



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: February 27, 2017

EXPIRATION DATE: March 28, 2017

REFERENCE NUMBER: POA-2016-98

WATERWAY: Glenn Gulch and Lucky Gulch

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) 753-2164, or by email at John.C.Sargent@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Sphinx Explorations, P. O. Box 236, Galena, Alaska 99741
Attention: Mark Prins

LOCATION: The project site is located within two tributaries and adjacent areas of Flint Creek (Glenn Gulch and applicant named, Lucky Gulch located north of Glenn Gulch), Kateel River Meridian; USGS Quad Map Ruby; Lucky Gulch-Latitude 64.4259° N., Longitude 155.3524° W.; Glenn Gulch- Latitude 64.4164° N., Longitude 155.3549° W.; about 25 miles south of Ruby, Alaska.

PURPOSE: The applicant's stated purpose is to economically extract gold.

PROPOSED WORK: The permit application is for the discharge of dredged or fill material in approximately 95 acres of wetlands and stream riparian areas during mechanical and hydraulic placer mining activities.

Portions of the project site had been mined and reclaimed at Glenn Gulch that involved a capped recirculation pond, sluicing and tailings areas, excavation pit, and wash plant. The proposed mining activities would permanently relocate 2,570 feet of Lucky Gulch, and 1,996 feet of Glenn Gulch and minimize impacts to aquatic resources. The placer mining operation would also include a processing plant and sluicing pads at each site, recirculation and settling ponds, excavation pits, a camp with living quarters, access roads, and exploratory drilling. Reclamation would be on going following completion of mining activities by grading mine spoils and capping of settling ponds to minimize impacts to downstream waters and adjacent wetlands and to promote stabilization mined tailing areas and vegetation growth. All work would be performed in accordance with the enclosed plans (sheets 1-9), dated January 30, 2017.

ADDITIONAL INFORMATION: A permit for the discharge of dredge or fill material in Glenn Gulch was issued by the Corps of Engineers dated June 1, 2011, that authorized discharge of fill material into 4.5 acres of stream and riparian area during placer mining activities. The Alaska Department of Natural Resources has an Alaska Permit to Mine Application from applicant (APMA 2286).

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 waters of the United States (U.S.), including wetlands, is not possible because the streams and wetlands are present where the applicant proposes to mine.

b. Minimization: The applicant proposes measures to minimize impacts to wetlands to include exploratory drilling, mobilization and exploration in winter, and location of camp and road systems primarily in upland areas. During mining, fine sediment would be trapped in settling ponds to minimize impacts to stream and wetland ecosystems. At the completion of mining activities, the site would be reclaimed by stabilizing soil and tailing piles by grading to promote growth of natural vegetation. In addition, the settling ponds would be capped, filled with tailings and armored with riprap. Shallow littoral areas would be created within mined pits to create conditions for wetland plant growth. The relocated stream channels would be graded to match the valley slope and rock lined to minimize erosion and impacts to downstream waters. Runoff ditches would drain storm water into vegetated areas where practicable.

c. Compensatory Mitigation: The applicant did not propose compensatory mitigation because the minimization measures were viewed as appropriate to the scope and degree of the environmental impacts of the project.

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.

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. The project would have NO Effect to EFH.

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) 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

