



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

<b>PUBLIC NOTICE DATE:</b>	<b>January 5, 2017</b>
<b>EXPIRATION DATE:</b>	<b>February 7, 2017</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2016-551</b>
<b>WATERWAY:</b>	<b>Kuskokwim 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 Jeremy Grauf at (907) 753-2798, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [Jeremy.Grauf@usace.army.mil](mailto:Jeremy.Grauf@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Kathy Shea, Alaska Department of Transportation and Public Facilities (ADOT&PF), PO Box 196900 Anchorage, Alaska 99519, 907-269-0530, [kathy.shea@alaska.gov](mailto:kathy.shea@alaska.gov)

**LOCATION:** The project site is located at the airport and airport runway within the Village of Aniak, Alaska, Latitude 61.580565° N., Longitude 159.543291° W.

**SPECIAL AREA DESIGNATION:** The project is located within the Yukon Delta National Wildlife Refuge.

**PURPOSE:** The applicant's stated purpose is to improve safety and reliability of aviation facilities, and correct airport deficiencies to comply with current Federal Aviation Administration (FAA) standards. Relocation is necessary because FAA standards require an Object Free Area (OFA), which is "An area on the ground centered on a runway, taxiway, or taxilane centerline provided to enhance the safety of aircraft operations by having the area free of objects, except for objects that need to be located in the OFA for air navigation or aircraft

ground maneuvering purposes." Existing community structures would need to be relocated to achieve the OFA requirements for the runway to remain on the existing alignment.

**PROPOSED WORK:** The proposed work includes the placement of approximately 30,800 cubic yards of crushed aggregate fill material into approximately 0.77 acre of Waters of the United States, including wetlands. The applicant proposes to relocate the Village of Aniak runway by approximately 260 feet south of the existing runway, construct new turnaround taxiways to support the new runway, improve drainage and aprons, relocate a portion of the road at the west end of the runway, relocate navigation aids and lighting, vegetation clearing, and extend fencing. All work would be performed in accordance with the enclosed plan (sheets 1-5), dated December 29, 2016.

**ADDITIONAL INFORMATION:** A Floodplain Permit will need to be approved for this project.

**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: ADOT&PF determined the runway shift and other improvements to avoid impacting waters of the U.S. to the extent possible while still meeting the proposed project's purpose and need. Total avoidance of wetlands is not feasible due to the location of wetlands within the airport property boundary, and design constraints to maintain safety and meet the airport layout plan requirements as described in the Aniak Airport Master Plan. The Aniak Airport and surrounding community are located adjacent to the Kuskokwim River at the head of the Aniak Slough. The airport is constrained by geography, residential housing, community buildings, roads and schools, making total avoidance of waters of the U.S. impossible.

b. Minimization: Unavoidable impacts to waters of the U.S. will be limited to only the work necessary to construct the runway, fill the silt cell at the west end of the runway to eliminate a bird hazard, and relocate navigational aids and lighting in order to meet the construction and safety requirements described in FAA AC 150/5300-13A Airport Design and 14 CFR Part 77. Impacts to Waters of the United States would further be minimized by preparing a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Alaska Department of Environmental Conservation's Alaska Pollutant Discharge Elimination System (APDES) Construction General Permit (CGP); implementing best management practices (BMPs) to minimize erosion and sedimentation; and reseeding and stabilizing disturbed ground as soon as practicable with native species.

c. Compensatory Mitigation: Aniak is a rural community located at the eastern border of the Yukon Delta Wildlife Refuge, which is dominated by low-lying wetlands and ponds similar to those found in the project area. Because of this, the ADOT&PF does not propose compensatory mitigation for this project.

**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 lead Federal agency, the FAA, is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. A permit for the described work will not be issued until the Section 106 process has been completed.

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

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 (NMFS) 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 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).

