



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Environmental
Conservation**

DIVISION OF WATER
Wastewater Discharge Authorization Program

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Anchorage, Alaska 99501-2617
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Fax: 907.334.2415
www.dec.alaska.gov/water/wwdp

March 1, 2017

U.S. Army Corps of Engineer, Alaska District
Regulatory Division (1145), CEPOA-RD
Col. Michael Brooks, District Commander
P.O. Box 6898
JBER, AK 99506-0898

Re: Nationwide Permit Reissuance
POA-2016-6

Dear Col. Brooks:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation (DEC) is issuing the enclosed Certificate of Reasonable Assurance for the reissuance of the U.S. Army Corps of Engineers nationwide permits.

DEC regulations provide that any person who disagrees with this decision may request an informal review by the Division Director in accordance with 18 AAC 15.185 or an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340. An informal review request must be delivered to the Director, Division of Water, 555 Cordova Street, Anchorage, AK 99501, within 15 days of the permit decision. Visit <http://dec.alaska.gov/commish/ReviewGuidance.htm> for information on Administrative Appeals of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, AK 99811-1800, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

By copy of this letter we are advising the U.S. Army Corps of Engineers of our actions and enclosing a copy of the certification for their use.

Sincerely,

A handwritten signature in cursive script that reads "James Rypkema".

James Rypkema
Program Manager, Storm Water and Wetlands

Enclosure: 401 Certificate of Reasonable Assurance

cc: (with encl.)
Wade Strickland, ADEC
Megan Marie, ADF&G

David Hobbie, Chief, Regulatory USACE
USFWS Field Office Anchorage
Matthew LaCroix, EPA Operations

**STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CERTIFICATE OF REASONABLE ASSURANCE**

In accordance with Section 401 of the Federal Clean Water Act (CWA) and the Alaska Water Quality Standards (18 AAC 70), a Certificate of Reasonable Assurance, is issued to the U.S. Army Corps of Engineers, Alaska District, Regulatory Branch, CEPOA-RD, attention: Col. Michael Brooks, at PO Box 6898, JBER, Alaska 99506 for the proposed new nationwide permits.

The nationwide permits are general permits that cover a class of activities subject to Corps of Engineers jurisdiction that have minimal individual and cumulative adverse effects on the aquatic environment. Nationwide permits are intended to streamline the process for applicants and agencies while reducing procedural and time requirements. The Department of Environmental Conservation supports a regulatory program that streamlines processes, is responsive to public needs, and protects water quality. The regional conditions address Alaska-specific modifications to the nationwide permits.

The proposed activities are located throughout Alaska.

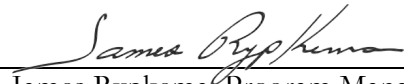
Public notice of the application for this certification was given as required by 18 AAC.15.180.

Water Quality Certification is required under Section 401 because the proposed activity will be authorized by a Corps of Engineers nationwide permit and a discharge may result from the proposed activities.

The Department of Environmental Conservation (DEC) reviewed the nationwide permit and certifies that there is reasonable assurance that the proposed activities authorized by the nationwide permit with the Alaska Regional Conditions, as well as any discharge which may result, will comply with applicable provisions of Section 401 of the CWA and the Alaska Water Quality Standards, 18 AAC 70.

This certification shall become effective March 19, 2017 and expires at midnight March 18, 2022. If a project is not completed by the expiration date and work under Corps of Engineers permit will continue, the permittee must submit an application for renewal of this certification no later than 30 days before the expiration date (18 AAC 15.100).

Date: March 1, 2017



James Rypkema, Program Manager
Storm Water and Wetlands