



US Army Corps  
of Engineers  
Alaska District

ANCHORAGE  
Regulatory Division (1145)  
CEPOA-RD  
Post Office Box 6898  
JBER, Alaska 99506-0898

# Public Notice of Application for Permit

<b>PUBLIC NOTICE DATE:</b>	<b>January 5, 2022</b>
<b>EXPIRATION DATE:</b>	<b>January 20, 2022</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2021-00515</b>
<b>WATERWAY:</b>	<b>Zimovia Strait</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 Andrew Gregory at (907) 753-2791, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [Andrew.W.Gregory@usace.army.mil](mailto:Andrew.W.Gregory@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** City and Borough of Wrangell, P.O. Box 531, Wrangell, Alaska 99929

**AGENT:** PND Engineers, Inc., 9360 Glacier Hwy, Juneau, Alaska 99801

**LOCATION:** The project site is located within Section 30, T. 62 S., R. 84 E., Copper River Meridian; Latitude 56.480125° N., Longitude 132.378353° W.; in Wrangell, Alaska.

**PURPOSE:** The applicant's stated purpose is to provide parking and new trail access to Mt. Dewey Trail for recreational activities.

**PROPOSED WORK:** Construction of an off-road parking lot and new recreational trail to the existing Mt. Dewey Trail. Specifically, the work will include discharge of approximately 1,770 cubic yards of fill material into 0.55 acres of palustrine wetland for construction of a 60-foot-long by 46-foot-wide parking lot with a 26-foot-long by 54-foot-wide driveway entrance from Airport Road and a 2,527-foot-long by 3 to 6-foot-wide recreational trail leading from the proposed parking lot to the existing Mt. Dewey Trail.

All work would be performed in accordance with the enclosed plan (Sheets 1-7), dated December 20, 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 recreational trail's path has been designed to avoid wetland areas wherever possible.

b. Minimization: The project's impact area will be delineated prior to discharge of fill material in order to reduce impact to wetland's in the vicinity.

c. Compensatory Mitigation: No compensatory mitigation is proposed. The agent, on behalf of the applicant, has stated they do not believe compensatory mitigation is warranted due to small size of the proposed project which as been designed to minimize impacts to wetlands.

**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 January 3, 2022; the applicable reasonable period of time to act on the certification request is 75 days; a waiver will occur on March 19, 2022 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 area encompassing the proposed parking lot and recreational trail. Consultation of the AHRs constitutes the extent of cultural resource investigations by the U.S. Army 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.

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 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 and 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

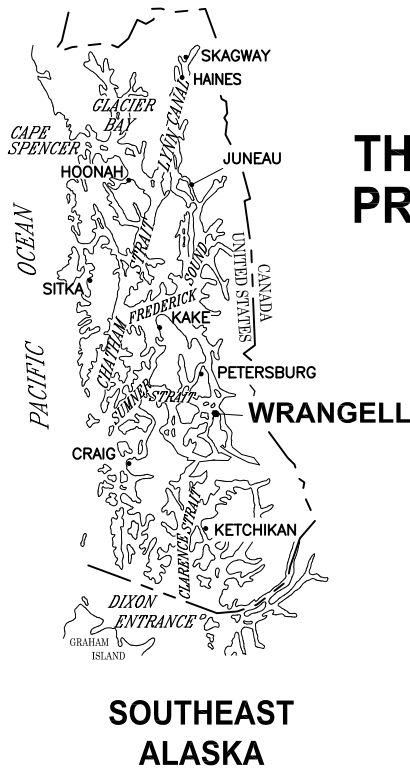
## **NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION**

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.

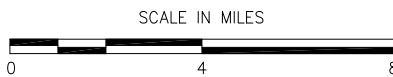
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2021-00515, Zimovia Strait**, serves as application for State Water Quality Certification from ADEC.

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.



**THIS PROJECT**



TOPOGRAPHY MAP FROM:  
USGS ALASKA TOPOGRAPHIC SERIES;  
PETERSBURG

**PURPOSE:**

TO IMPROVE PUBLIC SAFETY AND ACCESS BY INSTALLATION OF A PARKING AREA AND TRAIL SYSTEM.

