



US Army Corps
of Engineers
Alaska District

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

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	June 16, 2023
EXPIRATION DATE:	July 17, 2023
REFERENCE NUMBER:	POA-2023-00115
WATERWAY:	Johnson 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.

All comments 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 Jennifer Mercer at (907) 753-2779, toll free from within Alaska at (800) 478-2712, or by email at Jennifer.A.Mercer@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: Devin den Boer, J T Mining, Incorporated (JTMI), a subsidiary of HighGold Mining, Incorporated

AGENT: Jack DiMarchi, Core Geoscience

LOCATION: The project site is located within Sections 6, 7, 8, 16, 17, and 19, T. 1 S., R. 21 W., Seward Meridian; USGS Quad Map Kenai A-7; Latitude 60.0956° N, Longitude 152.9124° W; 120 miles southwest of Anchorage, Alaska.

PURPOSE: The applicant's stated purpose is to provide safe and practical access to the JT mineral deposit for the purpose of completing underground advanced exploration drilling.

PROPOSED WORK: The applicant proposes to discharge a total of 14,872 cubic yards of general embankment fill and 13,000 cubic yards of surfacing material into 9 acres of waters of the U.S. (WOTUS), including wetlands, to construct a portal access road and airstrip, and to impact 1,470 linear feet of streams by installing culverts. The proposed construction of the 2.3 mile long portal access road would discharge 2,686 cubic yards of general embankment fill and 4,662 cubic yards of surfacing material into 3.6 acres of wetlands. The road would extend another 0.3 mile to access a material site located in uplands. The access road would be constructed as a cut/fill road with a top surface that is 12 feet wide and maximum 2:1 side slopes. The road would be designed as a single lane with pullouts where necessary to accommodate two-way traffic. Pullouts (10 feet wide x 200 feet long) would be located for intervisibility and at regular intervals not exceeding one-half mile to allow for safe vehicle passage. The depth of fill would vary depending on the terrain and construction method. Typical fill includes select embankment fill (pit run gravel or rock < 12 inches), topped with surface material fill (pit run gravel or crushed rock < 2 inches). Geotextile fabric would be installed where required for road stability (approximately 1 mile of the 2.3 mile road).

Two bridges would be required for the portal access road. A 90 foot clear span bridge would be utilized for crossing the Johnson River (sheet 6). A 60 foot clear span bridge would be utilized for crossing Double Glacier Creek, which is a tributary of the Johnson River (sheet 5). Culverts would be placed at minor drainage crossings including several in fish-bearing streams. Culverts would be large enough to allow fish passage. Bridge and culvert designs would be reviewed by Alaska Department of Fish and Game (ADF&G) and permitted to ensure minimal impacts to fish habitat and protection of fish passage.

For the realignment and extension of the existing airstrip, 12,186 cubic yards of general embankment fill and 8,338 cubic yards of surfacing material would be discharged into 5.4 acres of wetlands. The upgraded airstrip would be lengthened to 5,000 feet and would have an approximately 150 foot wide landing surface. A parking apron would be constructed on the south side of the airstrip and would measure approximately 400 feet by 300 feet. All work would be performed in accordance with the enclosed plan (sheets 1-17), dated June 1, 2023.

ADDITIONAL INFORMATION:

HighGold has a mineral lease with Cook Inlet Region, Incorporated (CIRI) to perform work on CIRI surface and mineral estate lands. According to the applicant, the following additional approvals would be required for the proposed project:

Agency	Authorization Description
Alaska Department of Environmental Conservation (ADEC)	APDES Discharge Permit
ADEC	General Air Permit (MG9)
ADEC	Reclamation Financial Assurance Concurrence
ADEC	General Permit for Stormwater

Agency	Authorization Description
ADF&G	Title 16 and Fish Passage Permits (for bridges & culverts)
Alaska Department of Natural Resources (ADNR)	Reclamation Plan Approval
ADNR	Water Use Authorization

The following project alternatives were considered by the applicant:

Alternative A (3.6 miles): Alternative “A” would depart from the existing airfield to camp road, run parallel to the south side of the proposed airfield, and loop around the east end before crossing the Johnson River, which would require an approximately 120-foot bridge. The route would traverse a rock and till-covered slope from the Johnson River to Kona Creek and would pass through areas of beaver-ponded wetlands and relic river channels. The final half-mile of Alternative “A” is the same as the preferred alternative. This alternative would require the construction of 3.6 miles of new road.

Alternative B (3.4 miles): Alternative “B” would depart the existing camp area and loop around the east end of the proposed new airfield using the same alignment as Alternative “A”. This alternative would cross the Johnson River approximately three-tenths of a mile upstream of the Alternative “A” crossing, which would require a longer bridge span. It would also require installation of bank reinforcement and possibly channel management structure installation. Once across the river, this alternative would parallel Alternative “A”, staying lower on the slope above the river and crossing Kona Creek downstream of Alternative “A”. This alternative would join Alternative “A” just west of the Kona Creek alluvial fan. This alternative would result in an increase in wetland impacts and would require the construction of 3.4 miles of new road.

Alternative C (3.2 miles): Alternative “C” would depart the existing camp and head east to the eastern end of the proposed new airfield using the same alignment as Alternative “A”. This alternative would proceed north to cross the Johnson River approximately two-tenths of a mile downstream of the Alternative “A” crossing and would require a similar length crossing. Once across the river, this alternative would parallel Alternative “A”, and would join the path of Alternative “B” between its Johnson River and Kona Creek crossings. This alternative would join Alternative “A” just west of the Kona Creek alluvial fan. Alternative “C” would result in an increase in wetland impacts and would require the construction of 3.2 miles of new road.

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 applicant states the proposed access road route was selected from the four alternatives and is the shortest route to the portal site and has the least amount of wetlands impact and stream crossings compared to the other three alternatives. Due to the linear nature of the proposed project and the distribution of WOTUS within the project area, total avoidance is not possible. The proposed access road crosses one area where wetlands

exist across the entire valley floor south of the Johnson River and up to the steep mountain front, and avoidance was not possible. However, wherever practicable, the road and ancillary disturbances were located to avoid impacts to WOTUS. These include routing the proposed exploration access roads on uplands to the extent practicable and locating material sites, the portal pad and laydown and staging pad on uplands. In addition, the proposed upgraded airstrip orientation makes use of the only available flat landscape in the area and favors prevailing winds, but otherwise avoids wetlands to the greatest practicable extent.

Bridges are proposed to cross the Johnson River and Double Glacier. Bridge abutments would be above the ordinary high water mark (OHWM). All fill has been avoided in WOTUS and anadromous fish streams at the river crossings. The proposed gravel and rock sources (material sites) are in uplands avoiding wetland and stream fill. Existing camp infrastructure would be used, avoiding wetland and stream fill. The proposed settling ponds, portal pad, and laydown and staging pad are in uplands avoiding wetland and stream fill.

b. Minimization: The applicant states that the proposed project minimizes impacts to WOTUS to the maximum extent practicable by reducing the project footprint to a single lane road and minimum airstrip footprint still capable of safely accommodating heavy aircraft, and by maximizing the use of uplands. The proposed access road corridor maximized, to the extent practicable, the use of flat terrain or upland slopes, reducing impacts where crossings WOTUS could not be avoided. Stream crossings were designed to be perpendicular to flow direction, to the extent practicable, and natural flow patterns would be maintained through the use of culverts and bridges. ADF&G - Fish Habitat Permit restrictions and best management practices for in-water work and bridge abutment designs would be adhered to, in order to minimize potential impacts to fish habitat and fish passage. The construction contractor would develop and implement a Stormwater Pollution Prevention Plan to address erosion and sediment control as required by the ADEC Stormwater Construction General Permit (CGP).

c. Compensatory Mitigation: The applicant proposes no mitigation for the following reasons: The applicant states impacts have been avoided and minimized to the greatest extent practicable. The only fill in wetlands would be from the access road and runway. The project is maximizing the use of existing disturbance, avoiding and minimizing fill in WOTUS. The project would be bonded for reclamation of the material sites and appurtenances. The project would follow all the requirements of the landowner who have communicated that they prefer the access road and the upgraded airstrip stay in-place for the long term.

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: We are currently gathering information regarding cultural resources in the permit area and within the vicinity of the permit area. 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. Based on the information reviewed to date, there are no cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be the footprint of the proposed road, airstrip, material sites, and the associated staging areas. Consultation of the AHRS and a review of a cultural resources desktop assessment provided by the applicant constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. A Phase I (Identification) Survey is planned for 2023. The Corps has yet to make a determination of effect for the proposed project. This application is being coordinated with the State Historic Preservation Office (SHPO), Federally recognized Tribes, and other consulting parties. Any comments SHPO, Federally recognized Tribes, and other consulting parties 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 (Magnuson-Stevens 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 project area is within mapped EFH for coho salmon (*Oncorhynchus kisutch*) and chum salmon (*Oncorhynchus keta*). 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 adversely affect EFH for 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 NMFS may have concerning EFH will be considered in our final assessment of the described work.

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 Corps, 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 rights or resources. 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 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 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.

