

# CWA 401 Water Quality Certification - Modification

version 2.11

(Submission #: HQM-C7K8-VAHWD, version 1)

Digitally signed by:  
dec.alaska.gov  
Date: 2026.03.30 08:06:14 -08:00  
Reason: Submission Data  
Location: State of Alaska

## Details

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**Site:** Shepard Point Oil Spill Response Facility

**Submission ID** HQM-C7K8-VAHWD

## Form Input

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### Form Instructions

#### Form Instructions

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Instructions for filling out the 401 Water Quality Certification Request - Modification Form are located on the Alaska DEC website at the link below.

[401 Prefiling Meeting Request Form Instructions](#)

**Agents:** For Delegation of Authority to act on behalf of the applicant in processing the application, use the following form, have signed, and upload with application.

- [Delegation of Authority - 401 Application](#)

### Modification Reason

#### Permit Number

POA-1994-01014

#### Are you modifying any of the following things for this permit?

NONE PROVIDED

#### Modification Description or Section Changes

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- If you have a quick description that explains your modification you can add it below.
- Please check any section boxes below if you've made any additional changes in those sections as well.

If changing contact details for anyone associated with the permit or application, please add a note in the Modification Description box below.

#### Modification Description

POA 1994-01014-M4 Orca Inlet

Modification of Permit 4

## Modified Sections

Permit Information  
Contact Information

Instructions for filling out the 401 Certification Form are located on the Alaska DEC website at the link below.  
[401 Certification Form Instructions](#)

## Permit Information

### Federal Permit License Number

POA-1994-1014-M4 Orca Inlet

## Contact Information (1 of 2)

### Required Contacts

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The following **Contact Roles are REQUIRED**. Please select the appropriate role(s) for each contact and complete the contact details. Multiple role(s) may be assigned to each unique individual.

- **Applicant** (Responsible Party)
- **Billing Contact**

Edit the contact roles and details as needed. If the contact is no longer active, please remove all roles for the assigned person and indicate the contact is In-Active, and add a new contact with the appropriate roles versus writing over the previous one.

### Contact Role(s)

Agent  
Consultant

### Is this contact In-Active?

No

### Contact

**Prefix**

Mr.

**First Name      Last Name**

Brian              Kovol

**Title**

President

**Organization Name**

Midnight Sun Environmental, LLC

**Phone Type      Number      Extension**

Business          9073443244

**Email**

MSESWPPP@Gmail.com

**Mailing Address**

560 E 34th Ave, Suite 102

Anchorage, AK 99503

[NO COUNTRY SPECIFIED]

## Contact Information (2 of 2)

### Required Contacts

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The following **Contact Roles are REQUIRED**. Please select the appropriate role(s) for each contact and complete the contact details. Multiple role(s) may be assigned to each unique individual.

- **Applicant** (Responsible Party)
- **Billing Contact**

Edit the contact roles and details as needed. If the contact is no longer active, please remove all roles for the assigned person and indicate the contact is In-Active, and add a new contact with the appropriate roles versus writing over the previous one.

**Contact Role(s)**

Applicant  
Owner  
Billing Contact

**Is this contact In-Active?**

No

**Contact**

**Prefix**

Mr.

**First Name      Last Name**

Collin              Bronson

**Title**

Shepard Point Project Manager

**Organization Name**

Native Village of Eyak

**Phone Type    Number            Extension**

Mobile            9079179159

**Email**

collin.bronson@eyak-nsn.gov

**Mailing Address**

PO Box 1388

Cordova, AK 99574

United States

**Project / Facility Site Info**

**Identify the applicable federal license or permit**

A copy of the federal permit or license application is required to be submitted with the request for the water quality certification. (18 AAC 15.130, 18 AAC 15.180)

**Federal Agency**

Army Corps of Engineers (USACE)

**Permit License Number (ex. USACE: POA-XXXX-XXXX; FERC: FERC-xxxx-xxxx; EPA: AK#####)**

POA-1994-1014-M4

**Project Name or Title**

Shepard Point Oil Spill Response Facility

**Primary Receiving Waterbody Name**

Orca Inlet

**Estimated Project Dates (+/- 30 days)**

Project Estimated Start Date	Project Estimated End/Completion Date
05/15/2024	11/30/2029

**Approximate date(s) when any Discharge(s) may commence (+/- 30 days)**

Description	Discharge Estimated Start Date	Discharge Estimated End Date
Clearing and Grubbing/Road/Pad	05/15/2024	11/30/2029

**Project Description (Nature of Activity, include all features)**

Construction of a oil spill and marine casualty response facility. The project is composed of a 4.3 mile access road, 5.5 acre staging pad, pad retaining wall, boat launch and deep water dock with a total moorage of 635 feet.

**Project Purpose (Describe the reason(s) for discharge)**

The purpose of the project is to construct a tribal transportation oil spill and marine casualty response facility and deep water port in the Cordova area that can receive oil spill equipment from any location at all tides, via air-to-ground-to -response-vessel or cargo vessel-to-response-vessel transportation sequence.

