



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

ANCHORAGE  
Regulatory Division (1145)  
CEPOA-RD  
Post Office Box 6898  
JBER, Alaska 99506-0898

<b>PUBLIC NOTICE DATE:</b>	<b>February 11, 2025</b>
<b>EXPIRATION DATE:</b>	<b>March 13, 2025</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2025-00047</b>
<b>WATERWAY:</b>	<b>Portage Creek Drainage</b>

---

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

All comments regarding this public notice should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the project manager's email as listed below or to [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil). All comments should include the public notice reference number listed above.

All comments should reach this office no later than the expiration date of this public notice to become part of the record and be considered in the decision. Please contact Andrew Kastning at (907) 753-2554, toll free from within Alaska at (800) 478-2712, or by email at [Andrew.C.Kastning@usace.army.mil](mailto:Andrew.C.Kastning@usace.army.mil) if further information is desired concerning this public notice.

**APPLICANT:** AK Custom Mining, LLC. Chris Gerteisen, 1150 S. Colony Way, Ste. 3, PO Box 440, Palmer, Alaska 99645

**AGENT:** Yukuskokon, LLC. William Burnett, 4394 N. Farm Loop Road, Palmer, Alaska 99645

**LOCATION:** The project site is located within Sections 07, 11, 12, 17-24, 28, 29, T. 22 N., R. 18-20 W., Seward Meridian; beginning Latitude 61.96442° N., Longitude 152.58475° W., terminating at Latitude 62.00779° N., Longitude 152.90547° W.; about 45 miles west of Skwentna, Alaska.

PURPOSE: The applicant's stated purpose is to provide reliable and cost effective surface access for exploration of critical minerals including gold, antimony, silver, and copper.

PROPOSED WORK: The proposed project would involve construction of a 12.42-mile-long road between the Whiskey Bravo Airstrip and the Korbel mining exploration area at the head of the north tributary to Portage Creek. Construction would consist of improving 2.9 miles of existing trail north of the airstrip and building 8.5 miles of new road up the Portage Creek valley. The road corridor would be 30 feet wide with a 15 foot wide driving surface. Cross-drainage culverts measuring 24 inches in diameter would be installed to maintain hydrology in wetland areas and full-span timber frame bridges would be installed at 5 stream crossings. Three low water crossing locations would be established further up the watershed. Approximately 8,132 cubic yards of fill would be discharged into waters of the United States as part of the project, which would adversely impact approximately 2.55 acres of emergent, forested, and scrub shrub wetlands and 0.11 acres of intermittent and perennial stream habitat. All work would be performed in accordance with the enclosed plan (sheets 1-8), dated January of 2025.

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

a. Avoidance: The applicant states that the trail alignment was refined using LIDAR data to avoid and minimize wetland impacts as much as practicable considering terrain and safety concerns.

b. Minimization: The applicant states that timber bridges would be installed on existing stream crossings in lieu of culverts to minimize impacts to wetlands and ensure fish passage. Minimization measures were incorporated into routing and design for crossing structures of fish bearing streams to limit direct and permanent impacts to fish bearing waters. The project will implement 33 CFR 323.4 Part (6) Best Management Practices to minimize water quality and inadvertent discharge impacts during construction and operation.

c. Compensatory Mitigation: The applicant states that the footprint of impacts in fish bearing streams would be 0.11 acres which does not meet the criteria of "more than minimal" (USACE, 2025, Section 2,C, (ii)) and would not "eliminate aquatic areas or convert one water type into another," as defined in USACE 2025, Section B. Slope wetlands impacted due to topographical limitations are not rare or unique in this geographical area. The applicant states that compensatory mitigation is not currently being considered.

WATER QUALITY CERTIFICATION: A permit for the described work would not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties,

including those listed in or eligible for inclusion in the National Register of Historic Places. There are no known cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be the footprint of the areas where fill would be discharged into waters of the United States and the uplands immediately adjacent to those crossings. Consultation of the AHRS constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (USACE) at this time, and we are otherwise unaware of the presence of such resources. USACE has made a No Historic Properties Affected (No Effect) determination for the proposed project. This application is being coordinated with the State Historic Preservation Office (SHPO), Federally recognized Tribes, and other consulting parties. Any comments SHPO, Federally recognized Tribes, and other consulting parties may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work. USACE is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The project area is not within mapped EFH.

TRIBAL CONSULTATION: USACE fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with USACE, Alaska District, on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This public notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal rights or resources. Consultation may be initiated by the affected Tribe upon written request to the District Engineer. This application is being coordinated with federally recognized tribes and other consulting parties. Any comments federal recognized tribes and other consulting parties may have concerning presently unknown archeological or historic data that may be lost or destroyed by the work under the requested permit will be considered in USACE final assessment of the described work.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may

have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by USACE to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authority:

(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings are enclosed with this public notice.

