



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

JUN 02 2017

Regulatory Division
POA-2017-254

Mr. Jesse Passin
MEGA Trucking, LLC
Post Office Box 1808
Valdez, Alaska 99686

Dear Mr. Passin:

This letter responds to your May 5, 2017, request for a Department of the Army (DA) jurisdictional determination for your proposed excavation and removal of up to 20,000 cubic yards (CY) of gravel and sand from approximately 1.25 acres area of Valdez Glacier Stream. The excavated material will be placed in dump trucks and hauled to an offsite upland location. The project has been assigned number POA-2017-254, Valdez Glacier Stream, which should be referred to in all correspondence with us. The project site is located within Section 11, T. 9 S., R. 6 W., Copper River Meridian; USGS Quad Map AK-Valdez A-6; Latitude 61.1082° N., Longitude 146.2396° W.; in Valdez, Alaska (Enclosure 1).

Based on our review of the information you provided, we have determined that although the subject property may contain waters of the United States (U.S.), including wetlands, your proposed project would not involve an activity we regulate. The project would not involve a discharge of dredged and/or fill material in wetlands or below the ordinary high water mark of Valdez Glacier Stream (stockpiling or pushing material around). Therefore, a DA permit is not required. However, a permit may be required if you alter the method, scope, or location of your proposed work. You should contact us if you make changes to your project.

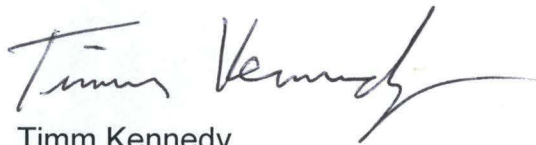
Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344). The Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403). Section 10 waters are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified by the Alaska District.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Please contact me via email at tim.m.a.kennedy@usace.army.mil, by mail at the address above, by phone at (907) 753-2784, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

A handwritten signature in dark ink, appearing to read "Timm Kennedy", with a long, sweeping horizontal line extending to the right.

Timm Kennedy
Regulatory Specialist

Enclosures

TRACT B ASLS 98-26
OWNER: CITY OF VALDEZ

THIS PROJECT PROPOSED
EXTRACTION AREA

CITY OF VALDEZ
COPPER AVE. EROSION PROTECTION
EXCAVATION AREA

OLD VALDEZ TOWNSITE



VICINITY MAP
1" = 1 MILE



M.S. 71-1-1-012-5

DATE PREPARED:
APRIL 26, 2017

APPLICANT'S NAME:
MEGA TRUCKING

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

DIAGRAM

SEC. 11, TOWNSHIP 9 S., RANGE 6 W., COPPER RIVER MERIDIAN

SCALE: 1" = 1000'

SHEET 1 OF 2

FILE# 17005 MEGA 170426D