Agency: Commerce, Community and Economic Development

Grants to Municipalities (AS 37.05.315)

Grant Recipient: Togiak **Federal Tax ID:** 920047402

Project Title: **Project Type:** New Construction and Land Acquisition

Togiak - Waterfront Transit Facility

State Funding Requested: $3,300,000 **House District:** 37 / S

One-Time Need

Brief Project Description:

Build a waterfront transit facility in Togiak proper for enhanced economic development.

Funding Plan:

Total Project Cost:	$3,650,000
Funding Already Secured:	($350,000)
FY2013 State Funding Request:	($3,300,000)
Project Deficit:	$0

Funding Details:

Funds have been secured and used to design the transit facility with ARRA money. BIA IRR funds were used for Geo-tech work. BBEDC Block Grant funds have been secured for the purchase of a hydraulic boat trailer and a CAT 980 Wheel Loader. Freight will be covered through BIA IRR monies.

Detailed Project Description and Justification:

The community of Togiak has focused its efforts on collaboration and unity among the governing agencies and has been able to develop more projects as a result. The waterfront transit facility will be the first of its kind located in Togiak proper and will be a great asset to enhance recently developed infrastructure and further economic development. The community has developed a fifty percent locally owned processing facility called Togiak Seafoods and the operations are reliant on the ability to have fish buying stations at the point. The dock will present a place for fishermen to tie up their boat, offload fish and reload needed supplies. Ice and tender operations will have a place to offload fish and reload supplies. Togiak Seafoods has demonstrated great successes in raising ex-vessel prices for fishermen in Togiak as well as all of Bristol Bay,also providing training, employment and economic sustainability. Togiak Seafoods is working towards partnering with other entities and communities to expand operations and purchase tenders, but this is dependent on a new waterfront facility for efficient operations. The dock will provide a place for sea freight companies to offload freight in a manner that will not damage the high priced items. This will be beneficial for all in Togiak. The dock will present a place to load outgoing freight barges with gravel bound for other communities. The dock will also present a place for a new fuel header for the drastically needed fuel tank farm upgrade. The facility has been designed for all existing needs as well as future needs and uses. The facility will be available for public use and Togiak Seafoods needs free of charge due to the joint efforts in the development, funding and construction. The dock will provide the community of Togiak with another tool to have success in its efforts towards self sustainability and reduce reliance on diminishing government funding. The community of Togiak possesses the ability to force account the project and reduce mobilization and demobilization costs. A MOA will be developed between the Traditional Council of Togiak, Togiak Natives Limited and the City of Togiak identifying each entities rights, roles and responsibilities of the new facility. The project is nearly shovel ready with 95 percent design. The last five percent is permitting and is nearly done. The detailed project drawings and estimates are available upon request.

Contact Name: Adam Berg
Contact Number: 465-4451

For use by Co-chair Staff Only:

$3,300,000 Approved

3:19 PM 5/2/2012

Project Timeline:

FY 2010-2013 upon completion of permitting and funding, groundbreaking could commence as early as spring of 2012 with completion in 2013

Entity Responsible for the Ongoing Operation and Maintenance of this Project:

City of Togiak

Grant Recipient Contact Information:

Name:	Darryl J. Thompson
Title:	City Administrator
Address:	P.O. Box 190
	Togiak, Alaska 99678
Phone Number:	(907)493-5065
Email:	togwater@unicom-alaska.com

Has this project been through a public review process at the local level and is it a community priority? [X] Yes [ ] No

For use by Co-chair Staff Only:

3:19 PM 5/2/2012

Contact Name: Adam Berg
Contact Number: 465-4451

US Army Corps
of Engineers
Alaska District

Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

Public Notice of Application for Permit

PUBLIC NOTICE DATE: February 1, 2012

EXPIRATION DATE: March 2, 2012

REFERENCE NUMBER: POA-2011-1083

WATERWAY: Togiak Bay

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact **Don Kuhle** by telephone at (907) 753-2780, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at **don.p.kuhle@usace.army.mil** if further information is desired concerning this notice.

APPLICANT: Traditional Council of Togiak, P.O. Box 310, Togiak, Alaska 99678. Point of contact: Mr. Jonathan Forsling, telephone (907) 493-5003.

AGENT: Ms. Aurora Courtney, PND Engineers Inc., 1506 W 36th Ave, Anchorage, Alaska, 99503. Telephone: (907) 561-1011.

LOCATION: The project site is located within Section 12, T. 13 S., R. 67 W., Seward Meridian; USGS Quad Map Goodnews A-4; Latitude 59.0644° N., Longitude 160.3662° W.; at Togiak, Alaska.

PURPOSE: The applicant's stated purpose is to provide access for barges and create a crane platform for loading activities.

PROPOSED WORK: Place 5,500 cubic yards (cy) of fill material into 0.6 acre of tidelands to construct a sheet pile bulkhead dock and an adjacent ramp. The face of the dock would be 160' wide and would extend to +1.7' above MLLW. The width of the ramp would be 35' plus a riprap shoulder. The project would require 10,500 cy of gravel fill, armor rock, filter rock, and concrete. Of this 5,500 cy would be below the high tide line (HTL) and 3,900 cy would be below mean high water (MHW). The fill would be placed on 0.93 acre, of which 0.60 acre would be below the HTL and 0.50 acre would be below MHW.

All work would be performed in accordance with the enclosed plan (sheets 1-4), dated January 26, 2012.

ADDITIONAL INFORMATION: According to the applicant, the proposed Togiak Multipurpose Dock and Ramp Facility project will meet multiple needs of the Togiak community. There are no significant waterfront facilities located in Togiak, Alaska. As such, loading/unloading of fish, bulk freight, and fuel occurs directly on the beach. The proposed facility will serve the local regional economy including commercial fishing and seafood processing facilities, petroleum product suppliers, local regional exports and movement of general cargo. The proposed dock is a tidal facility (site is dry at low tide). The facility is located on the south end of town, offshore of the spit created by Nasaurluq Creek. On the eastern side of the dock, the ramp is proposed to facilitate use by landing craft to load and offload cargo and supplies and also for local residents and subsistence users to launch and retrieve boats.

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

a. Avoidance: It is not possible to completely avoid impacts to waters of the U.S. and still meet the project purpose.

b. Minimization: The proposed sheet pile bulkhead fill dock design limits the amount of fill materials placed in tidelands to the greatest extent possible by placing the dock parallel to the natural shoreline. Vessel operators will be required to work the tides to use the dock, which will allow for deeper draft watercrafts without having to increase the size of the structure. The dock size is the minimum necessary to accommodate the design vessels working on the tides, crane swing radius, usable space, and provide the necessary upland storage area needed for efficient operations. Clean fill materials will be obtained from an upland source limiting chance of the introduction of contaminated materials.

c. Compensatory Mitigation: In-lieu Fee mitigation is planned to be utilized for impacts that are unavoidable.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known or historic range of the Steller's eider *(Polysticta stelleri)*. Preliminarily, we have determined the described activity would have no effect on the Steller's eider and would have no

effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS). Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The project area is within the known range of yellowfin sole, Chinook salmon, sockeye salmon, chum salmon, coho salmon, and pink salmon. Preliminarily, we have determined the described activity would adversely affect EFH in the project area for these species. The project, as proposed, would include fill placement and pile driving in water while fish may be present. This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations they may have concerning EFH will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that

would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures

SEAN PARNELL, GOVERNOR

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

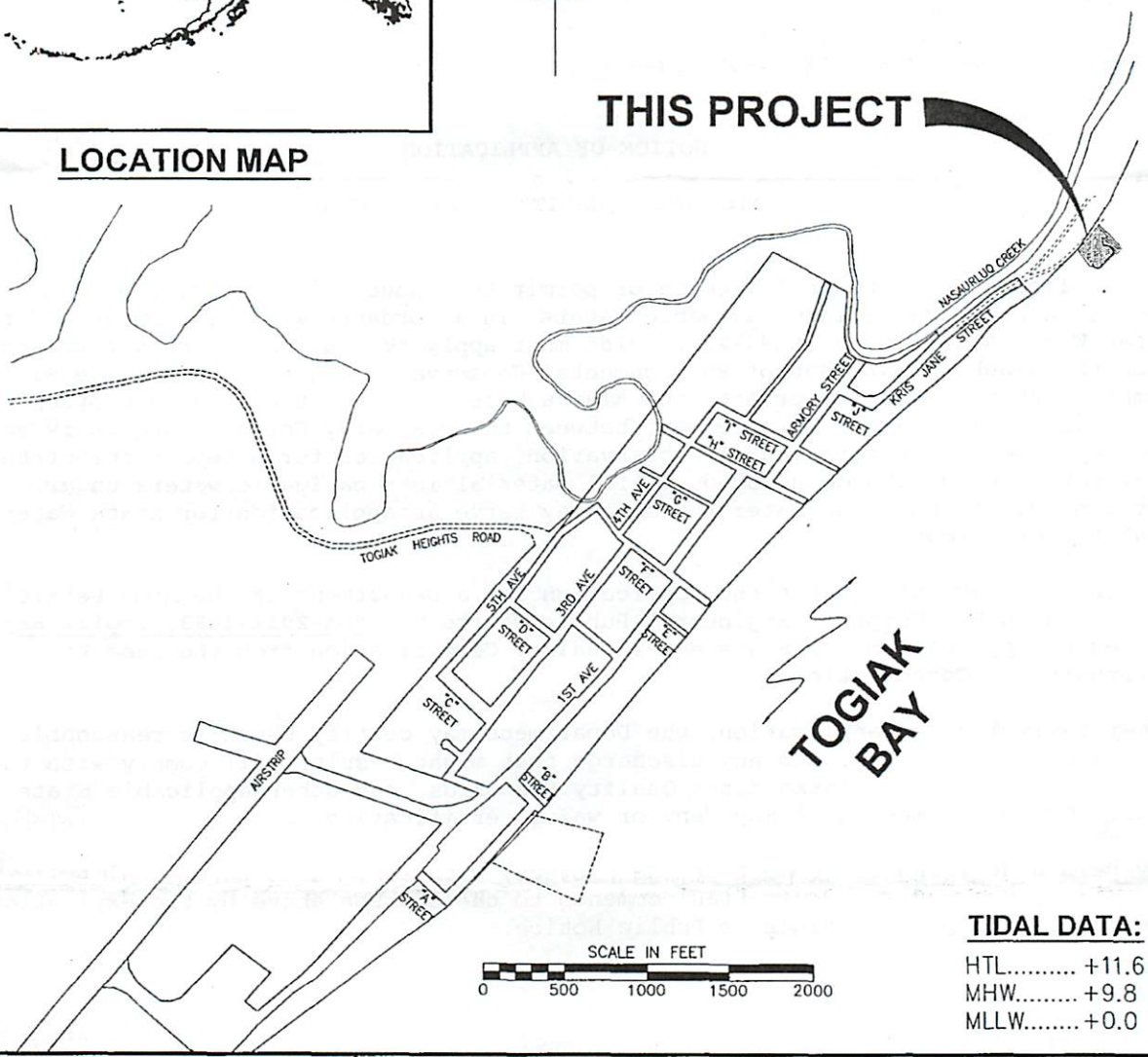
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2011-1083, Togiak Bay**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.