DISTRICT ENGINEER  
ALASKA DISTRICT  
CORPS OF ENGINEERS

Enclosures

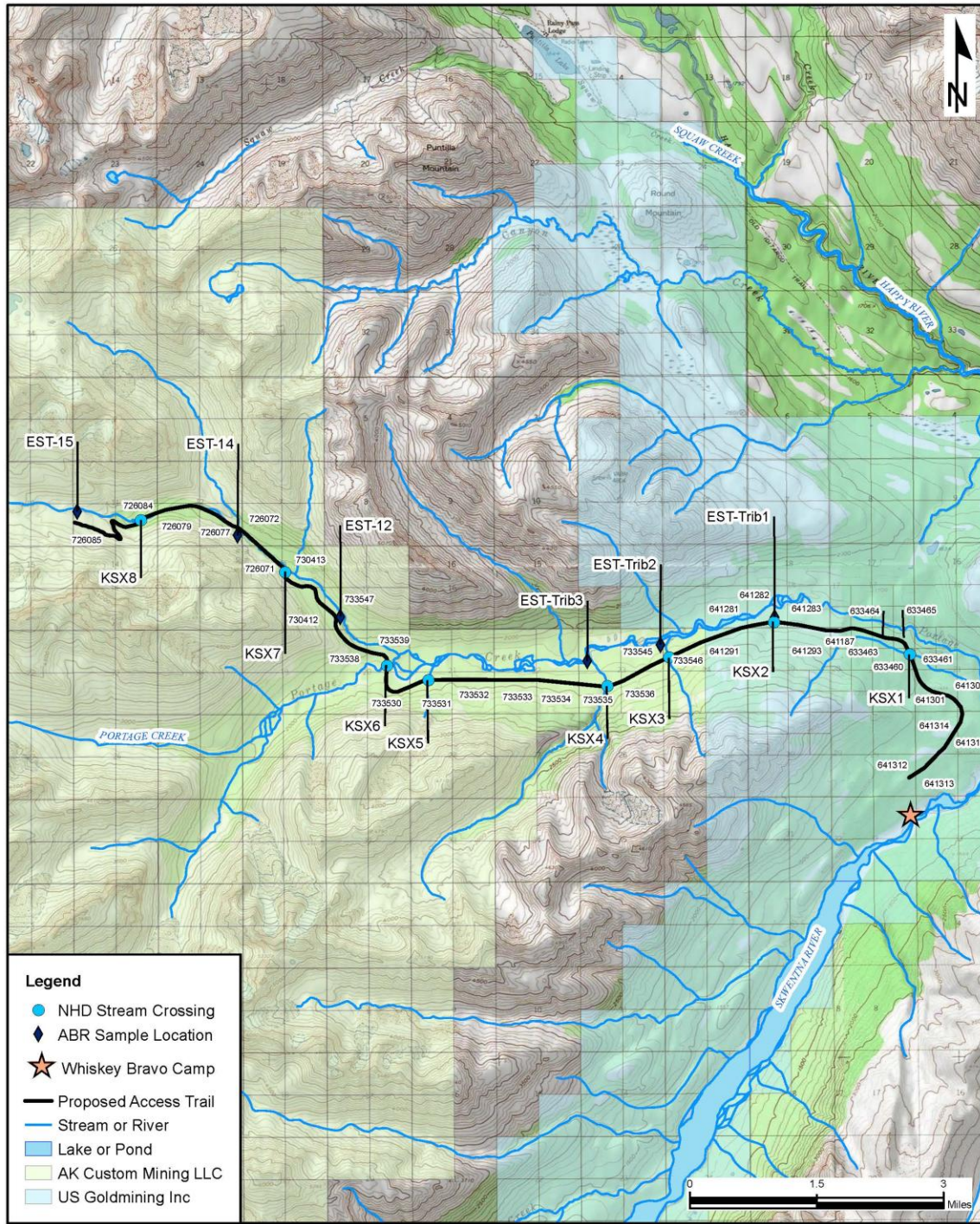


Figure 2-1. Proposed Korbek Exploration Trail Route, Stream Crossings, and Mining Claims

