3/17/2022

Dear EPA + Army Corps of engineers,
Attached is our Responses, along with a second Corps of engineers permit packet, along with a Answer sheet; with all siteplans, Attachments, and information Requested.

We would like a meeting in Fairbanks within 2 weeks to amicably Resolve this matter without a violation, and are being full cooperative, The Requested meeting will be with my wetlands Director Eddie Packey, Travis Peterson & Associates,

Attached again are All Requested Responsed, and Requested Attachments, including Army Corps of engineers permit packet, Re filled out, that we sent to Laurel Gale on or around February 1 2022, we worked the entire month of January with her on this, and attached's communications via email showing dates and times of this as well. Please see Corps engineers Application and Responses Attached.

Thank you
Ryan Smith

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

ENFORCEMENT & COMPLIANCE
ASSURANCE DIVISION

Reply To: 20-C04

RETURN RECEIPT REQUESTED

Mr. Ryan L. Smith
President
Alaska Construction, Inc.
P.O. Box 872725
Wasilla, Alaska 99687

Re: Unauthorized Discharges of Dredged and/or Fill Material in Wetlands Adjacent to Boulder Creek/Crooked Creek, near Central, Alaska

Dear Mr. Smith:

This letter is regarding a reported violation of the Clean Water Act (CWA), 33 U.S.C. § 1251 *et seq.*, for unauthorized discharges of dredged and/or fill material in waters of the United States, including wetlands adjacent to Boulder Creek/Crooked Creek. The work was performed without authorization under CWA Section 404, 33 U.S.C. § 1344, on property located at approximately 126.2 Steese Highway, Latitude 65.57033° N., Longitude 144.85272° W.; near Central, Alaska.

The U.S. Environmental Protection Agency (EPA), Region 10, has discussed this matter with the U.S. Army Corps of Engineers, Alaska District ("Corps"). The Corps is conducting an investigation of the reported CWA violation. On December 22, 2021, the Corps requested you to provide information within 10 days of your receipt of their letter (POA-2021-00378).

On January 3, 2022, you contacted the Corps Project Manager by telephone, but did not respond to the information request. To date, your written response has not been received by the Corps.

EPA hereby advises you to **cease and desist** from all unauthorized discharges into waters of the United States, including wetlands. Failure to respond truthfully and accurately to the Corps' information request may subject you to CWA enforcement actions, including, but not limited to, the following civil and/or criminal sanctions:

- Issuance of an Administrative Compliance Order under CWA Section 309(a), 33 U.S.C. § 1319(a), for certain injunctive relief under CWA Section 309(b), 33 U.S.C. § 1319(b).
- Assessment of an administrative penalty of up to $23,989 per day of violation under CWA Section 309(g), 33 U.S.C. § 1319(g);
- Referral to the EPA Criminal Investigations Division for criminal prosecution under CWA Section 309(c), 33 U.S.C. § 1319(c); and/or
- Referral to the U.S. Department of Justice for commencement of a civil action, including a civil penalty of up to $59,973 per day of violation under CWA Section 309(d), 33 U.S.C. § 1319(d).

The Corps indicated to EPA that the subject property has been listed for sale. Please be advised that the sale of the property does not absolve the seller or the prospective owner from the requirements of the CWA. EPA is providing a courtesy copy of this letter to the listed real estate broker for the subject property.

Thank you for your cooperation and attention to this important matter. If you have any questions regarding this letter, please contact Mark Jen, Case Officer in the Alaska Operations Office in Anchorage, at (907) 271-3411 or jen.mark@epa.gov.

Sincerely,

MICHELE JENCIUS

Digitally signed by MICHELE JENCIUS
Date: 2022.03.15 10:30:12 -07'00'

Michele Regan Jencius, Chief
Surface Water Enforcement Section

cc: **Ex. 6 PP / Ex. 7(C)**

Ms. Laurel Gale
Project Manager, U.S. Army Corps of Engineers

Mr. Randy Vigil
Project Manager, U.S. Army Corps of Engineers

Ms. Ellen Lyons
North Central Section Chief, U.S. Army Corps of Engineers

Mr. Jon Wendel
Compliance Manager, Alaska Department of Environmental Conservation

DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 35066
FORT WAINWRIGHT, ALASKA 99703

December 22, 2021

CERTIFIED MAIL RECEIPT NO.: 7011-1150-0000-8195-4038

Regulatory Division
POA-2021-00378

Alaska Construction Inc.
Attention: Mr. Ryan Smith
P.O. Box 872725
Wasilla, Alaska 99687

Dear Mr. Smith:

This is in reference to a reported violation involving work the discharge of dredged and/or fill material into waters of the United States (U.S.) including wetlands. The alleged work consisted of the mechanized land clearing of approximately 6.5 acres of wetlands for the construction of Mile 126 Steese Roadhouse. The project site is located within Section #, T. 9 N/., R. 14 E., Fairbanks Meridian; USGS Quad Map Central C-2 SW; Latitude 65.57033° N., Longitude 144.85272° W.; at Mile Post 126.2 Steese Highway, near Central, Alaska. Several attempts to contact you were made at the Mile Post 126.2 Steese Roadhouse construction site while in the area conducting compliance visits during the week of July 11-19, 2021. To date there has been no response from you.

Section 404 of the Clean Water Act (33 United States Code 1344) requires that a Department of the Army (DA) permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands, prior to conducting the work. The wetlands located within and around your construction site are considered wetlands and is a water of the U.S.

We are conducting an investigation to determine whether or not a violation occurred. Please provide any information you believe should be considered in our investigation, in addition to the following:

a. Describe the work that was performed and the purpose of the work?

b. When did the work begin, and has it been completed?

c. Did you own the property when the work was performed?

c. What type and amount of material fill was discharged into wetlands?

Please include this information within Cubic Yards. Also provide an outlined area where the fill was placed on the overhead view of your project.

f. What are your plans for the site including any structures, the area you have filled and/or intend to fill, and the intended use of the site? While at the construction site a large residential type structure and another structure platform was built. Please include work plans, including an aerial photo overview of your project. Include the size dimensions of each structure presently constructed and any that may be constructed in the next 5 years.

g. Please provide the amount of fill which was placed within the mechanically land cleared area and the construction site.

Please include this information within Cubic Yards. Also provide an outlined area where the fill was placed on the overhead view of your project.

The requested information must be provided within **ten days** from your receipt of this letter. Please contact us at the telephone below, we would also appreciate a written response.

Please refer to file number POA-2021-00378, Boulder Creek, in future correspondence or if you have any questions concerning this reported violation.

Please contact Laurel Gale, Regulatory Specialist, via email at Laurel.A.Gale@usace.army.mil, by mail at the address above, or by phone at (907) 347-6496, if you have questions. For additional information about our Regulatory Program, visit www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

Laurel A Gale

Laurel A. Gale
Project Manager

POA 2021-00570 Response to EPA letter & Questions list 3-16-22

A. Work performed was cleared approximately 3.2 acres of A 6.88 acre Tract of land, That myself and my son own

B. Work Began on or around April 15-23 2021

C. I purchased the property with my son Noah Smith, thru A Realtor, and closed at Yukon title in Wasilla, AK

D. We used gravel, approximately 180 yards to fill entrances for access and around main structure.

E. outlined area showing gravel placement Attached to this Reponse showing locations

F. Plans for the site currently, is A cabin we listed it for sale as A cabin also, on or around November 2022, we have plans to finish shed structure or platform

G. Work plans are Also Attached to this Response showing structure, and Platform for shed and dimensions of each.

H. Amount of fill placed on mechanically cleared land was Approximately 180 yards of gravel fill placed.

I. outlined area where placed is also attached in Response

Additional information

1) Our original intentions when we purchased this property was to build the Steese Roadhouse, A Restaurant, we started A Facebook Page, got Business License, purchased lumber, logs, ect materials for construction on or around November of 2020, when we started researching How Hard it was to Do A Commercial operation, with DEC permits, fire marshall, we decided on or around March 20th 2021 That we weren't going to Do A Roadhouse or Commercial structure, So we decided to use the lumber and build A cabin there, and on or around April 15-23rd 2021 we Began prep work, to build cabin Due to already Having purchased materials, we have no intention of Having A Commercial structure there in the future either

2) We Had No knowledge of needing A permit to work on your own Private property until informed by Laurel Gale army corps of engineers via US mail letter Received January 3rd 2022 and we immediately Responded Same Day, And worked to Come into Compliance whole month of January 2022

(8) We provided everything requested to Laurel Gale, filled out the army corps permit, with her help via phone with all requested answers, and plat maps, legal description, ect on or around February 1 2022, sent back to Army Corps via us mail, with permit filled out and all attached requested documents,

(9) We had no knowledge of this being a "wetland" or classified as a wetland, no standing water on property, gravel at surface in some areas, and mostly 1-3' down was gravel, property was frozen under moss but dry, property had birch trees as well growing on it.

(10) It is our wish to obtain permit from army corps for this, it is also our wish to be 100 percent compliant with the army corps, and EPA, our hope is to obtain permit after the fact, and as of end of January 2022 thought I had done, with Laurel Gale until we recieved your letter via email dated March 15th 2022

(11) We will also provide a second application for Army Corps with all requested again.

(12) We do appreciate your help and hope we can amicably resolve this matter, and I can be compliant with all agencies, as far as I knew, this was not wetlands but a piece of privately owned land, we purchased thru a real estate agent, closing thru a title company with title insurance policy, and again had no idea, the property was deemed "wetlands" at any point until recieving Laurel Gales request January 3rd and responded immediately to resolve this, thru permitting process, once we learned that it was deemed "wetlands"

(13) I also attached my communication with Laurel Gale for January 2022 working toward compliance on day 1 of receiving letter from army corps,

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U.S. Army Corps of Engineers (USACE)

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

33 CFR 325. The proponent agency is CECW-CO-R.

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

The public reporting burden for this collection of information, OMB Control Number 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. 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 APPLICATION TO THE ABOVE EMAIL.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; 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 application for a permit. 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 a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. 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. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: http://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx

(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)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required)
First - Ryan Middle - Lee Last - Smith	First - Middle - Last -
Company - Alaska Construction inc	Company -
E-mail Address - alaskaconstruction1@gmail.com	E-mail Address -
6. APPLICANT'S ADDRESS:	**9. AGENT'S ADDRESS:**
Address- Po Box 872725	Address-
City - Wasilla State - AK Zip 99687 Country - USA	City - State - Zip - Country -
7. APPLICANT'S PHONE NOs. w/AREA CODE	**10. AGENT'S PHONE NOs. w/AREA CODE**
a. Residence 907-315-6366 b. Business 907 315 6366 c. Fax	a. Residence b. Business c. Fax

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

_____ DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) Ryan Smith Project

13. NAME OF WATERBODY, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS (if applicable)
Boulder Creek	Address Mile 126.2 Steese Highway
15. LOCATION OF PROJECT	
Latitude: N 65.5699 N Longitude: W 144.85344 W	City Central State- AK Zip- 99730

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)

State Tax Parcel ID Tract B Plat #83-18 Municipality

Section - 33 Township - 9N Range - 14E Fairbanks meridian

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17. DIRECTIONS TO THE SITE

Steese highway north of fairbanks, to mile 126.2 steese highway on Right Hand side of steese highway, just past the mile 126 sign, mile marker,

18. Nature of Activity (Description of project, include all features)

Project cabin, features include concrete foundation, gravel pad, well, septic system, two driveway entrances, a 24x50 log structure, a 12x22 sub floor for a shed, two culverts one for each entrance of driveways.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

Our original intentions up until on or around march 20 was to make a roadhouse, but when we (earned) how tough the permits for a restaurant and everything was, we decided to turn it into a cabin due to lumber already being purchased, so it wouldnt rot. this was all decided before any construction began on site, in advance, and after we figured out how hard it was to do a commercial site during february and march of 2021

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge 180 cubic yards of gravel used around building, and in driveway entraces for access, and drainage around structure.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type	Type	Type
gravel		
Amount in Cubic Yards 180 cubic yards	Amount in Cubic Yards	Amount in Cubic Yards

Approximately 3.2 acres

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres 3.25

or

Linear Feet Approximately 350' x 400' total area

23. Description of Avoidance, Minimization, and Compensation (see instructions)

Stockpiled overburden to use for grading, final grade, install silt fencing along property lines as well as ditch line to prevent erosion, final grade, install grass seed in areas to promote new growth, grade in a way to minimize impact, and erosion.

