



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:	December 2, 2019
EXPIRATION DATE:	January 2, 2020
REFERENCE NUMBER:	POA-1961-00028
WATERWAY:	Sumner 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 (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 Emily Vullo at (907) 753-2704, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Emily.N.Vullo@usace.army.mil if further information is desired concerning this notice.

APPLICANT: United States Forest Service (USFS)

AGENT: Michele Parker

LOCATION: The project site is located within Section 35, T. 61 S., R. 81 E.; Latitude 56.5430° N., Longitude 132.7282 ° W.; near Petersburg, Alaska.

PURPOSE: The applicant's stated purpose is to help facilitate the movement of logs to meet timber supply and demand as identified in the Central Tongass Project (CTP) and machinery and the movement of people and cargo. This would be done by increasing upland log storage capacity and improving stormwater drainage for the Log Transfer Facility (LTF).

PROPOSED WORK: This would be a modification to an already existing Log Transfer Facility (LTF). The USFS would convert the existing causeway into a 10% grade, 230 foot long x 28 foot wide ramp as well as expand the fill foot print in wetlands by 1.5 acres. Section 10 work would consist of excavating 8,915 cubic yards (CY) of fill below Mean High Water (MHW) and removing and disposing of the existing log bulkhead. The excavation would occur from land. The 1.5-acre expansion area would be created using mechanized land clearing and grubbing as well as by placing 9,630 CY of fill. The expansion area would also consist of a shot-rock lined ditch line and settling pond. All work would be performed in accordance with the enclosed plan (sheets 1-5), dated September 2019.

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.

- a. Avoidance: The applicant is aware of the presence of waters of the U.S. There are no uplands near the current site. In order to complete above described project the applicant must place fill material into wetlands and conduct work within Section 10 waters; therefore complete avoidance is not practicable.
- b. Minimization: Best Management Practices would be used during site utilization. The current National Pollutant Discharge Elimination System Plan includes a settling pond and sloping the grades away from the water to controls water runoff. The USFS contracting specifications assure settling ponds, are clean and drainage is operating to settle solids, that the LTF, related structures and facilities are operated, maintained, and monitoring according to pollution prevention plans and permit requirements.
- c. Compensatory Mitigation: The USFS currently states compensatory mitigation is not necessary, due to minimizing the extent of the upland storage expansion to the smallest size needed. The current footprint would also be reduced by 1,250 square feet by removing the causeway and constructing a ramp extending down into the water.

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, USFS, is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. The Corps of Engineers (Corps) will review USFS's documentation and either concur with their documentation or continue to work with them until any issues are resolved. A permit for the described work will not be issued until the Section 106 process has been completed and the Corps concurs with USFS's work or documentation.

ENDANGERED SPECIES: The project area is within the known or historic range of the Humpback Whale (*Megaptera novaeangliae*) Mexico Distinct Population Segment (DPS).

The lead Federal agency, USFS, is responsible for compliance with the requirements of Section 7 of the Endangered Species Act with the National Marine Fisheries Service (NMFS). The Corps will review USFS's documentation and either concur with their documentation or continue to work with them until any issues are resolved. A permit for the described work will not be issued until the Section 7 process has been completed and the Corps concurs with USFS's work or documentation. Any comments NMFS may have concerning endangered or threatened wildlife 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*), and sockeye salmon (*Oncorhynchus nerka*).

The lead Federal agency, USFS, is responsible for compliance with the requirements of The Magnuson-Stevens Fishery Conservation and Management Act with the National Marine Fisheries Service (NMFS). The Corps will review USFS's documentation and either concur with their documentation or continue to work with them until any issues are resolved. A permit for the described work will not be issued until a no effect determination has been made of coordination has been completed and the Corps concurs with USFS's work or documentation. Any comments NMFS may have concerning EFH will be considered in our final assessment of the described work.

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) 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 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.

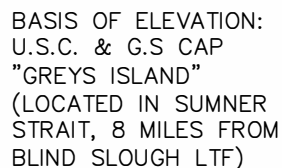
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number **POA-1961-00028, Sumner Strait**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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 Theresa Zimmerman 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.



(R10)
ALASKA

PROJECT NAME

**ALASKA DNR
DIVISION OF MINING,
LAND, & WATER
LAND USE PERMIT**

**TONGASS NATIONAL
FOREST**

PETERSBURG RANGER DISTRICT

DRAWING TITLE

BLIND SLOUGH LTF TIDELAND LEASE DIAGRAM

DATE _____

09/23/2019

ARCHIVE NO.

