



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD
Bldg. 4511, 8th Street
Ft. Wainwright, Alaska 97703

PUBLIC NOTICE DATE:	December 8, 2021
EXPIRATION DATE:	January 7, 2021
REFERENCE NUMBER:	POA-2021-00404
WATERWAY:	Lucille Creek, Lucille Lake

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 John Sargent at (907) 347-1801, or by email at John.C.Sargent@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Liberty Development, LLC, Attention: William Kramer

AGENT: Civil Resources, LLC, Attention: Bruce Friedhoff

LOCATION: The project site is located within Latitude 61.5663° N., Longitude 149.4909° W.; Starting from the East Park Highway and Main Street in Wasilla, Alaska, travel 2.2 miles south on South Knik Goose Bay Road, then go north 0.4 miles on South Endeavor Street to West Valley Ridge Road, in Wasilla, Alaska.

PURPOSE: The applicant's stated purpose is to provide 73 affordable homes for Alaska residents within the city of Wasilla rural residential zoning district adjacent to existing roads. The project has been reviewed and approved by the City's Planning and Public Works Departments, and it would provide a vital connection to South Lake Lucille Drive from South Endeavor Street. Residents at the west end of Lake Lucille currently only have one means of access to their homes from the Parks Highway. The proposed project would tie into South Corkey Drive and South Endeavor Street, providing a loop around Lake Lucille and connection to South Knik-Goose Bay Road. This would provide two means of access for the residents at the west end of Lake Lucille improving emergency response times to the residents.

PROPOSED WORK: The applicant proposes to place 1.13 acres of fill material (4,162 cubic yards) in wetlands to construct 2.1 miles of road access and install utilities to house lots. The proposed two-lane road would be 24 feet wide with 2-foot wide shoulders. Side slopes would be 4 horizontal:1 vertical. The fill in wetlands would include a 15-foot wide utility easement on each side of the roadway. All work would be performed in accordance with the enclosed plans (sheets 1-8), dated November 2021.

ADDITIONAL INFORMATION: A Matanuska-Susitna Borough Plat approval was obtained on July 15, 2021.

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: The fill in wetlands is only proposed at two road crossings that have been located as close as possible to the narrowest portion of the wetland. The majority of the access road would avoid wetlands and be in uplands. Roads and lots have been located on ridge lines and uplands as much as possible. There is no fill proposed in any house lots and parcels containing or near wetlands would have restrictions to limit the developed area necessary for building house, driveway, well and septic. An earlier 226 lot plan with additional wetland fill was abandoned for the current design containing 73 lots.

b. Minimization: Impacts to wetlands would be minimized by placing the roadway largely outside of wetlands. The roadway would be located using the shortest and most direct crossing of wetlands possible. Twenty four-inch diameter round culverts would be installed at wetland crossings to enable flow of water between wetlands. Geotextile material would be used during construction of the roadway to reduce excavation and allow steeper side slopes, thereby, minimizing wetland fill. The roadway would be elevated not more than 4 feet from the surrounding wetlands.

c. Compensatory Mitigation: Wetland compensatory mitigation was not proposed by the applicant. In lieu of compensatory mitigation, the applicant proposes that Tracts A and B, located on the project site, containing wetlands would be preserved as 30.42 acres of open space as defined by the Matanuska-Susitna Borough Title 43.20.281 (E). These wetlands plus 1.9 acres of native vegetation setback within lots, would be a total of 32.3 acres of wetlands that would be preserved in lieu of wetland 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. This Public Notice and Notice of Application for State Water Quality Certification (enclosed) serves as written correspondence to the certifying authority of a reasonable period of time to act. The complete application was received on November 09, 2021; the applicable reasonable period of time to act on the certification request is 75 days; a waiver will occur on December 8, 2021 if the certifying authority fails or refuses to act on the certification request

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 areas of fill material placed in wetlands where the roadway would cross wetlands. 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: 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 authorities:

() 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).

() Transport dredged material for the purpose of dumping it into ocean waters - Section 103 Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413). Therefore, our public interest review will consider the criteria established under authority of Section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972, as amended (40 CFR Parts 220 to 229), as appropriate.

Project drawings 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

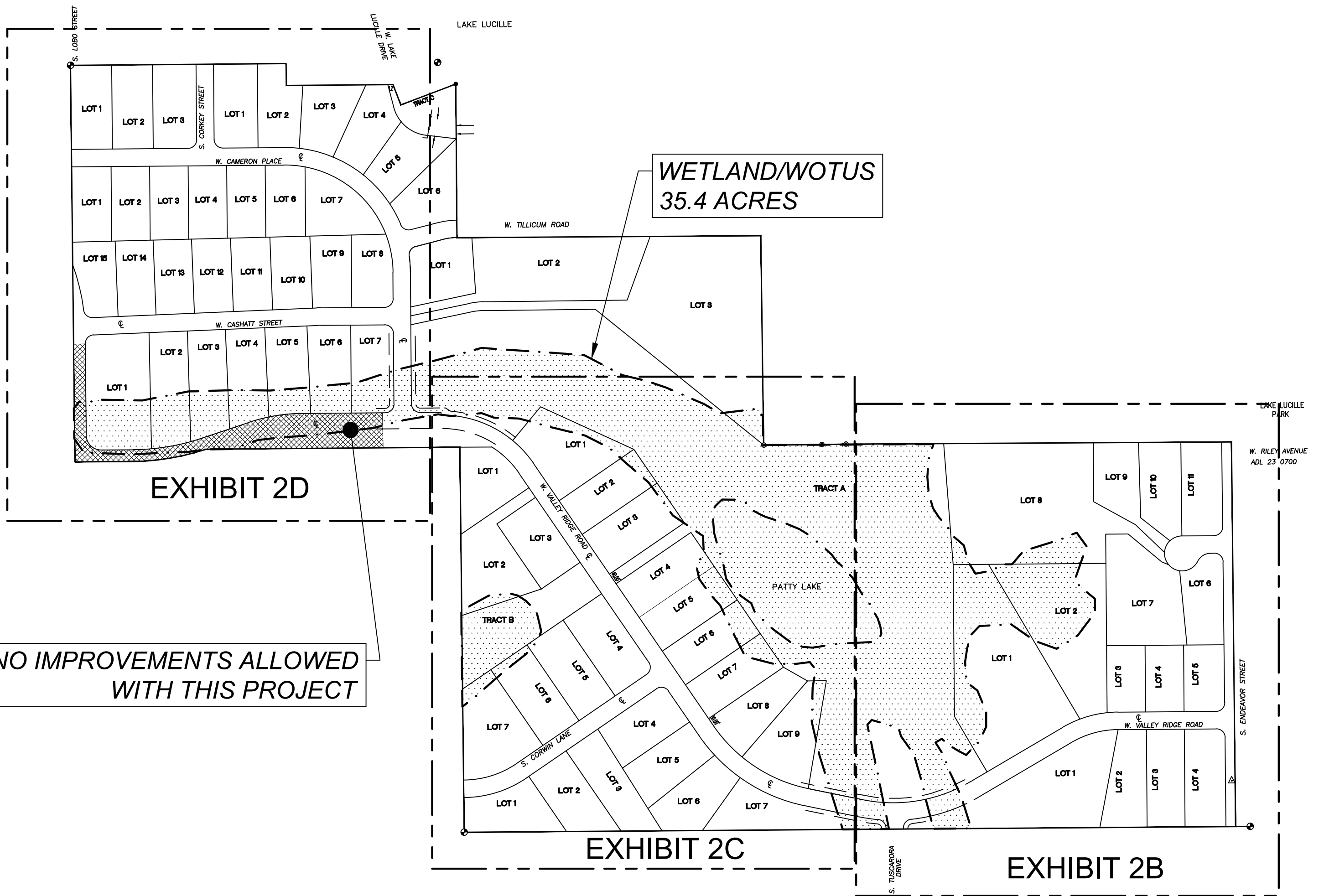
NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

