



# Public Notice

US Army Corps  
of Engineers  
Alaska District  
Regulatory Branch 1145b)  
Post Office Box 898  
Anchorage, Alaska 99506-0898

Date 7 September 2000

Identification No: **SPN 2000-13**

In reply refer to above Identification Number

SPN 2000-13  
ISSUANCE OF  
GENERAL PERMIT 83-8P (FORMERLY 83-80)  
ARCTIC SLOPE HOUSING AUTHORITY REGION, ALASKA

The District Engineer, Alaska District, Corps of Engineers, has issued General Permit 83-8P (formerly 83-80) for certain activities under authority of Section 404 of the Clean Water Act (Public Law 95-217, 33 U.S.C. 1344 et seq.), to authorize the placement of dredged and/or fill material and structures into wetlands, for activities associated with the construction of foundation pads for domicile, public and commercial development; associated driveways; parking areas; access roads; and other commercial, public, and domicile development within the eight (8) villages of Anaktuvuk Pass, Atqasuk, Barrow, Kaktovik, Nuiqsut, Point Lay, Point Hope, and Wainwright.

In response to Special Public Notice 2000-08, dated May 15, 2000, proposed GP-83-8P was revised to reflect comments submitted by local, State, and Federal agencies, and the interested public. Based on review of all pertinent information, including a prepared Environmental Assessment, I have concluded that issuance of this GP will not have more than minimal adverse impact on the environment and is not contrary to the public interest.

This GP will reduce evaluation time, reduce unnecessary duplication of effort and increase predictability of decision-making on activities which are substantially similar in nature, which cause only minimal adverse environmental impact when performed separately, which would have only minor cumulative effects on water quality, and which would provide more effective administration of the Clean Water Act without creating an undue burden on the public.

This GP lists Special Conditions and other requirements which must be met in order for a project to be authorized pursuant to the GP. The GP will accommodate projects for the placement of dredged and/or fill material and structures into wetlands, for activities associated with the construction of foundation pads for domicile, public and commercial development; associated driveways; parking areas; access roads; and other commercial, public and domicile development within the eight (8) villages of Anaktuvuk Pass, Atqasuk, Barrow, Kaktovik, Nuiqsut, Point Lay, Point Hope, and Wainwright. An applicant desiring to perform work via the GP must review all general and special conditions carefully. If the proposed work does not meet the requirements of the conditions, the GP does not apply, and the application will be processed as an application for an individual DA permit under the standard processing procedures with a separate Public Notice as per 33 CFR 325.2(a)(1-5).

GP 83-8P has been issued for a period of five (5) years, effective the date of the signature shown on the last page of the GP. The DE may at any time during this five year period alter, modify, suspend, or revoke this GP if he/she deems such action to be in the interest of the public.

Any questions or request for additional information should be directed to: Alaska District, Corps of Engineers, ATTN: Mr. David S. Hobbie, Regulatory Branch, Post Office Box 898, Anchorage, Alaska 99506-0898; phone (907) 753-2716, toll free in Alaska at (800) 478-2712, or by e-mail at [David.S.Hobbie@poa02.usace.army.mil](mailto:David.S.Hobbie@poa02.usace.army.mil)

District Engineer  
U.S. Army Corps of Engineers

ISSUANCE OF  
GENERAL PERMIT 83-8P (FORMERLY GP 83-80)  
ARCTIC SLOPE HOUSING AUTHORITY REGION, ALASKA

INTRODUCTION

This GP authorizes, for certain activities under authority of Section 404 of the Clean Water Act (Public Law 95-217, 33 U.S.C. 1344 et seq.), the placement of dredged and/or fill material and structures into wetlands, for activities associated with the construction of foundation pads for domicile, public and commercial development; associated driveways; parking areas; access roads; and other commercial, public and domicile development within the (8) villages of Anaktuvuk Pass, Atqasuk, Barrow, Kaktovik, Nuiqsut, Point Lay, Point Hope, and Wainwright.

APPLICABILITY

This GP applies to the placement of fill material into wetlands in eight (8) villages (Anaktuvuk Pass, Atqasuk, Barrow, Kaktovik, Nuiqsut, Point Hope, Point Lay, and Wainwright) located within the ASHA Region (see Attachment "A" for maps of Regional and village boundaries). The discharge of fill material for activities such as landclearing and backfilling in wetlands will be authorized for the purpose of constructing foundation pads for domicile, public and commercial development; associated driveways and access roads. In areas beyond the village boundaries and within the ASHA as depicted in Attachment A, placement of fill material for the construction of foundation pads for domiciles will be the only work authorized by the proposal. **THE PLACEMENT OF FILL FOR INDUSTRIAL DEVELOPMENT IS NOT PERMITTED BY GP83-8P.**

DEFINITIONS

1. Domicile development is defined as the construction of a dwelling; a place of residence; or a person's fixed, permanent, and principal home for legal purposes. Domicile development also includes work performed in association with the installation of a dwelling's septic/sewer system and driveway.
2. Public development is defined as the construction of facilities relating to business or community interests as opposed to private interest. Public development allowed by this permit will include the discharge of fill in wetlands for public buildings such as city halls, church buildings, post offices, and fire stations.
3. Commercial development is defined as the construction of private facilities for the exchange of buying and selling commodities. Commercial development that will be permitted by this proposed GP will include movie theaters, pool halls/arcades, video tape rentals, bingo halls, hotels/restaurants, hair salons, tanning salons, fabric/dress shops, daycare/babysitting facilities, lumber and hardware stores. Other similar projects will need to be approved by the District Engineer.

## REQUIREMENTS FOR GP USE

This GP includes all General and Special Conditions listed in the following. All General and Special Conditions must be met in order for the work to be authorized under this GP. If the proposed work does not meet the requirements of the terms and conditions, this GP will not apply, and will be processed under the standard processing procedures of a DA individual permit. If the work is authorized under this GP, failure to comply with the terms and conditions of this GP may result in suspension of the work, revocation of the permit, removal of the fill, restoration of the wetlands, and/or imposition of penalties as provided by law.

