



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE  
Regulatory Division (1145)  
CEPOA-RD  
2175 University Avenue, Suite 201E  
Fairbanks, Alaska 99709-4927

<b>PUBLIC NOTICE DATE:</b>	<b>December 12, 2014</b>
<b>EXPIRATION DATE:</b>	<b>January 10, 2014</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2014-509</b>
<b>WATERWAY:</b>	<b>Togiak River</b>

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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 Melissa Riordan at (907) 474-2166, by fax at (907) 474-2164, or by email at [melissa.c.riordan@usace.army.mil](mailto:melissa.c.riordan@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** John Sharp, Twin Hills Village, P.O. Box TWA, Twin Hills, Alaska 99576

**AGENT:** Dave Cramer, Summit Consulting Services, Inc., HC 72 Box 850, Tok, Alaska 99780

**LOCATION:** The project site is located within Section 16, T. 13 S., R. 66 W., Steward Meridian; USGS Quad Map Goodnews Bay A-4; Latitude 59.0478° N., Longitude 160.2848° W.; 1.30 miles south of Twin Hills, Alaska.

**PURPOSE:** The applicant's stated purpose is to construct a Class III Landfill for the Village of Twin Hills, Alaska.

**PROPOSED WORK:** To discharge approximately 31,000 cubic yards of fill material into 3.1 acres of wetlands to construct landfill for the Village of Twin Hills. The construction of the land fill would include an access road, berms, and landfill use area. The proposed access road, berms and landfill use area, (1.15 acres), would be constructed next year, with the landfill boundary area, (5.03 acres including upland and wetland areas), eventually filled over the next 20 years or more. All work would be performed in accordance with the attached plan, Sheets 5 – 7, dated August 12, 2014 along with the enclosed Project Narrative, Sheets 1-4, dated August 12, 2014

**APPLICANT PROPOSED MITIGATION:** The applicant proposed mitigation statement to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of fill material is presented on Sheet 4 of 7.

**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, (see applicant's Project Narrative, Sheet 2 of 7). There are no listed or eligible properties in the vicinity of the worksite. Based on the cultural resource investigations presented in the applicant's narrative, the Corps of Engineers is unaware of the presence of cultural resources within the project area. 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:** No threatened or endangered species are known to use the project area based on the applicant's consultation with U.S. Fish & Wildlife Service (USFWS), (see applicant's enclosed Project Narrative, Sheet 2 of 7).

Based on the information provided by the applicant, we have determined the described activity would have no effect on any listed or proposed threatened or endangered species, and would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service is required. However, 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).

No EFH species are within the project area; therefore we have determined the described activity would not adversely affect EFH in the project area.

**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 authority:

(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

# STATE OF ALASKA

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

## **ANCHORAGE**

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-2014-509, Togiak River,** 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.

✓ Tok Office  
HC 72 Box 850  
Tok, AK 99780

Anchorage Office  
4500 Business Park Blvd, Ste. C-10  
Anchorage, AK 99503

Fairbanks Office  
3745 Geist Road, Suite B,  
Fairbanks, Alaska 99709

# SUMMIT

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September 19, 2014

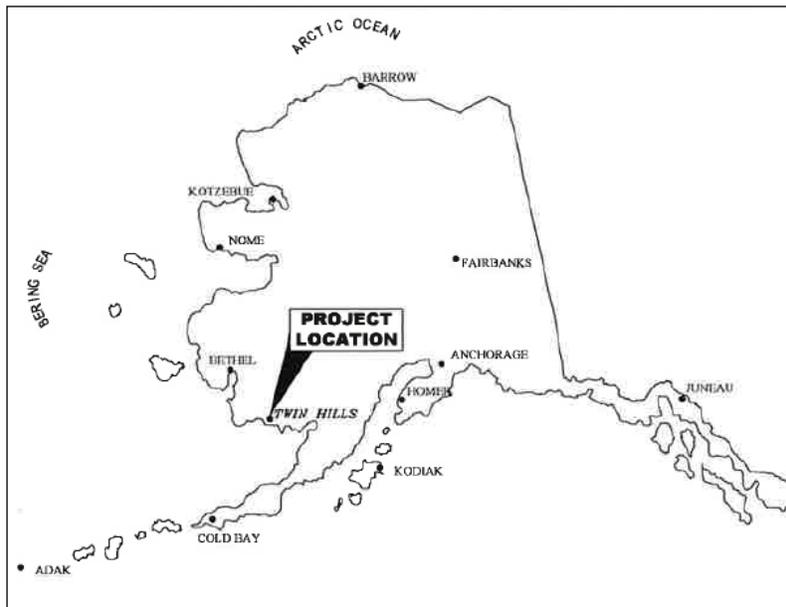
Alaska Army Corps of Engineers  
Regulatory Branch  
PO BOX 6898  
Elmendorf AFB, AK 99506

## Twin Hills Landfill Project Description Narrative

### *Introduction*

Summit Consulting Services, Inc. (Summit) on behalf of the Twin Hills Village Council, funded through the Bristol Bay Economic Development Corporation, is managing the design of the Landfill Relocation Project in Twin Hills, Alaska.

