

# STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES  
Division of Coastal and Ocean Management

# PACKET

SARAH PALIN, GOVERNOR

CENTRAL OFFICE  
Consistency Review Unit  
P.O. Box 111030  
Juneau, AK 99811-1030

## Contacts

		Phone	Fax	Email
DNR/DCOM	Joe Donohue	(907) 465-4664	(907) 465-3075	joe.donohue@alaska.gov
ADEC	Kenwyn George	(907) 465-5313	(907) 465-5274	kenwyn.george@alaska.gov
DNR/OHMP	Jackie Timothy	(907) 465-4275	(907) 465-4759	jackie.timothy@alaska.gov
DNR/DMLW	Brady Scott	(907) 465-3442	(907) 586-2954	brady.scott@alaska.gov
DISTRICT	Teri Camery	(907) 586-0755	(907) 586-3365	teri_camery@ci.juneau.ak.us
USACE	John Leeds	(907) 790-4490	(907) 790-4499	John.C.Leeds@poa02.usace.army.mil

## PROJECT DATA SHEET

PROJECT TITLE: **Taku River (Tulsequah Mine Barging Project)**

STATE ID NUMBER: **AK 0711-04J**

APPLICANT/PROPONENT: **Redcorp Ventures Ltd.**

AGENT: **Tim Davies** Phone: (604) 669-4775 Fax: (604) 669-5330 Email: tim.davies@redcorp-ventures.com

DIRECT FEDERAL ACTION: **No**

REVIEW TYPE: **Consistency**

ACTIVITY TYPE: **OTHER**

PROJECT LOCATION:

Nearest Coastal District: **Juneau**

Project is **INSIDE** the District Coastal Zone Boundary

District Plan Approved? **Yes**

REVIEW SCHEDULE: **50 Days**

REVIEW MILESTONES:

Day 1:	12/18/2007
Reviewer Request for Additional Information on or before:	1/11/2008
<b>ACMP Consistency Comments Due to DCOM on or before:</b>	<b>1/16/2008</b>
Proposed Consistency Determination Issued on or before:	1/30/2008
Final Consistency Determination Issued on or before:	2/5/2008

PREVIOUS OR RELATED PROJECT REVIEW STATE ID#'S: **N/A**

## STATE AND FEDERAL APPROVALS:

STATE	DNR	FISH HABITAT PERMIT	FH07-I-0208
STATE	DNR	LAND USE PERMIT	LAS 26679

ACMP Deadline: 3/17/2008

18-Dec.-07

## **Packet Distribution List Taku River (Tulsequah Mine Barging Project) - AK 0711-04J**

Kenwyn George – ADEC, Juneau  
Mark Fink - ADFG, Sport Fish, Anchorage  
Brian Frenette – ADF&G, Sport Fish, Juneau  
Brian Glynn – ADF&G, Sport Fish, Juneau  
Ed Jones – ADF&G, Sport Fish, Juneau  
Scott Kelley – ADF&G, Commercial Fisheries, Juneau  
Kevin Monagle – ADF&G, Commercial Fisheries, Juneau  
Dave Harris – ADF&G, Commercial Fisheries, Juneau  
Neil Barten – ADF&G, Wildlife, Douglas  
Gordy Williams – ADF&G, Commissioner’s Office, Juneau  
Ed Collazzi - ADNRR/DMLW, Juneau  
Alex Dugaqua – ADNRR/DMLW, Juneau  
Jackie Timothy - ADNRR/OHMP, Juneau  
Kerry Howard – ADNRR/OHMP, Juneau  
Claire Batac – ADNRR/DCOM, Juneau  
Sylvia Kreel – ADNRR/DCOM, Juneau  
Randy Bates – ADNRR/DCOM, Juneau  
Tom Crafford – ADNRR/OPMP, Anchorage  
Margie Goatley - ADNRR/SHPO, Anchorage  
Andy Hughes – ADOT/PF, Juneau  
Sen. Kim Elton – Alaska Senate, Juneau  
Rep. Beth Kerttula – Alaska House of Representatives, Juneau  
Rep. Andrea Doll – Alaska House of Representatives, Juneau  
Bruce Botelho – Mayor, City and Borough of Juneau  
Teri Camery - Coastal District, Juneau  
Rod Swope – Manager, City and Borough of Juneau  
Dale Pernula – Planning and Community Development, Juneau  
Kathleen Wood – Consultant, Gartner Lee Ltd., Whitehorse, NWT  
Garry Alexander – EAO, Vancouver, BC  
Fern Wager – EAO, Vancouver, BC  
John Leeds – USACE, Regulatory, Juneau  
Pamela Bergman – US Dept of Interior, Washington, DC  
Vijai Rai – US Dept of Interior, Washington, DC  
Brierley Ostrander – USCG, Juneau  
Chris Meade – USEPA, Juneau  
Jeff DeFreest – USFS, Juneau  
Deborah Rudis - USFWS, Juneau  
Cindy Hartmann – NMFS, Juneau  
Buck Lindekugel - SEACC, Juneau  
Michele Metz - Sealaska Corporation, Juneau  
Chris Zimmer – Rivers Without Borders, Juneau  
Mark Kaelke - Trout Unlimited, Juneau  
Andy Ebona - Douglas Indian Assoc., Douglas  
Sasha Soboleff – Douglas Indian Assoc., Douglas

