FINDING OF NO SIGNIFICANT IMPACT

MEMORANDUM FOR THE PROJECT FILE

SUBJECT: Environmental Impact Determination and Necessary Environmental Findings for:
NEWTON/MERTARVIK MULTI-USE MARINE SUPPORT CENTER
STATE OF ALASKA, Dept. of Commerce, Community, & Economic Development, Division of Community Advocacy (DCA)
Mertarvik, Nelson Island (Takikchak), Alaska
EDA Project No. 07-01-05925 Control #77270

An environmental assessment for the subject project is attached. After reviewing the assessment and supporting materials, I find that for the following reasons the project will not significantly affect the quality of the human environment.

- The project is a Class II Action as defined by EDA Directive 17.02-2.
- Both the individual and cumulative impacts will not be significant.
- No unique or unusual environmental conditions exist which would be adversely affected by the project.
- The project will not exceed two or more indicators of significance.
- The project is compatible with local land use plans, zoning restrictions, and an approved Comprehensive Economic Development Strategy (CEDS).
- The Agency policy with respect to Executive Order 11988, Floodplain Management, and 11990, Wetland Protection, has been met since the project will not impact either the values or functions of a floodplain or wetland.
- No known cultural resources will be impacted by the project.
- Project design will mitigate identified construction impacts.
- The pre-approval requirements of EDA Directive 17.02-7 are met.
- No negative comments have been received through the state or regional clearinghouse processes.

For the above reasons, and with the inclusion of the attached Special Conditions, preparation of an environmental impact statement is not required.

A. Leonard Smith
Regional Director
SPECIAL CONDITIONS: It is recommended that the following Special Conditions be included in the Offer of Grant:

ALASKA SHPO - Prior to the start of construction, the Recipient shall provide evidence satisfactory to EDA that the proposed project has been reviewed by the Alaska State Historic Preservation Officer (SHPO), for a determination of potential impacts of this project on National Register eligible properties and/or archaeological resources. Additional consultation and/or management action per Section 106 of the National Historic Preservation Act and 36 CFR Part 800, may be required if impacts on cultural resources are identified in the project area.

U.S. ARMY CORPS OF ENGINEERS (USACE) PERMIT - Prior to the start of construction, the Recipient shall provide evidence satisfactory to EDA that the U.S. Army Corps of Engineers (USACE) permit process has been completed for all project elements as necessary, and that mitigation measures (if any) recommended by the Corps or included resource agencies, have been included in the project design as applicable.
MEMORANDUM FOR: Regional Director

FROM: Regional Environmental Officer

SUBJECT: NEWTOK/MERTARVIK MULTI-USE MARINE SUPPORT CENTER
STATE OF ALASKA, Dept. of Commerce, Community, & Economic Development, Division of Community Advocacy (DCA)
Mertarvik, Nelson Island (Takikchak), Alaska
EDA Project No. 07-01-05925

I have reviewed the subject project application. An environmental analysis has been completed per EDA Directive 17.02-2, and the following determination is recommended:

[XXX] Finding of No Significant Impact (FONSI)--Class II Action Per EDA Dir. No. 17.02-2, Chapt. II.3. An EA has been prepared.

[ ] Categorical Exclusion--Class I Action per EDA Dir. No. 17.02-2, Chapt. II.2.1.

[ ] Class III Action--Preparation of an Environmental Impact Statement (EIS) is recommended prior to a funding decision due to the potential for significant environmental impacts to occur as a result of this project.

SPECIAL CONDITIONS: It is recommended that the following Special Conditions be included in the Offer of Grant

ALASKA SHPO - Prior to the start of construction, the Recipient shall provide evidence satisfactory to EDA that the proposed project has been reviewed by the Alaska State Historic Preservation Officer (SHPO), for a determination of potential impacts of this project on National Register eligible properties and/or archaeological resources. Additional consultation and/or management action per Section 106 of the National Historic Preservation Act and 36 CFR Part 800, may be required if impacts on cultural resources are identified in the project area.

U.S. ARMY CORPS OF ENGINEERS (USACE) PERMIT - Prior to the start of construction, the Recipient shall provide evidence satisfactory to EDA that the U.S. Army Corps of Engineers (USACE) permit process has been completed for all project elements as necessary, and that mitigation measures (if any) recommended by the Corps or included resource agencies, have been included in the project design as applicable.

Archives Justson, Onding
Regional Environmental Officer

Date: Oct 7, 2007
**ENVIROMENTAL CHECKLIST**

**Project name:** NEWTOKMERTARVIK MULTI-USE MARINE SUPPORT CENTER

**Brief project description:** Construction of a Multi-Use Marine Support Center in preparation for the relocation of the Village of Newtok to a new site (Mertarvik) on the north shore of Nelson Island, Alaska.

**Location:** Mertarvik, Nelson Island (Kulukshak), Alaska

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### Environmental Resources

<table>
<thead>
<tr>
<th>Environmental Feature</th>
<th>Potential for Significant Impact</th>
<th>Mitigation Measures Attached</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geological faults or other unique features</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>Soil stability, steep slopes</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Floodplain, wetlands</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>In-water activities - COE permit</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>Vegetation and/or wildlife</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>Endangered species</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Existing land use &amp; zoning (residential, commercial, industrial, etc.)</td>
<td>Vacant</td>
<td></td>
</tr>
<tr>
<td>Prime/unique farmland</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Historic sites, buildings, archaeological &amp; architectural</td>
<td>Special Condition</td>
<td></td>
</tr>
<tr>
<td>Energy availability (electrical, fuels, etc.)</td>
<td>Alaska Energy Future proj.</td>
<td></td>
</tr>
<tr>
<td>Solid waste disposal (quantity, hazardous materials)</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>Water (potable, opera lens, etc.)</td>
<td>Alaska Water - Future proj.</td>
<td></td>
</tr>
<tr>
<td>Water resources (rivers, aquifers)</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Sewer system (storm &amp; sanitary)</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Wild and scenic rivers (designated)</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Streets, traffic, parking</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Ambient air quality (dust, odors, hazardous substances)</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Ambient noise (operations, construction)</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Inconsistent with approved Coastal Zone Management Plan State process</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Inconsistent with &quot;Environmental Justice&quot; principles of E.O. 112888</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Other USACE Permit</td>
<td>Special Condition</td>
<td></td>
</tr>
</tbody>
</table>

**Other** MICHAEL M. BREGD

**Title:** Environmental Compliance Specialist

**Date:** Sept. 06, 2006
ENVIROMENTAL ASSESSMENT

NEWTON/MENTARVIK MULTI-USE MARINE SUPPORT CENTER
STATE OF ALASKA, Dept. of Commerce, Community, & Economic Development, Division of Community Advocacy (DCA)
Mertarvik, Nelson Island (Takikchak), Alaska
EDA Project No. 07-01-05925