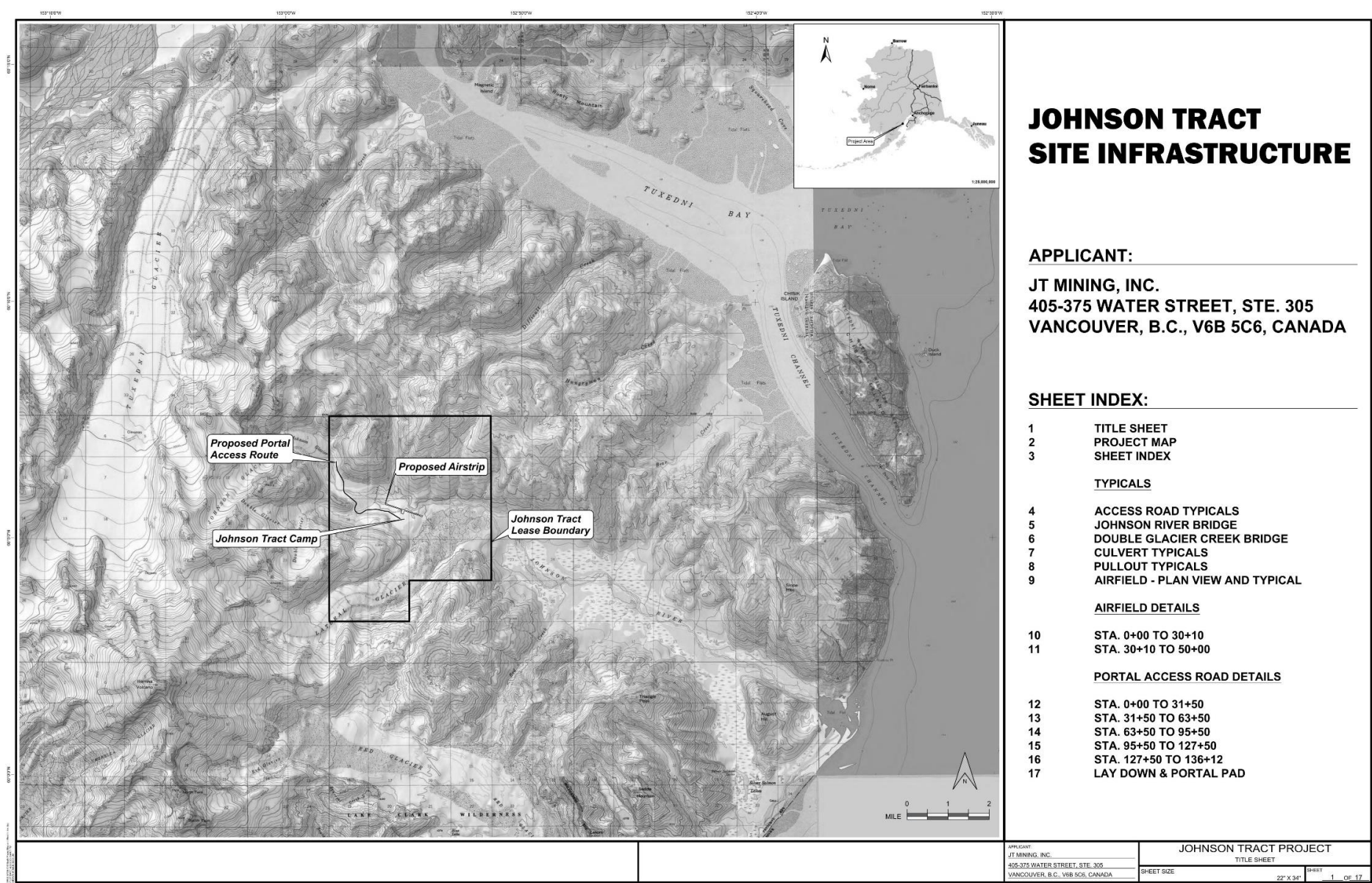
AUTHORITY: This permit will be issued or denied under the following authority:

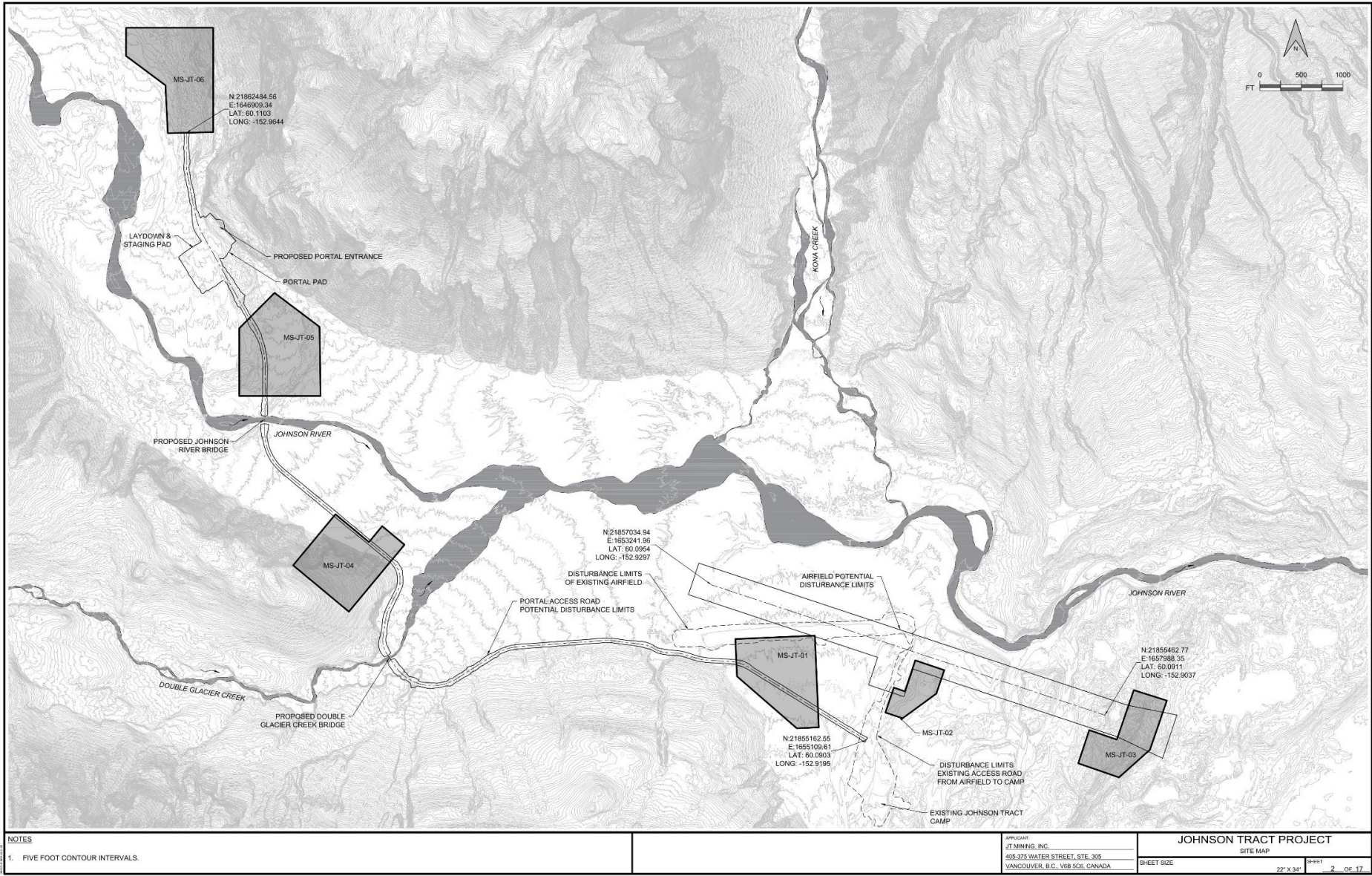
(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

