



US Army Corps
of Engineers
Alaska District

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

Public Notice of Application for Permit

| | |
|----------------------------|--------------------------|
| PUBLIC NOTICE DATE: | May 31, 2023 |
| EXPIRATION DATE: | June 30, 2023 |
| REFERENCE NUMBER: | POA-2014-00148-M1 |
| WATERWAY: | Putuligayuk 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.

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 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. Joe Ramirez, North Slope Borough; P.O. Box 350, Utqiagvik, Alaska 99723. Phone: (907) 852-0489. Email: Joe.Ramirez@north-slope.org

AGENT: Ms. Emily McDonald, UMIAQ; 6700 Arctic Spur Road, Anchorage, Alaska 99518. Phone (907) 677-8288. Email: Emily.McDonald@uiccs.com

LOCATION: The proposed project is located within Section 26, T. 11 N., R. 14 E., Umiat Meridian; USGS Quad Beechey Point B-3; Latitude 70.2843° N, Longitude -148.5209° W; State Tax Parcel IDL 414832, North Slope Borough, approximately eight miles by road from Deadhorse, Alaska.

PURPOSE: The applicant's stated purpose is to increase the existing capacity of the SA-10 landfill. The landfill expansion would ensure uninterrupted solid waste disposal for the area.

PROPOSED WORK: To excavate 300,000 cubic yards and subsequently place 80,000 cubic yards of gravel material into 18 acres of palustrine wetlands for Phase 2 of the existing SA-10 landfill to insure uninterrupted solid waste disposal. The site is surrounded by a gravel access road which borders the landfill activity, between the existing active cell (Cell 1), and a closed landfill cell. Cell 2 will be 849-feet by 946-feet, encompassing approximately 18 acres. It will contain four waste management units (WMUs). Each WMU will contain a leachate collection channel leading to a wet well sump to keep leachate within the landfill cell when active. All work would be performed in accordance with the enclosed plan (sheets 1-5), dated March 13, 2023.

ADDITIONAL INFORMATION: The permit for Phase I of the existing landfill was issued on December 5, 2014, and construction completed in 2015.

APPLICANT PROPOSED MITIGATION: The applicant provided the following mitigation statement regarding avoidance, minimization, and compensation for impacts to waters of the United States from activities involving discharges of dredged or fill material:

In accordance with Special Condition 1 of POA-2014-148, 47.20 Palustrine credits were purchased through The Conservation Fund's In-Lieu Fee Program in 2015. Cell 2 is within the developed landfill boundary, bordered by a gravel access perimeter road and within the permitted footprint of POA-2014-148. Due to the use as a public utility, additional compensatory mitigation is not proposed.

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). The applicant made a water quality certification request via the ADEC Environmental Data Management System portal on March 15, 2023.

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. Cell 2 was evaluated as part of the permit area for the original project and received a *No Historic Properties Affected* determination from the State Historic Preservation Office (SHPO) on February 14, 2014 (3130-3R NSB). This application is being coordinated with the SHPO and any comments they 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 the threatened spectacled eider (*Somateria fischeri*), Steller's eider (*Polysticta stelleri*), and polar bear (*Ursus maritimus*).

We have determined the described activity may affect these threatened species. We will initiate the appropriate consultation procedures under section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service(USFWS). Any comments USFWS 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 National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The project area would be located approximately 200 feet from the Putuligayuk River, which provides habitat for anadromous and resident species such as broad whitefish, Dolly Varden, Leas Cisco, and white fish. Rainbow smelt is also present in this river. A protective 200 foot buffer (see project plans) was designated for this area as part of the original landfill and will be maintained as part of the Phase II expansion.

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 Corps, 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.