Soft copy in Typing Folder

LOCATION MAP



TIDAL DATA:

HTL..... +11.6
MHW..... +9.8
MLLW..... +0.0

PURPOSE:
TO ALLOW ACCESS FOR BARGES & CREATE A CRANE PLATFORM FOR LOADING

DATUM: MLLW= 0.0

SEC. 12,T13S, R67W, SM

VICINITY MAP

TRADITIONAL
COUNCIL OF TOGIAK
PO BOX 310
TOGIAK, AK 99678

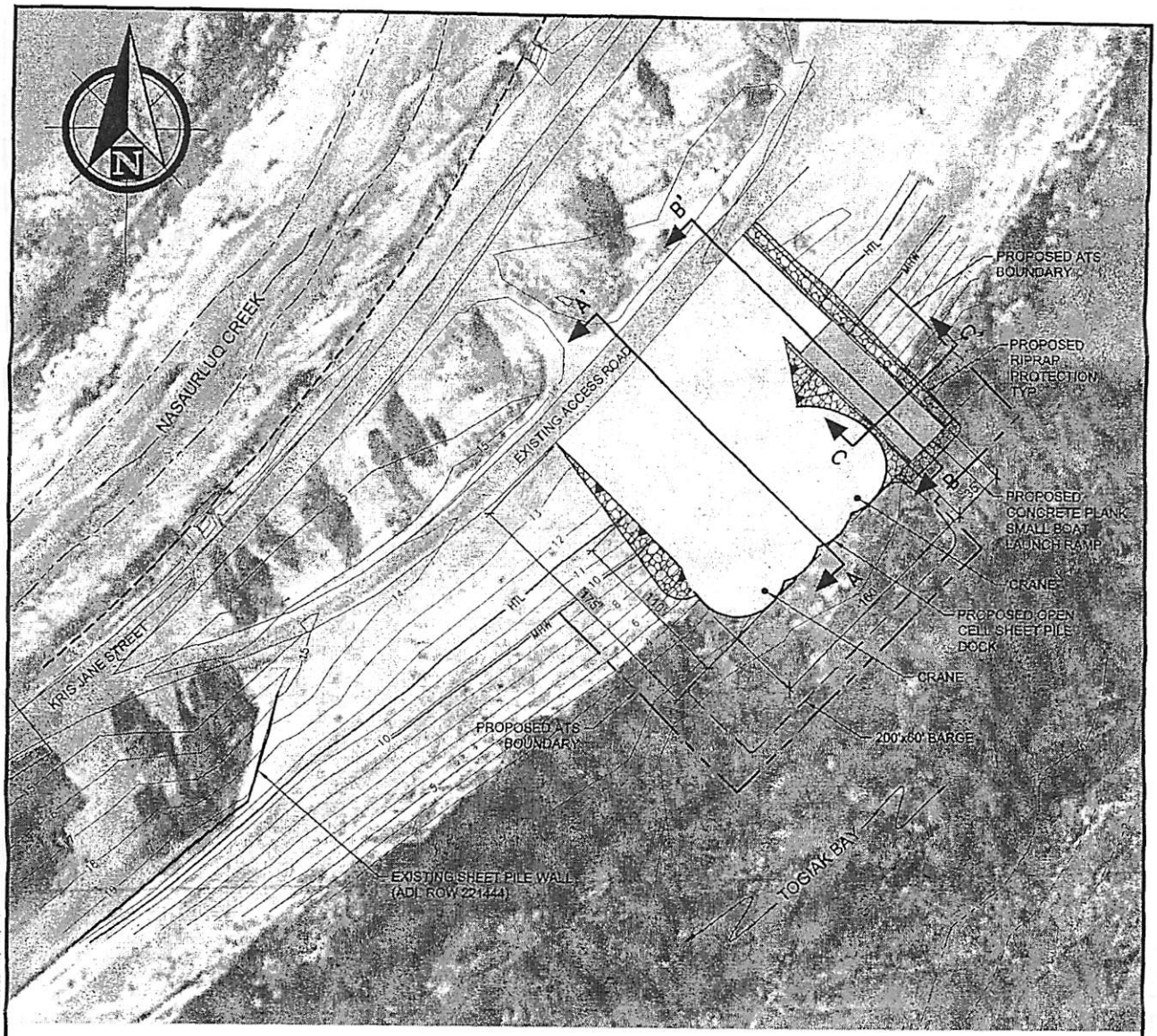
TRADITIONAL COUNCIL OF TOGIAK MULTI PURPOSE DOCK

POA-2011-1083, Togiak Bay

AT: TOGIAK, AK
IN: TOGIAK BAY

1/26/12

J:\2011\111047 Togiak Multi Purpose Dock\Drawings\Permit Drawings\01 Location.dwg, 01, 1/26/2012 10:23:43 AM, kurt, 1:1



SCALE IN FEET

0 50 100 150 200

TIDAL DATA:

HTL..... +11.6
MHW..... +9.8
MLLW..... +0.0

PURPOSE:
TO ALLOW ACCESS FOR BARGES & CREATE A CRANE PLATFORM FOR LOADING

DATUM: MLLW= 0.0

SEC. 12,T13S, R67W, SM

SITE PLAN

TRADITIONAL
COUNCIL OF TOGIAK
PO BOX 310
TOGIAK, AK 99678

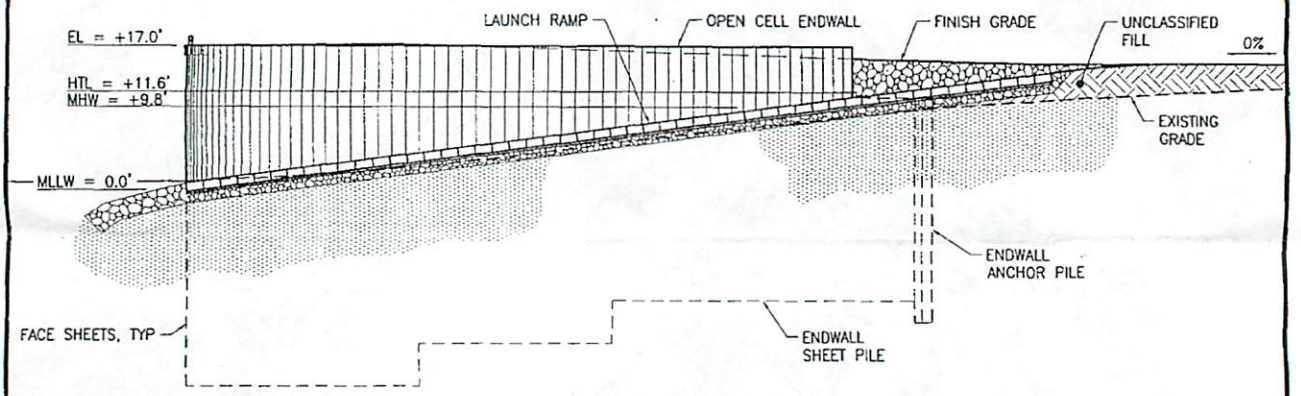
TRADITIONAL COUNCIL OF TOGIAK MULTI PURPOSE DOCK

POA-2011-1083, Togiak Bay

AT: TOGIAK, AK
IN: TOGIAK BAY

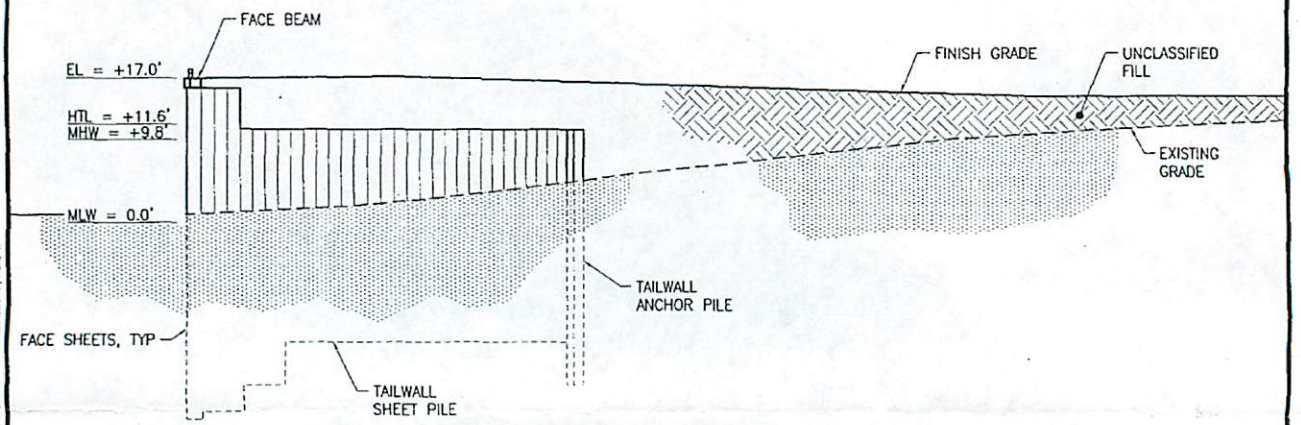
1/26/12 SHEET 2 of 4

J:\2011\1111047 Togiak Multi Purpose Dock\Drawings\Permit Drawings\02 Site Plan.dwg, 02, 1/26/2012 10:23:38 AM, kurt, 1:1