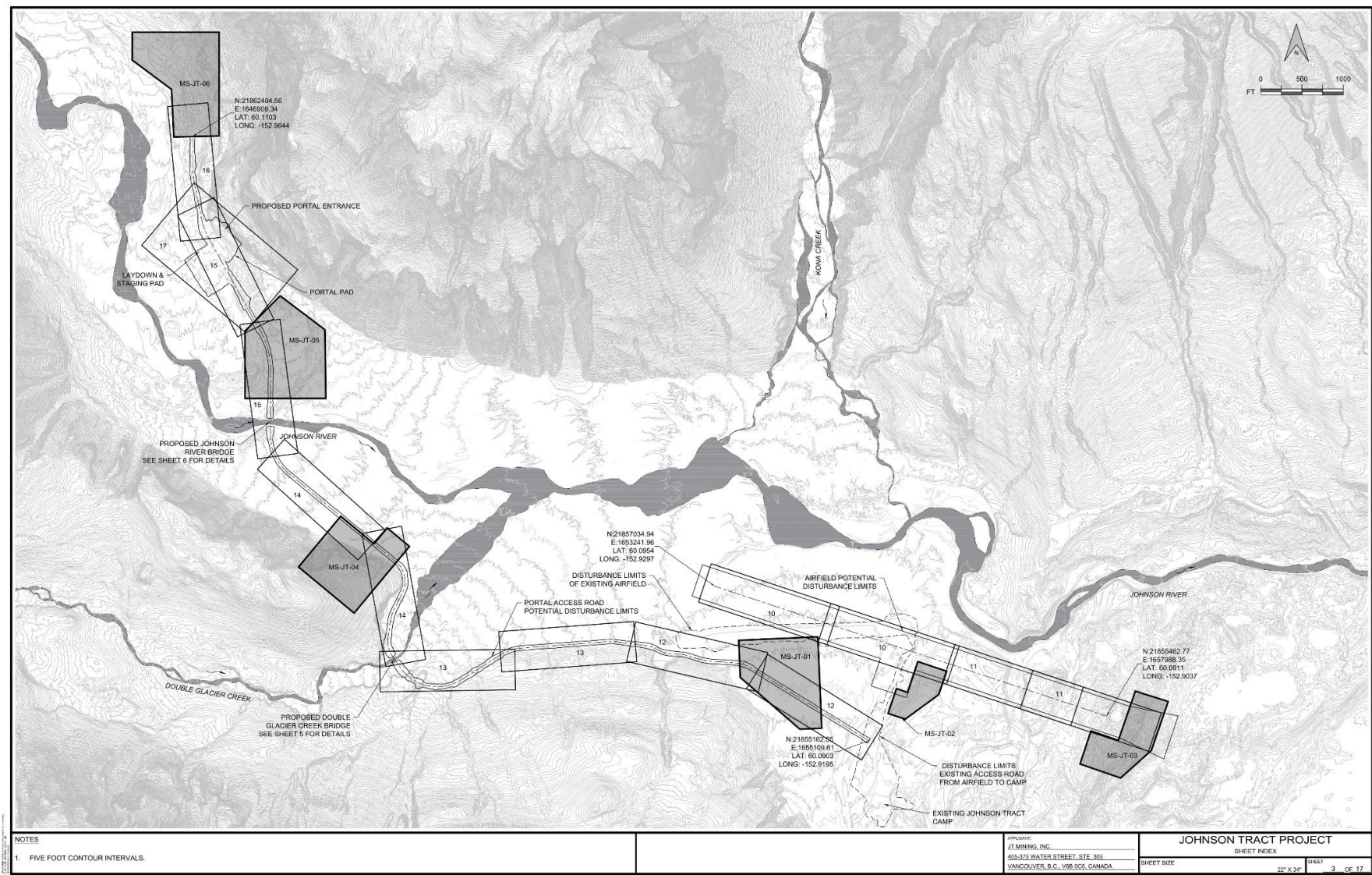
Project drawings are enclosed with this public notice.

District Commander
U.S. Army, Corps

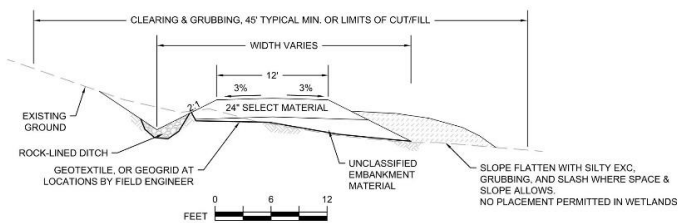
Enclosure







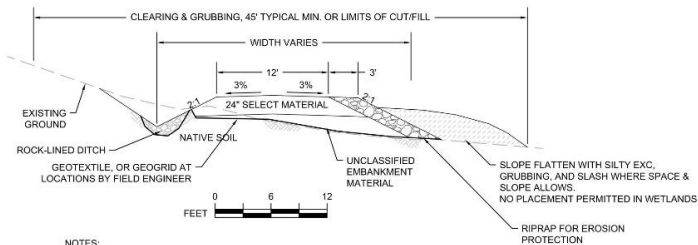
AA ACCESS ROAD TYPICAL CROSS SECTION
1" = 6'



NOTES:

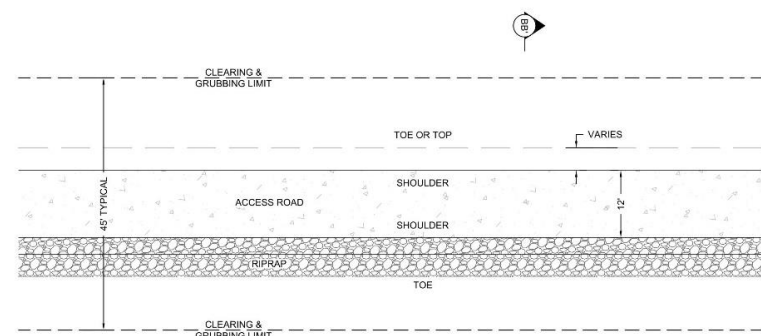
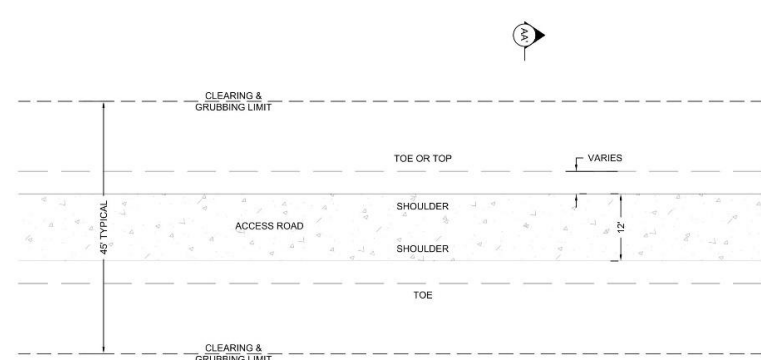
1. MAX ROAD CLEARING WIDTH IS TOP OF CUT OR TOE OF FILL. MIN. CLEARING WIDTH IS 45'
2. CUT SLOPES WILL VARY DEPENDING ON SOIL OR ROCK TYPE AND CHARACTER.
3. QUARRY ROCK FILL SHALL BE PLACED IN MAX 12" LIFTS AND COMPACTED TO 95% OF MAX DENSITY.
4. STRUCTURAL FILL (SELECT MATERIAL) TO CONSIST OF CRUSHED ROCK OR GRAVEL, CONSISTING OF SOUND, TOUGH, DURABLE PEBBLES OR ROCK FRAGMENTS OF UNIFORM QUALITY, FREE FROM CLAY BALLS, VEGETATION, OR OTHER DELETERIOUS MATERIAL.
5. FILL SHALL BE UNDERLAIN WITH GEOTEXTILE WHERE SOFT UNDERLYING SOILS ARE ENCOUNTERED.
6. RESERVE TOPSOIL AND ORGANIC MATERIAL FOR STABILIZATION AND SEEDING ON CUT SLOPES.
7. CROSS DRAINS SHALL BE ARMORED WATER BARS OR CULVERTS INSTALLED AT LOCATIONS DETERMINED BY FIELD ENGINEER.

