



US Army Corps
of Engineers
Alaska District

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

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	March 6, 2020
EXPIRATION DATE:	April 6, 2020
REFERENCE NUMBER:	POA-2005-00510-M6
WATERWAY:	Campbell 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 (U.S.) as described below and shown on the enclosed project drawings.

All comments regarding this Public Notice (PN) should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the Project Manager's email as listed below or to regpagemaster@usace.army.mil. All comments should include the PN reference number listed above.

All comments should reach this office no later than the expiration date of this PN to become part of the record and be considered in the decision. Please contact Estrella Campellone at (907) 753-2518, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at: Estrella.f.campellone@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Michael D. Rhodes; Municipality of Anchorage Solid Waste Services;
111 E. 56th Avenue, Anchorage Alaska 99518

AGENT: Adam Morrill, DOWL; 4041 B Street; Anchorage, Alaska 99503

LOCATION: The project site is located at Section 32, T. 13 N., R. 3 W., Seward Meridian; USGS Quad Map Anchorage A-8; Latitude 61.168561° N., Longitude 149.86104° W.; Municipality of Anchorage parcels 928170, 928171, 928401, 928402, 928409, and 928410; from Seward Highway, west on Dowling Road, then north on Old Seward Highway, then east on E. 56th Avenue for approximately 700 feet; in Anchorage, Alaska.

PURPOSE: The applicant's stated purpose is to develop a new Central Transfer Station (CTS) without interrupting operations to replace the existing facility, which was constructed in 1975. Approximately 80% of trash in Anchorage is processed at the existing CTS before being transported to the Anchorage Regional Landfill (ARL). According to the Municipality of Anchorage (MOA) Integrated Solid Waste Master Plan (MOA 2018), the current CTS requires replacement as operations are at capacity and cannot accommodate increasing consumer demand for recycling or material reuse due to limited space and inefficient design. Construction of a new facility will be designed and sited to address deficiencies currently experienced at the existing SWS CTS.

Current design deficiencies include at the existing CTS:

- Overhead door openings on north and south walls of the existing SWS CTS transfer station building leave the building open to the surrounding area and prevailing winds, resulting in trash and debris blown or tracked away and littering the existing SWS CTS ground and adjacent properties.
- A large paved area with no clear delineation for different user types, resulting in crowded and fast-moving vehicles, inefficient traffic flow, and inadequate traffic separation for different uses.
- Residential customers experience long waits due to inadequate queuing space and inefficient layout of the trash unloading area at the tipping floor.

PROPOSED WORK: Placement of 116,000 cubic yards of clean gravel fill in 7.6 acres of wetlands. The Project would consist of the following elements (Sheet 5):

1. Administrative building (200 feet x 40 feet)
2. Transfer facility (330 feet x 235 feet)
3. Warm storage building (155 feet x 85 feet)
4. Vehicle maintenance building (140 feet x 85 feet)
5. Residential vehicle pay booth (20 feet x 10 feet)
6. Commercial vehicle pay booth (45 feet x 15 feet)
7. Employee and visitor parking
8. HHW/Re-use Building (115 feet x 45 feet)
9. Covered staff parking
10. Snow storage area (3)
11. Bio-retention pond (6)

All work would be performed in accordance with the enclosed plan (sheets 1-3 and 6-7 dated February 11, 2020, and sheets 4-5 dated February 28, 2020).

ADDITIONAL INFORMATION

Other Certificates or Approvals/Denials from resource agencies: Water Quality Certification (ADEC), Building Permit (MOA), and APDES (ADEC).

Background Information:

The initial individual permit was authorized on January 31, 2006, to Walmart Stores Inc.,

and transferred to the Municipality of Anchorage on June 6, 2019. This permit authorized the discharge of approximately 330,000 cubic yards (CY) of classified structural fill (well-graded sand and gravel) on 10.37 acres of wetlands. Permit minimization measures include, among others, 1) Replacement of pre-project stormwater retention and filtration capacity; 2) Runoff control measures necessary to preclude or minimize both erosion and the transport of sediment, pollutants, and solid waste beyond the approved project footprint shall be put in place to prevent turbid water from leaving the site during construction and either entering the 1.9 acres of preserved wetland in the northwest corner or entering the storm drains which carry water to Campbell Creek or any other water of the U.S.; 3) No discharge of fill material (even temporarily), including stockpiles; excavation and sidecasting/backfilling; mechanized land clearing; or operation, parking/storage or servicing of equipment shall occur in the 1.9 acres of patterned ground wetlands to be preserved in the northwest corner of the site. Compensatory mitigation included a conservation easement that includes 1.9 acres of patterned ground wetlands in the northwest corner of the project site and a preservation easement at Worst Subdivision Plat 70-371, Campbell Creek/Little Campbell Creek, of approximately 4 acres.