DOCK & RAMP END ELEVATION

NTS



SECTION A-A'

NTS

PURPOSE:
TO ALLOW ACCESS FOR BARGES & CREATE A CRANE PLATFORM FOR LOADING

DATUM: MLLW= 0.0

SEC. 12,T13S, R67W, SM

END ELEVATION & SECTION A-A'

TRADITIONAL
COUNCIL OF TOGIAK
PO BOX 310
TOGIAK, AK 99678

TRADITIONAL COUNCIL OF TOGIAK MULTI PURPOSE DOCK

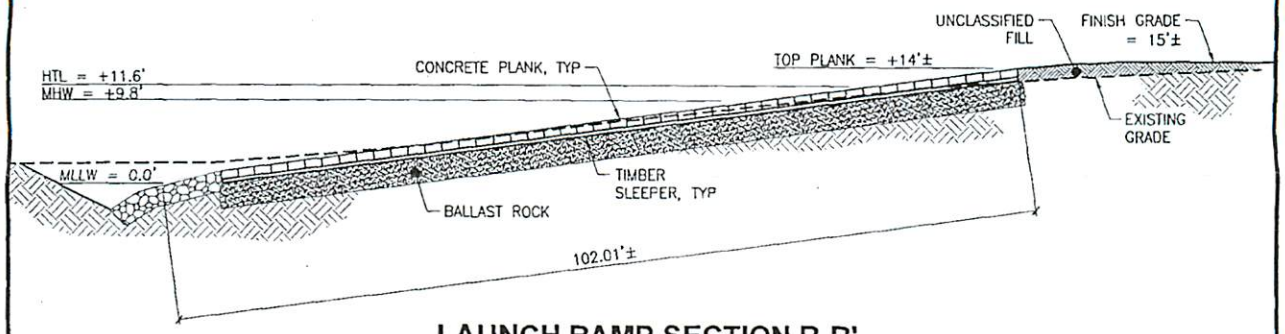
POA-2011-1083, Togiak Bay

AT: TOGIAK, AK
IN: TOGIAK BAY

1/26/12

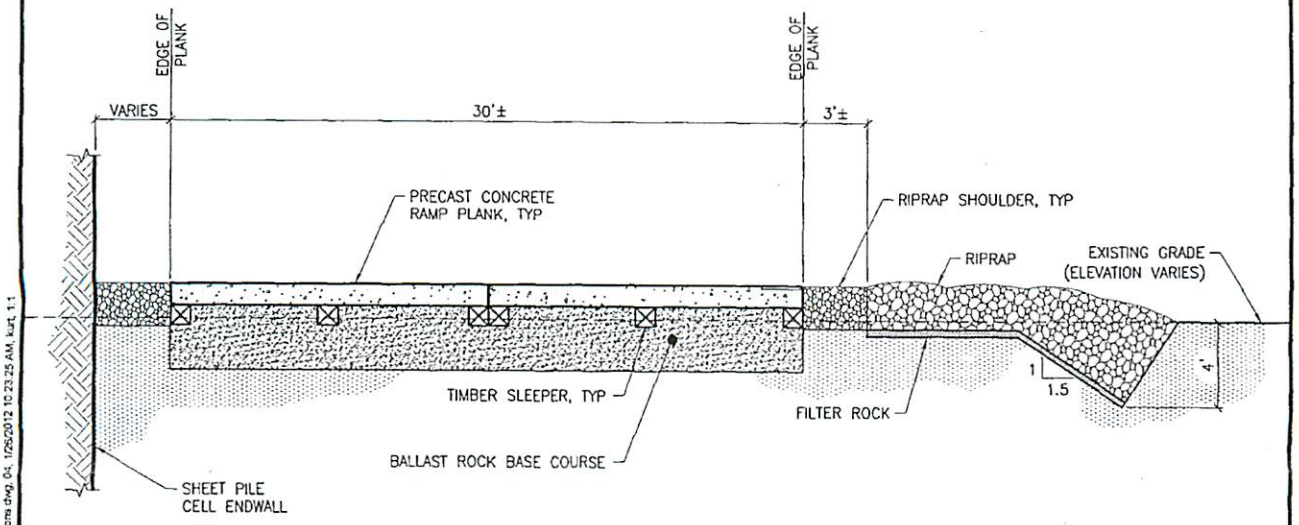
J:\2011\1111047 Togiak Multi Purpose Dock\Drawings\Permit Drawings\03 Dock Plan & Elevation.dwg, 03, 1/26/2012 10:23:32 AM, kurt, 1:1

	GRAVEL FILL (CY)	ARMOR ROCK (CY)	FILTER ROCK (CY)	RAMP CONCRETE (CY)	EXCAVATION (CY)	FOOTPRINT (ACRE)	PROPOSE ATS (SQ FT)
TOTAL	7900	1900	500	200	2100	0.93	45,300
BELOW HTL (11.6)	3600	.1300	400	200	1900	0.6	NA
BELOW MHW (9.8)	2600	900	300	100	1200	0.5	45,300



LAUNCH RAMP SECTION B-B'

NTS



LAUNCH RAMP SECTION C-C'

NTS

PURPOSE:
TO ALLOW ACCESS FOR BARGES & CREATE A CRANE PLATFORM FOR LOADING

DATUM: MLLW= 0.0

SEC. 12,T13S, R67W, SM

LAUNCH RAMP SECTIONS

TRADITIONAL COUNCIL OF TOGIAK
PO BOX 310
TOGIAK, AK 99678

TRADITIONAL COUNCIL OF TOGIAK MULTI PURPOSE DOCK

POA-2011-1083, Togiak Bay

AT: TOGIAK, AK
IN: TOGIAK BAY

1/26/12 SHEET 4 of 4

J:\2011\11047 Togiak Multi Purpose Dock\Drawings\Permit Drawings\04 Launch Ramp Sections.dwg, 04, 1/26/2012 10:23:25 AM, kurt, 1:1

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

REPLY TO
ATTENTION OF:

JAN 30 2012

Regulatory Division
POA-2011-1083

Aurora Courtney
PND Engineers Inc.
1506 W 36th Ave
Anchorage, Alaska, 99503

Dear Ms. Courtney:

We have received your Department of the Army (DA) permit application on behalf of the Traditional Council of Togiak to construct a multipurpose dock and ramp facility. The proposed project is located within Section 12, T. 13 S., R. 67 W., Seward Meridian; USGS Quad Map Goodnews A-4; Latitude 59.0644° N., Longitude 160.3662° W.; at Togiak, Alaska. It has been assigned number POA-2011-1083, Togiak Bay, which should be referred to in all correspondence with us.

Based on our review of the information you provided and available to our office, we have determined that your proposed project would involve work in and placement of dredged and/or fill material into waters of the United States (U.S.) under our regulatory jurisdiction.

This approved jurisdictional determination is valid for a period of five (5) years from the date of this letter, unless new information supporting a revision is provided to us before the expiration date. Enclosed is a Notification of Administrative Appeals Options and Process and Request for Appeal form regarding this approved jurisdictional determination. A copy of the Approved Jurisdictional Determination form is available at www.poa.usace.army.mil/reg/ApprovedJDs.htm under the above file number.

We will soon begin evaluating your application. Periodically, letters from reviewing agencies or interested parties may be forwarded to you for your information or appropriate action.

Section 401(a)(1) of the Clean Water Act requires that you obtain a Certificate of Reasonable Assurance or waiver of certification. This is the responsibility of the Alaska Department of Environmental Conservation (ADEC). We are forwarding a copy of your application to the ADEC, which they will accept as an application for a Certificate of Reasonable Assurance. A fee is charged by the ADEC for the 401 certificate. Fee information can be found online at www.state.ak.us/dec/water/wwdp/online_permitting/individual_permit_fees.htm or by contacting the ADEC at WQM/401 Certification, 555 Cordova Street, Anchorage, Alaska 99501-2617, or by telephone at (907) 269-7564.

Please contact me via email at don.p.kuhle@usace.army.mil, by mail at the address above, by phone at (907) 753-2780, or toll free from within Alaska at (800) 478-2712, if you have questions or to request a paper copy of the jurisdictional determination.

Sincerely,

Don P Kuhle

Don P. Kuhle
Project Manager

Enclosures

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: **Traditional Council of Togiak**	File Number: **POA-2011-1083**	Date: **February 2, 2012**
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of Permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

THIS REQUEST FOR APPEAL FORM MUST BE RECEIVED BY: April 2, 2012

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the District Engineer. Your objections must be received by the District Engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the District Engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or, (c) not modify the permit, having determined that the permit should be issued as previously written. After evaluating your objections, the District Engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer. This form must be received by the Division Engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer. This form must be received by the Division Engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION (JD): You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer. This form must be received by the Division Engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the Preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT		
REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)		
ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record. In order for a Request For Appeal to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the Notice of Appeal Process. It is not necessary to submit a Request For Appeal form to the Division office if you do not object to the decision.		
POINT OF CONTACT FOR QUESTIONS OR INFORMATION:		
If you have questions regarding this decision and/or the appeal process please contact: **Don P. Kuhle, Project Manager** Alaska District Corps of Engineers CEPOA-RD-N P.O. Box 6898 JBER, AK 99506-0898 (907) 753-2780 (800) 478-2712 (toll free in AK)	If you only have questions regarding the appeal process you may also contact: Commander USAED, Pacific Ocean Division ATTN: CEPOD-PDC/Thom Litche Building 525 Fort Shafter, HI 96858-5440 **To submit this form, mail to the address above**	
RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.		
_____ Signature of appellant or agent.	Date:	Telephone number:

Togiak Seafoods

2010 Update

Joe Egemo

Jonathan Forsling

Bristol Bay

Nondalton
Iliamna
Koliganek
Newhalen
Pedro Bay
New Stuyahok
Ekwok
Kokhanok
Igiugig
Alegnigiko
Twin Hills
Togiak
Levelock
Manokotak
Dillingham
Portage Creek
Clark's Point
Ekuk
Naknek
South Naknek
King Salmon
Egegik
Bristol Bay
N
Pilot Point
Ugashik
Kanatak
Port Heiden
Chignik Lagoon
Chignik Lake
Chignik
Ivanof Bay
Perryville

