

## **APPENDIX B**

USACE CORRESPONDENCE AND NATIONWIDE PERMIT  
APPLICATION

PROJECT: AU Aleutian  
PROJECT NUMBER: DOWL: 62827  
ORGANIZER: Emily Creely  
ATTENDEES:  
Emily Creely  
Ben Soiseth

DATE: March 8, 2021  
TIME: 9 am  
SUBJECT: Use of NWP 57  
ORGANIZATION:  
DOWL  
USACE

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## Discussion points:

- Expiration of NWP 12 and relation to AU project
  - o USACE will issue the permit under the new NWP #57
  - o I will have to write an email on the date (March 14) of its expiration requesting a verification of the project to use NWP #57.
- Issue of fiber to the home and whether or not they are single and complete.
  - o For this project we will use one permit application for the whole project, which is what we did for the project under NWP #12
- Mitigation
  - o He said he would not require mitigation and would not re-do outside agency review and all it would require is a PCN.



**From:** [Soiseth, Benjamin N CIV USARMY CEPOA \(USA\)](#)  
**To:** [Emily Creely](#)  
**Cc:** [Valerie Haragan](#); [Sharee Tserlentakis \(Marin\)](#)  
**Subject:** [EXT] RE: Withdrawal of Application - POA-2019-00021  
**Date:** Wednesday, March 31, 2021 10:52:16 AM

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**WARNING:** External Sender - use caution when clicking links and opening attachments.

Hi Emily,

The email is sufficient for the withdrawing from NWP #12. We will need the updated PCN with plans for the modified submittal.

Thank you,

Ben

Benjamin Soiseth  
Southeast Section Chief  
Regulatory Division, Alaska District  
US Army Corps of Engineers  
907-753-2670

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**From:** Emily Creely <ecreely@dowl.com>  
**Sent:** Tuesday, March 30, 2021 2:37 PM  
**To:** Soiseth, Benjamin N CIV USARMY CEPOA (USA) <Benjamin.N.Soiseth@usace.army.mil>  
**Cc:** Valerie Haragan <vharagan@gci.com>; Sharee Tserlentakis (Marin) <smarin@gci.com>  
**Subject:** [Non-DoD Source] Withdrawal of Application - POA-2019-00021

Ben,

As we have discussed, we are withdrawing the application for the AU Aleutian project submitted under the now-expired Nationwide Permit #12.

We will be submitting an updated application for the project under Nationwide Permit #57. We have recalculated permanent impacts to wetlands as a result of the project and it is 0.085 acres. Would you like a PCN for the re-submittal?

Please let me know if this email is sufficient for your needs.

Emily

**Emily Creely, PWS**  
Environmental Specialist

**DOWL**

(907) 562-2000 | office  
(907) 865-1216 | direct  
4041 B Street

**From:** [Soiseth, Benjamin N CIV USARMY CEPOA \(USA\)](#)  
**To:** [Emily Creely](#)  
**Subject:** [EXT] RE: AU Aleutian  
**Date:** Friday, April 30, 2021 3:54:37 PM

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***WARNING:*** *External Sender - use caution when clicking links and opening attachments.*

Hi Emily,

Happy Friday to you!

I did receive it and it think it is complete.

Have a great weekend!

Ben

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**From:** Emily Creely <ecreely@dowl.com>  
**Sent:** Friday, April 30, 2021 1:54 PM  
**To:** Soiseth, Benjamin N CIV USARMY CEPOA (USA) <Benjamin.N.Soiseth@usace.army.mil>  
**Subject:** [Non-DoD Source] AU Aleutian

Happy Friday Ben!

So I didn't hear back from you after submitting the NWP app – can you confirm you received it and that it is pretty complete? Just wanting to make sure I'm on top of it!  
Em

**Emily Creely, PWS**  
Environmental Specialist

**DOWL**

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4041 B Street  
Anchorage, AK 99503

[www.dowl.com](http://www.dowl.com)

**From:** [Emily Creely](#)  
**To:** ["Gray, Andrew A CIV USARMY CEPOA \(USA\)"](#)  
**Subject:** RE: [EXT] RE: AU Aleutian  
**Date:** Monday, June 21, 2021 12:49:00 PM  
**Attachments:** [AU Aleutian NWP 57 small file size.pdf](#)

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Ok! here it is!

**Emily Creely, PWS**  
Environmental Specialist

**DOWL**

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**From:** Gray, Andrew A CIV USARMY CEPOA (USA) <Andrew.A.Gray@usace.army.mil>  
**Sent:** Monday, June 21, 2021 12:03 PM  
**To:** Emily Creely <ecreely@dowl.com>  
**Subject:** RE: [EXT] RE: AU Aleutian

Doesn't matter

Andy Gray  
Regulatory Division, Alaska District  
Kenai Field Office  
(907)753-2722

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**From:** Emily Creely <[ecreely@dowl.com](mailto:ecreely@dowl.com)>  
**Sent:** Monday, June 21, 2021 11:48 AM  
**To:** Gray, Andrew A CIV USARMY CEPOA (USA) <[Andrew.A.Gray@usace.army.mil](mailto:Andrew.A.Gray@usace.army.mil)>  
**Subject:** [Non-DoD Source] RE: [EXT] RE: AU Aleutian

Should I change this to be to you instead of Ben?

**Emily Creely, PWS**  
Environmental Specialist

**DOWL**

(907) 562-2000 | office  
(907) 865-1216 | direct

[dowl.com](#)

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**From:** Gray, Andrew A CIV USARMY CEPOA (USA) <[Andrew.A.Gray@usace.army.mil](mailto:Andrew.A.Gray@usace.army.mil)>  
**Sent:** Monday, June 21, 2021 11:07 AM  
**To:** Emily Creely <[ecreely@dowl.com](mailto:ecreely@dowl.com)>  
**Subject:** [EXT] RE: AU Aleutian

**WARNING:** External Sender - use caution when clicking links and opening attachments.

Yes

Andy Gray  
Regulatory Division, Alaska District  
Kenai Field Office  
(907)753-2722

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**From:** Emily Creely <[ecreely@dowl.com](mailto:ecreely@dowl.com)>  
**Sent:** Monday, June 21, 2021 10:02 AM  
**To:** Gray, Andrew A CIV USARMY CEPOA (USA) <[Andrew.A.Gray@usace.army.mil](mailto:Andrew.A.Gray@usace.army.mil)>  
**Subject:** [Non-DoD Source] AU Aleutian

Andy,

During final review of the EA by GCI, there were a couple of small updates/tweaks to our numbers.

- permanent impacts in the application packet I sent you were 0.085 acres, they are now 0.096 acres.
- temporary impacts went up slightly in intertidal areas from 0.54 to 0.65 acres.

So should I resubmit the package with those updates?

**Emily Creely, PWS**  
Environmental Specialist

**DOWL**

(907) 562-2000 | office  
(907) 865-1216 | direct

[dowl.com](http://dowl.com)



June 21, 2021

Mr. Ben Soiseth  
Alaska District, U.S. Army Corps of Engineers  
Kenai Regulatory Field Office  
44669 Sterling Highway, Suite B  
Soldotna, Alaska 99669-7915

**Subject: Proposed Project (AU-Aleutian) Nationwide Permit 57**

Dear Mr. Soiseth:

DOWL is submitting an application on behalf of Unicom, Inc for a proposed project to provide high-speed internet (broadband) to six (6) communities in southwest Alaska (Attachment 3, Sheet 1). The project (referred herein as "AU-Aleutian") will extend broadband service by installing a main base line from Kodiak to Unalaska. Kodiak has a connection to a greater fiber network in southcentral Alaska and the Lower 48 states. Larsen Bay, Chignik Bay, Sand Point, King Cove, and Akutan will also receive broadband service. Attachment 1 includes a detailed narrative of the proposed project, anticipated impacts, and other pertinent information. Attachment 2 includes figures.

This project meets the definition of a "single and complete linear project" per 33 CFR 330.2(i). The proposed project will be completed by just one entity – the Applicant.

The proposed project does not extend beyond the continental shelf but does extend more than three miles offshore. The anticipated area of the affected wetlands constitutes permanent impacts because of the proposed project footprint of **0.096 acres**, with temporary fills comprising **6.65 acres**.

Please review the provided information at your earliest convenience and deem whether the application is complete and the project is consistent with Nationwide Permit #57. If you have any questions or require additional information, please contact me by email at [ecreely@dowl.com](mailto:ecreely@dowl.com) or by telephone at (907) 865-1216.

Sincerely,

A handwritten signature in blue ink, appearing to read "Emily Creely".

**Emily Creely**  
**Environmental Specialist/Project Manager**  
DOWL

*Attachment(s):*

1. *Project Description*
2. *Figures*
3. *PCN*

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## 1 INTRODUCTION

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Unicom, Inc. (Unicom), with support from the United States Department of Agriculture (USDA) Rural Development (RD), proposes to bring fast internet service to over 9,000 people in six remote Alaska Native villages for the first time.

The only populated region of Alaska that lacks any form of terrestrial broadband service today is the Alaska Peninsula and Aleutian Islands. These communities are currently only connected via satellite. While satellite service remains an important technology in rural Alaska, it is expensive and cannot provide the bandwidth required to keep up with the applications that are fast becoming a required part of doing business in the fast-paced global economy. Low latency and high capacity broadband service is required to support the innovation and economic growth that will make rural American communities viable long into the future.

With support from USDA's ReConnect Program, Unicom proposes to deliver 1 Gig internet service to this most remote region of Alaska. Specifically, Unicom's AU-Aleutian Fiber Project (the project) will involve deploying approximately 848 miles of subsea fiber optic cable from Kodiak to Unalaska. The subsea cable will begin in Mill Bay (Kodiak) and will connect Larsen Bay, Chignik Bay, Sand Point, King Cove, Akutan, and Unalaska (Appendix A; Figure 1). Unicom proposes to build fiber-to-the-premises local access networks in each of these newly connected villages.

The project will bring transformational change to an entire region of Alaska. As described below, Unalaska is the largest community in the Aleutian Islands and supports one of the largest fisheries in the U.S. The lack of access to adequate broadband service limits economic development as well as the efficiency of services by health care providers, schools, tribal entities, businesses, and residents. The other five communities to be served by the project suffer from the same quality of life impediments created by a lack of fast and reliable communications networks.

### 1.1 Project Description

The project would install a new 793-mile-long submarine fiber connecting these communities to an existing company-owned middle-mile fiber network. From Kodiak, the fiber optic cable would be laid down the Shelikof Strait and then parallel the Alaska Peninsula to the southwest until it reaches Unalaska. The cable would branch off to transmission regeneration sites located at Larsen Bay, Chignik Bay, Sand Point, and King Cove, with an additional branch (without signal regeneration) to Akutan. The project will bring terrestrial services to end users in these five communities and Unalaska for the first time.

### 1.2 Purpose and Need

USDA RD includes three federal agencies—Rural Business-Cooperative Service, Rural Housing Service, and Rural Utilities Service (RUS). The project would use federal financial assistance from the RUS ReConnect program, which aims to facilitate broadband deployment in areas of rural America that do not have sufficient access to broadband. There is no terrestrial broadband service connection to Alaska's communities across the Aleutian Islands today; all existing communications rely on satellite service. The proposed project's six isolated Aleutian Island communities are neither connected by road nor an intertied electrical grid. Unalaska, the proposed southwest termination point, is the largest of these communities and is located 800 miles from the

nearest urban center (i.e., Anchorage). Unalaska is home to approximately 4,700 year-round residents, with a seasonal influx of another 4,000 people who support the fishing industry in the largest fishing port in the United States by volume. Unalaska's fishing industry anchors local economies throughout the Aleutian Chain, including supporting several large fish processing plants, generating \$279 million in revenues annually. Unalaska is positioning itself as a gateway to the Arctic Ocean as its strategic location as a port will continue to increase as sea ice continues to recede.

