

INCOMPLETE APPLICATION

The Department of the Army has requirements for complete permit applications. PLP is missing some important information about the road and port that are required by the law on Processing of Department of the Army Permits (33 § CFR 325.1).

THIS IS A BIG DEAL. Tell the Corps that PLP must resubmit it's application for the CWA 404 permit with necessary information on the road and port: 33 § CFR 325.1 says so.

PORT:

- IS THE PORT FEASIBLE IN THAT LOCATION? ARE THERE ALTERNATIVES? ¹
 - HOW MUCH WILL BE DREDGED TO MAINTAIN THE PORT? WHAT IS THE COMPOSITION OF DREDGED MATERIAL? WHAT IS ENVIRONMENTAL IMPACT? WHAT ARE ALTERNATIVES?
 - HOW DEEP IS THE DREDGE CONTAINMENT AREA? WILL IT HOLD UP?
 - WHAT WILL BE THE ENVIRONMENTAL IMPACT OF THE JETTY AND CAUSEWAY?
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Table 21-1. Estimated Port and Ferry Landings Cut and Fill Volumes

Description		Cut / Dredge* (CY)	Fill: Unconsolidated Gravel (CY)	Fill: Rip Rap (CY)
North Ferry Terminal	Wetlands (Section 404)	0	1,658	0
	Waters (Sections 404 and 10)	0	868	2,000
	Total Wetlands and Waters	0	2,526	2,000
	Total Uplands	0	35,882	0
South Ferry Terminal	Wetlands (Section 404)	0	4,891	0
	Waters (Sections 404 and 10)	0	1,691	2,000
	Total Wetlands and Waters	0	6,582	0
	Total Uplands	474,467	112,165	0
Amakdedori Port Site	Wetlands (Section 404)**	0	4,000	0
	Waters (Sections 404 and 10)	10,210,000	476,000	38,000
	Total Wetlands and Waters	10,210,000	480,000	38,000
	Total Uplands	0	85,000	0
Total Wetlands and Waters		10,210,000	489,108	40,000
Total Uplands		474,467	233,047	0

*Dredging for marine waters only

** Includes fill associated with air strip

¹ For comparison see *Draft Feasibility Report and Environmental Impact Statement Navigation Improvements Aktan, Alsaka*. USACOE. September 2002. Online at https://books.google.com/books?id=zvsyAQAAMAAJ&printsec=frontcover&source=gb_s_ge_summary_r&cad=0#v=onepage&q&f=false for comparison.

THE LAW STATES: "If the activity would involve dredging in navigable waters of the United States, the application must include a description of the type, composition and quantity of the material to be dredged, the method of dredging, and the site and plans for disposal of the dredged material" (33 § CFR 325.1(d)(3)).

- The Project Description states: "Geotechnical information on the sub-bottom soil profiles is not currently available for this area, but on-shore geophysical information suggests that sufficient depth of sand and gravel exist in the bay to allow this dredging to be completed without having to excavate any hard rock. Dredging will be performed using hydraulic or mechanical methods, depending on geotechnical characteristics."
 - What is the composition of material to be dredged? ²
 - How will it be dredged? Will blasting be needed?
- Project Description states: "Maintenance dredging of the port area will be required over the life of the project, and allowance for placement of that additional dredged material has been made in sizing the stockpile."
 - We want to know how much material will be dredged over the life of the mine?
 - Maintenance dredging will be annual. What data was used to make this claim?

Rock ramp



Kamishak Bay

² Local fisherman state that there are large rocks in the area. Also, check out the photo included.

THE LAW STATES: "For activities involving discharges of dredged or fill material into waters of the United States, the application must include a statement describing how impacts to waters of the United States are to be avoided and minimized. The application must also include either a statement describing how impacts to waters of the United States are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts" (33 § CFR 325.1(d)(7)).

Project Description states: "While the exact composition of the dredged material is not currently known, some of this material could be beneficially used in the construction of either the jetty and causeway, or the main terminal patio area." READ, DISCHARGE OF UNKNOWN FILL MATERIAL.

- No impacts stated. This is salmon and herring habitat. It is in Northern Sea Otter and Beluga Whale critical habitat (both listed as endangered). It is also in range for listed Steller's Eider. It will also impact the mission of McNeil Refuge and Sanctuary to protect brown bears.
- No statement on how to avoid or minimize impacts (think about sedimentation and maintenance and dangers of vessels running aground and spilling toxic material).
- No mention of compensatory mitigation.

