



Public Notice

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

Date:
16 AUGUST 2001

Identification No
SPN 2001-11, GP 90-1N

In reply refer to above Identification Number

SPN 2001-11
GENERAL PERMIT 90-1N

**Discharge of Dredged and/or Fill Material
Into Wetlands, Nome, Alaska**

The District Engineer, Alaska District, U.S. Army Corps of Engineers (Corps), has reissued General Permit (GP) 90-1, under the authority of Section 404 of the Clean Water Act (Public Act 95-217, 33 U.S.C. 1344 et seq.), to authorize the placement of dredged and/or fill material into waters of the United States, including wetlands, for residential, public, and commercial development within certain areas of the City of Nome, Alaska. Maps showing areas covered by this GP are attached.

In response to Special Public Notice 2000-10, dated April 18, 2001, the proposed GP 90-1N was revised to reflect comments submitted by local, State, and Federal agencies and the interested public. Based on a review of all pertinent information, including a prepared Environmental Assessment, I have concluded that issuance of this procedure will not have more than minimal adverse impact on the environment and is not contrary to the public interest.

This GP establishes an expedited procedure to authorize placement of fill material into waters of the United States, including wetlands, for residential, public, and commercial development within certain areas of the City of Nome, Alaska, contingent on meeting the terms and conditions listed below. The placement of fill material associated with for residential, public, and commercial development activities which do not fall within the scope of this General Permit, or which fail to meet the terms and conditions, are not authorized by this GP and a Department of the Army individual permit will be required.

GP 90-1N has been issued for a period of five years, effective the date of the signature shown on the last page of the procedure. The DE may at any time during this five-year period alter, modify, suspend, or revoke this procedure if he/she deems such action to be in the public interest.

Any questions or request for additional information should be directed to: Alaska District, Corps of Engineers, ATTN: Ms. Faye DePalmer, Regulatory Branch, Post Office Box 898, Anchorage, Alaska 99506; phone (907) 753-2712, toll free in Alaska at (800) 478-2712 or e-mail at Faye.E.DePalmer@poa02.usace.army.mil

District Engineer
U.S. Army Corps of Engineers

General Permit 90-1N

Discharge of Fill Material In Wetlands Nome, Alaska

Pursuant to Section 104 of the Clean Water Act (Public Law 95-217, 33 U.S.C. 1344 et seq.), the Secretary of the Army proposes to reauthorize the Alaska General Permit for the discharge of fill material in wetlands, General Permit (GP) 90-1N. The permit allows for the general public to place fill material into waters of the United States, including wetlands for the purpose of the placement of fill material into waters of the United States, including wetlands, for residential, public, and commercial development within certain areas of the City of Nome, Alaska, contingent on meeting the terms and conditions listed below. The placement of fill material associated with residential, public, and commercial development activities which do not fall within the scope of this GP, or which fails to meet the terms and conditions, are not authorized by this GP and a Department of the Army individual permit would be required.

Residential 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. Residential development also includes work performed in association with site preparation, the installation of a dwelling's septic/sewer system, and driveway construction.

Public development is defined as the construction of facilities relating to community interests as opposed to private interests. Public development allowed by this permit will include the discharge of fill material in wetlands for public roads, parking lots, buildings such as city halls, churches, post offices, and fire stations.

Commercial development is defined as the construction of private facilities for the exchange or buying and selling commodities. Commercial development that will be permitted by this permit will include movie theaters, pool halls, arcades, videotape rentals, bingo halls, hotels, restaurants, hair and tanning salons, fabric/dress shops, laundry facilities, daycare facilities, and lumber and hardware stores. Other similar projects will need to be approved by the District Engineer.

APPLICATION PROCEDURES

In order for a proposed project to be considered for authorization under this GP, an application form (see attached example) must be completed and submitted to the City Engineer, City of Nome, on the corner of Front and Hunter Streets, Post Office Box 281, Nome, Alaska 99762, telephone (907) 443-5242, FAX (907) 443-5349. Application forms and copies of the GP are available at the City Engineer's office. If the proposed project complies with the terms and conditions of the GP, the City of Nome will notify the applicant by providing his/her with a completed "Opinion of Compliance" form, which is part of the application. If the project does not comply with the terms and conditions of the GP, the City of Nome will inform the applicant of the reasons for non-compliance with the same form. The applicant should contact the Corps of Engineers to determine if application for an individual permit would be necessary.

All work in marine waters require an individual Department of Army Section 10 permit.

Consistency Determination

Discharges authorized by the GP may affect the State of Alaska coastal zone. However, the GP specifically requires compliance with Alaska water quality standards' all other federal, state, or local environmental regulations; as well as any requirements which the Alaska Department of Environmental Conservation will

provide as a result of the Clean Water Act Section 401 certification process. In addition, ADGC has previously found this GP consistent with the ACMP. Therefore the COE determines that the proposed reissuance of the GP is consistent, to the maximum extent practicable, with approved State management programs and the Alaska Coastal Management Program (including affected coastal district programs).

Anyone may request written confirmation of whether their proposed work requires authorization.

This GP does not apply if Essential Fish Habitat is adversely affected

This GP does not apply to marine or estuarine waters, State designated Critical Habitat Areas or Game Refuges and Sanctuaries, unless the activity is specifically authorized by the agency with jurisdiction over these lands.

This GP does not apply to construction activities within any unit of the National Wildlife Refuge System, National Park System, or component of the National Wild and Scenic River System (existing or nominated).

The lead role that Federal and State land management agencies have in identifying evaluating and pursuing consultation on cultural resources is recognized. This consultation has a basis under Section 106 of the National Historic Preservation Act and any agency's cultural resources conservation implementing regulations. This GP does not authorize construction activities that would adversely affect archaeological, cultural or historic properties which the National Park Service has listed on, or has determined eligible for listing on, the National Register of Historic Places unless coordination with the State Historic Preservation officer (SHPO), and if necessary, the Advisory Council on Historic Preservation is completed as per Section 106 of the National Historic Preservation Act.

Authorization granted under this GP applies only to work subject to the regulatory authority of the U.S. Army Corps of Engineers. GP authorization does not obviate or affect in any manner the requirements or the need to meet any other required Federal, State or local governmental authorizations (e.g., local land use codes or regulations). If the proposed work authorized under this GP is subsequently modified by any other Federal, State, or local governmental authorization, a modification of the authorization to perform activities under this GP may need to be obtained from the Corps.

CONDITIONS OF THE GENERAL PERMIT

The goals of these conditions are, to be consistent with other regulatory authorities, and to promote re-establishment of normal aquatic ecosystem functions representative of the area in which construction takes place. The primary objective is to enlarge the areas that the City of Nome can develop and have better mapping of those areas. All activities identified and authorized by this GP shall be consistent with the following conditions:

- 1 Fill material shall not be discharged within 50 feet of the ordinary high water mark of any non-tidal open water body, including streams, sloughs, rivers, ponds, lakes; within 50 feet of permanently flooded wetlands; or within 50 feet of the high tide line of any tidal waters. The only exception is the reduction of the setback to 10 feet to allow development within 50 feet of an established drainage along near East N Street and 6th Avenue. The drainage would be preserved during development and adjacent disturbed areas would be re-seeded to reduce erosion.

This GP does not apply to any activity involving the use or storage of hazardous wastes or hazardous substances as part of their principal purpose. These materials are defined in the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901 et seq., and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Contact the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency for information about hazardous substances. Sufficient gravel thickness and/or insulation shall be utilized in all fills to prevent thermal degradation of underlying permafrost (if present).

- 4 Natural drainage patterns shall be maintained by proper placement of culverts into fills. Excessive ponding and/or dewatering of areas adjacent to fills indicates non-compliance with this condition. No discharge of fill material shall be authorized under this GP if it consists of unsuitable material, e.g., trash, debris, tree stumps, car bodies, etc., and all material discharged shall be free of toxic pollutants in toxic amounts, as defined by the Toxic Pollutant List referred to as Table 1 in Section 307 of the Clean Water Act and by Alaska State Law, i.e., 18 AAC 70 Alaska Water Quality Standards, 18 AAC Oil and Hazardous Substance Pollution Control, and 18 AAC 78 Underground Storage Tanks. A soil remediation plan shall be approved by the Alaska Department of Environmental Conservation (ADEC) prior to commencing any work on a site containing contaminated soil. If contaminated soils are discovered during the activity, all work shall cease in the area of the contamination; ADEC shall be contacted, and work shall commence only upon receiving ADEC approval.

All exposed fills (including side slopes) and disturbed areas shall be stabilized to prevent erosion. Increased water turbidity and sediment in drainage ditches, streams, sloughs, and/or adjacent wetlands shall be evidence of insufficient stabilization.

The permittee shall allow the District Engineer or his authorized representative(s) to inspect authorized work at any time deemed necessary to assure that on-going and completed work is in compliance with the terms and conditions of this GP.

If the permittee, during performance of the work authorized herein, encounters a previously undiscovered archeological, paleontological, or historic resource, he/she shall immediately notify the District Engineer at (800) 478-2712 and the State Historic Preservation Officer, Division of Parks, Department of Natural Resources, 550 West 7th Avenue, Suite 1310, Anchorage, Alaska 99501-3565.

Activities covered under this GP 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 U.S. Fish and Wildlife Service has concluded that residential, public, and commercial development within the subdivision boundaries described in this GP will not adversely affect listed species. However, if a listed species is identified within the boundaries of a proposed project covered under this GP, work at the site shall cease and the Service consulted immediately (within 24 hours) at (907) 456-0297 or (907) 456-0203.

