

**Deadhorse Airport Improvements
Draft Environmental Assessment**

**Historical, Architectural, Archaeological and Cultural Resources Consultation & USACE Section
106 Finding and Permit for Private Proposed Material Site**

**Appendix E
Historical, Architectural, Archaeological
and Cultural Resources Consultation &
USACE Section 106 Finding and Permit
for Private Proposed Material Site**

Project Number: NFAPT00549

From: [Sexton, William J \(DOT\)](#)
To: [Karczmarczyk, Paul](#)
Cc: [Lindberg, Sara](#)
Subject: FW: Deadhorse Airport Improvements: Finding of No Historic Properties Affected
Date: Thursday, September 8, 2022 8:27:21 AM

Morning Paul,

Received concurrence from SHPO on this project yesterday, good to get this wrapped up. Is there anything else you need from us before wrapping up the draft EA?

-Bill

From: Ortiz, Liz M (DNR) <liz.ortiz@alaska.gov>
Sent: Wednesday, September 7, 2022 12:13 PM
To: Sample, Laura A (FAA) <Laura.A.Sample@faa.gov>
Cc: McKinney, Holly Jean (DOT) <holly.mckinney@alaska.gov>; Ortiz, Liz M (DNR) <liz.ortiz@alaska.gov>; Sexton, William J (DOT) <william.sexton@alaska.gov>; Hutchinson, Jonathan J (DOT) <jonathan.hutchinson@alaska.gov>; Nelson, Brett D (DOT) <brett.nelson@alaska.gov>; Price, Kathy E (DOT) <kathy.price@alaska.gov>
Subject: RE: Deadhorse Airport Improvements: Finding of No Historic Properties Affected

3130-1R FAA / 2022-01015

Good afternoon Laura,

The Alaska State Historic Preservation Office (AK SHPO) received your correspondence (dated August 19, 2022), concerning the subject project on August 23, 2022. Following our review of the documentation provided, we concur with the finding of No Historic Properties Adversely Affected for the project as proposed. Please note that our office may need to re-evaluate our concurrence if changes are made to the project's scope or design.

As stipulated in 36 CFR 800.3, other consulting parties such as the local government and Tribes are required to be notified of the undertaking. Additional information provided by the local government, Tribes, or other consulting parties may cause our office to re-evaluate our comments and recommendations. Please note that our response does not end the 30-day review period provided to other consulting parties.

Should unidentified archaeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register of Historic Places eligibility criteria (36 CFR 60.4), in consultation with our office. Please note that some sites can be deeply buried or underwater, and that fossils are considered cultural resources subject to the Alaska Historic Preservation Act.

This email serves as our office's official correspondence for the purposes of Section 106. Thank you for the opportunity to review and comment, and thank you for taking our comments into consideration. Please contact Liz Ortiz at 269-8722 or liz.ortiz@alaska.gov if you have any questions or we can be of further assistance.

Thanks,
Liz

Liz Ortiz, M.A. Archaeologist II

Review and Compliance
Alaska State Historic Preservation Office
Office of History and Archaeology
Department of Natural Resources
550 W. 7th Ave, Suite 1310, Anchorage AK, 99501
(907) 269-8722 liz.ortiz@alaska.gov

Due to Covid-19 concerns, we are on a hybrid schedule. Email is the best communication method.

From: DNR, Parks OHA Review Compliance (DNR sponsored) <oha.revcomp@alaska.gov>

Sent: Tuesday, August 23, 2022 4:34 PM

To: Sample, Laura A (FAA) <Laura.A.Sample@faa.gov>

Cc: McKinney, Holly Jean (DOT) <holly.mckinney@alaska.gov>; Ortiz, Liz M (DNR) <liz.ortiz@alaska.gov>

Subject: Fw: Deadhorse Airport Improvements: Finding of No Historic Properties Affected

Good afternoon,

The Office of History and Archaeology/Alaska State Historic Preservation Office received your documentation, and its review has been logged in with Liz Ortiz under 2022-01015. Our office has 30 calendar days after receipt to complete our review and may contact you if we require additional information. Please contact the project reviewer or me by email if you have any questions or concerns.

Best,
Sarah

Sarah Meitl

Review and Compliance Coordinator
Alaska State Historic Preservation Office
Office of History and Archaeology
907-269-8720

From: Sample, Laura A (FAA) <Laura.A.Sample@faa.gov>

Sent: Friday, August 19, 2022 1:06 PM

To: DNR, Parks OHA Review Compliance (DNR sponsored) <oha.revcomp@alaska.gov>

Cc: Ortiz, Liz M (DNR) <liz.ortiz@alaska.gov>; McKinney, Holly Jean (DOT) <holly.mckinney@alaska.gov>; Sexton, William J (DOT) <william.sexton@alaska.gov>; Hutchinson, Jonathan J (DOT) <jonathan.hutchinson@alaska.gov>; Nelson, Brett D (DOT) <brett.nelson@alaska.gov>; Price, Kathy E (DOT) <kathy.price@alaska.gov>

Subject: Deadhorse Airport Improvements: Finding of No Historic Properties Affected

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Ortiz,

The Federal Aviation Administration in cooperation with the owner and operator of Deadhorse Airport, the Department of Transportation and Public Facilities is proposing to make improvements to the Deadhorse Airport in Deadhorse, Alaska. Please find attached a Finding of No Historic Properties Affected letter and associated enclosures for this action.

Please direct any questions on the attachments to Ms. Holly McKinney, Cultural Resource Specialist-Archaeologist (PQI), State of Alaska DOT&PF Northern Region (cc'd).

Respectfully,

Laura Sample

Environmental Protection Specialist
Alaskan Region Airports Division
Federal Aviation Administration
222 West 7th Avenue, MS #14
Anchorage, AK 99513
Phone: 907-271-5292
Fax: 907-271-2851
Email: laura.a.sample@faa.gov

From: Sample, Laura A (FAA) <Laura.A.Sample@faa.gov>

Sent: Friday, August 19, 2022 1:06 PM

To: DNR, Parks OHA Review Compliance (DNR sponsored) <oha.revcomp@alaska.gov>

Cc: Ortiz, Liz M (DNR) <liz.ortiz@alaska.gov>; McKinney, Holly Jean (DOT) <holly.mckinney@alaska.gov>; Sexton, William J (DOT) <william.sexton@alaska.gov>; Hutchinson, Jonathan J (DOT) <jonathan.hutchinson@alaska.gov>; Nelson, Brett D (DOT) <brett.nelson@alaska.gov>; Price, Kathy E (DOT) <kathy.price@alaska.gov>

Subject: Deadhorse Airport Improvements: Finding of No Historic Properties Affected

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Ms. Ortiz,

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Please direct any questions on the attachments to Ms. Holly McKinney, Cultural Resource Specialist-Archaeologist (PQI), State of Alaska DOT&PF Northern Region (cc'd).



U.S. Department
of Transportation

**Federal Aviation
Administration**

Alaskan Region Airports Division

222 W. 7th Avenue, Box #14

Anchorage, Alaska 99513-7587
Tel. (907) 271-5438
Fax (907) 271-2851

In Reply Refer To:
Deadhorse Airport Improvements
State/Federal Project Number(s): NFAPT00549/Pending
Finding of No Historic Properties Adversely Affected

August 19, 2022

Ms. Judith Bittner
State Historic Preservation Officer
Alaska Office of History and Archaeology
550 W. 7th Avenue, Suite 1310
Anchorage, AK 99501-3565

Dear Ms. Bittner:

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Alaskan Region Airports Division of the Federal Aviation Administration (FAA), is proposing to make improvements to the Deadhorse Airport, in Deadhorse, Alaska. The project area is found on Table 1 and Figures 1-5. Latitude 70.197144, Longitude -148.435491.

Table 1. Project location

Township	Range	Section(s)	USGS Quad Map1:63,360	Meridian
010N	014E	24-26, 36	Beechey Point A-3	Umiat
010N	015E	19, 30-31	Beechey Point A-3	Umiat

The DOT&PF on behalf of FAA finds **that no historic properties would be adversely affected** by the proposed project pursuant to 36 CFR§800.4(d)(1), implementing regulations of Section 106 of the National Historic Preservation Act. This submission provides documentation in support of this finding, as required at 36 CFR§800.11(d).

Project Description

The project proposes the following at Deadhorse Airport (see Figures 1-5):

- Make drainage improvements (new culvert installation, culvert replacement, culvert removal) at Deadhorse Airport (see Figure 4, in blue, orange, red, and pink).
- Replace existing airport and highway pavements and taxiway lighting (in the same location and at the same depth) as necessary (to accommodate the drainage improvements).
- Relocate existing utilities affected by drainage improvements (will require new ground disturbance).

Respectfully,

Laura Sample

Environmental Protection Specialist

Alaskan Region Airports Division

Federal Aviation Administration

222 West 7th Avenue, MS #14

Anchorage, AK 99513

Phone: 907-271-5292

Fax: 907-271-2851

Email: laura.a.sample@faa.gov

- Re-grade and/or place fill in select infield locations to aid in drainage and wildlife control (see Figure 4 in blue slash).
- Construct a new airport perimeter wildlife fence, gates for access control, and associated maintenance service road (will require new ground disturbance) (see Figure 5 in red slash).
- Construct a new, permanent, material source haul route between the southern portion of the new fence service road to a point on the Dalton Highway near the southeastern extent of the airport property (will require new ground disturbance) (see Figure 5 in Green).

Materials for this project are anticipated to be contractor-furnished from local, private, permitted material sites. The contractor would be responsible for acquiring all necessary permits and clearances for material sourcing. Mine Site 3 (see Figure 3 in black slash) is adjacent to the Deadhorse Airport and will be available for contractor use.

Area of Potential Effect (APE)

The APE includes all construction areas at the Deadhorse Airport, the new wildlife fence and associated maintenance service road location, and the new material source haul road location (see Figure 2 in red slash). Staging is anticipated to occur within the APE (see Figure 2 in red slash) at the Deadhorse Airport, and will be limited to previously disturbed locations. Potential visual effects were taken into consideration when establishing the APE.

Identification Efforts

A search of the Alaska Heritage Resources Survey-IBS (AHRIS) database on August 4, 2022 indicated that there are four (4) AHRIS sites found within the project APE. See below for a description of those AHRIS sites:

XBP-00114 Dalton Highway (Beechey Point Quad)- The Dalton Highway is 415 miles long and extends north from Livengood to Deadhorse, Alaska. XBP-00114 is a portion of the Dalton Highway within the Beechey Point Quadrangle, which extends from roughly MP 398 to MP 415. The Highway was determined to be eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A (Criteria Consideration G) for its association with transportation and industry for its roles in the development of the North Slope oil fields and petroleum industry infrastructure between 1971 and 1978. The SHPO concurred with that determination on 02/25/2019.

XBP-00089 Deadhorse Air Traffic Control Tower- The Deadhorse Air Traffic Control Tower was constructed in 1973, and consists of a small, prefabricated building. It was attached to the larger Flight Service Station building. The Deadhorse Flight Service Station was constructed to support operations at Deadhorse Airport, which was built during the development of the petroleum industry in the area and the Trans-Alaska Pipeline. The Flight Service Station was determined not eligible for listing in the NRHP, and the SHPO concurred with that determination on 10/24/2002. The building was demolished in 2005. The AHRIS card was updated in 2021 to reflect that the building was previously determined not eligible for listing in the NRHP and demolished.

XBP-00090 Deadhorse Generator Building- The Deadhorse Generator building was constructed in 1973, and consists of a small, fiberglass building that housed generators for the operation of the Deadhorse Airport. The generator building was attached to the larger Flight Service Station building, which also housed the Air Traffic Control Tower. The Deadhorse Flight Service Station was constructed to support operations at Deadhorse Airport, which was built during the development of the petroleum industry in the area and the Trans-Alaska Pipeline. The Flight Service Station was determined not Eligible for listing in the NRHP, and the SHPO concurred with that determination on 10/24/2002. The building was demolished in 2005. The AHRS card was updated in 2021 to reflect that the building was previously determined not eligible for listing in the NRHP and demolished.

XBP-00088 Deadhorse Flight Service Station- The Flight Service Station was built in 1973. It is a four-story wood-framed building, built on a concrete foundation. The building contained an office, maintenance facilities, equipment room, and the radar room, as well as the air traffic control tower for the airfield. The Deadhorse Flight Service Station was constructed to support operations at Deadhorse Airport, which was built during the development of the petroleum industry in the area and the Trans-Alaska Pipeline. The Flight Service Station was determined not Eligible for listing in the NRHP, and the SHPO concurred with that determination on 10/24/2002. The building was demolished in 2005. The AHRS card was updated in 2021 to reflect that the building was previously determined not eligible for listing in the NRHP and demolished.

Additional Identification Efforts

A search of the Alaska Department of Natural Resources Division of Mining, Lands and Water Revised Statute (RS) 2477 database of public rights-of-way indicates that no (0) RS 2477 trails intersect the project APE.

A review of the DOT&PF Northern Region Cultural Resources Library did not indicate that the Deadhorse airport had been previously surveyed for cultural resources. However, several Environmental Assessments (EAs) have been completed for various Deadhorse Airport improvement projects (1992, 2004, 2012). Those EAs included correspondence from the SHPO approving the proposed projects and indicating that there was a low probability of undocumented cultural resources in the area. The DOT&PF Archaeologist-Cultural Resources Specialist (PQI) believes that this level of identification is sufficient for this project.

Finding of Effect

XPB-00114 Dalton Highway (Beechy Point Quad)- The Dalton Highway is included within the Project APE as an access/haul road, and project activities will not directly affect the Highway. The proposed Material Source Access Road (see Figure 5 in green) will extend to the Dalton Highway, and link up with it, but there will not be any changes made to the highway itself in that location. Additionally, the proposed fence and associated service road will be constructed adjacent to the Dalton Highway (see Figure 5 in red slash marks), but it will not directly impact the highway. Indirect visual impacts will be minor in scale, as there is already a trail near where the fence and associated access road will be placed, and there are several additional small access/service roads in the area. The fencing is in keeping with the character of a rural airport setting, as it is often

necessary to keep large wildlife from entering runway areas, and many rural airports possess fencing. The addition of the fencing at the Deadhorse Airport does not change the character of the airport setting. Therefore, because the project will not have direct impacts on the Dalton Highway, indirect impacts are minor, and the highway is already used as a haul route for large trucks traveling from Fairbanks to Deadhorse and Prudhoe Bay, the DOT&PF Northern Region PQI believes that a finding of no historic properties adversely affected is appropriate for the project as presented.

Consulting Parties

Because of the limited nature of the project activities, the DOT&PF is proceeding directly to findings for this project. In addition to the Alaska SHPO, copies of the findings letter will be provided to the following parties: the Native Village of Nuiqsut, Kaktovik Village, the Inupiat Community of the Arctic Slope, ASRC Regional Corporation, Kuukpik Corporation, Kaktovik Inupiat Corporation, and the North Slope Borough.

Your timely response will greatly assist us in incorporating your concerns into project development. For that purpose, we respectfully request that you respond within thirty days of your receipt of this correspondence.

Your timely response will greatly assist us in incorporating your concerns into project development. For that purpose, we respectfully request that you respond within thirty days of your receipt of this correspondence.

Sincerely,

Prepared by:



Holly J. McKinney
Cultural Resource Specialist -Archaeologist (PQI)
State of Alaska DOT&PF, Northern Region

Approved by:



Laura A. Sample
Alaska Region Airports Division
Federal Aviation Administration
222 West 7th Avenue, MS #14
Anchorage, AK 99513
Phone: 907-271-5292

Fax: 907-271-2851

Email: laura.a.sample@faa.gov

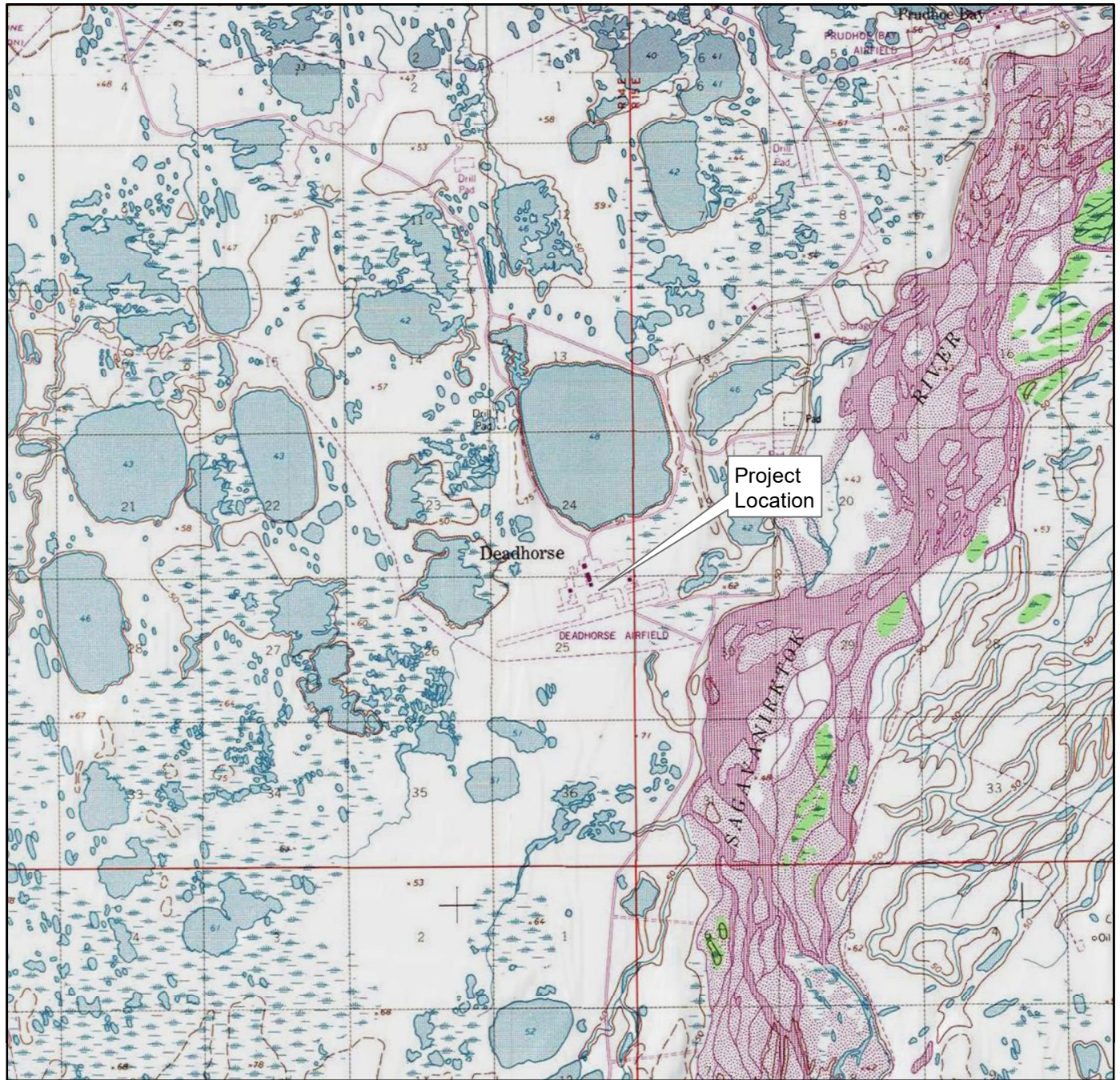
Enclosures:

- Figure 1 – Location & Vicinity Map
- Figure 2 – Area of Potential Effect (APE) Map
- Figure 3 – Proposed Material Site Boundary
- Figures 4 & 5 – Proposed Project Elements

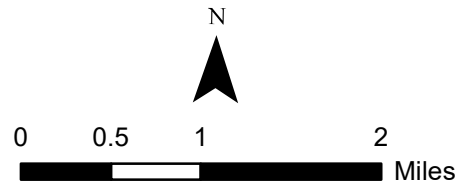
Attachment 1: SHPO response letters within three Environmental Assessments associated with various projects at the Deadhorse Airport (1992, 2004, 2012).

