

SEP 7 2016

**U.S. DEPARTMENT OF COMMERCE**

Economic Development Administration
Jackson Federal Building, Room 1890
915 Second Avenue
Seattle, Washington 98174
Fax: (206) 220-7669
Tel: (206) 220-7660

FINDING OF NO SIGNIFICANT IMPACT

MEMORANDUM FOR THE PROJECT FILE

SUBJECT: Environmental Impact Determination and Necessary
Environmental Findings for:
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

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

NEWTOK/MERTARVIK MULTI-USE MARINE SUPPORT CENTER - FONSI
EDA Project No 07-01-05925

ATTACHMENT

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.

**U.S. DEPARTMENT OF COMMERCE**

Economic Development Administration
Jackson Federal Building, Room 1890
915 Second Avenue
Seattle, Washington 98174
Fax: (206) 220-7669

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

Control #77270

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:

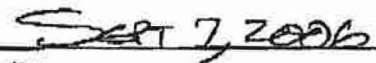
- [XXX] Finding of No Significant Impact (FONSI)--Class II Action Per EDA Dir. No. 17.02-2, Chapt. II.3. An EA has been prepared.
- [] Categorical Exclusion--Class I Action per EDA Dir. No. 17.02-2, Chapt. II.2.i.
- [] Class III Action--Preparation of an Environmental Impact Statement (EIS) is recommended 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.

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Archie Juesson, Acting
Regional Environmental Officer


Date

FORM ED-538

U.S. DEPT. OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION

ENVIRONMENTAL CHECKLIST

Project name:

NEWTOK/MERTARVIK MUL'TI-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.

Applicant:

STATE OF ALASKA, Dept. of Commerce, Community, & Economic Development, Division of Community Advocacy (DCA)

Location:

Mertarvik, Nelson Island (Talikchak), Alaska

For Detailed Project Description—
See Attached Environmental Assessment

Project number: 07-01-05925 Control #77270

Environmental Resources

Potential for
Significant
ImpactMitigation
Measures
Attached

NO

YES

NO

YES

(1) Geological faults or other unique features

X

X

(2) Soils stability, steep slopes

X

X

(3) Floodplain, wetlands *in-water activities - COE permit*

X

X

(4) Vegetation and/or wildlife *P&W review as part of land tr. process*

X

X

(5) Endangered species

X

X

(6) Existing land use & zoning (residential, commercial, industrial, etc.) *Vacant*

X

X

(7) Prime/unique farmland

X

X

(8) Historic (sites, buildings, archaeological & architectural) *Special Land*

X

X

(9) Energy availability (electrical, fuels, etc.) *? Alaska Energy - future proj.*

X

X

(10) Solid waste disposal (quantity, hazardous materials)

X

X

(11) Water (potable, operations, etc.) *? ADEC - VSW - future proj.*

X

X

(12) Water resources (rivers, aquifers) *?*

X

X

(13) Sewer system (storm & sanitary) *?*

X

X

(14) Wild and scenic rivers (designated)

X

X

(15) Streets, traffic, parking

X

X

(16) Ambient air quality (dust, odors, hazardous substances)

X

X

(17) Ambient noise (operations, construction)

X

X

(18) Inconsistent with approved Coastal Zone Management Plan *State process*

X

X

(19) Inconsistent with "Environmental Justice" principles of E.O. 11288

X

X

(20) Other USACE Permit: *Special Condition*

X

X

NO Requires no further environmental documentation.
YES Requires further environmental documentation.

