



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

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

PUBLIC NOTICE DATE:	July 7, 2017
EXPIRATION DATE:	August 7, 2017
REFERENCE NUMBER:	POA-2017-254
WATERWAY:	Valdez Glacier Stream

Interested parties are hereby notified that a Department of the Army (DA) 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 Julie Ruth at (907) 753-2735 or by email at Julie.C.Ruth@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mega Trucking, LLC, Mr. Jesse Passin, 500 Sawmill Drive, Valdez, Alaska 99686

LOCATION: The project site is located within Section 11, T. 9 S., R. 6 W., Copper River Meridian; Latitude 61.1075° N., Longitude 146.2338° W.; from intersection of Airport Road and Richardson Highway approximately 3.6 miles from New Valdez post office, go east on Richardson Highway 1.8 miles just past the Valdez Glacier Stream bridge, south side of the road, in Valdez, Alaska.

PURPOSE: The applicant's stated purpose is to provide gravel for retail sale in the Valdez area.

PROPOSED WORK: The proposed project involves excavating native sand and gravel from the mouth of Valdez Glacier Stream and processing into finer material using a screen plant and crusher. A short haul road would be maintained between excavation site and the stockpile site. Approximately 200,000 cubic yards of gravel would be excavated over five years, and a total of 60,000 cubic yards of material would be discharged into Waters of the U.S. (WOUS) to

build a dike and berms, dispose of oversized material, and to aid in reclamation. A total of 7.5 acres of WOUS would be impacted. All work would be performed in accordance with the enclosed plan (sheets 1-6), dated July 7, 2017.

ADDITIONAL INFORMATION: Permits were obtained from Alaska Department of Natural Resources for Material Sale on May 18, 2017, ADL 231471, and Alaska Department of Fish and Game for Fish Habitat on May 11, 2017, FH-II-0090. The applicant will obtain an Alaska Department of Environmental Conservation Division of Water Stormwater Pollution Prevention Plan (SWPPP).

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: The river is the source of gravel, so it is not possible to avoid WOUS and achieve the project purpose.

b. Minimization: Project impacts would be minimized by keeping all heavy equipment and construction work within the permitted area. Oversized material would be discharged back into the excavated site. A berm and dike would be constructed at the excavated site to avoid sediment discharge into the river.

c. Compensatory Mitigation: The applicant does not propose compensatory mitigation at this time due to the history of extensive gravel production in this area.

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 is a cultural resource within the vicinity of the permit area, the Richardson Highway. According to the AHRS website, this portion of the Richardson Highway possesses significance at the state level under Criterion A for its direct and important association with transportation and under the supplemental areas of significance of industry and military. Identification of essential physical features and an assessment of integrity would be needed to determine National Register eligibility of those segments.

The permit area has been determined to be all WOUS impacted by the proposed project, plus any adjacent upland areas impacted by heavy equipment work and material storage. The Richardson Highway is not included in the permit area. Consultation of the AHRS constitutes the extent of cultural resource investigations by the Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps has made a **No Potential to Cause Effects** determination for the proposed project because the mouth of the Valdez Glacier Stream has been heavily impacted by gravel extraction and no cultural

resources are likely to be found. Consultation with the State Historic Preservation Office (SHPO) is not required, however, 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 Western Distinct Population (DPS) Steller sea lion (*Eumetopias jubatus*), and the Mexico DPS humpback whale (*Megaptera novaeangliae*).

We have determined noise from gravel extraction may affect the endangered Western DPS Steller sea lion and the Mexico DPS humpback whale. We will initiate the appropriate consultation procedures under section 7 of the Endangered Species Act with 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 the Chum salmon (*Oncorhynchus keta*), Coho salmon (*Oncorhynchus kisutch*), chinook salmon (*Oncorhynchus tshawytscha*), pink salmon (*Oncorhynchus gorbuscha*), sockeye salmon (*Oncorhynchus nerka*), and Dolly Varden (*Salvelinus malma*).

