



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

Regulatory Division (1145)  
CEPOA-RD-NF  
2175 University Avenue, Suite 201E  
Fairbanks, Alaska 99709-4910

**PUBLIC NOTICE DATE:** August 26, 2008

**EXPIRATION DATE:** September 25, 2008

**REFERENCE NUMBER:** POA-2007-1395

**WATERWAY:** Livengood Creek

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.

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 **Mary Romero** at (907) 753-5556, by fax at (907) 753-5567, or by email at [mary.r.romero@usace.army.mil](mailto:mary.r.romero@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** TalonGold Alaska Incorporated, 8955 South Ridgeline Boulevard, Suite 1800, Highlands Ranch, Colorado 80129

**AGENT:** Mr. Chris Puchner, Chief Geologist, 1831 Musk Ox Trail, Fairbanks, Alaska 99709

**LOCATION:** The project site is located within Sections 14, 15, 21, 22, 23, 24, 26, 27, & 28, T. 8 N., R. 5 W., Fairbanks Meridian; USGS Quad Map Livengood C-4; Latitude 65.5097° N., Longitude 148.5220° W.; near Livengood, Alaska.

**PURPOSE:** The applicant's stated purpose is mineral exploration.

**PROPOSED WORK:** The temporary placement of approximately 53,000 cubic yards of native adjacent fill material into approximately 17 acres of wetlands for access roads and drill pads for mineral exploration. All work would be performed in accordance with the enclosed plan (sheets 1-9), dated June 5, 2008.

**ADDITIONAL INFORMATION:** The proposed annually phased Livengood mineral exploration project is projected to start in 2008. It would include drilling approximately 150 drill holes per year starting in August of 2008 and ending in August of 2013. To support this drilling effort, a maximum of 60,000' (11.4 miles) of new temporary access trails/roads and 625 drill pads would be constructed on the property block, mostly in the vicinity of Money Knob.

Each drill pad would be approximately 40' x 80', disturb approximately 0.07 acres and generate about 296 cubic yards (cy) of fill material. The average access road operating width would be ten feet. Total width, including ditching is estimated at 14'. For the road disturbance an additional 40% is allowed for stockpiling.

The 40' x 80' drill pad size is necessary to fit equipment on site. The drill rig and the pipe truck are placed on the pad end-to-end with a little working space between them, total vehicle length is about 70 feet, the water truck and the sump are tucked in beside them for a total vehicle width of about 35 feet.

Drilling in wetland areas would be completed during the winter. Waiting to drill until winter drastically reduces the impact on the wetlands because when the ground is frozen and the aspect relatively flat, no cut and fill would be required for access roads and pads, except for a sump at the pad. Creating the same access in summer would involve cutting a road in the muck which would be a major task involving constant maintenance and possibly the addition of solid fill material on the road and drill pad surfaces. In the wintertime, where cut and fill of frozen material is required due to slope angle, the amount of cutting is minimized because the frozen summer mud becomes a competent construction material. Areas of cut access roads and pads can be reclaimed by putting the material back in place while it is still frozen and easy to work with. When summer comes the disturbed material melts and effectively returns to its original state without leaving any significant change in the topography of the wetland surface. Unfortunately, the volume of snow at Livengood is normally relatively small and it is not practical to count on using it as building material. However, because the frozen organic muck is competent when frozen it would not necessarily need to be cut down to mineral soils to construct access roads. Since transported fill material would not be used, the use of fabric is not necessary and could actually impede putting the material back in place during reclamation.

The 150 drill holes shown on Sheet 6 of 9 of the application are for the first year of drilling and show both upland and probable wetland holes. As drilling advances, approximately 750 additional drill holes would be drilled within the grid outline. The balance of the drilling would be done in the greater project area (shown in Sheet 6 of 9). It is hard to know the exact location of future holes without the results from the ongoing drilling and a request for modification to the permit, if it is authorized.

Diagonal drill holes would be used whenever possible in order to utilize already constructed pads. Due to the shallow nature of the mineralization this would only be possible for about 25 percent of the drill holes.

Once an area is drilled off, reclamation of roads would occur. For portions of the exploration area, this could be as early as mid-2009. In areas that are sterilized (no mineralization present) by drilling, roads would be reclaimed in the same season, or the following year in the case of winter drilling. Most wetlands would be drilled in the winter after the ground is frozen. In areas with minimal side slopes, this means the drill equipment would be walked on the snow to the drill pads, greatly minimizing vegetative mat disturbance.

Wetland impacts would be avoided by routing access roads to wetland drill pads in upland areas wherever practical. Others would be minimized by shortening road length, limiting access points to drill pads, and re-using road segments whenever possible. Best Management Practices such as stockpiling overburden downgradient, installing silt fences and waterbars as needed to prevent the degradation of adjacent wetlands. Plans to drill in wetlands areas during the winter after the ground is frozen would greatly minimize wetlands impacts and reduce disturbance to the vegetation mat.

MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material:

By working in the winter time and reclaiming the access roads and pads prior to the summer thaw it would be possible to complete drilling without significantly

affecting the surface topography or drainage characteristics of the wetlands area. After reclamation it is anticipated the same plant and animal species would repopulate the area and within 2-5 years the disturbance would be essentially unrecognizable. For this reason we believe the planned disturbance and reclamation are effectively self mitigating.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are thirteen unevaluated properties in the vicinity of the worksite. They have been designated: LIV-00064 Pioneer Roadhouse NDE; LIV-00162, PA Geist FLDNTS NDE; LIV-00026, Livengood (Brooks) NDE; LIV-00163, PA, 1005, 1006 NDE LIV-00164 PA, 605 NDE; LIV-00158 PA, BLM, Guthrie 1966 Geist FLDNT NDE; LIV-00169, PA, Lillian Creek NDE; LIV-00417 USBLM Northern Office Using NDE; LIV-00051 Tolovana 17 (Hank's Hill) NDE; LIV-00165 PA Mertie, JB 1918 1937 (16AM64A??) NDE; LIV-00167 PA 8717SD NDE; LIV-00168, PA, V-55 NDE; and LIV-00366 M1 NDE. Because these properties have been determined to lie within the project area, a determination of eligibility and, if needed, a determination of effect will be made in consultation with the State Historic Preservation Officer (SHPO). Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time. This application is being coordinated with 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.

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 modify their designated critical habitat, 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 (NMFS). 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 Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

Preliminarily, the described activity will not affect EFH in the project area. This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations they may have concerning EFH 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 Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps 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.

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

(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 and Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander  
U.S. Army, Corps of Engineers

Enclosures

# STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION  
DIVISION OF WATER  
401 Certification Program  
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WQM/401 CERTIFICATION  
555 CORDOVA STREET  
ANCHORAGE, ALASKA 99501-2617  
PHONE: (907) 269-7564/FAX: (907) 334-2415

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-2007-1395, Livengood Creek**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, 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 to the address above by the expiration date of the Corps of Engineer's Public Notice.

**Livengood Project  
Individual Permit Application  
Supplemental Information**

**18. Nature of Activity**

**Project Components:**

The proposed 2008-2013 Livengood program will include drilling approximately 150 drill holes per year starting in August of 2008 and ending in August of 2013. To support this drilling effort, a maximum of 60,000 feet (11.4 miles) of new access trails and 625 drill pads will be constructed on the property block, mostly in the vicinity of Money Knob.

Each drill pad will be approximately 40 by 80 feet, disturbs 0.07 acres, and generates about 296 cubic yards of fill material. For the pad disturbance an additional 33% is added for stockpiling material. The average access road operating width will be 10 feet. Total width, including ditching is estimated at 14 feet. For the road disturbance an additional 40% is allowed for stockpiling.

**Wetland Avoidance:**

While the proposed work area is mostly located on uplands in the Money Knob area, an off-site Corps of Engineers determination has identified two areas of possible wetlands within the work area. These are thought to be either black spruce or tussock-type wetlands with a mostly north-facing aspect. These wetlands make up less than 5 percent of the proposed work area just to the northwest of Money Knob. There is the added question of whether or not these wetlands are isolated.

Because a complete on-site wetland delineation has not yet been done for the site, there may be additional wetlands areas on south-facing slopes, in valley bottoms, and along toe-slopes. For this reason, the total wetlands in the project area are thought to be conservatively 20 percent. This number has been used for wetlands disturbance calculation purposes.

In order to minimize disturbance to possible wetlands, a preliminary on-site survey is planned for late summer 2008. Another primary method of wetlands avoidance will be construction of drill pads and access road construction in potential wetlands during winter months with track-mounted drill rigs, to the extent possible. This will minimize the disturbance to the underlying vegetation mat.

As drilling results become available and indicate that drill pads or access roads will not be re-entered, reclamation will be done concurrently with on-site exploration efforts. All work will be done using Best Management Practices (BMPs) to minimize impacts to surrounding wetlands. Examples of BMPs include: silt fencing, stacking organic materials on the down-gradient side of construction, timely reclamation, culverts, and water bars.

## **21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards**

Discharged exploration materials are composed of vegetation, organic mat and underlying mineral soil, bedrock, and gravel. Rock and gravel materials will be stockpiled separately from organic materials as necessary to facilitate reclamation efforts.

The total fill discharged into wetlands will be approximately 53,000 cubic yards and was calculated as follows.