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the U.S. from activities involving discharges of dredged or fill material; some of the avoidance, minimization, and/or compensatory mitigation measures were stipulated in the initial permit:

a. Avoidance:

Complete avoidance of wetlands was not possible because there are no other alternative available that meet the purpose and need (see Supplemental Information below).

b. Minimization:

Wetlands impacts minimization included the following:

- Siting infrastructure are located toward the west side of the practical avoiding pockets
- Use of existing pad (fill placed by Wal-Mart).

As a result of avoidance measures, the total project footprint is 24.4 acres, of which roughly 30% (7.6 acres) is within wetlands.

c. Compensatory Mitigation:

The applicant has stated that compensatory mitigation has been satisfied through requirements of the initial individual permit issued on January 31, 2006, therefore they did not propose new compensatory mitigation.

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 no cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be footprint of the project (7.60 acres). 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 Historic Properties Affected (No Effect) determination for the proposed project. 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. The Corps is requesting the SHPO's concurrence with this determination.

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).

No EFH species are known to use 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 PN 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 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 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

Wastewater Discharge Authorization Program (WDAP) / 401 Certification

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WDAP/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-6285 | EMAIL: dec-401cert@alaska.gov

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 (PN) Reference Number **POA-2005-00515-M6, Campbell 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 or via email to dec-401cert@alaska.gov by the expiration date of the Corps of Engineer's Public Notice. All comments should include the PN reference number listed above. Mailed comments must be postmarked on or before the expiration date of the public notice.

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact Kate Orozco at 907-465-6171 or TDD Relay Service 1-800-770-8973/TTY or dial 711 within 5 days of the expiration date of this public notice to ensure that any necessary accommodations can be provided.