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 (ADEC) 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 ADEC, 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.

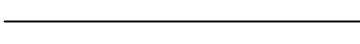
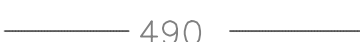
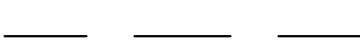




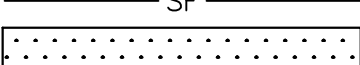
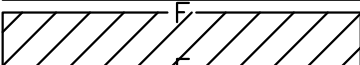

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2021-00404, Lucille Creek, Lucille Lake** serves as application for State Water Quality Certification from ADEC.

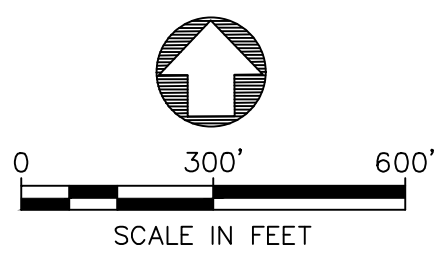
After reviewing the application, ADEC may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. ADEC also may deny or waive certification.

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.



LEGEND

-  SITE BOUNDARY/LOT LINES
-  490 CONTOUR 10' INTERVAL
-  ROADWAY CUT/FILL DAYLIGHT
-  WATERS OF THE UNITED STATES (WOTUS)
-  **F** FILL LIMIT
-  **C** TOP OF CUT
-  **SF** SILT FENCE
-  WETLANDS
-  FILL AREA
-  NO PROJECT IMPROVEMENTS ALLOWED THIS AREA



APPLICANT: MR. WILLIAM KRAMER

FILE NO.: POA-2021-00404

WATERWAY: LAKE LUCILLE & LUCILLE CREEK.

PROPOSED ACTIVITY: VALLEY RIDGE RESIDENTIAL SUBDIVISION

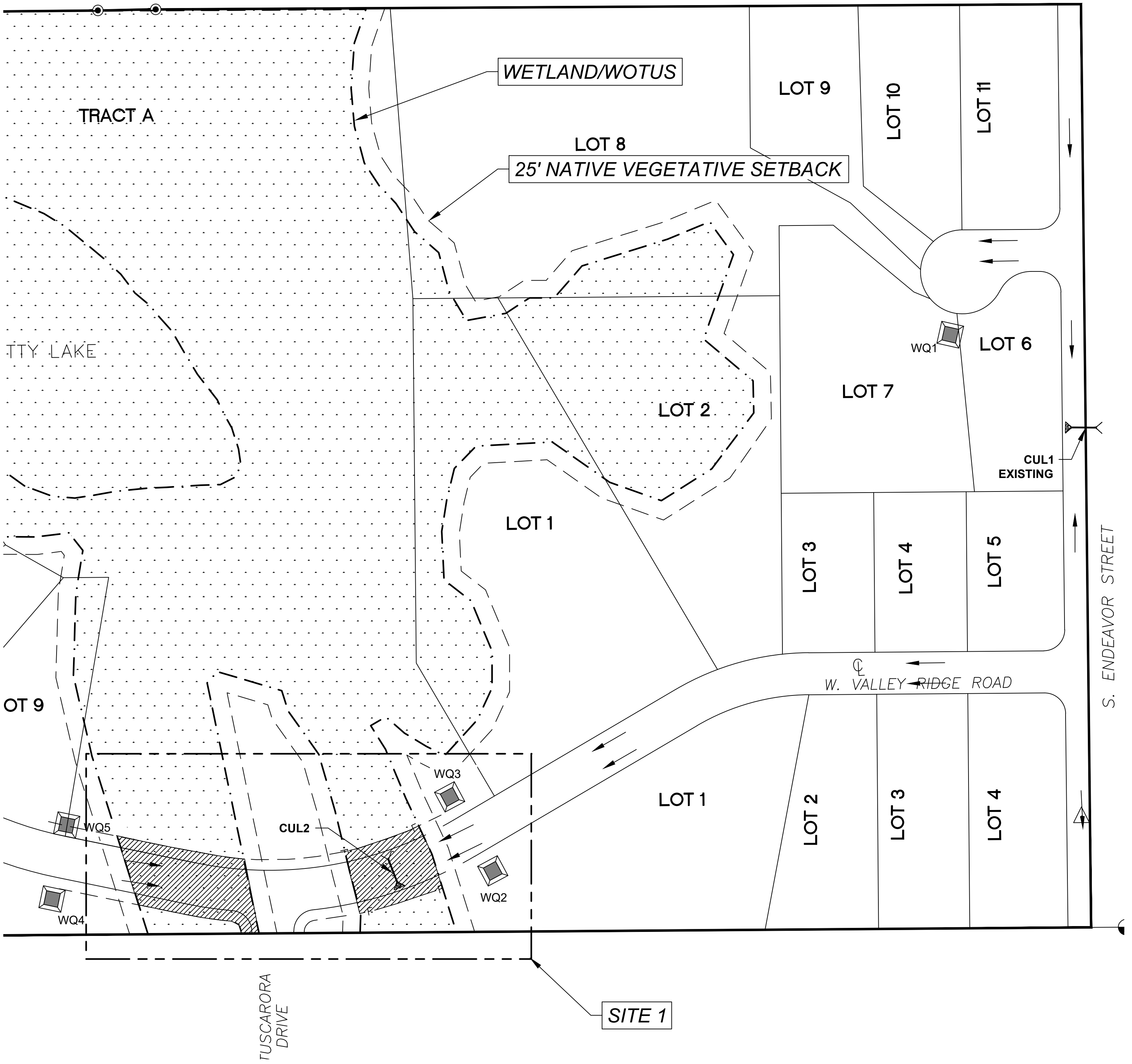
SEC. 17 T.17N R.01W N SEWARD MERIDIAN
MATANUSKA-SUSITNA BOROUGH (136 ACRES)