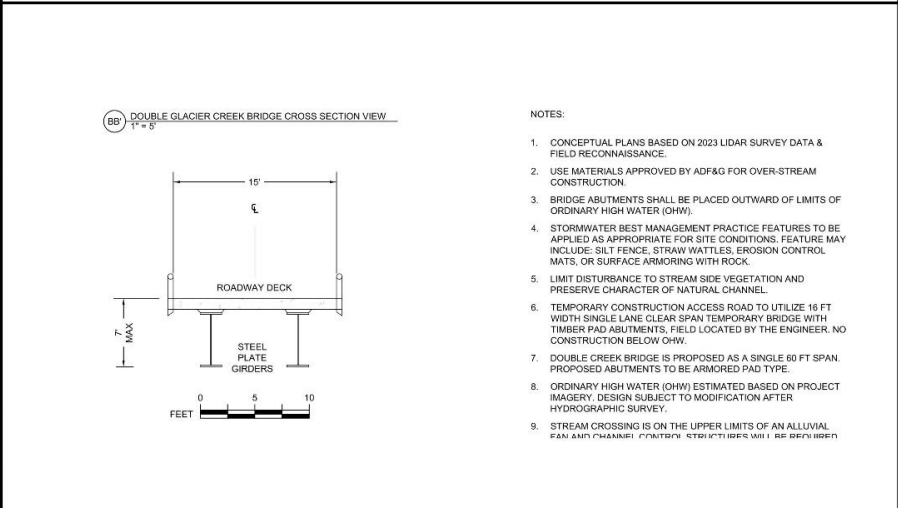
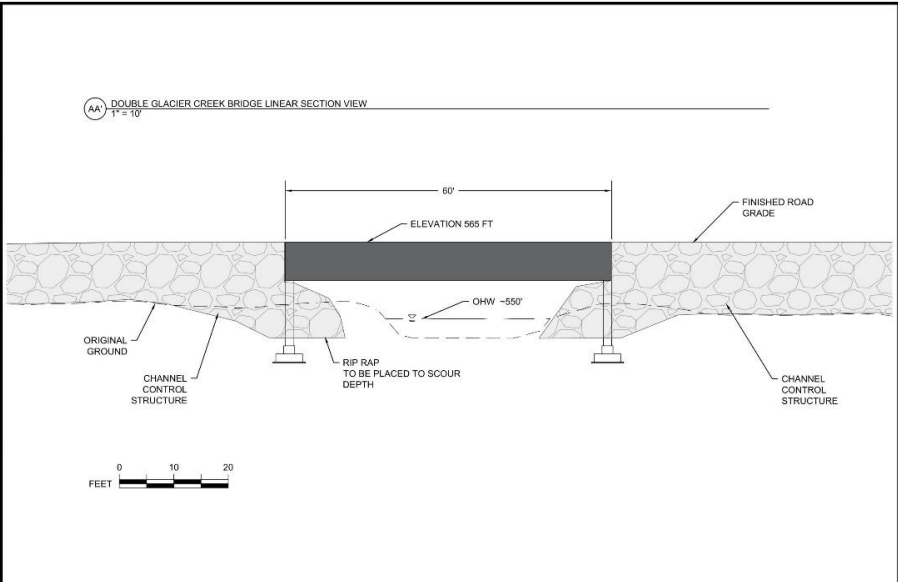
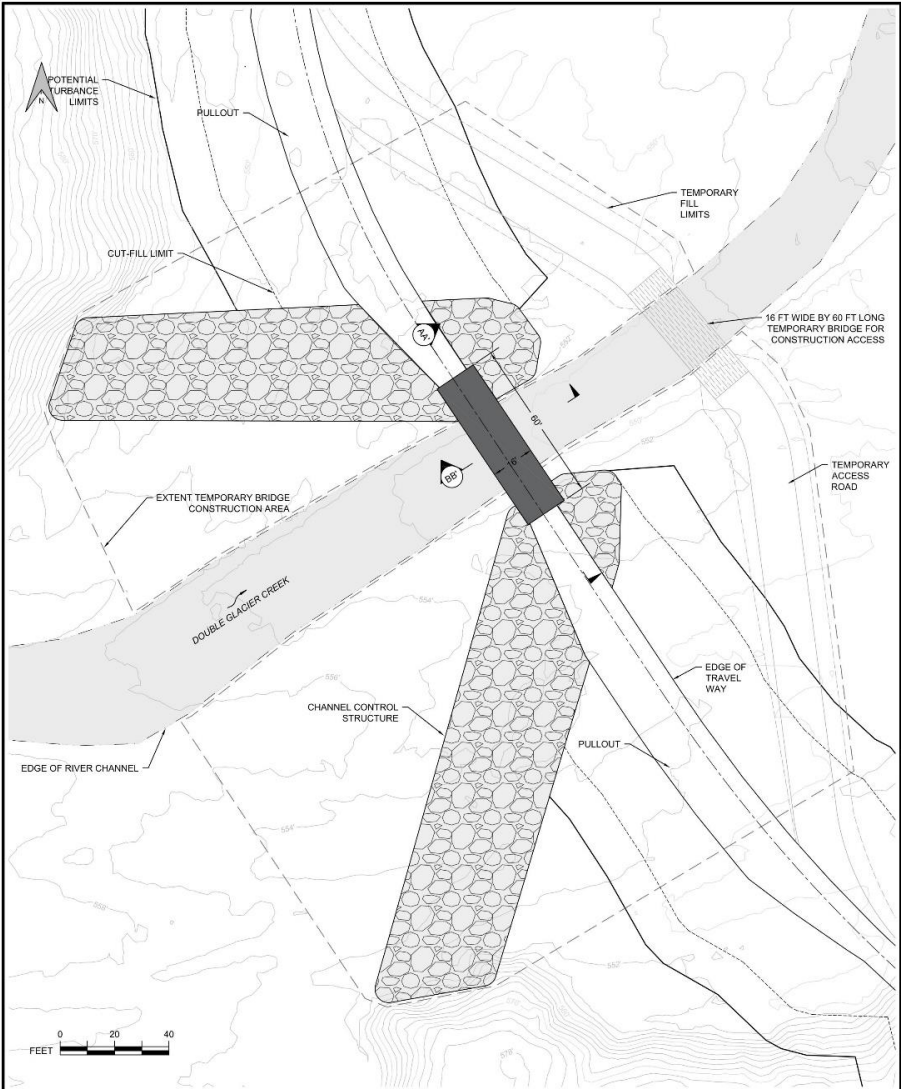
BB ACCESS ROAD TYPICAL CROSS SECTION WITH RIPRAP
1" = 6'

