



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>March 30, 2021</b>
<b>EXPIRATION DATE:</b>	<b>April 29, 2021</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2021-00096</b>
<b>WATERWAY:</b>	<b>Johnson Slough</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 (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](mailto: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 Jason Brewer at (907) 753-2823, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [Jason.D.Brewer@usace.army.mil](mailto:Jason.D.Brewer@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Lower Kuskokwim School District

**AGENT:** Solstice Alaska Consulting, Inc.; Robin Reich, 907-929-5960, [robin@solsticeak.com](mailto:robin@solsticeak.com)

**LOCATION:** The project site is located at Latitude 60.69640° N., Longitude 162.00211° W.; near the west end of the recently extended section of Mission Street in Napakiak, Alaska.

**PURPOSE:** The applicant's stated purpose is to construct a new school site outside the projected 50-year erosion limit in Napakiak.

PROPOSED WORK: Discharge approximately 14,350 cubic yards of dredged and or fill material into a total of up to 5.76-acres of palustrine wetlands to construct a school site foundation pad, sewage lagoon site pad and waste pipe, and a small road extension. Approximately 4.2-acres would be permanently impacted. The school site pad (2.0-acres) would be constructed adjacent to the recently completed parking area. The pad would provide a foundation for a school building, additional parking, snow storage, water well, 100,000-gallon water storage tank and water treatment building, elevated play deck, and bulk fuel storage. Prior to construction, a 2.1-acre area would be grubbed and cleared of vegetation to prepare the surface. Overburden would be hauled to uplands for disposal. Grubbed organic soil and silt would be placed on the 3(H):1(V) side slopes and seeded for final stabilization.

Construct a 1.67-acre sewage lagoon consisting of two insulated and geofabric lined cells approximately 800-feet southwest of the school pad. A 10-foot tall berm would be built around the cells, and a 3-foot freeboard would be installed over the cells' edges. Grubbed organic soil and silt would be placed on the 3(H):1(V) side slopes and seeded for final stabilization.

Construct a 1,000-foot long discharge pipe (20-inch diameter) on helical piles and/or timber supports between the lagoon and the school. Also, construct a 300-foot long gravity outfall pipe on helical piles and/or timber supports between the sewage lagoon and Johnson Slough to the northwest.

Construction staging and material laydown would occur on an existing gravel pad on Mission Street. Fill material would be obtained from a previously permitted material site.

All work would be performed in accordance with the enclosed plan (sheets 1-7), dated February 2021.

ADDITIONAL INFORMATION: The discharge for the recently constructed Mission Street and school parking lot was authorized under Corps permit RGP-07 Rural Development. Cumulatively, that road/parking lot project combined with this proposed project exceed the acreage limit of RGP-07, therefore, the school site foundation pad and sewage lagoon are being evaluated under an Individual Permit.

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States (U.S.) from activities involving discharges of dredged or fill material.

a. Avoidance: Complete avoidance of impacts to wetlands is not possible to meet the project's purpose and need. Essentially, the entire Napakiak area, including the project area, is made up of wetlands that consist of flat wetland/tundra complex interspersed by ponds, lakes, sloughs, and rivers. The area vegetation is primarily subarctic tundra, underlain by permafrost, with a variety of scrub, peatland, heath meadow, marsh, and bog habitats.

b. Minimization:

- Site access would be via the existing road system to limit impacts to vegetation.
- Construction limits would be staked and clearly demarcated.
- Natural vegetation would be retained where possible.
- Topsoil, seeding, and vegetation would be placed to rehabilitate disturbed areas.
- Topsoil would consist of a blend of organic material grubbed from the project site.

- Native plant seeds would be used.
- Clean fill (limited to the amount necessary) would be used for construction.
- The construction pad would be stabilized and watered to reduce dust.
- Materials would come from an existing, permitted borrow site.
- Water quality would be protected through best management practices including:
  - Contractor would begin stabilization measures as soon as practicable, but within at least 14 days where construction has temporarily or permanently ceased.
  - Sediment prevention measures (including a silt fence or other means) would be placed and maintained until fill and other exposed earthwork are stabilized and revegetated.
  - Vegetative clearing, excavation, and placement of fill on or over bird habitat would not be done between May 5 through July 25.

c. Compensatory Mitigation: The impact of placing fill in 4.20 acres of wetlands is negligible relative to the surrounding area, which includes the almost 19.2 million-acre Yukon-Delta National Wildlife Refuge. Thereby, no compensatory wetland mitigation is proposed 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 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 immediate vicinity of the permit area. The permit area has been determined to be the footprint of the proposed discharge of fill and grubbed areas, as well as the immediately adjacent areas where heavy equipment would need to operate during project construction. 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.