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES DIVISION OF COASTAL AND OCEAN MANAGEMENT

# PACKET

SARAH PALIN, GOVERNOR

☐ SOUTHCENTRAL REGIONAL OFFICE  
550 W 7<sup>th</sup> AVENUE SUITE 1660  
ANCHORAGE, ALASKA 99501  
PH: (907) 269-7470 FAX: (907) 269-3891

✱ CENTRAL OFFICE  
302 GOLD STREET, SUITE 202  
P.O. Box 111030  
JUNEAU, ALASKA 99811-1030  
PH: (907) 465-3562 FAX: (907) 465-3075

December 18, 2007

Mr. Tim Davies  
Redfern Resources, Ltd.  
800-1281 West Georgia Street  
Vancouver BC, Canada V6E 3J7

Dear Mr. Davies:

**Subject: Start of ACMP Consistency Review  
Taku River (Tulsequah Mine Barging Project)  
State I.D. No. AK 0711-04J**

The Division of Coastal and Ocean Management (DCOM) received the Coastal Project Questionnaire and Project Evaluation, Certification Statement, applications, and supporting information you have submitted for the Redfern Resources Ltd. proposed barging operation between the Tulsequah Chief Mine in British Columbia and Juneau, Alaska via the Taku River. DCOM is coordinating a review for consistency with the Alaska Coastal Management Program (ACMP) (AS 46.40). This letter initiates the State of Alaska review of this proposed project under the schedule and process described in State regulations (11 AAC 110 – Article 2) and includes a summary of the scope of the project and the review process.

### **DESCRIPTION OF PROJECT SUBJECT TO REVIEW:**

DCOM will be conducting an ACMP consistency review of Redfern Resources' (Redfern) proposed use of the Taku River as a route to transport materials, fuel, supplies, and mineral concentrates between the Tulsequah Chief Mine in British Columbia and the Alaska Marine Lines Facility in Juneau, Alaska. Redfern is proposing to employ a transport system comprised of Air Cushion Barges (ACB) and a combination of conventional shallow-draft river tugs and an "Amphitrac" vessel that will either tow or push the ACB along the route of the Taku River.

The State of Alaska will require that Redfern acquire appropriate State permits for the proposed operation of this ore barging proposal. At this time two State Permits have been identified: a Land Use Permit from Division of Mining, Land and Water (DMLW), and a Fish Habitat Permit from the Office of Habitat Management and Permitting (OHMP). No Federal permits are required for the proposed barging activity.

*"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."*

Mr. Tim Davies – Redfern Resources, Ltd.  
Taku River (Redfern Barging Project)  
AK 0711-04J

The ACMP consistency review will provide a coordinated process for public and State agency review and comment on Redfern’s barging project. The Taku River lies within the Coastal Zone and within the City and Borough of Juneau. Multiple Juneau-area user groups have a vested interest in the continued health and vitality of the Taku River drainage. The objectives of ACMP consistency review are to evaluate proposed projects against a set of standards and policies designed “to coordinate planning and decision making in the coastal area among levels of government and citizens engaging in or affected by activities involving the coastal resources of the state”.

The specific areas subject to this consistency review are the main channels of the Taku River between the U.S./Canada border and the intertidal areas of upper Taku Inlet. DMLW is using the following legal description for their Land Use Permit:

“Copper River Meridian, Township 40S, Range 69E, Sections 1, 2, 10, 16, 21, 28, 33;

Copper River Meridian, Township 39S, Range 69E, Sections 12, 13, 24, 25, 36;

Copper River Meridian, Township 39S, Range 70E, Sections 1, 2, 3, 4, 5, 7, 8;

Copper River Meridian, Township 38S, Range 71E, Sections 14, 15, 22, 27, 28, 31, 32, 33

Other description: Project is located on the State shorelands of the Taku River between the US/Canada border and the mouth of the Taku River near Annex Creek.”

### Additional Review Information

Based on the Coastal Project Questionnaire (CPQ) and Fish Habitat Permit and Land Use Permit applications submitted to ADNR by Redfern, the proposed activity is described as a river barging operation.

“The primary fleet includes two air cushion barges, one marine tug, one shallow draft tug, and two amphitracs. Secondary vessels that will accompany the fleet include a small power boat or jet boat that will operate during the open-water season on the river, and snow machines that will be employed during the winter season. These ancillary vessels will assist in navigation and to provide support in the event of emergencies. In addition to these vessels, an additional barge and shallow draft tug will be available to provide extra transport capacity at times when additional trips are required to make up for delays due to bad weather, maintenance, etc.”