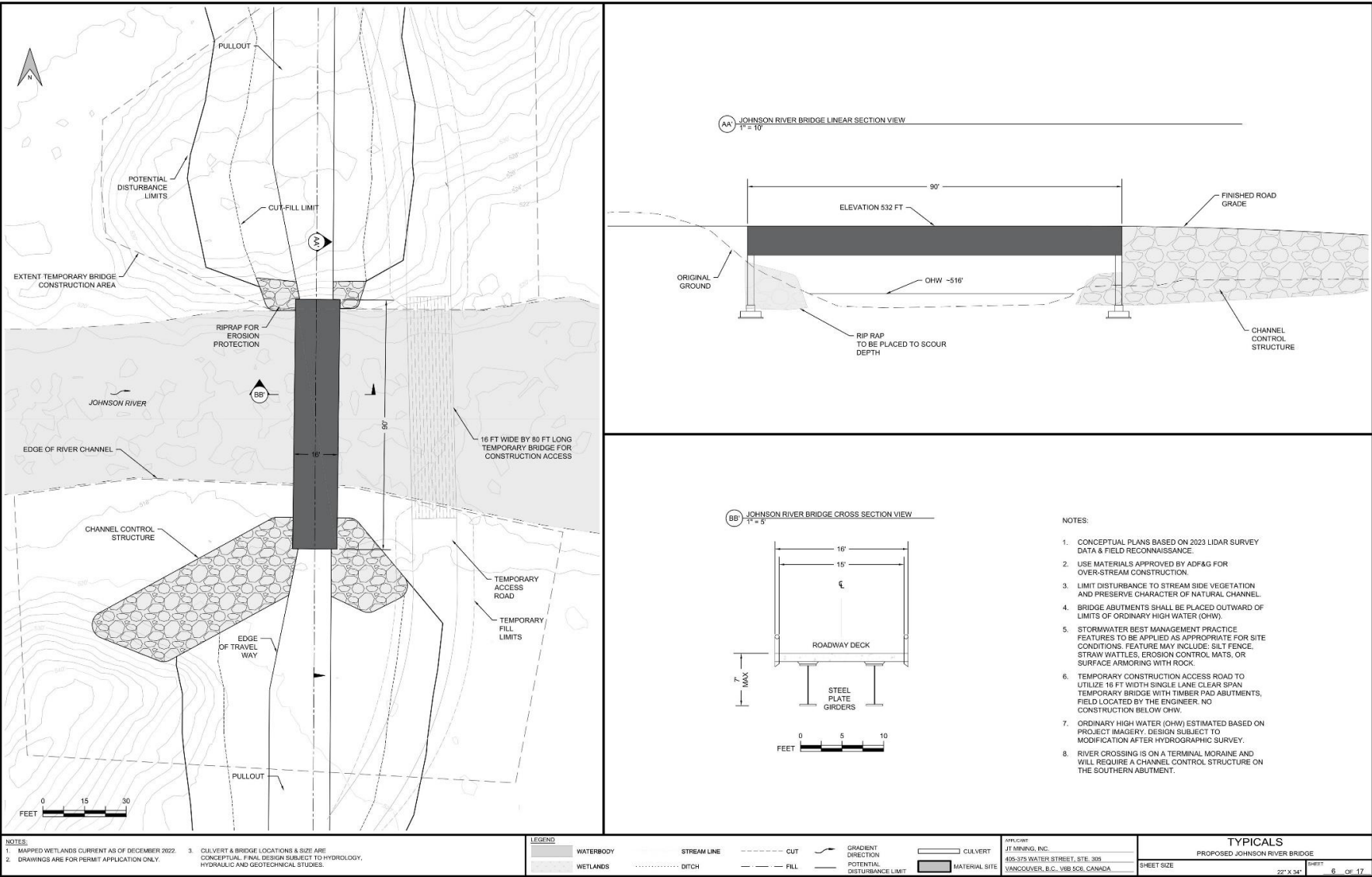


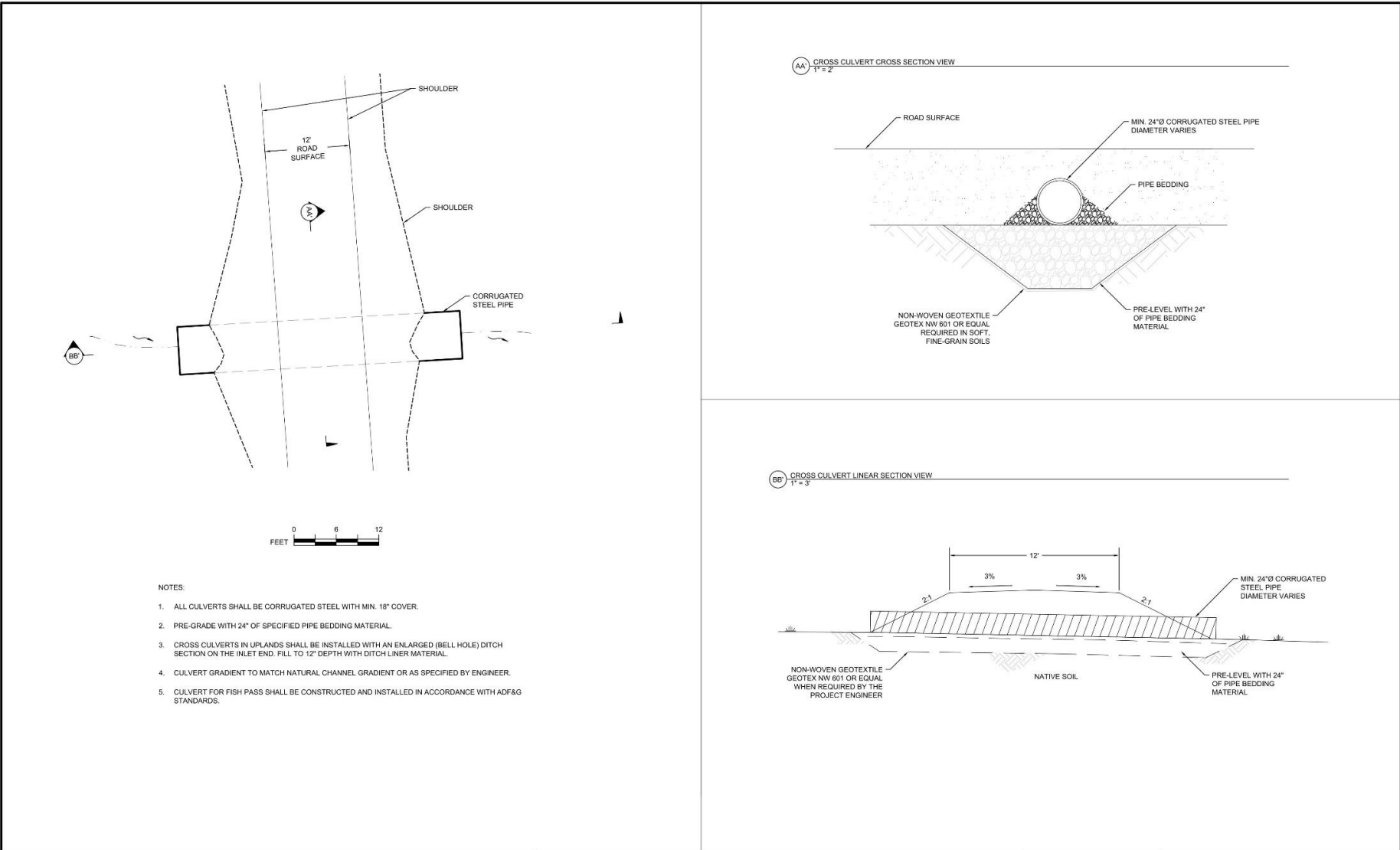
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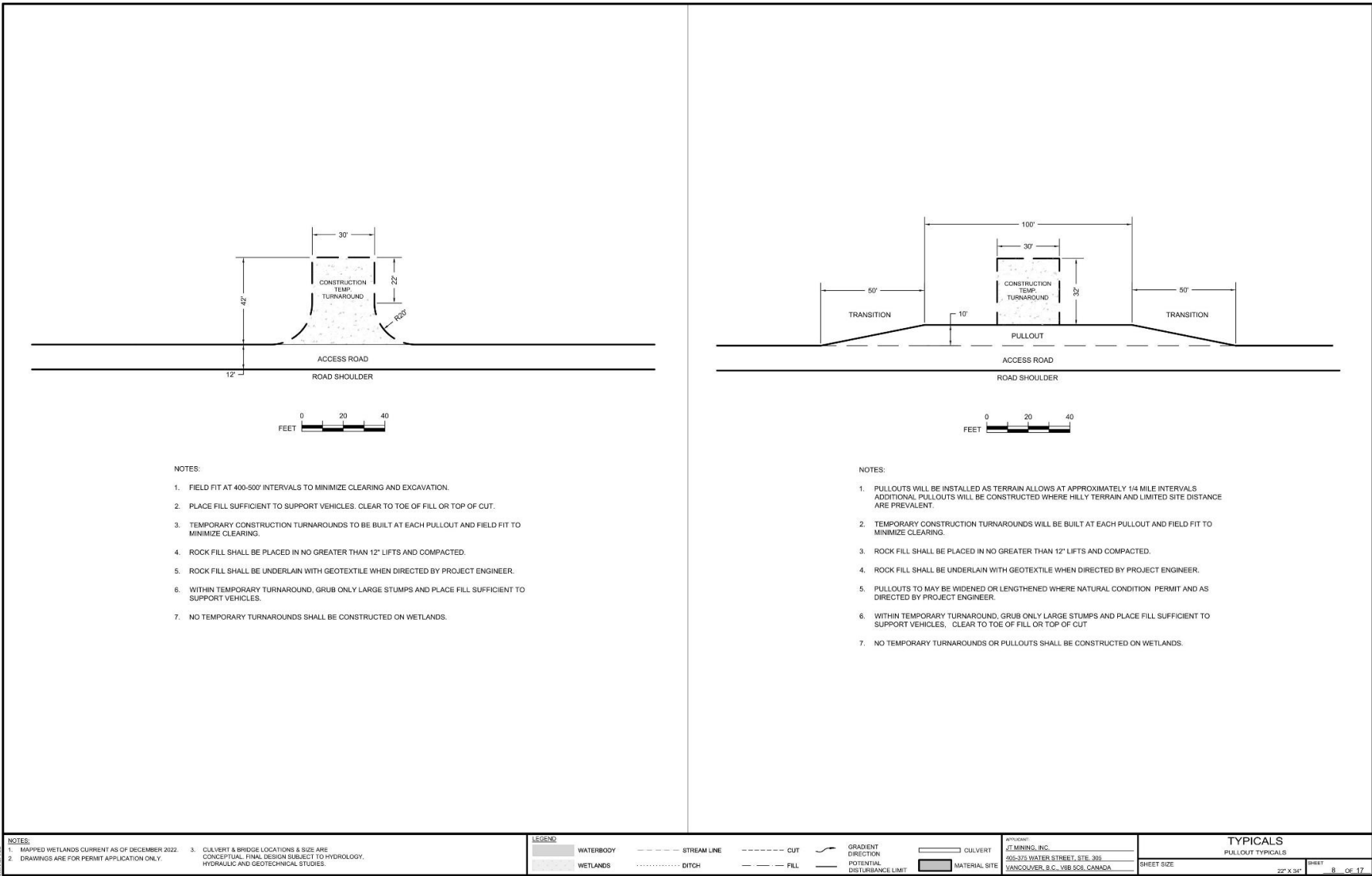
1. ONLY APPLIES BETWEEN STA. 64+00 TO 74+25.

