

US Army Corps of Engineers Alaska District

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

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	July 11, 2022
EXPIRATION DATE:	August 10, 2022
REFERENCE NUMBER:	POA-2021-00121
WATERWAY:	Knik Arm

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 Bryan Herczeg at (907) 753-2772, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at bryan.a.herczeg@usace.army.mil if further information is desired concerning this notice.

<u>APPLICANTS</u>: Ted Stevens Anchorage International Airport Alaska Cargo and Cold Storage, LLC

AGENT: MCG Explore Designs, Jason Gamache

<u>LOCATION</u>: The project site is located within Section 28, T. 13 N., R. 4 W., Seward Meridian; USGS Quad Map Anchorage A-8; Latitude 61.1840° N., Longitude 149.9940° W.; Ted Stevens Anchorage International Airport (TSAIA), Anchorage, Alaska.

<u>SPECIAL AREA DESIGNATION</u>: The project is located within the TSAIA which is a Free Trade Zone.

<u>PURPOSE</u>: The applicant's stated purpose is to construct an energy-efficient cargo transfer and cold storage facility at TSAIA to help improve Alaska's supply chain disruptions, protect Alaska's food security, and build Alaska's economy. The project would also provide a facility for goods from outside Alaska to be stored prior to moving to Alaskan communities. The project would grow Alaska's economy by providing a much-needed climate-controlled facility for goods being transferred at and exported from the state. The project would be the first leasable facility in Alaska available to major air cargo carriers, which do not have the individual capacity to support the development of a facility of this size.

<u>PROPOSED WORK</u>: Discharge approximately, 653,022 cubic yards of fill material (concrete, asphalt, base course, MOA Type II, Type III) into approximately 21.6 acres of wetlands to construct a new, 29-acre concrete pad to support a cargo storage facility building, airside and landside loading areas, outdoor storage, vehicle parking, eight (8) hardstands for aircraft parking, and emergency and maintenance vehicle access around the building. The total disturbed area will be 32.7 acres. All work would be performed in accordance with the enclosed plan (sheets 1-7), dated June 17, 2022.

<u>ADDITIONAL INFORMATION</u>: The proposed project area is known to have per- and polyfluoroalkyl substances (PFAS) contamination. PFAS are a group of man-made chemicals used in many industries since the 1940s.7 They are found in certain types of firefighting foams, which are used to extinguish fuel and chemical fires. PFAS were used throughout TSAIA during fire-fighting drills before it was known that they cause significant adverse health and environmental impacts. PFAS can accumulate and stay in environments for long periods of time and have significant human health effects. According to a 2019 site investigation that included soil sampling at the proposed project site, PFAS-type chemicals Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonic Acid (PFOS) exceed Alaska Department of Environmental Conservation (ADEC) cleanup levels at the site. Addition, petroleum hydrocarbon levels exceed ADEC cleanup levels at the site (ADEC file number: 2100.38.028.39).

During a 2019 site investigation, Gasoline Range Organics (GRO), Diesel Range Organics (DRO), Residual Range Organics (RRO), and Toluene were detected in soil samples. While GRO and Toluene were either non-detect or below ADEC Method 2 MTG cleanup levels, RRO exceeded ADEC Method 2 MTG cleanup level, and DRO exceeded the ADEC Method 2 MTG cleanup level, and DRO exceeded the ADEC Method 2 Maximum Allowable Concentration. To avoid handling and disposing of contaminated soils, the project does not propose to excavate and remove material from the site. Minor quantities of material that removed from utility tie-ins or other small areas would be replaced in the trench or as close to the source as possible.

Because the site is completely surrounded by fill, PFAS, GRO, and RRO-contaminated water created following the placement of surcharge (fill) material would be captured and treated before exiting the site via the existing storm drain system pending permitting by Alaska Department of Conservation and / or Anchorage Water Wastewater Utility. Surcharge material placement would begin on northeast corner of the project area. Flow offsite to the northeast would be blocked by this material. Water would be blocked from flowing to the south by an existing berm the runs east-west across the entire project area. Water will be directed southwest toward the existing berm. Water would be collected in the southwest corner and pumped across the existing berm to be treated in existing containment area surrounded by existing fill. Contaminated water would be treated via Granular Activated Carbon (GAC) prior to discharge to the storm drain system. A silt fence will be installed around the entire surcharged area.