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24. Is Any Portion of the Work Already Complete? (X) Yes ( ) No IF YES, DESCRIBE THE COMPLETED WORK

Two driveway entrances, Approximately 3/4 acre gravel pad, was sitted, two culverts installed, one in each driveway entrance, 24x50 log structure erected, 12x22 wood pad for future sled storage,

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address-

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
State of Alaska	gravel permit	163281	1-20-22	1-24-22	
State of Alaska	Driveway permit	DW 31503 DW 31504	1-27-22		

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application 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.

Ryan Smith 3-16-22 DATE DATE

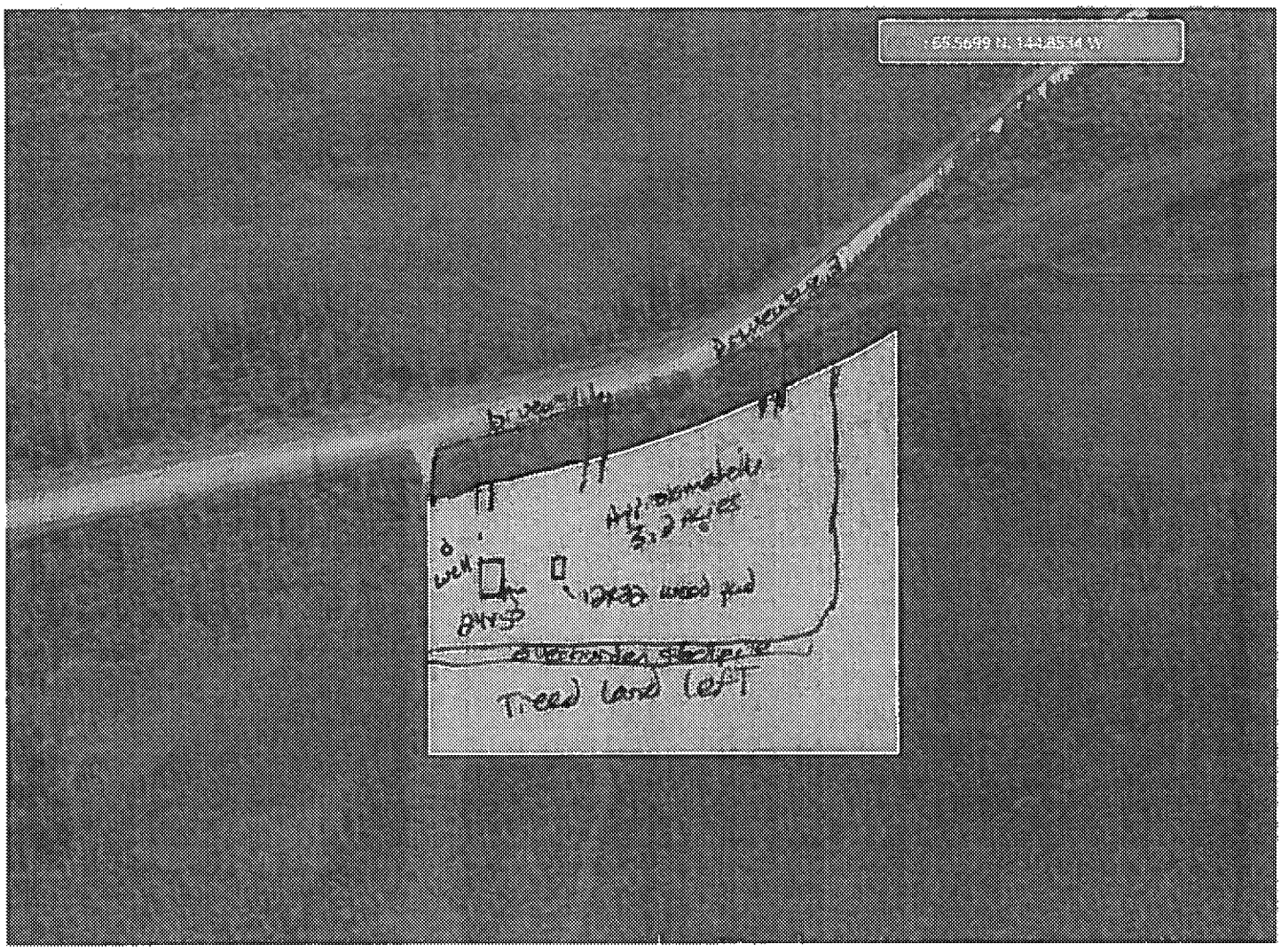
The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

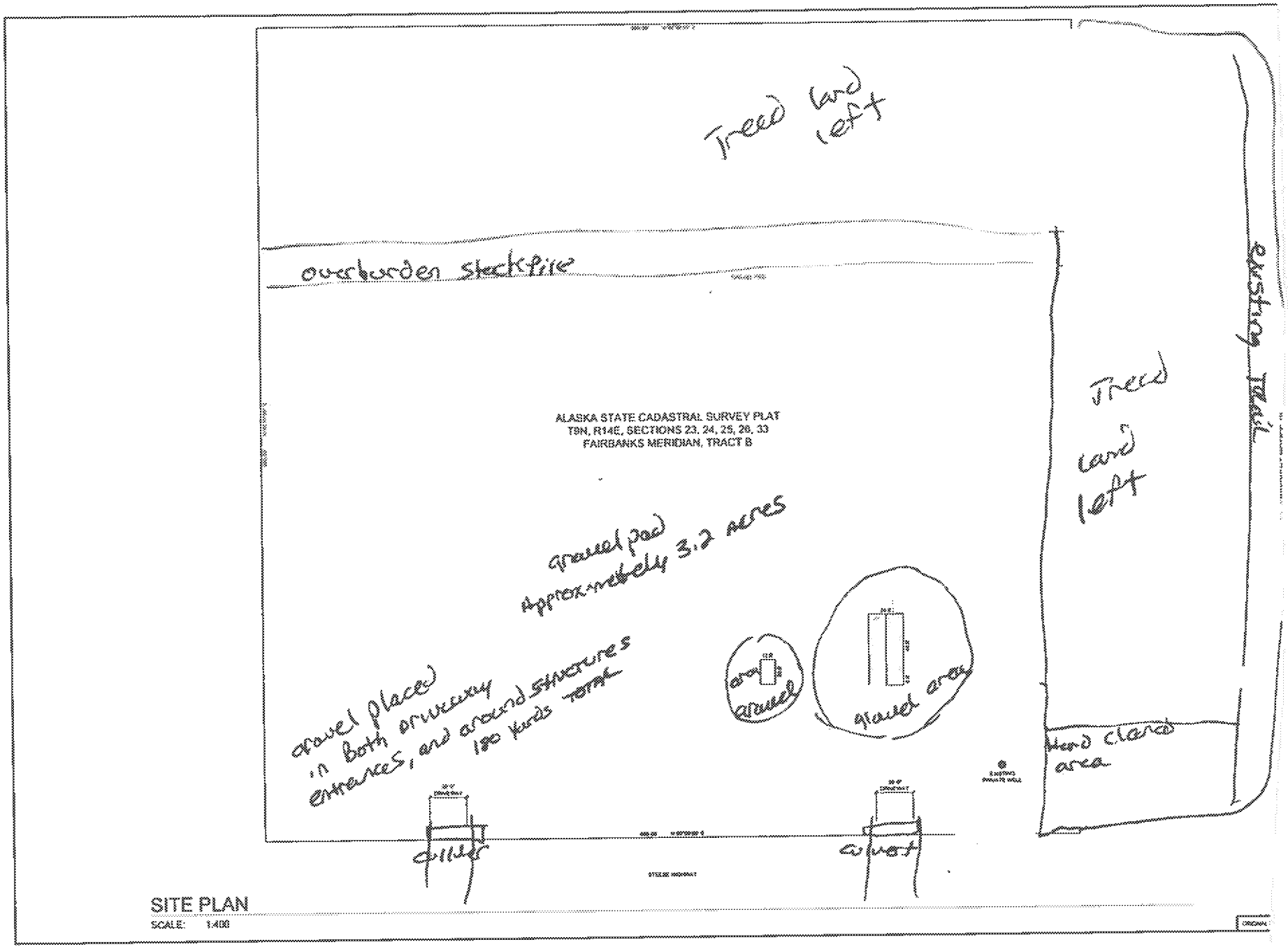
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations 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.