Although Unalaska has a robust business community and significant population, its extreme remoteness, lack of existing infrastructure, harsh weather, and other factors have prevented a sustainable business case for broadband infrastructure investment. The lack of broadband access limits economic development and efficiency of services delivered by health care providers, schools, and tribal entities. The purpose of the proposed project is to deliver fast, reliable broadband service to six rural Alaska Native Aleut villages for the first time to support economic development and social services.

## **2 PROPOSED ACTION**

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### **2.1 Terrestrial and Intertidal Project Elements**

Project elements that would occur above the high tide line (HTL) are defined as terrestrial and project elements that would occur between mean low water (MLW) and HTL are defined as intertidal areas.

The fiber optic cable would be installed in a trench excavated to a maximum 3-foot width and 1.5-foot depth between mean high water (MHW) and MLW. In areas above MHW, trenching would have a maximum 3-foot width and 3-foot depth.

For each landfall location, the following construction methods would apply:

- The fiber optic cable would be installed into a new beach manhole (BMH), setback from the adjacent waterbody MHW with a conduit stub. The BMH would measure 3 feet by 4 feet (12 square feet [ft<sup>2</sup>]) and 4 feet deep (Picture 1). The conduit stub would be placed above MLW.
- The shore route consists of a buried conduit system and fiber optic cable from the BMH to a communications shelter. The conduit system would contain up to 3 conduits (each 2 inches in diameter) buried 36 inches below ground surface.
- BMH excavation would not exceed 5 feet by 5 feet (25 ft<sup>2</sup>) and 5 feet deep; each BMH excavation would vary based on shoreline/bank contours and substrate.
- From the BMH, the fiber optic cable would be routed to new Cable Landing Stations (referred to herein as 'shelters') co-located with existing facilities in all communities except Larsen Bay and Chignik Bay where it is to be a fully new facility. From the shelters, the fiber optic cable would then be routed to end users. The fiber optic cable between the BMH and communication shelter will be terrestrial cable placed in a trench, approximately 1.5 feet wide and 3 feet deep; the trench width would be less if a cable plow or chain trencher is available. The fiber extension to end users will be a standard terrestrial cable placed in a 2 to 3-foot deep trench. If existing suitable utility poles are available, the fiber optic cable's local distribution may use overhead construction as well.

- Vaults would be similar to BMHs and would require a 5-foot by 5-foot (25 ft<sup>2</sup>) excavation and would be used to provide slack loops and splicing points along the route and at the communications shelter termination point.
- The fiber optic cable between the BMH, existing facilities, and end users would be trenched adjacent to existing roads and remain within existing utility ROW and easements to the extent possible; this may include trenching in areas near the toe of slope. The fiber optic cable trenching would generally follow the utility distribution system in each community.
- Prefabricated communications shelter (approximately 25 feet long, 15 feet wide, and 10 feet high) would be installed adjacent to existing facilities; shelters would require gravel pads that would measure approximately 625 ft<sup>2</sup> and 2-feet deep. Each shelter would have self-contained, outdoor rated, and diesel fuel powered generator installed adjacent to it on the gravel pad.

**Picture 1: Typical Communications Shelter**



- Installation crews would use backhoes and standard trenching techniques to set BMHs and vaults flush with the original ground grade (Picture 2).
- Any work below MWH would occur during low tide.
- Heavy equipment needing to operate in intertidal areas and wetlands would be placed on mats, with the exception of beaches with firm sediments, such as large cobbles or boulders (e.g., Unalaska, Akutan, Larsen Bay).
- All areas would be returned to pre-construction elevations; all trenched areas would be re-graded to original conditions.



- Unicom does not intend to re-enter BMHs for 25 years, unless required to address a service or maintenance issue.
- Excavated material would be side-cast next to trenches during excavation and the spoils would be used as backfill to bury the cable and BMH.
- No excess material requiring disposal is anticipated to be produced.
- Alterations to shorelines would be temporary and trenches would be constructed and backfilled to prevent them from acting as a drain (i.e., not backfilled).

**Picture 2: Typical Vault Buried Flush Following Construction**



In general, equipment used at each landfall location may include:

- Rubber wheel backhoe
- Tracked excavator or backhoe (medium to large excavator would be required at Unalaska)
- Utility truck and trailer to deliver materials
- Chain trencher or cable plow (optional)
- Hand tools (e.g., shovels, rakes, pry bars, wrenches)
- Survey equipment
- Winch or turning sheave
- Splicing equipment, small genset, and splicing tent

## Environmental Commitments

The following is a list of environmental commitments and mitigation measures included in the proposed action to ensure terrestrial wetlands retain their integrity post-construction.

- Re-vegetation of disturbed areas will occur as soon as practicable with local and native species.
- Heavy equipment working in wetlands or mudflats would be placed on mats, or other measures must be taken to minimize soil disturbance.
- All exposed soil and other fills, as well as any work below the ordinary high water mark or HTL, will be permanently stabilized at the earliest practicable date. When possible, work within WOUS will be performed during periods of low flow or no flow, or during low tides.
- Temporary fills will be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas will be revegetated, as appropriate. Proper seeding of all areas under threat of erosion or unstable soil post-project shall be seeded with appropriate grass seed such as Northern Tufted Hair Grass to maintain solid soil stability. Any areas of vegetation will be revegetated to the greater standard among the permit, SWPPP or Environmental Assessment standards.
- Trenches may not be constructed or backfilled in such a manner as to drain Waters of the U.S. (e.g., backfilling with extensive gravel layers, creating a French drain effect). Ditch plugs or other methods shall be used to prevent this situation.
- All excess material shall be removed to a non-wetland location.
- The backfilled trench will achieve pre-construction elevation.
- Excavated material temporarily sidecast into wetlands will be underlain with geotextile, ice pads, or similar material, to allow for removal of the temporary material to the maximum extent practicable.
- Where vegetation is removed, revegetation of the site will begin as soon as site conditions warrant.
- Disturbed areas will be stabilized immediately after construction.
- Except in areas of topsoil excavation, excavated soils will be sorted into mineral subsoils and topsoil (topsoil is defined as the upper, outermost layer of soil, usually the top 2 to 8 inches).
- Native vegetation and topsoil removed for project construction shall be stockpiled separately and used for site rehabilitation. Species to be used for seeding and planting shall follow this order of preference:
  - Species native to the site
  - Species native to the area
  - Species native to the state
- Prior to commencement of construction activities within wetland areas, the permitted limits of disturbance at the project site will be clearly identified with highly visible markers (e.g., staking, flagging).
- The permittee shall provide USACE a signed certification document upon completion of the authorized activity. USACE has provided the certification document with the NWP verification letter.

## 2.2 Marine Project Elements

The following describe project elements that would occur in the marine environment, outside of intertidal areas (below MLW). The fiber optic cable would either be surface laid on the sea floor or buried via plow (maximum 1-foot width and 5-foot depth) in waters deeper than 50 feet. While it is expected that the temporary cable trench created by the plow would collapse, post-lay inspection and burial would be conducted using the ROVJET 207 series or similar remotely operated vehicle (ROV). In waters less than 50 feet deep, the cable may be buried using either a towed sled or tracked ROV, or use of a hand jet and water lift operated by a diver resulting in an excavation no more than 3 feet deep. In general, equipment in the near shore marine environment may include:

- Small utility boat to run pull line to beach
- Dive boat with hand jetting tools

## 2.3 Community-Specific Operations

Dimensions of fiber optic cable and other project elements within each community are described in Table 1 and shown in Appendix A; Figure Set 2 and Figure Set 3.

**Table 1: Project Elements by Community**

Community	Number of Vaults	Fiber placed between MLW and BMH (linear feet)	Fiber placed between BMH and Existing Facilities (linear feet)	Fiber placed between Existing Facilities and End Users (linear feet)
Mill Bay (Kodiak)	0	202.4	0	0
Larsen Bay	12	404.8	731.1	8,994.2
Chignik Bay	18	721.6	1,624.2	16,521.5
Sand Point	24	214.6	2,950.6	31,476.0
King Cove	20	68.8	1,919.4	19,549.0
Akutan	10	49.2	334.2	4,560.5
Unalaska	184	50.0	5,314.0	152,881.9
<b>Total</b>	<b>268</b>	<b>1,711.4</b>	<b>12,873.5</b>	<b>233,983.1</b>

Note: BMH (beach manhole); MLW (mean low water).

The anticipated construction schedule is as follows (contingent upon receipt of permits and environmental authorizations):

- May 2021 – Complete subsea geophysical and geotechnical survey
- Summer 2021/2022 – Install terrestrial fiber optic cable between existing shelters and end users in Unalaska
- Summer 2021 – Install terrestrial fiber optic cable between BMHs to existing shelter in all communities
- Summer 2022 – Install terrestrial fiber optic cable between existing facilities and end users in Akutan; install subsea fiber cable from Mill Bay (Kodiak) to Unalaska including making the needed stops in the other 5 communities, and powering up the undersea fiber optic system.

- Summer 2023 – Install terrestrial fiber optic cable between existing facilities and end users King Cove and Sand Point
- Summer 2024 – Install terrestrial fiber optic cable between existing facilities and end users in Chignik Bay and Larsen Bay.

### 3 IMPACTS

The project will involve work in aquatic resources and impact waters of the U.S. (WOUS) under U.S. Army Corps of Engineers (USACE) jurisdiction per Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act (CWA). WOUS impacted by the proposed project include tidelands, wetlands, and navigable waters. The proposed project does not extend beyond the continental shelf but does extend more than 3 miles offshore.

United States Fish and Wildlife Service (USFWS) National Wetlands Inventory data is not available within the project area. Without field verification, wetlands are assumed to be present in all undisturbed, vegetated areas above MHW. There is no indication that vegetation in the project footprint is unique or uncommon in the region. DOWL used existing drone imagery, published tidal elevations, and other information to determine the HTL and MHW for each site. Tidelands extend from low tide to MHW, and navigable waters include territorial seas.

Complete avoidance of impacts to WOUS is not feasible; however, impacts have been minimized by siting project features in developed/disturbed areas to the greatest extent practicable.

Any trenching work conducted in vegetated areas would result in temporary impacts to jurisdictional resources and all fill (e.g., BMH, shelter pads, vaults) would result in permanent impacts to jurisdictional resources.

#### Permanent Impacts

Permanent impacts include installation of BMHs, vaults, and fill to create shelter pads. The estimated area of affected wetlands constituting permanent project impacts from the proposed project footprint is 4,225 ft<sup>2</sup> (0.096 acres), as described in Table 6.

