



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD
2175 University Avenue, Suite 201E
Fairbanks, Alaska 99709-4927

PUBLIC NOTICE DATE: August 4, 2015

EXPIRATION DATE: September 2, 2015

REFERENCE NUMBER: POA-2015-215

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.

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 John Sargent at (907) 474-2166 or by email at John.C.Sargent@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Brice Incorporated, P.O. Box 70668, Fairbanks, Alaska 99701, POC Togi Letuligasenoa

AGENT: Stantec Incorporated, 2515 A Street, Anchorage, Alaska 99503, POC Kacy Hillman

LOCATION: The project site is located within Section 30, T. 10 N., R. 15 E., Umiat Meridian; USGS Quad Map AK-Beechey; Latitude 70.1943 N., Longitude 148.4315 W.; North Slope Borough, FAA Lease Lot 4, Block 2000 in Deadhorse, Alaska.

PURPOSE: The applicant's stated purpose is to provide year-round access for equipment and staging area for ongoing projects on the Dalton Highway and at the Deadhorse Airport.

PROPOSED WORK: Discharge of up to 49,050 cubic yards of clean fill material in 5.05 acres of jurisdictional wetlands to develop an equipment and material staging area and access ways to support on-going projects at the Deadhorse airport and along the Dalton Highway. All work would be performed in accordance with the enclosed plans, (sheets 1-4), dated February 2015.

APPLICANT PROPOSED 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.

a. Avoidance: The location for the development was chosen because it would consolidate equipment and material staging with adjacent Lot 1, Block 1500 and is considered by the proponent to be the most useful site for this purpose. Avoidance of wetland fill is not possible because all available undeveloped spaces are wetlands.

b. Minimization: Impacts to adjacent wetlands would be minimized with flagging to delineate wetlands. Silt fencing and other Best Management practices would be used to control sediment during construction. Native vegetation or non-erodible material would be established on side slopes to control erosion during storm runoff.

c. Compensatory Mitigation: The wetlands at the project site are abundant in the region. In addition, the applicant proposes measures to avoid and minimize impacts to adjacent wetlands. Permittee responsible mitigation is not viewed practicable and therefore is not proposed by the applicant.

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.

THREATENED AND ENDANGERED SPECIES: The project area is within the known or historic range of the polar bear (*Arctos marianus*), Steller's eider (*Polysticta stelleria*), spectacled eider (*Somateria fischeri*), and Candidate for Listing species yellow billed loon (*Gavia adamsii*).

We have determined the described activity may affect, but is not likely to adversely affect, the threatened polar bear, Steller's eider, spectacled eider, and Candidate for Listing species, yellow-billed loon. We will initiate consultation under the Programmatic Biological Opinion dated May 5, 2014, as we believe the project fits the terms and conditions and it is the appropriate consultation procedure under Section 7 of the Endangered Species Act with the U.S Fish and Wildlife 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 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).

No EFH species are known to use the project area or that would be affected by the project.

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.

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

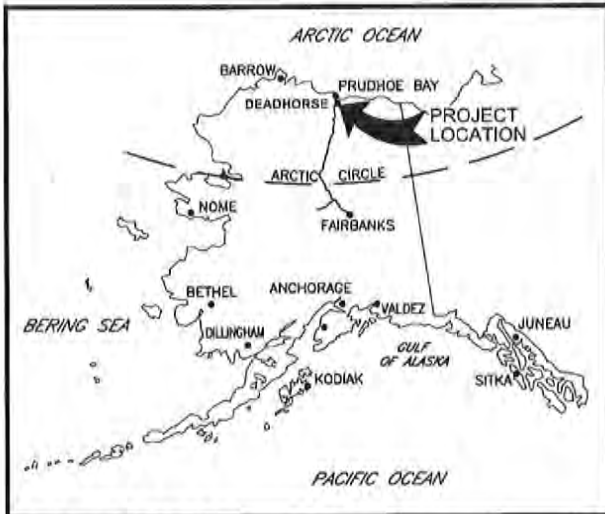
NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

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.

