



US Army Corps
of Engineers
Alaska District

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

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	November 5, 2025
EXPIRATION DATE:	December 8, 2025
REFERENCE NUMBER:	POA-2021-00089
WATERWAY:	Norton Sound

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. 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 Amanda Locken at (907) 347-6148, toll free from within Alaska at (800) 478-2712, or by email at Amanda.N.Locken@usace.army.mil if further information is desired concerning this public notice.

APPLICANT:

APPLICANT: Arctic Placer Drilling & Mining, LLC
Attn: Mr. Kenneth Hughes
P.O. Box 1175
Nome, AK 99762
stargatealaska@hughes.net

LOCATION: The project site is located within Section 31, T. 11 S., R. 33 W., Kateel River Meridian; USGS Quad Map: Kateel, Nome B-1; Latitude 64.491590° N., Longitude 165.362726° W.; directly off the Nome-Council Highway, in Nome, Alaska.

PURPOSE: The applicant’s stated purpose is to conduct placer mining operations within approximately 68.24 acres of wetlands and WOTUS within 2 adjoining parcels to extract all commercially recoverable mineral resources.

PROPOSED WORK: The applicant proposes to discharge dredged and fill material into approximately 68.24 acres of wetlands and WOTUS as part of planned placer mining operations. To maintain hydrologic connectivity through the mining footprint, an existing stream reach approximately 1,700 linear feet in length would be relocated in two stages. Stage one relocates a 1,000-foot stream segment and stage two would relocate an approximately 700 linear foot stream segment. The relocated stream segments would be 25 feet in width would be constructed to divert hydrology around the active mine site. The diversion would begin at latitude/longitude 64.4947, -165.3512 and end at 64.4916, -165.3548. The new channel design would improve hydrology within the mine site during operation.

Prior to and during mining activities, excavated materials would be separated into organic and non-organic stockpiles. Organic material (e.g., topsoil) and non-organic sands and gravels would be stored separately either adjacent to the wash plant on a gravel pad or along the outer perimeter of the site to facilitate reclamation and minimize impacts to aquatic areas. Estimated volume of fill are approximately 544,500 cubic yards of organic material and 2,178,000 cubic yards of sand and gravel.

Site preparation would rely on mechanized land clearing and excavation equipment. Mining utilizes open cuts and a 100% recycle water system using groundwater, meltwater and rain runoff as a source of makeup water. On-site processing would be conducted using a mobile plant situated on a gravel pad. While establishing the first phases of operation, adjacent offsite upland areas would serve as staging, storage, or temporary processing zones to reduce disturbance within wetland areas. Construction is expected to commence during the 2026 mining season and remain in place through the life of the mine and reclamation phases until full project completion.

The proposed site currently encompasses approximately 4.91 acres of uplands, 0.62 acres of ponded habitat, and 67.62 acres of palustrine emergent and scrub shrub wetlands underlain by permafrost. Mining and reclamation would occur concurrently. Upon cessation of mining activities, approximately 3.9 acres of roads and pads would remain in place to support future residential development in the Nome area.

All work would be performed in accordance with the enclosed plan (sheets 1-15), dated September 30, 2025. Note: The reclamation plan sheet indicates an “O” which is for where organics would be spread, and a “W” indicates where ponds or open water features would be designed to maintain hydrology onsite.

ADDITIONAL INFORMATION:

Table 1. Other Authorizations

Agency	Type of Approval	Identification Number	Date Applied	Date Approved
Department of Transportation	Driveway Permit	DW32049		August 22, 2022
Department of Natural Resources	APMA	9935A1	November 1, 2022	
City of Nome	Excavation/Fill	24-00072		July 3, 2024

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: Complete avoidance of Waters of the United States including wetlands is not practicable because wetlands are abundant throughout the mine site. Drill records support the need to impact wetlands in order to accomplish the applicants purpose to fully extract viable minerals from the site.

b. Minimization: The applicant proposes to stockpile organic material to be used for site reclamation and to include natural revegetation and creation of low-lying areas in mined pits to help recreate conditions for wetland development on the project site following mining activities. Drilling in marginal areas would be performed to confirm the presence of economically viable resources prior to mining.

c. Compensatory Mitigation: Compensatory mitigation is not proposed for the project because the avoidance and minimization measures described are appropriate and practicable to the scope and degree of environmental impacts of the project.

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: This application is being coordinated with the State Historic Preservation Office (SHPO), Federally recognized Tribes, and other consulting parties and the Advisory Council on Historic Preservation (ACHP). Any comments SHPO, Federally recognized Tribes, other consulting parties, and ACHP 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.

ENDANGERED SPECIES: The project area is within the known or historic range of the polar bear (*Ursus maritimus*), spectacled eider (*Somateria fischeri*) and Steller's eider (*Polysticta stelleri*). The project site is within the known critical habitat for the polar bear.

We have determined the described activity may affect the threatened or endangered spectacled eider (*Somateria fischeri*), Steller's eider (*Polysticta stelleri*) and the polar bear (*Ursus maritimus*) and their designated critical habitat. We will initiate the appropriate

consultation procedures under section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service. 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.

We have determined the described activity would not adversely affect EFH in the project area.

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 Commander. 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's 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.

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 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