



US Army Corps
of Engineers
Alaska District

Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	December 14, 2023
EXPIRATION DATE:	January 14, 2023
REFERENCE NUMBER:	POA-2011-00328-M1
WATERWAY:	Sagavanirktok 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.

All comments regarding this public notice should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the project manager's email as listed below or to regpagemaster@usace.army.mil. All comments should include the public notice reference number listed above.

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 Steve Moore at (907) 753-5713, toll free from within Alaska at (800) 478-2712, or by email at stephen.a.moore2@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Ms. Kerri Martin, Alaska DOT&PF; 2301 Peger Road, Fairbanks, Alaska 99709. Phone: (907) 451-5289. Email: kerri.martin@alaska.gov

AGENT: Mr. William Sexton, Alaska DOT &PF; 2301 Peger Road, Anchorage, Alaska 99709. Phone (907) 451-2605. Email: william.sexton@alaska.gov

LOCATION: The proposed project is located within Sections 25, T. 10 N., R. 14 E., Umiat Meridian; USGS Quad Point Roberts OE N; Latitude 70.0000° N., Longitude -148.4568° W.; North Slope Borough, Deadhorse, Alaska.

PURPOSE: The applicant's stated purpose is to correct safety and operational deficiencies at the existing Deadhorse Airport, bringing the airport into current Federal Aviation Administration (FAA) design standards (Part 139 Safety Enhancement) and design criteria identified in the Alaska Statewide Transportation Plan and Alaska Aviation System Plan.

PROPOSED WORK: To place 722,700 cubic yards of gravel, resulting in the fill of 78.6 acres of wetlands. Specifically, the work consists of construction of a perimeter road with fence, material source haul road, culvert replacement, removal, or modification, and the filling of existing drainage areas located adjacent to the airport runway. All work would be performed in accordance with the enclosed plan (sheets 1-5). The previously permitted Mine Site 3 will be utilized as the material source for the project.

ADDITIONAL INFORMATION: The FAA issued their final Environmental Assessment (EA) and subsequent Finding of No Significant Impact (FONSI) on September 1, 2023. These documents and other project information can be viewed at:
<https://dot.alaska.gov/nreg/deadhorse/>

APPLICANT PROPOSED MITIGATION: The applicant provided the following mitigation statement regarding avoidance, minimization, and compensation for impacts to waters of the United States from activities involving discharges of dredged or fill material:

Avoidance:

On-airport winter snow storage basins initially were considered for filling but will remain unfilled and serve as sedimentation basins and water storage ponds to improve water quality of snowmelt runoff passing through the drainage system to surrounding wetlands. Fill areas will be surveyed and staked prior to ground disturbance with marking maintained for the duration of wetland construction to further avoid impacts to wetlands. Fill material will be stockpiled within proposed fill footprints to avoid impacting additional wetlands. One-hundred-foot buffers from surface waters, drainage ditches and isolated standing water will be maintained for equipment fueling and maintenance to avoid spills to wetlands. The project is sited to avoid new wetland impacts by incorporating previously disturbed areas, existing fill embankments, existing drainages, and existing infrastructure where practicable.

Minimization:

Proposed airport action is designed with minimal dimensions sufficient for the proposed purpose and need to improve the operational deficiencies and safety at the Deadhorse Airport. Side slopes of embankment fill are designed as steeply as geotechnical and engineering considerations allow for utility, stability, and safety of the embankments minimizing footprint. Culvert improvements and grading proposed for existing wetland infield ponds and drainage ditches along Deadhorse Way, and airport infields will partially mitigate existing deficiencies to wetland function by restoring and improving connectivity to surrounding wetlands of Sagavanirktok River, Colleen Lake, and Prudhoe Bay drainages. Disturbed ground will be recontoured, stabilized, and seeded to prevent erosion. Contractor will abide by the Alaska Pollutant Discharge Elimination System permit, Construction General Permit and implement a Hazardous Materials Control Plan, follow the Alaska Department of Environmental Conservation (ADEC) approved Contaminated Sites Management Plan (CSMP), Storm Water Pollution Prevention Plan, and the Erosion and Sediment Control Plan to avoid and minimize impacts to surrounding wetlands from turbidity and sediment runoff. Soil samples were collected at proposed excavation sites of nine culverts within the airport and seven culverts on Deadhorse Drive. Hazardous materials encountered will be managed under an ADEC-approved CSMP to avoid, minimize, and mitigate potential contamination migration to receiving waters. All wetland fill and material handling in and around contaminated sites must also be in compliance with the CSMP.

Compensation:

No wetland compensatory mitigation is proposed for this action. There are no wetland Mitigation Banks in the area, nor are there any in-lieu-fee programs available. The proposed airport improvements will address mandated safety and operational concerns and restore productive drainage to the airport property, while maintaining and improving the water quality of the surrounding wetland complexes.

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 (ADEC). The applicant made a pre-filing request via the ADEC EDMS portal on April 14, 2023.

