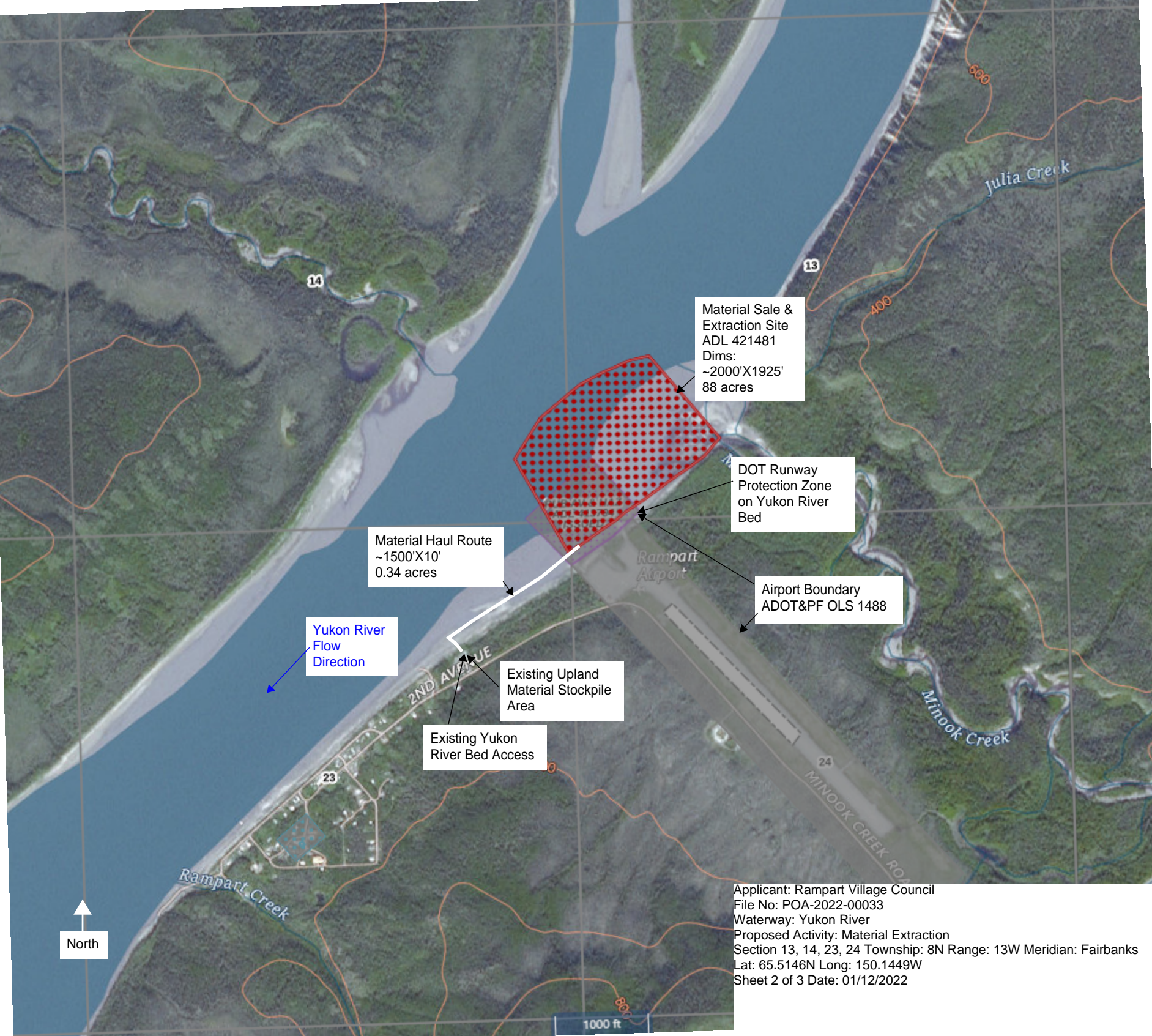


Figure 1: Vicinity Map

Applicant: Rampart Village Council
 File No: POA- 2022-00033
 Waterway: Yukon River
 Proposed Activity: Material Extraction
 Section 13, 14, 23, 24 Township: 8N Range: 13W Meridian: Fairbanks
 Lat: 65.5146N Long: 150.1449W
 Sheet 1 of 3 Date: 01/12/2022



Material Sale & Extraction Site
ADL 421481
Dims:
~2000'X1925'
88 acres

DOT Runway
Protection Zone
on Yukon River
Bed

Airport Boundary
ADOT&PF OLS 1488

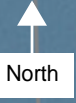
Material Haul Route
~1500'X10'
0.34 acres

Yukon River
Flow
Direction

Existing Upland
Material Stockpile
Area

Existing Yukon
River Bed Access

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1000 ft

Rampart, Alaska

Material Sale & Extraction Site
ADL 421481
Dims:
~2000'X1925'
88 acres

Minook Creek

Material Haul Route
~1500'X10'
0.34 acres

ADOT&PF
RPZ
LAS 413794

Rampart Airport
Runway 11

Yukon River

Baan O Yeel
Kon Corp -
land owner

Airport Boundary
ADOT&PF OLS 1488

Little Minook Creek
Road

Material Stockpile

Rampart Village
Landfill

Rampart Airport
Runway 29

North

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