



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

ANCHORAGE
Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

PUBLIC NOTICE DATE:	September 1, 2022
EXPIRATION DATE:	October 1, 2022
REFERENCE NUMBER:	POA-2022-00363
WATERWAY:	Colville 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 P. Allen Atkins at (907) 753-2780, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at patrick.a.atkins@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Ms. Willow Hetrick, Kuukpik Corporation, 583 East 36th Avenue, Anchorage, Alaska 99503.

AGENT: Mr. Joseph Christopher, ASRC Consulting & Environmental, LLC, 3900 C Street, Anchorage, Alaska 99503.

LOCATION: The project site is located at Latitude 70.330215° N., Longitude 150.552723° W.; near the Colville River in North Slope Borough, Alaska.

PURPOSE: The applicant's stated purpose is to provide storage and staging areas for equipment and materials related to recent oil and gas development activities that support Kuukpik, its subsidiaries and joint venture entities.

PROPOSED WORK: Kuukpik Oil Field Services (KOS) is proposing to discharge up to 79,095 cubic yards of clean gravel fill into 9.983 acres in order to construct a new lay down area/storage pad on lands owned and managed by Kuukpik Corporation. The proposed pad would be approximately 576 feet wide, 755 feet long, and be a minimum of 5 feet deep. All work would be performed in accordance with the enclosed plan (sheets 1-3), dated July 8, 2022.

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 project area is comprised entirely of jurisdictional waters of the U.S. therefore complete avoidance was not practicable, while still meeting the purpose and need of the project. However, practicable measures will be implemented to include: 1. No fill is to be placed in documented locations of ESA listed bird species, 2. Fill will be placed during winter months when migratory birds are not present, 3. No fill is to be placed in documented polar bear dens or denning habitat, 4. Best Management Practices (BMPs) will be implemented to control erosion and sedimentation of newly placed gravel, and 5. Fuel will not be stored at the proposed pad location.

b. Minimization: Minimization measures will be implemented to reduce impacts to waters of the U.S. to include: 1. Construction will occur during frozen ground conditions, 2. The pad will have a minimum thickness of five feet to insulate underlying permafrost, 3. Pad slopes will be constructed at 2:1 ratio reducing impact to resources, and 4. Regular pad surface watering will occur to reduce dust deposition on the tundra.

c. Compensatory Mitigation: The applicant purposes no 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 footprint of the proposed pad and the immediate vicinity of the project location. Consultation of the AHRs constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps is currently gathering and evaluating information regarding this project and the permit area and has yet to make an effect determination for the proposed project.

If applicable this application will be coordinated with the State Historic Preservation Office (SHPO), federally recognized tribes, and other consulting parties. Any comments SHPO, federally recognized tribes, and other consulting parties 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: The project area is within the known or historic range of polar bears (*Ursus maritimus*), spectacled eider (*Somateria fischeri*) and Steller's eider (*Polysticta stelleri*).

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, and/or its designated critical habitat, we will follow the appropriate consultation procedures under section 7 of the Endangered Species Act of 1973 (87 Stat. 844). Any comments the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) 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 Corps 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 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 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:

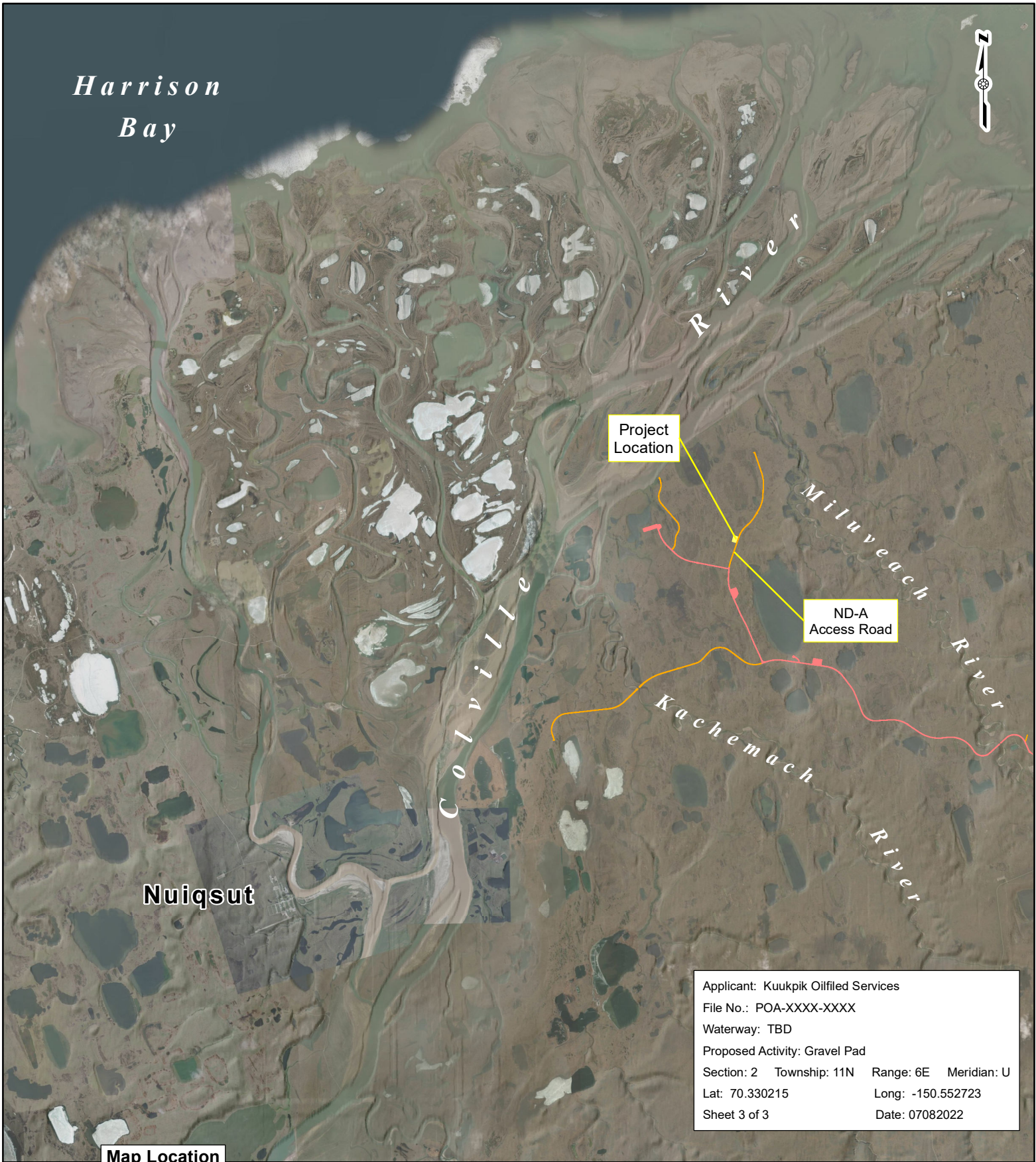
(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings are enclosed with this Public Notice.

District Commander
U.S. Army, Corps

Enclosures

Harrison Bay



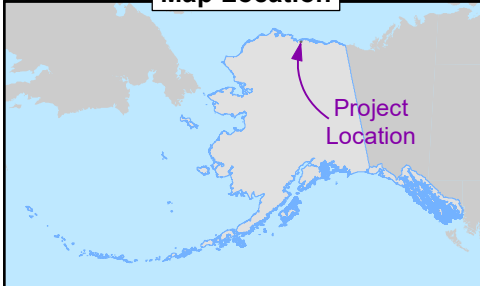
Project Location

ND-A Access Road

Nuiqsut

Applicant: Kuukpik Oilfield Services
 File No.: POA-XXXX-XXXX
 Waterway: TBD
 Proposed Activity: Gravel Pad
 Section: 2 Township: 11N Range: 6E Meridian: U
 Lat: 70.330215 Long: -150.552723
 Sheet 3 of 3 Date: 07082022