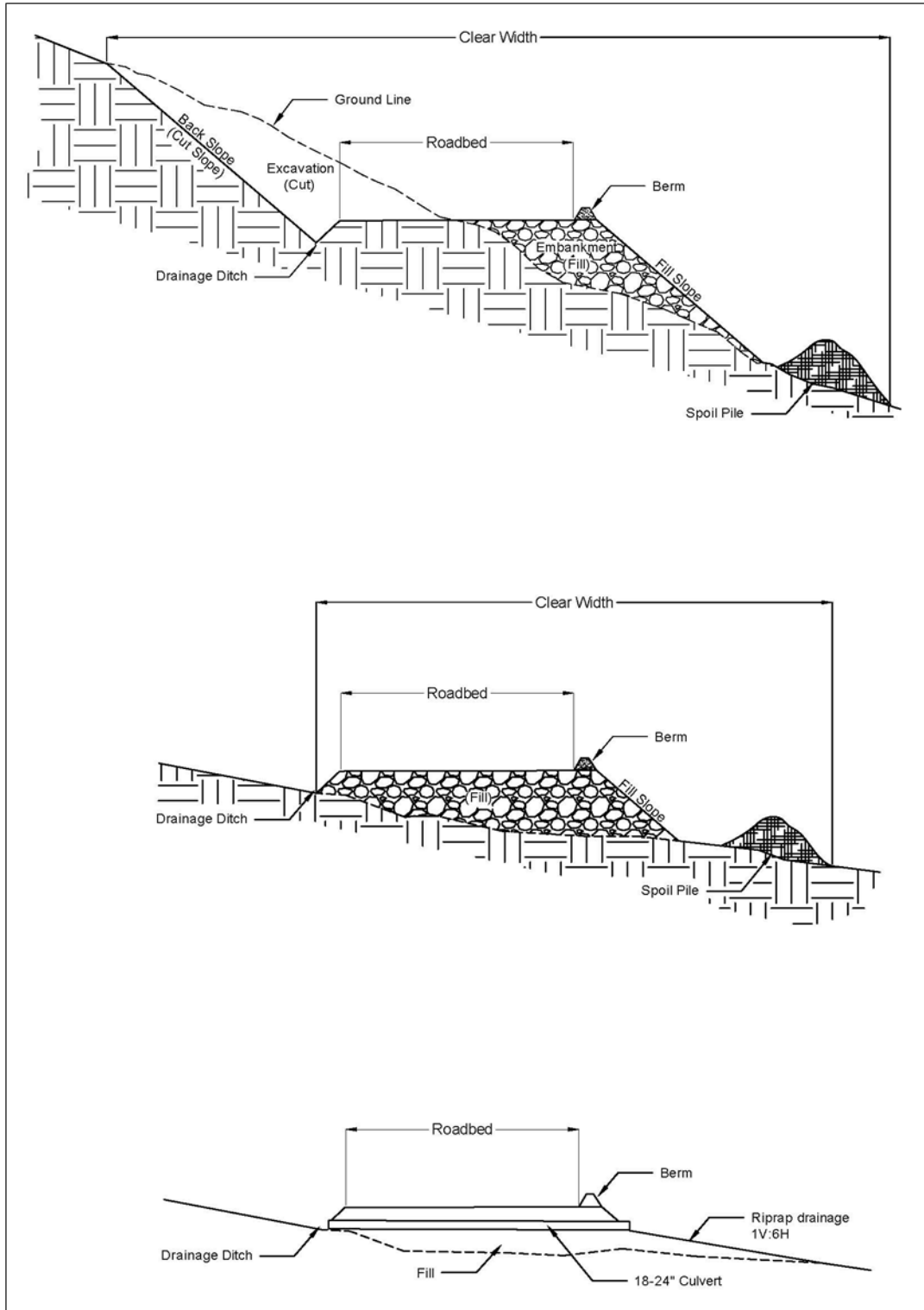
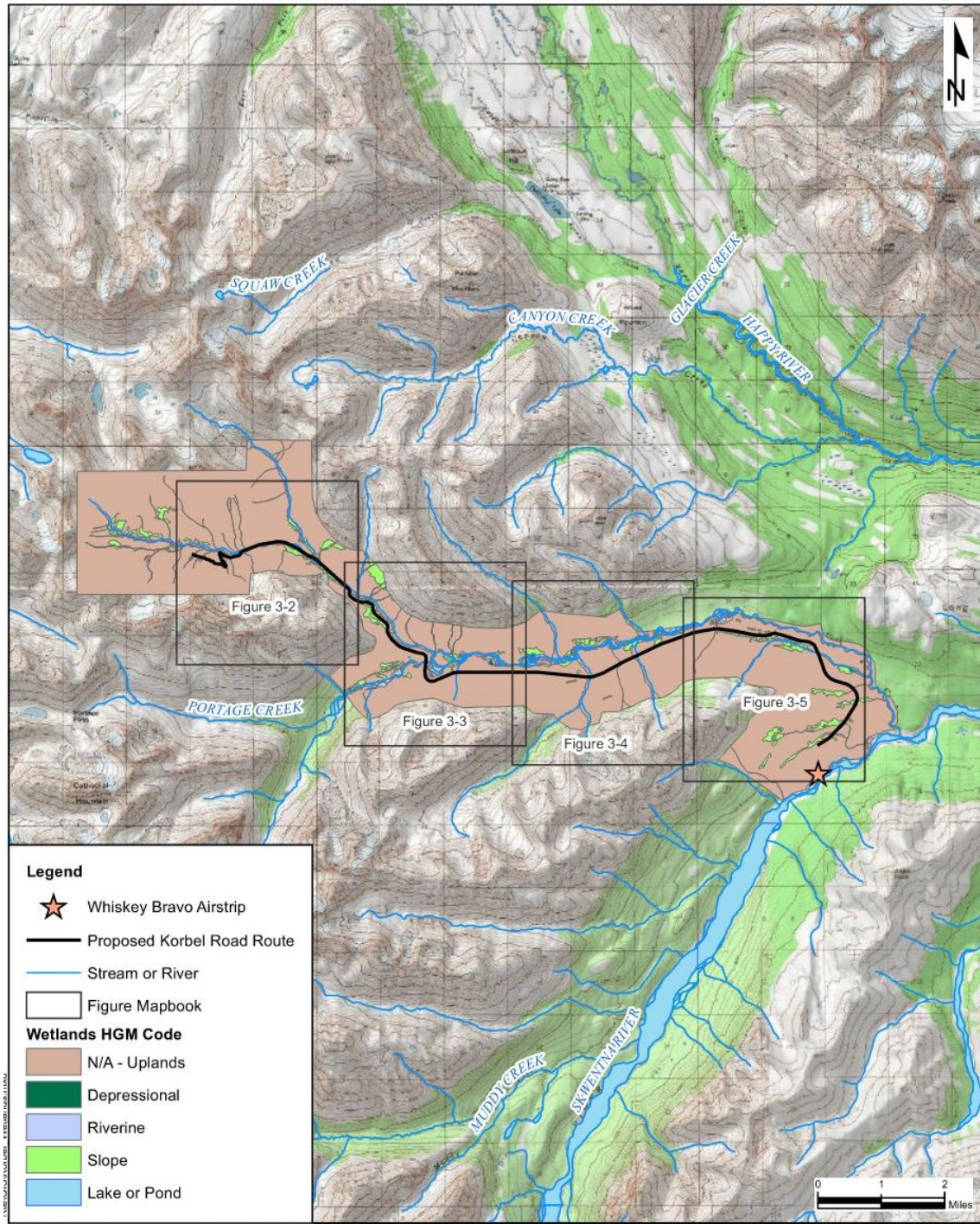