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 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.

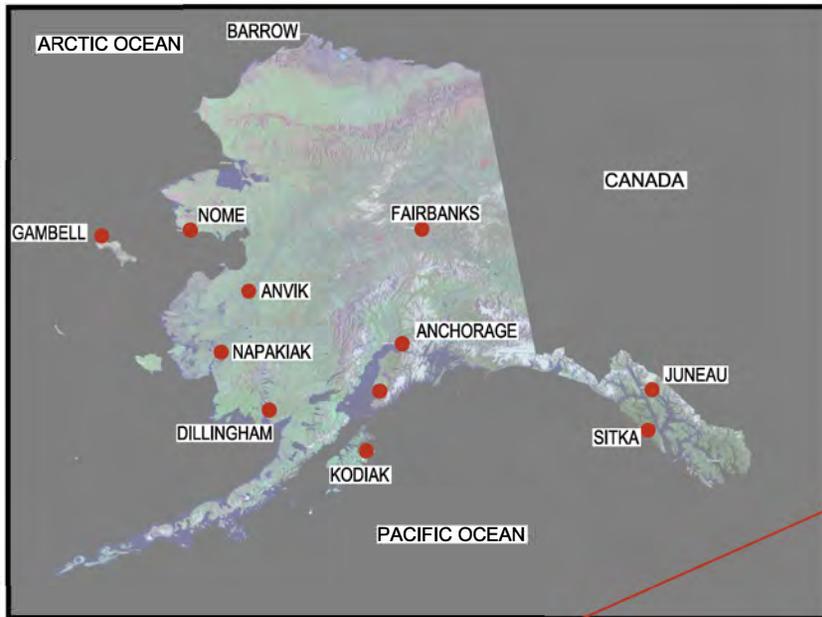
AUTHORITY: This permit will be issued or denied under the following authority:

(X) Discharge dredged or fill material into waters of the U.S. – 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).

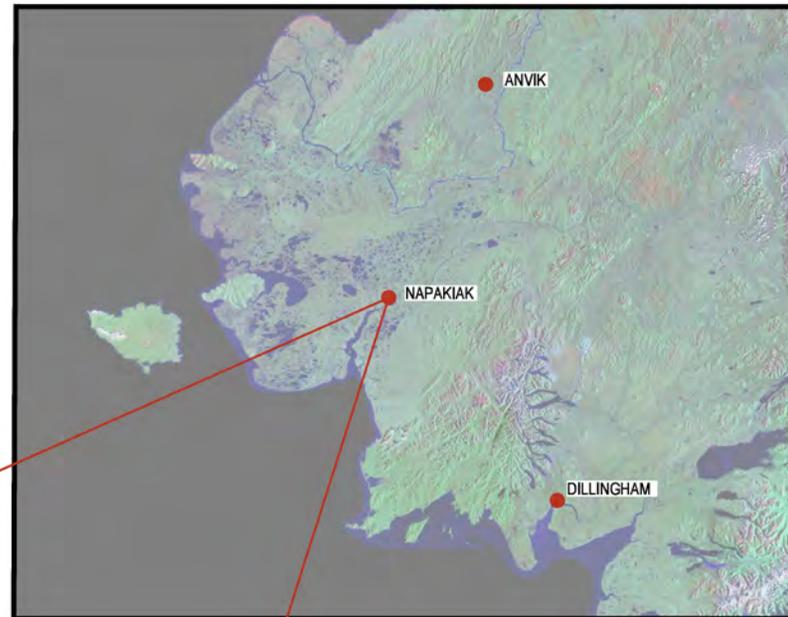
Project drawings are enclosed with this Public Notice.

