



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>December 7, 2021</b>
<b>EXPIRATION DATE:</b>	<b>December 22, 2021</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2021-00508</b>
<b>WATERWAY:</b>	<b>Kognignanohk River</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 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](mailto: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 Joshua Moffi at (907) 753-2708, toll free from within Alaska at (800) 478-2712, or by email at [Joshua.H.Moffi@usace.army.mil](mailto:Joshua.H.Moffi@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Alaska Department of Transportation and Public Facilities (DOT&PF)

**LOCATION:** The project site is located within Section 28, 32, 33, T. 2 S., R. 79 W., Seward Meridian; USGS Quad Map Kuskokwim Bay D-3; Latitude 59.961991° N., Longitude 162.880371° W.; in Kongiganak, Alaska.

**PURPOSE:** The runway, taxiway, safety area, and apron are in poor condition due to erosion and settlement; the runway safety areas are not large enough to meet federal standards for the size of aircraft currently using the airport; and more apron space is needed for safe operations and provide additional space for a new Snow Removal Equipment Building. The purpose for this is to improve safety, lower maintenance costs, provide more additional storage for snow removal equipment, and extend the service life of the import.

**PROPOSED WORK:** All work would be performed in accordance with the enclosed plan (sheets 1-6), dated October 5, 2021. The work includes the excavating 12,000 cubic yards (cy) of native material and placing approximately 48,000 cy of fill in palustrine emergent wetland to expand the runway and the apron (Figures 2-3). The 48,000 cy of fill material to be placed includes 14,200 cy of native soil, as well as 120 cy of rip rap, and 33,600 cy of imported clean sub-base and porous backfill. Imported clean fill and rip rap will be obtained from established material sites in Western Alaska, transported by barge to Kongiganak, transported by truck from the barge landing on the Kongnignanohk River along the established gravel access road to the Kongiganak Airport, and placed in the project area. The project is expected to be completed over two construction seasons.

**ADDITIONAL INFORMATION:** The United States Department of Transportation, Federal Aviation Administration (FAA) is the Federal Lead for this project and the Alaska Department of Transportation and Public Facilities (DOT&PF) is acting as the Federal Designee on behalf of the FAA for consultations for this project.

The FAA published a Draft Environmental Assessment for this project which is available at the following website  
<https://dot.alaska.gov/creg/design/aviation/KongiganakEA/CFAPT00433%20Kongiganak%20Airport%20Improvements%20Draft%20EA%20September%202021.pdf>

**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 proposed project was designed to avoid impacts to WOUS to the maximum extent feasible while still meeting the project purpose and need. The airport is surrounded by wetlands, so expanding in any direction would cause similar impacts. Other potential wetland impacts were avoided by selecting material sources and haul routes that use only previously disturbed non-wetland areas.

Relocating the entire airport to an upland area would avoid the wetland impacts associated with the current project design. However, much of the surrounding land is also wetland, so choices of a suitable location on uplands are limited and would be a significant distance from the existing airport. There are no existing roads to Kongiganak, so relocating the airport would be likely to require building at least one new road to provide access from the community to the new airport location. Road building and maintenance would significantly increase the environmental impacts (including wetlands) of this alternative, as well as increasing the cost. The community relies on the airport as the only year-round transportation in and out of Kongiganak. Relocating the airport further away from the town would cause adverse social and economic impacts to the local community because of increased travel time, cost and inconvenience. Relocating the airport to uplands would be many times more expensive than the current rehabilitation project, would cause greater adverse impacts, and therefore is not a practicable alternative.

Another alternative considered was reducing the project scope to include only the resurfacing and other work that does not impact wetlands and WOUS. However, this would not adequately address the project's purpose and need. The runway safety area (RSA) needs to be expanded to meet federal standards for the size of the aircraft currently using the airport; and more apron space is needed for safe operations and an additional snow removal equipment building (SREB).

b. **Minimization:** The project design incorporates minimization measures such as steepening slopes and limiting fill to the minimum amount necessary. The project involves no work below ordinary high water (OHW) in the Kongnignanohk River. All dredged soil that is suitable will be re-used as fill on site to minimize the amount of material brought in from other sources. Impacts to waters of the U.S. would be further minimized through implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Alaska Pollutant Discharge Elimination System's (APDES) Construction General Permit (CGP). Compliance with the CGP requires implementing best management practices (BMPs) during construction to reduce or eliminate erosion and sediment discharge from the construction area and to permanently stabilize disturbed ground as soon as practicable. Revegetation will follow recommendations from the Alaska Department of Natural Resources' A Revegetation Manual for Alaska.

c. **Compensatory Mitigation:** The DOT&PF is not proposing compensatory mitigation for the proposed project. Some of the wetland to be filled to expand the runway and apron have been previously disturbed, and proximity to the airport operations and noise decreases the habitat suitability for all land near the airport. The project is surrounded by vast areas of higher-value undisturbed wetlands, so the overall effect on the functions and values of wetland habitat in the area would be negligible.