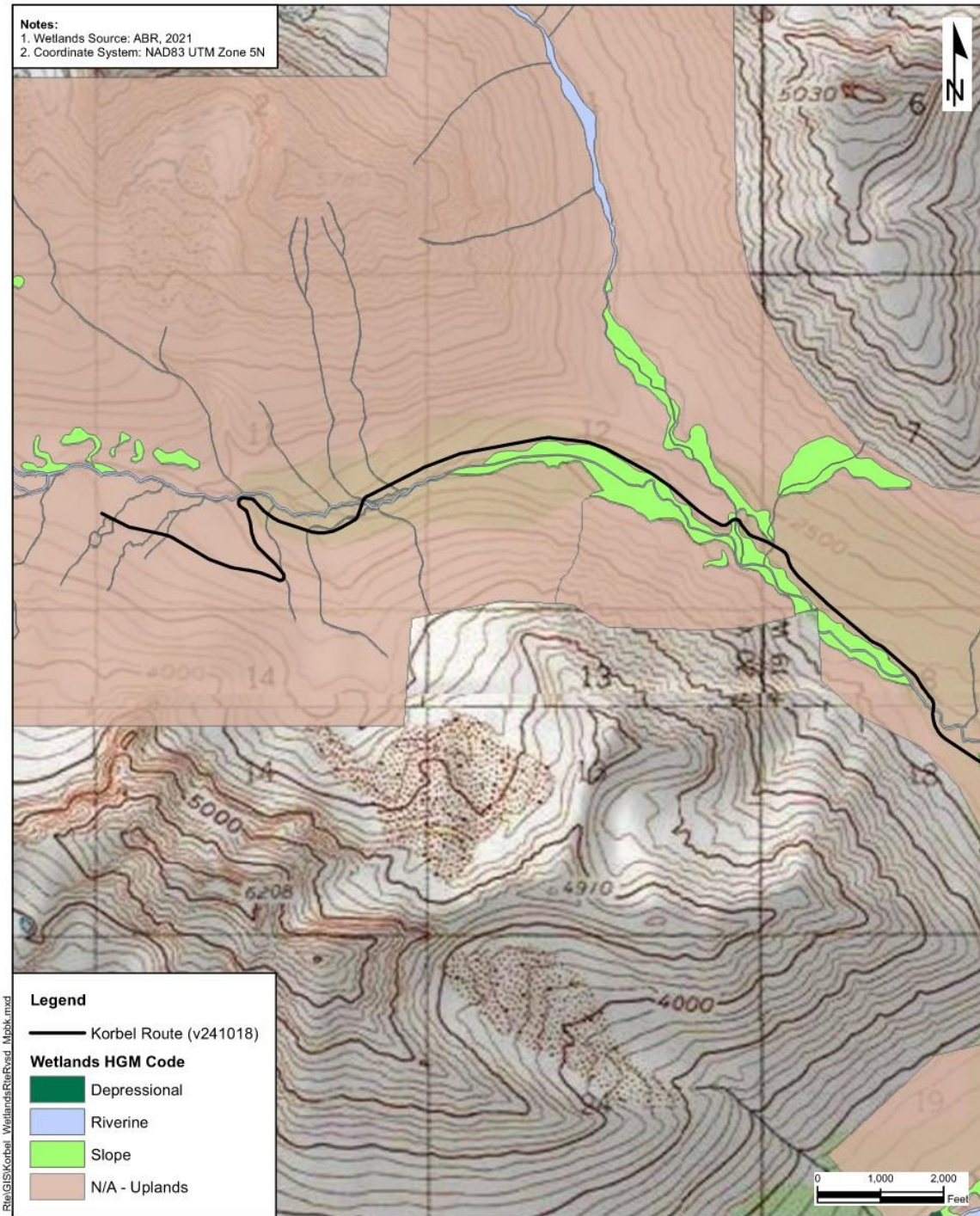