In addition to the project/area description information, this Environmental Assessment provides additional information on those items identified in the attached Environmental Checklist; as well as documenting outside reaction, potential adverse impacts, alternatives, local and/or state environmental policy requirements, conclusions, and recommended special conditions. The following documents are included in the EDA Official Project File and were used, as a minimum, in the preparation of this assessment:

1. SF424D, Exhibit B-IV, "Environmental Narrative"
2. Floor plan information
3. State Historic Preservation Officer correspondence
4. Executive Order No. 12372 correspondence
5. SF424D, Part 5, "ASSURANCES - CONSTRUCTION GRANTS"
6. SF424D, Exhibit B-II-1 "Architect/Engineer Report"
7. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)
9. NEWTOK, Background for Relocation Report - Arctic Slope Consulting Group (ASCG)
11. ALASKA COMMUNITY DATABASE COMMUNITY INFORMATION SUMMARIES (CIS) online http://www.commerce.state.ak.us/dca/commdb/CIS.cfm

AREA DESCRIPTION: The Lower Kuskokwim Region generally refers the area along the lower drainage of the Kuskokwim River, including Kuskokwim Bay, Nelson Island, and Nunivak Island in western Alaska. There are currently two recognized service areas within the Lower Kuskokwim Region. The Lower Kuskokwim Rural Education Attendance Area (LKREA) is one of nineteen state service areas established to provide public education to the unorganized borough. The LKREA covers 22,000 square miles of the Lower Kuskokwim region and includes twenty-four communities. The Lower Kuskokwim Economic Development Council (LKEDC) serves an area covering approximately 28,000 square miles and including twenty-eight villages located in the lower drainage of the Kuskokwim River.

The existing village of Newtok is located on the Ninglick River north of Nelson Island in the Lower Kuskokwim Region. The village is located 94 miles northwest of Bethel. The village relocation site, Takikchak, is located approximately nine miles southeast of the existing community of Newtok on the north end of Nelson Island, adjacent to Baird Inlet. Nelson Island, or Qaluyaaq Island, is an island in western Alaska, at 60°37' N 164°22' W. It is 42 miles long by 20 to 35 miles wide, and 843 sq miles in area. The island is separated from the Alaska mainland to its north and east by the Ninglick River and
NEWTOK/MERTARVIK MULTI-USE MARINE SUPPORT CENTER
EDA Project No. 07-01-05-02

Page 2 of 7

Baird Inlet, to its east and south by the Kolavinarak River, and from Nunivak Island to its southwest by Etolin Strait.

Newtok is a traditional Yup'ik Eskimo village with an active subsistence lifestyle. The people of Newtok share a common heritage with Nelson Island communities, whose ancestors have lived on the Bering Sea coast for at least 2,000 years. The people from five villages (Newtok, Tununak, Toksook Bay, Nightmute and Chefunak), are known as Qaluyaarmiut, or "dip net people." Relative isolation from outside influences has enabled the village to retain its traditions and customs more so than other parts of Alaska. Only intermittent outside contact occurred until the 1920s. Today, a federally-recognized tribe, the Newtok Village Council, serves as the community's local governing body.

In addition to commercial fishing and the two retail stores, the school, clinic, and other village services provide the remaining employment to the community. Subsistence activities and trapping supplement income. The 2000 U.S. Census showed 211 residents in the total potential workforce. The total employed residents for the community was 101. The unemployment rate at that time was 24.63 percent; however 52.13 percent of all adults were not in the work force. The median household income was $32,188, per capita income was $9,514, and 30.99 percent of Newtok residents were living below the poverty level.

PROJECT DESCRIPTION: Construction of a Multi-Use Marine Support Center in preparation for the relocation of the Village of Newtok to a new site (Mertarvik) on the north shore of Nelson Island, Alaska.

The facility would consist of a 20-foot wide barge ramp, approximately 60 foot by 120 foot upland multi-use staging area, and a float system for resident and transient vessels. The location identified is the closest to the navigable deep water channel of the Ninglick River according to Newtok residents and preliminary site investigations. Barge companies that use landing craft to deliver goods in Western Alaska need at least 5 feet of water depth at the landing sometime during the tide cycle. There appear to be at least 5 feet of depth at the site when field personnel landed there at high tide. As is true for many parts of Western Alaska, bathymetry and tidal elevation data is not available for this site.

**Barge Ramp.** For preliminary designs it is estimated there is 5 feet of depth at high tide 50 feet offshore from the proposed Multi-Use Marine Support Center. The barge ramp associated with this facility would start 50 feet out from shore. There are numerous large rocks and small boulders within this area that would need to be removed so that the barge or landing craft would not be damaged when during low tide. The shoreline at the site is rocky and rises near vertically about 6 to 8 feet in height. A 2C-foot wide ramp would be cut through this area so that a forklift or front-end loader could carry a load up to the staging area. Portions of the barge ramp that would be submerged at higher tides would be armored to prevent erosion by the river currents. For the purposes of this concept plan it is assumed that approximately 25 interlocking concrete planks would be placed at the bottom of the ramp. This would minimize erosion. These planks could be realigned if dislocated by river currents; using a forklift or other heavy equipment.

**Multiuse Staging Area.** The staging area would be approximately 60 foot by 120 foot at an elevation 15 to 20 feet above the high tide line. This elevation is above the assumed flood levels of the Ninglick River. The ramp would need to have a grade of 10% or less for a forklift and other equipment to
operate safely. It is assumed that permafrost is present throughout the landing site area so the vegetation on the staging area and some of the ramp should not be disturbed during construction of the staging area. A layer of geotechnical fabric will be placed on top of the existing vegetation. A 4-inch layer of rigid insulation would be placed on top of the fabric and a 1 to 2-foot layer of gravel placed on top of the insulation. This will prevent degradation of any permafrost that may be under the staging area and ramp.

**Float System.** The float system would be designed to serve the needs of resident and transient vessels during the ice-free months of the year. The system would consist of two 6-foot wide by 100-foot long floats. They would each have timber decks and polyurethane floats and be secured to the riverbed with anchoring. The vessels in the area are typically 18 to 24 feet in length. These floats could accommodate vessels, parallel moored, on both sides. As illustrated in the figure one float would extend perpendicular to shore. This float would be articulated so it could rest on the beach on low tides. Another 6-foot wide by 100-foot long float would extend from the end of this float parallel to shore. This float would be rigid to withstand the wave climate in the deeper water. Skids on the bottom of the float sections would facilitate moving the float sections onto the multi-use staging area for winter storage. The floats could be moved with a modified boat lift, a fork-lift, a front end loader or other equipment. The equipment used would likely be selected based on its suitability for other uses in the Multi-Use Marine Support Center during the year.