**DATUM:**

MLLW = 0.0'

MHW = 14.8'

HTL = 19.7'

**VICINITY MAP**

PND PROJECT NO. 212038.01

**WRANGELL NON-MOTORIZED TRANSPORTATION SYSTEM**

APPLICANT: CITY AND BOROUGH OF WRANGELL

FILE NO.:

WATERWAY:

PROPOSED ACTIVITY: TRAIL IMPROVEMENTS

SEC. 19 T. 62S R. 84E M COPPER RIVER MERIDIAN

LAT.: 56.480125°N LONG.: 132.378353°W

DATE: SEPTEMBER 2021, revised DEC. 20, 2021

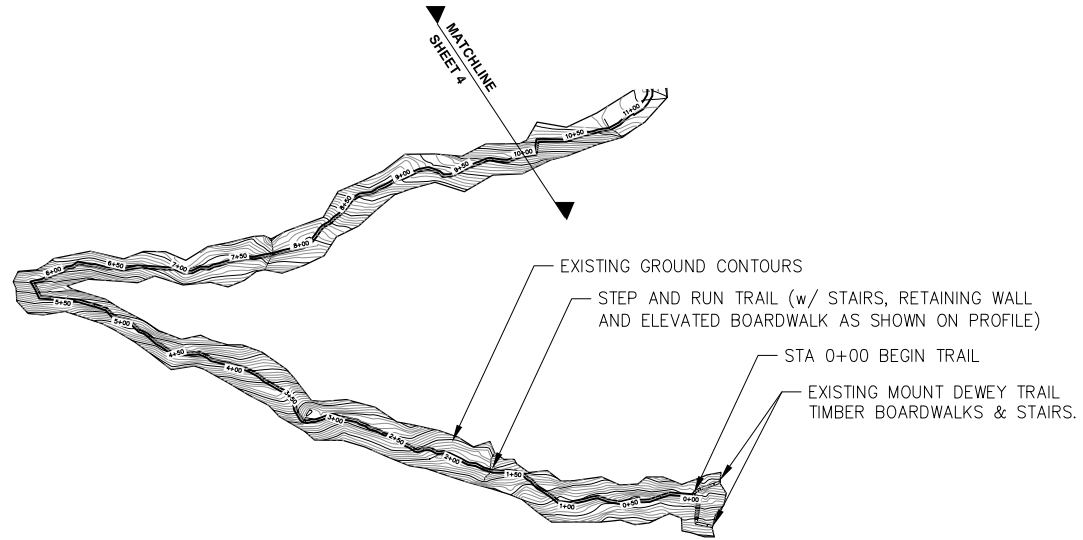
SHEET **1** of **7**



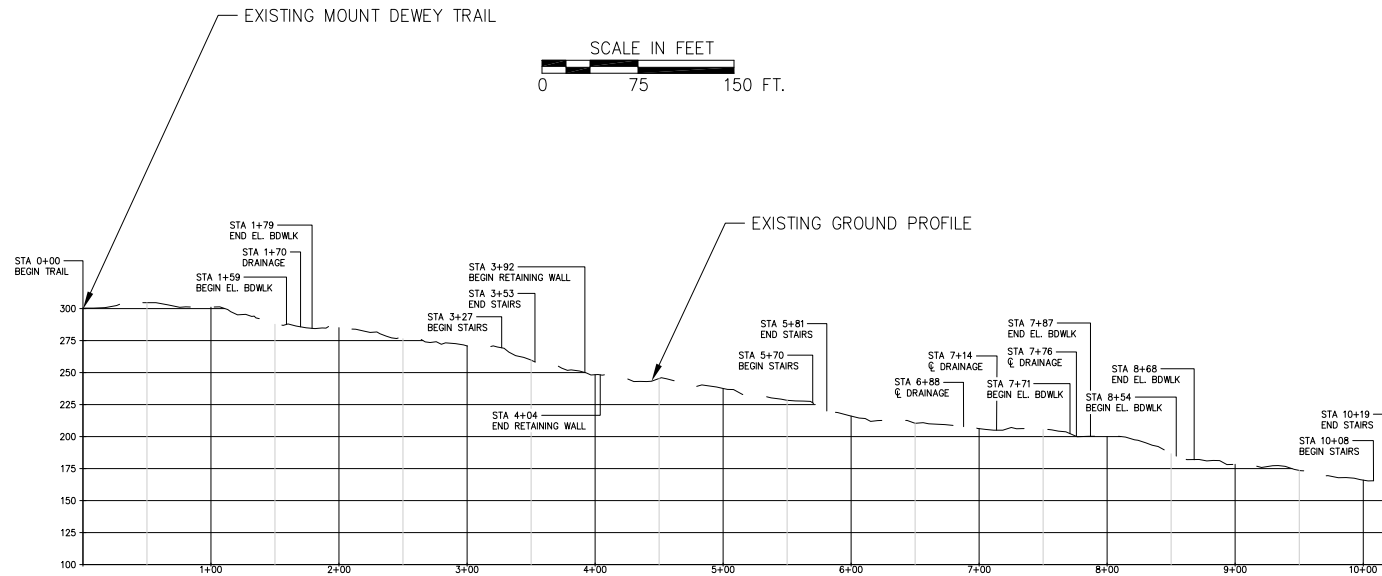
**OVERALL TRAIL SITE PLAN**

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**PLAN**



