US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145b)
3437 Airport Way
Suite 206
Fairbanks, Alaska 99709-4777

PUBLIC NOTICE DATE: March 2, 2006

EXPIRATION DATE: March 31, 2006

REFERENCE NUMBER: POA-1988-394-4

WATERWAY NUMBER: Faith Creek

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Mr. George Seuffert Jr., Post Office Box 6B, Chicken, Alaska 99732

LOCATION: Sections 15, 21 and 22, T. 6 N., R. 7 E., Fairbanks Meridian. Faith Creek. Latitude 65.3334° N., and Longitude 146.3041° W.

WORK: The applicant proposes to discharge approximately 1,354,000 cubic yards (cy) of material into approximately 98.5 acres of previously undisturbed wetlands in Faith Creek drainage, and discharge approximately 143,000 cy of material into ten acres of substrate below ordinary high water in Faith Creek. All work would be completed in accordance with the attached plans, sheets 1 of 13, dated 1/16/06.

PURPOSE: The purpose of the project is to placer mine approximately two miles of Faith Creek valley bottom.

ADDITIONAL INFORMATION:
This is a multi-year placer mining application that exceeds the acreage allowed under General Permit 88-02P, Placer Mining. Reference APMA #9149.

SOUTH AREA: For the undisturbed area located in Section 21, represented by cross section A on sheet 3 and discussed on sheets 6-9: Ten cuts (see sheet 7), each 1000' long by 450' wide would be mined, nine are located in wetlands for a total of 93 acres of disturbance in wetlands. A total of approximately 1,416,000 cubic yards (cy) of material (pay gravel, gravel overburden and organic overburden) would be removed and stockpiled as the mining progressed (approximately 1,275,000 cy in wetlands). Organic overburden would be stockpiled separately from gravel overburden for use in reclamation. Reclamation would be ongoing with mining. All tailings would be leveled and recontoured as practical. Organics would be re-spread above the ordinary high water of Faith Creek. Several ponds would remain after mining and reclamation were completed. They would be in the flood plain of Faith Creek. Faith Creek in this area is located in its original channel. The applicant states that the creek is migrating to the southeast and runs along a steep valley wall. The creek would remain undisturbed during mining. It would remain in the current channel during and after mining was completed.

NORTH AREA: For the previously mined area, mostly in the north east quarter of section 21, and sections 22 and 15, represented by cross section B on sheet 3, and discussed on sheets 10-13: Two channels for Faith Creek exist in this area. "A" channel is located in old stabilized tailings, and the "B" channel is on the south east side of the valley and was used as a bypass during mining in the 1980s. It is smaller and less wide than the current "A" channel (see sheet 10). The mining would occur in the area where the "B" channel currently exists (see sheet 13). This mining would occur mostly in previously worked tailings piles, and within the active B channel. There is approximately 5.5 acres of undisturbed black spruce scrub shrub wetlands within the area planned to be mined. (Approximately 79,000 cy of materials would be discharged into the 5.5 acres of wetlands.) The "B" channel is approximately 50 - 75' wide. The "B" channel area would be mined in six 200' wide by 1000' long trenches, for approximately 10 acres of work below ordinary high water (OHW) in the creek itself. (Approximately 143,000 cy of materials would be discharged into the ten acres below OHW) Organic overburden would be stockpiled separately from gravel overburden for use in reclamation. Reclamation would be ongoing with mining. All tailings would be leveled and recontoured as practical. Organics would be re-spread above the ordinary high water of Faith Creek. The "B" channel would be reconstructed with Faith Creek's natural gradient and sinuosity. The "B" channel would serve as a "flood" channel for the main "A" channel, which would remain undisturbed during the mining activity.

Additionally, three test trenches would be excavated on the northwest facing, gently sloping bench to the south east of the channel (see sheet 11). The trenches are on average 125' long and 50' wide. Material would be temporarily stockpiled adjacent to the pile. The trench would be backfilled and the organic overburden re-spread on top. Less than one acre of wetlands would be filled for the three test trenches.

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.

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.

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. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, 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 Engineer during the public comment period.

ENDANGERED SPECIES:
No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

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 decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That 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 Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this

decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

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 Ellen Huber Lyons at the Fairbanks Field Office, 907-474-2166, or by email at Ellen.M.Huber@poa02.usace.army.mil if further information is desired concerning this notice.

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).

A plan, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER
Non-Point Source Water Pollution Control Program
401 Certification Program

NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION

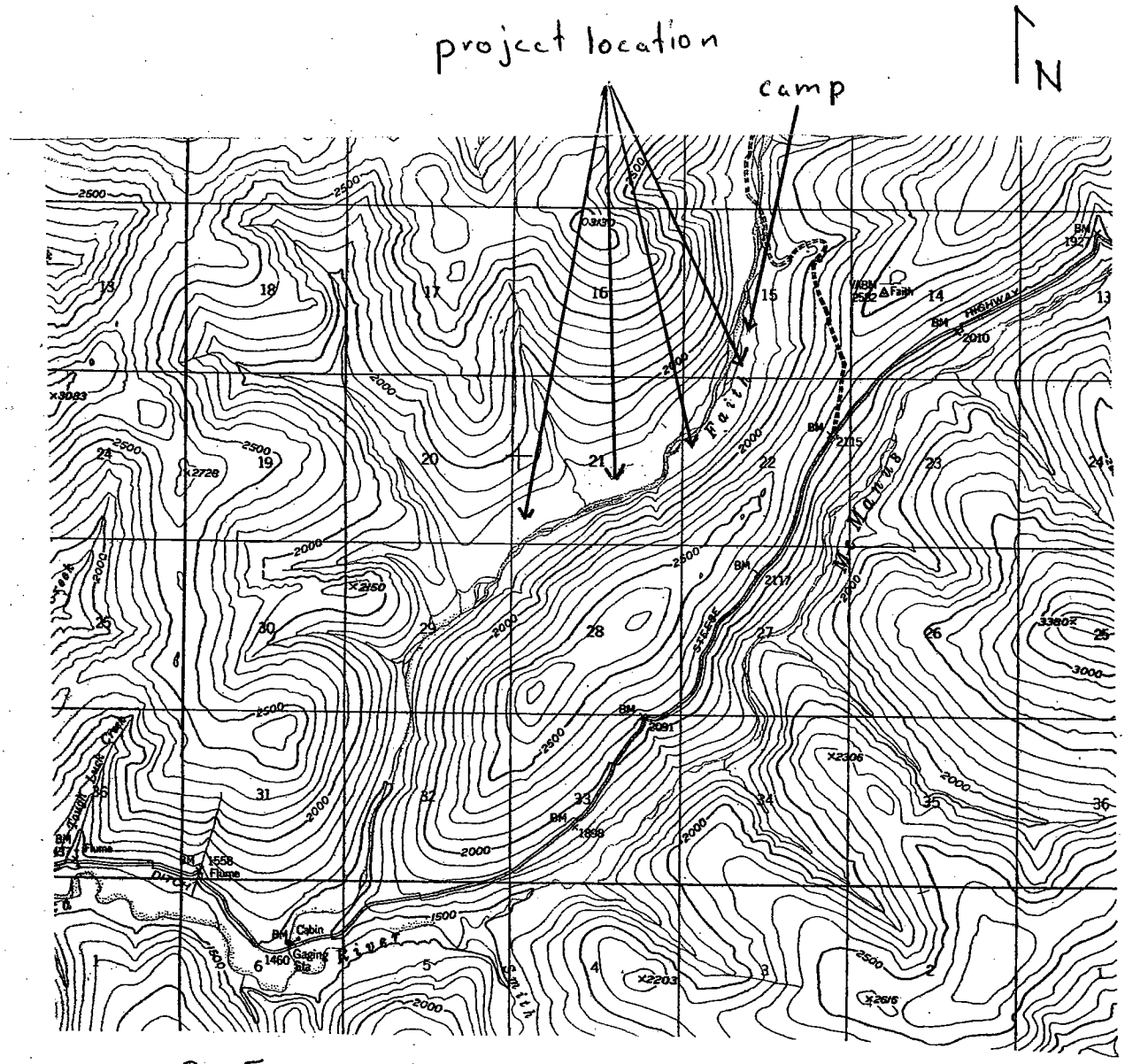
Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA 1988 394 4, Faith Creek** serves as application for a short-term variance of State Water Quality Certification from the Department of Environmental Conservation, as provided in Section 401 of the Clean Water Act of 1977 (PL 95-217).