Electronic cc w/ Enclosures:

Laura Sample, FAA, Alaska Region, Environmental Protection Specialist
William Sexton, DOT&PF, Northern Region, Environmental Impact Analyst
Jonathan Hutchinson, P.E., DOT&PF Northern Region, Project Manager
Brett Nelson, DOT&PF, Northern Region, Regional Environmental Manager
Kathy Price, DOT&PF, Statewide Cultural Resources Manager



Source USGS QUAD BEECHY POINT (A-3) 1955
 Township 10N, Range 14E, Sections 24, 25, 26, 36
 Township 10N, Range 15E, Sections 31, 30, 19
 UMIAT Meridian, Alaska



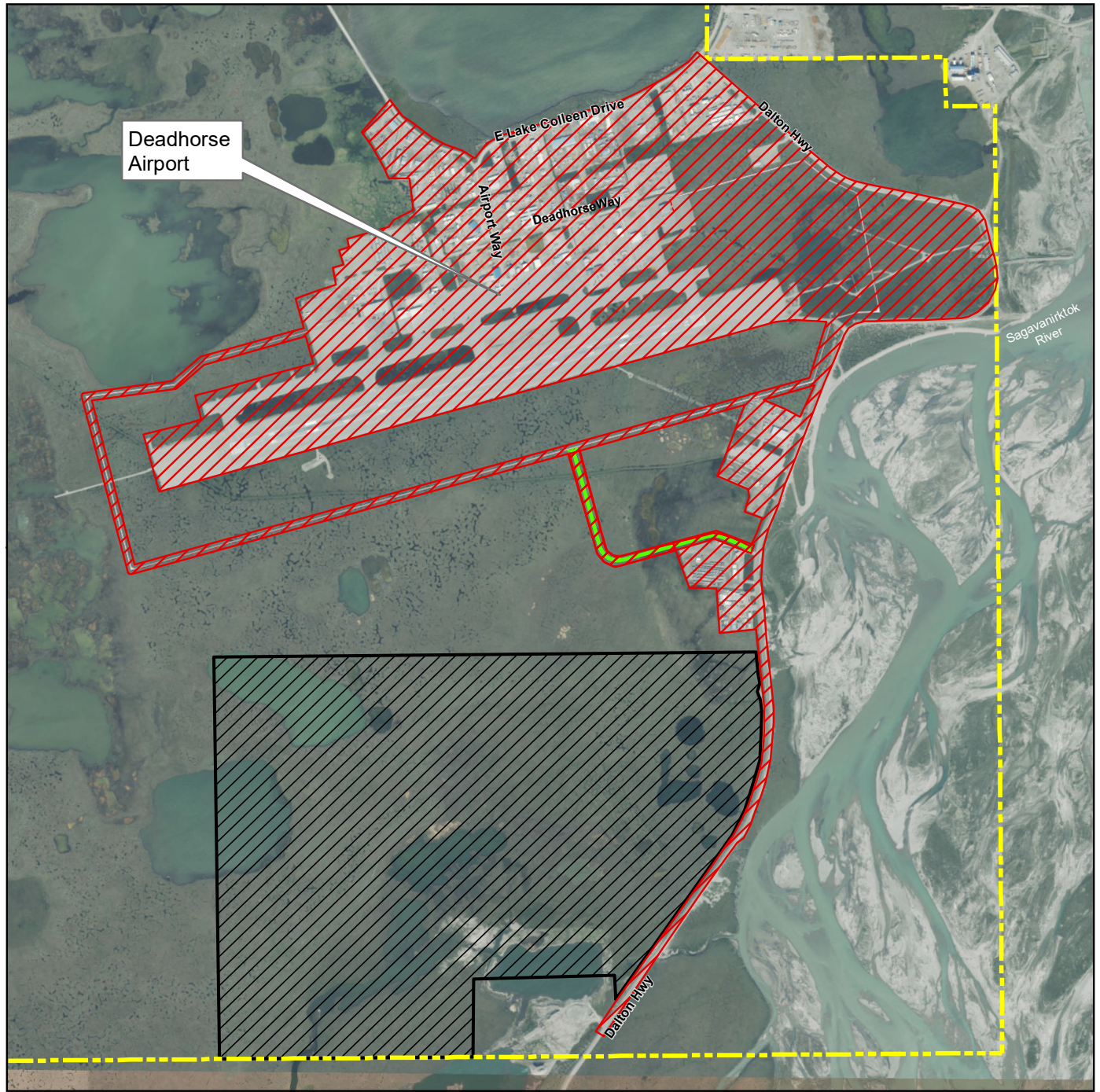
STATE OF ALASKA
 Department of Transportation and Public Facilities
 2301 Peger Road, Fairbanks, AK 99709

Location & Vicinity Map

NFAPT00549
 Deadhorse Airport Improvements

Date:
 May 2022

Figure:
 1



- Area of Potential Effect
- Proposed Fence
- Proposed Permanent Material Haul Road
- Available Material Source (Mine Site 3)
- Proposed Service Road/Fence*
- Airport Property Boundary

*Service and Material Haul Road APE is 50' wide from each toe of shoulder slope.



STATE OF ALASKA
 Department of Transportation and Public Facilities
 2301 Peger Road, Fairbanks, AK 99709
 Section 106 Area of Potential Effect (APE)

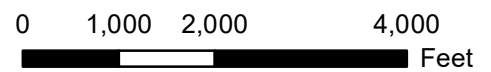
NFAPT00549
 Deadhorse Airport Improvements

Date:
 May 2022

Figure:
 2



- Airport Property Boundary
- Available Material Source (Mine Site 3)








STATE OF ALASKA
 Department of Transportation and Public Facilities
 2301 Peger Road, Fairbanks, AK 99709
 Available Material Source (Mine Site 3)

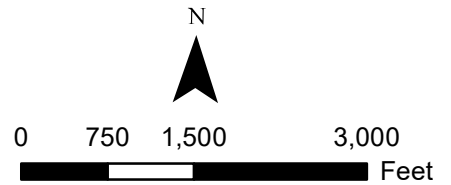
NFAPT00549
 Deadhorse Airport Fence Installation

Date:
 May 2022

Figure:
 3



-  New Culvert
-  Existing Culverts (Proposed for replacement)
-  Removing Culvert
-  Culverts Not Being Altered
-  Infield Drainage Areas (Proposed to be filled)

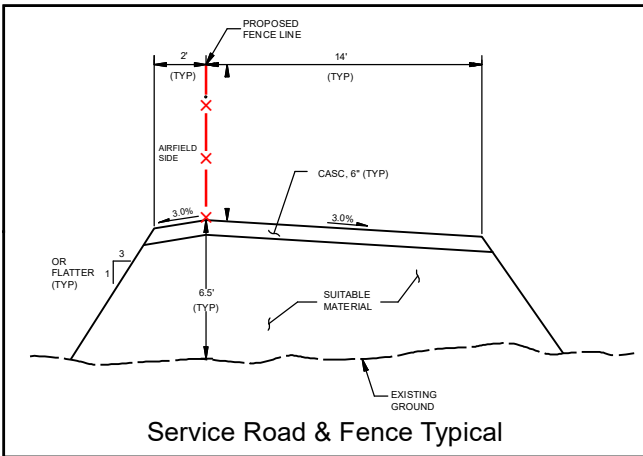


STATE OF ALASKA
Department of Transportation and Public Facilities
2301 Peger Road, Fairbanks, AK 99709
Proposed Culvert Replacement/Infield Drainage Area
Fill Placement

NFAPT00549
Deadhorse Airport Improvements

Date:
June 2022

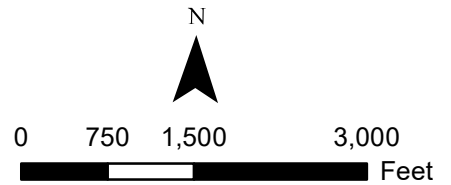
Figure:
4



Service Road & Fence Typical



- Airport Property Boundary
- Proposed Fence
- Proposed Service Road
- Material Source Access Road



STATE OF ALASKA
 Department of Transportation and Public Facilities
 2301 Peger Road, Fairbanks, AK 99709

Proposed Perimeter Fence and Fence Service Access Road

NFAPT00549
 Deadhorse Airport Improvements

Date:
 May 2022

Figure 5

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS AND OUTDOOR RECREATION
Office of History and Archaeology

WALTER J. HICKEL, GOVERNOR

3601 C STREET, Suite 1278
ANCHORAGE, ALASKA 99503
PHONE: (907) 762-2622

MAILING ADDRESS:
P.O. Box 107001
ANCHORAGE, ALASKA 99510-7001

July 31, 1992

File No.: 3130-2R DOT/PF

Subject: Deadhorse Airport Improvements, Project No. 64825
Circle City Airport Improvements EA Project No. 65759
Birch Creek Airport Improvements EA Project No. 65756

Mike Tinker, Regional Environmental Coordinator
Northern Region Design and Construction
Department of Transportation and Public Facilities
2301 Peger Road
Fairbanks, AK 99709-5316

Dear Mr. Tinker:

We have reviewed the projects referenced above. There are no known cultural resources in the areas of potential effect. We have commented previously on the Birch Creek and Circle City projects (in fact, we essentially wrote the historical resources section of the Birch Creek EA), and are in agreement with the EAs.

Please contact Tim Smith at 762-2625 if there are any questions or if we can be of further assistance.

Sincerely,



Judith E. Bittner
State Historic Preservation Officer

JEB:tas

Ms. Judith Bittner
State Historic Preservation Officer

-2-

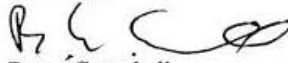
July 7, 2004

Additionally, ADOT&PF anticipates developing an existing material source, MS 102 (a.k.a. MS3), for this project (Figures 6 through 8). MS 102 is located approximately 6,000 feet south of the airport. Approximately 124 acres of wetlands would be developed at MS 102. Alan DePew and Catherine Pendleton, of the ADNOR Office of History and Archeology, conducted a survey of the proposed material site expansion area in 2002. The report of their findings is enclosed for your convenience. Mr. DePew and Ms. Pendleton found no evidence of any historic properties within the limits of the proposed expansion.

ADOT&PF believes that the proposed activities at Deadhorse Airport and the expansion of MS 102 will not affect any known historic or archeological resources, and requests your concurrence.

If you have any questions or comments, please contact Melinda Brunner, Environmental Analyst, by telephone at (907) 451-5294 or by e-mail to melinda_brunner@dot.state.ak.us.

Sincerely,

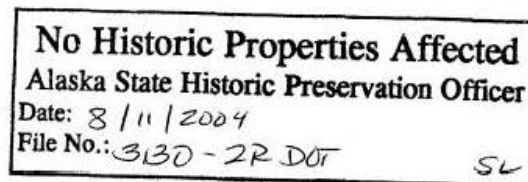


Bruce Campbell
Acting Environmental Coordinator

MB/dt

Enclosures

cc: Cindie Little, P.E., Project Manager, Aviation, ADOT&PF, Fairbanks





THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Transportation and
Public Facilities

NORTHERN REGION
Design & Engineering Services
Preliminary Design & Environmental

2301 Peger Road
Fairbanks, Alaska 99709-5399
Main: 907-451-2237
TDD: 907-451-2363
Fax: 907-451-5126

November 28, 2012

Ms. Judith Bittner
State Historic Preservation Officer
Alaska Office of History and Archaeology
550 W. 7th Avenue, Suite 1310
Anchorage, AK 99501-3565

In Reply Refer to:
Deadhorse Airport Rehabilitation
Project No.: 63626

Dear Ms. Bittner,

No Historic Properties Affected
Alaska State Historic Preservation Officer
Date. 12.10.2012
File No. 3130-1R FAA
SAB

RECEIVED

NOV 30 2012

OHA

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Aviation Administration (FAA), is proposing to improve the Deadhorse Airport (SCC) in Deadhorse, Alaska. The Deadhorse Airport is located at the end of the Dalton Highway just west of the Sagavanirktok River, approximately 70.1950° north latitude and 148.4639° west longitude. The area includes Sections 25, T10N, R14E and Sections 19 and 30, T10N, R15E, Umiat Meridian. The USGS Quadrangle map is Beechey Point A-3. See Figure 1 for a location and vicinity map. Pursuant to 36 CFR 800.4(d)(1), implementing regulations of Section 106 of the National Historic Preservation Act, DOT&PF on behalf of FAA finds that no historic properties would be affected by the proposed project.

The proposed project will install security fencing required for compliance with the FAA and the Transportation Security Administration (TSA) standards and widen Taxiway F to accommodate Design Group III aircraft. The project proposes to widen Taxiway F to a uniform width of 50 feet and widen the embankment as necessary to achieve a 118-foot Taxiway Safety Area width. In addition, the project proposes to install security fencing for the lease lots around Taxiways E and F. See Figure 2 for the Proposed Action.

The Area of Potential Effect (APE) was designated to include those areas that could potentially experience direct effects (action areas to include Taxiway F and Taxiway Safety Area widening along with security fencing construction) as well as encompassing areas of indirect effects (areas where there could be temporary increased noise or vibration during construction, changes in traffic for vehicles, and areas where properties have a line-of-sight view). No changes are anticipated for traffic and flight patterns for aircraft. The APE is presented in Figure 2.

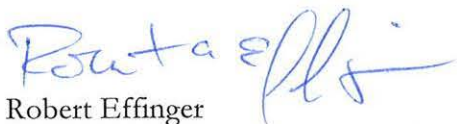
Identification efforts made by searching Alaska Heritage Resources Survey (AHRS) Database on September 27, 2012 and the online National Register of Historical Places (NRHP) database on October 23, 2012 identified no known historic sites within the APE. Three AHRS sites (XBP-00088, XBP-00089, and XBP-00090) outside the APE, but within the airport property were determined to be ineligible for the NRHP by the State Historic Preservation Officer (SHPO) in 2002. The closest historic site that is treated as an eligible site for the NRHP is the Dalton Highway (milepost 1 to 414) (XBP-00114), which is approximately a half mile from Taxiway F. In addition, for a previous project at the Deadhorse Airport (documented in the 2004 Deadhorse Safety Area Expansion Environmental Assessment), the SHPO concluded that there was a very low probability of undocumented cultural resources in the area and concurred with a finding that no historic properties would be affected.

The DOT&PF believes that the proposed activities would not affect any historic resources because there are no known historic resources present in the APE and very low probability of undocumented cultural resources in the area. DOT&PF concludes and requests your concurrence that no historic properties would be affected by the proposed project.

The DOT&PF did not conduct initial Section 106 consultations for this proposed project because there are no known historic properties present in the APE, very low probability of undocumented cultural resources in the area, and the project has a very limited scope of work, involving minimal ground-disturbing activity outside of developed surfaces and only minor changes to the landscape. The following parties are being contacted concurrently to provide an opportunity to comment on this finding: Kuukpik Corporation, Arctic Slope Regional Corporation, North Slope Borough, Native Village of Nuiqsut, and the Inupiat Community of the Arctic Slope.

Please direct your concurrence or comments to me at the address above, by telephone at (907) 451-5294, or by e-mail at bob.effinger@alaska.gov.

Sincerely,



Robert Effinger
Acting Regional Environmental Coordinator

wk/smb



Enclosures:

- Figure 1: Location and Vicinity Map
- Figure 2: Proposed Action and APE

cc w/ enclosures:

- Bruce Greenwood, Environmental Protection Specialist, FAA, Alaska Region
- Laurie Mulcahy, Cultural Resources Manager, DOT&PF, Statewide
- Patricia Sullivan, Regional Environmental Manager, FAA

cc w/o enclosures:

- William Kulash, Environmental Impact Analyst, DOT&PF, Northern Region
- Richard Stumpf, P.E., Engineering Manager, DOT&PF, Northern Region



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

May 10, 2019

Regulatory Division
POA-2017-00427

North Slope Borough
Attention: Mr. Gordon Brower
PO Box 69
Utqiagvik, Alaska 99723

Dear Mr. Brower:

Enclosed is the signed Department of the Army (DA) permit, file number POA-2017-427, Sagavanirktok River, which authorizes the development of Mine Site 3. The project site is located at Sections 31 & 36, T. 10 N., R. 14 & 15 E., Umiat Meridian; USGS Quad Map Beechey Point A-3; Latitude 70.18305° N., Longitude 148.44805° W.; approximately one mile south of Prudhoe Bay, Alaska. Also enclosed is a Notice of Authorization which should be posted in a prominent location near the authorized work.

If changes to the plans or location of the work are necessary for any reason, plans must be submitted to us immediately. Federal law requires approval of any changes before construction begins.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Please contact me via email at mary.r.romero@usace.army.mil, by mail at the address above, by phone at (907) 753-2773, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

A handwritten signature in cursive script that reads "Mary Romero".

