



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

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| PUBLIC NOTICE DATE: | April 4, 2022 |
| EXPIRATION DATE: | May 4, 2022 |
| REFERENCE NUMBER: | POA-2022-00052 |
| WATERWAY: | Golovin Bay |

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 Steve Moore at (907) 753-5713, toll free from within Alaska at (800) 478-2712, or by email at stephen.a.moore2@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mr. Martin A. Aukongak, Golovin Native Corporation, PO Box 62099, Golovin, Alaska 99762-6099. Telephone: 907-779-3251.

AGENT: Ms. Tiffany Phelan, MLP & Associate, LLC, 701 Depot Drive, Anchorage, Alaska 99501. Email: tiffany@mlpassociates.com; telephone: 907-782-0271.

LOCATION: The project site is located within Sections 21 & 28, T. 11S., R.21W., Kateel River Meridian; USGS Quad Map Solomon C-3; near Latitude 64.514490 N., Longitude 162.886652 W.; Nome Census Area, on the western shoreline of Golovin Bay along the Seward Peninsula, approximately 4.4 miles southeasterly from the Village of Golovin, Alaska.

PURPOSE: The applicant's stated purpose is to create a gravel extraction site to support regional private and public construction projects.

PROPOSED WORK: The proposed development involves extraction of surface sand and gravel, followed by drilling and blasting of bedrock within 84.86 acres of an undeveloped 103.20-acre property. Approximately 341,600 cubic yards of sand and gravel will be extracted to an average depth of 12-feet. Topsoil and overburden will be stockpiled onsite for reuse. The stockpiles will be located away from areas of concentrated runoff flow and a minimum of 100-feet from waters of the U.S.

The property will be mined in Blocks of which there are seven Blocks ranging in area from approximately 6.5 to 15.8 acres. The anticipated direction of mining will proceed from the southern corner working west and north. Anticipated sequence of material extraction is Block 1 followed by Block 2, Block 3, Block 4, Block 5, Block 6, and Block 7. The sequence may change as the material is exposed during extraction to remove material meeting various project requirements. The material will be extracted with excavators and bulldozers and hauled to the shoreline with articulated off-road dump trucks for loading on deck barges.

Equipment will access the site via deck barges along the shoreline. No roads exist to access the material site. Once an extraction Block has been exhausted of borrow material, the slopes will be graded at a 2 horizontal to 1 vertical (2:1) slope and stockpiled topsoil and overburden placed on the slopes. Topsoil and overburden will be placed on the slopes and pit floor with an excavator and bulldozer. Natural vegetation and/or seed will be placed on the reclaimed slopes.

Drainage patterns will generally be preserved around the proposed project. No stream crossings are present at the project site. Post development, the extraction site will be sloped to sheet drain across the site to constructed swales along the access road toward the beach. No permanent drainage structures other than swales are included in this project.

Extraction work will be performed using heavy equipment including excavators, dozers, front-end loaders, articulated dump trucks, grader, water truck, and processing equipment. Drilling and blasting will be a part of the operations at this site. Processing equipment will include rock crusher, various screen plants, conveyor belts, feed hoppers, camp facilities, generators, and fuel storage.

Access to the site will be by beach landing craft and/or deck barge with landing ramp adjacent to the extraction site. No permanent moorings are planned. No ice roads are planned at this time.

Equipment and supplies will be stored onsite in the project staging area. Onsite fuel storage will be under 10,000 gallons of diesel fuel. During extraction, storm water runoff will be controlled by best management practices (BMPs) as detailed in an Alaska Department of Environmental Conservation (ADEC) Multi-Sector General Permit (MSGP) Storm Water Pollution Prevention Plan (SWPPP) which will be prepared for the project. The MSGP SWPPP will include installation of perimeter BMPs to minimize erosion, use of track walking or other slope stabilization techniques where needed, and watering for dust control and establishment of vegetation.

A reclamation plan (as required by Alaska Department of Natural Resources [ADNR] pursuant to AS 27.19) will be filed with the state before extraction activities commence. Dewatering is not anticipated, but if encountered, a dewatering authorization will be obtained from ADEC under the Excavation Dewatering General Permit for discharges to land of equal to or greater than 250,000 gallons, or discharges to land at a rate equal to or greater than 40 gallons per minute, if needed. No known contaminated sites are within one mile of the subject property based on a review of the ADEC Contaminated Sites website (<https://dec.alaska.gov/spar/csp/> reviewed on December 13, 2021).

