



PACRIM COAL, LP

1007 W 3rd Avenue Suite 304 • Anchorage, AK 99501

Tel: (907) 276-6868 • Fax: (907) 276-2395

June 30, 2010

Russell Kirkham, Manager
Coal Regulatory Program
State of Alaska – Department of Natural Resources
550 West 7th Ave, Suite 900 B
Anchorage, Alaska 99501-3577

RE: Coal Exploration Permit 02-83-795
Request for Renewal

Dear Russell:

PacRim Coal, LP is requesting another 2-year renewal of our existing Coal Exploration Permit 02-83-795 as per 11 AAC 90.165 (e). This regulation states, in part, “*Exploration permits will be issued for two year terms and may be renewed*”. The most recent 2-year permit period expires in August of 2010.

The original permit application and supporting material was submitted and approved in November of 1983. Several minor revisions have been submitted and approved since, including 1984, 2005, and 2010. The current permit incorporates these previous documents and approvals. This renewal request will allow us to continue using the monitor wells installed on site and conduct additional work if needed as we proceed through the mine permit process. No other changes are being proposed at this time.

If you have any questions or comments, please do not hesitate to contact me at (907) 276-6868.

Sincerely,

Dan Graham
Chuitna Project Manager

Attachment "A"

Attached to and made a part of that certain Notice of Intent to Explore and Exploration Application for Permit # 02-83-795.

2.0 Location of the Exploration

2.1 Legal Description:

<u>Township</u>	<u>Range</u>	<u>Sections</u>	<u>Aliquot Part</u>	<u>Meridian</u>	<u>Acres</u>
12N	12W	2, 3, 4, 5, 6, 9, 10, 15, 16	All	Seward	
12N	12W	7	N ½	Seward	
12N	12W	8	N ½ & SE ¼	Seward	
12N	12W	17	E ½	Seward	
12N	12W	20	NE ½	Seward	
12N	12W	21	N ½	Seward	
12N	12W	22	NW ½	Seward	
12N	13W	1	E ½	Seward	
13N	12W	14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36	All	Seward	

4.0 Ownership of Surface/Subsurface Mineral Estate

4.4 Mineral Estate Leaseholder

Lease #: ADL 36911, ADL 36913, ADL 36914, ADL 37002, ADL 59502

**ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING LAND & WATER
COAL EXPLORATION
Notice of Intent to Explore
and
Exploration Application**

The Alaska Surface Coal Mining Control and Reclamation Act requires that any person who intends to conduct coal exploration which **will not** substantially disturb the natural land surface complete and file with the Department of Natural Resources a notice of intent to explore. **The completion of Parts A (including submission of the required permit fee), B, D, and E of this form will meet these requirements.** This form must be received at least thirty (30) days prior to commencement of the exploration.

The Act requires that any person who intends to conduct coal exploration which **will** substantially disturb the natural land surface must file a complete application for exploration. **The completion of Parts A (including submission of the required permit fee), C, D, and E of this form will meet the applicant's submission requirements.** The application should be submitted approximately three months prior to the anticipated commencement of exploration.

Substantial disturbance means an impact on land, water, or air resources by activities such as blasting; mechanical excavation (excluding the use of light, portable field equipment); drilling or enlarging coal or water exploratory holes or wells; and construction of roads, structures, trails, aircraft landing and marine docking areas.

Please submit one hard copy and one electronic copy of all application materials as specified by the Department.

Reference: Alaska Statute 27.21.200; 11 AAC 90.161 to 11 AAC 90.167.

PART A: GENERAL INFORMATION Ref: 11 AAC90.161; 11 AAC 90.163

- 1.1 Name of Applicant: PacRim Coal, LP
 Contact: Dan Graham
- 1.2 Address of Applicant: 1007 W. 3rd Ave. Suite 304 Anchorage, AK 99501
- 1.3 Telephone Number: (907) 276-6868
- 1.4 If applicable, provide the following information for the representative who will be present and responsible for the exploration activities.
- 1.5 Name of Representative: Dan Graham
- 1.6 Address of Representative: 1007 W. 3rd Ave. Suite 304 Anchorage, AK 99501
- 1.7 Telephone Number: (907) 276-6868
- 1.8 Email Address: dan@pacrimcoal.com

2.0 Location of the Exploration

2.1 Legal Description (attach additional pages as needed):
(See Attachment A)

Township	Range	Section	Aliquot Part	Meridian	Acres

2.2 Number of Acres in Exploration Area: 20,650

- 2.3 Number of Acres of Federal Land (if applicable): N/A
- 2.4 USGS 1:250,000 or 1:63,360 Quadrangle Names: Tyonek
- 2.5 Distance and Direction to Nearest Community (in miles): 11 miles S
- 2.6 Attach map of exploration site and adjacent area.

3.0 Period of Exploration

- 3.1 Begin (Month/Day/Year): August 8, 2010
- 3.2 End (Month/Day/Year): August 8, 2012

4.0 Ownership of Surface/Subsurface Mineral Estate

If the surface or the mineral estate is owned or leased by someone other than the applicant, answer 4.1 - 4.5, as appropriate (**attach additional pages as needed**).

4.1 Surface Owner

Name: Alaska Mental Health Trust Authority
 Address: 3745 Community Park Loop Suite 200 Anchorage, Alaska 99508
 Telephone Number: (907) 269-7960

4.2 Mineral Estate Owner

Name: Alaska Mental Health Trust Authority
 Address: 3745 Community Park Loop Suite 200 Anchorage, Alaska 99508
 Telephone Number: (907) 269-7960

4.3 Surface Land Leaseholder

Lease #:(See Attachment A) _____
 Name: PacRim Coal, LP
 Address: 1007 W. 3rd Ave. Anchorage, AK 99501
 Telephone Number: (907) 276-6868

4.4 Mineral Estate Leaseholder

Lease #:(See Attachment A) _____
 Name: PacRim Coal, LP
 Address: 1007 W. 3rd Ave. Anchorage, AK 99501
 Telephone Number: (907) 276-6868

4.5 Adjacent Surface & Mineral Estate Leaseholders

Lease #: _____
 Name: _____
 Address: _____
 Telephone Number: _____

4.6 Right to Enter: Provide a statement describing the basis by which the applicant claims the right to enter the land for the purposes of conducting exploration and reclamation, Reference relevant federal, state, and local government prospecting permits or lease documents. Attach copies of supporting documents, as appropriate.