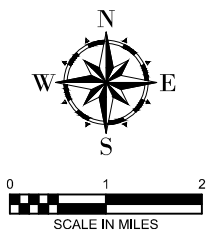
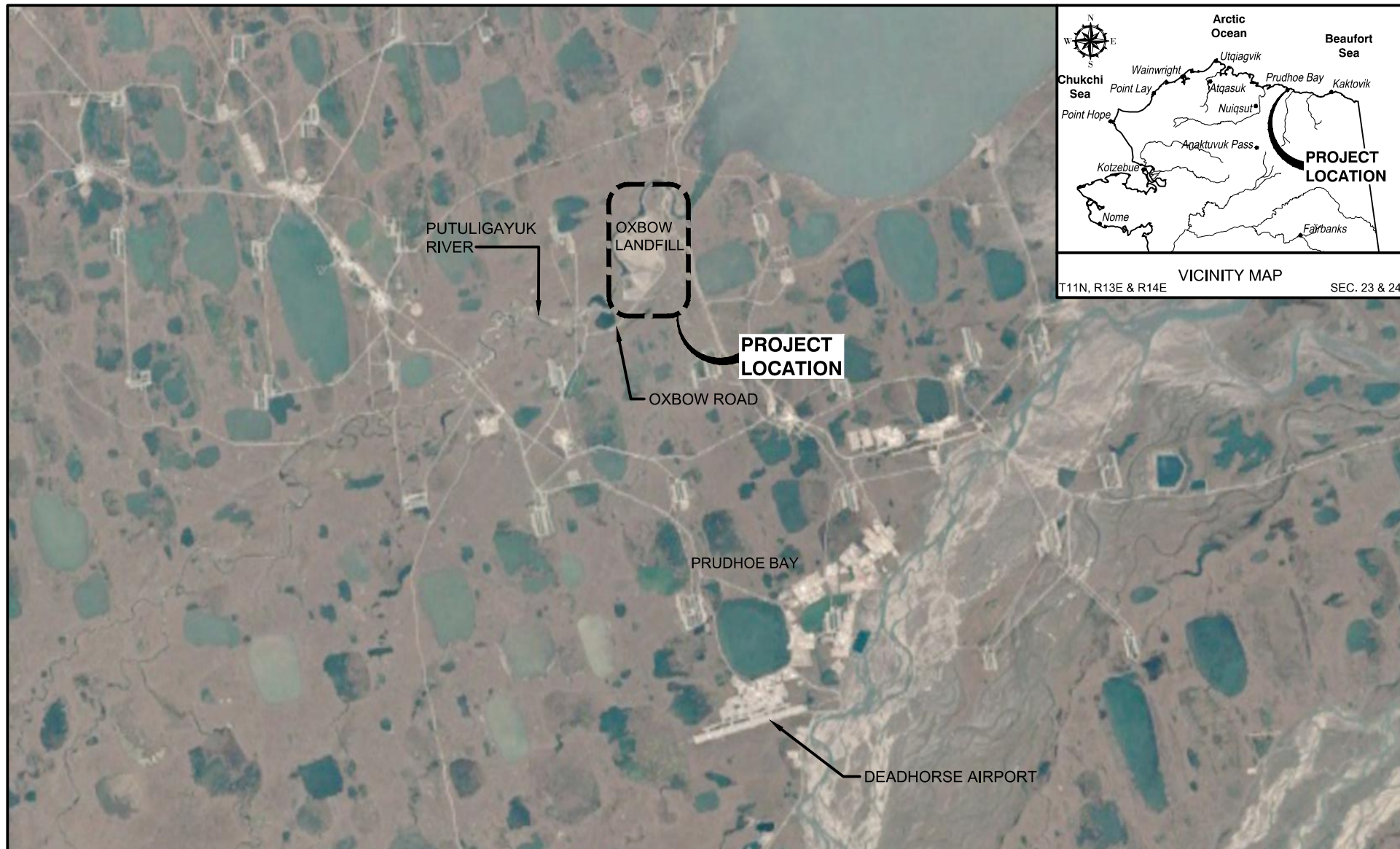
AUTHORITY: This permit will be issued or denied under the following authorities:

(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 of Engineers

Enclosure



PURPOSE:
LANDFILL EXPANSION PERMITTING

ADJACENT PROPERTY OWNERS:
NORTH SLOPE BOROUGH

LOCATION PLAN

APPLICANT/AGENT:
NORTH SLOPE BOROUGH

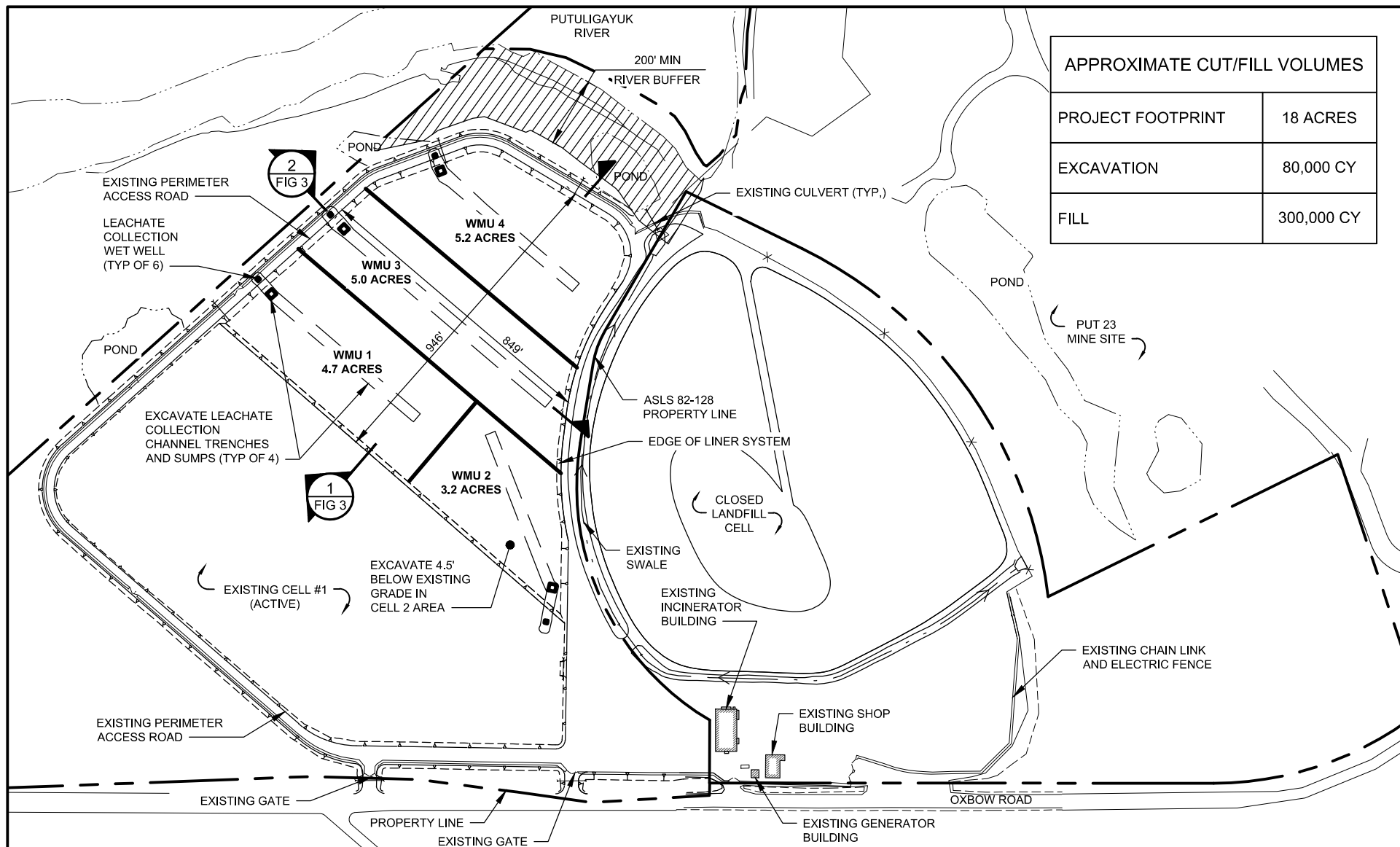
AGENT:
UMIAQ DESIGN, LLC
6700 ARCTIC SPUR ROAD
ANCHORAGE, ALASKA 99516

**SA-10 LANDFILL EXPANSION
CELL 2 DEVELOPMENT
PROJECT NO. 9031 WASTE**

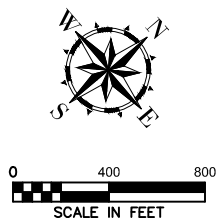
T11N, R14E, SEC 23 AND 24

DATE: 3/13/2023

SHEET: FIGURE 1



| APPROXIMATE CUT/FILL VOLUMES | |
|------------------------------|------------|
| PROJECT FOOTPRINT | 18 ACRES |
| EXCAVATION | 80,000 CY |
| FILL | 300,000 CY |