SITE PLAN

SCALE: 1:400

ED_013294_00000711-00011


Tree land left



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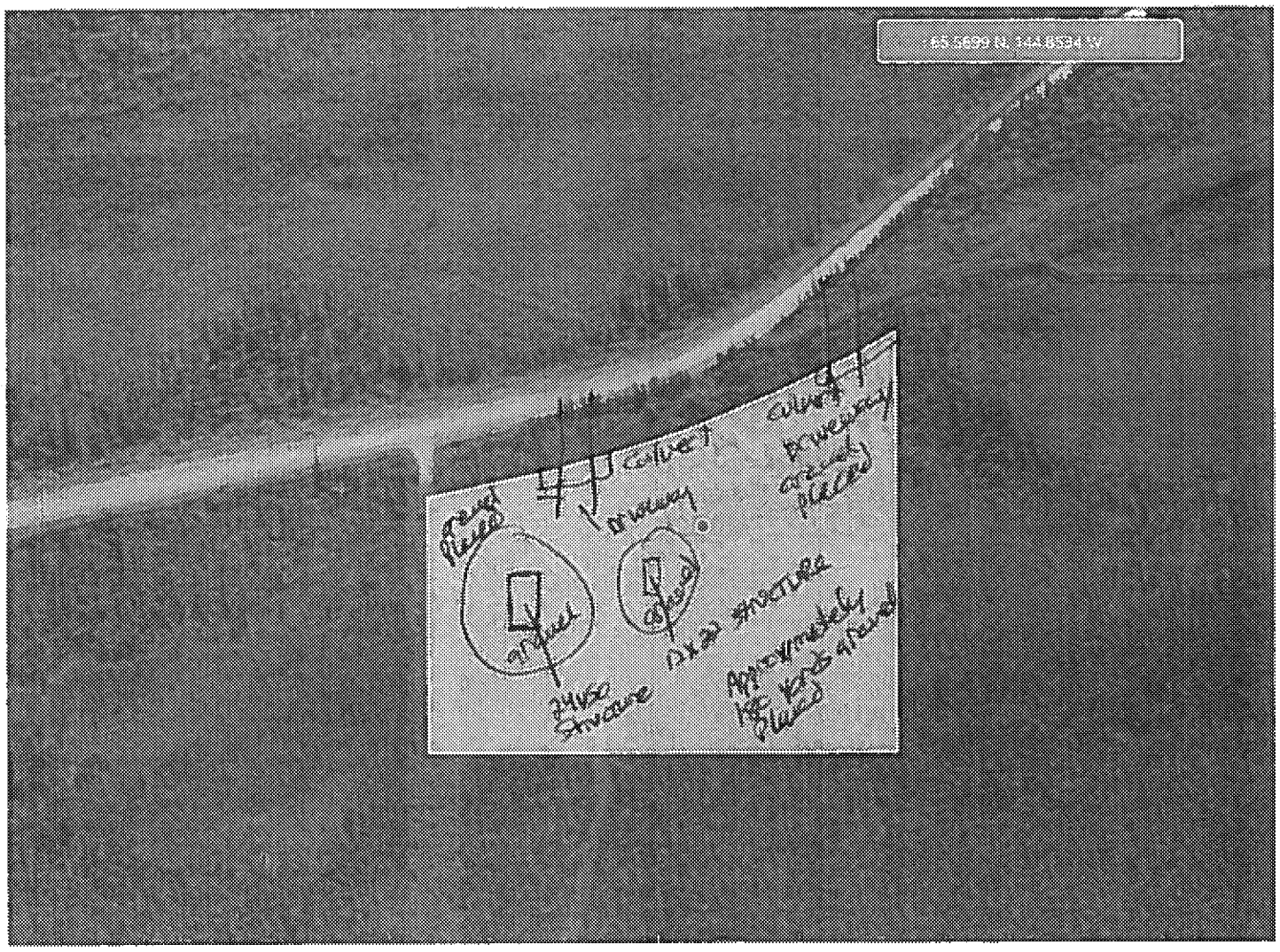

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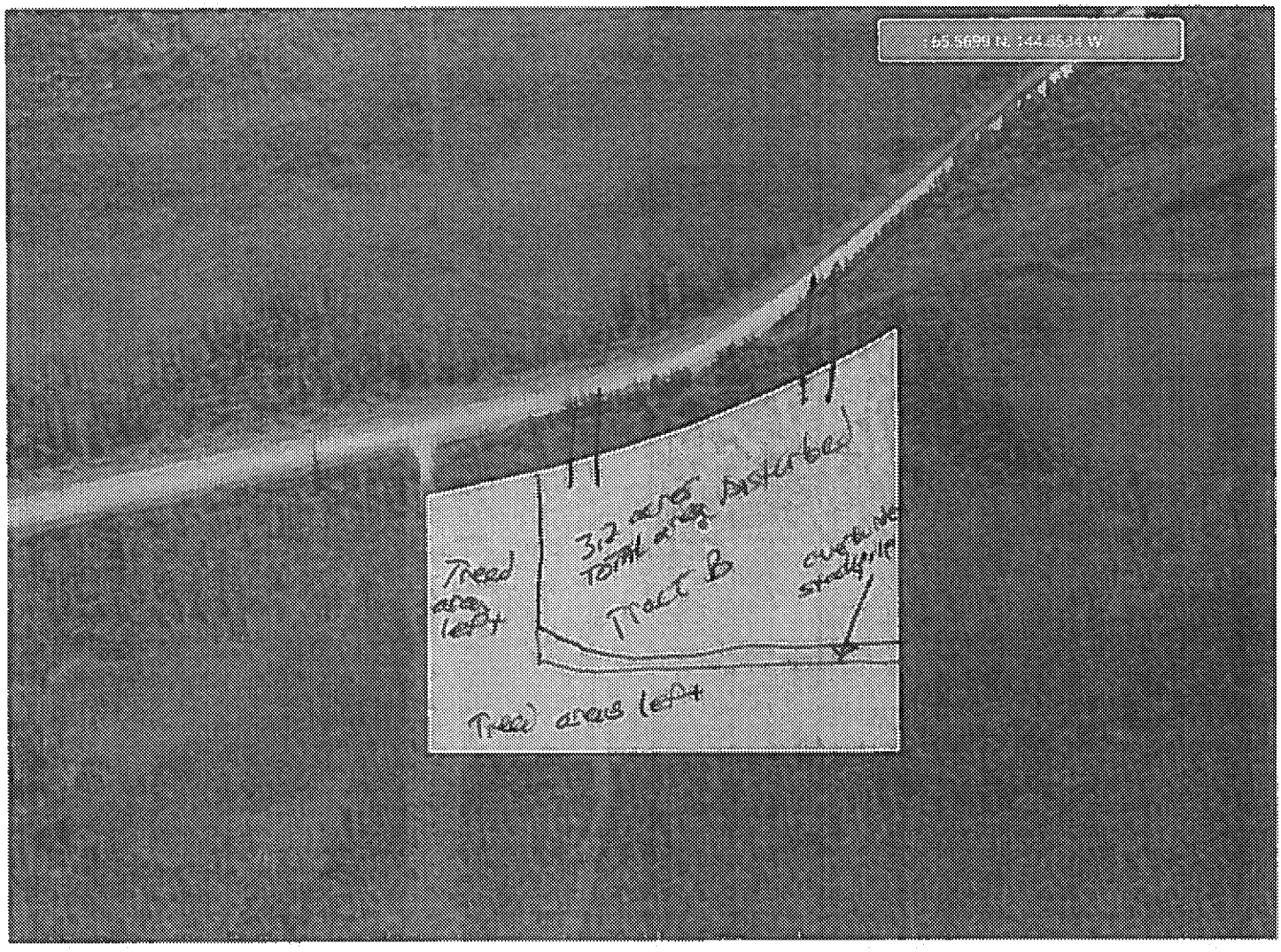

DOT overview of Tract B
6.88 acres

Listing Packet from Yukon Title before purchase Feb 8 2019

YUKON TITLE COMPANY

Listing Package

DATE: February 8, 2019

LP19-0083
Fee: $0

PREPARED FOR: Somers & Associates Realtors, Inc.
Attn: Lana Hebert
220 Park Way
North Pole, AK 99705

- [x] **Vesting Deed**
- [x] **Plat Map**
- [ ] **BEES/SUMM**
- [ ] **Deed of Trust**
- [ ] **CCRs / Declarations**

PROPERTY OWNER(S): **Ex. 6 PP / Ex. 7(C)**

PROPERTY ADDRESS: N/A

LEGAL DESCRIPTION: Tract B, Alaska State Cadastral Survey, Section 33, Township 9 North, Range 14 East
Plat No. 83-18

TAX ID NUMBER: N/A

Thank you for choosing Yukon Title Company, Inc.

LBartels

Logan Bartels
Title Assistant

Notice of Disclaimer of Liability

This letter and the accompanying materials do not constitute a Policy of Title Insurance or a Commitment for Title Insurance. Further, it is not an Abstract of Title. Yukon Title Company, Inc. has not completed a search of the court records to determine the existence of Judgments, Tax Liens, Bankruptcies or other matters of record. If you desire a complete report on the status of title, please contact Yukon Title Company, Inc. to arrange for a Commitment or Policy. No transaction or decision should be made based on these materials until such time as the Company has the opportunity to perform a complete search and is prepared to issue a Policy. The liability of the Company is expressly limited to the fee paid for this report.

A. The subject property lies outside of an organized tax industry:

RECORDING DISTRICT: 401

B. There are no covenants that apply to this property. *NOTE: Covenants and restrictions may be contained in individual deeds, of which we make no search.

C. There is no As Built Survey available.

The following information has been obtained from Yukon Title Company, Inc. records:

1. Last Deed of Record recorded in Book 1085 at Page 256
   to: Ex. 6 PP / Ex. 7(C)

2. Notes and /or Easements as Stated on the Plat.

9. Plat Map

WHEN REC[illegible] RETURN TO:
Name
Address
City, State

Ex. 6 PP / Ex. 7(C)

QUIT CL[illegible] EED

THE GRANTOR(S

having an address of

for and in consideration [illegible]
conveys and quit claims

having an address of

Ex. 6 PP / Ex. 7(C)

the following described real estate, situated in the [illegible]
Judicial District, State of Alaska, together with all after acquired title of the grantor(s) therein:

Township 9 North, Range 14 East, Fairbanks Meridian
Section 33: Tract B
Containing 6.581 acres, more or less
according to the Alaska State Cadastral Survey Plat filed
in the Fairbanks Recording District on Feb 7, 1983 as Plat 83-18.

Patent No. 15664
ADL No. 410022
Location Order: T. 9N, R. 14E., F.M. Section 33

Dated: 8-4-98

Ex. 6 PP / Ex. 7(C)

THIS INSTRUMENT IS BEING RECORDED BY
YUKON TITLE COMPANY, INC.
AS AN ACCOMMODATION ONLY.
IT HAS NOT BEEN EXAMINED AS TO
ITS EFFECT IF ANY ON THE TITLE
OF THE ESTATE HEREIN.

STATE OF WISCONSIN)
[illegible])

Ex. 6 PP / Ex. 7(C)

T[illegible]

this 21 day of [illegible]

Notary Public in and for the State of WISCONSIN
My commission expires: JAN 14 2001

KELLY K. HIBBS
NOTARY PUBLIC
STATE OF WISCONSIN

019435

1998 JUL 11 AM 9:06
RECORDED BY UTC

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STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

Division of Mining, Land and Water

Northern Regional Land Office	Southcentral Regional Land Office	Southeast Regional Land Office
3700 Airport Way	550 West 7th Ave, Suite 900C	P. O. Box 111020
Fairbanks, AK 99709-4699	Anchorage, AK 99501-3577	Juneau, AK 99811-1020
(907) 451-2740	(907) 269-8503	(907) 465-3400
nro.lands@alaska.gov	dnr-pic@alaska.gov	sero@alaska.gov

Statewide TTY – 771 for Alaska Relay or 1-800-770-8973

LIMITED MATERIAL SALE CONTRACT

Name: Ryan Smith

Address: Po Box 872725 Wasilla, AK Zip: 99687

Phone: 907-315-6366 Email: alaskaconstruction1@gmail.com

The above PURCHASER and the STATE agree to this sale under the authority of Alaska Statute 38.05.550 through 38.05.565, AS 38.05.850, and 11 AAC 71, and subject to the following terms and conditions:

Location and Description of Land from Which Material is to be Removed:

Section: 26 Township: F009N Range: 014E Meridian: Fairbanks

Material Site # (if known) 670-088-2 Pit Name cracked creek

General Location Description: Pit run gravel, ADL# 419609

Material Type: Pit run gravel Quantity in Cubic Yards: 180 cubic yards

Intended Use of Material Sale: gravel for entrances + pad at 126.2 miles Parks Highway Central

TOTAL QUANTITY (200 Cubic Yards Maximum) – first two cubic yards (if annual deductible applies)

178 x $ 3 /cy = $ 534 + $80 = 614.00

Removal of materials may begin only upon receipt of an approved copy of this sale contract.