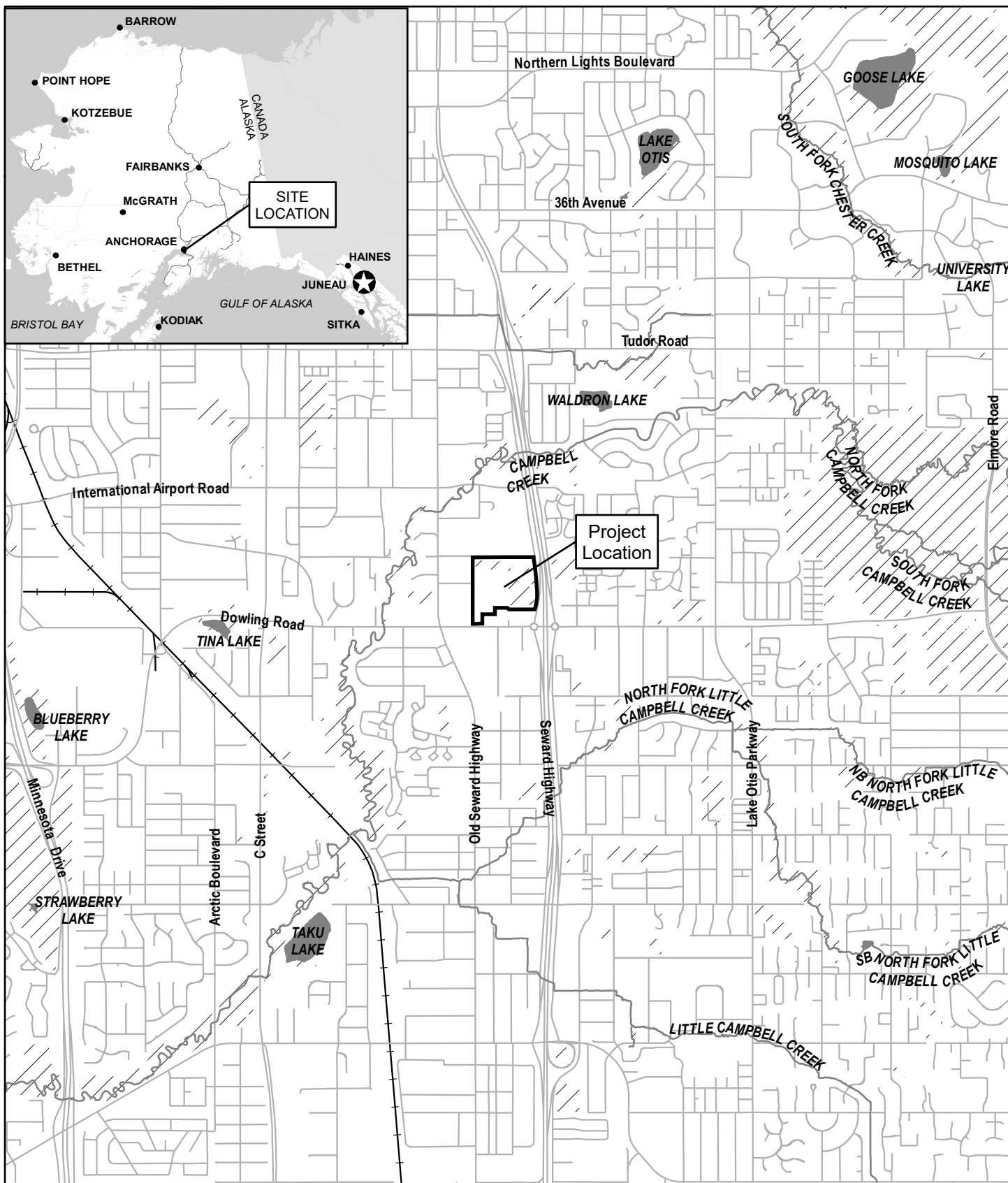


FIGURE 1: Vicinity Map

POA-2005-00510-M6

Applicant: Municipality of Anchorage - Solid Waste Services

Proposed Activity: Solid Waste Centrail Transfer Station

Section 32 T 13 N, R 3 W Seward Meridian USGS

Lat.: 61.168561° N Long.: 149.861047° W

Sheet: 1 of 9

Date: 2/11/2020

- | | |
|-------------------|--------------------|
| — MOA Street | ■ MOA Lake |
| — Alaska Railroad | /// MOA Wetland |
| — MOA Stream | □ Project Boundary |