PURPOSE:
LANDFILL EXPANSION PERMITTING

ADJACENT PROPERTY OWNERS:
NORTH SLOPE BOROUGH

SITE PLAN

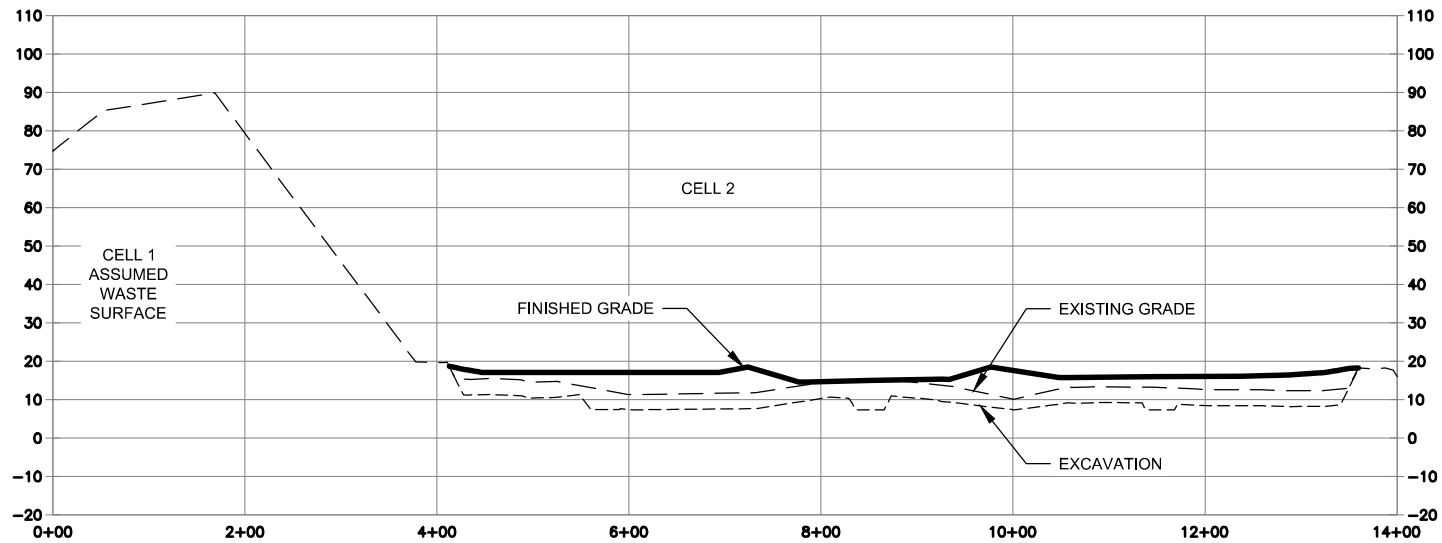
APPLICANT/AGENT:
NORTH SLOPE BOROUGH

AGENT:
UMIAQ DESIGN, LLC
6700 ARCTIC SPUR ROAD
ANCHORAGE, ALASKA 99516

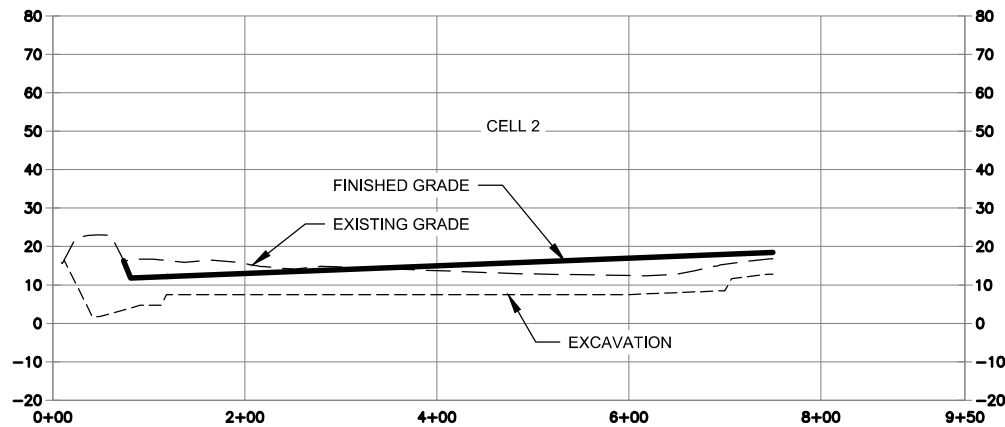
**SA-10 LANDFILL EXPANSION
CELL 2 DEVELOPMENT
PROJECT NO. 9031 WASTE**

T11N, R14E, SEC 23 AND 24

DATE: 3/13/2023 SHEET: FIGURE 2



1