Redfern has produced three project information documents, the “*Tulsequah Chief Mine Air Cushion Barge Transportation System*” – Volumes I and II, and also the “*Tulsequah Chief Mine – Air Cushion Barge Transportation System: Taku River Operations Plan – November, 2007*”. State agencies responsible for the management of the natural resources of the Taku River have conducted internal reviews of draft copies of these documents since March of 2007. During this process these agencies have requested clarification of many operational statements in the original Redfern documents to determine impacts to the resources associated with the Taku River and the methods by which the applicant proposes to avoid or minimize impacts.

### SCOPE OF PROJECT TO BE REVIEWED:

The scope of the project subject to the consistency review includes the State applications and supporting documents submitted to gain the two required State authorizations for Redfern’s proposed ore barging operations on the Taku River. The scope of the DMLW land use

Mr. Tim Davies – Redfern Resources, Ltd.  
 Taku River (Redfern Barging Project)  
 AK 0711-04J

authorization includes those areas of the main channel of the Taku River below ordinary high water (OHW) from the Alaska-British Columbia border down to the mean high tide limit of the marine waters of the upper Taku Inlet. The scope of the ADNR' Office of Habitat Management and Permitting (OHMP) Fish Habitat Permit includes those anadromous waters of the main channel of the Taku River from the Alaska-British Columbia border down to the mean high tide limit of the marine waters of the upper Taku Inlet.

There are no Federal authorizations or permits required for the activities associated with Redfern's proposed barging operation on the Taku River.

**REVIEW PROCESS:**

DCOM distributed the packet of information that Redfern Resources submitted to the following review participants: the Alaska Department of Environmental Conservation, Alaska Department of Fish and Game, ADNR's DMLW and OHMP, and the Juneau Coastal District. Notice was posted on December 18, 2007 on the ADNR Public Notice [[www.dnr.state.ak.us/pic/pubnotfrm.htm](http://www.dnr.state.ak.us/pic/pubnotfrm.htm)], in the Juneau Post Office, the Juneau Library, Harbormaster's Office, and City Offices to inform the public of the proposed project. Newspaper postings of the public notice are planned for publishing in the "Juneau Empire" and the "Anchorage Daily News on December 16, and 18, 2007. A copy of this ACMP consistency review packet is available for public inspection at the Juneau Coastal District office, and for inspection and copying at the DCOM offices in Juneau at 302 Gold Street.

**Document Access –**

The State will be maintaining electronic access links to documents associated with this particular consistency review at two separate web sites.

- The DMLW "Large Mine Team" site is available at:  
<http://www.dnr.state.ak.us/mlw/mining/largemine/tulsequah/index.htm>.
- The Alaska Coastal Management Program home page site is available at:  
<http://www.alaskacoast.state.ak.us>

These sites will have electronic copies of completed State applications; draft copies of State permits for public review; copies of Redfern's "Tulsequah Chief Mine Air Cushion Barge Transportation System" – Volumes I and II; and "Tulsequah Chief Mine – Air Cushion barge Transportation System: Taku River Operations Plan" – November, 2007.

These web sites will also have copies of the ACMP consistency review startup packet of information that consists of a "Project Data Sheet" that gives the review deadlines, a Distribution List of the persons who requested a copy of the ACMP review startup packet, this ACMP startup letter, and a copy of the ACMP Public Notice.

To aid in public participation and as information develops during the course of the ACMP consistency review - DCOM will be adding new or revised project-related documents to both of the State web sites. DCOM encourages interested persons to check the sites at regular intervals to access the latest available project review information.

Mr. Tim Davies – Redfern Resources, Ltd.  
Taku River (Redfern Barging Project)  
AK 0711-04J

**AUTHORIZATIONS:**

The project must be found consistent with the ACMP before the following State authorizations may be issued:

Department of Natural Resources (ADNR)  
Office of Habitat Management and Permitting  
Fish Habitat Permit No. “FH07–I-0208”

Department of Natural Resources (ADNR)  
Division of Mining, Land and Water  
Land Use Permit No. “LAS – 26679”

Please note that, in addition to their consistency review, State agencies with permitting responsibilities will evaluate this proposed project according to their specific permitting authorities.

Agencies will issue permits and authorizations only if they find the proposed project complies with their statutes and regulations in addition to being consistent with the coastal program. Applicants may not use any State land or water without ADNR authorization.

**REVIEW SCHEDULE:**

OPMP is coordinating the consistency review of this project under a 50-day review schedule. Review deadlines are listed below and on the enclosed Project Data Sheet.

Public Meeting	1/8/2008
Request for additional information:	1/11/2008
<b>Comment deadline:</b>	<b>1/16/2008 no later than 5:00 p.m.</b>
Proposed determination:	1/30/2008
Final determination:	2/5/2008

State review participants will evaluate this proposed project for consistency with the enforceable policies of the ACMP that include statewide standards in 11 AAC 112. Also, the public may submit comments regarding the consistency of the project with the ACMP.

**Public Meeting -**

DCOM will be sponsoring an informational public meeting in Juneau in the Centennial Hall on January 8, 2007. The State agencies will present updates on their permitting processes for the Taku River barging proposal. The applicant will also be available to answer questions from the public. The public is invited to attend this meeting and obtain an understanding of the review processes and the requirements for public consistency comments on the project.

