



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

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Regulatory Division
POA-1983-00359-M42

Mr. Jon Kurland
Assistant Regional Administrator for Protected Resources
National Marine Fisheries Service, Alaska Region
Post Office Box 21668
Juneau, Alaska 99802

Dear Mr. Kurland:

In accordance with Section 7(a)2 of the Endangered Species Act of 1973, as amended (ESA), the U.S. Army Corps of Engineers, Alaska District, Regulatory Division (Corps), requests initiation of informal consultation regarding a Department of the Army (DA) permit application submitted by Alaska Industrial Development and Export Authority, file number POA-1983-00359-M42, Chukchi Sea, which should be referred to in all correspondence with us. The applicant has submitted a Biological Assessment, enclosed with this letter.

In accordance with guidance provided in the Endangered Species Consultation Handbook, the Corps requests that you initiate consultation upon receipt of this request or provide a response within 30 days of receipt of this request stating what information is necessary to meet the requirements of 50 CFR §402.14(c). Upon your initiation of informal consultation, please provide this office with an expected completion date so that we may inform the applicant of the associated timeframes. The following information is provided in accordance with 50 CFR §402.14(c):

The applicant requests authorization to dredge up to 500,000 cubic yards (an average of 50,000 cubic yards annually for 10 years) of material from the subsurface of an 8.5-acre area of navigable marine waters of the U.S., waterward of Mean High Water (MHW) and discharge up to 500,000 cubic yards (an average of 50,000 cubic yards annually for 10 years) of dredged material in 5.7 acres of waters of the U.S., below the high tide line. All dredged and excavated beach material will be discharged in the shallow water discharge area.

All work would be performed in accordance with the enclosed plan (sheets 1-1), dated June 24, 2021. The proposed project is located within Section 10, T. 25 N., R. 24 W., Kateel Meridian; Latitude 67.5766° N., Longitude 164.0600° W.; approximately 90 miles north of Kotzebue, Alaska.

We believe that with the incorporation of the conservation measures listed in Section 2.5 of the BA, the action may affect, but is not likely to adversely affect the following threatened and endangered species: Arctic Ringed Seal (*Phoca hispida*), Bearded Seal (*Erignathus barbatus*), Blue Whale (*Balaenoptera musculus*), Bowhead Whale (*Balaena mysticetus*), Fin Whale (*Balaenoptera physalus*), Grey Whale (*Eschrichtius robustus*), Humpback Whale (*Megaptera novaeangliae*), North Pacific Right Whale (*Eubalaena japonica*), Sei Whale (*Balaenoptera borealis*), Sperm Whale (*Physeter macrocephalus*), and Steller Sea Lion (*Eumetopias jubatus*); as well as the following designated critical habitat for: Humpback Whale (*Megaptera novaeangliae*), North Pacific Right Whale (*Eubalaena japonica*), Arctic Ringed Seal (*Phoca hispida*), and Steller Sea Lion (*Eumetopias jubatus*).

We request your concurrence with our determination.

Please contact me via email at Leslie.w.tose@usace.army.mil, by mail at the address above, by phone at (907) 753-5515, or toll free from within Alaska at (800) 478-2712, if you have questions. For additional information about our Regulatory Program, visit <http://www.poa.usace.army.mil/Missions/Regulatory>.

Sincerely,

Leslie Tose
Project Manager

Enclosures

CF/BCF:

NMFS, Juneau
NMFS, Anchorage
USFWS
USACE
USACE
Applicant: AIDEA
Agent: Stantec

jon.kurland@noaa.gov
greg.balogh@noaa.gov
Kaithryn_Ott@fws.gov
roberta.k.budnik@usace.army.mil
Andrew.a.gray@usace.army.mil
jpeterston@aidea.org
Victor.Ross@stantec.com