Twin Hills is located near the mouth of the Twin Hills River, a tributary of the Togiak River, 386 miles southwest of Anchorage. Its latitude is 57°4'41"N and its longitude is 160°17'4"W. It is located at Township 13 South, Range 66, Seward Meridian, Alaska. It is a traditional Yup'ik Eskimo village with a fishing and subsistence lifestyle. The 2010 population was 74. The projected twenty year population is 97.



### *Project Description*

Construction of a new 1.15 acre landfill located approximately 1.3 miles south of Twin Hills. The total project boundary will cover 5.03 acres, which will allow for future landfill expansion if

August 2014

Twin Hills Village Council, POA-2014-509  
Waterway: Togiak River, Project Narrative  
Sheet 1 of 7 Date: August 12, 2014

necessary. A total of 2.75 acres of the footprint is considered wetlands and 2.28 acres is considered uplands (Please refer to Wetland Delineation Report attachment). Geofabric will be laid down over the tundra vegetation and staked down before road and pad material is brought in. Excavated or imported materials are required for the road, pad and berm material. Berms will be built to a height of 10 feet along the edges of the landfill using 7,500 cubic yards of unfrozen, coarse grained material. In areas where brush and small trees are present, they will be cut off at ground level leaving their roots in place.

**Timeline**

Full funding for this project has not yet been obtained; however, construction is tentatively scheduled for the spring of 2015. This will be a one season project to be completed by the fall of 2015.

**Purpose and Need of Project**

The current landfill in Twin Hills is located 500 feet from residential homes, ¼ mile from the airport and next to a lake. It is a Class III landfill that was never permitted with the State of Alaska. The landfill is at capacity and unable to accept waste with the projected increase in population over the next 20 years, it no longer fits the needs of the growing community. The proposed landfill is larger and will be located farther away from the community.

The city also has in place a burn box that is used to dispose of burnable trash. This helps to reduce the amount of trash going into the landfill.

**Archaeology**

In preparation for construction, Summit has requested Northern Land Use Research, Inc (NLUR) to perform a desktop archaeological assessment of the 5 acre landfill site. NLUR has reviewed available literature, project files, photographs, and other relevant sources as well as searched the Alaska Heritage Resources Survey (AHRS) for information on the project site. Their goal was to identify any known archaeological sites in the immediate vicinity as well as assess the probability of finding new sites in the project area. Their assessment revealed that there are no known AHRS sites located on or near the property. The final assessment will be submitted to the Alaska State Historic Preservation Office.

**Current Permitting**

Summit is working on obtaining additional permitting for this project. Additional permits include:

<b>Agency</b>	<b>Type of Permit</b>	<b>Date Submitted and/or Issued</b>	<b>Comments</b>
Federal Aviation Administration	FAA Review	Submitted: 6/30/2014 Issued: 7/8/2014	Approved, Aeronautical Study Number 2014-AAL-214-OE
Alaska Department of Environmental Conservation	NOI/ Construction General Permit/SWPPP		In Progress
Alaska Department of Environmental	State of Alaska Class III Landfill Permit/Approval to		In Progress

Conservation	Construct		
State Historic Preservation Office	NLUR Archaeological Review will be sent to SHPO	Received from NLUR: 7/2/2014	Low potential to impact historic properties, did not recommend further investigation or mitigation
US Department of Fish & Wildlife	Endangered Species Review	IPaC Consultation: 7/14/2014	Utilized IPaC Consultation System. No listed species or critical habitats in project area. Per USFWS, no further action required.
Alaska Department of Environmental Conservation	Section 401(c)		

Thank you for reviewing this project. Please feel free to contact me at 907-291-2339 or via email at Afinkenscs@aol.com if you have any comments or questions.

Regards,



Abbey Finken  
Summit Consulting Services, Inc.