The Department will review the proposed activity to ensure that, except for an allowed, short-term variance, any discharge to waters of the United States resulting from the referenced project will comply with the Clean Water Act of 1977 (PL95-217), the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

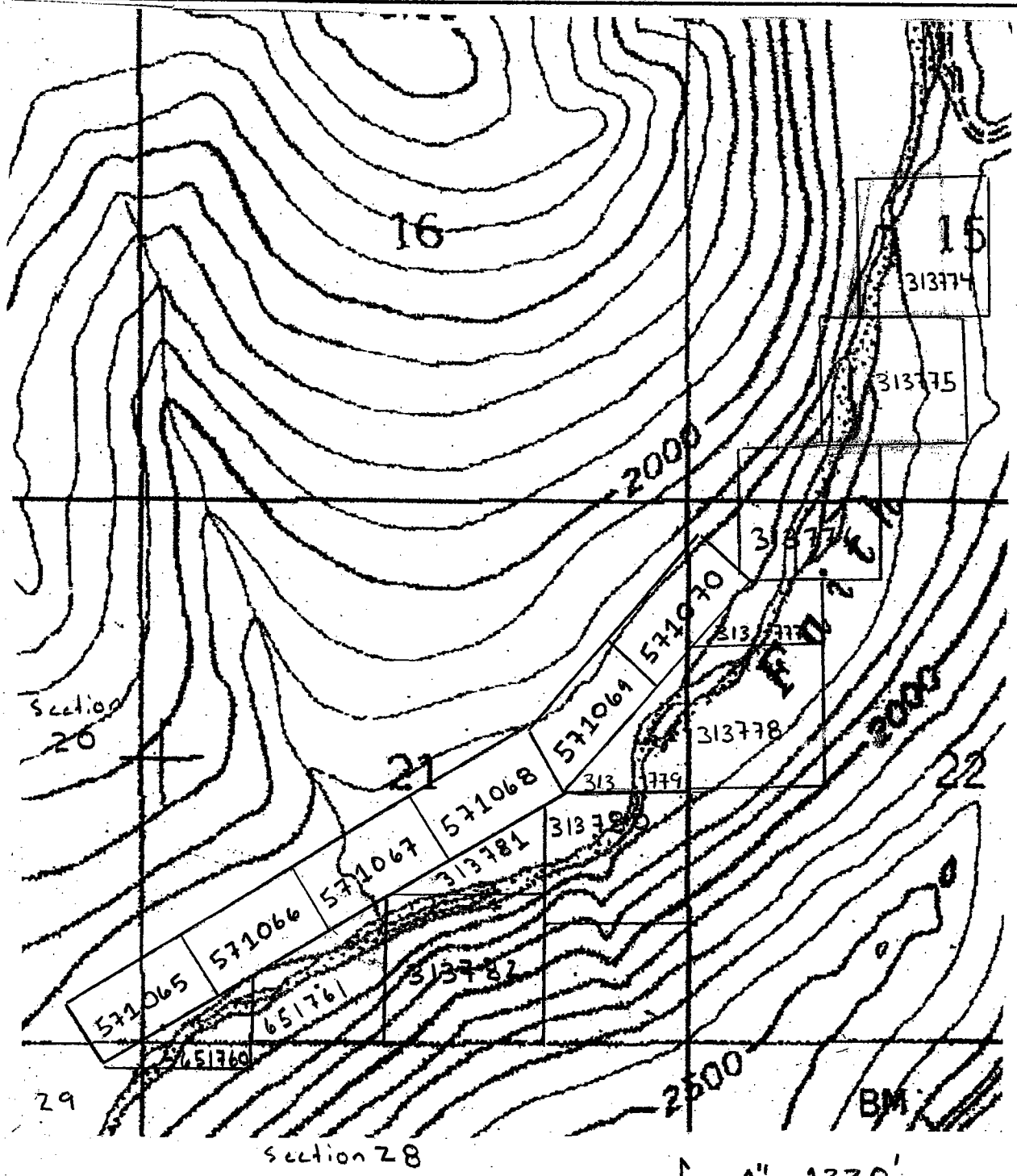
Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-7564
FAX: (907) 269-7508



Circle B-5
Fairbanks Meridian
T6N R7E
Sections 15, 20, 21, 22, 28, 29
72 mile Steese Hwy

POA-1988-394-4
Location

Name George Seuffert Jr
Waterway Faith Creek
Location 72 mile Steese Hwy
Sheet 1 of 13 Date 1/16/06



N 1" = 1320'