**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, the FAA, is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. The Corps has reviewed the Section 106 documentation from FAA and concurs with their findings and/or determinations.

**ENDANGERED SPECIES:** The project area is within the known or historic range of the endangered Steller sea lion (*Eumetopias jubatus*), fin whale (*Balaenoptera physalus*), humpback whale (*Megaptera novaeangliae*), north pacific right whale (*Eubalaena japonica*), sperm whale (*Physeter macrocephalus*), beluga whale (*Delphinapterus leucas*), gray whale (*Eschrichtius robustus*), killer whale (*Orcinus orca*), and threatened spotted seal (*Phoca largha*) and spectacled eider (*Somateria fischeri*).

The lead Federal Agency, the FAA, determined the described activity may affect the endangered Steller sea lion, fin whale, humpback whale, north pacific right whale, sperm whale, beluga whale, gray whale, killer whale and threatened spotted seal and spectacled eider or their designated critical habitat. The FAA has initiated the appropriate consultation procedures under section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS). 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 unidentified whitefish species (*Coregonus* spp.).

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.

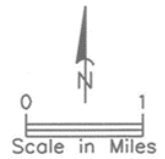
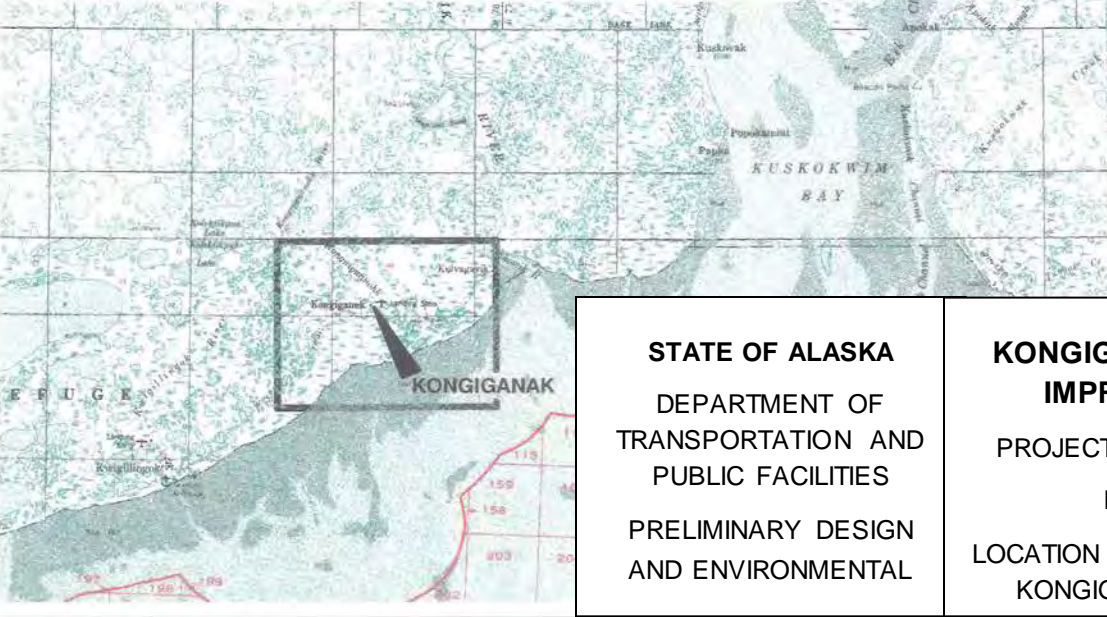
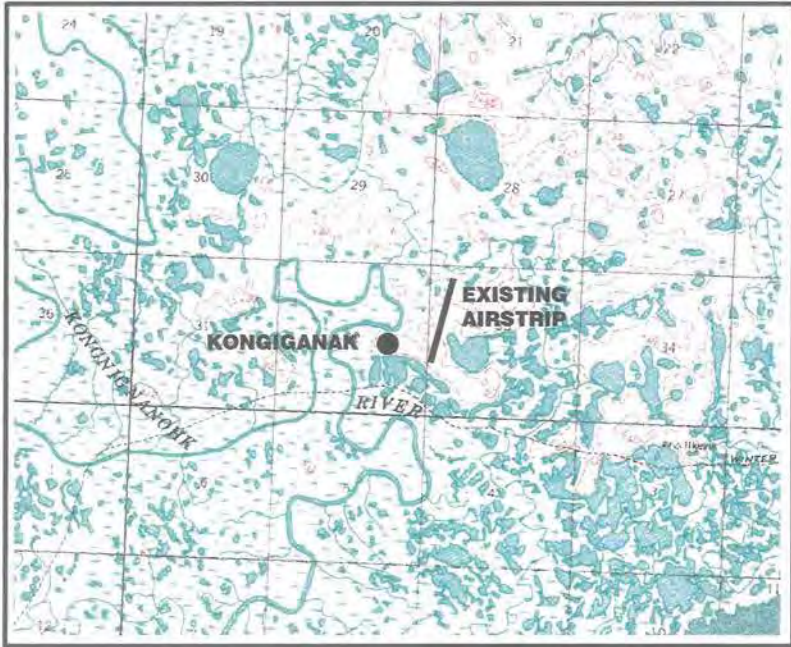
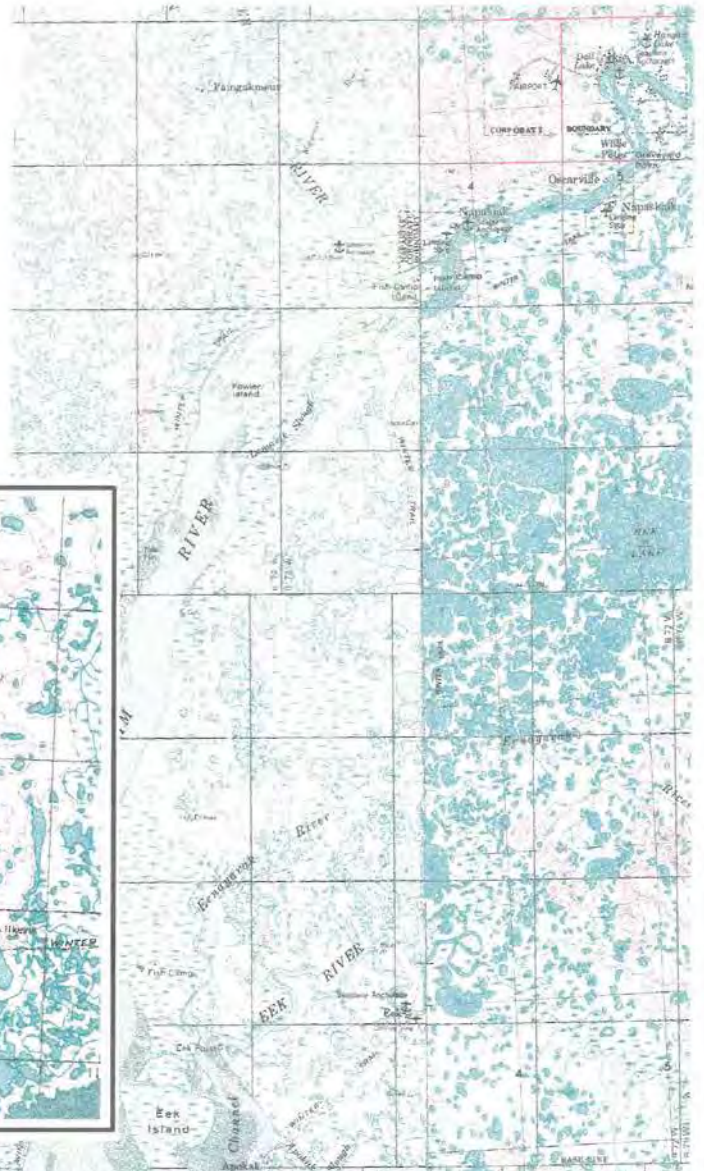
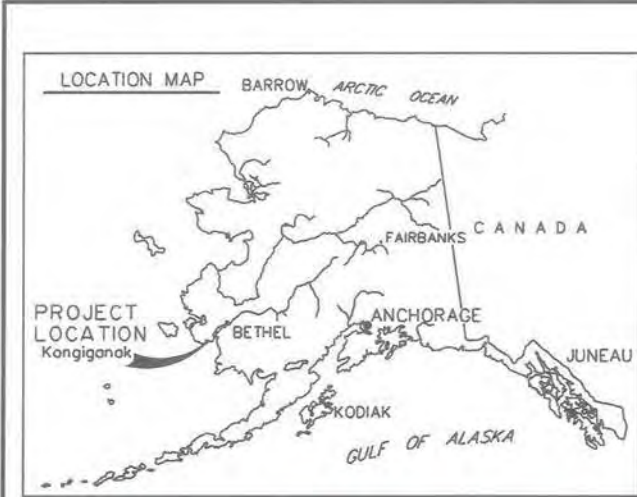
AUTHORITY: This permit will be issued or denied under the following authority:

(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 are enclosed with this Public Notice.