FIG 3 SCALE: N.T.S. **TYPICAL EXCAVATION AND STRUCTURAL FILL SECTION 1**



2
FIG 3 SCALE: N.T.S. **TYPICAL EXCAVATION AND STRUCTURAL FILL SECTION 2**

PURPOSE:
LANDFILL EXPANSION PERMITTING

ADJACENT PROPERTY OWNERS:
NORTH SLOPE BOROUGH

PROFILES

APPLICANT/AGENT:
NORTH SLOPE BOROUGH

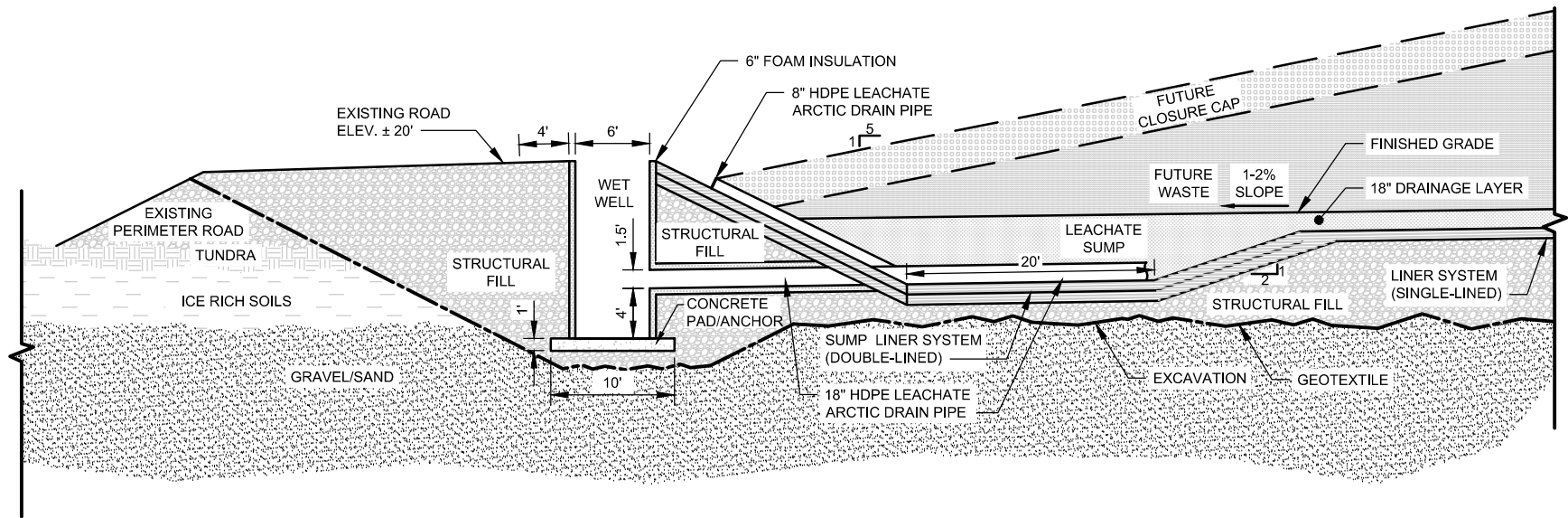
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**SA-10 LANDFILL EXPANSION
CELL 2 DEVELOPMENT
PROJECT NO. 9031 WASTE**