Figure 2-2. Proposed Korbel Exploration Trail – Typical Construction Profiles



Note: See Figure 4-2 through Figure 4-5 for insets shown in Figure 4-1.

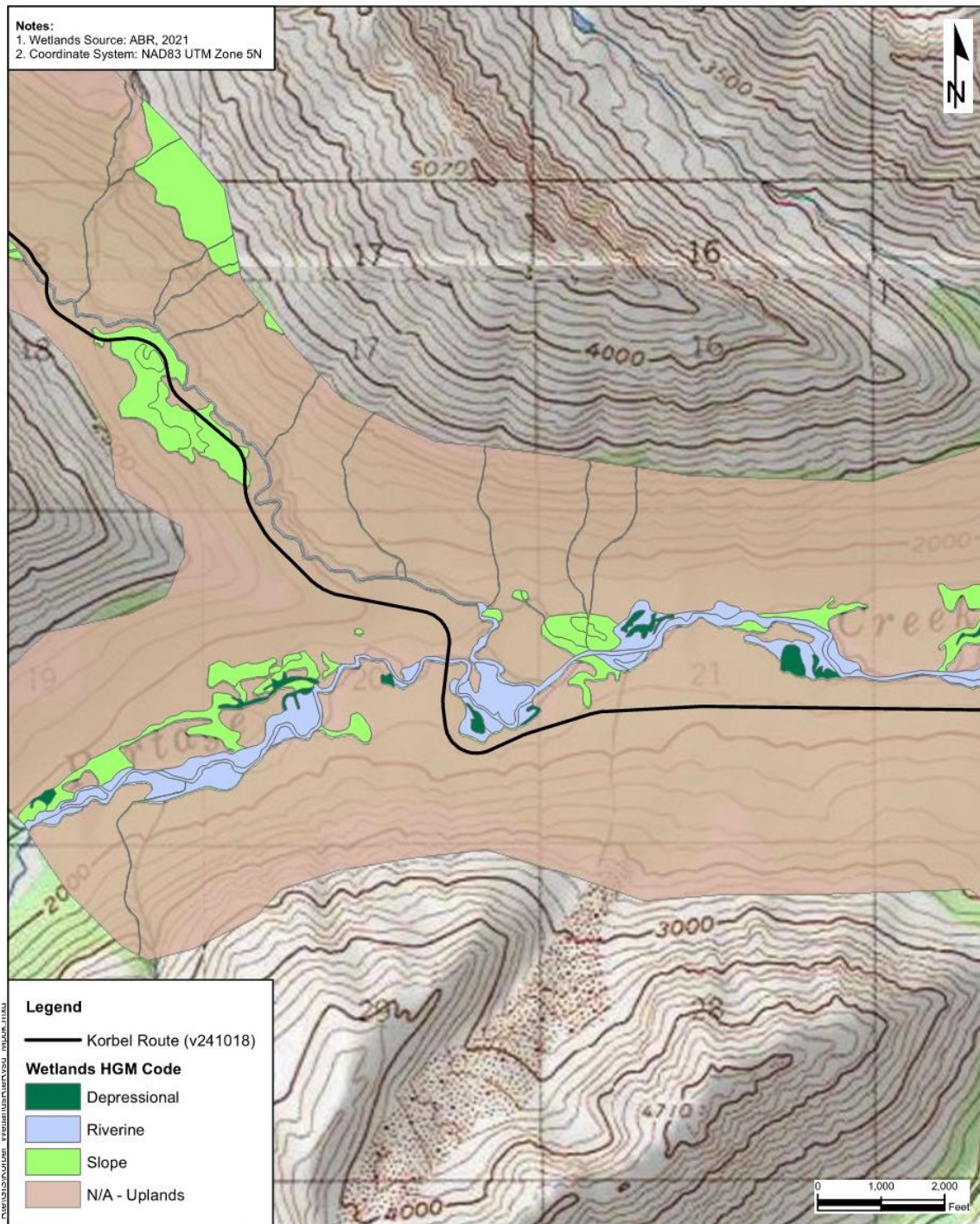
**Figure 4-1. Mapped Wetlands along the Proposed Korbel Trail Route**



Note: See Figure 4-1 for location of Figure 4-2.