Mary Romero
Project Manager

Enclosures



**This notice of authorization must be
conspicuously displayed at the site of work.**

**United States Army Corps of Engineers
SAGAVANIRKTOK RIVER**

A permit to: DEVELOPMENT OF MINE SITE 3

at: SECTIONS 31 & 36, T. 10 N., R. 14 & 15 E., UMIAT MERIDIAN; USGS
QUAD MAP BEECHEY POINT A-3; LATITUDE 70.18305° N., LONGITUDE
148.44805° W.; APPROXIMATELY ONE MILE SOUTH OF PRUDHOE BAY, AK

has been issued to: NORTH SLOPE BOROUGH

on: MAY 10, 2019 **and expires:** May 31, 2024

Address of Permittee: PO BOX 69, UTQIAGVIK, ALASKA 99723

Permit Number:

POA-2017-00427

**FOR: District Commander
MARY ROMERO
PROJECT MANAGER
REGULATORY DIVISION**

DEPARTMENT OF THE ARMY PERMIT

Permittee: THE NORTH SLOPE BOROUGH

Permit No.: POA-2017-00427, SAGAVANIRKTOK RIVER

Issuing Office: U.S. Army Engineer District, Alaska

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The development of a new gravel mine site (to be called Mine Site 3) within the Prudhoe Bay area. The public notice (PN) proposal would have impacted a total of 54.44 acres of Palustrine emergent wetlands, with future plans proposed to expand the mine and could increase impacts up to a total of 299.7 acres of wetlands. The PN proposal would have had two phases however Phase II of the project was withdrawn.

This authorization allows the construction of a 1080' long x 75' wide (1.85 acres) access road; a 418.2' long x 218.2' wide (2.1 acres) operations pad which would also be utilized to stockpile gravel, house the operations office, an explosives connex storage area, and equipment storage; the mechanized land clearing of a mostly rectangular shaped area, a portion would be 782' long x 600' wide and directly abut an almost triangular shaped section approximately 566' long x 400' wide x 400' wide (12.74 acres). Permanent impacts for Phase I would be to 16.69 acres.

All work will be performed in accordance with the attached plan, sheets 1-8, dated May 7, 2019.

Project Location: The project is located within Sections 31 & 36, T. 10 N., R. 14 & 15 E., Umiat Meridian; USGS Quad Map Beechey Point A-3; Latitude 70.18305° N., Longitude 148.44805° W.; near Prudhoe Bay, Alaska.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **May 31, 2024**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

Mitigation Plan:

1. The permittee shall implement within 30 days of closure of Phase I the "Wetlands Reclamation Plan" dated May 2019, and attached as Attachment A, Approved NSB Mine Site 3 Mitigation Plan.

Biological Opinion:

2. The permittee shall comply with the United States Fish and Wildlife Service Conditions dated December 26, 2017, and provided as an attachment to this permit. The permittee shall comply with the Federal Endangered Species Act, you must implement all of the mitigating measures identified in the enclosed U.S. Fish and Wildlife Service letter of concurrence (Number FWS #re: POA-2017-427, dated December 26, 2017) including those ascribed to the Corps therein. If you are unable to implement any of these measures, you must immediately notify the Corps, and the U.S. Fish and Wildlife Office so we may consult as appropriate, prior to initiating the work, in accordance with Federal law.

Commencement Notification:

3. Within 10 days from the date of initiating the work authorized by this permit, the Permittee shall provide a written notification of the date of commencement of authorized work to the Corps.

As-Built Certification:

4. Within 60 days of completion of the work authorized by this permit, the Permittee shall submit as-built drawings of the authorized work and a completed "As-Built Certification By Professional Engineer" form to the Corps. The as-built drawings shall be signed and sealed by a registered professional engineer and include the following:

- a. A plan view drawing of the location of the authorized work footprint, as shown on the permit drawings, with transparent overlay of the work as constructed in the same scale as the permit drawings on 8½-inch by 11-inch sheets or PDF. The plan view drawing should show all "earth disturbance," including wetland impacts and water management structures.
- b. A list of any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the attached "As-Built Certification By Professional Engineer" form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or "As-Built Certification By Professional Engineer" form does not constitute approval of any deviations by the Corps.
- c. Include the Department of the Army permit number on all sheets submitted.

Contractors:

5. All contractors involved in this permitted activity shall be provided copies of this permit in its entirety. A copy shall remain on site at all times during construction.

Rationale: This condition is required to prevent sedimentation outside the permitted area [40 CFR PART 230.21 and 230.72].

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

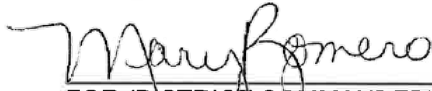
 Director

(PERMITTEE) AND TITLE

5/10/19

(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



FOR (DISTRICT COMMANDER)
Colonel Phillip J. Borders
Mary Romero/Project Manager
North Branch, Regulatory Division

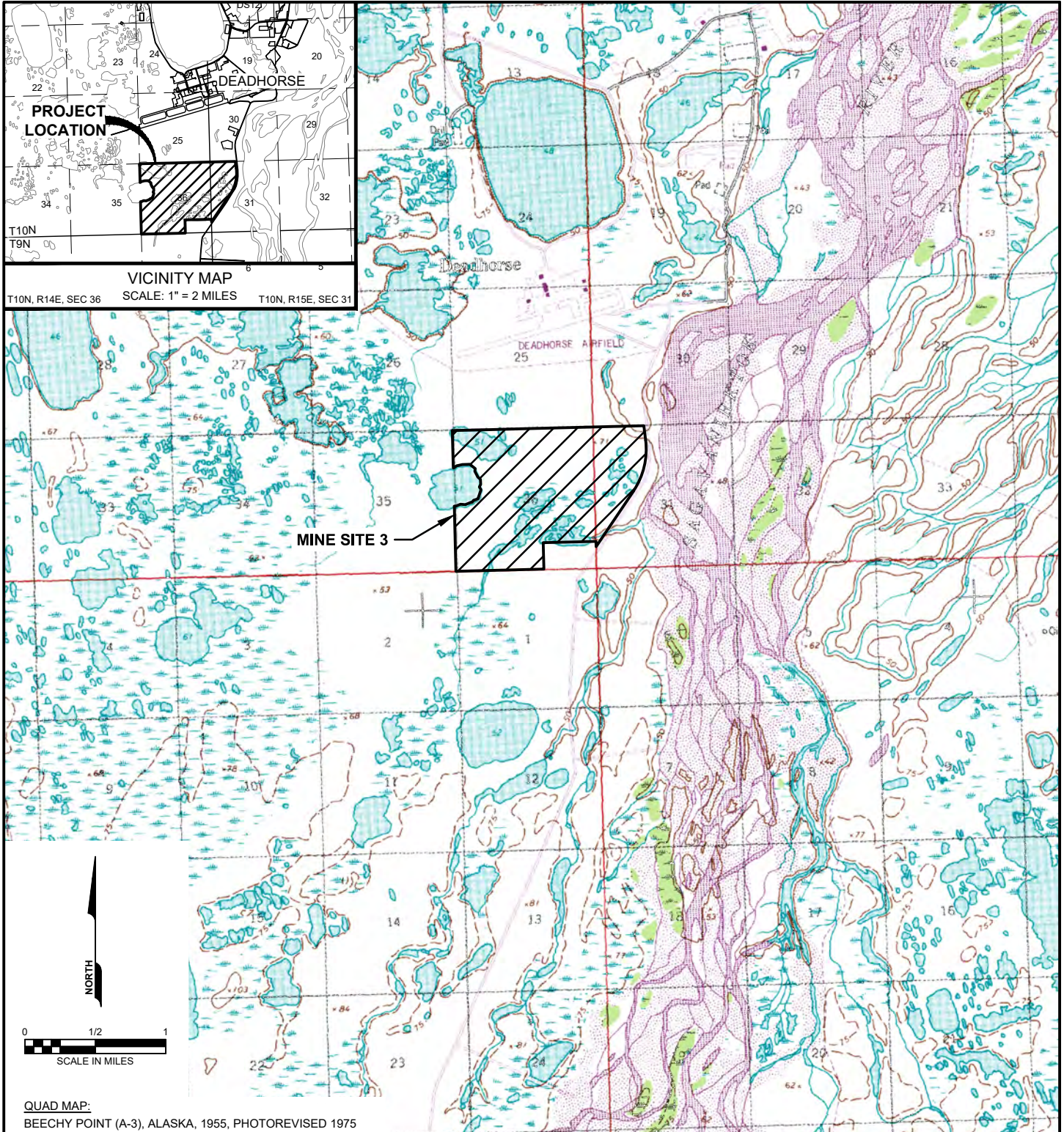
May 10, 2019

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions have the transferee sign and date below.

(TRANSFEEE)

(DATE)



PURPOSE:
GRAVEL MINING OPERATIONS

PROJECT LOCATION

APPLICANT/AGENT:
NORTH SLOPE BOROUGH

**NORTH SLOPE BOROUGH
MINE SITE 3**

ADJACENT PROPERTY OWNERS:
STATE OF ALASKA

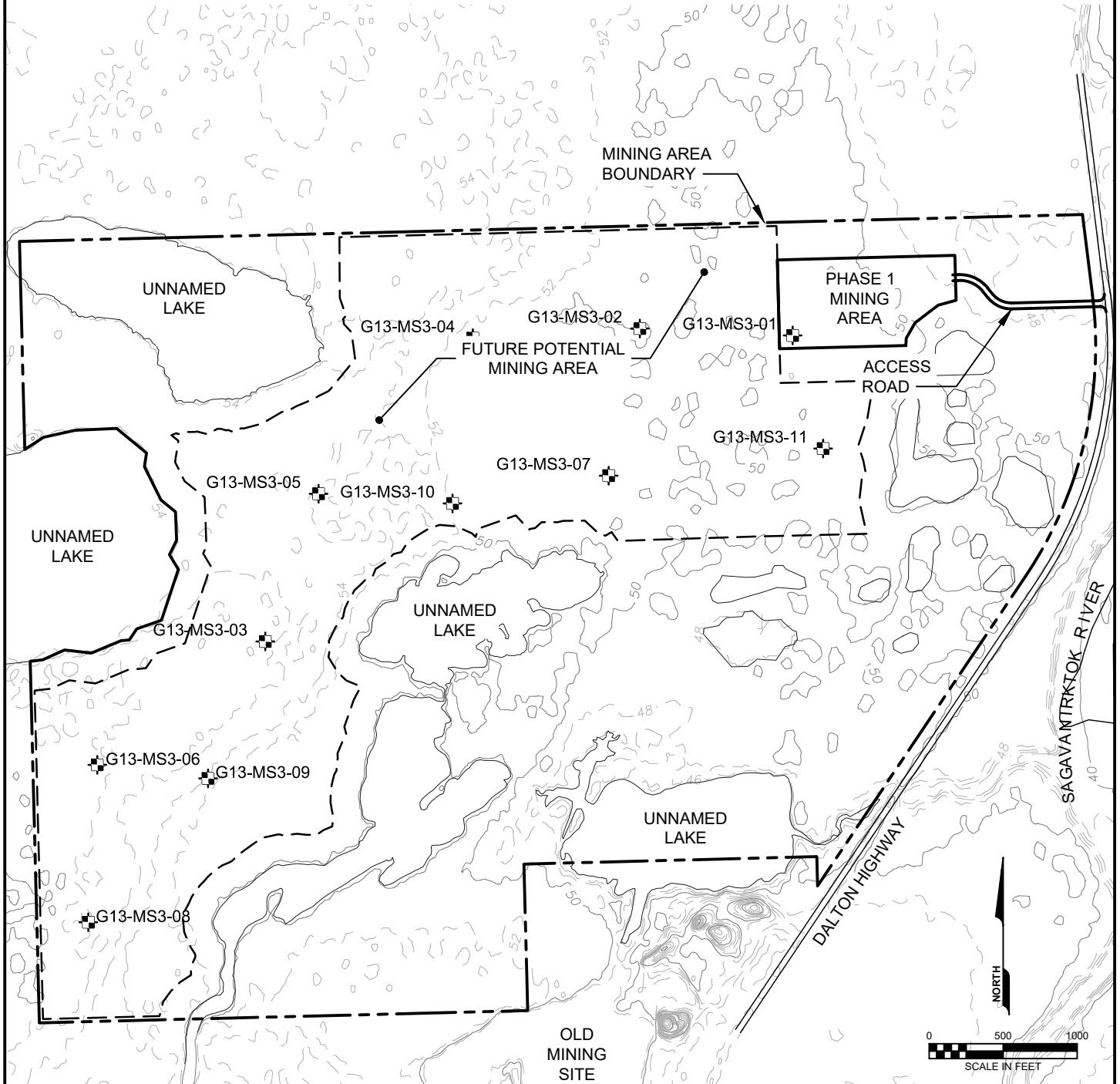
AGENT:
UMIAQ ENVIRONMENTAL
6700 ARCTIC SPUR ROAD
ANCHORAGE, ALASKA 99516

T10N, R14E, SEC 36
T10N, R15E, SEC 31

DATE: MAY 2019 SHEET: 1 OF 8

LEGEND

G-01 BOREHOLE BY GOLDER SEPTEMBER 2013



PURPOSE:
GRAVEL MINING OPERATIONS

PROJECT AREA

APPLICANT/AGENT:
NORTH SLOPE BOROUGH

NORTH SLOPE BOROUGH MINE SITE 3

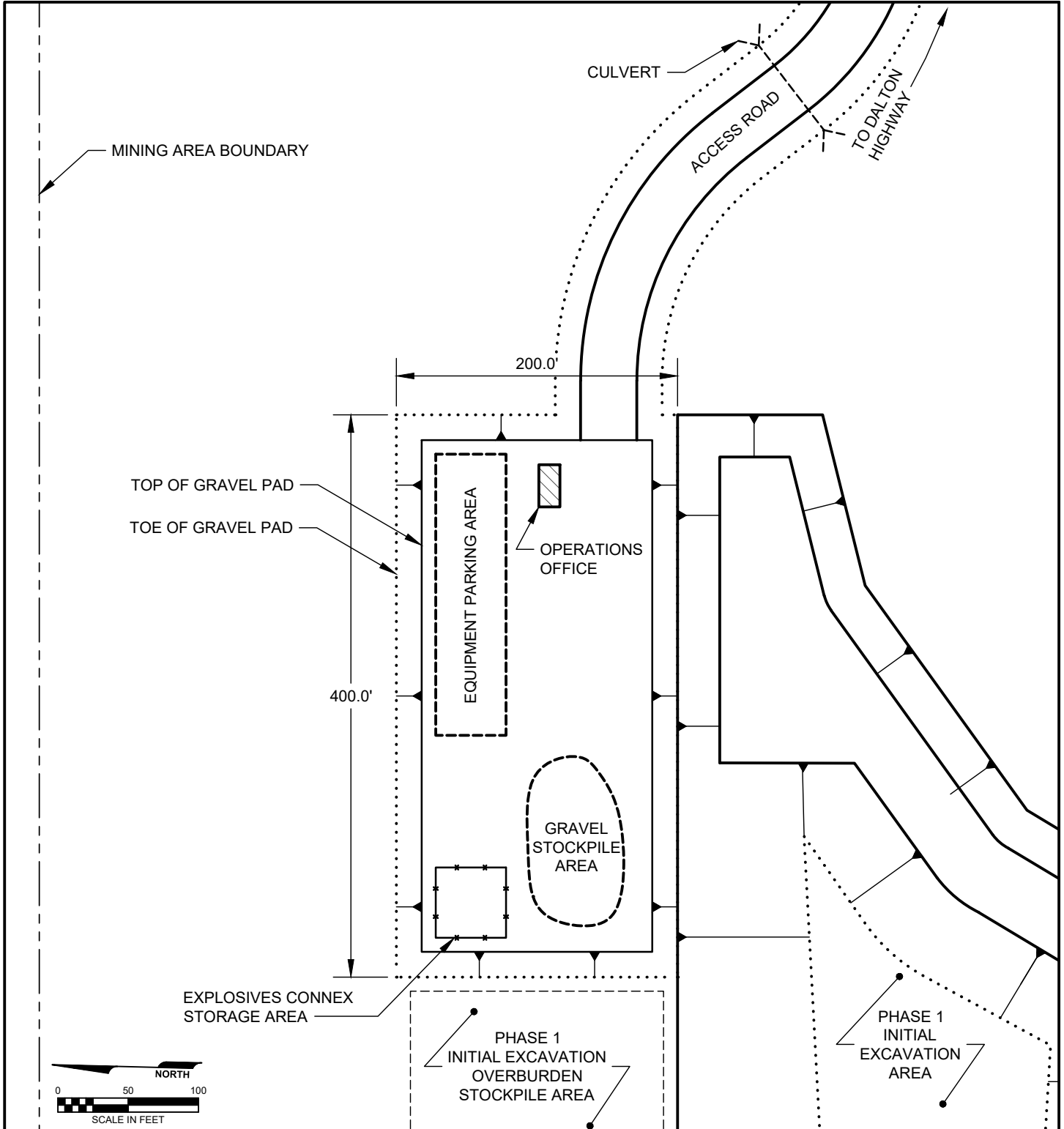
ADJACENT PROPERTY OWNERS:
STATE OF ALASKA

AGENT:
UMIAQ ENVIRONMENTAL
6700 ARCTIC SPUR ROAD
ANCHORAGE, ALASKA 99516

T10N, R14E, SEC 36
T10N, R15E, SEC 31

DATE: MAY 2019

SHEET: 2 OF 8



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PURPOSE:
GRAVEL MINING OPERATIONS