T11N, R14E, SEC 23 AND 24

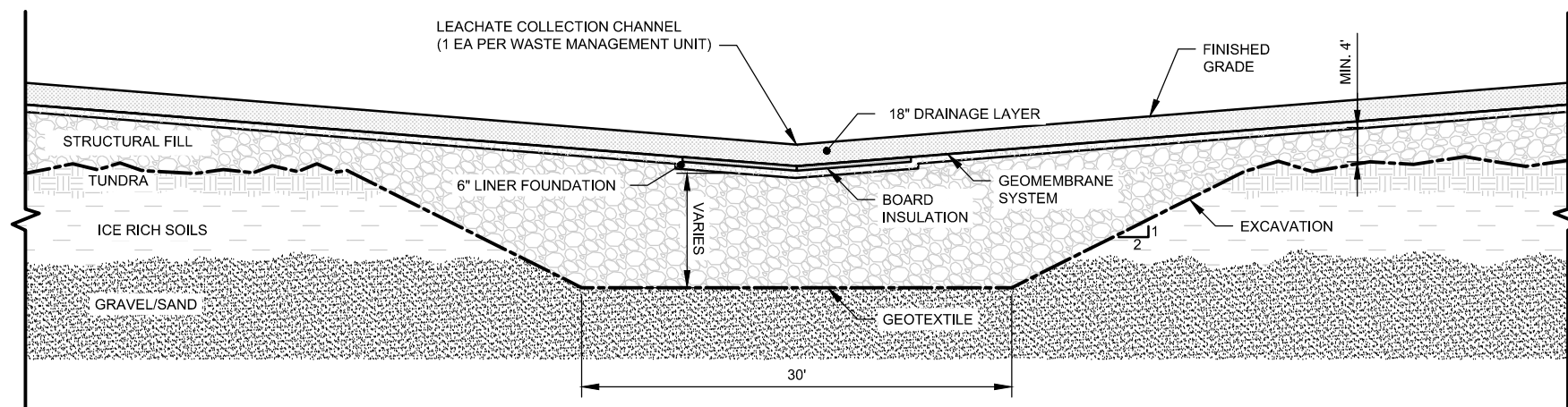
DATE: 3/13/2023

SHEET: FIGURE 3



1
FIG 4 TYPICAL SUMP AND WET WELL DETAIL
SCALE: N.T.S.

| | | | | |
|--|---|--|--|-----------------|
| PURPOSE: LANDFILL EXPANSION PERMITTING | DETAIL | | SA-10 LANDFILL EXPANSION CELL 2 DEVELOPMENT PROJECT NO. 9031 WASTE | |
| | APPLICANT/AGENT: NORTH SLOPE BOROUGH | | | |
| ADJACENT PROPERTY OWNERS: NORTH SLOPE BOROUGH | AGENT: UMIAQ DESIGN, LLC 6700 ARCTIC SPUR ROAD ANCHORAGE, ALASKA 99516 | | T11N, R14E, SEC 23 AND 24 | |
| | | | DATE: 3/13/2023 | SHEET: FIGURE 4 |



1
FIG 5 **TYPICAL LEACHATE COLLECTION CHANNEL DETAIL**
SCALE: N.T.S.

| | | | | |
|---|--|--|---|--|
| PURPOSE: LANDFILL EXPANSION PERMITTING ADJACENT PROPERTY OWNERS: NORTH SLOPE BOROUGH | DETAIL | | SA-10 LANDFILL EXPANSION CELL 2 DEVELOPMENT PROJECT NO. 9031 WASTE | |
| | APPLICANT/AGENT: NORTH SLOPE BOROUGH AGENT: UMIAQ DESIGN, LLC 6700 ARCTIC SPUR ROAD ANCHORAGE, ALASKA 99516 | | T11N, R14E, SEC 23 AND 24 DATE: 3/13/2023 SHEET: FIGURE 5 | |