5.0 Fees**Ref: 11 AAC 90.011**

5.1 Permit Fee \$_____ Attach receipt. (Refer to fee schedule below)

Exploration - notice of intent \$100

Exploration - substantial disturbance \$500 + cost of all public notices

PART B: NOTICE OF INTENT TO EXPLORE**Ref: 11 AAC 90.161****6.0 Intention to Explore**

6.1 Describe intended exploration activities, including major' pieces of equipment and their use.

6.2 Will exploration activities substantially disturb the natural surface of the land?

 YES NO

If yes, proceed to Part C; if no, answer 6.3 and proceed to Part D. (See definition on page 1 of this form.)

6.3 Describe practices to be used to protect the environment from adverse impacts resulting from exploration activities.

PART C: EXPLORATION PERMIT APPLICATION**Ref: 11 AAC 90.163;
11 AAC 90.167****7.0 Exploration Area Description**

Note: all technical data in this application must be accompanied by:

- 1) names of persons and organizations who gathered and analyzed data;
- 2) dates of data collections and analysis;
- 3) description of procedures used; and
- 4) names, addresses and positions of officials of each agency consulted.

7.1 Indicate type(s) of surface disturbance: blasting. mechanical excavation Drilling, altering coal or water exploration holes and wells, road or trail construction or modification aircraft landing construction/modification marine docking facility construction/modification construction of structures placement of excavated material or debris on surface other, specify _____

7.2 Provide a map of at least a scale of 1:63,360 enlarged 2.5 times (~1:25000), showing the following existing surface features:

- a. existing roads and trails;
- b. occupied dwellings and other structures;
- c. pipelines, airfields and marine docking facilities;
- d. bodies of water; .
- e. historic, archeological and cultural features;
- f. topographic and drainage features; and

g. habitats of endangered or threatened species.

7.3 Using existing information, briefly describe, with cross references to the map in 7.2, the surface topography, geology, surface waters, predominant land use, and other physical features.

7.4 Using existing information, briefly describe, with cross references to the map in 7.2, vegetation cover and important habitats of fish, wildlife and plants.

7.5 Does the exploration area include critical habitat of threatened or endangered species; or species such as eagles, migratory birds or other animals protected by state or federal law; or habitats of unusually high value for fish and wildlife?

YES NO

If yes, describe impact, control measures, management techniques and monitoring methods to be utilized to protect these species and habitats.

7.6 Does the exploration area include known archeological resources; or districts, sites, structures or objects listed on the National Register of Historic Places?

YES NO

If yes, identify and describe, and describe protection measures to be implemented.

8.0 Exploration and Reclamation Methods

8.1 Provide a map of at least a scale of 1:63,360 enlarged 2.5 times, showing the following exploration and reclamation features (if appropriate, this may be combined with the map required under 7.2):

- a. the area to be disturbed by exploration and reclamation; .
- b. access routes, including new roads, trails or other transportation facilities to be constructed, and existing facilities to be used or modified;
- c. proposed excavations and trenches;
- d. water or coal exploratory holes to be drilled or altered;
- e. earth or debris disposal areas; f. sediment control measures, such as sediment ponds and structures for diverting overland flow, if required; and
- g. other exploration or reclamation features.

8.2 Provide a description of exploration and reclamation methods and a discussion of how the exploration will comply with the performance standards in 11 AAC 90.167. Cross-referencing the map in 8.1, describe, at a minimum, the following:

- a. types and uses of equipment;
- b. design, construction, maintenance and removal of any proposed new roads, trails or other transportation facilities;
- c. alteration and restoration of existing transportation facilities;
- d. blasting procedures;
- e. earth or debris disposal;
- f. backfilling and regrading of all excavations, artificial flat areas, embankments or other disturbed areas to their approximate original contour;
- g. topsoil removal, storage and redistribution;
- h. seed mix, application rates, seeding method and other procedures to be implemented in the establishment of a vegetative cover on all disturbed areas;
- i. procedures for plugging and abandoning exploration holes, boreholes, wells or other exposed underground openings;

- j. procedures and control practices to be implemented to minimize disturbance to the prevailing hydrologic balance, including, if necessary, sedimentation control;
- k. handling and disposal of known acid-forming or toxic-forming materials, if any; and
- l. removal of all facilities and equipment.

- 8.3 Provide a time table for each phase of exploration and reclamation including starting and ending date, type of disturbance, area of disturbance, and reclamation measures.
- 8.4 Give an estimate of the quantity of coal to be removed during the exploration. Specify method used to measure quantity.
- 8.5 Give a detailed estimate of the cost of reclamation of all areas to be affected by exploration activities.

PART D: EXPLORATION ON LANDS UNSUITABLE FOR MINING

Ref: 11 AAC 90.165

9.1 Does the proposed exploration area include any area previously designated as unsuitable for all or certain types of mining by the Commissioner of Natural Resources?

YES NO

If yes, respond to 9.2 and 9.3. . .

9.2 Indicate petition name and number: _____

9.3 Describe the basis for the designation of the area as unsuitable for mining and why exploration in the area is not incompatible with the values or features which led to the designation of the area.

PART E:

The applicant states to the best of his or her knowledge and belief that all statements made in the notice of intent to explore or in the application to explore are true and correct.

Applicant's Name: Joe Lucas Title: Vice-President

Address: 1007 W. 3rd Ave. Anchorage, AK 99501

Applicant's Signature: _____ Date: _____

Subscribed and sworn before me by _____ this the ____ day of _____, 20____

Notary Public: _____ My commission expires _____

[SEAL]

Note: Attach a copy of power of attorney, or resolution of Board of Directors that grants signature authority)

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scale of the maps and plan drawings must be large enough to show pertinent details. Identify your proposed footprint or disturbed area. If this project is a modification to an approved project, identify existing facilities and proposed changes on the site plan.

Proposed starting date for project: 3/1/10 Proposed ending date for project: 4/30/10

■ PROJECT LOCATION and LAND OWNERSHIP

Yes No

4. Describe/identify the project location on a map (Including nearest community, the name of the nearest land feature or body of water, and other legal description such as a survey or lot number.)
 Township 13N Range 12W Section _____ Meridian Seward
 Latitude/Longitude around 61.10'38.18" / 151.22'8.93" (specify Decimal Degrees or Degrees, Minutes, Seconds)
 USGS Quad Map _____

5. The project is located on: State land or water* Federal land Private land Municipal land
 (Check all that apply) Mental Health Trust land University of Alaska land
 Contact the applicable landowner(s) to obtain necessary authorization. State land ownership can be verified using [Alaska Mapper](#). *State land can be uplands, tidelands or submerged lands to 3 miles offshore.