Roberta 1-6 ADL 571065-571070

F.C. 7-15 ADL 313774-313782

Roberta 9 ADL 651760

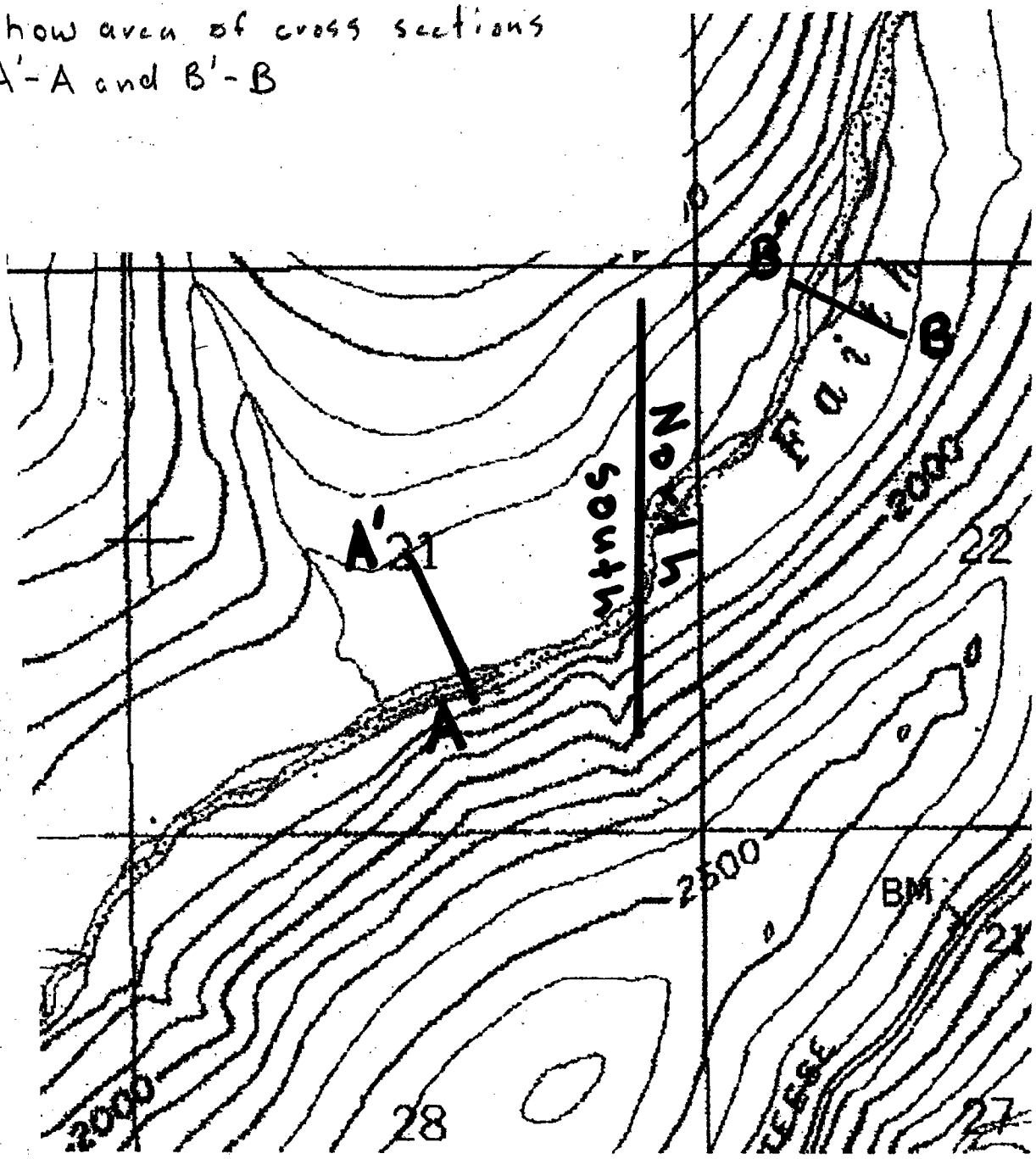
Roberta 11 ADL 651761

F M T 6N R 7E Sections 15, 20, 21, 28, 29

POA-1988-394-4
Claim Map

Name	George Seuffert Jr
Waterway	Faith Creek
Location	72 mile Steese Hwy
Sheet 2 of 13	Date 1/16/06.

Project divided into two areas North South
Show area of cross sections A'-A and B'-B

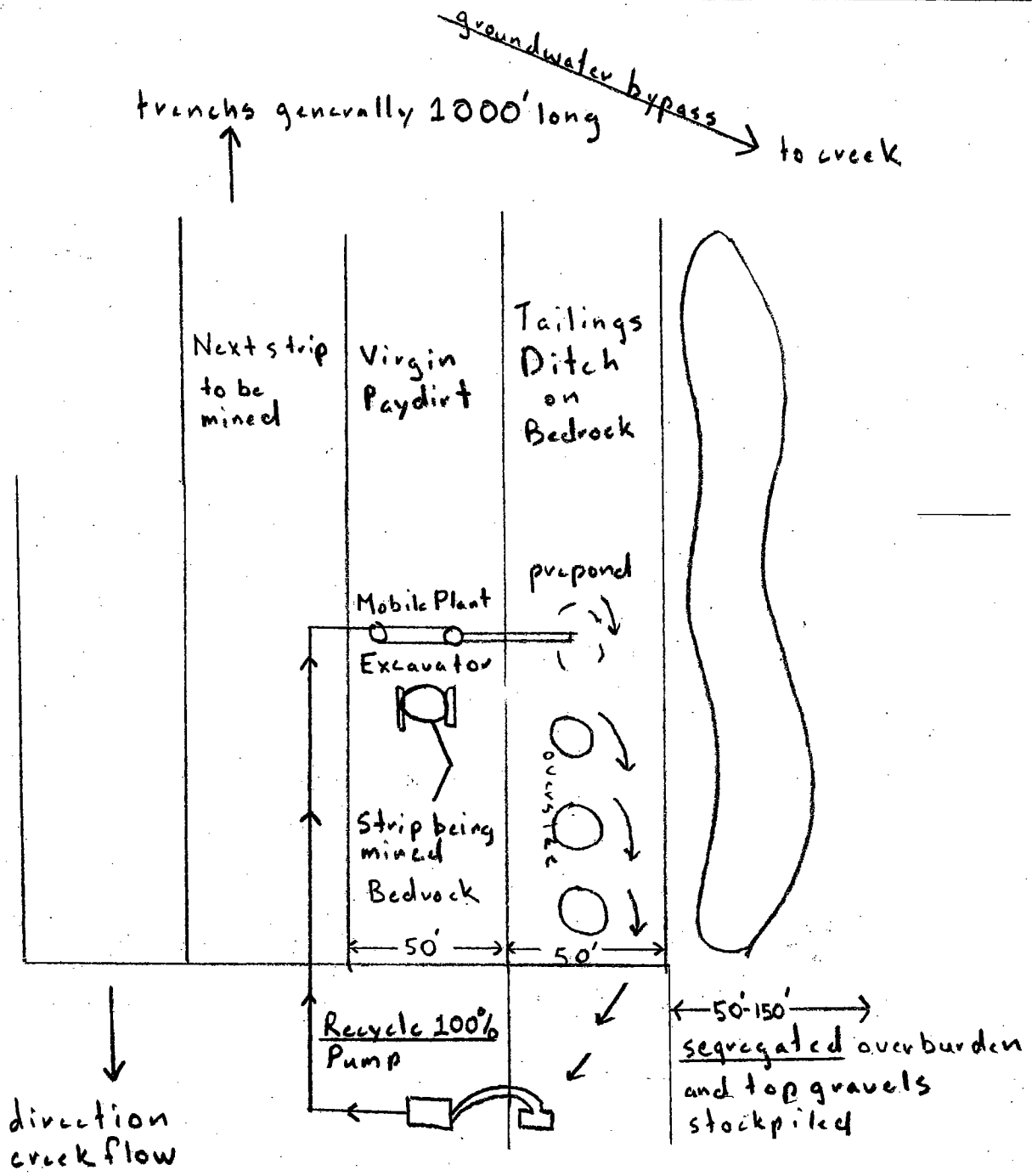


POA-1988-394-4

N 1" = 1500'

Locations

Name	George Seuffert Jr
Waterway	Faith Creek
Location	72 mile Steese Hwy
Sheet 3 of 13	Date 1/16/06