ADJACENT PROPERTY OWNERS:
STATE OF ALASKA

OPERATIONS PAD LAYOUT

APPLICANT/AGENT:
NORTH SLOPE BOROUGH

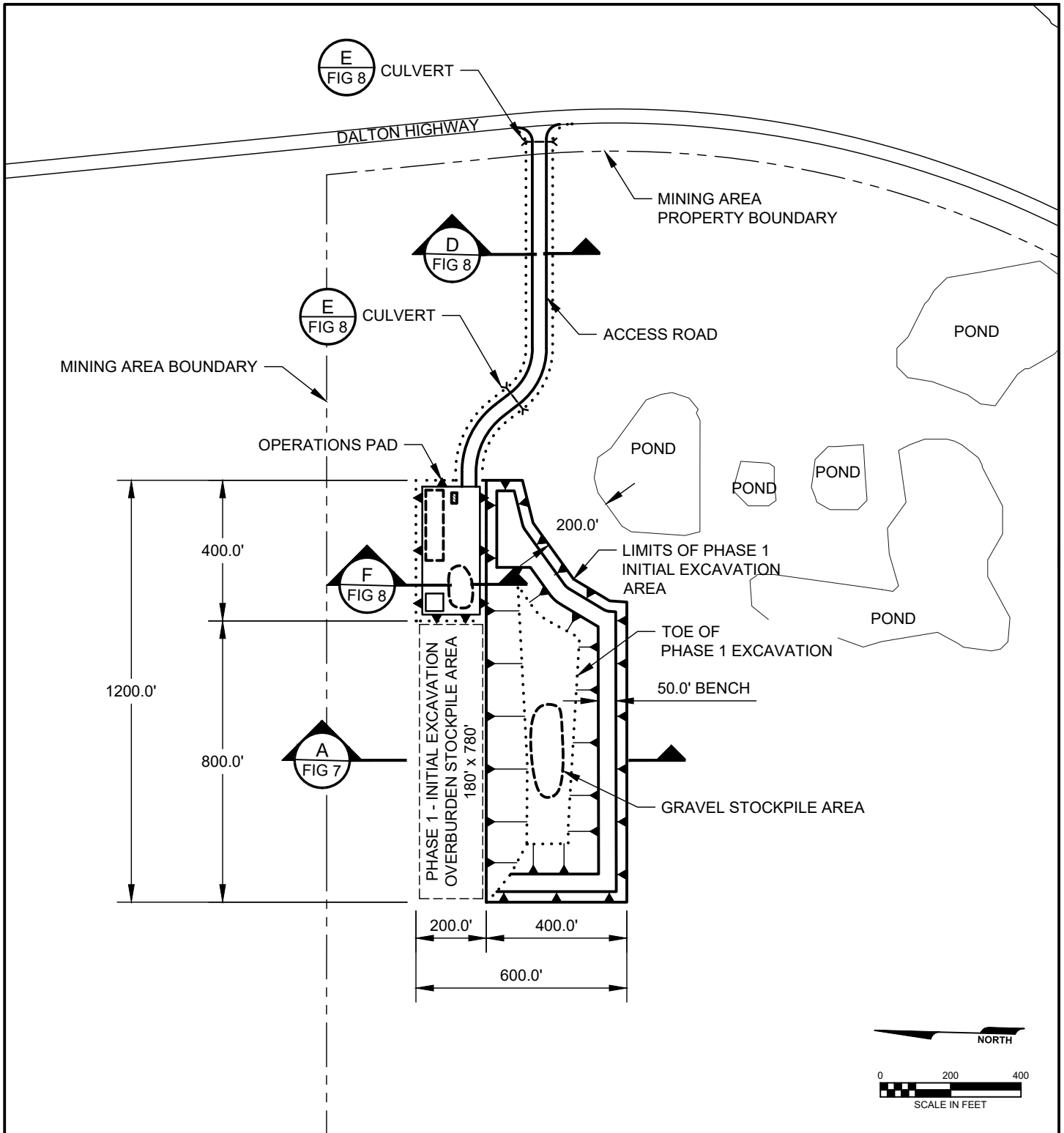
AGENT:
UMIAQ ENVIRONMENTAL
6700 ARCTIC SPUR ROAD
ANCHORAGE, ALASKA 99516

**NORTH SLOPE BOROUGH
MINE SITE 3**

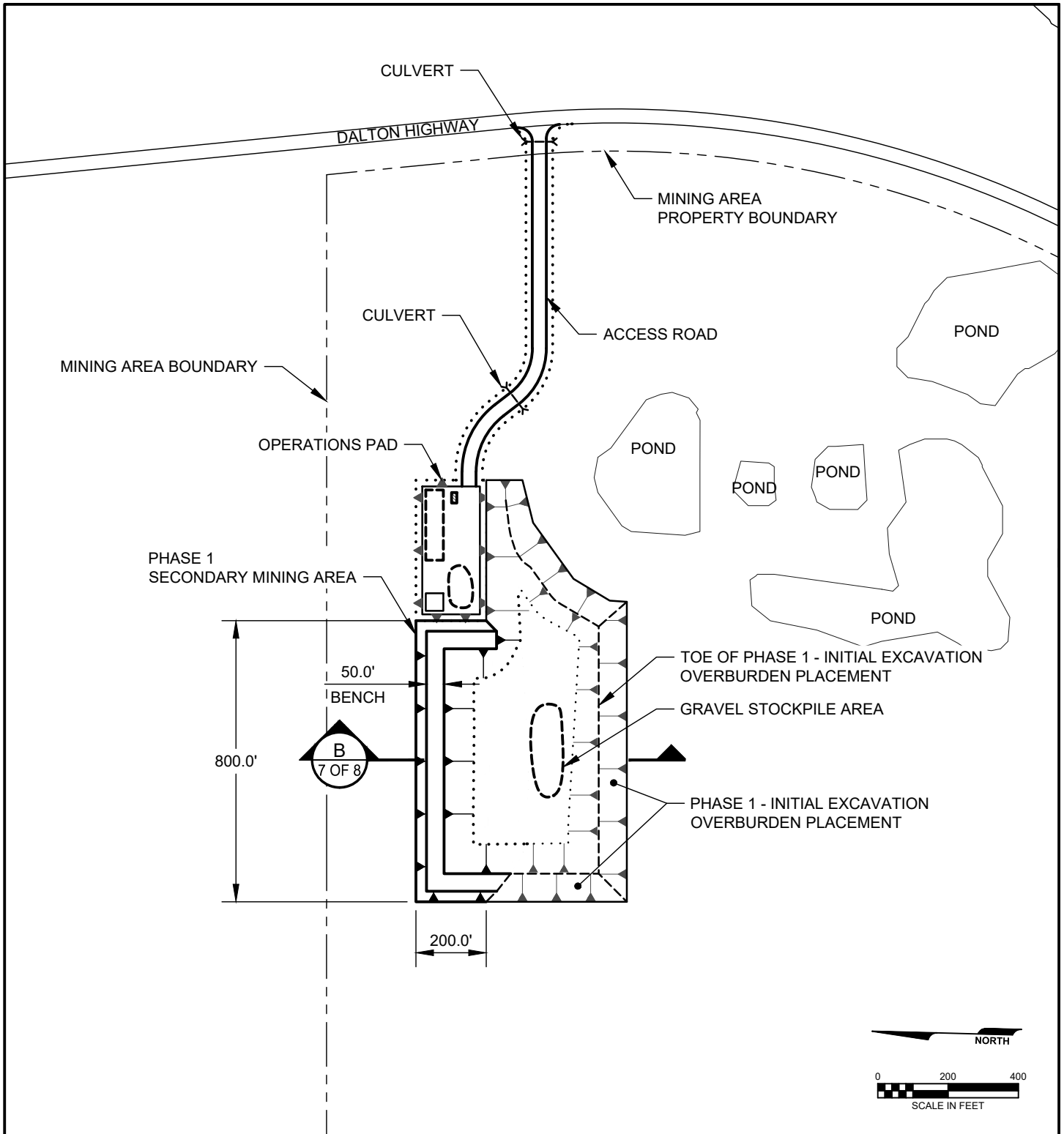
T10N, R14E, SEC 36
T10N, R15E, SEC 31

DATE: MAY 2019 SHEET: 3 OF 8

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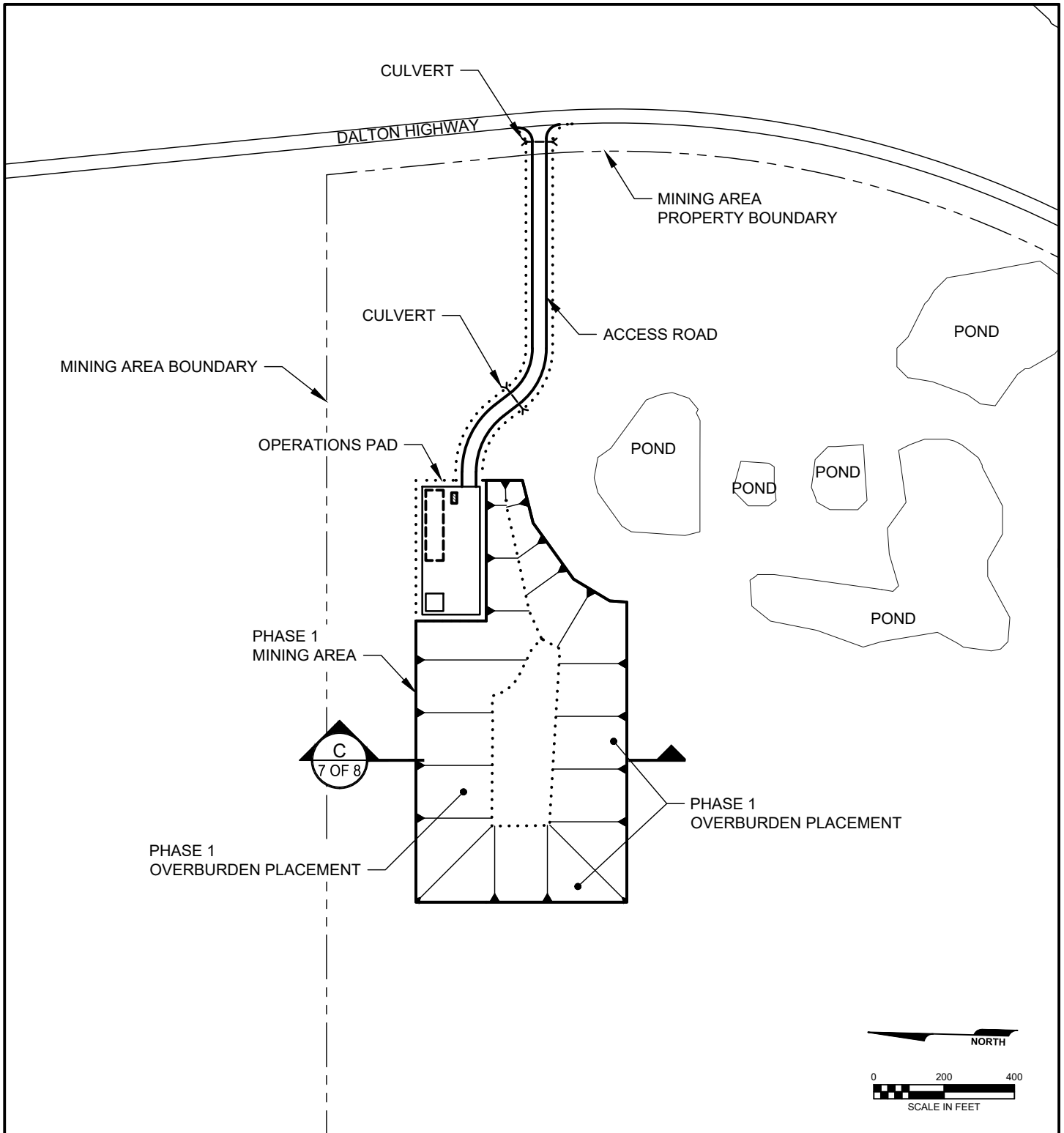


PURPOSE: GRAVEL MINING OPERATIONS	PHASE 1 INITIAL MINING PLAN		NORTH SLOPE BOROUGH MINE SITE 3	
	APPLICANT/AGENT: NORTH SLOPE BOROUGH			
ADJACENT PROPERTY OWNERS: STATE OF ALASKA	AGENT: UMIQA ENVIRONMENTAL 6700 ARCTIC SPUR ROAD ANCHORAGE, ALASKA 99516		T10N, R14E, SEC 36 T10N, R15E, SEC 31	
			DATE: MAY 2019	SHEET: 4 OF 8



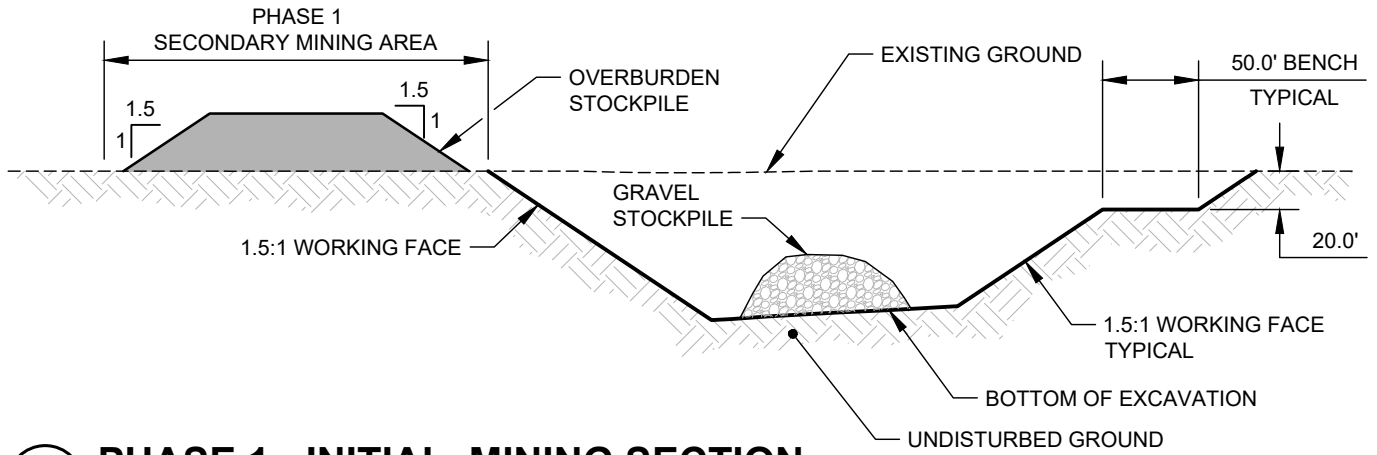
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 PRINTED: 05/07/2019 09:01 margaret.hinz-neason LAYOUT: Layout 5 XREFS: 70261_3 BASE MAP.DWG IMAGES: None

<p>PURPOSE: GRAVEL MINING OPERATIONS</p> <p>ADJACENT PROPERTY OWNERS: STATE OF ALASKA</p>	<p>PHASE 1 SECONDARY MINING PLAN</p> <p>APPLICANT/AGENT: NORTH SLOPE BOROUGH</p> <p>AGENT: UMIAQ ENVIRONMENTAL 6700 ARCTIC SPUR ROAD ANCHORAGE, ALASKA 99516</p>	<p>NORTH SLOPE BOROUGH MINE SITE 3</p> <p>T10N, R14E, SEC 36 T10N, R15E, SEC 31</p> <p>DATE: MAY 2019 SHEET: 5 OF 8</p>
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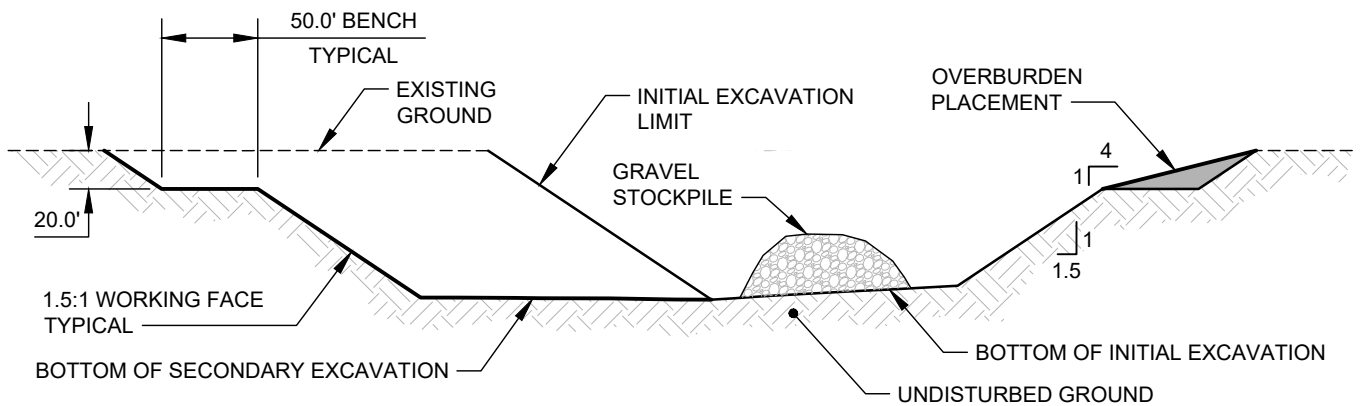


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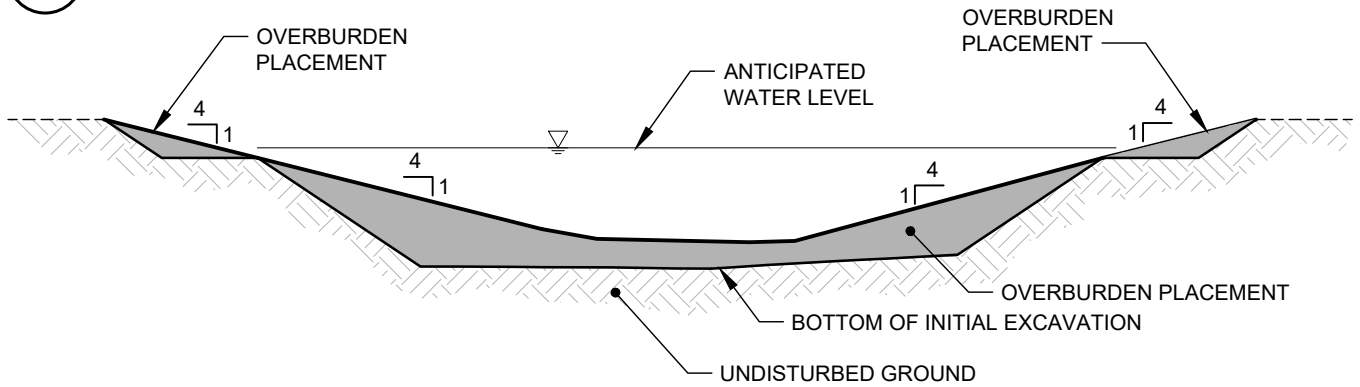
PURPOSE: GRAVEL MINING OPERATIONS	PHASE 1 RECLAMATION PLAN		NORTH SLOPE BOROUGH MINE SITE 3	
	APPLICANT/AGENT: NORTH SLOPE BOROUGH			
ADJACENT PROPERTY OWNERS: STATE OF ALASKA	AGENT: UMIQA ENVIRONMENTAL 6700 ARCTIC SPUR ROAD ANCHORAGE, ALASKA 99516		T10N, R14E, SEC 36 T10N, R15E, SEC 31	
			DATE: MAY 2019	SHEET: 6 OF 8