All activities identified and authorized herein shall be undertaken in a manner that is consistent with the terms and conditions of the GP, and any activities undertaken by the permittee that are not specifically identified and authorized herein shall constitute noncompliance with the terms and conditions of the GP, and consequently, a violation of the

Clean Water Act, which may result in the modification, suspension, or revocation of any authorization by the Corps in whole or in part, and in the institution of such legal, administrative, or judicial proceedings as the United States Government may consider appropriate, whether or not these permits have been previously modified, suspended, or revoked in whole or in part.

In instances where the City of Nome is party to violations of the Clean Water Act, the District Engineer may, at his discretion, modify the GP to have the Alaska District Regulatory Branch require verification by the Corps of projects, where appropriate, until such time as the District Engineer determines that the situation has been resolved.

- 1 Any activity being performed under this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that there is noncompliance with any of the terms or conditions of this GP, or that there is noncompliance with a related nationwide or individual permit, or that there is a violation of Federal law associated with the activity, or that the immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate: (1) the extent of the suspension; (2) the reasons for such action; and (3) any corrective or preventive measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of such notice. Within 10 days following receipt of a notice of suspension, the permittee may request a public hearing in order to present information relevant to a decision as to whether the authorization should be reinstated, modified, or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee, if no hearing is requested, the authorization will either be reinstated, modified, or revoked.

MONITORING

Soon after the beginning of each year this office shall conduct a annual review of all projects authorized during the previous year. Pertinent information from these cases shall be compiled into a report and entered in the official GP file. Copies of this report shall be made available to the interested public, and to local, state, and federal agencies for their information upon request.

In addition, periodic field inspections shall be undertaken by this office of projects authorized under the GP. Reports shall be prepared for all field inspections and entered into the official GP file. The North Section of the Regulatory Branch shall maintain a file of GP-related documents and monitoring efforts.

Information contained in the GP file shall provide the basis for the decision whether or not to revise or renew the GP. If it is determined that projects authorized by this GP result in greater than minimal adverse environmental impacts, then the GP shall be modified, suspended, or revoked to prevent further impacts.

LIMITS OF THIS AUTHORIZATION

This GP does not grant any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property, invasion of rights, or infringement of Federal, State, or local laws or regulations.

- 2 This GP does not authorize the interference with any existing or proposed federal projects.

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.

LIMITS OF FEDERAL LIABILITY

In issuing this GP the Federal Government does not assume any liability for the following:

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

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 which are not contrary to the public interest.

- 3 Damages to persons, property, or to other permitted or unpermitted activities or structures caused by an activity authorized by this GP.
- 4 Design or construction deficiencies associated with the permitted work.
- 5 Damage claims associated with any future modification, suspension, or revocation of this permit.

PENALTIES FOR NONCOMPLIANCE/VIOLATIONS

Failure to comply with the terms and conditions of this GP may result in suspension of the work, revocation of the permit, removal of fill material or other structure, restoration of areas subject to Corps jurisdiction, and/or impositions of penalties as provided by law.

The discharge of fill material not in accordance with the terms and conditions of this GP constitutes a violation of Section 301 of the Clean Water Act (33 U.S.C. 1319), and upon conviction thereof is punishable, in accordance with Section 309 of the Clean Water Act, by a fine of not less than \$2,500, nor more than \$ 25,000, per day of violation, or imprisonment of not more than one year, or both. That individual is also subject to a civil penalty not to exceed \$25,000 per day of the violation.

TERM

This GP is effective for 5 years from the date of issuance unless otherwise modified, suspended, or revoked. Authorized work must be completed within 12 months after the expiration date of this GP.

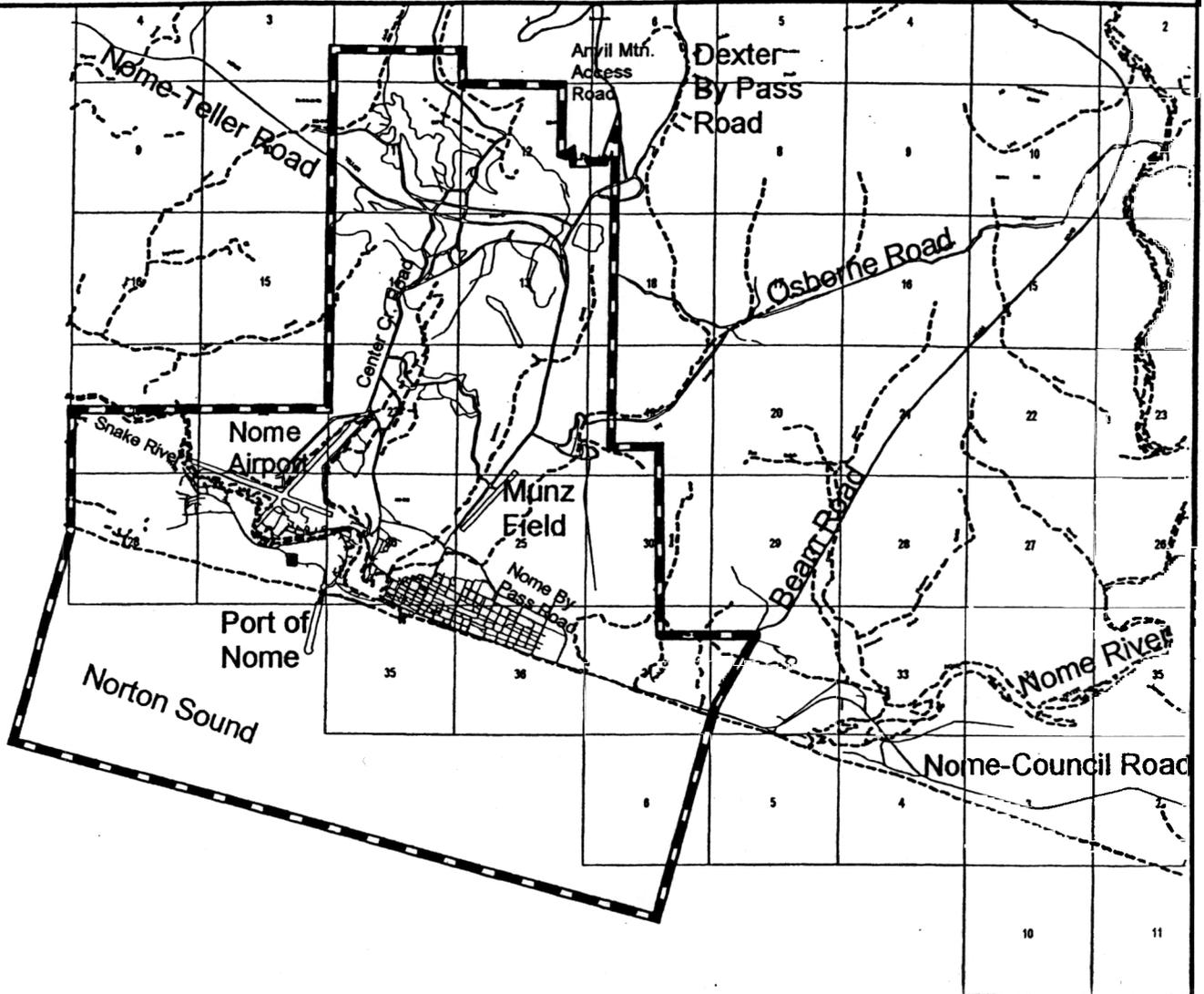
FOR THE DISTRICT ENGINEER



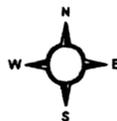
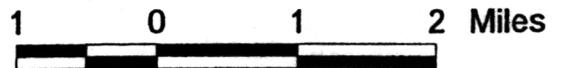
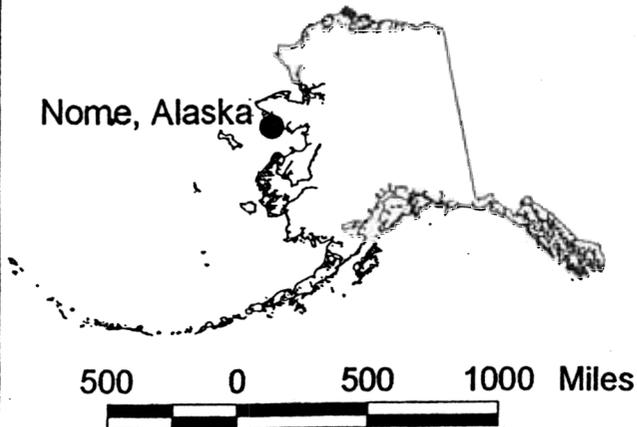
DON M. KOHLER
Chief, North Section
Regulatory Branch
Alaska District, Corps of Engineers

