



US Army Corps
of Engineers
Alaska District

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

Public Notice of Application for Permit

PUBLIC NOTICE DATE: June 4, 2008
EXPIRATION DATE: July 7, 2008
REFERENCE NUMBER: POA-2008-023-4
WATERWAY: Tanana River

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

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 Lyons** at (907) 474-2166, by fax at (907) 474-2164, or by email at **Ellen.H.Lyons@usace.army.mil** if further information is desired concerning this notice.

APPLICANT: Metro Co. LLC, Post Office Box 70787, Fairbanks, Alaska 99707-0787

AGENT: Mr. Conrad Frank

LOCATION: The project site is located within Section 23 and 24, T. 1 S., R. 1 E., Fairbanks Meridian; USGS Quad Map Fairbanks D-1; Latitude 64.8083° N., Longitude 147.4713° W.; Tax Lot 2303, near Fairbanks, Alaska.

PURPOSE: The applicant's stated purpose is to develop a commercial gravel pit (in two phases).

PROPOSED WORK: The applicant proposes to mechanically clear and fill approximately 53 acres for the construction of two gravel pits. All work would be performed in accordance with the enclosed plan (sheets 1-7), dated June 2, 2008.

ADDITIONAL INFORMATION: The majority of the proposed work would be in palustrine scrub shrub wetlands. There are also several small areas of seasonally flooded emergent wetlands within the project area (see sheet 3 of 7, attached NWI wetlands map (this is for information only and is not a wetland delineation)).

As the gravel is extracted it would be stored in piles within the perimeter of the cleared area until it was transported off site. The exact size of the gravel stockpiles would fluctuate depending on the amount of gravel excavated from the pit at any one time.

The larger pit would be developed before the smaller pit. The timing of opening up the smaller pit area for extraction would be dependent on the demand for gravel.

A haul road for the removal of gravel off site would be developed within the perimeter of the proposed gravel pit area, and would move as the gravel extraction operation expands. The entrance to the gravel pit area would be onto Green Road. At most there would be two access points to the pit off of Green Road.

A reclamation plan for the pits has not been submitted at this time.

The overall vision for this property includes the development of a subdivision, consisting of lots around the perimeter of the two gravel pit ponds. The gravel extraction phase of the proposed property is expected to last five or more years, so it is unknown when the development of the subdivision would actually occur. At this time, the applicant is requesting a permit for the gravel pit only. If additional work were proposed in the future, the applicant would be required to seek authorization for the work through a permit or a permit modification. Tentative plans for the subdivision are attached to this public notice as additional information, even though we would not be authorizing any of that work under this public notice (see sheet 6 and 7 of the attached plans).

MITIGATION: No mitigation for the proposed project has been submitted at this time.

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 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 Commander 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.

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).

There is no EFH located within the project area or anticipated to be impacted by the project. 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 a 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