**Table 6: Permanent Impacts to Terrestrial Wetlands**

Location	Impact by Project Element (square feet)		
	Beach Manholes	Vaults	Shelter Pads
Mill Bay (Kodiak)	N/A	N/A	N/A
Larsen Bay	25	300	0 <sup>1</sup>
Chignik Bay	0 <sup>1</sup>	450	0 <sup>1</sup>
Sand Point	0 <sup>1</sup>	600	0 <sup>1</sup>
King Cove	0 <sup>1</sup>	375 <sup>2a</sup>	0 <sup>1</sup>
Akutan	25	250	625
Unalaska	0 <sup>1</sup>	1,625 <sup>2b</sup>	0 <sup>1</sup>
<b>Total</b>	<b>50</b>	<b>3,600</b>	<b>625</b>

Note: N/A (not applicable).

<sup>1</sup> Site is disturbed/developed and not within wetlands.

<sup>2a</sup> Of the 20 vaults needed for the project in King Cove, just 15 would be placed in wetlands.

<sup>2b</sup> Of the 184 vaults needed for the project in Unalaska, just 65 would be placed in wetlands.

Permanent impacts would be permitted under NWP 57 (Electric Utility Line and Telecommunications Activities).

### Temporary Impacts

The estimated area of temporarily affected WOUS., including terrestrial wetlands, is 239,724.09 ft<sup>2</sup> (6.65 acres) as shown in Table 7. Temporary impacts from trenching between the shelter at existing facilities to end users would be permitted along with permanent impacts (NWP 57) with one NWP for each community.

**Table 7: Temporary Impacts to Intertidal (Mean Lower Water to High Tide Line) and Terrestrial Wetlands**

Location	Intertidal Area (WOUS)		Terrestrial Wetlands (areas above HTL to existing facilities)		Terrestrial Wetlands (existing facilities to end users) <sup>1</sup>	
	Linear feet	Acres <sup>2</sup>	Linear Feet	Acres <sup>2</sup>	Linear Feet	Acres <sup>2</sup>
Mill Bay (Kodiak)	202.4	0.4	N/A	N/A	N/A	N/A
Larsen Bay	404.8	0.07	43.6	< 0.01	8,994.2	0.21
Chignik Bay	615	0.11	727.7	0.01	16,521.5	0.38
Sand Point	214.6	0.04	2,943.0	0.54	31,476.0	0.72
King Cove	133.2	0.02	32.4	0.01	19,549.0	0.45
Akutan	42.8	0.01	334.2	0.06	4,560.5	0.10
Unalaska	47.1	0.01	0 <sup>1</sup>	0 <sup>1</sup>	152,881.0	3.51
<b>Total</b>	<b>1,659.9</b>	<b>0.66</b>	<b>4,080.99</b>	<b>0.62</b>	<b>233,983.2</b>	<b>5.37</b>

Note: HTL (high tide line); N/A (not applicable); WOUS (Waters of the U.S.).

<sup>1</sup> Site is disturbed/developed and does not affect wetlands.

<sup>2</sup> Trenches would be 8 feet wide (3-foot-wide trench with 5-foot sidecast)

Temporary impacts in the marine environment from trenching and plowing total approximately 3,278,180 linear feet (621 miles), as shown in Table 8. Approximately 173 miles of fiber optic cable will be laid directly on the seafloor, which does not constitute fill.

**Table 8: Temporary Impacts to Waters of the U.S. in Marine Areas (Below Mean Low Water)**

Project Activity	Linear Feet	Linear Miles	Acres <sup>1</sup>
Trenching	5,539	1.1	0.38
Plowing	3,273,181	619.9	75
<b>Total</b>	<b>3,278,180</b>	<b>621.0</b>	<b>75.38</b>

<sup>1</sup> Trenching activities have a maximum width of 3 feet; plowing activities have a maximum width of 12 inches

As the project is being constructed to meet NWP conditions, the project would have minimal impacts to wetlands and aquatic environments, and it would comply with the Section 404 NWP procedures.

## 4 OTHER RESOURCES

Previous consultations completed under POA-2019-00021:

**Endangered Species and Critical Habitat:** Two Biological Assessments (BA) were completed as part of required consultation to ensure that the proposed project will not jeopardize the existence of any species listed under the ESA or result in the destruction or adverse modification of its critical habitat.

**Cultural and Historic Resources:** Due to the nature of preconstruction work, it was not possible to complete the submarine survey prior to the execution of the USACE permit. Therefore, a Programmatic Agreement (PA) has been used to clarify the agreement that should marine cultural resources be identified Unicom would avoid them on the cable route. The current draft of the PA is being finalized for consulting parties.

## 5 PCN FORM SUPPLEMENTAL INFORMATION

### 5.1 Receiving Waters:

- Gulf of Alaska/Pacific Ocean
  - Mill Bay
  - Larsen Bay
  - Anchorage Bay
  - Unga Strait
  - King Cove
- Bristol Bay/Bering Sea
  - Akutan Bay
  - Unalaska Bay

### 5.2 Section, Township, Range, Section, Meridian (Seward)

Township	Range	Section(s)
25S	23W	29, 30, 32, 33, 34, 35
	24W	14, 15, 16, 17, 18, 23, 24, 25
	25W	7, 8, 9, 10, 11, 12, 13
	26W	7, 8, 9, 10, 11, 12, 18
26S	19W	31, 32, 33
	20W	7, 8, 15, 16, 17, 21, 22, 23, 25, 26, 36
	21W	10, 11, 12, 15, 16, 17, 19, 20, 21, 30
	22W	5, 6, 8, 9, 10, 14, 15, 23, 24, 25
	23W	1, 2
	28W	6
	29W	1, 2, 10, 11, 15, 16, 17, 19, 20
27S	19W	4, 9, 10, 15, 22, 27, 28
29S	29W	7, 8, 9, 15, 16, 22, 27, 34
	30W	1, 2, 3, 4, 5, 12
30S	29W	3, 4, 9, 16, 21, 28, 29, 31, 32
43S	54W	31

	55W	29, 30, 32, 33, 34, 35, 36
	56W	25, 26, 27, 28, 29, 30, 32, 33
	57W	25, 26, 27, 28, 32, 33
44S	54W	4, 5, 6, 9, 10, 11, 12
	55W	1, 18, 19, 29, 30, 31
	56W	5, 6, 8, 9, 10, 11, 13, 14, 30, 31, 32, 33
	57W	1, 5, 6, 7, 19, 20, 21, 25, 26, 27, 28, 36
	58W	5, 6, 7, 8, 12, 13, 23, 24, 26, 35
	59W	12
46S	56W	12, 13, 23, 24, 26, 35, 36
47S	56W	2, 11, 14, 23, 26, 27, 33, 34
55S	71W	25, 35, 36
	72W	31, 32, 33
	73W	19, 29, 30, 32, 33, 34, 35, 36
	74W	15, 16, 17, 18, 22, 23, 24
	75W	8, 9, 13, 14, 15, 16, 17, 18
	76W	13, 14, 21, 22, 23, 28, 32, 33
56S	69W	1, 2, 3
	71W	2, 3, 4, 5, 6
	72W	1, 2, 3, 4
	73W	1, 2, 4, 5, 6, 7, 8, 9, 17
	76W	5, 6, 7
	77W	12, 13, 14, 15, 16, 17, 19, 20
	78W	24, 25, 26, 27, 28, 29, 30
	79W	25, 26, 27, 28, 29, 30
	80W	25, 26, 27, 28, 31, 32, 33
	81W	35, 36
57S	81W	6
	82W	1, 2, 10, 11, 15, 16, 19, 20, 21, 30
	83W	25, 26, 34, 35
58S	83W	3, 4, 5, 8, 17, 19, 20, 30, 31
59S	83W	6, 7, 17, 18, 20, 29, 31, 32
	84W	31, 32, 33, 34, 35, 36
	85W	36
	86W	22, 26, 27, 33, 34, 35
60S	84W	1, 2
	85W	1, 2, 3, 4, 5, 6, 7, 8
	86W	1, 2, 3, 4, 5, 7, 8
	87W	12, 13, 14, 22, 23, 27, 32, 33, 34
61S	88W	3, 10, 15, 16, 20, 21, 29, 31, 32
62S	88W	6, 7, 18, 19
	89W	24, 25, 26, 34, 35
63S	91W	25, 26, 35
67S	100W	13, 14, 20, 21, 22, 23, 29, 30
	101W	25, 26, 32, 33, 34, 35
69S	111W	18, 19, 29, 30, 32
	112W	2, 3, 4, 11, 12, 13
	113W	5, 6
	114W	1, 11, 12, 14, 15, 20, 21, 22, 29, 30, 31

70S	111W	5, 7, 8
	112W	11, 12
71S	116W	2, 3, 9, 10, 16, 17, 20, 29, 30, 31
72S	116W	6, 7, 18
	117W	13, 24, 25, 26, 34, 35
73S	118W	2, 3, 10, 11, 13, 14, 15, 16

### 5.3 Location of Proposed Activity

Nearest City and Latitude and Longitude (Decimal Degrees, WGS-84)

1.	Kodiak	N 57.820131°	W 152.354361°
2.	Larsen Bay	N 57.538242°	W 153.98365°
3.	Chignik Bay	N 56.297781529°	W 158.408656658°
4.	Sand Point	N 55.343047°	W 160.499796°
5.	King Cove	N 55.059058°	W 162.313723°
6.	Akutan	N 54.133071667°	W 165.775558333°
7.	Unalaska	N 53.915526667°	W 166.503025°