PREPARED BY:

REQ:

Date:

Other: MICHAEL M. BOYE *M. Boyd*

Title: Environmental Compliance Specialist

Date: Sept. 05, 2008

ENVIRONMENTAL ASSESSMENT

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

Control #77270

PRC Date 07/28/2006

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. Floodplain 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)
8. PRELIMINARY GEOTECHNICAL OVERVIEW, Village Relocation Site, Newtok, Alaska
- U.S. Army Corps of Engineers, Alaska District November 2002
9. NEWTOK, Background for Relocation Report - Arctic Slope Consulting Group (ASCG)
January 2004
10. ALASKA VILLAGES EROSION TECHNICAL ASSISTANCE - NEWTOK, ALASKA,
U.S. Army Corps of Engineers Alaska District/TETRA TECH Inc. February 2006 - Rev.
April 2006
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 (LKREAA) is one of nineteen state service areas established to provide public education to the unorganized borough. The LKREAA 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
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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 Chefornak), 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 20-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

NEWTOK/MERTARVIK MULTI-USE MARINE SUPPORT CENTER
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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 fisheries support infrastructure needed for the new village site. The regional community

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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
BDA Project No. 07-01-05225

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- (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** (amts, hazardous mtl) [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

NEWTOK/MERTARVIK MULTI-USE MARINE SUPPORT CENTER
EDA Project No. 07-01-09225

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(USACE). 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
16. Marine Protection, Research and Sanctuaries Act of 1972, as amended
17. Marine Sanctuaries Act of 1984, as amended
18. Resource Conservation and Recovery Act of 1976, as amended (RCRA)
19. Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA)
20. Toxic Substances Control Act, as amended
21. Coastal Zone Management Act of 1972
22. Farmland Protection Policy Act
23. Coastal Barrier Resources Act

NEWTOK/MERTARVIK MULTI-USE MARINE SUPPORT CENTER
EDA Project No. 07-01-05925

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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
Michael M. Boyd,
Environmental Compliance Specialist

September 06, 2006
Date

This reviewer has not visited the proposed project site.

AVCP

Mike Williams, Chairperson
 Myron P. Naneng, Sr., President
 Phone (907) 543-8521
 Fax (907) 543-3369

The Association of Village Council Presidents
 Office of Administration
 Pouch 219, Bethel, AK 99559



Akiachak
 Akiak
 Alakanak
 Andreafsky
 Aniak
 Atmautluak
 Bethel
 Bill Moore's Sl.
 Chefortak
 Chevak
 Chuathbaluk
 Chulioanarvik
 Crooked Creek
 Eck
 Emmoak
 Georgetown
 Goodnews Bay
 Hamilton
 Hooper Bay
 Lower Kalskag
 Upper Kalskag
 Kasigluk
 Kipnuk
 Kongiganak
 Kotik
 Kwethluk
 Kwigillingok
 Lime Village
 Marshall
 Mekoryuk
 Mtn. Village
 Napaimute
 Napakiak
 Napaskiak
 Newtok
 Nighmute
 Nunapiochuk
 Ohogamiut
 Oscarville
 Palmiut
 Pilot Station
 Pitka's Point
 Platinum
 Qulthagak
 Red Devil
 Russian Mission
 Scammon Bay
 Nunam Iqua
 Sleetmute
 St. Mary's
 Stony River
 Toksook Bay
 Tuluksak
 Tuntuliak
 Tunumak
 Umkumiut

August 11, 2006

AUG 21 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



DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Division of Community Advocacy

Frank H. Murkowski, Governor
William C. Noll, Commissioner
Michael Black, Director

August 18, 2006

Marcia Heer
U.S. Army Corps of Engineers Regulatory Branch
CEPOA-CO-R
P. O. Box 6898
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 Takikchak, 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

11/19/2007 16:56 FAX 2062207669

ECONOMIC DEVEL ADMIN

015

08/18/2008 15:40 FAX 907 2712273

E D A ALASKA

+ E D A S R O

005

Larry Bright, USFW
August 10, 2006

Sincerely,

Diana Hunt
For Michael Black
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.

REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ALASKA
P.O. BOX 6898
ELMENDORF AFB, ALASKA 99506-0898

AUG 22 2006

Regulatory Branch
POA-2005-533-9

Mr. Michael L. Black
Division of Community Advocacy
Department of Commerce Community
and Economic Development
550 W. 4th, 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 Martvik, Alaska, the new village relocation site of Newtok, Alaska. It has been assigned 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 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.