**PROFILE**

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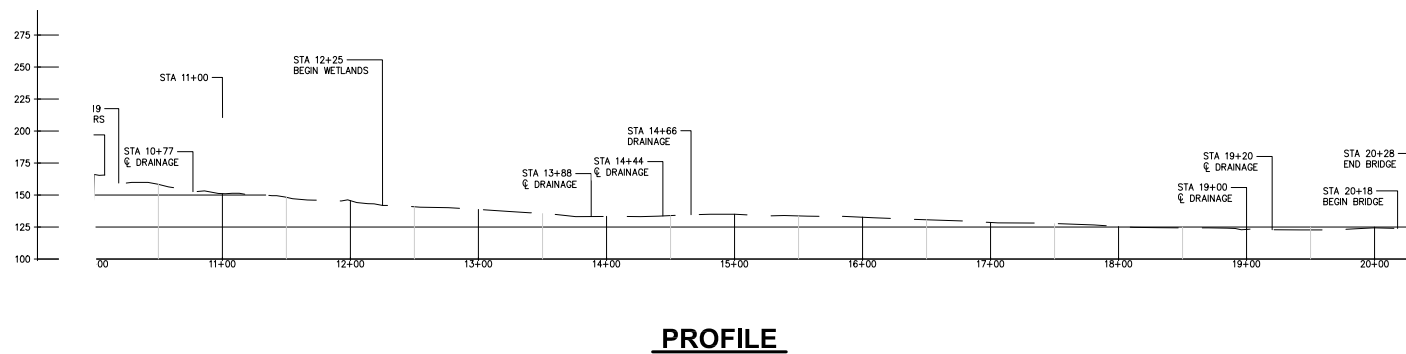
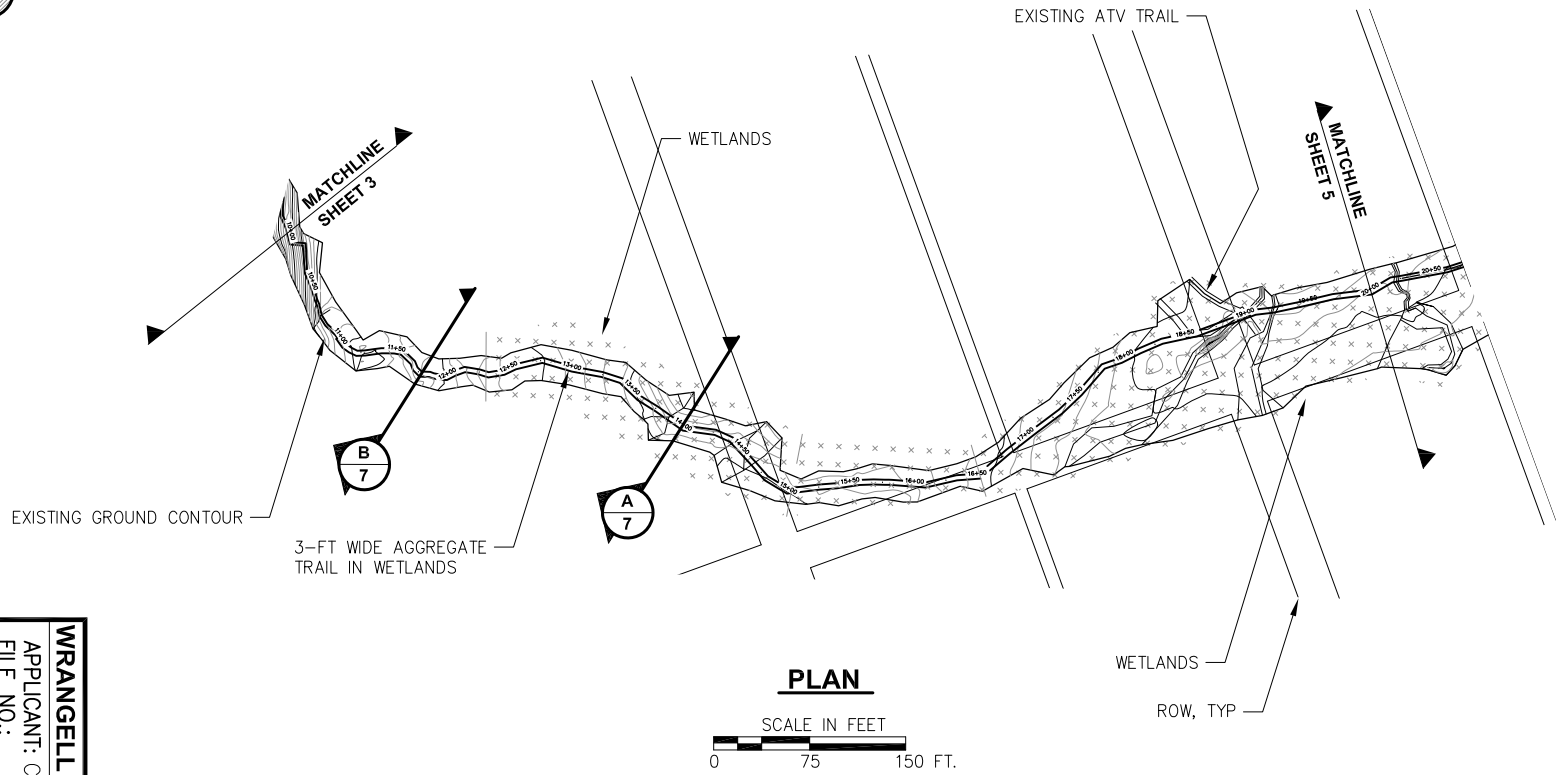
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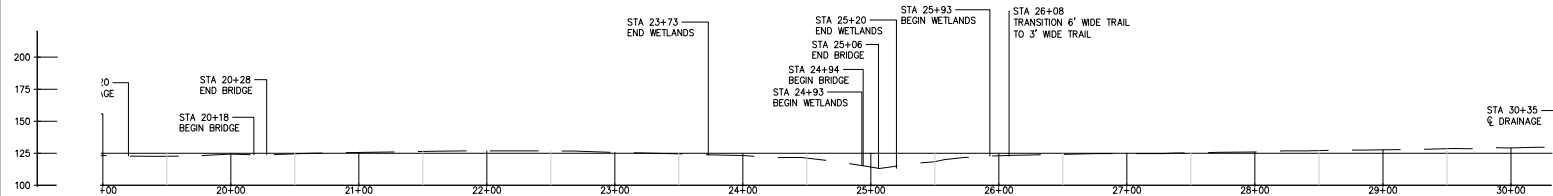
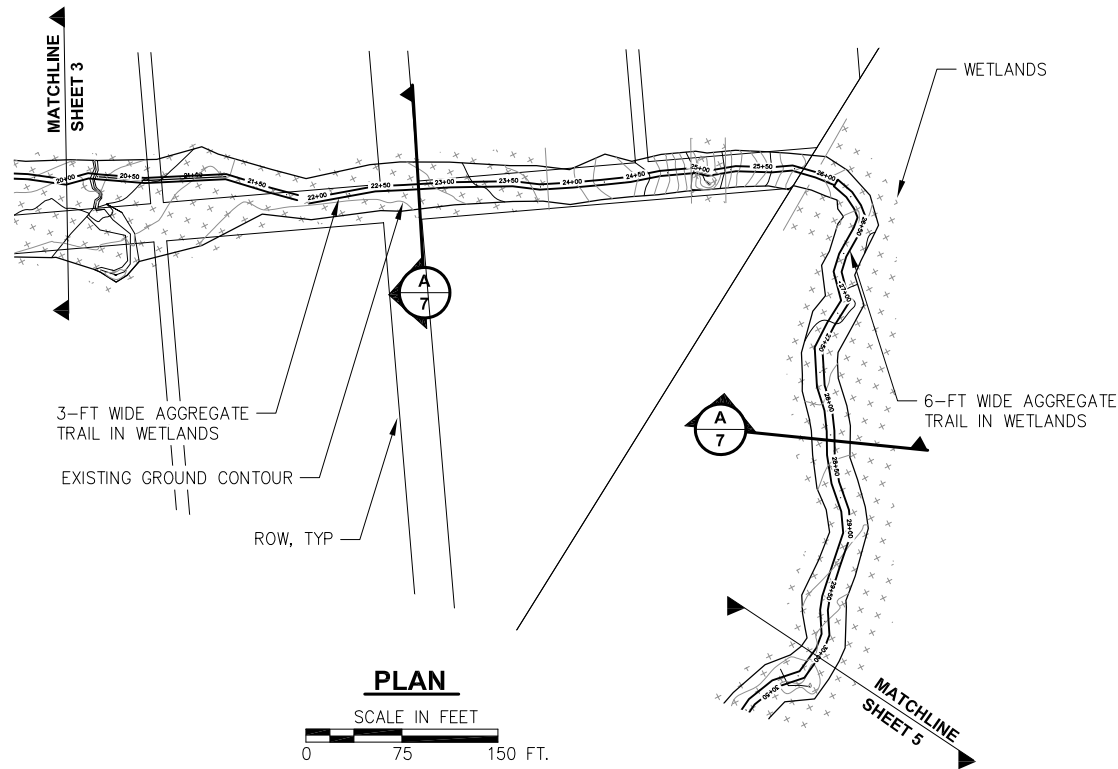