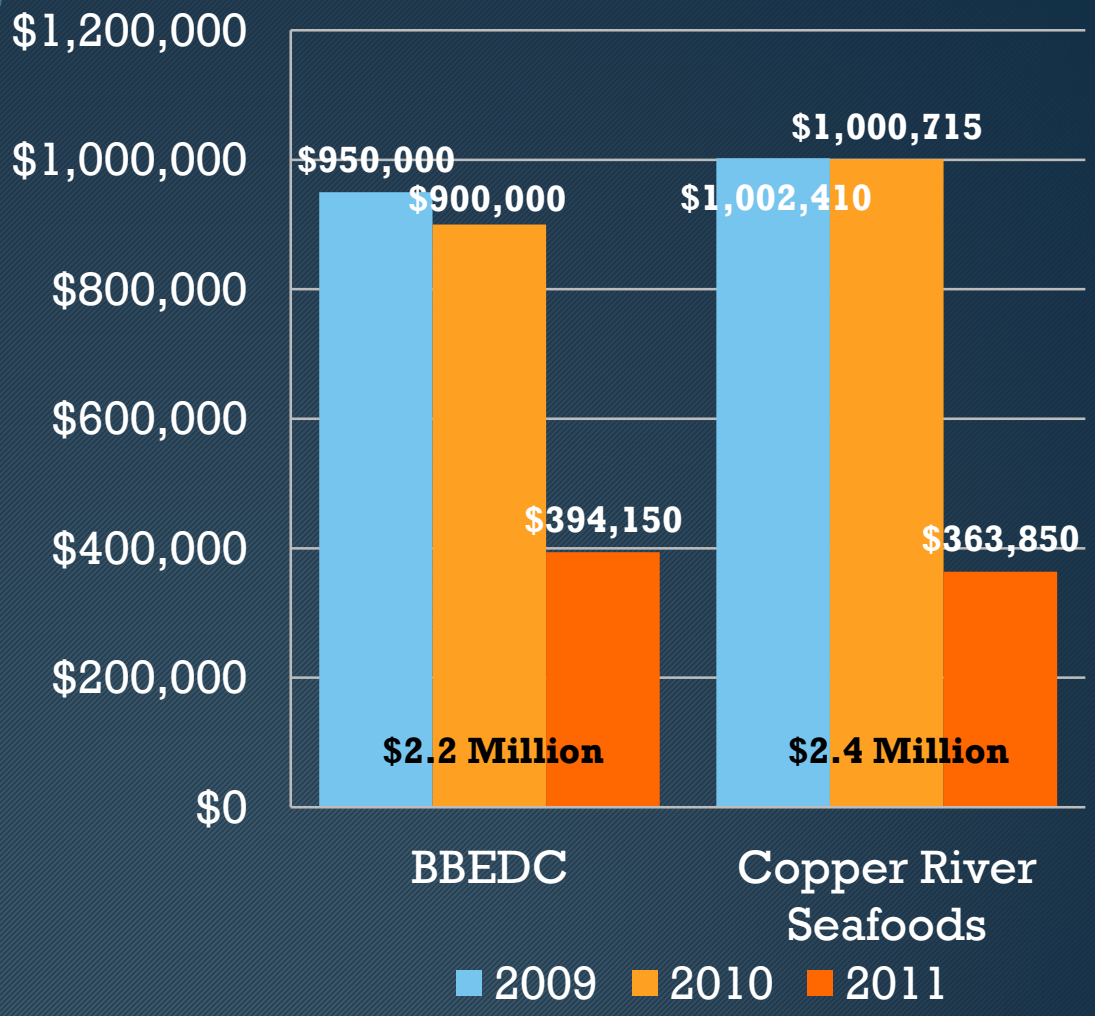
Program Highlights

- Owned 50/50 partnership between the Traditional Council of Togiak and Copper River Seafoods
- Three year business plan
- Copper River Seafoods and the Traditional Council of Togiak are developing the joint venture model

Program Highlights

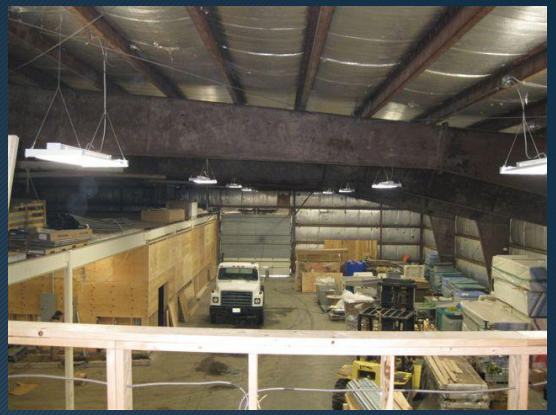
- Enhances regional economic stability
  - Employment opportunities
  - Education and training
  - Local operations and ownership
  - Community empowerment
- Provides social opportunities

Contribution Summary



Infusion of $1.67 Million in the month of July

Facility Improvements



Education

Education Business of Fish

Business of Fish

Togiak, Alaska

June 14th-19th, 2010

»Fish Handling«

»Icing & Bleeding«

BBEDC
BRISTOL BAY ECONOMIC DEVELOPMENT CORPORATION

»Chilling Improvement«

»Fish and Game Regulations«

AMSEA
Alaska Marine Safety Education Association

»Marketing & Economics«

Kodiak College
A CAMPUS of ALASKA ANCHORAGE

»Permit Loan & Brokerage«

»Boat Maintenance«

»Spill Response«

TRADITIONAL COUNCIL OF TOGIAK

»HACCP for Seafood Processing«

COPPER RIVER SEAFOODS
WILD SEAFOOD from ALASKA

»Survival Equipment, Procedures & Onboard Drills«

»CPR & First Aid Certification«

Togiak Seafoods
Togiak Seafoods Processing Facility
(North Eastern Entrance)

Education
Business of Fish

Education/Press

First Alaskans

SCHOOL OF FISH

Company teaches village to care for catch all the way to market.

by Margaret Bauman

Give a man a fish and you feed him for a day.

Teach him how to properly bleed, chill, process and market that fish and you can sustain an entire village for a much longer time.

That's the lesson learned by residents of Togiak, a Yup'ik Eskimo community, in the midst of Togiak National Wildlife Refuge, in Southwest Alaska. Commercial fisheries, after all, are the mainstay of the economy for some 900 Togiak residents.

Togiak Seafoods workers learned a variety of skills during a weeklong series of classes held at the seafood plant, including proper ways to chill, bleed and handle fish, first aid and cardiopulmonary respiration techniques, as shown above. Togiak Traditional Council / Courtesy photos

So when the prospect of improving the market value of their wild Alaska salmon presented itself, in the form of a partnership with nationally renowned Copper River Seafoods, the community jumped at the chance.

The Bristol Bay Times

Seafood course spells opportunity in Togiak

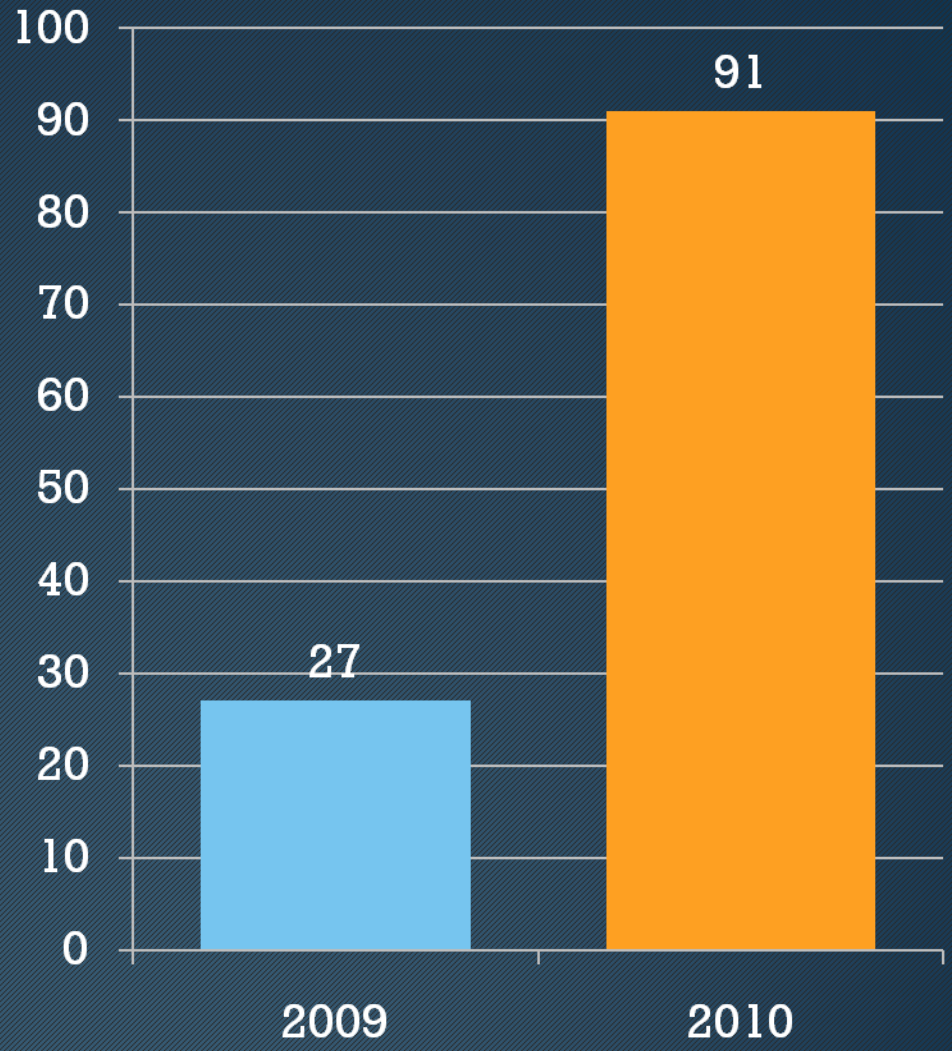
Published on July 7th, 2010

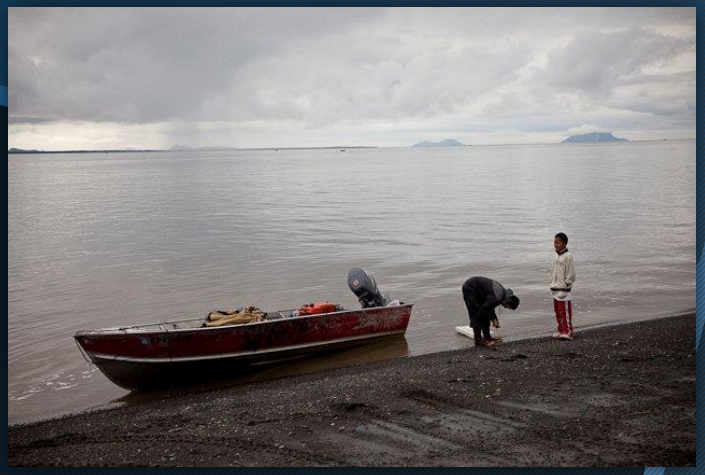
By MARGARET BAUMAN

Sockeye salmon, a staple in the rich subsistence heritage of Togiak's Yup'ik Eskimo culture, is gaining new status in this Southwest Alaska community, where residents are learning how to prepare this nutritious fish for top of the line markets.

