



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:	June 11, 2014
EXPIRATION DATE:	July 11, 2014
REFERENCE NUMBER:	POA-2014-208
WATERWAY:	Wasilla 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 Ms. Amanda Whittier by email at Amanda.L.Whittier@usace.army.mil or by phone (907) 753-5582, toll free from within Alaska at (800) 478-2712, or by fax at (907) 753-5567, if further information is desired concerning this notice.

APPLICANT: Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645; (907) 861-7715; Point-of-Contact: Mr. Brad Sworts.

AGENT: CH2M Hill, 1100 112th Ave. NE, Ste 500, Bellevue, WA 98004; (425) 213-7307; Point-of-Contact: Ms. Alisa Swank.

LOCATION: The project site is located within Section 15, T. 17 N., R. 1 E., Seward Meridian; USGS Quad Map Anchorage C-7; Latitude 61.5615° N., Longitude 149.2679° W.; in Wasilla, Alaska.

PURPOSE: The applicant's stated purpose is to provide a new connection between the Parks Highway and Nelson Road that would accommodate recent and projected development in the area south of Parks Highway and west of Glenn Highway.

PROPOSED WORK: The proposed project would construct a 1.1 mile extension of Trunk Road from the south side of the Parks Highway to Nelson Road, and would rebuild Nelson Road west to the Wasilla Creek Bridge, which would be replaced with a wider bridge. Up to 282,465 cubic yards of various types of fill material would be placed within 7.38 acres of waters of the U.S., including wetlands. The total length of the project would be 1.5 miles and would include a new bridge over the Alaska Railroad (AKRR). The new Trunk Road would include two 12-foot lanes with shoulders between five and eight feet wide and 4:1 to 6:1 horizontal to vertical side slopes. A 10-foot asphalt pathway would be located on the west side of the road and would be separated from the road by five feet. The bridge over the AKRR would be a new bridge 170 feet long and 54 feet wide and made of precast prestressed concrete segments with a cast in place concrete deck roadway surface. The existing bridge over

Wasilla Creek is 40 feet long and 26 feet wide, and would be replaced with a bridge 110 feet long and 54 feet wide to accommodate a 100-year flood. Both the existing and proposed bridges are wider than the ordinary high water (OHW) width of Wasilla Creek, which is 18 feet wide. This new bridge would also be made of precast prestressed concrete segments with an asphalt concrete roadway surface. The new road would be designated as a Collector road and would have a speed limit of 40 mph north of the AKRR crossing and 35 mph south of the crossing.

The existing Nelson Road that would be reconstructed is currently 24 feet wide and would be widened to match the extended Trunk Road from where they intersect to the west side of the bridge over Wasilla Creek, including the addition of shoulders and the separated pathway. A segment of 100 feet of Fetlock Road would be widened and reconstructed where it intersects with Nelson Road to provide two 12-foot lanes and shoulders between two and five feet wide. It is anticipated that the existing Nelson Road east of the connection with the new Trunk Road extension would be closed to the public and used for maintenance access only. The maintenance access portion of Nelson Road would be resurfaced and provide two 10-foot lanes with 2-foot shoulders. Drainage swales adjacent to the new road and pathway would be used to direct stormwater runoff from the remainder of the project to nearby wetlands. All work would be performed in accordance with the enclosed plan (sheets 1-7), dated April 30, 2014.

ADDITIONAL INFORMATION: The applicant will be applying for an Alaska PDES permit from the Alaska Department of Environmental Conservation, a Fish Habitat permit from the Alaska Department Fish & Game and a Flood Plain Development permit from the Matanuska-Susitna Borough.

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 applicant states a Design Study Report was completed in 2012 for the project to identify a preferred alignment and determine the design standards for the project. The proposed project is a modified version of Alternative 1 in the Design Study Report, and included modifications to reduce property and wetland impacts. Alternative 2 in the Design Study Report was lower cost and had a shorter bridge across the AKRR, but had greater wetland impacts. Alternative 1 was identified as the preferred alternative in order to reduce wetland impacts and property acquisition. Coordination with AKRR during design resulted in shifting the bridge crossing of the railroad to the east and resulting in some wetland impacts, but still less than under Alternative 2.

The proposed roadway and separated pathway were designed to meet federal and American Association of State Highway and Transportation Officials (AASHTO) guidelines for minor rural collector facilities. These guidelines are intended to ensure the safety of both motorized and non-motorized users of these facilities.

b. Minimization: The applicant states wetland impacts are primarily associated with the widening of Nelson Road and the connection of the new Trunk Road to Nelson Road. The existing Nelson Road is 24 feet wide, and has no shoulders. The proposed road would have two 12-foot lanes with shoulders of two to five feet. The new roadway would be wide enough to allow two-way traffic and also accommodate a separated pathway for non-motorized users.

c. Compensatory Mitigation: The applicant proposes to contribute a fee-in-lieu payment through the Su-Knik Mitigation Bank. Mitigation would be based on wetland type and required mitigation ratio. Mitigation ratio is to be determined.

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 registered or eligible property in the vicinity of the worksite. It has been designated ANC-3598. Because it has been determined to be outside of the project area, no further action is required.

ENDANGERED SPECIES: The project site is not within the known range of any threatened or endangered species or designated critical habitat.

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). EFH species, chum salmon, Coho salmon, Chinook salmon and sockeye salmon, are known to use the project area. 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).

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-2014-208, Wasilla 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.