It is anticipated that material extraction will occur from 2022 to 2032. Material extraction is estimated to begin in May/June and end in September each year. Work will take place 12 hours per day, 7 days per week.

All work would be performed in accordance with the enclosed plan (sheets 1-4).

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 wetlands are located on the subject property and it is not practicable to avoid all wetlands.

b. Minimization: The applicant has stated that the project is designed to reduce wetland impacts to the greatest extent practicable. To minimize the impact of this project on the environment, the applicant has proposed the following measures:

- The proposed project will follow any necessary USFWS and NOAA Fisheries recommendations for avoiding disturbance of migratory birds or Threatened or Endangered species.
- Project activities will avoid McKinley Creek as well as any known Historic Properties.
- The limits of extraction will be clearly identified in the field prior to extraction to ensure the permitted project footprint is not exceeded during development.
- Extraction will occur in one 6.5-to-15.8-acre Block at a time until all usable material is exhausted.
- Movement of construction equipment would be restricted to within the identified project boundaries to minimize disturbance to native vegetation.
- Stockpiles, if any, would not occur in wetlands that are not proposed for permanent fill placement and would be covered to protect from storm water runoff.
- BMPs such as fiber rolls would be installed and implemented to minimize the introduction of additional suspended sediment into the wetlands.
- All refuse, garbage, or debris created during activities will be removed and disposed of at an approved facility.

c. Compensatory Mitigation: The applicant has stated that after aggregate material has been mined and the site reclaimed that the site will naturally be restored to a wetland/aquatic resource. The applicant states that compensatory mitigation is not practicable for this project as the site will ultimately remain a wetland/aquatic resource after the project is complete.

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 (ADEC).

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. The permit area has been determined to be only those areas comprised of waters of the United States upon which fill is being excavated and deposited within the proposed project site boundary. There are no known cultural resources in the permit area, however two known sites are located in proximity to the permit area boundary. Consultation of the AHRs, and a literature review provided by the applicant, constitutes the extent of cultural resource investigations by the 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: We have determined the described activity may affect the spectacled eider (*Somateria fischeri*), Steller's eider (*Polysticta stelleri*), and polar bear (*Ursus maritimus*). 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 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).

We are currently gathering information regarding these species and have yet to make a determination of effect. Should we find that the described activity may affect the species listed above, we will follow the appropriate course of action under Section 305(b)(2) of the Magnuson-Stevens Act. Any comments the National Marine Fisheries Service may have concerning essential fish habitat will be considered in our final assessment of the described work.

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



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' Reference Number POA-2022-00052, Golovin Bay, 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).

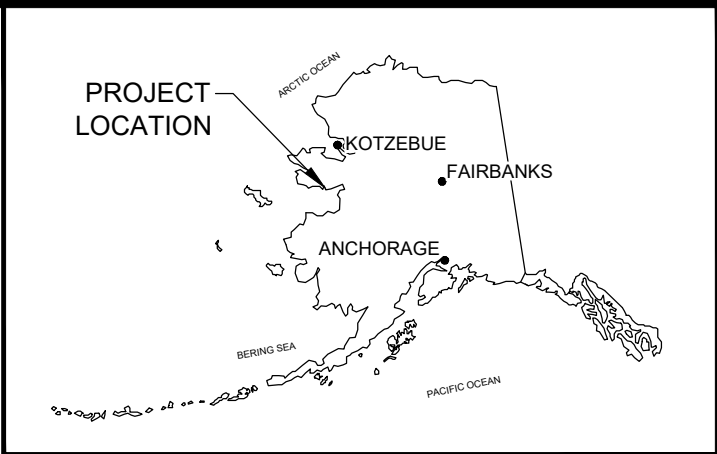
Any person desiring to comment on the project with respect to water quality, may submit comments electronically via email to DEC-401cert@alaska.gov by the expiration date of the Corps of Engineer's public notice. All comments need to include the Corps public notice reference number in the subject heading.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