Attachments: Application for the Department of the Army Permit  
 FAA Approval - 2014-AAL-214-OE  
 NLUR Archaeological Review  
 USFWS IPaC Consultation  
 Wetland Delineation Report & Data Forms  
 Wetland Mitigation Statement

**Twin Hills Landfill Project**  
**Applicant Proposed Mitigation Statements**

*1. Avoidance of impacts to waters of the U.S., including wetlands:*

Avoidance of impacts to waters of the U.S. and wetlands will be accomplished by leaving most of the existing tundra vegetation in place and laying geofabric on top as the base of the landfill and placing the landfill at least 150 feet away from open water areas. Other avoidance options are not feasible in this area because of the extensive amount of wetlands in this area.

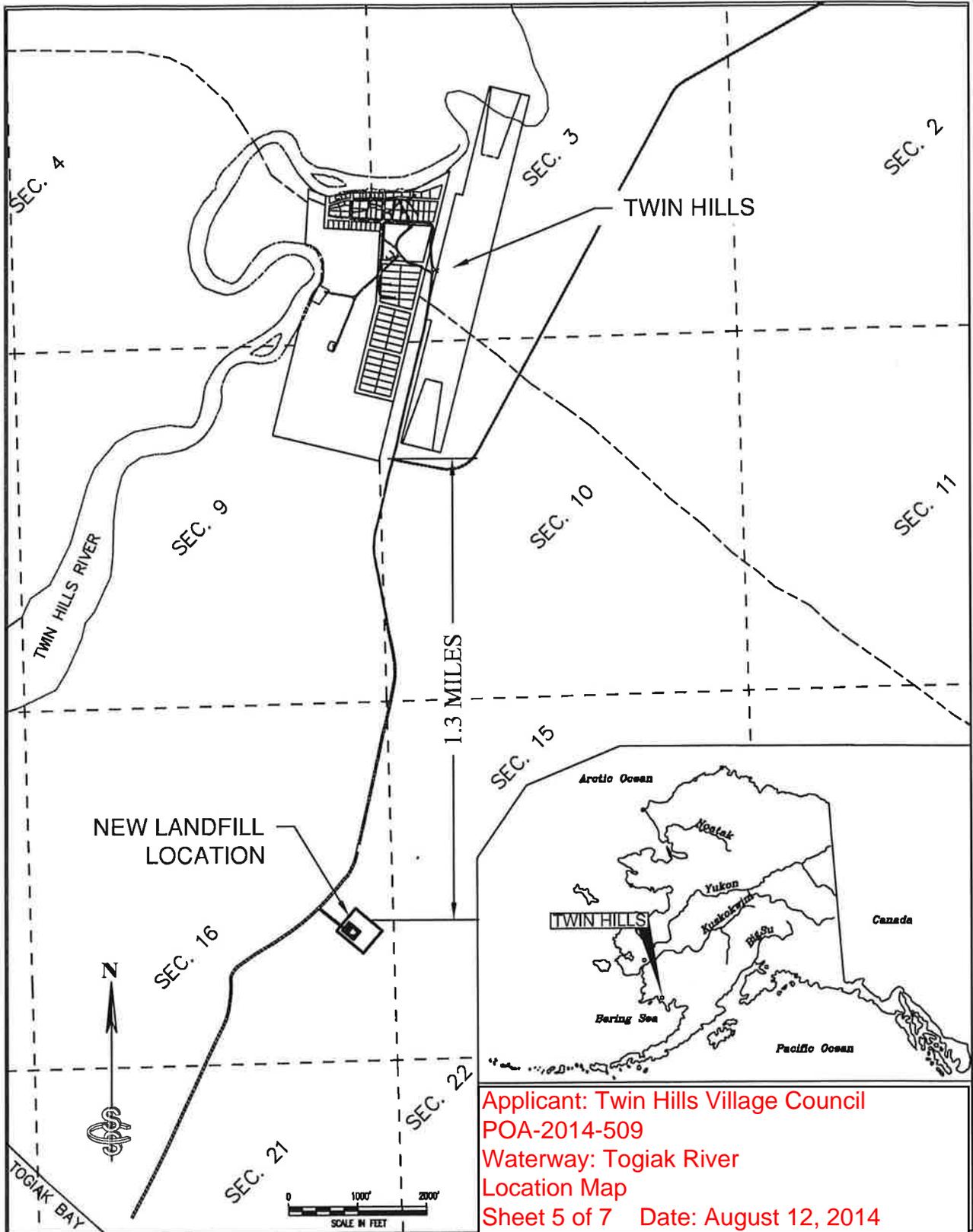
*2. Minimization of unavoidable impacts to waters of the U.S., including wetlands:*

The project will minimize the impact to only the area needed for construction of the landfill and entrance road. We have minimized the landfill footprint to what is necessary to meet the design requirements and provide the community with a functioning and improved landfill that will be of sufficient size for the growing population.