Drill Pads:  $625 \text{ total} \times 296 \text{ cy/each} = 185,200 \text{ cy}$  (see section)  $\times 20\%$  (wetlands dist) = 37,000 cubic yards.

Roads:  $60,000 \text{ ft} \times 1.3 \text{ cy/ft} = 78,000 \text{ cy} \times 20\%$  (wetlands) = 16,000 cubic yards

Total:  $37,000 \text{ cy}$  (drill pads) +  $16,000 \text{ cy}$  (roads) = 53,000 cubic yards discharged to wetlands.

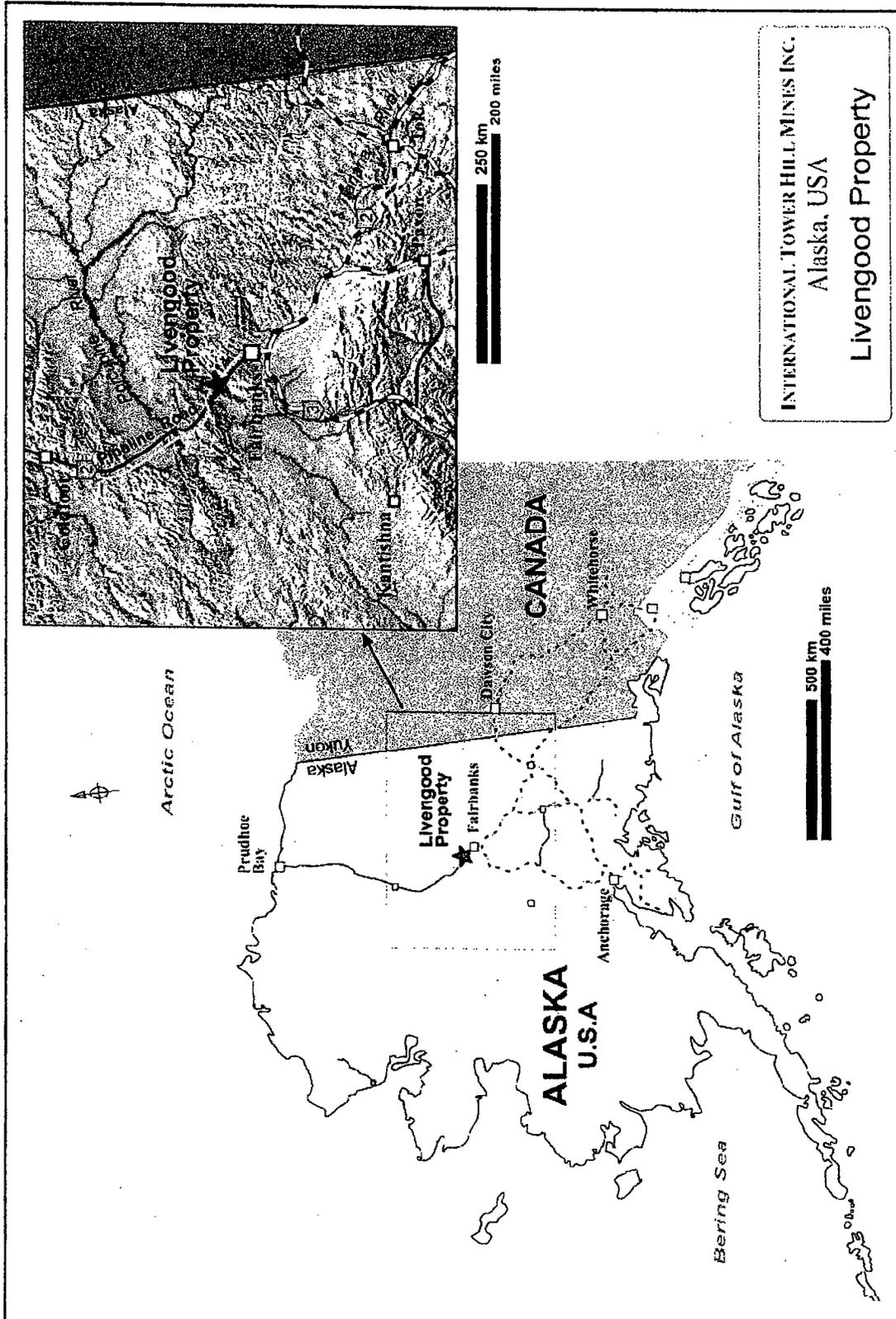
## **22. Surface Area in Acres of Wetlands or Other Waters Filled**

Total proposed wetlands disturbance is estimated at 17 acres and is calculated as follows:

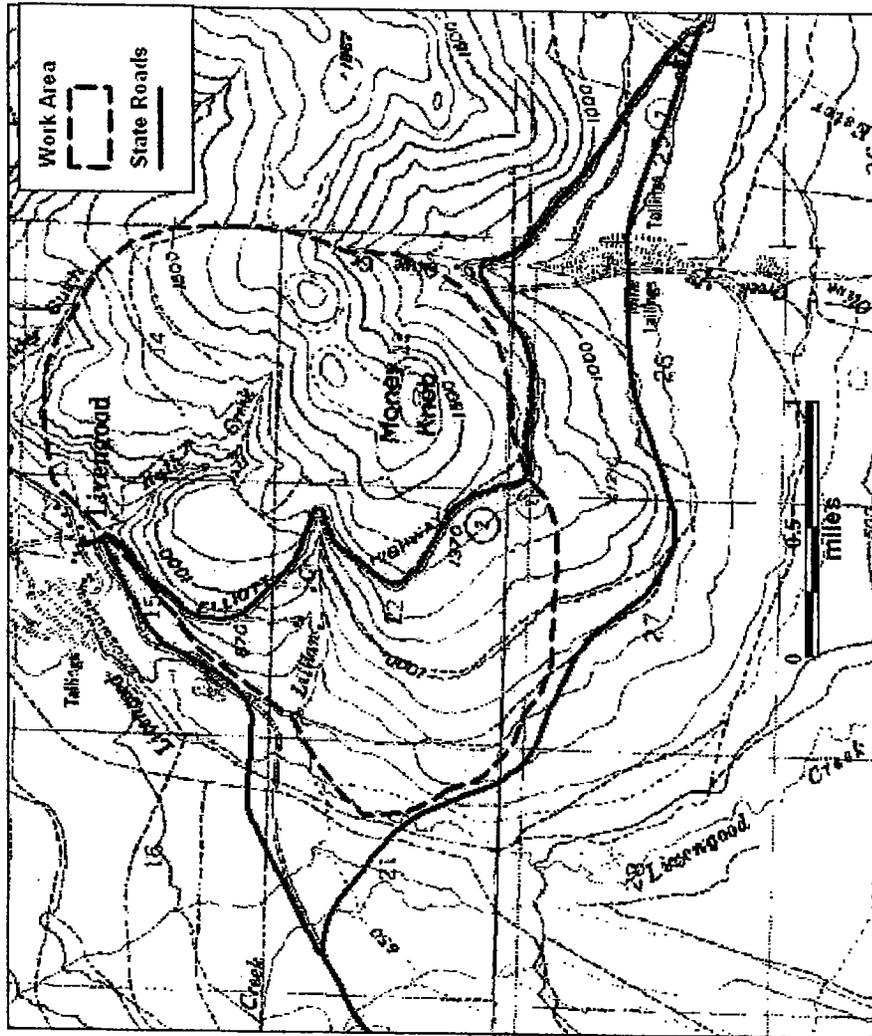
Drill Pads:  $625 \text{ total} \times 0.07 \text{ acres/each} \times 1.33 \text{ for material stockpiles} = 58.19 \text{ acres} \times 20\%$  (wetlands dist) = 11.6 acres.

Roads:  $14 \text{ ft. (total width)} \times 60,000 \text{ (total length)} / 43,560 \text{ sq ft/acre} \times 1.4 \text{ for material stockpiles} = 27.0 \text{ acres} \times 20\%$  (wetlands dist) = 5.40 acres.

