



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: November 20, 2015

EXPIRATION DATE: December 19, 2015

REFERENCE NUMBER: POA-2015-529

WATERWAY: Bering, Chukchi and Beaufort Seas

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, by fax at (907) 474-2164 or by email at John.C.Sargent@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Elizabeth Pierce, Quintillion Subsea Operations, LLC, 201 East 56th Avenue, Suite 300, Anchorage, Alaska 99518

AGENT: Whitney Moretti, UMIAQ, LLC

LOCATION: The project begins at Olitok, Latitude 70.5113°N, 149.8704°W and ends at Nome, 64.4879°N, 165.3353°W, Alaska, (see enclosed figure M1).

PURPOSE: The applicant's stated purpose is to provide high speed internet service to rural Alaskan communities of Oliktok Point, Barrow, Wainwright, Point Hope, Kotzebue and Nome.

PROPOSED WORK: Quintillian Subsea Operations, Inc. is proposing to install a fiber optic cable within the seabed and at locations within the communities of Oliktok, Barrow, Wainwright, Point Hope, Kotzebue and Nome, Alaska, (see enclosed Figure M1). The purpose of the work is to link the new fiber optic line with an existing North Slope Terrestrial-based fiber optic line, to provide high speed internet to these six rural Alaskan communities.

The project would install a fiber optic cable trunk line submerged along a 766-mile marine route, with branch lines to onshore facilities in Oliktok Point, Barrow, Wainwright, Point Hope, Kotzebue, and Nome, Alaska. Depending on seafloor conditions, 25 percent of the cable length would be buried, (8 inches wide by 5 to 10 feet deep), into the seabed using a submarine plow towed by a floating vessel, while the remainder of the cable length would lie on the seafloor surface. The surface sediments on the seabed would be replaced behind the plow as the plow buries the cable on the seabed. A maximum of four, 19.6 x 9.8- foot concrete mattresses would be placed at each location where the trunk line separates into a branch line, (branching unit), to protect the cable from scour. A 6.6-foot diameter steel electrode would be installed near the marine, Horizontally Directly Drilled (HDD) exit locations, off of Oliktok, Kotzebue, and Nome, to provide electrical grounding. Marine work would be done from one main vessel with support from barges and divers.

During the approach to land, the cable at the branch lines would be floated from the cable ship and pulled through an existing conduit which has been directionally drilled and previously permitted. The cable would be pulled to a buried concrete vault (beach manhole), then anchored and transitioned to a terrestrial cable line. On land, the cable would be mechanically buried along established right-of ways to a local communications provider. The cable would be trenched to 36 inches deep and 36 inches wide using a backhoe, chain trencher, or excavator, or where necessary, directionally drilled. The cable would be placed in the trench and the excavated material replaced and site conditions restored. In Barrow and Nome, a gravel pad no larger than 150' by 150' would be constructed to provide a foundation for the beach manhole. In Nome, a 95-foot by 70-foot gravel access driveway would be constructed from the Nome-Council Road to access the beach manhole site.

Burying of the cable would involve the sidecasting and replacement of about 465,749 cubic yards of seafloor within 29.47 acres, and 7,002 cubic yards of terrestrial soils within 6.02 acres of wetlands. The project would result in permanent filling of 1.19 acres of wetlands during construction of required infrastructure that include gravel pads, beach manholes, and pull boxes along the terrestrial route. 0.1 acre of concrete mats would be installed on the seabed as protection at cable branching units. Branch lines to Oliktok, Point Hope, Wainwright, and Barrow will require installation in uplands of a modular communications building and a backup generator structure.

Additional details regarding the proposed work can be found at our website at <http://www.poa.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>. The information posted at our website is a copy of this public notice, a complete set of project drawings, pages M1 to M4, dated 08/20/2015; pages T1 to T9, dated 10/23/2015 and 10/26-29/2015; pages C1 to C8, dated 10/01/2015 & 10/23/2015;

supplemental application information, pages 1-16 dated 10-27-2015, and the applicants proposed mitigation statement, pages 1-5 dated 10-01-2015. Please contact Mr. John Sargent at the location above to request a hard copy of the plans.

ADDITIONAL AUTHORIZATIONS: Marine Mammal Protection Act Incidental Harassment Authorizations from National Oceanic and Atmospheric Administration for Marine Mammals; and from U.S. Fish and Wildlife Service for polar bear and Pacific walrus.

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: Avoidance of discharge of fill material in Waters of the United States was not possible because of the presence of wetlands and other waters in the project areas.

b. Minimization: The project would include various measures to minimize impacts to wetlands and Waters of the United States to include directional drilling, siting within existing disturbed areas and right-of-ways, and best management practices.

c. Compensatory Mitigation: Compensatory mitigation for unavoidable discharge of fill material in Waters of the United States is not proposed.

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 registered or eligible properties in the vicinity of the worksite. Because they may be within the project area, a determination of effect will be made in consultation with the State Historic Preservation Officer (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: The project area is within the known or historic range of the Steller's Eider (*Polysticta stelleri*), Spectacled Eider (*Somateria fischeri*) and Polar Bear (*Ursus maritimus*) within U.S. Fish and Wildlife Service jurisdiction; the endangered Bowhead Whale (*Balaena mysticetes*), Fin Whale (*Balaenoptera physalus*), Humpback Whale (*Megaptera novaengliae*), and North Pacific Right Whale (*Eubalaena japonica*), the endangered Western Steller Sea Lion (*Eumetopias jubatus*) and the threatened Arctic Ringed Seal (*Phoca hispida hispida*), within National Oceanic And Atmospheric Administration's (NOAA) jurisdiction.

We have determined the described activity may affect threatened and endangered species. We will initiate the appropriate consultation procedures under section 7 of the Endangered Species Act 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).