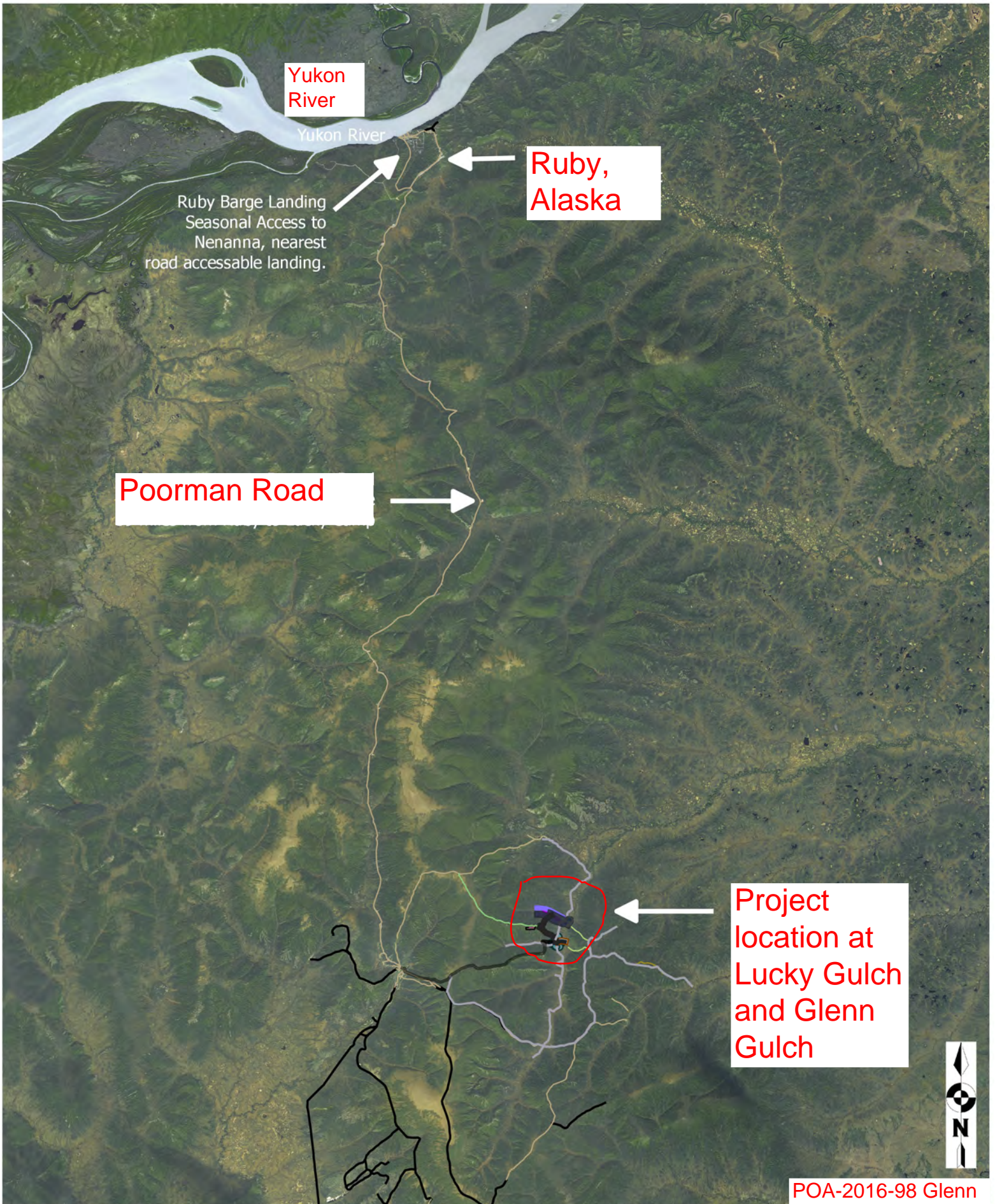
NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

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-2016-98**, Glenn Gulch and Lucky Gulch 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.



Yukon River

Yukon River

Ruby, Alaska

Ruby Barge Landing
Seasonal Access to
Nenanna, nearest
road accessible landing.

Poorman Road

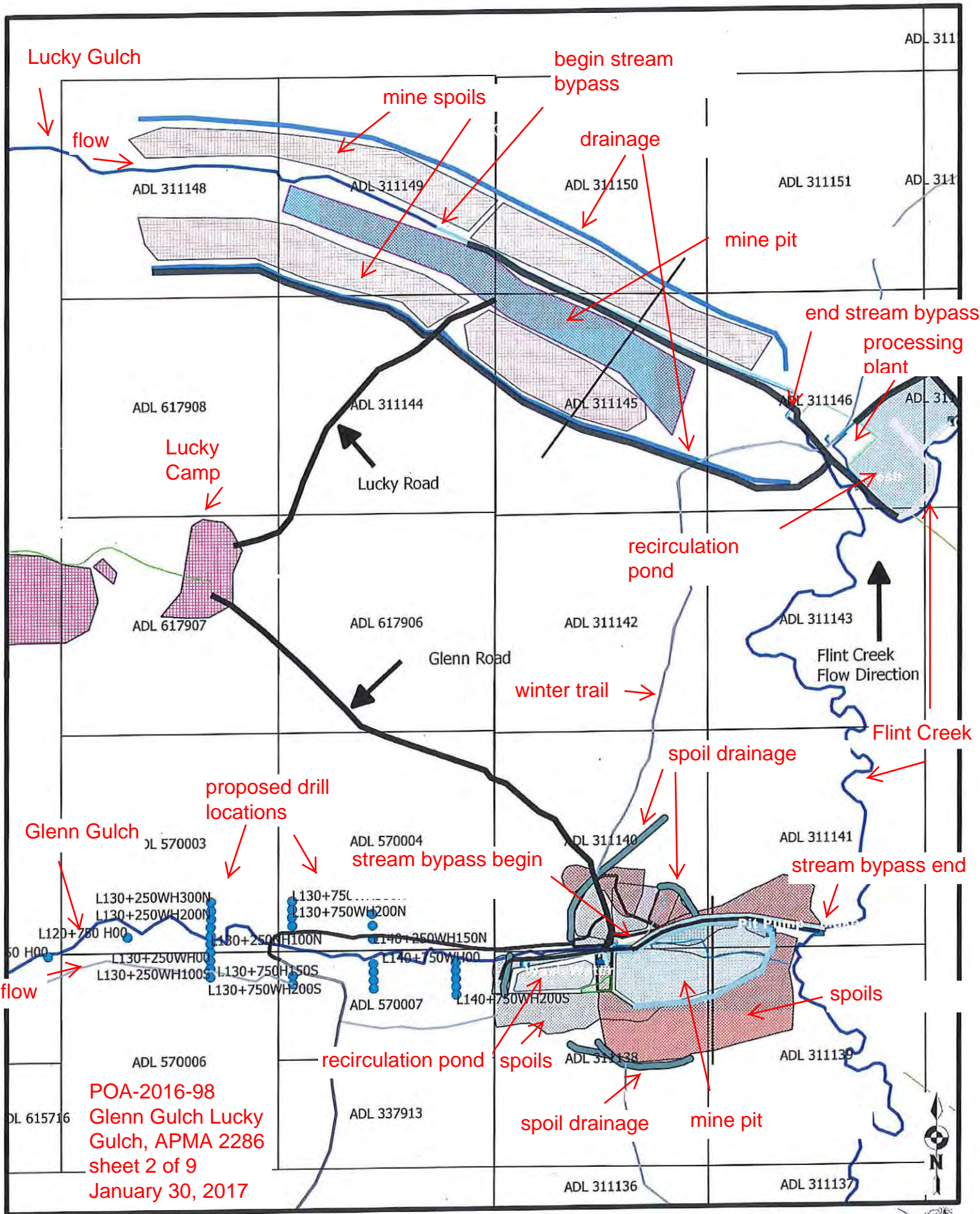
Project location at
Lucky Gulch
and Glenn
Gulch