FS090523 R102013 L1-002.dwg

DESIGNER

F. BECERRA

DRAWN

F. BECERRA

CHECKED

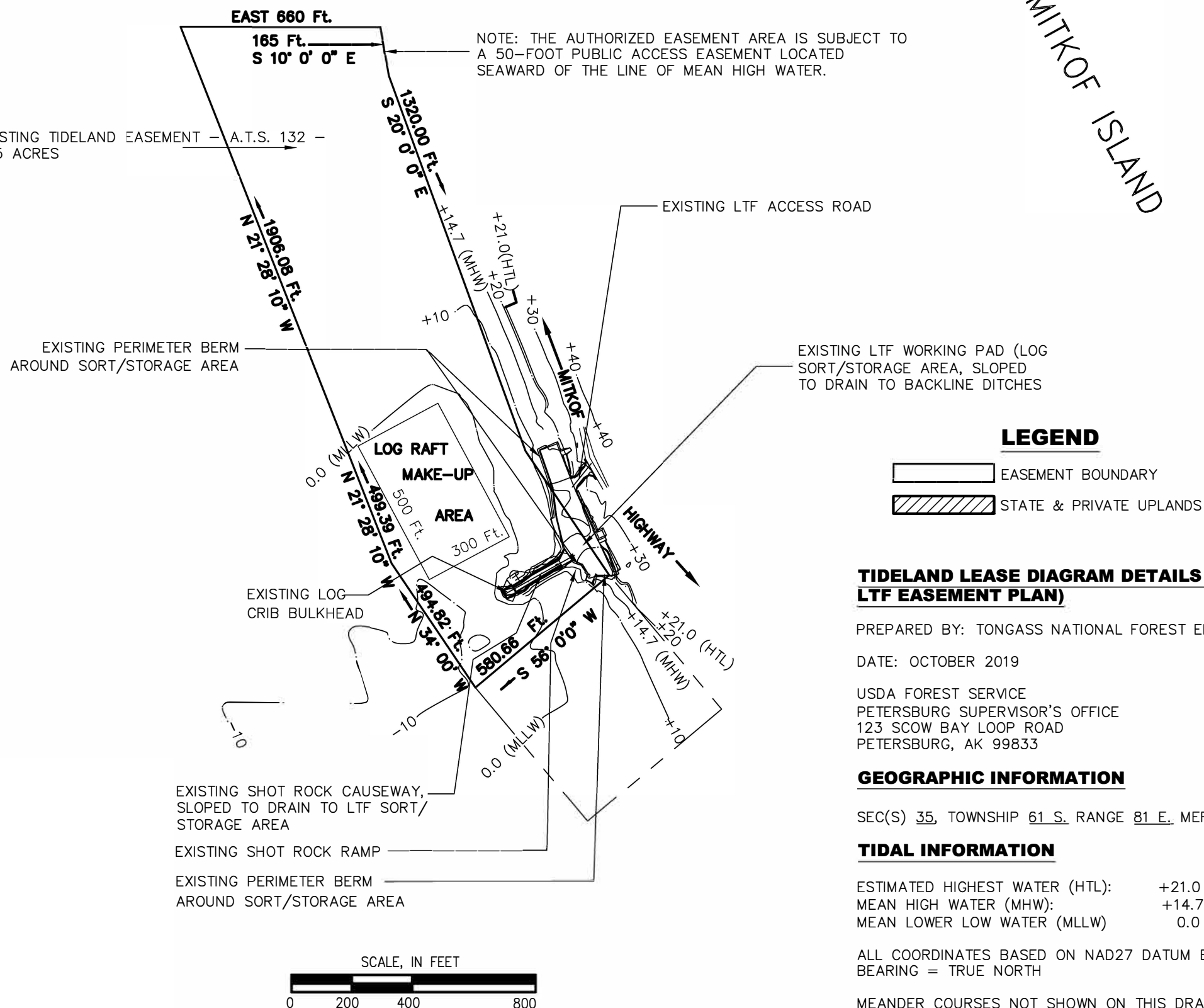
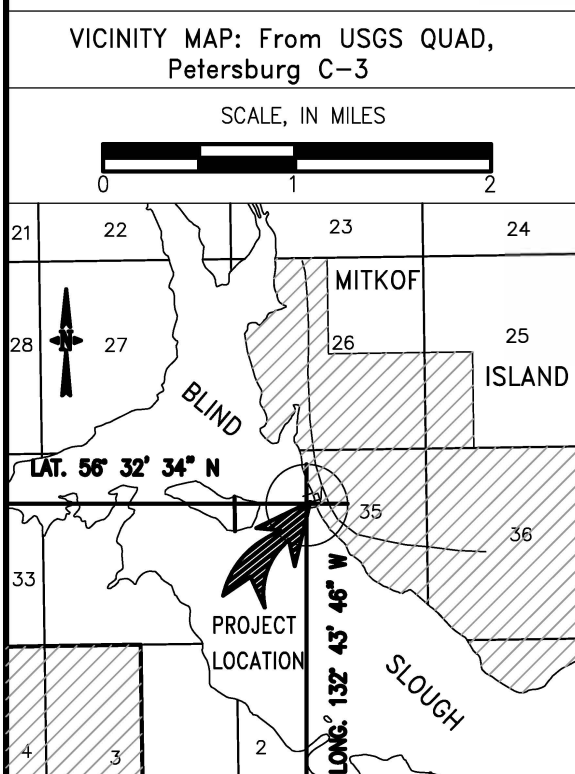
M. PARKER