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

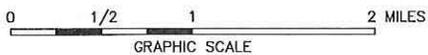
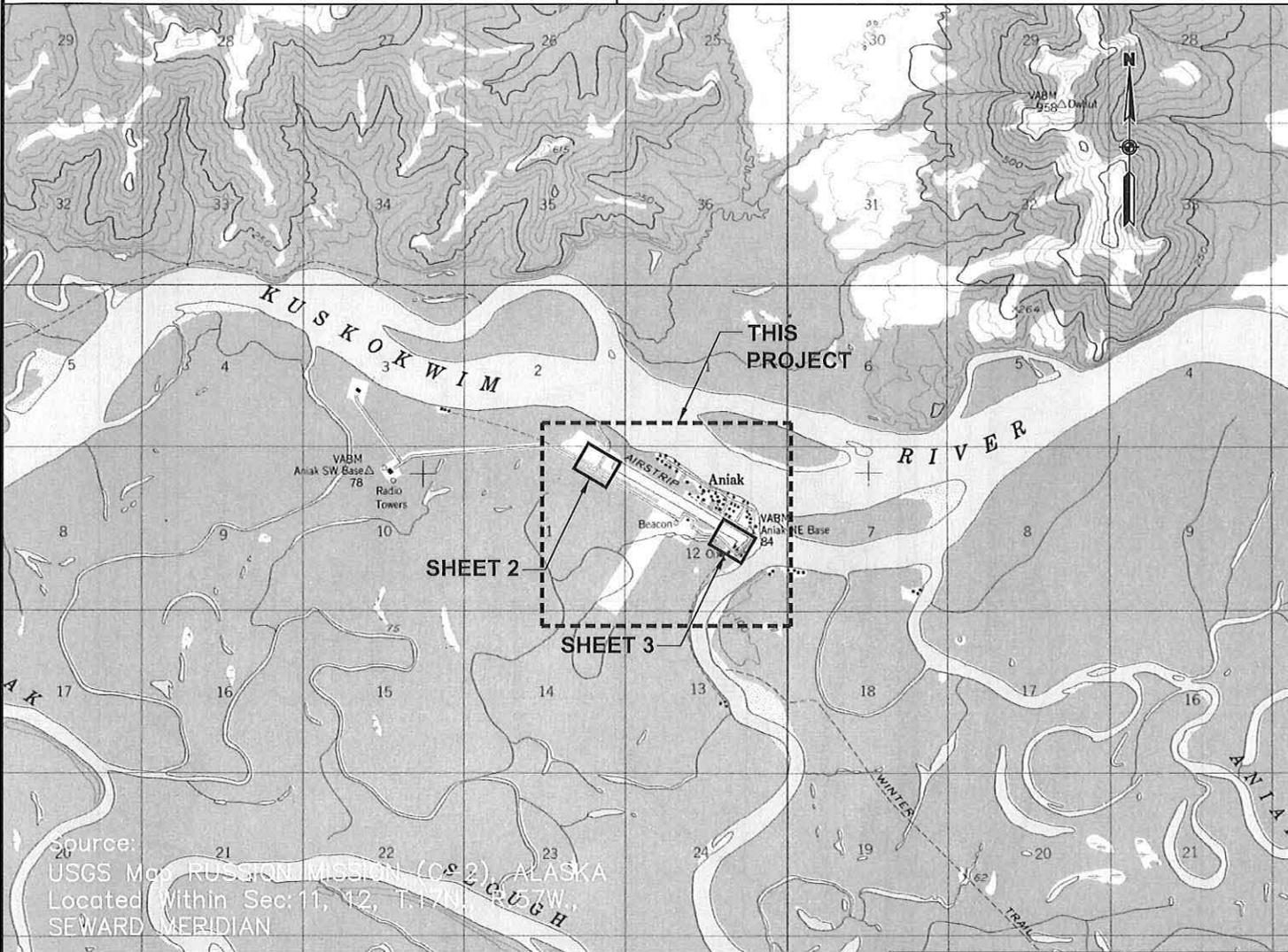
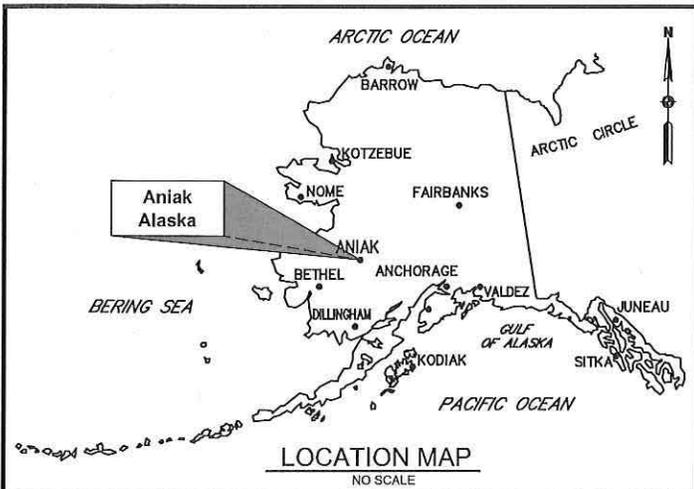
## **NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION**

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-2016-551, Kuskokwim 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.