**Is any portion of the work already complete?**

Yes

**Please describe the completed work**

Work on the road and pad at Shepard Point began in 2014. Currently rough road access exists from the end of New England Cannery Road to Shepard Point. The road, pad and dock are not complete.

**Description of current activity site conditions**

Continued road and bridge construction.

**Relevant Site Data, Photographs that Represent Current Site Conditions, or other Relevant Documentation**

NONE PROVIDED

**Comment**

None

**Is this a linear project? (i.e., utility line, road, etc.)**

Yes

**Linear Feet**

22,810

**Project Address**

110 Nicholoff Way  
Cordova, AK 99574

Visit the link below to help with conversion between DMS and Latitude/Longitude

[DSM - Lat/Long converter](#)

**Project Location**

60.5791,-145.7199

Visit the following link if you need to convert the lat/long to get the **PLSS information**

[Converter for Section, Township, and Range](#)

**PLSS Location (Public Land Survey System)**

State Tax Parcel ID	Borough/Municipality	Meridian	Section	Township	Range
NONE PROVIDED	Copper River Census Area	Copper River	1,2,10,11	15S	3W

**Directions to Site**

The project begins at the terminus of New England Cannery Road

**Federal Agency Contact (1 of 1)****Have you been working with anyone in the Federal Agency?**

Yes

**Federal Contact Role**  
USACE

**Federal Agency Contact**

<b>First Name</b>	<b>Last Name</b>	
Estrella	Campellone	
<b>Title</b>		
Project Manager		
<b>Organization Name</b>		
USACE AK RD		
<b>Phone Type</b>	<b>Number</b>	<b>Extension</b>
Business	9077532518	
<b>Email</b>		
estrella.f.campellone@usace.army.mil		

**Dredge Material to be Discharged**

**Is dredging involved?**  
No

## Tier Analysis

A tier analysis is comprised of a layered approach to determine the need for testing the dredge material to aid in generating physical, chemical, toxicity and bioaccumulation information, but not more information than is necessary to make factual determinations. The tier analysis is a series of tiers (I - IV) or levels of intensity (and cost) of investigation. It is necessary to proceed through the tiers only until information is sufficient to make factual determinations, no further testing is required.

- **Tier I - Site Evaluation and History.** The initial tier (Tier I) uses readily available, existing information (including all previous testing). For certain dredge materials with readily apparent potential for environmental impact (or lack thereof), information collected in Tier I may be sufficient for making factual determinations.
- **Tier II - Chemical Testing** is concerned solely with sediment and water chemistry.
- **Tier III - Biological Testing (bioassay and/or bioaccumulation testing)** is concerned with well-defined, nationally accepted toxicity and bioaccumulation testing procedures.
- **Tier IV - Special Studies** allows for case-specific laboratory and field testing, and is intended to for use in unusual circumstances.

For more information regarding a Tier analysis, see below references

- [EPA Inland Testing Manual](#)
- [USACE Seattle District Civil Works DMMP User Manual](#)

**Fill Material to be Discharged**

**Will Fill Material be Discharged?**  
Yes

**For fill material, identify the material source**  
Existing hillside

**Types of material being discharged and the amount of each type (cubic yards)**

Type	Cubic Yards
Rock	1,300,000

**Surface area in (acres or linear feet) of wetlands or other waters filled**

Surface Area	Units
10.36	Acres

**Discharge Location Information (1 of 1)**

Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters

**Discharge Location ID (001, 002, 003, - increment by one)**

002

NOTE: if you have a receiving water that is Wetlands, just enter the generic term "Wetlands". Do not enter "Wetlands of Tanana River", for example.

Please select 'Other' if your waterbody is not in the list below.

You can start typing the name of the waterbody to filter the list.

**Receiving Waterbody / Wetlands Name**

Orca Inlet

**Discharge Location**

60.5791,-145.7199

**Other Pollutant Sources**

**Contaminated Site Information**

Determine if your project is **within 1,500 feet** of a known Alaska DEC Contaminated Site. See the *Alaska DEC Contaminated Web Map* below. This will help you to identify if any potential pollutants/parameters of concern may be present on your project site., see DEC's website:

- [Contaminated Sites Web Map](#)
- [Contaminated Sites Database Search website](#)

**Is the project within 1,500 feet of a known contaminated site?**

Yes

**Contaminated Sites**

Hazard ID#	Contaminated Site Name	Contaminant Type	Latitude	Longitude	In soil or groundwater?	CS Staff Contact
1541	Orca Cannery	oils, lubricants, paints, thinners, solvents, gasoline, waste oils	60.5792	-145.7197	Soil	Gaige Robinson

**Describe the identified contaminated site(s) or groundwater plume within 1,500 feet**

Site is closed with institutional controls. Old cannery. Spills were from the 1940's. Site is currently operated as Orca Adventure Lodge.

**Parameters of Concern that may be present in discharge**

## Parameter(s) of Concern

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Identify the parameters of concern that may be present in your discharge from the dredge and/or fill material.

Note, **TURBIDITY** and **SEDIMENT** are routine parameters associated with dredge and/or fill activities.