8/13/01
DATE

VICINITY MAP



LOCATION MAP



City of Nome
Municipal
Boundary

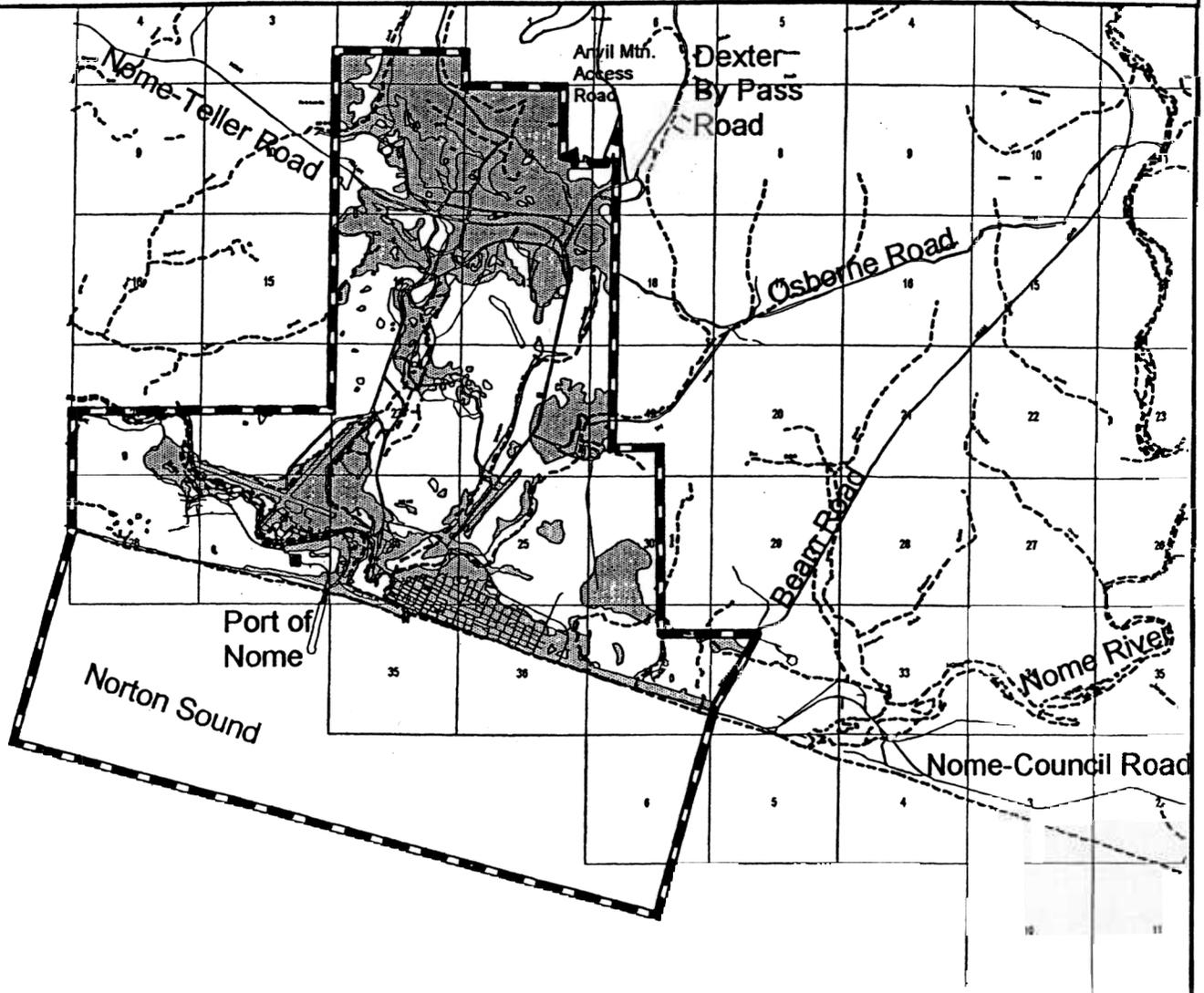
CITY OF NOME
WETLANDS PERMIT APPLICATION
General Permit 90-1M

LOCATION: Nome, Alaska
Water Body: Local Wetlands

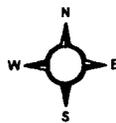
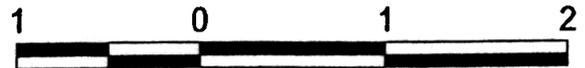
SHEET 1 of 12

February 9, 2000

PROJECT MAP: CITY OF NOME SHOWN WITH WETLAND DESIGNATIONS



- Nc1_road
- ^ AIRPORT
- ^ LIGHT DUTY
- ^ TRAIL
- Nb1_road
- ^ GRAVEL PIT
- ^ LIGHT DUTY
- ^ UNIMPROVED DIRT
- ^ UNIMPROVED DIRT CENT
- ^ UNIMPROVED DIRT SIDE
- Nc1_strm
- Nb1_strm
- Nc1_sect
- Nb1_sect
- Text Nc1_text
- Text Nb1_text
- Wetlands
- Upland
- Wetland



City of Nome
Municipal
Boundary

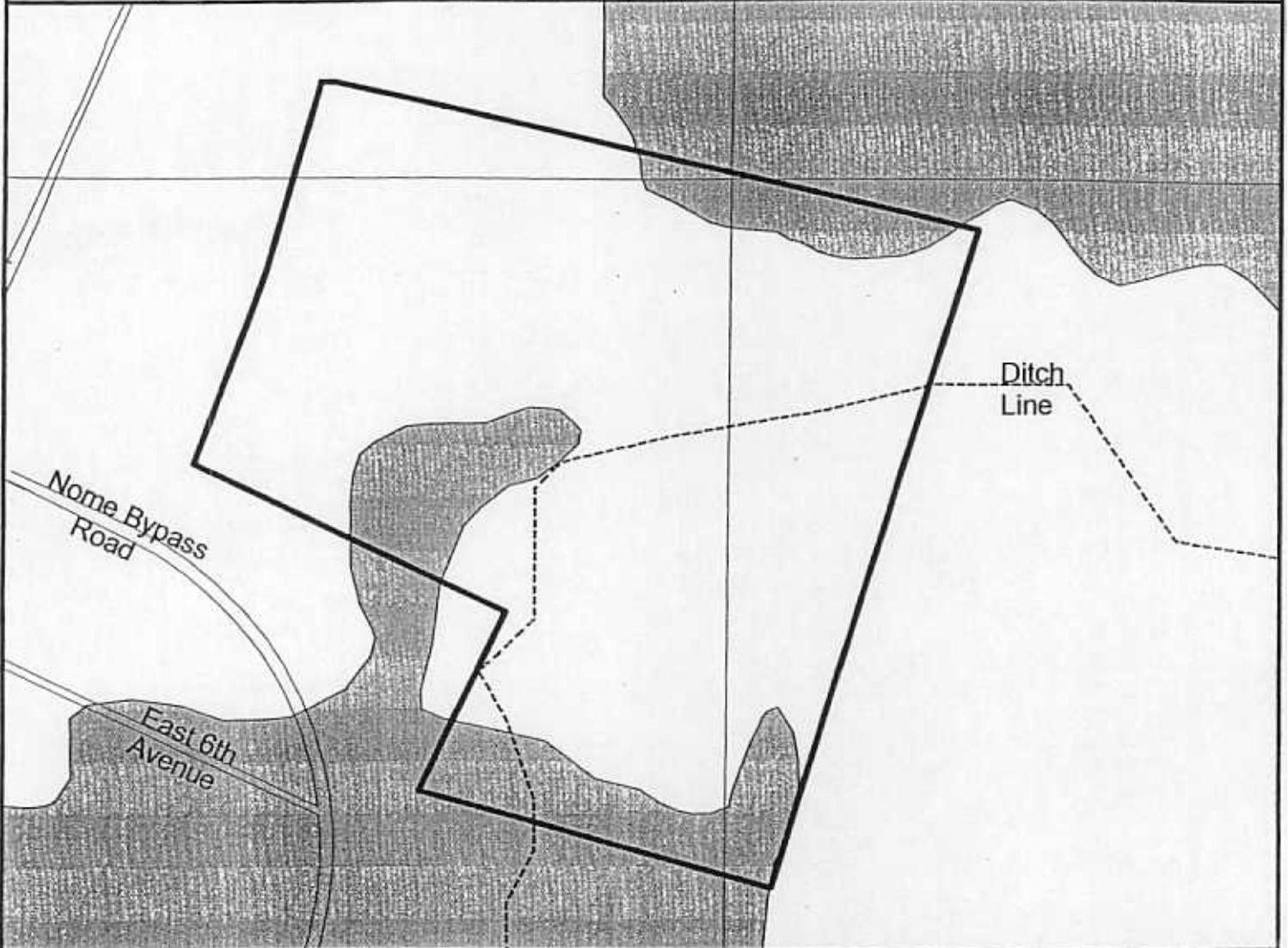
CITY OF NOME
WETLANDS PERMIT APPLICATION
General Permit 90-1M

LOCATION: Nome, Alaska
Water Body: Local Wetlands

SHEET 2 of 12

February 9, 2000

14(c)(3) Subdivision



- Text Nb1_text
- Text Nc1_text
- Nc1_road
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- ▲ LIGHT DUTY
- ▲ TRAIL
- Nb1_road
- ▲ GRAVEL PIT
- ▲ LIGHT DUTY
- ▲ UNIMPROVED DIRT
- ▲ UNIMPROVED DIRT CENT
- ▲ UNIMPROVED DIRT SIDE
- - - Nc1_strm
- - - Nb1_strm
- Subdiv1
- 14(c)(3)
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland

500 0 500 Feet



The 14(c)(3) Subdivision is located predominately in Township 11 South, Range 34 West Section 36 in the Kateel River Meridian.