### 5.4 Endangered Species

**Table 10: Listed Threatened and Endangered Species within the Project Area**

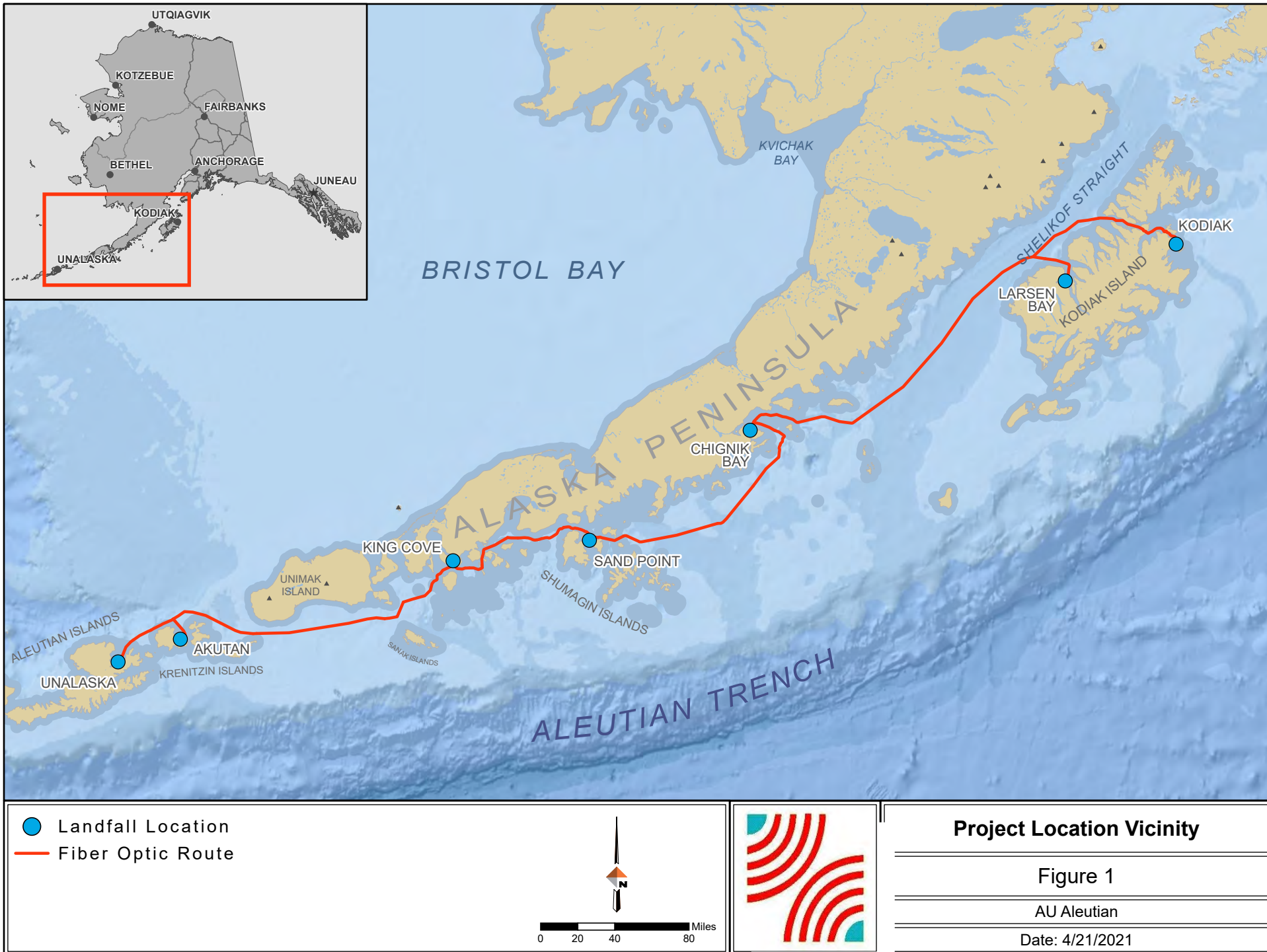
Species	Agency	Status	Critical Habitat
Blue whale ( <i>Balaenoptera musculus</i> )	NMFS	Endangered	No
Fin whale ( <i>Balaenoptera physalus</i> )	NMFS	Endangered	No
North Pacific right whale ( <i>Eubalaena japonica</i> )	NMFS	Endangered	Yes
Western North Pacific gray whale ( <i>Eschrichtius robustus</i> )	NMFS	Endangered	No
Humpback whale ( <i>Megaptera novaeangliae</i> ) Western North Pacific Stock	NMFS	Endangered	No
Sperm whale ( <i>Physeter macrocephalus</i> )	NMFS	Endangered	No
Steller sea lion ( <i>Eumetopias jubatus</i> ) Western stock	NMFS	Endangered	Yes
Northern sea otter ( <i>Enhydra lutris</i> )	USFWS	Threatened	Yes
Steller's eider ( <i>Polysticta stelleri</i> ) Alaska Region	USFWS	Threatened	Yes
Short-Tailed albatross ( <i>Phoebastria albatrus</i> )	USFWS	Endangered	No

Note: NMFS (National Marine Fisheries Service); USFWS (U.S. Fish and Wildlife Service).

Site specific listings for terrestrial work include short-tailed albatross and Steller's eiders in Chignik Bay, Sand Point, Akutan, and Unalaska.





Section 7 consultation under the Endangered Species Act (ESA) was completed with USFWS and NMFS. Biological Assessments (BA) were prepared, and the result of the consultations was a formal determination that the proposed project may affect, but is not likely to adversely affect or jeopardize the continued existence of any species listed under the Endangered Species Act or result in the destruction or adverse modification of its critical habitat. Both BAs have been provided to the USACE, along with Letters of Concurrence from NMFS and USFWS. A letter initiating informal Section 7 consultation was sent to USFWS on March 30, 2021 seeing concurrence that terrestrial project elements are not likely to adversely affect listed species. The USFWS concurred on April 2, 2021.

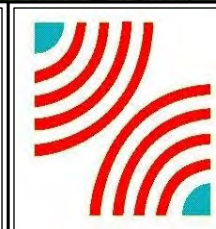
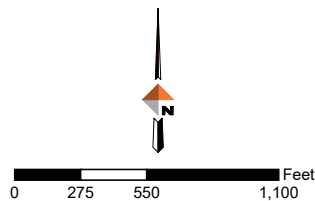








- |   |   |
|---|---|
|  Existing Facility |  Fiber Trenching to End User |
|  Beach Manhole     |  Fiber Optic Route           |



## Unicom Fiber Optic Landfall Route





Figure 2.1: Larsen Bay

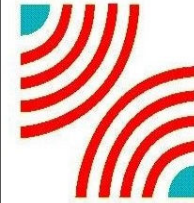
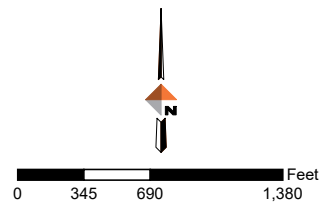
AU Aleutian

Date: 4/21/2021





- |   |   |
|---|---|
|  Proposed GCI Facility |  Fiber Trenching to End User   |
|  Beach Manhole         |  Terrestrial Fiber Optic Cable |
|   |  Marine Fiber Optic Cable      |



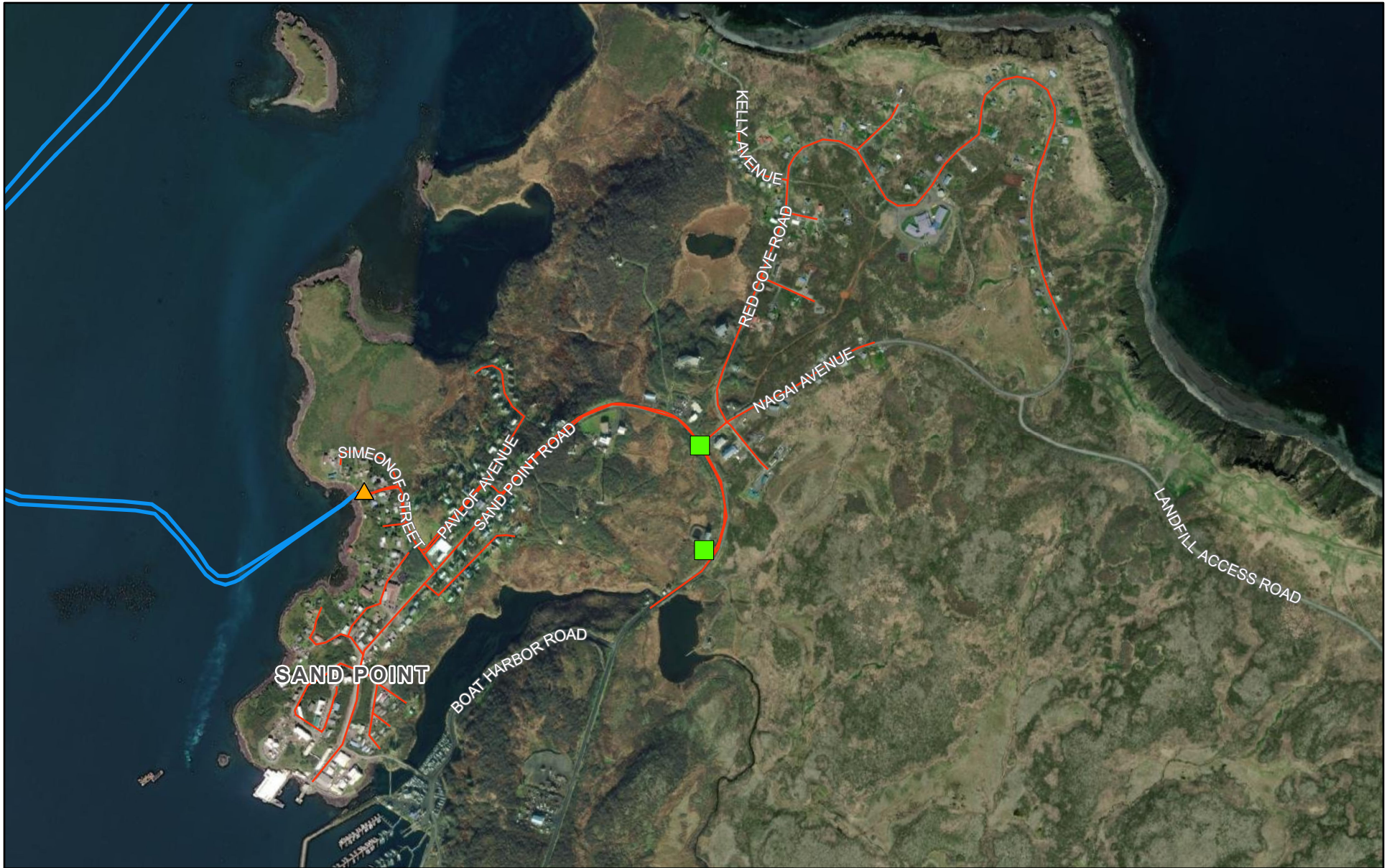
## Unicom Fiber Optic Landfall Route

Figure 2.2: Chignik Bay

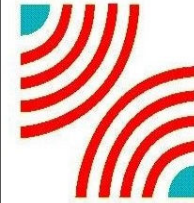
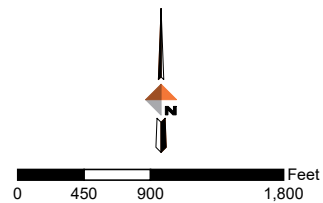
AU Aleutian

Date: 5/3/2021





- |   |                       |   |                               |
|---|-----------------------|---|-------------------------------|
|  | Existing GCI Facility |  | Fiber Trenching to End User   |
|  | Beach Manhole         |  | Terrestrial Fiber Optic Cable |
|   |                       |  | Marine Fiber Optic Cable      |



## Unicom Fiber Optic Landfall Route

Figure 2.3: Sand Point

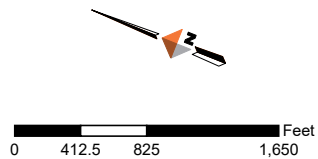
AU Aleutian

Date: 5/3/2021





- Existing GCI Facility
- ▲ Beach Manhole
- Fiber Trenching to End User
- Terrestrial Fiber Optic Cable
- Marine Fiber Optic Cable