PROJECT NO.

DWG SHEET NO.

01

SHEET 01 OF 05



LEGEND

EASEMENT BOUNDARY

STATE & PRIVATE UPLANDS

TIDELAND LEASE DIAGRAM DETAILS (NO 264 LTF EASEMENT PLAN)

PREPARED BY: TONGASS NATIONAL FOREST ENGINEERING

DATE: OCTOBER 2019

USDA FOREST SERVICE
PETERSBURG SUPERVISOR'S OFFICE
123 SCOW BAY LOOP ROAD
PETERSBURG, AK 99833

GEOGRAPHIC INFORMATION

SEC(S) 35, TOWNSHIP 61 S. RANGE 81 E. MERIDIAN CRM

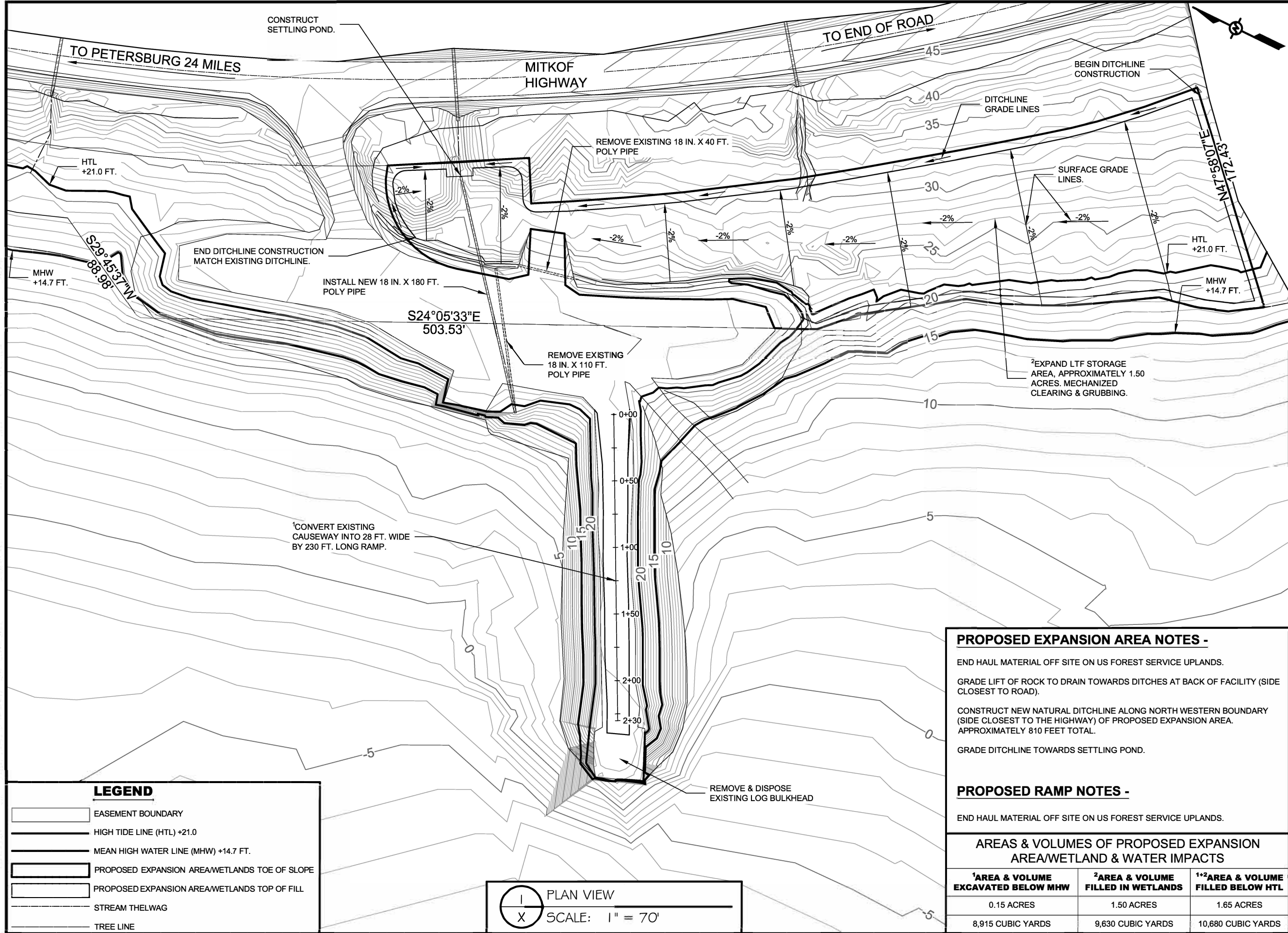
TIDAL INFORMATION


ESTIMATED HIGHEST WATER (HTL):	+21.0 FT.
MEAN HIGH WATER (MHW):	+14.7 FT.
MEAN LOWER LOW WATER (MLLW)	0.0 FT.

ALL COORDINATES BASED ON NAD27 DATUM BASIS OF
BEARING = TRUE NORTH

MEANDER COURSES NOT SHOWN ON THIS DRAWING.

11/14/19 09:23 FBCERRA\CHOA.D\MY DOCUMENTS\CENTRAL TONGASS LANDSCAPE LEVEL ASSESSMENT (CTLA)\LTF\BLIND SLOUGH & WOODPECKER COVE LTF\STOPO SURVEYS\BLIND SLOUGH LTF_PROPOSED 7_PLOT.DWG;





United States Department of Agriculture
Forest Service

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TONGASS NATIONAL
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PETERSBURG RANGER
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DRAWING TITLE

BLIND SLOUGH LTF
SITE DEVELOPMENT
PLAN

DATE

08/31/2019

ARCHIVE NO.

FS090523_R102013_L1-002.dwg

DESIGNER

F. BECERRA

DWG SHEET NO.

02

DRAWN

F. BECERRA

CHECKED

M. PARKER

PROJECT NO.

SHEET 02 OF 05

PROPOSED EXPANSION AREA NOTES -

END HAUL MATERIAL OFF SITE ON US FOREST SERVICE UPLANDS.

GRADE LIFT OF ROCK TO DRAIN TOWARDS DITCHES AT BACK OF FACILITY (SIDE CLOSEST TO ROAD).

CONSTRUCT NEW NATURAL DITCHLINE ALONG NORTH WESTERN BOUNDARY (SIDE CLOSEST TO THE HIGHWAY) OF PROPOSED EXPANSION AREA. APPROXIMATELY 810 FEET TOTAL.

GRADE DITCHLINE TOWARDS SETTLING POND.