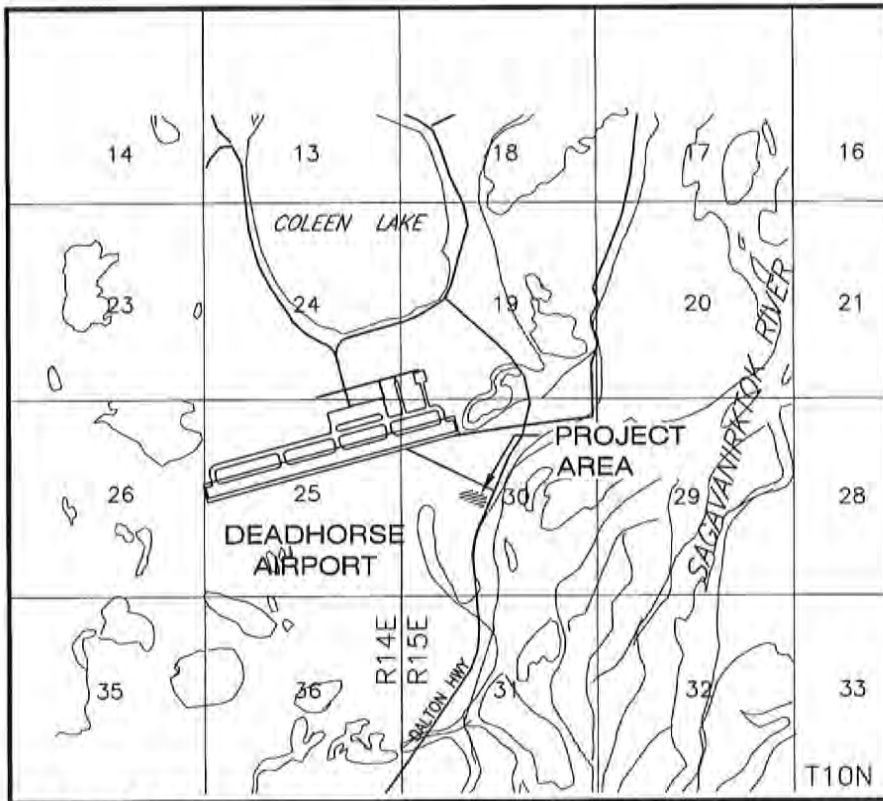
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-2015-215, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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.

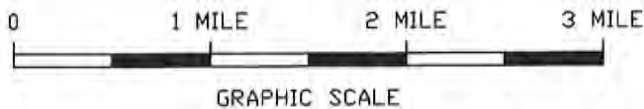


LOCATION MAP
NOT TO SCALE



VICINITY MAP

Source: USGS Map BEECHEY POINT (A-3)