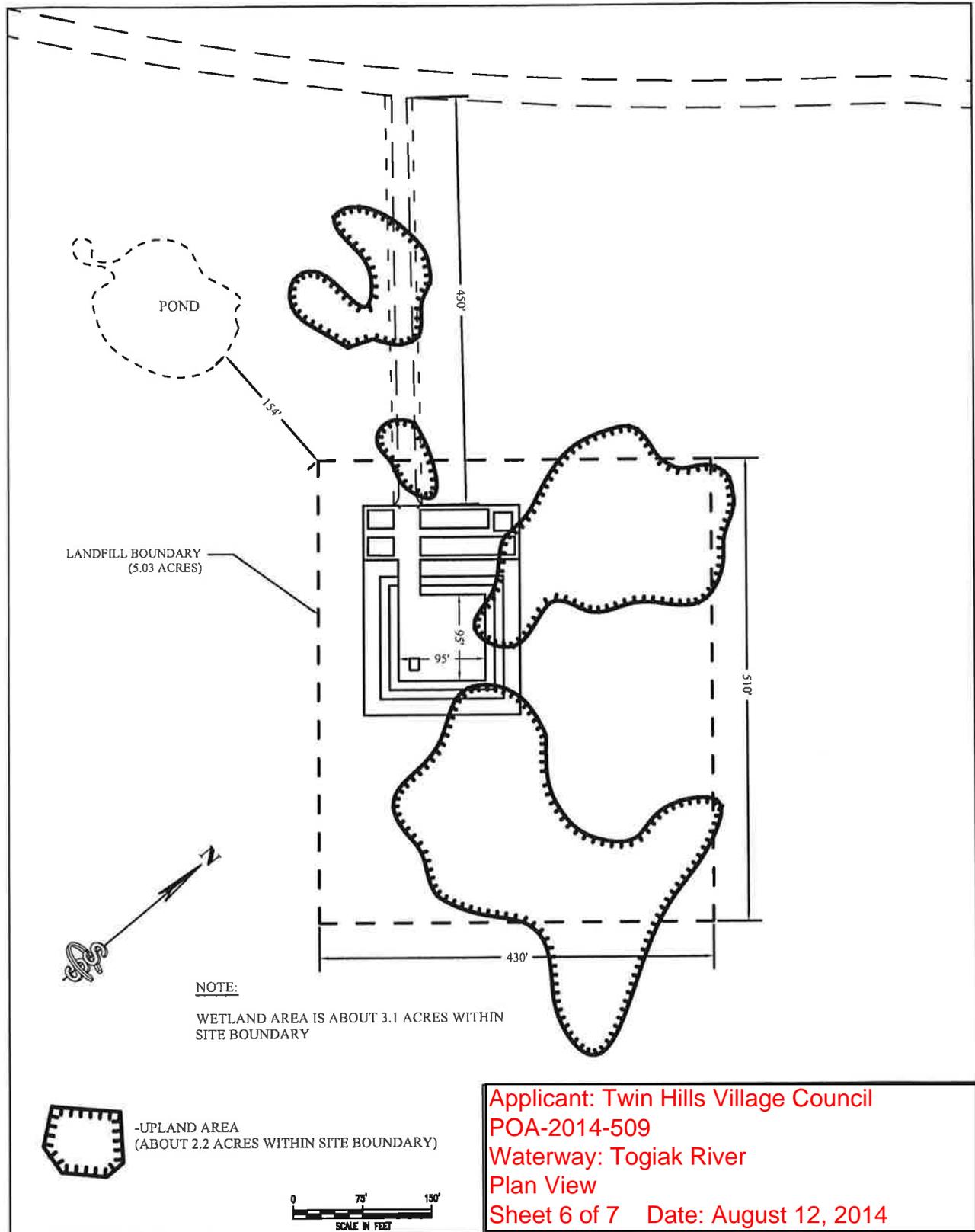
*3. Compensation for unavoidable impacts to waters of the U.S., including wetlands:*

If compensation for unavoidable impacts to the waters of the U.S. and wetlands is required, the project proposes an old landfill clean up and closure. The existing landfill is located within the housing area of Twin Hills and is exceedingly full. Trash is overflowing into the surrounding areas, which include wetlands.