'We try to shoot for the impossible, so that one day our fish will sell for the same price as Copper River Seafoods, creating a name for Togiak salmon,' says Jonathan Forsling, administrator for Togiak Traditional Council. 'We are proactively trying to assure we have the highest quality.'

Permitted Fishermen

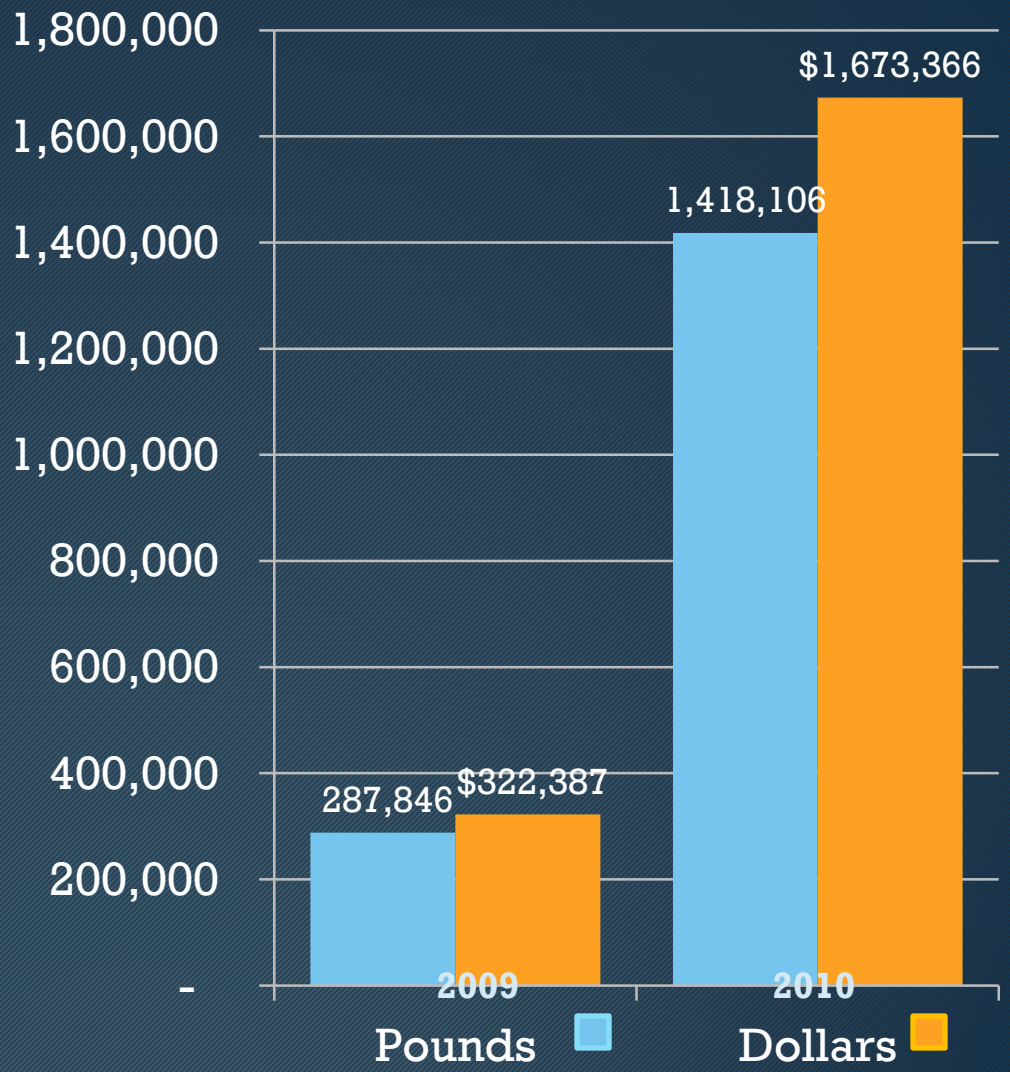




Fish Purchases: Sockeye

2009 Average Price/lb $1.12

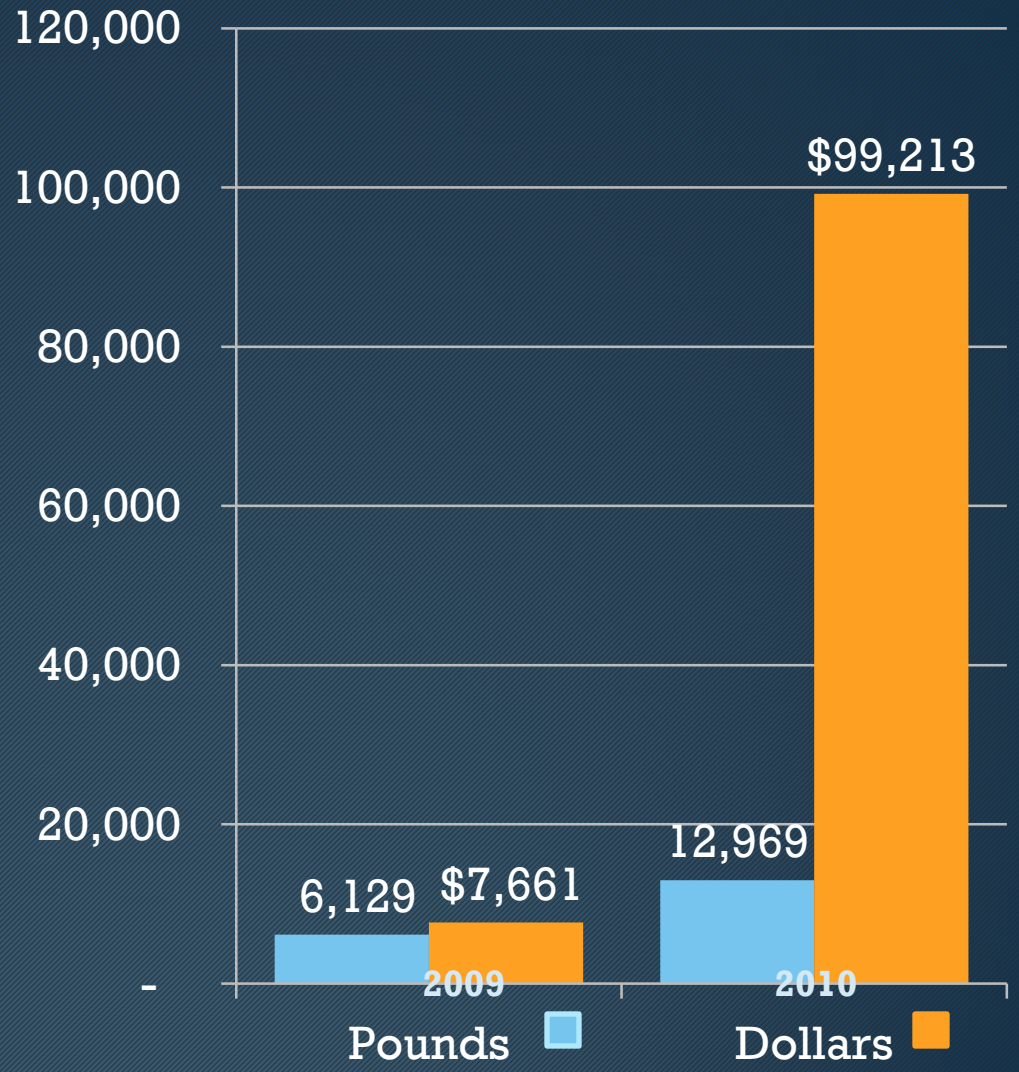
2010 Average Price/lb $1.18

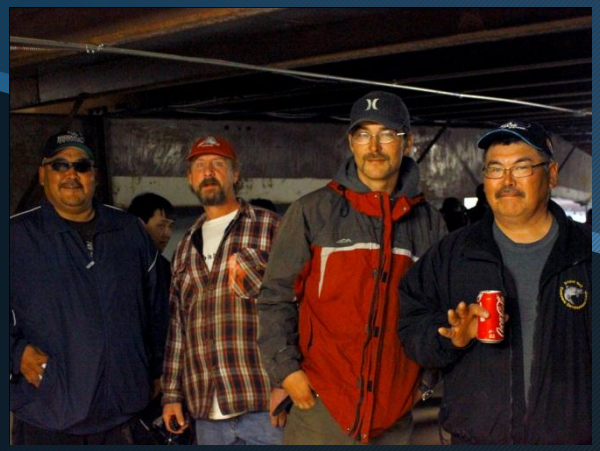


Fish Purchases: Kings

2009 Average Price/lb $1.25

2010 Average Price/lb $2.65

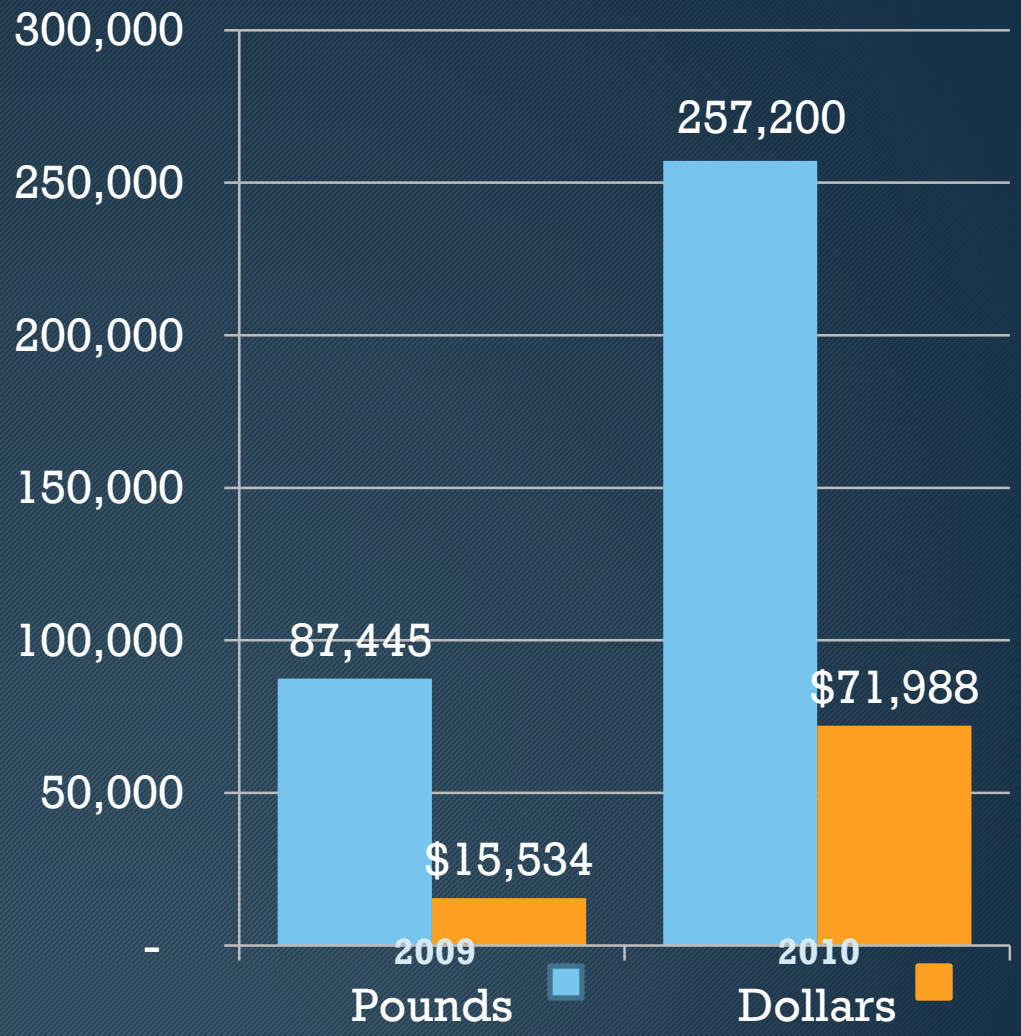




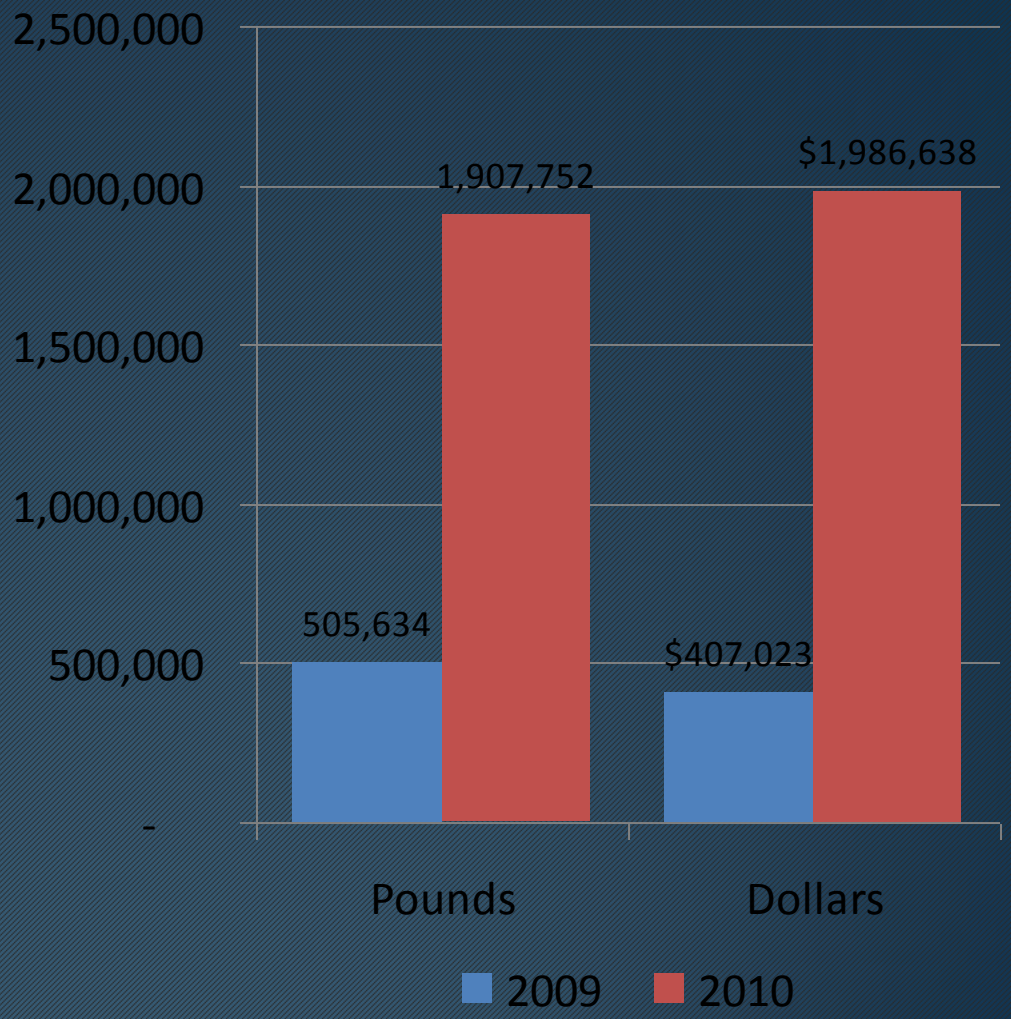
Fish Purchases: Chums

2009 Average Price/lb $0.20

2010 Average Price/lb $0.30



Total Fish Purchases:



TOGIAK SEAFOODS
Yellow Building
Togiak, Alaska

DATE August 7th, 2010

PAY TO THE ORDER OF Togiak Seafoods Fishermen

$1,670,000

One Million Six-Hundred and Seventy Thousand and 00/100 DOLLARS

Joe Egemo

Jonathan Forsling

FOR July Salmon Settlement

2010 Tender Expenses

Tender Contract Fees

$366,550

Tender Fuel