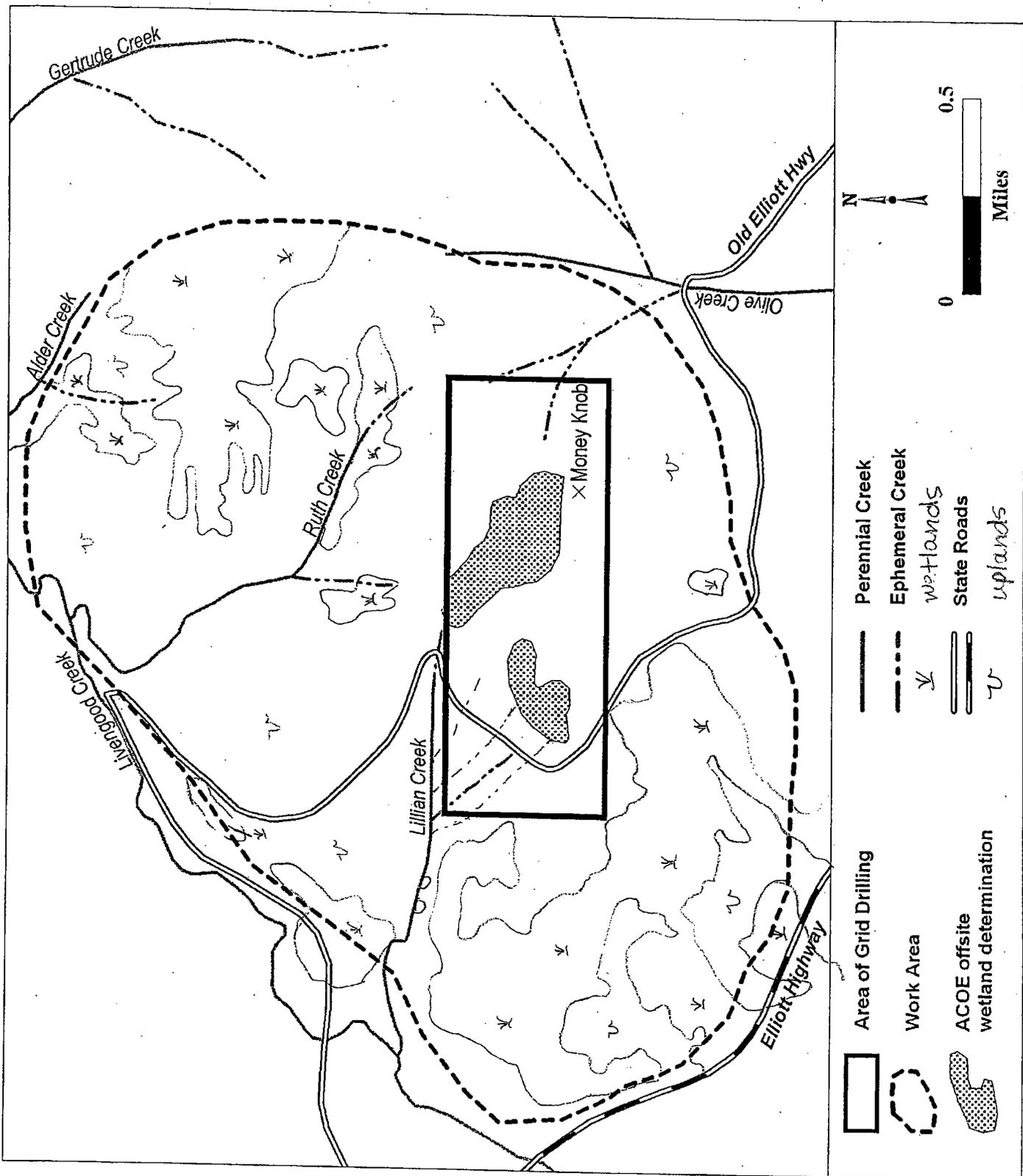
Total:  $11.6 \text{ acres}$  (drill pads) +  $5.40 \text{ acres}$  (roads) = 17.0 acres of wetlands disturbance.