## SPECIAL CONDITIONS

1. The permittee shall maintain the work authorized herein in good condition and in accordance with approved plans and drawings.
2. The boundaries of fill areas in wetlands must be staked or flagged every 100 feet prior to construction to prevent inadvertent encroachment of wetlands.
3. The maximum pad dimensions for each facility shall not exceed 12,500 square feet (i.e., total fill for the housing pad, parking area and driveway or access fill may not exceed 12,500 square feet). In recognition of the advanced planning and public involvement in the North Slope Boroughs capital improvement program (civil works) approval process, similar projects for civil works proposals may exceed the square footage up to one (1) acre upon approval from the District Engineer or his designee.
4. Access roads and driveways shall be constructed and maintained at a maximum bottom width of 48 feet and a maximum top width of 36 feet.
5. To adequately protect the underlying permafrost from thermal degradation, a layer of fill material at least 4 feet thick, or a sufficient amount must be placed on the ground to maintain the integrity of the permafrost. Signs of thermokarsting or standing water indicate non-compliance with this condition.
6. To the extent practicable, the fill must consist of clean, uncontaminated gravel or rock.
7. Natural drainage patterns must be maintained using appropriate ditching, culverts, storm drain systems and other measures, to the extent practicable, without introducing ponding or drying. Excessive ponding and/or dewatering of areas adjacent to fill areas shall indicate non-compliance of this condition.
8. There shall be no discharge of fill material for pad or road construction within 100 feet of the high tide line of any tidal water, nor within 100 feet of the ordinary high water mark of any lake, stream, river, pond, slough, or other nontidal waters.

9. No activity authorized by this GP shall adversely affect historic properties. The Borough's Inupiat History, Language and Cultural Division (IHLC) shall review each application for the presence of historic properties within the following villages: Anaktuvuk Pass, Atkasuk, Barrow and Wainwright. If any historic properties are located or suspected, the IHLC shall inform the Corps who shall consult with the State Historic Preservation Office (SHPO) before authorization under this GP is granted. Also, if during prosecution of the work, previously unknown archeological or historic remains are located, the Permittee shall immediately inform this office (753-2712; (800) 478-2712), the Borough's IHLC at (907)852-0320, and SHPO (269-8721) of what has been found. The District Engineer shall initiate the necessary coordination with the SHPO to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

10. Activities covered under this General Permit shall not adversely affect any species listed as threatened or endangered under the Endangered Species Act of 1973 (Act), nor jeopardize the continued existence of any proposed species under the Act. The North Slope Borough must contact the U.S. Fish and Wildlife Service (USFWS) when proposed projects are outside of village boundaries, as identified on the attached maps, to determine whether any listed or proposed species may be present at the site of the proposed activity. Documentation of such contact shall be included with the project determination. If it is determined that listed or proposed species are likely to be adversely affected, and/or jeopardized by the permitted action, this GP shall not apply to the specific activity, or shall be suspended until section 7 consultation is complete.

11. The activity shall not be located within 600 feet of any Spectacled or Stellers eiders nest site unless the USFWS determines that the activity will not adversely impact the eiders.

12. This GP does not supersede activities currently covered by DA nationwide permits.

13. This authorization does not obviate the need for other Federal, State, and local permits, licenses, or approvals that may be required for the proposed work.

#### GENERAL CONDITIONS

1. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

2. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

3. If you sell the property associated with this permit, you must contact the Alaska District Corps of Engineers to validate the transfer of this authorization.

4. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.

5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

#### FURTHER INFORMATION

##### Limits of this authorization

a. This permit does not obviate the need to obtain other Federal State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing proposed Federal project.

2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a You fail to comply with the terms and conditions of this permit

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

#### PROCEDURES

The following procedures will be required as part of this GP

1. The North Slope Borough (NSB) shall validate the applicability of the GP and track and report specific activities authorized by it.

2. All persons desiring to perform work under the proposed GP must submit an application (Attachment B) to the Planning Department of the NSB which requires the following information: plans showing the location and size of the area(s) to be filled, and a description of the proposed work including identification of its purpose and intended use.

3. All persons, including agencies of the NSB are required to contact the Permitting Division, Planning Department, NSB, at least ten (10) days prior to placement of any fill.

4. Authorization to proceed must be received from the NSB prior to the placement of any fill. Failure to receive this separate authorization will constitute a denial without prejudice of Corps authorization under the GP.

5. In cases involving proposed work similar, but not identical to that identified in this permit, or for Borough civil works projects between 12,500 square feet and one (1) acre in size, the NSB shall submit to the Corps, on a case-by-case basis, the project proposal and plans. The District Engineer shall determine whether the work is authorized under the GP.

#### REPORTING REQUIREMENTS

The NSB shall provide the Corps with copies of all applications and determinations made under GP83-8P as they occur, except when historic properties or threatened or endangered species are identified. In these instances, the Corps shall consult with the State Historic Preservation Office, National Marine Fisheries Service or the U.S. Fish and Wildlife Service, and then inform the Borough whether the GP authorization can be granted. Copies shall be sent to: North Section, Regulatory Branch, CEPOA-CO-R-N, Post Office Box 898, Anchorage, Alaska 99506-0898, or e-mail to [David.S.Hobbie@poa02.usace.army.mil](mailto:David.S.Hobbie@poa02.usace.army.mil).

#### MONITORING REQUIREMENTS

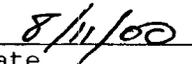
The NSB shall provide the Corps with a yearly monitoring report (see Attachment C) which will include the file number of each project, location of the project, and the current status of each referenced project. These reports shall be submitted to the Corps by December 31, of each year. These reports shall be sent to: North Section, Regulatory Branch, CEPOA-CO-R-N, Post Office Box 898, Anchorage, Alaska 99506-0898, or e-mail to [David.S.Hobbie@poa02.usace.army.mil](mailto:David.S.Hobbie@poa02.usace.army.mil).