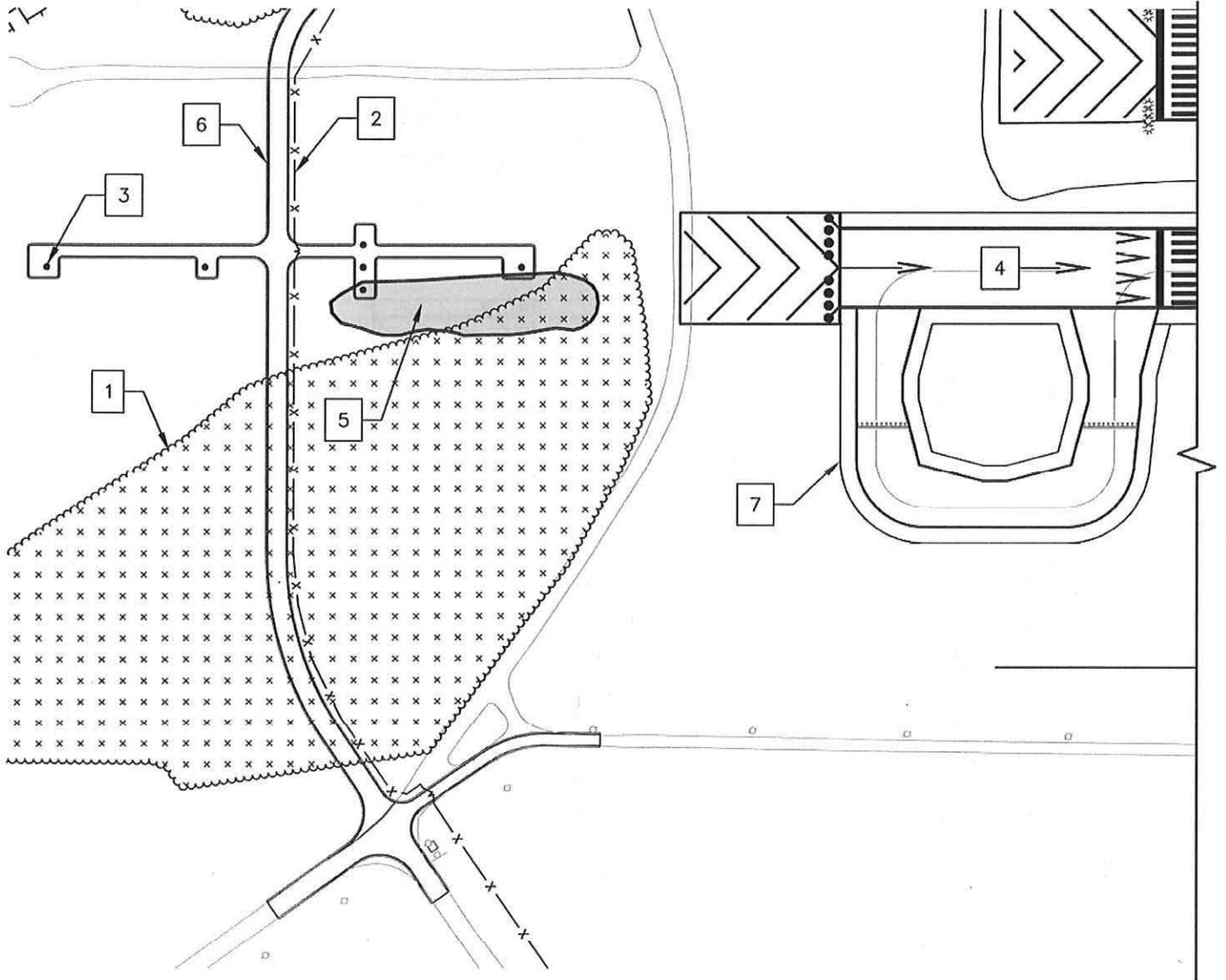
VICINITY MAP

POA-2016-551

December 29, 2016

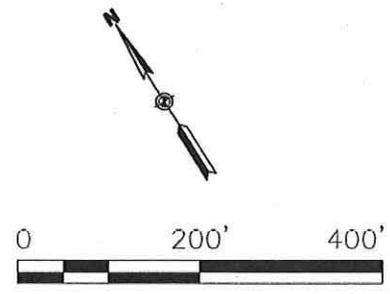
Sheet 1 of 5



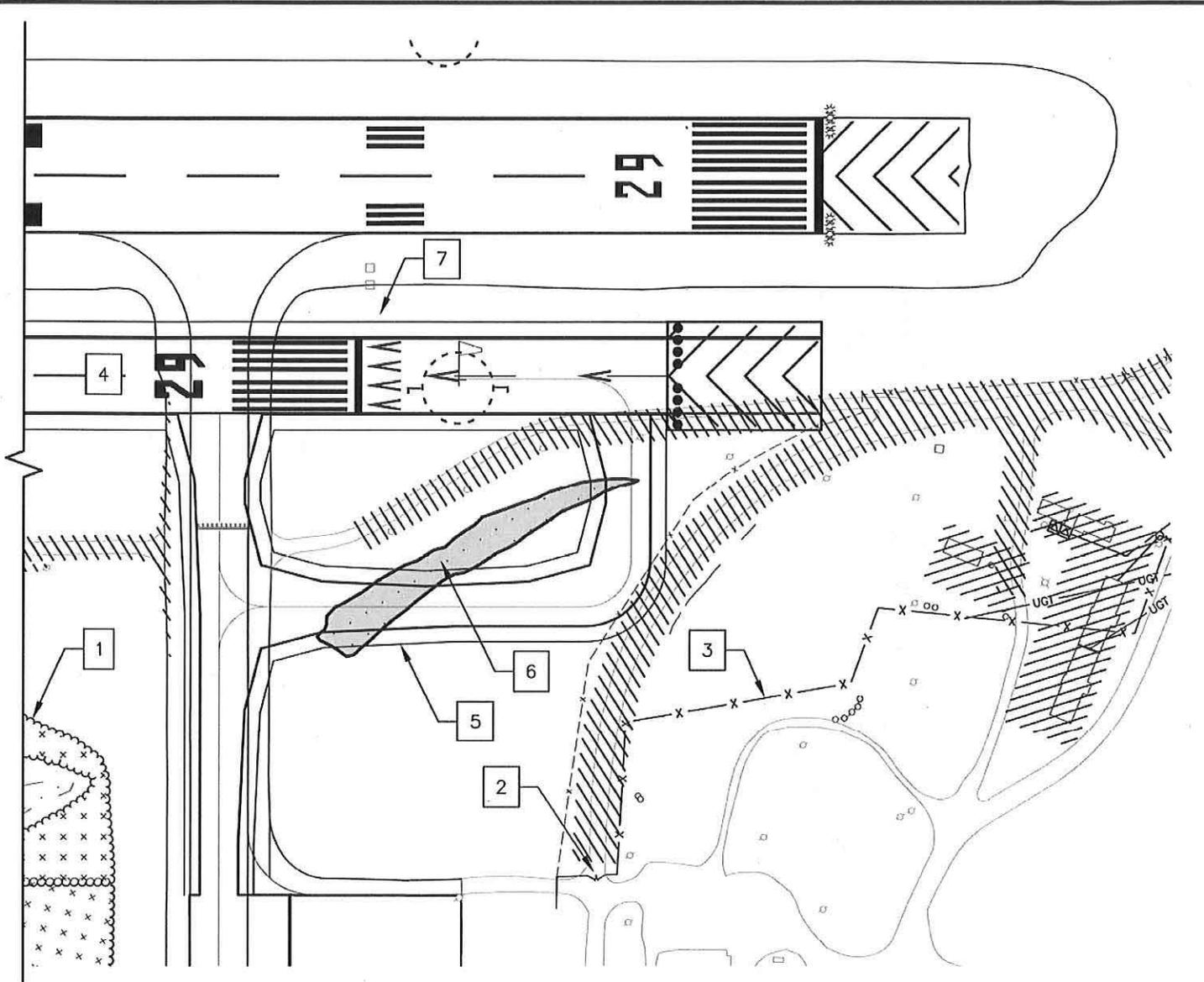


Proposed Project Actions	
No.	Description
1	Remove trees
2	Extend fence to completely enclose airfield and apron
3	Relocate medium intensity approach lighting system
4	Shift runway south
5	Fill silt cell to eliminate bird hazard
6	Relocate road
7	Construct taxiways