0 0.5 1 Mile

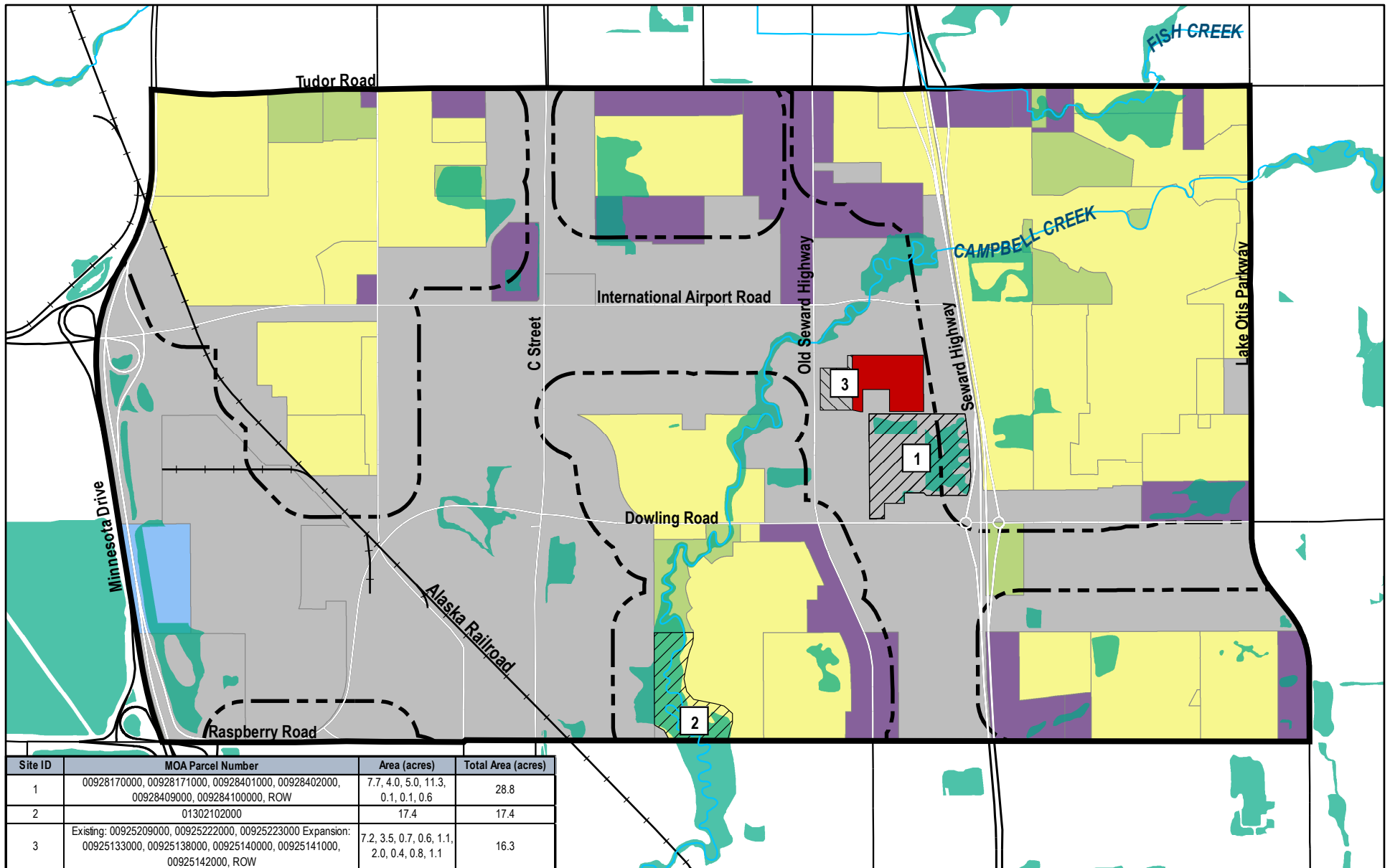


FIGURE 2: New Facility Alternatives

POA-2005-00510-M6

Applicant: Municipality of Anchorage Solid Waste Services

Proposed Activity: Solid Waste Central Transfer Station

Section 32 T 13 N, R 3 W Seward Meridian USGS Lat.:

61.168561° N Long.: 149.861047° W

Sheet: 2 of 9

Date: 2/11/2020

Existing Site

Potential Expansion

Vacant Site >16.3 acres

Site Selection Area

500-ft Residential Buffer

MOA Wetland

MOA Zoning Districts

Business

Industrial

Public Land

Residential

Transition

0 800 1,600 Feet

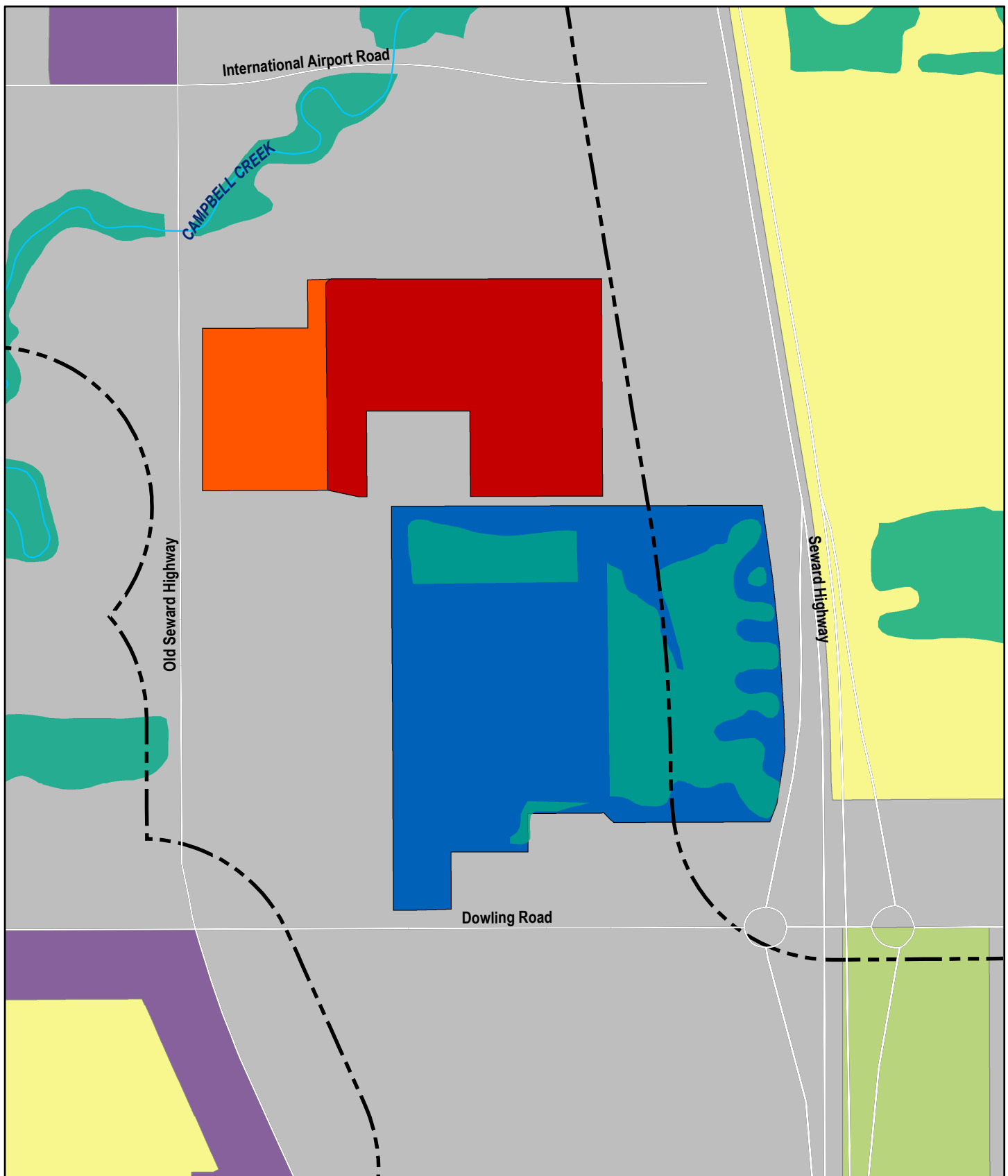


FIGURE 3: Alternatives

POA-2005-00510-M6

Applicant: Municipality of Anchorage Solid Waste Services

Proposed Activity: Solid Waste Central Transfer Station

Section 32 T 13 N, R 3 W Seward Meridian USGS Lat.:

61.168561° N Long.: 149.861047° W

Sheet: 3 of 9

Date: 2/11/2020

Location Selection

- Existing Site
- Potential Expansion
- Selected Site
- MOA Wetland
- 500-ft Residential Buffer

MOA Zoning Districts

- Business
- Industrial
- Public Land
- Residential

0 200 400 Feet





FIGURE 4: Plan View - Existing Conditions

POA-2005-00510-M6

Applicant: Municipality of Anchorage Solid Waste Services

Proposed Activity: Solid Waste Central Transfer Station

Section 32 T 13 N, R 3 W Seward Meridian USGS Lat.:

61.168561° N Long.: 149.861047° W

Sheet: 4 of 9

Date: 2/28/2020

- MOA Street
1-ft Contour
5-ft Contour
MOA Parcel Boundary
Previously Filled Wetlands