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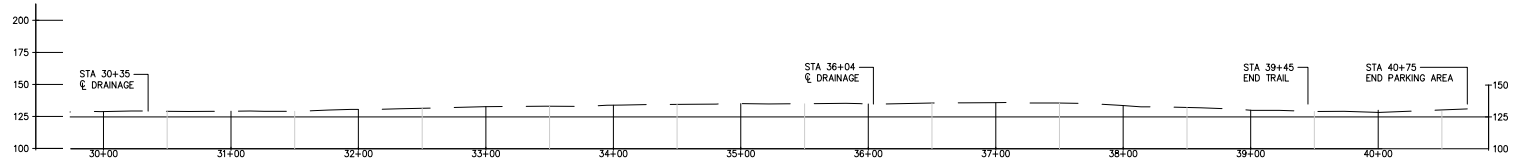
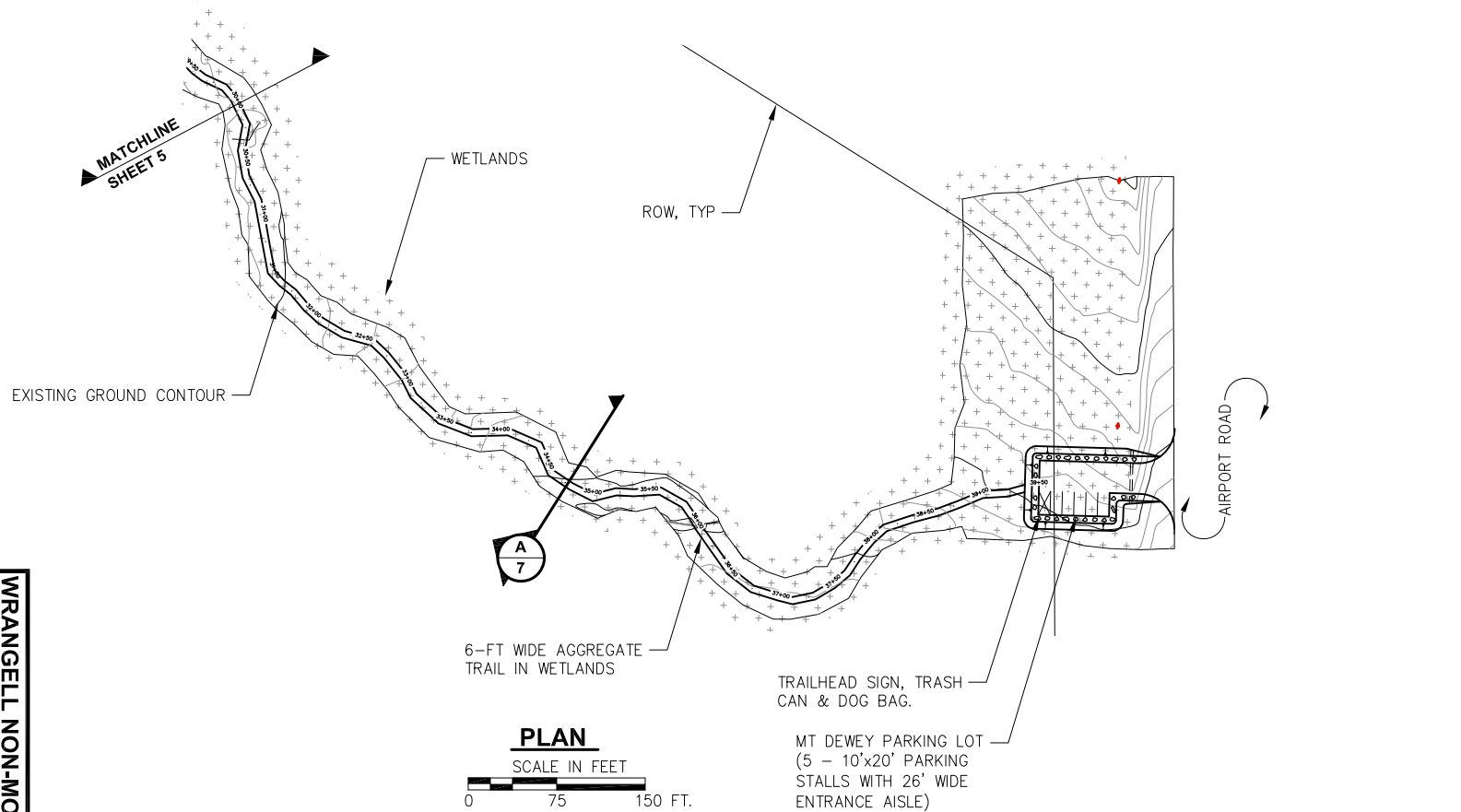
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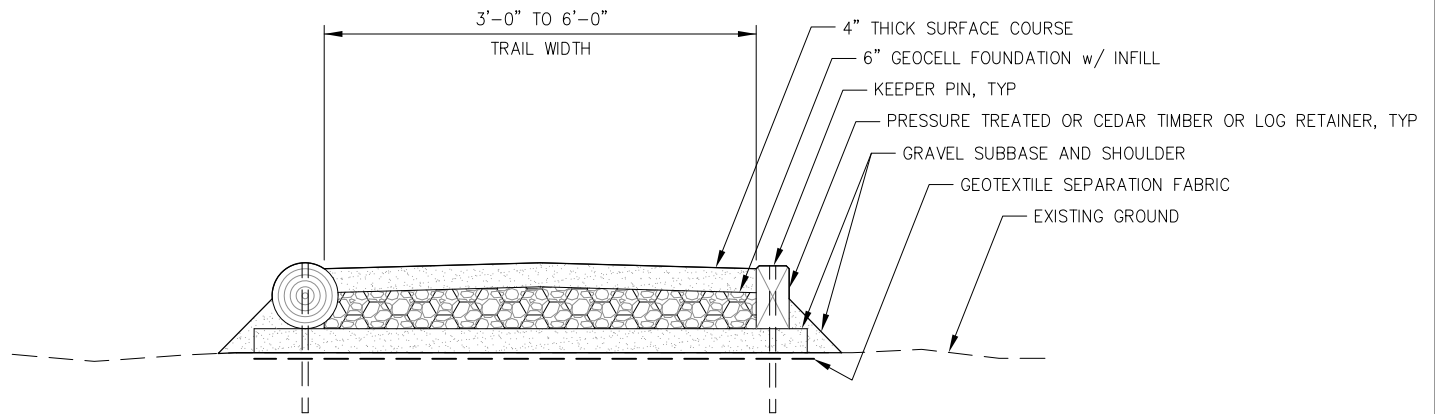
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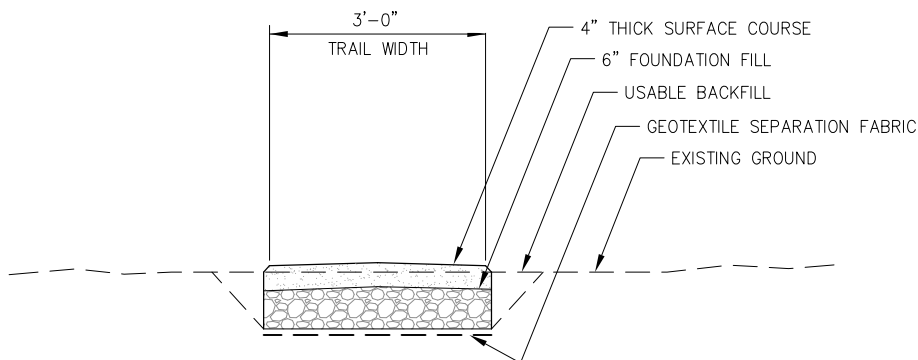
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**A**  
- **MOUNT DEWEY TRAIL - AGGREGATE TRAIL  
TYPICAL SECTION IN WETLANDS**



**B**  
- **MOUNT DEWEY TRAIL - AGGREGATE TRAIL  
TYPICAL SECTION**

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