LAT: 61.5663°N LON: 149.4909°W

PLAT AND WATERS OF THE UNITED STATES

EXHIBIT **2**

Sheet of 8
DATE: NOVEMBER 2021



LEGEND

- SITE BOUNDARY/LOT LINES
- 490 CONTOUR 10' INTERVAL
- ROADWAY CUT/FILL DAYLIGHT
- WATERS OF THE UNITED STATES (WOTUS)
- F FILL LIMIT
- C TOP OF CUT
- SF SILT FENCE
- WETLANDS
- FILL AREA
- NO PROJECT IMPROVEMENTS ALLOWED THIS AREA
- WATER QUALITY BASIN
- CROSS CULVERT AND ENERGY DISSIPATION
- ROAD SIDE DITCH FLOW DIRECTION

APPLICANT: MR. WILLIAM KRAMER

FILE NO.: POA-2021-00404

WATERWAY: LAKE LUCILLE & LUCILLE CREEK.

PROPOSED ACTIVITY: VALLEY RIDGE RESIDENTIAL SUBDIVISION

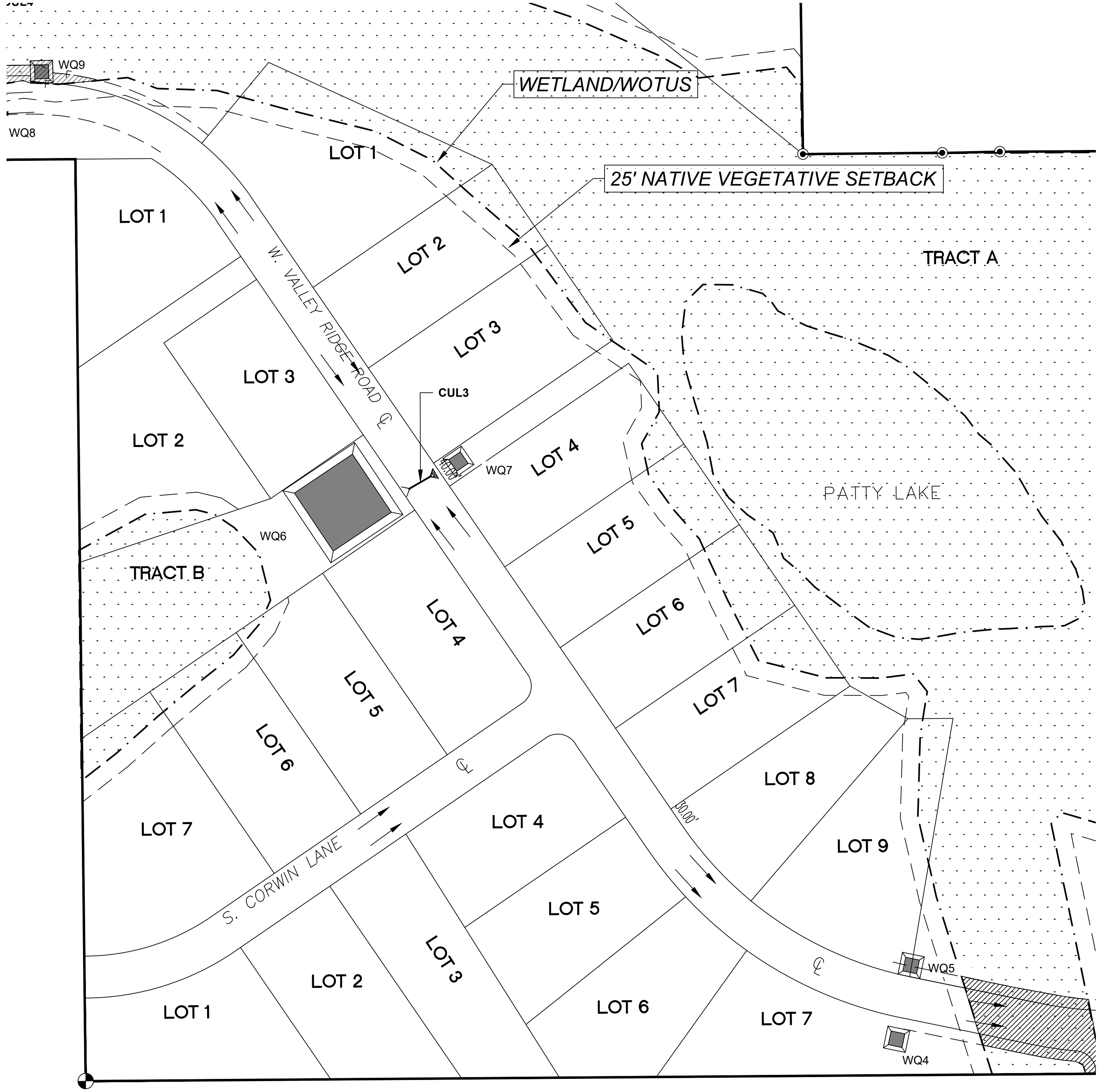
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MATANUSKA-SUSITNA BOROUGH (136 ACRES)