The purchaser agrees to indemnify the State of Alaska against and hold it harmless from any and all claims, demands, suits, losses, liabilities, and expenses for injury to or the death of persons and damage to or loss of property arising out of or connected with the exercises of privileges covered by this sale contract.

I have read and understood the requirements of this Limited Material Sale Contract and the attached **Special Stipulations.** I understand that this sale contract is not legal until signed by a Department of Natural Resources representative and my prepayment for the material may be returned if the sale contract cannot be issued.

Signature of Purchaser: _____ Date: 1-13-22

This sale contract is for nonexclusive use. It may be canceled at any time by the Director of Mining, Land and Water if it appears to be in the best interest of the State of Alaska to do so. This sale contract is issued subject to the attached **Special Stipulations.**

This sale contract expires on: 12 / 31 / 2022 By: State of Alaska: _____

Title: MRT2

SPECIAL STIPULATIONS FOR A LIMITED SALE CONTRACT

1. The purchaser is responsible for proper location on site.
2. There shall be no interference with other operators in the material site.
3. The purchaser may be required to contact the local Alaska Department of Transportation/Public Facilities (ADOT/PF) representative prior to material extraction. If required, the name is shown below. The purchaser is required to abide by any additional restrictions ADOT/PF personnel place on the removal of materials.

   ADOT/PF Contact Name: Central · Station Foreman Phone: 860-660-3406

4. The purchaser shall carry a copy of the executed sale contract while operating in the material site. Failure to do so may result in the sale contract's immediate termination.
5. Stockpiling is not permitted under this Limited Material Sale Contract. Only ADOT/PF personnel or persons who have a negotiated or competitive material sale contract may be allowed to stockpile material.
6. No processed material shall be removed from existing stockpiles or the floor of the pit.
7. Material shall be removed in even, shallow lifts. Depressions that could cause ponding or safety hazards shall be leveled out. During operations, the area that is actively being excavated shall be no steeper than 2H:1V slope. Upon completion, final banks of material sites shall be left at slopes no steeper than 3H:1V. Purchaser may extract material only from the developed work area in ADOT/PF sites.
8. The cutting of trees and the removal of vegetation is prohibited.
9. The site shall be left neat and clean of any debris or trash.
10. Excavation activities on state shorelands or river and lake beds shall avoid sensitive fish and shellfish life stages. Excavation below ordinary high water may only occur in de-watered, non-vegetated areas. In-water excavation is prohibited.
11. Structures and storage of equipment, materials, fuel, or hazardous substances are prohibited.
12. If material washing is to occur, silts and sediments shall be removed from the wash water prior to its direct or indirect discharge into any natural body of water.
13. Should any historic, prehistoric (paleontological) or archaeological sites be discovered during the course of field operations, activities that may damage the site will cease and the Office of History and Archaeology in the Division of Parks and Outdoor Recreation ((907) 269-8721) and the appropriate coastal district shall be notified immediately.
14. Blasting and drilling is prohibited.
15. The issuance of this authorization does not alleviate the necessity for the purchaser to obtain authorizations required by other agencies for this activity.

See current Director's Fee Order for applicable fees.

For Department Use Only
Application received date stamp

Receipt Types:

- ☒ **17 Application for sale of material, except**
- ☐ **A1 Application for sale of peat from other than a designated material site or source**

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
SUPPORT SERVICES DIVISION
FINANCIAL SERVICES SECTION
550 W 7TH AVE SUITE 1410
ANCHORAGE AK 99501-3561
(907) 269-8500

REC DATE	- AGREEMENT NUMBER --	CUST NO	RECEIPT	DESCRIPTION
01/21/2022	ADL 419609	163281	4864775	APPLICATION FEE - MATERIAL

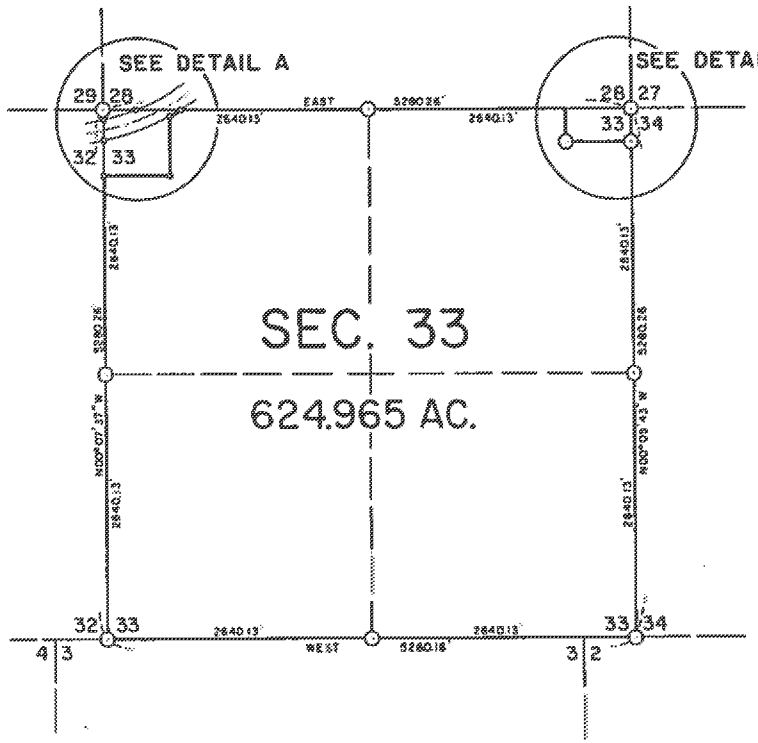
DNR DMLW NRO
3700 AIRPORT WAY
FAIRBANKS AK 99709

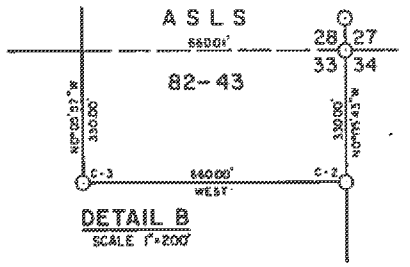
CASH AMOUNT $0.00
BANKCARD TYPE/NUMBER 5628 RECEIPTED AMOUNT $80.00

REMITTER: RYAN SMITH
PO BOX 872725
WASILLA AK 99687

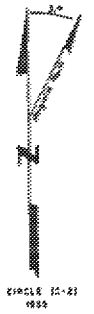
COMMENTS: SC LMSC APPLICATION FEE

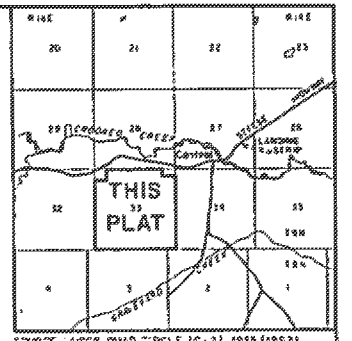
RECEIPT - DO NOT PAY





DETAIL B
SCALE 1"=200'





VICINITY MAP

NOTES

1. ALL DIMENSIONS SHOWN IN DETAIL B ARE RECORD FROM THE PLAT OF ALASKA STATE LAND SURVEY NO. 82-43 FILED IN THE FAIRBANKS RECORDING DISTRICT ON FEBRUARY 1, 1983 AS PLAT NO. 83-13. ALL OTHER DIMENSIONS ARE RECORD FROM THE PLAT OF TOWNSHIP 9 NORTH, RANGE 14 EAST, FAIRBANKS MERIDIAN, ALASKA FILED IN THE FAIRBANKS RECORDING DISTRICT ON FEBRUARY 7, 1983 AS PLAT NO. 83-18.

2. THIS PLAT WAS PREPARED UNDER GSP NO. 83-186 AND EV-334.

85-216

RECORDED - FILED NC
FBKS REC. DIST
DATE 9-11 85
TIME 8:05 A.M.
Requested by ASIDNAIDTS
Abstracted DAVE PATT
FBKS

APPROVAL CERTIFICATE

THIS PLAT HAS BEEN REVIEWED AND FOUND TO BE IN COMPLIANCE WITH APPLICABLE PROVISIONS OF LAW, AND IS HEREBY APPROVED.

8/20/85 DATE

DIRECTOR
DIVISION OF TECHNICAL SERVICES

SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THIS OFFICE PLAT WAS DRAFTED UNDER MY DIRECT SUPERVISION AND THAT ALL DATA SHOWN HERE IS TRUE AND CORRECT AS COMPILED FROM EXISTING RECORD INFORMATION.

REGISTERED LAND SURVEYOR

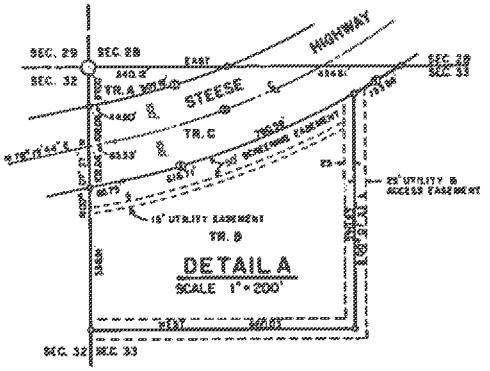
DATE 8/2/85 REGISTRATION NUMBER 4018-S

STATE OF ALASKA
49TH
REGISTERED LAND SURVEYOR
NO. 4018-S

LEGEND

○ PRIMARY MONUMENT OF RECORD

⊗ SECONDARY MONUMENT OF RECORD



DETAIL A
SCALE 1"=200'

CURVE TABLE						
CURVE NO.	RADIUS	DELTA	ARC	TANGENT	CHORD BEARING	CHORD
1	1800.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
2	1800.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
3	2000.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
4	2000.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

SELECTION INFORMATION

General Selection 3384
Tentative Approval dated 10-23-80

SPECIAL NOTE

UNDER THE AUTHORITY OF STATE PLATTING RESOLUTION NUMBER 85-3, APPROVED JULY 2, 1985, THIS REPLAT REMOVES ALL TRACT DESIGNATIONS WITHIN THE PLATTED AREA OF SECTION 33 SHOWN HEREON, AS CREATED BY THE PLAT IDENTIFIED IN THE TITLE BLOCK.
THE VACATION OF TRACT DESIGNATIONS IS TO FACILITATE THE STAKING AND SURVEY OF TRACTS OF LAND WITHIN THE ALBERT CREEK REMOTE PARCEL AREA.

OFFICE COPY

SCALE

FEET: 0 1000 2000 3000 4000 5000
METERS: 0 1000 2000 3000 4000 5000 6000

1 METER = 3.280833 U.S. SURVEY FEET 1 U.S. ACRE = 0.4047 HECTARES

DATE OF SURVEY: NO FIELD SURVEY	NAME OF SURVEYOR: STATE OF ALASKA, DIVISION OF TECHNICAL SERVICES

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF TECHNICAL SERVICES
ANCHORAGE, ALASKA

REPLAT
A PORTION OF SEC. 33 OF ALASKA STATE CADASTRAL SURVEY PLAT THE SOUTH BOUNDARY OF T 9 N., R 14 E. & SEC'S. 23, 24, 25, 26, 33, 34, 35 & 36, T 9 N., R 14 E., F. M., ALASKA
FILED IN THE FAIRBANKS RECORDING DISTRICT AS PLAT NO. 83-18

DRAWN BY: ST. [illegible]	APPROVAL RECOMMENDED: [illegible] CHIEF CADASTRAL SURVEYOR	8/19/85 DATE
DATE: AUG. 1985		
SCALE: 1"=800'	CHECKED	FILE NO.