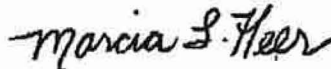
-2-

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@poa02.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 web site at www.poa.usace.army.mil/reg.

Sincerely,



Marcia L. Heer
Regulatory Specialist

Enclosures



DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Division of Community Advocacy

*Frank H. Murkowski, Governor
William C. Noll, Commissioner
Michael Black, Director*

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 Takikchak, 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 Interim 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) 465-5437
Email: questions@commerce.state.ak.us Website: <http://www.commerce.state.ak.us/dca/>

11/19/2007 16:56 FAX 2062207669
08/16/2008 16:40 FAX 907 212213

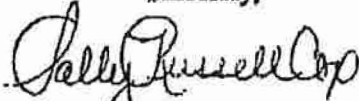
ECONOMIC DEVEL ADMIN
K D A ALABAMA

→ K D A S K U

019
10000

Larry Bright, 1/SFW
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.

Exhibit IV.B.1.

DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT
Division of Community Advocacy

Frank H. Murkowski, Governor
William C. Noll, Commissioner
Michael Black, Director

August 9, 2006

Judith E. Bittner
State Historic Preservation Officer
Alaska Department of Natural Resources
550 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 Takikchak, 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.

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:

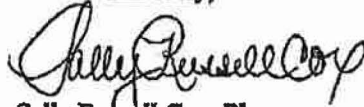
Bernhard E. Richert, Jr., Director
Alaska Field Office and Economic Development Representative
510 L Street, Suite 444
Anchorage, Alaska 99501

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 Office. It is very likely that impacts to any sites already identified can be avoided.

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
550 West 7th Avenue, Suite 1770
Anchorage, Alaska 99501-3510

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.

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 5545
Address
Newtok, AK 95509
City/State/Zip
907) 237-2316
Daytime Phone
907) 237-2428 stanley_tom2003@yahoo.com
Fax Number E-mail Address

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/ZipState Zip Code
907) 269-4588
Daytime Phone
907) 269-4563 sally_cox@commerce.state.ak.us
Fax Number E-mail Address

■ PROJECT INFORMATION

1. This activity is a: ☒ 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? ☐ ☐

Yes No

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 documentat on to facilitate project review. Note: If the project is a modification, identify existing facilities and proposed changes on the site plan.

■ 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 Bird Inlet, Ninglick River and the Takikchak River
Township T010N Range R087W Section 24 Meridian Seward Latitude/Longitude 60 degrees 37 minutes N / 164 degrees 22 minutes W
USGS Quad Map Baird Inlet 49, D-2
4. Is the project located in a coastal district? Yes ☒ No ☐ If yes, identify: Cenainliit 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 consistency review process. It is possible for the State review to be adjusted to accommodate a local permitting public hearing. 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, Tununak, Tooksook Bay, Nightmute
6. The project is on: ☒ 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.

■ DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) APPROVALS

- | | Yes | No |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| 1. Will a discharge of wastewater from industrial or commercial operations occur? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Will the discharge be connected to an approved sewer system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Will the project include a stormwater collection/discharge system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Do you intend to construct, install, modify, or use any part of a wastewater (sewage or greywater) disposal system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If the answer is yes, will the discharge be 500 gallons per day or greater? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) If constructing a domestic wastewater treatment or disposal system, will the system be located within fill material requiring a COE permit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

table? _____

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? ☐ ☒

(Note: Solid waste means drilling wastes, household garbage, refuse, sludge, construction or demolition wastes, industrial solid waste, asbestos, and other discarded, abandoned, or unwanted solid or semi-solid material, whether or not subject to decomposition, originating from any source. Disposal means placement of solid waste on land.)

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

(Examples of treatment methods include, but are not limited to: incineration, open burning, baling, and composting.)

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? ☐ ☒

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

(Sewage solids include wastes that have been removed from a wastewater treatment plant system, such as a septic tank lagoon dredge, or wastewater treatment sludge that contain no free liquids. Biosolids are the solid, semi-solid, or liquid residues produced during the treatment of domestic sewage in a treatment works which are land applied for beneficial use.)