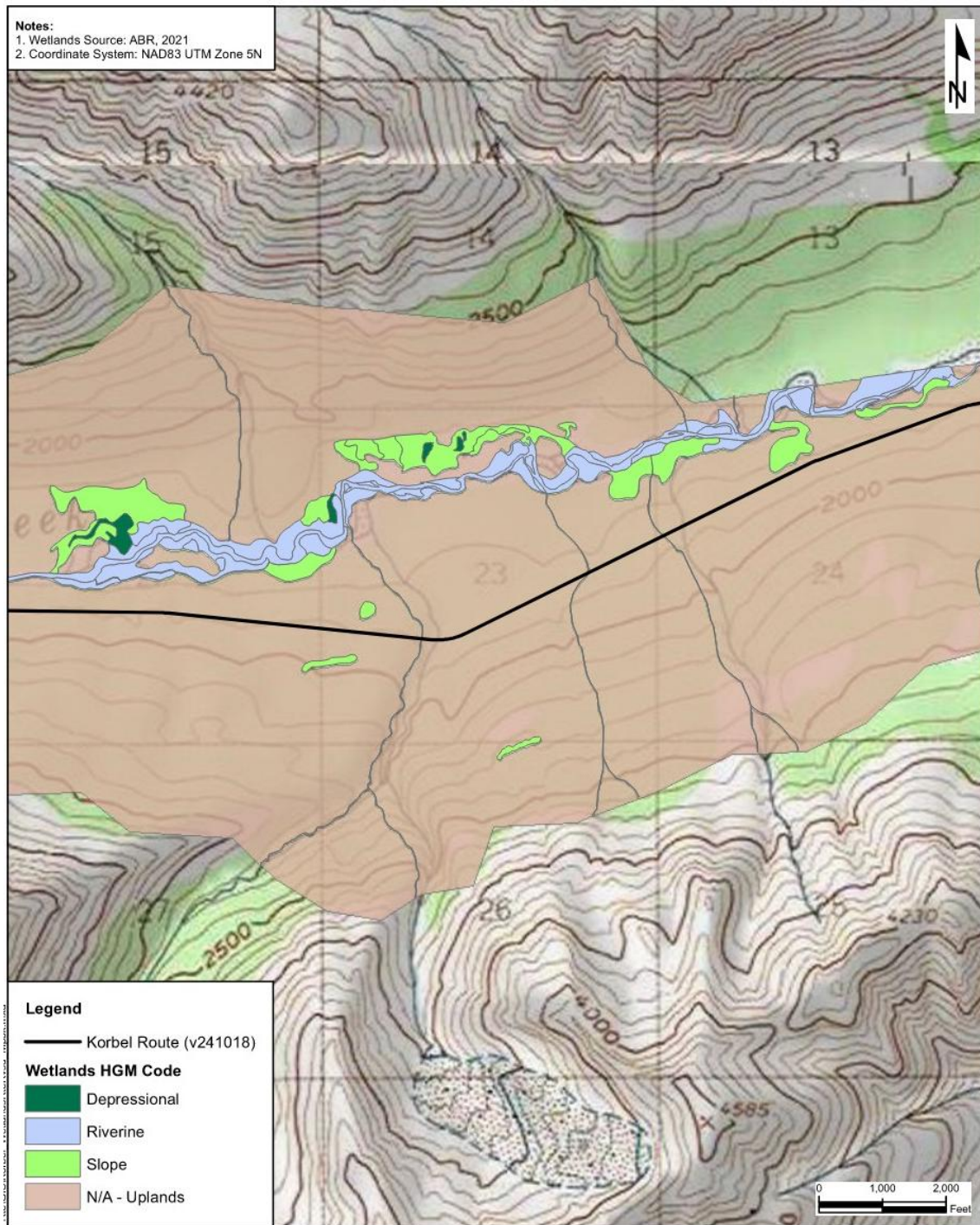
**Figure 4-2. Mapped Wetlands Korbek Trail Route, West End**





