



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE  
Regulatory Division (1145)  
CEPOA-RD  
1046 Marks Road  
Fort Wainwright, Alaska 99703

<b>PUBLIC NOTICE DATE:</b>	<b>March 6, 2025</b>
<b>EXPIRATION DATE:</b>	<b>April 5, 2025</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2024-00614</b>
<b>WATERWAY:</b>	<b>Boulder Creek</b>

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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 Gwen Jacobson at (907) 347-5802, toll free from within Alaska at (800) 478-2712, or by email at [Gwendolyn.A.Jacobson@usace.army.mil](mailto:Gwendolyn.A.Jacobson@usace.army.mil), if further information is desired concerning this public notice.

**APPLICANT:** Leva Leverenz and Darrell Podvin, PO Box 60714, Fairbanks, AK 99706

**LOCATION:** The project site is located within Section 6, T. 8 N., R. 14 E., Fairbanks Meridian; Latitude 65.5437, Longitude -144.9325; near Central, Alaska. The project is located along a section of Boulder Creek which is designated as a Category 4a Impaired Water.

**PURPOSE:** The applicant's stated purpose is to placer mine for gold.

**PROPOSED WORK:** The permit application is associated with an after-the-fact (ATF) permit action for unauthorized work. Portions of the work have already been initiated. Unauthorized fill

was previously discharged into 15 acres of palustrine scrub-shrub wetlands along Boulder Creek in order to conduct placer mining. A portion of the land was stripped of vegetation to prepare for mining, while other portions were mined and still require reclamation. Some reclamation was conducted sporadically.

Proposed future work would include reclamation of 4.5 acres of wetlands that were impacted by previous miners, and further placer mining and reclamation activities within the same 15-acre footprint of previous disturbance. Future placer mining work would occur in 400 foot x 200 foot (1.8 acres) mine cut sections, in accordance with the following sequence of activities:

1. Vegetation and overburden would be cleared and piled alongside each cut in windrows.
2. Within each cut, 50 foot x 200 foot wide trenches would be excavated one at a time. A mobile wash plant would be situated on one end of the trench with the tailings conveyor and sluice box set to dump material directly into the trench. A water pump would be situated at the end of the trench to pump groundwater to the wash plant using a piping system. As the trench is excavated, water would pool at the end so it could be piped to the wash plant and eventually recirculate back to where it was pumped.
3. Once a trench is mined, it would be backfilled in layers with coarse gravel and fine tailings. Then, overburden and organics would be spread on top and contoured to match the previous elevation and grade.

No work or discharge of fill would occur below the ordinary high water (OHW) of Boulder Creek or within 50 feet of the channel. Reclamation of impacts to Boulder Creek from previous miners is not within the proposed scope of work for this permit.

All past and future work would be performed in accordance with the enclosed plan (sheets 1-6), dated January 2025.

ADDITIONAL INFORMATION: The applicant has submitted applications for their Permits to Mine in Alaska (APMA) number 2914, and their Alaska Pollutant Discharge Elimination System (APDES) permit number AKG370D22.

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 stated that the site was selected over alternate sites based on historic evidence of rich gold deposits. Because gold deposits are known to occur within the alluvial valley of Boulder Creek, where wetlands are common, complete avoidance of waters of the U.S. would be impractical. By using existing access routes and camp sites, further impacts would be avoided. Additionally, no work is planned within Boulder Creek.

b. Minimization: The applicant stated that minimization would be accomplished through reclamation, erosion, and water use practices. Reclamation would include backfilling mine cuts with in-situ materials layered by type: coarse gravel, fine tailings, overburden, and organics; and then compacted and graded to match pre-disturbance contours. Overburden and organics would be stockpiled at the edge of mine cuts; this, in conjunction with graded berms, would

help prevent erosion during high water events. Additionally, no work would occur within 50 feet of the creek channel in order to prevent runoff or unintended discharges. To mitigate impacts to local wildlife, ramps would be placed at each non-active trench to allow for safe entry and exit. Additionally, water used for mining would be recirculated and self-contained to minimize impacts to aquatic resources and wildlife.

c. Compensatory Mitigation: The applicant stated that compensatory mitigation should not be required because they not only plan to fully reclaim their own placer mining impacts, but they have assumed the responsibility and associated expenses of reclaiming 4.5 acres of wetlands that were disturbed and abandoned by previous miners.