TOWNSHIP 9 NORTH, RANGE 14 EAST,

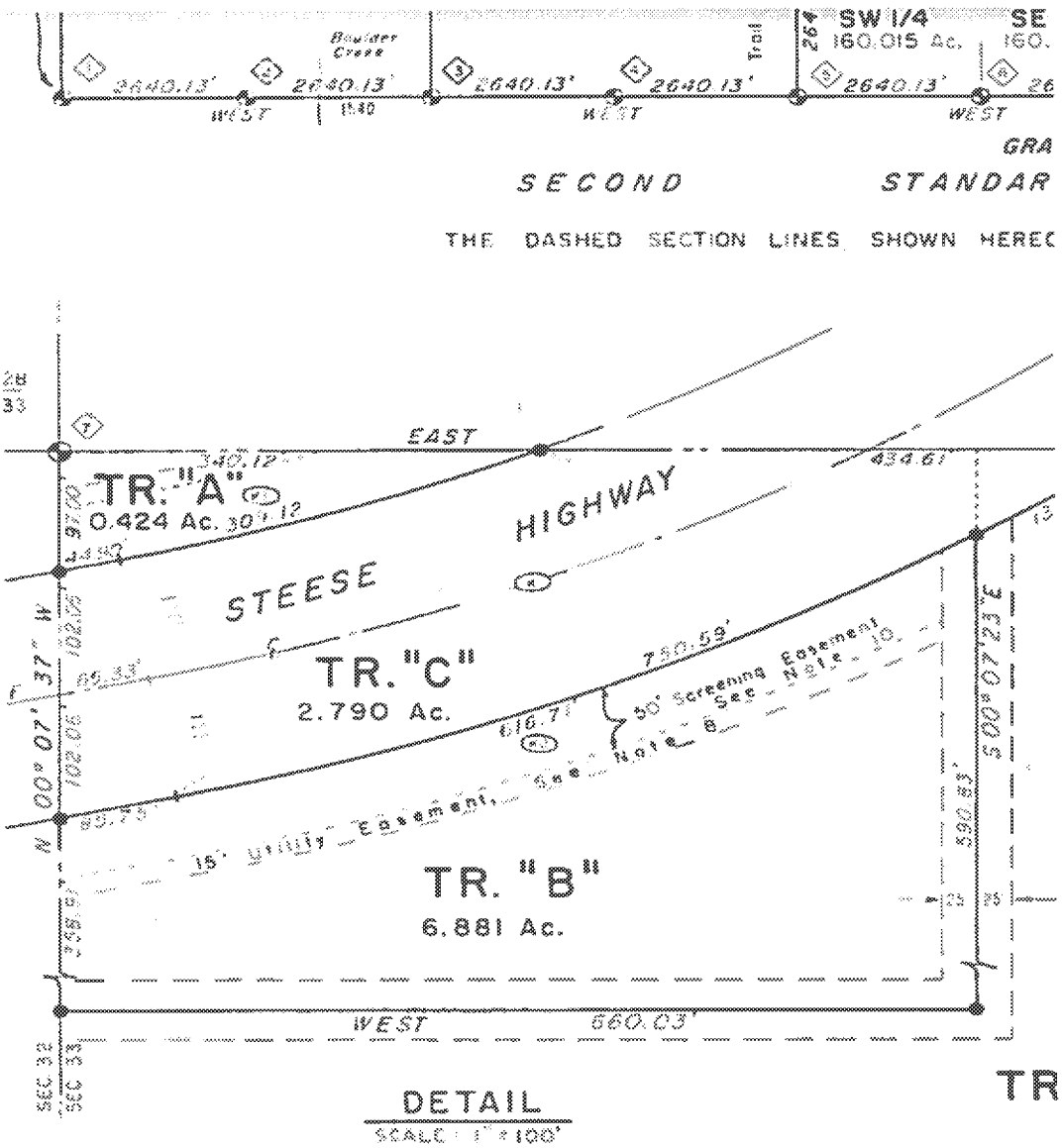
FAIRBANKS MERIDIAN, ALASKA

TOTAL AREA = 624.965 ACRES

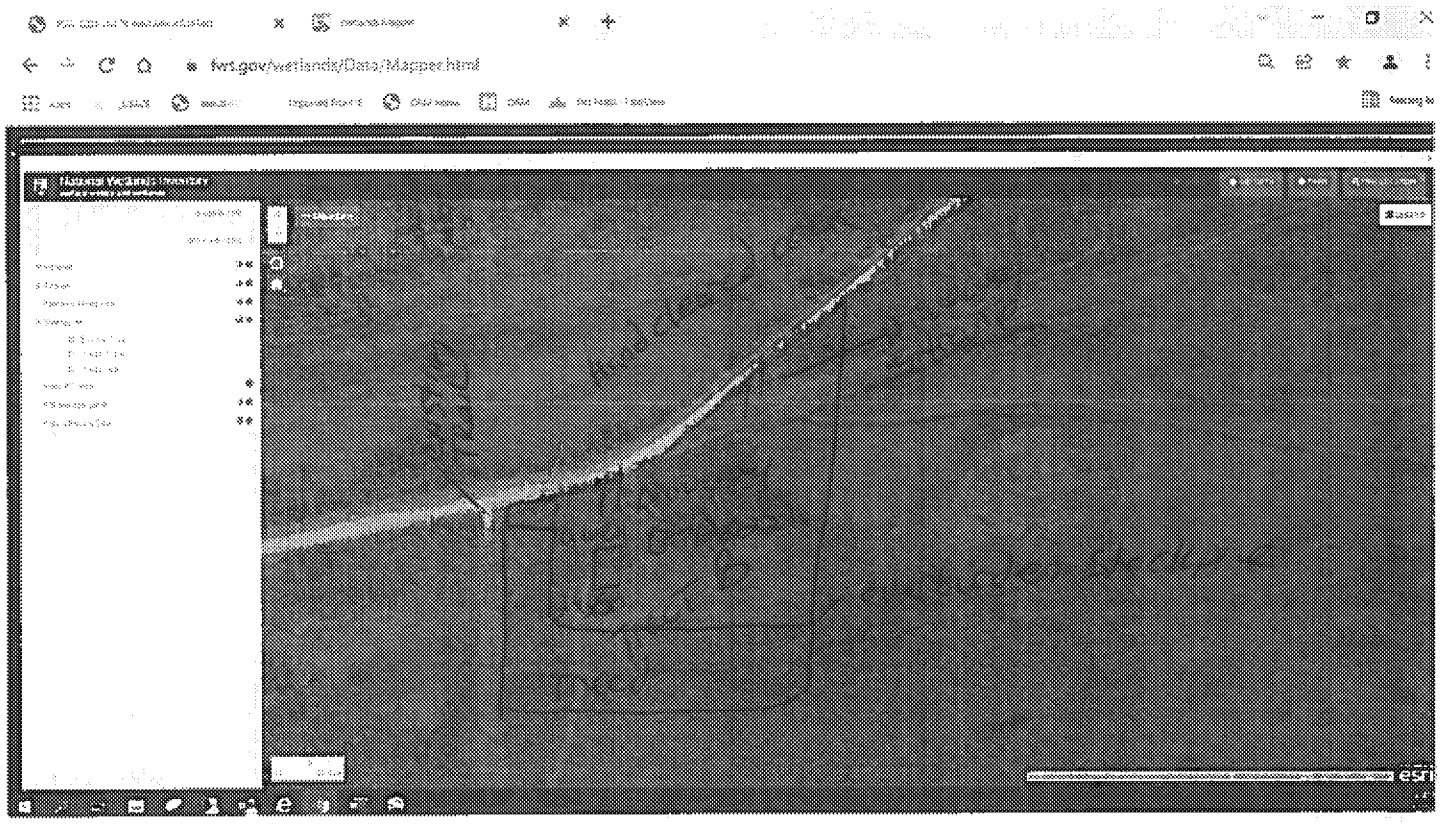
ED_013294_00000711-00022

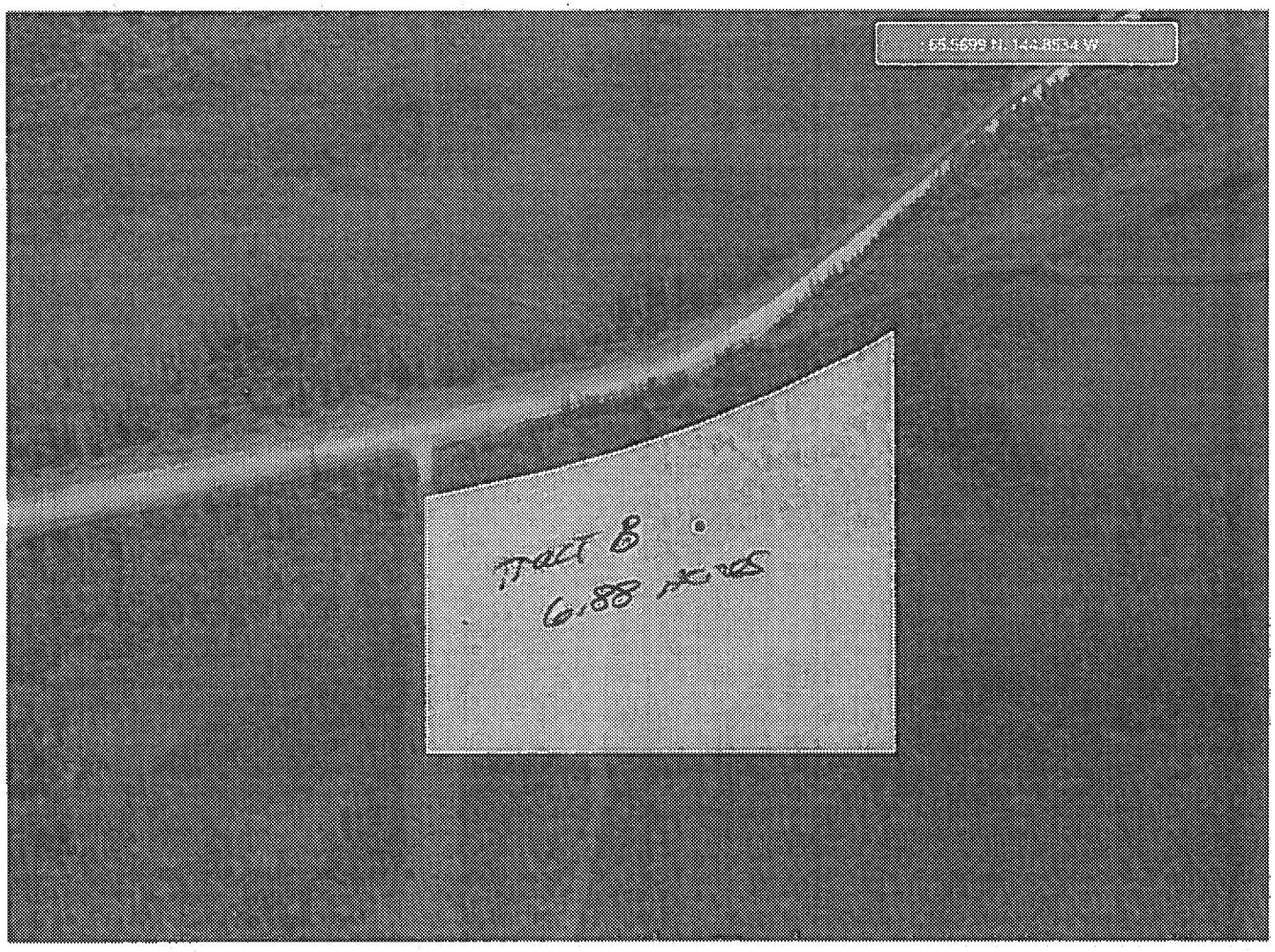
GCI LTE 6:40 PM

LP19-0083 Steese hi...



