



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>April 10, 2026</b>
<b>EXPIRATION DATE:</b>	<b>May 11, 2026</b>
<b>REFERENCE NUMBER:</b>	<b>POA-1982-00194-M17</b>
<b>WATERWAY:</b>	<b>Yukon River</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 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:** Yukon River and Road Transport, LLC., Ronald J. Burgett II

**LOCATION:** The project site is located within Section #, T. 09 S., R. # 09 E., Kateel River; Latitude 64.73277° N., Longitude 156.94401° W.; in Galena, Alaska.

**PURPOSE:** The applicant's stated purpose is to extract gravel for commercial sales for roads, foundations, and building pads.

**PROPOSED WORK:** Use of heavy equipment including excavators, loaders, snow clearing bulldozer, and dump trucks for the extraction of gravel from the Yukon River during periods of low water under frozen conditions on the right bank sandbar. If water is present on the

sandbar, material would not be extracted. Approximately 1000 cubic yards of material would be extracted each year for a total of 5,000 cubic yards over the permit life. Gravel material would then be stored in uplands for future use in roads, driveways, and building pads. Impacted area would be approximately 0.34 acre of riverine habitat annually. All work would be performed in accordance with the enclosed plan (sheets 1-2), dated April 2026.

ADDITIONAL INFORMATION: ADF&G has issued Fish Habitat Permit FH26-III-0075 for this activity.

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 work would be conducted when the sand bar is exposed above the water table. If surface water is encountered and conditions are not ideal, then no gravel would be extracted. The extraction area would be sloped toward the Yukon River to avoid trapping fish following high water events.

b. Minimization: The Applicant states that project plans have not changed from past extraction efforts. The extraction would occur 200 feet below the ordinary high-water mark and 1.6 feet above the river level at the time of extraction.

c. Compensatory Mitigation: The Applicant is not proposing any compensatory mitigation at this time because impacts are temporary if the avoidance and minimization measures are followed.

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 extraction area and the equipment lane for access. 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: We have determined that the project area is within the known range of the Threatened Wood Bison (*Bison bison athabascae*). The wood bison is a non-essential experimental population that was introduced from a population in Canada. We have determined that the project will not jeopardize the continued existence of the species. No other Threatened or Endangered Species occur within or near the project area. Therefore, no consultation with USFWS is required.

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 within mapped EFH for chum salmon (*Oncorhynchus keta*), coho salmon (*Oncorhynchus kisutch*), Chinook salmon (*Oncorhynchus tshawytscha*), pink salmon (*Oncorhynchus gorbuscha*), sockeye salmon (*Oncorhynchus nerka*), Arctic lamprey (*Lethenteron camtschaticum*), Bering cisco (*Coregonus laurettae*), humpback whitefish (*Coregonus pidschian*), least cisco (*Coregonus sardinella*), and inconnu (*Stenodus leucichthys*).

Due to work only occurring in winter, during periods of low water when the gravel bar is exposed above the water table, 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. 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 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:

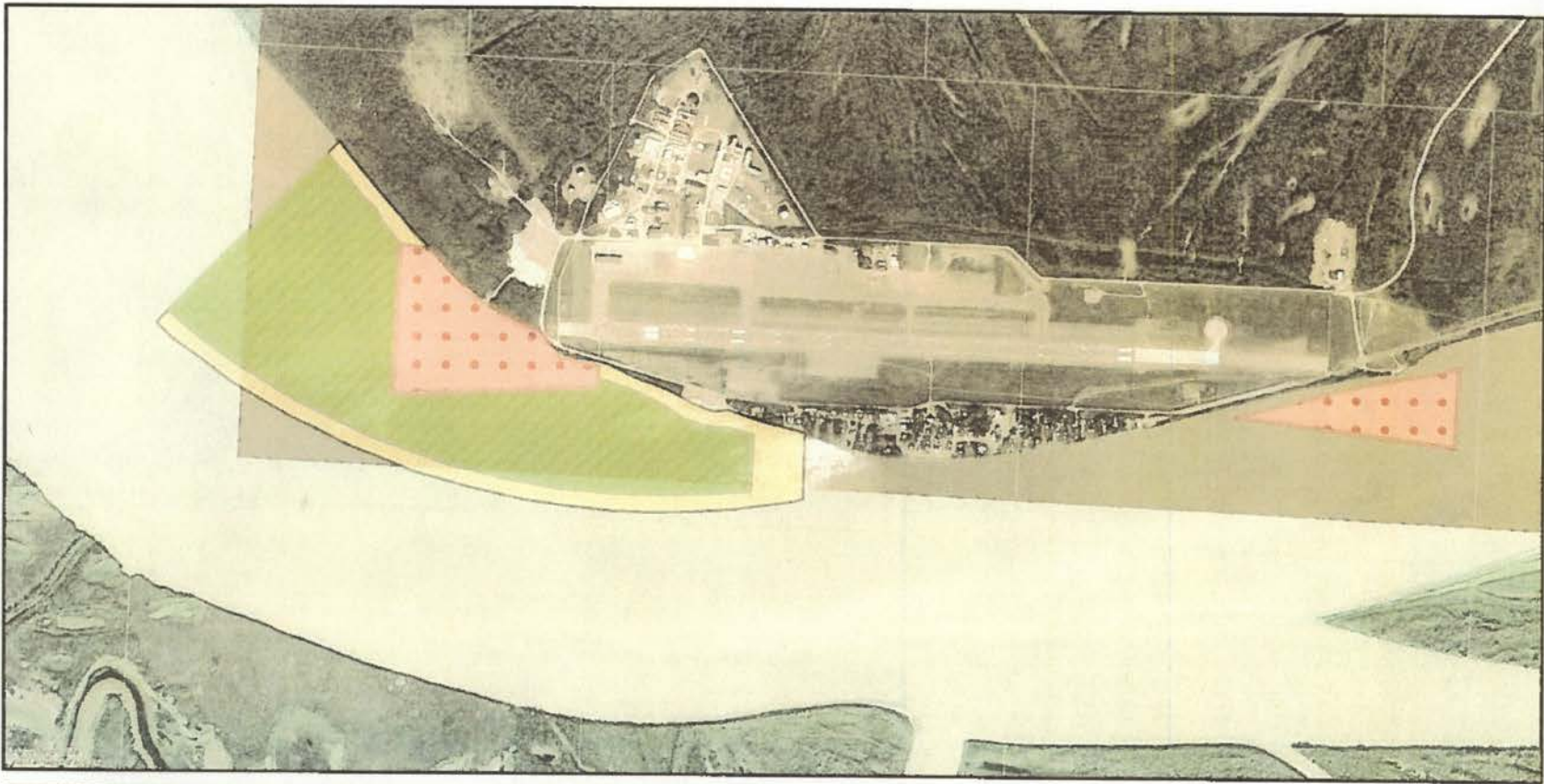
(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(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



