



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

ANCHORAGE FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD
1600 A Street, Suite 110
Anchorage, AK 99501-5146

PUBLIC NOTICE DATE:	August 23, 2013
EXPIRATION DATE:	September 23, 2013
REFERENCE NUMBER:	POA-2012-931
WATERWAY:	Lucille Creek

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 Steve Lindamood at (907) 753-2796, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Steve.D.Lindamood@usace.army.mil if further information is desired concerning this notice.

APPLICANT: City of Wasilla, Attention: Archie Giddings, 290 East Herning Avenue, Wasilla, Alaska 99654; telephone number (907) 373-9010.

AGENT: Hattenburg Dilley & Linnell, Attention: Owen Means, 3335 Arctic Boulevard, Suite 100, Anchorage, Alaska, 99503; telephone number (907) 564-2120.

LOCATION: The proposed project is located within Section 18, T. 17 N., R. 1 W., Seward Meridian; USGS Quad Map Anchorage C-7; Latitude 61.5690° N., Longitude -149.5266° W.; South Mack Drive southward to Knik-Goose Bay Road and Fairview Loop Roads; in Wasilla, Alaska. It has been assigned number POA-2012-931, Lucille Creek, which should be referred to in all correspondence with us.

PURPOSE: The applicant's stated purpose is to "provide a connection between the two major travel corridors, access to adjacent residential collectors, traffic relief to the downtown Main Street area in Wasilla, and provide crash-reduction benefits due to reduced volumes on the Parks Highway and Knik Goose Bay Road (KGB)".

PROPOSED WORK: The project would construct a 1.5 mile long, two-lane 32-foot wide paved road with a 19-foot & 10-inch by 7-foot & 8-inch aluminum arch culvert crossing Lucille Creek and an 8-foot wide paved pathway. The project would extend South Mack Drive 1.5 miles from the Curtis D. Menard Sports Center to the Knik Goose Bay Road. The project would permanently impact and involve the placement of 12,906 cubic yards of fill materials into a total of 0.94-acre of waters of the U.S., including wetlands, over the entire length of the project. The project would temporarily disturb 0.56-acre of waters of the U.S. over a 15-foot wide by 508-foot long (total distance over the three areas being filled under our jurisdiction) work zone in areas adjacent to permanent

wetland fill areas. All work would be performed in accordance with the enclosed plan (sheets 1-7), dated 07/24/2013.

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: Complete avoidance of all waters of the U.S. was considered to be not practicable while meeting the applicants purpose and need of the project. Several alternatives and alignments were considered during the planning stages for the project. The current proposal/alternative was chosen by the applicant because it involves the least environmental impacts of all identified potential road alignments.

b. Minimization: The project was designed to minimize in every aspect possible to minimize impacts to waters of the U.S., including wetlands. The road alignment is proposed to cross Lucile Creek at the most perpendicular angle and at the narrowest section of the Lucile Creek and its associated wetlands as possible while working within the constraints of the steep terrain and existing developments south of Lucile Creek. The overall roadway width was minimized in wetland fill areas by increasing side slopes to 2:1 horizontal to vertical ratio and adding guardrail. The separated paved pathway was moved to be directly adjacent to the road shoulder at the Lucile Creek crossing. The crossing on Lucile Creek is to be located at an area already disturbed by all-terrain traffic. The culvert is designed to meet fish passage requirements; a fish habitat permit (FH-12-IV-1228) was issued on July 12, 2013, for the culvert by the Alaska Department of Fish & Game, Division of Habitat.

c. Compensatory Mitigation: To compensate for the remaining unavoidable impacts to waters of the U.S., the applicant proposes to purchase mitigation bank credits at a 2:1 ratio for 0.96-acre of permanent wetland impacts.

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 registered or eligible properties in the vicinity of the worksite. They have been designated as ANC-03295, ANC 03294, and ANC-03296. A determination of “no historic properties effected” was made in consultation with the State Historic Preservation Officer (SHPO) on February 15, 2013.** Consultation of the AHRs constitutes the extent of cultural resource investigations by the District Commander at this time.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

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 Coho Salmon (*Oncorhynchus kisutch*), but the project **would not adversely affect** EFH.