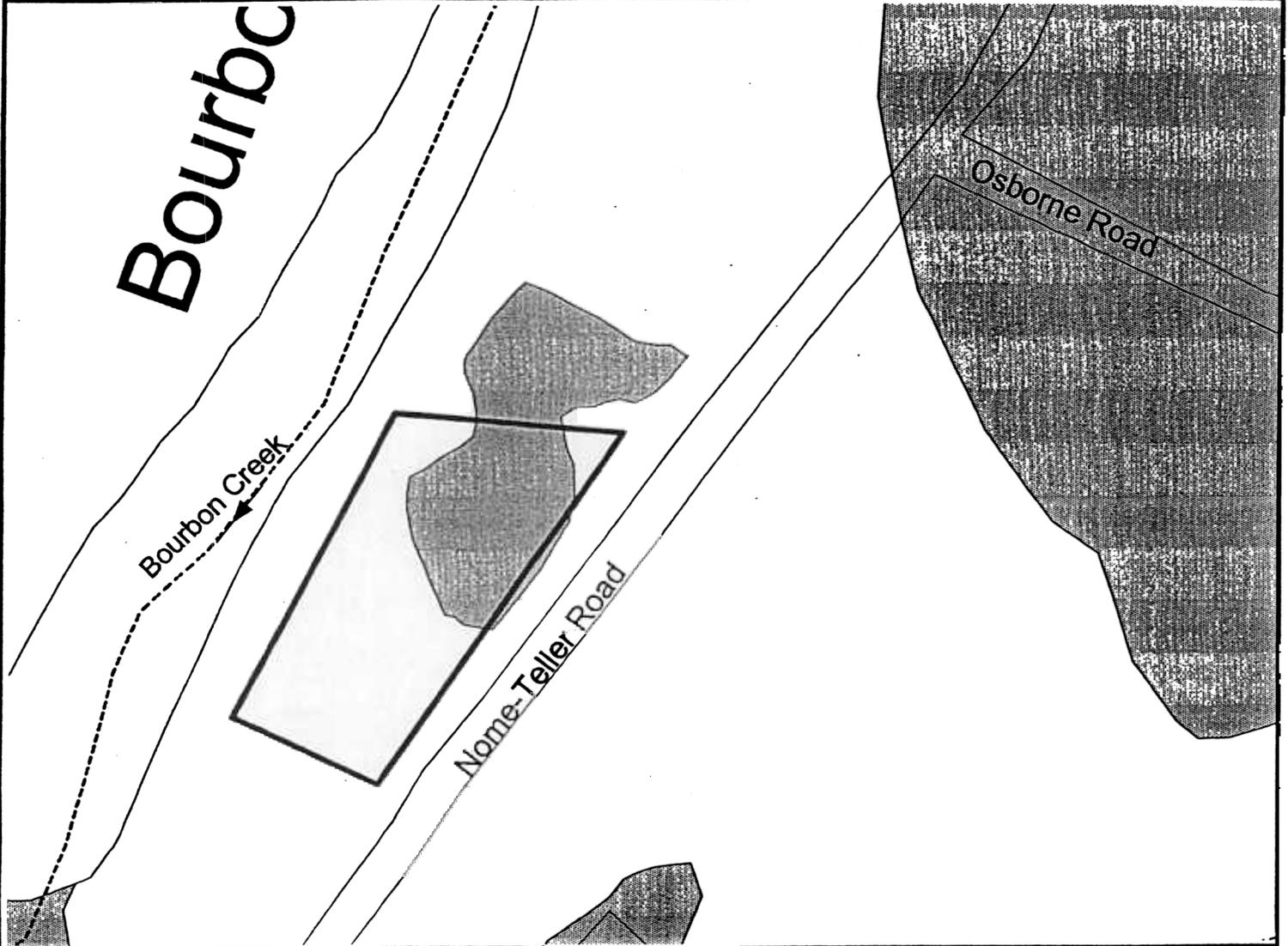
Acreage Breakdown by Wetlands Type for 14(c)(3) Subdivision

Uplands	5.824
Wetlands	27.786
Total	2.048 Acres

CITY OF NOME
WETLANDS PERMIT APPLICATION
 General Permit 90-1M
 LOCATION: Nome, Alaska
 Water Body: Local Wetlands

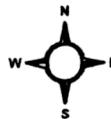
SHEET 3 of 12 February 9, 2000

Martinson Subdivision



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- ▲ TRAIL
- Nb1_road
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- ▲ LIGHT DUTY
- ▲ UNIMPROVED DIRT
- ▲ UNIMPROVED DIRT CENT
- ▲ UNIMPROVED DIRT SIDE
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- Nb1_strm
- Subdiv1
- MARTINSON
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland

500 0 500 Feet



The Martinson Subdivision is located in Township 11 South, Range 34 West Section 24 in the Kateel River Meridian.

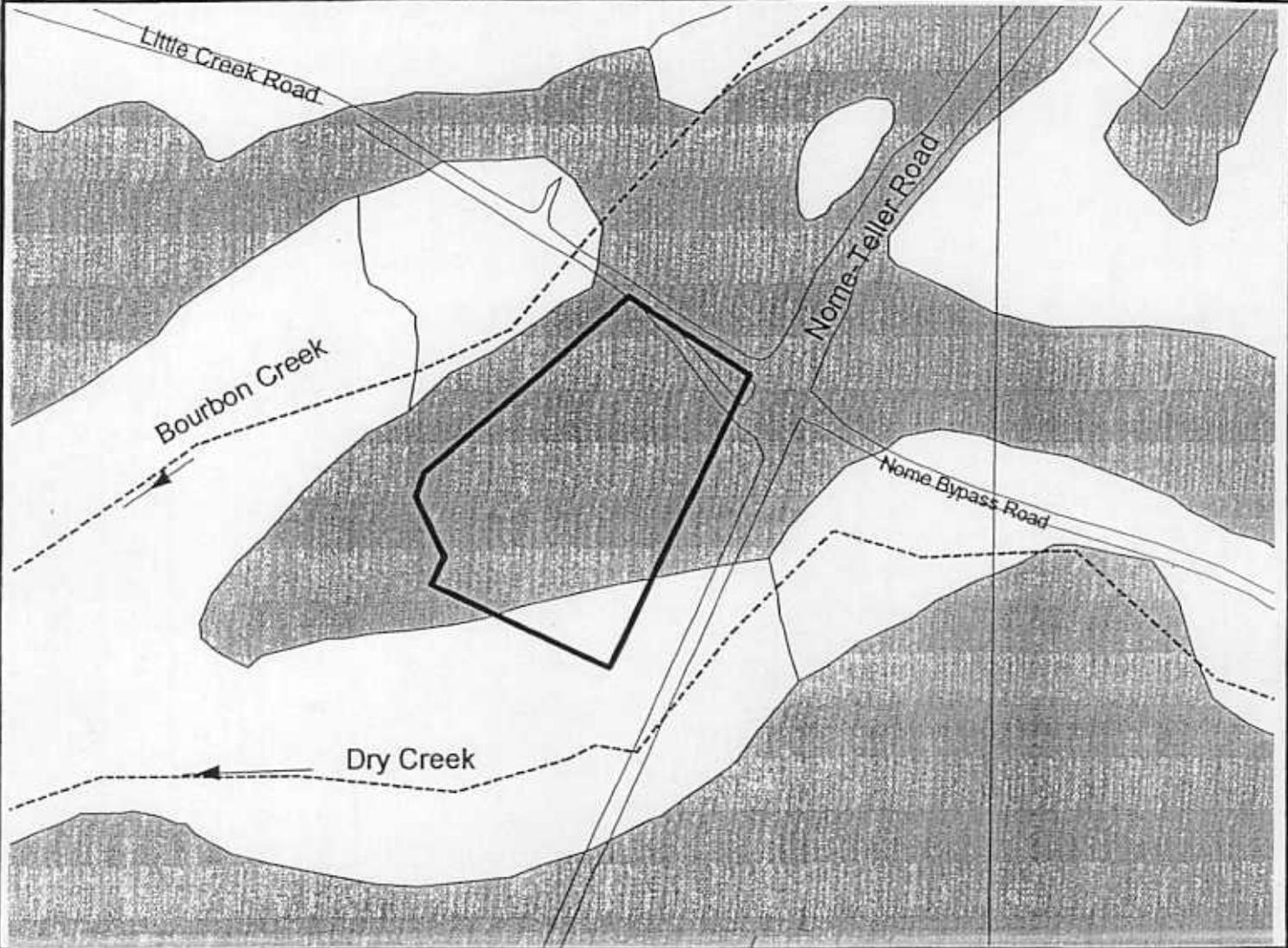
CITY OF NOME
WETLANDS PERMIT APPLICATION
 General Permit 90-1M
 LOCATION: Nome, Alaska
 Water Body: Local Wetlands

Acreage Breakdown by Wetlands
 Type for the Martinson Subdivision

Uplands	2.113
Wetlands	4.095
Total	6.208 Acres

SHEET 4 of 12 February 9, 2000

Chicken Hill Subdivision



- Text Nb1_text
- Text Nc1_text
- Nc1_road
- Nb1_road
- GRAVEL PIT
- LIGHT DUTY
- UNIMPROVED DIRT
- UNIMPROVED DIRT CENT
- UNIMPROVED DIRT SIDE
- Nc1_strm
- Nb1_strm
- Subdiv1
- CHICKEN HILL**
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland

500 0 500 Feet



The Chicken Hill Subdivision is located in Township 11 South, Range 34 West Section 26 in the Kateel River Meridian.