We have determined the described activity would not adversely affect EFH in the project area for the species above. The conditions on the Fish Habitat permit would ensure no adverse impacts to EFH. Any comments or recommendations NMFS 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 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-2017-254, 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.

TIDAL INFORMATION

<u>WATER LEVEL</u>	<u>ELEVATION</u>	<u>WATER LEVEL</u>	<u>ELEVATION</u>
EST. MAX HIGH WATER	17.15	HAT	22.4
MHHW	12.05	HTL	15.6
MHW	11.12	MHW	11.2
MLW	1.47	MLLW	6.7
MLLW	0.00		
EST. MAX LOW WATER	-4.55		

ABOVE INFO PROVIDED BY
NOAA TIDAL DATUM

ABOVE INFO PROVIDED BY
COE 5/10/2017



LOCATION MAP

NOT TO SCALE

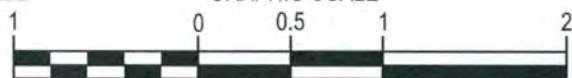
INTERSECTION AIRPORT RD & RICHARDSON HWY



U.S.G.S LOCATION MAP

1" = 1 MILE

GRAPHIC SCALE



(IN FEET)

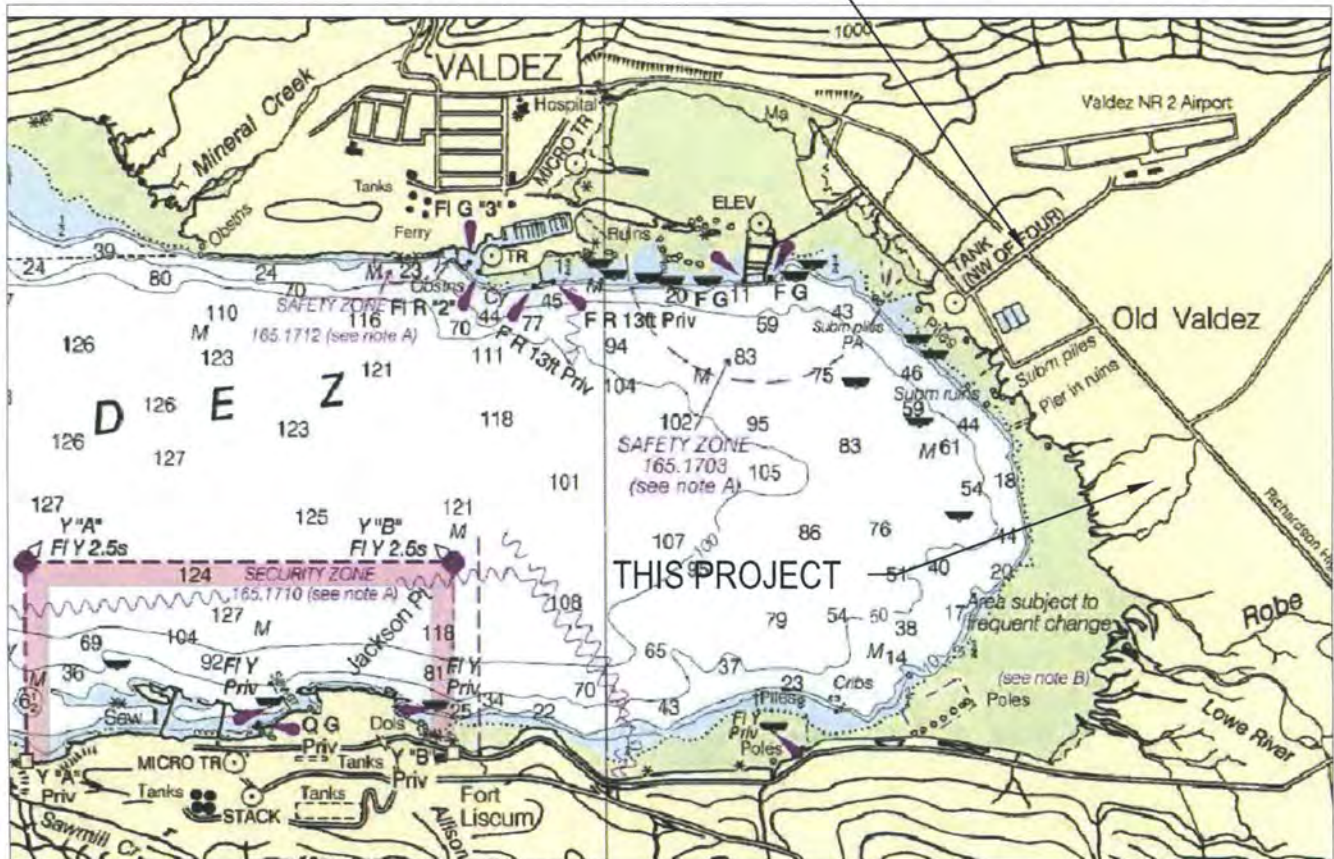
1 INCH = 1 MILE

CITY: VALDEZ BOROUGH: N/A STATE: ALASKA
DIRECTIONS: FROM INTERSECTION OF AIRPORT ROAD
AND RICHARDSON HIGHWAY APPROXIMATELY 3.6