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

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

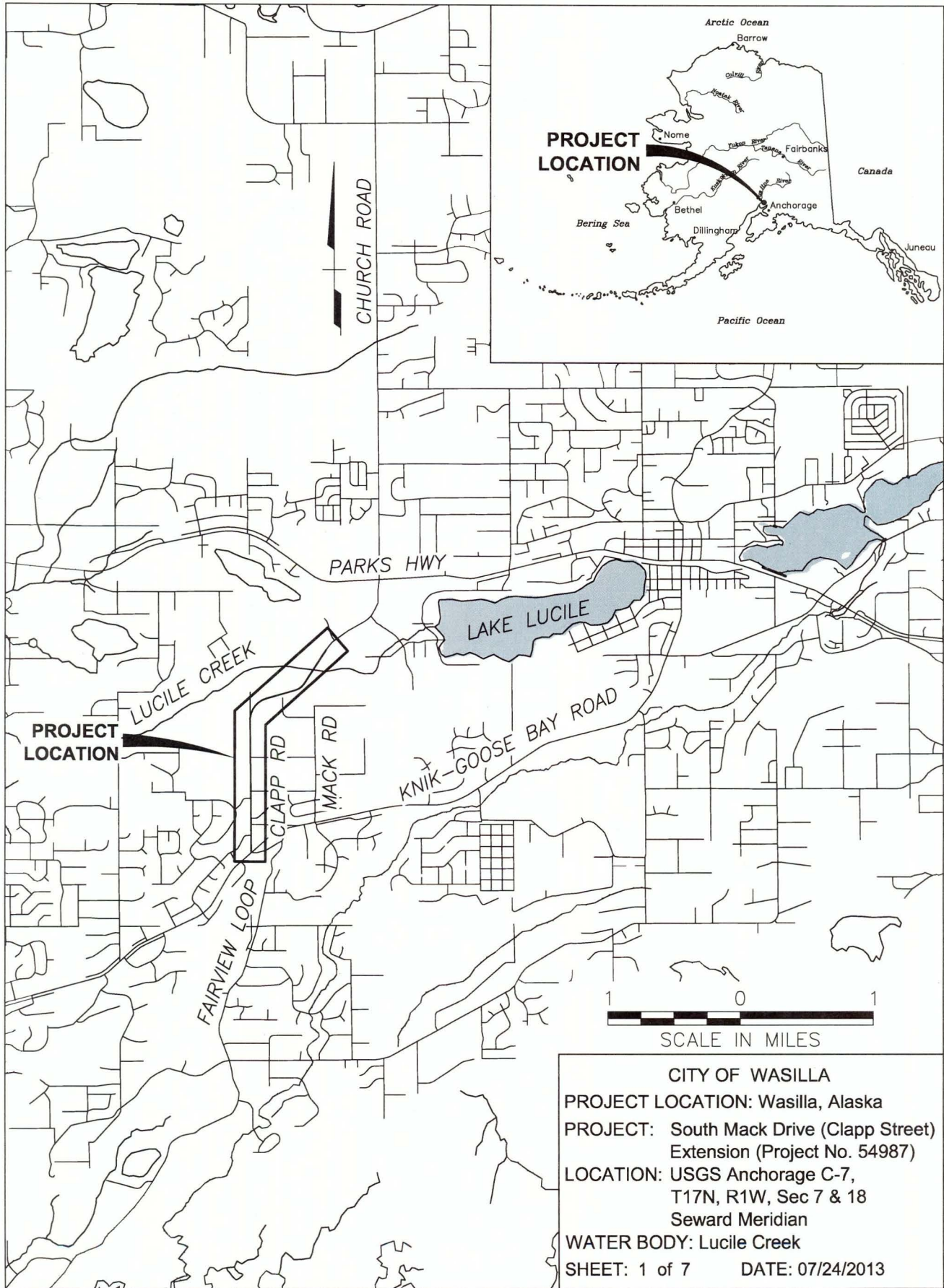
NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

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-2012-931, Lucile Creek**, 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.