CITY OF NOME
WETLANDS PERMIT APPLICATION
General Permit 90-1M

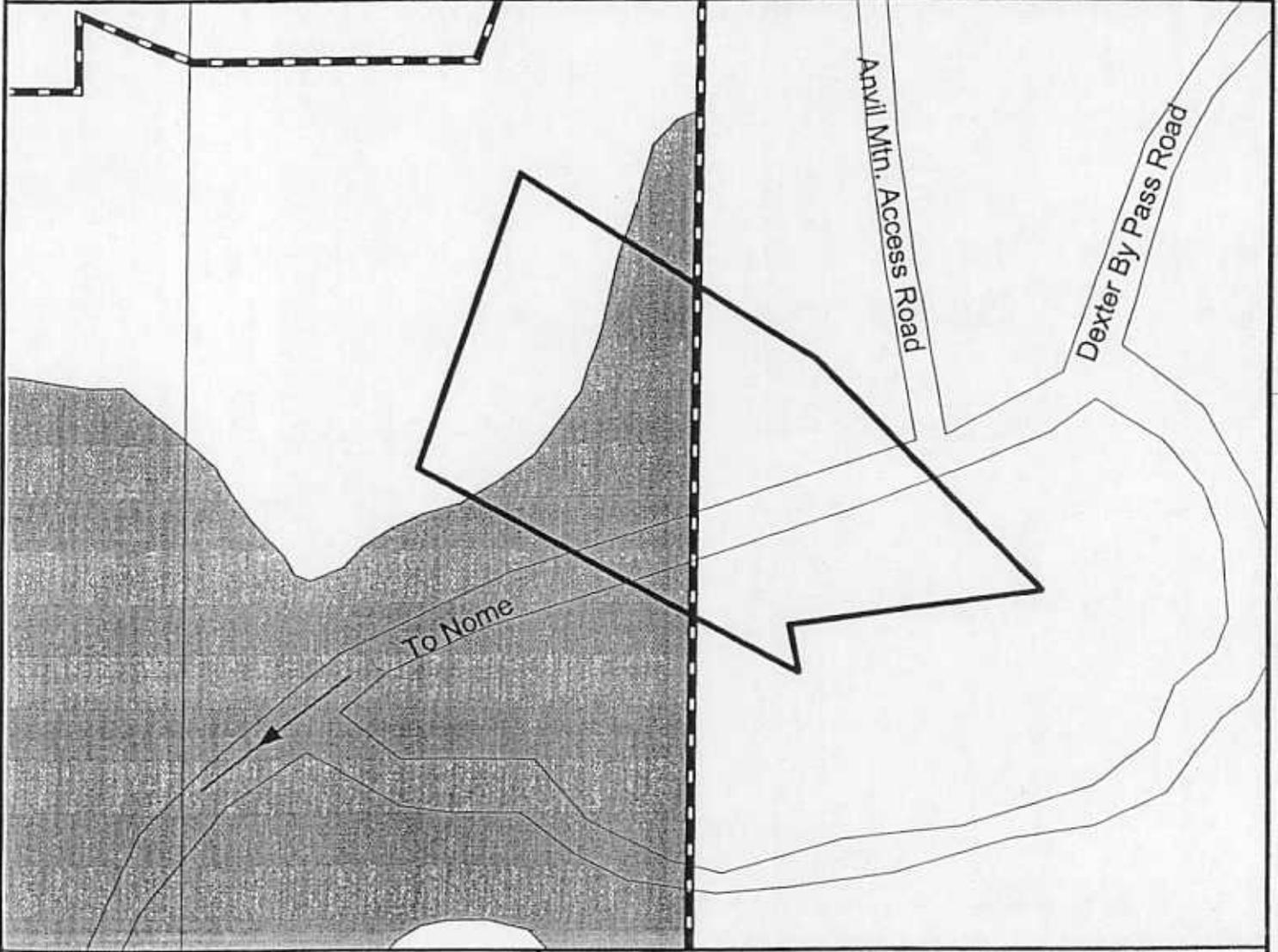
LOCATION: Nome, Alaska
Water Body: Local Wetlands

Acreage Breakdown by Wetlands
Type for the Chicken Hill Subdivision

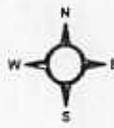
Uplands	5.444
Wetlands	0.566
Total	6.010 Acres

SHEET 5 of 12 February 9, 2000

Panorama View Subdivision



500 0 500 Feet



The Panorama View Subdivision is located in Township 11 South, Range 33 West Section 7 in the Kateel River Meridian.

- Text Nb1_text
- Text Nc1_text
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- ▲ GRAVEL PIT
- ▲ LIGHT DUTY
- ▲ UNIMPROVED DIRT
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- ▲ UNIMPROVED DIRT SIDE
- Nc1_strm
- Nb1_strm
- Subdiv 1
- PANORAMA VIEW
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland

Acreage Breakdown by Wetlands Type for the Panorama View Subdivision

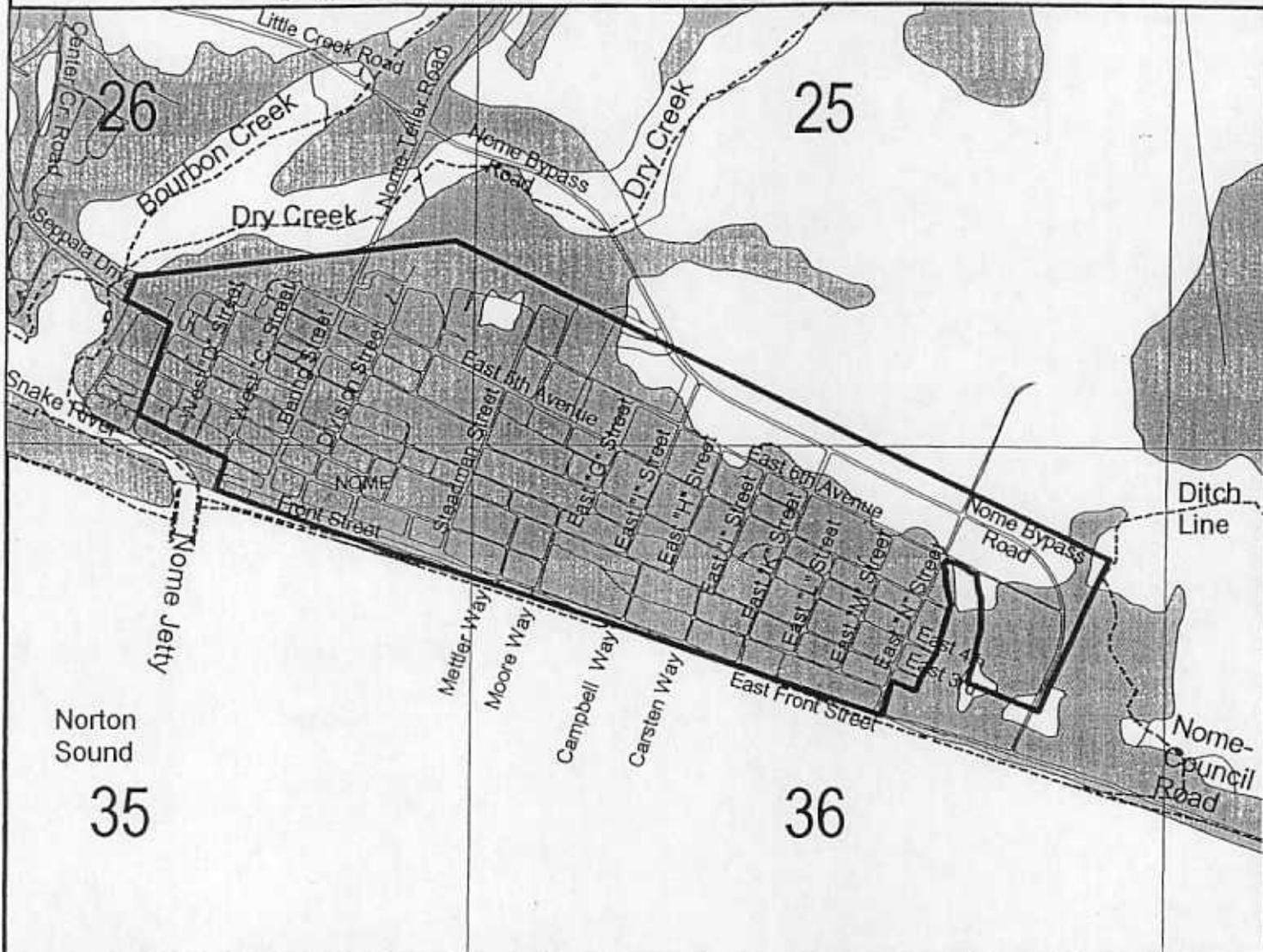
Uplands	3.780
Wetlands	3.084
Portion Excluded Outside City Boundary	6.081
Total	12.945 Acres

CITY OF NOME
WETLANDS PERMIT APPLICATION
 General Permit 90-1M
 LOCATION: Nome, Alaska
 Water Body: Local Wetlands

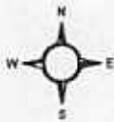
SHEET 6 of 12

February 9, 2000

NOME PROPER



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- Text Nc1_text
- Nc1_road
- Nb1_road
- GRAVEL PIT
- LIGHT DUTY
- UNIMPROVED DIRT
- UNIMPROVED DIRT CENT
- UNIMPROVED DIRT SIDE
- Nc1_strm
- Nb1_strm
- Subdiv1
- NOME PROPER**
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland



Nome Proper is located in Township 11 South, Range 34 West, Sections 25, 26, 35 & 36 in the Kateel River Meridian.