**Public Comments –**

As described in 11 AAC 110.510. *Public Comments*, a person may comment on the consistency of a project by submitting written comments addressed directly to the coordinating agency on or before

December 18, 2007

- 5 -

Mr. Tim Davies – Redfern Resources, Ltd.  
Taku River (Redfern Barging Project)  
AK 0711-04J

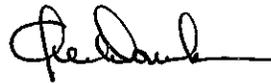
the comment deadline. If a person contends that a project is inconsistent with a standard of the ACMP, the written comment must identify the standard and explain how the project is inconsistent with the standard. To be considered public comments must be received before the comment deadline and explain an inconsistency with a specific ACMP standard.

DCOM will give careful consideration to all comments. The proposed consistency determination will notify you of the State's concurrence with or objection to your certification. If the State objects, the consistency determination may include alternative measures required to make the proposed project consistent with the ACMP. You may choose to adopt the alternative measures, or propose other modifications that would achieve consistency for the State to consider.

By a copy of this letter DCOM is informing both Federal and State agencies and the Juneau Coastal District that the State has begun its consistency review.

We encourage you to visit OPMP's web site [[www.alaskacoast.state.ak.us](http://www.alaskacoast.state.ak.us)] for more information about the ACMP. The web site contains the State's consistency review regulations 11 AAC 110, links to the public notice for this project, and other information. Please contact me at 465-4664, or email [joe.donohue@alaska.gov](mailto:joe.donohue@alaska.gov) if you have any questions.

Sincerely,



Joe Donohue  
ACMP Project Specialist

Enclosure

cc: Packet Distribution List

## 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. Redfern Resources Ltd. <hr/> Name of Applicant 800-1281 West Georgia Street <hr/> Address Vancouver, BC, Canada, V6E 3J7 <hr/> City/State/Zip 604-669-4775 <hr/> Daytime Phone 604-669-5330 tim.davies@redcorp-ventures.com <hr/> Fax Number _____ E-mail Address _____	2. _____ <hr/> Agent (or responsible party if other than applicant) <hr/> Address <hr/> City/State/ZipState      Zip Code <hr/> Daytime Phone <hr/> 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? .....  Yes     No

Previous State I.D. Number: AK \_\_\_\_\_

Previous Project Name \_\_\_\_\_

### ■ PROJECT DESCRIPTION

1. Provide a brief description of your entire project and ALL associated facilities and land use conversions.
- Air Cushion Barging of containerized zinc, lead, and copper concentrate from the Tulsequah Chief Mine located in British Columbia to Juneau for transfer to regular barge service destined for Skagway. Air Cushion Barges returning to the mine site from Juneau will carry supplies, such as construction materials, mine and mill supplies, camp consumable, fuel, lubricants, and maintenance materials.

Proposed starting date for project: 2007 Proposed ending date for project: 2017

- 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 documentation 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.) Taku River, Taku Inlet, Gastineau

### Channel

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Meridian \_\_\_\_\_ Latitude/Longitude \_\_\_\_\_ / \_\_\_\_\_  
USGS Quad Map \_\_\_\_\_

- 4. Is the project located in a coastal district? Yes  No  If yes, identify: City and Borough of Juneau  
*(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: Juneau

- 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 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 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 3 & 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 septage 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? .....
- 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? .....
- Yes      No
- c) Will you operate facilities on land or water for exploration or production of hydrocarbons? .....

**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? .....
2. Does your project include construction/operation of a salmon hatchery? .....
3. Does your project affect, or is it related to, a previously permitted salmon hatchery? .....
4. Does your project include construction of an aquatic farm? .....

**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.*) .....
- 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 ACMP reviews.* .....
3. Do you plan to dredge or otherwise excavate/remove materials on State-owned land? .....
- 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? .....
- Location of fill disposal site if other than the project site: \_\_\_\_\_
- Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Meridian \_\_\_\_\_ USGS Quad Map \_\_\_\_\_
- Source is on:  State Land     Federal Land     Private Land     Municipal Land
5. Do you plan to use any of the following State-owned resources: .....
- 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)? .....
- 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? .....
7. Do you plan to build or alter a dam (regardless of land ownership)? .....
8. Do you plan to drill a geothermal well (regardless of land ownership)? .....
9. At any one site (regardless of land ownership), do you plan any of the following? .....
- 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 AAC 80.900(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: Taku River

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 (provide number of linear feet affected along the bank(s))
- 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
- Use an instream in-water structure not mentioned here

**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
Fish Habitat (Title 41) Permit	to be applied 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\*? .....
- If yes, have you applied for a COE permit? .....

Date of submittal: \_\_\_\_\_

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

Date of submittal: \_\_\_\_\_

Name of BLM contact: \_\_\_\_\_

**U.S. Coast Guard (USCG)**

3. a) Do you plan to construct a bridge or causeway over tidal (ocean) waters, or navigable rivers, streams or lakes? .....
- b) Does your project involve building an access to an island? .....
- c) Do you plan to site, construct, or operate a deepwater port? .....
- If yes, have you applied for a USCG permit? .....