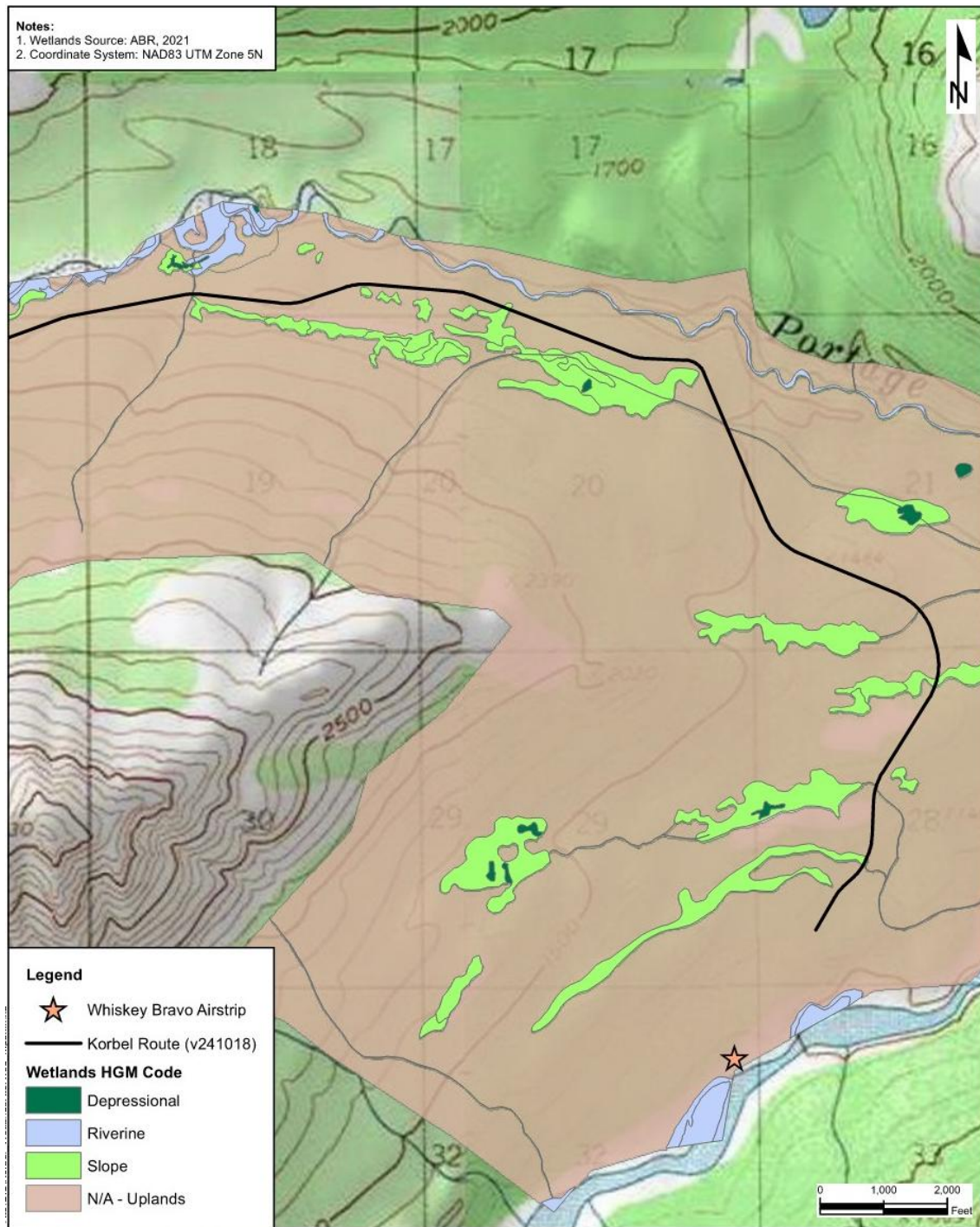
Note: See Figure 4-1 for location of Figure 4-3.

**Figure 4-3. Mapped Wetlands Korbel Trail Route**



Note: See Figure 4-1 for location of Figure 4-4.

**Figure 4-4. Mapped Wetlands Korbek Trail Route**



Note: See Figure 4-1 for location of Figure 4-5.

**Figure 4-5. Mapped Wetlands Korbel Trail Route, East End**

The BMPs will follow requirements as described in the Alaska Department of Environmental Conservation Stormwater Guide (ADEC, Division of Water 2011). The BMPs will be implemented to prevent restriction of expected flows, prevent disruption of the migration or other movement of aquatic life inhabiting the water body.

#### 4.2. Stream Crossings

There are eight stream crossings associated with the proposed alignment (Figure 2-1, Table 4-1). None of the streams have been designated by ADF&G as important for spawning, rearing, or migration of anadromous fish.

Timber bridges will be installed at crossings KXS1 through KXS5 (Table 4-1). A low-water crossing (LWC)/ford will be installed across Portage Creek at KXS6. Final locations of KXS7 and KXS8 will be field-determined and crossed with either timber bridges or LWCs. The LWCs will be constructed by minor contouring of the existing substrates to provide a safe driving surface. Fish passage may be temporarily blocked during bridge and LWC construction. ADF&G Title 16 Fish Habitat Protection Permit applications will be in accordance with the BMPs for stream crossings (ADF&G 2021).