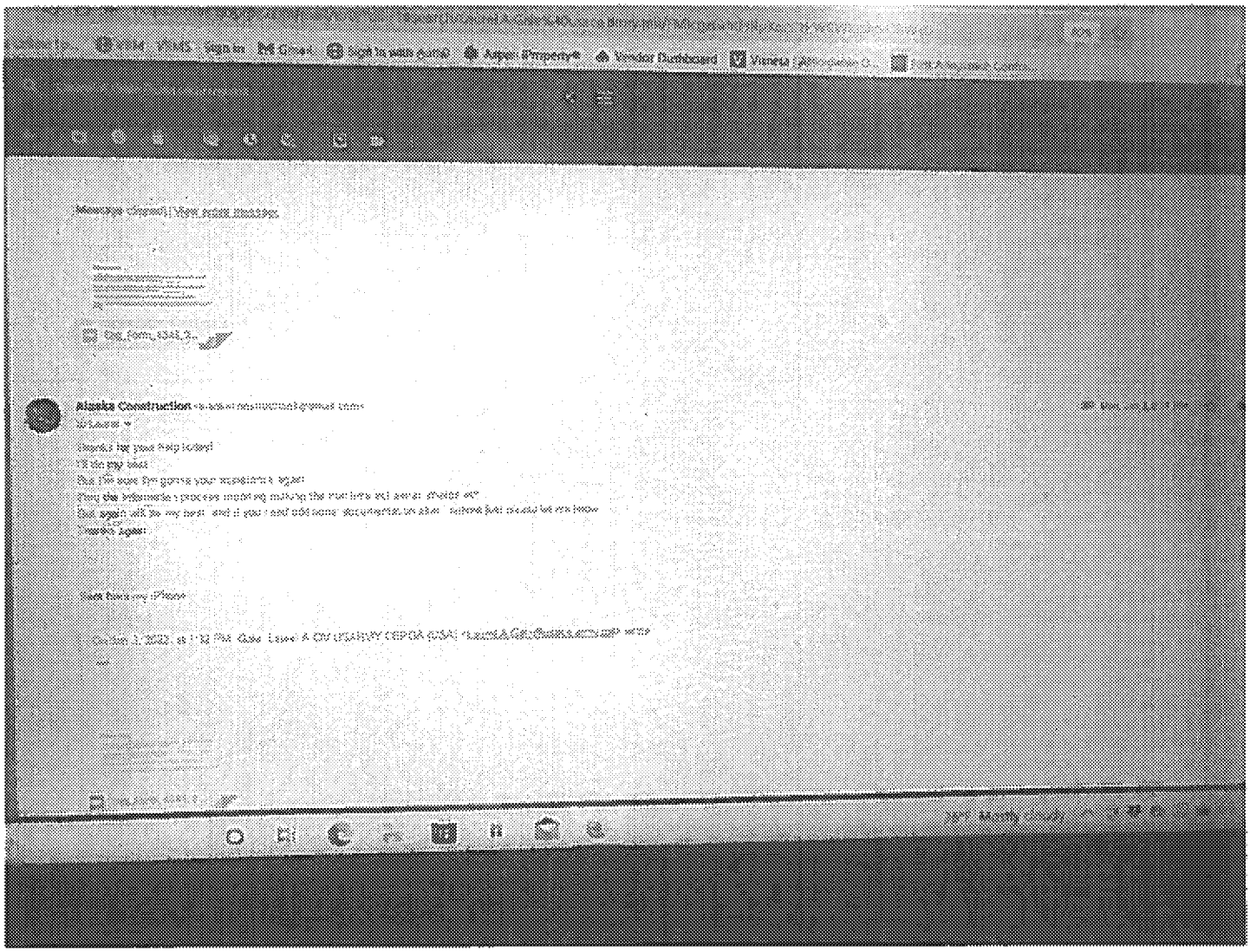
ED_013294_00000711-00023


fwts.gov/wetlands/Data/Mapper.html


Tract 8
6.88 acres

Corps of Engineers Permit Application

conversation 1 with Laurel Gale
January 3 Day of receiving Corps of
Engineers letter, dated 12-22-21
via certified mail at post office in Wasilla


Alaska Construction
Sent from my iPhone

Daly, Lauren A CIV USARMY CESPGA (USA) <Lauren.A.Daly@usace.army.mil>
to me

Mr. Sewell,

Thank you for contacting me regarding the letter you received from our office for the Alleged Violation located at the Mile Point 192 Stress Roadhouse in Grand, Alaska.

In the previous email I sent you the application form above for to begin an After the Fact permit for the project. Please complete the form as best you are able, and as I mentioned in my email, there may be [illegible] completing your application and in submitting the requested information in the Alleged Violation Letter.

An explanation of your project narrative please type or write on the application form and return paper.

Please write down an explanation of how you constructed your project so far and how you will be moving your project in the future. For example, how did you mechanically clear the land, [illegible]

How did you backfill the foundation pits, and their individual sizes? How many cubic yards and what type of fill did you use? Please provide this information of the work completed [illegible]

How do you plan on preventing erosion of the gravel fill from spreading into the abutting wetlands surrounding the project site? Are you using straw wattle, silt fencing, fencing? Please [illegible] the items you constructed.

How will you be covering the non-paving land area you gravel filled? Are you seeding again (topsoil overlay)? How many cubic yards and where? Describe how daily [illegible]

How did you avoid unnecessary impacts to the surrounding wetlands located at the project site? Did you construct the project located in the area to avoid possible project impacts?

Please describe the purpose of your project. For example: the purpose of my project is to provide food and lodging in the Denali Alaska area. This will include [illegible] to describe your project.

Will your project be constructed in phases? Please provide plan drawings of each phase and when that phase is expected to be built.

Will the large structure be a personal home? Describe it's footprint and sketch out your project on an overhead picture taken from Google Earth. [illegible] future.

Please provide the references of any permits you have obtained from any other agency regarding this project.

Please include in your narrative and project plans the culverts you placed to direct water which was ponded at each end of the gravel, you note [illegible] the culverts. Please [illegible] the culverts along the edge of your property? Please, describe this, as the number, and sketch their patterns in the overhead image.

[illegible] Feel free to call me if you have any other questions, please contact me at 907-347-5419. Or you may email me at the address above, and we [illegible]

Daly, Lauren A CIV USARMY CESPGA (USA)

To describe your project

Will your project be constructed in phases? Please provide plan drawings of each phase and when this phase is expected to be built.

Will the large structure be a personal home? Describe it's footprint and sketch out your project on an enclosed picture taken from Google Earth. Please do the same for any other structure you have and sketch out any [illegible] future.

Please provide me with copies of any permits you have obtained from any other agency regarding this project.

Please include in your response and project plans the contents you placed in direct water which are focused at a [illegible] of the drawings you have already [illegible]. Why did you [illegible] the [illegible] the roadside ditch along the front of your property? Please discuss this in the [illegible] and sketch their [illegible] in the [illegible] drawing.

I hope this has been helpful. If you have any other questions please contact me at 907 241-6496. Or you may [illegible] at the address above, and we can discuss the [illegible]

Respectfully,

Laurel Gale, Regulatory Specialist

[illegible]

[illegible]

Gale, Laurel A CIV USARMY CEPOA (USA) [illegible]

[illegible]

[illegible]

Sale, Laurel A CIV USARMY CEPOA (USA)

Hi Again,

Attached above is an aerial photo of your project area. You may also find the "Imagery Search" on the Alaska Department of Natural Resources Mental Mapper website to be helpful if you haven't seen it yet.

Respectfully,

Laurel Sale

2 Attachments

Alaska Construction

Thanks so much!!
I really appreciate that. A lot
That was one of my biggest fears as I was going to have to do
Lucky superstition?
Thanks again!

Sent from my iPhone

On Mar 3, 2022, at 7:31 PM, Sale, Laurel A CIV USARMY CEPOA (USA)

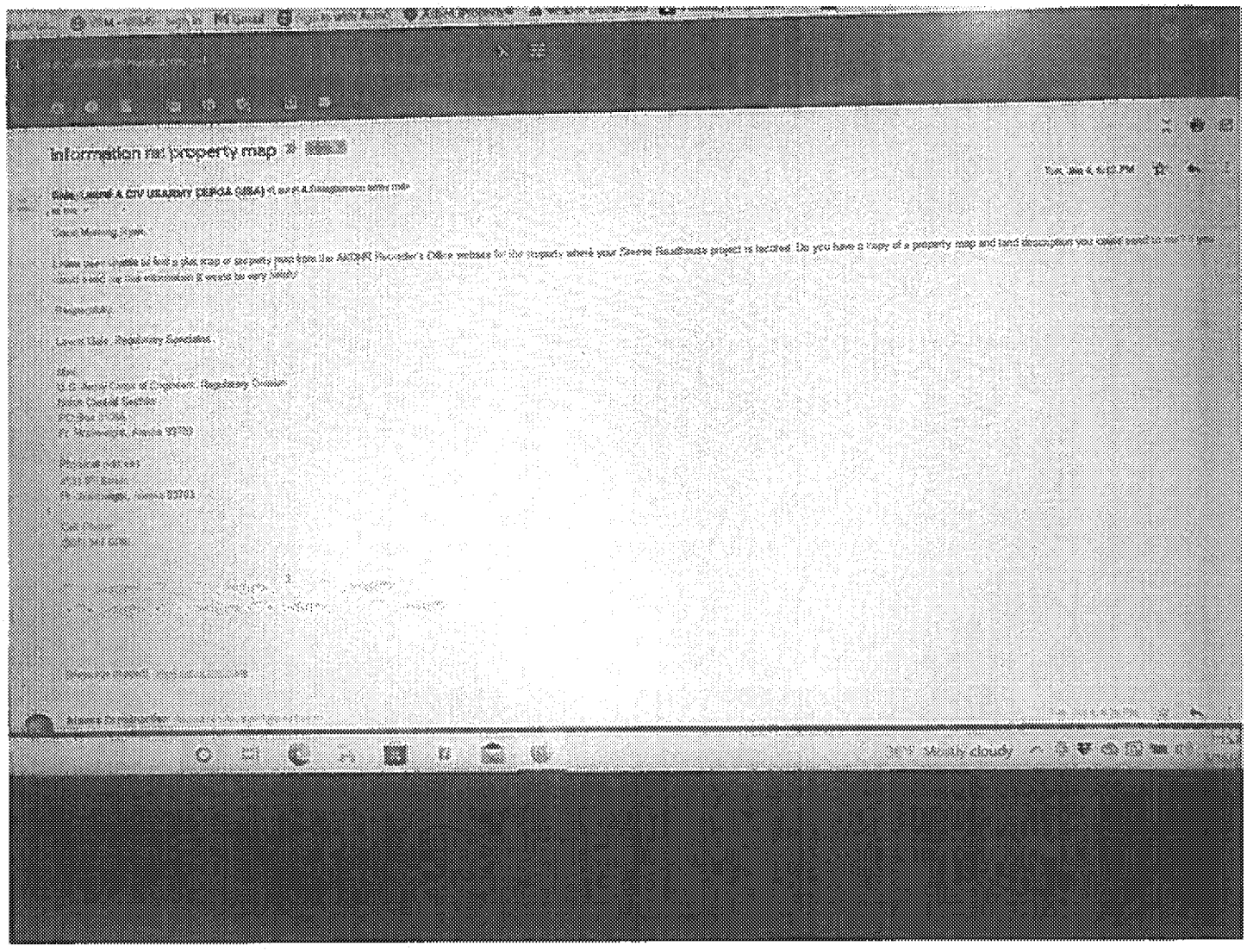
Alaska Construction <alaskaconstruction1@gmail.com>
to Laurel