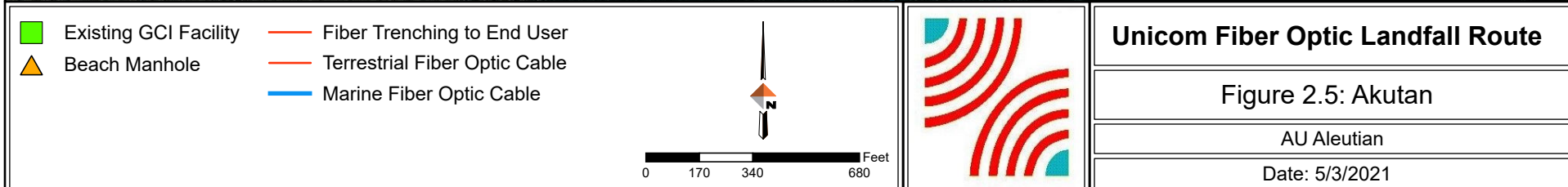
## Unicom Fiber Optic Landfall Route

Figure 2.4: King Cove

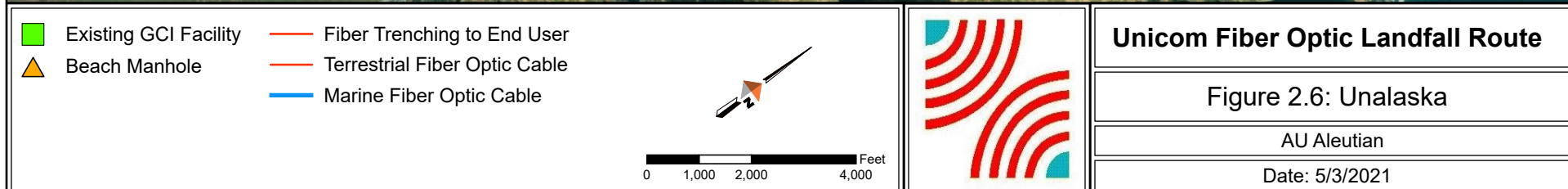
AU Aleutian

Date: 5/3/2021

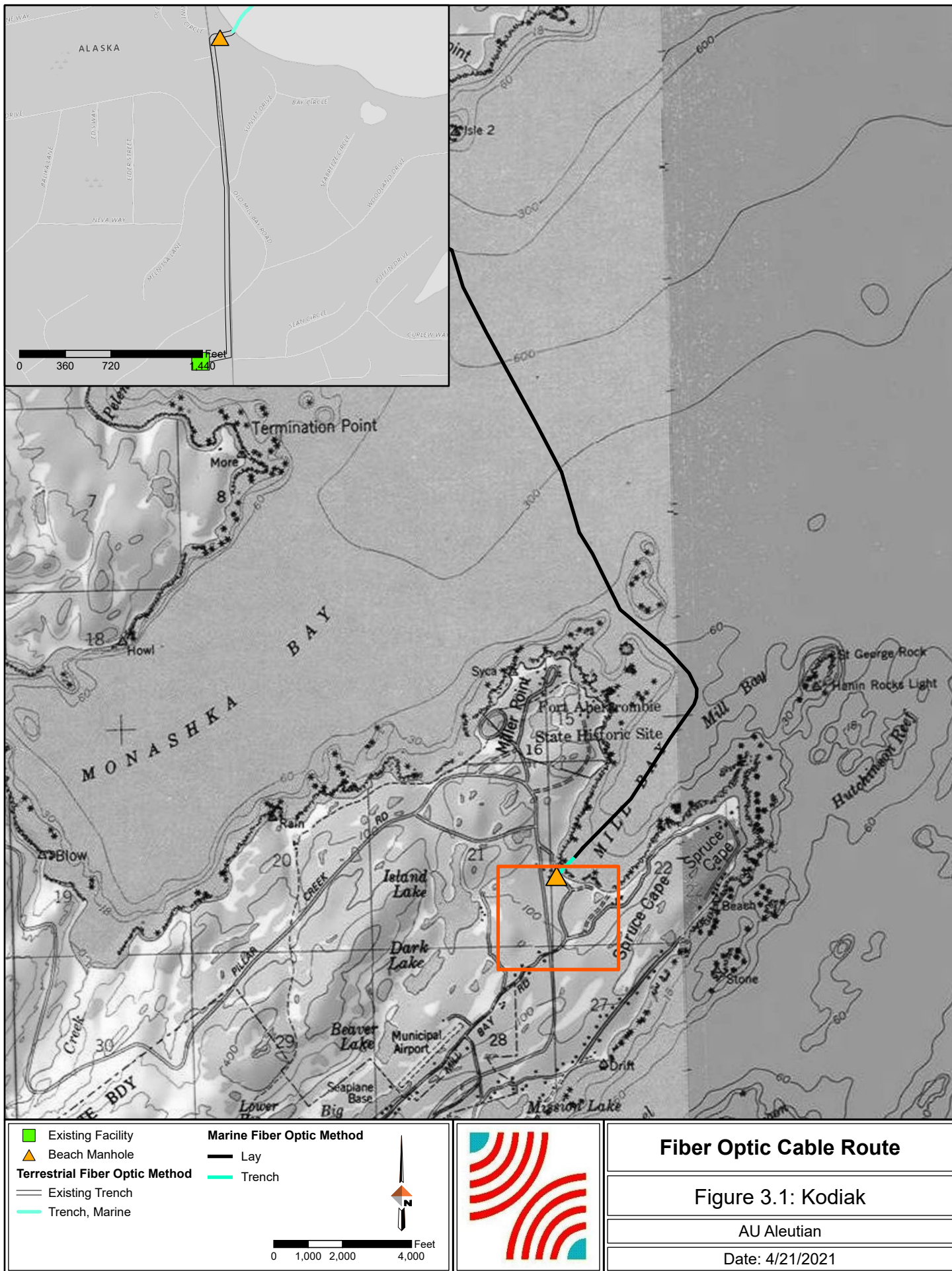




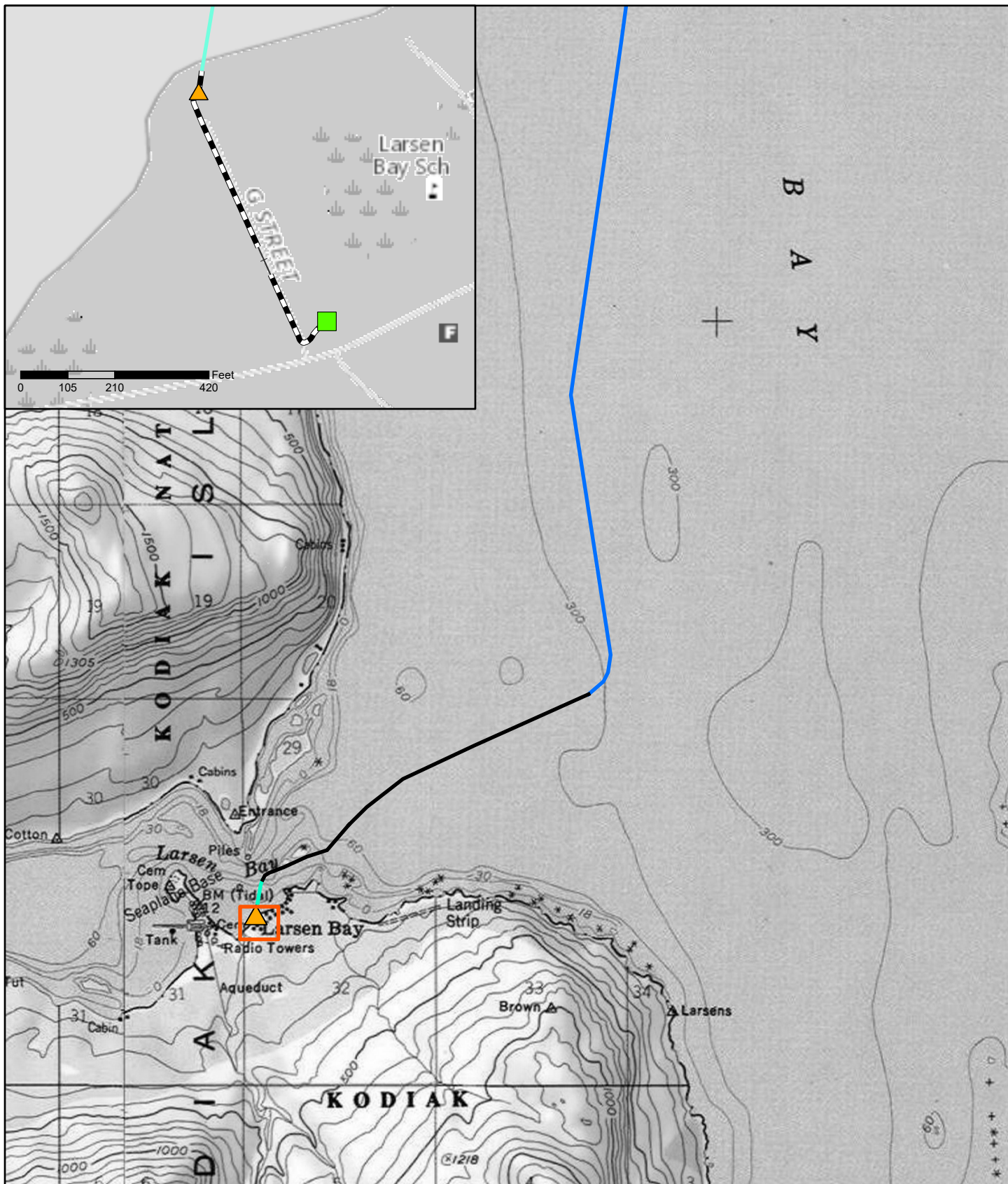












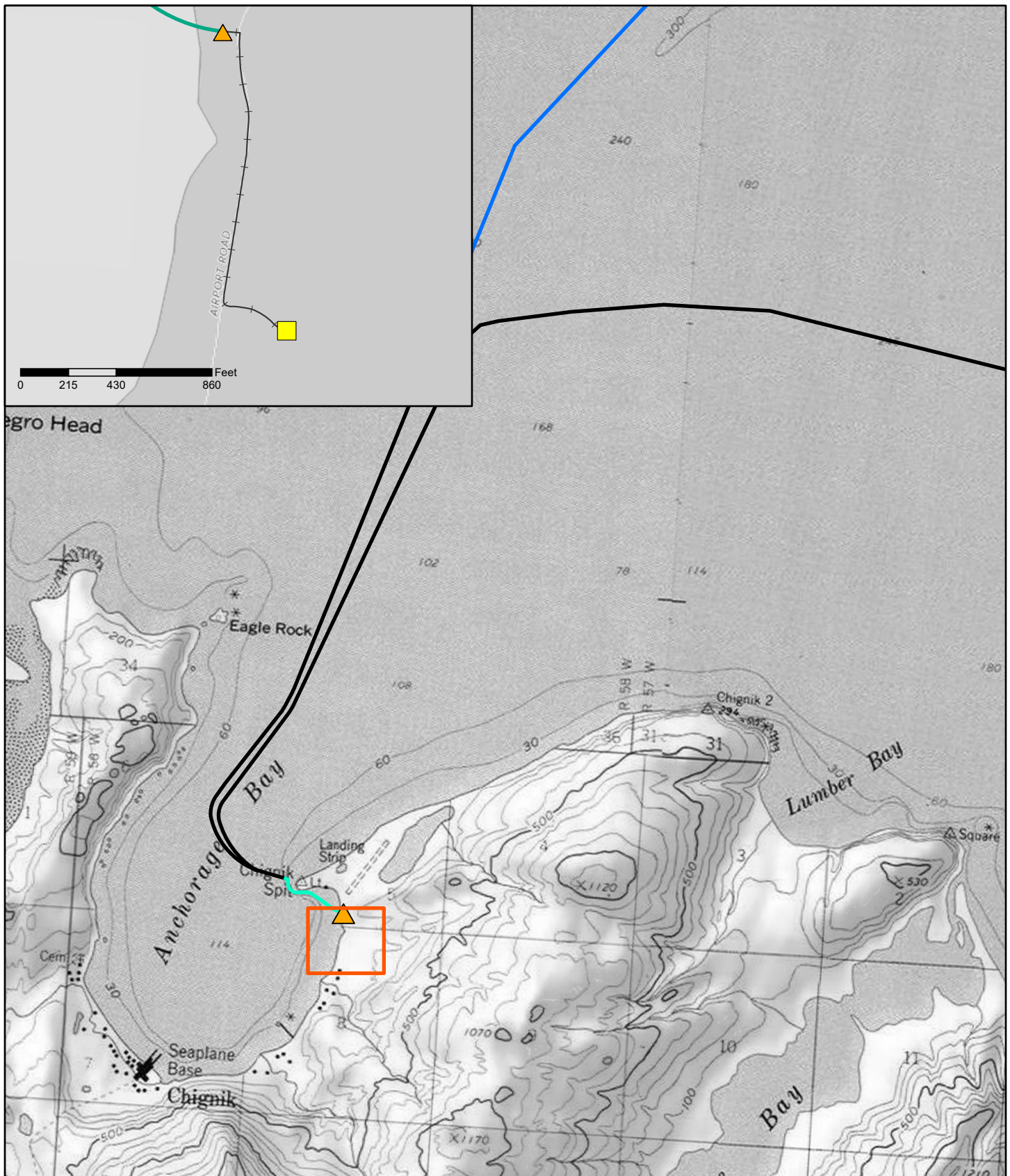
## Fiber Optic Cable Route

Figure 3.2: Larsen Bay

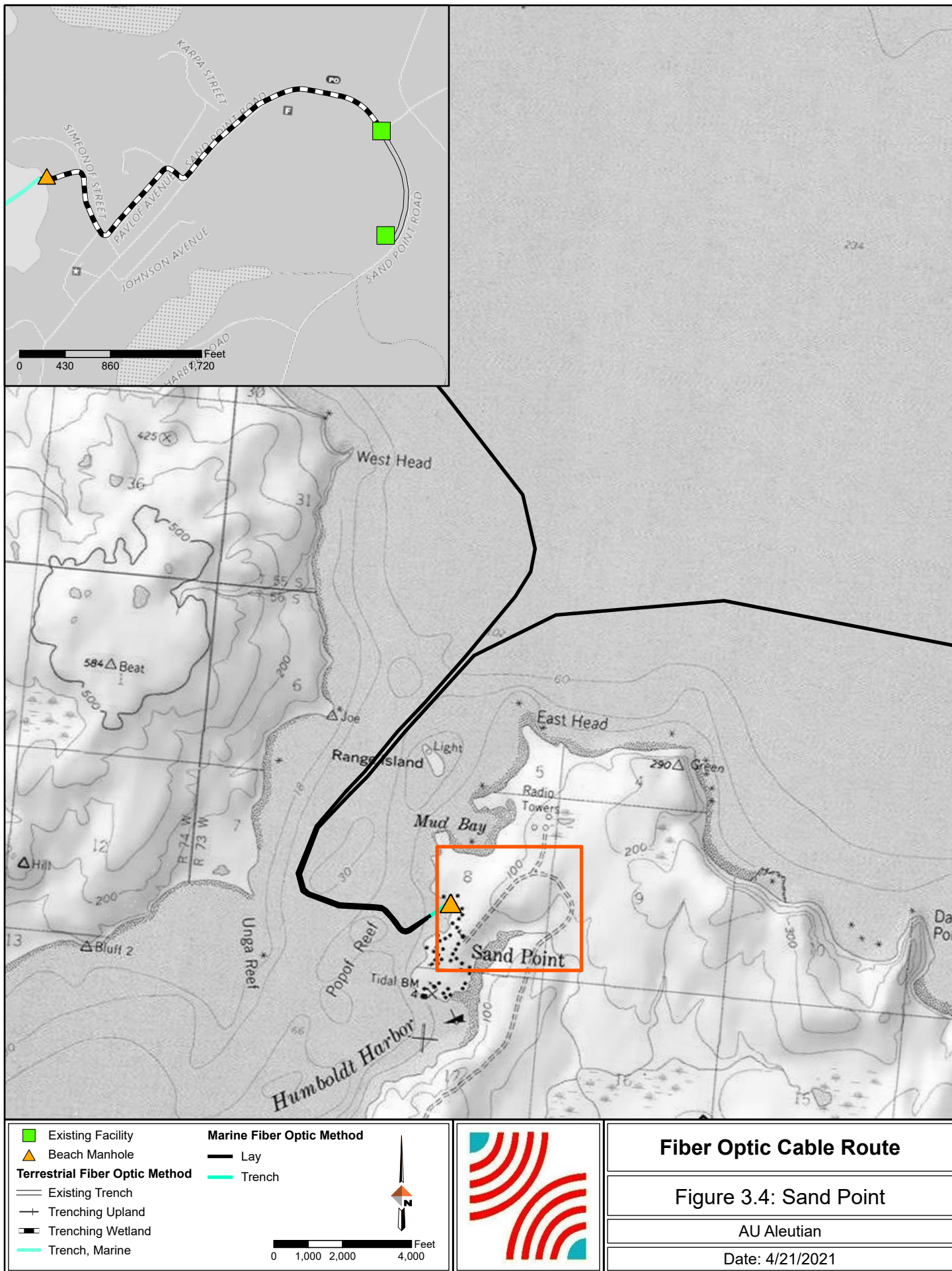
AU Aleutian

Date: 4/21/2021

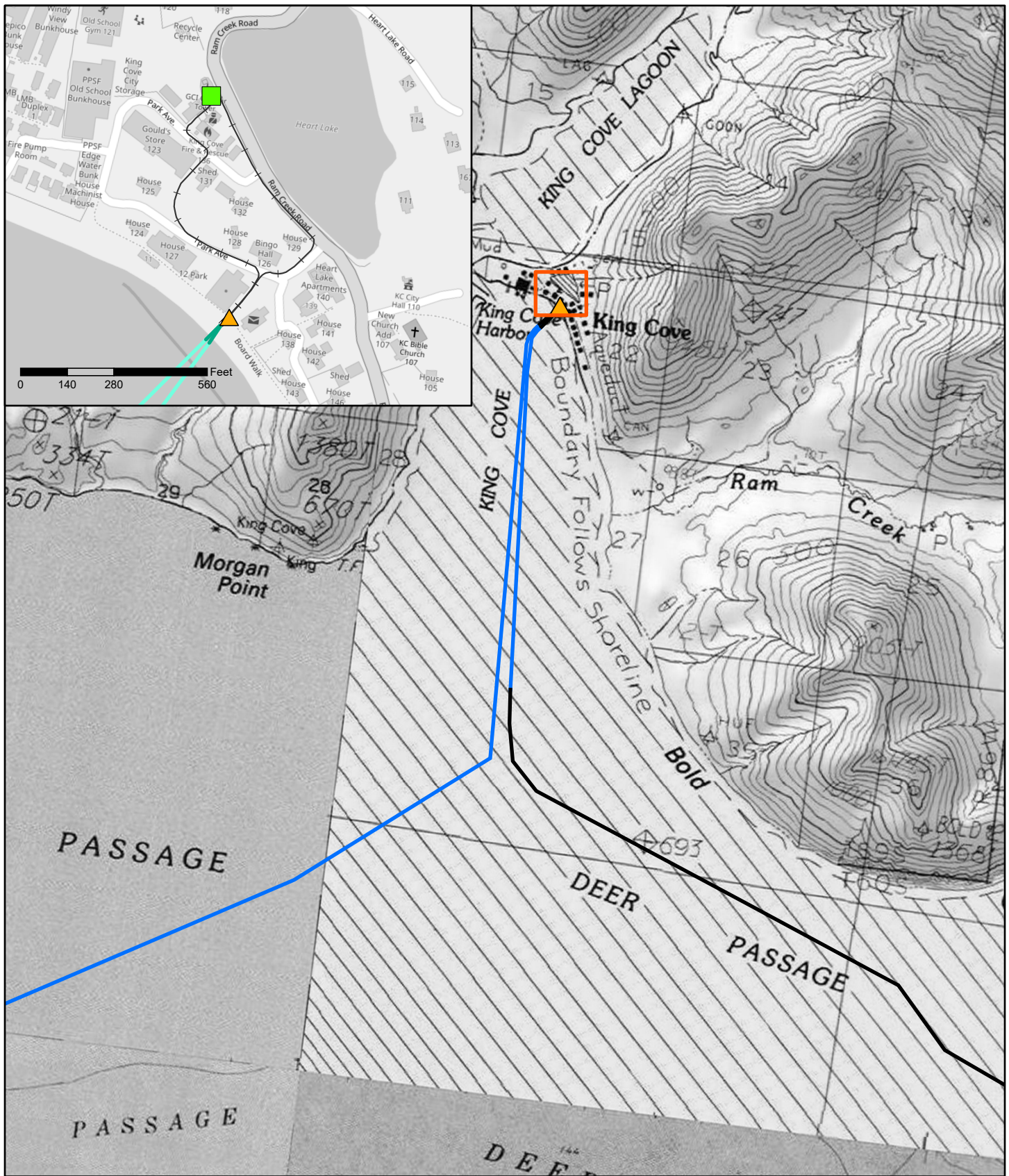






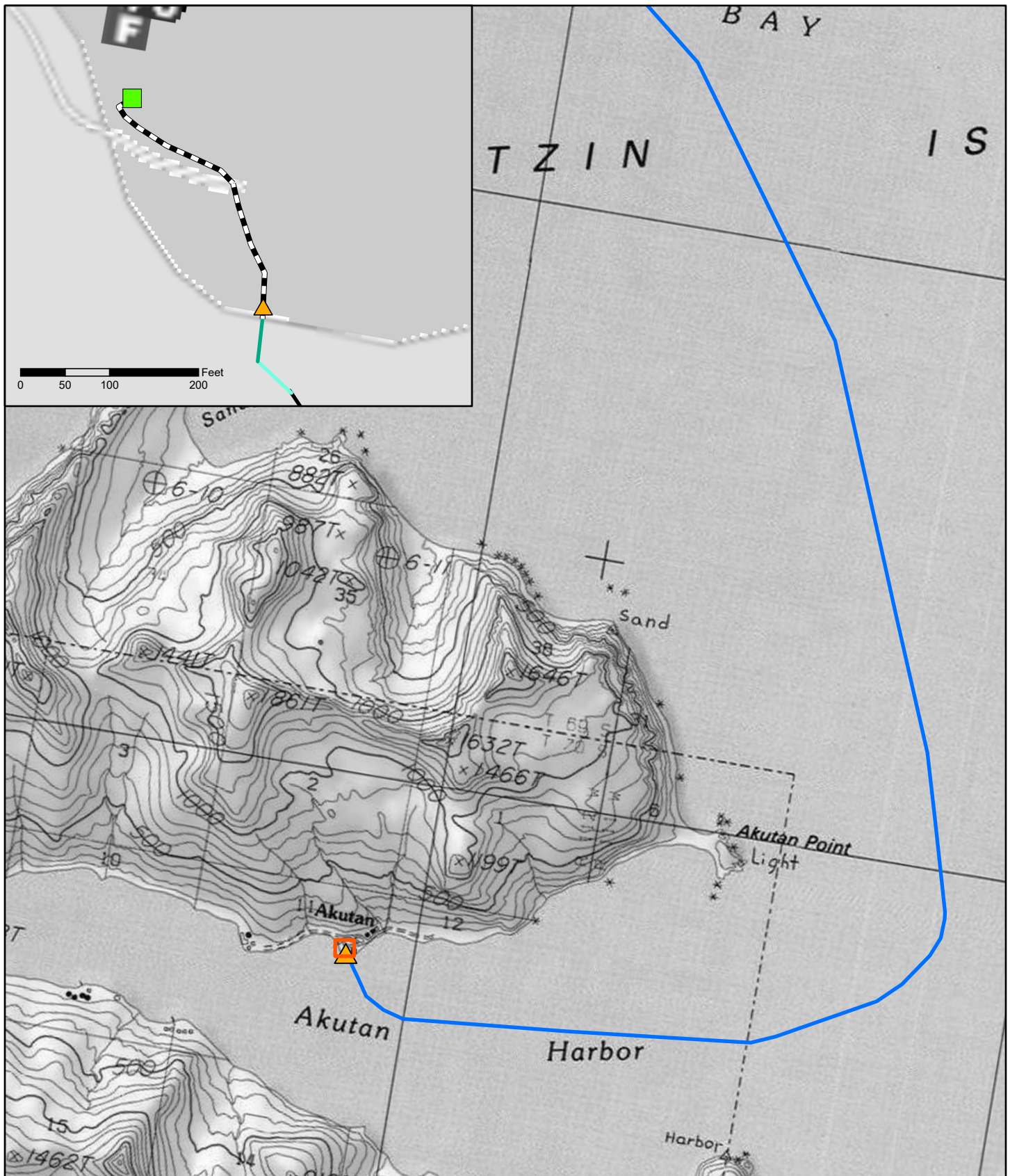






<ul style="list-style-type: none"> <li>Existing Facility</li> <li>Beach Manhole</li> <li><b>Terrestrial Fiber Optic Method</b> <ul style="list-style-type: none"> <li>Trenching Upland</li> <li>Trenching Wetland</li> <li>Trench, Intertidal</li> <li>Trench, Marine</li> </ul> </li> </ul>	<p><b>Marine Fiber Optic Method</b></p> <ul style="list-style-type: none"> <li>Lay</li> <li>Plow</li> <li>Trench</li> </ul> <div style="text-align: right;">    </div>		<p><b>Fiber Optic Cable Route</b></p> <p><b>Figure 3.5: King Cove</b></p> <p>AU Aleutian</p> <p>Date: 4/29/2021</p>
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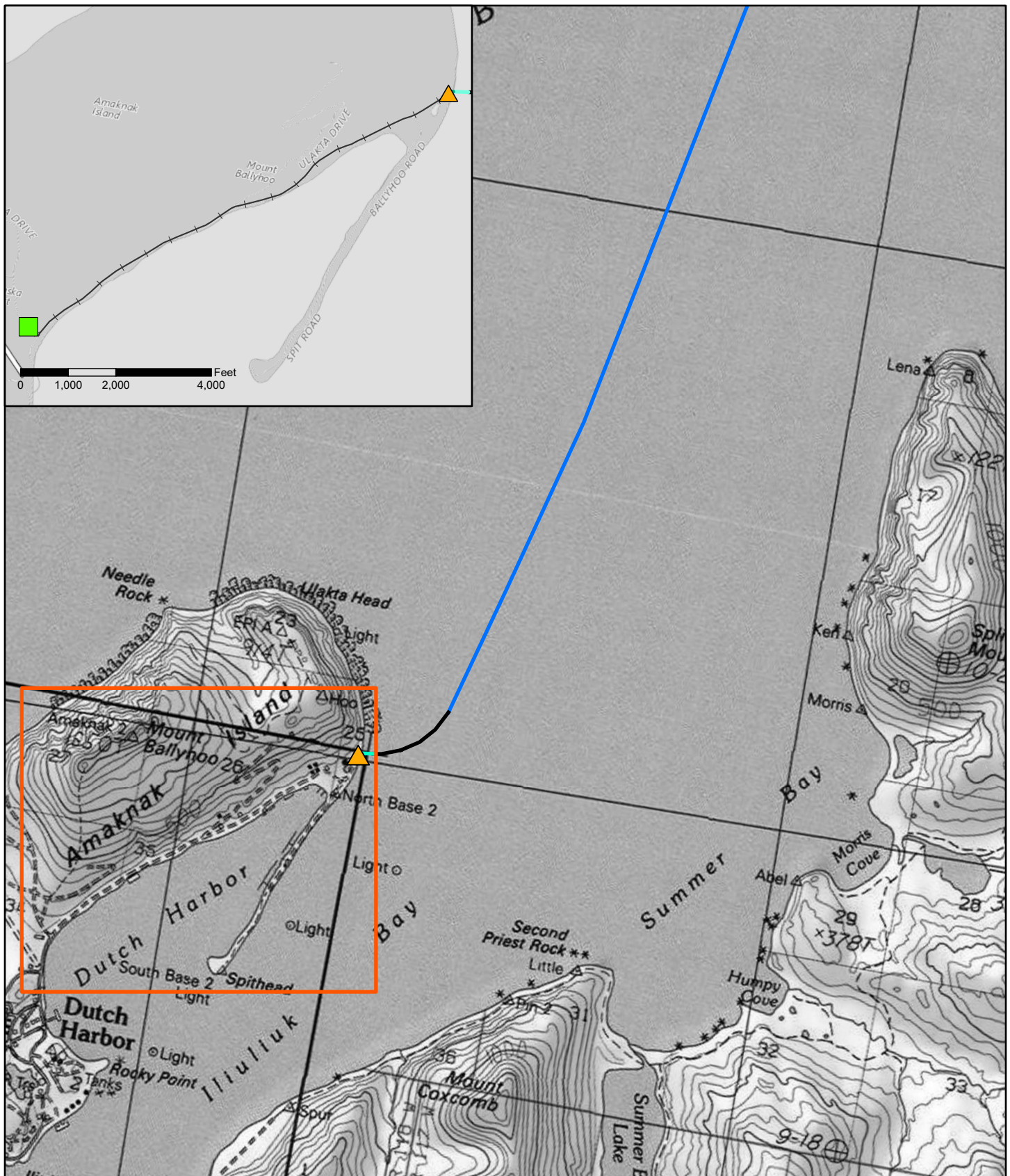


<p> <span style="color: green;">■</span> Existing Facility  <span style="color: orange;">▲</span> Beach Manhole  <b>Terrestrial Fiber Optic Method</b>  <span style="color: black;">—</span> Trenching Wetland  <span style="color: black;">—</span> Lay, Marine  <span style="color: green;">—</span> Trench, Intertidal  <span style="color: cyan;">—</span> Trench, Marine </p>	<p> <b>Marine Fiber Optic Method</b>  <span style="color: black;">—</span> Lay  <span style="color: blue;">—</span> Plow  <span style="color: cyan;">—</span> Trench </p> <p>   </p>		<p><b>Fiber Optic Cable Route</b></p> <p>Figure 3.6: Akutan</p> <p>AU Aleutian</p> <p>Date: 4/21/2021</p>
