



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD
1046 Marks Road
Fort Wainwright, Alaska 99703

PUBLIC NOTICE DATE:	October 29, 2024
EXPIRATION DATE:	November 28, 2024
REFERENCE NUMBER:	POA-2024-00505 APMA 9497
WATERWAY:	Little Eldorado Creek

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 John Sargent at (907) 347-1801 or by email at John.C.Sargent@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: Cary Williams, Big Sky Exploration Inc.

AGENT: William Lanning

LOCATION: The project site is located within Latitude 65.067394° N., Longitude 47.543074° W.; Milepost 23 Steese Highway, approximately 2 miles north of Cleary Summit., near Chatanika, Alaska.

PURPOSE: The applicant's stated purpose is to placer mine for gold.

PROPOSED WORK: The gold deposit is located on the right limit of Little Eldorado Creek facing downstream. The Eldorado Creek drainage has been previously mined since the early days of mining in the Fairbanks Mining District in early 1900s. The gold bearing gravels are approximately 15 feet to 20 feet in depth and are covered by 10 feet to 30 feet of gravel and 15 feet to 50 feet of loess and organic soils. The soils are frozen with the exception of seasonal thaw near the surface.

The overburden vegetation, soil, and rock would be removed with heavy equipment assisted by drilling and blasting. Blasting would occur after the vegetation and soil layers are removed. This material would be hauled by truck to the existing gravel tailings from previous mining activities, and spread over these gravels. Gold bearing gravels would then be hauled from the mine pit and stockpiled on the adjacent dredge tailings. When the weather warms in late spring, the thawing gold bearing gravels would be sluiced back into the mine pit, recovering the gold with a simple gravity sluice. The approximate size of a pit would vary but typically would be within an area about 400' wide by 1,000 feet long with organic soil and vegetation stockpiled beside the mine pit. After sluicing the pay material, and freezing conditions return, the overburden from the next mine block downstream would be stripped and this material would be placed into the pit that was just mined. This cycle of mining would continue downstream for 5 years or more and would be dependent on cost to mine and the price of gold. It is anticipated that approximately 17 acres of wetlands would be impacted per year over a 5-year period during placer mining and reclamation activities. After mining is completed the existing access road would be rebuilt by reusing waste rock from the stockpile areas.

All work would be performed in accordance with the enclosed plan (sheets 1-10), dated October 18, 2024.

ADDITIONAL INFORMATION: Alaska Department of Natural Resource APMA application was approved on September 17, 2024. A Fairbanks North Star Borough floodplain permit may be required.

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 including wetlands was not proposed by the applicant because wetlands are found throughout the areas planned for mining and in areas interspersed with old mine tailing and drainage channels.

b. Minimization: The applicant proposes to stockpile organic material to be used for site rehabilitation to include natural revegetation and creation of low-lying areas in mined pits to help create conditions for wetland development on the project site following mining activities. Existing previously mined areas would be used when practical for initial stockpile of organic material and gravels, and creation of water recycling/settling ponds.

c. Compensatory Mitigation: Compensatory mitigation is not proposed by the applicant because the applicant proposes to create areas below the current surface grade to promote

the creation of wetlands and shallow ponds. The mixing of overburden gravels with the native organic and loess soils will provide an excellent growth medium for the natural revegetation of wetland and terrestrial vegetation.

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 cultural resources in the permit area and within the vicinity of the permit area. Consultation of the AHRs constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time. The Corps of Engineers has not made a No Adverse Effect/Adverse Effect determination for the proposed project. This application is being coordinated with the State Historic Preservation Office (SHPO), Federally recognized Tribes, and other consulting parties. In the case of an adverse effect to historic properties, the Advisory Council on Historic Preservation (ACHP) would also be notified. Any comments SHPO, federally recognized Tribes, other consulting parties, and ACHP 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.

We have determined the described activity would have no effect on any listed or proposed threatened or endangered species and would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) is required. However, 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 (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 not within mapped EFH and we have determined the described activity would not adversely affect EFH in the project area.

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. This application is being coordinated with federally recognized tribes and other consulting parties. Any comments federal recognized tribes and other consulting parties may have concerning presently unknown archeological or historic data that may be lost or destroyed by the work under the requested permit will be considered in the Corps final assessment of the described work.

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 would 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 of Engineers

Enclosures