LEGEND	
	WETLAND IMPACTS
	TREE CLEARING
	CONSTRUCT NEW AIRPORT FENCE

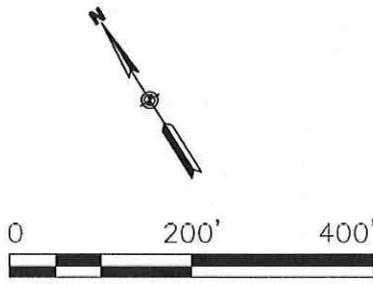


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 Sheet 3 of 5



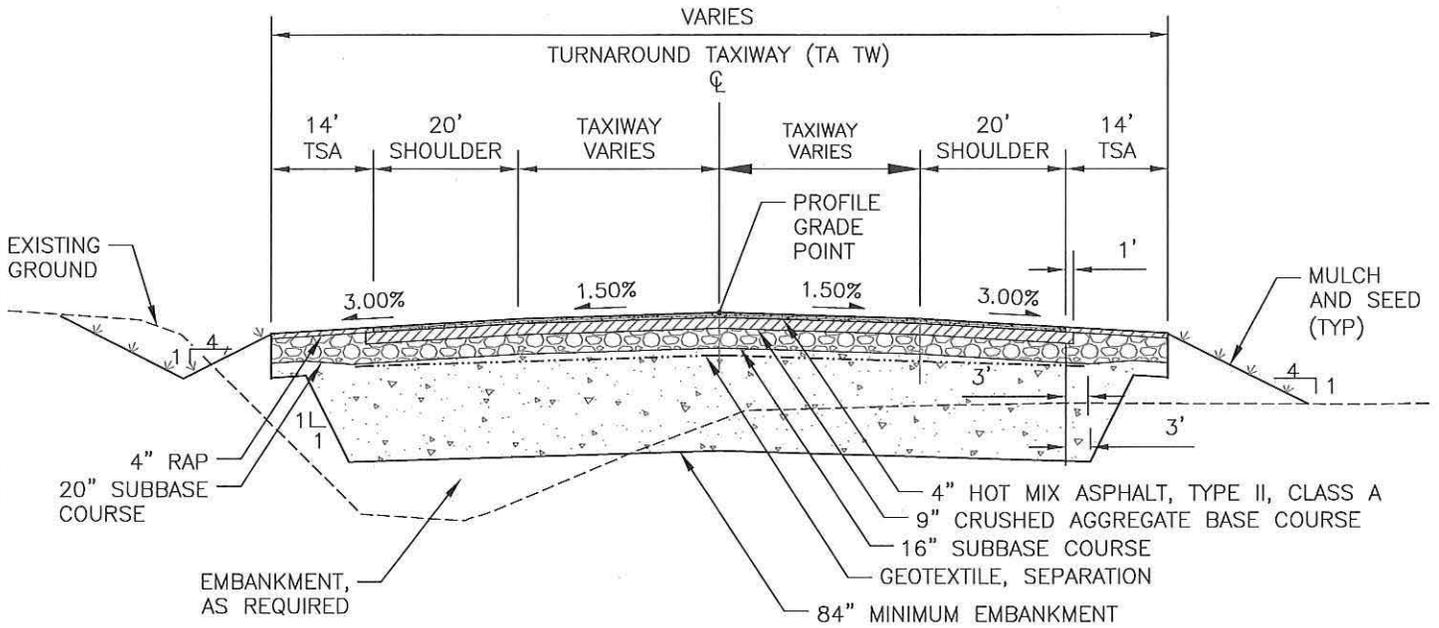
Proposed Project Actions	
No.	Description
1	Remove trees
2	Road closure
3	Relocate airfield fence
4	Shift runway south
5	Construct taxiways
6	Fill pond for taxiway construction
7	Construct new drainage ditch on east end of runway

LEGEND	
	WETLAND IMPACTS
	TREE CLEARING
	CONSTRUCT NEW AIRPORT FENCE



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FILE: U:\204700223\DWGS\ACOE.PERMIT\204700223-AN-ACOE-FIGS.DWG PLOTTED: Tuesday, November 17, 2015 11:38:17 AM (Penmore, Cindl)



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**TAXIWAY TURNAROUND TYPICAL SECTION**

SCALE: N.T.S.

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