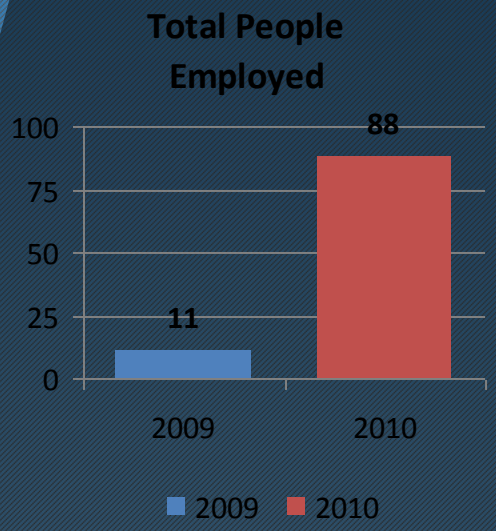
$65,684

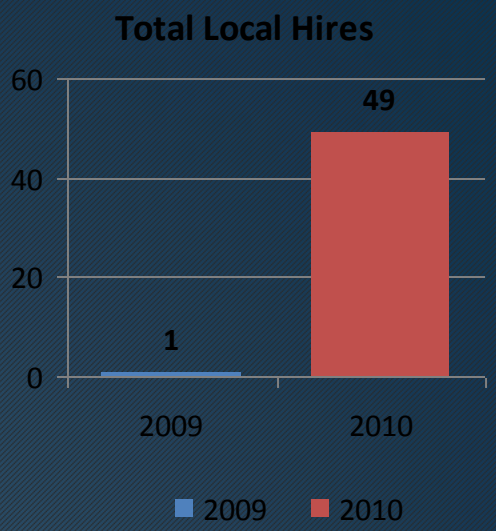
Per Pound Tender Cost

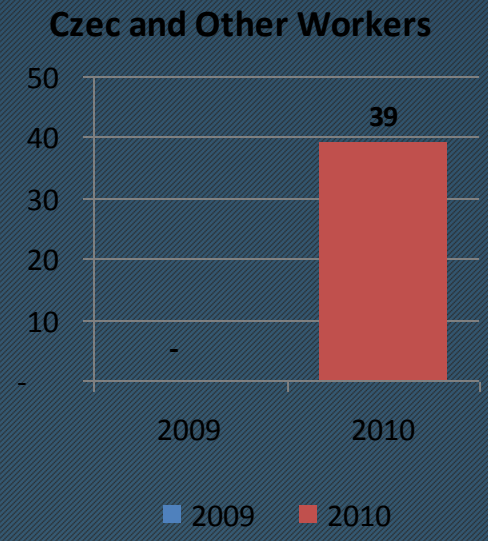
$0.28/lb

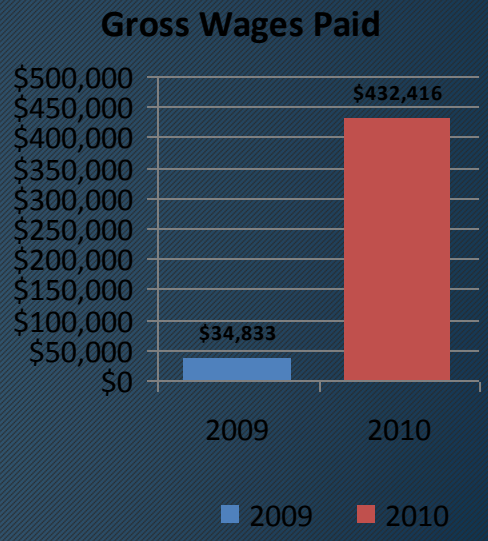
Employees

Employees


Total People Employed
100
75
50
25
0
11
88
2009
2010
2009
2010


Total Local Hires
60
40
20
0
1
49
2009
2010
2009
2010


Czec and Other Workers
50
40
30
20
10
-
-
39
2009
2010
2009
2010


Gross Wages Paid
$500,000
$450,000
$400,000
$350,000
$300,000
$250,000
$200,000
$150,000
$100,000
$50,000
$0
$34,833
$432,416
2009
2010
2009
2010

2010 Processing Statistics

H&G Production

Chum	173,519 lbs
Sockeye	805,657 lbs
King	24,712 lbs
Coho	102,121 lbs
Pink	237 lbs

Fillet Production

Sockeye	202,890 lbs
Coho	15,528 lbs

TUYURYAAM NEQLIURVIA

YUUT IKAYUQLUTENG NEQSURVIAT

A COMMUNITY SUPPORTED FISHERY

Community Involvement

Community Involvement Marketing

TOGIAK SEAFOODS

LOGO DESIGN CONTEST

ENTER AN ORIGINAL LOGO OR LOGO CONCEPT
TO SHOW SUPPORT FOR TOGIAK AND HAVE A CHANCE TO WIN

$500

We are looking for a logo or a concept design that represents the people of Togiak and Togiak Seafoods.