note: can be reversed for right or left limit mining

note: leaves creek bottom at its natural gradient when leveled

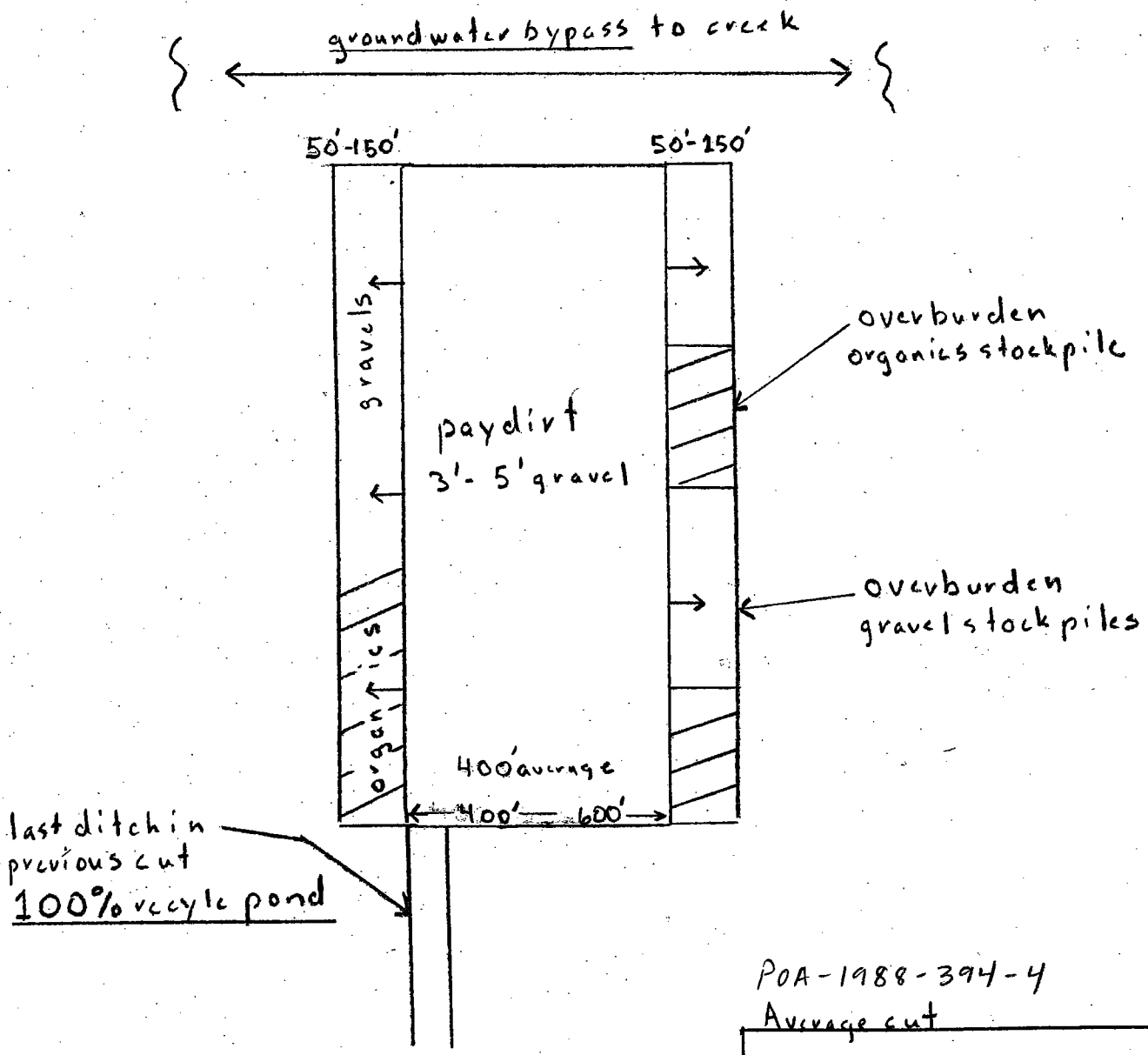
1" = 50'

POA-1988-394-4

Mobile Mining Method

Name George Seuffert Jr	
Waterway Faith Creek	
Location 72 mile Steese Hwy	
Sheet 4 of 13	Date 1/16/06

organics and gravels tend to be intermixed in this deposit due to its recent geologic age and general lack of overburden will segregate as practical We may only stockpile overburden on one side of cut or we may if one cut has more organics will respread some of that over adjacent mined cut



1" = 250'

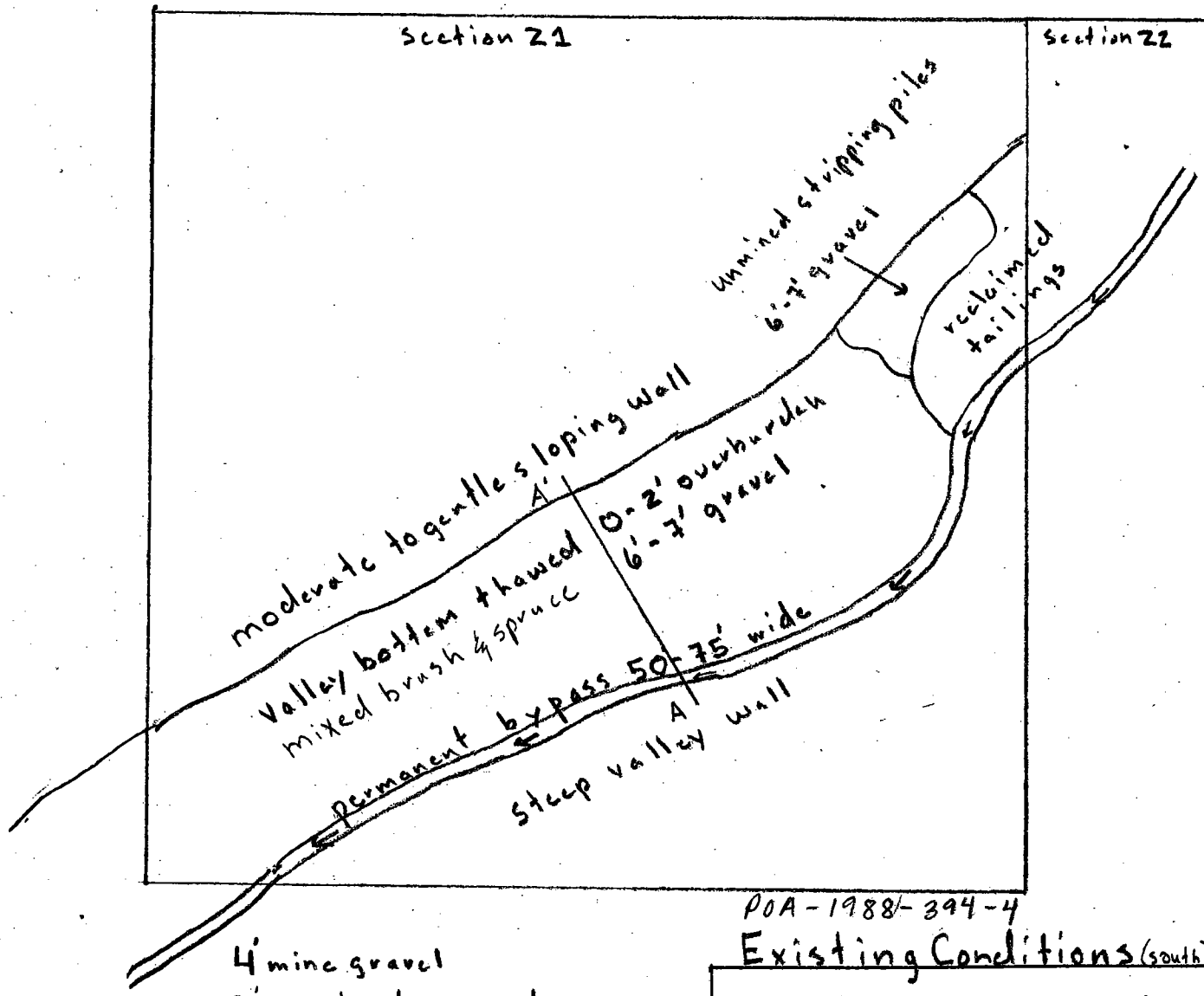
POA-1988-394-4
Average cut

Name	George Seuffert Jr
Waterway	Faith Creek
Location	72 mile Steese Hwy
Sheet 5 of 13	Date 1/16/06.