6. Is the project within or associated with the Trans Alaska Pipeline corridor? Yes No

■ COASTAL DISTRICT

Yes No

7. Is the project located in a [coastal district](#)? Yes No
 If yes, identify the applicable coastal district(s) Kenai Peninsula Borough and contact them to ensure your project conforms with district policies and zoning requirements. *Coastal districts are a municipality or borough, home rule or first class city, second class municipality with planning powers, or coastal resource service area. A coastal district is a participant in the State's consistency review process. Early interaction with the district can benefit you significantly; please contact the district representative listed on the contact list at <http://www.alaskacoast.state.ak.us/Contacts/PRCregcont.html>*

■ DEPARTMENT OF NATURAL RESOURCES (DNR) APPROVALS

DNR DIVISION OF MINING, LAND & WATER- LAND SECTION

Yes No

1. Is the proposed project on State-owned land or water or will you need to cross State-owned land for access? (NOTE: State land includes the land below the ordinary high water line of navigable streams, rivers and lakes, and in marine waters, below the mean high tide line seaward for three miles. State land does not include Alaska Mental Health Trust Land or University of Alaska Land.) Yes No

2. If you answered yes to the question above, indicate the person you contacted at the appropriate [Division of Mining, Land and Water](#) regional office for information.
 a) Name/date of Contact: _____
 b) Is an application required for the proposed activity? Yes No
 c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation Permit will be issued by the Coal Mining Section under SMCRA.

DNR DIVISION OF MINING, LAND & WATER- MATERIALS SECTION

Yes No

3. Do you plan to dredge or otherwise excavate or remove materials such as rock, sand, gravel, peat, or overburden from any land regardless of ownership? Yes No
 a) Location of excavation site if different than the project site: _____
 Township _____ Range _____ Section _____ Meridian _____

4. At any one site (regardless of land ownership), do you plan any of the following? Yes No
 Excavate five or more acres over a year's time
 Excavate 50,000 cubic yards or more of materials (rock, sand, gravel, soil, peat, overburden, etc.) over a year's time
 Have a cumulative, un-reclaimed, excavated area of five or more acres

5. Do you plan to place fill or excavated material on State-owned land? Yes No
 a) Location of fill or material disposal site if different than the project site: _____
 Township _____ Range _____ Section _____ Meridian _____

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6. If you answered yes to any question above, indicate the person you contacted at the appropriate [Division of Mining, Land and Water](#) regional office for information.
- a) Name/date of Contact: _____
- b) Is an application required for the proposed activity?
- c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DNR DIVISION OF MINING, LAND & WATER- MINING SECTION

7. Do you plan to mine for locatable minerals such as silver, gold, or copper?
8. Do you plan to explore for or extract coal? X
9. If you answered yes to any question above, indicate the person you contacted at the appropriate [Division of Mining, Land and Water](#) regional office for information.
- a) Name/date of Contact: Russell Kirkham week of 2/1/10
- b) Is an application required for the proposed activity? X
- c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DNR DIVISION OF MINING, LAND & WATER- WATER SECTION

10. Will this project or development divert, impound, withdraw, or use any fresh water (regardless of land ownership)?
(NOTE: If you know of other water users who withdraw from the same source or any potential conflicts affecting this use of water, contact the Water Section. If you are obtaining water exclusively from either an existing Public Water Supply or from a rainwater catchment system, you are not required to contact the DNR Water Section regional office.) X
- a) Check all points-of-withdrawal or water sources that apply:
- Public Water system (name): _____
 - X Stream or Lake (name): Middle Creek # 247-20-10010-2030
 - Well
 - Rain catchment system
 - X Other: ponds
- b) Intended use(s) of water: drilling
- c) Amount (maximum daily, not average, in gallons per day): 900
- d) Is the point of water withdrawal on property you own? X
11. Do you plan to build or alter a dam (regardless of land ownership)? X
12. If you answered yes to any question above, indicate the person you contacted at the appropriate [Division of Mining, Land and Water](#) regional office for information.
- a) Name/date of Contact: Mike Walton week of 2/1/2010
- b) Is an application required for the proposed activity? X
- c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DNR DIVISION OF FORESTRY NA

13. Does your operation meet **both** of the following criteria on any land, regardless of ownership?
- a) The project will commercially harvest timber on 10 or more acres, or commercially harvest timber that intersects, encompasses, or borders on surface waters, **and**
- b) The project involves one or more of the following: site preparation, thinning, slash treatment, construction and maintenance of roads associated with a commercial timber harvest, or any other activity leading to or connected to a commercial timber harvest operation..... X
14. If you answered yes to any question above, indicate the person you contacted at the appropriate [Division of Forestry](#) regional office for information.
- a) Name/date of Contact: _____
- b) Is an application required for the proposed activity?
- c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

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DNR DIVISION OF OIL & GAS

Yes No

15. a) Will you be exploring for or producing oil and/or gas? X
 b) Will you conduct surface use activities on/within an oil and gas lease or unit? X
 If yes, please specify: _____
16. Do you plan to drill a geothermal well (regardless of land ownership)? X
17. If you answered yes to any question above, indicate the person you contacted at the appropriate [Division of Oil & Gas](#) office for information.
 a) Name/date of Contact: _____
 b) Is an application required for the proposed activity?
 c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____
 Visit the [Division of Oil & Gas website](#) for application forms and additional information.

DNR OFFICE OF HISTORY & ARCHAEOLOGY

Yes No

18. Will you investigate, remove, or impact historical, archaeological or paleontological resources (anything over 50 years old) on State-owned land? X
19. If you answered yes to the question above, indicate the person you contacted at the [State Historic Preservation Office](#) for information.
 a) Name/date of Contact: _____

DNR DIVISION OF GEOLOGICAL & GEOPHYSICAL SURVEYS

Yes No

20. Is the proposed project located within a natural hazard area designated by a coastal district in the approved district plan? (Refer to the [district plan](#) or contact the [coastal district office](#).) X
 a) If "yes", describe the measures you will take in the siting, design, construction, and operation of the proposed activity to protect public safety, services, and the environment from potential damage caused by the designated natural hazard(s) in the Natural Hazards portion of the attached Coastal Consistency Evaluation (11 AAC 112.210).
21. If you have contacted someone, please indicate the person you contacted at the [Coastal District](#) or the [State](#) for information. The [Division of Geological & Geophysical Survey](#) may have additional information on hazards for the area.
 a) Name/date of Contact: _____