**PROJECT NEED.** The Village of Newtok has been threatened for years by the advance of the Ninglick River due to high rates of erosion of the river bank adjacent to the village. This progressive erosion has been occurring for years and is recognized as a serious long-term threat to the existence of the village. Studies performed by the U.S. Army Corps of Engineers (USACE) have concluded that the village must relocate as there is no permanent and cost-effective alternative for remaining at the current village site.

In 2000, with the assistance of funding from the USACE and Bureau of Indian Affairs (BIA), the Newtok Traditional Council hired ASCG Inc. to assist in the development of relocation plans. After identifying and analyzing several sites for relocation, Takikchak, a site on the northern coast of Nelson Island, was selected. The USACE performed a preliminary geo-technical overview of Takikchak in 2002 and determined that the Takikchak site was feasible for community development.

In November 2003, the 108th Congress passed S. 924, allowing the Newtok Village Corporation to receive title to the Takikchak land in a land exchange with the U.S. Fish and Wildlife Service. The Newtok Traditional Council selected Mertarvik, a Yup’ik word with symbolic meanings, as the name for the new Village site.

The current residents of Newtok are dependent on water transportation for commercial fishing and for the delivery of essential goods and supplies. Twenty-seven residents hold commercial fishing permits. The village also has two stores. Barge service is the only cost-effective means of receiving heavy or bulky goods from outside the Lower Kuskokwim area. Fuel and oil are also delivered by barge during the shipping season.

The development of a barge landing, dock and staging area at the new village site will provide some of the basic fisherIr's support infrastructure needed for the new village site. The regional community
development quota (CDQ) organization, Coastal Villages Region Fund (CVRF), has identified that perhaps the greatest barrier to sustainable, long-term economic development in the Lower Kuskokwim region is the lack of basic infrastructure. CVRF asserts that a major infrastructure deficiency limiting the advancement of fisheries-related projects in the Lower Kuskokwim region is the lack of docks and harbors, as well as other fisheries support facilities. A floating dock would provide safe mooring for local commercial fisherman during the summer months. The staging area and support facilities would enable commercial fishermen to offload product, and build and repair fishing vessels.

The development of a barge landing and staging area at the new village site will provide for the delivery of essential goods, materials, equipment and fuel necessary for the establishment of the new community, particularly for the delivery of construction materials and equipment. Construction activities related to the development of the new village site will most certainly generate jobs for local residents. Barge landing and dock facilities will enable village residents to carry on and expand commercial fishing activities and will provide for the delivery of goods for the continuation and growth of village retail enterprises. A support/staging area can be used for the unloading and distribution of goods and supplies to the village. This area would also enable residents to build, repair and maintain fishing boats, and provide support for other activities such as small engine repair, and facilitate the manufacture of affordable housing, and other local construction activities. Capacity building through the development of infrastructure at the new village site is essential to supporting the future viability and growth of the community.

FINDINGS: The identified relocation site on Nelson Island has no public utility services such as potable water, sewer collection and treatment, electrical energy generation and distribution, or surface roads. Construction of the necessary utility services will be by the State of Alaska, Department of Environmental Conservation - Village Safe Water, and other State agencies. A schedule for construction of the basic public infrastructure has not been established. Except as noted, applicant submittals provide sufficient documentation to support findings of non-significance for the below listed review elements.

(1) GEOLOGICAL FAULTS OR OTHER UNIQUE FEATURES [non-significant]
(2) SOILS STABILITY, STEEP SLOPES [non-significant]
(3) FLOODPLAIN/WETLANDS [no impact]
(4) VEGETATION AND WILDLIFE [non-significant]
(5) ENDANGERED SPECIES [no impact]

An environmental assessment is assumed to have been completed by the U.S. Fish & Wildlife Service as the NEPA compliance review for the 2004 land exchange action. An additional FWS review process will be an element of the USACE Section 404 permit processing.

(6) PRIOR/CURRENT LAND USES AND ZONING [non-significant]

Proposed project construction activities will be on a currently vacant site on the shoreline of Nelson Island, Alaska.

(7) PRIME/UNIQUE FARMLAND [no impact]
NEWTOK/MERTARVIK MULTI-USE MARINE SUPPORT CENTER  
EDA Project No. 07-01-62725

(8) HISTORIC PRESERVATION (architectural, archaeological) [no effect]  
By letter dated August 9, 2006, a project notification was submitted to the Department of Natural Resources, Office of History and Archeology (SHPO) to determine potential impact on historic resources in compliance with the National Historic Preservation Act. As of the date of this review, no SHPO response has been received in this office. A special condition to the grant award documents is recommended.

(9) ENERGY AVAILABILITY [non-significant]
(10) SOLID WASTE DISPOSAL (waste, hazardous mts) [non-significant]
(11) WATER (potable, operations, etc.) [non-significant]
(12) WATER RESOURCES (rivers, aquifers) [non-significant]
(13) SEWER SYSTEM (storm & sanitary) [non-significant]
(14) WILD AND SCENIC RIVERS [no impact]
(15) STREETS, TRAFFIC, PARKING [non-significant]
(16) AMBIENT AIR QUALITY [non-significant]
(17) AMBIENT NOISE [non-significant]
(18) COASTAL ZONE MANAGEMENT [no impact]
   A "Coastal Project Questionnaire and Certification Statement" dated August 6, 2006, has been completed by the State of Alaska Department of Commerce Community and Economic Development, Division of Community Advocacy on behalf of the Newtok Traditional Council. A federal consistency determination will be an element of the USACE Section 404 permit process.

(19) OUTSIDE REACTION: The State of Alaska has elected to not have an intergovernmental review process under E.O. 12372. The lengthy project development process has involved several state and federal agencies. No adverse comments have been received from resource or regulatory agencies as yet, but additional review opportunities will arise during the USACE permit processing. At this time, the project does not appear controversial and there are no known objections.

(20) ADVERSE IMPACTS: Construction impacts will be minor and temporary. These will be further ameliorated by sound engineering and construction practices. The conversion of a vacant relative pristine shoreline site to a community site, will create multiple long-term adverse impacts. These impacts have been identified during the extensive project planning process. Additional impact analysis will be completed as element of the USACE section 303 permit processing.

(21) ALTERNATIVES: Several alternative sites were evaluated and compared during the extensive project (village relocation) development process. The "no project" alternative would promote unstructured use of several sites along the shoreline slopes as barge sites. The potential effects of a no-Action alternative would include vegetation trampling and removal, sediment runoff, potential thermokarsting, and limited erosion in disturbed areas. The preferred alternative was selected because it would minimize in-water development. It is adjacent to relatively deep water for barge approaches. It also would minimize fill and wetland impacts from the action.