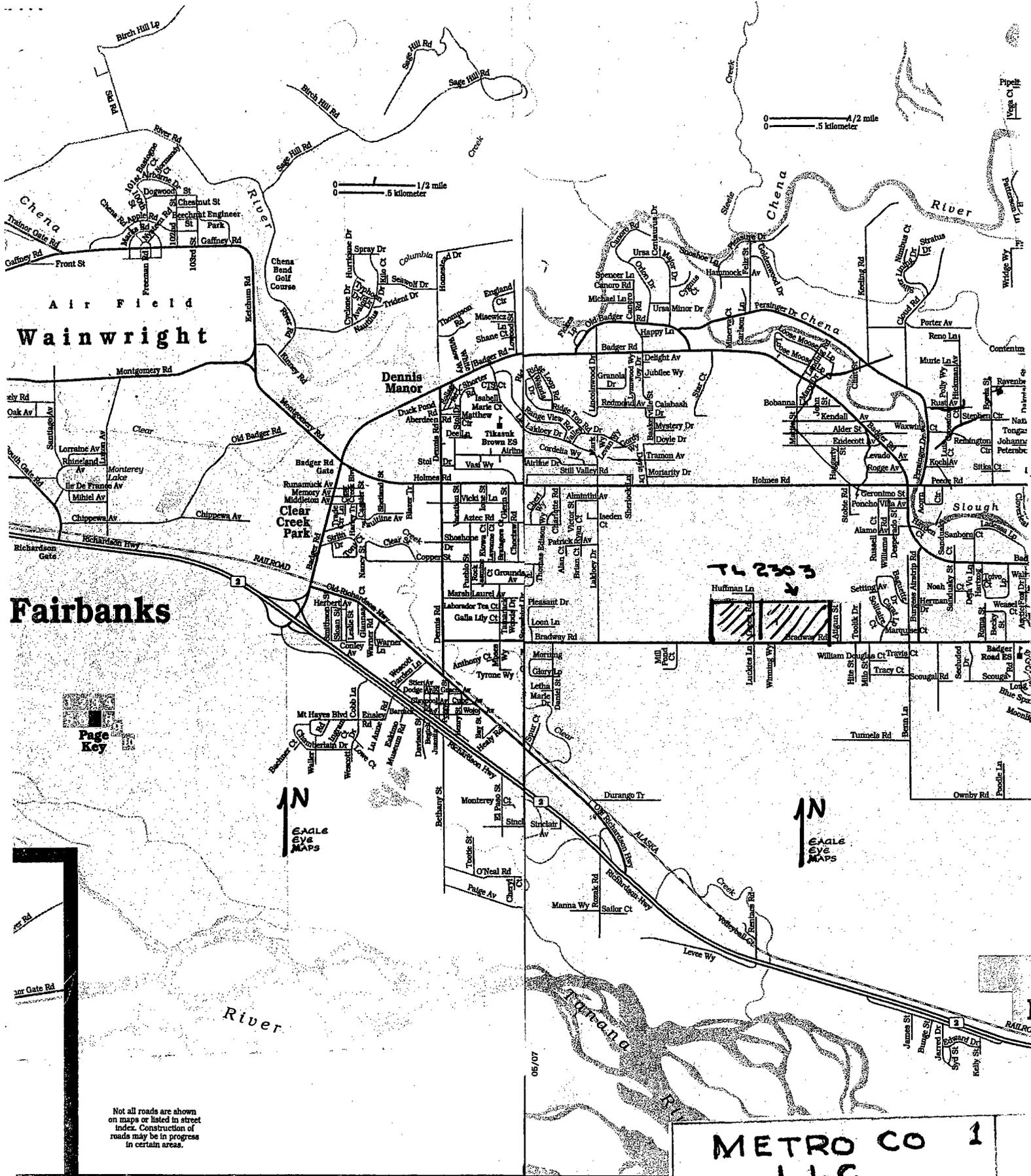
NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION

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-2008-23-4, Tanana River**, 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.