#### EXTENSION, MODIFICATION AND REVOCATION OF GP-83-8P

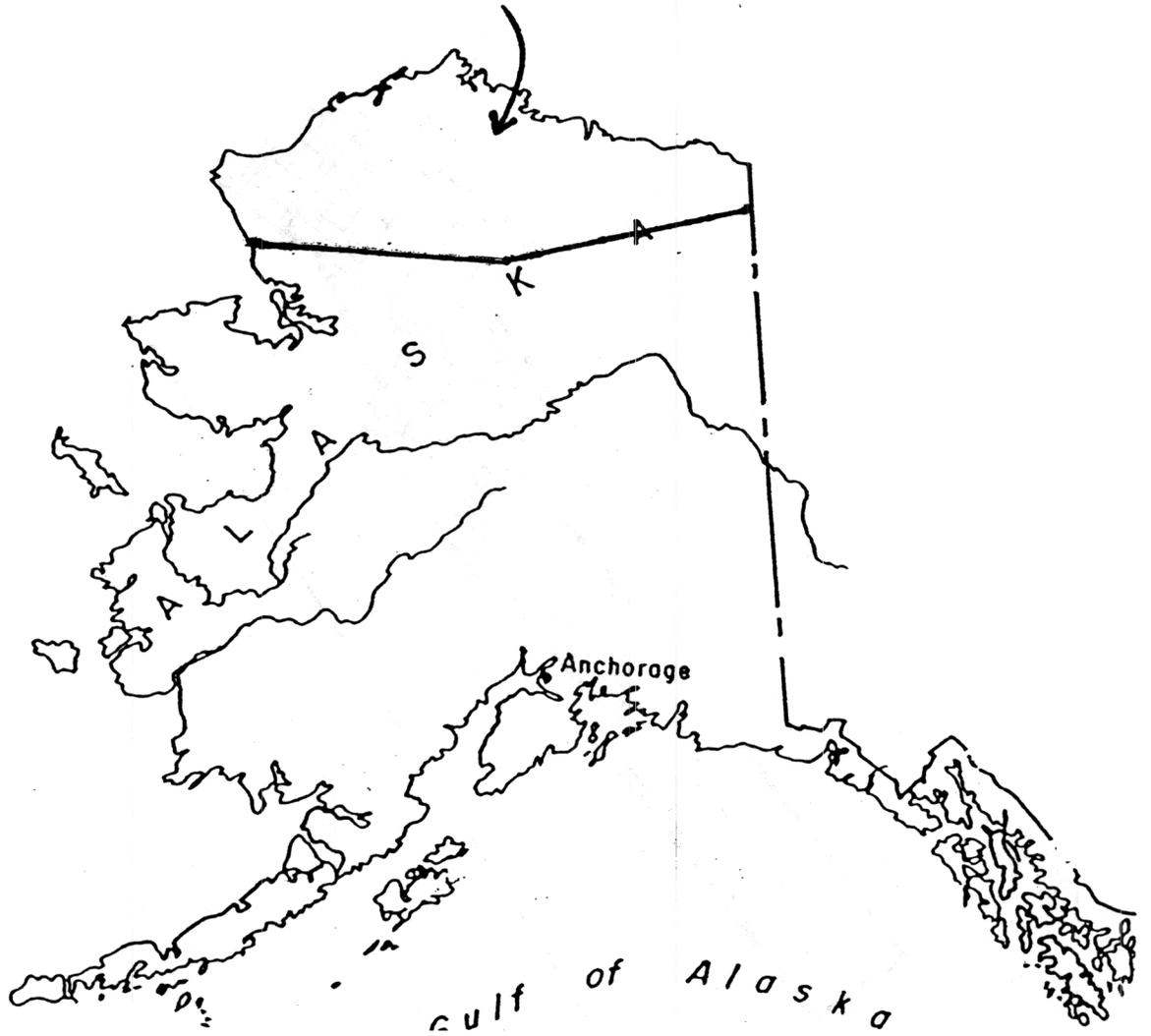
This GP will be in effect for a period of 5 years. At the end of the 5-year period, an evaluation of the GP will be made and at that time, it will be decided whether or not this GP should be renewed. This GP may be modified or revoked by issuance of a Public Notice at any time the DE determines that it is appropriate to do so. Following such revocation any future activities in areas covered by this GP will be processed as standard individual permits.