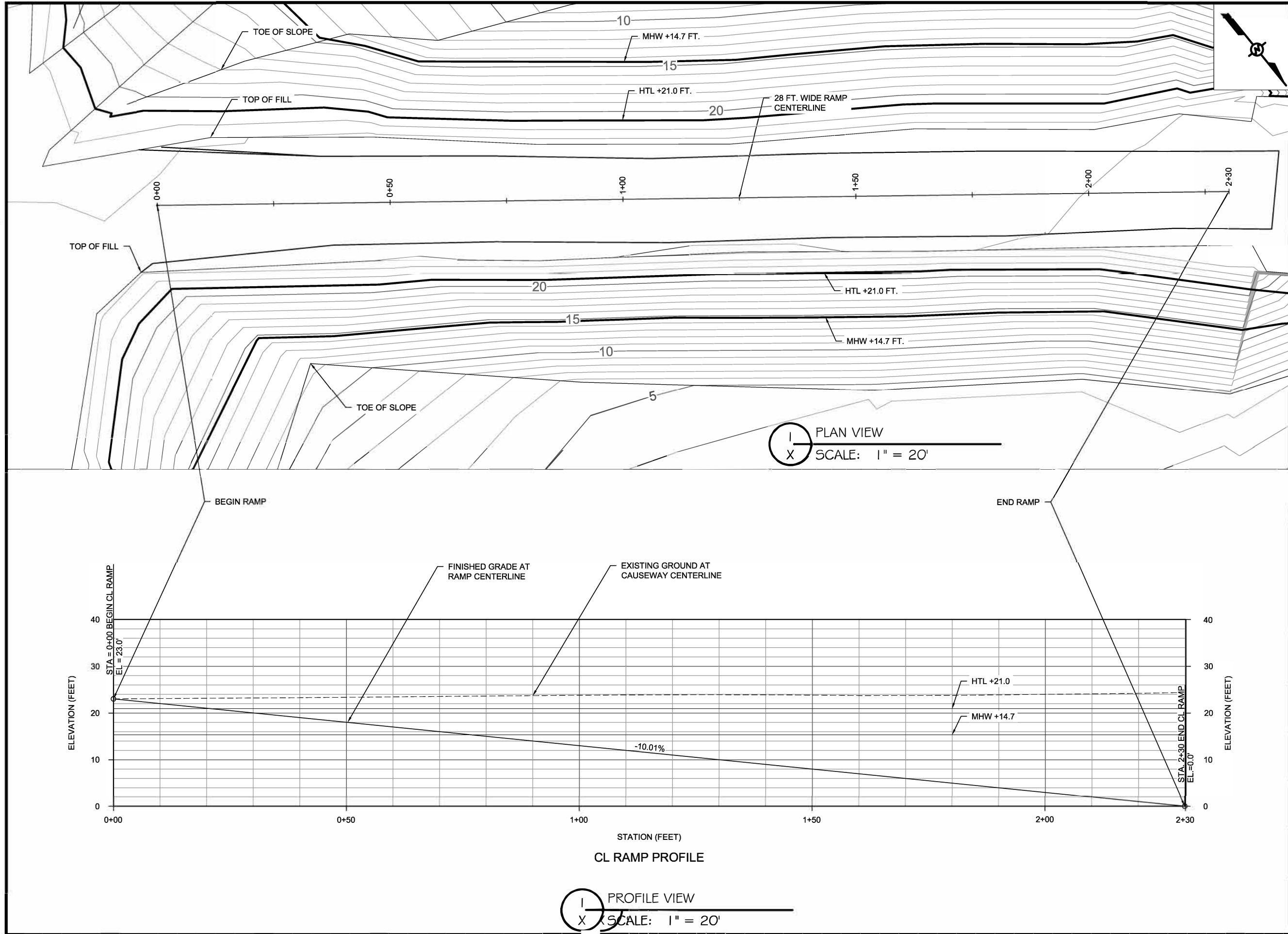
PROPOSED RAMP NOTES -

END HAUL MATERIAL OFF SITE ON US FOREST SERVICE UPLANDS.

AREAS & VOLUMES OF PROPOSED EXPANSION AREA/WETLAND & WATER IMPACTS

¹ AREA & VOLUME EXCAVATED BELOW MHW	² AREA & VOLUME FILLED IN WETLANDS	¹⁺² AREA & VOLUME FILLED BELOW HTL
0.15 ACRES	1.50 ACRES	1.65 ACRES
8,915 CUBIC YARDS	9,630 CUBIC YARDS	10,680 CUBIC YARDS

