



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:	27 August 2021
EXPIRATION DATE:	13 September 2021
REFERENCE NUMBER:	POA-2021-00418
WATERWAY:	Zimovia Strait

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.

All comments regarding this Public Notice 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 Public Notice reference number listed above.

All comments 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 Jason Berkner at (907) 753-5778, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Jason.R.Berkner@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mr. Garrett Gablehouse, 3.2 Mile Zamovia Highway, Wrangell, Alaska, 99929

LOCATION: The project site is located at 345 Stikine Avenue, within Section 30, T. 62 S., R. 84 W., Copper River Meridian; USGS Quad Map Cape Flattery; Latitude 56.475561° N., Longitude -132.391447° W.; in Wrangell, Alaska.

PURPOSE: The applicant's stated purpose is to utilize and maximize the length of his property.

PROPOSED WORK: The applicant proposes to complete work in Zimovia Strait to level the rear 30 feet of his property, spanning its entire 88.5-foot width. The work would consist of driving six 12-inch, 40-foot-long, steel pilings to act as a bulkhead for a stacked rock fill. A 10-inch I-beam would be welded to the top of the pilings for support. The pilings would be located inside the waterward property line, at a spacing of 16 feet, along the toe of an existing rock fill. Landward of the pilings, 165 cubic yards of rock would be discharged (stacked) onto existing rock fill. Approximately one-half that volume of rock fill would be placed into an area extending 15 feet waterward of the high tide line, which would result in filling 1,328 square feet of the intertidal zone.

The project would begin upon issuance of a Department of the Army permit and would be anticipated to be completed prior to winter. The driving of the piles and the initial placement of the rock would occur while the project site is dewatered during at low tide.

All work would be performed in accordance with the enclosed plan (sheets 1-2), dated August 16, 2021.

APPLICANT PROPOSED MITIGATION: The applicant provided the following description of avoidance, minimization, and compensatory mitigation: The area of the proposed rock fill discharge is limited to the top of existing rock fill. No compensatory mitigation is proposed.

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 the footprint of the pilings and rock fill. Consultation of the AHRs constitutes the extent of cultural resource investigations by the 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: The project area is within the known or historic range of the Steller Sea Lion (*Eumetopias jubatus*) and Humpback Whale (*Megaptera novaeangliae*).

We have determined the described activity would have no effect on the above mentioned 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).

The project area is within the known range of the chum salmon (*Oncorhynchus keta*), Pink salmon (*Oncorhynchus gorbuscha*), Coho salmon (*Oncorhynchus kisutch*), Chinook salmon (*Oncorhynchus tshawytscha*), Sockeye salmon (*Oncorhynchus nerka*), Big Skate (*Raja binoculata*), Longnose skate (*Raja rhina*), Octopus (*Octopoda* spp.), Shark (*Selachimorpha* spp.), and Gulf of Alaska Shallow Water Flatfish Complex. 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.

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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 authorities:

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

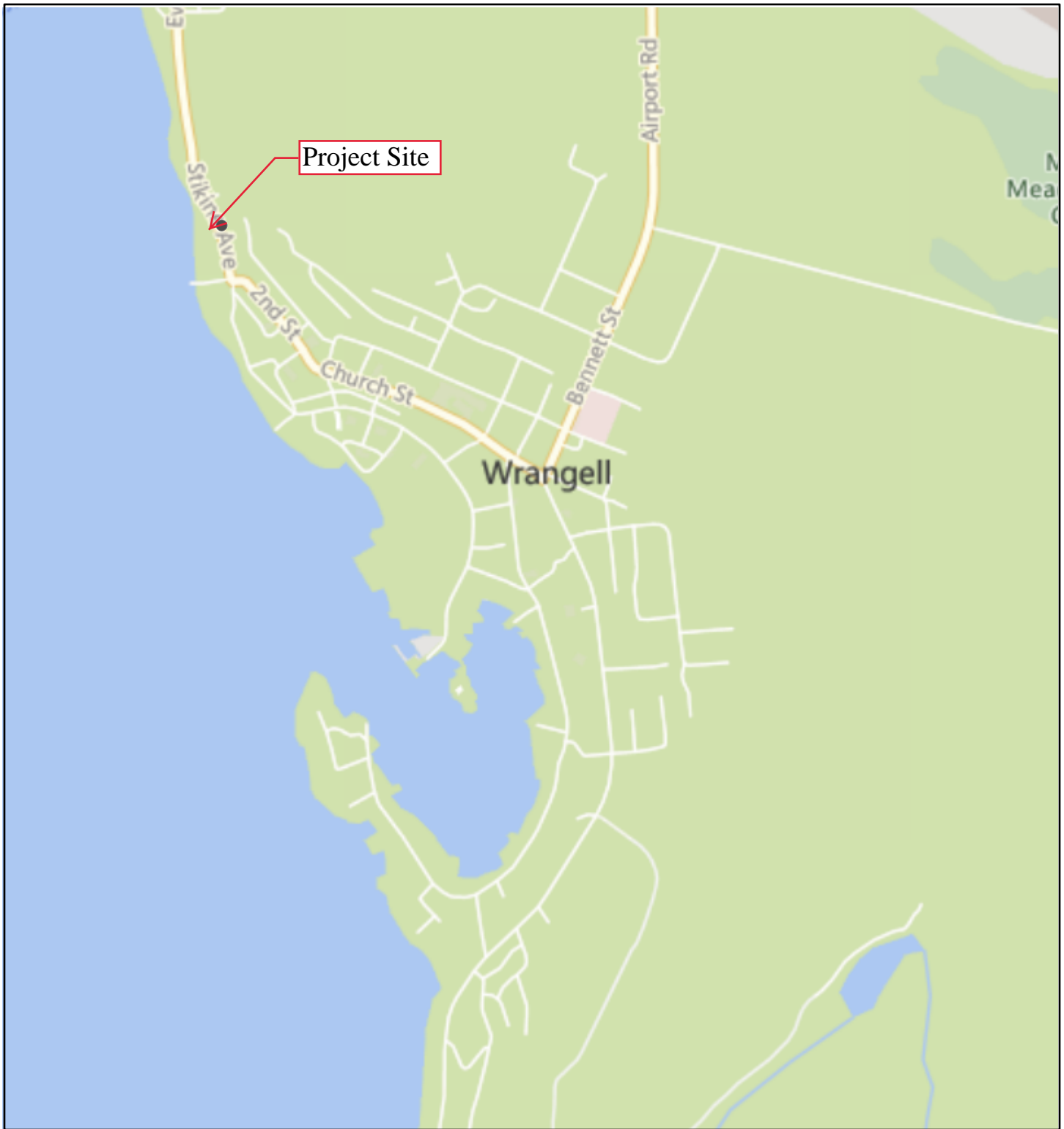
(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings are enclosed with this Public Notice.

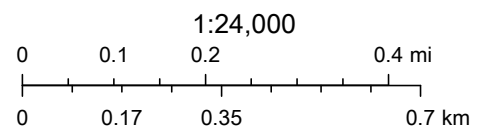
District Commander
U.S. Army, Corps of Engineers

Enclosures

Locality Map



POA-2021-00418, Zimovia Strait
345 Stikine Avenue, Wrangell, Alaska



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ArcGIS Web AppBuilder

Sidewalk

Sidewalk

Sidewalk

Existing
building

Address: 345 Stikine Ave.
Wrangell, AK 99929

Project
Coordinates: $N 56^{\circ} 28.527'$
 $W 132^{\circ} 23.478'$

Existing
Car Port

Existing Lot
Breakwater

88.5'
wide

Proposed
rock
fill
165
cubic
Yards
total

Proposed
rock
fill
165 cubic
Yards
total

30'
out
w/rock
fill

12"
galvanize
steel
Pillings

Property
marker

Property
marker

16'
on
center

16'
on
center

16'
on
center

16'
on
center

16'
on
center

16'
on
center

Address : 345 Stikine Ave
Location : Wrangell, Ak. 99129

POA-2021-00418
August 16, 2021
Sheet 2 of 2

Project
Coordinates: N 56° 28.527'
W 132° 23.478'