FOR THE DISTRICT ENGINEER

  
Michiel E. Holley  
Alaska District, Corps of Engineers

  
Date

ARCTIC LOPE REGIONAL HOUSING AUTHORITY

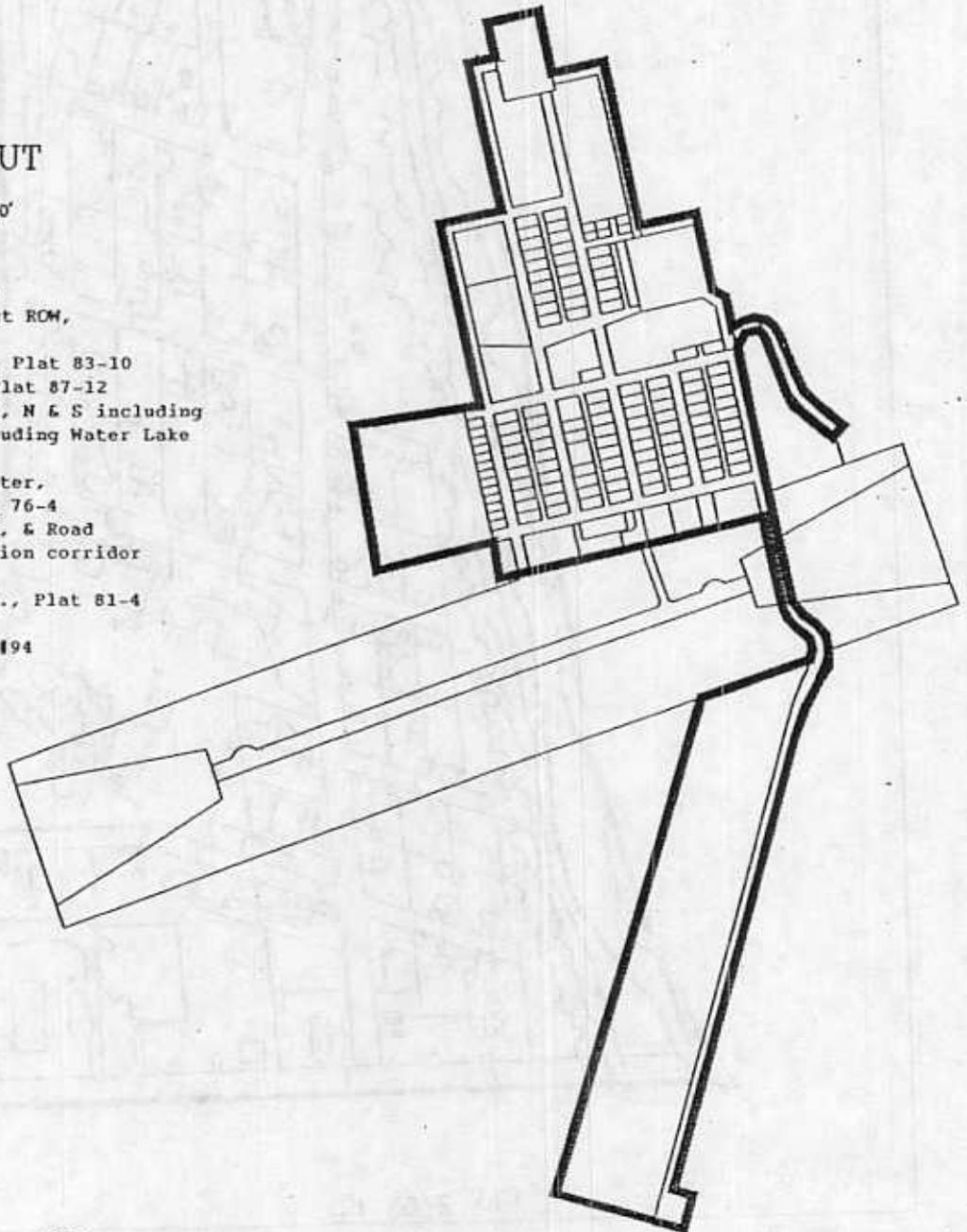




# NUIQSUT

1" = 1600.00'

Boundary consists of:  
Tract E & Lagoon Tract ROW,  
Plat 83-11  
Tract F & Nigliq St., Plat 83-10  
Airport Tracts 1-6, Plat 87-12  
Nuiqsut Village Sites, N & S including  
Airport Road & excluding Water Lake  
Road, Plat 79-3  
Community Service Center,  
Anaktuvuk St., Plat 76-4  
Tract D, Lagoon Tract, & Road  
Utility & construction corridor  
ROW, Plat 81-5  
Tract C & Pausanna St., Plat 81-4  
Block 8, Plat 89-1  
Nuiqsut Site S, Plat 194