DNR DIVISION OF PARKS & OUTDOOR RECREATION

Yes No

22. Is the proposed project located in a unit of the Alaska State Park System including navigable waters, tidelands or submerged lands to three miles offshore? X
23. If you answered yes to any question above, indicate the person you contacted at the appropriate [DNR Division of Parks & Recreation](#) office for information.
 a) Name/date of Contact: _____
 b) Is an application required for the proposed activity?
 c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DNR APPROVALS

List the Department of Natural Resources permits or authorizations required for your project below:

Types of project approvals or permits needed.	Date application submitted
Revision of existing Notice of Exploration (coal)	2/5/10
TWUP	2/5/10

■ 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

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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
5. Will you work in, remove water or material from, or place anything in, a stream, river or lake? (*NOTE: 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. If the proposed project is located within a special flood hazard area, a municipal floodplain development permit may be required. Contact the affected city or borough planning department for additional information and a floodplain determination.*) X
- a) If yes, name of waterbody: Middle Creek #247-20-10010-2030
6. If you answered yes to any questions above, indicate the person you contacted at the appropriate [Department of Fish and Game](#) office for information. (*For projects involving Hatcheries or Aquatic Farms, please contact the [Division of Commercial Fisheries](#). Other projects should contact the [Division of Habitat](#).)*)
- a) Name/date of Contact: Megan Marie week of 2/1/10
- b) Is an application required for the proposed activity? X
- c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DFG APPROVALS

List the Department of Fish and Game permits or authorizations required for your project below:

Types of project approvals or permits needed.	Date application submitted
FH permit for water withdrawal and winter stream crossing	2/9/10

■ DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) APPROVALS

DEC DIVISION OF WATER

- | | Yes | No |
|---|-----|--------------------------|
| 1 a) Will a discharge of non-domestic wastewater to lands, waters, or the subsurface of the state occur? (<i>NOTE: Non-domestic wastewater includes wastewater from commercial or industrial facilities, excavation projects, wastewater from man-made containers or containment areas, or any other non-domestic wastewater disposal activities see 18 AAC 72.990 for definitions.</i>) <input type="checkbox"/> | | X |
| b) Will a discharge of domestic wastewater or septage to lands, waters or the subsurface of the state occur? (<i>see 18 AAC 72.990 for definitions.</i>) <input type="checkbox"/> | | X |
| c) Will the wastewater disposal activity require a mixing zone or zone of deposit to meet Water Quality Standards (WQS)? (Many disposal activities require a mixing zone to meet WQS, contact DEC if unsure.) <input type="checkbox"/> | | X |
| d) Will the project include a stormwater collection/discharge system? <input type="checkbox"/> | | X |
| e) Will the project include placing fill in wetlands? <input type="checkbox"/> | | X |
| f) Is the surrounding area inundated with water at any time of the year? <input type="checkbox"/> | | X |
| g) Do you intend to construct, install, modify or use any part of a domestic or non-domestic wastewater treatment or disposal system? <input type="checkbox"/> | | X |
| 2. Does your project qualify for a general permit for wastewater? <input type="checkbox"/> | | X |
| 3. If you answered yes to any questions above, indicate the person you contacted at the DEC-Division of Water for information. | | |
| a) Name/date of Contact: _____ | | |
| b) Is an application required for the proposed activity? <input type="checkbox"/> | | <input type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |

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DEC DIVISION OF ENVIRONMENTAL HEALTH

- | | Yes | No |
|---|--------------------------|--------------------------|
| 4 a) Will your project result in construction, modification, or operation 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.) | <input type="checkbox"/> | X |
| 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.) | <input type="checkbox"/> | X |
| c) Will your project result in storage or transfer of solid waste at the site? | <input type="checkbox"/> | X |
| d) Will the project result in storage of more than 50 tons of materials for reuse, recycling, or resource recovery? | <input type="checkbox"/> | X |
| e) Will any sewage solids or biosolids be disposed of or land-applied to the site? (NOTE: 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 septage in a treatment works which are land applied for beneficial use.) .. | <input type="checkbox"/> | X |
| 5. Will your project require application of oil, pesticides, and/or any other broadcast chemicals? | <input type="checkbox"/> | X |
| 6. Does your project qualify for a general permit for solid waste? | <input type="checkbox"/> | X |
| 7. If you answered yes to any question above, indicate the person you contacted at the DEC- Division of Environmental Health for information. | | |
| a) Name/date of Contact: _____ | | |
| b) Is an application required for the proposed activity? | <input type="checkbox"/> | <input type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |

DEC DIVISION OF AIR QUALITY

- | | Yes | No |
|---|--------------------------|----|
| 8 a) Will you have an asphalt plant designed to process no less than five tons per hour of product? | <input type="checkbox"/> | X |
| b) Will you have a thermal remediation unit with a rated capacity of at least five tons per hours of untreated material? .. | <input type="checkbox"/> | X |
| c) Will you have a rock crusher with a rated capacity of at least five tons per hour? | <input type="checkbox"/> | X |
| d) Will you have one or more incinerators with a cumulative rated capacity of 1,000 pounds or more per hour? | <input type="checkbox"/> | X |
| e) Will you have a coal preparation plant? | <input type="checkbox"/> | X |
| f) Will you have a Port of Anchorage stationary source? | <input type="checkbox"/> | X |
| g) Will you have a facility with the potential to emit no less than 100 tons per year of any regulated air contaminant?..... | <input type="checkbox"/> | X |
| h) 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?..... | <input type="checkbox"/> | X |
| i) Will you be constructing a new stationary source with a potential to emit greater than: | <input type="checkbox"/> | X |
| <input type="checkbox"/> 15 tons per year (tpy) of PM-10 | | |
| <input type="checkbox"/> 40 tpy of nitrogen oxides | | |
| <input type="checkbox"/> 40 tpy of sulfur dioxide | | |
| <input type="checkbox"/> 0.6 tpy of lead; or | | |
| <input type="checkbox"/> 100 tpy of CO within 10 km of a nonattainment area | | |
| j) Will you be commencing construction, or (if not already authorized under 18 AAC 50) relocating a portable oil and gas operation? (answer "yes" unless you will comply with an existing operating permit developed for the portable oil and gas operation at the permitted location; or you will operate as allowed under AS 46.14.275 without an operating permit) | <input type="checkbox"/> | X |
| k) Will you be commencing construction or (if not already authorized under 18 AAC 50) relocating an emission unit with a rated capacity of 10 million Btu or more per hour in a sulfur dioxide special protection area established under 18 AAC 50.025? | <input type="checkbox"/> | X |
| l) Will you be commencing a physical change to or a change in the method of construction of an existing stationary source with a potential to emit an air pollutant greater than an amount listed in g) that will cause for that pollutant an emission increase (calculated at your discretion) as either an increase in potential to emit that is greater than: | <input type="checkbox"/> | X |
| <input type="checkbox"/> 10 tpy of PM-10 | | |
| <input type="checkbox"/> 10 tpy of sulfur dioxide | | |
| <input type="checkbox"/> 10 tpy of nitrogen oxides; or | | |
| <input type="checkbox"/> 100 tpy of CO within 10 km of a nonattainment area; or | | |