District Commander  
U.S. Army, Corps of Engineers

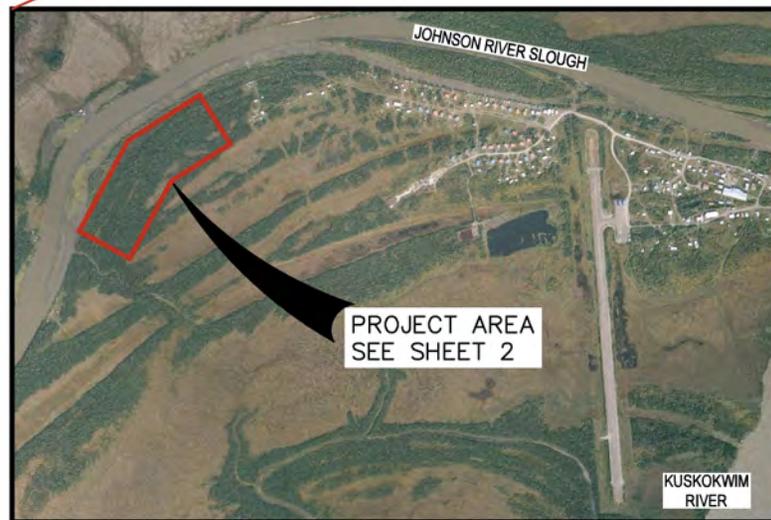
Enclosures



DETAIL 1 - STATE OF ALASKA



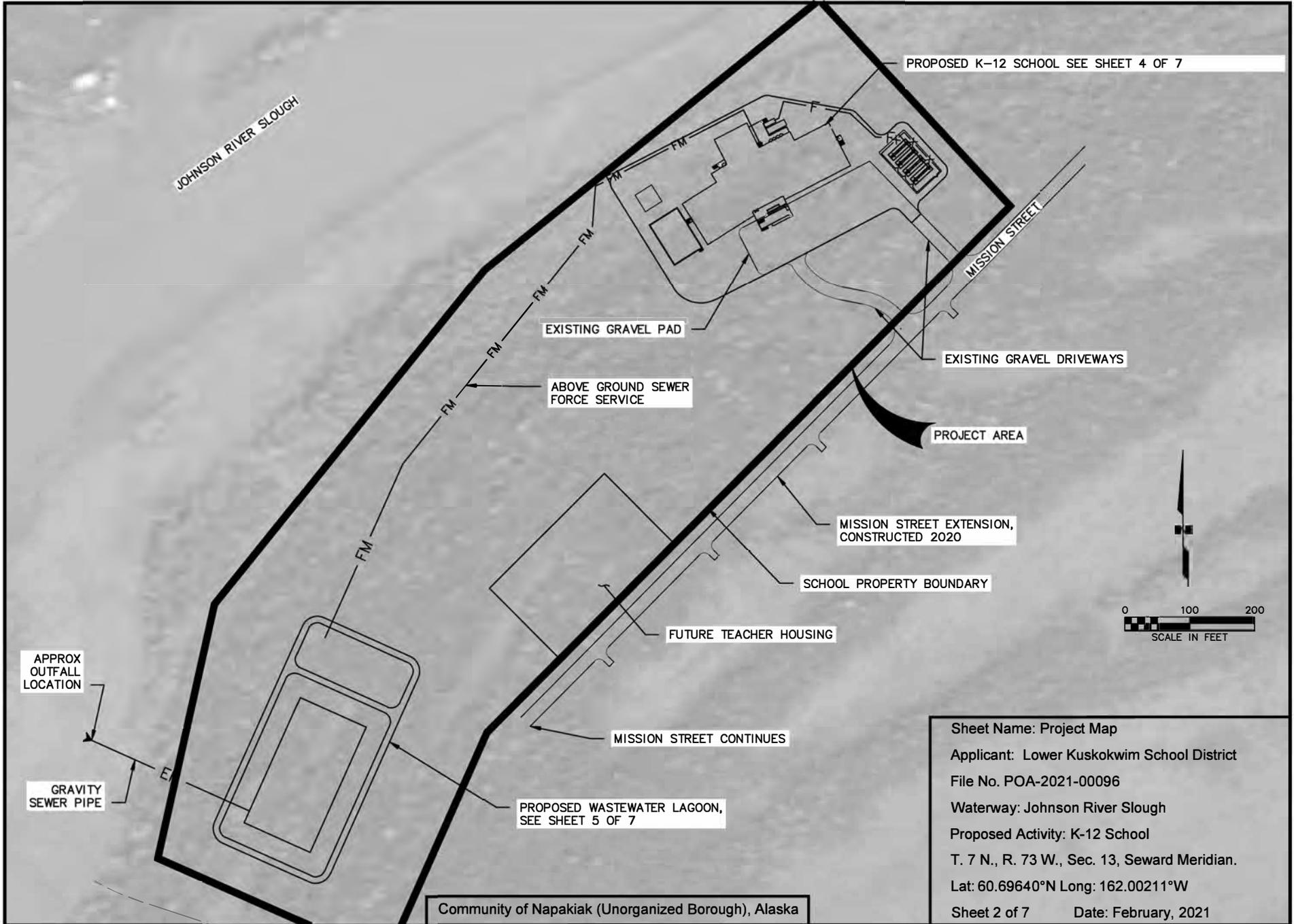
DETAIL 2 - ALASKA SUB-REGION



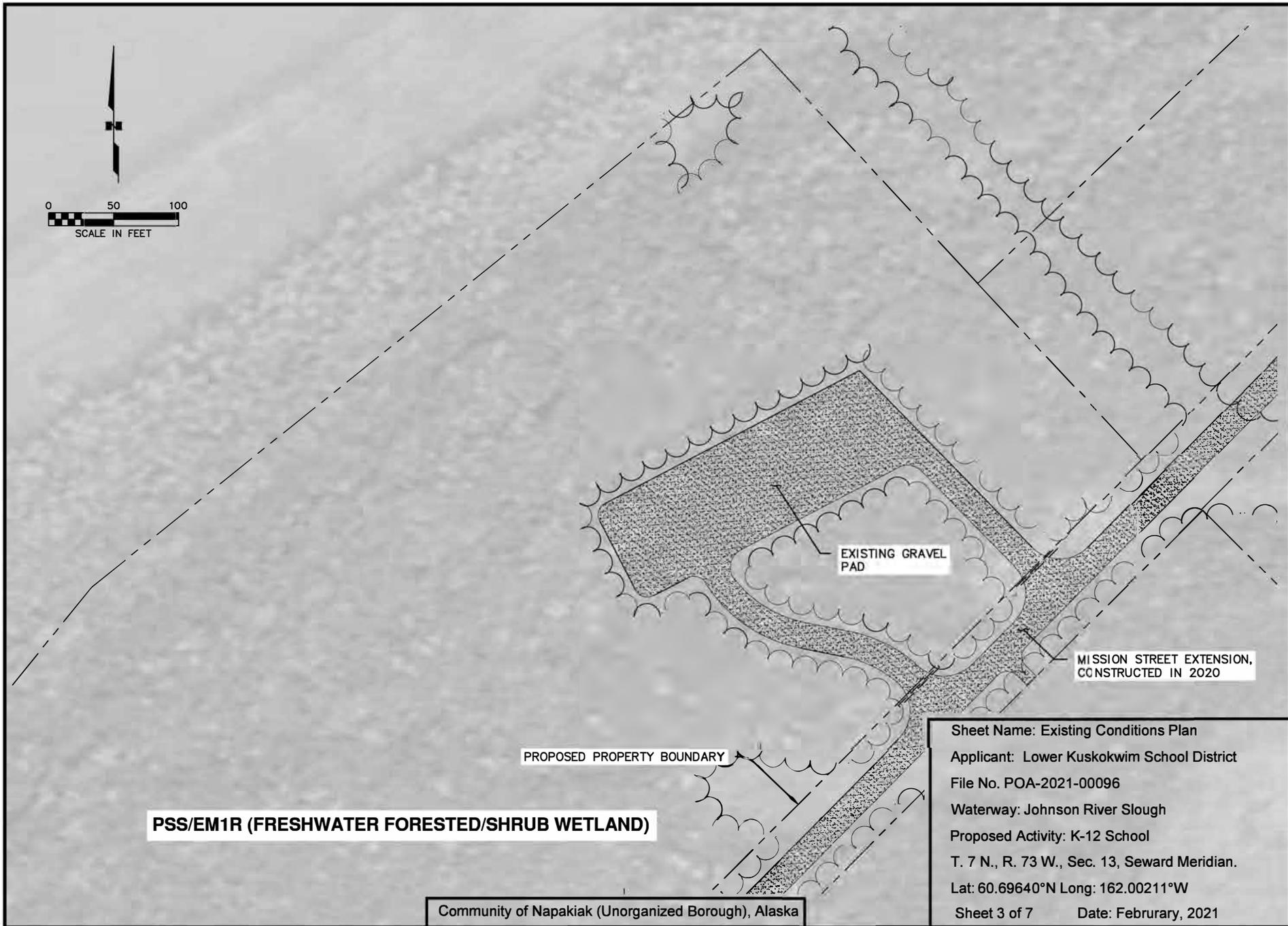
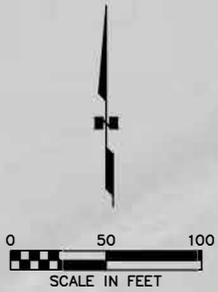
DETAIL 3 - COMMUNITY

Community of Napakiak (Unorganized Borough), Alaska

Sheet Name: Project and Vicinity Maps  
 Applicant: Lower Kuskokwim School District  
 File No. POA-2021-00096  
 Waterway: Johnson River Slough  
 Proposed Activity: K-12 School  
 T. 7 N., R. 73 W., Sec. 13, Seward Meridian.  
 Lat: 60.69640°N Long: 162.00211°W  
 Sheet 1 of 7 Date: February, 2021

