



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>July 11, 2022</b>
<b>EXPIRATION DATE:</b>	<b>July 26, 2022</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2008-01401</b>
<b>WATERWAY:</b>	<b>Campbell Creek</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 Estrella Campellone at (907) 753-2518, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [Estrella.f.campellone@usace.army.mil](mailto:Estrella.f.campellone@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Adam Trombley, Municipality of Anchorage (MOA), 4700 Elmore Road, 2<sup>nd</sup> Floor, Anchorage, Alaska 99507. Email: [adam.trombley@anchorageak.gov](mailto:adam.trombley@anchorageak.gov); Telephone: (907) 343-7536

**AGENT:** Josh Grabel, DOWL, 5015 Business Park Blvd., Suite 400, Anchorage, Alaska 99503. Email: [jgrabel@dowl.com](mailto:jgrabel@dowl.com).

**LOCATION:** The project site is located within Section 34, T. 13 N., R. 3 W., Seward Meridian; USGS Quad Anchorage A-8; Latitude 61.1791° N., Longitude 149.8034° W.; Parcel ID 00809116000, Campbell Park, in Anchorage, Alaska.

SPECIAL AREA DESIGNATION: N/A.

PURPOSE: The applicant's stated purpose is to construct a MOA Navigation Center facility to provide services for the homeless single adult population in Anchorage, including access to resources such as permanent housing, job training, drug rehabilitation, mental healthcare, and healthcare.

PROPOSED WORK: The municipality is proposing to discharge 4,562 cubic yards of clean granular fill material in 1.10 acres of palustrine wetlands to construct an outdoor recreation area and parking space. The proposed work is associated to the development of the MOA Navigation Center, which would also include the construction of a homeless shelter building to provide sleeping facilities to up to 200 people, including sleeping areas, food prep/storage, bathrooms, laundry, office spaces to support services (job training, drug rehabilitation, healthcare, fire lanes, snow storage, parking, etc. The outdoor recreation area would include facilities such as benches, picnic tables, trail, a pavilion, etc.

The proposed wetland fill would occur in an area originally authorized for the construction of the Anchorage Police Department (APD) Evidence-Forensics Building ("Phase A").

All work would be performed in accordance with the enclosed plans (sheets 1, 3, and 4 dated June 16, 2022, and sheet 2 dated June 22, 2022). Construction work is proposed for fall 2022.

ADDITIONAL/BACKGROUND INFORMATION: The original Permit POA-2008-1401 (Phase A) was issued on August 19, 2010, for the expansion of the APD. The permit authorized the discharge 40,000 cubic yards of fill material in 3.28 acres of wetlands to construct a building for Evidence-Forensics work, an outdoor evidence-storage lot, and associated parking lots (see sheet titled Aerial 1 dated February 5, 2010, attached). Compensatory mitigation requirements were fulfilled for the entire "Phase A" area.

The 1<sup>st</sup> Modification of the permit was issued on June 14, 2016, to extend the time to complete planned APD extension construction.

The 2<sup>nd</sup> Modification of the permit was issued on September 3, 2022, to discharge 105,000 cubic yards of clean fill material into 7.6 acres of wetlands within Phase C and Phase D. This for the purpose of constructing the Anchorage School Department Transportation Facilities (offices, maintenance and wash bays, fuel station, storage space, bus/compact vehicle parking spaces, snow storage areas, and expand existing on-site detention basin, etc.). Construction of the Anchorage School Department Transportation Facilities authorized under the 2<sup>nd</sup> Modification has not been constructed yet.

The proposed request for authorization (3<sup>rd</sup> Modification) is to construct the outdoor recreation area and parking areas associated to the MOA Navigation Center. Proposed work would occur within the boundaries of "Phase A."