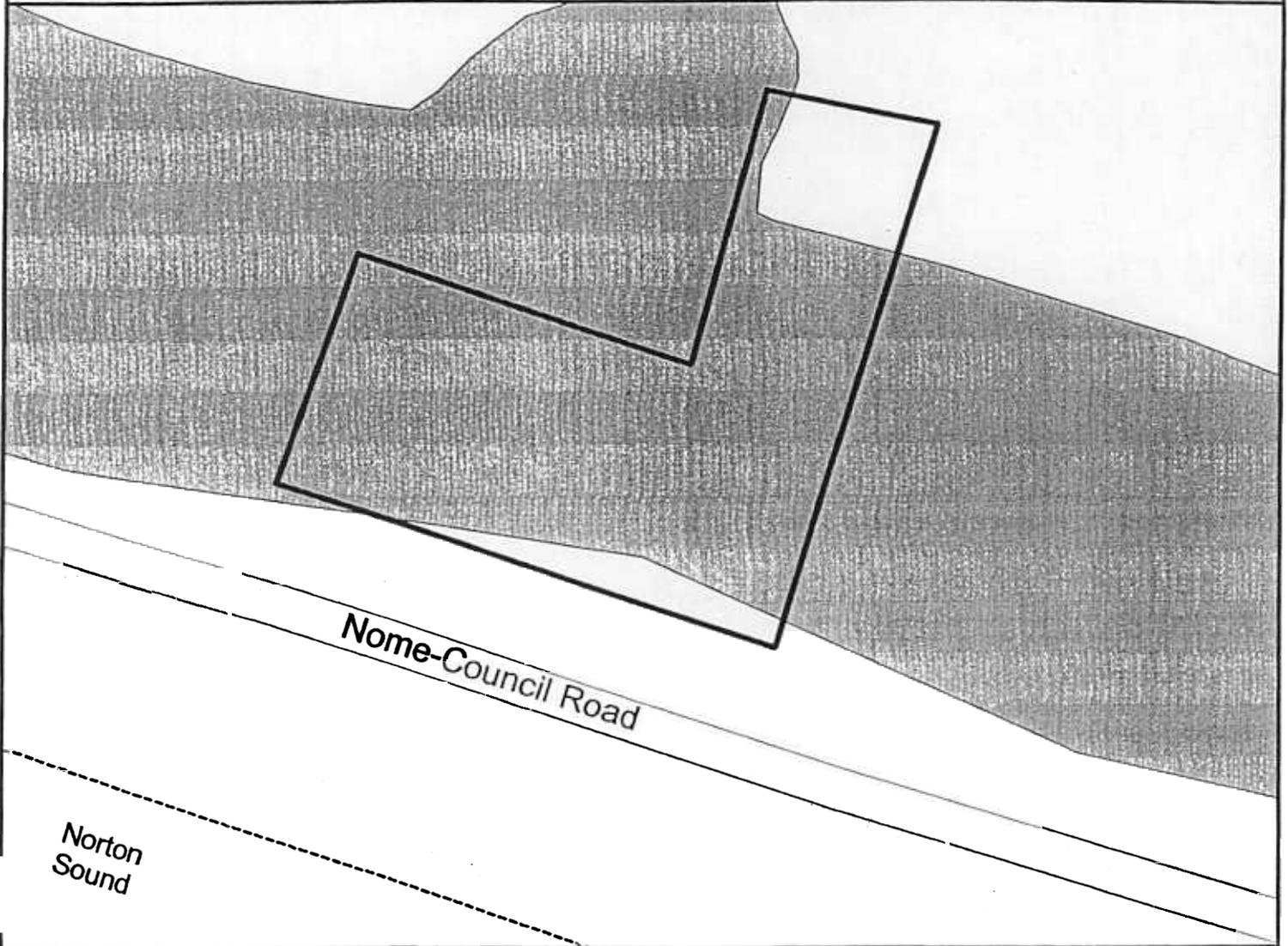
CITY OF NOME
WETLANDS PERMIT APPLICATION
 General Permit 90-1M
 LOCATION: Nome, Alaska
 Water Body: Local Wetlands

Acres Breakdown by Wetlands Type for Nome Proper

Uplands	266.600
Wetlands	43.490
Total	310.090 Acres

SHEET 7 of 12 February 9, 2000

Johanna Subdivision



- Text Nb1_text
- Text Nc1_text
- Nc1_road
- Nb1_road
- GRAVEL PIT
- LIGHT DUTY
- UNIMPROVED DIRT
- UNIMPROVED DIRT CENT
- UNIMPROVED DIRT SIDE
- Nc1_strm
- Nb1_strm
- Subdiv1
- JOHANNA
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland



100 0 100 Feet



The Johanna Subdivision is located in Township 11 South, Range 33 West Section 31 in the Kateel River Meridian.

CITY OF NOME
 WETLANDS PERMIT APPLICATION
 General Permit 90-1M
 LOCATION: Nome, Alaska
 Water Body: Local Wetlands

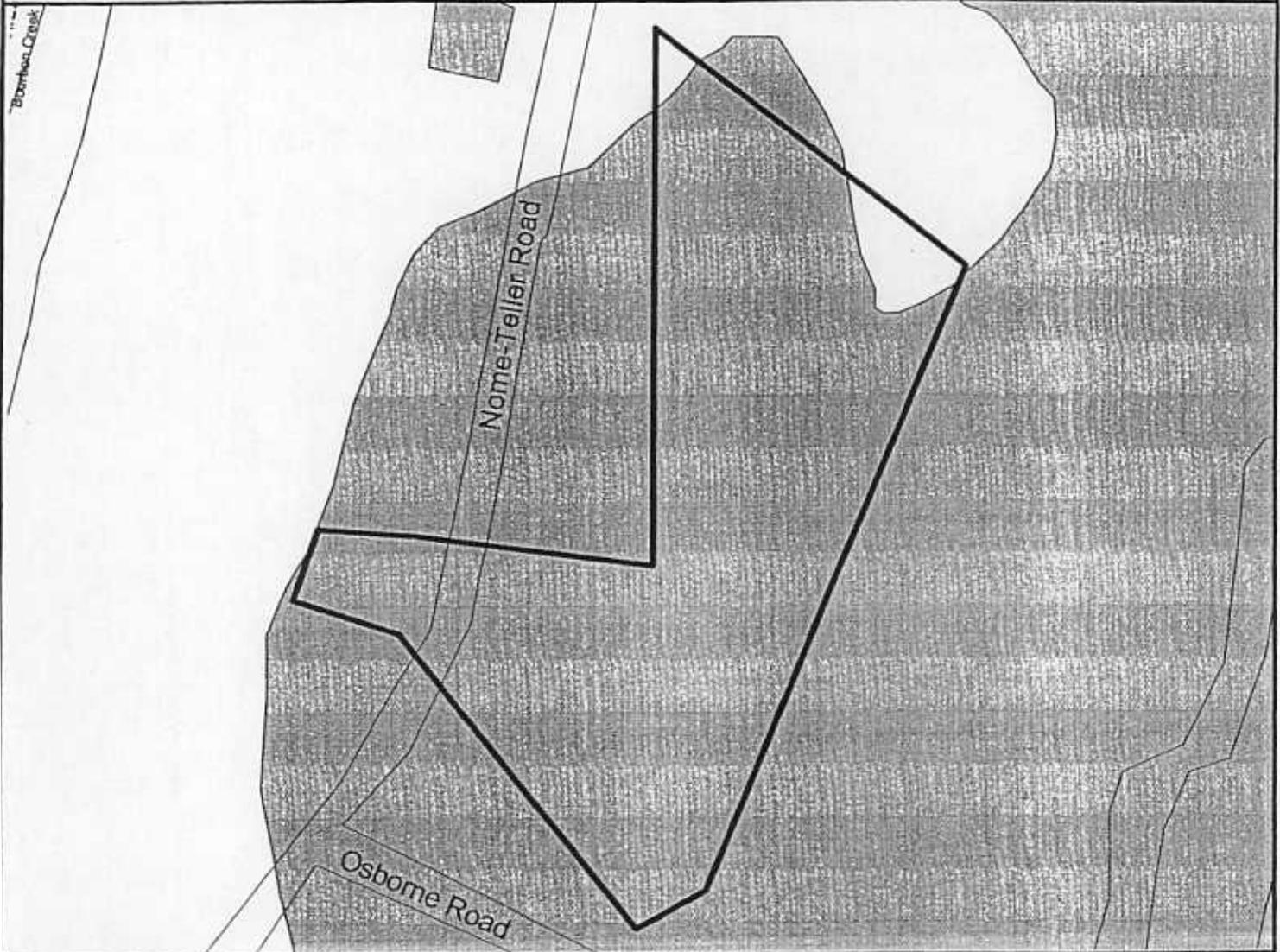
Acreege Breakdown by Wetlands Type for Johanna Subdivision

Uplands	1.685
Wetlands	0.363
Total	2.048 Acres

SHEET 8 of 12

February 9, 2000

Devereux Subdivision



- Text Nb1_text
- Text Nc1_text
- Nc1_road
- Nb1_road
- GRAVEL PIT
- LIGHT DUTY
- UNIMPROVED DIRT
- UNIMPROVED DIRT CENT
- UNIMPROVED DIRT SIDE
- Nc1_strm
- Nb1_strm
- Subdiv1
- DEVEREUX
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland

500 0 500 Feet



The Devereux Subdivision is located in Township 11 South, Range 34 West Section 24 in the Kateel River Meridian.

