

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. Niblack Mining Corp.

Name of Applicant

Suite 615 – 800 West Pender Street

Address

Vancouver, B.C., Canada, V63 2V6

City/State/Zip

(604) 484-5045 (fax) 604-684-0279

Daytime Phone

Darwin Green [dgreen@niblackmining.com]

Fax Number

E-mail Address

2. Rick Richins, RTR Resource Management

Agent (or responsible party if other than applicant)

1109 Main St - Suite 480

Address

Boise, Idaho 83702

City/State/Zip

State Zip Code

(208) 343-8727

Daytime Phone

(208) 343-5115

rrichins@rtr-inc.com

Fax Number

E-mail Address

■ PROJECT INFORMATION

Yes

No

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?

N.A.

☐

Note: Approval means any form of authorization. If "yes," please list below:

Approval Type	Approval #	Issuance Date	Expiration Date
N.A.			

2. If this is a modification, was this project reviewed for consistency with Alaska Coastal Management?

.....

N.A.

☐

Previous State I.D. Number: AK - N.A.

Previous Project Name - N.A.

■ PROJECT DESCRIPTION

1. Provide a brief description of your entire project and ALL associated facilities and land use conversions.

The Niblack construction exploration project is located in Sections 33 and 34, T 78 S, R 88 E, Copper River Meridian, Latitude 55.0667°N, Longitude 132.1467°W, off Moira Sound in Niblack Anchorage Prince of Wales Island, Alaska (see Figure 1, Location Map).

The temporary barge facility is a 30-50 ft. wide by 100-150 ft long floating mancamp. The barge is designed to accommodate 24 workers. It is self-contained with ADEC-approved water supply and waste water treatment facilities. A hinged walkway would provide reliable and safe access to the land and a historic mancamp, the core storage area, and solid waste incinerator (see Figure 2, Initial Site Plan).

Proposed starting date for project: 3/15/2007. Proposed ending date for project: 11/15/2007 (8 months).

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. **See Figures 1 and 2 attached.**

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.) Niblack Anchorage, P.of Wales Island

Township 78S Range 88E Section : 33/34 Meridian : Copper River Latitude/Longitude 55.0667°N / 132.1467°W

USGS Quad Map: Niblack Anchorage

4. Is the project located in a coastal district? Yes ☒ No ☐ If yes, identify: Southeast
(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: Ketchikan

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. **Project is Located on State Tidelands**

■ 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

- a) If the answer is yes, will the discharge be 500 gallons per day or greater?..... ☒ ☐
- b) If constructing a domestic wastewater treatment or disposal system, will the system be located within fill material requiring a COE permit? **N.A.** ☐

Self-contained floating barge camp with approved waste water treatment system.

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? **N.A.**
- 2) How far is any part of the wastewater disposal system from the nearest surface water? **N.A.**
- 3) Is the surrounding area inundated with water at any time of the year? **N.A.** ☐
- 4) How big is the fill area to be used for the absorption system? **N.A.**
(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.)

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 3. Will your project require a mixing zone?
<i>(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.)</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. a) Will your project result in construction, operation, or closure of a facility for solid waste disposal?.....
<i>(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.)</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Will your project result in treatment of solid waste at the site?.....
<i>(Examples of treatment methods include, but are not limited to: incineration, open burning, baling, and composting.)</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Will your project result in storage or transfer of solid waste at the site?..... | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Will the project result in storage of more than 50 tons of materials for reuse, recycling, or resource recovery?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Will any sewage solids or biosolids be disposed of or land-applied to the site?
<i>(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.)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Will your project require application of oil, pesticides, and/or any other broadcast chemicals? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Will you have a facility with incinerators having a total charging capacity of no less than 1,000 pounds per hour?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Will you propose exhaust stack injection?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) 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"/> | <input checked="" type="checkbox"/> |
| 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?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- 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

Temporary Tidelands Permit (Land Use Permit Application – AS 38.05.850) for floating mancamp Travis Guymon/Brady Scott (907) 465-3406	Original May, 2006, resubmitted February 12 2007
ADEC General Permit #0240DB004 for domestic waste water (Auth. # 1132). Tim Wingerter/Shawn Stokes (907) 465-5366	February, 2007: Application for renewal of ADEC File 900.45.090. Authorized discharge from Aug 4, 2006 to December 31, 2006.