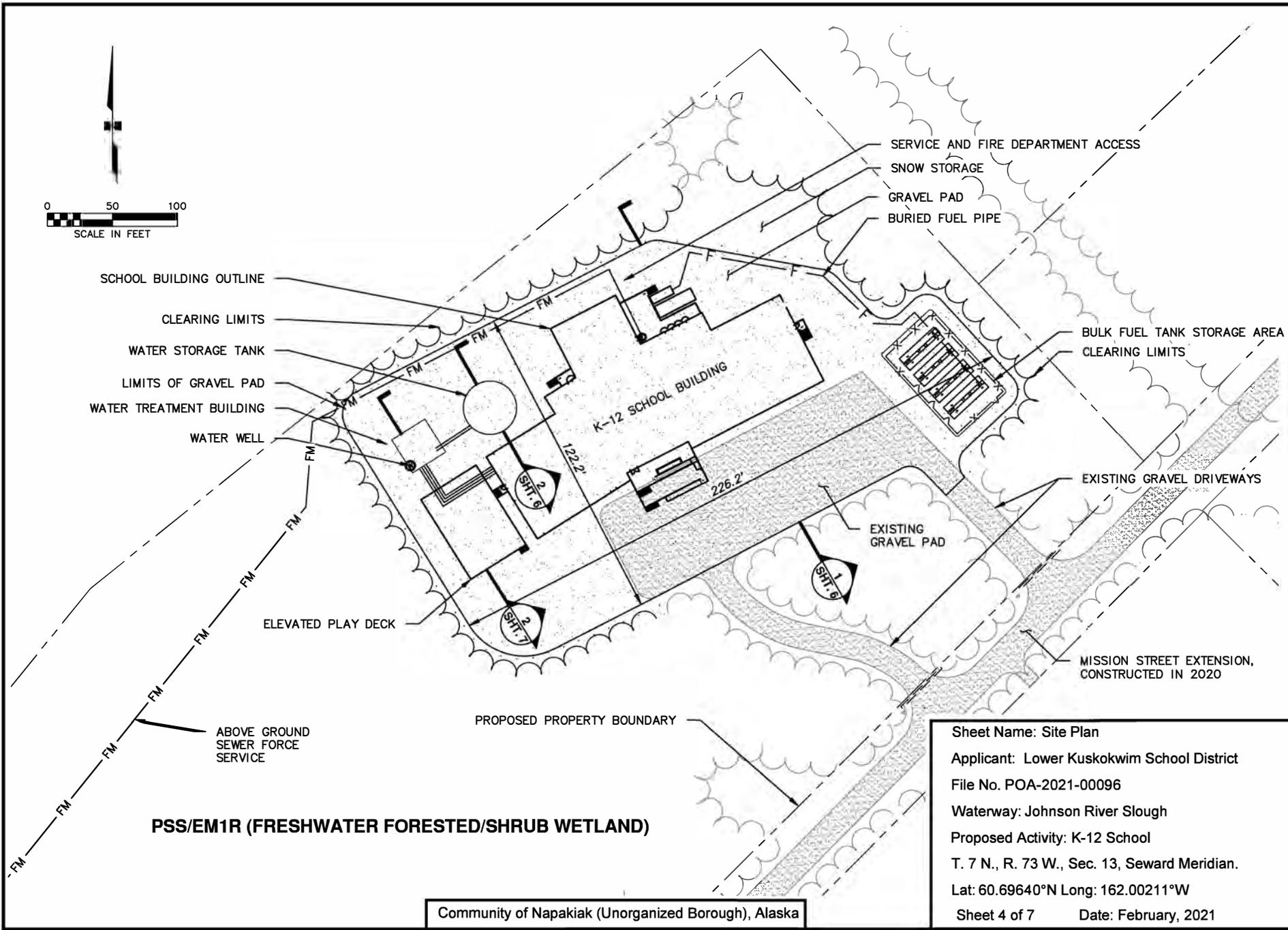
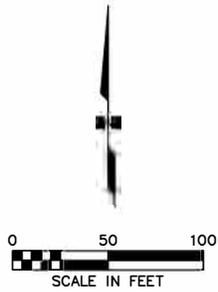


Sheet Name: Project Map  
 Applicant: Lower Kuskokwim School District  
 File No. POA-2021-00096  
 Waterway: Johnson River Slough  
 Proposed Activity: K-12 School  
 T. 7 N., R. 73 W., Sec. 13, Seward Meridian.  
 Lat: 60.69640°N Long: 162.00211°W  
 Sheet 2 of 7 Date: February, 2021



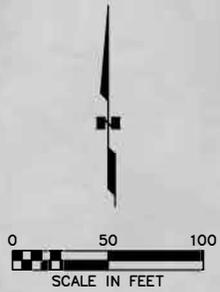
Community of Napakiak (Unorganized Borough), Alaska