LAT: 61.5663°N LON: 149.4909°W

PLAT AND WATERS OF THE UNITED STATES

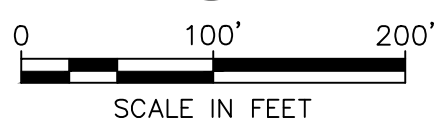
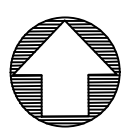
EXHIBIT **2B**

Shee 3 of 8
DATE: NOVEMBER 2021



LEGEND

- SITE BOUNDARY/LOT LINES
- 490 CONTOUR 10' INTERVAL
- ROADWAY CUT/FILL DAYLIGHT
- WATERS OF THE UNITED STATES (WOTUS)
- F FILL LIMIT
- C TOP OF CUT
- SF SILT FENCE
- WETLANDS
- FILL AREA
- NO PROJECT IMPROVEMENTS ALLOWED THIS AREA
- WATER QUALITY BASIN
- CROSS CULVERT AND ENERGY DISSIPATION
- ROAD SIDE DITCH FLOW DIRECTION



APPLICANT: MR. WILLIAM KRAMER

FILE NO.: POA-2021-00404

WATERWAY: LAKE LUCILLE & LUCILLE CREEK.

PROPOSED ACTIVITY: VALLEY RIDGE RESIDENTIAL SUBDIVISION

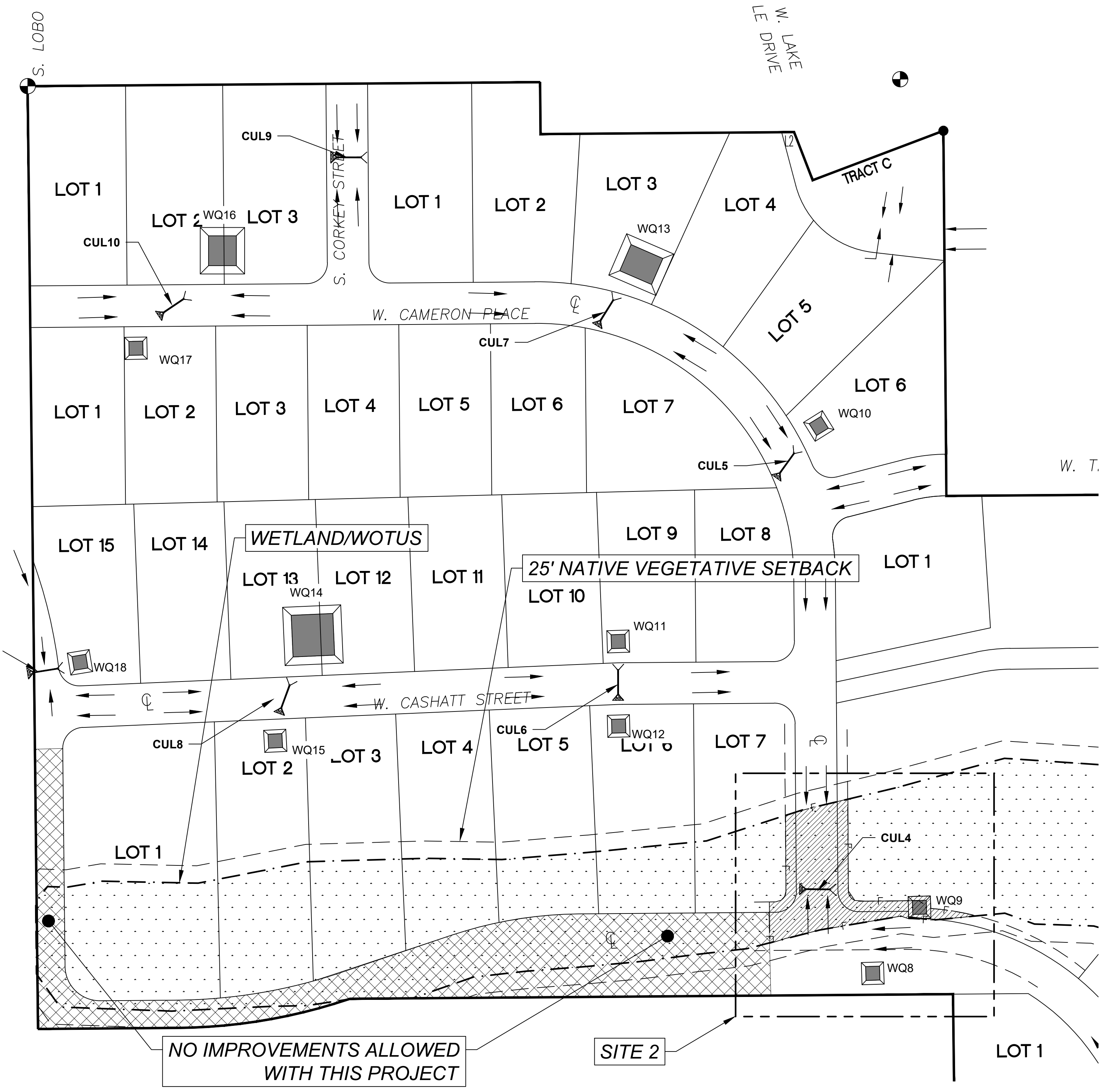
SEC. 17 T.17N R.01W N SEWARD MERIDIAN
MATANUSKA-SUSITNA BOROUGH (136 ACRES)

