

**Department of Environmental Conservation  
Response to Comments**

**for the**

**Norton Sound Large Dredge Placer Miners General Permit**

**APDES Permit No. AKG374000**

**Public Notice: March 14, 2024 – April 15, 2024**

**May 2, 2024**



Alaska Department of Environmental Conservation  
Wastewater Discharge Authorization Program  
555 Cordova Street  
Anchorage, AK 99501

## 1.0 Introduction

### 1.1 Summary of the Permit

The Norton Sound Large Dredge Placer Miners General Permit authorizes discharges of wastewater from suction dredges with intake diameters greater than 10 inches; suction dredge operations with a combination of intake hoses that have a combined intake area greater than 78 square inches; and mechanical dredges. The permit provides coverage for discharges to marine waters of Norton Sound up to three nautical miles offshore between Cape Rodney at 166°24'09" west longitude and Cape Darby at 162°46'54" west longitude with certain restrictions. Fact Sheet Sections 1.0 and 2.0 provide additional coverage information and regulatory history. Specific conditions under which pollutants may be discharged are detailed in the permit and further explained in the fact sheet.

### 1.2 Opportunities for Public Participation

The Alaska Department of Environmental Conservation (DEC or the Department) proposed to reissue an Alaska Pollutant Discharge Elimination System (APDES) wastewater discharge permit for the discharges from Norton Sound large dredge placer mine operators. To ensure public, agency, and tribal notification and opportunities for participation, the Department:

- identified the permit on the annual Permit Issuance Plan posted online at: <https://dec.alaska.gov/water/wastewater/pip/>;
- notified, via letter, fax and/or email, potentially affected tribes, and local governments that the Department would be working on the permit;
- posted a preliminary draft of the permit on-line for a 10-day applicant review on February 12, 2024, and notified potential permittees, tribes, local governments, and other agencies, including the Alaska Department of Fish and Game (ADF&G), the Alaska Department of Natural Resources (DNR), the National Marine Fisheries Service (NMFS), the U.S. Fish and Wildlife Service (USFWS), and the U.S. Environmental Protection Agency (EPA);
- formally published public notice of the draft permit in two newspapers (*Anchorage Daily News* and *The Nome Nugget*), posted the public notice on the Department's public notice web page, and distributed the public notice to potential permittees, tribes, local governments, and other agencies;
- posted the proposed final permit on-line for a 5-day applicant review on May 2, 2024, and notified potential permittees, tribes, local governments, and other agencies; and
- sent email notifications via the APDES Program List Serve when the preliminary draft, draft, and proposed final permit were available for review.

The Department received one online comment from one individual on the draft permit.

This document summarizes the submitted comments and the justification for any action taken, or not taken, by the Department in response to the comments. Significant changes are identified herein and reflected in the final permit and fact sheet. Minor changes (such as formatting, typos, contact information, or minor wording edits) are not addressed within this document but may be included in the final permit and fact sheet.

## **2.0 Comments**

### **2.1 Comment – Coverage Area**

One comment referenced, and voiced concurrence with, a May 22<sup>nd</sup>, 2018 press release from Norton Sound Economic Development Corporation (NSEDC), Kawerak, Inc. and Bering Straits Native Corporation (BSNC). The press release expressed opposition to mining operations in Safety Sound, Bonanza Channel, and Golovnin Lagoon noting that all three areas support critical habitat for a variety of species important for subsistence, commercial and recreational uses. The commenter requested consideration for the people, animals, and habitat that would be affected by the permit.

#### **Response:**

The concerns expressed in the 2018 press release were addressed in the initial development of this permit which has incorporated protective measures such as location restrictions, seasonal restrictions, best management practices, and monitoring and reporting measures to protect the habitat, wildlife and water uses. The proposed permit excludes coverage for discharges to estuarine waters of Safety Sound and Bonanza, Solomon, and Cache Channels (Permit Part 1.3.1.5). Although permit coverage extends to Cape Darby, any proposed discharges to other locations east of Cape Nome are not authorized unless the discharger requests an exception, and the Department grants written approval (Permit Part 1.3.2). The Department has not received proposals from any large-scale operations intending to operate east of Cape Nome, including Golovnin Bay, under this permit. If a proposal is received, the Department would only authorize the discharge after considerable evaluation and consultation with the Alaska Department of Fish and Game (ADF&G). Any such authorization would be subject to site-specific requirements such as additional monitoring or limitations on water depth or operating periods. If, after review, the Department determines that coverage under this general permit is inappropriate, an APDES individual permit would be required. No changes were made to the permit or fact sheet as a result of this comment.