Sheet Name: Existing Conditions Plan  
Applicant: Lower Kuskokwim School District  
File No. POA-2021-00096  
Waterway: Johnson River Slough  
Proposed Activity: K-12 School  
T. 7 N., R. 73 W., Sec. 13, Seward Meridian.  
Lat: 60.69640°N Long: 162.00211°W  
Sheet 3 of 7 Date: February, 2021



Sheet Name: Site Plan  
 Applicant: Lower Kuskokwim School District  
 File No. POA-2021-00096  
 Waterway: Johnson River Slough  
 Proposed Activity: K-12 School  
 T. 7 N., R. 73 W., Sec. 13, Seward Meridian.  
 Lat: 60.69640°N Long: 162.00211°W  
 Sheet 4 of 7      Date: February, 2021

PSS/EM1R (FRESHWATER FORESTED/SHRUB WETLAND)



APPROX OUTFALL LOCATION

GRAVITY SEWER PIPE

WASTEWATER LAGOON PRIMARY CELL

TRANSFER PIPE BETWEEN CELLS

WASTEWATER LAGOON SECONDARY CELL

MISSION STREET EXTENSION, CONSTRUCTED IN 2020, STREET CONTINUES

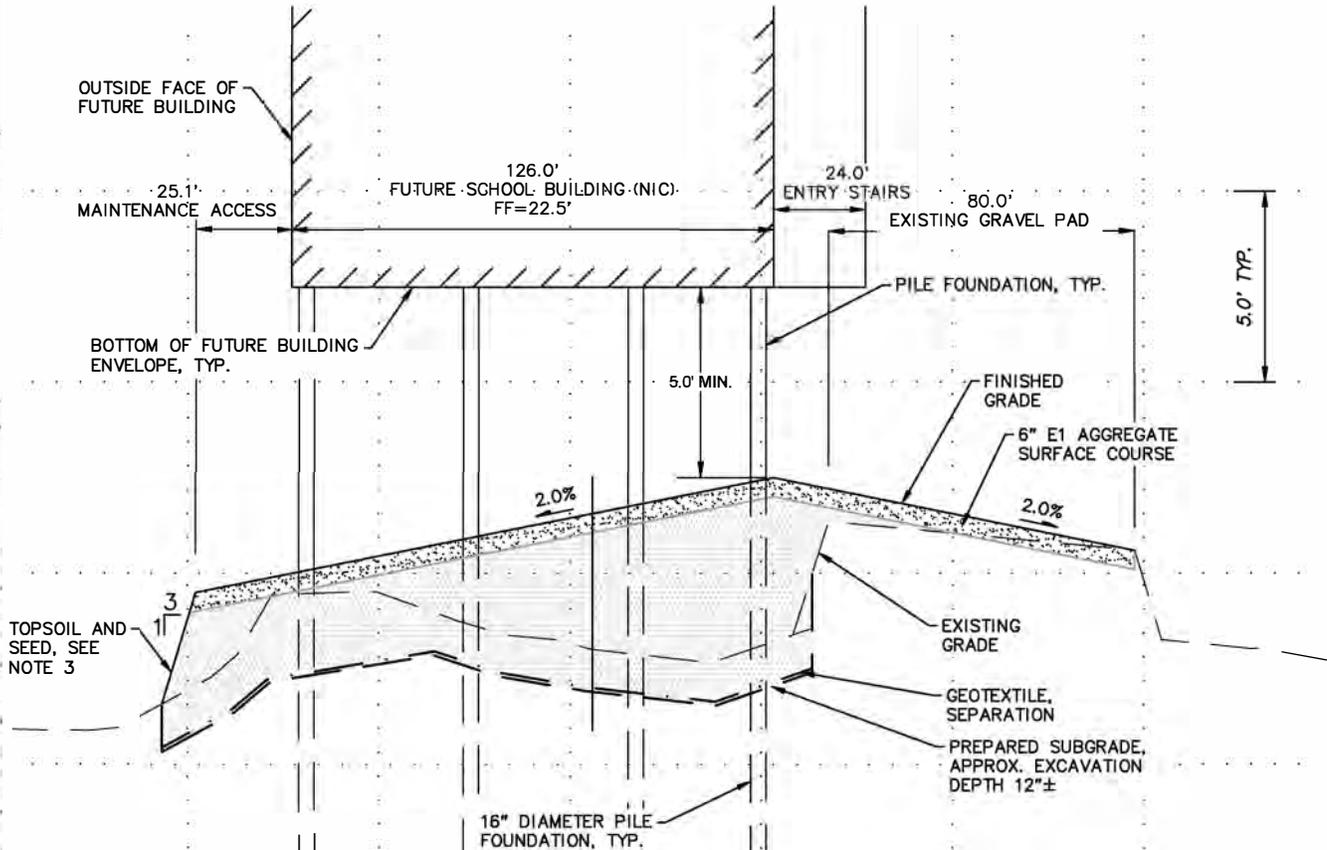
PROPOSED PROPERTY BOUNDARY



Sheet Name: Site Plan - Wastewater Lagoon  
Applicant: Lower Kuskokwim School District  
File No. POA-2021-00096  
Waterway: Johnson River Slough  
Proposed Activity: K-12 School  
T. 7 N., R. 73 W., Sec. 13, Seward Meridian  
Lat: 60.69640°N Long: 162.00211°W  
Sheet 5 of 7 Date: February, 2021