LAT: 61.5663°N LON: 149.4909°W

PLAT AND WATERS OF THE UNITED STATES

EXHIBIT **2C**

Sheet 4 of 8
DATE: NOVEMBER 2021



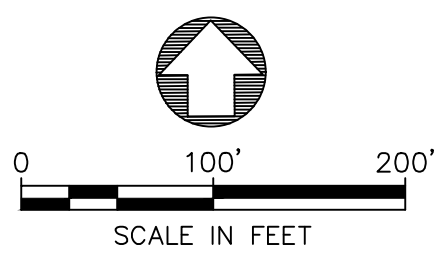
NO IMPROVEMENTS ALLOWED WITH THIS PROJECT

SITE 2

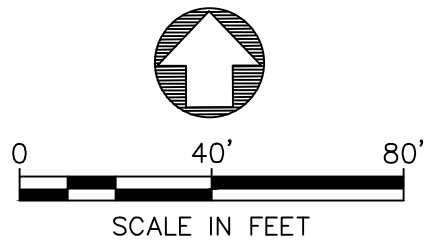
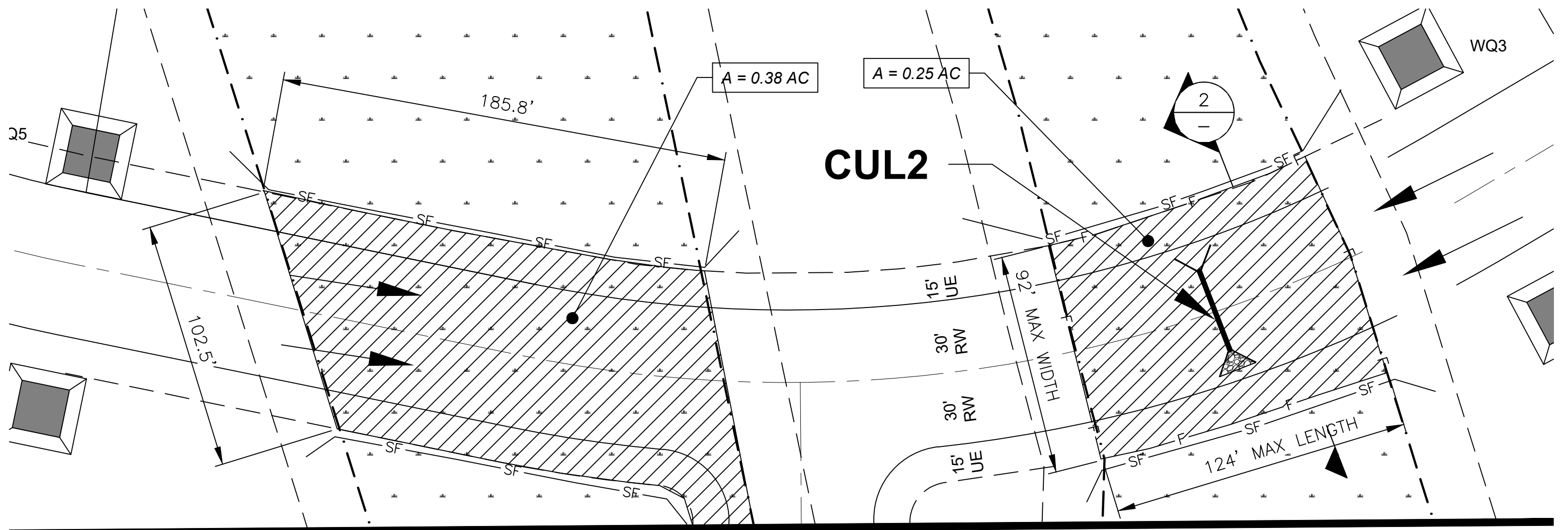
LEGEND

- SITE BOUNDARY/LOT LINES
- 490 — CONTOUR 10' INTERVAL
- ROADWAY CUT/FILL DAYLIGHT
- - - - - WATERS OF THE UNITED STATES (WOTUS)
- F** — FILL LIMIT
- C — TOP OF CUT
- SF — SILT FENCE
- [Dotted Pattern] WETLANDS
- [Hatched Pattern] FILL AREA
- [Cross-hatched Pattern] NO PROJECT IMPROVEMENTS ALLOWED THIS AREA

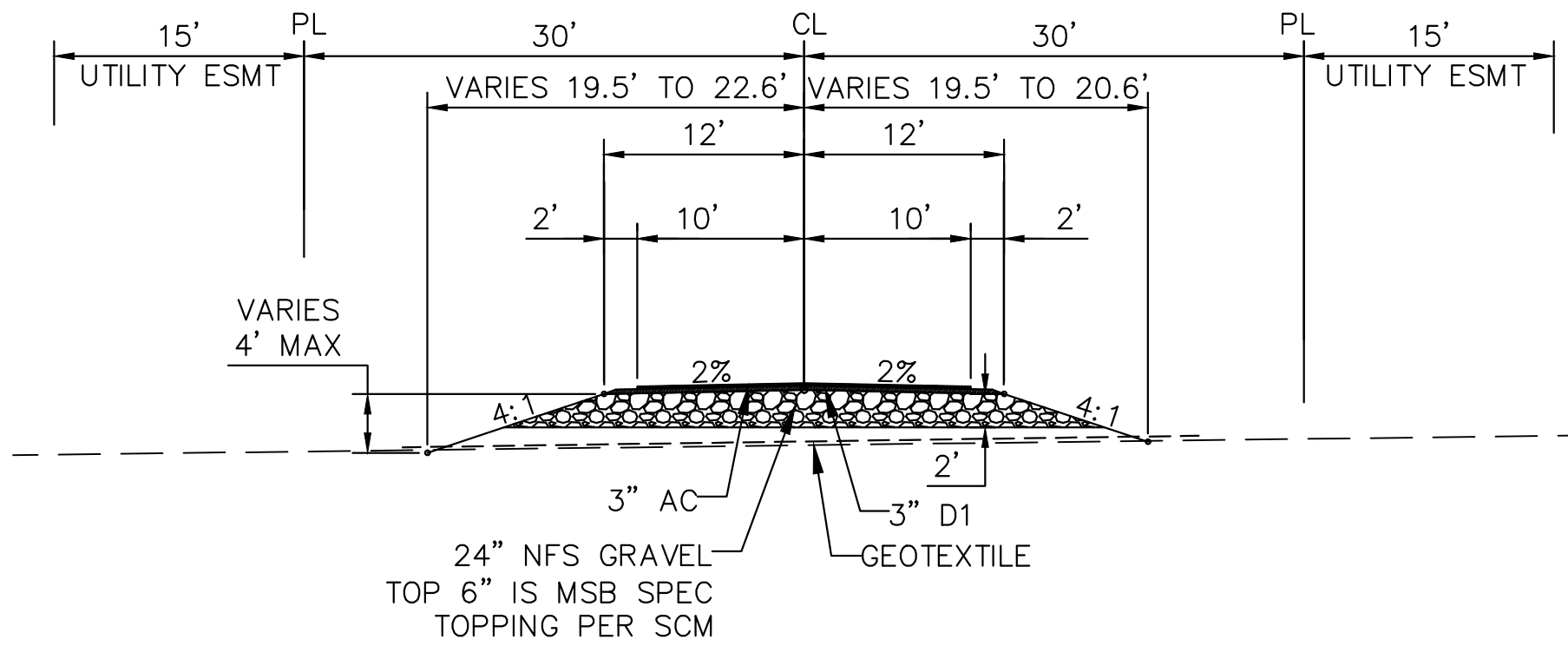
- [Square with X] WATER QUALITY BASIN
- [Trapezoid with X] CROSS CULVERT AND ENERGY DISSIPATION
- [Arrow] ROAD SIDE DITCH FLOW DIRECTION