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 has been designed to minimize impacts to waters of the U.S. to the extent possible, while meeting the project purpose and need of the project. The MOA Navigation Center's facilities would be constructed primarily in uplands, which are currently used as a parking lot, with the supporting infrastructure (outdoor recreation area and parking spaces) constructed in abutting wetlands. These abutting wetlands were already authorized for placement of fill material in the original APD expansion permit issued on August 19, 2010 ("Phase A"). Other undeveloped uplands within Phase A, Phase C, or Phase D are no large enough to accommodate all components of the proposed MOA Navigation Center. Therefore, the project could not be designed to avoid completely wetlands impacts.

b. Minimization: The applicant has minimized impacts on waters of the U.S. by limiting filling of area containing wetlands. Approximately 70% (2.55 acres) of the proposed project footprint would be in uplands, whereas 30% (1.10 acres) would be in wetlands. Constructing within Phase A boundaries would minimize impacts to additional wetlands by avoiding approximately 2.85 acres of undisturbed wetlands located in the southeast end of parcel 00809116000.

c. Compensatory Mitigation: The original Corps authorization issued on August 19, 2010, did require compensatory mitigation for placing fill in 3.28 acres of wetlands contained within "Phase A." APD did purchase 1.78 credits from the Great Land Trust to compensate for unavoidable wetland losses associated with the development of the entire footprint of the APD expansion designed as Phase A. This included the area assigned for the Evidence-Forensics Building, which was never constructed. The applicant is proposing to fill wetlands in the area previously authorized for the Evidence-Forensics Building to construct the outdoor recreation area and parking space for the proposed MOA Navigation Center. Since this area was previously compensated for, the applicant is not proposing additional 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 (ADEC). The applicant is working with ADEC to request a Water Quality Certification.

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 cultural resources in the permit area and within the vicinity of the permit area. Consultation of the AHRs constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time. The Corps has made a No Adverse Effect/Adverse Effect determination for the proposed project. This application is being coordinated with the State Historic Preservation Office (SHPO), federally recognized tribes, and other consulting parties. Any comments SHPO, federally recognized tribes, other consulting parties, and ACHP 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.

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 Corps 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 authorities:

(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

Enclosures

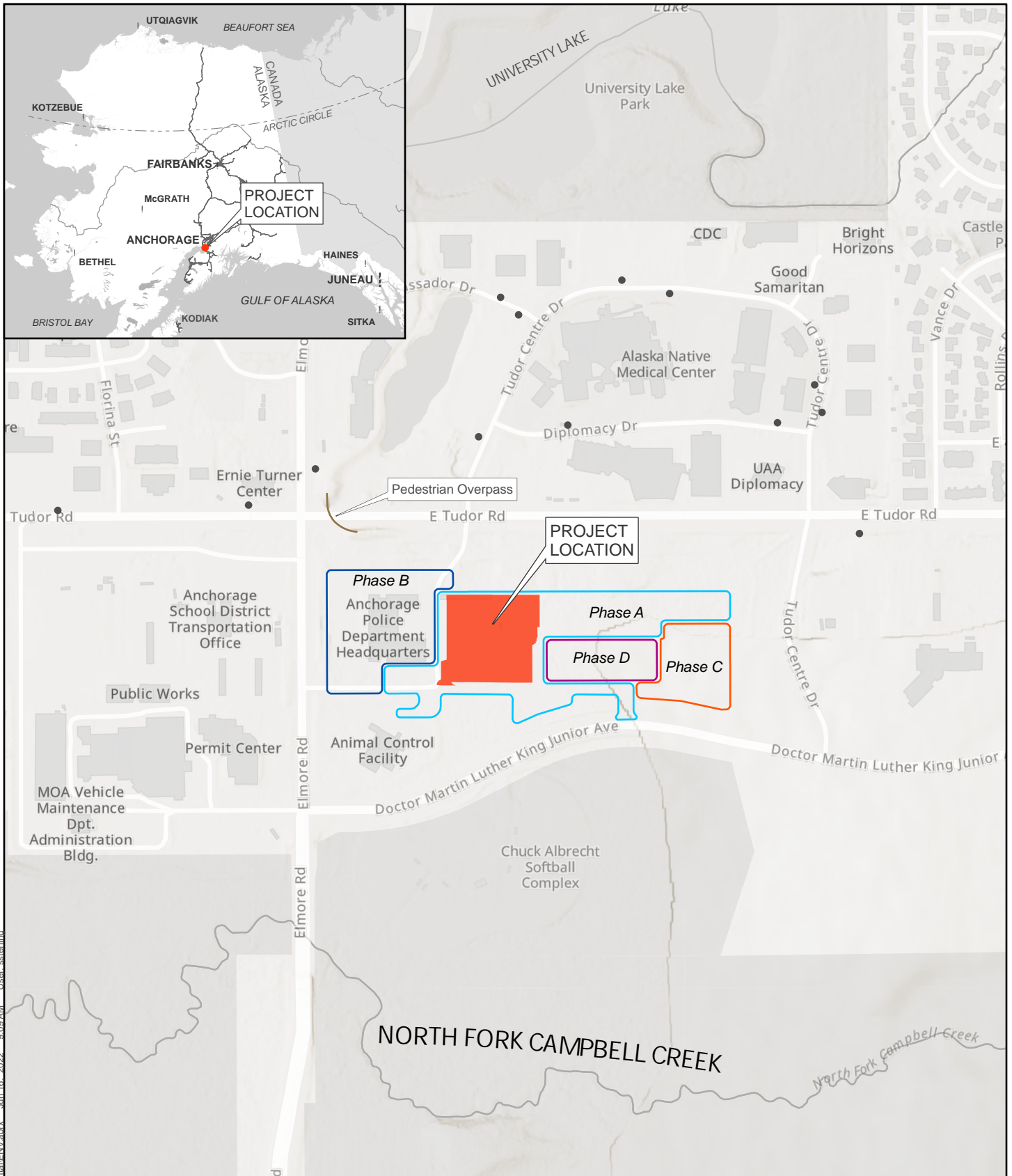


FIGURE 1: Project Location & Vicinity

POA-2008-1401-MODIFICATION #3

Applicant: Municipality of Anchorage

Proposed Activity: Navigation Center

MTRS: T13N R3W Section 34 Seward Meridian

Latitude: 61.1793687° N

Longitude: 149.8033868° W

Sheet: 1 of 4

Date: 6/16/2022

Project Extent

Phase A

Phase B

Phase C

Phase D

Bus Stop (MOA)

Stream (MOA)