- Project Elements**
Existing Site
Conservation Easement
Selected Site

- DOWL Wetland Delineation**
PEM1B
PEM1C
PSS1B
PSS1C

0 150 300 Feet

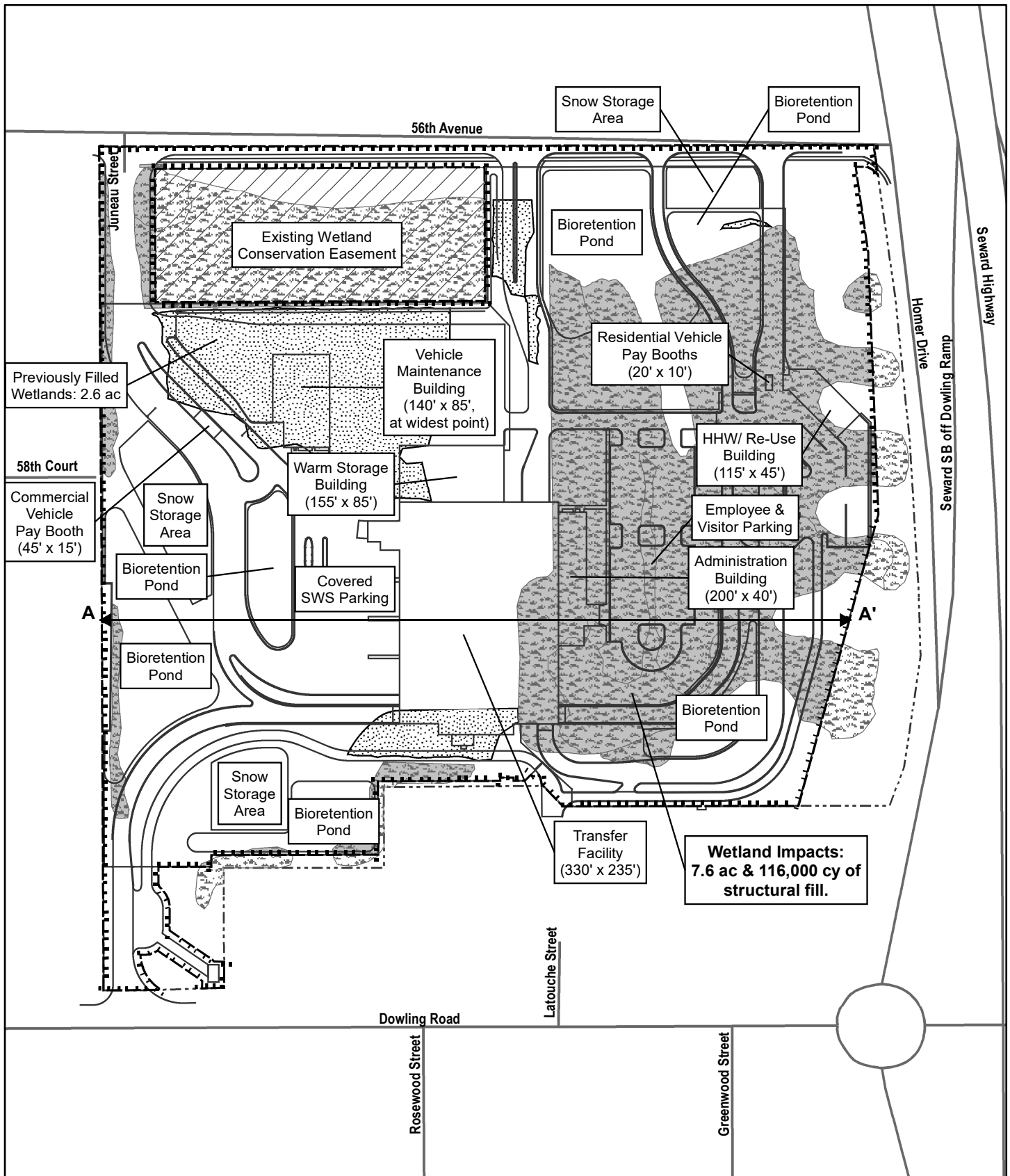


FIGURE 5: Plan View - Proposed

POA-2005-00510-M6

Applicant: Solid Waste Services

Proposed Activity: Solid Waste Central Transfer Station

Section 32 T 13 N, R 3 W Seward Meridian USGS

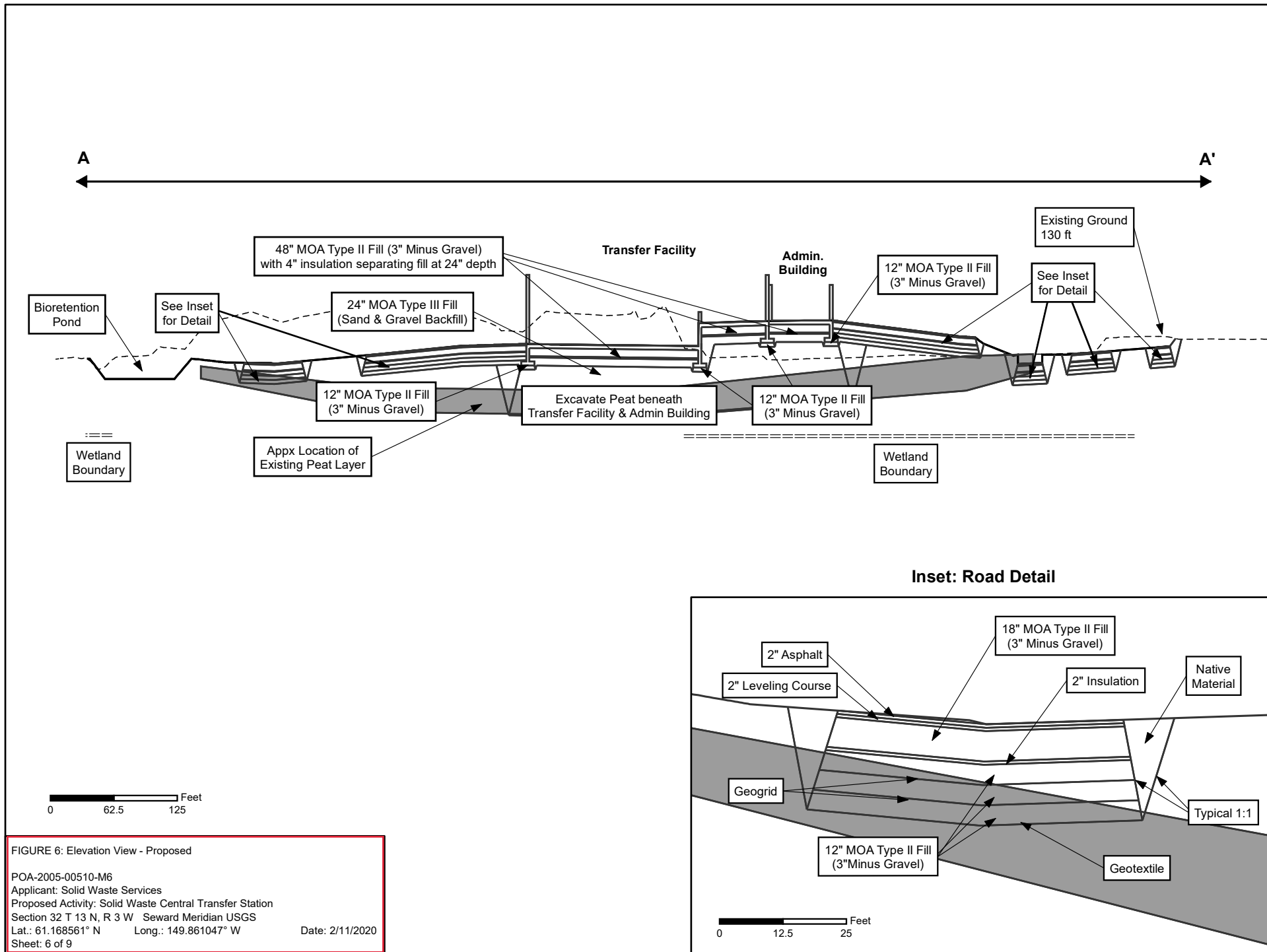
Lat.: 61.168561° N Long.: 149.861047° W

Sheet: 5 of 9

Date: 2/28/2020

- | | |
|-----------------------|----------------------------|
| — MOA Street | □ Proposed Project |
| Wetland | Project Cut/ Fill Limits |
| Conservation Easement | Proposed Wetland Impact |
| Property Boundary | Previously Filled Wetlands |

0 100 200 Feet





SUPPLEMENTAL INFORMATION

ANCHORAGE SOLID WASTE TRANSFER STATION, CAMPBELL CREEK

FIGURE 7: Supplemental Information

POA-2005-00510-M6

Applicant: Solid Waste Services

Proposed Activity: Solid Waste Central Transfer Station Section 32 T

13 N, R 3 W Seward Meridian USGS Lat.: 61.168561° N

Long.: 149.861047° W Sheet: 7 of 9

Date: 2/11/2020

Regulatory Setting

The project will involve work in aquatic resources and impact Waters of the U.S. under the Corps jurisdiction per Section 404 of the Clean Water Act. Waters of the U.S. impacted by the proposed project include wetlands. This project meets the definition of a “single and complete project” per 33 CFR 330.2(i).

Nature of Activity

The Project would consist of the following elements (Sheet 5):

- Administrative building (200 x 40 ft)
- Transfer facility (330 x 235 ft)
- Warm storage building (155 x 85 ft)
- Vehicle maintenance building (140 x 85 ft)
- Residential vehicle pay booth (20 x 10 ft)
- Commercial vehicle pay booth (45 x 15 ft)
- Employee and visitor parking
- HHW/Re-use Building (115 x 45 ft)
- Covered staff parking