APPLICANT: MR. WILLIAM KRAMER
FILE NO.: POA-2021-00404
WATERWAY: LAKE LUCILLE & LUCILLE CREEK.
PROPOSED ACTIVITY: VALLEY RIDGE RESIDENTIAL SUBDIVISION
SEC. 17 T.17N R.01W N SEWARD MERIDIAN MATANUSKA-SUSITNA BOROUGH (136 ACRES)
LAT: 61.5663°N LON: 149.4909°W
PLAT AND WATERS OF THE UNITED STATES
EXHIBIT 2D
Sheet 5 of 8 DATE: NOVEMBER 2021



PLAN VIEW



2 TYPICAL SECTION

LEGEND

	SITE BOUNDARY/LOT LINES
	CONTOUR 10' INTERVAL
	ROADWAY CUT/FILL DAYLIGHT
	WATERS OF THE UNITED STATES (WOTUS)
	FILL LIMIT
	TOP OF CUT
	SILT FENCE
	WETLANDS
	FILL AREA
	NO PROJECT IMPROVEMENTS ALLOWED THIS AREA

APPLICANT: MR. WILLIAM KRAMER

FILE NO.: POA-2021-00404

WATERWAY: LAKE LUCILLE & LUCILLE CREEK.

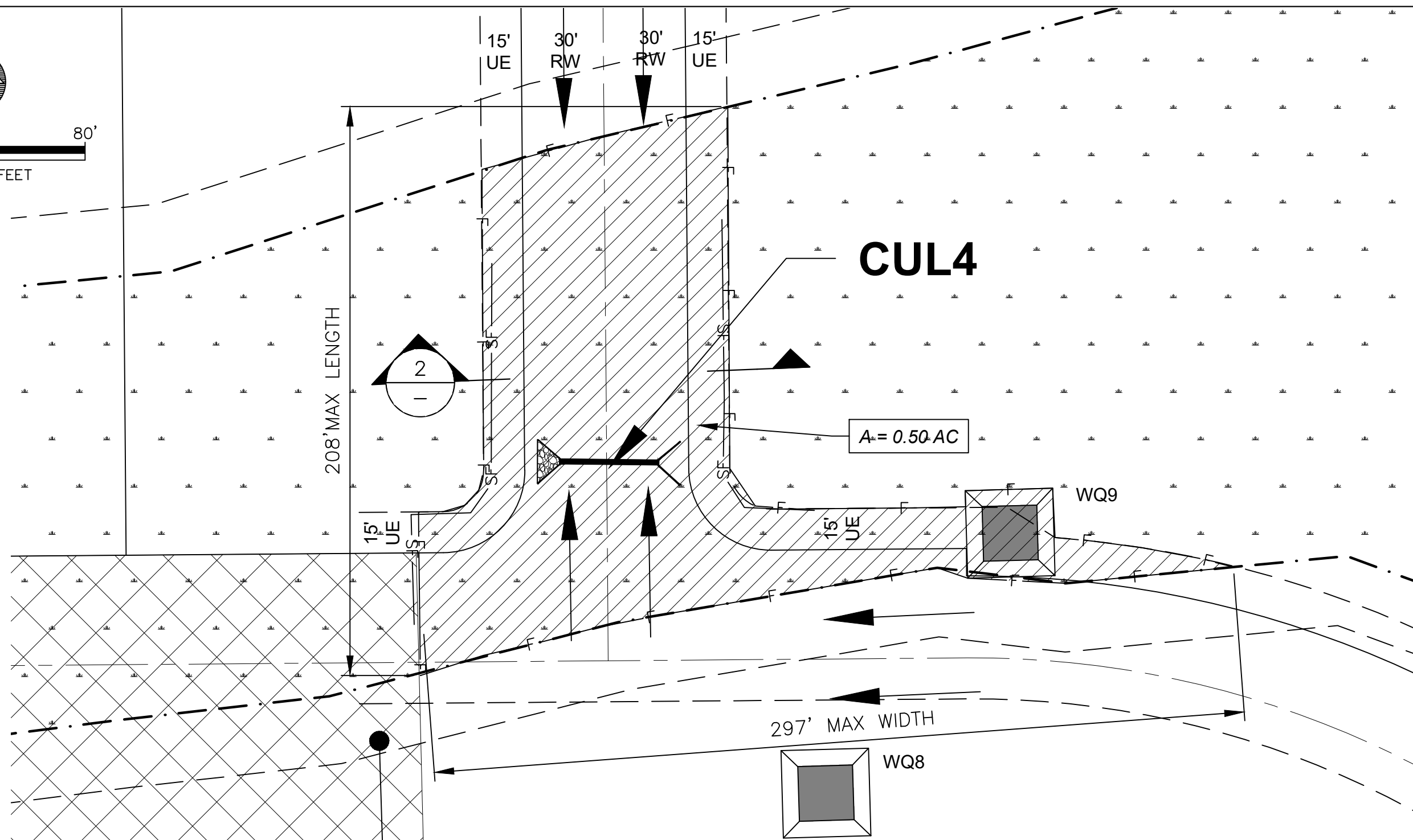
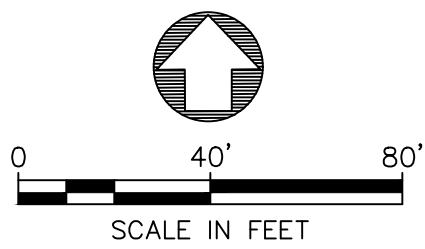
PROPOSED ACTIVITY: VALLEY RIDGE RESIDENTIAL SUBDIVISION