Consider if other parameters may be present from past activities in the area such as contaminated site data, impaired waters or other relevant water quality data, or other parameters of concern identified during the application process.

### Parameter(s)

Turbidity  
Sediment

**If known, describe respective concentrations, persistence, and potential impacts to the receiving water and data on parameters that may alter the effects of the discharge to the receiving water**

Unknown

### Impaired Waters

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An **impaired waterbody** are those listed as a **Category 4 [304(b)]** or **Category 5 [303(d)]** in the current EPA approved **Alaska's Integrated Water Quality Monitoring and Assessment Report**.

For the most recently *Approved Integrated Water Quality Monitoring And Assessment Report (Integrated Report)*, see DEC's website:

- [Integrated Water Quality Monitoring And Assessment Report https://dec.alaska.gov/water/water-quality/integrated-report](https://dec.alaska.gov/water/water-quality/integrated-report)

**Does a discharge of any parameter identified above occur to an impaired waterbody?**

No

If determined necessary and requested by the Department, submit sufficient and credible baseline water quality information for the receiving water which meets the requirements of 18 AAC 70.016(a)(6)(A-C).

## Avoidance & Minimization BMPs and Mitigation Measures

**Describe how impacts are being avoided and minimized on the project site. Include best management practices (BMPs) for sediment and erosion controls that will be implemented to minimize environmental impacts, and any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge.**

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**Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge**

A SWPPP is in effect and BMPs are being utilized throughout the project in accordance with the 2026 CGP

### Avoidance Measures

Site work is the minimum necessary to complete a stable road embankment

### Minimization Measures

Site tow work in water is being completed at low tide

**Mitigation Measures**  
SWPPP BMPs

**Social / Economic Importance**

**Social or Economic Importance**

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(18 AAC 70.016(c)(5): Provide information that demonstrates the accommodation of important social or economic development. The applicant shall complete either a social OR economic importance analysis (or both) for each affected community in the area where the receiving water for the proposed discharge is located.

**Social Importance Analysis**

- Community services provided
- Public health or safety improvements
- Education and training
- Recreational opportunities
- Infrastructure improvements

**Economic Importance Analysis**

- Employment, job availability, and salary impacts
- Tax base impacts
- Commercial activities
- Access to a transportation network

**Describe Social and/or Economic Importance of the project**

Emergency response facility and port with deepwater access.

**Description of Social or Economic Importance, if needed**

NONE PROVIDED

**Comment**

NONE PROVIDED

**List of Other Permits or Certificates**

\*Would include but is not restricted to zoning, building, and flood plain permits.

**Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received.**

Agency	Type of Approval*	Identification Number	Date Applied	Date Approved	Date Denied
NONE PROVIDED	NONE PROVIDED	NONE PROVIDED	NONE PROVIDED	NONE PROVIDED	NONE PROVIDED

**Other Agency or Local Contacts (1 of 1)**

**Contact Role**

OTHER\_REG\_CNTCT

## Other Agency and or Local Contacts

**First Name**      **Last Name**

Collin              Bronson

**Title**

Shepard Point Project Manager

**Organization Name**

Native Village of Eyak

**Phone Type**    **Number**            **Extension**

Mobile            9079179159

**Email**

collin.bronson@eyak-nsn.gov

## Attachments

### Copy of Federal Application (USACE, EPA, or FERC, etc.)

[Mod USACE POA19941014Orca Inletdrft.M4dock.v4\\_Package.pdf - 03/27/2026 01:51 PM](#)

**Comment**

NONE PROVIDED

### Figures and/or Drawings/Plan Sets. To include a map or diagram of the proposed activity site, including the proposed activity boundaries in relation to local streets, roads, and highways.

[2025 Environmental Impact UpdateFEB25.pdf - 03/27/2026 01:53 PM](#)

**Comment**

NONE PROVIDED

### Document Attachments

NONE PROVIDED

**Comment**

NONE PROVIDED

### Delegation of Authority for Submission of Application

NONE PROVIDED

**Comment**

NONE PROVIDED

As per 18 AAC 15.030 signing of applications, all permit or approval applications must be signed as follows:

- 1) in the case of corporations, by a principal executive officer of at least the level of vice president or his duly authorized representative, if the representative is responsible for the overall management of the project or operation;
- 2) in the case of a partnership, by a general partner;
- 3) in the case of a sole proprietorship, by the proprietor; and
- 4) in the case of a municipal, state, federal or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

# Agreements and Signature(s)

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## Certification Statement

As per 18 AAC 15.030 signing of applications, all permit or approval applications must be signed as follows:

- 1) in the case of corporations, by a principal executive officer of at least the level of vice president or his duly authorized representative, if the representative is responsible for the overall management of the project or operation;
- 2) in the case of a partnership, by a general partner;
- 3) in the case of a sole proprietorship, by the proprietor; and
- 4) in the case of a municipal, state, federal or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

**Signed By** Collin Bronson on 03/30/2026 at 8:03 AM  
MPnJnsUmvCYLI3iFksO0I0KnnLhZSgqwAgqNm2bsQbrHED36FRG/P3Ni5paz3xjSAbx1cQ2zu1T58o3jpkww==