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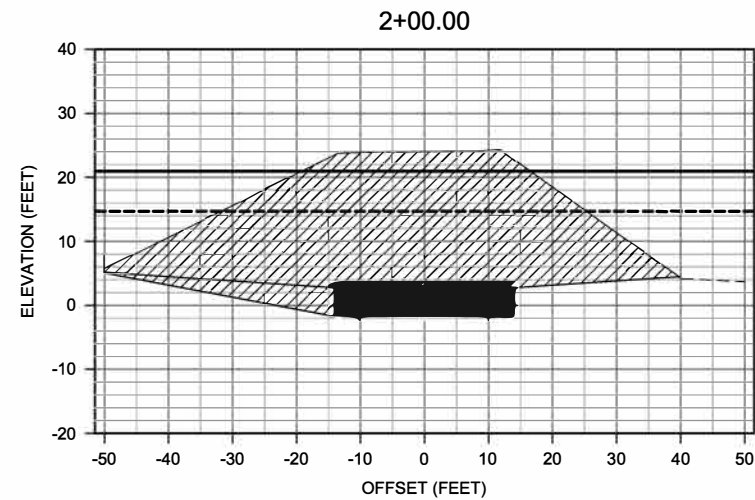
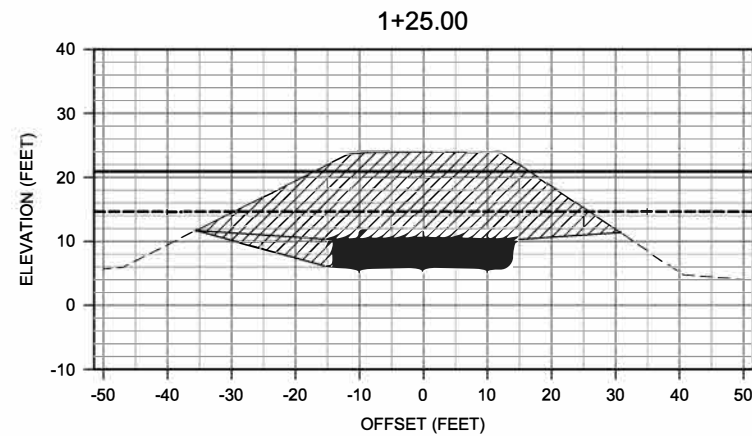
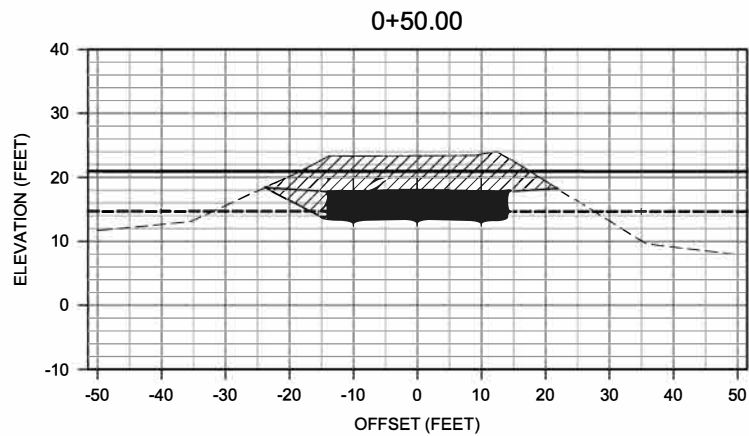
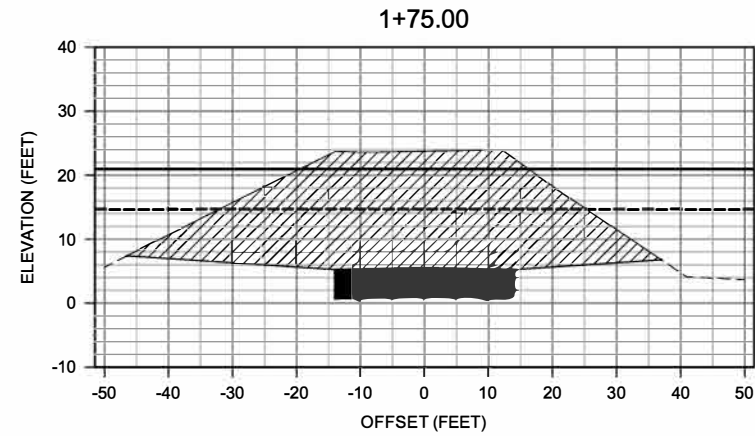