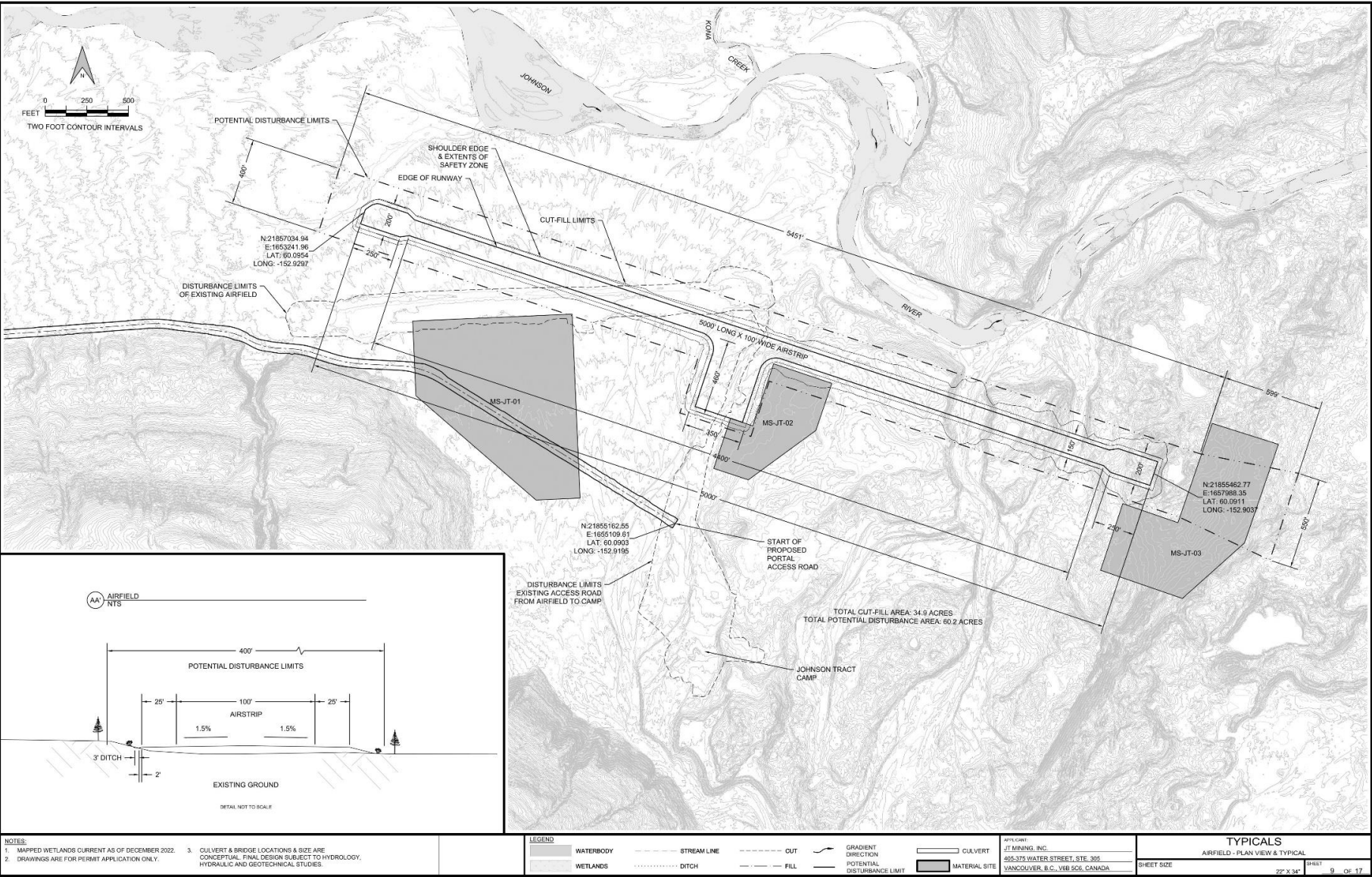


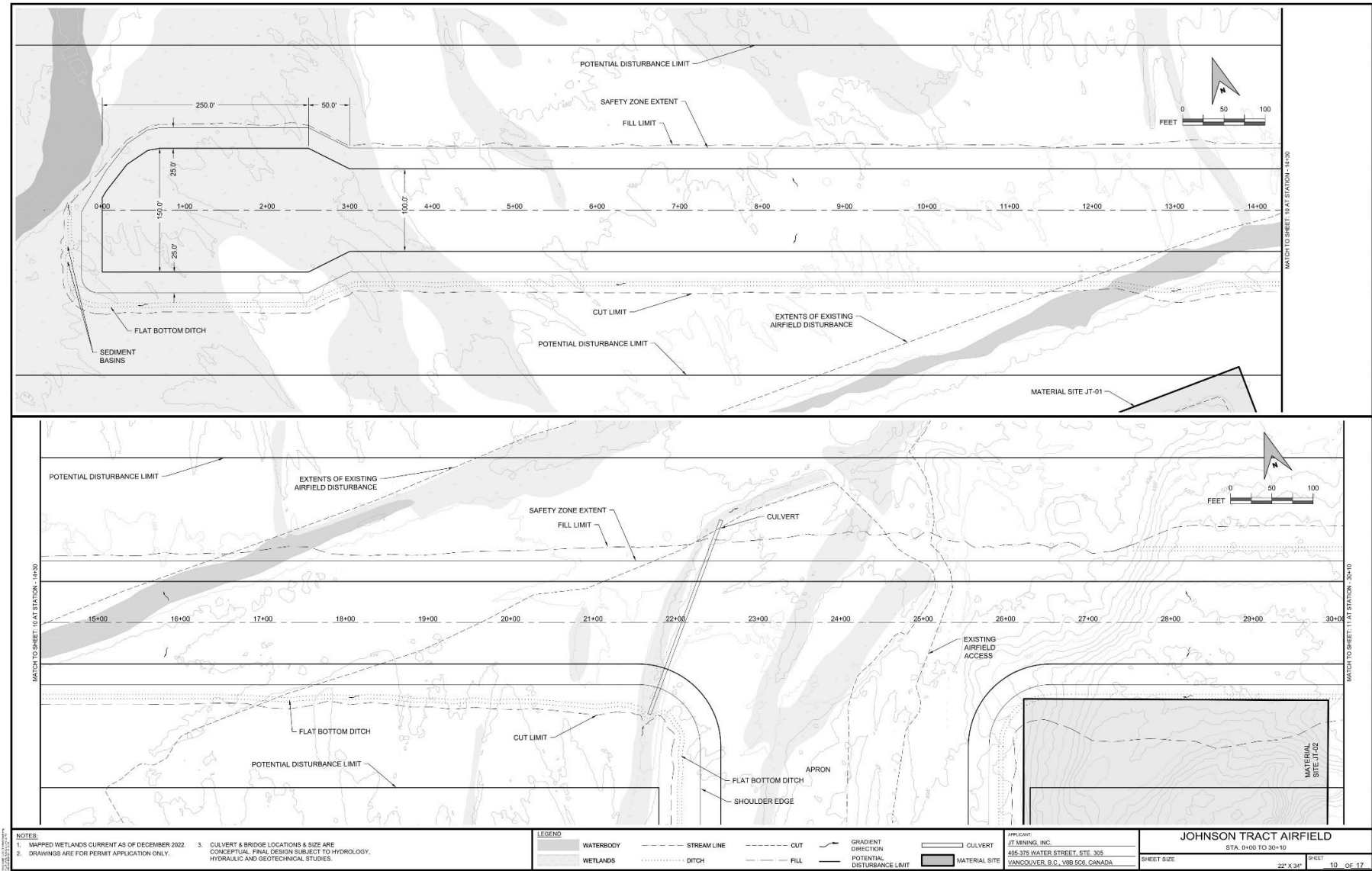


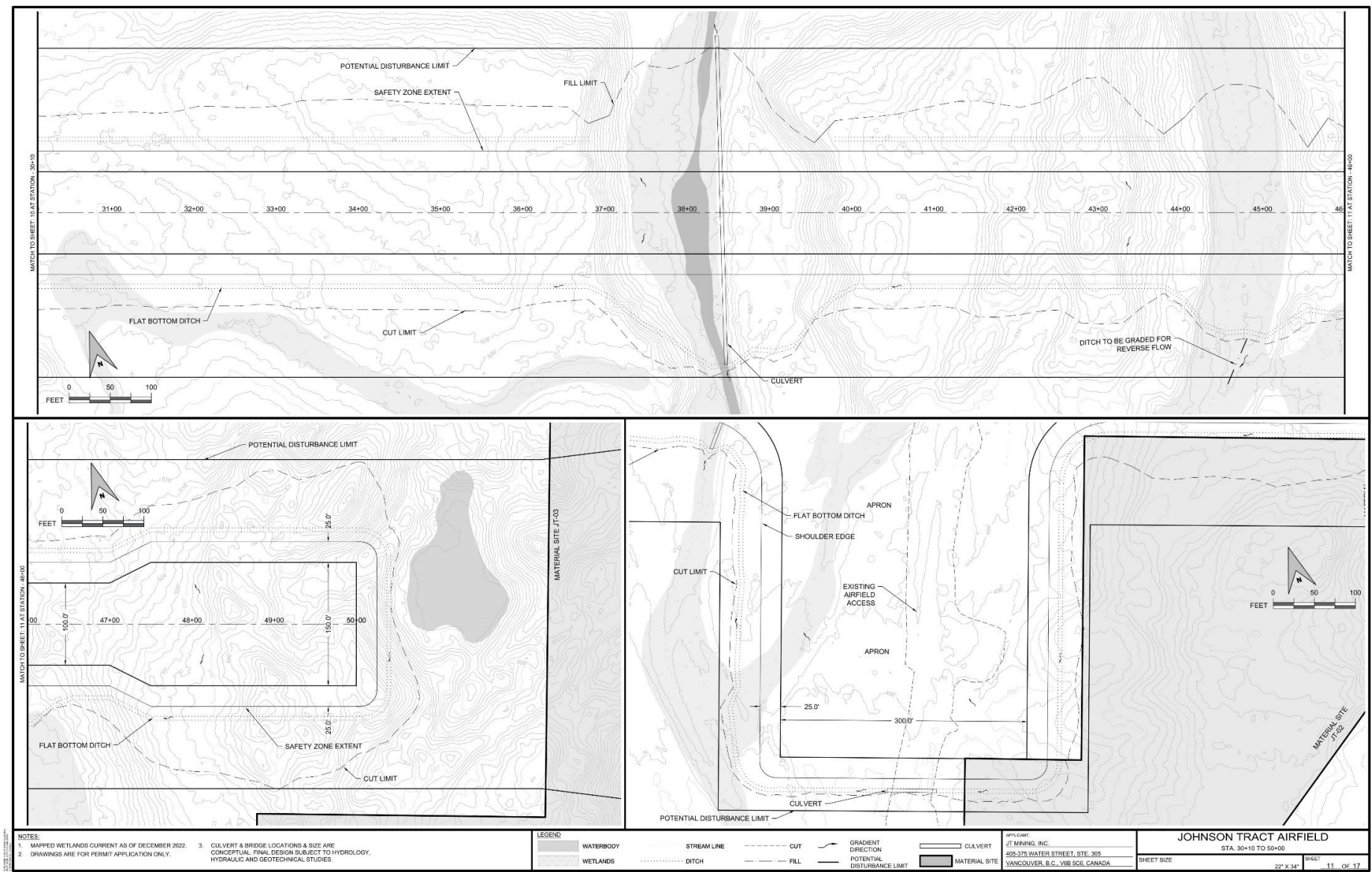


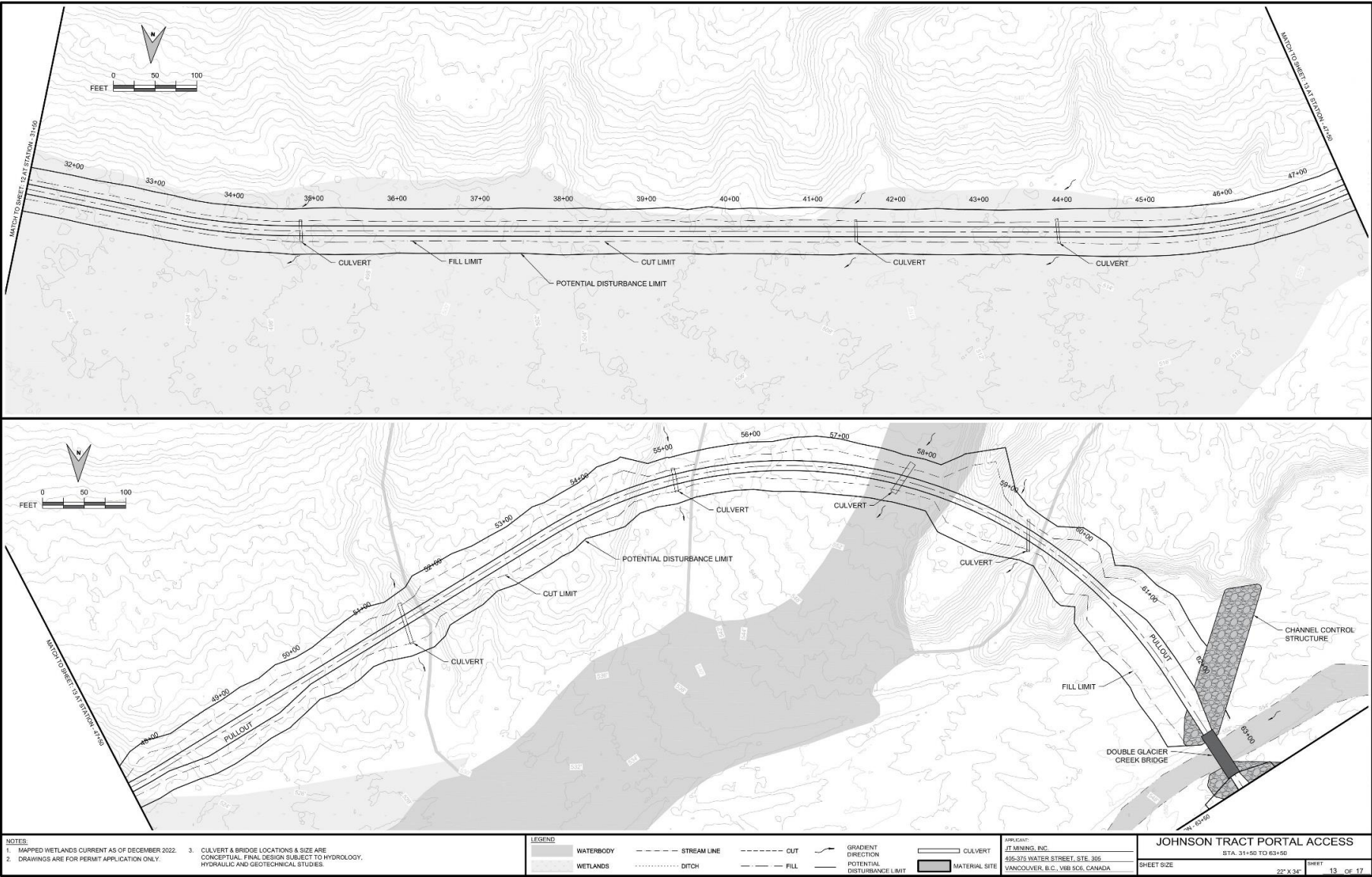