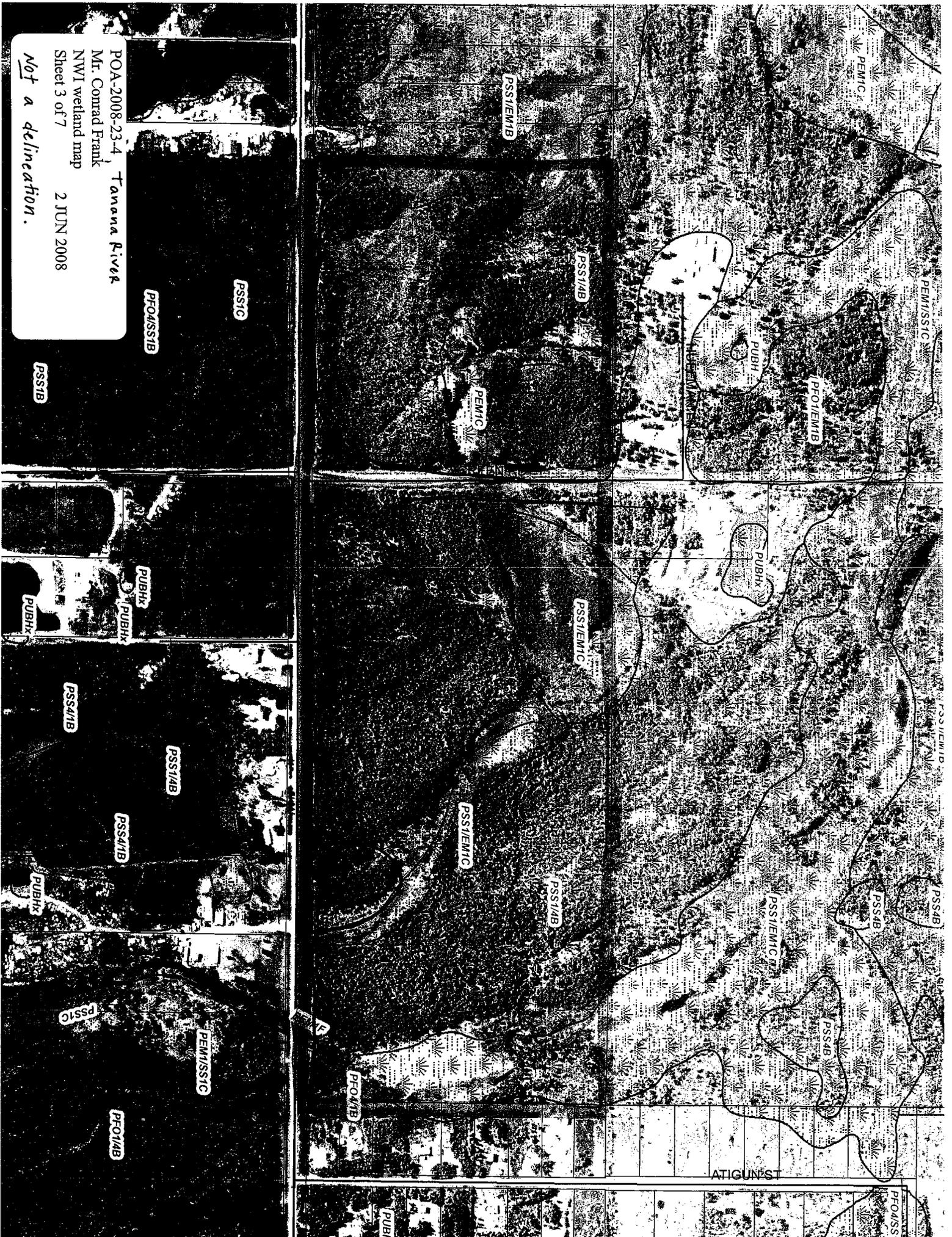
Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.



Not all roads are shown on maps or listed in street index. Construction of roads may be in progress in certain areas.

POA-2008-23-4, Tanana River
 Mr. Conrad Frank
 Gravel Pit
 Vicinity Map
 Sheet 1 of 7
 2 JUN 2008

METRO CO 1
 LLC
 TL 2303
 T1S R1E FM
 SCALE ~~1" = 100'~~
 12-05-07
 CF



POA-2008-23-4
 Mr. Conrad Frank
 NWI wetland map
 Sheet 3 of 7
 2 JUN 2008

Tanana River

Not a delineation.