District Commander  
U.S. Army, Corps of Engineers

Enclosures



**STATE OF ALASKA**  
 DEPARTMENT OF  
 TRANSPORTATION AND  
 PUBLIC FACILITIES

PRELIMINARY DESIGN  
 AND ENVIRONMENTAL

**KONGIGANAK AIRPORT  
 IMPROVEMENTS**

PROJECT NO. CFAPT00433

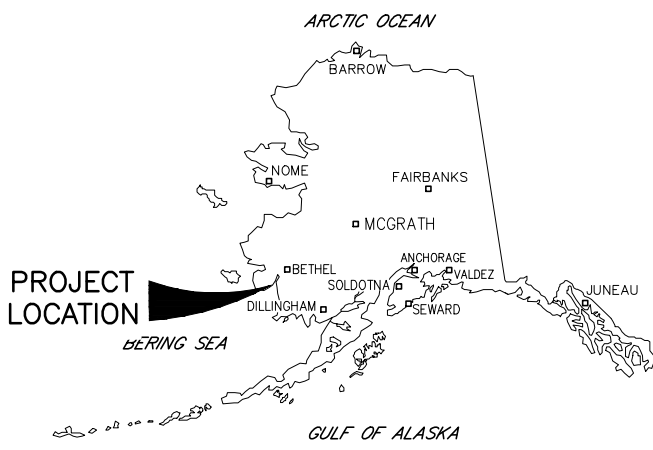
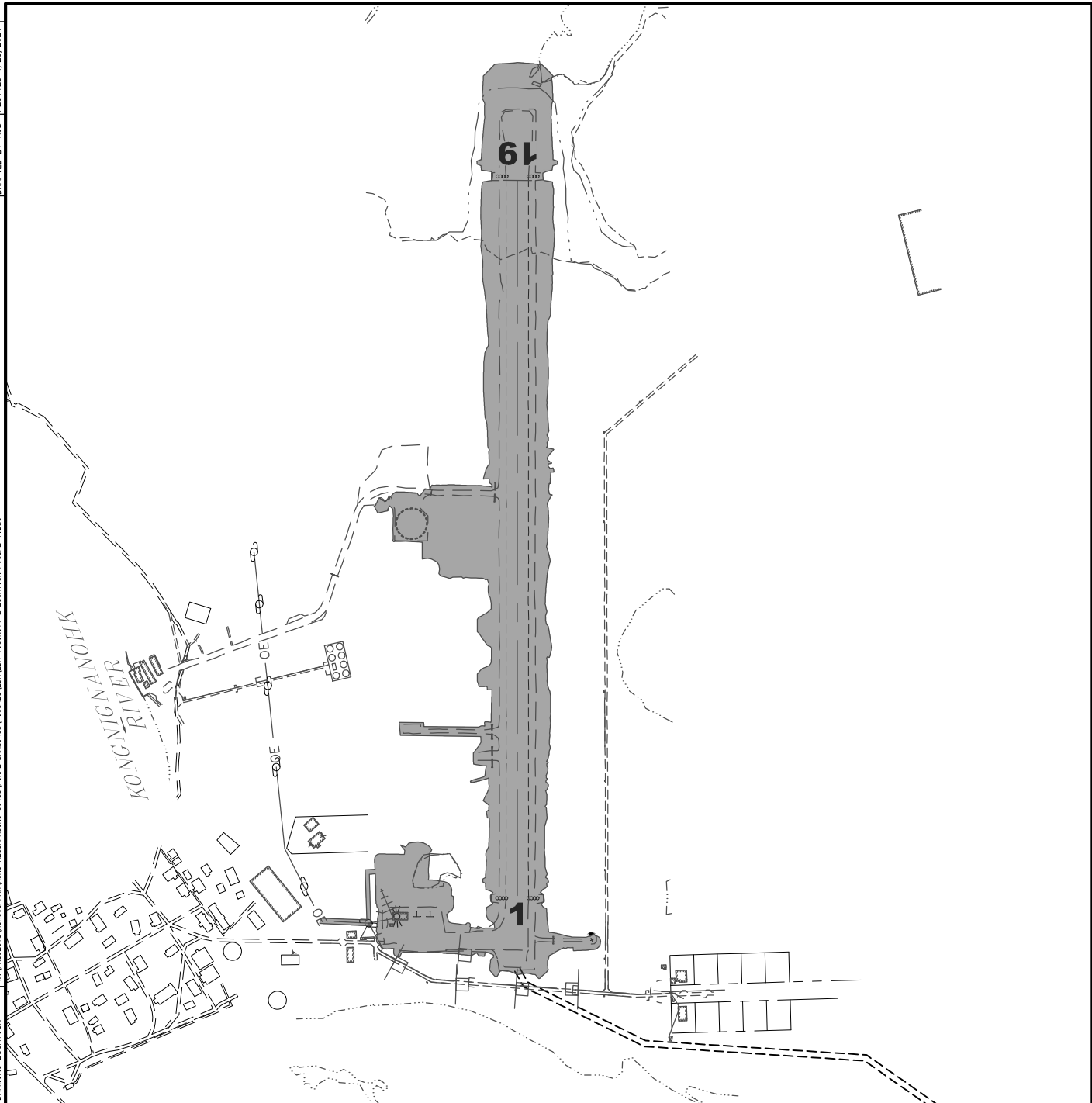
**FIGURE 1**