2.5 0 2.5 5 7.5 10 miles

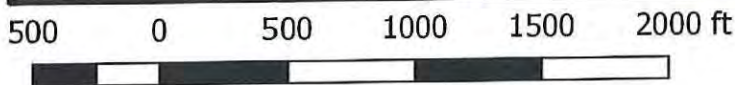
Sphinx Exploration Inc.
Individual Permit Application
Flint Creek Location
Area of Operations

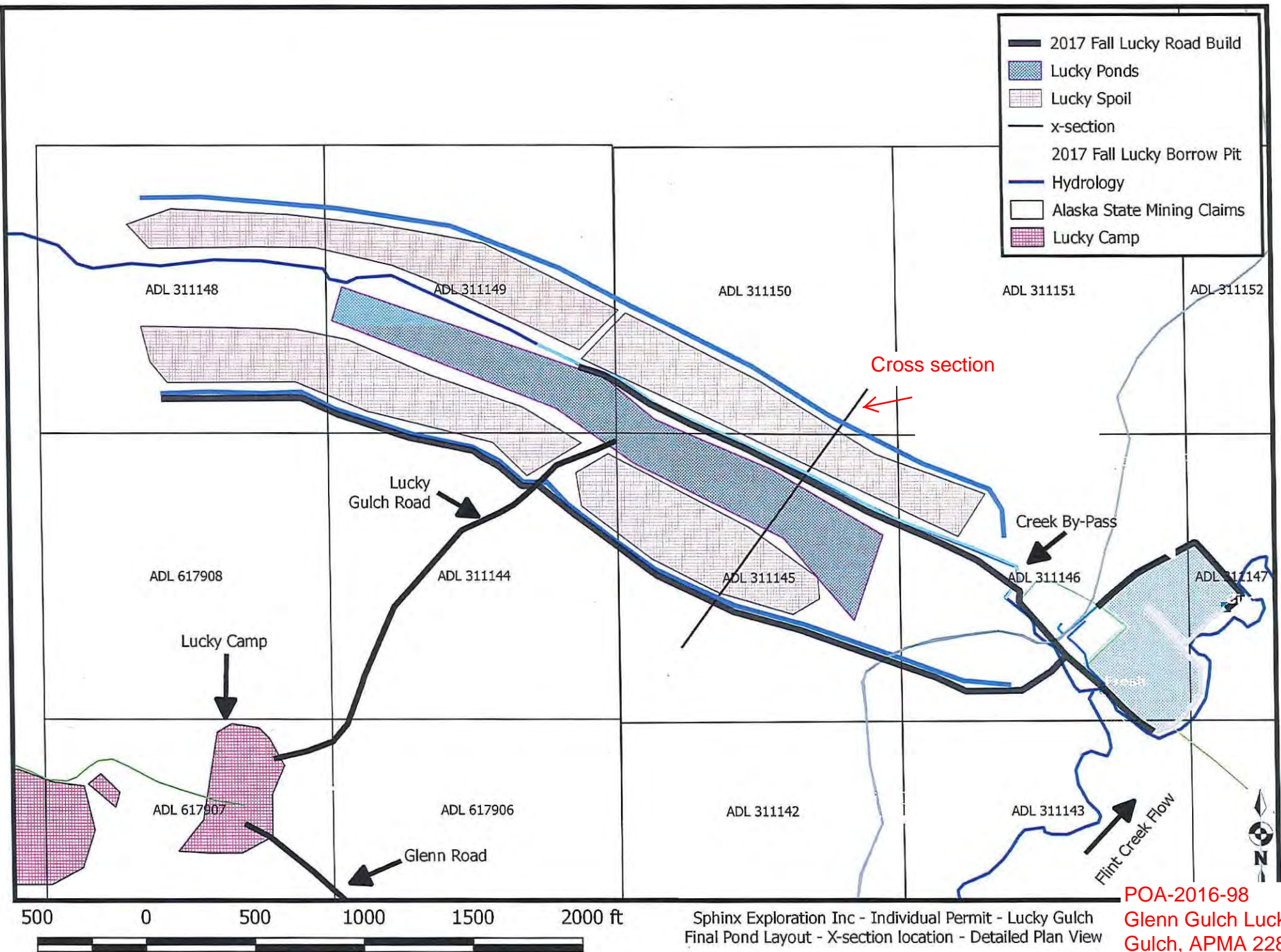
POA-2016-98 Glenn
Gulch Lucky Gulch,
APMA 2286 sheet 1
of 9
January 30, 2017