t

0 250 500 1,000 Feet



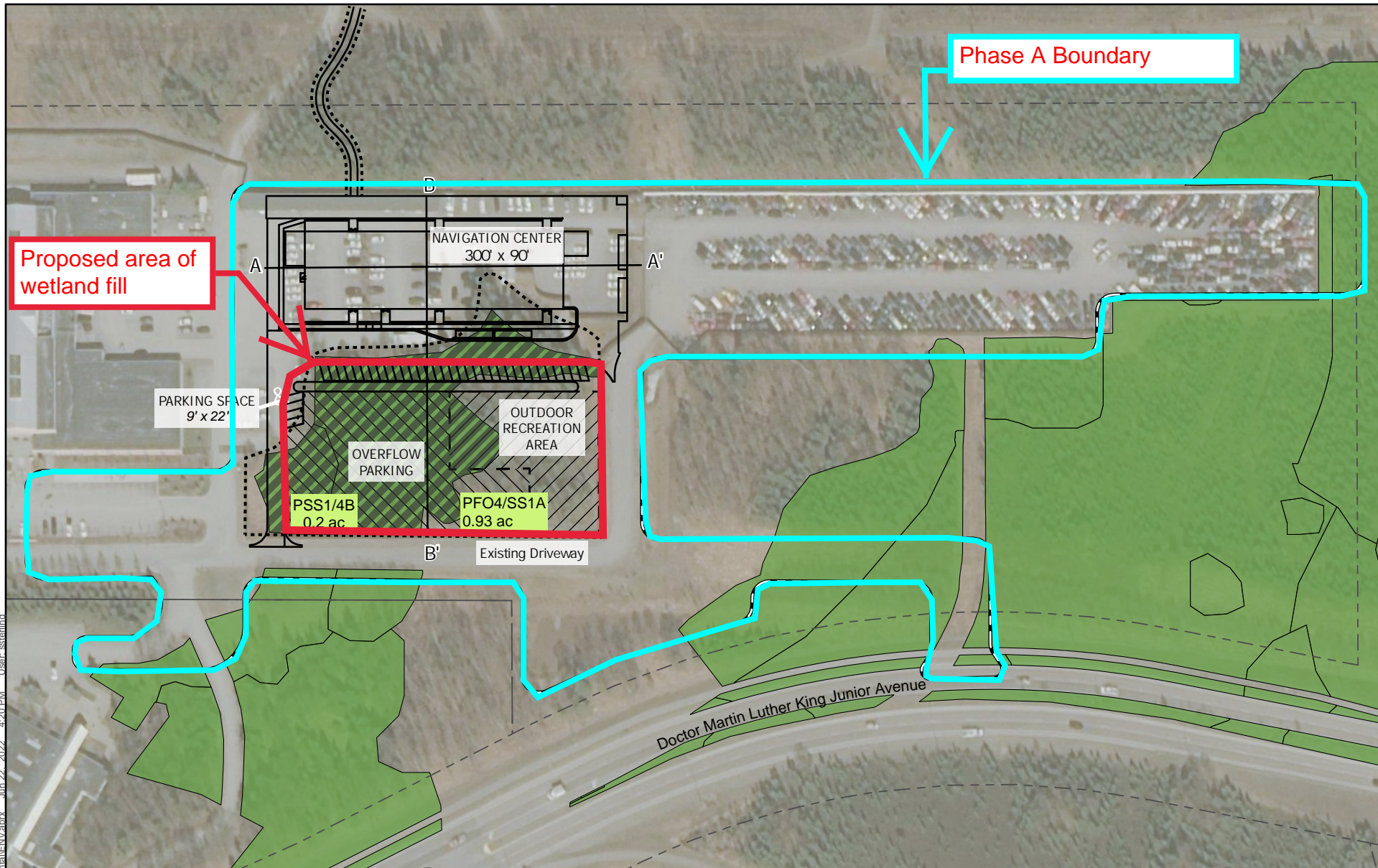


FIGURE 2: Plan View

POA-2008-1401-MODIFICATION #3

Applicant: Municipality of Anchorage

Proposed Activity: Navigation Center

MTRS: T13N R3W Section 34 Seward Meridian

Latitude: 61.1793687° N

Longitude: 149.8033868° W

Sheet: 2 of 4

Date: 6/22/2022

..... Cut/ Fill Limit

— Proposed Project

Impacted Wetland

DOWL Mapped Wetland

MOA Parcel Boundary

Overflow Parking

Outdoor Recreation Area