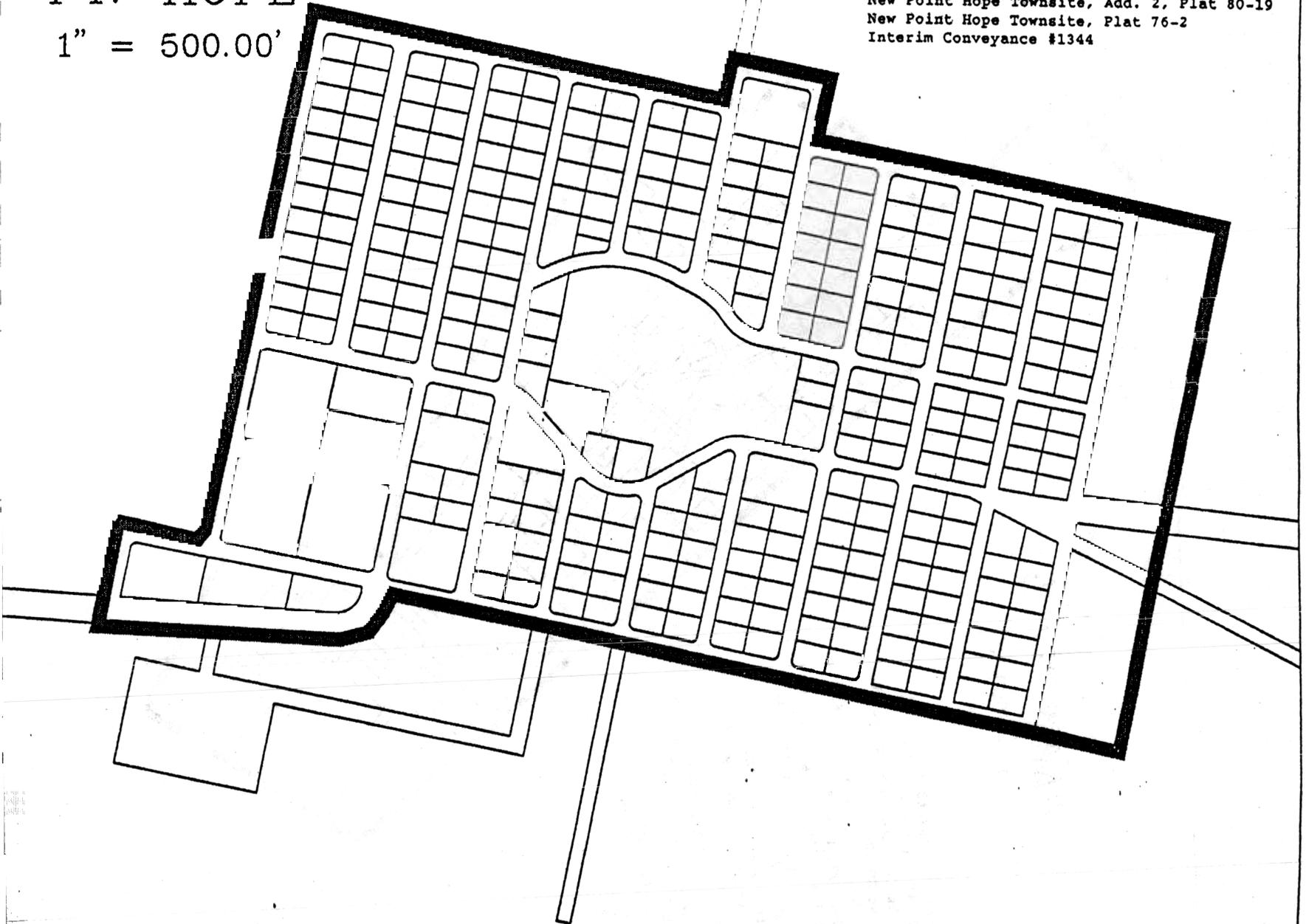


SPN 2000-13

# PT. HOPE

1" = 500.00'

Boundary consists of:  
New Point Hope Townsite, Add. 3, Plat 83-7  
A portion of Airport Road ROW, Plat 76-2  
New Point Hope Townsite, Add. 2, Plat 80-19  
New Point Hope Townsite, Plat 76-2  
Interim Conveyance #1344



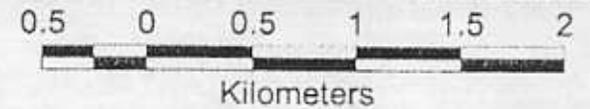
SPN 2000-13

# Boundary -- Barrow Portion of Proposed General Permit 83-8P

-  Boundary
-  Roads



Approximate  
Snow Fence  
Location

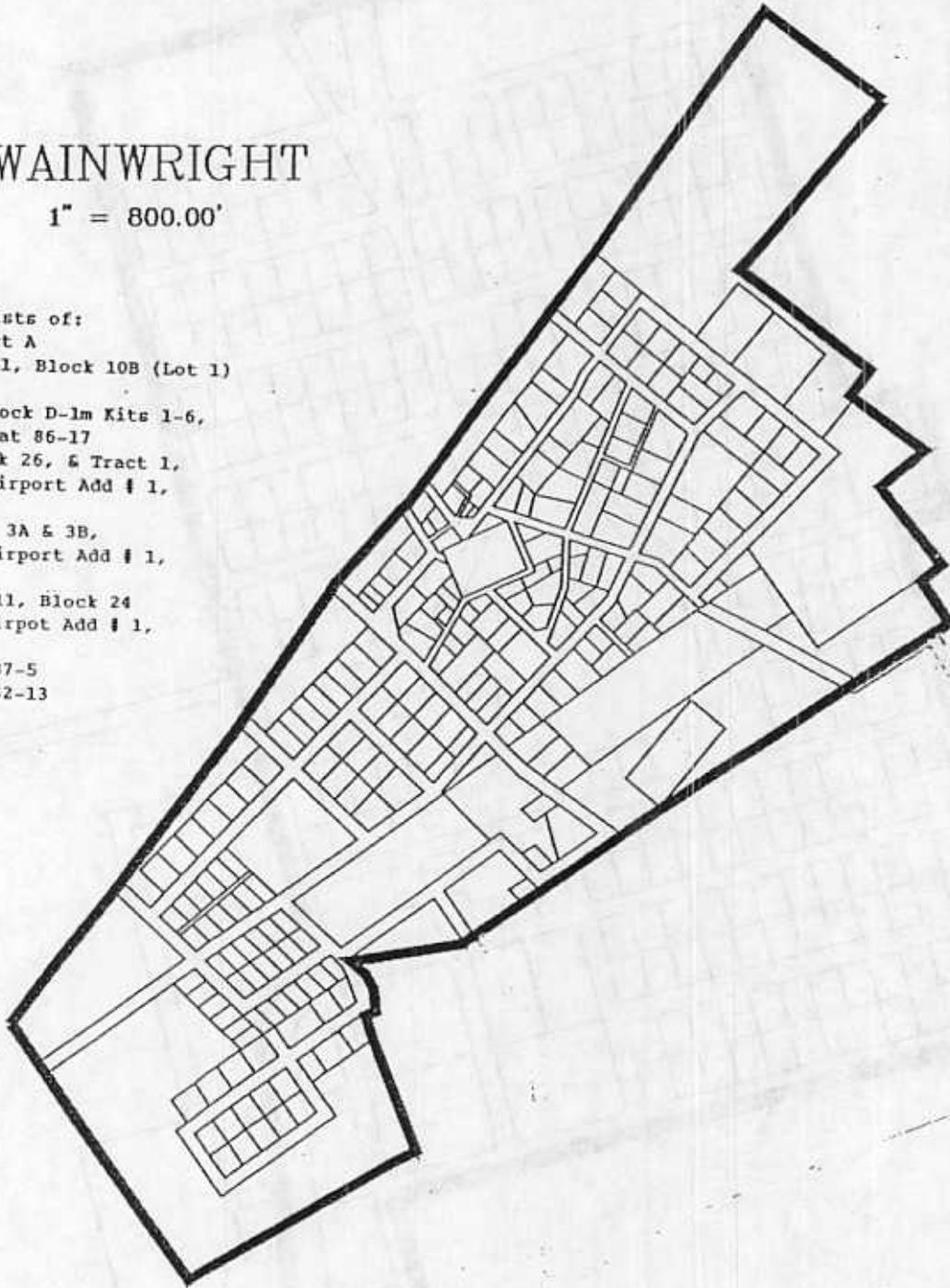


SPN 2000-13

# WAINWRIGHT

1" = 800.00'