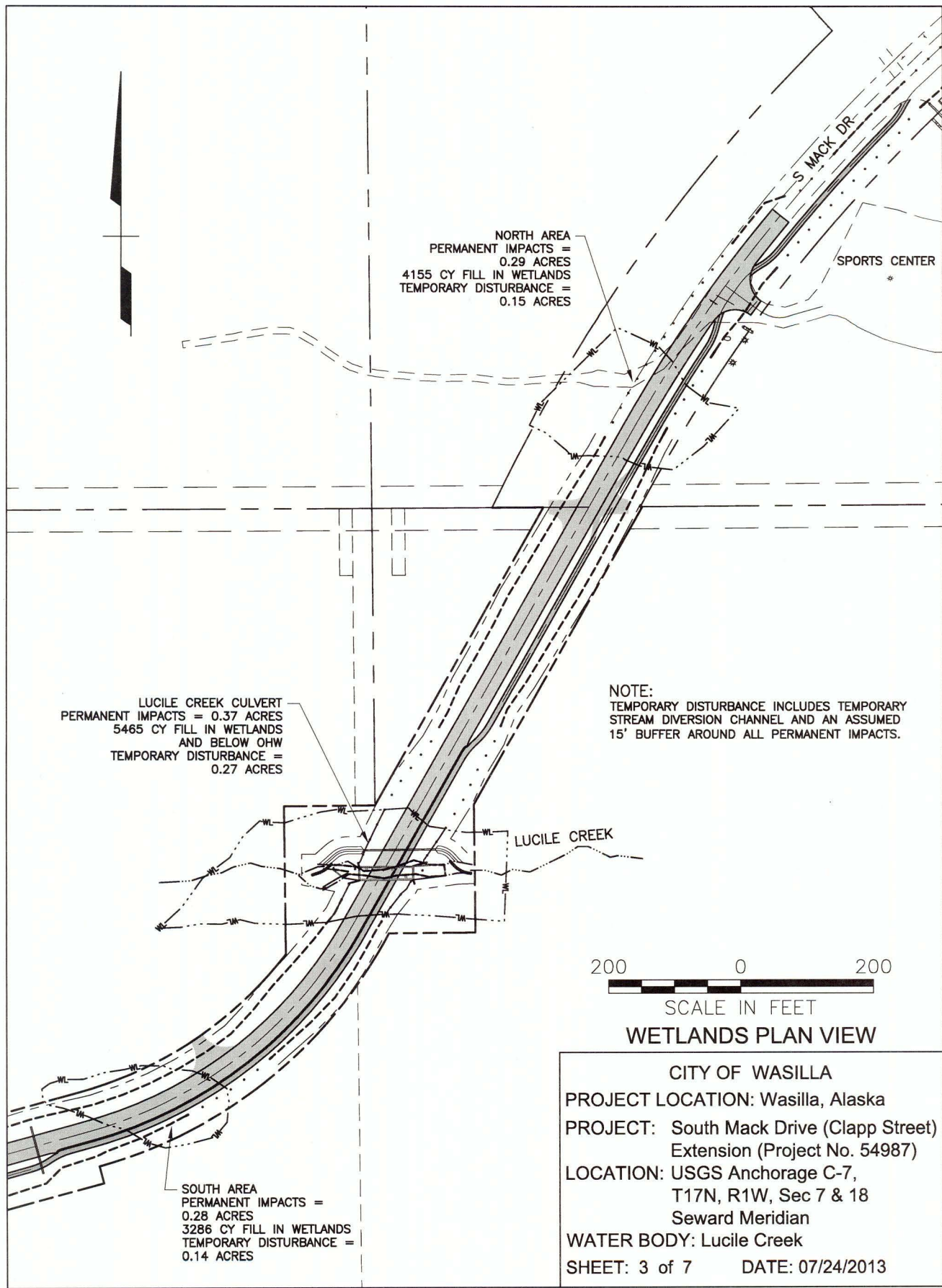


PROJECT LOCATION

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CITY OF WASILLA
PROJECT LOCATION: Wasilla, Alaska
PROJECT: South Mack Drive (Clapp Street) Extension (Project No. 54987)
LOCATION: USGS Anchorage C-7, T17N, R1W, Sec 7 & 18 Seward Meridian
WATER BODY: Lucile Creek
SHEET: 1 of 7 **DATE:** 07/24/2013