<u>APPLICANTS PROPOSED MITIGATION</u>: The applicants propose 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: Complete avoidance of impacts to wetlands is not possible to meet the project's purpose and need.

b. Minimization: The size of the facility is necessary to help meet the demand for various storage types (cold, heated, and general) as well as equipment and aircraft staging and storage. The footprint of the pad has been minimized by decreasing the pad and driveway side slopes.

c. Compensatory Mitigation: Under the Anchorage Wetlands Debit/Credit Methodology, about 9.9 debits are expected to result from the proposed project. TSAIA holds 17.84 compensatory mitigation credits that remain from the airport's Klatt Bog wetland mitigation and proposes using the available credits as mitigation for the proposed project.

<u>WATER QUALITY CERTIFICATION</u>: 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.

<u>CULTURAL RESOURCES</u>: 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 entire 32.7 acres disturbed which includes approximately 21.6 acres of wetlands and approximately 11.1 acres of uplands within the project site. 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), federally recognized tribes, and other consulting parties. Any comments SHPO, federally recognized tribes, and other consulting parties 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.

<u>ESSENTIAL FISH HABITAT</u>: 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.

<u>TRIBAL CONSULTATION</u>: The Corps fully supports tribal self-governance and governmentto-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.

<u>PUBLIC HEARING</u>: 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.

<u>EVALUATION</u>: 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)(I) 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.

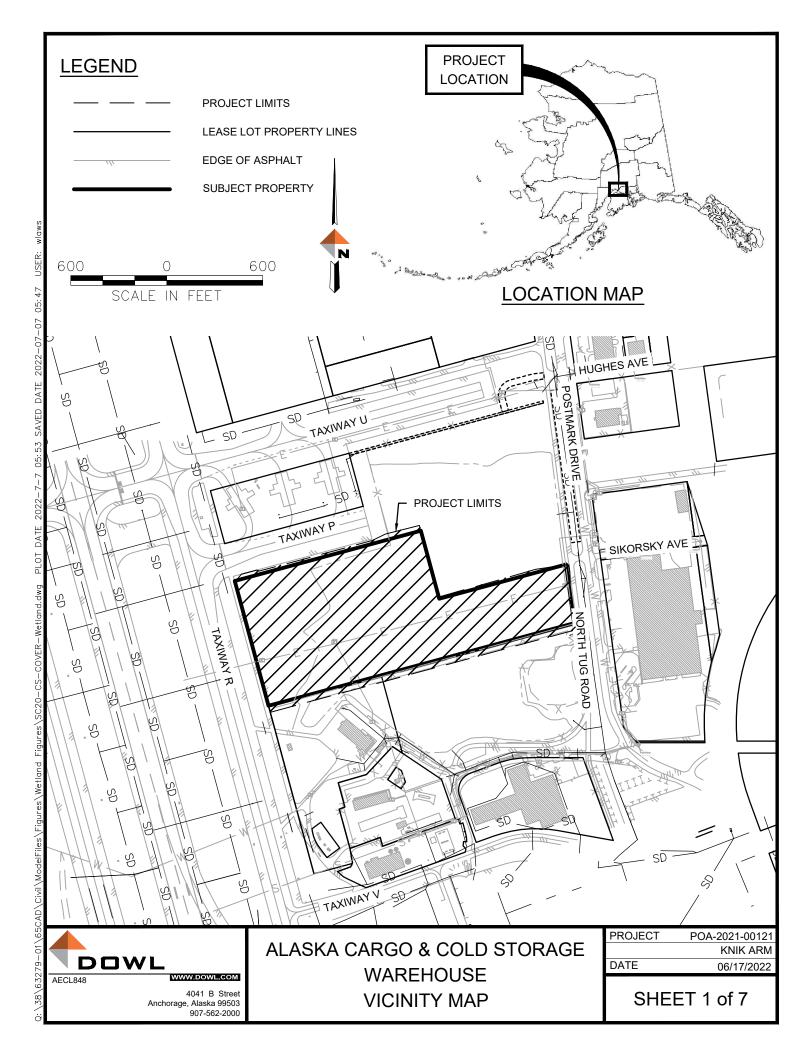
<u>AUTHORITY</u>: This permit will be issued or denied under the following authority:

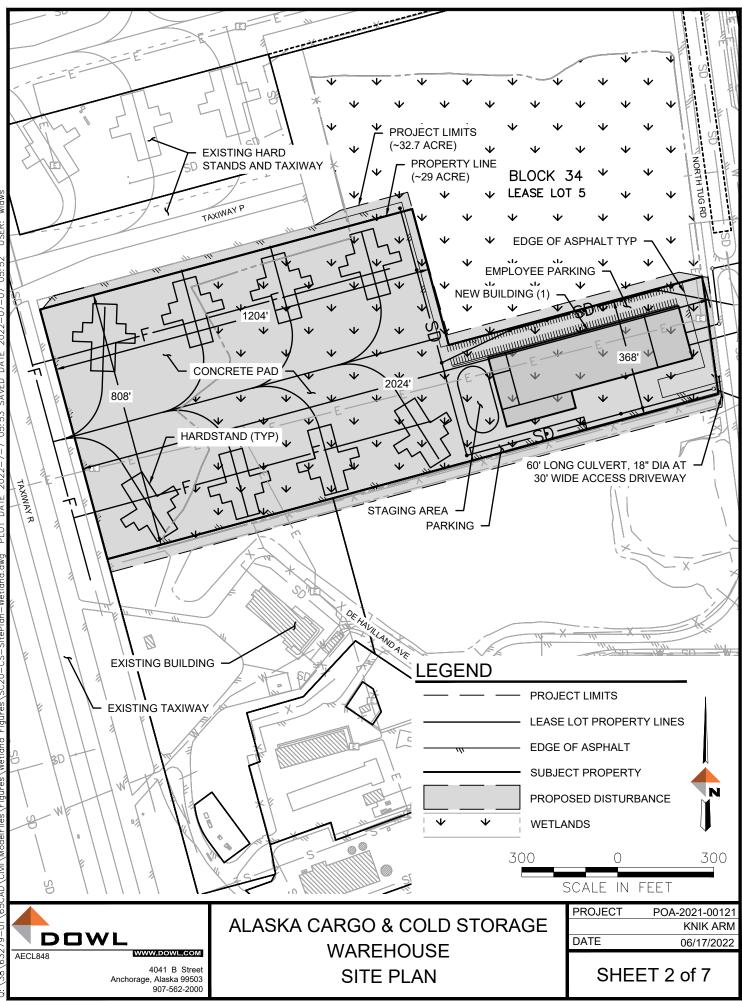
(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