Boundary consists of:  
USS 4418, Tract A  
Blocks C-1, D-1, Block 10B (Lot 1)  
Plat 80-10  
Lots 5 & 6, Block D-1m Kits 1-6,  
Block 27, Plat 86-17  
Lots 162, Block 26, & Tract 1,  
Wainwright Airport Add # 1,  
Plat 84-3  
Tracts 2A, 2B, 3A & 3B,  
Wainwright Airport Add # 1,  
Plat 86-1  
Lots 9, 10, & 11, Block 24  
Wainwright Airport Add # 1,  
Plat 84-3  
Tract K, Plat 87-5  
Tract J, Plat 82-13  
Plat 91-2  
Plat 85-8

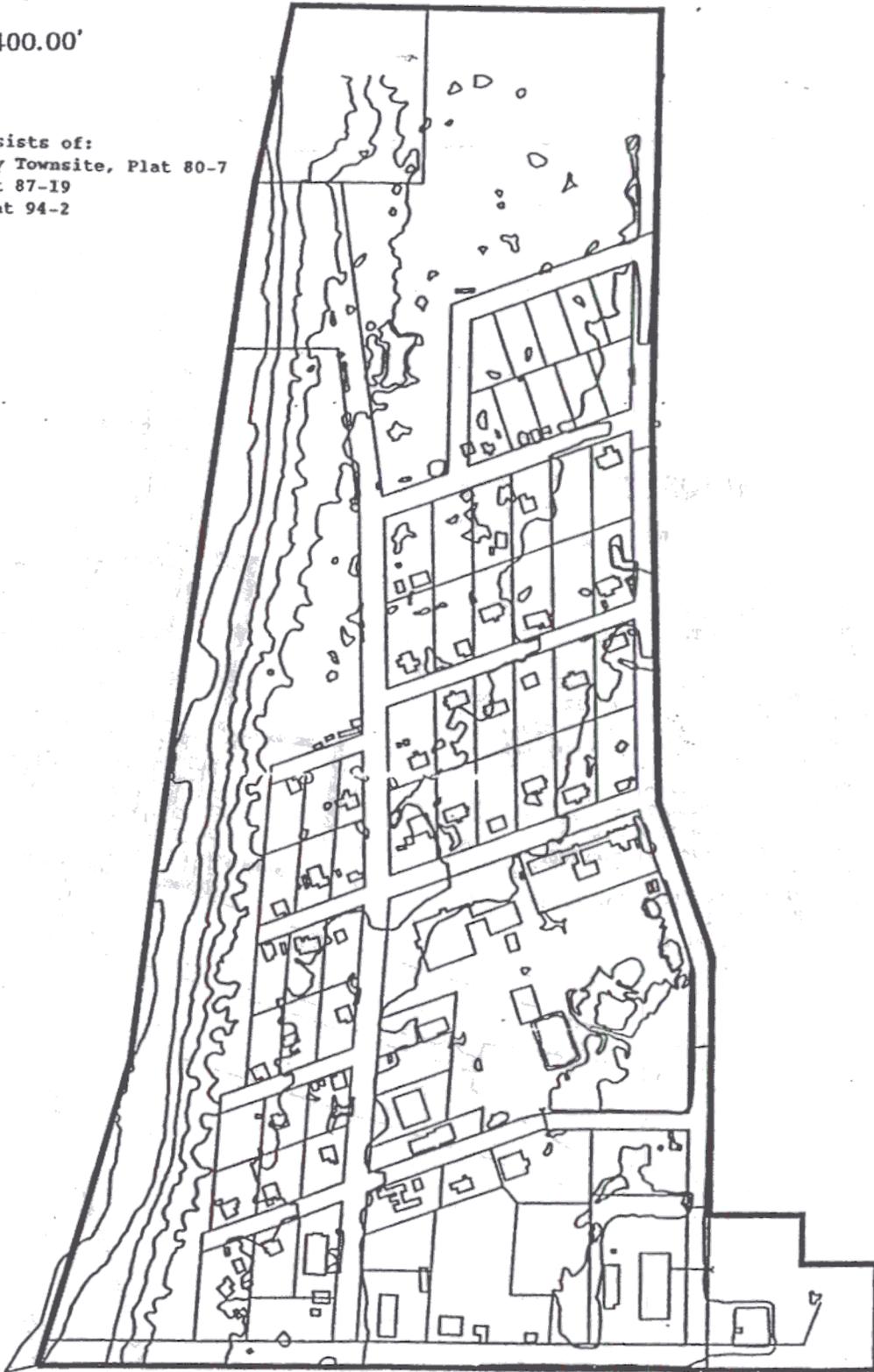


SPN 2000-13

Pt. Lay, Alaska

1" = 400.00'

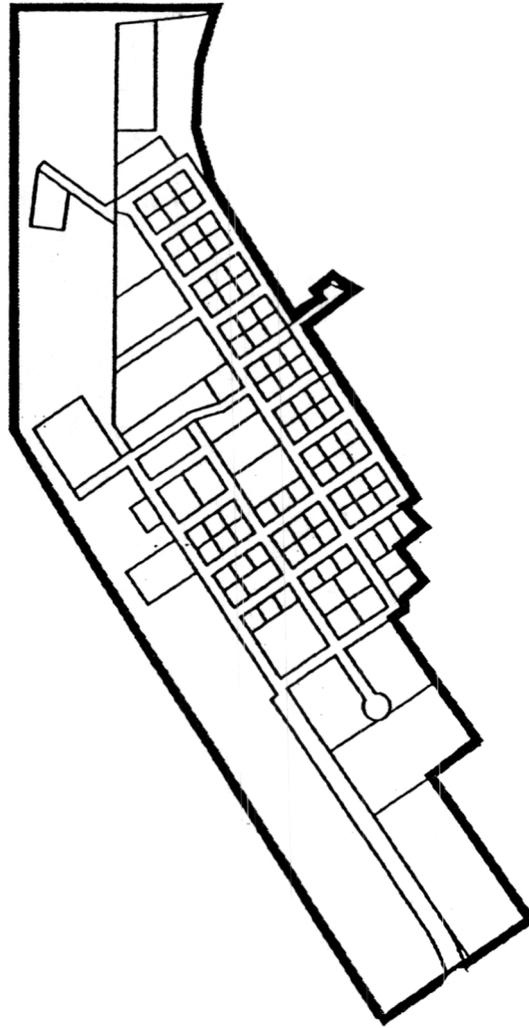
Boundary consists of:  
New Point Lay Townsite, Plat 80-7  
Tract 7, Plat 87-19  
Tract 7-A Plat 94-2