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:

☐ **N.A.** (DEC contact) told me on _____ that no DEC approvals are required on this project because

☐ **Other: N.A.**

■ 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
NONE	

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:** Mark Mannillo of Alaska Department of Fish and Game consulted. Floating mancamp located to avoid Critical Habitat (see Figure 2)

■ 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: N.A.

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:..... ☐ ☒

N.A. **Timber:** Will you harvest timber? Amount: _____

N.A. **Materials such as rock, sand or gravel, peat, soil, overburden, etc.:**

Which material? _____ Amount: **None**

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): **10,000 gpd**

Source: **Camp Creek** Intended Use: **Domestic after treatment**

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 **Yes**

No

mined area of less than five acres, do you intend to file a voluntary reclamation plan for approval? ☐ ☒

10. Do you plan to explore for or extract coal? ☐ ☒

11. a) Will you explore for or produce oil and/or gas?..... ☐ ☒

b) Will you conduct surface use activities on an oil and/or gas lease or within an oil and/or gas unit?..... ☐ ☒

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

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

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? ☐ ☒

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.) ☒ ☐

Name of waterbody: **Camp Creek, Niblack Anchorage (marine)**

16. Will you do any of the following:..... ☒ ☐

Please indicate below:

- | | |
|--|--|
| <input type="checkbox"/> Build a dam, river training structure, other instream impoundment, or weir | <input type="checkbox"/> Build a bridge (including an ice bridge) |
| <input checked="" type="checkbox"/> Use water | <input type="checkbox"/> 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.) |
| <input type="checkbox"/> Pump water into or out of stream or lake (including dry channels) | <input type="checkbox"/> Install a culvert or other drainage structure |
| <input type="checkbox"/> Divert or alter a natural stream channel | <input type="checkbox"/> Construct, place, excavate, dispose or remove any material below the ordinary high water of a waterbody |
| <input type="checkbox"/> Change water flow or the stream channel | <input type="checkbox"/> Construct a storm water discharge or drain into a waterbody |
| <input type="checkbox"/> Introduce silt, gravel, rock, petroleum products, debris, brush, trees, chemicals, or other organic/inorganic material, including waste of any type, into water | <input type="checkbox"/> Place pilings or anchors |
| <input type="checkbox"/> Alter, stabilize or restore banks of a river, stream or lake (provide number of linear feet affected along the bank(s)) | <input type="checkbox"/> Construct a dock |
| <input type="checkbox"/> Mine, dig in, or remove material, including woody debris, from beds or banks of a waterbody | <input type="checkbox"/> Construct a utility line crossing |
| <input type="checkbox"/> Use explosives in or near a waterbody | <input type="checkbox"/> Maintain or repair an existing structure |
| | <input type="checkbox"/> 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
Temporary Tideland Permit	May 2006, resubmitted February 12, 2007
Temporary Water Use Existing Authorization (TWUP #J2005-06)	June 17, 2005

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

N.A. _____ (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: **January 17, 2007**

Name of COE contact: **Nicole Hayes (907) 753-2712**

(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: N.A.

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: N.A.

Name of USCG contact: _____

U.S. Environmental Protection Agency (EPA)

4. a) Will the proposed project have a discharge to any waters? (Stormwater Only) ☐ ☒
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: N.A.

Name of EPA contact: _____

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

- c) Will construction of your project expose more than one acre of soil? (This applies to the total amount of **Yes**

No

land disturbed, even if disturbance is distributed over more than one season, and also applies to areas that are part of a larger common plan of development or sale.)..... ☐ ☒

- 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.

Contact EPA at 206-553-8399.

Federal Aviation Administration (FAA)

5. a) Is your project located within five miles of any public airport?..... ☐ ☒
b) Will you have a waste discharge that is likely to decay within 5,000 feet of any public airport? ☐ ☒
If yes, please contact the Airports Division of the FAA at 907-271-5438.