(22) OTHER FEDERAL AGENCY INVOLVEMENT: The proposed project site was obtained by the Newtok Traditional Council in a "land exchange" with the U.S. Fish & Wildlife Service, and extensive project planning has been conducted and/or funded by the U.S. Army Corps of Engineers
The project proponent has acknowledged that a USACE section 404 permit will be needed for construction of this proposed project. The USACE Permit process is reportedly underway, and will include coordination with several federal and state regulatory and resource agencies. A special condition to the grant award documents is recommended.

No (other) federal agency involvement has been identified.

(23) COMPLIANCE WITH STATE ENVIRONMENTAL STATUTES: The State of Alaska has not enacted a comprehensive environmental policy act comparable to NEPA. Specific environmentally related concerns are the statutory responsibility of specific State agencies. Review processes are triggered by the identification of two or more state permit requirements or, a federal (i.e. Corps of Engineers) permit requirement. The project proponent has acknowledged that a USACE section 404 permit will be needed for construction of this proposed project and will include coordination with several federal and state regulatory and resource agencies. A special condition to the grant award documents is recommended.

CONCLUSION: The project does not appear to be controversial or major in scope and does not appear to have the potential to create a significant effect on the quality of the human environment. An Environmental Impact Statement (EIS) is not considered necessary. In my opinion, the approval of this project will not violate the following:

1. Environmental Quality Improvement Act
2. The National Environmental Policy Act, as amended
3. Executive Order 11514, Protection and Enhancement of Environmental Quality, as amended
4. The Clean Air Act, as amended
5. The Federal Water Pollution Control Act, as amended
6. The Safe Drinking Water Act
7. Noise Control Act of 1972, as amended
8. The National Historic Preservation Act of 1966, as amended
9. The Historical and Archeological Data Preservation Act
10. Executive Order 11593, Protection and Enhancement of the Cultural Environment
11. The Wild and Scenic Rivers Act
12. Executive Order 11988, Floodplain Management
13. Executive Order 11990, Protection of Wetlands
14. The Endangered Species Act, as amended
15. Fish and Wildlife Coordination Act
17. Marine Sanctuaries Act of 1984, as amended
20. Toxic Substances Control Act, as amended
21. Coastal Zone Management Act of 1972
22. Farmland Protection Policy Act
23. Coastal Barrier Resources Act
24. Executive Order 12898, Environmental Justice

SPECIAL CONDITIONS: It is recommended that the following Special Conditions be included in the Offer of Grant:

ALASKA SHPC - Prior to the start of construction, the Recipient shall provide evidence satisfactory to EDA that the proposed project has been reviewed by the Alaska State Historic Preservation Officer (SHPO), for a determination of potential impacts of this project on National Register eligible properties and/or archaeological resources. Additional consultation and/or management action per Section 106 of the National Historic Preservation Act and 36 CFR Part 800, may be required if impacts on cultural resources are identified in the project area.

U.S. ARMY CORPS OF ENGINEERS (USACE) PERMIT - Prior to the start of construction, the Recipient shall provide evidence satisfactory to EDA that the U.S. Army Corps of Engineers (USACE) permit process has been completed for all project elements as necessary, and that mitigation measures (if any) recommended by the Corps or included resource agencies, have been included in the project design as applicable.

PREPARED BY: Michael M. Boyd, Environmental Compliance Specialist

This reviewer has not visited the proposed project site.
Aug 11, 2006

Ms. Bettye Atkinson, Chief
Planning and Technical Assistance
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174-1001

Dear Ms. Atkinson,

This is to confirm that the project proposed to assist the local fishing industry @ Mertarvik, and also relating to the relocation of the village of Newtok to the Mertarvik Site, is consistent with the Comprehensive Economic Development Strategy of the Association of Village Council Presidents. AVCP supports the Native Village of Newtok, as they seek assistance and support on the matter as stated above.

If you have any questions or comments, please call April Pleasant, AVCP Planning Director @ (907) 543-7374.

Sincerely,

Myron P. Naneng, President

Date: AUG 21 2006
August 18, 2006

Marcia Heer
U.S. Army Corps of Engineers Regulatory Branch
CEPOA-COR
P. O. Box 6698
Elmendorf AFB, AK 99506-0898

Dear Ms. Heer:

The Department of Commerce, Community and Economic Development, Division of Community Advocacy is co-applicant with the Newtok Traditional Council for an Economic Development Administration (EDA) Investment Assistance Grant for the design and construction of a Multi-Use Marine Support Center at the village relocation site, formerly known as Taklikshík, at the north of Nelson Island.

The proposed Multi-Use Marine Support Center would consist of a 20-foot wide barge ramp, approximately 60 foot by 120 foot upland multi-use staging area, and a float system for resident and transient vessels. I am including the following documentation for your review of the proposed project:

1. A narrative description of the project’s elements and its location;
2. A map of the area surrounding the project, which identifies the project site, adjacent streets and other identifiable objects;
3. Line drawings or sketches of the project.

Additional reports and studies relating to the proposed project site may be found at the following website:
http://www.commerce.state.ak.us/dca/planning/Newtok_Planning_Group_Webpage.htm

If you have any questions or concerns about this proposed project, please feel free to contact me at the following address:

Michael L. Black, Director
Division of Community Advocacy
Alaska Department of Commerce, Community and Economic Development
550 West 7th Avenue, Suite 1770
Anchorage, Alaska 99501-3510
Larry Bright, USFW
August 10, 2006

Sincerely,

[Signature]
Michael L. Black
Division of Community Advocacy

ATTACHMENTS

A narrative description of the project's elements and its location;
A map of the area surrounding the project, which identifies the
project site, adjacent streets and other identifiable objects;
Line drawings or sketches of the project.
Mr. Michael L. Black  
Division of Community Advocacy  
Department of Commerce, Community and Economic Development  
550 W. 'th, Suite 1770  
Anchorage, Alaska 99501-3510  

Dear Mr. Black:  

This is in response to your August 18, 2006, request for a jurisdictional determination concerning your proposed project, to construct a Multi-Use Marine Support Center. The site is located within section 35, T. 9 N., R. 86 W., Seward Meridian; Latitude 60.8264° N., Longitude 164.4888° W.; in Martinville, Alaska, the new village relocation site of Newtok, Alaska. It has been assigned project number POA-2005-533, Baird Inlet, which should be referred to in all correspondence with us.  

Based on our review of the information you furnished and available to us and our August 25, 2005, site visit, we have determined the above property contains waters of the U.S. under the Corps' regulatory jurisdiction (see enclosure titled, Jurisdictional Determination).  

Therefore, DA authorization is required if you propose to place dredged and/or fill material into waters of the U.S., including wetlands and perform work in navigable waters of the U.S. Enclosed is a pamphlet to assist you in applying for a DA permit.  

Please be advised that land clearing operations involving vegetation removal in wetlands with mechanized equipment and other soil disturbances are considered placement of fill material under our jurisdiction.  

Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands (33 U.S.C. 1344). The Corps defines wetlands as those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.  

Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403). Section 10 waters are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified by the Alaska District.
This approved jurisdictional determination is valid for five (5) years from the date of this letter, unless new information supporting a revision is provided to us before the expiration date. Enclosed is a Notification of Administrative Appeals Options and Process and Request for Appeal form (see section titled "Approved Jurisdictional Determination").

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

You may contact me at (907) 753-5646, toll-free from within Alaska at (800) 478-2712, by email at marcia.l.heer@pos02.usace.army.mil, or by mail at the letterhead address, ATTN: Marcia L. Heer, CEPOA–CO–R–N, if you have questions. For additional information about our Regulatory Program, visit our website at www.pca.usace.army.mil/reg.

Sincerely,

Marcia L. Heer
Regulatory Specialist

Enclosures
August 10, 2006

Larry Bright
Environmental Review Branch Chief
U.S. Fish and Wildlife Service
Fairbanks Field Office
101 12th Avenue, Room 110
Fairbanks, Alaska 99701

Dear Mr. Bright:

The Department of Commerce, Community and Economic Development, Division of Community Advocacy is co-applicant with the Newtok Traditional Council for an Economic Development Administration (EDA) Investment Assistance Grant for the design and construction of a Multi-Use Marine Support Center at the village relocation site, formerly known as Taklitchuk, at the north of Nelson Island. In November 2003, the 108th Congress passed S. 924, allowing the Newtok Native Corporation to receive title to the land where the proposed project will be located in a land exchange with the U.S. Fish and Wildlife Service. The purpose of the land exchange was to provide land to which the existing village of Newtok could relocate. Newtok Native Corporation currently holds title to this land by Intercim Conveyance.

The proposed Multi-Use Marine Support Center would consist of a 20-foot wide barge ramp, approximately 60 foot by 120 foot upland multi-use staging area, and a float system for resident and transient vessels. I am including the following documentation for your review of the proposed project:
1. A narrative description of the project's elements and its location;
2. A map of the area surrounding the project, which identifies the project site, adjacent streets and other identifiable objects;
3. Line drawings or sketches of the project.

Additional reports and studies relating to the proposed project site may be found at the following website:
http://www.commerce.state.ak.us/dca/planning/Newtok_Planning_Group_Webpage.htm

If you have any questions or concerns about this proposed project, please feel free to contact me at the following address:

Sally Russell Cox
Alaska Department of Commerce, Community and Economic Development
Division of Community Advocacy
550 West 7th Avenue, Suite 1770
Anchorage, Alaska 99501-3510
550 W. 7th Avenue, Suite 1770, Anchorage, Alaska 99501-3510
Telephone: (907) 269-4580  Fax: (907) 269-4563  Text Telephone: (907) 465-5457
Email: questions@commerce.state.ak.us  Website: http://www.commerce.state.ak.us/dca/
Larry Bright, USFW
August 10, 2006

Sincerely,

Sally Russell Cox, Planner
Division of Community Advocacy

ATTACHMENTS

A narrative description of the project's elements and its location;
A map of the area surrounding the project, which identifies the project site, adjacent streets and other identifiable objects;
Line drawings or sketches of the project.
August 9, 2006

Judith E. Bittner  
State Historic Preservation Officer  
Alaska Department of Natural Resources  
530 West 7th Avenue, Suite 1310  
Anchorage, Alaska 99501-3565

Dear Ms. Bittner:

The Department of Commerce, Community and Economic Development, Division of Community Advocacy is co-applicant with the Newtok Traditional Council for an Economic Development Administration (EDA) Investment Assistance Grant for the design and construction of a Multi-Use Marine Support Center at the village relocation site, formerly known as Tjikksaak, at the north of Nelson Island. The proposed Multi-Use Marine Support Center would consist of a 20-foot wide barge ramp, approximately 60 feet by 120 foot upland multi-use staging area, and a float system for resident and transient vessels.

Applicants for EDA Investment Assistance are required to provide the State Historic Preservation Officer with the following documentation:

1. A narrative description of the project’s elements and its location;
2. A map of the area surrounding the project, which identifies the project site, adjacent streets and other identifiable objects;
3. Line drawings or sketches of the project.

This documentation, which must be submitted to SHPO prior to the submission of the application to EDA, is included as attachments to this letter. We are required to request that SHPO submit comments on the proposed project to the EDA regional office:

Bernhard E. Richert, Jr., Director  
Alaska Field Office and Economic Development Representative  
510 L Street, Suite 444  
Anchorage, Alaska 99501

The U.S. Army Corps of Engineers conducted field reconnaissance investigations of cultural and archeological resources in the area of the proposed Multi-Use Marine Support Center in 2002 and 2005. There are known cultural resources in the vicinity. Additional field investigations will be conducted in 2006 and findings will be coordinated with the State Historic Preservation Officer. It is very likely that impacts to any sites already identified can be avoided.

550 W. 7th Avenue, Suite 1770, Anchorage, Alaska 99501-3510  
Telephone: (907) 269-4580  Fax (907) 269-4563  Text Telephone: (907) 465-5437  
Email: questions@commerce.state.ak.us  Website: http://www.commerce.state.ak.us/dca/
Pending notification of the imminent award of this grant, we will complete a Coastal Project Questionnaire. If you have any questions or concerns about this proposed project, please feel free to contact me at 269-4588 or at the following address:

Sally Russell Cox  
Alaska Department of Commerce, Community and Economic Development  
Division of Community Advocacy  
350 West 7th Avenue, Suite 1770  
Anchorage, Alaska 99501-3510

Sincerely,

Sally Russell Cox, Planner  
Division of Community Advocacy

ATI'ACHMENTS
A narrative description of the project's elements and its location;  
A map of the area surrounding the project, which identifies the project site, adjacent streets and other identifiable objects;  
Line drawings or sketches of the project.
Coastal Project Questionnaire and Certification Statement

All questions must be answered. If you answer "Yes" to any of the questions, please call that specific department for further instructions to avoid delay in processing your application. Maps and plan drawings must be included with your packet:

An incomplete packet will be returned.

