US Army Corps of Engineers
Alaska District

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

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	**April 2, 2025**
EXPIRATION DATE:	**May 5, 2025**
REFERENCE NUMBER:	**POA-2025-00081**
WATERWAY:	**Tanana 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 Gwen Jacobson at (907) 347-5802, toll free from within Alaska at (800) 478-2712, or by email at Gwendolyn.A.Jacobson@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: John Binkley, Godspeed Leasing, LLC, 5325 Small Tracts Road, Fairbanks, AK 99709

AGENT: Emma Kimball, Solstice Alaska Consulting, Inc., 2607 Fairbanks Street, Suite B, Anchorage, AK 99503

LOCATION: The project site is located within Section 14, T. 2 S., R. 3 W., Fairbanks Meridian; in Fairbanks, Alaska. The end points of the proposed road would extend from Latitude 64.7408º N., Longitude 148.1123º W. to Latitude 64.7412º N., Longitude 148.0866º W. The

proposed gravel excavation site would be located at approximately Latitude 64.7336º N., Longitude 148.1074º W.

PURPOSE: The applicant's stated purpose is to construct a gravel road to access their property and existing cabin, which is currently only accessible by snowmachine or foot.

PROPOSED WORK: The applicant proposes to discharge up to 15,000 cubic yards of fill into 1.9 acres of wetlands to construct a new road; and excavate up to 15,000 cubic yards of gravel from 2.1 acres below the ordinary high water (OHW) of the Tanana River. The proposed road would measure approximately 4,067 linear feet in total, with 3,208 linear feet of road length requiring discharge in wetlands. The proposed alignment would begin at Rosie Creek Trail, an existing gravel road, and extend eastward to the applicant's property. The roadbed would measure 26 feet wide at the toe slope, with an 18-foot wide road surface, 1:2 side slopes, and 4 foot wide shoulders. Additionally, two feet on either side of the road would be cleared of woody vegetation using a Fecon mulching head. Vegetation would be cleared without disturbance to the ground surface or soils. Approximately 2,500 linear feet of road would be located along a previously cleared property line boundary, reducing the requisite amount of land clearing. Additionally, there would be one vehicle pullout constructed to measure approximately 20 feet by 50 feet. Geotextile would be placed along the length of the proposed road and overlain with gravel. Four culverts (24-inch diameter) would be installed at natural drainage points along the proposed road corridor.

Gravel fill material for the road would be excavated and transported from a gravel bar in the Tanana River using an excavator, dozer, and dump truck. Excavation activities would occur during low water periods. Road construction would occur as soon as gravel excavation is possible and while the ground is still frozen. Road construction is anticipated to take approximately 18 months in total. Gravel and equipment would be transported to and from the gravel bar via an existing access road. No vegetation clearing would occur. If needed, gravel would be stockpiled in nearby uplands or along the existing road surface.

All work would be performed in accordance with the enclosed plan (sheets 1-5), dated March 2025.

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 stated that avoidance altogether is impractical because work must occur within waters of the U.S. to meet the project's purpose. The terrain between the property and existing road system is primarily composed of wetlands. The applicant considered an alternative alignment that would tie into Kallenberg Road, which is the other nearest existing road. However, the applicant stated that this alternative would require a greater discharge of fill in wetlands as well as crossing Rosie Creek, a perennial stream which has documented resident fish populations.

b. Minimization: The applicant stated that the proposed site was selected to avoid and minimize impacts to waters of the U.S. to the extent feasible while fulfilling the project purpose and need. The proposed road alignment was designed to follow the most direct route and incorporate as much previously cleared corridor as possible. The applicant modified their original plans to narrow the road from a 20-foot surface down to an 18-foot surface to minimize impacts, while still maintaining 1:2 slopes.

The applicant also proposed the following mitigation measures:

- Construction limits would be clearly staked along the entire road alignment.
- No stockpiling or staging would occur within wetlands or below the OHW of the Tanana River.
- Water quality would be protected during construction through BMPs, including the use of sedimentation prevention measures (i.e. silt fence or other means), which would be maintained until all in-water work is complete.
- Natural vegetation would be retained where possible. Disturbed areas would be revegetated with native seed and restored to preconstruction conditions.
- In-water work would only be conducted at times that minimize impacts to fish.

c. Compensatory Mitigation: The applicant stated that they do not believe compensatory mitigation should be required based on the following:

1. The applicant inquired with the Tanana Watershed Umbrella Stream and Wetland Mitigation Bank on February 26, 2025, and the bank's sponsor informed them that were no mitigation credits available. This is the only mitigation bank that serves the area.
2. The total area of impacted wetlands would represent a very small proportion of intact wetlands in the area. In the applicant's research, they found that according to the U.S. Fish and Wildlife's National Wetland Inventory (NWI), the proposed road would cross a palustrine forested/scrub wetland complex that comprises approximately 780 acres. Thus, the proposed wetland impacts of 1.9 acres would amount to 0.2% of the forested/scrub wetland complex, which is a very small proportion.
3. The applicant believes that they have proposed an alternative that is the least impactful to waters of the U.S., and they have designed the project for minimization, including reducing the width of the road and installing culverts to maintain hydrology.