SPN 2000-13

# KAKTOVIK

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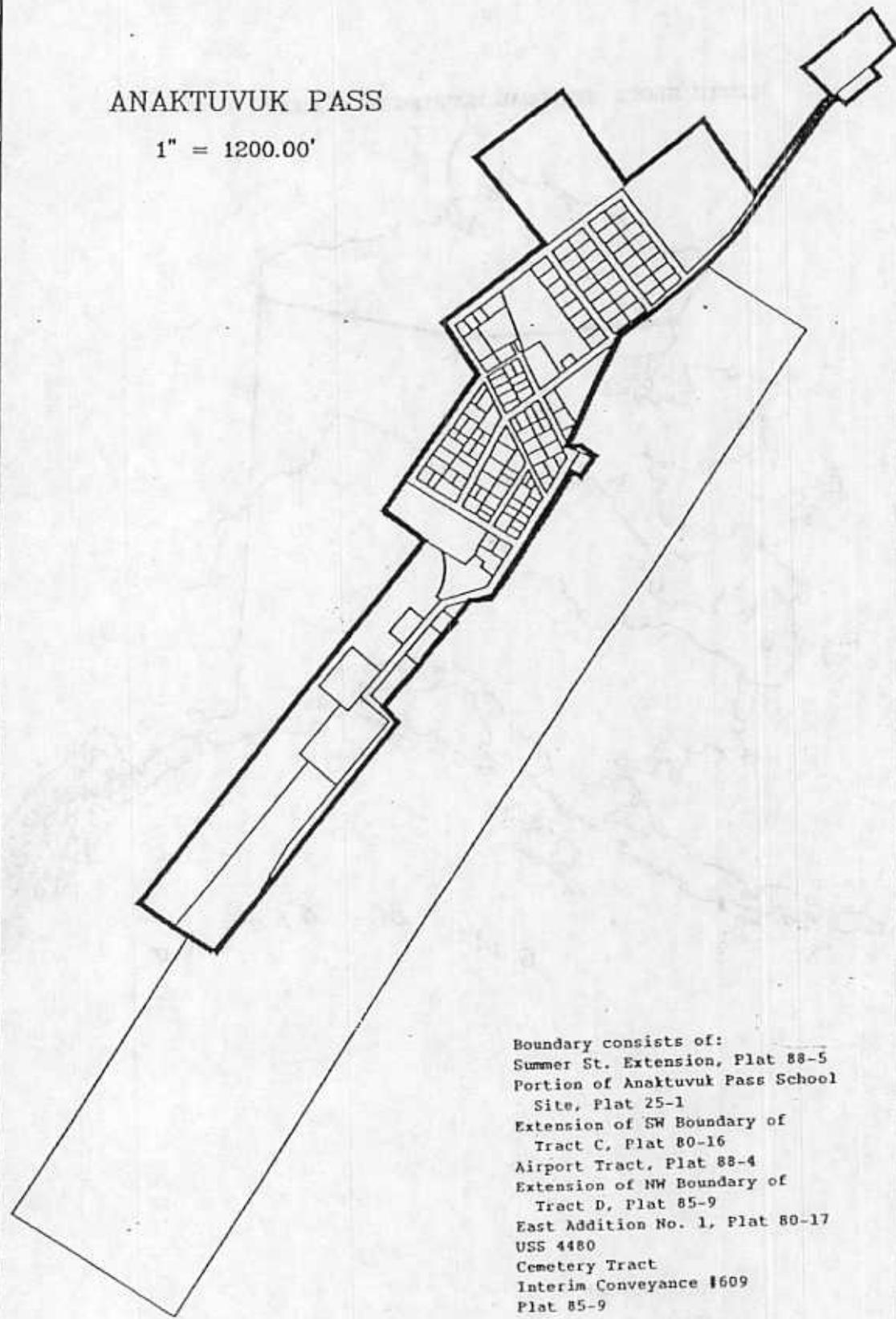
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# ANAKTUVUK PASS

1" = 1200.00'



Boundary consists of:  
Summer St. Extension, Plat 88-5  
Portion of Anaktuvuk Pass School  
Site, Plat 25-1  
Extension of SW Boundary of  
Tract C, Plat 80-16  
Airport Tract, Plat 88-4  
Extension of NW Boundary of  
Tract D, Plat 85-9  
East Addition No. 1, Plat 80-17  
USS 4480  
Cemetery Tract  
Interim Conveyance #609  
Plat 85-9

SPN 2000-13

**Request for Approval to Conduct Work Under  
Army Corps of Engineers  
General Permit 83-8P**

**Applicant**

- 1 Name: \_\_\_\_\_
- 2 Address: \_\_\_\_\_
- 3 Name and Title of Contact Person: \_\_\_\_\_
- 4 Phone Number of Contact Person: \_\_\_\_\_

**Proposed Work**

5. Location:
  - a. Village: \_\_\_\_\_, Block \_\_\_\_\_, Lot \_\_\_\_\_
  - b. Outside Village (To nearest quarter section):  
Township \_\_\_\_\_, Range \_\_\_\_\_, Section \_\_\_\_\_ Quarter \_\_\_\_\_
6. Development Type:
  - a.  Domicile (Dwelling)     Public Facility     Commercial
  - b. Purpose of fill (e.g. road, driveway, house, store, yard, improvement, etc...).
7. Brief description of proposed work: (Attach additional pages if necessary)
8. Dimensions of area to be filled:  
Depth of fill \_\_\_\_\_(ft.), Width \_\_\_\_\_(ft.), Length \_\_\_\_\_(ft.)