SOUTH AREA

N

1" = 1000'



4' mine gravel
2' overburden gravel
1' organic overburden

POA-1988-394-4

Existing Conditions (south)

Name	George Seuffert Jr
Waterway	Faith Creek
Location	72 mile Steese Hwy
Sheet 6 of 13	Date 1/16/06

SOUTH AREA

Average cut 1000'L 450'w = 450,000 sq ft per cut

450,000 x 10 = 4,500,000 sq. ft (includes stripping piles) = 103 acres

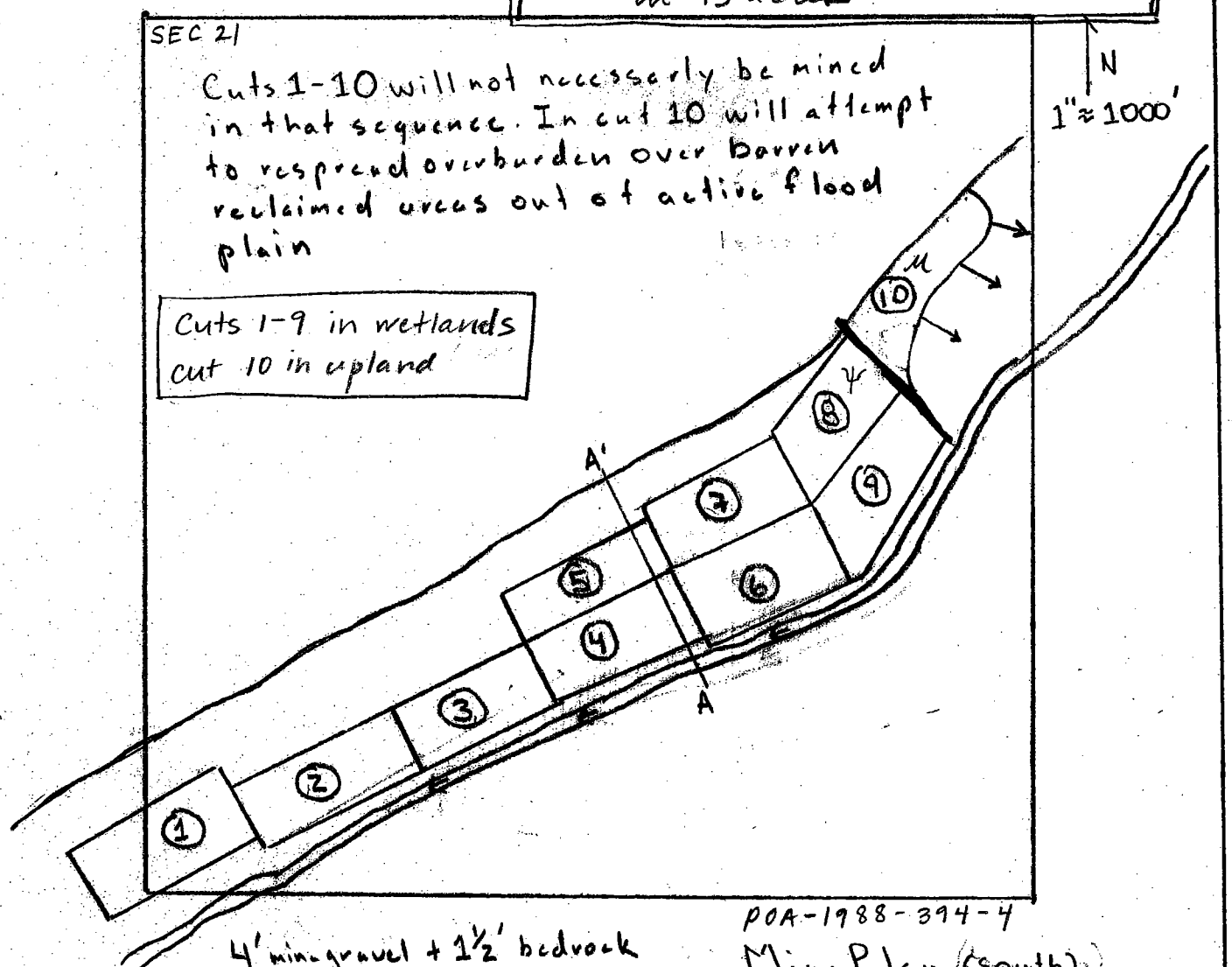
4,500,000 x 5½/27 = 916,666 yd³ of pay (includes bedrock)

4,500,000 x 2/27 = 333,333 yd³ of gravel (overburden)

4,500,000 x 1/27 = 166,666 yd³ of overburden (organic)

TOTAL = 1,416,665 yd³

Wetland impacts ≈ 1,275,000 yd³ in 93 acres



4' min. gravel + 1½' bedrock
2' overburden gravel
1' organic overburden

POA-1988-394-4

Mine Plan (south)