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K:\33\62827-01\60GIS\AU Aleutians.aprx Map Name: Marine Approach  

 Basemap Credits: Copyright © 2013 National Geographic Society, i-cubed, USGS The National Map, National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems, U.S. Census Bureau TIGER/Line data, USFS Road Data, Natural Earth Data, U.S. Department of State Humanitarian Information Unit, and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed May, 2020.





<p>Existing Facility</p> <p>Beach Manhole</p> <p><b>Terrestrial Fiber Optic Method</b></p> <p>Trenching Upland</p> <p>Lay, Marine</p> <p>Trench, Intertidal</p> <p>Trench, Marine</p>	<p><b>Marine Fiber Optic Method</b></p> <p>Lay</p> <p>Plow</p> <p>Trench</p>			<p><b>Fiber Optic Cable Route</b></p>
<p>0 1,000 2,000 4,000 Feet</p>				<p><b>Figure 3.7: Unalaska</b></p>
<p>AU Aleutian</p>				<p>Date: 4/21/2021</p>
<p>0 1,000 2,000 4,000 Feet</p>				

U.S. Army Corps of Engineers (USACE)  
**NATIONWIDE PERMIT PRE-CONSTRUCTION NOTIFICATION (PCN)**  
33 CFR 330. The proponent agency is CECW-CO-R.

**Form Approved -**  
**OMB No. 0710-0003**  
**Expires: 02-28-2022**

**DATA REQUIRED BY THE PRIVACY ACT OF 1974**

**Authority** Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332.

**Principal Purpose** Information provided on this form will be used in evaluating the nationwide permit pre-construction notification.

**Routine Uses** This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of the agency coordination process.

**Disclosure** Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

The public reporting burden for this collection of information, 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at [whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil](mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