ATIGUNST

PFO/SS1E

PUBH

PSS1B

PSS1C

PSS1D

PSS1E

PSS1F

PSS1G

PSS1H

PSS1I

PSS1J

PSS1K

PSS1L

PSS1M

PSS1N

PSS1O

PSS1P

PSS1Q

PSS1R

PSS1S

PSS1T

PSS1U

PSS1V

PSS1W

PSS1X

PSS1Y

PSS1Z

PSS1AA

PSS1AB

PSS1AC

PSS1AD

PSS1AE

PSS1AF

PSS1AG

PSS1AH

PSS1AI

PSS1AJ

PSS1AK

PSS1AL

PSS1AM

PSS1AN

PSS1AO

PSS1AP

PSS1AQ

PSS1AR

PSS1AS

PSS1AT

PSS1AU

PSS1AV

PSS1AW

PSS1AX

PSS1AY

PSS1AZ

PSS1BA

PSS1BB

PSS1BC

PSS1BD

PSS1BE

PSS1BF

PSS1BG

PSS1BH

PSS1BI

PSS1BJ

PSS1BK

PSS1BL

PSS1BM

PSS1BN

PSS1BO

PSS1BP

PSS1BQ

PSS1BR

PSS1BS

PSS1BT

PSS1BU

PSS1BV

PSS1BW

PSS1BX

PSS1BY

PSS1BZ

PSS1CA

PSS1CB

PSS1CC

PSS1CD

PSS1CE

PSS1CF

PSS1CG

PSS1CH

PSS1CI

PSS1CJ

PSS1CK

PSS1CL

PSS1CM

PSS1CN

PSS1CO

PSS1CP

PSS1CQ

PSS1CR

PSS1CS

PSS1CT

PSS1CU