A PHASE 1 - INITIAL MINING SECTION
 7 OF 8 SCALE: NONE



B PHASE 1 - SECONDARY MINING SECTION
 7 OF 8 SCALE: NONE



C PHASE 1 - RECLAMATION SECTION
 7 OF 8 SCALE: NONE

PURPOSE:
 GRAVEL MINING OPERATIONS

ADJACENT PROPERTY OWNERS:
 STATE OF ALASKA

TYPICAL SECTIONS

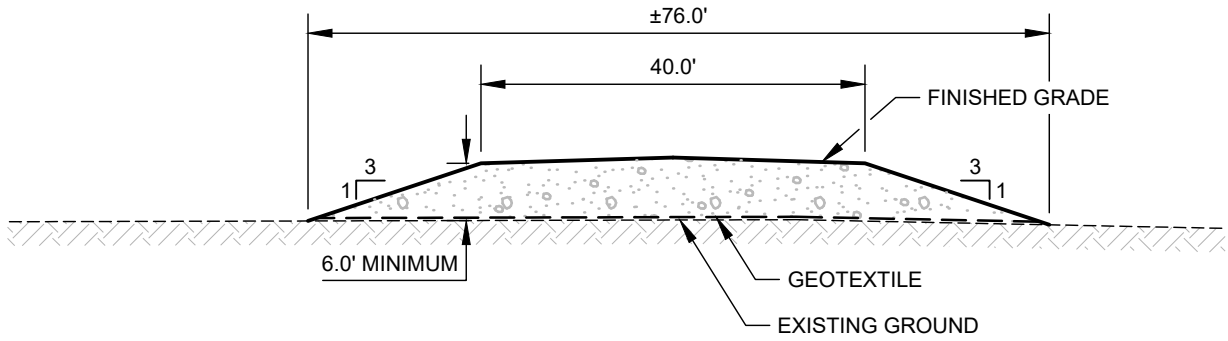
APPLICANT/AGENT:
 NORTH SLOPE BOROUGH

AGENT:
 UMIQA ENVIRONMENTAL
 6700 ARCTIC SPUR ROAD
 ANCHORAGE, ALASKA 99516

**NORTH SLOPE BOROUGH
 MINE SITE 3**

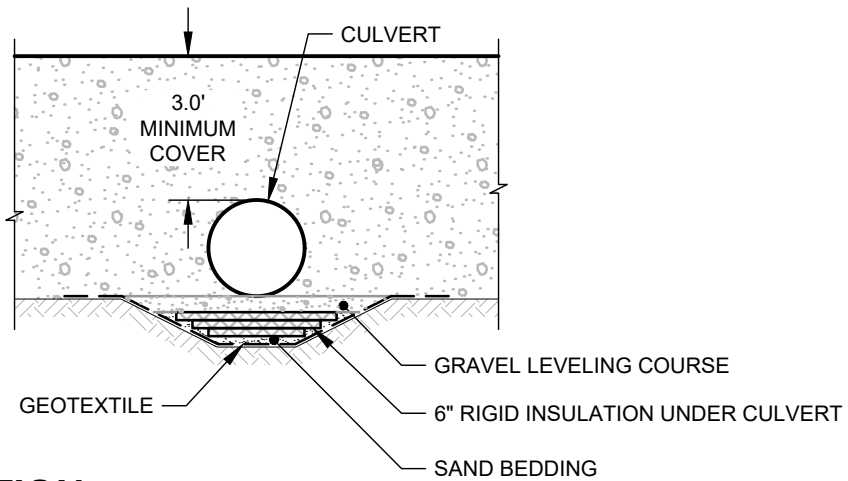
T10N, R14E, SEC 36
 T10N, R15E, SEC 31

DATE: MAY 2019 SHEET: 7 OF 8



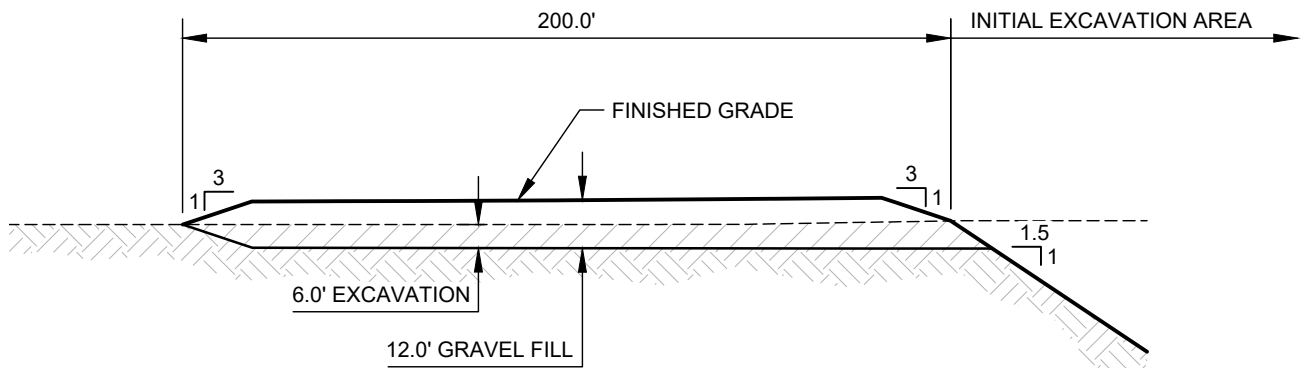
D OPERATIONS PAD ACCESS ROAD SECTION

8 OF 8 SCALE: NONE



E CULVERT SECTION

8 OF 8 SCALE: NONE



F OPERATIONS PAD SECTION

8 OF 8 SCALE: NONE

PURPOSE:
GRAVEL MINING OPERATIONS

ADJACENT PROPERTY OWNERS:
STATE OF ALASKA

TYPICAL ROAD SECTIONS

APPLICANT/AGENT:
NORTH SLOPE BOROUGH

AGENT:
UMIAQ ENVIRONMENTAL
6700 ARCTIC SPUR ROAD
ANCHORAGE, ALASKA 99516

**NORTH SLOPE BOROUGH
MINE SITE 3**

T10N, R14E, SEC 36
T10N, R15E, SEC 31

DATE: MAY 2019 SHEET: 8 OF 8



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Environmental
Conservation

DIVISION OF WATER
Wastewater Discharge Authorization Program

555 Cordova Street
Anchorage, Alaska 99501-2617
Main: 907.269.6285
Fax: 907.334.2415
www.dec.alaska.gov/water/wwdp

March 30, 2018

North Slope Borough (NSB)
Attention: Mr. Gordon Brower
P.O. Box 69
Utqiagvik, AK 99723

Re: North Slope Borough, Gravel Mine Site 3
POA-2017-427, Sagavanirktok River

Dear Mr. Brower:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation (DEC) is issuing the enclosed Certificate of Reasonable Assurance for placement of dredged and/or fill material in waters of the U.S., including wetlands and streams, associated with the development of a new gravel mine site (Mine Site 3) near Prudhoe Bay, Alaska.

DEC regulations provide that any person who disagrees with this decision may request an informal review by the Division Director in accordance with 18 AAC 15.185 or an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340. An informal review request must be delivered to the Director, Division of Water, 555 Cordova Street, Anchorage, AK 99501, within 15 days of the permit decision. Visit <http://dec.alaska.gov/commish/ReviewGuidance.htm> for information on Administrative Appeals of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, AK 99811-1800, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

By copy of this letter we are advising the U.S. Army Corps of Engineers of our actions and enclosing a copy of the certification for their use.

Sincerely,

A handwritten signature in black ink that reads "James Ryplkema".

James Ryplkema
Program Manager, Storm Water and Wetlands

Enclosure: 401 Certificate of Reasonable Assurance

cc: (with encl.)
Mary Romero, USACE, Anchorage
Emily McDonald, UMIAQ Environmental

Jack Winters, ADF&G
USFWS Field Office Fairbanks
Matt LaCroix, EPA Operations, Anchorage

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CERTIFICATE OF REASONABLE ASSURANCE

In accordance with Section 401 of the Federal Clean Water Act (CWA) and the Alaska Water Quality Standards (18 AAC 70), a Certificate of Reasonable Assurance, is issued to North Slope Borough (NSB), Attention: Mr. Gordon Brower, at P.O. Box 69, Utqiagvik, AK 99723, for placement of dredged and/or fill material in waters of the U.S. including wetlands and streams in association with the development of a new gravel mine site (Mine Site 3 – Phase I and Phase II) near Prudhoe Bay, Alaska.

NSB is proposing the development of a new gravel mine site (to be called Mine Site 3) within the Prudhoe Bay area; current permitting is for Phase I to impact 24.7 acres (temporary and permanent) of wetlands.

Phase I includes the construction of a 1080-foot long by 75-foot wide (1.85 acres) access road; a 418.2-foot long by 218.2-foot wide (2.1 acres) operations pad used to stockpile gravel, house the operations office, an explosives connex storage area, and equipment storage; and the mechanized land clearing of a mostly rectangular shaped area, a portion would be 782-foot long by 600-foot wide and directly abut an almost triangular shaped section approximately 566-foot long by 400-foot wide by 400-foot wide (12.74 acres). Two temporary overburden stockpile areas would be created, one on the north side would be 1200-foot long by 208-foot wide and the one south of the mining area would be 843-foot long by 208-foot wide, for a temporary impact to 9.76 acres of wetlands. Permanent impacts for Phase I would be to 16.69 acres.

The general schedule of operations from start to closure consists of material extraction operations in multiple phases. The phasing windows may be modified somewhat depending on the market and material demand in the area. The estimated life of Phase I and II is 3.5 years each, should mining occur to a depth of 48'. Final reclamation of Phase I is expected to occur upon completion of Phase II, approximately seven years after the opening of Phase I.

A state issued water quality certification is required under Section 401 because the proposed activity will be authorized by a U.S. Army Corps of Engineers permit (POA-2017-427) and a discharge of pollutants to waters of the U.S. located in the State of Alaska may result from the proposed activity. Public notice of the application for this certification was given as required by 18 AAC 15.180 in the Corps Public Notice POA-2017-427 posted from December 6, 2017 to January 20, 2018.

The proposed activity is located within Sections 31 and 36, T. 10 N., R. 14 and 15 E., Umiat Meridian; Latitude 70.18305° N., Longitude -148.44805° W.; near Prudhoe Bay, Alaska.

The Department of Environmental Conservation (DEC) reviewed the application and certifies that there is reasonable assurance that the proposed activity, as well as any discharge which may result, will comply with applicable provisions of Section 401 of the CWA and the Alaska Water Quality Standards, 18 AAC 70, provided that the following additional measures are adhered to.

1. Reasonable precautions and controls must be used to prevent incidental and accidental discharge of petroleum products or other hazardous substances. Fuel storage and handling activities for equipment must be sited and conducted so there is no petroleum contamination of the ground, subsurface, or surface waterbodies.

2. During construction, spill response equipment and supplies such as sorbent pads shall be available and used immediately to contain and cleanup oil, fuel, hydraulic fluid, antifreeze, or other pollutant spills. Any spill amount must be reported in accordance with Discharge Notification and Reporting Requirements (AS 46.03.755 and 18 AAC 75 Article 3). The applicant must contact by telephone the DEC Area Response Team for Northern Alaska at (907) 451-2121 during work hours or 1-800-478-9300 after hours. Also, the applicant must contact by telephone the National Response Center at 1-800-424-8802.
3. If the industrial activity of this project includes storm water discharges associated from mineral or metal mining, or open-cut gravel quarries, the permittee will need to obtain additional discharge coverage from an appropriate Alaska Pollutant Discharge Elimination System (APDES) permit. To determine if the project will require a Multi-Sector General Permit (MSGP) authorization, please see MSGP requirements at <http://dec.alaska.gov/water/wastewater/stormwater.aspx> and/or contact William Ashton, 907-269-6283, William.Ashton@alaska.gov for more information.
4. Construction equipment shall not be operated below the ordinary high water mark if equipment is leaking fuel, oil, hydraulic fluid, or any other hazardous material. Equipment shall be inspected and recorded in a log on a daily basis for leaks. If leaks are found, the equipment shall not be used and pulled from service until the leak is repaired.
5. All work areas, material access routes, and surrounding wetlands involved in the construction project shall be clearly delineated and marked in such a way that equipment operators do not operate outside of the marked areas.
6. Natural drainage patterns shall be maintained, to the extent practicable, without introducing ponding or drying.
7. Excavated or fill material, including overburden, shall be placed so that it is stable, meaning after placement the material does not show signs of excessive erosion. Indicators of excess erosion include: gulying, head cutting, caving, block slippage, material sloughing, etc. The material must be contained with siltation best management practices (BMPs) to preclude reentry into any waters of the U.S., which includes wetlands.
8. Include the following BMPs to handle storm water and total storm water volume discharges as they apply to the site:
 - a. Divert storm water from off-site around the site so that it does not flow onto the project site and cause erosion of exposed soils;
 - b. Slow down or contain storm water that may collect and concentrate within a site and cause erosion of exposed soils;
 - c. Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.
9. Fill material must be clean sand, gravel or rock, free from petroleum products and toxic contaminants in toxic amounts.

10. Any disturbed ground and exposed soil not covered with fill must be stabilized and re-vegetated with endemic species, grasses, or other suitable vegetation in an appropriate manner to minimize erosion and sedimentation, so that a durable vegetative cover is established in a timely manner.

This certification expires five (5) years after the date the certification is signed. If your project is not completed by then and work under U.S Army Corps of Engineers Permit will continue, you must submit an application for renewal of this certification no later than 30 days before the expiration date (18 AAC 15.100).

Date: March 30, 2018



James Rypkema, Program Manager
Storm Water and Wetlands



United States Department of the Interior
U.S. FISH AND WILDLIFE SERVICE
Fairbanks Fish and Wildlife Field Office
101 12th Avenue, Room 110
Fairbanks, Alaska 99701
December 26, 2017



Mary Romero
Project Manager
U.S. Army Corps of Engineers
Alaska District Regulatory Division
Elmendorf Air Force Base, AK 99506

Re: POA-2017-427
Mine Site 3

Dear Ms. Romero:

Thank you for inquiring about endangered and threatened species and critical habitats pursuant to section 7 of the Endangered Species Act of 1973 (ESA), as amended.

Introduction

We understand the U.S. Army Corps of Engineers Alaska District (USACE) has received an application under section 404 of the Clean Water Act (33 U.S.C. 1344) for the North Slope Borough (NSB) to conduct gravel excavation and extraction at Mine Site 3 in the Prudhoe Bay Unit south of Deadhorse, Alaska (Figure 1). Based on the project description, the proposed action meets the criteria for coverage under the Service's Programmatic Biological Opinion (BO) for wetland impacts on the North Slope (USFWS 2016a). This BO describes the effects of projects involving wetland impacts on threatened spectacled eiders (*Somateria fischeri*), Alaska-breeding Steller's eiders (*Polysticta stelleri*), and polar bears (*Ursus maritimus*) pursuant to section 7 of the ESA.

The Service determined activities considered in the wetland impacts programmatic BO may affect, but are not likely to adversely affect polar bears. Although the activities may adversely affect spectacled and Steller's eiders, upon reviewing the status and environmental baseline of these species, and analysis of potential effects of the proposed activities, the Service concluded the proposed actions are not likely to jeopardize the continued existence of listed eiders. Project-specific coverage under this programmatic BO is limited to:

1. Projects located north of 69.9° 00'N on the North Slope of Alaska:
 - o with impacts to waters of the U.S. (including wetlands) between the Colville and Canning Rivers, requiring Section 10 of the Rivers and Harbors Act of 1899 (Section 10), and/or Section 404 of the Clean Water Act (Section 404) permits from the USACE; or

- with any land use authorizations on BLM-managed lands in the National Petroleum Reserve, Alaska (NPR-A), excluding the Barrow Triangle (defined as the area north of 70.8° 00'N, between Dease Inlet and the Chukchi Sea).
2. Projects involving gravel extraction or placement for construction or expansion of infrastructure; and
 3. Within the 2016 and 2017 calendar years.

Proposed actions including new processing facilities, or those consuming more than 30% of the total estimated impact area (1.2 km²), do not meet the conditions for coverage under the programmatic BO and require separate ESA consultation.

Minimization Measures

To minimize impacts to ESA listed species and other wildlife, USACE is including the following stipulations in permit authorizations for each project covered under the programmatic wetland impacts BO:

- Ground disturbing activity will not occur from June 1 through July 31;
- Project components will not include overhead wires or guyed towers;
- Design features will be incorporated into facility lighting (shielding to reduce outward-radiating light) to decrease the potential for bird strikes;
- Applicants will be required to develop and have in place, appropriate spill prevention and response plans; and
- A project-specific wildlife interaction plan, including polar bear avoidance and interaction guidelines, would be developed; or the applicant would agree to adopt the Service's *Polar Bear Interaction Guidelines* prior to conducting field activities.

Proposed Action

Based on information provided by USACE, during development of Phase 1, about 12.74 acres (0.05 km²) of tundra wetlands would be excavated with an additional combined 9.76 acres (0.04 km²) for overburden stockpile (Figure 2). Development of Phase 2 would involve excavation of 16.53 acres (0.07 km²) of tundra wetlands plus an additional 11.46 acres (0.05 km²) for overburden stockpile. Finally, a 1.85 acre (0.007 km²) gravel access road and 2.1 acre (0.008 km²) operations pad would be constructed between the Dalton highway and Phase 1 (Figure 2). The proposed work is expected to begin in early 2018¹ and development of each phase is expected to require 3–5 years. Construction of the access road would occur during the first winter season with material from Mine Site 3 accessed via tundra travel, or from another permitted source. Blasting for excavation would occur in winter months, and no activity on undisturbed tundra would occur from June 1 through July 31. The operations pad and excavation sites would be lit by light plants powered by on-site generators.

Project effects to listed eiders

Cumulative effects of projects involving wetland impacts on listed eiders were considered in the programmatic BO (USFWS 2016); however we provide a project-specific analysis of direct and

¹ The proposed project, which is receiving consultation under the 2016 programmatic BO, is forecast to endure longer than the period covered by this BO (2016-2017 calendar years). However, we anticipate the Service will either replace the current BO with a subsequent programmatic BO, or extend the effective date of the current BO. Therefore, we consider impacts of this project to be covered by the existing 2016 programmatic BO or future BOs issued by the Service.

indirect effects to spectacled eiders below, as well as an explanation of how these effects relate to the programmatic BO. Because Steller's eiders are rarely observed on the eastern Arctic Coastal Plain in Alaska, and nesting has not been documented there in recent decades, we do not expect Steller's eiders to nest in or near the action area. Therefore, we expect effects of the proposed project on Alaska-breeding Steller's eiders would be insignificant.