GRAPHIC SCALE

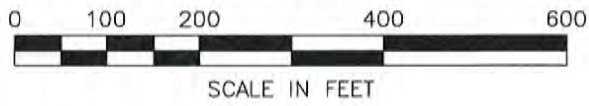
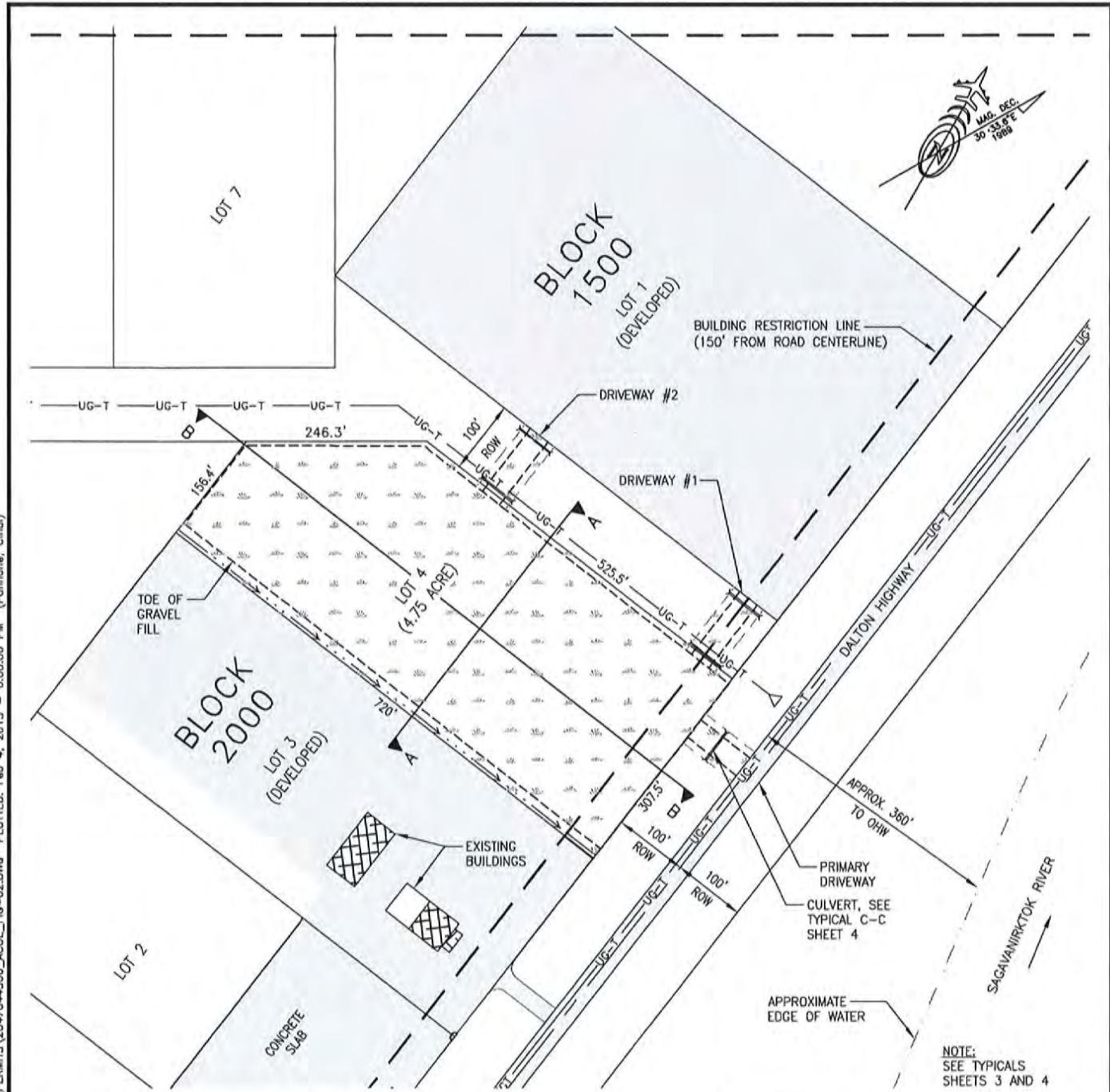
**DEADHORSE AIRPORT
LEASE LOT DEVELOPMENT
LOCATION & VICINITY MAP**

Application by: BRICE INCORPORATED
Location: Deadhorse, Alaska
Section 30, T10N, R15E
Umlat Meridian
Lat. 70.1943° N, Long. 148.4315° W
USGS Beechey Point (A-3) NE, Alaska
Water Body: Sagavanirktok River

POA-2015-215, Sagavanirktok River

DATE: February 2015 SHEET 1 OF 4

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LEGEND:

	PALUSTRINE EMERGENT WETLANDS
	PROPOSED CULVERT
	UNDERGROUND TELEPHONE

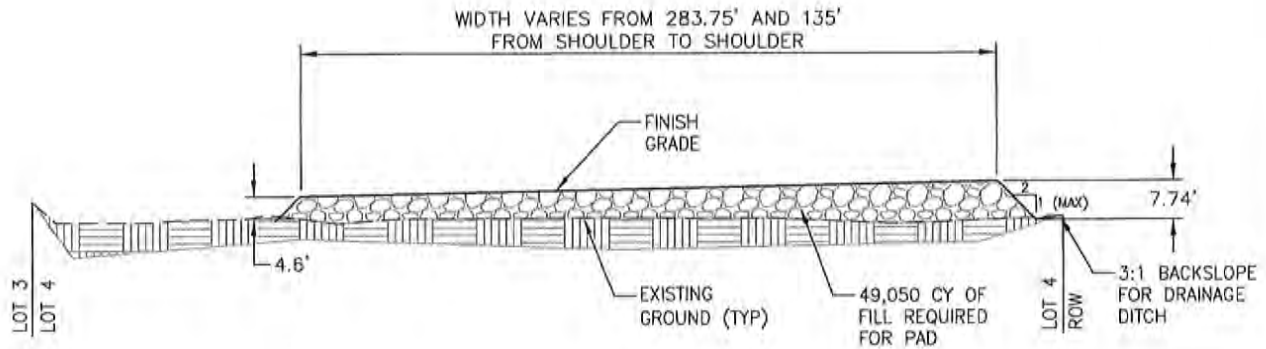
**DEADHORSE AIRPORT
LEASE LOT DEVELOPMENT
SITE PLAN**