LOCATION AND VICINITY MAP  
 KONGIGANAK, ALASKA

DRAFTED BY RJB PLOTTED 4/29/2021

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DRAWING LOCATION



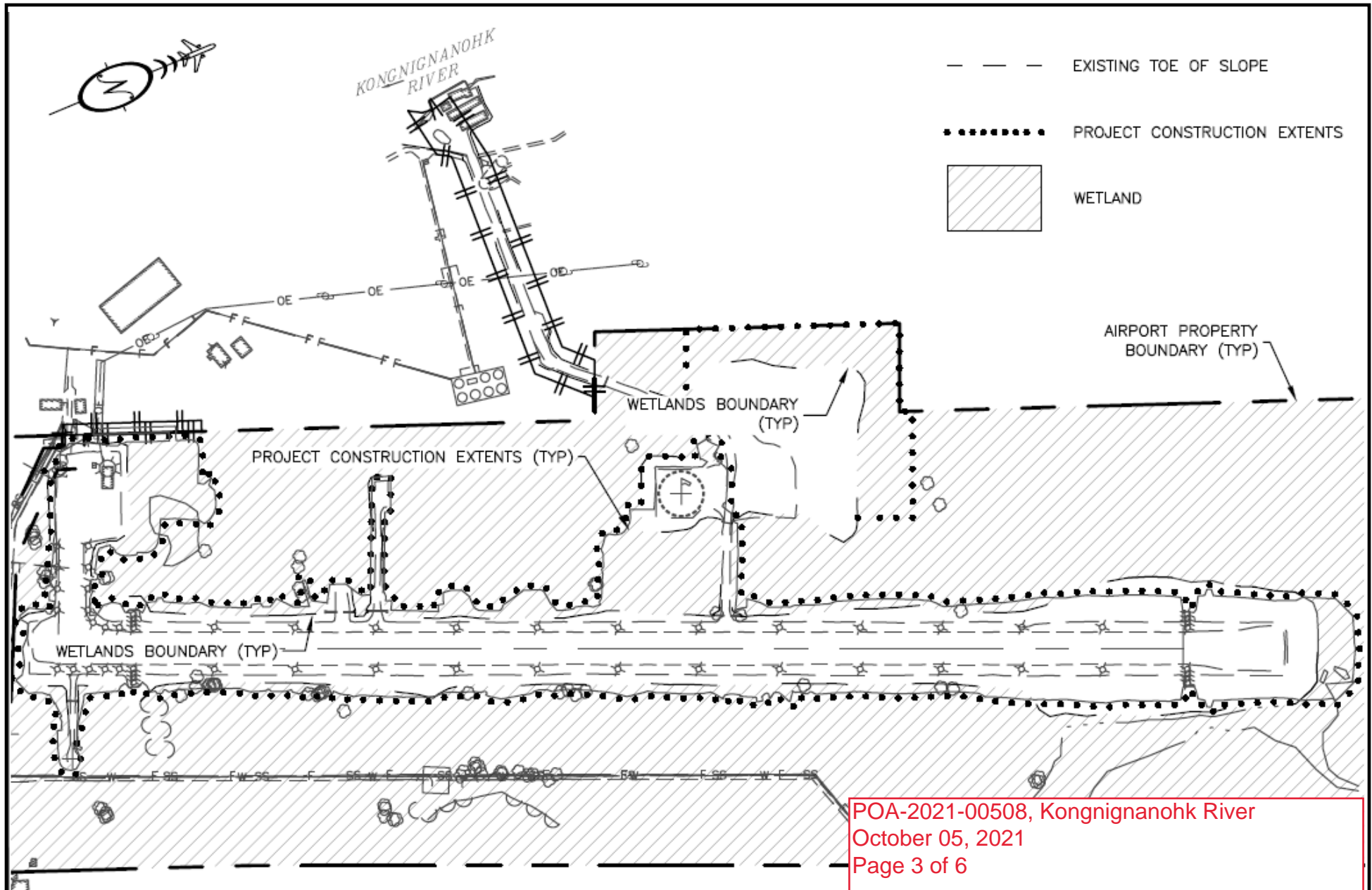
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AND PUBLIC FACILITIES