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? ☐ ☒

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

f) 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 nonattainment 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? ☐ 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? ☐ x
- Yes No
- c) Will you operate facilities on land or water for exploration or production of hydrocarbons? ☐ x

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

If you answered "Yes" to ANY of these questions, 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 Pesticide permits take effect no sooner than 40 days after the permit is issued.

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

Types of project, approvals or permits needed and name of individual you contacted.

Date application submitted

9. Does your project qualify for a general permit for wastewater or solid waste? ☐ ☐

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

Yes No

1. Is your project located in a designated State Game Refuge, Critical Habitat Area or State Game Sanctuary? ☐ x
2. Does your project include construction/operation of a salmon hatchery? ☐ x
3. Does your project affect, or is it related to, a previously permitted salmon hatchery? ☐ x
4. Does your project include construction of an aquatic farm? ☐ x

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

If you answered "Yes" to ANY questions under 1-4, contact the ADF&G Commercial Fisheries Division headquarters for information and application forms

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

Types of project, approvals or permits needed.

Date application submitted

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

Yes No

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 almost 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.) ☒ X
a) Is this project for a commercial activity? ☐
2. Is the project on Alaska Mental Health Trust land (AMHT) or will you need to cross AMHT land?
Note: Alaska Mental Health Trust land is not considered State land for the purpose of ACHMP reviews. ☐ X
3. Do you plan to dredge or otherwise excavate/remove materials on State-owned land? ☒ 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? ☐ X
Location of fill disposal site if other than the project site: _____
Township _____ Range _____ Section _____ Meridian _____ USGS Quad Map _____
Source is or: ☐ State Land ☐ Federal Land ☐ Private Land ☐ Municipal Land
5. Do you plan to use any of the following State-owned resources? ☐ 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)? ☐ 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? ☐ X
7. Do you plan to build or alter a dam (regardless of land ownership)? ☐ X
8. Do you plan to drill a geothermal well (regardless of land ownership)? ☐ X
9. At any one site (regardless of land ownership), do you plan any of the following? ☐ X

- ☐ Mine five or more acres over a year's time
☐ Mine 50,000 cubic yards or more of materials (rock, sand or gravel, soil, peat, overburden, etc.) over a year's time
☐ Have a cumulative unreclaimed mined area of five or more acres

If yes to any of the above, contact DNR about a reclamation plan.

If you plan to mine less than the acreage/amount stated above and have a cumulative unreclaimed mined area of less than five acres, do you intend to file a voluntary reclamation plan for approval? ☐ Yes ☒ No

10. Do you plan to explore for or extract coal? ☐ Yes ☒ No

11. a) Will you explore for or produce oil and/or gas? ☐ Yes ☒ No

b) Will you conduct surface use activities on an oil and/or gas lease or within an oil and/or gas unit? ☐ Yes ☒ No

12. Will you investigate, remove, or impact historical or archaeological or paleontological resources (anything over 50 years old) on State-owned land? ☐ Yes ☒ No

13. Is the proposed project located within a known geophysical hazard area? ☐ Yes ☒ No

Note: 6 A.S.C. 80.500(9) defines geophysical hazard areas as "those areas which present a threat to life or property from geophysical or geological hazards, including flooding, tsunami run-up, storm surge run-up, landslides, snowslides, faults, ice hazards, erosion, and littoral beach process." "known geophysical hazard area" means any area identified in a report or map published by a federal, state, or local agency, or by a geological or engineering consulting firm, or generally known by local knowledge, as having known or potential hazards from geologic, seismic, or hydrologic processes.