Thanks so much!!!!
I really appreciate that a lot.
That was one of my biggest hurdles I was going to have to do
Much appreciated!
Thanks again !

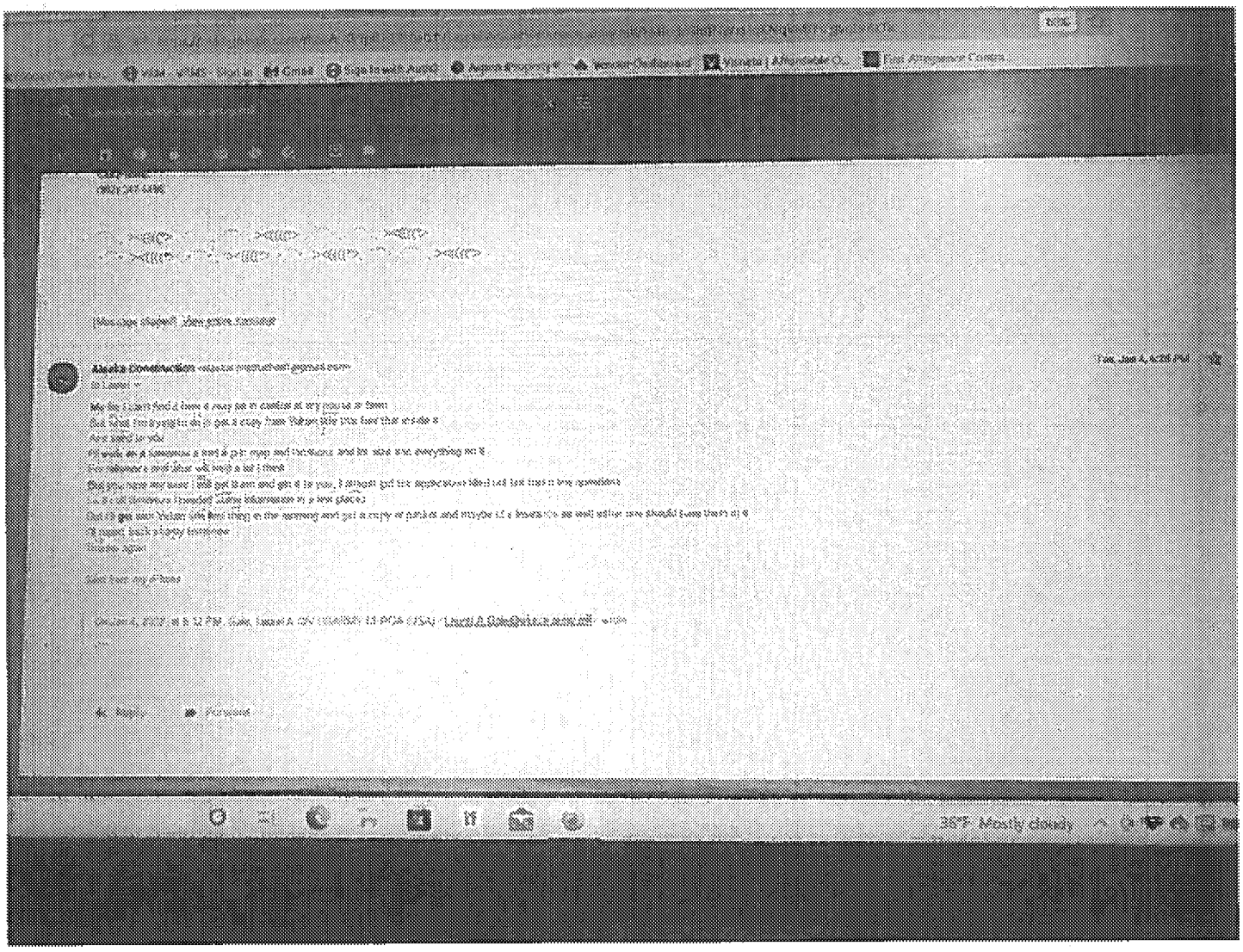
Sent from my iPhone

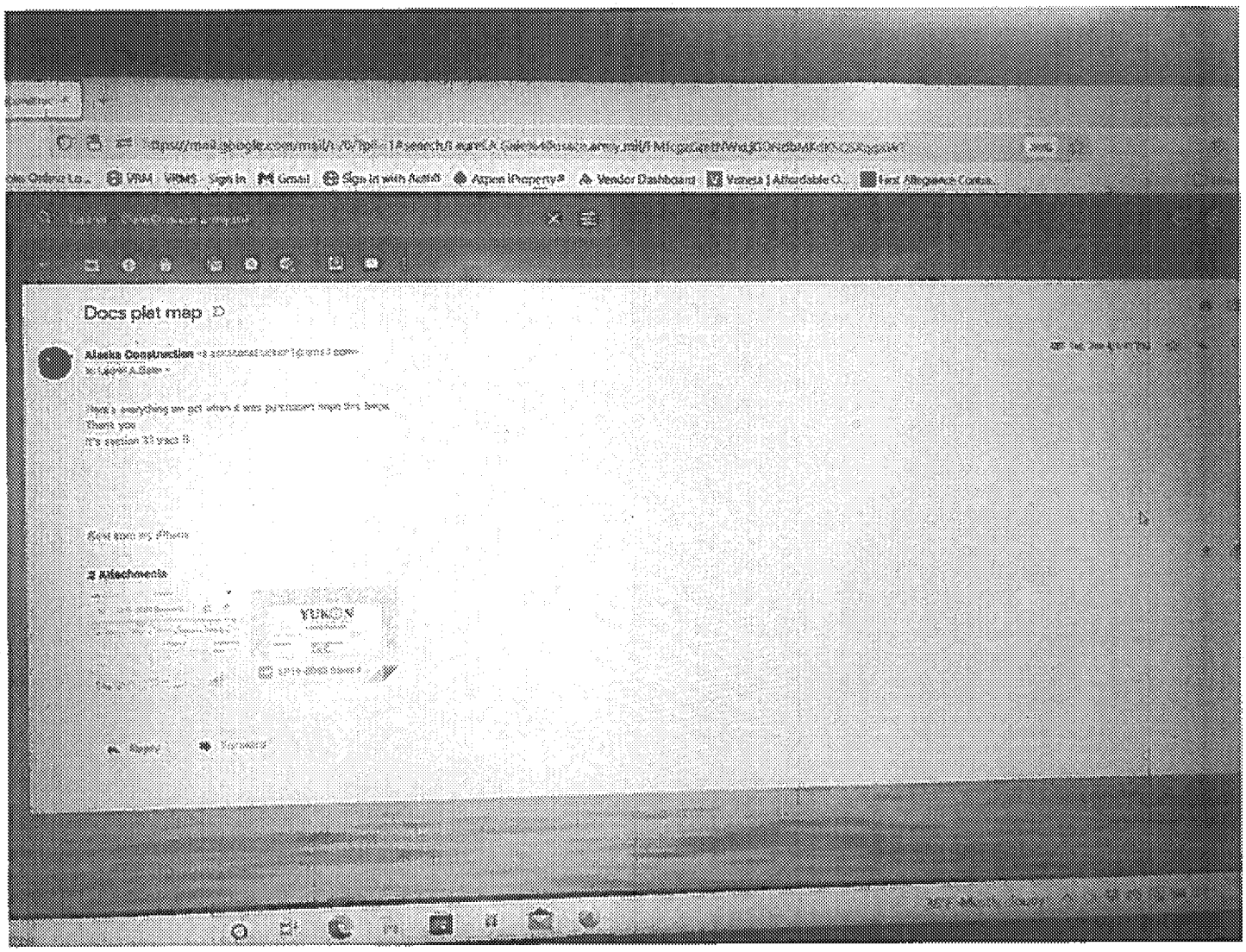
On Jan 3, 2022, at 2:34 PM, Gale, Laurel A CIV USARMY CEPOA (USA) <Laurel.A.Gale[redacted]> wrote:

fws.gov/wetlands/Data/Mapper.html



January 4
Conversation Carol gale





9

Response regarding your APMA work

Dale, Laurel A CIV USARMY CEPOA (USA)

Hi Ryan,

I was contacted by John Sargent regarding your request to tie in with your places name period(s). Please direct all requests to me as I am your Project Manager. As I said in our discussion yesterday, you and I will be working together on your [illegible] Northeastern Division, as well your places mining operations to be certain everything is brought into compliance.