13. If the Corps granted approval, What was the Identification number, and who was the contact person from the Corps?

\_\_\_\_\_  
Identification Number

\_\_\_\_\_  
Contact Person (from the Corps)

Request Approved; (Attached COE General Permit 83-8P conditions apply)

Request Denied for the following reason(s), (See Attached Letter).

Activity not authorized under GP 83-8P, as determined by the NSB Planning Department, Permitting Division.

Activity not authorized under GP 83-8P, as determined by the Army Corps of Engineers, District Engineer.

Violates special condition(s) or requirements of GP 83-8P as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director of NSB Planning

# YEARLY MONITORING REPORT

## GP-83-8P

(Due by December 31 of each year)

Corps File Number	NSB File Number	Date Permit Issued	Location of Activity	Date Construction Started	Date Construction Completed	Additional Comments

DSH

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

TONY KNOWLES, GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET  
DIVISION OF GOVERNMENTAL COORDINATION

SOUTHCENTRAL REGIONAL OFFICE  
550 W. 7TH AVENUE, SUITE 1660  
ANCHORAGE, ALASKA 99501  
PH: (907) 269-3980/FAX: (907) 269-3981

CENTRAL OFFICE  
P.O. BOX 110030  
JUNEAU, ALASKA 99811-0030  
PH: (907) 465-3562/FAX: (907) 465-3075

PIPELINE COORDINATOR'S OFFICE  
411 WEST 4TH AVENUE, SUITE 2C  
ANCHORAGE, ALASKA 99501-2343  
PH: (907) 271-4317/FAX: (907) 272-0690

June 20, 2000

Mr. David S. Hobbie, Project Manager  
U. S. Army Engineer District, Alaska  
P.O. Box 898  
Anchorage, AK 99506-0898

Dear Mr. Hobbie:

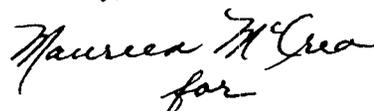
SUBJECT: General Permit 83-8P  
STATE I.D. NO. AK 0006-06AA  
NEGATIVE DETERMINATION RESPONSE

The Division of Governmental Coordination (DGC) received the U. S. Army Corps of Engineers (COE) negative determination submitted under Section 307(c)(1) of the Federal Coastal Zone Management Act per 15 CFR 930.35(d), Subpart C, and supporting information. The COE proposes to re-issue General Permit (GP) 83-8P (formerly GP-83-80) for placement of dredged and/or fill material and structures into wetlands, for activities associated with the construction of foundation pads for domicile, public and commercial development, associated driveways, parking areas, access roads and other commercial, public and domicile development within the (8) villages of Anaktuvuk Pass, Atkasuk, Barrow, Kaktovik, Nuiqsut, Point Lay, Point Hope and Wainwright, all located within the North Slope Borough.

Your negative determination was distributed to Alaska Coastal Management Program (ACMP) review participants (State resource agencies and the North Slope Borough Coastal District) for their agreement with your agency's decision that this federal action would not affect the land or water uses or natural resources of the coastal zone. The State resource agencies agree with your determination, and, thus, an ACMP review is not required for this activity. No State permits are required.

The State of Alaska appreciates your cooperation with the ACMP. If you have any questions, please contact me at 907-269-7474 or e-mail tom\_atkinson@gov.state.ak.us.

Sincerely,



Tom Atkinson  
Project Review Coordinator

RECEIVED

JU 2000

6/20/00

cc: Al Ott, DFG/DHR, Fairbanks  
Tim Rumpfelt, DEC, Fairbanks  
Roselynn Smith, DNR, Fairbanks  
Michele Jesperson, DNR/SHPO, Anchorage  
Jeff Roach, DOT/PF, Fairbanks  
Michele Jesperson, DNR/SHPO, Anchorage  
Jacob Adams, Arctic Slope Regional Corporation, Barrow  
Sheldon Adams, North Slope Borough, Barrow  
Dee Ritchie, BLM, Fairbanks  
City of Kaktovik, Kaktovik  
Joan Darnell, NPS, Anchorage

TONY KNOWLES, GOVERNOR

**DEPT. OF ENVIRONMENTAL CONSERVATION  
DIVISION OF AIR AND WATER QUALITY  
NON-POINT SOURCE WATER POLLUTION CONTROL**

555 Cordova Street  
Anchorage, AK 99501-2617  
Phone: (907) 269-7564  
Fax: (907) 269-7508  
TTY: (907) 269-7511  
<http://www.state.ak.us/dec/>

June 29, 2000  
Certified Mail# Z 526 022 560

David Hobbie  
US Army Corps of Engineers  
Regulatory Branch  
PO Box 898  
Anchorage, AK 99506

RE: Amendment to Certificate of Reasonable Assurance  
General Permit 83-8P, Arctic Slope Housing Authority Region

Dear Mr. Hobbie:

This letter amends the referenced certification issued to the Corps of Engineers and reissued on April 5, 1995, in accordance with Section 401 of the Federal Clean Water Act and provisions of the Alaska Water Quality Standards. The subject certification is reissued and amended as follows:

- A. The North Slope Borough (NSB) is allowed to e-mail completed applications and monitoring reports to the Corps, instead of using surface mail.
- B. The NSB will now submit yearly monitoring reports to the Corps.
- C. The condition on the Threatened and Endangered species has been modified to take into account the designation of critical habitat within some of the permitted areas.

Please contact me if you have any questions concerning this amendment

Sincerely,



Tim Rumpfelt  
Environmental Specialist

*"Clean Air, Clean Water"*

**RECEIVED**  
JUL 06 2000  
F  
Alaska District, Corps of Engineers