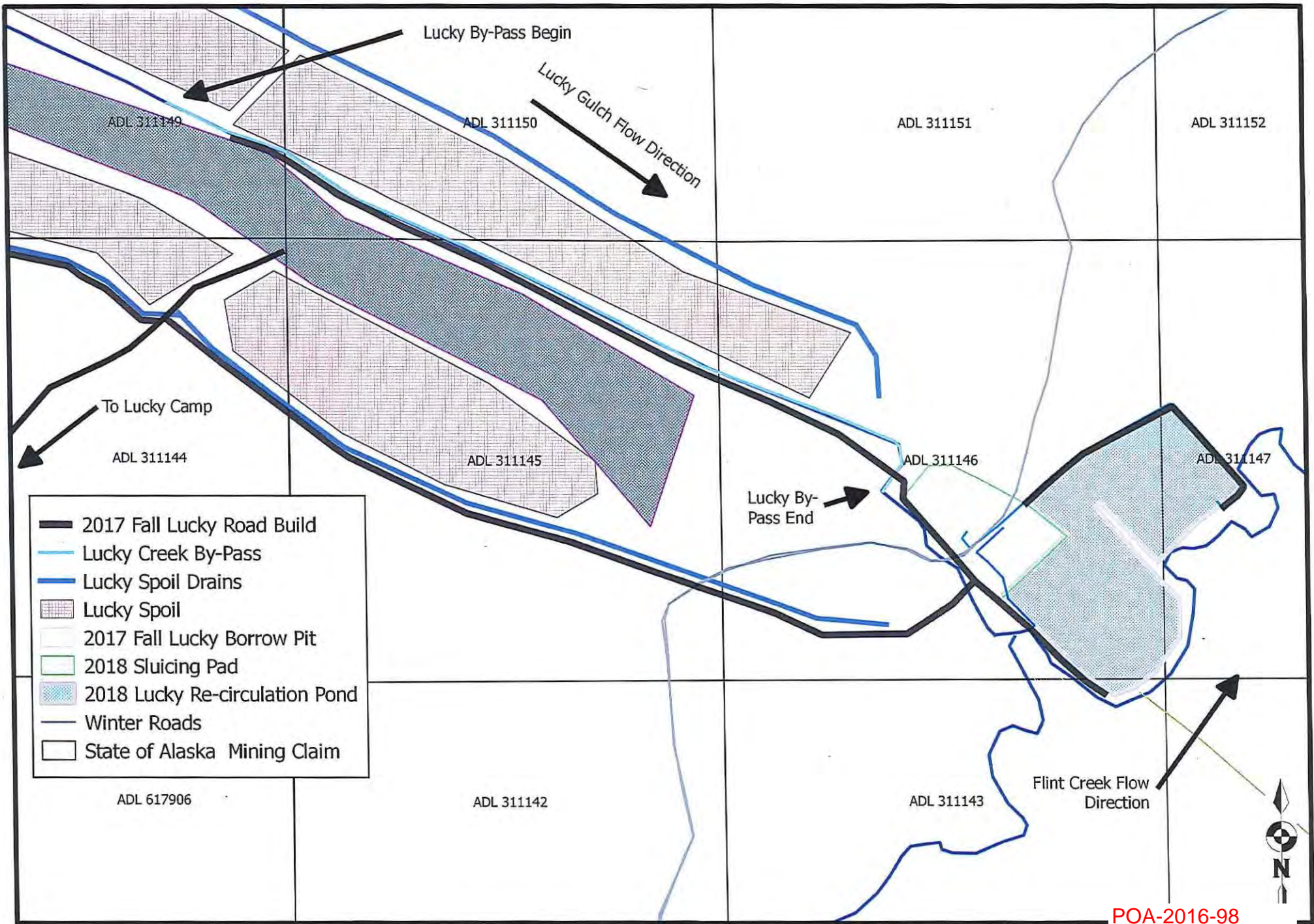
POA-2016-98
 Glenn Gulch Lucky
 Gulch, APMA 2286
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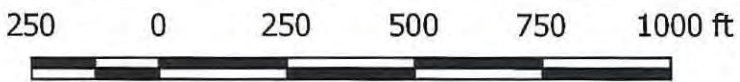