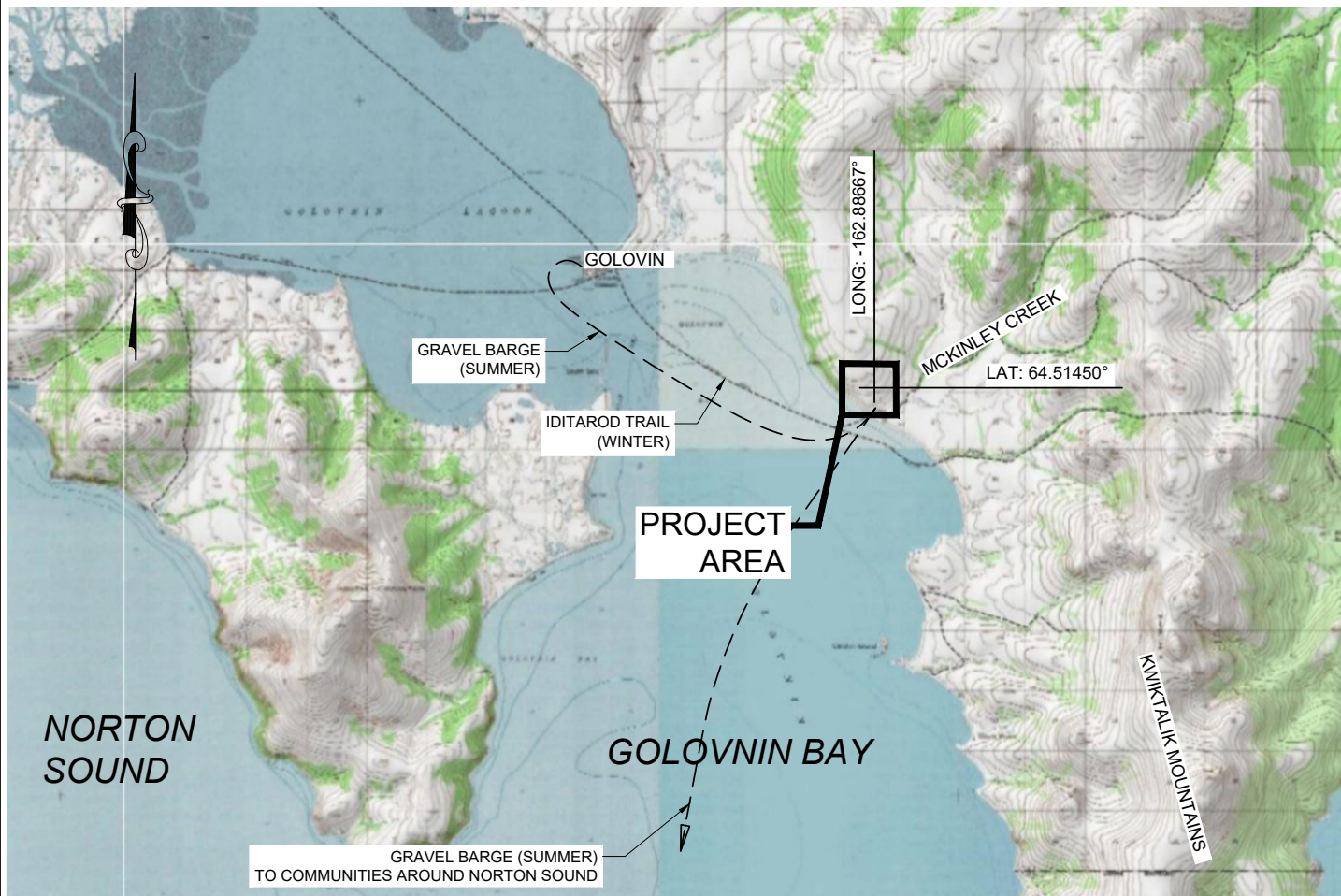
The permit application and associated documents are available for review. For inquires or to request copies of the documents, contact dec-401cert@alaska.gov, or call 907-269-6285.

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.