**APPLICANT INFORMATION**

1. Newtok Traditional Council
   - Name of Applicant: 
   - P.O. Box 5345
   - Address: Newtok, AK 99509
   - City/State/Zip: 907-237-2316
   - Daytime Phone: 907-237-2428
   - Fax Number: stanley_tom2003@yahoo.com
   - E-mail Address: stanley_tom2003@yahoo.com

2. SOA, DCCED, Division of Community Advocacy
   - Agent (or responsible party if other than applicant): 550 W. 7th Ave. Suite 1770
   - Address: Anchorage, AK 99501-3510
   - City/State/Zip: 907-269-4588
   - Daytime Phone: (907) 269-4563
   - Fax Number: (907) 269-4588
   - E-mail Address: sally_cox@commerce.state.ak.us

**PROJECT INFORMATION**

1. This activity is a: X new project  [ ] modification or addition to an existing project
   - If this is a modification, do you currently have any State, federal or local approvals for this activity? ____________________________
   - Note: Approval means any form of authorization. If "yes," please list below:
   - Approval Type: ____________________________
   - Approval #: ____________________________
   - Issuance Date: ____________________________
   - Expiration Date: ____________________________

2. If this is a modification, was this project reviewed for consistency with Alaska Coastal Management? ____________________________
   - Previous State LD Number: AK ____________________________
   - Previous Project Name: ____________________________

**PROJECT DESCRIPTION**

1. Provide a brief description of your entire project and ALL associated facilities and land use conversions.
   - Construction of a Multi-use Marine Support Center including a 20-foot wide barge ramp, dock float system for resident and transient vessels, with an access road approximately 20' by 300' with 10% grade leading from the barge landing to an approximately 60' x 120' upland multi-use staging area at the new village relocation site for Newtok Village.
Proposed starting date for project: 06/01/2007  Proposed ending date for project: 09/30/2008 (EDA Grant ending Date)

2. Attach the following: • a detailed project description, all associated facilities, and land use conversions, etc. (Be specific, including access roads, caretaker facilities, waste disposal sites, etc.); • a project timeline for completion of all major activities; • a site plan depicting project boundary with all proposed actions; • other supporting documents on to facilitate project review. Note: If the project is a modification, identify existing facilities and proposed changes on the site plan.

II PROJECT LOCATION

1. Attach a copy of the topographical and vicinity map clearly indicating the location of the project. Please include a map title and scale.

2. The project is located in which region (see attached map): □ Northern □ Southcentral □ Southeast □ Southwest □ within or associated with the Trans-Alaska Pipeline corridor

3. Location of project (Include the name of the nearest land feature or body of water.) Nelson Island and bodies of water are

Braid Inlet, Nespelem River and the Takikchak River

Township T01N  Range R06T W  Section 24 Meridian Seward Latitude/Longitude 69 degrees 27 minutes N / 164 degrees 22 minutes W

USGS Quad Map Braid Inlet 49 D-7

4. Is the project located in a coastal district? Yes X No □  If yes, identify: Cenaminuit CRSA (Coastal districts are a municipality or borough, home rule or first class city, second class with planning, or coastal resource service area.) Note: A coastal district is a participant in the State's permitting process. It is possible for the State review to be adjusted to accommodate a local permitting process. Early interaction with the district is important: please contact the district representative listed on the attached contact list.

5. Identify the communities closest to your project location: Newtok, Tunumak, Toksook Bay, Nightmute

6. The project is on: X State land or water □ Federal land □ Private land □ Municipal land □ Mental Health Trust land

*State land can be uplands, tidelands, or submerged lands to 3 miles offshore. See Question #1 in DNR section.

Contact the applicable landowner(s) to obtain necessary authorizations.

II DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) APPROVALS

1. Will a discharge of wastewater from industrial or commercial operations occur? □ X

Will the discharge be connected to an approved sewer system? □ X

Will the project include a stormwater collection/discharge system? □ X

2. Do you intend to construct, install, modify, or use any part of a wastewater (sewage or greywater) disposal system? □ X

a) If the answer is yes, will the discharge be 500 gallons per day or greater? □ X

b) If constructing a domestic wastewater treatment or disposal system, will the system be located within fill material requiring a COE permit? □ X

If you answered yes to a) or b), answer the following:
1) What is the distance from the bottom of the system to the top of the subsurface water

Revised 07/22/04
2) How far is any part of the wastewater disposal system from the nearest surface water? 

3) Is the surrounding area inundated with water at any time of the year? 

4) How big is the fill area to be used for the absorption system? 

(Questions 1 & 2 will be used by DEC to determine whether separation distances are being met; Questions 1 & 4 relate to the required size of the fill if wetlands are involved.)

3: Will your project require a mixing zone? 

Yes No

(If your wastewater discharge will exceed Alaska water quality standards, you may apply for a mixing zone. If so, please contact DEC to discuss information required under 18 AAC 70.032.)

4. a) Will your project result in construction, operation, or closure of a facility for solid waste disposal? 

b) Will your project result in treatment of solid waste at the site? 

c) Will your project result in storage or transfer of solid waste at the site? 

d) Will the project result in storage of more than 50 tons of materials for reuse, recycling, or resource recovery? 

c) Will any sewage solids or biosolids be disposed of or land-applied to the site? 

5. Will your project require application of oil, pesticides, and/or any other broadcast chemicals? 

6. a) Will you have a facility with industrial processes that are designed to process no less than five tons per hour and needs air pollution controls to comply with State emission standards? 

b) Will you have stationary or transportable fuel burning equipment, including flares, with a total fuel consumption capacity no less than 50 million Btu/hour? 

c) Will you have a facility with incinerators having a total charging capacity of no less than 1,000 pounds per hour? 

d) Will you have a facility with equipment or processes that are subject to Federal New Source Performance Standards or National Emission Standards for hazardous air pollutants? 

i) Will you propose exhaust stack injection? 

c) Will you have a facility with the potential to emit no less than 100 tons per year of any regulated air contaminant? 

d) Will you have a facility with the potential to emit no less than 10 tons per year of any hazardous air contaminant or 25 tons per year of all hazardous air contaminants? 

g) Will you construct or add stationary or transportable fuel burning equipment of no less than 10 million Btu/hour in the City of Unalaska or the City of St. Paul? 

h) Will you construct or modify in the Port of Anchorage a volatile liquid storage tank with a volume no less than 9,000 barrels, or a volatile liquid loading rack with a design throughput no less than 15 million gallons? 

i) Will you be requesting operational or physical limits designed to reduce emissions from an existing facility in an air quality non attainment area to offset an emission increase from another new or modified facility? 

7. Do you plan to develop, construct, install, or alter a public water system?
8. a) Will your project involve the operation of waterborne tank vessels or oil barges that carry crude or non-crude oil as bulk cargo, or the transfer of oil or other petroleum products to or from such a vessel or a pipeline system? No x

b) Will your project require or include onshore or offshore oil facilities with an effective aggregate storage capacity of greater than 5,000 barrels of crude oil or greater than 10,000 barrels of non-crude oil? No x

c) Will you operate facilities on land or water for exploration or production of hydrocarbons? No x

If you answered "No" to ALL questions in this section, continue to next section.

If you answered "Yes" to ANY question, contact the DEC office nearest you for information and application forms. Please be advised that all new DEC permits and approvals require a 30-day public notice period. DEC Petroleum permits take effect no sooner than 40 days after the permit is issued.

Based on your discussion with DEC, please complete the following:

<table>
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<th>Types of project approvals or permits needed and name of individual you contacted</th>
<th>Date application submitted</th>
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9. Does your project qualify for a general permit for wastewater or solid waste? No x

Note: A general permit is an approval issued by DEC for certain types of routine activities.