33 § 325.1(d)(6): "If the activity would involve the construction of an impoundment structure, the applicant may be required to demonstrate that the structure complies with established state dam safety criteria or that the structure has been designed by qualified persons and, in appropriate cases, independently reviewed (and modified as the review would indicate) by similarly qualified persons. No specific design criteria are to be prescribed nor is an independent detailed engineering review to be made by the district engineer."

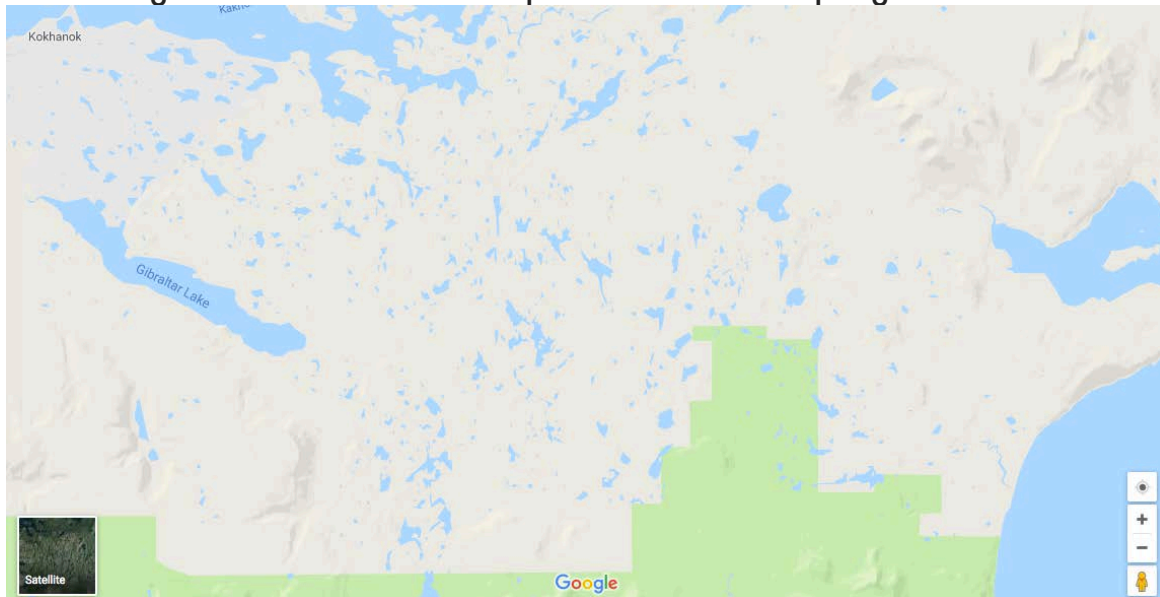
Dam safety cannot be determined without establishing

- 1) composition of 10,210,000 cubic yards of dredged material,
- 2) depth of 178 acre dredge stockpile containment area,
- 3) structure designed by qualified person and independently reviewed: stakes are too high to skip this step.

ROAD:

• WHY IS THE ROAD GOING OVER SO MANY MILES OF WETLANDS? WHAT WILL THE ENVIRONMENTAL IMPACT BE? WON'T IT USE A LOT OF FILL? ARE THERE ALTERNATIVES THAT ARE BETTER FOR THE ENVIRONMENT?

This road goes over what one local pilot has called a “sponge”:



<https://www.google.com/maps/place/Augustine+Island/@59.3555846,-154.4156544,11z/data=!4m5!3m4!1s0x56c3cd5a4383f1a5:0xdd6684d230313418!8m2!3d59.376685!4d-153.4460639>

Dredge and fill impacts to wetlands will be enormous as a result:

Table 21-2. Estimated Access Roads Cut and Fill Volumes

Description		Cut / Dredge (CY)	Fill: Unconsolidated Gravel (CY)	Fill: Rip Rap (CY)
South Access Road	Wetlands (Section 404)	46,400	524,700	2,500
	Waters (Sections 404 and 10)	0	0	500
	Total Wetlands and Waters	46,400	524,700	3,000
	Total Uplands	1,983,600	2,725,300	4,000

THE LAW STATES: “For activities involving discharges of dredged or fill material into waters of the United States, the application must include a statement describing how

impacts to waters of the United States are to be avoided and minimized. The application must also include either a statement describing how impacts to waters of the United States are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts" (33 § CFR 325.1(d)(7)).

- Need impacts assessment in this application.
- Need statement on how to avoid and minimize impacts. Alternatives must be identified and evaluated for environmental impact.
- Need compensatory mitigation statement.
- Natural Gas pipeline along road: spills in wetlands, earthquakes impacts, freeze-thaw and cracking at Lake Iliamna.