14. Is the proposed project located in a unit of the Alaska State Park System? ☐ Yes ☒ No

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.)
Note: If the proposed project is located within a special flood hazard area, a floodplain development permit may be required. Contact the affected city or borough planning department for additional information and a floodplain determination. ☒ Yes ☐ No

Name of waterbody: Baird Inlet

16. Will you do any of the following: ☐ Yes ☐ No

Please indicate below:

- ☐ 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 in, or remove material, including woody debris, from beds or banks of a waterbody
☐ Use explosives in or near a waterbody

- ☐ Build a bridge (including an ice bridge)
☒ 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
☐ Construct a utility line crossing
☐ 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:

Types of project approvals or permits needed.	Date application submitted

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

Yes No

U.S. 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? X

If yes, have you applied for a COE permit? X

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 907-753-2712 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? X

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

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? X

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

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

If yes, have you applied for a USCG permit? X

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? X

b) Will you dispose of sewage sludge (contact EPA at 206-553-1941)? X

If you answered yes to a) or b), have you applied for an EPA National Pollution Discharge Elimination System (NPDES) permit? ☐ ☐

Date of submittal: _____

Name of EPA contact: _____

(Note: For information regarding the need for an NPDES permit, contact EPA at 1-800-424-4372)

c) Will construction of your project expose more than one acre of soil? (This applies to the total amount of Yes No
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.) X ☐

d) Is your project an industrial facility that will have stormwater discharge directly related to manufacturing, processing, or raw materials storage areas at an industrial plant? ☐ X

If you answered yes to c) or d), your project may require an NPDES Stormwater permit.

Contact EPA at 206-553-8399.

Federal Aviation Administration (FAA)

5. a) Is your project located within five miles of any public airport? ☐ X

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

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 ☐ X

2) a location on federal land (including transmission lines) ☐ X

3) utilization of surplus water from any federal government dam ☐ X

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

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

If you answered yes to any questions under number 6, did you apply for a permit from FERC? ☐ X

Date of submittal: _____

Name of FERC contact: _____

(Note: For information, Div. Hydropower-Environment and Engineering contact: Vince Yearek 202-502-6174 or Mike Henry 503-944-6762, 202-502-8700; (for Natural Gas Projects) Division of Pipeline Certificate 202-502-8625; for Alaska projects contact Richard Foley - 202-502-8933)

U.S. Forest Service (USFS)

7. a) Does the proposed project involve construction on USFS land? ☐ X

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

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? ☐ ☐

AGENCY	APPROVAL TYPE	DATE SUBMITTED

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

8-18-06
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.

Exhibit IV.A.9.

APPLICANT CERTIFICATION CLAUSE	
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;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
b) Treatment, storage (temporary or permanent), or disposal of solid or hazardous substances or waste;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
c) Storage of petroleum products;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
d) Used/waste oil storage or reclamation units;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
e) Research or testing laboratory;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
f) Ordnance research, testing, production, or storage;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
g) Chemical manufacturing or storage;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
h) Military weapons or ammunition training or testing;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
i) Iron works/foundry;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
j) Railroad yard;	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

k) Industrial or manufacturing operation;

☐ YES ☒ NO

*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.

2. Do wells draw water from an underlying aquifer to provide the local domestic water supply?

☐ YES ☒ NO

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.

☒ YES ☐ NO

4. Have any environmental or OSHA citations or notices of violation been issued to the facility? If yes, provide copies.

☐ YES ☒ NO

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.

☐ YES ☒ NO

6. Is asbestos containing material currently in the facility? If yes, describe and provide information concerning State and federal regulatory compliance.

☐ YES ☒ NO

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.).

☐ YES ☒ NO

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.

☐ YES ☒ NO

9. Has the facility been tested for radon? If yes, provide results.

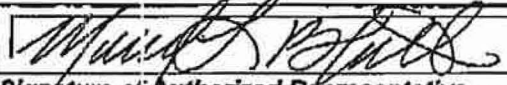
☐ YES ☒ NO

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.