Date of submittal: \_\_\_\_\_

Name of USCG contact: \_\_\_\_\_

**U.S. Environmental Protection Agency (EPA)**

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

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 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? .....  Yes  No
- 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? .....  Yes  No
- b) Will you have a waste discharge that is likely to decay within 5,000 feet of any public airport? .....  Yes  No
- 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 .....  Yes  No
  - 2) a location on federal land (including transmission lines) .....  Yes  No
  - 3) utilization of surplus water from any federal government dam .....  Yes  No
- 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)? .....  Yes  No
- c) Does the project include construction for physical interconnection of electric transmission facilities under section 202 (b) of the FPA? .....  Yes  No
- If you answered yes to any questions under number 6, did you apply for a permit from FERC? .....  Yes  No

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 - 202-502-8955)*

**U.S. Forest Service (USFS)**

7. a) Does the proposed project involve construction on USFS land? .....  Yes  No
- b) Does the proposed project involve the crossing of USFS land with a water line? .....  Yes  No
- If the answer to either question is yes, did you apply for a USFS permit or approval? .....  Yes  No

Date of submittal: \_\_\_\_\_

Name of USFS contact: \_\_\_\_\_

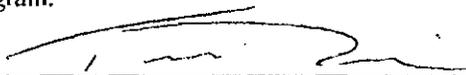
8. Have you applied for any other federal permits or authorizations? .....  Yes  No

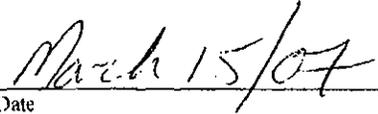
AGENCY	APPROVAL TYPE	DATE SUBMITTED

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

  
Date

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

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

- To complete your packet, please attach your State permit applications and copies of your federal permit applications to this questionnaire.



The Coastal Project Questionnaire (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.

## ACMP Consistency Evaluation & Certification Statement

Pursuant to 11 AAC 112.215 (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?

The ACB transportation system is dependant on the Taku River, as the barge system requires a navigable waterway to operate between the minesite in Canada and Juneau, Alaska. The river corridor provides a year-round transportation route between these two locations.

Consistent

Inconsistent

Not Applicable

(b) Evaluation of development priority.

(1) How is the proposed project water-dependent?

See above. The project is a barge transportation system that is dependant on using navigable waterways

year-round.

(2) How is the proposed project water-related? See above.

(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.

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

(c) OPMP 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?

There is no plan to discharge or fill waters of the US.

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) Is your proposed project in a natural hazard area designated by a coastal district Or the Alaska Department of Natural Resources? Yes \_\_\_ No [X]

(b) Describe the potential natural hazards likely to affect the proposed project site or area.

http://www.dggs.dnr.state.ak.us/geologic\_hazards\_coastal\_districts.htm

For the purposes of this evaluation, natural hazards are defined to include flooding, earthquakes, active faults, tsunamis, landslides, volcanoes, storm surges, ice formation, avalanches, erosion, and beach processes. As the transportation route follows the Taku River channel, the transportation system (river navigation) is not affected by many of these potential natural hazards. Extreme wind can occur periodically on the Taku River, as well as heavy snowfall.

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

The planned operations of the transportation system has allowed for 20% downtime due to weather and routine maintenance activities. During extreme weather events, operations will be postponed.

(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? 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?

Consistent       Inconsistent       Not Applicable

**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 project will maintain public access to, from, and along coastal waters. The Taku River is a recognized navigable waterway; as such, the proposed transportation system is entirely consistent with navigational use of this river. The operation of the transportation system is planned so that potential interference with public navigation along the Taku River will be avoided or minimized. A *Transportation Communication Plan* will be developed prior to operations that will, at minimum, include the following:

- a schedule of ACB transits throughout the open water season to be communicated to fishermen, the Taku River Recreation Association and the general public in advance of the open water season, and any fishing openings (Personal Use fishery);
- advance notification of any changes to the schedule, to the extent practical;
- radio communication on the tug operating on a common frequency;
- equipping the barge and tug with standard marine lighting to ensure visibility;
- direct communication with the Alaska Dept. of Fish and Game (ADF&G) prior to the start of the Personal Use fishery, and again at the close of the season to identify particular issues that may arise and identify means to avoid or minimize conflicts with this fishery and navigation;
- seasonal discussions with the Taku River Recreation Association to review the Communications Plan and identify opportunities for improvement; reporting of incidents;
- communication with ADF&G to identify any interference to research activities; and

- discussions with the Taku Lodge operators to co-ordinate schedules to minimize disruption to the incoming and outgoing aircraft activity. This may include routine or seasonal meetings to review the success of the co-ordination and communication.

See Operations Plan, Section 4.4

Consistent       Inconsistent       Not Applicable

## 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:

- (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 harbours 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 harbours 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:

Consistent       Inconsistent       Not Applicable

- (b) List the authorizations for state and federal leases, easements, contracts, rights-of-way, 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
  - (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 practical inland alternative exists.
  