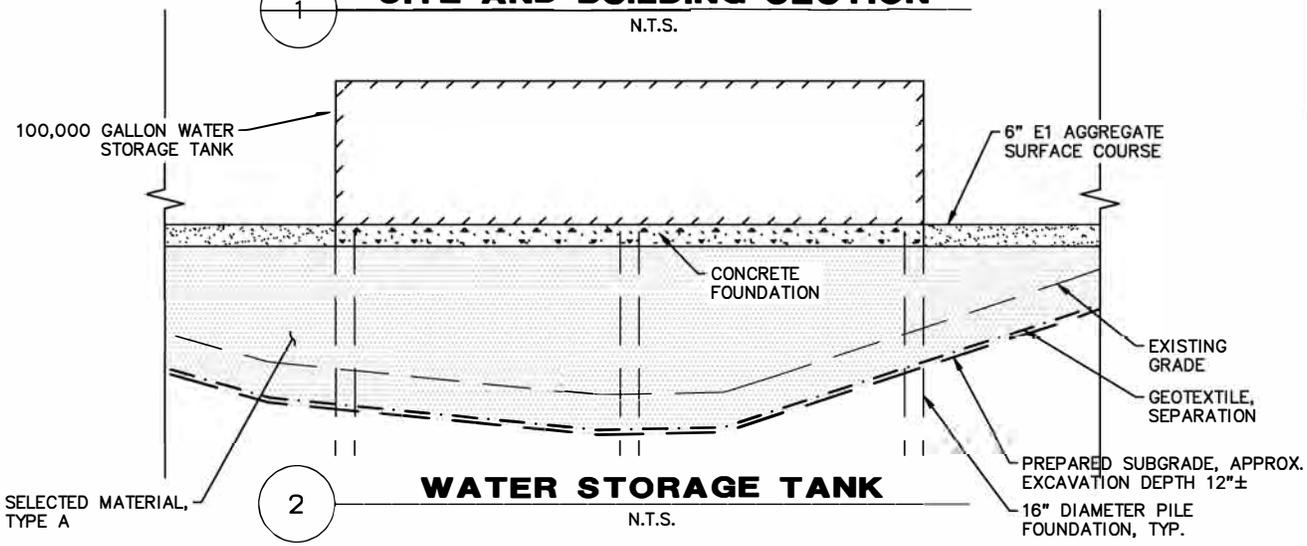
Community of Napakiak (Unorganized Borough), Alaska

**SITE SECTION VIEWS**



**SITE AND BUILDING SECTION**

N.T.S.



**PROPOSED FILL ACTIONS FOR K-12 SCHOOL SITE**

1. Place imported clean fill material over cleared and grubbed surface.
2. For permanent surface stabilization cap fill material with aggregate surface course or topsoil and seed on fill slopes.
3. Topsoil shall be a blend of organic material grubbed from project site.

Sheet name: Site Section Views

Applicant: Lower Kuskokwim School District

File No. POA-2021-00096

Waterway: Johnson River Slough

Proposed Activity: K-12 School

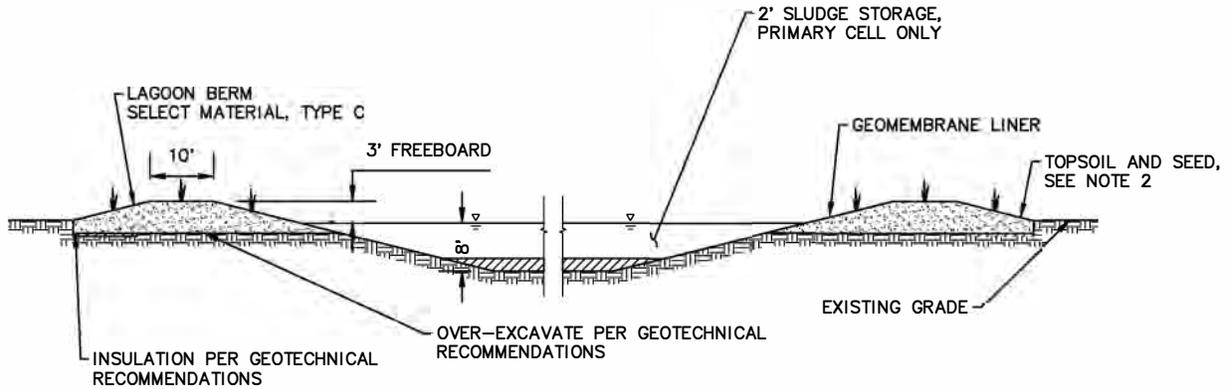
T. 7 N., R. 73 W., Sec. 13, Seward Meridian