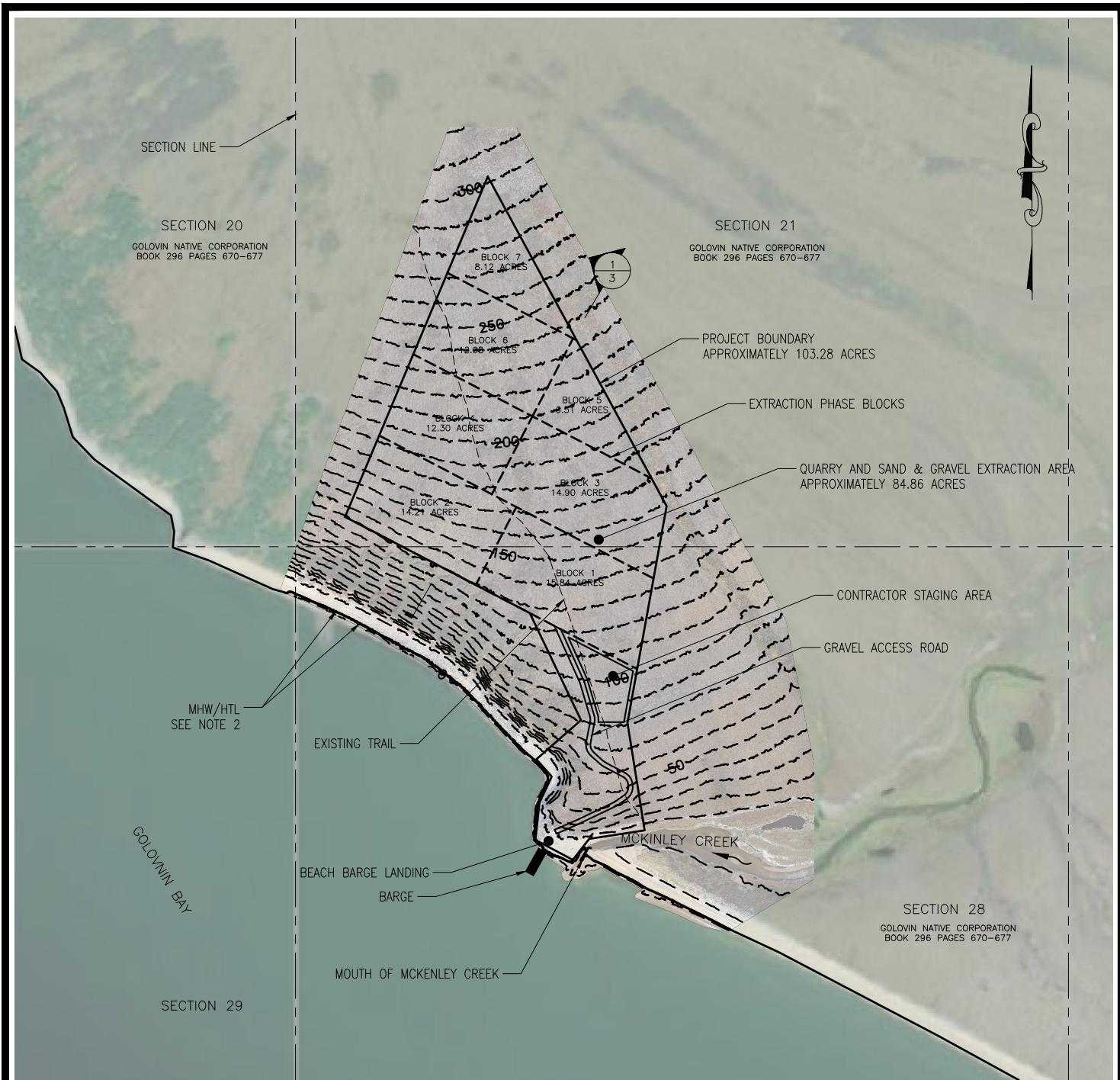
LOCATION



VICINITY MAP



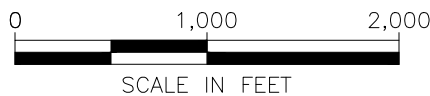
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| GOLOVIN ROCK QUARRY | |
| QUARRY AND SAND & GRAVEL EXTRACTION GOLOVIN, ALASKA | |
| WATERBODY: GOLOVNIN BAY | |
| SECTION: 21&28 TOWNSHIP: 11S RANGE: 21W MERIDIAN: KATEEL RIVER USGS QUADRANGLE SOLOMON 53 LAT: 64.51450° LONG: -162.88667° | |
| LOCATION AND VICINITY MAP | |
| 1/28/2022 | SHEET 1 OF 4 |