If you answered "Yes" to any questions in this section and are not applying for DEC permits, indicate reason:

☐ ______ (DEC contact) told me on ______ that no DEC approvals are required on this project because

☐ Other: ______

DEPARTMENT OF FISH AND GAME (DFG) APPROVALS

1. Is your project located in a designated State Game Refuge, Critical Habitat Area or State Game Sanctuary? No x

2. Does your project include construction/operation of a salmon hatchery? No x

3. Does your project affect, or is it related to, a previously permitted salmon hatchery? No x

4. Does your project include construction of an aquatic farm? No x

If you answered "No" to ALL questions in this section, continue to next section.

If you answered "Yes" to ANY questions, contact the ADF&G Commercial Fisheries Division headquarters for information and application forms.

Based on your discussion with ADF&G, please complete the following:

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<th>Types of project approvals or permits needed</th>
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Revised 3/18/04
If you answered "YES" to any questions in this section and are not applying for ADF&G permits, indicate reason:
☐ (ADF&G contact) told me on _____ that no ADF&G approvals are required on this project because __________
☐ Other: __________

DEPARTMENT OF NATURAL RESOURCES (DNR) APPROVALS

1. Is the proposed project on State-owned land or water or will you need to cross State-owned land for access? (Access includes temporary access for construction purposes. Note: In addition to State-owned uplands, the State owns all land below the ordinary high water line of navigable streams, rivers, and lakes, and below the mean high tide line seaward for three miles.) □ Yes □ No
☐ X
a) Is this project for a commercial activity? □ Yes □ No
☐ X

2. Is the project on Alaska Mental Health Trust land (AMHT) or will you need to cross AMHT land? □ Yes □ No
☐ X

3. Do you plan to dredge or otherwise excavate/ remove materials on State-owned land? □ Yes □ No
☐ X
Location of dredging site if different than the project site:
☐ Township ___ Range ___ Section ___ Meridian ___ USGS Quad Map ___

4. Do you plan to place fill or dredged material on State-owned land? □ Yes □ No
☐ X
Location of fill disposal site if other than the project site:
☐ Township ___ Range ___ Section ___ Meridian ___ USGS Quad Map ___
Source of fill: □ State Land □ Federal Land □ Private Land □ Municipal Land

5. Do you plan to use any of the following State-owned resources: □ Yes □ No
☐ X
☐ Timber: Will you harvest timber? Amount: ______
☐ Materials such as rock, sand or gravel, peat, soil, overburden, etc.: Which material? ______ Amount: ______
Location of source: □ Project site □ Other, describe: ______
☐ Township ___ Range ___ Section ___ Meridian ___ USGS Quad Map ___

6. Do you plan to divert, impound, withdraw, or use any fresh water, except from an existing public water system or roof rain catchment system (regardless of land ownership)? □ Yes □ No
☐ X
Amount (maximum daily, not average, in gallons per day): ______
Source: ______ Intended Use: ______
If yes, will your project affect the availability of water to anyone holding water rights to that water? □ Yes □ No
☐ X

7. Do you plan to build or alter a dam (regardless of land ownership)? □ Yes □ No
☐ X

8. Do you plan to drill a geothermal well (regardless of land ownership)? □ Yes □ No
☐ X

9. At any one site (regardless of land ownership), do you plan any of the following? □ Yes □ No
☐ X
1. Do you plan to explore for or extract coal?...

12. Will you investigate, remove, or impact historical or archaeological or paleontological resources (anything over 50 years old) on State-owned land?...

13. Is the proposed project located within a known geophysical hazard area? ...

14. Is the proposed project located in a unit of the Alaska State Park System? ...

15. Will you work in, remove water or material from, or place anything in, a stream, river, or lake? (This includes work or activities below the ordinary high water mark or on ice, in the active flood plain, on islands, in or on the face of the banks, or, for streams entering or flowing through tidelands, above the level of mean lower low tide.)

- Build a dam, river training structure, other instream impoundment, or weir
- Use water
- Pump water into or out of stream or lake (including dry channels)
- Divert or alter a natural stream channel
- Change water flow or the stream channel
- Introduce silt, gravel, rock, petroleum products, debris, brush, trees, chemicals, or other organic/inorganic material, including waste of any type, into water
- Alter, stabilize or restore banks of a river, stream or lake (20 - 40 linear feet)
- Mine, dig, or remove material, including woody debris, from beds or banks of a waterbody
- Use explosives in or near a waterbody

- Use a stream, lake or waterbody as a road (even when frozen), or cross a stream with tracked or wheeled vehicles, log-dragging or excavation equipment (backhoes, bulldozers, etc.)
- Install a culvert or other drainage structure
- Construct, place, excavate, dispose or remove any material below the ordinary high water of a waterbody
- Construct a storm water discharge or drain into a waterbody
- Place pilings or anchors
- Construct a dock
- Maintain or repair an existing structure
X Use an instream in-water structure not mentioned here

Floating Dock Facility that would be removed before winter is planned.

If you answered "No" to ALL questions in this section, continue to next section.
If you answered "Yes" to ANY questions under 1-16, contact the Area DNR. office for information and application forms.

Based on your discussion with DNR, please complete the following:

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<th>Types of project approvals or permits needed</th>
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If you answered "Yes" to any questions in this section and are not applying for DNR permits, indicate reason:

☐ ______ (DNR contact) told me on ______ that no DNR approvals are required on this project because ______

FEDERAL APPROVALS

US. Army Corps of Engineers (COE)

1. Will you dredge or place structures or fills in any of the following:
   - tidal (ocean) waters?
   - streams?
   - lakes?
   - wetlands? *

   If yes, have you applied for a COE permit?

   Date of submittal: 08/18/2006
   Name of COE contact:
   (Note: Your application for this activity to the COE also serves as application for DEC Water Quality Certification.)

*If you are not certain whether your proposed project is in a wetlands (wetlands include muskegs), contact the COE, Regulatory Branch at 907-733-2712 for a wetlands determination (outside the Anchorage area call toll free 1-800-478-2712)

Bureau of Land Management (BLM)

2. Is the proposed project located on BLM land, or will you need to cross BLM land for access?

   If yes, have you applied for a BLM permit or approval?

   Date of submittal:
   Name of BLM contact:

U.S. Coast Guard (USCG)

3. a) Do you plan to construct a bridge or causeway over tidal (ocean) waters, or navigable rivers, streams, or lakes?

   If yes, have you applied for a USCG permit?

   Date of submittal:
   Name of USCG contact:

b) Does your project involve building an access to an island?

c) Do you plan to site, construct, or operate a deepwater port?

   If yes, have you applied for a USCG permit?