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 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 fill for the entirety of the proposed road, plus a 10 foot buffer on either side, and the project footprint below the OHW of the Tanana River. Consultation of the AHRS 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. The Corps has made a No Historic Properties Affected (No 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. 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. The Corps is requesting the SHPO's concurrence with this determination.

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 within mapped EFH for the following pacific salmon species: chum *(Oncorhynchus keta)*, coho *(Oncorhynchus kisutch)*, Chinook *(Oncorhynchus tshawytscha)*, and sockeye *(Oncorhynchus nerka)*.

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. If applicable this application will be 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 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).

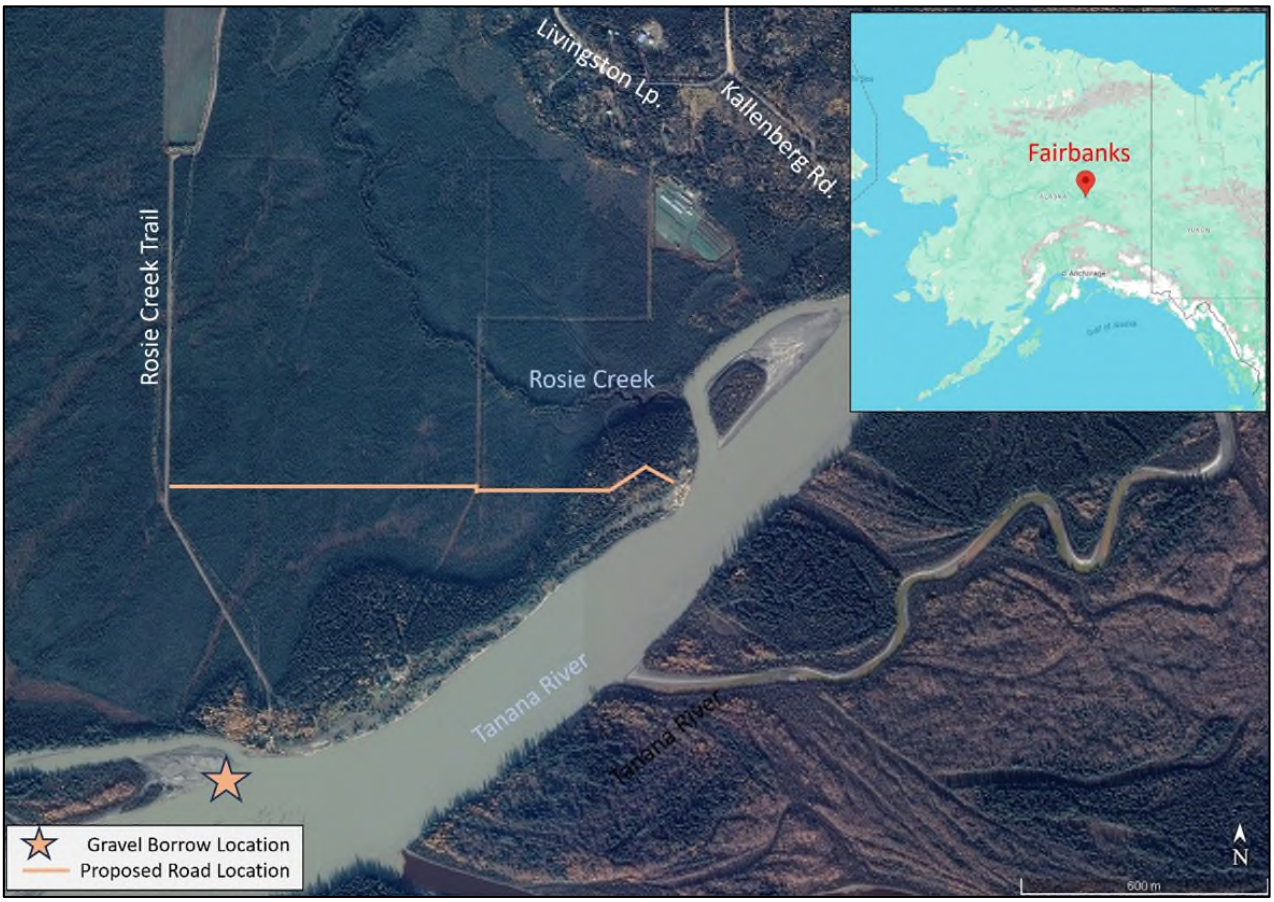
(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings are enclosed with this public notice.