Direct effects are those that occur when there is an immediate effect on listed species or habitat (e.g., excavation of gravel from wetland habitat). Indirect effects are caused by or result from the proposed action and may occur outside the directly affected area (e.g., disturbance resulting in nest abandonment). However, we expect a subset of the new disturbance area (i.e., zone of influence) would be subsumed by the existing zone of influence of the Dalton Highway (Figure 2). Furthermore, because ground disturbing activities would be completed outside the period when listed eiders nest (June 1 - July 31), disturbance of nesting females, eggs, or young broods from construction of gravel infrastructure would be unlikely.

Nonetheless, direct permanent habitat loss would occur from excavation of gravel from a total of about 0.23 km² of tundra wetlands. Broadscale aerial surveys conducted in multiple years allow us to estimate how average density of spectacled eiders varies across the landscape (USFWS 2015). To estimate the likelihood of eiders occurring within the area of habitat loss, we multiplied the density of spectacled eider breeding pairs in the action area (0.009 eiders/km² or 0.0045 nests/km²) by the size of proposed mines site and associated disturbance footprint (0.72 km²). While acknowledging the imprecision of this calculation, this approach estimates a negligible impact to spectacled eider nesting habitat. Therefore, we expect the effect of habitat loss on nesting eiders would be insignificant.

Conclusion

The Service concludes the proposed action is not likely to adversely affect listed species because, 1) the applicant would adhere to the *Minimization Measures* described above, including the timing restriction intended to minimize take of nesting eiders, 2) effects to Steller's eiders are not anticipated, and 3) appreciable effects to spectacled eiders are not expected. Therefore, further consultation for the NSB's proposed development of Mine Site 3 under section 7 of the ESA is not necessary at this time.

Because we do not anticipate the proposed action will result in adverse effects to listed eiders, we have not enumerated or authorized incidental take. However, in the unlikely and unexpected event incidental take occurs, we will consider it to have been authorized under the programmatic BO because the project applicant has agreed to adhere to minimization measures proscribed in the programmatic BO. Therefore, any effects of the proposed project, combined with other actions considered under the programmatic BO, will fall within the limit of impacts evaluated and authorized between the 2016 and 2017 calendar years (71 spectacled eider nests, 1 Steller's eider nest, or a total directly affected area of 1,000 acres; USFWS 2016).

Although coverage of this project under the programmatic BO meets the obligation for consultation under the ESA, it does not preclude the requirement for project-specific assessment and appropriate mitigation under section 404 of the Clean Water Act. Therefore, USACE maintains responsibility for evaluating project-specific wetland impacts through discussions with the Service's Planning and Consultation branch, and determining appropriate mitigation for

individual permit applications under the 404 program. Thank you for the opportunity to comment on this project. If you need further assistance, please contact Kaithryn Ott at (907) 456-0277.

Sincerely,

 FOR Ted Swem
 Endangered Species Coordinator

Literature Cited

USFWS. 2015. 2012-2015 ACP aerial breeding pair waterbird survey. Waterfowl Branch, Migratory Bird Management, U.S. Fish and Wildlife Service, Anchorage, Alaska.

USFWS. 2016. Wetland impacts on the North Slope of Alaska: 2016 and 2017. Programmatic Biological Opinion. U.S. Fish and Wildlife Service, Fairbanks, Alaska. 55 pp.

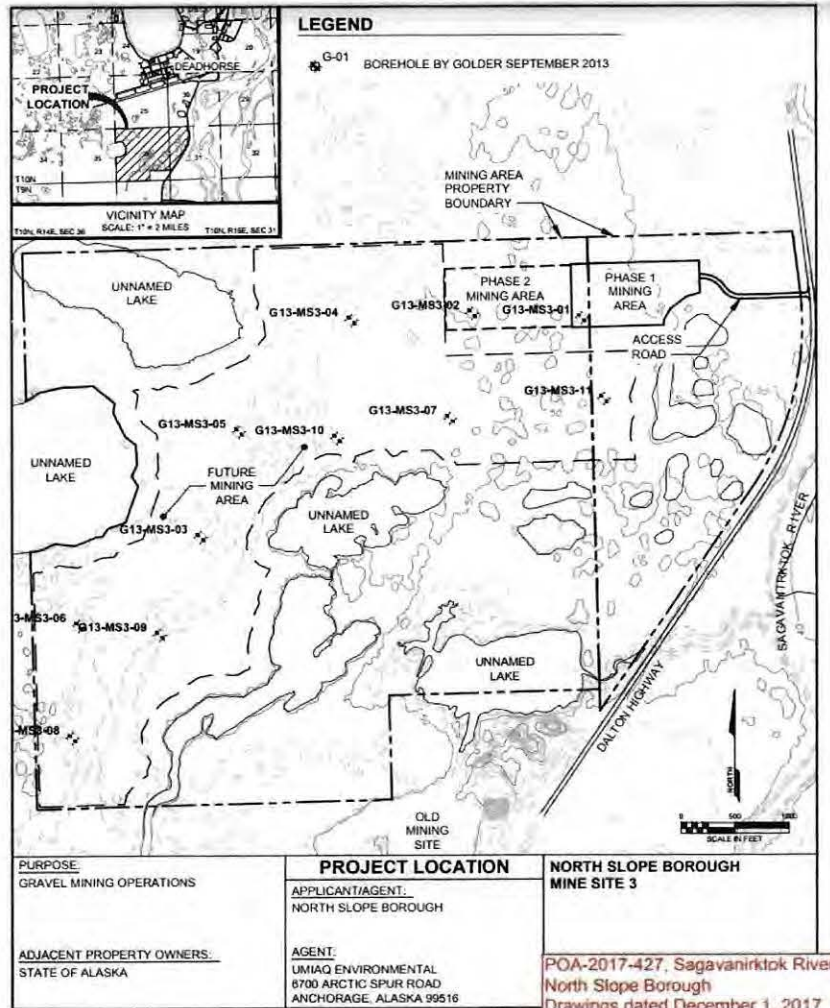


Figure 1. Location of the NSB's proposed Mine Site 3 in the Prudhoe Bay Unit south of Deadhorse, Alaska.

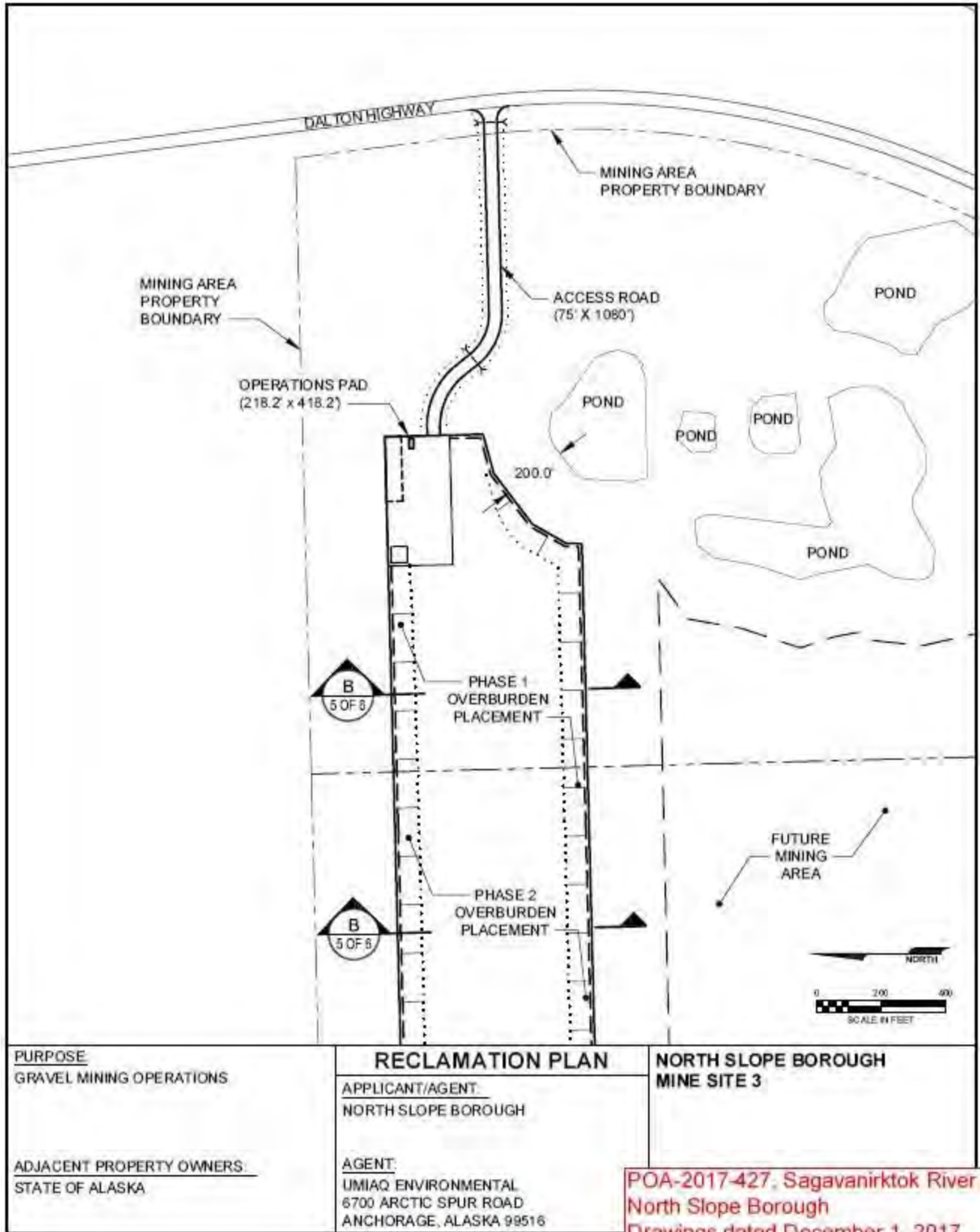


Figure 2. Detail of NSB's proposed Mine Site 3 development (Phases 1 and 2 only) in the Prudhoe Bay Unit south of Deadhorse, Alaska.

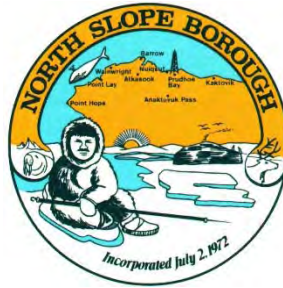
WETLANDS RECLAMATION PLAN

NORTH SLOPE BOROUGH MINE SITE 3 GRAVEL SOURCE

Deadhorse, Alaska

May 2019

Prepared for:



North Slope Borough
Department of Planning & Community Services

Prepared by:



6700 Arctic Spur Road
Anchorage, Alaska 99518
Tel. 907.677.8220 / FAX 907.273.1831

PROJECT DESCRIPTION

The North Slope Borough (NSB) has acquired the Mine Site 3 property from the State of Alaska under the Municipal Land Selection process. Mine Site 3 is located on the Dalton Highway at approximately Mile Post 412, just north of the Alaska Department of Transportation and Public Facilities (ADOT&PF) Mine Site 102, and south of the Deadhorse Airport. Geotechnical investigations have been completed at this site, and the material is of a quality and quantity to make the mining development worthwhile.

The NSB's intent is to develop Mine Site 3 as a regional source for gravel and other materials. NSB will select an operator for the site, and the development will follow the approved Mining and Reclamation Plan. The operator will be responsible for site development and management of others that may utilize the resources of the site.

MITIGATION SEQUENCE

Wetland mitigation for this project is proposed in accordance with the U.S. Army Corps of Engineers (USACE) and the Environmental Protection Agency (EPA) Memorandum of Agreement (MOA) *Mitigation Sequence for Wetlands in Alaska under Section 404 of the Clean Water Act*, signed 15 June 2018. The first step of the mitigation sequence is avoidance of wetlands, followed by minimization of impacts to wetlands, and finally compensatory mitigation for unavoidable impacts to wetlands.

The MOA recognizes the following guiding principles:

1. Avoiding wetlands may not be practicable where there is high proportion of land in a watershed or region which is jurisdictional wetlands;
2. Restoring, enhancing, or establishing wetlands for compensatory mitigation may not be practicable due to limited availability of sites and/or technical or logistical limitations;
3. Compensatory mitigation over a larger watershed scale may be appropriate given compensation options are frequently limited at a similar watershed scale;
4. Where a large proportion of land is under public ownership, compensatory mitigation opportunities may be available on public land;
5. Out-of-kind compensatory mitigation may be appropriate when it better serves the aquatic resource needs of the watershed; and
6. Applying a less rigorous permit review for small projects with minor environmental impacts is consistent with the Section 404 program regulations.

AVOIDANCE MEASURES

The NSB has a long history of environmental stewardship on their lands. Protection of lands and waters for wildlife and subsistence purposes are of high importance, and the intent to reduce impact is codified in their Municipal Code of Ordinances §19.70: Borough Policies. As presented in their municipal code, goals are to avoid fragmentation of lands by industry as well as advocate for upland material sources whenever possible to protect streambeds and fish habitat¹. The NSB uses a holistic approach to land management by supporting and pursuing a regional development plan for material sites.

While upland material sources are preferred, they are not always available. This project has been designed to avoid high value waterbodies including the Sagavanirktok (Sag) River. Unfortunately, there is no alternative location for Mine Site 3 which would comply with NSB code and avoid wetlands entirely. Avoidance measures included a geotechnical exploration to help properly locate the resource.

¹ §19.70.050 Coastal Management and Area-Wide Policies.

Avoidance measures include geotechnical drilling to properly locate the resource and slope stabilization measures to avoid impacting surrounding wetlands.

GEOTECHNICAL EXPLORATION

Borehole data collected from Mine Site 3 revealed deep depths of quality gravel in this area. It is anticipated that the gravel resource at Mine Site 3 is at least 70 feet deep. Due to deep depths of quality gravels in this area realized through the geotechnical exploration, Mine Site 3 development is would occur in Phase I only at this time.

MINIMIZATION MEASURES

The Operator, who will be responsible for management of the site, will post the USACE permit conspicuously onsite. Limits of material extraction will be clearly staked by the operator prior to blasting. Periodically throughout the extraction phase, stakes will be maintained to ensure excavation limits are clearly staked. In addition, minimization of impact was incorporated into the Mine Site 3 proposed operational practices for overburden management, erosion and sediment control, and reclamation for site stability.

OVERBURDEN MANAGEMENT

The overburden consists of organics, one to two feet, underlain with ice rich silt and sandy silt overburden layer, 2-9 feet in depth. The average overburden layer is about 6 feet thick at this site. The volume of overburden from Phase 1 is estimated at 103,300 cubic yards (cy).

Overburden from Phase 1 will be pushed into berms along the northerly 200 feet of the Phase 1 mining area westerly of the operations pad, onto a strip of land approximately 200 feet by 800 feet which will be mined later within Phase 1 development. The overburden stockpile will separate the organic from non-organics if significant volumes of each exist to be used in reclamation.

EROSION AND SEDIMENT CONTROL

Mining faces will be a maximum of 1.5H: 1V (horizontal to vertical) for slope stability, safety, and erosion control purposes. Horizontal stabilizing shelves 50 feet in width will be constructed at elevation -29 to provide slope stability. Any sediment that may be transported from the top of the material extraction cut slope will be collected on a stabilizing shelf or in the bottom of the pit and not carried offsite.

RECLAMATION FOR SITE STABILITY

As conditions allow in the initial phase of mining, stockpiled overburden will be pushed and/or hauled into areas where mining is complete. As the overburden is removed for reclamation, the overburden beneath the stockpile will also be stripped and used for reclamation in initial mined areas so that the underlying material can be mined as the secondary effort of Phase 1 operations.

Enough overburden and organics will be saved in the initial mined area to be used for reclamation of the secondary area after mining there is completed. If the organics are shallow they will be intermixed with other overburden and spread to facilitate vegetation of tundra during final reclamation. A stabilization shelf will be constructed at depth -29 feet from the surface around the final mined perimeter to hold the overburden when it is placed for reclamation. The location and width of the stabilization shelf is determined by matching the amount of overburden removed to the volume required to accomplish a 4:1 reclamation slope where the base of the reclamation material rests on the shelf to minimize sloughing after it is in place. Should there not be enough overburden to reach the bottom of the mined areas, the reclaimed slope will be steepened beyond the stabilization shelf. Final reclamation of the material site will be completed after

all mining seasons are completed. The excavated pits will gradually fill with water. The permanent access road and operations pad will remain in place for use during future expansion.

COMPENSATORY MITIGATION

The proposed Mine Site 3 development is a good example of the Alaska projects which USACE and the EPA described in the 2017 MOA: on site there are an abundance of wetlands, and unique circumstances exist such as the rural yet industrial setting in the project vicinity, and the frozen permafrost wetlands. Due to these circumstances the guiding principles presented in the MOA ring true. Avoiding wetlands is not practicable due to the high proportion of land in the region which is jurisdictional wetlands. Restoring, enhancing, or establishing wetlands within the watershed for compensatory mitigation is not possible, both due to the limited availability of sites and technical limitations associated with permafrost wetlands. Permafrost wetlands are either frozen or not, making them very difficult to replace once thawed or damaged. According to the MOA, "Compensation for impacts to these types of resources [permafrost wetlands] should be provided, if practicable, through in-kind rehabilitation, enhancement, or preservation since there is greater certainty these methods of compensation will successfully offset permitted impacts" (MOA 2017, page 6). Although the MOA's guiding principles state compensatory mitigation options may occur over a larger watershed scale, and/or on lands under public ownership may be appropriate, technical challenges limit in-kind mitigation opportunities of permafrost wetlands. Out-of-kind mitigation may include dust abatement on NSB gravel roadways or projects in nearby communities. Out-of-kind mitigation does not appear to serve the aquatic resources of the watershed impacted. As noted in the MOA, in Alaska minimization of impacts has been in many circumstances the only mitigation required. Proposed monitoring and reporting of onsite erosion and slope stability is outlined below.

PERFORMANCE STANDARDS

After reclamation of the developed mine site, gravel pit will gradually fill with water. This water reservoir could be used by industry to construct ice roads, to supplement drilling activities, and for dust control and watering measures to minimize impact to natural, fish bearing lakes. The NSB will offer water collected in the Phase 1 mining area to industry in the region for dust control and ice road construction.