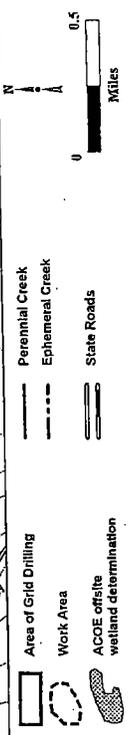
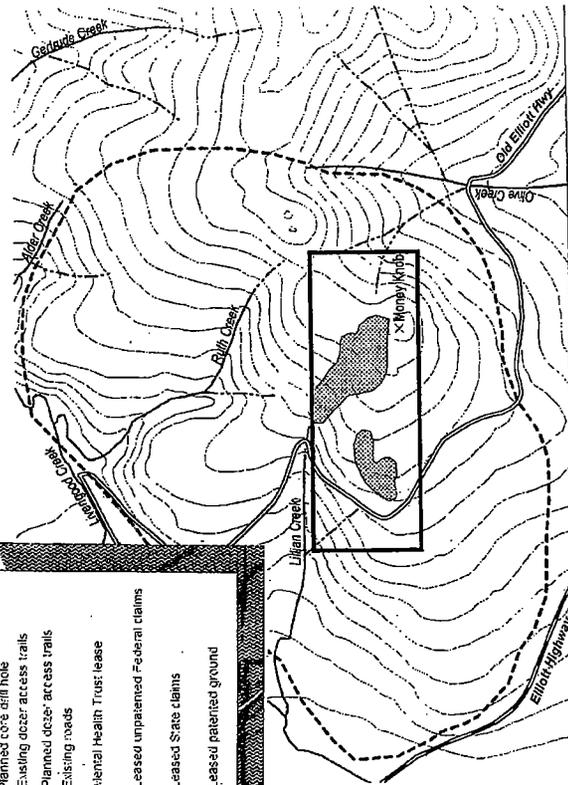
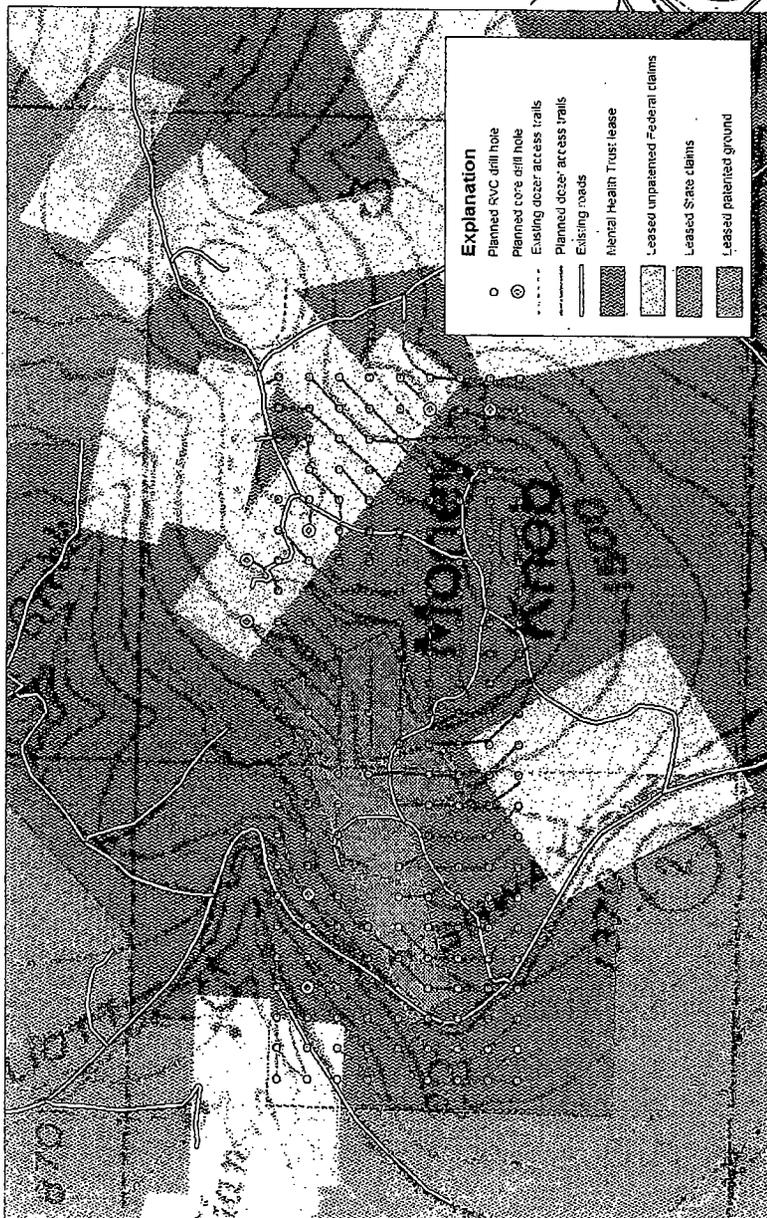


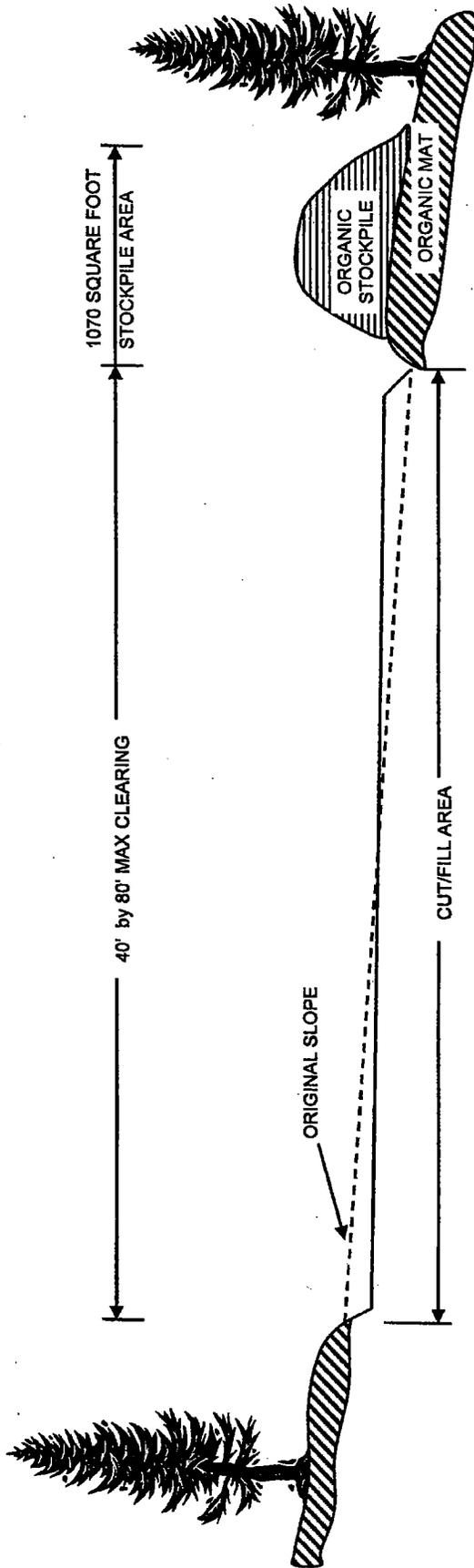
POA-2007-1395, Livengood Creek  
 TalonGold Alaska, Chris Puchner  
 Drawings dated Aug 20, 2008  
 3 of 9