**FIGURE 1**

**KONGIGANAK AIRPORT IMPROVEMENTS**

**PROJECT NO. CFAPT00433**

**LOCATION AND VICINITY MAP**

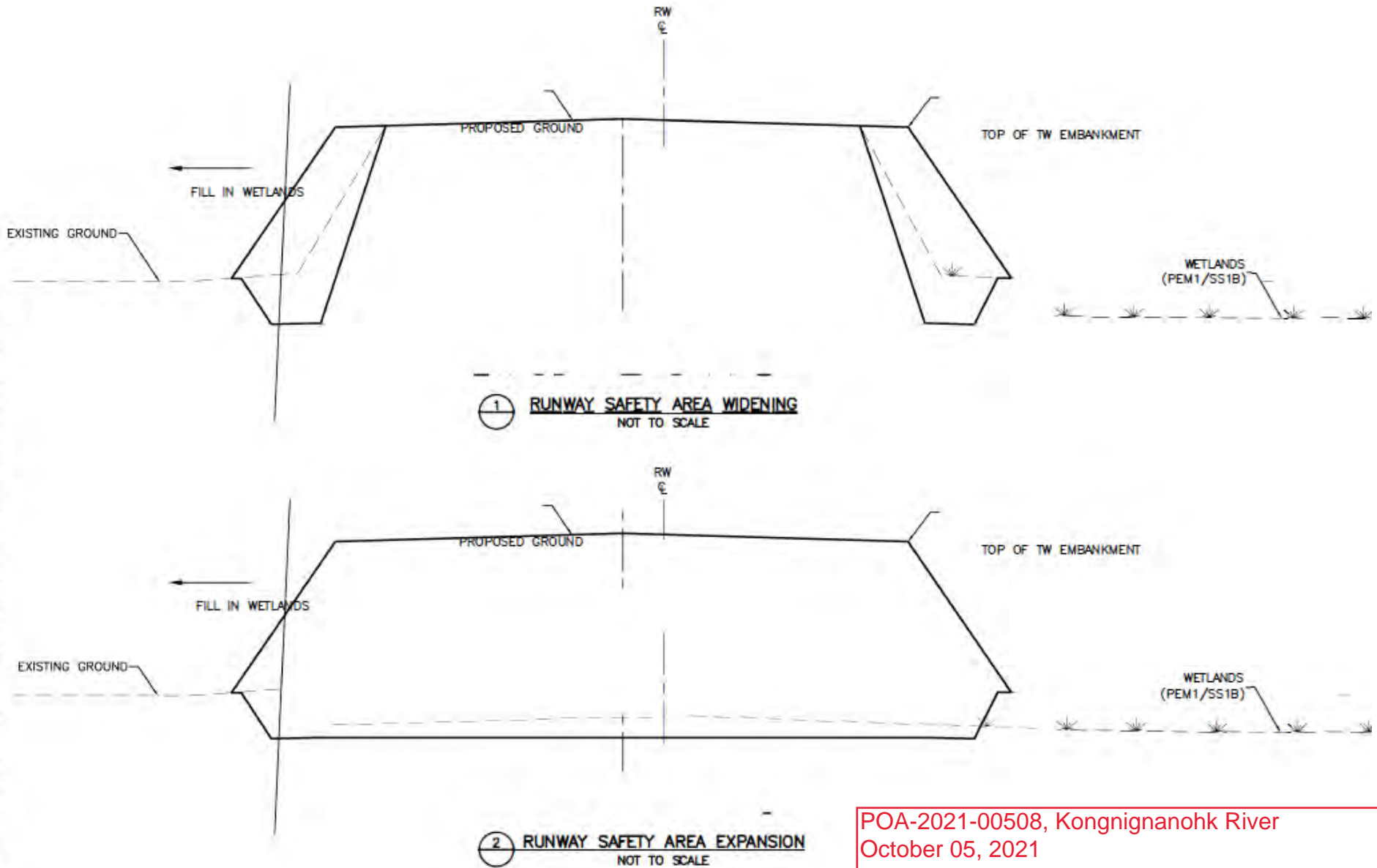


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**KONGIGANAK AIRPORT IMPROVEMENTS**  
 PROJECT NO. CFAPT00433

**FIGURE 2**  
 PLAN VIEW  
 KONGIGANAK, ALASKA



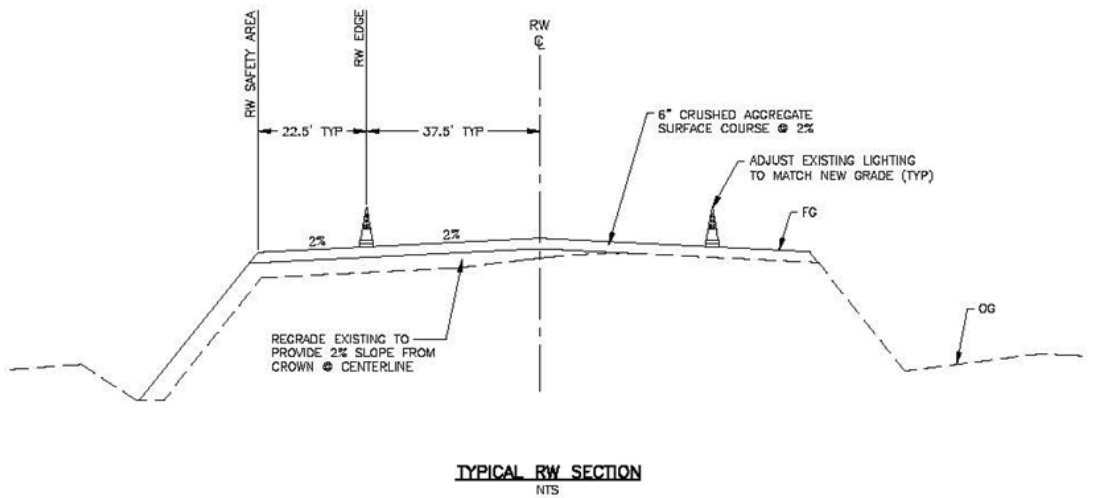
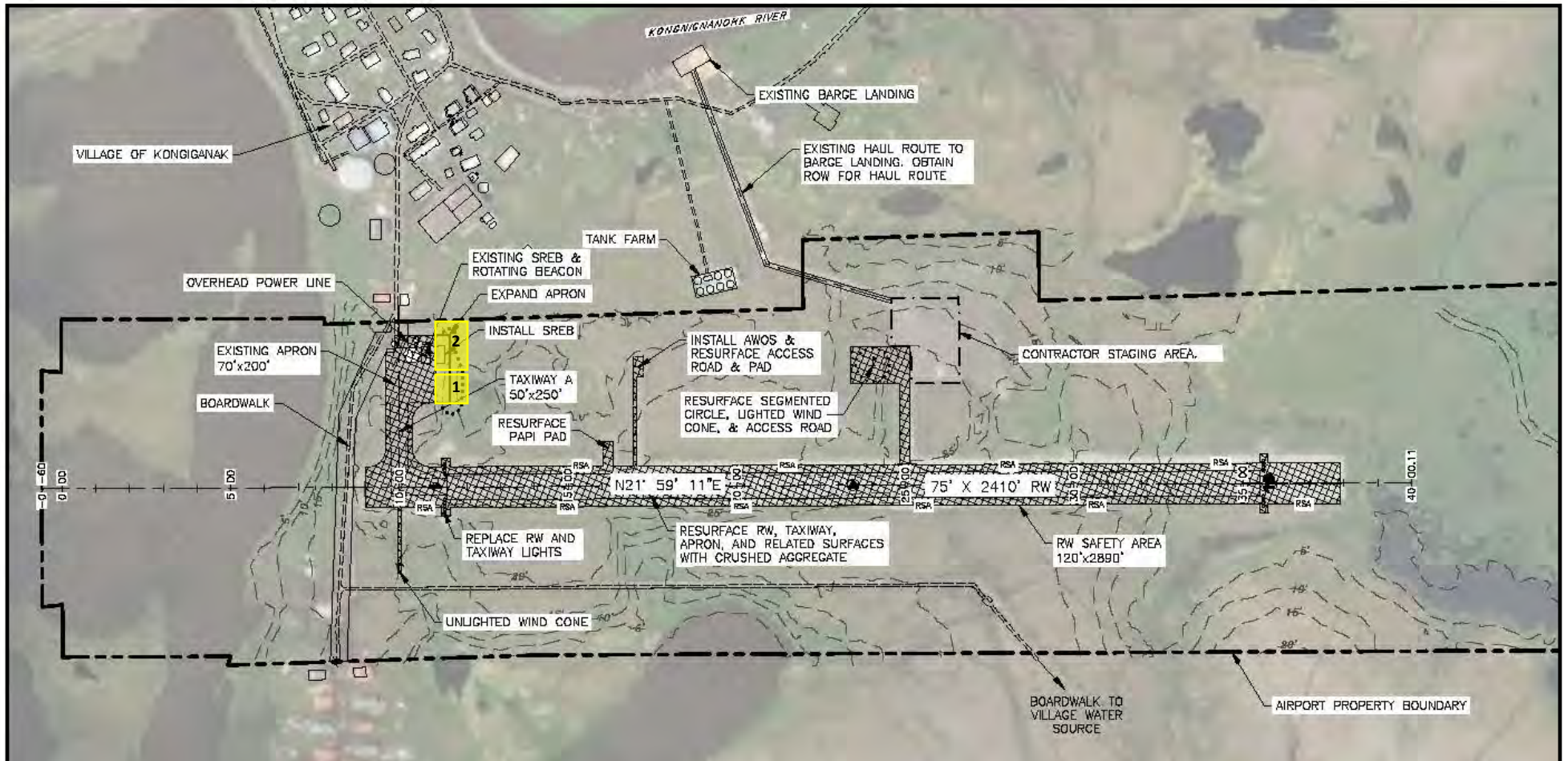


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**KONGIGANAK AIRPORT IMPROVEMENTS**  
 PROJECT NO. CFAPT00433

**FIGURE 3**  
 TYPICAL SECTIONS  
 KONGIGANAK, ALASKA



**Wetlands: September 2019**

**1** Test Plot #1

**2** Test Plot #2

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 PRELIMINARY DESIGN  
 AND ENVIRONMENTAL



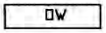
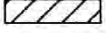