What images are important to you and Togiak's Native community?

Send us a design that shows what makes Togiak special for your chance to win one of these great prizes:

Second Place
A $250 cash prize

Grand Prize
If we choose your design for our new logo, you will win:
A **$500 cash** prize
and the right to identify yourself as the logo designer

Third Place
A $100 cash prize

* If Semi-Finalists are chosen, each will receive $25. See the Contest Schedule for details.

To Help You Get Started:

Which Togiak animals might be good to represent a seafood company?
Would Togiak's landscape make a good logo?
Would the people of Togiak like to see their native art style represented?
Try to draw inspiration from the things you see in Togiak.
Show us which images make Togiak special.
If you are having a hard time getting started, start drawing things you see.
Simplify your drawings so that the logo is easy to understand.

LOGO EXAMPLES:

CONCEPT EXAMPLES:

The Last Day to Enter the Contest is

SEPTEMBER 30, 2010

No Late Entries will be Accepted

HOW DO I ENTER?

For more information, read the Contest Rules, email us at **campus@crsalaska.com** or contact Jonathan Forsling at (907)493-5003 or **apallaaq@yahoo.com**.

We Look Forward to Seeing Your Designs!

Marketing

LUNDS
BYERLY'S
As fresh as it gets!
Alaska's Togiak Salmon
Fresh Wild Togiak Sockeye Salmon Fillets
$9.99/lb.
SAVE $4.00/lb.
A Very Berry Sale!
$3.58
Driscoll's Strawberries
2 lb.
Save $1.40
2/$4.00
Driscoll's Raspberries and Blackberries
6 oz.
Save up to $2.98 on 2
2/$4.00
Fresh Michigan Blueberries
pints
Save $1.98 on 2
LUNDS
BYERLY'S
YOU SAVE
Our Bakery Cinnamon Bread
$3.99
Our Bakery Blueberry Pudding Cake
$5.99
Deli
Daela's Biscuits
$4.49
Woolwich Chèvre
$3.49/lb.
Cibo Cheese Spreads
$4.49
available in store OR LundsandByerlys.com
July 22 - 28, 2010
FEATURED THURSDAY - WEDNESDAY
made in heaven.
Look for thousands of additional SAVE items in our stores and online!
EXTREME value TODAY
our buyer's best
Look for thousands of additional SAVE items throughout the store.
Fresh Wild Togiak Sockeye Salmon Fillets
$9.99/lb.
Dry-Aged Choice Boneless Sirloin Steaks
$9.99/lb.
IBC Sodas
2/$6.00
Our Deli Cherry Chicken Pasta Salad
$5.99/lb.
Minute Maid Juice and Punches
Buy One, Get One FREE
Our Bakery Angel Food Cake
$3.99
available in store OR LundsandByerlys.com
Mixed Sources
FSC

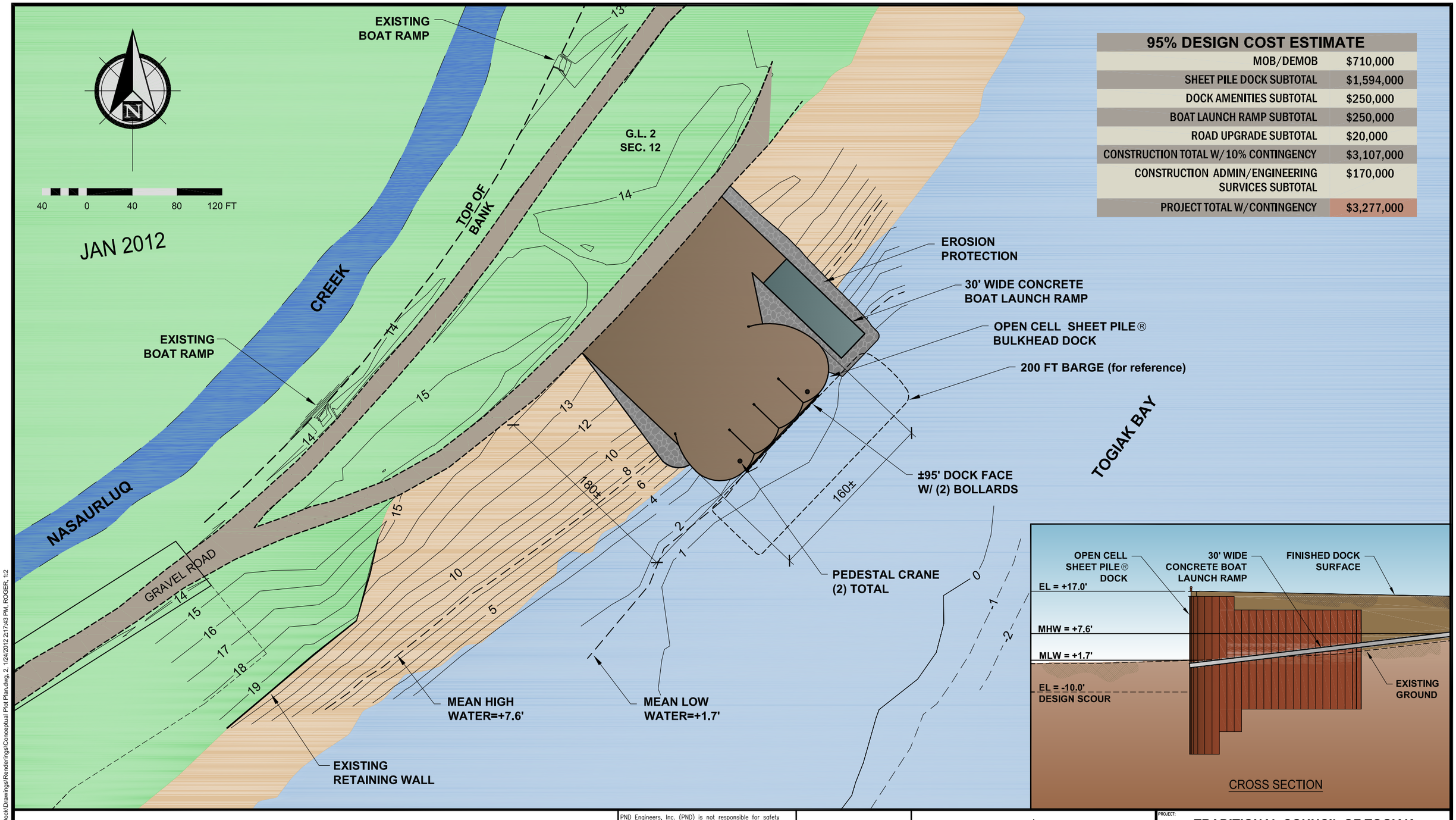
2011

Things to come

- More Community Involvement/Support
- Enhanced Education and Training Opportunities
- High Prices/More Fish
- Ice Production/Infrastructure
- Vertical Integration through Regionalized Collaboration

Togiak Seafoods Thank You's

- BBEDC
- University of Alaska Kodiak
- Alaska Marine Safety Education Association
- Alaska Newspapers
- Copper River Seafoods
- Community of Togiak
- Northern Management
- BBNC



95% DESIGN COST ESTIMATE

MOB/DEMOB	$710,000
SHEET PILE DOCK SUBTOTAL	$1,594,000
DOCK AMENITIES SUBTOTAL	$250,000
BOAT LAUNCH RAMP SUBTOTAL	$250,000
ROAD UPGRADE SUBTOTAL	$20,000
CONSTRUCTION TOTAL W/ 10% CONTINGENCY	$3,107,000
CONSTRUCTION ADMIN/ENGINEERING SURVICES SUBTOTAL	$170,000
PROJECT TOTAL W/ CONTINGENCY	$3,277,000

CROSS SECTION

PND Engineers, Inc. (PND) is not responsible for safety programs, methods or procedures of operation, or the construction of the design shown on these drawings. Where specifications are general or not called out, the specifications shall conform to standards of industry. Drawings are for use on this project only and are not intended for reuse without written approval from PND. Drawings are also not to be used in any manner that would constitute a detriment directly or indirectly to PND.

REV	DATE	DESCRIPTION

DATE: _____

1506 West 36th Avenue
Anchorage, Alaska 99503
Phone: 907.561.1011
Fax: 907.563.4220
www.pndengineers.com

PND ENGINEERS, INC.