**Livengood Project Proposed Work Area**



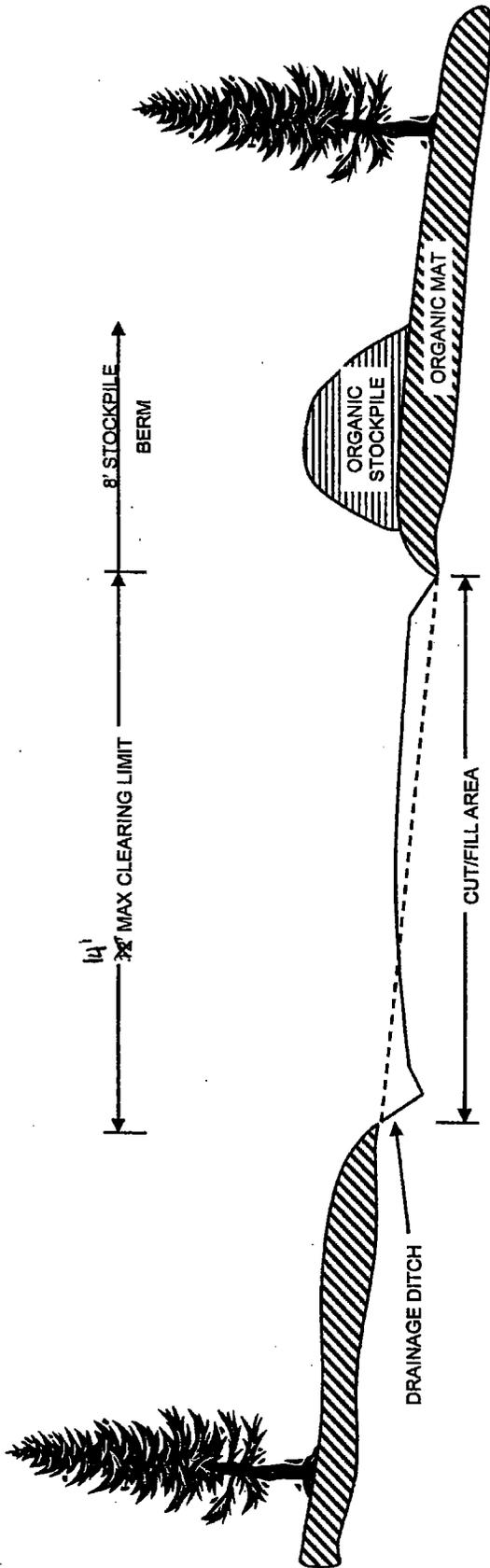




**NOTES:**

- DRILL PAD VARIES TO MAX OF 40 FEET BY 80 FEET.
- WHERE APPLICABLE, TOPSOIL AND ORGANIC MATERIALS WILL BE STOCKPILED ON DOWNGRADIENT SLOPE TO MINIMIZE IMPACTS TO ADJACENT WETLANDS.
- DURING RECLAMATION, DRILL PAD WILL BE RECONTOURED AND CAPPED WITH ORGANICS. IF AVAILABLE, CUT TREES WILL BE SCATTERED OVER THE RECONTOURED TRENCH TO PROMOTE REVEGETATION AND DISCOURAGE ACCESS.
- AVERAGE THICKNESS OF ORGANIC MATERIAL IS ASSUMED TO BE 2'
- DEPTH OF CUT AND FILL WILL DEPEND ON SIDE SLOPE - ASSUME AVERAGE OF 2-FOOT CUT DEPTH ON UPSLOPE SIDE
- STOCKPILE OF ORGANIC MATERIAL WILL BE APPROXIMATELY 6 FEET HIGH
- AVERAGE DRILL PAD VOLUME DISTURBED = 2' OF ORGANIC X 3200 SQUARE FEET + (20' X 80' X 2')/2' CUT AND FILL = 296 c.y.
- AVERAGE AREA OF DRILL PAD = 40' X 80' = 3200 SQUARE FEET = 0.07 ACRES
- AVERAGE AREA OF STOCKPILE = 1070 SQUARE FEET = 0.024 ACRES
- TOTAL DISTURBANCE = 1.33 TIMES AREA OF DRILL PAD