Lat: 60.69640°N Long: 162.00211°W

Sheet 6 of 7

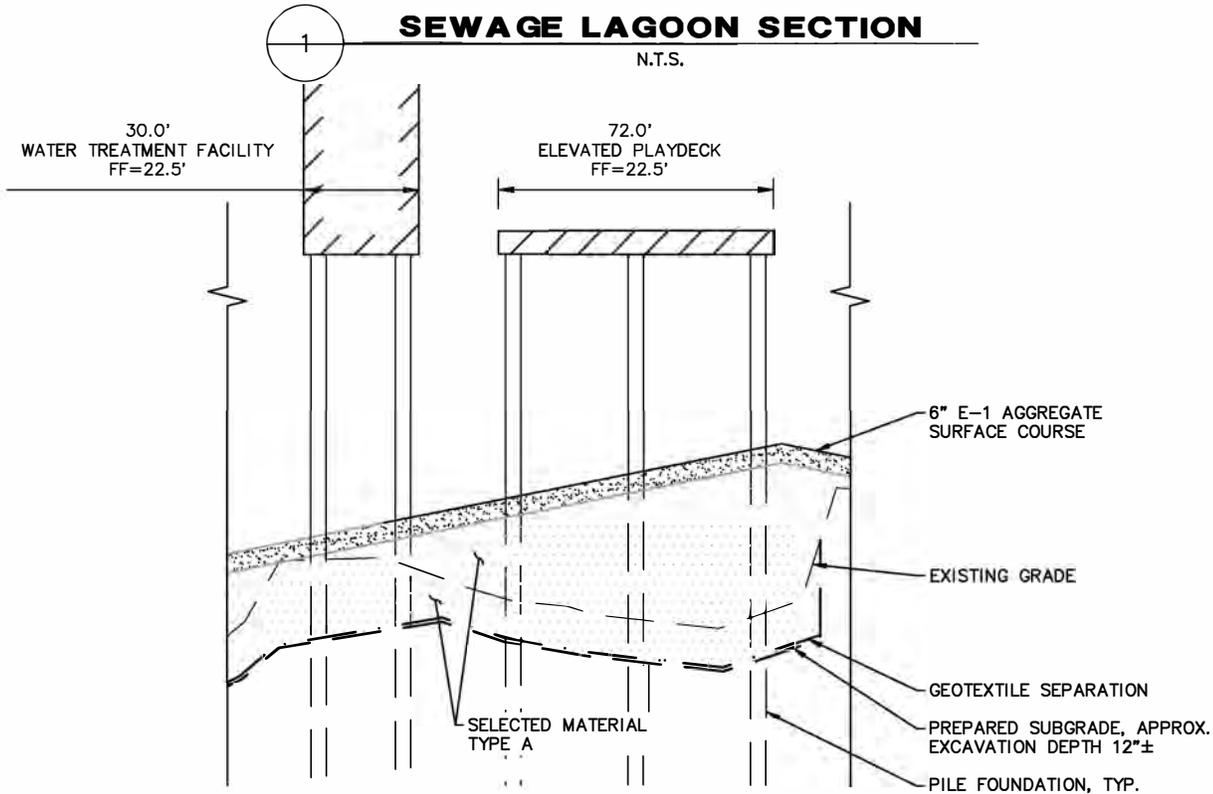
Date: February, 2021

**SEWAGE LAGOON AND PLAYDECK SECTION VIEWS**



**SEWAGE LAGOON SECTION**

N.T.S.



2

**PLAYDECK AND WATER TREATMENT SECTION**

N.T.S.

**PROPOSED FILL ACTIONS FOR K-12 SCHOOL SITE**

1. Place 6 inches of E-1 aggregate surface course over imported clean fill material for a permanent surface stabilization.
2. Topsoil shall be a blend of organic material grubbed from project site.

Sheet name: Sewage Lagoon and Playdeck Section Views

Applicant: Lower Kuskokwim School District

File No. POA-2021-00096

Waterway: Johnson River Slough

Proposed Activity: K-12 School

T. 7 N., R. 73 W., Sec. 13, Seward Meridian.

Lat: 60.69640°N Long: 162.00211°W

Sheet 7 of 7

Date February, 2021