CULTURAL RESOURCES: The project received a *No Historic Properties Adversely Affected* determination from the State Historic Preservation Office (SHPO) on September 7, 2022 (3130-1R FAA 2022-01015). This application is being coordinated with the SHPO and any additional comments they 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: The project area is within the known or historic range of the threatened spectacled eider (*Somateria fischeri*), Steller's eider (*Polysticta stelleri*), and polar bear (*Ursus maritimus*).

The USFWS concurred with the FAAs *not likely to adversely affect* determination by letter dated July 29, 2022.

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).

Neither anadromous waters or essential fish habitat are within the proposed action area, nor are they connected to it by surface waters.

TRIBAL CONSULTATION: The Corps 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) (I) 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.

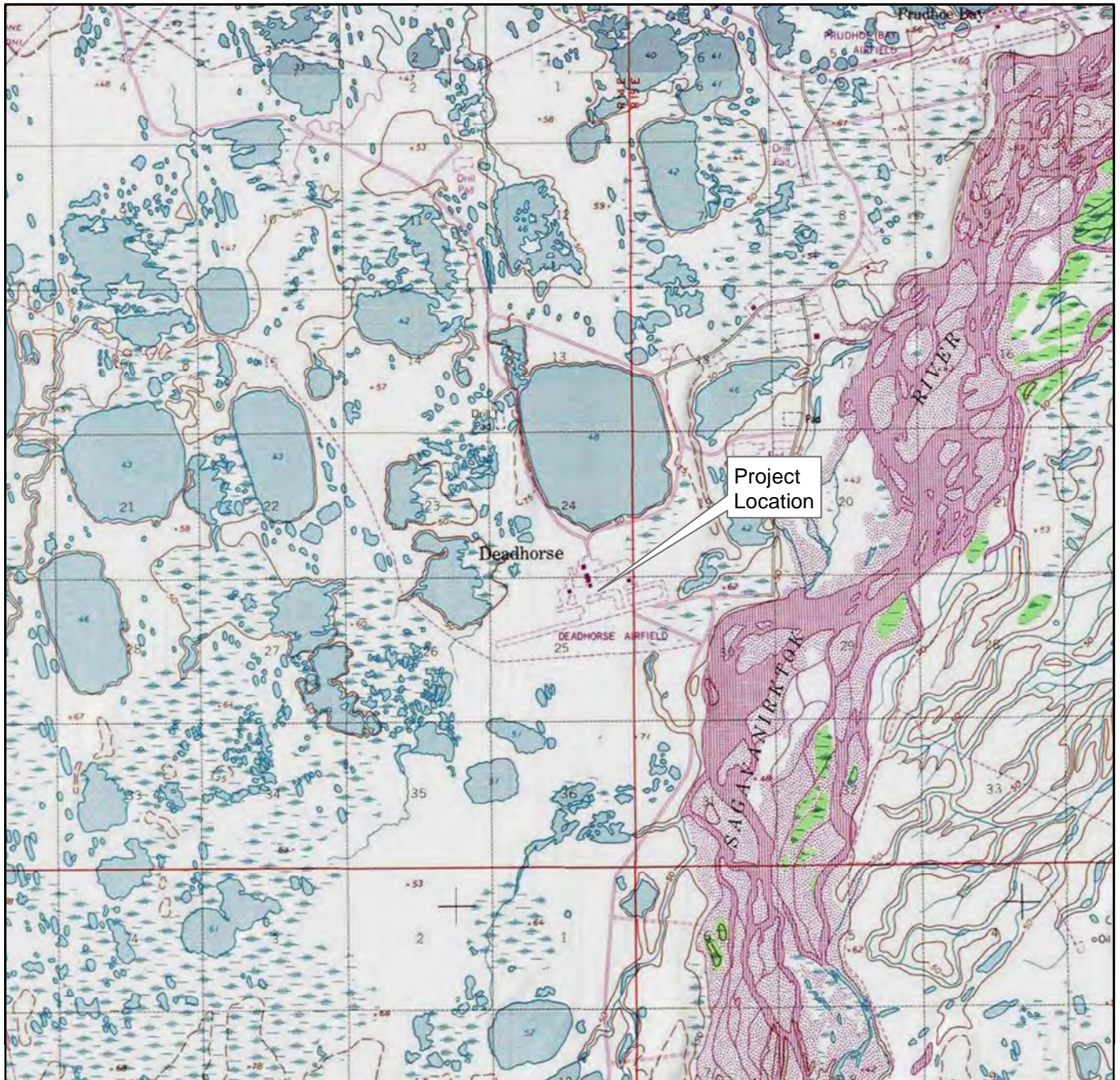
AUTHORITY: This permit will be issued or denied under the following authorities:

(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).