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actual emissions and a net emissions increase greater than:

- 10 tpy of PM-10
- 10 tpy of sulfur dioxide
- 10 tpy of nitrogen oxides; or
- 100 tpy of CO within 10 km of a nonattainment area

- m) Will you be commencing construction or making a major modification of a Prevention of Significant Deterioration stationary source under 18 AAC 50.306? X
- n) Will you be commencing construction or making a major modification of a nonattainment area major stationary source under 18 AAC 50.311? X
- o) Will you be commencing construction or reconstructing a major stationary source under 18 AAC 50.316, for hazardous air pollutants? Definition of Regulated Air Pollutants can be found at <http://www.epa.gov/ttn/oarpg/t5/memoranda/rapdef.pdf> X
- 9. If you answered yes to any questions above, indicate the person you contacted at the [DEC- Division of Air Quality](#) for information.
 - a) Name/date of Contact: _____
 - b) Is an application required for the proposed activity?
 - c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DEC DIVISION OF SPILL PREVENTION AND RESPONSE

- 10 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
- c) Will you operate facilities on land or water for exploration or production of hydrocarbons? X
- 11. If you answered yes to any questions above, indicate the person you contacted at the [DEC-Division of Spill Prevention and Response](#) office for information.
 - a) Name/date of Contact: _____
 - b) Is a plan required for the proposed activity?
 - c) If "YES" then submit a signed copy of the completed Oil Discharge Prevention & Contingency Plan to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DEC APPROVALS

List the Department of Environmental Conservation permits or authorizations required for your project below:

Types of plan approvals or permits needed	Date application submitted

■ FEDERAL APPROVALS

U.S. ARMY CORPS OF ENGINEERS (USACE)

- 1. Will you discharge dredged and/or fill material or perform dredging activities in waters of the U.S? Section 404 of the Clean Water Act requires that a Department of the Army 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). (Your application to the USACE would also serve as application for DEC Water Quality Certification.) X
- 2. Will you place fill or structures or perform work in waters of the U.S? Section 10 of the Rivers and Harbors Act of 1899 requires that a Department of the Army permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403) (Waters of the U.S include marine waters subject to the ebb and flow of the tide, rivers, streams, lakes tributaries, and wetlands. If you are not certain whether your proposed project is located within a wetland, contact the USACE Regulatory Division to request a wetlands determination. For additional information about the Regulatory Program, visit www.poa.usace.army.mil/reg) X

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3. If you answered yes to the question above, indicate the person you contacted at the [US Army Corps of Engineers](#) for information.

a) Name/date of Contact: _____

b) Is an application required for the proposed activity? Yes No

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

BUREAU OF LAND MANAGEMENT (BLM)

4. Is the proposed project located on BLM land, or will you need to cross BLM land for access? Yes No

5. If you answered yes to the question above, indicate the person you contacted at the [Bureau of Land Management](#) for information.

a) Name/date of Contact: _____

b) Is an application required for the proposed activity? Yes No

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

U.S. COAST GUARD (USCG)

6 a) Do you plan to construct a bridge or causeway over tidal (ocean) waters, or navigable rivers, streams or lakes? Yes No

b) Does your project involve building an access to an island? Yes No

c) Do you plan to site, construct, or operate a deepwater port? Yes No

7. If you answered yes to any question above, indicate the person you contacted at the appropriate [US Coast Guard](#) office for information.

a) Name/date of Contact: _____

b) Is an application required for the proposed activity? Yes No

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

8 a) Will the proposed project have a discharge to any waters? Yes No

b) Will you dispose of sewage sludge? Yes No

c) Will construction of your project expose 1 or more acres of soil? (*NOTE: 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.*) Yes No

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? If you answered yes to c) or d), your project may require an NPDES Stormwater permit Yes No

9. If you answered yes to any question above, indicate the person you contacted at the [US Environmental Protection Agency](#) for information.

a) Name/date of Contact: _____

b) Is an application required for the proposed activity? Yes No

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

FEDERAL AVIATION ADMINISTRATION (FAA)

10 a) Is your project located within five miles of any public airport? Yes No

b) Will you have a waste discharge that is likely to decay within 5,000 feet of any public airport? Yes No

11. If you answered yes to the question above, indicate the person you contacted at the [Federal Aviation Administration](#) for information.

a) Name/date of Contact: _____

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FEDERAL ENERGY REGULATORY COMMISSION (FERC)

- | | Yes | No |
|---|--------------------------|--------------------------|
| 12 a) Does the project include any of the following: | <input type="checkbox"/> | X |
| 1) a non-federal hydroelectric project on any navigable body of water | | |
| 2) locating a hydro project on federal land (including transmission lines) | | |
| 3) using surplus water from any federal government dam for a hydro project | | |
| b) Does the project include construction and operation, or abandonment of interstate natural gas pipeline facilities under sections 7 (b) and (c) of the Natural Gas Act (NGA)? | <input type="checkbox"/> | X |
| c) Does the project include construction and operation of natural gas or liquefied natural gas importation or exportation facilities under section 3 of the NGA? | <input type="checkbox"/> | X |
| d) Does the project include construction for physical interconnection of electric transmission facilities under section 202 (b) of the FPA? | <input type="checkbox"/> | X |
| 13. If you answered yes to any question above, indicate the person you contacted at the appropriate Federal Energy Regulatory Commission office for information. | | |
| a) Name/date of Contact: _____ | | |
| b) Is an application required for the proposed activity? | <input type="checkbox"/> | <input type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |

U.S. FOREST SERVICE (USFS)

- | | Yes | No |
|--|--------------------------|--------------------------|
| 14 a) Does the proposed project involve construction on USFS land? | <input type="checkbox"/> | X |
| b) Does the proposed project involve the crossing of USFS land with a water line? | <input type="checkbox"/> | X |
| c) The current list of Forest Service permits that require ACMP consistency review are online at http://alaskacoast.state.ak.us/Clawhome/handbook/pdf/11_AAC_110.pdf in Article 4, 11 AAC 110.400, pages 28-30. Does your proposed project include any of Forest Service authorizations found on pages 28-30 of the ACMP Handbook? | <input type="checkbox"/> | X |
| 15. If you answered yes to any question above, indicate the person you contacted at United States Forest Service for information. | | |
| a) Name/date of Contact: _____ | | |
| b) Is an application required for the proposed activity? | <input type="checkbox"/> | <input type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |

U.S. FISH AND WILDLIFE SERVICE (USFWS)

- | | Yes | No |
|--|--------------------------|--------------------------|
| 16 a) Is your proposed project on land managed by the USFWS? | <input type="checkbox"/> | X |
| b) Does your project require a Right of Way from the USFWS under 50 C.F.R. 29 and 50 C.F.R 36? | <input type="checkbox"/> | X |
| 17. If you answered yes to any question above, indicate the person you contacted at the US Fish and Wildlife Service for information. | | |
| a) Name/date of Contact: _____ | | |
| b) Is an application required for the proposed activity? | <input type="checkbox"/> | <input type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |

OTHER FEDERAL AGENCY APPROVALS

- | | Yes | No |
|--|--------------------------|----|
| 18 a) Other Federal agencies with authorizations reviewable under the Alaska Coastal Management Program are posted online at http://alaskacoast.state.ak.us/Clawhome/handbook/pdf/11_AAC_110.pdf in Article 4, 11 AAC 110.400, pages 28-30. Does your proposed project include any of the Federal agency authorizations found on pages 28-30 of the ACMP Handbook? | <input type="checkbox"/> | X |
| b) If yes, which federal authorizations? _____ | | |

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19. Have you applied for any other federal permits or authorizations? X

Agency	Approval Type	Date Submitted

Note: The Coastal Project Questionnaire (CPQ) identifies state and federal permits subject to a consistency review. You may need additional permits from other agencies or the affected city and borough government to proceed with your activity. Attach the documentation requested under the Project Description.

ACMP Consistency Evaluation & Certification Statement

Pursuant to [11 AAC 110.215 \(a\)\(1\)\(c\)](#), the applicant shall submit an evaluation of how the proposed project is consistent with the statewide standards at 11 AAC 112.200 - 11 AAC 112.990 and with the applicable district enforceable policies, sufficient to support the consistency certification. Evaluate your project against each section of the state standards and applicable district enforceable policies using the template below or by submitting a narrative description in letter or report form. District enforceable policies are available on the ACMP website at <http://www.alaskacoast.state.ak.us>. Definitions of key terms can be found at: [11 AAC 110.990](#), [11 AAC 112.990](#) and [11 AAC 114.990](#).

If you need more space for an adequate explanation of any of the applicable standards, please attach additional pages to the end of this document. Be sure to include references to the specific sections and subsections that you are evaluating.

STATEWIDE STANDARDS

11 AAC 112.200. Coastal Development

Standard:

- (a) In planning for and approving development in or adjacent to coastal waters, districts and state agencies shall manage coastal land and water uses in such a manner that those uses that are economically or physically dependent on a coastal location are given higher priority when compared to uses that do not economically or physically require a coastal location.
- (b) Districts and state agencies shall give, in the following order, priority to
 - (1) water-dependent uses and activities;
 - (2) water-related uses and activities; and
 - (3) uses and activities that are neither water-dependent nor water-related for which there is no practicable inland alternative to meet the public need for the use or activity.
- (c) The placement of structures and the discharge of dredged or fill material into coastal water must, at a minimum, comply with the standards contained in [33 CFR Parts 320 - 323](#), revised as of July 1, 2003.

Evaluation:

- (a) How is your project economically or physically dependent on a coastal location? Why are you proposing to place the project at the selected location? Not dependent on a coastal location. This is exploration of a coal deposit by installing 10 ground water monitoring wells. The deposit is approximately 12 miles from the coast.
- (b) Evaluation of development priority.
 - (1) How is the proposed project water-dependent? Explain. It is not dependent.
 - (2) How is the proposed project water-related? Explain. It is not related.
 - (3) If the proposed project is neither water-dependent nor water-related, please explain why there is not a practicable inland alternative that meets the public need for the use or activity. Explain. This is an inland location - some 12 miles from the coast.
- (c) *DCOM defers to the United States Corps of Engineers (USACE) to interpret compliance with the referenced standards.* If you plan to discharge or fill waters of the US, have you applied to the Corps of Engineers for the appropriate authorization?

NA

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11 AAC 112.210. Natural hazard areas.

Standard:

(a) In addition to those identified in [11 AAC 112.990](#), the department, or a district in a district plan, may designate other natural processes or adverse conditions that present a threat to life or property in the coastal area as natural hazards. Such designations must provide the scientific basis for designating the natural process or adverse condition as a natural hazard in the coastal area, along with supporting scientific evidence for the designation.

(b) Areas likely to be affected by the occurrence of a natural hazard may be designated as natural hazard areas by a state agency or, under 11 AAC 114.250(b), by a district.

(c) Development in a natural hazard area may not be found consistent unless the applicant has taken appropriate measures in the siting, design, construction, and operation of the proposed activity to protect public safety, services, and the environment from potential damage caused by known natural hazards.

(d) For purposes of (c) of this section, "appropriate measures in the siting, design, construction, and operation of the proposed activity" means those measures that, in the judgment of the coordinating agency, in consultation with the department's division of geological and geophysical surveys, the Department of Community and Economic Development as state coordinating agency for the National Flood Insurance Program under 44 C.F.R. 60.25, and other local and state agencies with expertise,

(1) satisfy relevant codes and safety standards; or

(2) in the absence of such codes and standards;

(A) the project plans are approved by an engineer who is registered in the state and has engineering experience concerning the specific natural hazard; or

(B) the level of risk presented by the design of the project is low and appropriately addressed by the project plans.

Evaluation:

(a) Describe the natural hazards designated in the district plan as they affect this site.

(b) Describe how the proposed project is designed to accommodate the designated hazards. How will you use site design and operate the proposed activity to protect public safety, services and the environment from potential damaged caused by known natural hazards? NA

(d)(1) Describe the measures you will take to meet relevant codes and safety standards in the siting, design, construction and operation of the proposed activity.

(d)(2)(A) If your project is located in an area without codes and safety standards, how is your project engineered for the specific natural hazard? Give the name of the appropriately qualified registered engineer who will approve the plans for protecting public safety, services, and the environment from damage caused by hazards OR

(d)(2)(B) If the level of risk presented by the design of the project is low, how do the project plans and project design address the potential natural hazard?