Phase A Boundary

t

0 40 80 160 Feet



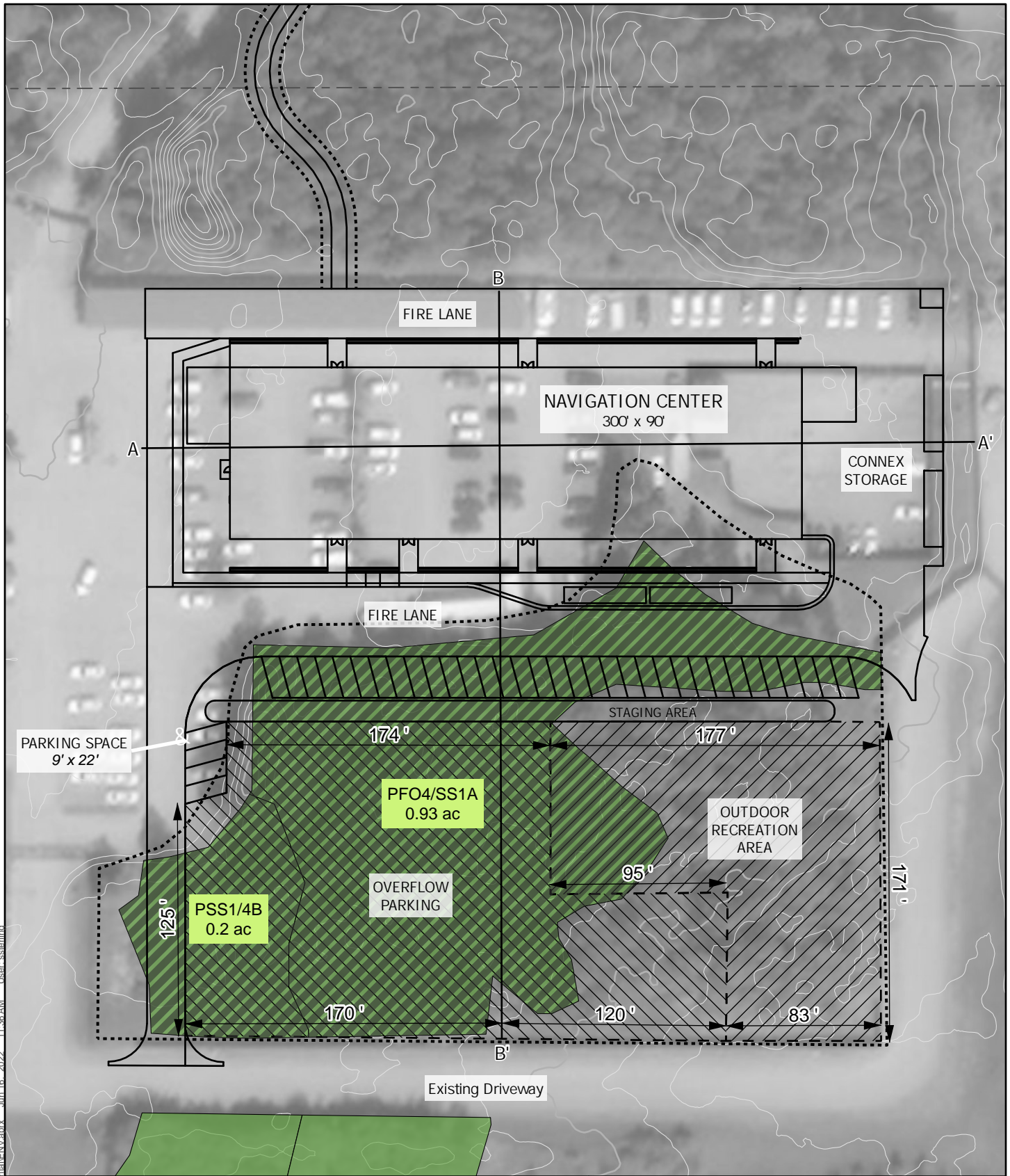


FIGURE 2: Plan View

POA-2008-1401

Applicant: Municipality of Anchorage

Proposed Activity: Navigation Center

MTRS: T13N R3W Section 34 Seward Meridian

Latitude: 61.1793687° N

Longitude: 149.8033868° W

Sheet: 3 of 4

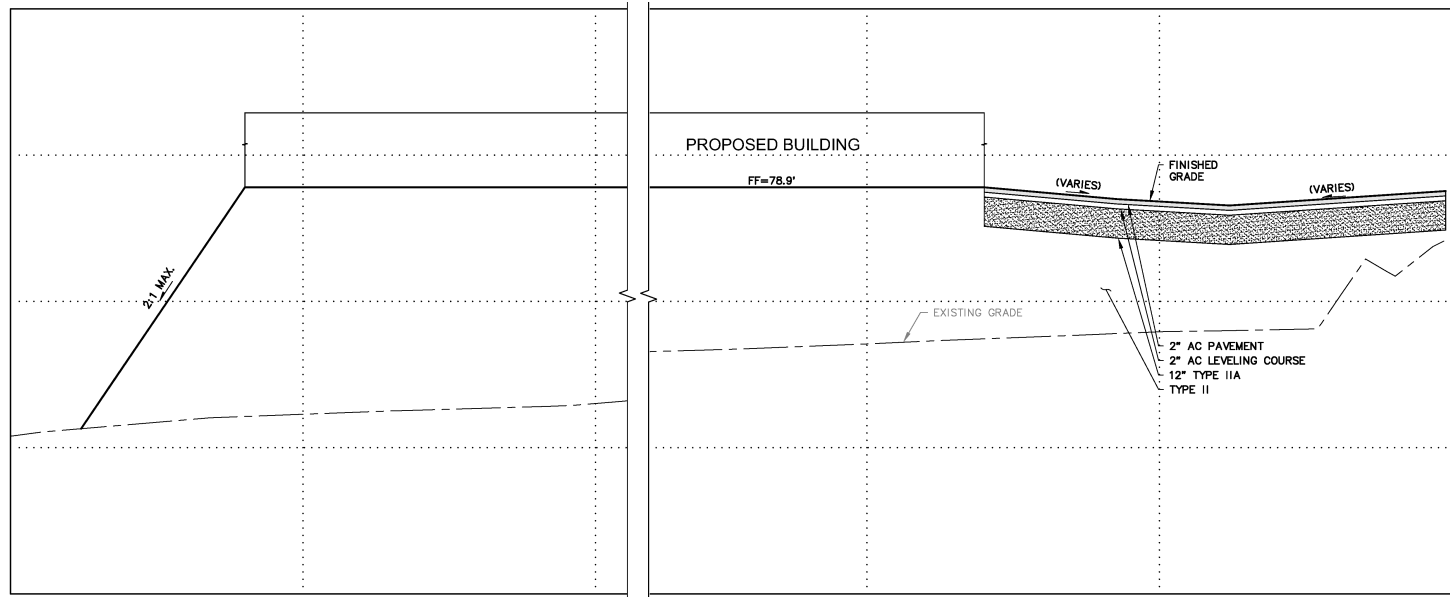
Date: 6/16/2022

- ..... Cut/ Fill Limit
- Proposed Project
- /// Impacted Wetland
- DOWL Mapped Wetland