**PLEASE DO NOT RETURN YOUR RESPONSE TO THE ABOVE EMAIL.**

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see *sample drawings and/or instructions*) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

**(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)**

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
--------------------	----------------------	------------------	------------------------------

**(ITEMS BELOW TO BE FILLED BY APPLICANT)**

<b>5. APPLICANT'S NAME</b> First - Chris Middle - Last - Mace Company - Unicom, Inc. Company Title - VP, Network Services & Chief Engineer E-mail Address - cmace@gci.com	<b>8. AUTHORIZED AGENT'S NAME AND TITLE (<i>agent is not required</i>)</b> First - Emily Middle - Last - Creely Company - DOWL E-mail Address - ecreely@hotmail.com
<b>6. APPLICANT'S ADDRESS:</b> Address- 2550 Denali Street; Suite 1000 City - Anchorage State - AK Zip - 99503 Country - US	<b>9. AGENT'S ADDRESS:</b> Address- 4041 B Street City - Anchorage State - AK Zip - 99503 Country - US
<b>7. APPLICANT'S PHONE NOs. with AREA CODE</b> a. Residence b. Business c. Fax d. Mobile 907-868-6837 907-310-8032	<b>10. AGENT'S PHONE NOs. with AREA CODE</b> a. Residence b. Business c. Fax d. Mobile 907-865-1216 907-602-0185

**STATEMENT OF AUTHORIZATION**

11. I hereby authorize, Emily Creely to act in my behalf as my agent in the processing of this this nationwide permit pre-construction notification and to furnish, upon request, supplemental information in support of this nationwide permit pre-construction notification.

