

Table 7: Summary of Potential Permits, Consultations, or Activities Requiring Review or Approval from Federal and State Agencies

Responsible Agency	Permits, Consultations, and Activities	Authority
1) State of Alaska Department of Fish and Game	Title 16 Fish Habitat Permit	<i>Fishway Act: AS 16.05.841 - .861, Fish Passage: Anadromous Fish Act: AS 16.05.871 - .901, Anadromous Fishes</i>
2) State of Alaska Department of Natural Resources (DNR)	Temporary Water Use/Water Rights	<i>AS 46.15; 11 AAC 93</i>
3) DNR	Right-of-Way Permit	<i>AS 38.35.050; AS 38.05.550-565</i>
4) DNR	Material Sales Permit	<i>AS 38.05.810(a)</i>
5) All Federal Agencies	Destruction or modifications of wetlands (Wetlands Protection Considerations)	<i>Executive Order 11990 (Protection of Wetlands) May 24, 1977</i>
6) All Federal Agencies	Essential Fish Habitat (EFH)	<i>Magnuson-Stevens Fishery Conservation and Management Act of 1976</i>
7) All Federal Agencies	Actions causing disproportionately high and adverse human health or environmental effects on minority or low-income populations	<i>Executive Order 12898 (Environmental Justice)</i>
8) All Federal Agencies	Actions that cause occupancy and modification of floodplains	<i>Executive Order 11988: Floodplain Management</i>
9) State of Alaska Department of Environmental Conservation (DEC)	Wastewater discharges to waterways via stormwater	<i>Section 402, Federal Water Pollution Control Act of 1972 (Clean Water Act) (33 USC 1251)</i>
10) DEC	State of Alaska 401 Certification	<i>Pursuant to Section 401 of the Clean Water Act</i>
11) DEC	Wastewater discharge into all waters of the state (Wastewater Disposal Permit)	<i>AS 46.03.020, .100, .110, 18 AAC 15, 70, and 72.010</i>
12) United States Department of the Interior (DOI)	Conversion of property purchased or improved with funds from the Land and Water Conservation Fund	<i>Section 6(f), Land and Water Conservation Fund Act of 1965 (36 CFR 59)</i>
13) DOI and official(s) with jurisdiction over the Section 4(f) reserves	Development possibly affecting publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites	<i>Section 4(f) of the Department of Transportation Act of 1966 (49 USC 1653(f))</i>
14) DOI and U.S. Fish and Wildlife Services (USFWS)	Actions that could adversely affect threatened and endangered species or their critical habitat	<i>Endangered Species Act of 1973 (16 USC 1531)</i>
15) DOI and USFWS	Actions that could cause takes of protected birds	<i>Migratory Bird Treaty Act (16 USC 703-711); Bald and Golden Eagle Protection Acts (16 USC 668-668d) and Executive Order 13186</i>
16) National Park Service (NPS) and DOI	Application for Transportation and Utility Systems and Facilities on Federal Lands (SF-299)	<i>Alaska National Interest Lands Conservation Act (ANILCA) Section 201</i>
17) NPS and DOI	Wild and Scenic River Section 7(a) evaluation	<i>Wild and Scenic Rivers Act (Public Law 90-542; U.S.C. 12371 et seq.)</i>
18) NPS	Wetland Statement of Findings	<i>NPS Director's Order #77-1</i>
19) NPS	Floodplain Statement of Findings	<i>NPS Director's Order #77-2</i>
20) State of Alaska Office of History and Archaeology	Development possibly affecting historic or archaeological sites	<i>NHPA of 1966, as amended (16 USC 470); AS 41.35.010 -240, Alaska Historic Preservation Act</i>
21) Advisory Council on Historic Preservation	Development possibly affecting historical or archaeological sites (Review and Comment)	<i>National Historic Preservation Act (NHPA) of 1966, as amended (16 USC 470)</i>
22) U.S. Army Corps of Engineers (USACE)	Discharge of dredged or fill material into U.S. waters, including wetlands (USACE permit)	<i>Section 404, Federal Water Pollution Control Act of 1972, as amended in 1977 (Clean Water Act) (33 USC 1344)</i>
23) USACE	Construction in or over any navigable water, or the excavation or discharge of material into such water, or the accomplishment of any other work affecting the course, location, condition, or capacity of such waters	<i>Section 10 of the Rivers and Harbors Act of 1899</i>
24) U.S. Coast Guard	Development of a bridge or causeway over any navigable river or navigable water of the U.S.	<i>Section 10 of the Rivers and Harbors Act of 1899, as defined in 33 CFR 329</i>
25) Northwest Arctic Borough	Land use permit	<i>Title 9 of Home Rule Charter of the Northwest Arctic Borough</i>
26) Bureau of Land Management	Application for Transportation and Utility Systems and Facilities on Federal Lands (SF-299)	<i>ANILCA Title XI</i>