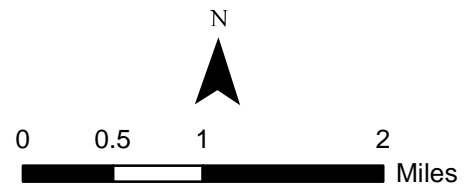
Project drawings are enclosed with this public notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures



Source USGS QUAD BEECHY POINT (A-3) 1955
Township 10N, Range 14E, Sections 24, 25, 26, 36
Township 10N, Range 15E, Sections 31, 30, 19
UMIAT Meridian, Alaska



STATE OF ALASKA
Department of Transportation and Public Facilities
2301 Peger Road, Fairbanks, AK 99709

Location & Vicinity Map

NFAPT00549
Deadhorse Airport Improvements

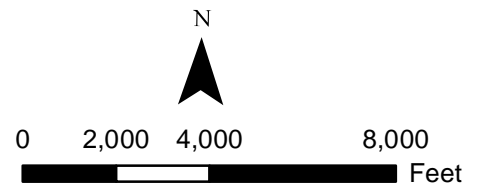
Date:
September 2022

Figure 17-1

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--- Airport Property Boundary

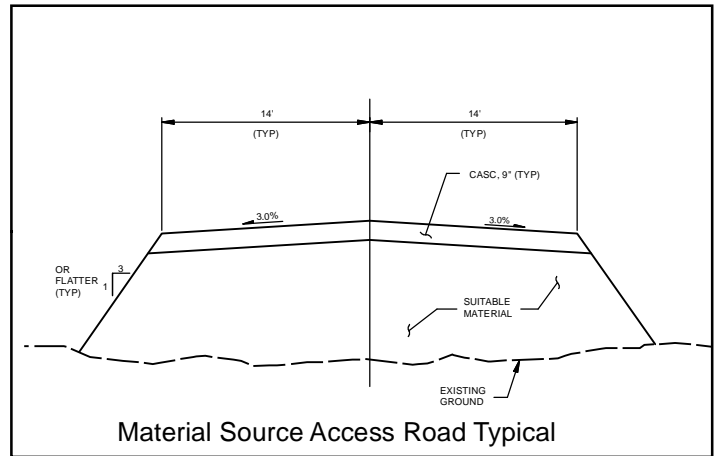
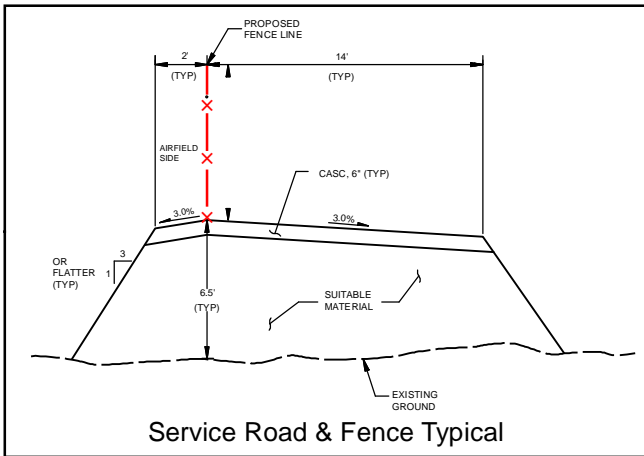


STATE OF ALASKA
Department of Transportation and Public Facilities
2301 Peger Road, Fairbanks, AK 99709
Project Location & Airport Property Boundary

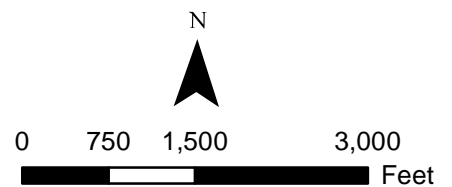
NFAPT00549
Deadhorse Airport Improvements

Date:
September 2022

Figure 17-2



- Airport Property Boundary
- Proposed Fence
- Proposed Service Road
- Material Source Access Road



STATE OF ALASKA
Department of Transportation and Public Facilities
2301 Peger Road, Fairbanks, AK 99709

Proposed Action Alternative 1
Fence & Maintenance Road and Material Haul Road Detail

NFAPT00549
Deadhorse Airport Improvements

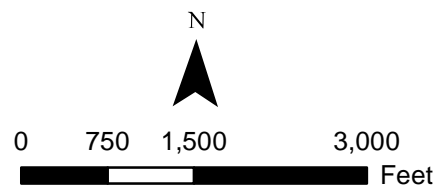
Date:
November 2022

Figure 18-2

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- New Culvert
- Existing Culverts (Proposed for replacement)
- Removing Culvert
- Culverts Not Being Altered
- Infield Drainage Areas (Proposed to be filled)



STATE OF ALASKA
Department of Transportation and Public Facilities
2301 Peger Road, Fairbanks, AK 99709
Proposed Culvert Replacement/Infield Drainage Area
Fill Placement

NFAPT00549
Deadhorse Airport Improvements

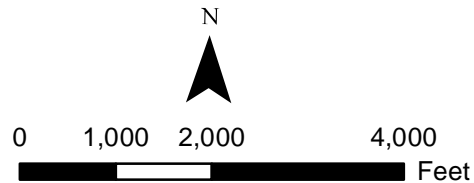
Date:
June 2022

Figure 18-1

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- Airport Property Boundary
- Available Material Source (Mine Site 3)



STATE OF ALASKA
Department of Transportation and Public Facilities
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Available Material Source (Mine Site 3)

NFAPT00549
Deadhorse Airport Fence Installation

Date:
May 2022

Figure 18-3