   Date of submittal:
   Name of USCG contact:

U.S. Environmental Protection Agency (EPA)

4. a) Will the proposed project have a discharge to any waters?

   b) Will you dispose of sewage sludge (contact EPA at 206-553-1941)?
If you answered yes to a) or b), have you applied for an EPA National Pollution Discharge Elimination System (NPDES) permit?  

Name of EPA contact:  
(Note: For information regarding the need for an NPDES permit, contact EPA at 1-800-424-8772)

6. c) Will construction of your project expose more than one acre of soil? (This applies to the total amount of land disturbed, even if disturbance is distributed over more than one season, and also applies to areas that are part of a larger common plan of development or sale)  

Federal Aviation Administration (FAA)  
5. a) Is your project located within five miles of any public airport?  

b) Will you have a waste discharge that is likely to decay within 5,000 feet of any public airport?  

If yes, please contact the Airports Division of the FAA at 907-271-5438.

Federal Energy Regulatory Commission (FERC)  
6. a) Does the project include any of the following:  
1) a non-federal hydroelectric project on any navigable body of water  
2) a location on federal land (including transmission lines)  
3) utilization of surplus water from any federal government dam  

b) Does the project include construction or operation, or abandonment of natural gas pipeline facilities under sections (b) and (c) of the Federal Power Act (FPA)?

c) Does the project include construction for physical interconnection of electric transmission facilities under section 202 (b) of the FPA?  

If you answered yes to any questions under number 6, did you apply for a permit from FERC?  
Date of submittal:  
Name of FERC contact:  

U.S. Forest Service (USFS)  
7. a) Does the proposed project involve construction on USFS land?  

b) Does the proposed project involve the crossing of USFS land with a water line?  

If the answer to either question is yes, did you apply for a USFS permit or approval?  

Date of submittal:  
Name of USFS contact:  

8. Have you applied for any other federal permits or authorizations on

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<th>APPROVAL TYPE</th>
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Page 8
Please be advised that the CPQ identifies permits subject to a consistency review. You may need additional permits from other agencies or the affected city and/or borough government to proceed with your activity.

Certification Statement

The information contained herein is true and complete to the best of my knowledge. I certify that the proposed activity complies with, and will be conducted in a manner consistent with, the Alaska Coastal Management Program.

[Signature of Applicant or Agent]

[Date]

Note: Federal agencies conducting an activity that will affect the coastal zone are required to submit a federal consistency determination, per 15 CFR 930, Subpart C, rather than this certification statement. ACMP has developed a guide to assist federal agencies with this requirement. Contact ACMP to obtain a copy.

This certification statement will not be complete until all required State and federal authorization requests have been submitted to the appropriate agencies.

To complete your packet, please attach your State permit applications and copies of your federal permit applications to this questionnaire.
The applicant represents and certifies that it has used due diligence to determine that the description of the project "site" described herein is accurate with respect to the presence or absence of contamination from toxic and hazardous substances. The term "site" includes the entire scope of the project, including future phases of the project and all areas where construction will occur.

1. Is the site currently, or has it in the past 50 years, been used for any of the following operations or activities:

a. Generation of hazardous substances or waste;
   - YES ☑️ NO

b) Treatment, storage (temporary or permanent), or disposal of solid or hazardous substances or waste;
   - YES ☑️ NO

c) Storage of petroleum products;
   - YES ☑️ NO

d) Used/waste oil storage or reclamation units;
   - YES ☑️ NO

e) Research or testing laboratory;
   - YES ☑️ NO

f) Ordnance research, testing, production, or storage;
   - YES ☑️ NO

g) Chemical manufacturing or storage;
   - YES ☑️ NO

h) Military weapons or ammunition training or testing;
   - YES ☑️ NO

i) Iron works/foundry;
   - YES ☑️ NO

j) Railroad yard;
   - YES ☑️ NO
<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
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<tr>
<td>k) Industrial or manufacturing operation;</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>If any of the above operations ever occurred at the site, and appropriate cleanup or other action was performed in accordance with the local, State and federal laws, provide documentation of such cleanup.</td>
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<tr>
<td>2. Do wells draw water from an underlying aquifer to provide the local domestic water supply?</td>
<td>☑</td>
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<tr>
<td>3. Has a federal, State or local regulatory authority ever conducted an environmental assessment, environmental impact statement, or a preliminary assessment/site inspection, or similar environmental surveyor inspection report at the site? If yes, provide copies of reports or results.</td>
<td>☑</td>
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<tr>
<td>4. Have any environmental or OSHA citations or notices of violation been issued to the facility? If yes, provide copies.</td>
<td>☑</td>
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</tr>
<tr>
<td>5. Have any unauthorized releases of hazardous substances occurred at the facility which resulted in notification to the EPA's National Response Center? If yes, what was the nature of the release.</td>
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<tr>
<td>6. Is asbestos containing material currently in the facility? If yes, describe and provide information concerning State and federal regulatory compliance.</td>
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</tr>
<tr>
<td>7. Is there any equipment (electrical transformers, etc.) containing polychlorinated biphenyls (PCB) on the site? If yes, describe condition of the equipment (e.g., leaking, etc.).</td>
<td>☑</td>
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</tr>
<tr>
<td>8. Are there underground storage tanks on the site? If yes, provide a detailed explanation, including the number of underground storage tanks on the site, whether the tanks have been inspected (or removed) and the results of such inspections.</td>
<td>☑</td>
<td>☐</td>
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<tr>
<td>9. Has the facility been tested for radon? If yes, provide results.</td>
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<td>10. Have there been or are there now any environmental investigations by federal, State or local government agencies that could affect the site in question? If yes, provide available information.</td>
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The applicant acknowledges that this certification regarding hazardous substances and/or waste is a material representation of fact upon which EDA relies when executing this award. EDA reserves the right to terminate the award, if at any time during the useful life of the project it becomes aware that hazardous substances or waste are present thereon, or that such hazardous substances, or waste have been inappropriately handled thereon.

Further, if it is determined at any time that the presence of hazardous substances or waste, or inappropriate handling thereof, has been misrepresented, EDA may pursue other available legal remedies against the applicant.

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<th>Signature of Authorized Representative</th>
<th>Director, Division of Community Advocacy</th>
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Date: August 4, 2006
2. Schematics showing the general layout and location of the project components:

Future Mertarvik Multi-Use Marine Support Center

- Access Road: width = 20 feet, length = 300 feet, grade = 10%, finish with geotextile filter fabric and aggregate surface course.
- Lekanes through intertidal zone: 25 x 2 feet x 1 foot, grade < 10%.
- Staging Area: Elevation = +20 ft mllw, width = 60 feet, length = 120 feet, provide 2% slope for drainage. Finish with geotextile filter fabric and aggregate surface course.
- Seasonal mooring floats: width = 8 feet, length = 200 feet, secure with cables and anchors.

For illustration purposes only. Location of project may vary.