CITY OF NOME
WETLANDS PERMIT APPLICATION
General Permit 90-1M

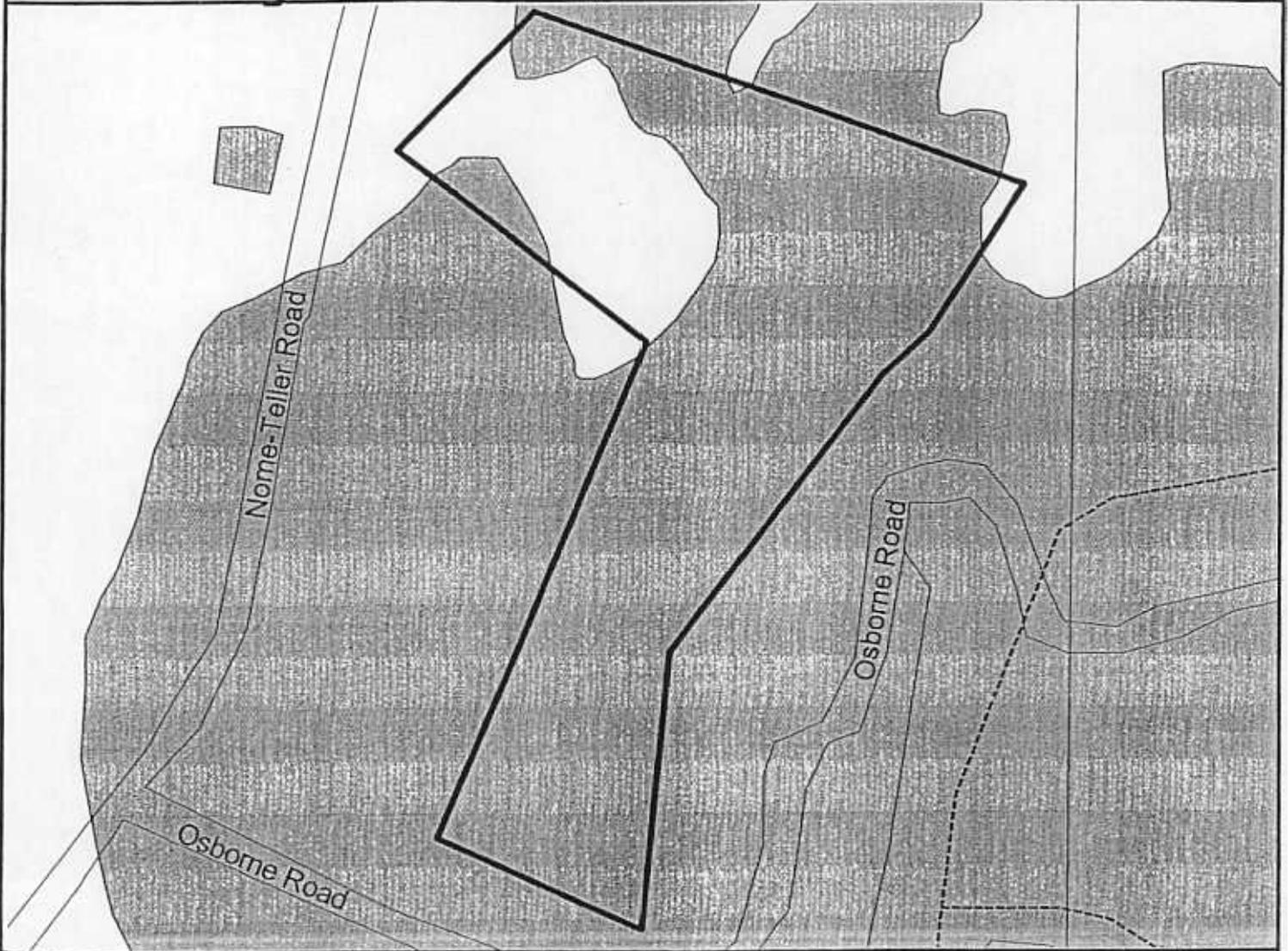
LOCATION: Nome, Alaska
Water Body: Local Wetlands

Acreage Breakdown by Wetlands Type for the Devereux Subdivision

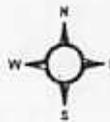
Uplands	18.742
Wetlands	0.865
Total	19.607 Acres

SHEET 9 of 12 February 9, 2000

Icy View Subdivision



600 0 600 Feet



The Icy View Subdivision is located in Township 11 South, Range 34 West Section 24 in the Kateel River Meridian.

- Text Nb1_text
- Text Nc1_text
- Nc1_road
- Nb1_road
- GRAVEL PIT
- LIGHT DUTY
- UNIMPROVED DIRT
- UNIMPROVED DIRT CENT
- UNIMPROVED DIRT SIDE
- Nc1_strm
- Nb1_strm
- Subdiv1
- ICY VIEW
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland

Acreege Breakdown by Wetlands Type for the icy View Subdivision

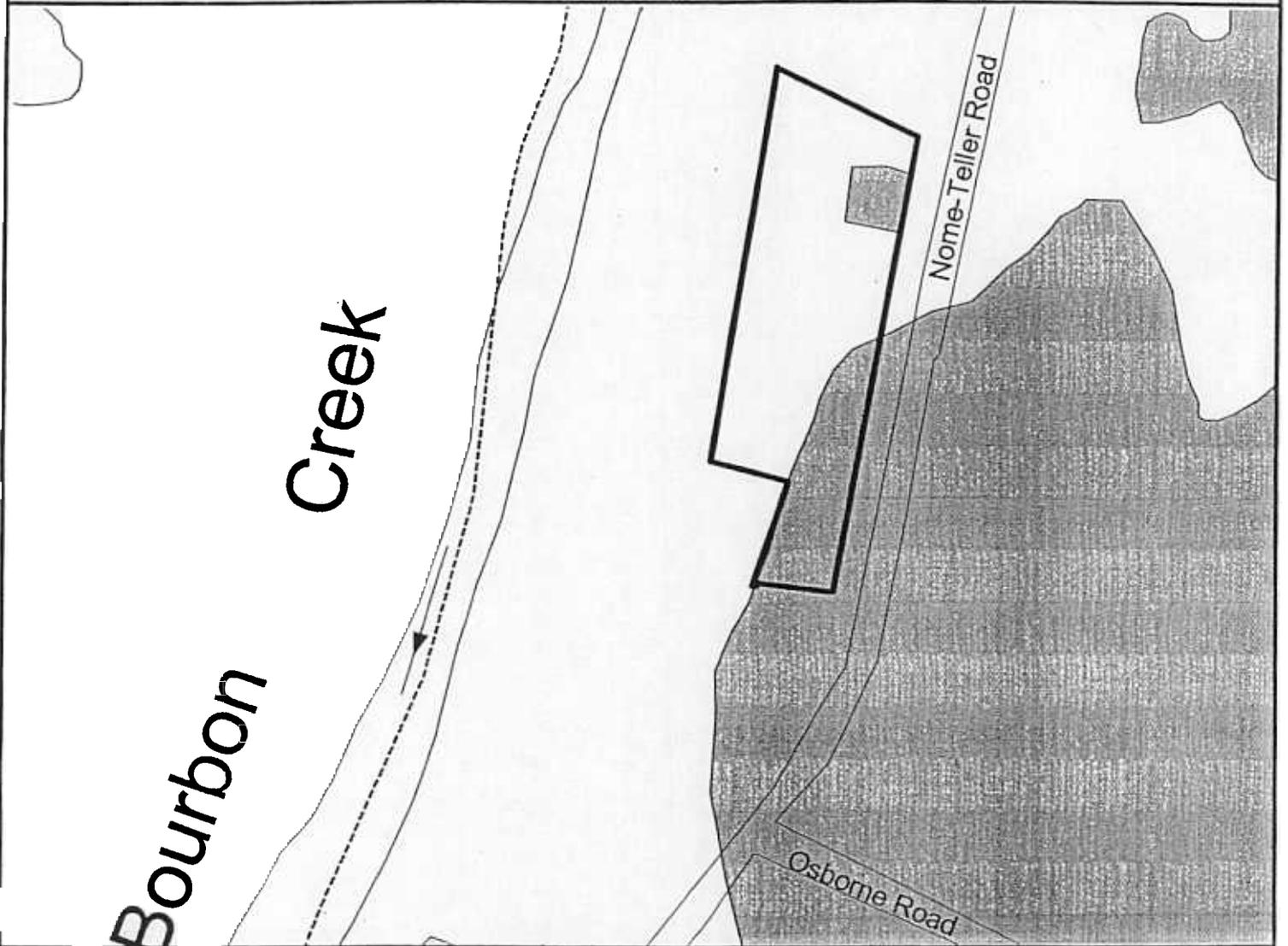
Uplands	25,896
Wetlands	6,280
Total	32,176 Acres

CITY OF NOME
WETLANDS PERMIT APPLICATION
General Permit 90-1M

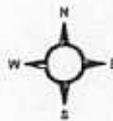
LOCATION: Nome, Alaska
Water Body: Local Wetlands

SHEET 10 of 12 February 9, 2000

Bourbon Creek Subdivision



- Text Nb1_text
- Text Nc1_text
- Nc1_road
- Nb1_road
- GRAVEL PIT
- LIGHT DUTY
- UNIMPROVED DIRT
- UNIMPROVED DIRT CENT
- UNIMPROVED DIRT SIDE
- Nc1_strm
- Nb1_strm
- Subdiv1
- BOURBON CREEK
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland



The Bourbon Creek Subdivision is located in Township 11 South, Range 34 West, Section 24 in the Kateel River Meridian.