Name George Seuffert Jr

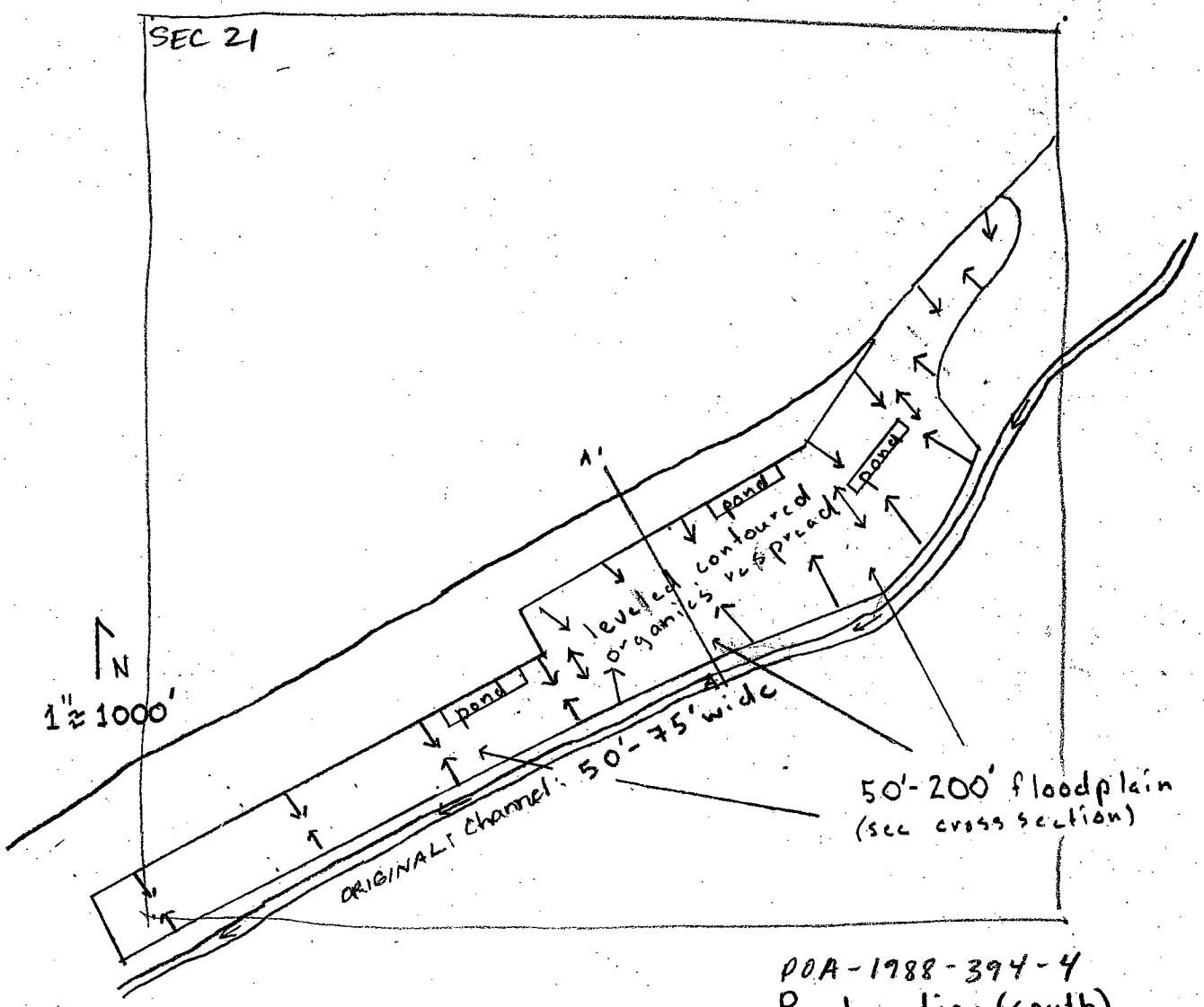
Waterway Faith Creek

Location 72 mile Steese Hwy

Sheet 7 of 13 Date 1/16/06

SOUTH AREA

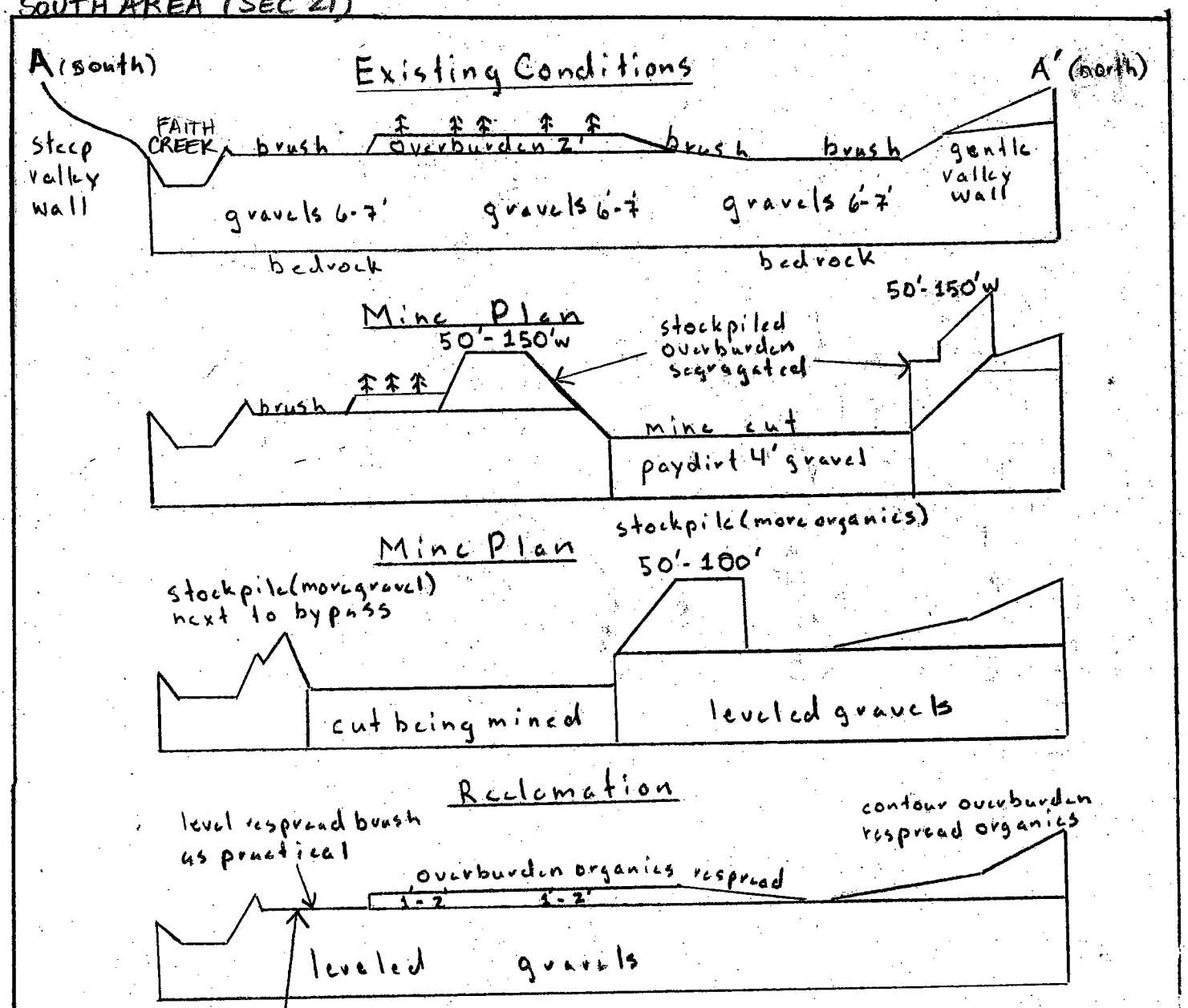
Reclamation will be on going w/ mining
All tailings leveled Stripping piles leveled and contoured as practical Organics to be respread
If possible will try to leave ponds i.e. last ditch in cut but only if approved by DNR regulators



POA-1988-394-4
Reclamation (south)

Name George Seuffert Jr
Waterway Faith Creek
Location 72 mile Steese Hwy
Sheet 8 of 13 Date 1/16/06

SOUTH AREA (SEC 21)



will attempt to leave as originally found
i.e. 50'-200' floodplain for Faith creek
depending on original onsite conditions
along creek bottom

horizontal 1" = 200'
vert 1" = 10'

POA-1998-394-4
Cross Sections (South)

Name	George Seuffert Jr
Waterway	Faith Creek
Location	72 mile Steese Hwy
Sheet 9 of 13	Date 1/16/06