- MOA Parcel Boundary
- ↻ Overflow Parking
- ↻ Outdoor Recreation Area

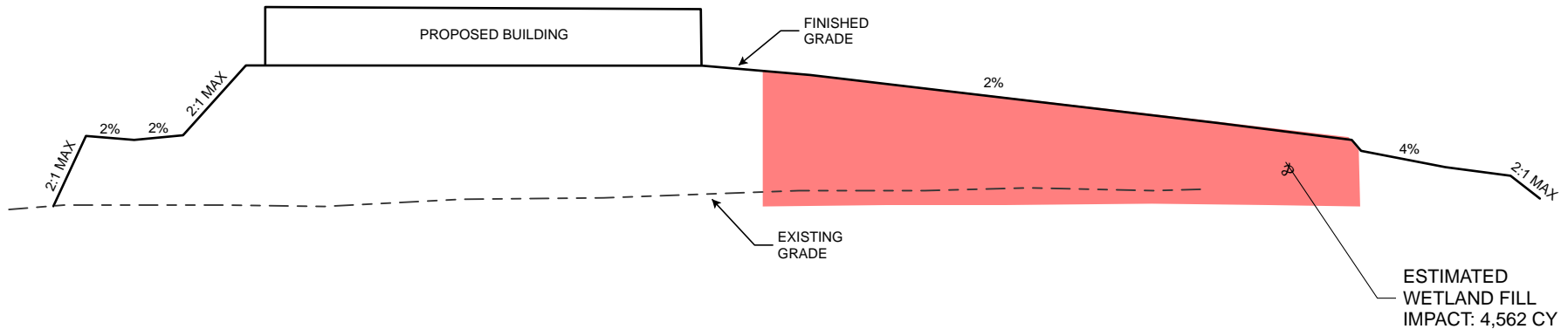
t

0 17.5 35 70 Feet





A - A': WEST TO EAST SECTION



B - B': NORTH TO SOUTH SECTION

FIGURE 3: Elevation View

POA-2008-1401  
 Applicant: Municipality of Anchorage  
 Proposed Activity: Navigation Center  
 MTRS: T13N R3W Section 34 Seward Meridian  
 Latitude: 61.1793687° N Longitude: 149.8033868° W  
 Sheet: 4 of 4 Date: 6/16/2022

GRAPHIC NOT TO SCALE