PSS1CV

PSS1CW

PSS1CX

PSS1CY

PSS1CZ

PSS1DA

PSS1DB

PSS1DC

PSS1DD

PSS1DE

PSS1DF

PSS1DG

PSS1DH

PSS1DI

PSS1DJ

PSS1DK

PSS1DL

PSS1DM

PSS1DN

PSS1DO

PSS1DP

PSS1DQ

PSS1DR

PSS1DS

PSS1DT

PSS1DU

PSS1DV

PSS1DW

PSS1DX

PSS1DY

PSS1DZ

PSS1EA

PSS1EB

PSS1EC

PSS1ED

PSS1EE

PSS1EF

PSS1EG

PSS1EH

PSS1EI

PSS1EJ

PSS1EK

PSS1EL

PSS1EM

PSS1EN

PSS1EO

PSS1EP

PSS1EQ

PSS1ER

PSS1ES

PSS1ET

PSS1EU

PSS1EV

PSS1EW

PSS1EX

PSS1EY

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PSS1FA

PSS1FB

PSS1FC

PSS1FD

PSS1FE

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PSS1FL

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PSS1FT

PSS1FU

PSS1FV

PSS1FW

PSS1FX

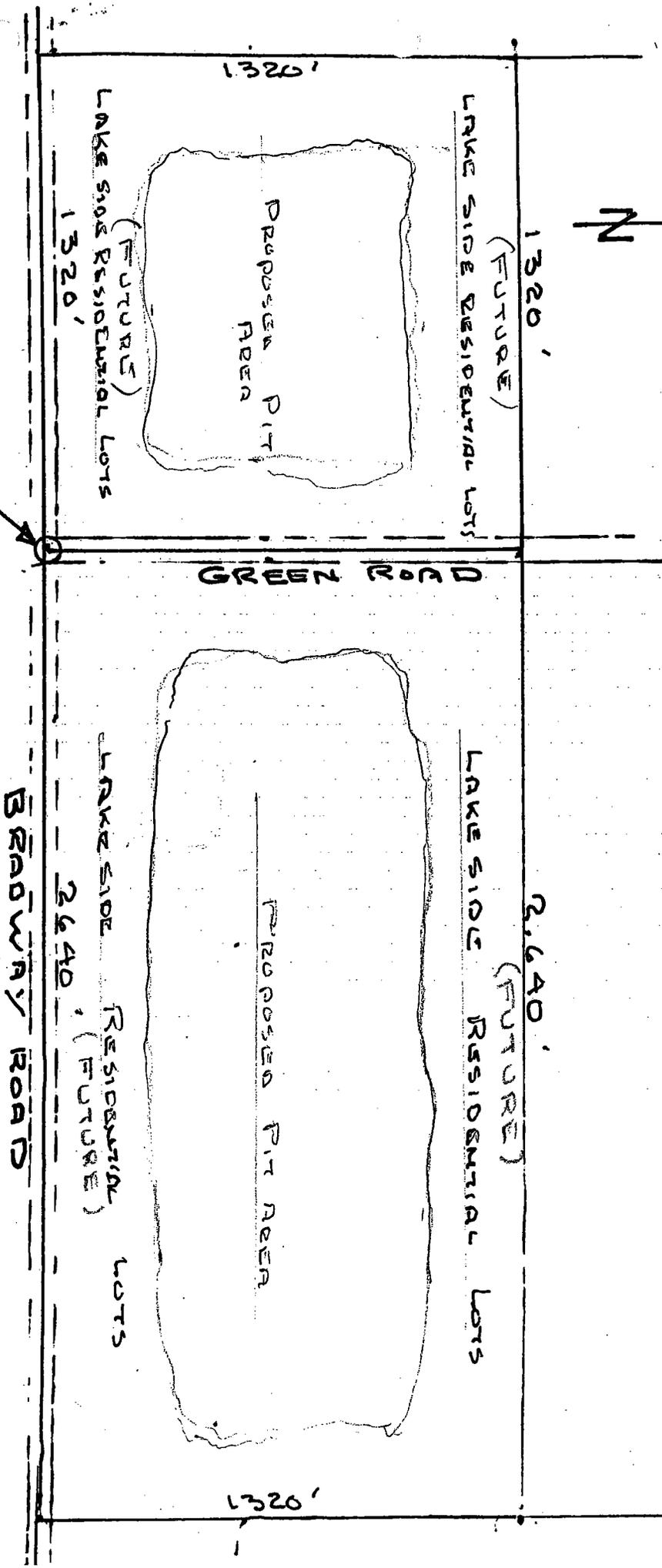
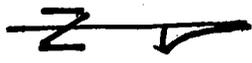
PSS1FY