PROJECT: **TRADITIONAL COUNCIL OF TOGIAK MULTI PURPOSE DOCK**

TITLE: SITE PLAN

DESIGNED BY:	DDH	DATE:	9/2/11
CHECKED BY:	DST	PROJECT NO:	111047

SHEET NO: 1 OF 1

J:\2011\111047 Togiak Multi Purpose Dock\Drawings\Renderings\Conceptual Plot Plan.dwg, 2, 1/24/2012 2:17:43 PM, ROGER, 1:2

Traditional Council of Togiak
Togiak Natives Limited
City of Togiak
Waterfront Facility Priority and Support
Joint Resolution 12-01

WHEREAS, The Traditional Council of Togiak (TCT) is the governing body for the Federally recognized Tribe of Togiak whose members are predominantly Yupik Eskimo, and

WHEREAS, Togiak Natives Limited, Inc.(TNL), is a corporation created under the Alaska Native Claims Settlement Act (ANCSA), which holds title to the surface rights of substantial property in Togiak, and

WHEREAS, The City Council (City) is the governing body for the City of Togiak, a second class city, which provides city services in Togiak, and

WHEREAS, The TCT, TNL and City have a joint working agreement for the development of Togiak, and

WHEREAS, The TCT, TNL and City recognize that government funding is continually being reduced and cut, and

WHEREAS, The TCT, TNL and City are proactively developing projects that will sustain the community into the future and reduce reliance on diminishing government funding, and

WHEREAS, The TCT, TNL and City lack a local waterfront facility sufficient for the economic development and support needs of Togiak and its governing entities, and

WHEREAS, The TCT, TNL and City recognize that viable docks and harbors are likely more essential to the fabric of life in our Alaska communities than anywhere else in the country, and

WHEREAS, The TCT has started a fifty percent locally owned seafood processing facility that has shared successes throughout the region, that struggles with operations and freight deliveries due to the lack of a local dock, and

WHEREAS, The TNL is developing a new bulk fuel tank farm which could have a fuel header in a new waterfront facility effectively making fuel transfers more efficient and abolishing the dangers of having a barge beached with lines blocking the transportation access for the entire village and presenting a proven hazard to our residents safety, and

WHEREAS, The City has developed a rock quarry sufficient for providing spec gravel and armour rock(rip rap) for projects in Togiak, Bristol Bay and the southwestern region of State of Alaska lacking a dock for loading and export from Togiak, and

NOW, THEREFORE, BE IT RESOLVED, The TCT, TNL and City have projects that are reliant on a practical waterfront facility which would be utilized efficiently to expand the economic opportunities and benefits to Togiak, Bristol Bay and Alaska.

BE IT FURTHER RESOLVED, The TCT, TNL and City agree that the development of a waterfront facility is a priority for the continued growth and economic development towards self sufficiency and sustainability.

BE IT FURTHER RESOLVED, The TCT, TNL and City unanimously support the funding, development and construction of a new waterfront facility in Togiak.

CERTIFICATION:

We, the undersigned Secretary's of the Traditional Council of Togiak, Togiak Natives Limited, and City of Togiak, hereby certify that the foregoing resolution was passed by majority vote at a duly called and noticed meeting this 10th day of February 2012, and that a quorum was present.

Moses Kritz, President
Traditional Council of Togiak

Date: 2/10/12

Signed: Esther Fayer
Esther Fayer, Secretary

Jimmy Coopchiak, President
Togiak Natives Limited

Date: 2/10/12

Signed: Esther Thompson for Margie Coopchiak
Margie Coopchiak, Secretary

James Forbes
James Forbes, Mayor
City of Togiak

Date: 2/10/12

Signed: Margie Coopchiak
Margie Coopchiak, Secretary

BRISTOL BAY HOUSING AUTHORITY

P.O. Box 50 Dillingham, Alaska 99576 Phone (907) 842-5956
Fax (907) 842-2784 TTY Phone (907) 842-6541

February 6, 2012

Traditional Council of Togiak
Po Box 310
Togiak, Alaska 99678

To Whom It May Concern:

Bristol Bay Housing Authority strongly supports the Community of Togiak's development of a waterfront facility. The facility will consist of a sheet pile dock, concrete boat ramp and improvements to the access road and will enhance the economic development opportunities for the community and the region.

Togiak has strived for economic sustainability through proactive economic development. The initial projects of focus were a Rock Quarry with armour rock(Rip Rap) and Togiak Seafoods with fifty percent local ownership. The availability of armour rock in southwest Alaska would help cut development costs for similar projects in this region of Alaska. Togiak Seafoods has made significant improvement to the commercial fishing industry and all of Bristol Bay and has shared in the marketing of Alaskan Salmon in the national and international markets. Togiak Seafoods is the pilot project for the development of local ownership in the fishing industry that proves to be the future of Bristol Bay and Alaska.

The new dock facility will enhance the impact and utilization of the projects mentioned above and other prospected projects. Togiak is in the development stages for a new bulk fuel tank farm, power plant upgrade and possible intertie with neighboring Twin Hills. The project will make gravel sales possible and freight loading and offloading more efficient resulting in less damage from operations on the beach. Togiak Seafoods would have a place to purchase fish from fishermen making a safer commercial fishing industry in Togiak as well as more efficient operations cutting down on logistics costs resulting in more money for the community and fishermen. The new waterfront facility could also incorporate a fuel header to make fuel deliveries safer for the community.

In conclusion, the project will have permanent and lasting positive impacts for the community and all of Bristol Bay. This would be a step towards self sufficiency and sustainability.

Sincerely,

Dave McClure
Executive Director
Bristol Bay Housing Authority

Bristol Bay
Native Corporation *Enriching Our Native Way of Life*
111 West 16th Avenue, Suite 400 / Anchorage, Alaska 99501-5109 / (907) 278-3602 / Fax (907) 276-3924

February 6, 2012

Traditional Council of Togiak
PO Box 310
Togiak, Alaska 99678

To Whom It May Concern:

Bristol Bay Native Corporation strongly supports the Community of Togiak's development of a waterfront facility. The facility will consist of a sheet pile dock, concrete boat ramp and improvements to the access road, and will enhance economic development opportunities for the community and the Bristol Bay region.

Togiak has strived for economic sustainability through proactive economic development. The initial projects of focus were a Rock Quarry with armor rock (Rip-Rap) and Togiak Seafoods with 50 percent local ownership. The availability of armor rock in Southwest Alaska would help cut development costs for similar projects in this region of Alaska. Togiak Seafoods has made significant improvements to the commercial fishing industry and all of Bristol Bay, and has shared in the marketing of Alaskan Salmon in the national and international markets. Togiak Seafoods is the pilot project for the development of local ownership in the fishing industry that proves to be the future of Bristol Bay and Alaska.

The new dock facility will enhance the impact and utilization of the projects mentioned above and other prospected projects. Togiak is in the development stages for a new bulk fuel tank farm, power plant upgrade and possible intertie with neighboring Twin Hills. The project will make gravel sales possible and freight loading and offloading more efficient, resulting in less damage from operations on the beach. Togiak Seafoods would have a place to purchase fish from fishermen, making a safer commercial fishing industry in Togiak, as well as more efficient operations, cutting down on logistics costs resulting in more money for the community and fishermen. The new waterfront facility could also incorporate a fuel header to make fuel deliveries safer for the community.

In conclusion, the project will have permanent and lasting positive impacts for the community and all of Bristol Bay. This would be a step towards self sufficiency and sustainability.

Sincerely,

Jason Metrokin
President & CEO

TOGIAK NATIVES LIMITED

P.O. Box 150
Togiak, Alaska 99678
(907) 493-5520 FAX (907) 493-5554

February 6, 2012

Togiak Natives Limited
Po Box 150
Togiak, Alaska 99678

To Whom It May Concern:

Togiak Natives Limited Corporation strongly supports the Community of Togiak's development of a waterfront facility. The facility will consist of a sheet pile dock, concrete boat ramp and improvements to the access road and will enhance the economic development opportunities for the community and the region.

Togiak has strived for economic sustainability through proactive economic development. The initial projects of focus were a Rock Quarry with armour rock(Rip Rap) and Togiak Seafoods with fifty percent local ownership. The availability of armour rock in southwest Alaska would help cut development costs for similar projects in this region of Alaska. Togiak Seafoods has made significant improvement to the commercial fishing industry and all of Bristol Bay and has shared in the marketing of Alaskan Salmon in the national and international markets. Togiak Seafoods is the pilot project for the development of local ownership in the fishing industry that proves to be the future of Bristol Bay and Alaska.

The new dock facility will enhance the impact and utilization of the projects mentioned above and other prospected projects. Togiak is in the development stages for a new bulk fuel tank farm, power plant upgrade and possible intertie with neighboring Twin Hills. The project will make gravel sales possible and freight loading and offloading more efficient resulting in less damage from operations on the beach. Togiak Seafoods would have a place to purchase fish from fishermen making a safer commercial fishing industry in Togiak as well as more efficient operations cutting down on logistics costs resulting in more money for the community and fishermen. The new waterfront facility could also incorporate a fuel header to make fuel deliveries safer for the community.

In conclusion, the project will have permanent and lasting positive impacts for the community and all of Bristol Bay. This would be a step towards self sufficiency and sustainability.

Sincerely, President

Bristol Bay Economic Development Corporation
P.O. Box 1464 • Dillingham, Alaska 99576 • (907) 842-4370 • Fax (907) 842-4336 • 1-800-478-4370

BBEDC

Traditional Council of Togiak
Po Box 310
Togiak, Alaska 99678

February 7, 2012

To Whom It May Concern:

Bristol Bay Economic Development Corporation strongly supports the Community of Togiak's development of a waterfront facility. The project will include a facility that will consist of a sheet pile dock, concrete boat ramp and improvements to the access road. The new dock facilities are an essential component for the entire community and will enhance the economic development opportunities for the community and the region.

Togiak has strived for economic sustainability through proactive economic development such as the development of a rock quarry and Togiak Seafoods with fifty percent local ownership. The availability of armor rock from the quarry will help reduce development costs for similar projects in this region of Alaska. Togiak Seafoods has made significant improvement to the commercial fishing industry and all of Bristol Bay and has shared in the marketing of Alaskan Salmon in the national and international markets. Togiak Seafoods is the pilot project for the development of local ownership in the fishing industry that proves to be the future of Bristol Bay and Alaska.

The new dock facility will enhance the impact and utilization of the projects mentioned above and other prospected projects. Togiak is in the development stages for a new bulk fuel tank farm, power plant upgrade and possible intertie with neighboring Twin Hills. The project will make gravel sales possible and freight loading and offloading more efficient resulting in less damage from operations on the beach. Togiak Seafoods would have a place to purchase fish from fishermen making a safer commercial fishing industry in Togiak as well as more efficient operations cutting down on logistics costs resulting in more money for the community and fishermen. The new waterfront facility could also incorporate a fuel header to make fuel deliveries safer for the community.

In conclusion, the project will have permanent and lasting positive impacts for the community and all of Bristol Bay. This would be a step towards self sufficiency and sustainability for the community of Togiak.

Sincerely,

H. Robin Samuelsen Jr.
President/CEO