- Snow storage area (3)
- Bioretention pond (6)

Project Purpose

The purpose of the project is to develop a new Central Transfer Station (CTS) without interrupting operations to replace the existing facility, which was constructed in 1975. Approximately 80% of trash in Anchorage is processed at the existing CTS before being transported to the Anchorage Regional Landfill (ARL).

According to the Municipality of Anchorage (MOA) Integrated Solid Waste Master Plan (MOA 2018), the current CTS requires replacement as operations are at capacity and cannot accommodate increasing consumer demand for recycling or material reuse due to limited space and inefficient design. Design deficiencies include:

- Overhead door openings on north and south walls of the existing SWS CTS transfer station building leave the building open to the surrounding area and prevailing winds, resulting in trash and debris blown or tracked away and littering the existing SWS CTS ground and adjacent properties.
- A large paved area with no clear delineation for different user types, resulting in crowded and fast-moving vehicles, inefficient traffic flow, and inadequate traffic separation for different uses.
- Residential customers experience long waits due to inadequate queuing space and inefficient layout of the trash unloading area at the tipping floor.

Construction of a new facility will be designed and sited to address deficiencies currently experienced at the existing SWS CTS.

Site Selection

The existing CTS cannot be upgraded to meet existing capacity and to meet project needs. The new CTS site needs to meet the following criteria:

- Size: Site had to be at least 16 acres to accommodate required infrastructure.
- Land Condition: Site had to be vacant or not currently in use and within zoning district that would allow for a transfer station.