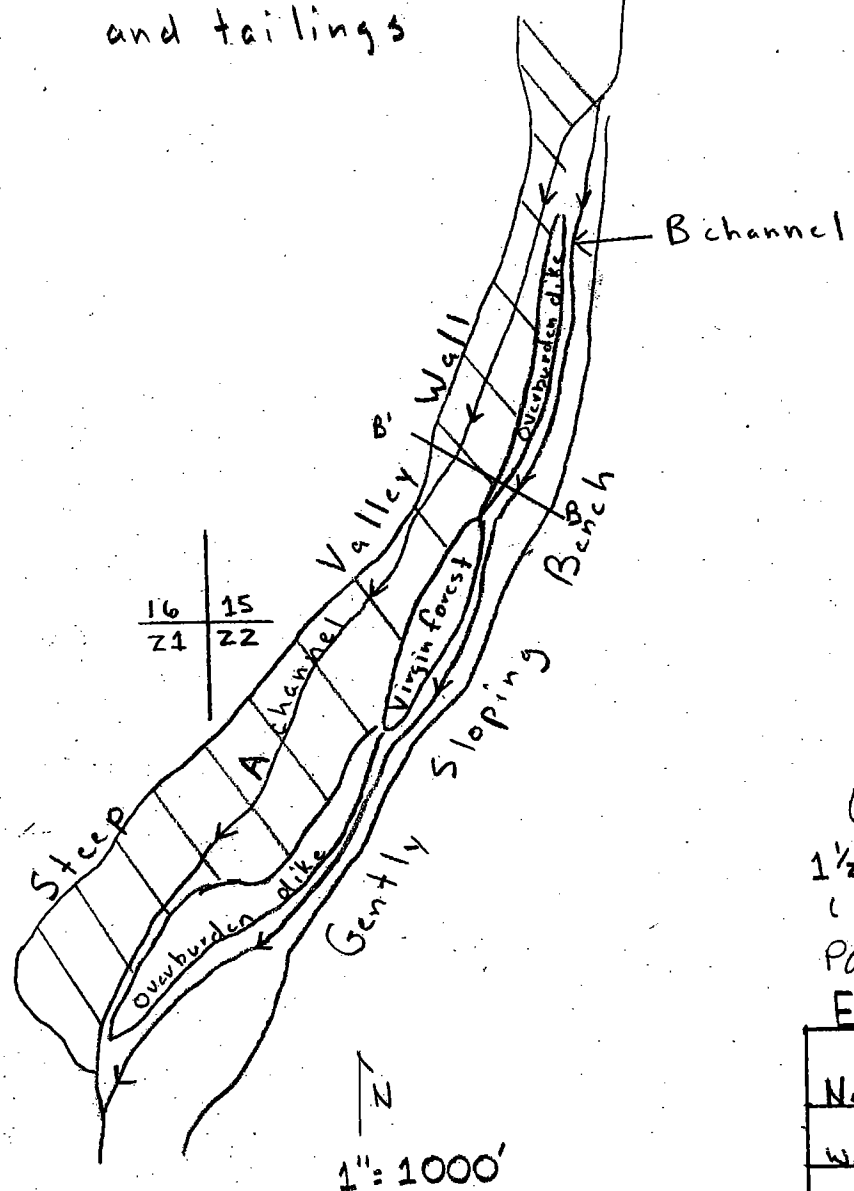
NORTH AREA

\\\ previously disturbed ground (reclaimed)

A channel in tailings stabilized 50'-100' wide
5000' L

B channel used a bypass for previous miners 30'-50' w
5000' L

This area was mined in the early 1980s A channel is lower than B channel due to conventional mining and tailings



6' gravel
1½' organic overburden
(includes dikes)

POA-1988-394-4

Existing Conditions (north)

Name	George Seuffert Jr
Waterway	Faith Creek
Location	72 mile Steese Hwy
Sheet 1 of 13	Date 1/16/06

NORTH AREA

≈ ½ overburden to be respread over previous mined areas as practical. Will be out of A channel active flood plain 100' average

≈ ½ overburden to be stripped onto bench organics and gravels to be segregated as practical 75' average

Cuts 1-6 will be from 150'-350'w w/ a 200' width average

Average cut 1000'L x 200'w = 200,000 sq.ft per cut

200,000 x 6 = 1,200,000 sq ft (mine area)

6000 x 75' = 450,000 sq ft (bench)

6000' x 100' = 600,000 sq ft (mined area)

1,200,000 x 6½'/27 =

1,200,000 x 1'/27 =

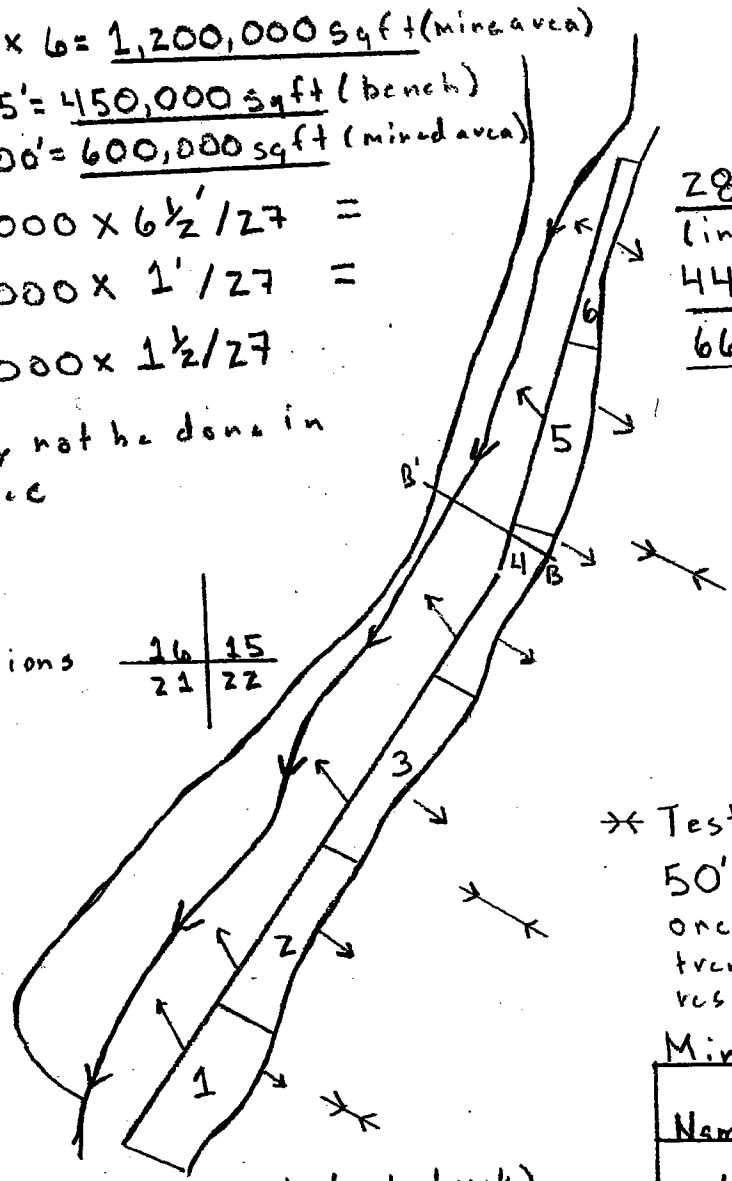
1,200,000 x 1½/27

Cuts may not be done in sequence

288,888 yd³ of pay (includes bedrock)

44,444 yd³ gravel overburden

66,666 yd³ organic overburden



sections

16	15
21	22

N

1" = 1000'

≈ Test trenchs 100'L - 150'L 50' wide overburden stockpiled one side gravel on the other trenchs backfilled overburden respread

6½ mine gravel (includes bedrock)

1' overburden gravel

1½' organic overburden (includes dikes)