Map Location



Existing Infrastructure (red line) Permitted (yellow line)

USGS Quadrangle: Harrison Bay B-1
 Center Coordinate:* -150.5527, 70.3302

*Coordinates: Alaska State Plane Zone 4 (NAD83, feet) decimal degrees



SITE VICINITY MAP KOS Pad USACE Permit Application

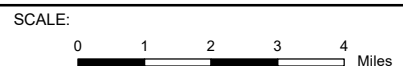




FIGURE: 1



**PUBH, PEM1H, PEM1F,
PEM1/SS1B, PEM1/SS3B***

Footprint (acres): 10
Fill Quantity (cy): 79,095

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	KOS Pad		Profile Section
	Access Road		Wetland



PLAN VIEW
KOS Pad
USACE Permit Application

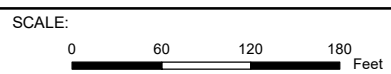
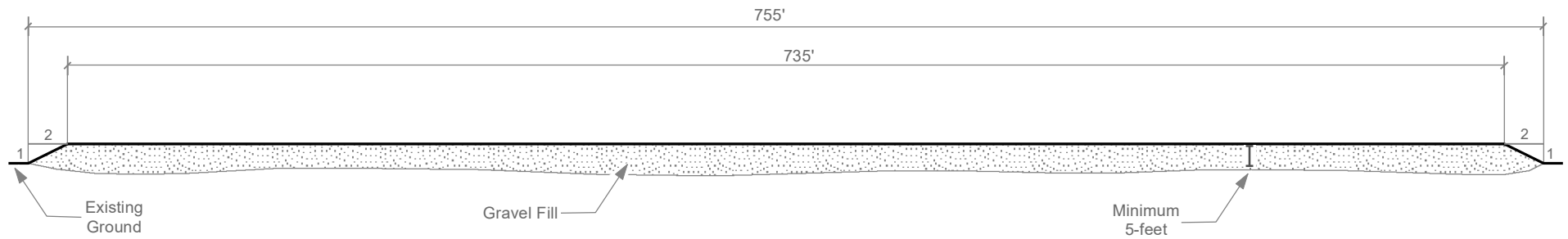
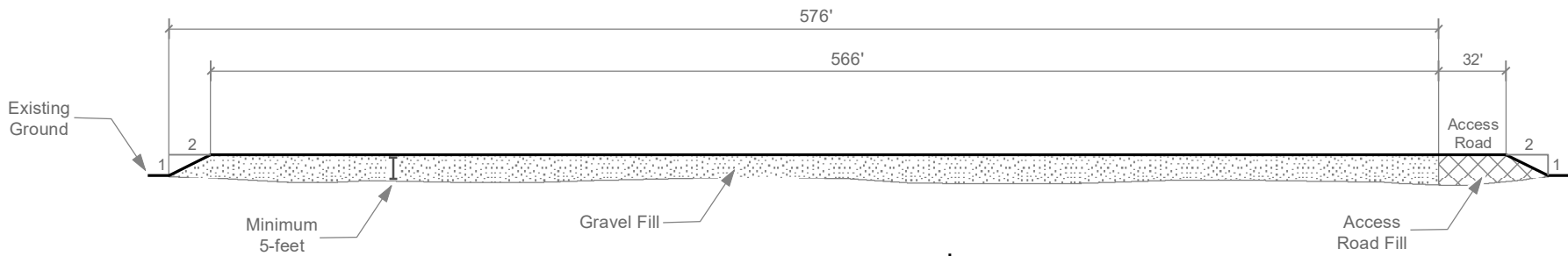


FIGURE:
2

*Mosaic Wetland





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TYPICAL CROSS SECTIONS
 KOS Pad
 USACE Permit Application



ASRC Consulting & Environmental
 a subsidiary of ASRC Energy Services

FIGURE:
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