Sphinx Exploration Inc - Individual Permit - Lucky Gulch
 Final Pond Layout - X-section location - Detailed Plan View

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 Glenn Gulch Lucky
 Gulch, APMA 2286
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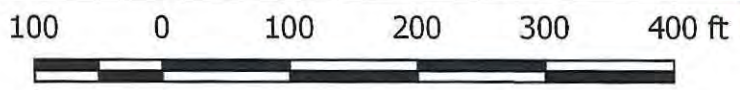
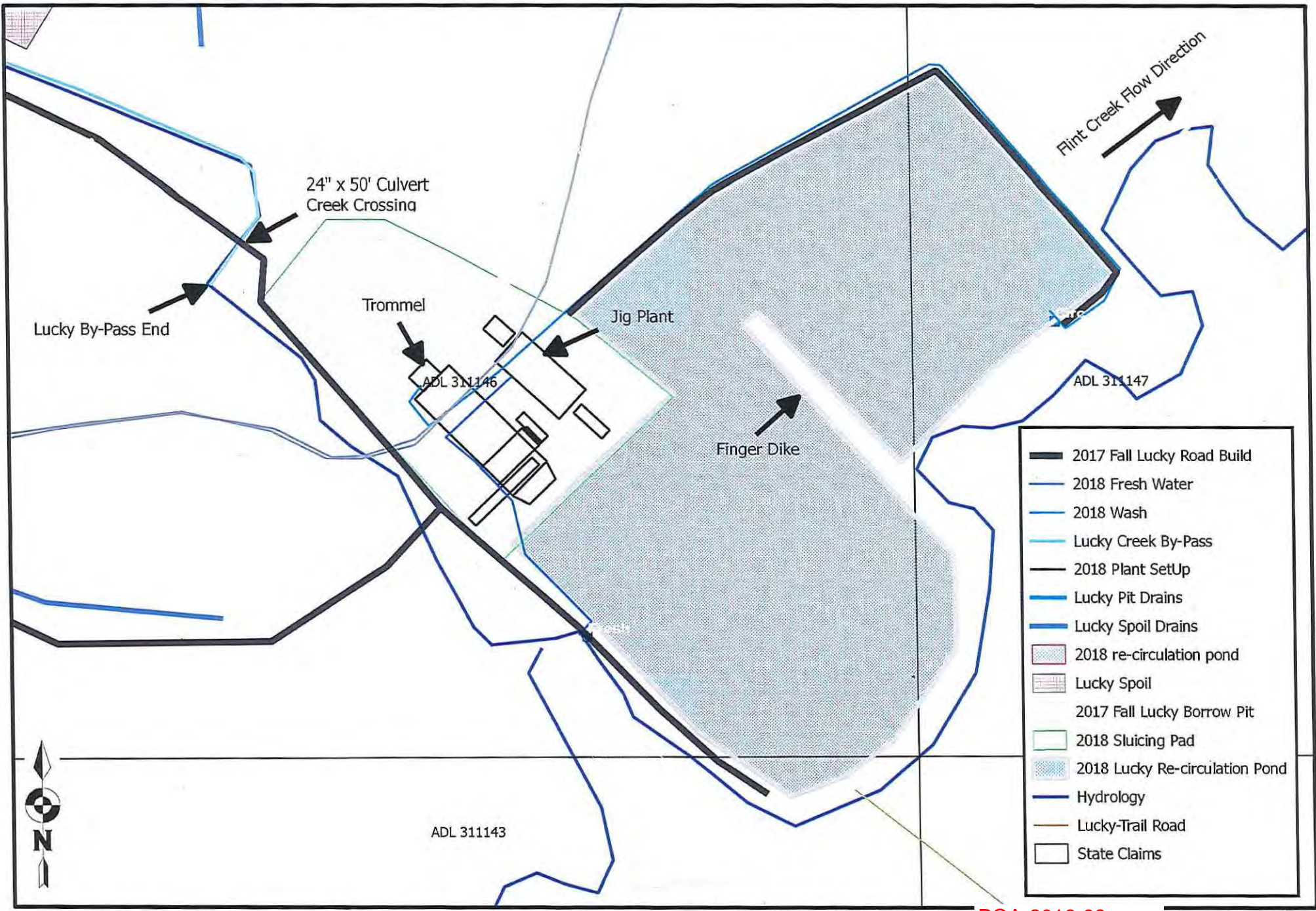