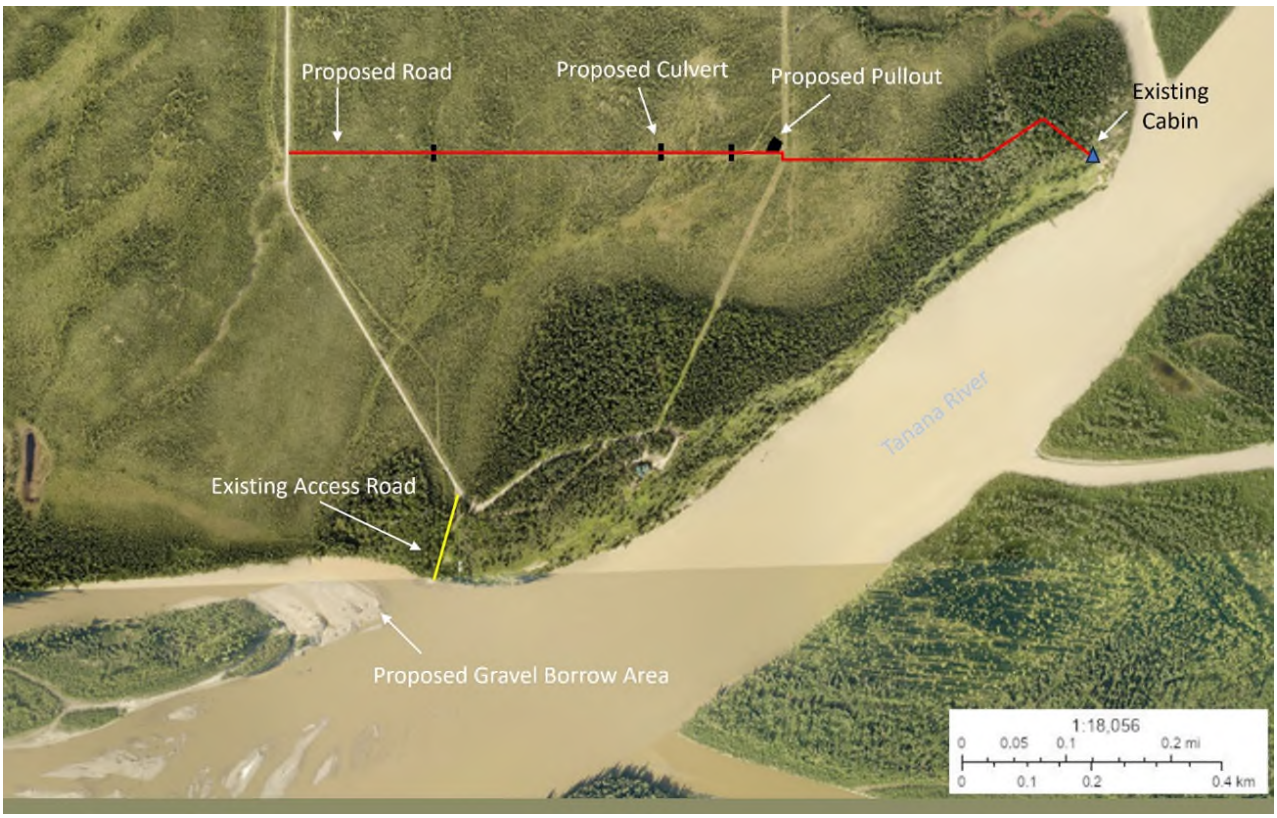
District Commander
U.S. Army, Corps of Engineers