- Transportation:
 - o Site had to be readily accessible by at least one arterial road
 - o Site needs to accommodate four separate access points to separate internal, commercial and residential customer access
- Zoning: Site needed to be in a zoning district that allows for a Transfer and Recycling Facility either as a permitted use or Conditional Use and be at least 500 feet from nearest residential district.
- Search radius: Site needed to be located between Raspberry Road, Tudor Road, Lake Otis Parkway, and Minnesota Drive.

Three sites were identified that potentially met the size criteria (shown on Sheet 2):

- Site 1: MOA parcel ID 00928170000, 00928171000, 00928401000, 00928402000, 00928409000, 009284100000: This site met all applicable criteria and was selected as the Project site.
- Site 2: MOA parcel ID 01302102000: This site met land condition and zoning criteria, but did not meet transportation needs and was bisected by Campbell Creek and comprised of wetlands.
- Site 3: MOA parcel ID 00925133000, 00925138000, 00925140000, 00925141000, 00925142000: This site met land condition and zoning criteria, but did not meet transportation needs and relied on expanding the existing CTS which would require operations to be interrupted for up to three years.

Proposed Site Layout

The proposed SWS CTS will have five different access points to accommodate the different types of traffic. Four access points are located along E. 56th Avenue and one access point will be on Dowling Road.

The access points and need to provide safe and efficient access for the residential customers, commercial garbage trucks, and transfer trailer trucks were key components in the location of the Transfer Station Building and site layout. The entrance and exit of each of the users was carefully considered during design to maximize the operational efficiency of the new SWS CTS.

Transfer Trailer trucks will travel down ramps to enter the bottom floor of the Transfer Station Building to allow trash from the tipping floor to be pushed. The bottom floor of the Transfer Building is approximately 16 feet below ground. The ramps were designed to allow for a longitudinal grade that was less than 8 percent to allow the Transfer Trailers to safely access the building.

Queuing analysis were conducted on the new site layout to develop adequate queuing for the residential traffic.

Along with the need to separate the various users as they enter and exit the site, a conservation easement is located near the northwest corner of the site. Although the easement is written in such a way to allow for modifications with the approval of the USACE, the goal was to not impact the easement with the site design. It is important to note that the current site plan also does not impact or require modification to the conservation easement that is located on site.

Existing Permit

The Project site has a permit previously issued to Wal-Mart under POA-2005-510 to fill 10.27 acres of wetlands for a new store. Compensatory mitigation was required through both offsite and onsite sources. The offsite mitigation is completed and consists of restoration and preservation of Little Campbell Creek near Vander Court and Lore Road in Anchorage, Alaska. The onsite mitigation is partially completed and consists of:

- Placement of a conservation Easement (CE) on 2.3 acres located in the northwest corner of the property to protect 1.9 acres of wetlands
- Construction of biofiltration swales (3.9 acres)
- Construction of a stormwater basin (0.15 acres)

Construction of the biofiltration swales and the stormwater basin has not occurred. The Proposed project would construct 3.3 acres of bioretention ponds rather than separate biofiltration swales and a stormwater basin.

Avoidance, Minimization, and Compensation

Complete avoidance of wetlands was not possible as no alternative site was available (see site selection). Minimization of wetlands included the following:

- Siting infrastructure to the west to the extent practical
- Use of existing pad (fill placed by Wal-Mart)
- Avoidance of the existing conservation easement

As a result of avoidance measures, the total Project footprint is 24.4 acres, of which roughly 30% (7.6 acres) is within wetlands. Compensatory mitigation has been satisfied through Section 404 permit POA-2005-510 as discussed above, therefore no new compensatory mitigation is proposed.

Wetland Delineation

A Wetland Delineation Report for the project area was submitted in July 2019, with an associated memo submitted September 2019. An approved jurisdictional determination (JD) has not been received. The report and memo identified approximately 10 acres of jurisdictional wetlands present on the approximately 29 acre-site.

Adjoining Property Owners

- 1301 E Dowling Road Anchorage, AK 99518
- 1205 E Dowling Road Anchorage, AK 99518
- 1147 E Dowling Road Anchorage, AK 99518
- 1111 E Dowling Road Anchorage, AK 99518
- 941 E Dowling Road Anchorage, AK 99518
- 1135 E Dowling Road Anchorage, AK 99518
- 907 E Dowling Road Anchorage, AK 99518
- 920 E 58th Court Anchorage, AK 99518
- 5655 Old Seward Highway Anchorage, AK 99518
- 1021 E 56th Ave Anchorage, AK 99518

Other resources

- Endangered Species Act: listed species are not present within the study area.
- National Historic Preservation Act: historic properties are not present in the study area or adjacent to the Project and no effect on historic properties are anticipated.
- Floodplains: no regulatory floodplains are within the project area.