- 2017 Fall Lucky Road Build
- Lucky Creek By-Pass
- Lucky Spoil Drains
- ▨ Lucky Spoil
- ▭ 2017 Fall Lucky Borrow Pit
- ▭ 2018 Sluicing Pad
- ▨ 2018 Lucky Re-circulation Pond
- Winter Roads
- ▭ State of Alaska Mining Claim



Sphinx Exploration Inc. - Individual Application
 Lucky Gulch - Permanent Creek By-Pass - Detailed Plan View

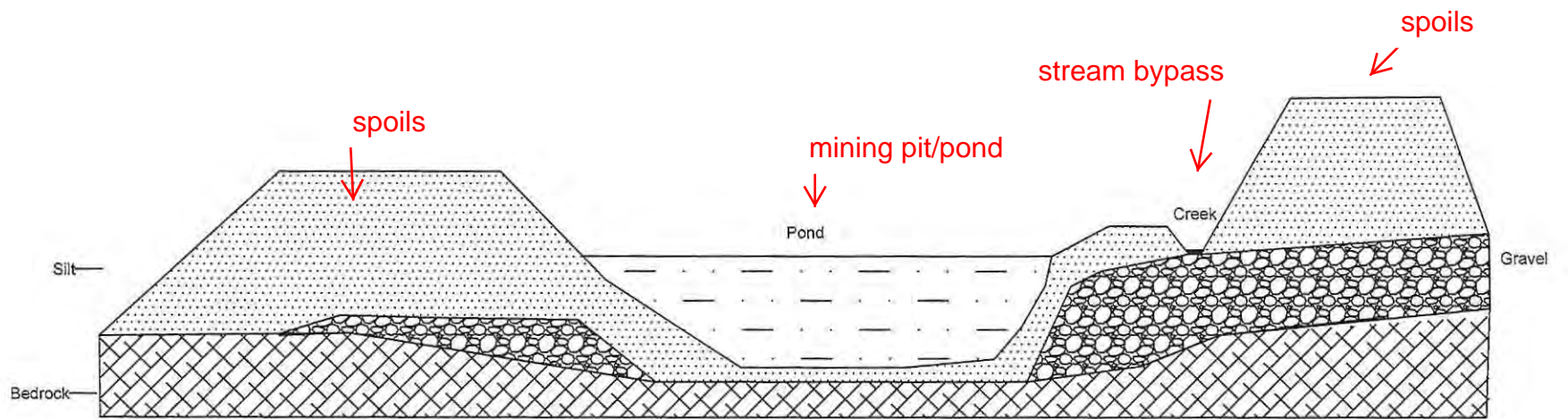
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Sphinx Exploration Inx - Individual Permit
 Lucky Gulch - Plant Setup - Pit 1
 Dtrailed Plan View - Plant Setup Lucky Gulch