SEC. 17 T.17N R.01W N SEWARD MERIDIAN
MATANUSKA-SUSITNA BOROUGH (136 ACRES)

LAT: 61.5663°N LON: 149.4909°W

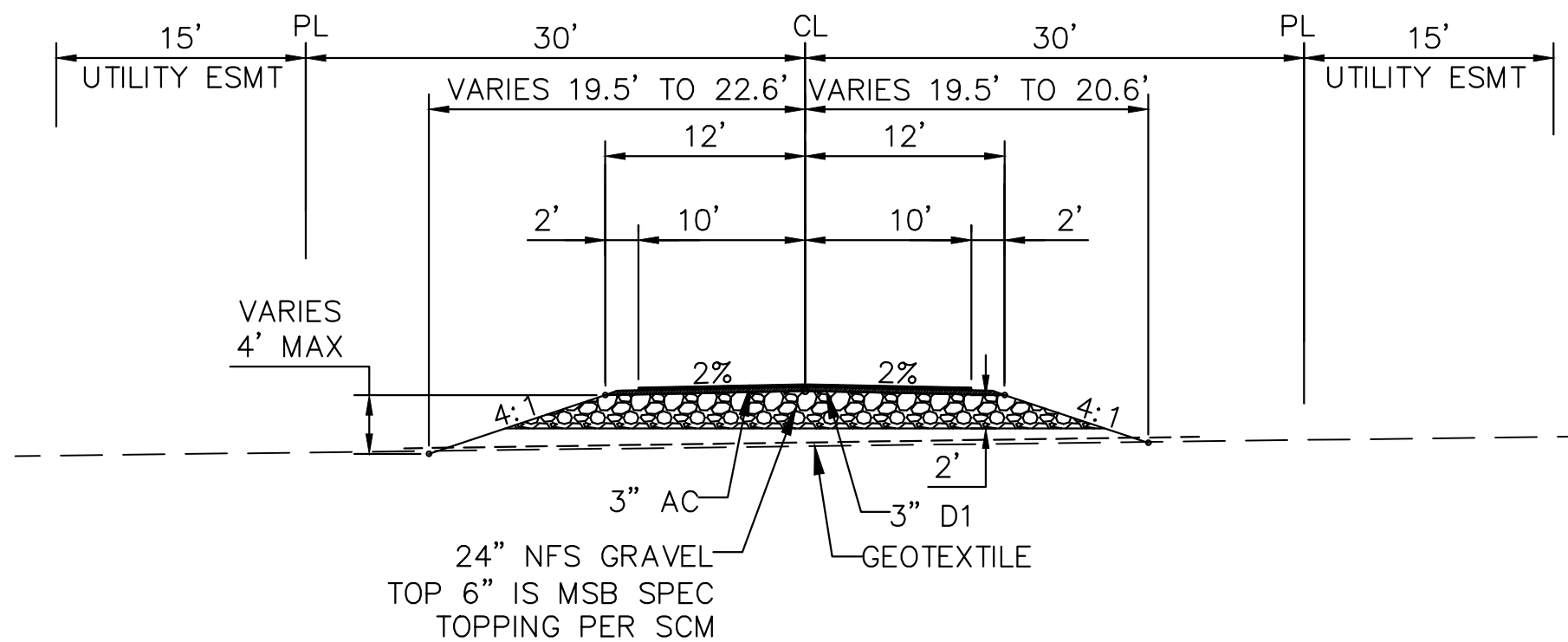
SITE 1

EXHIBIT 3



**NO IMPROVEMENTS ALLOWED
WITH THIS PROJECT**

PLAN VIEW



2 TYPICAL SECTION

LEGEND

	SITE BOUNDARY/LOT LINES
	CONTOUR 10' INTERVAL
	ROADWAY CUT/FILL DAYLIGHT
	WATERS OF THE UNITED STATES (WOTUS)
	FILL LIMIT
	TOP OF CUT
	SILT FENCE
	WETLANDS
	FILL AREA
	NO PROJECT IMPROVEMENTS ALLOWED THIS AREA

APPLICANT: MR. WILLIAM KRAMER

FILE NO.: POA-2021-00404

WATERWAY: LAKE LUCILLE & LUCILLE CREEK.

PROPOSED ACTIVITY: VALLEY RIDGE RESIDENTIAL SUBDIVISION

SEC. 17 T.17N R.01W N SEWARD MERIDIAN
MATANUSKA-SUSITNA BOROUGH (136 ACRES)

LAT: 61.5663°N LON: 149.4909°W

SITE 2

Sheet 7 of 8

EXHIBIT **4**

DATE: NOVEMBER 2021

III. Compensation for Unavoidable Impacts

Existing wetlands within the project are 35.4 acres. Tracts 'A & B' containing wetlands is preserved as 30.42 Acres of open space defined by Matanuska-Susitna Borough Title 43.20.281 (E) cannot be divided. This dedication plus 1.9 acres of native vegetative setback is 32.3 total acres in lieu of any compensatory mitigation.