Regulatory Enforcement I am the Federal Lead, CWA Place Mining Lead. Please send me all APMAs numbers you have submitted to the State for your operations. I will download your APMA(s) directly from the State and [illegible]

Best Regards

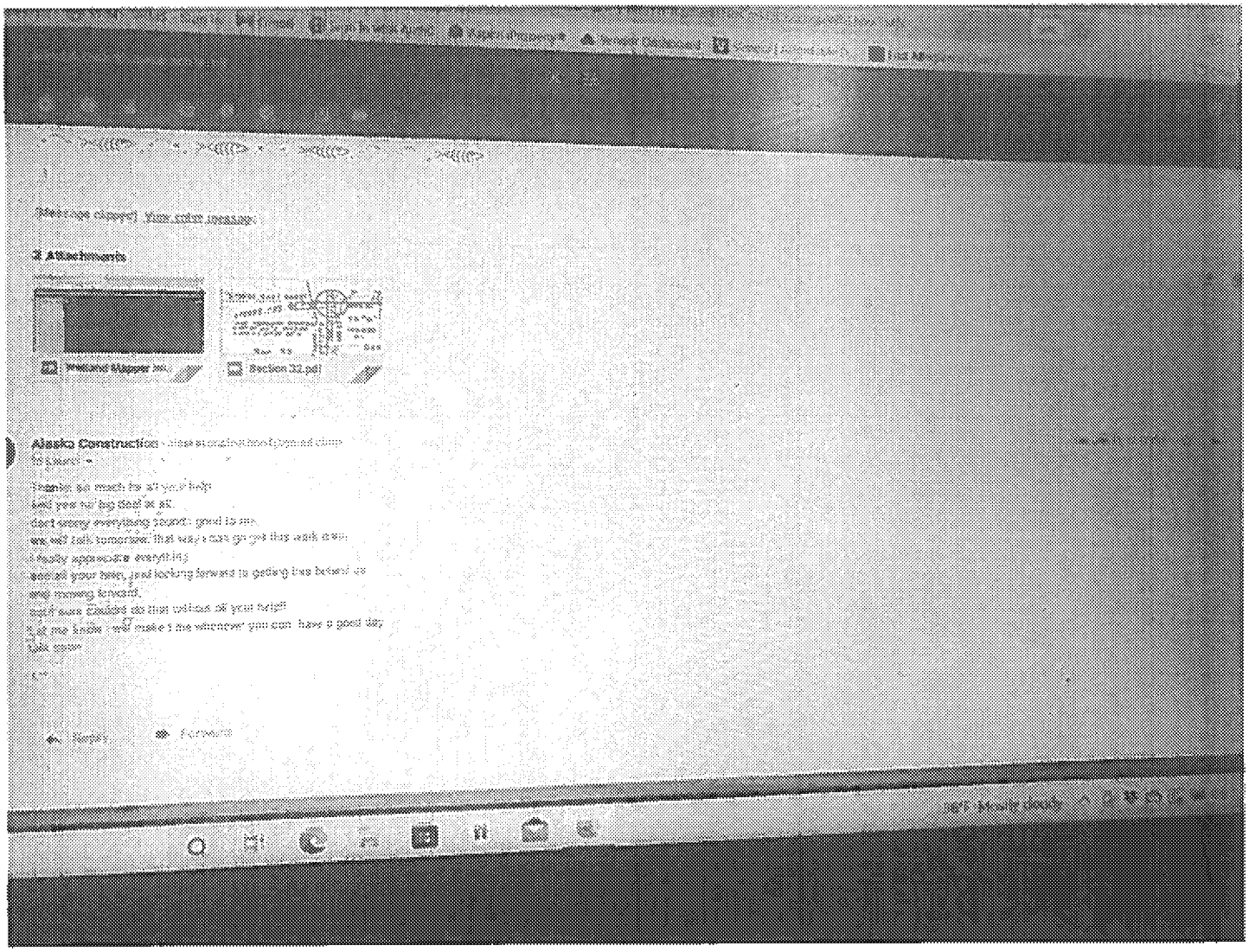
Laurel Dale

Laurel Dale | Regulatory Specialist

Phone:
[redacted]

Mail:
[redacted] Army Corps of Engineers, Regulatory Division
[redacted]
[redacted]
[redacted] Anchorage, Alaska 99703

Physical Address:
[redacted]
[redacted]



January 11th Conversation Laurel Gale

ED_013294_00000711-00036

Imagery and Plat map questions

Sale, Laurel A CIV USARMY CEPOA (USA)

Imagery and Plat map questions

Gale, Lauren A CIV USARMY CEPOA (USA)

to me

Hi Ryan,

My Lieutenant Colonel called a meeting. Let's set up a time to talk tomorrow at a time that works for you. I will send you a few more imagery and some questions we can discuss after my meeting. Please look at Section 32 of the regulation and [illegible] claims occurred. Let's discuss when we talk again.

Apologies for the delay.

Lauren Gale

Lauren Gale, Regulatory Specialist

Phone:

Mail:
U.S. Army Corps of Engineers, Regulatory Division
Spokane Station, Building
PO Box [illegible]
[illegible], Alaska [illegible]

Physical Address:
[illegible]
[illegible], Alaska [illegible]

Truck location and trail location

Alaska Construction <alaskaconstruction1@gmail.com>
to Laurel.A.Gale

Laurel your crew
Isn't pointing to cleared land unless it's the gravel pit your talking about
Just down the road from the entrance to the roadhouse back towards fairbanks
Maybe?
Cause that is how it appears on what you sent m
I circled the trucks location and trail
Your arrow it appears points to a quonset marking
You see how it says trail and there's a line that points to section line
That is where that trail is located with the truck on it that belong to jimmy Gilmer that's broken down I circled it and marked trail
Let me know if this makes sense please.
Or if it's the gravel pit down the road
Your talking about
Thanks again good luck with your meeting and talk to you tomorrow

Sent from my iPhone

January 11th
Laurel gale conversation

ADOT EASMENT

Gale, Laurel A CIV USARMY CEPOA (USA) <Laurel A Gale@usace.army.mil>

Hi Ryan,

We have this coming Monday off by Federal Holiday. I forgot about that during our quick conversation. Let me know via email if this coming Wednesday at 1pm will work for you to meet and go over your information [illegible] questions.

Above is the information from the Plot Map regarding the ADOT right of way and rights. Please contact the ADOT individual you received the gravel fill from and get a Cubic Yard (CY) response from them about how much material you [illegible] please contact them and see if you have/had permission to clear the vegetation and trees and organic overburden from their right of way. This may have been a Corps of Engineers' Special Condition of THEIR permit in order for the right of way [illegible] Please forward their emails to you, and yours to them with the questions as well. These will be placed in your file.

We will talk about any questions you may have and any other information on Wednesday at 1pm.

Best Regards,

Laurel Gale, Regulatory Specialist

Phone
[illegible]

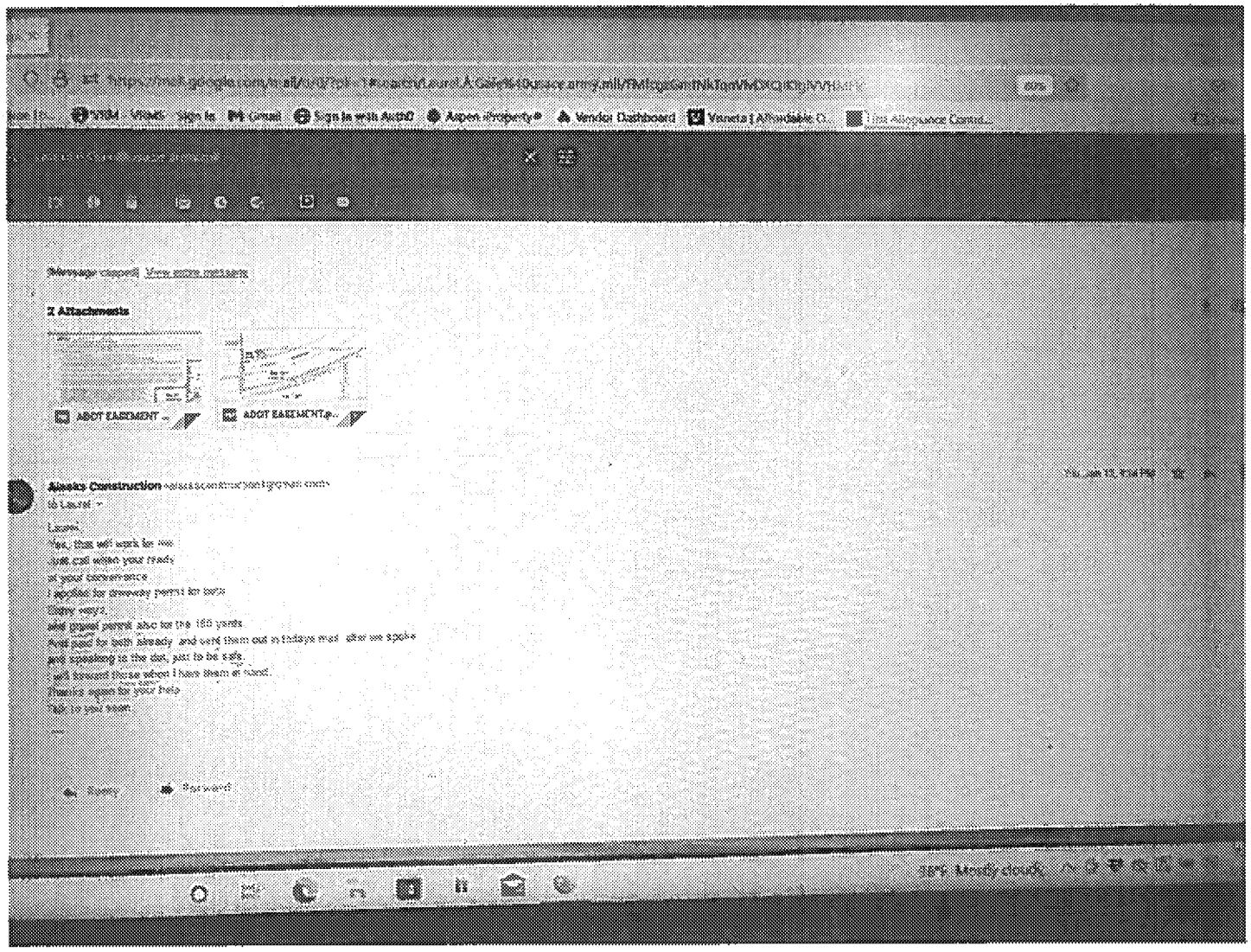
How was my service? Please complete the survey at [illegible]

Mail
U.S. Army Corps of Engineers, Regulatory Division
[illegible] Central Section
[illegible]
[illegible], Alaska 99703

Physical Address
[illegible] Street
[illegible], Alaska [illegible]

36°F Mostly cloudy

January 13th
Conversation Laurel gale


Message clipped View entire message
2 Attachments
ADOT EASEMENT
ADOT EASEMENT.p...
Aleeks Construction
to Laurel
Laurel,
Yes, that will work for me.
Just call when your ready
at your convenience.
I applied for driveway permit for both
Dishy ways,
and gravel permit also for the 180 yards.
And paid for both already and sent them out in todays mail after we spoke
and speaking to the dot, just to be safe.
I will forward those when I have them at hand.
Thanks again for your help
Talk to you soon.
Reply
Forward
Mostly cloudy

EPA

Ex. 6 PP / Ex. 7(C)

Oh man ! Looks like you are in trouble now ! They called me about the roadhouse . Whatcha gonna do ?

Sent from my iPhone

Alaska Construction <[illegible]>

to Group

They I guess haven't been talking to corps of engineers Because I applied for permit
Corps Mr Haney sent grant permits
Responded to corps as requested
And answered all questions filled out permit paperwork and sent to Laurel gale on February 1
And then this, so I don't know
Now you posted
Take it off mls for now please
I'm gonna finish is and relist it
Thank you

Ex. 6 PP / Ex. 7(C)

I mean there is even one part of the government that isn't broken . Everyday I deal with this kind of stuff . I just made a complaint with the BBA about a native employee that said: "We will not be a sub go [illegible]" [illegible]
the government only exists for those that are in it ! I will withdraw it from the mls but the sign will stay up until I can get an [illegible] ok ?

Sent from my iPhone

On Mar 16, 2022 at 7:18 PM, Alaska Construction <[illegible]@gmail.com> wrote:

REALTOR telling me the
EPA sent him the letter via email