Enclosures

Gravel Road and Tanana River Gravel Harvest Project Location and Vicinity Map



Gravel Road and Tanana River Gravel Harvest Project Design Overview



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March 2025
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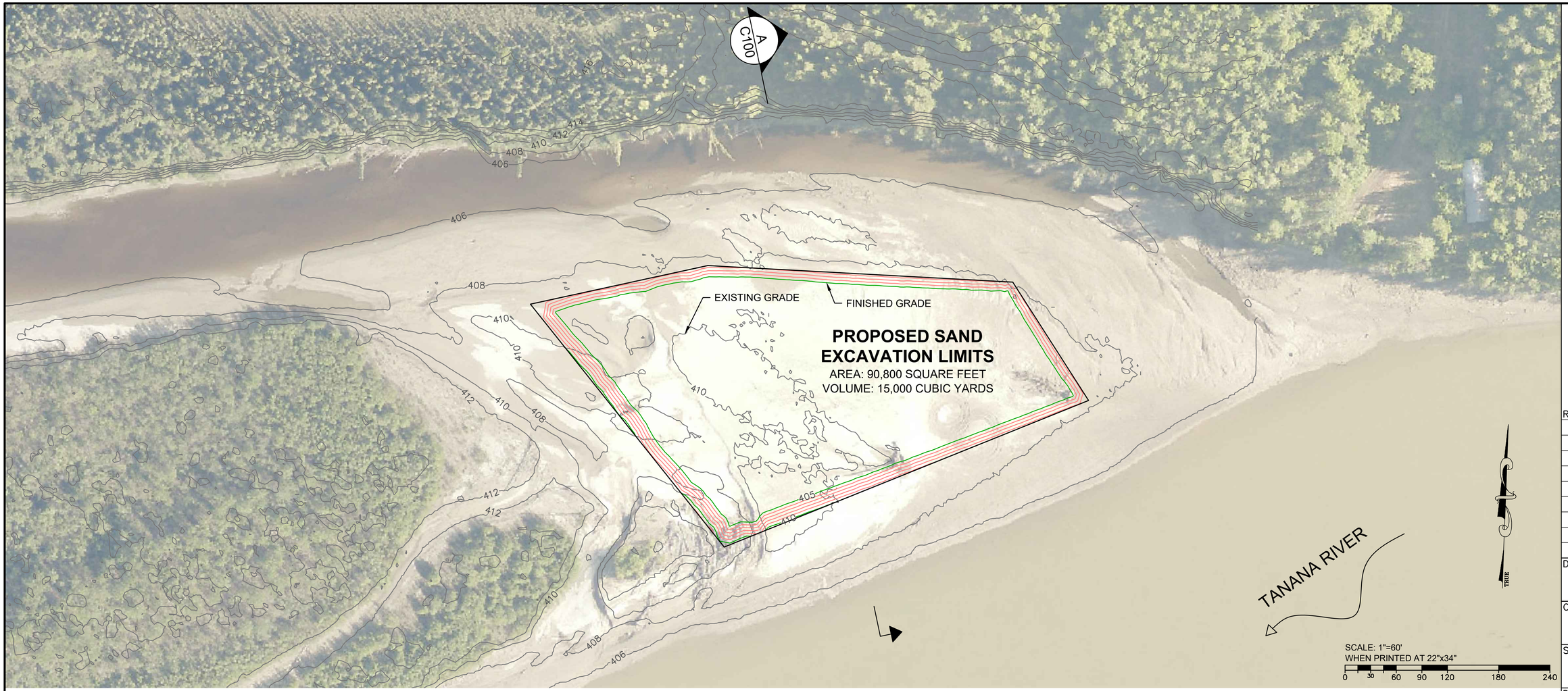
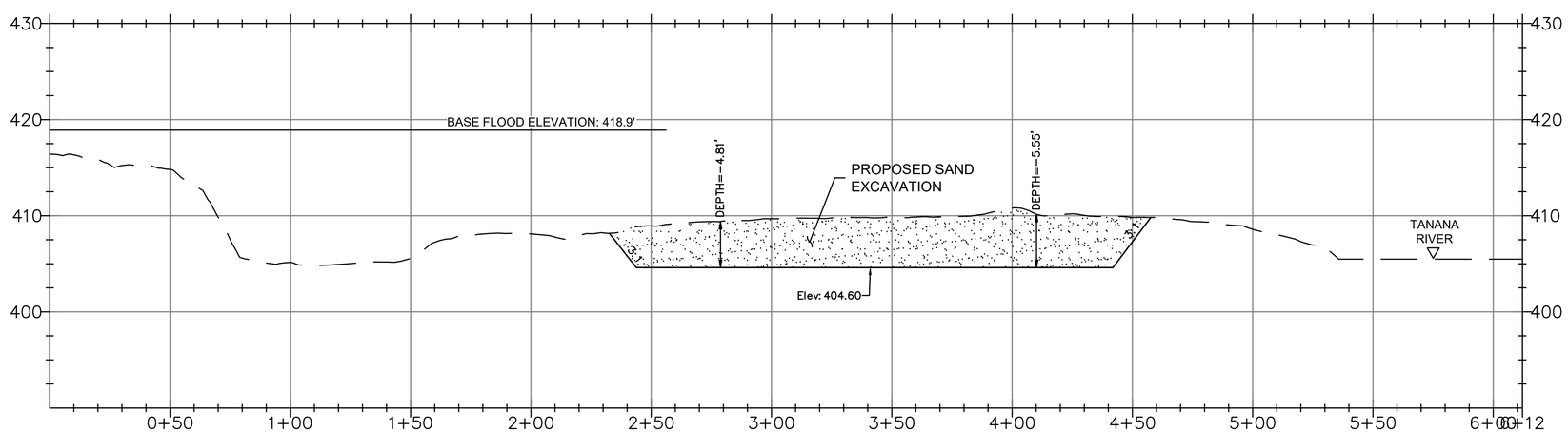