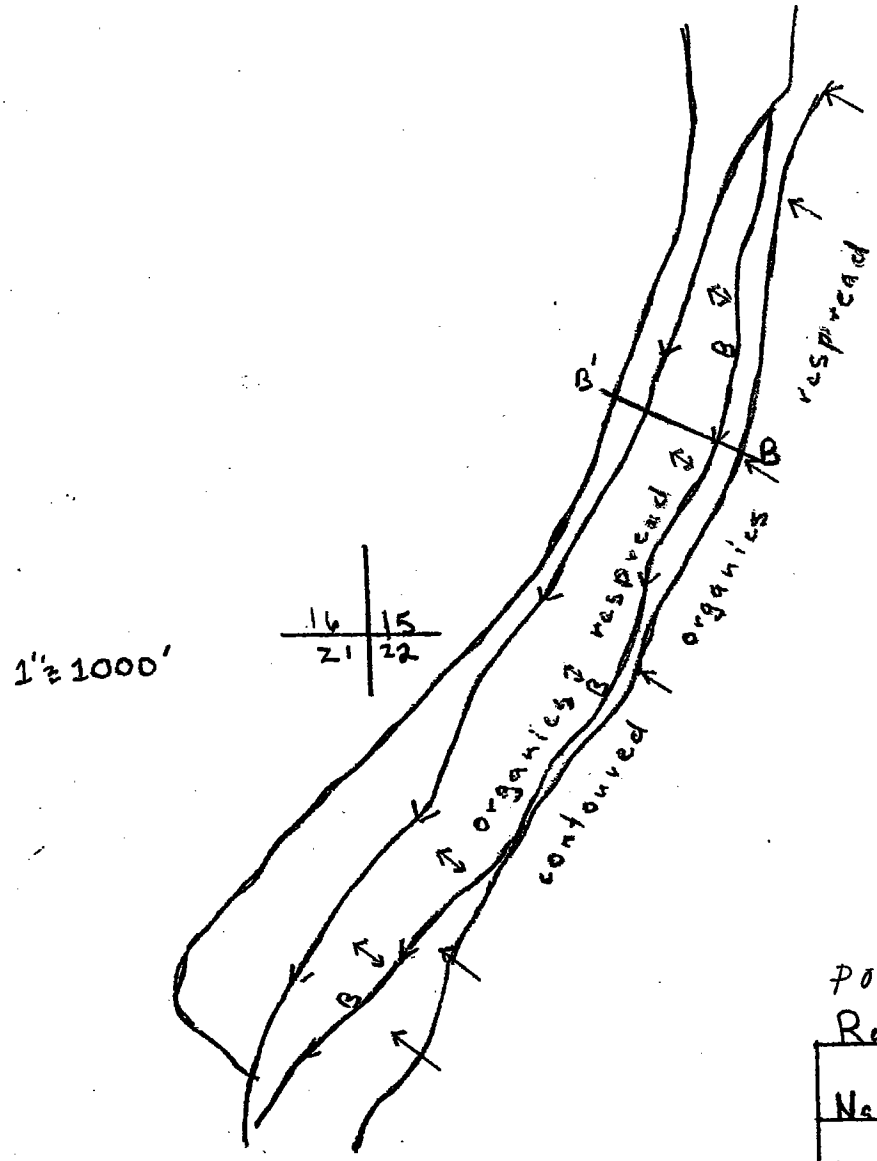
Mine Plan (north)

Name	George Seuffert Jr
Waterway	Faith Creek
Location	72 mile Steese Hwy
Sheet 11 of 13	Date 1/16/06

POA-1988-394-4

NORTH AREA

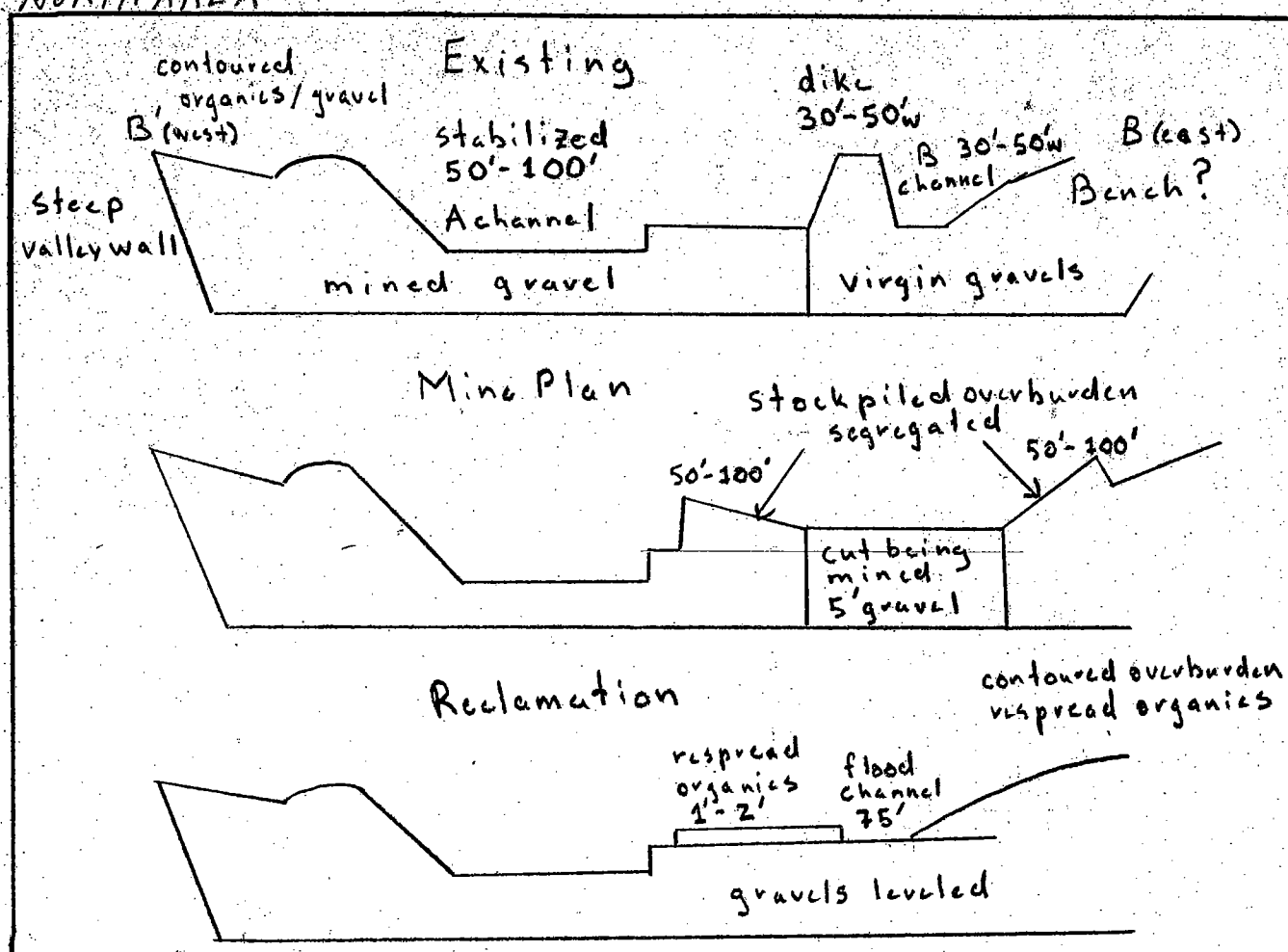
All tailings leveled, organics to be respread as practical but will leave a B channel 50'-75' at faith creek natural gradient and sinuosity. Will approximate the location of B channel and will act as flood channel. If pay is found on east bench may have to make A channel permanent main channel



POA-1988-394-4
Reclamation (north)

Name	George Seuffert Jr
Waterway	Faith Creek
Location	72 mile Steese Hwy
Sheet 12 of 13	Date 1/16/06

NORTH AREA



hor. 1" ≈ 200'
vert. 1" ≈ 10'

Cross Section (north) B'-B

6,750,000 sq.ft includes stripping piles

1,205,554 yd^3 of pay includes bedrock

377,777 yd^3 of gravel overburden

233,332 yd^3 of organic overburden

No known old cabins gravesites ect. was to far downstream from historical placer workings

No known pleistocene bones etc.

deposit ≈ 1500-3000 yrs old

All mining Mobile

100% recycle

Project Summation

Name George Seuffert Jr

Waterway Faith Creek

Location 72 mile Steese Hwy

Sheet 13 of 13 Date 1/16/06

POA-1988-394-4