11 AAC 112.220. Coastal access.

Standard:

Districts and state agencies shall ensure that projects maintain and, where appropriate, increase public access to, from, and along coastal water.

Evaluation:

Please explain how the proposed project will maintain and, where appropriate, increase public access to, from and along coastal water. The location is remote and is not currently accessible by the general public. There are on roads, trails or landing strips near this site. Public access will not be affected either way as it is 12 miles inland.

11 AAC 112.230. Energy facilities.

Standard:

(a) The siting and approval of [major energy facilities](#) by districts and state agencies must be based, to the [extent practicable](#), on the following standards:

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- (1) site facilities so as to minimize adverse environmental and social effects while satisfying industrial requirements;
 - (2) site facilities so as to be compatible with existing and subsequent adjacent uses and projected community needs;
 - (3) consolidate facilities;
 - (4) consider the concurrent use of facilities for public or economic reasons;
 - (5) cooperate with landowners, developers, and federal agencies in the development of facilities;
 - (6) select sites with sufficient acreage to allow for reasonable expansion of facilities;
 - (7) site facilities where existing infrastructure, including roads, docks, and airstrips, is capable of satisfying industrial requirements;
 - (8) select harbors and shipping routes with least exposure to reefs, shoals, drift ice, and other obstructions;
 - (9) encourage the use of vessel traffic control and collision avoidance systems;
 - (10) select sites where development will require minimal site clearing, dredging, and construction;
 - (11) site facilities so as to minimize the probability, along shipping routes, of spills or other forms of contamination that would affect fishing grounds, spawning grounds, and other biologically productive or vulnerable habitats, including marine mammal rookeries and hauling out grounds and waterfowl nesting areas;
 - (12) site facilities so that design and construction of those facilities and support infrastructures in coastal areas will allow for the free passage and movement of fish and wildlife with due consideration for historic migratory patterns;
 - (13) site facilities so that areas of particular scenic, recreational, environmental, or cultural value, identified in district plans, will be protected;
 - (14) site facilities in areas of least biological productivity, diversity, and vulnerability and where effluents and spills can be controlled or contained;
 - (15) site facilities where winds and air currents disperse airborne emissions that cannot be captured before escape into the atmosphere;
 - (16) site facilities so that associated vessel operations or activities will not result in overcrowded harbors or interfere with fishing operations and equipment.
- (b) The uses authorized by the issuance of state and federal leases, easements, contracts, rights-of-way, or permits for mineral and petroleum resource extraction are [uses of state concern](#).

Evaluation:

(a) If this standard applies to your project, please describe in detail how the proposed project is designed to meet each applicable section of this standard: NA

- (1) _____
- (2) _____
- (3) _____
- (4) _____
- (5) _____
- (6) _____
- (7) _____
- (8) _____
- (9) _____
- (10) _____
- (11) _____
- (12) _____
- (13) _____
- (14) _____
- (15) _____
- (16) _____

(b) List the authorizations for state and federal leases, easements, contracts, rights-of-way, water rights, or permits for mineral and petroleum resource extraction you have applied for or received.

11 AAC 112.240. Utility routes and facilities.

Standard:

(a) Utility routes and facilities must be sited inland from beaches and shorelines unless

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- (1) the route or facility is water-dependent or water related; or
- (2) no practicable inland alternative exists to meet the public need for the route or facility.
- (b) Utility routes and facilities along the coast must avoid, minimize, or mitigate
 - (1) alterations in surface and ground water drainage patterns;
 - (2) disruption in known or reasonably foreseeable wildlife transit;
 - (3) blockage of existing or traditional access.

Evaluation:

(a) If the proposed utility route or facility is sited adjacent to beaches or shorelines, explain how the route or facility is water dependent water related or why no practicable inland alternative exists.

NA

(b) If the proposed utility route or facility is sited along the coast, explain how you will avoid, minimize or mitigate:
(1) alterations in surface and ground water drainage patterns;

NA

(2) disruption in known or reasonably foreseeable wildlife transit;

NA

(3) blockage of existing or traditional access.

NA

11 AAC 112.250. Timber harvest and processing.

Standard:

[AS 41.17](#) (Forest Resources and Practices Act) and the regulations adopted under that chapter with respect to the harvest and processing of timber are incorporated into the program and constitute the components of the program with respect to those purposes.

Evaluation:

Does your activity involve harvesting or processing of timber? Yes _____ No X

If yes, please explain how your proposed project meets the standards of the State Forest Resources and Practices Act.

11 AAC 112.260. Sand and gravel extraction.

Standard:

Sand and gravel may be extracted from coastal waters, intertidal areas, barrier islands, and spits if there is no practicable alternative to coastal extraction that will meet the public need for the sand or gravel.

Evaluation:

If your proposed project includes extracting sand or gravel from [coastal waters](#), intertidal areas, barrier islands or spits, please explain why there is no practicable alternative to coastal extraction that meets the public need for sand or gravel.

NA

11 AAC 112.270. Subsistence.

Standard:

(a) A project within a subsistence use area designated by the department or under 11 AAC 114.250(g) must avoid or minimize impacts to subsistence uses of coastal resources.

(b) For a project within a subsistence use area designated under 11 AAC 114.250(g), the applicant shall submit an analysis or evaluation of reasonably foreseeable adverse impacts of the project on subsistence use as part of

(1) a consistency review packet submitted under 11 AAC 110.215; and

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- (2) a consistency evaluation under 15 C.F.R. 930.39, 15 C.F.R. 930.58, or 15 C.F.R. 930.76.
- (c) Repealed 10/29//2004, Register 172.
- (d) Except in nonsubsistence areas identified under AS 16.05.258, the department may, after consultation with the appropriate district, federally recognized Indian tribes, Native corporations, and other appropriate persons or groups, designate areas in which a subsistence use is an important use of coastal resources as demonstrated by local usage.
- (e) For purposes of this section, "federally recognized Indian tribe," "local usage", and "Native corporation" have the meanings given in 11 AAC 114.990.

Evaluation:

- (a) Is your proposed project located within a subsistence use area designated by a coastal district?

Yes _____ No X

If yes, please describe how the proposed project is designed to "avoid or minimize impacts to subsistence uses of coastal resources:"

-
- (b) If your project is located in a subsistence use area designated by the coastal district, provide an analysis or evaluation of its reasonably foreseeable adverse impacts to the subsistence uses.

NA

-
- (c) No response required.