**KONGIGANAK AIRPORT  
 IMPROVEMENTS**  
 PROJECT NO. CFAPT00433  
**FIGURE 2**  
 PROJECT AREA

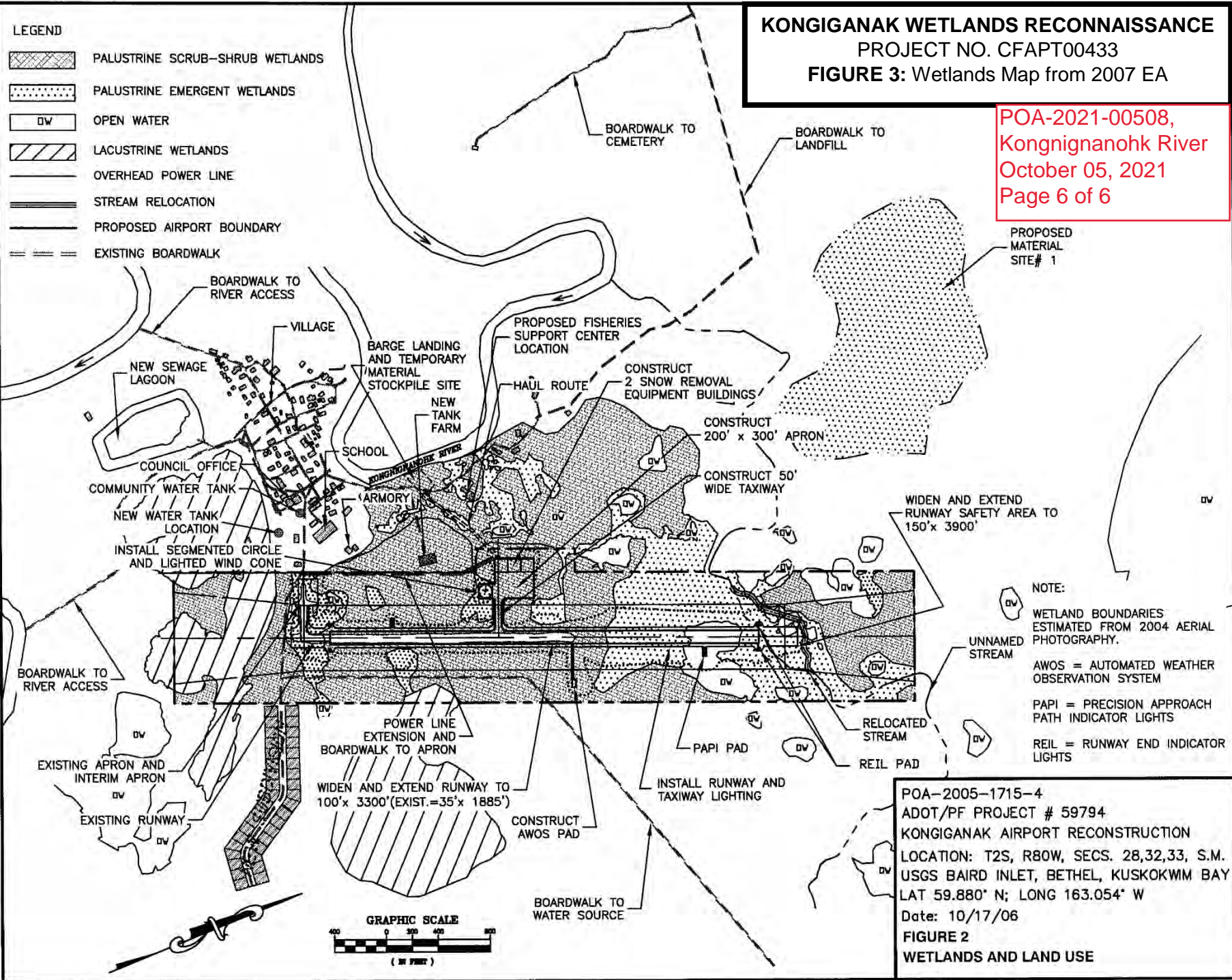
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W:\Projects\Kongiganak Airport Reconstruction\_59794\_09-03\Environmental & Permit\WETLANDS & LAND USE FIGURES rev. 8-22-06.dwg 10/17/2006, 11:24 AM

**KONGIGANAK WETLANDS RECONNAISSANCE**  
**PROJECT NO. CFAPT00433**  
**FIGURE 3: Wetlands Map from 2007 EA**

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- LEGEND**
-  PALUSTRINE SCRUB-SHRUB WETLANDS
  -  PALUSTRINE EMERGENT WETLANDS
  -  OPEN WATER
  -  LACUSTRINE WETLANDS
  -  OVERHEAD POWER LINE
  -  STREAM RELOCATION
  -  PROPOSED AIRPORT BOUNDARY
  -  EXISTING BOARDWALK



**NOTE:**

- WETLAND BOUNDARIES ESTIMATED FROM 2004 AERIAL PHOTOGRAPHY.
- AWOS = AUTOMATED WEATHER OBSERVATION SYSTEM
- PAPI = PRECISION APPROACH PATH INDICATOR LIGHTS
- REIL = RUNWAY END INDICATOR LIGHTS

POA-2005-1715-4  
 ADOT/PF PROJECT # 59794  
 KONGIGANAK AIRPORT RECONSTRUCTION  
 LOCATION: T2S, R80W, SECS. 28,32,33, S.M.  
 USGS BAIRD INLET, BETHEL, KUSKOKWIM BAY  
 LAT 59.880° N; LONG 163.054° W  
 Date: 10/17/06  
**FIGURE 2**  
**WETLANDS AND LAND USE**