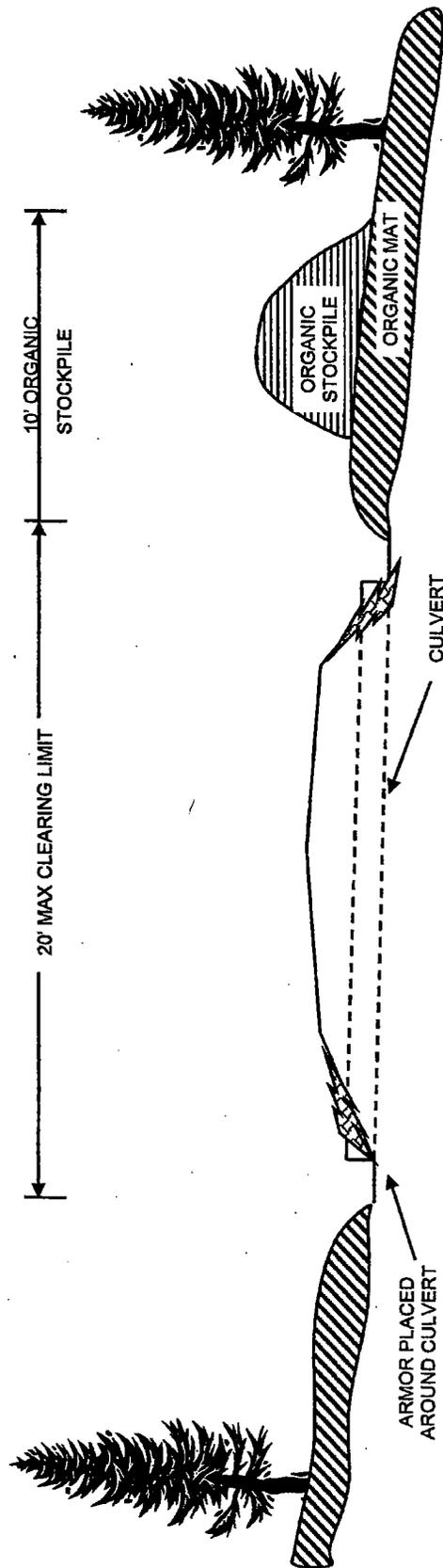
## Exploration Drill Pad Typical Section



**NOTES:**

- ACCESS ROAD OPERATING SURFACE IS 10 FEET IN WIDTH.
- FILL WILL BE EITHER EXCAVATED BEDROCK FROM CUT PORTION OF ROAD OR GRAVEL.
- WHERE APPLICABLE, TOPSOIL AND ORGANIC MATERIALS WILL BE STOCKPILED ON DOWNGRADIENT SLOPE TO MINIMIZE IMPACTS TO ADJACENT WETLANDS.
- DURING RECLAMATION, ACCESS ROADS WILL BE RECONTOURED AND CAPPED WITH ORGANICS. IF AVAILABLE, CUT TREES WILL BE SCATTERED OVER THE RECONTOURED TRENCH TO PROMOTE REVEGETATION AND DISCOURAGE ACCESS.
- DEPTH OF CUT AND FILL WILL DEPEND ON SIDE SLOPE -- ASSUME AVERAGE OF 2-FOOT CUT DEPTH ON UPSLOPE SIDE.
- ROAD VOLUME DISTURBANCE = 14' X 2' OF ORGANIC X 1' LENGTH + 7' X 2 1/2 CUT AND FILL X 1' LENGTH = 35 CUBIC FEET / FT = 1.3C.Y./FT
- ACCESS ROADS AREA OF DISTURBANCE = 14'W X 1' LONG = 14 SQUARE FEET/FOOT = 0.32ACRES/1000 FEET
- ACCESS ROAD STOCKPILE AREA = 8 SQUARE FEET / FOOT = 0.18 ACRES / 1000 FEET
- TOTAL ROAD DISTURBANCE IS 1.4 TIMES ACCESS ROADS AREA OF DISTURBANCE

**Exploration Access Road Typical Section**



**NOTES:**

- ACCESS ROAD OPERATING SURFACE IS 12 FEET IN WIDTH.
- CULVERT WILL BE SIZED TO FIT THE DRAINAGE, USUALLY 18-24-INCH DIAMETER CMP.
- CULVERT WILL BE PLACED IN NATURAL DRAINAGE OR DITCH FLOW LINE. IF APPLICABLE, DOWNSLOPE ORGANIC STOCKPILE WILL BE NOTCHED TO ALLOW FLOW-THROUGH.
- DURING RECLAMATION, CULVERTS WILL BE REMOVED AND DRAINAGE PATTERN RESTORED.

## Culvert Typical Section