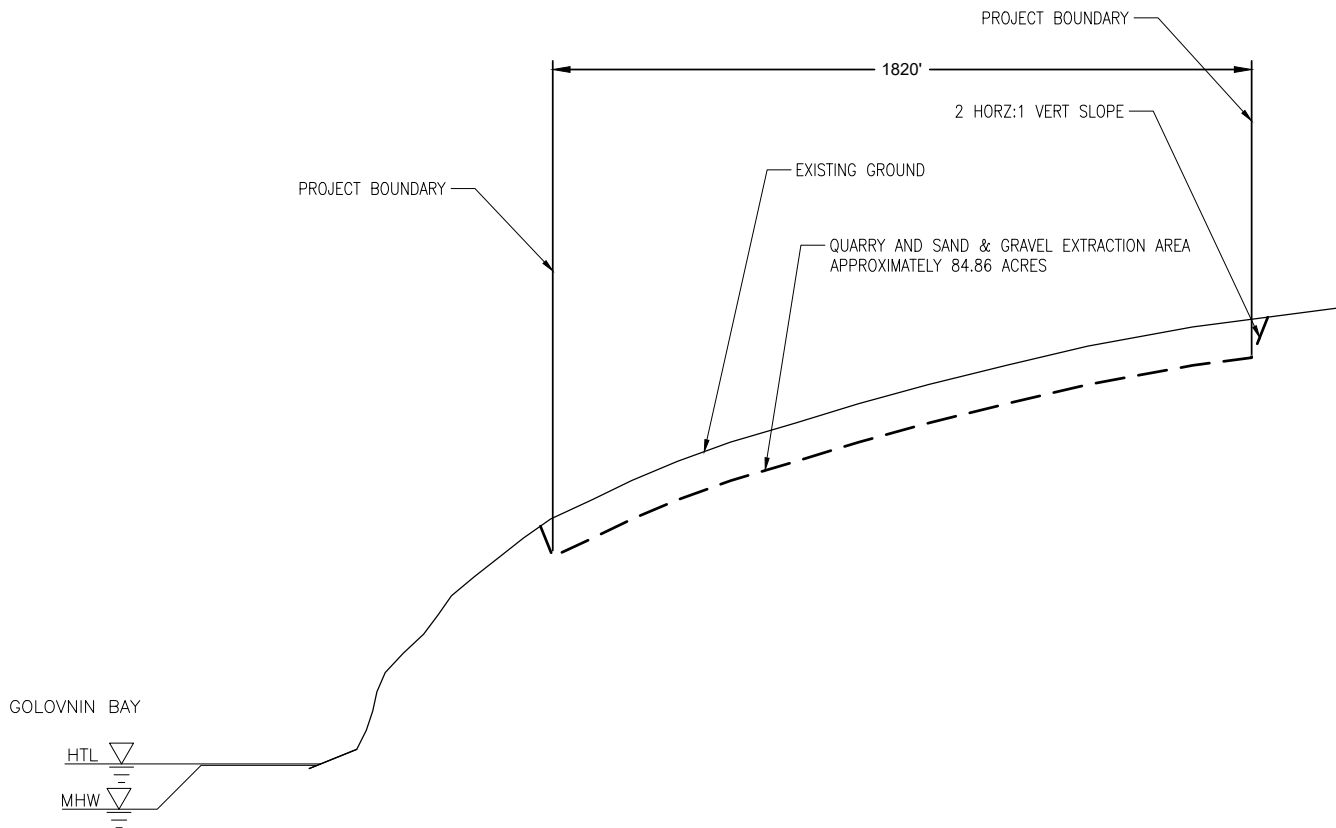
PROJECT SITE

NOTES:

1. IMAGE SOURCE WAS PRODUCED BY AERIAL PHOTOGRAPHY CAPTURED ON SEPTEMBER 30, 2021 AND PROCESSED IN PIX 4D MAPPER V.4.5.3 BY EDGE SURVEY AND DESIGN, LLC.
2. TIDAL INFORMATION (NAVD88).
 - 2.1. MHW (MEAN HIGH WATER) = 2.26'
 - 2.2. HTL (HIGH TIDE LINE) = 1.70'
 - 2.3. MLLW (MEAN LOWER-LOW WATER) = 0.00'
3. GROUND ELEVATION DATA WAS COLLECTED BY EDGE SURVEY AND DESIGN ON SEPTEMBER 30, 2021 WITH LIDAR EQUIPMENT.



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| PROJECT SITE |
| 1/28/2022 SHEET 2 OF 4 |



1 SITE SECTION

NOTES:

1. TIDAL INFORMATION (NAVD88).
 - 1.1. MHW (MEAN HIGH WATER) = 2.26'
 - 1.2. HTL (HIGH TIDE LINE) = 1.70'
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| SITE SECTION |
| 1/28/2022 SHEET 3 OF 4 |



BARGE LANDING

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