<b>ADL 419338 (Galena Master Material Site)</b> Located within: Kateel River Meridian T9S, R9E, Sec. 1 & T9S, R10E, Sec. 6		
Fairbanks Recording District State of Alaska Department of Natural Resources Division of Mining, Land and Water Fairbanks, Alaska		
Drawn By: Adam Leland	Date: 5/3/2017	Approved:
Checked By:	Date:	Sheet: 1 of 1

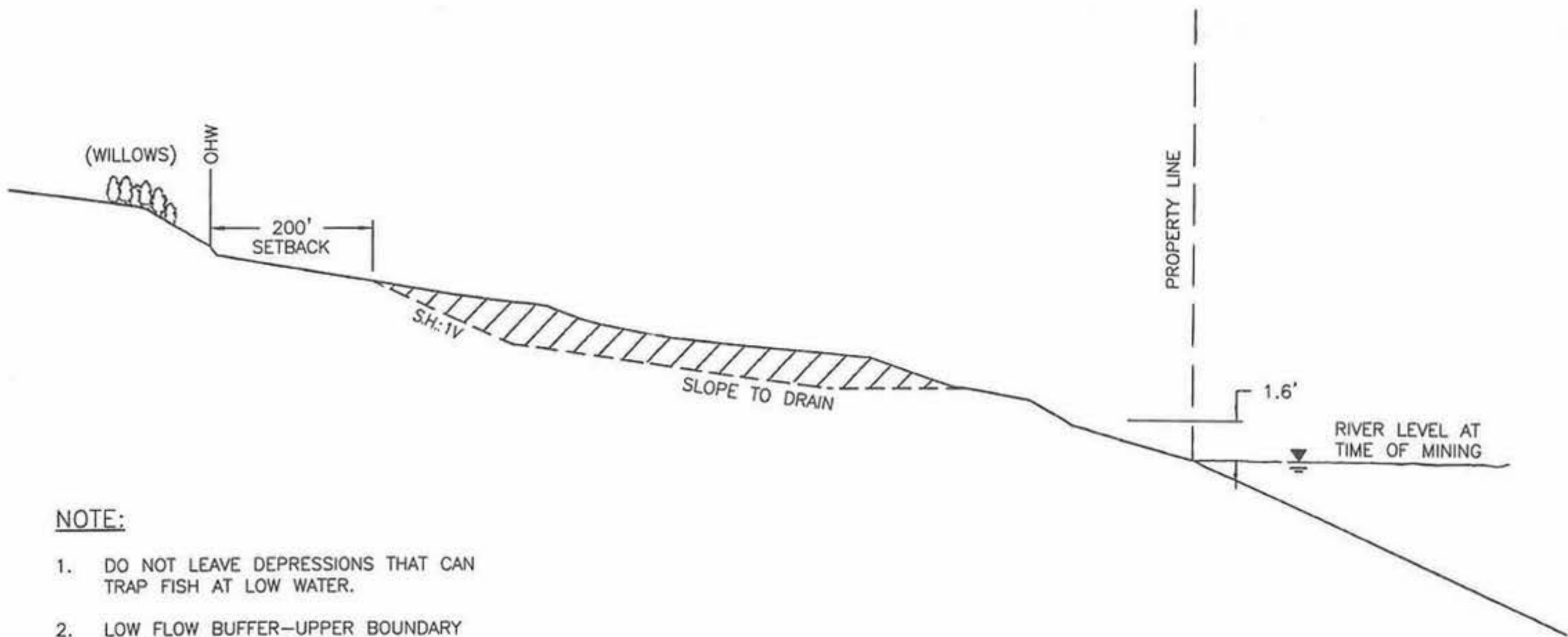
**Legend**

-  DOT ILMA ADL 415244
-  Material Site Active Area
-  Material Site Buffer

0 250 500 1,000 1,500 2,000 Miles

N





NOTE:

1. DO NOT LEAVE DEPRESSIONS THAT CAN TRAP FISH AT LOW WATER.
2. LOW FLOW BUFFER—UPPER BOUNDARY IS 1.6' FLET VERTICALLY FROM RIVER LEVEL AT TIME OF MINING.

TYPICAL CROSS SECTION  
NOT TO SCALE

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES	
DATA: JB	TYPICAL CROSS SECTION
DRAWN: EJM	
APPROVED:	PROJECT NO. 61653
DATE: SEPT 2012	

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