Federal Energy Regulatory Commission (FERC)

6. a) Does the project include any of the following:
1) a non-federal hydroelectric project on any navigable body of water..... ☐ ☒
2) a location on federal land (including transmission lines) ☐ ☒

- 3) utilization of surplus water from any federal government dam ☐ ☒
- b) Does the project include construction and operation, or abandonment of natural gas pipeline facilities under sections (b) and (c) of the Federal Power Act (FPA)?..... ☐ ☒
- c) Does the project include construction for physical interconnection of electric transmission facilities under section 202 (b) of the FPA? ☐ ☒
- If you answered yes to any questions under number 6, did you apply for a permit from FERC?..... ☐ ☐

Date of submittal: **N.A.**

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? ☐ ☒
- b) Does the proposed project involve the crossing of USFS land with a water line? ☐ ☒
- If the answer to either question is yes, did you apply for a USFS permit or approval?..... ☐ ☐

Date of submittal: **N.A.**

Name of USFS contact: Jeff DeFriest (Juneau Ranger District)

8. Have you applied for any other federal permits or authorizations? ☐ ☒

AGENCY	APPROVAL TYPE	DATE SUBMITTED

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

Certification Statement

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

Robert T. Nuchins

Signature of Applicant or Agent

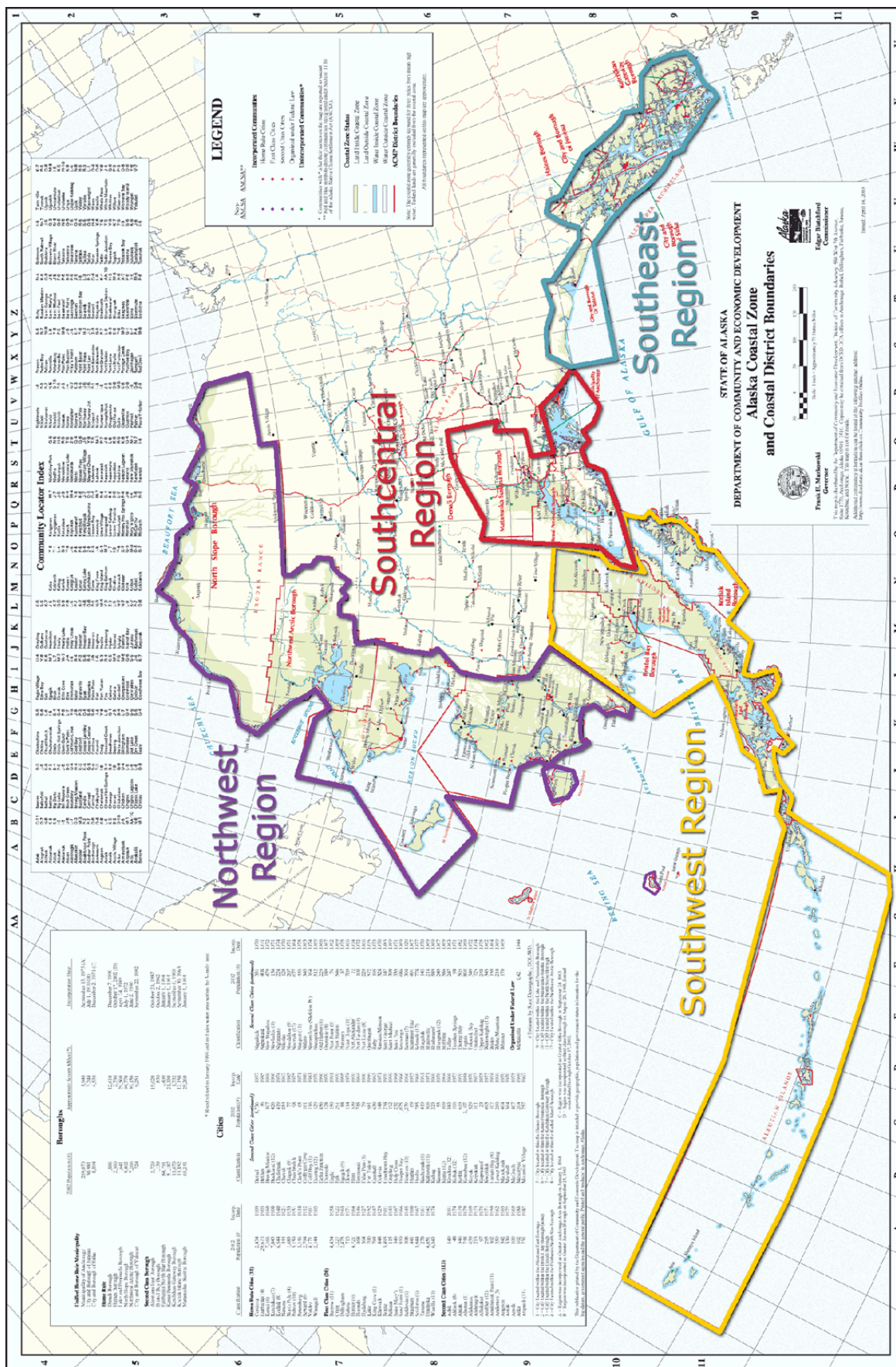
February 12, 2007
Date

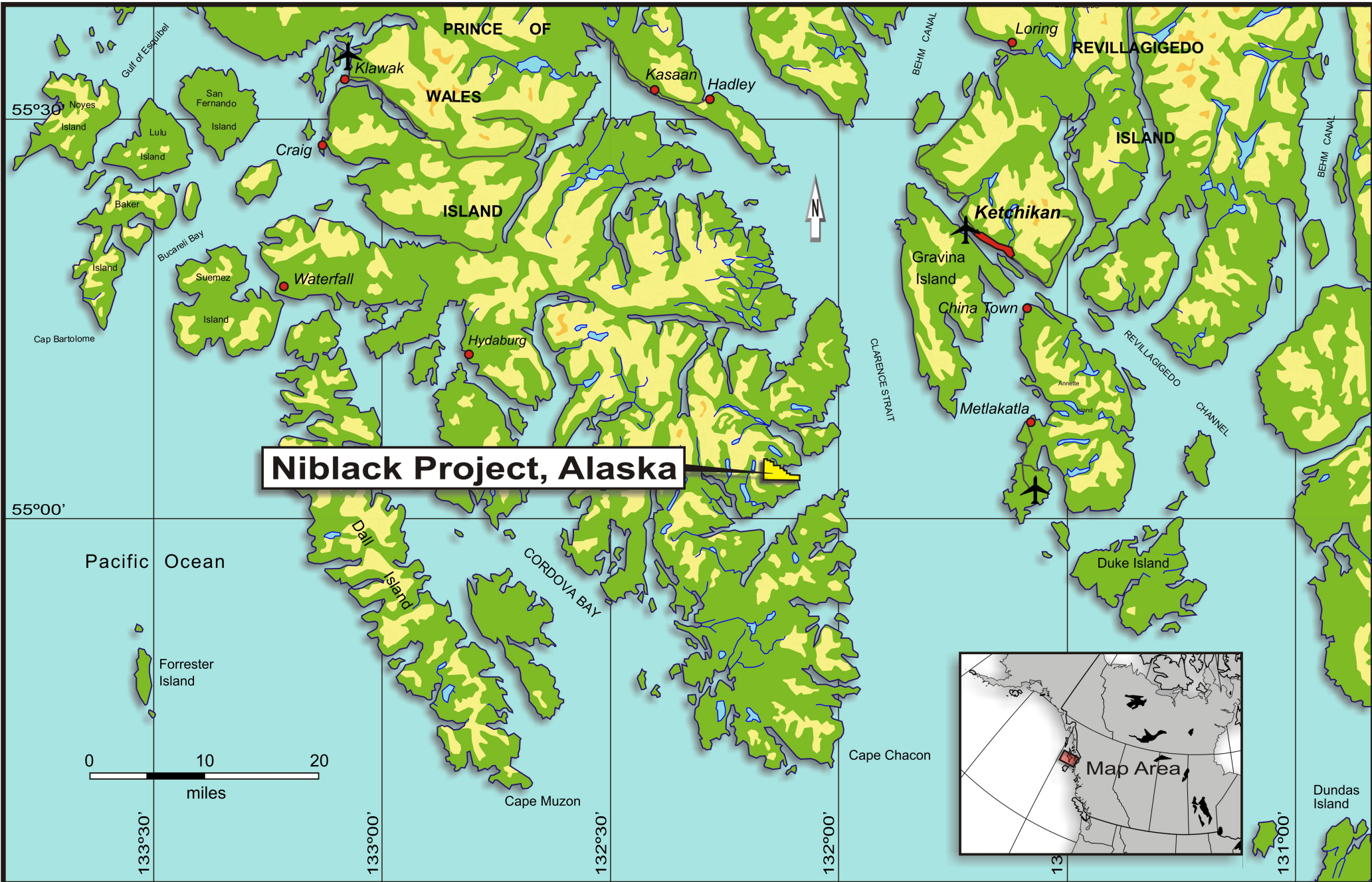
Note: Federal agencies conducting an activity that will affect the coastal zone are required to submit a federal

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.