PSS1FZ

PSS1GA

PSS1GB

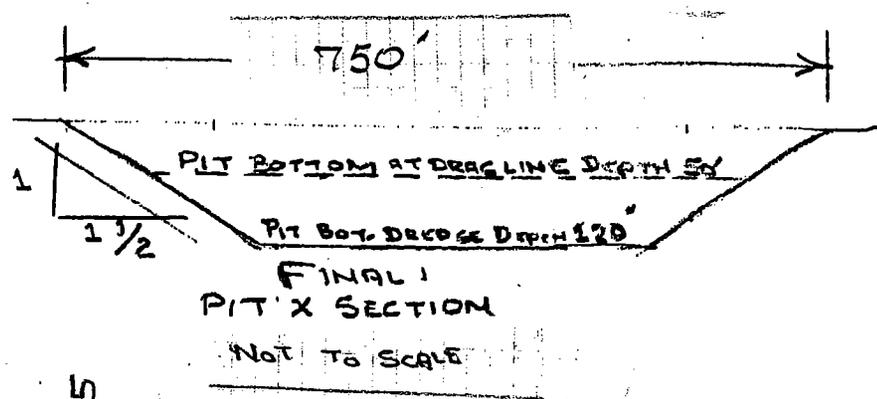
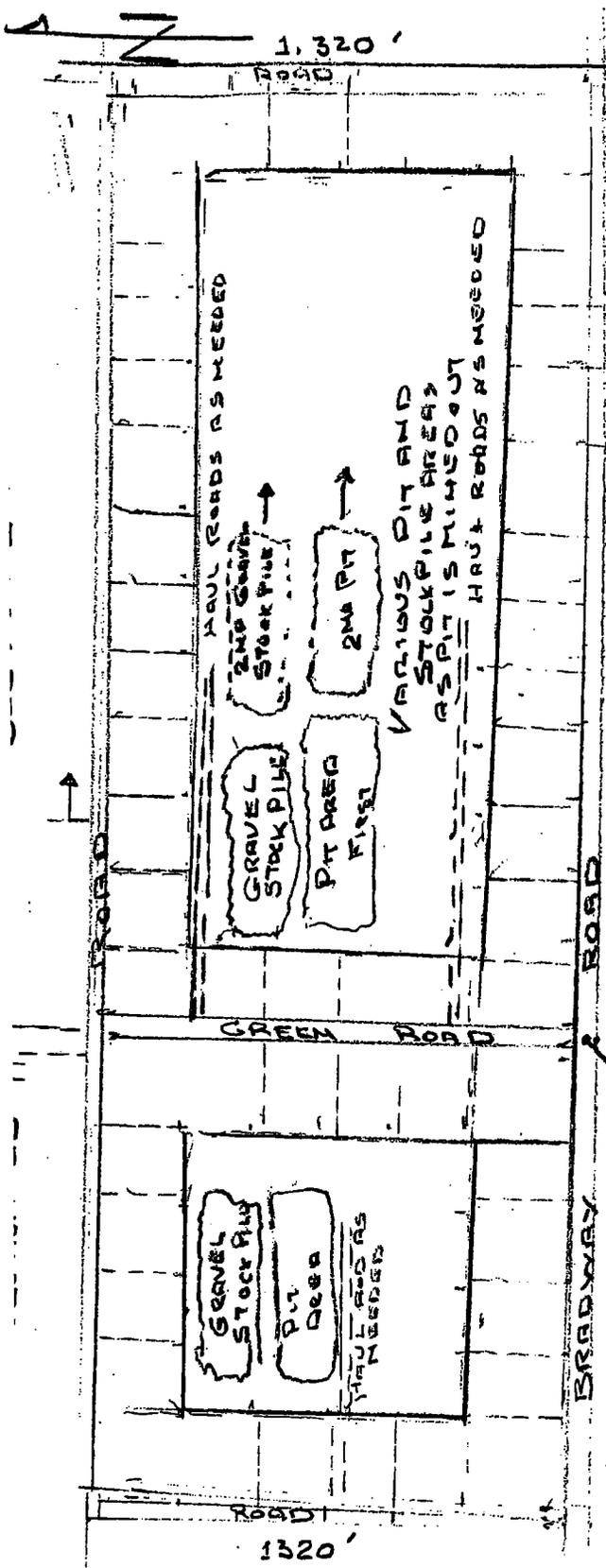
SEC.
23