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 Glenn Gulch Lucky
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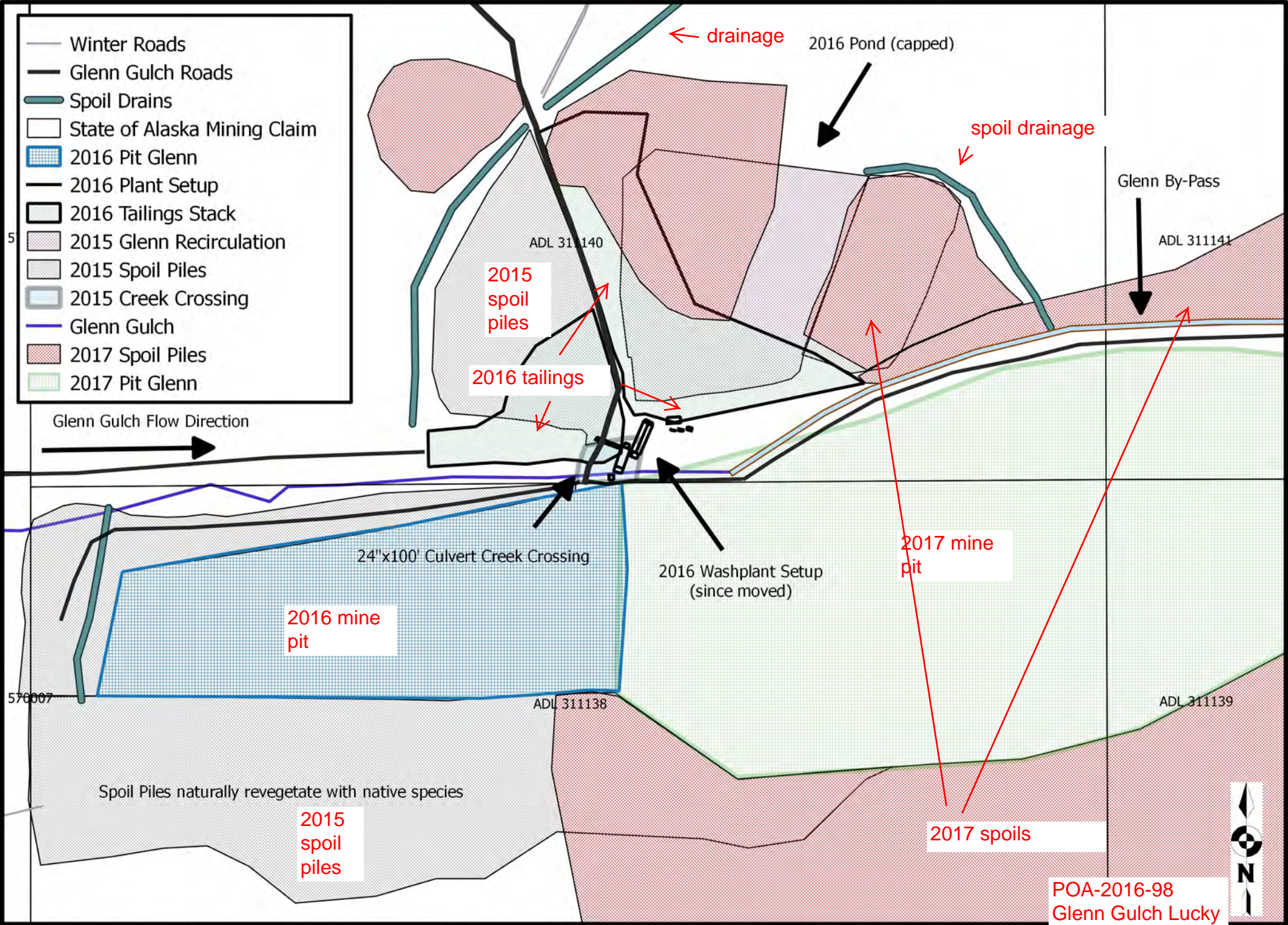




Sphinx Exploration Inc. - Individual Permit
Lucky Gulch - Cross Section - Not to scale

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Glenn Gulch Lucky
Gulch, APMA 2286
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- Winter Roads
- Glenn Gulch Roads
- Spoil Drains
- State of Alaska Mining Claim
- ▒ 2016 Pit Glenn
- 2016 Plant Setup
- ▒ 2016 Tailings Stack
- ▒ 2015 Glenn Recirculation
- ▒ 2015 Spoil Piles
- ▒ 2015 Creek Crossing
- Glenn Gulch
- ▒ 2017 Spoil Piles
- ▒ 2017 Pit Glenn