- (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;
  - (3) disruption in known or reasonably foreseeable wildlife transit;
  - (4) 3) blockage of existing or traditional access.

Consistent       Inconsistent       Not Applicable

**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 \_\_\_\_\_

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.

Consistent       Inconsistent       Not Applicable

**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
  - (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

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.
- (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.

The permissible area includes the Taku River between the US/Canada border and the tidal flats at the mouth of the river near Swede Point. There is a Personal Use fishery on the Taku River, and activity is concentrated at the downstream end of Canyon Island where nets are set in eddies in the west channel, downstream of the fish wheels. As the ACB route will use the east channel during the open water season, potential interference with the Personal Use fishery will be minimized. A *Transportation Communication Plan* will be developed to notify the public and other key user groups on the river of the ACB schedule, prior to the start of the open water season. See Operations Plan, Section 4.4.

Consistent       Inconsistent       Not Applicable

**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;

The Operations Plan, Section 4.1 (attached) describes general procedures that will be followed during the open water season. The route will, for the most part, utilize the thalweg (deepest portion) of the Taku River, thereby avoiding or minimizing potential alteration of surface drainage patterns. For example, the following potential effects will be avoided:

- avoids potential channelization effects;
- avoids potential disturbance to exposed sand flats;
- avoid potential disturbance of substrates upstream of Taku Lodge;
- avoid potential re-suspension of sediments (as fine sediments will not generally accumulate in the thalweg to be re-suspended by the propeller wash from the tug)

No dredging or other in-stream works will be conducted.

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

Potential disruption of marine mammals will be avoided by the following operational procedures:

- Use of the ACB (on hover) reduces the level of underwater noise typically associated with conventional barging by reducing the mechanical transmission of noise to the water column.
- Slow speed of travel
- Implement Wildlife right-of-way policy for transportation system operations.
- Avoid areas where marine mammals are observed to congregate.

- (3) blockage of existing or traditional access.

The proposed transportation system will not block existing or traditional access.

Consistent       Inconsistent       Not Applicable

**11 AAC 112.300. Habitats.**

**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*
- (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.

The project area for the purposes of permit application(s) includes the Taku River between the US/Canada border to the mouth of the river (downstream end of the tidal flats near Swede Point). As such, the habitats applicable to this project include:

- (4) *tideflats; and*
- (8) *ivers, streams, and lakes and the active floodplains and riparian management areas of those rivers, streams, and lakes*

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

The equipment selected for this transportation system is specifically designed to have minimal impact on sensitive environments. The hoverbarge and amphitrac exert minimal ground pressure when travelling over the ground. The equipment, including the shallow draft tug, is designed specifically for use in shallow waters, as the draft of the ACB, shallow draft tug, and amphitrac in each instance is less than 3 ft. As such, there will be no or minimal contact with the river channel bottom during the open water season. The shallow draft of these vessels, the low ground pressure of the ACB and amphitrac, slow speed (minimal wake), and appropriate choice of route through the tidal flats will minimize potential effects on tidal flat habitats. The route identified for the transportation system during the open water and transition seasons will, for the most part, remain in the thalweg (deepest portion) of the river. The Operations Plan, Sections 2 and 4, include a detailed description of operating procedures applicable to navigating across the tidal flats during the open water, transitional (spring and fall) and winter seasons.

Upstream of the tidal flats, the river channel is deeper, more defined, and use of the thalweg will avoid many of the potential aquatic habitats that are typically associated with the clear-water side channels (salmon spawning and rearing); shallow portions along the mainstem (rearing). These operational procedures are outlined in Section 4, Operations Plan (attached).

Winter operations will be carried out using the amphibious amphitrac. The amphitrac is similar to the Rolligon-type vehicles used on Alaska's North Slope that are designed specifically to exert minimal ground pressure, thereby minimizing disturbance to sensitive arctic environments. The amphitrac will tow the ACB along the

frozen floodplain of the river. Its low ground-pressure, exerting approximately 3 psi, will create minimal ground disturbance or surface compaction. Ice breaking is not desired; the objective is to maintain the integrity of the ice cover during winter operations. The ACB will be winched up onto the ice surface, avoiding open leads as much as possible to avoid breaking through the ice. Use of the west channel, once it is ice-covered, at Canyon Island will avoid the open leads that tend to persist in the east channel during the winter season.

The proposed barging operations will avoid adverse impacts to natural water flows, the active floodplain; and natural vegetation within riparian management areas along the river. The route will follow the mainstem of the river, as shown in the Operations Plan, Figure 1. The route around Canyon Island is described in detail in the Operations Plan, Section 2.2, and shown in Figures 7 and 8.

Further analysis of the potential habitat impacts and mitigation is included in the report titled: Tulsequah Chief Mine Air Cushion Barge Transportation System; Volume 2, Chapter 5.