REPORTING

The NSB will provide a final reclamation report to the Alaska DNR DMLW and USACE upon completion of reclamation of Phase 1. During all mining activities, annual inspections will be required by the Operator and will be made available to the Alaska DNR DMLW and sent to USACE at mary.r.romero@usace.army.mil and mitigationmanager@usace.army.mil. NSB field activities relating to their assets in Prudhoe Bay require periodic monitoring and reporting. Periodic updates (with aerial imagery and LIDAR data when available) will be made available to the Alaska DNR DMLW and USACE. Additional long-term monitoring of the reclaimed pits will occur as industry utilizes the water for ice road construction or other purposes.

ADAPTIVE MANAGEMENT

The NSB plans to take all steps necessary to ensure wetlands adjacent to Mine Site 3 are protected. Should monitoring and reporting show that one of these events is threatening an aquatic resource, the NSB will initiate adaptive management with USACE.

Mine Site 3 is intended to be a multi-year regional gravel source, and as such overburden and organic stockpiles will be available until final reclamation. Organic matter will be used to stabilize slopes and help promote vegetation growth. Adaptive management may include placement of organic mats or matter on areas showing a reduction in vegetation, and track walking, laying vegetative mats, or otherwise stabilizing slopes should sloughing occur.

LONG-TERM MANAGEMENT

The Mine Site 3 parcel will be managed to protect the surrounding lands in a wetland state. As sections are closed and reclaimed, and upon final reclamation, slopes will be stabilized by overburden and organic placement. A minimum 200' foot setback from the northern property line would remain to protect the adjacent parcel. Should the mine site remain as a freshwater source for industry, maintaining stable slopes and clean access for pumping will be the primary action for the NSB.



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

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

PUBLIC NOTICE DATE:	December 6, 2017
EXPIRATION DATE:	January 5, 2018
REFERENCE NUMBER:	POA-2017-427
WATERWAY:	Sagavanirktok 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 (PN) 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 PN to become part of the record and be considered in the decision. Please contact Mary Romero at (907) 753-2773, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at mary.r.romero@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mr. Gordon Brower, Post Office Box 69, Utqiagvik, Alaska 99723; phone, (907) 852-0320; Gordon.Brower@north-slope.org

AGENT: Ms. Emily McDonald, UMIAQ Environmental, 6700 Arctic Spur Road, Anchorage, Alaska 99518; (907) 677-8288, Emily.McDonald@UICUmiaq.com

LOCATION: The project site is located within Sections 31 & 36, T. 10 N., R. 14 & 15 E., Umiat Meridian; USGS Quad Map Beechey Point A-3; Latitude 70.18305° N., Longitude 148.44805° W.; near Prudhoe Bay, Alaska.

PURPOSE: The applicant’s stated purpose is to develop a regional material site providing gravel for industry need while reducing the number of material sources opening and closing to meet individual project needs.

PROPOSED WORK: The applicant is proposing the development of a new gravel mine site (to be called Mine Site 3) within the Prudhoe Bay area, the current proposal would impact a total of 54.44 acres of Palustrine emergent wetlands, although future plans may be proposed to expand the mine and could increase impacts up to a total of 299.7 acres of wetlands.

This proposal, to impact 54.44 acres of wetlands, would be completed in two phases:

Phase I would include the construction of a 1080’ long x 75’ wide (1.85 acres) access road; a 418.2’ long x 218.2’ wide (2.1 acres) operations pad which would be utilized to stockpile gravel, house the operations office, an explosives connex storage area, and equipment storage; and the mechanized land clearing of a mostly rectangular shaped area, a portion would be 782’ long x 600’ wide and directly abut an almost triangular shaped section approximately 566’ long x 400’ wide x 400’ wide (12.74 acres). Two temporary overburden stockpile areas would be created, one on the north side would be 1200’ long x 208’ wide and the one south of the mining area would be 843’ long x 208’ wide, for a temporary impact to 9.76 acres of wetlands. Permanent impacts for Phase I would be to 16.69 acres.

Phase II will be accessed by travelling through the Phase I extraction area. Phase II wetland impacts would occur from the mechanical clearing of an area 1200’ long x 600’ wide (16.53 acres). Two temporary overburden stockpile areas would be created, one would be on the north side and one on the south side, each would be 1200’ long x 208’ wide, for a temporary impact to 11.46 acres. The overburden stockpiles would be used in the reclamation of each phase of the pit upon closure. Permanent impacts for Phase II would be to 16.53 acres.

The phases will be multi-year mining efforts. It is anticipated that extraction will vary from year to year, depending on demand. The table below provides project footprint broken down by component:

Project Component	Acreage
Access Road	1.85
Operations Pad	2.10
Phase 1 Excavation	12.74
Phase 1 North Overburden Stockpile	5.73
Phase 1 South Overburden Stockpile	4.03
Phase 2 Excavation	16.53
Phase 2 North Overburden Stockpile	5.73
Phase 2 South Overburden Stockpile	5.73
Future Mining Area	245.26
TOTAL	299.7

All work would be performed in accordance with the enclosed plan (sheets 1-6), dated November 21, 2017.

ADDITIONAL INFORMATION:

The general schedule of operations from start to closure consists of material extraction operations in multiple phases. The phasing windows may be modified somewhat depending on the market and material demand in the area. The estimated life of Phase I and II is 3.5 years each, should mining occur to a depth of 48'. Final reclamation of Phase I is expected to occur upon completion of Phase II, approximately seven years after the opening of Phase I.

Blasting is anticipated to occur in winter months, and will be coordinated with activities at the Deadhorse Airport. Blasting window requirements would be adhered to.

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: By opening Mine Site 3 as an alternative to project-specific gravel sources, the North Slope Borough (NSB) will avoid the impact of additional sites being opened along the Dalton Highway, as well as new sites in Prudhoe Bay. Industrial development within the NSB requires approval from the NSB Planning Department. The NSB Planning Department is able to deny permits to build project-specific gravel sources or expand existing sources in accordance with their municipal code. Utilizing a regional gravel source is best for the environment and cheaper for industry than developing or expanding a gravel mine. To the extent possible, NSB will commit to denying permits for project-specific gravel mines in the Prudhoe Bay Region and work with industry to ensure gravel is obtained at a fair price from a regional gravel source.

b. Minimization: Measures to minimize the impact to wetlands and the overall footprint of the project were taken during the design stage. The proposed gravel operations pad will be dual-purpose: to provide room for equipment storage and stockpiling, and to provide access to the Phase 1 mining area. This removes the need for an additional access road to the mining area. Access to the Phase 2 mining area will utilize the bottom of the mined Phase 1 area in order to avoid additional impact. The operations pad is the smallest required size for the needs of the operator at Mine Site 3. Material will be partially stockpiled in the bottom of the mined areas to minimize the amount of space needed on the operations pad. In addition, the pad location was chosen in an area known to have good gravel, so after removing overburden a minimal amount of additional gravel will have to be placed to provide surface coursing. There is a Department of Transportation (DOT) gravel pit directly south of Mine Site 3, and the NSB understands the potential of minimizing impact by sharing services. NSB intends to work with DOT to share facilities and services when possible, such as utilizing the same dewatering site, monitoring reclamation processes or water recharge, if required. Mine Site 3 may also provide a basin for flood control of the Sag River in high flooding events.

After reclamation of the developed mine site, gravel pits will gradually fill with water. These water reservoirs can be used by industry to construct ice roads, to supplement drilling activities, and for dust control and watering measures to minimize impacts to natural, fish bearing lakes. The NSB will offer water collected in the mining area to industrial entities to water area roads for dust control. Final reclamation may include beneficial reuse of the developed mining site, such as a future monofill. A landfill at this site is not considered due to the proximity of the Deadhorse Airport. An important goal of the NSB in opening Mine Site 3 is to minimize overall impact to lands and waters created by the opening of multiple small, project-specific gravel sources with all the additional infrastructure and multiple access roads needed for those sites. The Mine Site 3 proximity to Prudhoe Bay oil and gas activities and the Dalton Highway will result in shorter haul routes, reducing emissions from trucks and dust pollution, as well as potential for wildlife interactions and tundra damage from off road events.

c. Compensatory Mitigation: Gravel is required for development, and it has been a long-term goal of the NSB to reduce the amount of land which is used for gravel mining across the North Slope. Mine Site 3 is primarily within the Lower Sag River/Frontal Beaufort Sea watershed, which is primarily tundra wetlands and has few opportunities for compensatory mitigation projects. NSB proposes to undertake a compensatory mitigation project(s) in a nearby community aimed at enhancing and/or restoring wetlands and wildlife habitat. Projects in nearby communities have a broad impact due to their visibility to community members and can teach about the importance of conservation. Although nearby communities are in separate watersheds, the wetland types, wildlife uses, and climate is similar among North Slope communities. Compensatory mitigation project ideas include subsistence trail marking or hardening, improvement of community roads to important public facilities, industrial and recreational impact reduction along the Dalton Highway, and dust abatement projects. Upon further research and coordination with USACE, NSB will propose a mitigation project or group of projects to compensate for the unavoidable impact to wetlands by this development.

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 complete project area. Consultation of the AHRs constitutes the extent of cultural resource investigations by the 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). 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. The Corps is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: The project area is within the known or historic range of the polar bear (*Ursus maritimus*), Steller's eider (*Polysticta stelleri*), and spectacled eider (*Somateria fischeri*).

We have determined the described activity may affect the polar bear, Steller's and spectacled eider. We have initiated the appropriate consultation procedures under section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service. 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).

No EFH species are known to use the project area.

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 PN 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 (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 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

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

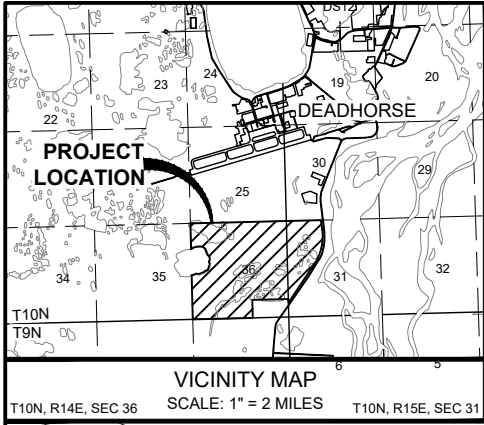
NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

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-2017-427, Sagavanirktok River**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

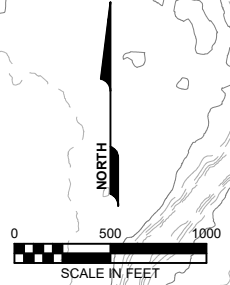
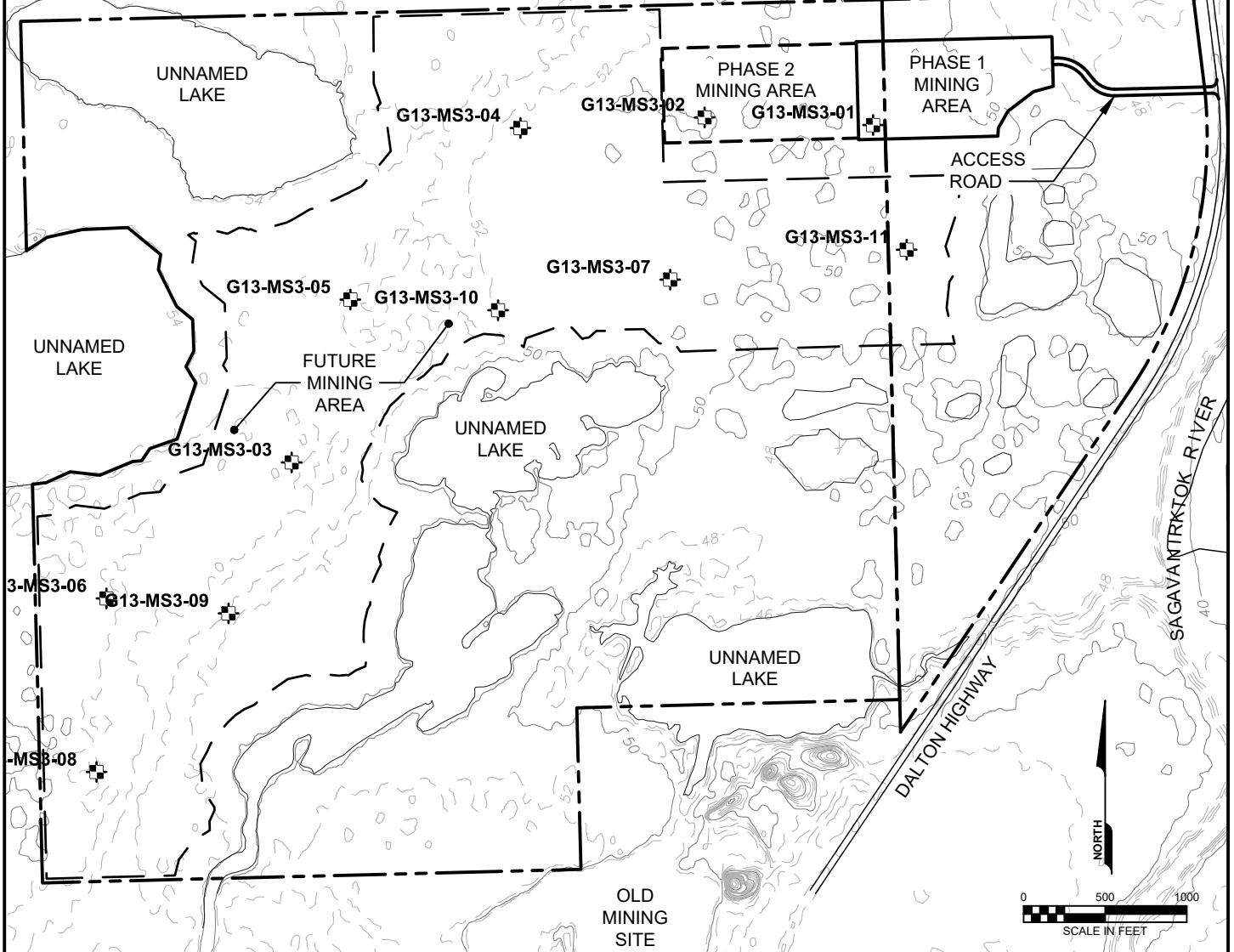
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

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.



LEGEND


G-01 BOREHOLE BY GOLDER SEPTEMBER 2013



PURPOSE:
GRAVEL MINING OPERATIONS

PROJECT LOCATION

APPLICANT/AGENT:
NORTH SLOPE BOROUGH

**NORTH SLOPE BOROUGH
MINE SITE 3**

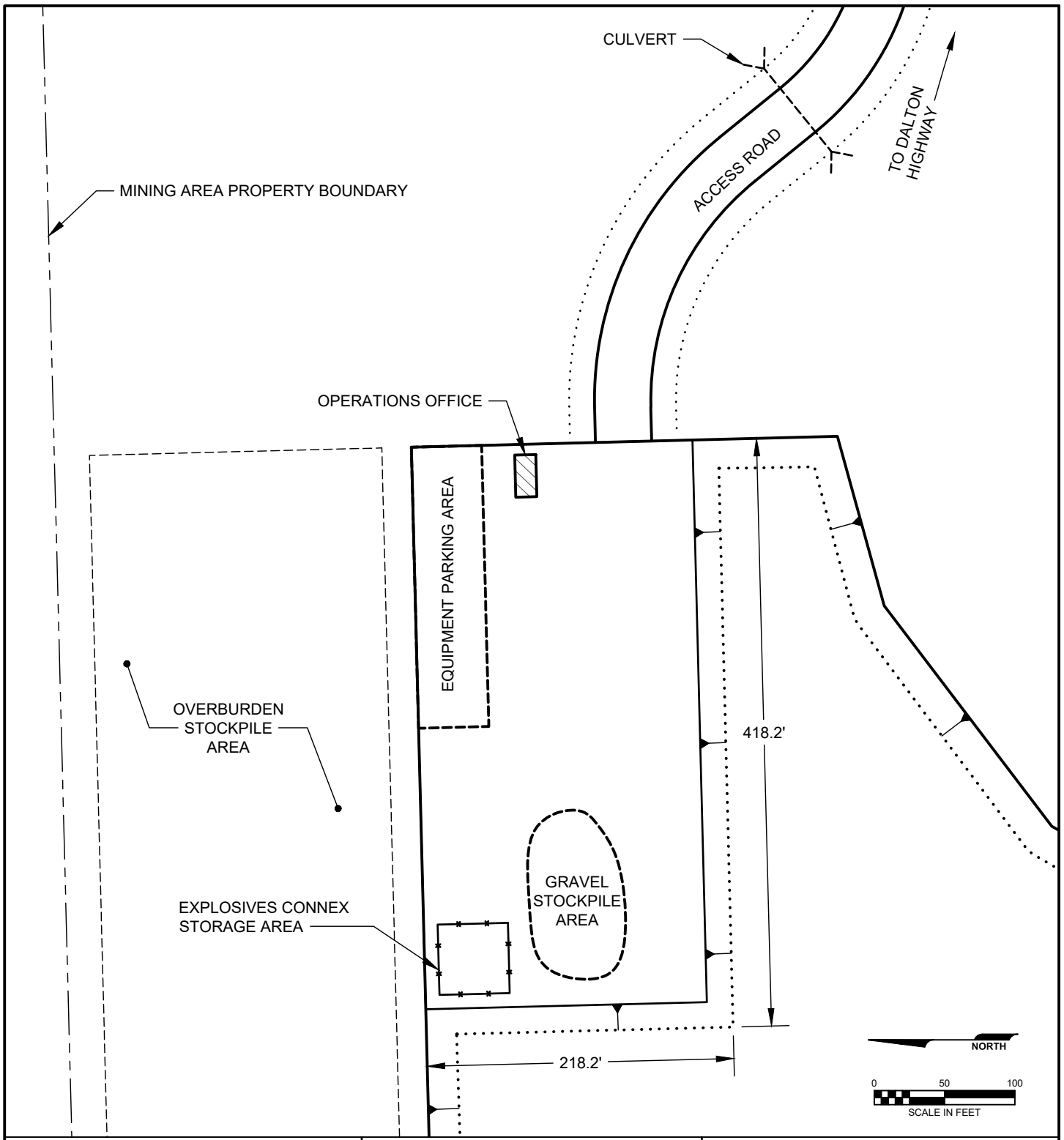
ADJACENT PROPERTY OWNERS:
STATE OF ALASKA