NORTH AREA
 PERMANENT IMPACTS = 0.29 ACRES
 4155 CY FILL IN WETLANDS
 TEMPORARY DISTURBANCE = 0.15 ACRES

LUCILE CREEK CULVERT
 PERMANENT IMPACTS = 0.37 ACRES
 5465 CY FILL IN WETLANDS
 AND BELOW OHW
 TEMPORARY DISTURBANCE = 0.27 ACRES

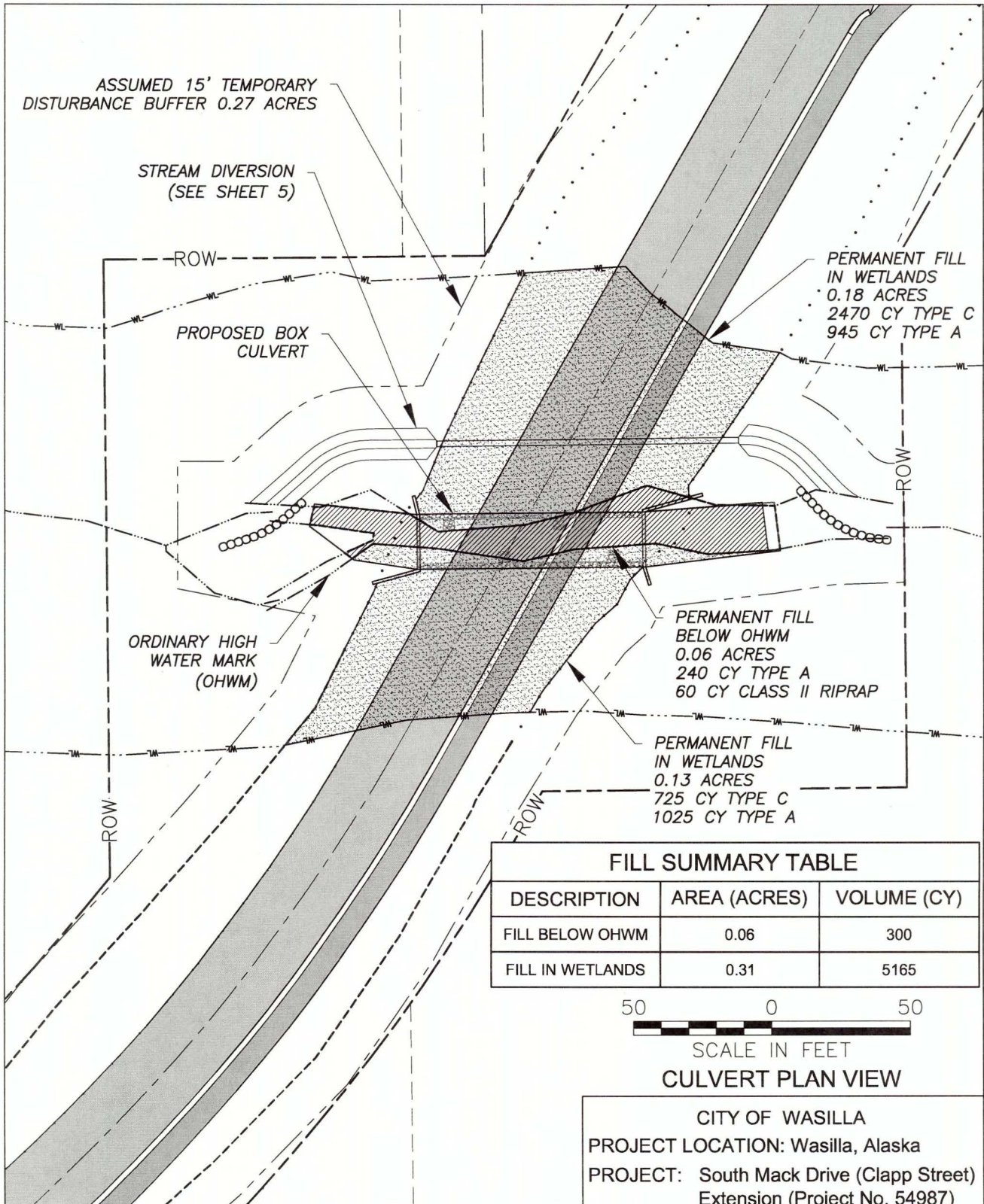
NOTE:
 TEMPORARY DISTURBANCE INCLUDES TEMPORARY
 STREAM DIVERSION CHANNEL AND AN ASSUMED
 15' BUFFER AROUND ALL PERMANENT IMPACTS.