Consistent       Inconsistent       Not Applicable

### **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?

SHPO was contacted on November 6<sup>th</sup>, 2007. They advised that there are no designated areas on the Taku River, and activities on the river are unlikely to be of concern.

- (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)?

Consistent       Inconsistent       Not Applicable

### **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)** City and Bureau of Juneau<sup>1</sup>

**Enforceable Policy:**

<sup>1</sup>The City and Borough of Juneau's coastal management plan was allowed to lapse on September 1, 2007, in accordance with Senate Bill 476 (Chapter 2, SLA 07). As such, the City and Borough of Juneau does not have any enforceable policies applicable to this project

**Evaluation:**

Consistent       Inconsistent       Not Applicable

**Enforceable Policy:** \_\_\_\_\_

**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

November 5, 2007

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.

# STATE OF ALASKA

# PACKET

SARAH PALIN, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES DIVISION OF COASTAL AND OCEAN MANAGEMENT

SOUTHCENTRAL REGIONAL OFFICE  
550 W 7<sup>th</sup> AVENUE SUITE 1660  
ANCHORAGE, ALASKA 99501  
PH: (907) 269-7470 FAX: (907) 269-3891

CENTRAL OFFICE  
302 GOLD STREET, SUITE 202  
P.O. Box 111030  
JUNEAU, ALASKA 99811-1030  
PH: (907) 465-3582 FAX: (907) 465-3075

December 18, 2007

**Coordinator: Juneau Coastal District  
University of Alaska - Southeast  
Western Auto & Marine**

**FAX: 586-3365  
FAX: 465-6249  
FAX: 780-4948**

Dear Sir or Madam:

**Subject: Taku River (Tulsequah Mine Barging Project)  
State I.D. No. AK 0711-04J**

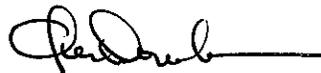
My agency is seeking your assistance so that we can inform the general public of a coastal project proposed in your area and explain how a person can obtain more information and submit comments during the public review period, in accordance with Alaska Statute 46.40.096(c).

**Please post the attached public notice in the lobby, general bulletin board area of your postal facility, or announce it on your radio programming; please keep the notice posted until the deadline for public comments, as indicated on the notice.**

This request to post the attached notice is in accordance with U.S. Post Office regulations (Postal Operations Manual, Section 221.525) which indicate that a government agency can request posting of an official notice about an activity of general interest to the customers of that postal facility.

Thank you for your valuable help.

Sincerely,



Joe Donohue  
ACMP Project Specialist

Attachment

# STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF COASTAL AND OCEAN MANAGEMENT

# PACKET

SARAH PALIN, GOVERNOR

☐ SOUTHCENTRAL REGIONAL OFFICE  
550 W 7<sup>th</sup> AVENUE SUITE 1660  
ANCHORAGE, ALASKA 99501  
PH: (907) 269-7470 FAX: (907) 269-3891

☒ CENTRAL OFFICE  
302 GOLD STREET, SUITE 202  
P.O. Box 111030  
JUNEAU, ALASKA 99811-1030  
PH: (907) 465-3562 FAX: (907) 465-3075

December 18, 2007

**Coordinator: Juneau Coastal District**  
**U.S. Post Office: Juneau**  
**Harbormaster: Juneau**  
**Harbormaster: Auke Bay**

**FAX: 586-3365**  
**FAX: 586-4112**  
**FAX: 586-2507**  
**FAX: 789-7201**

Dear Sir or Madam:

**Subject: Taku River (Tulsequah Mine Barging Project)**  
**State I.D. No. AK 0711-04J**

My agency is seeking your assistance so that we can inform the general public of a coastal project proposed in your area and explain how a person can obtain more information and submit comments during the public review period, in accordance with Alaska Statute 46.40.096(c).

**Please post the attached public notice in the lobby, general bulletin board area of your postal facility, or announce it on your radio programming; please keep the notice posted until the deadline for public comments, as indicated on the notice.**

This request to post the attached notice is in accordance with U.S. Post Office regulations (Postal Operations Manual, Section 221.525) which indicate that a government agency can request posting of an official notice about an activity of general interest to the customers of that postal facility.

Thank you for your valuable help.

Sincerely,



Joe Donohue  
ACMP Project Specialist

Attachment



## Public Notice

Alaska Coastal Management Program  
Dated December 18, 2007

# Taku River – Tulsequah Mine Ore Barging Project

## Your Opportunity to Comment

### Project Title/State ID#:

Taku River (Tulsequah Mine Ore Barging Project) /  
AK 0711-04J

### Applicant/Agent:

Redfern Resources, Ltd. / Mr. Tim Davies

### Location:

(Please refer to the “Project Description” to follow.)

### Review Schedule (50 days):

- Day 1 .....12/18/2007
- **Comments due on or before.....1/16/2008**
- Final determination issued by .....2/2/2008

### How you can participate:

This project is being reviewed for consistency with the Alaska Coastal Management Program. Your comments on the proposed project’s consistency must be submitted in writing to the Division of Coastal and Ocean Management (DCOM).