MILES FROM NEW VALDEZ POST OFFICE. GO EAST ON
RICHARDSON HIGHWAY 1.8 MILES JUST PASS THE
VALDEZ GLACIER STREAM BRIDGE (SOUTH) SIDE OF
THE ROAD.

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Project: Gravel extraction
Applicant: Mega Trucking
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INTERSECTION AIRPORT ROAD & RICHARDSON HWY



NOAA CHART LOCATION MAP

1" = 1 MILE

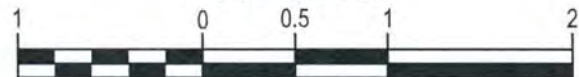
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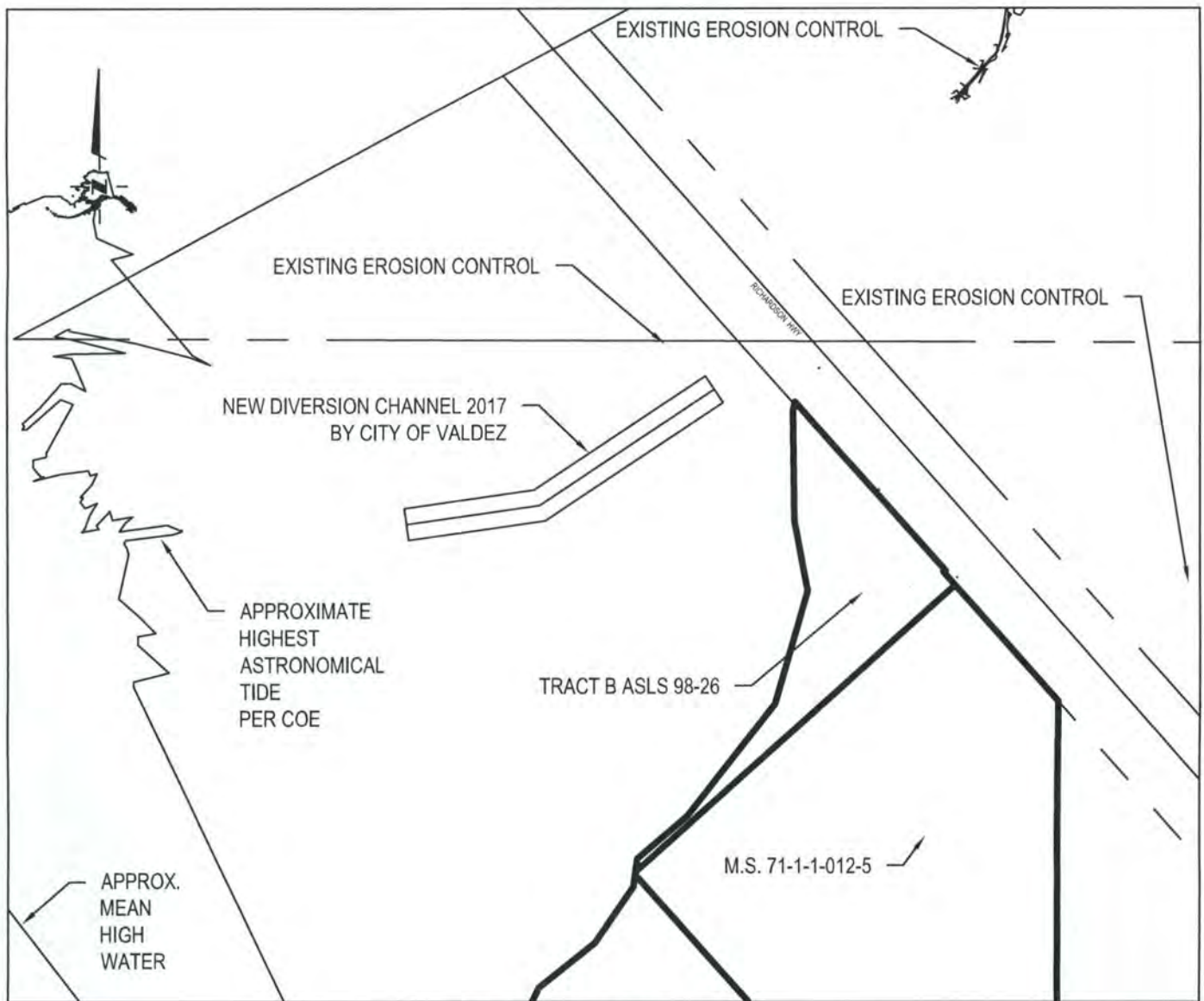
GRAPHIC SCALE