- (d) If your project is not located in a designated subsistence use area, please describe any subsistence uses of coastal resources within the project area. Please be advised that subsistence use areas may be designated by the department during a review. Site is 12 miles inland.

-
- (e) No response required.

11 AAC 112.280. Transportation routes and facilities.

Standard:

Transportation routes and facilities must avoid, minimize, or mitigate

- (1) alterations in surface and ground water drainage patterns;
- (2) disruption in known or reasonably foreseeable wildlife transit; and
- (3) blockage of existing or traditional access.

Evaluation:

If your proposed project includes transportation routes or facilities, describe how it avoids, minimizes, or mitigates

- (1) alterations in surface and ground water drainage patterns; Travel is in the winter on snow and frozen ground with tracked off road equipment.

-
- (2) disruption in known or reasonably foreseeable wildlife transit; and None – NA

-
- (3) blockage of existing or traditional access. None - NA

11 AAC 112.300. Habitats.

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Standard:

- (a) Habitats in the coastal area that are subject to the program are
 - (1) offshore areas;
 - (2) estuaries;
 - (3) wetlands;
 - (4) tideflats;
 - (5) rocky islands and sea cliffs;
 - (6) barrier islands and lagoons;
 - (7) exposed high-energy coasts;
 - (8) rivers, streams, and lakes and the active floodplains and riparian management areas of those rivers, streams, and lakes; and
 - (9) important habitat.
- (b) The following standards apply to the management of the habitats identified in (a) of this section:
 - (1) offshore areas must be managed to avoid, minimize, or mitigate significant adverse impacts to competing uses such as commercial, recreational, or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;
 - (2) estuaries must be managed to avoid, minimize, or mitigate significant adverse impacts to
 - (A) adequate water flow and natural water circulation patterns; and
 - (B) competing uses such as commercial, recreational, or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;
 - (3) wetlands must be managed to avoid, minimize, or mitigate significant adverse impacts to water flow and natural drainage patterns;
 - (4) tideflats must be managed to avoid, minimize, or mitigate significant adverse impacts to
 - (A) water flow and natural drainage patterns; and
 - (B) competing uses such as commercial, recreational, or subsistence uses, to the extent that those uses are determined to be in competition with the proposed use;
 - (5) rocky islands and sea cliffs must be managed to
 - (A) avoid, minimize, or mitigate significant adverse impacts to habitat used by coastal species; and
 - (B) avoid the introduction of competing or destructive species and predators;
 - (6) barrier islands and lagoons must be managed to avoid, minimize, or mitigate significant adverse impacts (A) to flows of sediments and water;
 - (B) from the alteration or redirection of wave energy or marine currents that would lead to the filling in of lagoons or the erosion of barrier islands; and
 - (C) from activities that would decrease the use of barrier islands by coastal species, including polar bears and nesting birds;
 - (7) exposed high-energy coasts must be managed to avoid, minimize, or mitigate significant adverse impacts
 - (A) to the mix and transport of sediments; and
 - (B) from redirection of transport processes and wave energy;
 - (8) rivers, streams, and lakes must be managed to avoid, minimize, or mitigate significant adverse impacts to
 - (A) natural water flow;
 - (B) active floodplains; and
 - (C) natural vegetation within riparian management areas; and
 - (9) important habitat
 - (A) designated under 11 AAC 114.250(h) must be managed for the special productivity of the habitat in accordance with district enforceable policies adopted under 11 AAC 114.270(g); or
 - (B) identified under (c)(1)(B) or
 - (C) of this section must be managed to avoid, minimize, or mitigate significant adverse impacts to the special productivity of the habitat.
- (c) For purposes of this section,
 - (1) "important habitat" means habitats listed in (a)(1) – (8) of this section and other habitats in the coastal area that are
 - (A) designated under 11 AAC 114.250(h);
 - (B) identified by the department as a habitat
 - (i) the use of which has a direct and significant impact on coastal water; and
 - (ii) that is shown by written scientific evidence to be biologically and significantly productive; or

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(C) identified as state game refuges, state game sanctuaries, state range areas, or fish and game critical habitat areas under AS 16.20;

(2) "riparian management area" means the area along or around a waterbody within the following distances, measured from the outermost extent of the ordinary high water mark of the waterbody:

- (A) for the braided portions of a river or stream, 500 feet on either side of the waterbody;
- (B) for split channel portions of a river or stream, 200 feet on either side of the waterbody;
- (C) for single channel portions of a river or stream, 100 feet on either side of the waterbody;
- (D) for a lake, 100 feet of the waterbody.

Evaluation:

(a) List the habitats from (a) above that are within your proposed project area or that could be affected by your proposed project.

NA

(b) Describe how the proposed project avoids, minimizes, or mitigates impacts to each of the identified habitat(s) in section (a) above.

NA

(c) No response required.

11 AAC 112.310. Air, land and water quality

Standard:

Notwithstanding any other provision of this chapter, the statutes and regulations of the Department of Environmental Conservation with respect to the protection of air, land, and water quality identified in AS 46.40.040(b) are incorporated into the program and, as administered by that department, constitute the exclusive components of the program with respect to those purposes.

Evaluation: No response required.

11 AAC 112.320. Historic, prehistoric, and archeological resources.

Standard:

(a) The department will designate areas of the coastal zone that are important to the study, understanding, or illustration of national, state, or local history or prehistory, including natural processes.

(b) A project within an area designated under (a) of this section shall comply with the applicable requirements of AS 41.35.010 – 41.35.240 and 11 AAC 16.010 – 11 AAC 16.900.

Evaluation:

(a) Have you contacted the State Historic Preservation Office (SHPO) to see if your project is in a designated area of the coastal zone that is important to the study, understanding, or illustration of national, state, or local history or prehistory, including natural processes?

Yes SHPO has been contacted and no historical preservation areas exist in the project location.

(b) If your project is within an area designated under (a) of this section, how will you comply with the applicable requirements in the statutes and regulations listed in (b)?

NA

State of Alaska, Department of Natural Resources, Division of Coastal & Ocean Management

Affected Coastal District Enforceable Policies

Evaluate each applicable district enforceable policy using a format similar to the one you completed above for the State Standards. District enforceable policies are available at <http://alaskacoast.state.ak.us/>. If you need more space for an adequate explanation of any of the applicable district enforceable policies, please attach additional pages to the end of this document.

Applicable District Plan(s) Kenai Peninsula Borough

Enforceable Policy: There are no enforceable policies relative to the proposed project.

Evaluation:

Enforceable Policy: _____

Evaluation:

Enforceable Policy: _____

Evaluation:

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

2/8/10

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.