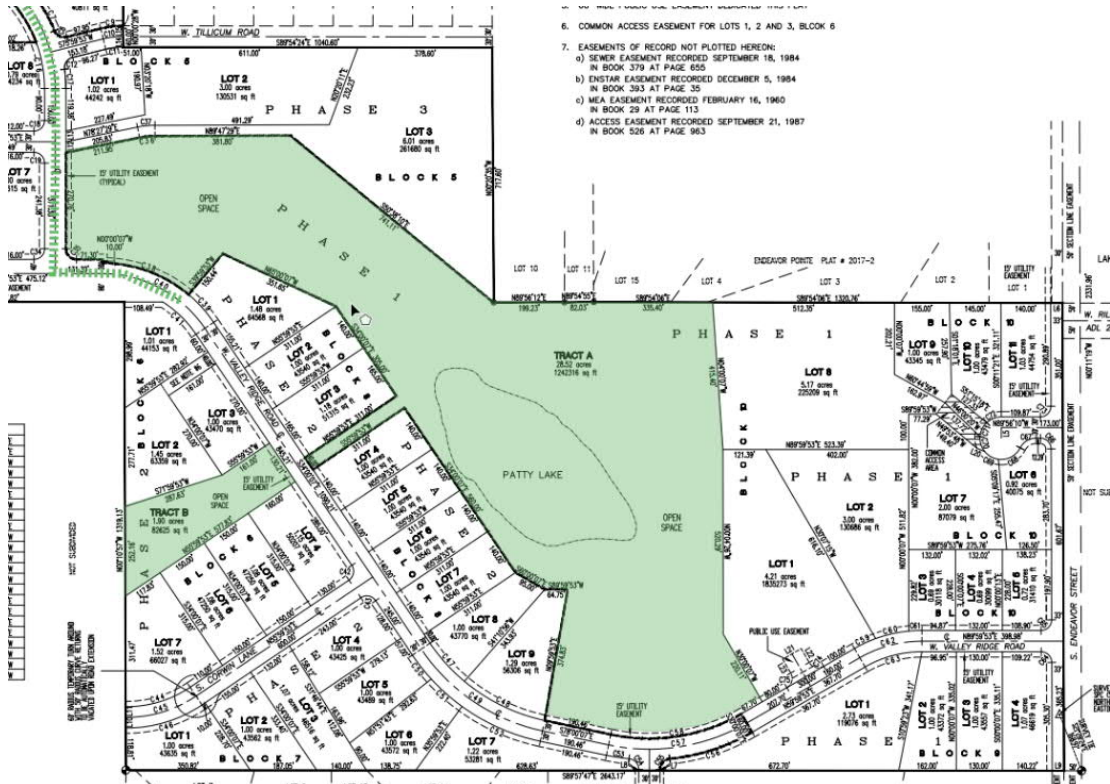


Figure 5 - Tracts 'A' and 'B' Wetland Open Space Dedication/Preservation

Account	Physical Site Address	Column1	Column2
1089B02L005	1191 S Lobo St	LAMB JUDY M	
1089B02L006	1190 S Corkey St		PETERSEN KENNETH J
1089B03L007	1191 S Corkey St		HALE LARRY E & SAMANTHA M
6999000L002	2399 W Lake Lucille Dr		MALONE VICKI TURNER
6999000L001	2400 W Lake Lucille Dr		SELENSKI ERIC
1036000L001	1775 W Tillicum Ave		TODD LARRY D & ELIZABETH J
1036000L002	1751 W Tillicum Ave		DAVIS JANICE LYNN TR
1036000L003	1725 W Tillicum Ave		SULLIVAN PHYLLIS
1036000L004	1701 W Tillicum Ave		RITCHIE BRIAN MATTHEW
1036000L005	1675 W Tillicum Ave		MESSICK MICHAEL FRANCIS
1036000L006	1651 W Tillicum Ave		HEINS VIRGINIA L/E
1036000L007	1625 W Tillicum Ave		WEBB BAILEY M
1036000L008-1	1601 W Tillicum Ave		WEBB BAILEY M
1036000L008-3	1581 W Tillicum Ave		BRASHLER PATRICK L & MAUREEN K
1036000L009	1565 W Tillicum Ave		BRASHLER PATRICK L & MAUREEN K
1036000L010	1535 W Tillicum Ave		CAMPBELL JEFFREY E
1036000L011	1501 W Tillicum Ave		RODRIGUEZ JONATHON
7610B02L002	1295 S Endeavor St		RODRIGUEZ JONATHON D
7610B02L001	1275 S Endeavor St		DOLLICK CARL L & CHERYL
7610B01L017	1245 S Endeavor St		URBACH ROBERT H
7610B01L016	1225 S Endeavor St		ADAMS NICHOLAS W & KELLY
7610B01L015	1210 S Endeavor St		PAVLUS DMITRIY V
7610B01L014	1220 S Endeavor St		COLLINS ERIC GLENN
7610B01L004	1370 W Boyd Meadow Cir		BACKLIN LEIF & MARJEANA A
7610B01L003	1350 W Boyd Meadow Cir		BASKETT JUSTINE J
7610B01L002	1300 W Boyd Meadow Cir		RUSH MICHAEL B & JESSICA A
7610B01L001	1250 W Boyd Meadow Cir		ZACH MICHAEL A & NELLIE R
17N01W16B002	1835 S Endeavor St		ALASKA STATE OF
4227B05L001	1870 S Endeavor St		KUDRYN VALERY P
4227B05L004	1901 S Tuscarora Dr		JEFFERY MATTHEW CLARK TRUST
2858000T00C	1490 W Pipestone Dr		MANNING ANDREW
2858B04L018	1515 W Pipestone Dr		OCONNOR KRISTIN K
2858B04L016	1861 S Redwing Cir		BOUCHET ROY KENNETH II
2858B04L015	1841 S Redwing Cir		HERRON ADRIAN D & CHELSEA M
2858B04L014	1810 S Redwing Cir		HERRON ADRIAN D & CHELSEA M
2858B04L013	1840 S Redwing Cir		: IRION-TRUEBLOOD GEORGIA K
2858B04L008	1841 S Itasca Cir		COMMISSARIS ADAM J
2858B04L007	1810 S Itasca Cir		ITASCA TRUST
2858B04L006	1840 S Itasca Cir		FELTZ DANIEL M & LISA A