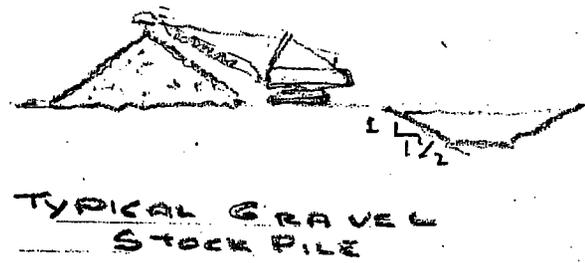
SEC
24

POA-2008-23-4, Tanana River
 Mr. Conrad Frank
 Gravel Pit
 Plan View Pit Schematic
 Sheet 4 of 7 2 JUN 2008

METRO CO 3
 LLC
 TL 2303
 T1S R1E, FM,
 SCALE 1" = 400'
 12-05-07 CJK



SECTION 25
TIS RIE FM
23/24
26/23



TYPICAL GRAVEL STOCK PILE
SCALE 1" = 100'

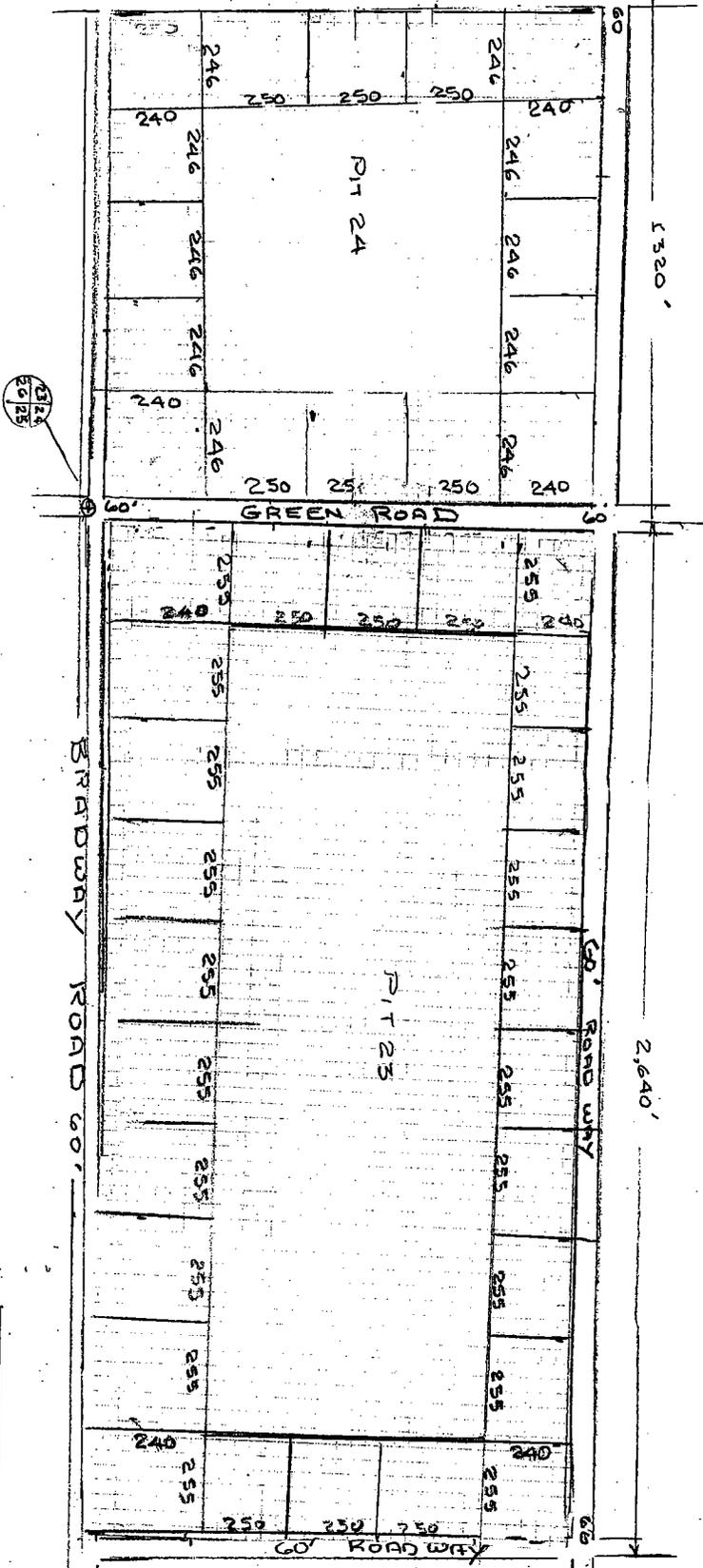
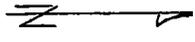
SECTION 26

POA-2008-23-4 Tanana River
Mr. Conrad Frank
Gravel Pit
Plan View Pit Schematic w/ cross section
Sheet 5 of 7 2 JUN 2008