Field verification samples for fish presence or absence at stream crossings were conducted during summers 2021 and 2022 (ABR 2022 a, b) and found Dolly Varden in KXS2, Portage Creek and the North Fork of Portage Creek along the trail alignment (Figure 2-1 and Table 4-2). No fish were found in KXS3 or KXS 4. Crossings KXS 1 and KXS 5 were not sampled due to access limitations.

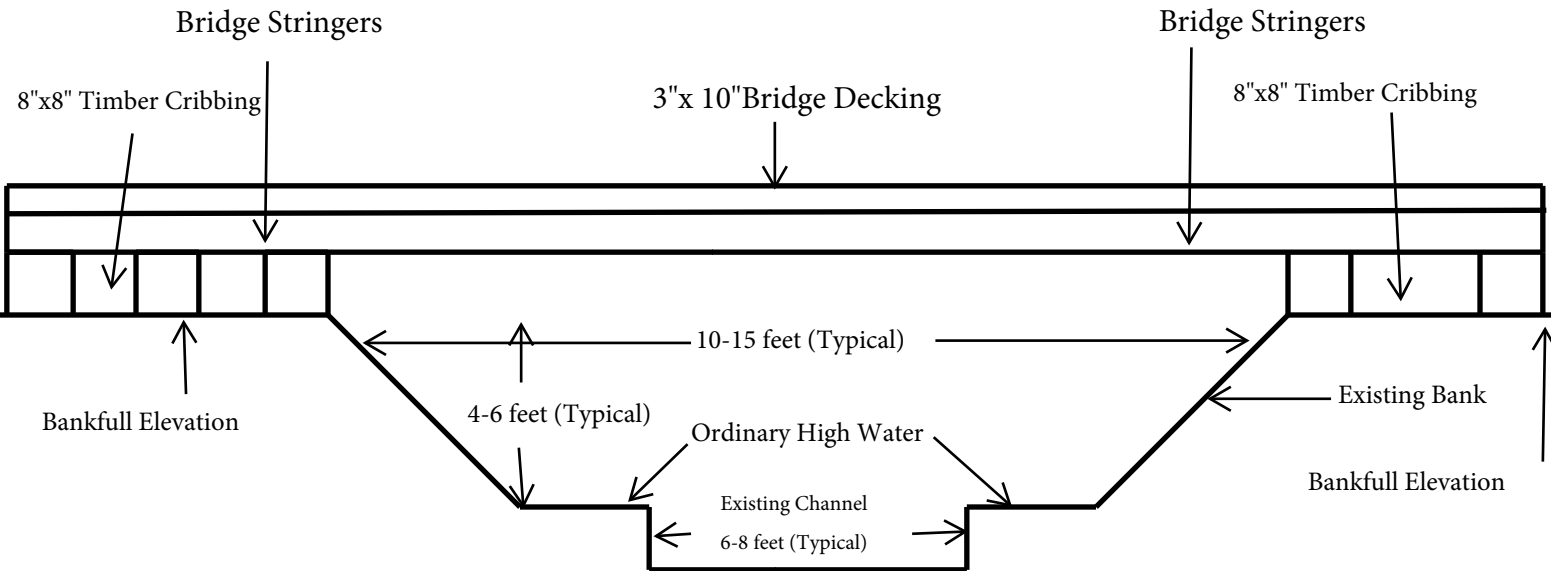
**Table 4-1. Proposed Korbel Trail Stream Crossings**

Stream*	X_N83*	Y_N83*	Crossing Type	Legal Description	Footprint	
					Square Feet	Acres
KXS1	-152.602309	61.984769	Bridge	S022N018W20, SE/NE	640	0.014
KXS2	-152.651533	61.990427	Bridge	S022N018W18, SE/SE	640	0.014
KXS3	-152.689748	61.984494	Bridge	S022N019W24, SW/NW	640	0.014
KXS4	-152.712145	61.979611	Bridge	S022N019W23, NE/SW	640	0.014
KXS5	-152.77713	61.980752	Bridge	S022N019W21, NW/SW	640	0.014
KXS6	-152.792108	61.983283	LWC	S022N019W20, SE/NE	1,800	0.041
KXS7	-152.829015	61.999258	LWC	S022N019W18, SW/NE	800	0.018
KXS8	-152.881388	62.008235	LWC	S022N020W11, SE/SE	800	0.018
<b>Total Footprint</b>					<b>6,600</b>	<b>0.147</b>

\*See Figure 2-1 for stream locations along the proposed trail route.

LWC = Low-Water Crossing

# Timber Cribbing Bridge Schematic Typical Cross Section



Applicant: Ak Custom Mining LLC  
Waterway: Portage Creek Valley  
Project: Korbel Trail  
Latitude and Longitude: See Attachment A  
Date: 12/12/24  
Sheet 1 of X