☐ YES ☒ NO

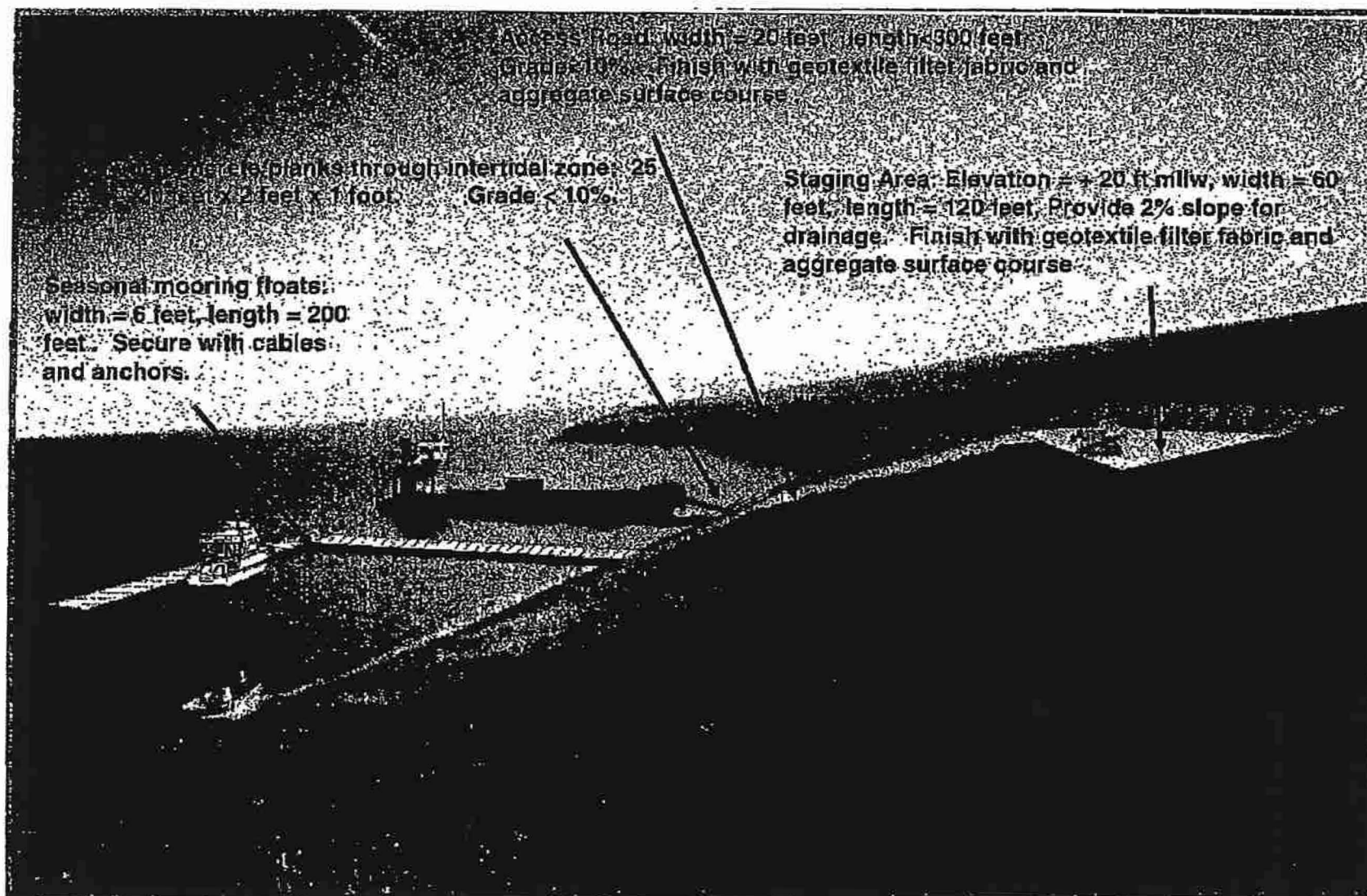
The applicant acknowledges that this certification regarding hazardous substances and/or waste is a material representation of fact upon which EDA relies when executing this award. EDA reserves the right to terminate the award, if at any time during the useful life of the project it becomes aware that 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.

	Director, Division of Community Advocacy
Signature of Authorized Representative	Title
	August 14, 2006
	Date

2. Schematics showing the general layout and location of the project components:

Future Mertarvik Multi-Use Marine Support Center



For illustration purposes only. Location of project may vary.