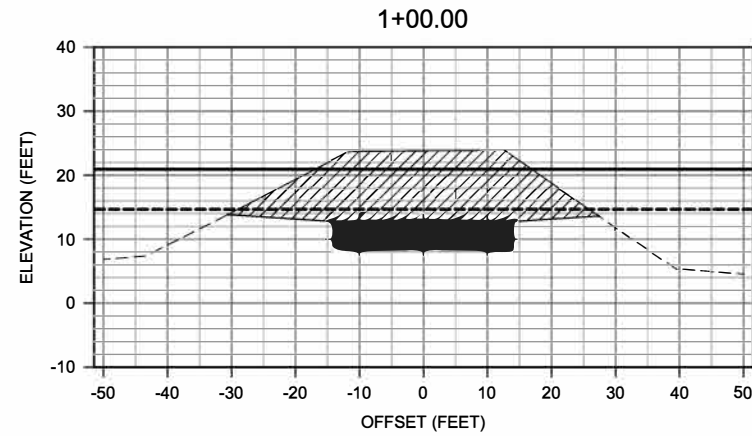
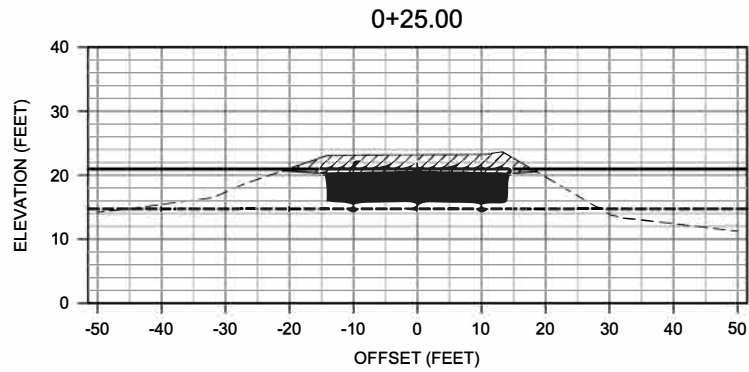
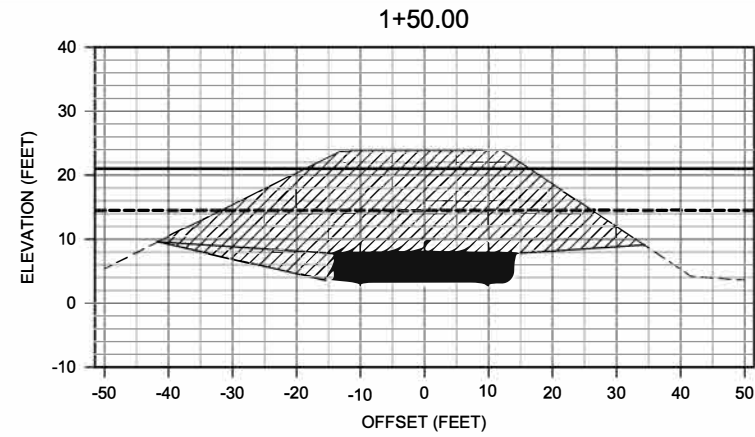
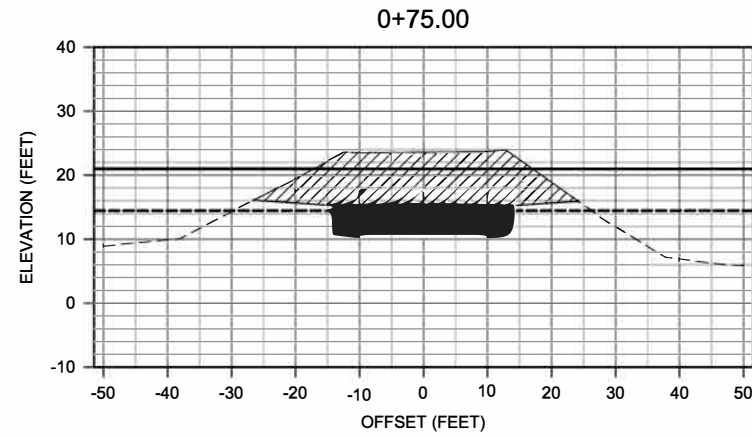
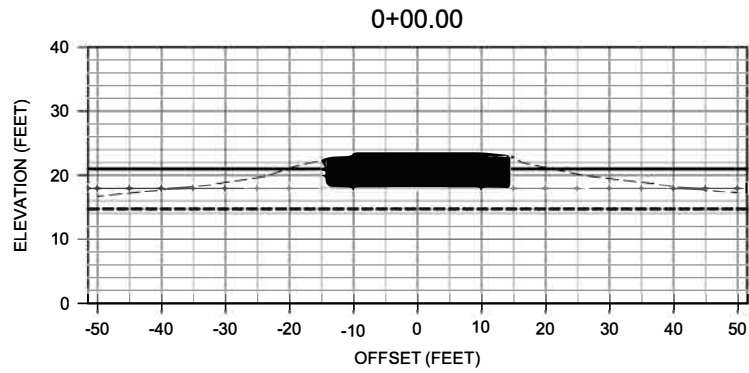
PROJECT NO.