GRAVEL PIT PLAN AND X SECTIONS 2A
3

GRAVEL PIT AND FUTURE LAKE-SIDE SUBDIVISION
SCALE 1" = 500'
LOTS NOT AT SCALE

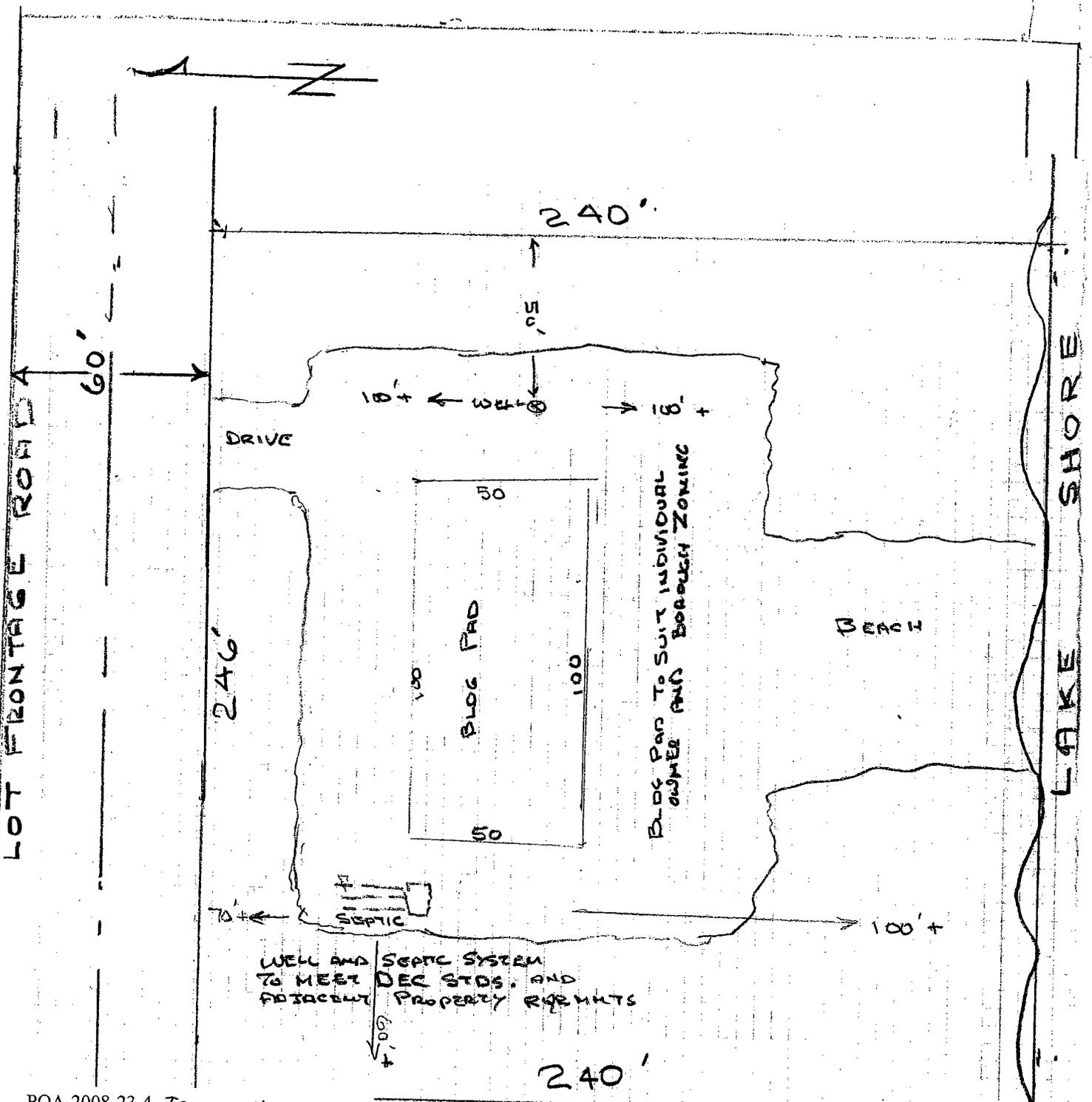
METRO CO LLC
BRADWAY LAKES GRAVEL PITS
SUBDIVISION
POA 2008-0023-4
5-27-08 CH



SCALE 1" = 300 FT

METRO CO. LLC
 BRADWAY LAKES
 GRAVEL PITS &
 SUBDIVISION
 POA 2008-0023-4
 5-21-08
 CR

POA-2008-23-4, Tannauna River
 Mr. Conrad Frank
 Gravel Pit
 Plan View of eventual subdivision layout
 Sheet 6 of 7 2 JUN 2008



POA-2008-23-4, Tanana River
 Mr. Conrad Frank
 Gravel Pit
 Plan View eventual lot layout
 Sheet 7 of 7 2 JUN 2008

TYPICAL LOT
SCALE 1" = 40'

10 LOTS 246x240 20 LOTS 255x240
 6 LOTS 255x250 6 LOTS 246x250
 AVERAGE 247' x 247'

METRO CO LLC
 BRADWAY LAKES
 PROPOSED SUBDIVISION
 (AFTER DIT COMPLETE)
 5-27-08 C7
 POA 2008 0023-4

3A
 3