SOUTH AREA
 PERMANENT IMPACTS = 0.28 ACRES
 3286 CY FILL IN WETLANDS
 TEMPORARY DISTURBANCE = 0.14 ACRES

200 0 200
 SCALE IN FEET

WETLANDS PLAN VIEW

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 WATER BODY: Lucile Creek
 SHEET: 3 of 7 DATE: 07/24/2013



FILL SUMMARY TABLE

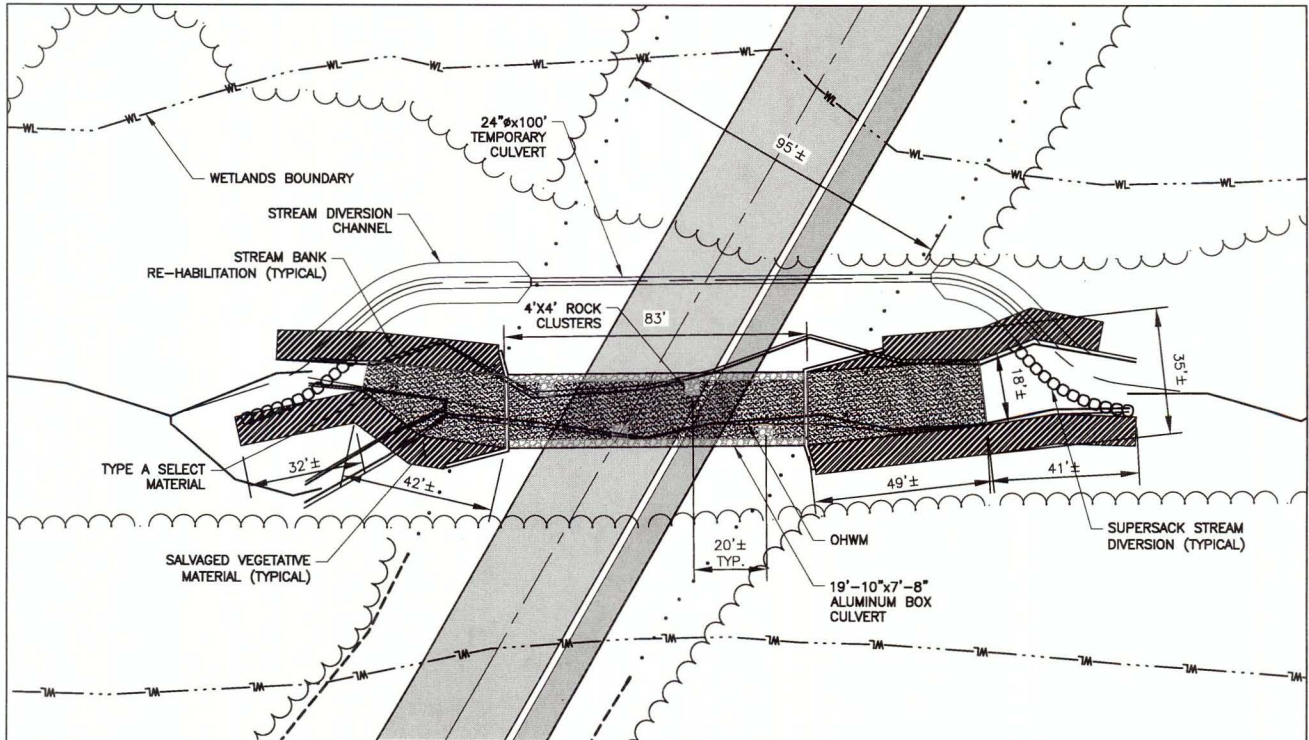
DESCRIPTION	AREA (ACRES)	VOLUME (CY)
FILL BELOW OHWM	0.06	300
FILL IN WETLANDS	0.31	5165