- Existing ground

- Project will span
the width of the
end of property
88.5' wide

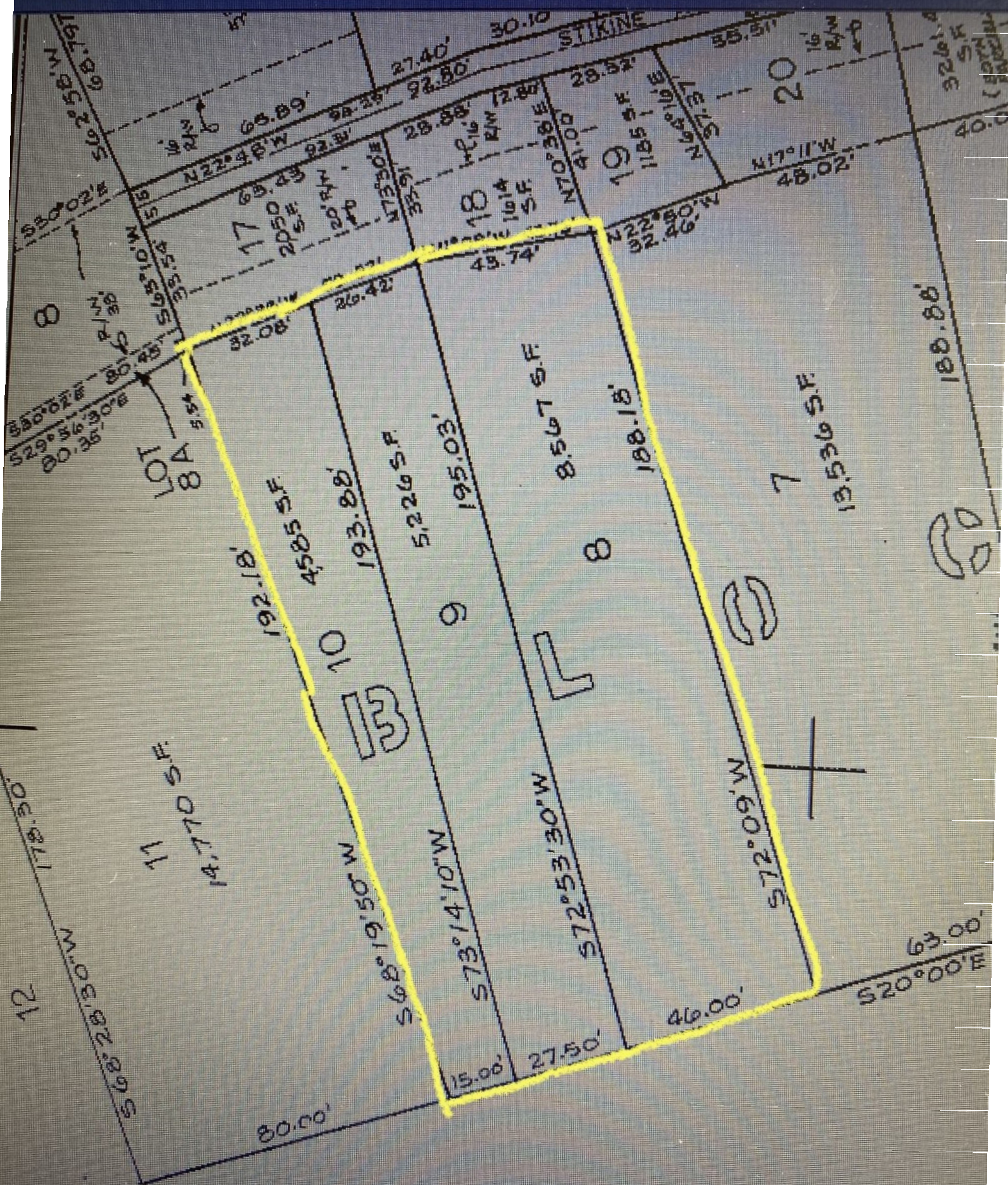
- Proposed rock
fill (approximately 165
cubic
yards)

30' out

- Proposed
12" galvanized
steel
Pillings
x6
(@ 16' centers)

30' Pillings x6

- Property
marker



Wrangell station 9451204
mean high water 15.08
mean low water 1.51

South view
rock fill \$
Pillings shown



North view
No fill
shown

Property
Marker

Property
Marker





12" galvanized steel pilings

10" welded Ibeam support

Low tide

Property Marker

Property Marker

16' 16' 16' 16' 16'

Lot is 88' wide



High Tide