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





Niblack Project Location Map

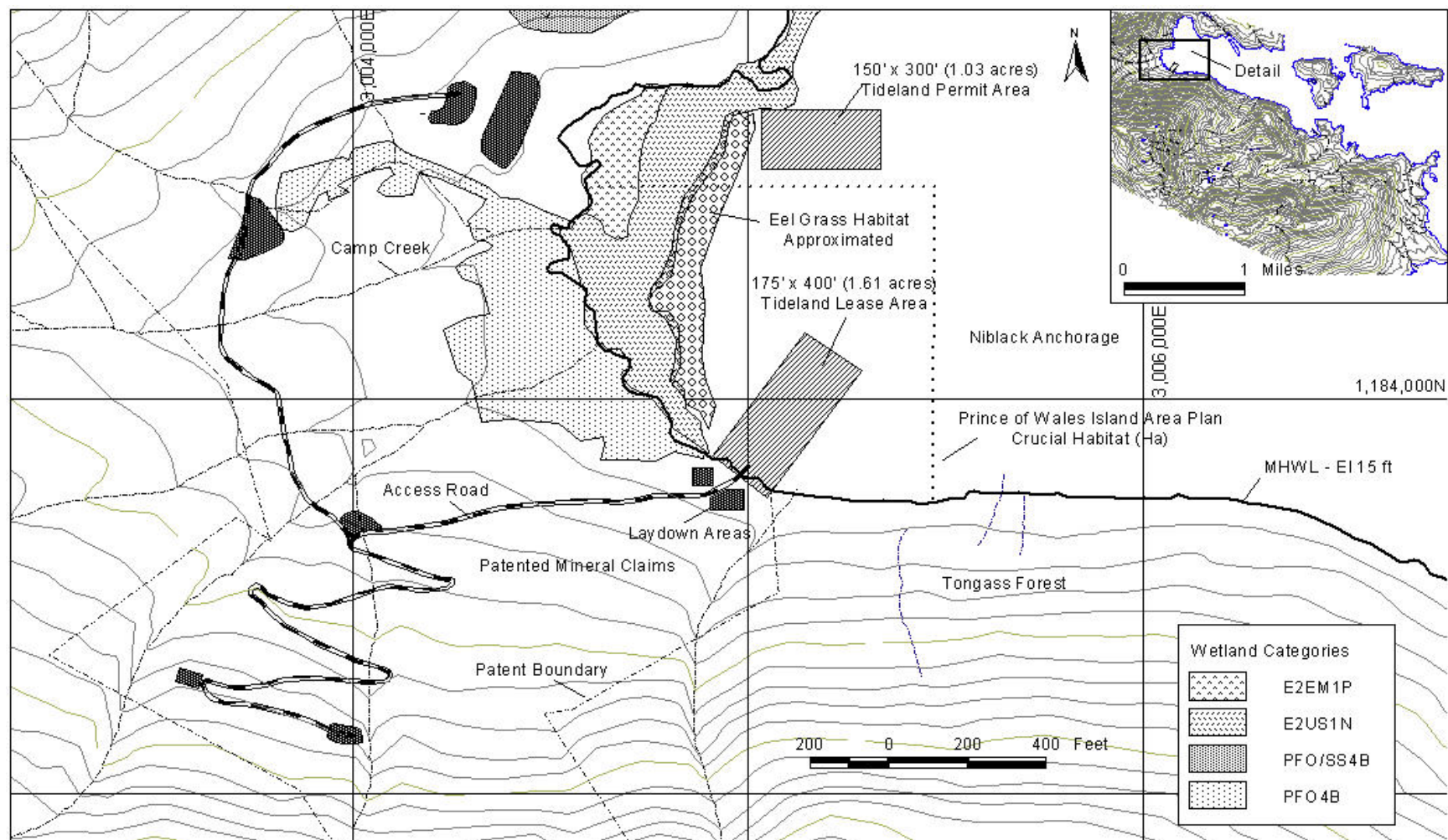


Figure 2. Temporary tideland permit application, facilities site plan.