AGENT:
UMIAQ ENVIRONMENTAL
6700 ARCTIC SPUR ROAD
ANCHORAGE, ALASKA 99516

T10N, R14E, SEC 36
T10N, R15E, SEC 31

DATE: 11/13/2017 SHEET: 1 OF 6

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PURPOSE:
 GRAVEL MINING OPERATIONS

ADJACENT PROPERTY OWNERS:
 STATE OF ALASKA

OPERATIONS PAD LAYOUT

APPLICANT/AGENT:
 NORTH SLOPE BOROUGH

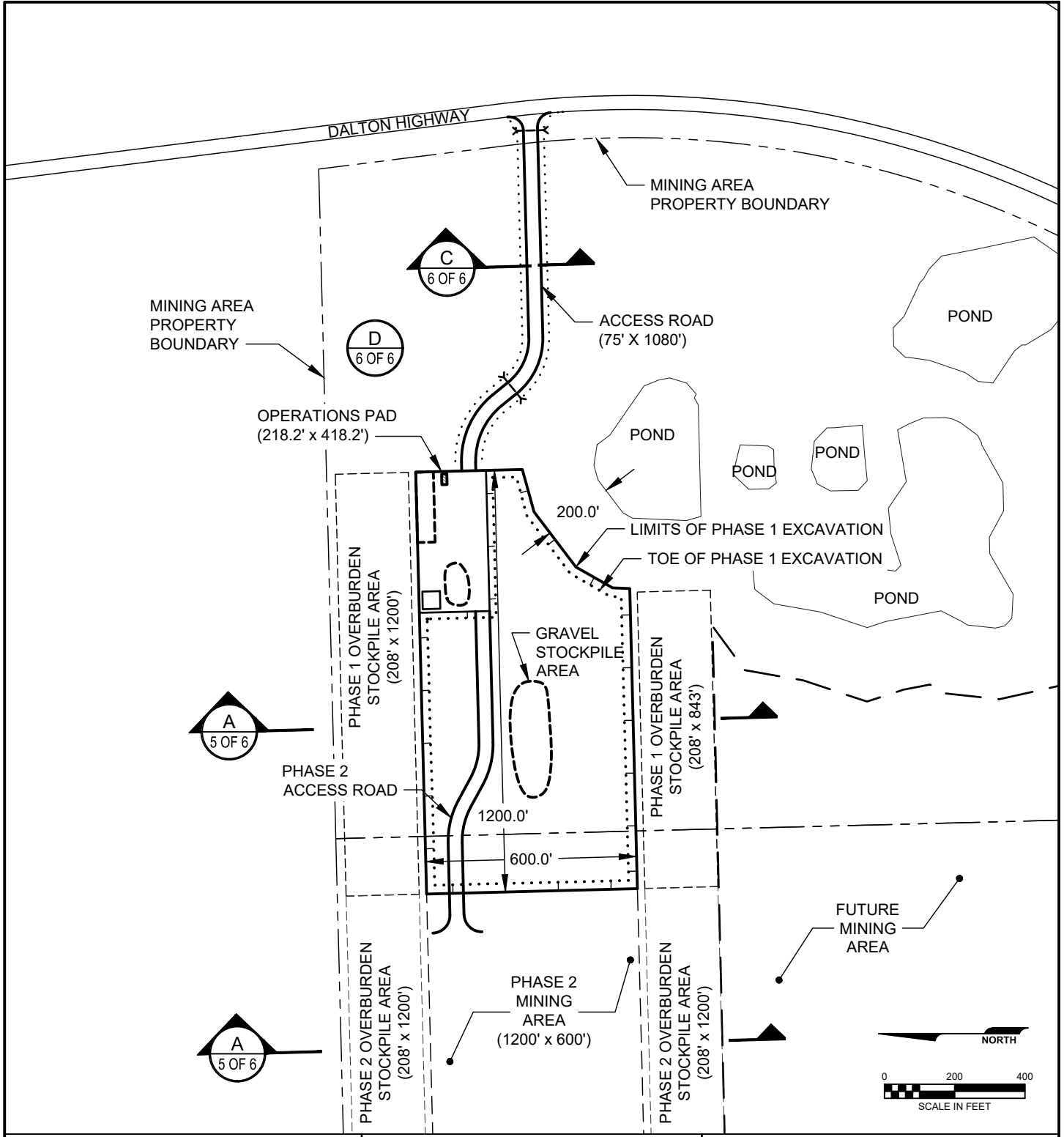
AGENT:
 UMIQ ENVIRONMENTAL
 6700 ARCTIC SPUR ROAD
 ANCHORAGE, ALASKA 99516

**NORTH SLOPE BOROUGH
 MINE SITE 3**

T10N, R14E, SEC 36
 T10N, R15E, SEC 31

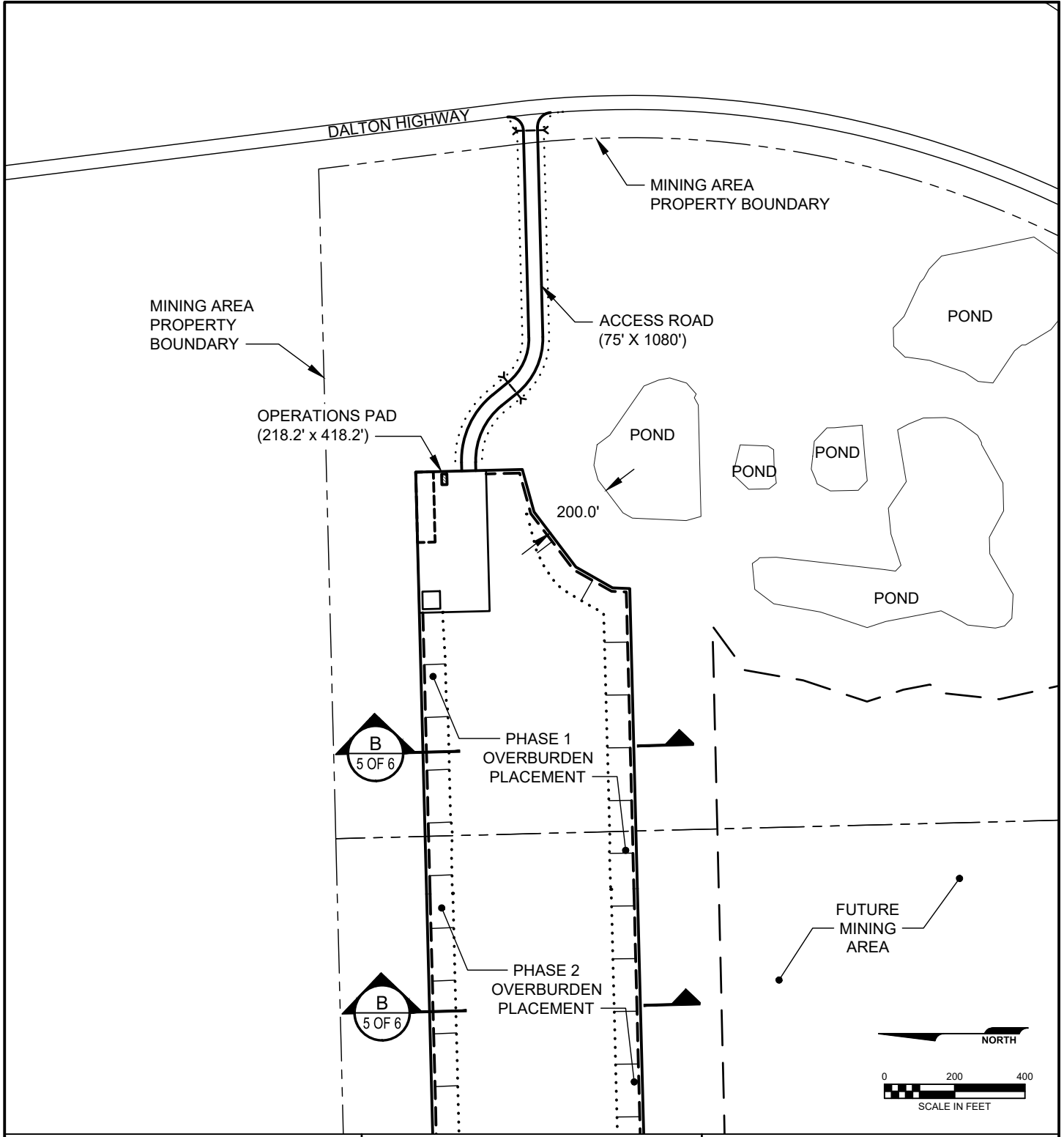
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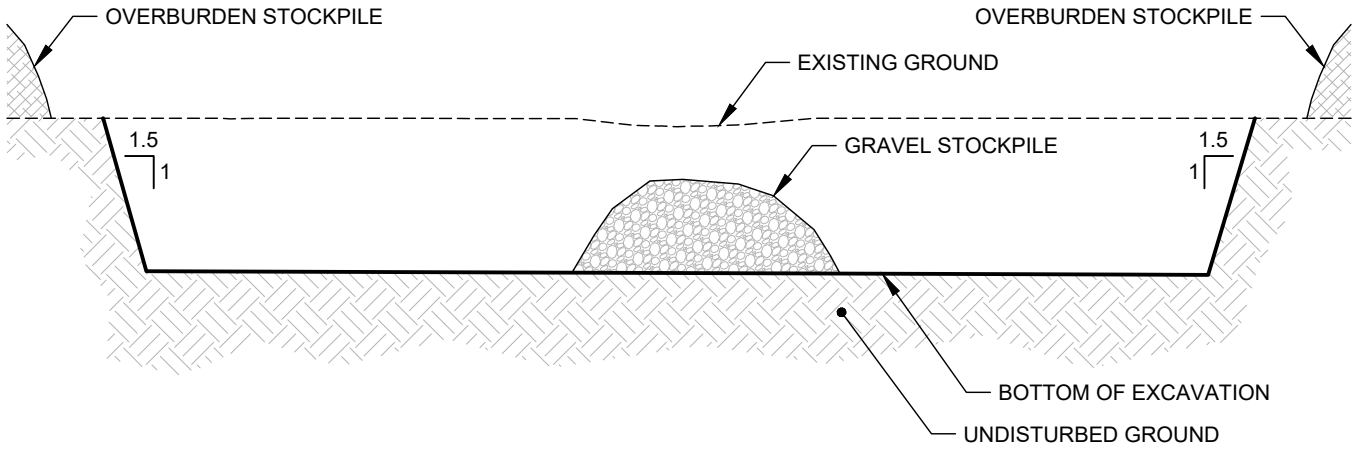


PURPOSE: GRAVEL MINING OPERATIONS	PHASE 1 MINING PLAN		NORTH SLOPE BOROUGH MINE SITE 3	
	APPLICANT/AGENT: NORTH SLOPE BOROUGH		AGENT: UMIQA ENVIRONMENTAL 6700 ARCTIC SPUR ROAD ANCHORAGE, ALASKA 99516	
ADJACENT PROPERTY OWNERS: STATE OF ALASKA	T10N, R14E, SEC 36 T10N, R15E, SEC 31		DATE: 11/29/2017	SHEET: 3 OF 6

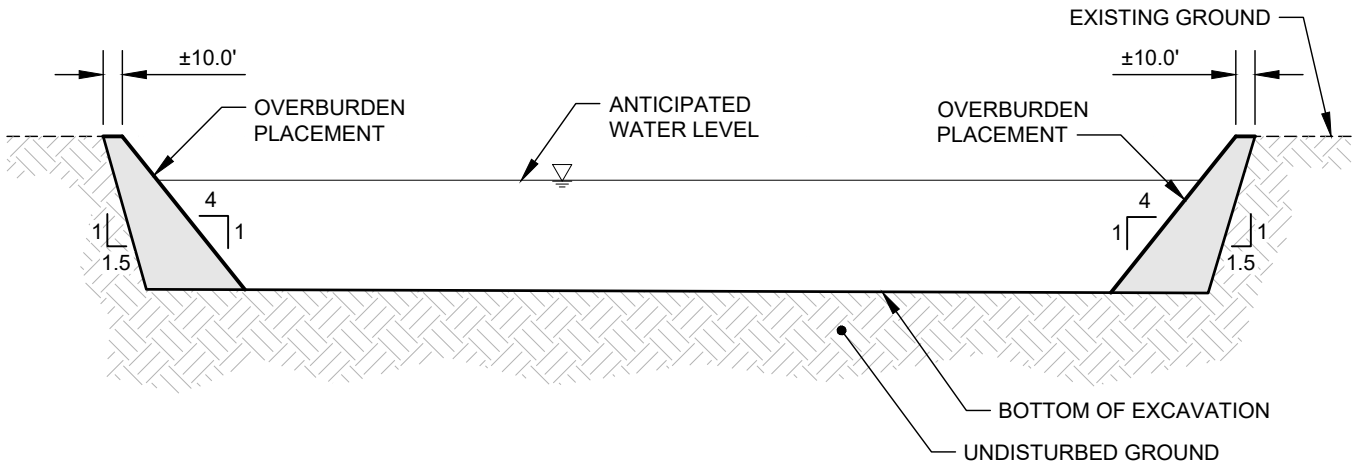
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 PRINTED: 11/29/2017 08:37 margaret.hinz-neason LAYOUT: Layout 4 XREFS: 70261_3 BASE MAP.DWG IMAGES: None



PURPOSE: GRAVEL MINING OPERATIONS	RECLAMATION PLAN		NORTH SLOPE BOROUGH MINE SITE 3	
	APPLICANT/AGENT: NORTH SLOPE BOROUGH		AGENT: UMIAQ ENVIRONMENTAL 6700 ARCTIC SPUR ROAD ANCHORAGE, ALASKA 99516	
ADJACENT PROPERTY OWNERS: STATE OF ALASKA	T10N, R14E, SEC 36 T10N, R15E, SEC 31		DATE: 11/29/2017	SHEET: 4 OF 6



A PHASES 1 & 2 MINING SECTION
 5 OF 6 SCALE: NONE



B RECLAMATION SECTION
 5 OF 6 SCALE: NONE

PURPOSE:
 GRAVEL MINING OPERATIONS

ADJACENT PROPERTY OWNERS:
 STATE OF ALASKA

TYPICAL SECTIONS

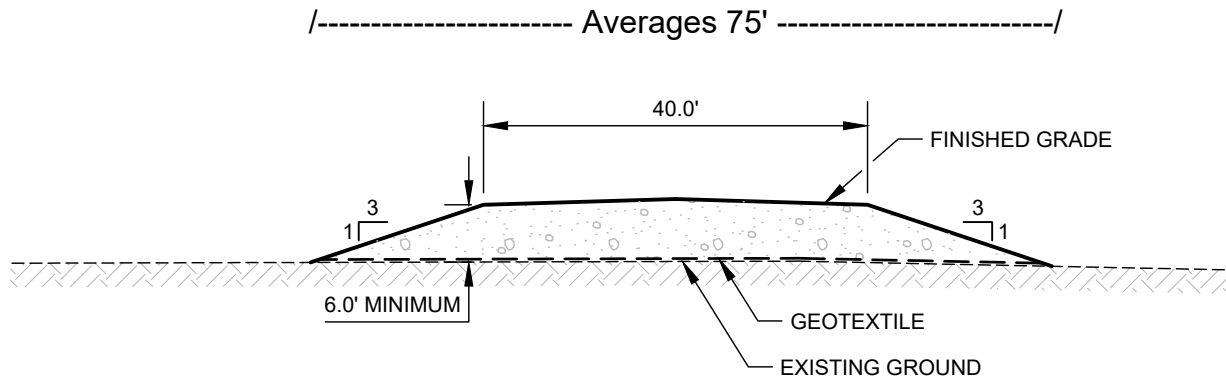
APPLICANT/AGENT:
 NORTH SLOPE BOROUGH

AGENT:
 UMIAQ ENVIRONMENTAL
 6700 ARCTIC SPUR ROAD
 ANCHORAGE, ALASKA 99516

**NORTH SLOPE BOROUGH
 MINE SITE 3**

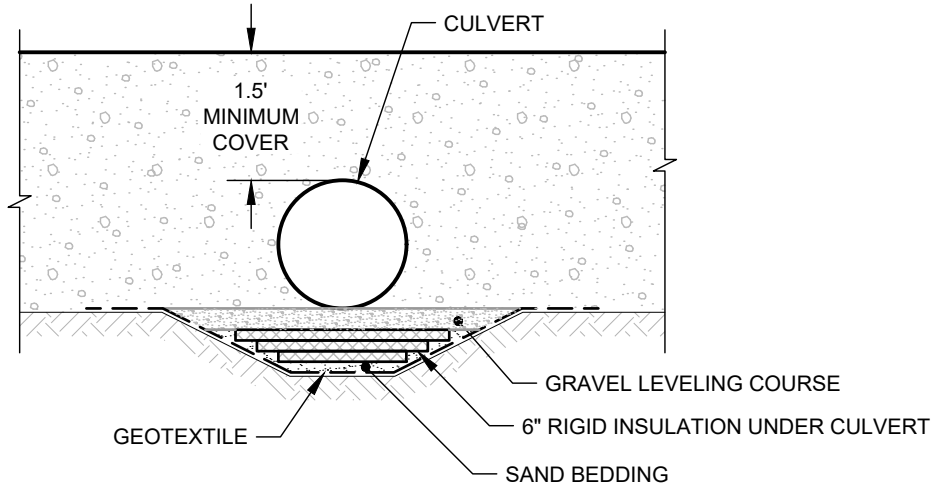
T10N, R14E, SEC 36
 T10N, R15E, SEC 31

DATE: 11/13/2017 SHEET: 5 OF 6



C OPERATIONS PAD ACCESS ROAD SECTION

6 OF 6 SCALE: NONE



D CULVERT SECTION

6 OF 6 SCALE: NONE

PURPOSE:
GRAVEL MINING OPERATIONS

ADJACENT PROPERTY OWNERS:
STATE OF ALASKA

TYPICAL ROAD SECTIONS

APPLICANT/AGENT:
NORTH SLOPE BOROUGH

AGENT:
UMIAQ ENVIRONMENTAL
6700 ARCTIC SPUR ROAD
ANCHORAGE, ALASKA 99516

**NORTH SLOPE BOROUGH
MINE SITE 3**

T10N, R14E, SEC 36
T10N, R15E, SEC 31

DATE: 11/13/2017

SHEET: 6 OF 6