A CROSS SECTION
H: 1" = 30' V: 4" = 30' (4:1 EXAGGERATION)

REVISIONS:

DRAWN: NKK

CHECKED: -

SCALE: 1" = 60'

DATE OF DRAWING: 03/14/2025

PROJECT NAME: TANANA RIVER NEAR ROSIE CREEK

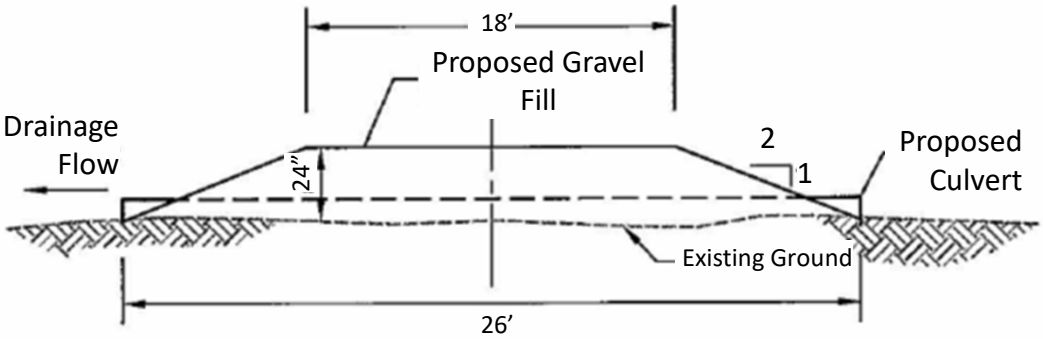
SHEET TITLE: PLAN AND SECTION

SHEET: C100

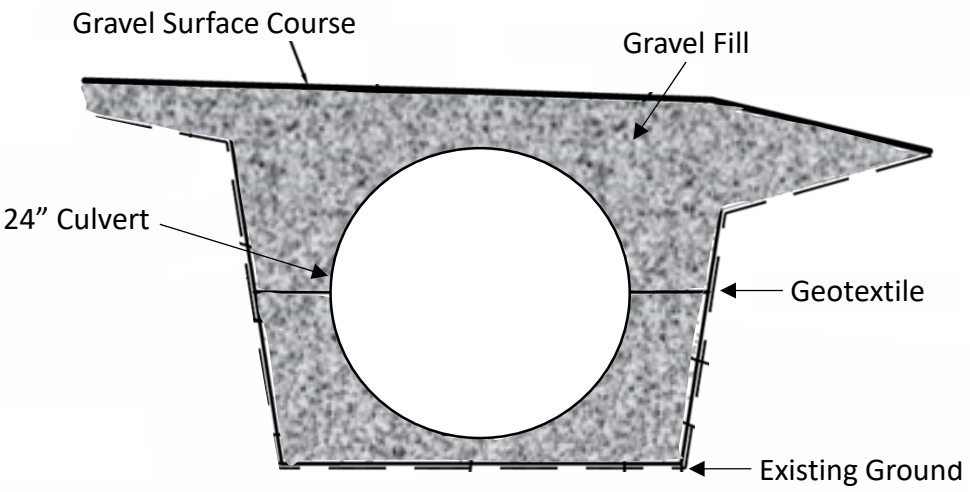
SHEET: 1 OF 1

3-TIER ALASKA
CIVIL•ENVIRONMENTAL•SURVEYING

25-1013 Plan and Section 03-13-2025.dwg



Typical Road Section



Typical Culvert Cross Section