Glenn Gulch Flow Direction



576007

ADL 311138

ADL 311139

Spoil Piles naturally revegetate with native species

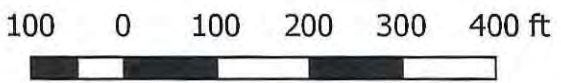
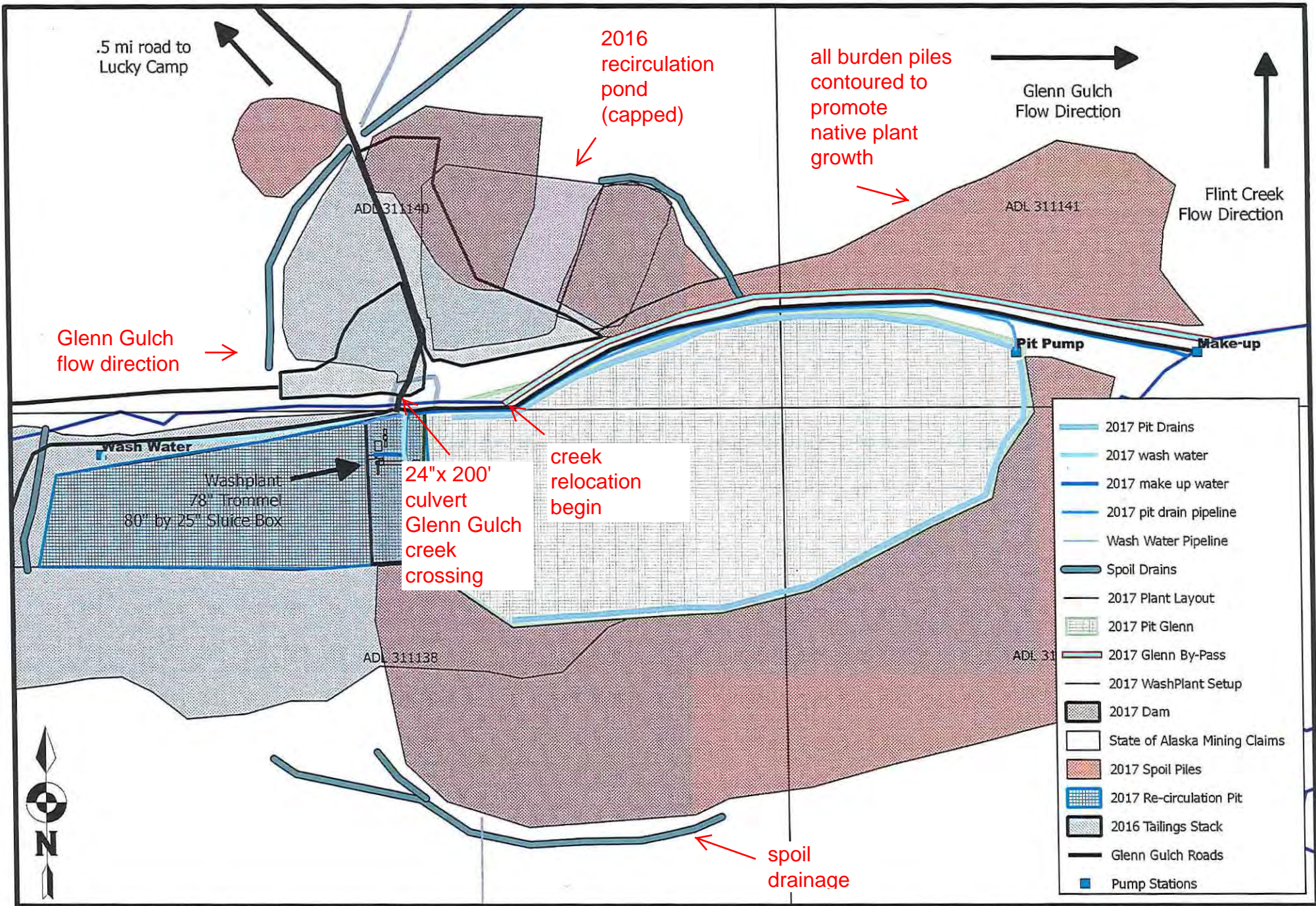
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Sphinx Exploration Inc. - Individual Permit Application
2016 Operations - Sluicing - Flint Creek Mine - Glenn Gulch - Plan View

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Glenn Gulch Lucky
Gulch, APMA 2286
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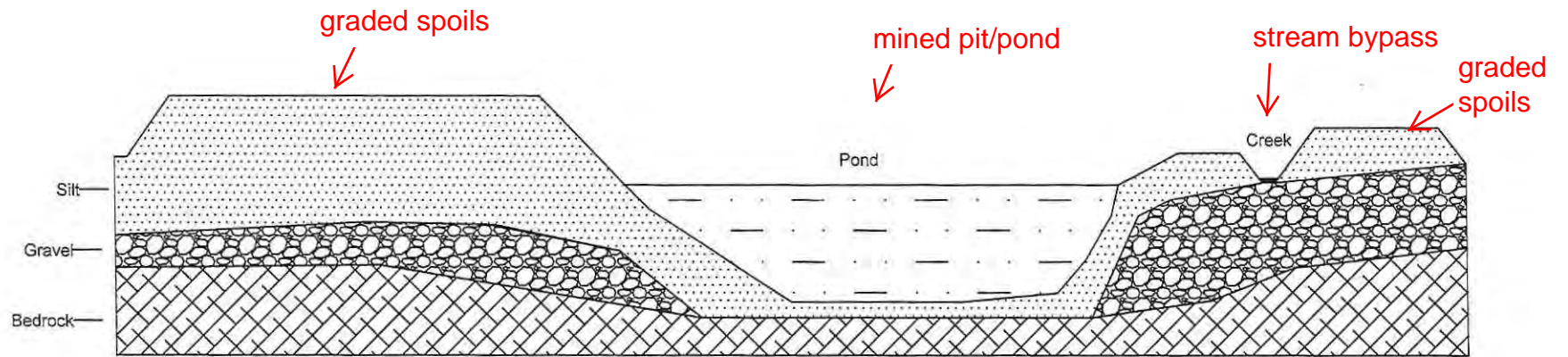




Sphinx Exploration Inc - Individual Permit
 Flint Creek Mine - Glenn Gulch 2017 Operations

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 Glenn Gulch Lucky
 Gulch, APMA 2286
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Sphinx Exploration Inc. - Individual Permit
Glenn Gulch - Cross Section - Not to scale

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