Application by: BRICE INCORPORATED
 Location: Deadhorse, Alaska
 Section 30, T10N, R15E
 Umiat Meridian
 Lat. 70.1943° N, Long. 148.4315° W
 USGS Beechey Point (A-3) NE, Alaska
 Water Body: Sagavanirktok River

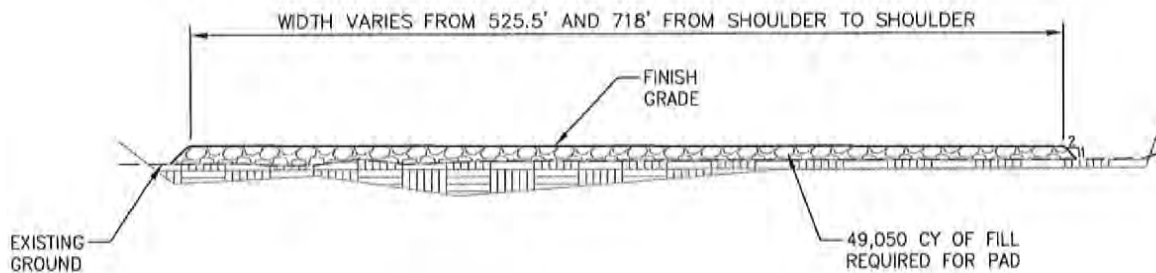
POA-2015-215, Sagavanirktok River

DATE: February 2015 SHEET 2 OF 4

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A-A TYPICAL PAD SECTION
SH2 SCALE: NTS



B-B TYPICAL PAD SECTION
SH2 SCALE: NTS

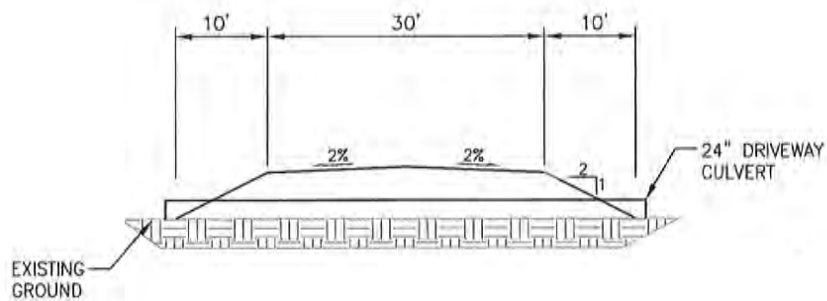
**DEADHORSE AIRPORT
LEASE LOT DEVELOPMENT
TYPICAL SECTIONS**

Application by: BRICE INCORPORATED
Location: Deadhorse, Alaska
Section 30, T10N, R15E
Umiat Meridian
Lat. 70.1943° N, Long. 148.4315° W
USGS Beechey Point (A-3) NE, Alaska
Water Body: Sagavanirktok River

POA-2015-215, Sagavanirktok River

DATE: February 2015 SHEET 3 OF 4

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TYPICAL CULVERT SECTION

SCALE: NTS

DEADHORSE AIRPORT LEASE LOT DEVELOPMENT TYPICAL SECTIONS

Application by: BRICE INCORPORATED
Location: Deadhorse, Alaska
Section 30, T10N, R15E
Umiat Meridian
Lat. 70.1943° N, Long. 148.4315° W
USGS Beechey Point (A-3) NE, Alaska
Water Body: Sagavanirktok River

POA-2015-215, Sagavanirktok River

DATE: February 2015 SHEET 4 OF 4