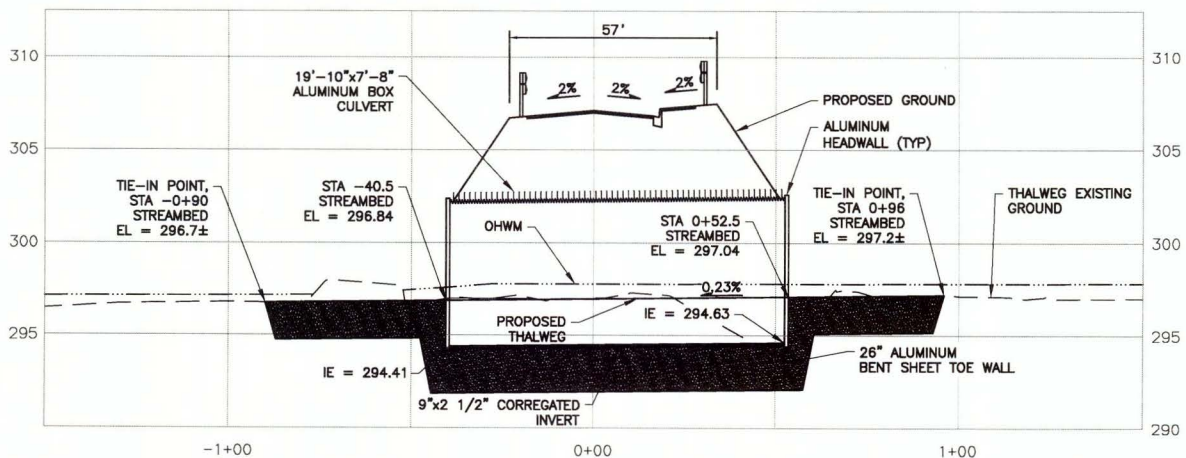
CULVERT PLAN VIEW

LEGEND
 WETLAND BOUNDARY ——— WL ———

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PLAN

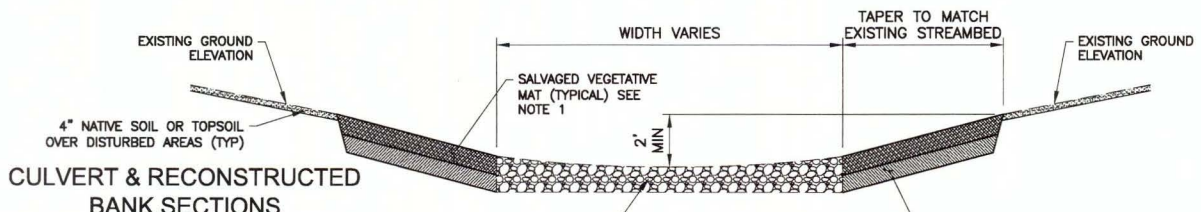
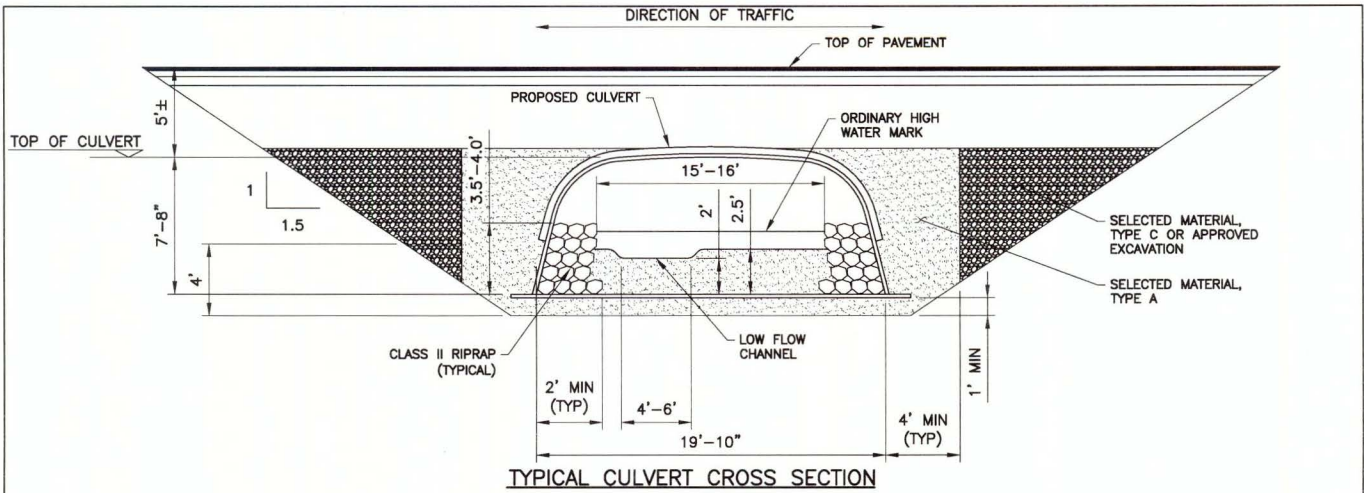