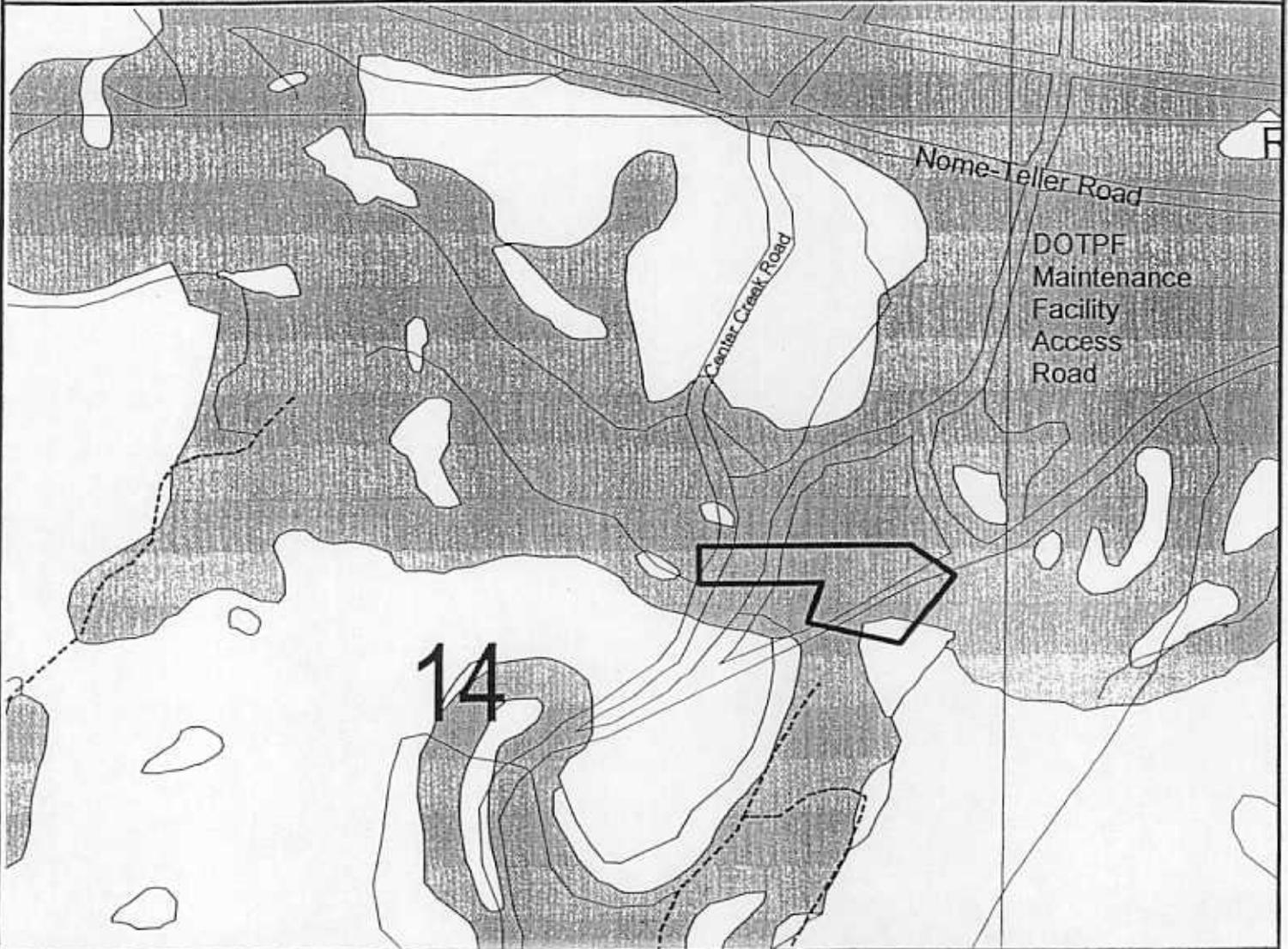
CITY OF NOME
 WETLANDS PERMIT APPLICATION
 General Permit 90-1M
 LOCATION: Nome, Alaska
 Water Body: Local Wetlands

Acreage Breakdown by Wetlands Type for the Bourbon Creek Subdivision

Uplands	2.569
Wetlands	6.434
Total	9.003 Acres

SHEET 11 of 12 February 9, 2000

Flat Creek Subdivision



- Text Nb1_text
- Text Nc1_text
- Nc1_road
- Nb1_road
- GRAVEL PIT
- LIGHT DUTY
- UNIMPROVED DIRT
- UNIMPROVED DIRT CENT
- UNIMPROVED DIRT SIDE
- Nc1_strm
- Nb1_strm
- Subdiv1
- FLAT CREEK
- Nc1_sect
- Nb1_sect
- Wetlands
- Upland
- Wetland

1000 0 1000 Feet



The Flat Creek Subdivision is located in Township 11 South, Range 34 West, Section 14 in the Kateel River Meridian.

CITY OF NOME
 WETLANDS PERMIT APPLICATION
 General Permit 90-1M
 LOCATION: Nome, Alaska
 Water Body: Local Wetlands

Acreage Breakdown by Wetlands
 Type for the Flat Creek Subdivision

Uplands	7.357
Wetlands	0.510
Total	7.867 Acres

SHEET 12 of 12 February 9, 2000

Handwritten initials and markings at the top of the page.

TONY KNOWLES, GOVERNOR

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

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

June 20, 2001

Certified Receipt Z 383 454 923

Faye Heitz
US Army Corps of Engineers
Regulatory Branch
PO Box 898
Anchorage, Alaska 99506

RE Amendment to Certificate of Reasonable Assurance
City of Nome, GP 90-1N
State ID. No. AK0104-21AA

RECEIVED

JUN 22 2001

REGULATORY BRANCH
Anchorage District, Corps of Engineer

Dear Ms. Heitz

This letter amends the referenced certification issued to the US Army Corps of Engineers, PO Box 898, Anchorage, Alaska 99506, in accordance with Section 401 of the Federal Clean Water Act and provisions of the Alaska Water Quality Standards. The subject certification is reissued with the following amendments:

- 1 The current general permit covers 388.95 wetland acres; the amendment permit will cover 433.48 acres of wetlands.
- 2 The 50' setback from the ordinary high water mark of natural bodies of water shall be reduced to 10' along the established drainage near East N Street and 6th Avenue. This drainage will be preserved during development and adjacent disturbed areas will be re-seeded to reduce erosion.

By the copy of this letter, we are advising the Division of Governmental Coordination of this action. Please contact me if you have any questions concerning this amendment.

Sincerely,



Tim Rumpf
Environmental Specialist

Cc: Jess Bury, DGC

"Clean Air, Clean Water"

STATE OF ALASKA

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF GOVERNMENTAL COORDINATION

FED

TONY KNOWLES, GOVERNOR

SOUTHCENTRAL REGIONAL OFFICE
550 W. 7TH AVENUE, SUITE 1660
ANCHORAGE, ALASKA 99501
PH: (907) 269-7470/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) 272-3829

June 7, 2001

Faye Heitz
US Army Corps of Engineers, Alaska District
Regulatory Branch
Post Office Box 898
Anchorage, AK 99506-0898

RECEIVED
JUN 08 2001
REGULATORY BRANCH
Alaska District, Corps of Engineers

Dear Ms Heitz

SUBJECT General Permit 90-1 Reauthorization
STATE I.D. NO. AK 0104-21AA
FINAL CONSISTENCY FINDING

The Division of Governmental Coordination (DGC) is coordinating the State's review of your project for consistency with the Alaska Coastal Management Program (ACMP) and has developed this proposed consistency finding based on reviewers' comments. Because all parties with elevation and petition rights concurred with this project per the ACMP, I did not issue a proposed consistency finding.

Scope of Project Reviewed

The activity subject to this review is the reauthorization of General Permit 90-1 (GP 90-1), authorizing the placement of dredged and/or fill material into waters of the United States, including wetlands, for residential, public, and commercial development within certain defined areas of the City of Nome, Alaska. The reauthorization of GP 90-1 includes the following modifications:

- The City of Nome has requested expansion of the existing GP boundaries to include five additional subdivisions: Flat Creek, Bourbon Creek, Devereux, Chicken Hill, and Johanna.
2. The inclusion of the five additional subdivisions would increase the acreage of fill allowed under GP 90-1 by 8.74 acres.

3. The City of Nome has requested a reduction in the setback proscribed in condition 1 of the current GP (GP 90-1M) from fifty feet to ten feet.
4. The current GP covers 388.95 acres of fill. The proposed changes outlined above would increase the total acreage of fill to 433.48 acres.

The location is:

T. 11S, R. 33W, Sections 7, 18, 19, 30, 31, 32, Kateel River Meridian.
T. 11S, R. 34W, Sections 2, 12, 14, 21, 22, 23, 24, 25, 26, 27, 28, 35, 36, Kateel River Meridian.

This final consistency finding, developed under 6 AAC 50, applies to the federal consistency determination required for the activity per 15 CFR 930 Subpart C.

The Alaska Departments of Environmental Conservation, Fish and Game, and Natural Resources and the City of Nome coastal resource district have reviewed your activity. Based on that review, the State concurs with your determination that this project is consistent with the ACMP to the maximum extent practicable.

Advisories.

Please be advised that although the State agrees the project is consistent with the ACMP, based on your project description and any alternative measures contained herein, you are still required to meet all applicable State and federal laws and regulations. Your consistency finding may include reference to specific laws and regulations, but this in no way precludes your responsibility to comply with other applicable laws and regulations.

This final consistency determination is a final administrative decision for purposes of Alaska Appellate Rules 601-612. Any appeal from this decision to the superior court must be made within 30 days of the date of this determination.

This consistency finding is ONLY for the activity as described. If you propose changes to the approved activity, including its intended use, prior to or during its siting, construction, or operation, you must contact this office immediately to determine if further review and approval of the revised project is necessary. Changes may require additional state, federal or local approvals or amendments to this consistency finding.

June 7, 2001

If the proposed activities reveal cultural or paleontological resources, please stop any work that would disturb such resources and immediately contact the State Historic Preservation Office (907-269-8720) and the Corps of Engineers (907-753-2712) so that consultation per section 106 of the National Historic Preservation Act may proceed.

By copy of this letter, I am informing the Corps of Engineers of DGC's final finding.

If you have any questions regarding this process, please contact me at 907-269-7476 or email jessica_bury@gov.state.ak.us.

Sincerely,



Jessica Bury
Project Review Coordinator

Cc: Faye Heitz, COE
Stefanie Ludwig, DNR/SHPO, Anchorage
Tim Rumpfak, DEC, Anchorage
Roselynn Smith, DNR/DOL, Fairbanks
Al Ott, DFG/DHR, Fairbanks
Terry Richards, DOT/PF, Fairbanks
Chuck Degnan, BSCRSA, Unalakleet
Randy Romenecko, City Manager, Nome
Tom Sparks, Bering Straits Native Corporation, Nome
Andrew Miller/Arthur Martin, Nome Eskimo Community I.R.A. Council, Nome