However, sanitation projects in rural, Alaskan communities have not traditionally compensated for unavoidable impacts to waters of the U.S and wetlands. These communities are often in very remote areas that are surrounded by vast, high quality wetlands. In addition, these projects have a high level of importance in providing sanitary conditions and often lack adequate funding.



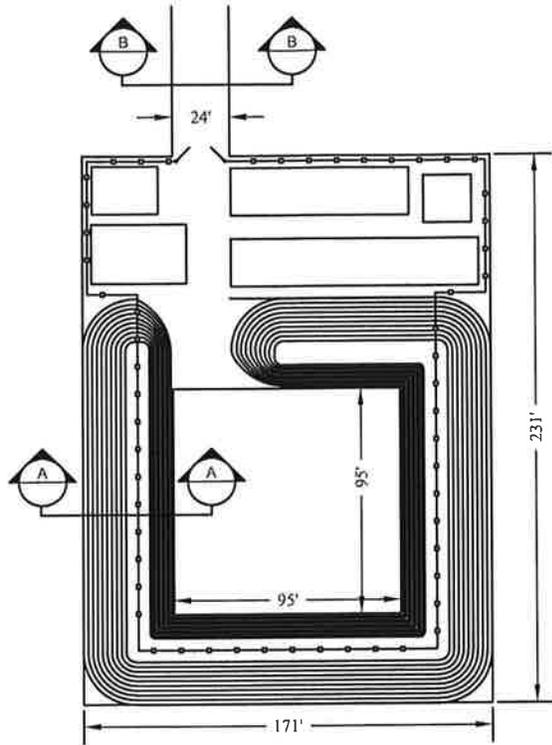
Applicant: Twin Hills Village Council  
 POA-2014-509  
 Waterway: Togiak River  
 Location Map  
 Sheet 5 of 7 Date: August 12, 2014



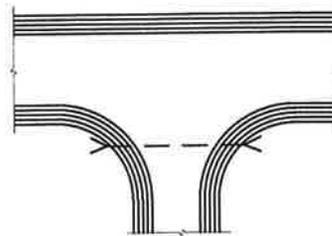
**NOTE:**  
WETLAND AREA IS ABOUT 3.1 ACRES WITHIN SITE BOUNDARY

 -UPLAND AREA  
(ABOUT 2.2 ACRES WITHIN SITE BOUNDARY)

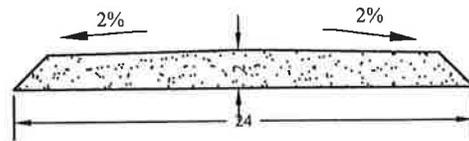
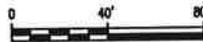
**Applicant: Twin Hills Village Council**  
**POA-2014-509**  
**Waterway: Togiak River**  
**Plan View**  
**Sheet 6 of 7 Date: August 12, 2014**



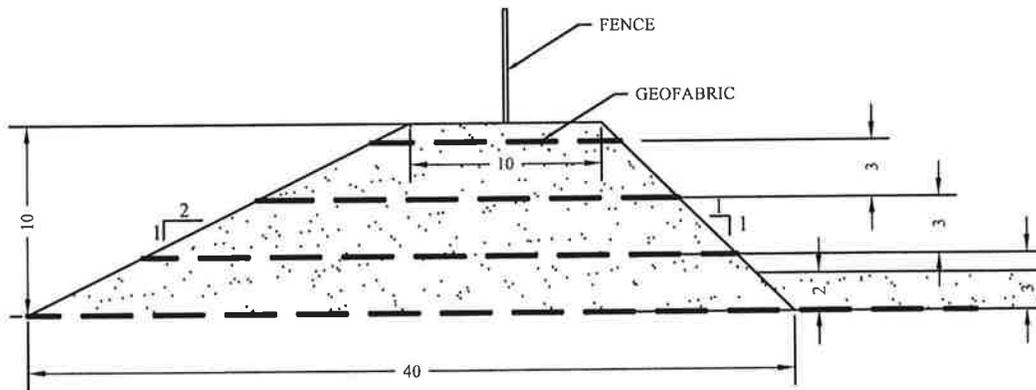
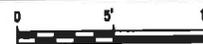
**LANDFILL PLAN**



**ROAD APRON**



**B-B ROAD SECTION**



**A-A BERM SECTION**



Applicant: Twin Hills Village Council  
 POA-2014-509  
 Waterway: Togiak River  
 Typical Sections  
 Sheet 7 of 7 Date: August 12, 2014