PROFILE



CULVERT PLAN & PROFILE

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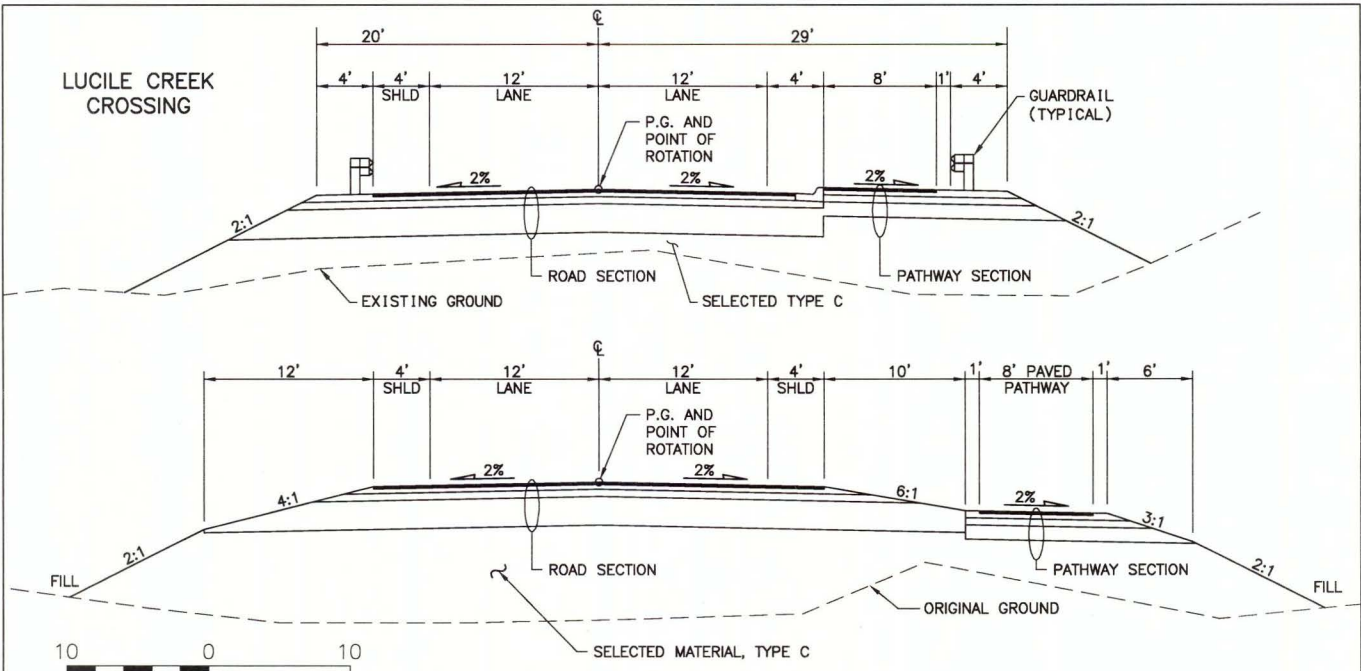


RE-CONSTRUCTED BANK

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LUCILE CREEK CROSSING



10 0 10
SCALE IN FEET

TYPICAL ROAD SECTIONS

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