**Chris Mace** Digitally signed by Chris Mace  
Date: 2021.04.20 13:06:31 -08'00'  
\_\_\_\_\_  
SIGNATURE OF APPLICANT      2021-04-20  
\_\_\_\_\_  
DATE

**NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY**

12. PROJECT NAME or TITLE (*see instructions*)

AU Aleutian Fiber Optic Project



NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY									
13. NAME OF WATERBODY, IF KNOWN ( <i>if applicable</i> ) Multiple; see Attachment 2 (Project Description; Section 5.1)		14. PROPOSED ACTIVITY STREET ADDRESS ( <i>if applicable</i> ) N/A - See Attachment 2 (Project Description; Section 5.2)							
15. LOCATION OF PROPOSED ACTIVITY ( <i>see instructions</i> ) Latitude                      °N                      Longitude                      °W		City: _____ State: _____ Zip: _____ Multiple; see Attachment 2 (Project Description)							
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN ( <i>see instructions</i> ) <div style="display: flex; justify-content: space-between;"> <span>State Tax Parcel ID</span> <span>Municipality</span> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <span>Section</span> <span>Township</span> <span>Range</span> </div>									
17. DIRECTIONS TO THE SITE.									
18. IDENTIFY THE SPECIFIC NATIONWIDE PERMIT(S) YOU PROPOSE TO USE: #57: Electric Utility Line and Telecommunications Activities									
19. DESCRIPTION OF PROPOSED NATIONWIDE PERMIT ACTIVITY ( <i>see instructions</i> ) See Attachment 2 (Project Description; Section 2)									
20. DESCRIPTION OF PROPOSED MITIGATION MEASURES ( <i>see instructions</i> ) None proposed									
21. PURPOSE OF NATIONWIDE PERMIT ACTIVITY ( <i>Describe the reason or purpose of the project, see instructions</i> ) See Attachment 2 (Project Description; Section 1.2)									
22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by Proposed Nationwide Permit Activity ( <i>see instructions</i> ) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Acres</td> <td style="width: 33%;">Linear Feet</td> <td style="width: 33%;">Cubic Yards Dredged or Discharged</td> </tr> <tr> <td>0.096</td> <td>0</td> <td>675</td> </tr> </table>				Acres	Linear Feet	Cubic Yards Dredged or Discharged	0.096	0	675
Acres	Linear Feet	Cubic Yards Dredged or Discharged							
0.096	0	675							
<b>Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.</b>									
23. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project on any related activity ( <i>see instructions</i> ) None									
24. If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and requires pre-construction notification, explain how the compensatory mitigation requirement in paragraph (c) of general condition 23 will be satisfied, or explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required for the proposed activity. N/A									



<p>25. Is Any Portion of the Nationwide Permit Activity Already Complete? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe the completed work:</p>								
<p>26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. (<i>see instructions</i>) See Attachment 2 (Project Description; Section 5.4)</p>								
<p>27. List any historic properties that have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic property or properties. (<i>see instructions</i>) A Programmatic Agreement is currently being drafted to address potential impacts to historic properties.</p>								
<p>28. For a proposed NWP activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the "study river": N/A</p>								
<p>29. If the proposed NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the Corps district having jurisdiction over that project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "yes", please provide the date your request was submitted to the Corps District:</p>								
<p>30. If the terms of the NWP(s) you want to use require additional information to be included in the PCN, please include that information in this space or provide it on an additional sheet of paper marked Block 30. (<i>see instructions</i>)</p>								
<p>31. Pre-construction notification is hereby made for one or more nationwide permit(s) to authorize the work described in this notification. I certify that this information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: bottom;"> <b>Chris Mace</b>  <small>Digitally signed by Chris Mace Date: 2021.04.20 13:07:03 -08'00'</small> </td> <td style="width: 15%; vertical-align: bottom; text-align: center;"> <b>2021-04-20</b>  <small>DATE</small> </td> <td style="width: 33%; vertical-align: bottom;"> <b>Emily Creely</b>  <small>Digitally signed by Emily Creely Date: 2021.04.21 11:42:59 -08'00'</small> </td> <td style="width: 15%; vertical-align: bottom; text-align: center;"> <b>2021-04-21</b>  <small>DATE</small> </td> </tr> <tr> <td style="text-align: center;"><small>SIGNATURE OF APPLICANT</small></td> <td></td> <td style="text-align: center;"><small>SIGNATURE OF AGENT</small></td> <td></td> </tr> </table> <p>The Pre-Construction Notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in block 11 has been filled out and signed, the authorized agent.</p> <p>18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.</p>	<b>Chris Mace</b> <small>Digitally signed by Chris Mace Date: 2021.04.20 13:07:03 -08'00'</small>	<b>2021-04-20</b> <small>DATE</small>	<b>Emily Creely</b> <small>Digitally signed by Emily Creely Date: 2021.04.21 11:42:59 -08'00'</small>	<b>2021-04-21</b> <small>DATE</small>	<small>SIGNATURE OF APPLICANT</small>		<small>SIGNATURE OF AGENT</small>	
<b>Chris Mace</b> <small>Digitally signed by Chris Mace Date: 2021.04.20 13:07:03 -08'00'</small>	<b>2021-04-20</b> <small>DATE</small>	<b>Emily Creely</b> <small>Digitally signed by Emily Creely Date: 2021.04.21 11:42:59 -08'00'</small>	<b>2021-04-21</b> <small>DATE</small>					
<small>SIGNATURE OF APPLICANT</small>		<small>SIGNATURE OF AGENT</small>						

**Instructions for Preparing a  
Department of the Army  
Nationwide Permit (NWP) Pre-Construction Notification (PCN)**

**Blocks 1 through 4.** To be completed by the Corps of Engineers.

**Block 5. Applicant' Name.** Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the preconstruction notification, please attach a sheet of paper with the necessary information marked Block 5.

**Block 6. Address of Applicant.** Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.

**Block 7. Applicant Telephone Number(s).** Please provide the telephone number where you can usually be reached during normal business hours.

**Blocks 8 through 11.** To be completed, if you choose to have an agent.

**Block 8. Authorized Agent's Name and Title.** Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

**Blocks 9 and 10. Agent's Address and Telephone Number.** Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

**Block 11. Statement of Authorization.** To be completed by the applicant, if an agent is to be employed.

**Block 12. Proposed Nationwide Permit Activity Name or Title.** Please provide a name identifying the proposed NWP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

**Block 13. Name of Waterbody.** Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the NWP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

**Block 14. Proposed Activity Street Address.** If the proposed NWP activity is located at a site having a street address (not a box number), please enter it in Block 14.

**Block 15. Location of Proposed Activity.** Enter the latitude and longitude of where the proposed NWP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

**Block 16. Other Location Descriptions.** If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality where the site is located.

**Block 17. Directions to the Site.** Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed NWP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed NWP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed NWP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

**Block 18. Identify the Specific Nationwide Permit(s) You Propose to Use.** List the number(s) of the Nationwide Permit(s) you want to use to authorize the proposed activity (e.g., NWP 29).

**Block 19. Description of the Proposed Nationwide Permit Activity.** Describe the proposed NWP activity, including the direct and indirect adverse environmental effects the activity would cause. The description of the proposed activity should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide sketches when necessary to show that the proposed NWP activity complies with the terms of the applicable NWP(s). Sketches usually clarify the activity and result in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed NWP activity (e.g., a conceptual plan), but do not need to be detailed engineering plans.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.



**Block 20. Description of Proposed Mitigation Measures.** Describe any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed NWP activity. The description of any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or additional mitigation measures.

**Block 21. Purpose of Nationwide Permit Activity.** Describe the purpose and need for the proposed NWP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

**Block 22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by the Proposed Nationwide Permit Activity.** For discharges of dredged or fill material into waters of the United States, provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed NWP activity. For structures or work in navigable waters of the United States subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed NWP activity.

For multiple NWPs, or for separate and distant crossings of waters of the United States authorized by NWPs 12 or 14, attach an extra sheet of paper marked Block 21 to provide the quantities of wetlands, streams, or other types of waters filled, flooded, excavated, or drained (or dredged or occupied by structures, if in waters subject to Section 10 of the Rivers and Harbors Act of 1899) for each NWP. For NWPs 12 and 14, include the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained for each separate and distance crossing of waters or wetlands. If more space is needed, attach an extra sheet of paper marked Block 21.

**Block 23. Identify Any Other Nationwide Permit(s), Regional General Permit(s), or Individual Permit(s) Used to Authorize Any Part of Proposed Activity or Any Related Activity.** List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by NWPs 12 or 14 that do not require PCNs. If more space is needed, attach an extra sheet of paper marked Block 22.

**Block 24. Compensatory Mitigation Statement for Losses of Greater Than 1/10-Acre of Wetlands When Pre-Construction Notification is Required.** Paragraph (c) of NWP general condition 23 requires compensatory mitigation at a minimum one-for-one replacement ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed NWP activity are no more than minimal without compensatory mitigation, and provides an activity-specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than 1/10 acre, or provide an explanation of why the district engineer should not require wetland compensatory mitigation for the proposed NWP activity. If more space is needed, attach an extra sheet of paper marked Block 23.

**Block 25. Is Any Portion of the Nationwide Permit Activity Already Complete?** Describe any work that has already been completed for the NWP activity.

**Block 26. List the Name(s) of Any Species Listed As Endangered or Threatened under the Endangered Species Act that Might be Affected by the Nationwide Permit Activity.** If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed NWP activity, or if the proposed NWP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

**Block 27. List Any Historic Properties that Have the Potential to be Affected by the Nationwide Permit Activity.** If you are not a federal agency, and if any historic properties have the potential to be affected by the proposed NWP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

**Block 28. List the Wild and Scenic River or Congressionally Designated Study River if the Nationwide Permit Activity Would Occur in such a River.** If the proposed NWP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a "study river" under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit <http://www.rivers.gov/>

**Block 29. Nationwide Permit Activities that also Require Permission from the Corps Under 33 U.S.C. 408.** If the proposed NWP activity also requires permission from the Corps under 33 U.S.C. 408 because it will temporarily or permanently alter, occupy, or use a Corps federal authorized civil works project, indicate whether you have submitted a written request for section 408 permission from the Corps district having jurisdiction over that project.



**Block 30. Other Information Required For Nationwide Permit Pre-Construction Notifications.** The terms of some of the Nationwide Permits include additional information requirements for preconstruction notifications:

- \* NWP 3, Maintenance –information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
- \* NWP 31, Maintenance of Existing Flood Control Facilities –a description of the maintenance baseline and the dredged material disposal site.
- \* NWP 33, Temporary Construction, Access, and Dewatering –a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
- \* NWP 44, Mining Activities –if reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre-construction notification.
- \* NWP 45, Repair of Uplands Damaged by Discrete Events –documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.
- \* NWP 48, Commercial Shellfish Aquaculture Activities –(1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).
- \* NWP 49, Coal Remining Activities –a document describing how the overall mining plan will result in a net increase in aquatic resource functions to the district engineer and receive written authorization prior to commencing the activity.
- \* NWP 50, Underground Coal Mining Activities –if reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre-construction notification.

If more space is needed, attach an extra sheet of paper marked Block 29.

**Blocks 31 and 32.** For bank stabilization activities, we are collecting information on the use of living shorelines in coastal waters and lakes to inform future NWP rulemaking efforts. If the PCN is for a proposed NWP 13 activity, and it is located in coastal waters or a lake, please check the appropriate box in block 31 to indicate whether you considered the use of a living shoreline to protect your property from erosion. If the PCN is for a proposed NWP 13 activity, and it is located in coastal waters or a lake, please check the appropriate box in block 32 to indicate whether there are contractors in your area that construct living shorelines.

**Block 33. Signature of Applicant or Agent.** The PCN must be signed by the person proposing to undertake the NWP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the NWP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the NWP activity (including compliance with special conditions, mitigation, etc.).

#### DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 45 day PCN review period will not start until the delineation is submitted or has been completed by the Corps.

#### DRAWINGS AND ILLUSTRATIONS

##### General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings should also be included. Please submit one original, or good quality copy, of all drawings on 8½x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

#### ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed NWP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived (see NWP general condition 25). Some States, Tribes, or EPA have issued water quality certification for one or more NWPs. Please check the appropriate Corps district web site to see if water quality certification has already been issued for the NWP(s) you wish to use. For proposed NWP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur (see NWP general condition 26). Some States have issued Coastal Zone Management Act consistency concurrences for one or more NWPs. Please check the appropriate Corps district web site to see if Coastal Zone Management Act consistency concurrence has already been issued for the NWP(s) you wish to use.