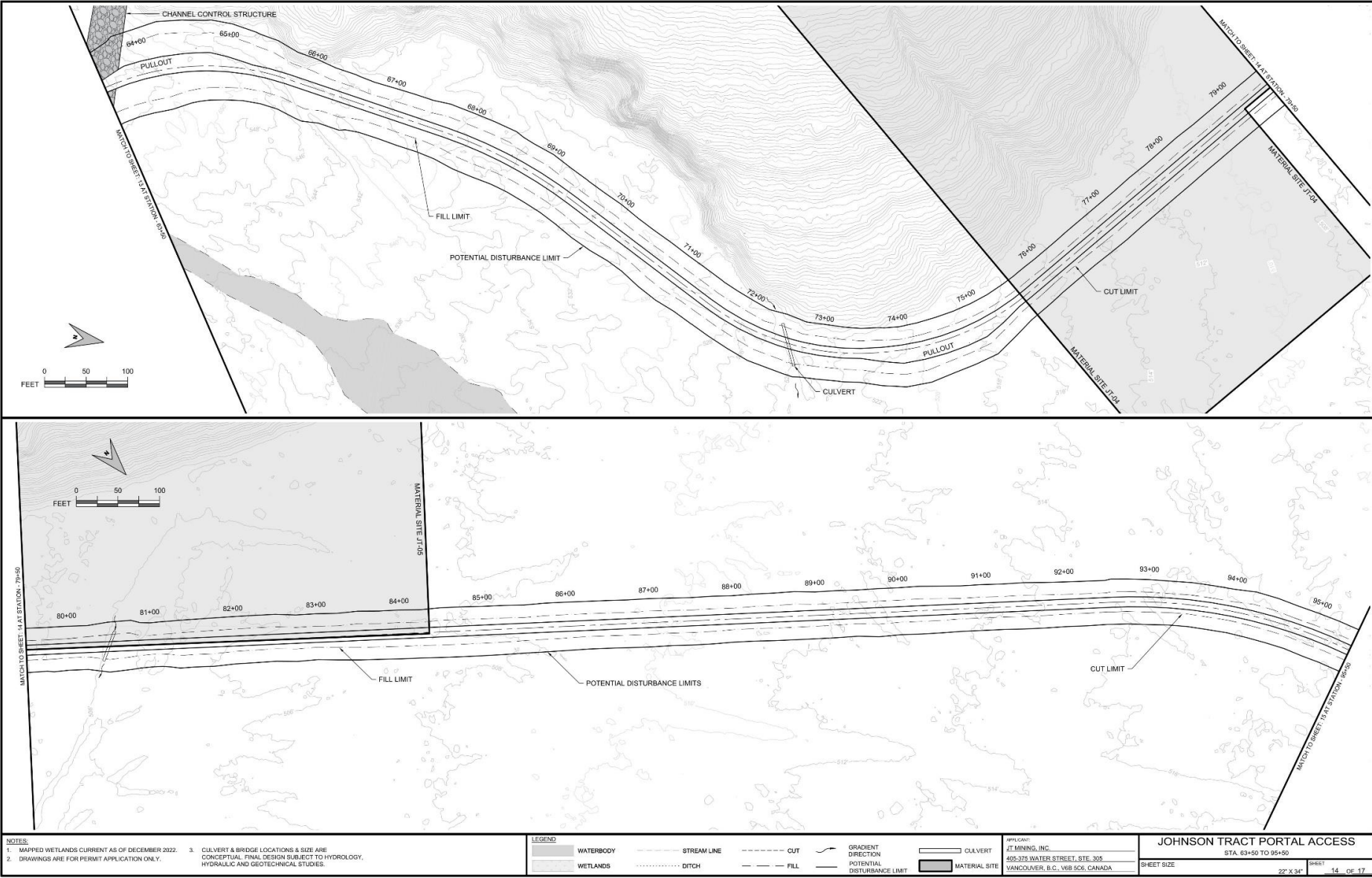




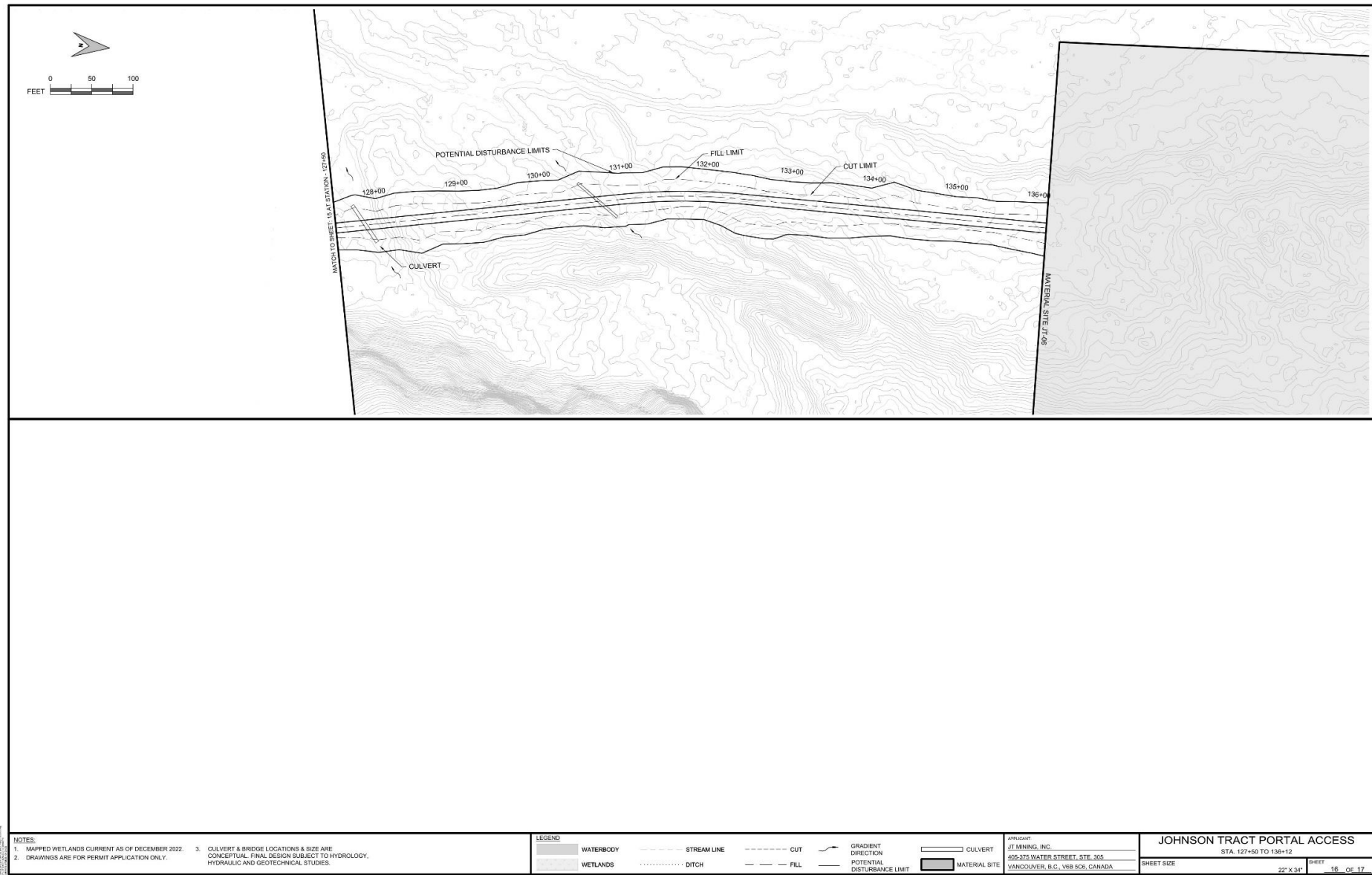


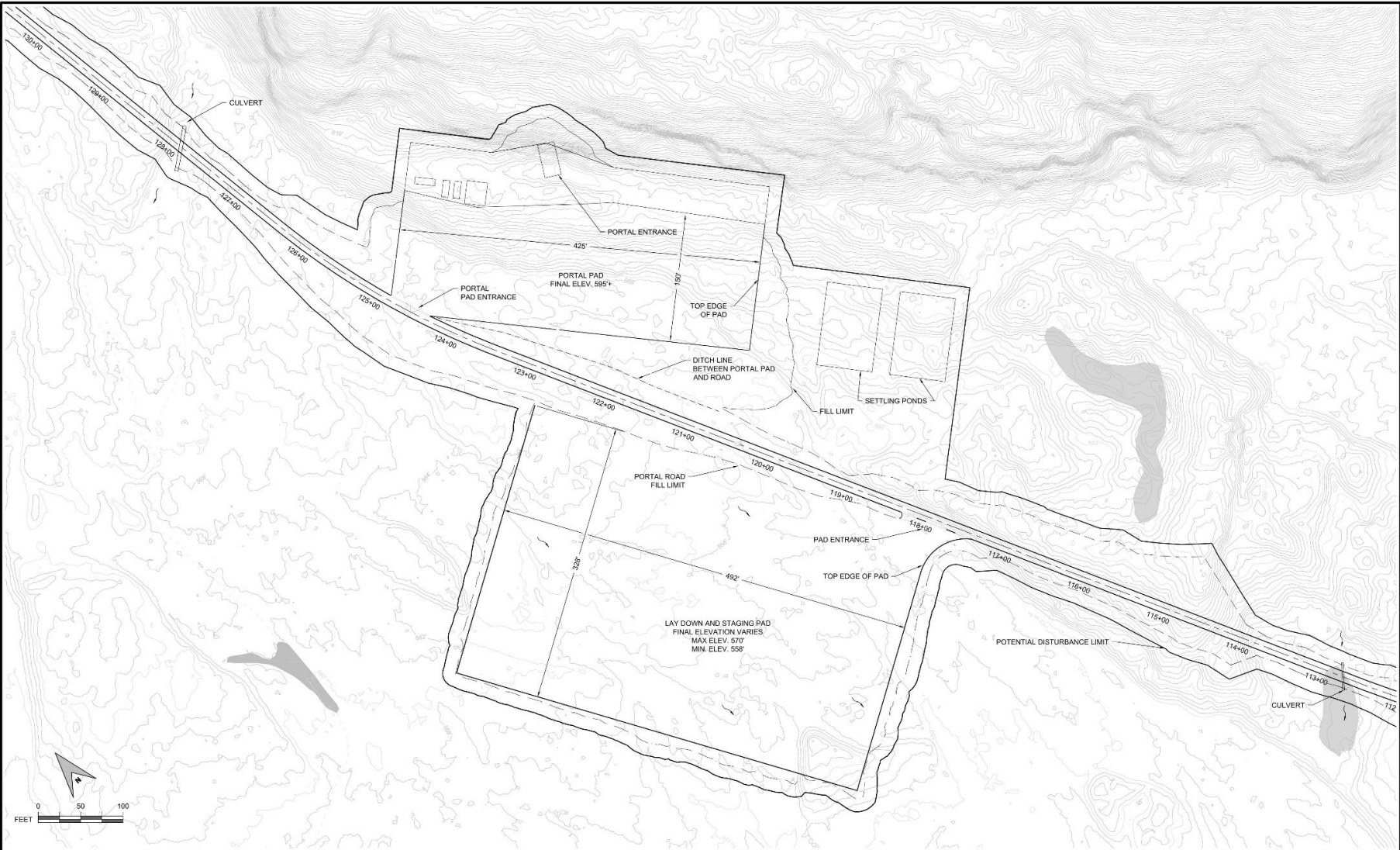