WATER QUALITY CERTIFICATION: A permit for the described work will 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 cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be the area of fill within waters of the U.S.. Consultation of the AHRs constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps 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. The Corps is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area. Thus, we have determined that the described activity would have no effect on any listed or proposed threatened or endangered species, and would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) is required. However, any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

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. Therefore, we have determined that the described activity would not adversely affect EFH in the project area.

**TRIBAL CONSULTATION:** The Corps 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 the Corps, 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 Commander. If applicable this application will be 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 the Corps 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 Commander determines that it would be contrary to the public interest.

The Corps 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 the Corps 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.

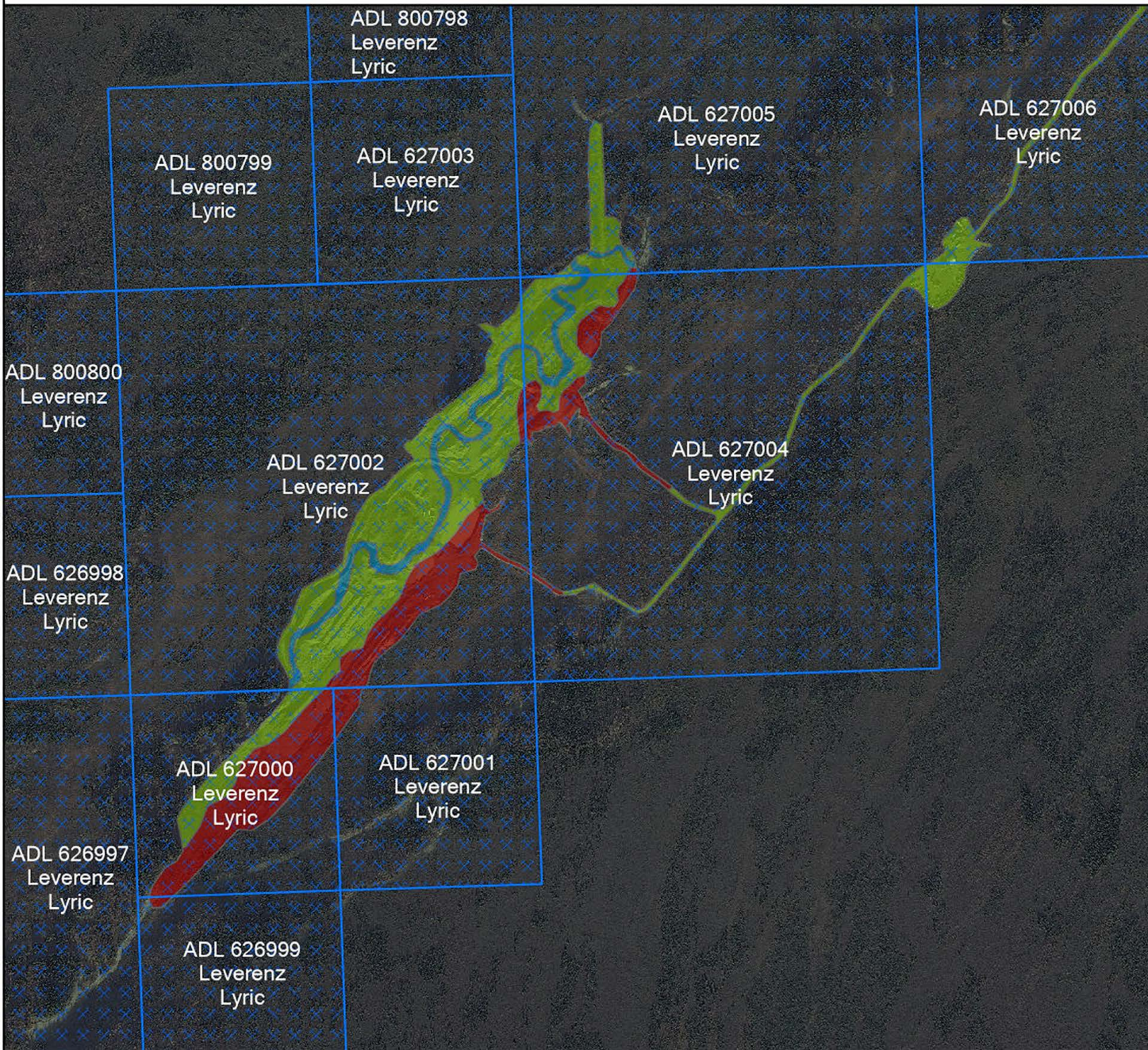
AUTHORITY: This permit will be issued or denied under the following authorities:

(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 Commander  
U.S. Army, Corps of Engineers

Enclosures



## MAP FEATURES

Land status prior to mining disturbance:

-  Upland
-  Water
-  Wetland

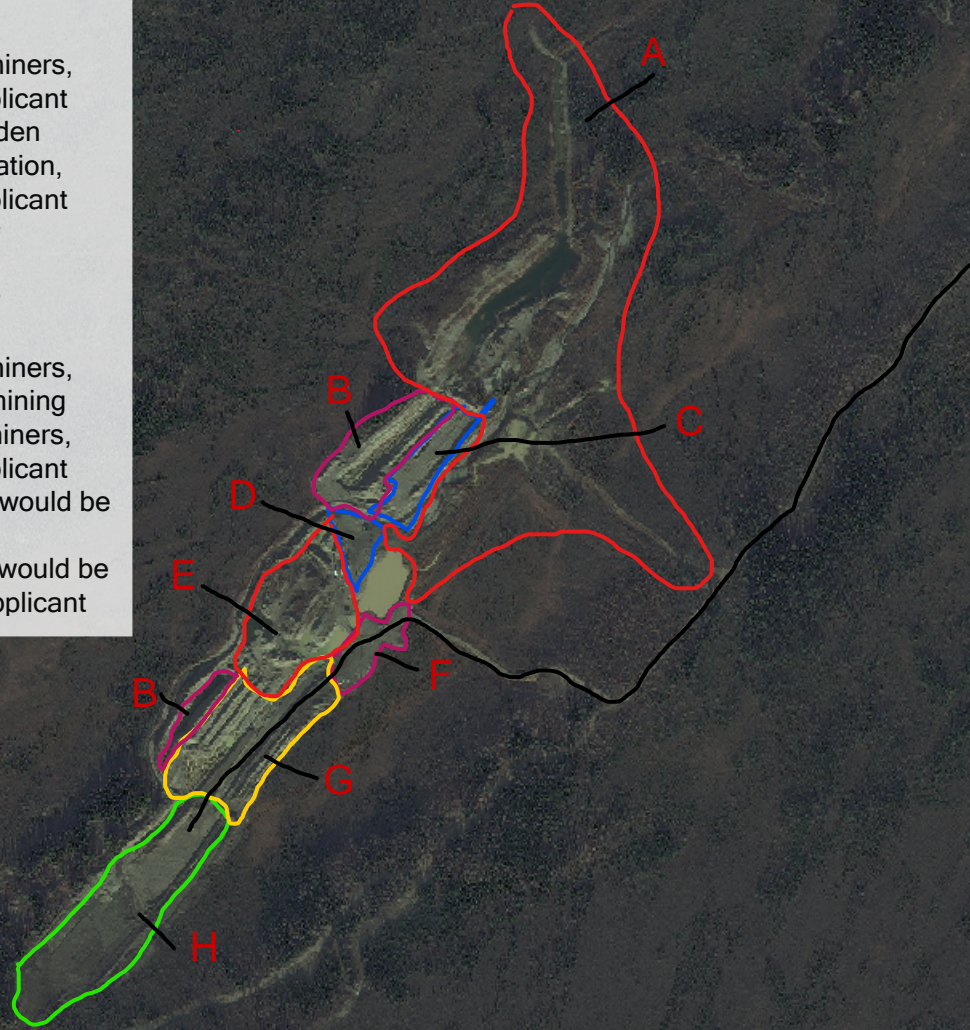


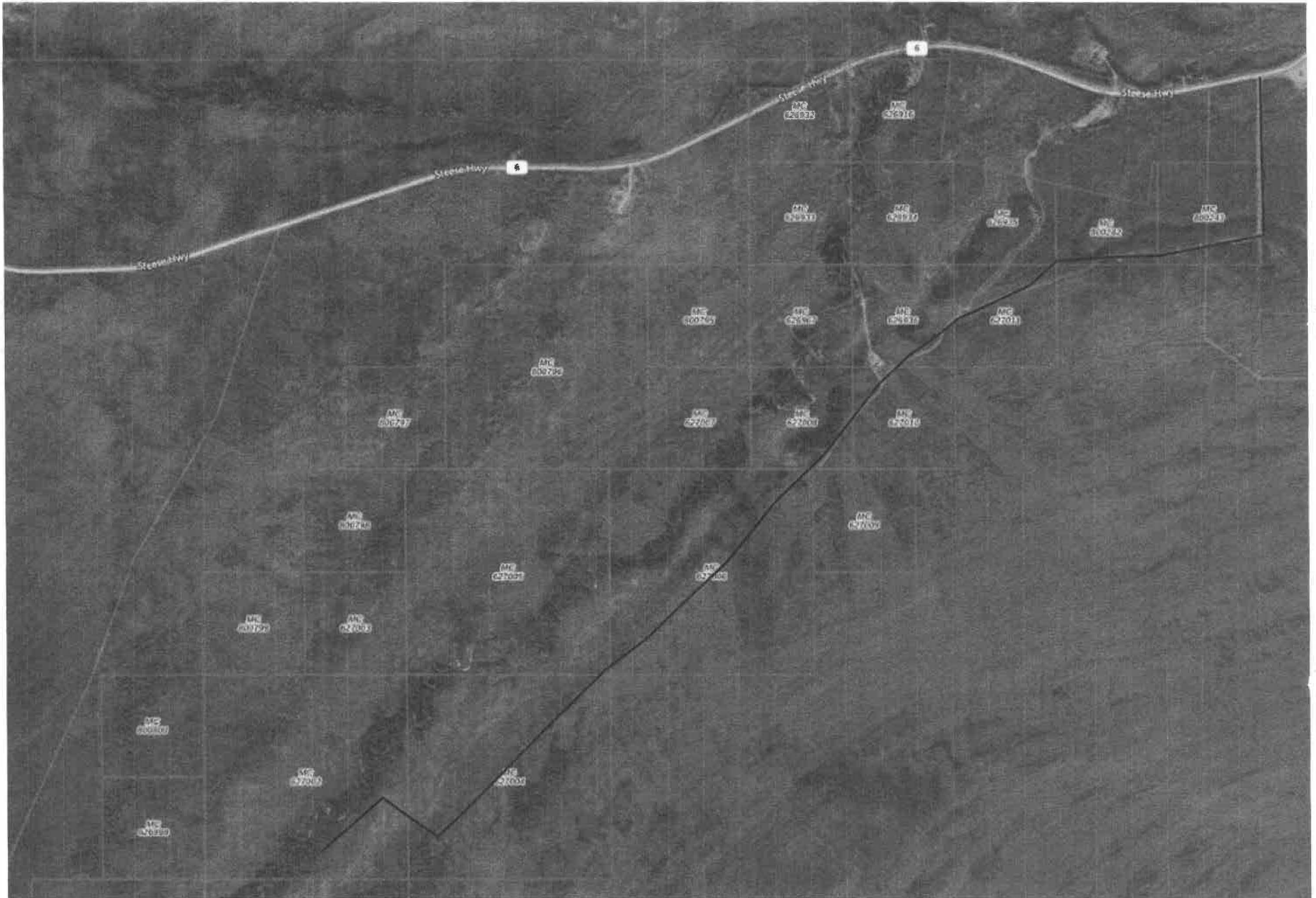
Lat: 65.5427  
 Long: -144.9325  
 Scale: 1:12,000



## LEGEND

- A. Disturbed by previous miners, would be reclaimed by applicant
- B. Vegetation and overburden available for use in reclamation, would be reclaimed by applicant
- C. Previously reclaimed by applicant
- D. Previously reclaimed by applicant
- E. Disturbed by previous miners, applicant would continue mining
- F. Disturbed by previous miners, would be reclaimed by applicant
- G. Disturbed by applicant, would be reclaimed by applicant
- H. Disturbed by applicant, would be mined and reclaimed by applicant





Mine access road from mile 126 Steese to mine.



Cut is approx. 8 to 10 Acres

stripped cut or pay

Mine Pave # 2

