



July 24, 2025

U.S. Army Corps of Engineers
Alaska District Regulatory Division
CEPOA-RD
P.O. Box 6898
JBER, AK 99506-0898
Email: regpagemaster@usace.army.mil

RE: POA-2022-00165 – AIDEA West Susitna Access Project – Department of the Army
Individual Permit Application Submittal

Dear USACE,

The Alaska Industrial Development and Export Authority (AIDEA) is applying for a Department of the Army (DA) Individual Permit to conduct work within federal jurisdictional wetlands under Section 404 of the Clean Water Act (CWA) of 1972 (as amended and recently limited by the 2023 *Sackett v. Environmental Protection Agency*, decision of the United States Supreme Court) for the proposed AIDEA West Susitna Access Project.

AIDEA's West Susitna Access Project involves the construction of a roughly 78.5-mile access road beginning approximately 1.4 miles west of Alexander Creek and running to the Whiskey-Bravo airstrip. The route will traverse the northern side of the Skwentna River before crossing over to the southern side, ending at the existing airstrip and exploration camp. The road will provide year-round public access to currently remote State public lands, private lands within the Matanuska-Susitna Borough (MSB) and areas planned for resource development. The State of Alaska has a right to access and use its lands (which are held for the benefit of all Alaskans) that was guaranteed by Congress as part of the Statehood Act.

AIDEA designed the project to avoid impacts to federal jurisdictional wetlands and waters of the United States (WOTUS). As AIDEA applies the limiting rules set out by the United States Supreme Court's 2023 *Sackett v. Environmental Protection Agency*, 598 U.S. 651 (2023), the project will only result in the placement of fill in roughly 3 acres of federal jurisdictional wetlands.

AIDEA also notes that *Sackett* emphasized Congress's preservation of States' primary and traditional role and responsibility "to plan the development and use ... of [the State's] land and water resources," *Sackett*, 598 U.S. at 679–80 (citing 33 U.S.C. § 1251(b) of the Clean Water Act). AIDEA is a subdivision of the State of Alaska with a statutory mission to create jobs and economic development for the benefit of the health and welfare of Alaskans and their families. AS 44.88.010-.020.

In support of AIDEA's jurisdictional determination, AIDEA is providing the enclosed West Susitna Access Jurisdictional Determination Report. AIDEA has evaluated jurisdiction of wetlands and other waters under Section 404 of the CWA consistent with the Supreme Court's

decision in *Sackett v. EPA*¹ and recent post-*Sackett* lower court rulings.² The *Sackett* decision and subsequent rulings confirm that a nonaquatic surface connection is not sufficient for USACE to assert jurisdiction, but that a wetland must be “indistinguishable” to an abutting covered waterbody so that it is difficult to determine where the ‘water’ ends and the ‘wetland’ begins. AIDEA has used the *Sackett* and progeny definitions in this permit submission. C.f., <https://www.epa.gov/system/files/documents/2025-03/2025cscguidance.pdf>, page 5.

This submittal is provided in electronic format and includes the following information:

- DA Permit Application Form
- Project Description, including Mitigation Statement and:
 - Appendix A: Figure Set
 - Appendix B: Avoidance and Minimization Table and Map Set
 - Appendix C: Culvert Impacts Table
 - Appendix D: Land Ownership Table and Map Set
- West Susitna Access Project Jurisdictional Determination Report

Also, pursuant to Executive Order 14153, the Governor of Alaska is requesting that the Assistant Secretary of the Army for Civil Works render “all assistance” required to obtain the necessary approvals for this project. Governor Dunleavy has also requested that this project be deemed a “priority project” and placed on an expedited permitting schedule pursuant to Executive Order 14241. Additionally, the Governor has requested designation for emergency approval pursuant to section two of Executive Order 14156. In short, this project is important to Alaska, the Nation, and the future of the Nation’s energy dominance and national security.

We look forward to working with you on this important infrastructure project for Alaska. If you have any questions or need additional information, please contact Jeff San Juan via phone (907-771-3066) or email (jsanjuan@aidea.org). We look forward to working with you on this project.

Sincerely,



Randy Ruaro
Executive Director

¹ 598 U.S. 651 (2023)

² *Lewis v. United States*; *The Glynn Environmental Coalition, Inc. v. Sea Island Acquisition, LLC*; *Marvin Ragsdale v. JLM Construction Services, Inc.*; *United States v. Chameleon, LLC*; *United States v. Ace Black Ranches, LLC*; and *United States v. Sharf*.

U.S. Army Corps of Engineers (USACE)
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
For use of this form, see 33 CFR 325. The proponent agency is CECW-COR.

Form Approved -
OMB No. 0710-0003
Expires: 2027-10-31

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://dpcl.d.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
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Jeff Middle - Last - San Juan Company - Alaska Industrial Development and Export Authority E-mail Address - jsanjuan@aidea.org	8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Middle - Last - Company - E-mail Address -
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6. APPLICANT'S ADDRESS: Address- 813 West Northern Lights Blvd. City - Anchorage State - AK Zip - 99503 Country - USA	9. AGENT'S ADDRESS: Address- City - State - Zip - Country -
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7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax (907) 771-3066	10. AGENTS PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax
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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.

SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)
AIDEA West Susitna Access Project

13. NAME OF WATERBODY, IF KNOWN (if applicable)
Skwentna River

15. LOCATION OF PROJECT

Latitude: °N 61.898455 Longitude: °W -151.514055

14. PROJECT STREET ADDRESS (if applicable)
Address

City - State - Zip -

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

State Tax Parcel ID Municipality

Section - See Project Descrip. Township - Range -

17. DIRECTIONS TO THE SITE

The start of the project is at lat/long coordinates 61.552897/-150.673167, which is approximately 1.4 miles west of Alexander Creek. This location coincides with the west terminus of the proposed DOT&PF West Susitna Access project.

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

The West Susitna Access Project would construct a 78.5-mile-long access road from lands west of Alexander Creek to the Skwentna River Valley. The proposed road would begin approximately 1.4 miles west of Alexander Creek and end at the Whiskey Bravo airstrip and mineral exploration camp.

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

The purpose of the project is to provide safe, year-round road access from the existing highway system to currently remote State public lands, private lands within the MSB, and areas planned for resource development. A year-round road will significantly improve the safety, reliability, and accessibility of the area west of the Susitna River for public use for fishing, hunting, boating, recreation, and settlement; and commercial use of designated resource development areas in the Fish Creek NRMU and western Skwentna River watersheds. See the Project Description for additional information.

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

20. Reason(s) for Discharge

Fill would be discharged into freshwater wetlands and waters to provide structural fill for the construction of a road and associated facilities. See the Project Description for additional information.

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

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
Total Fill - 35,079 cy	See Project Description for additional information.	

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

Acres Jurisdictional Waters - 2.89 acres, Jurisdictional Wetlands - 0.29 acre, Total Surface Area Impact to WOTUS - 3.18 acres
or
Linear Feet

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

See the attached Project Description (Section 10 and Appendix B) for a description of the avoidance, minimization, and compensation.

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

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- See attached Project Description (Appendix D) for a list of adjoining property owners within 5 miles of the proposed project.

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
See					
Project Description					
Section 9.0					

* 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.

 2025-07-24
SIGNATURE OF APPLICANT DATE SIGNATURE OF AGENT 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.