(IN FEET)
1 INCH = 1 MILE

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EXISTING CONDITIONS MAP

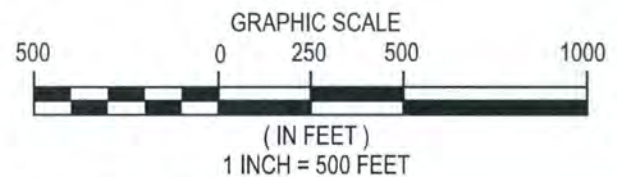
1" = 500 FEET

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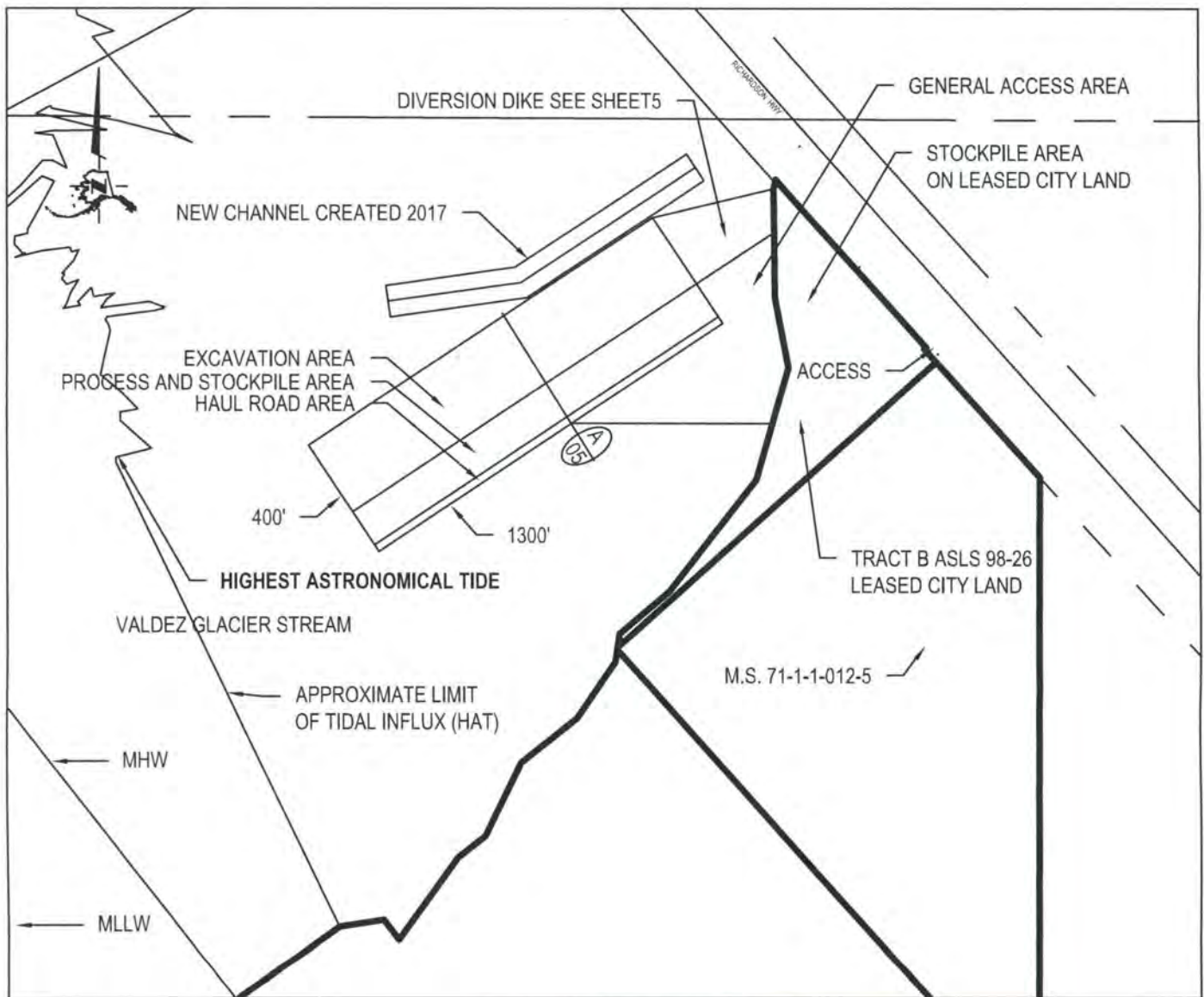
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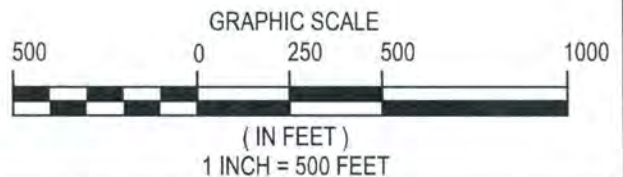