*Comments about inconsistency must identify the relevant enforceable policy and explain how the project is not consistent with that policy.*

**Deadline for written comments:  
5:00 PM on January 16, 2008**

### Contact:

Joe Donohue, ACMP Project Specialist  
Department of Natural Resources  
Alaska Coastal Management Program, DCOM  
PO Box 111030, Juneau, AK 99811-1030  
Phone: 907-465-4664 Fax: 907-465-3075  
Email: [joe.donohue@alaska.gov](mailto:joe.donohue@alaska.gov)  
Web site: <http://www.alaskacoast.state.ak.us/>

### Project Description:

DCOM will be conducting an ACMP consistency review of Redfern Resources’ (Redfern) proposed use of the Taku River as a route to transport materials, fuel, supplies, and mineral concentrates between the Tulsequah Chief Mine in British Columbia and the Alaska Marine Lines Facility in Juneau, Alaska. Redfern is proposing to employ a transport system comprised of Air Cushion Barges (ACB) and a combination of conventional shallow-draft river tugs and an “Amphitrac” vessel that will either tow or push the ACB along the route of the Taku River.

The State of Alaska will require that Redfern acquire appropriate State permits for the proposed operation of this ore barging proposal. At this time two State Permits have been identified: a Land Use Permit from Division of Mining, Land and Water (DMLW), and a Fish Habitat Permit from the Office of Habitat Management and Permitting (OHMP). No Federal permits are required for the proposed barging activity.

The ACMP consistency review will provide a coordinated process for public and State agency review and comment on Redfern’s barging project. The Taku River lies within the Coastal Zone and within the City and Borough of Juneau. Multiple Juneau-area user groups have a vested interest in the continued health and vitality of the Taku River drainage. The objectives of ACMP consistency review are to evaluate proposed projects against a set of standards and policies designed “to coordinate planning and decision making in the coastal area among levels of government and citizens engaging in or affected by activities involving the coastal resources of the state”.

The specific areas subject to this consistency review are the main channels of the Taku River between the U.S./Canada border and the intertidal areas of upper Taku Inlet.

### Additional Review Information

Based on the Coastal Project Questionnaire (CPQ) and Fish Habitat Permit and Land Use Permit applications submitted to ADNR by Redfern, the proposed activity is described as a river barging operation.

"The primary fleet includes two air cushion barges, one marine tug, one shallow draft tug, and two amphitracs. Secondary vessels that will accompany the fleet include a small power boat or jet boat that will operate during the open-water season on the river, and snow machines that will be employed during the winter season. These ancillary vessels will assist in navigation and to provide support in the event of emergencies. In addition to these vessels, an additional barge and shallow draft tug will be available to provide extra transport capacity at times when additional trips are required to make up for delays due to bad weather, maintenance, etc."

Redfern has produced three project information documents, the *"Tulsequah Chief Mine Air Cushion Barge Transportation System"* – Volumes I and II, and also the *"Tulsequah Chief Mine – Air Cushion Barge Transportation System: Taku River Operations Plan – November, 2007"*. State agencies responsible for the management of the natural resources of the Taku River have conducted internal reviews of draft copies of these documents since March of 2007. During this process these agencies have requested clarification of many operational statements in the original Redfern documents to determine impacts to the resources associated with the Taku River and the methods by which the applicant proposes to avoid or minimize impacts.

### Document Access –

The State will be maintaining electronic access links to documents associated with this particular consistency review at two separate web sites.

- The DMLW "Large Mine Team" site is available at:  
<http://www.dnr.state.ak.us/mlw/mining/largemine/tulsequah/index.htm>.
- The Alaska Coastal Management Program home page site is available at:  
<http://www.alaskacoast.state.ak.us>

These sites will have electronic copies of completed State applications; draft copies of State permits for public review; copies of Redfern's "Tulsequah Chief Mine Air Cushion Barge Transportation System" – Volumes I and II; and "Tulsequah Chief Mine – Air Cushion barge Transportation System: Taku River Operations Plan" – November, 2007.

These web sites will also have copies of the ACMP consistency review startup packet of information that consists of a "Project Data Sheet" that gives the review deadlines, a Distribution List of the persons who requested a copy of the ACMP review startup packet, this ACMP startup letter, and a copy of the ACMP Public Notice.

To aid in public participation and as information develops during the course of the ACMP consistency review - DCOM will be adding new or revised project-related documents to both of the State web sites. DCOM encourages interested persons to check the sites at regular intervals to access the latest available project review information.

### **For Your Information:**

Individuals with disabilities who may need auxiliary aids, services, or special modifications to participate in this review may contact the DCOM review staff at the above address.

Public notice posted in Juneau, Alaska at the downtown Post Office, the Juneau Coastal District office, at the Aurora Harbor and Auke Bay Harbormaster offices and on the ADNR public notice web site. A complete copy of the project packet is available for review and copying at the Juneau Coastal District office in the CBJ Community Development Dept on the 4<sup>th</sup> Floor of the Marineview Building in Juneau, Alaska.