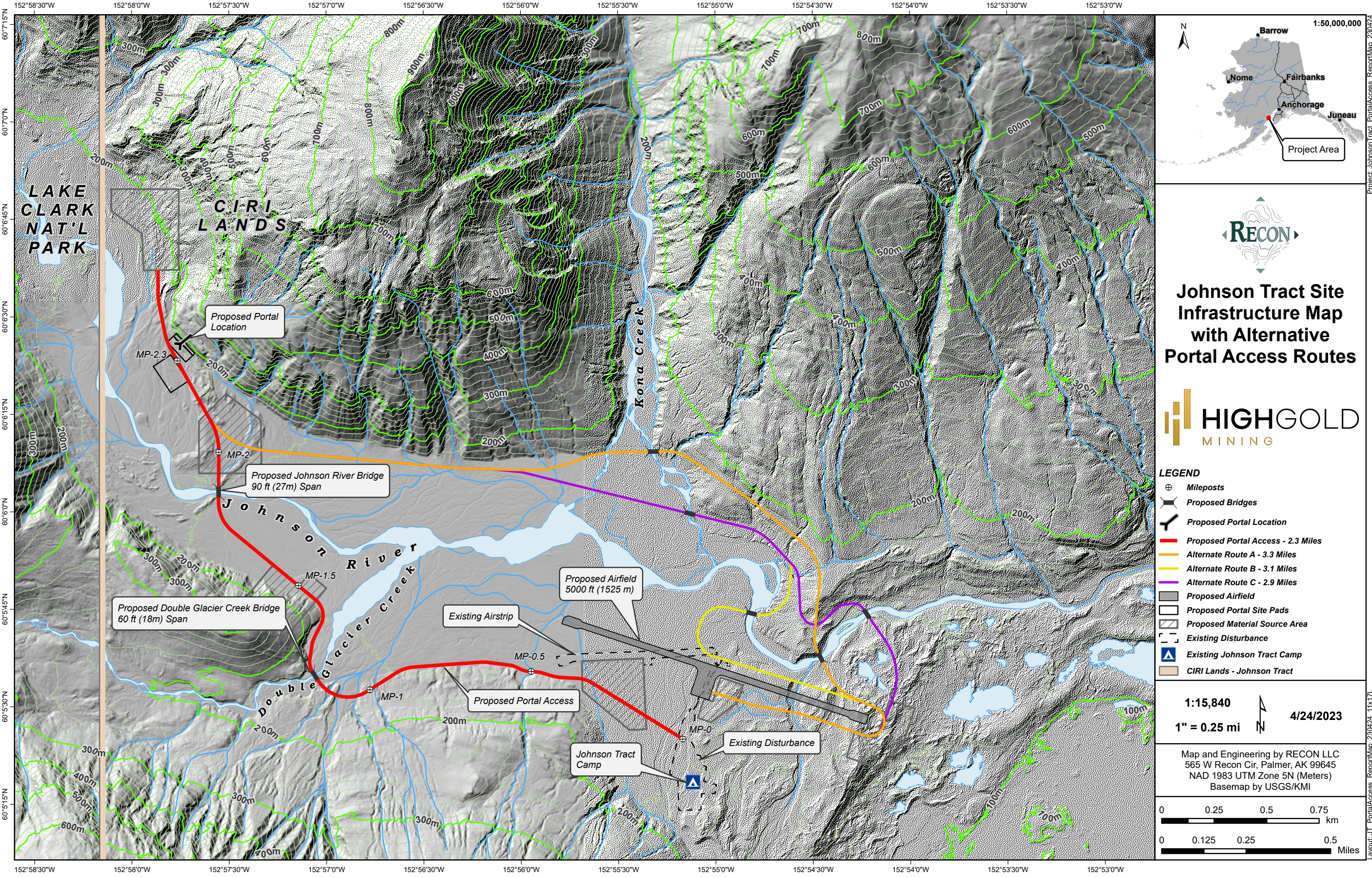












Project: JohnsonTract_PortalAccess_ReportMap_230424

Layout: JT_PortalAccess_ReportMap_230424_11x17L