PROPOSED CONSTRUCTION PLAN

1" = 500 FEET

(A) CROSS SECTION #
05 CROSS SECTION SHEET #

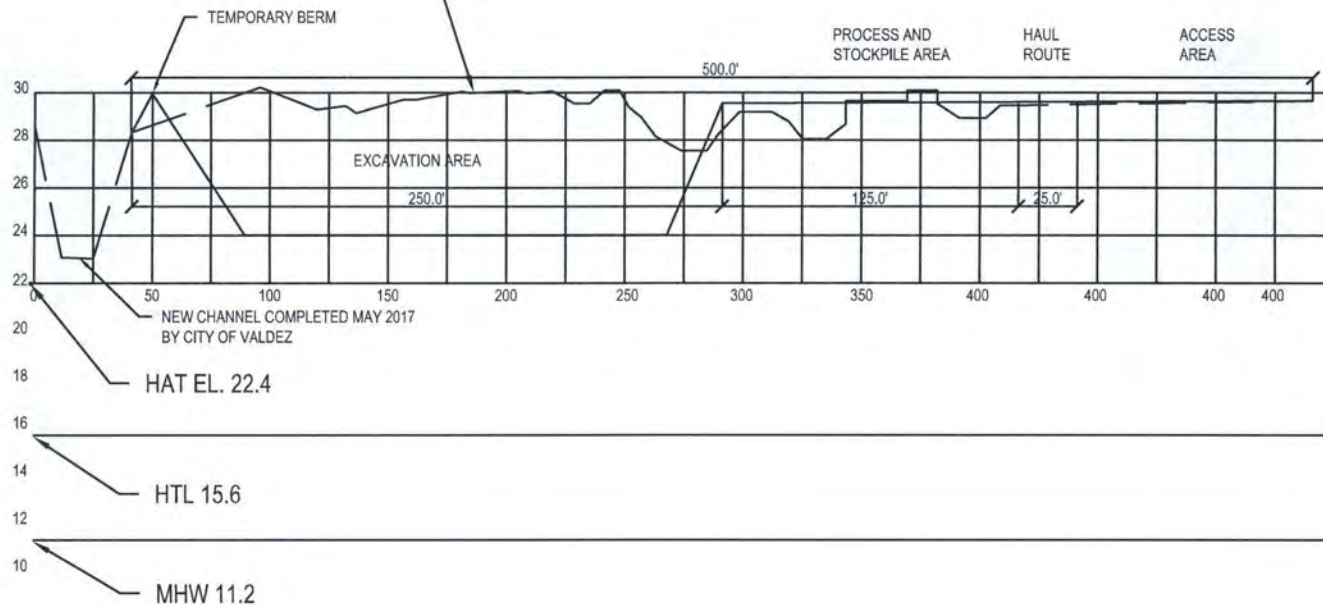
VALDEZ GLACIER STREAM IMPACT AREA: 764,225 SF (17.54 ACRES)
CITY OF VALDEZ TRACT B AREA: 297,079 SF (6.82 ACRES)
TOTAL IMPACT AREA: 1,061,304 SF (24.36 ACRES)



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APPROXIMATE EXISTING RIVER BED
SURFACE VARIES



TYPICAL SECTION

SECTION A-A

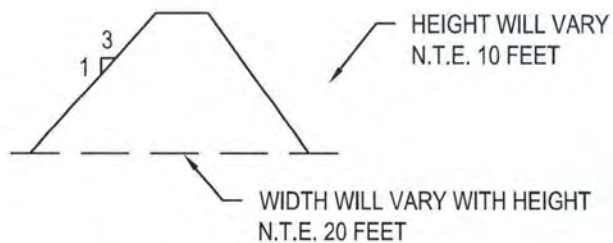
NOT TO SCALE

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TEMPORARY BERM

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CONSTRUCTION NOTES:

1. THE PURPOSE FOR THIS PROJECT IS GRAVEL EXTRACTION AND PROCESSING WITHIN THE VALDEZ GLACIER STREAM BANKS.
2. GRAVEL EXTRACTION WILL TAKE PLACE ABOVE HIGHEST ASTRONOMICAL TIDE PER COE.
3. STORM WATER POLLUTION PREVENTION PLAN WILL BE REQUIRED. SITE IS OVER 1 ACRE AND THERE IS A POSSIBILITY OF IMPACTING WATERS OF THE U.S.

GENERAL NOTES:

1. A SCREEN PLANT WILL BE TEMPORARY ON SITE.
2. A CRUSHING PLAT WILL BE TEMPORARY ON SITE.

ALTERNATIVE SITE NOTES:

1. THE SELECTED AREA HAS A VERY LOW IMPACT TO THE SURROUNDING WATERS OF THE U.S.
2. THIS AREA HAS HAD PREVIOUS EXTRACTIONS.

REMEDIATION NOTES:

1. A TEMPORARY BERM WILL BE IN PLACE EACH YEAR AND WILL BE REMOVED AT END OF OPERATIONS.
2. LARGER COBBLES WILL BE PLACED BACK INTO THE EXCAVATION AREA.

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