DWG SHEET NO.

03

SHEET 03 OF 05

11/4/19 09:45 FBECERRAOCHOA.D:\MY DOCUMENTS\CENTRAL TONGASS LANDSCAPE LEVEL ASSESSMENT (CTLA)\LTF\SLBLND SLOUGH & WOODPECKER COVE LTF\STPO SURVEYS\BLIND SLOUGH LTF_PLOT_XS.DWG;



LEGEND

- EXISTING GROUND AT CAUSEWAY CENTERLINE
- FINISHED GRADE AT RAMP CENTERLINE
- HIGH TIDE LINE (HTL) +21.0 FT.
- MEAN HIGH WATER (MHW) +14.7 FT.



PROFILE VIEW
SCALE: 1" = 30'



United States Department of Agriculture
Forest Service

(R10)
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LAND &, WATER LAND
USE PERMIT

TONGASS NATIONAL
FOREST

PETERSBURG RANGER
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DRAWING TITLE

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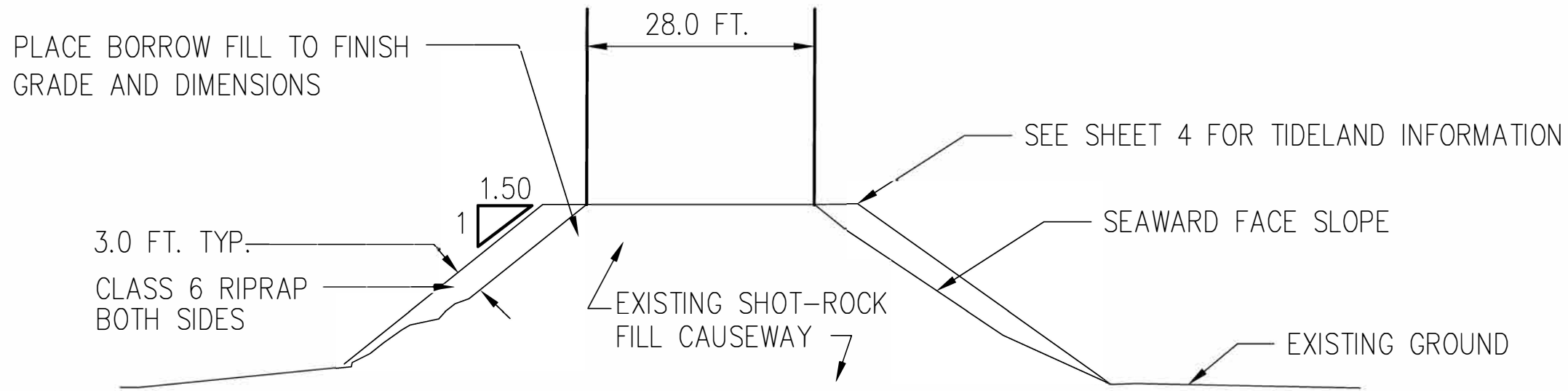
PROJECT NO.

DWG SHEET NO.

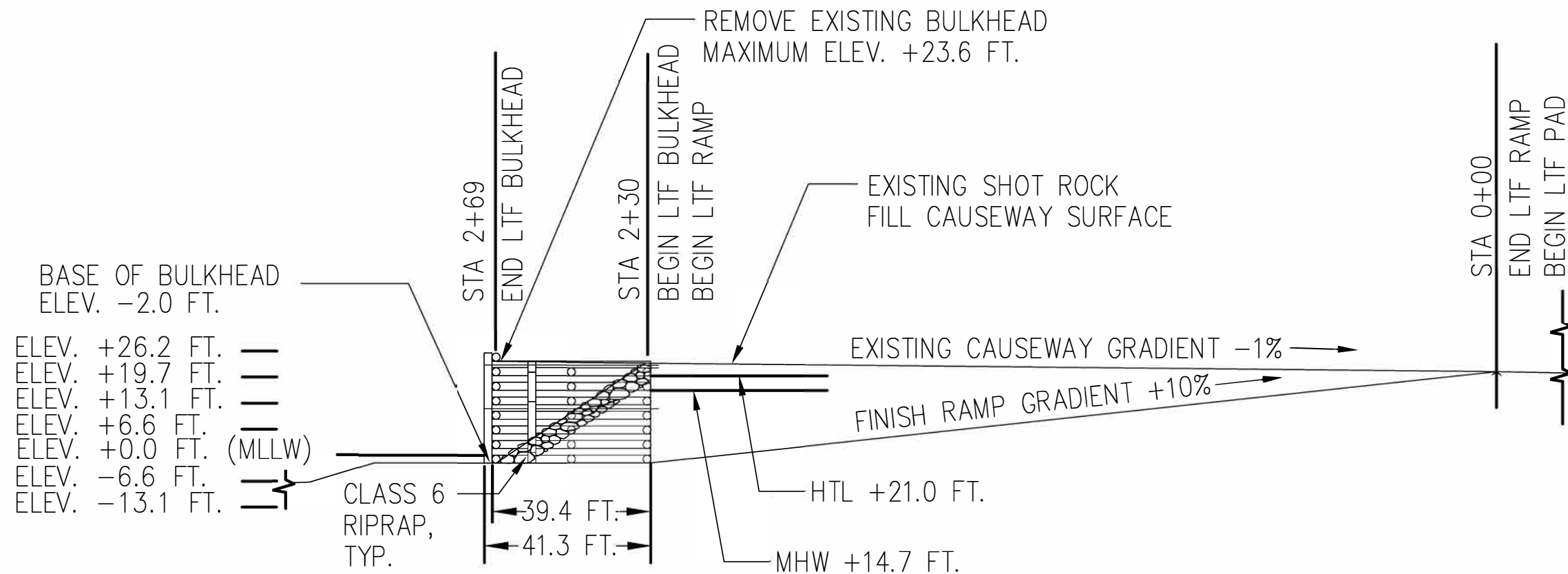
04

SHEET 04 OF 05

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RAMP TYPICAL SECTION
NOT TO SCALE



LOG BULKHEAD & RAMP PROFILE VIEW
NOT TO SCALE



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05

SHEET 05 OF 05