The proposed activity is being evaluated for potential impacts to EFH. Within the project area, EFH has been described for several species in the Arctic Ocean and Bering Sea. Specifically, the Arctic Fishery Management Plan lists Saffron Cod (*Eleginus gracilis*), Arctic Cod (*Boreogadus saida*), and Snow Crab (*Chionoecetes opilio*) presence and the Bering Sea and Aleutian Islands King and Tanner Crabs Fishery Management Plan lists Red King Crab (*Paralithodes camtschaticus*) presence.

We are currently gathering information regarding these species and have yet to make a determination of effect. Should we find that the described activity may affect the species listed above, we will follow the appropriate course of action under Section 305(b)(2) of the Magnuson-Stevens Act. Any comments the National Marine Fisheries Service may have concerning essential fish habitat 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 authorities:

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(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

ANCHORAGE

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

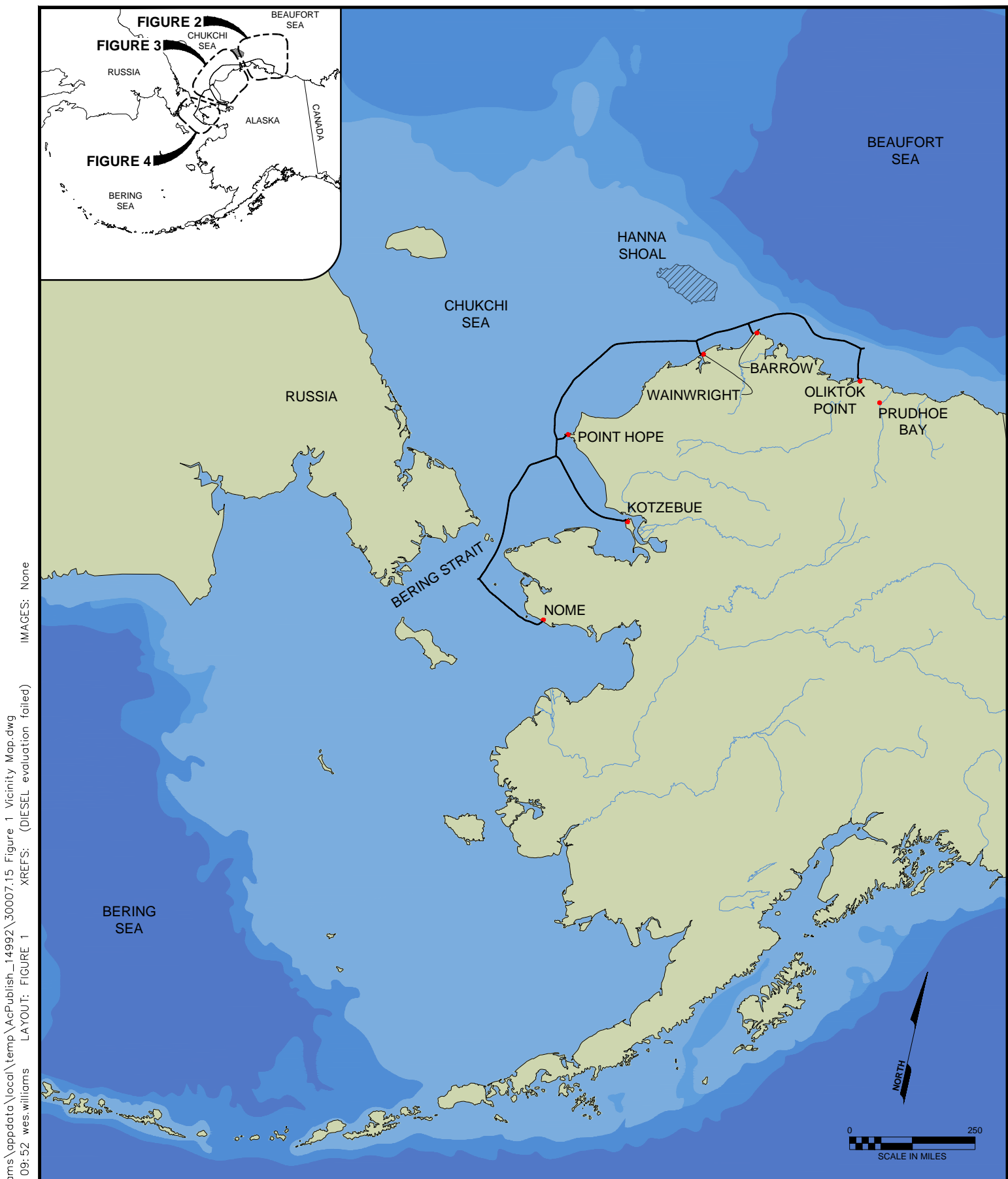
NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

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.

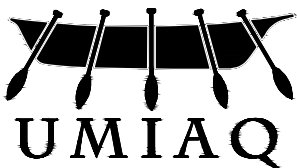
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2015-529**, Bering, Chukchi and Beaufort Seas serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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.



FILE: C:\Users\wes.williams\appdata\local\temp\AcPublish_14992\30007.15 Figure 1 Vicinity Map.dwg
 PRINTED: 08/20/2015 09:52 wes.williams LAYOUT: FIGURE 1 XREFS: (DIESEL evaluation failed) IMAGES: None



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QUINTILLION FIBER OPTIC PROJECT

VICINITY MAP

ALASKA, USA

POA-2015-529
 Bering, Chukchi and
 Beaufort Seas

DATE:	08/20/2015	DRAWN BY:	WDW	SHEET:	FIGURE M1
SCALE:	AS SHOWN	CHECKED BY:		JOB No:	30007.15