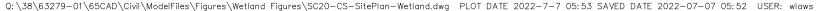
District Commander U.S. Army, Corps

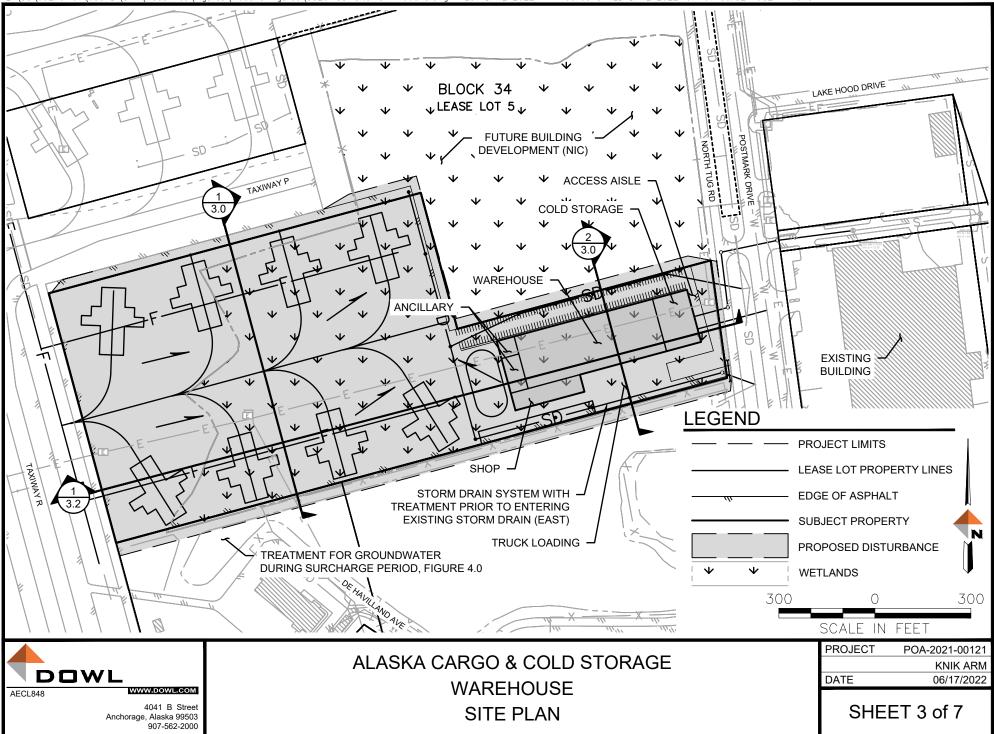
Enclosures

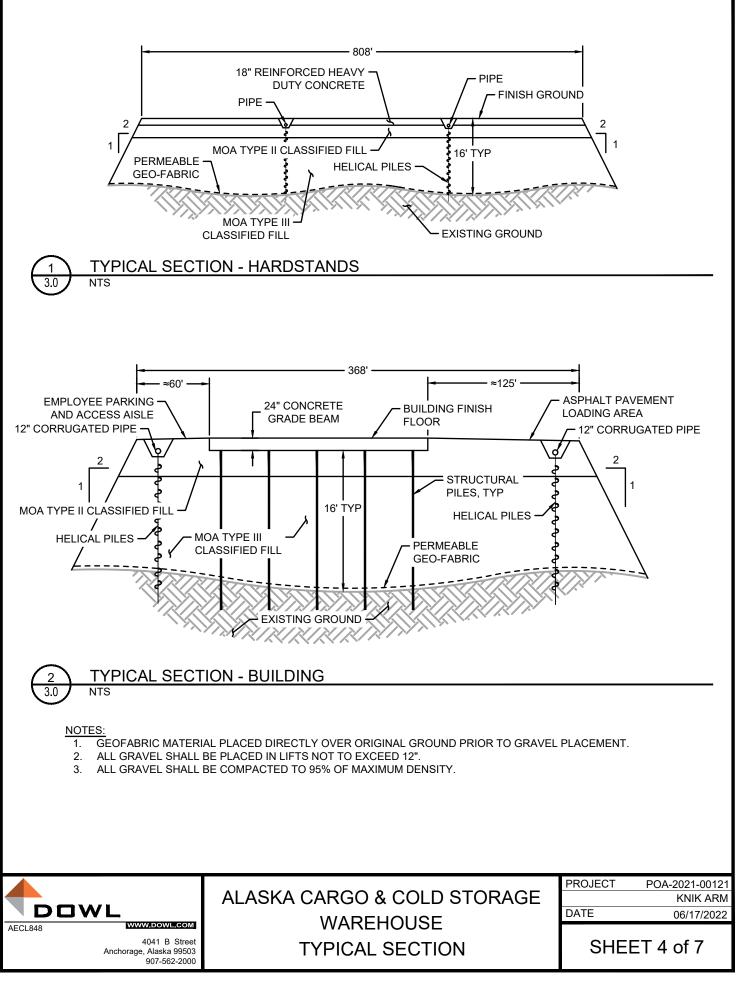


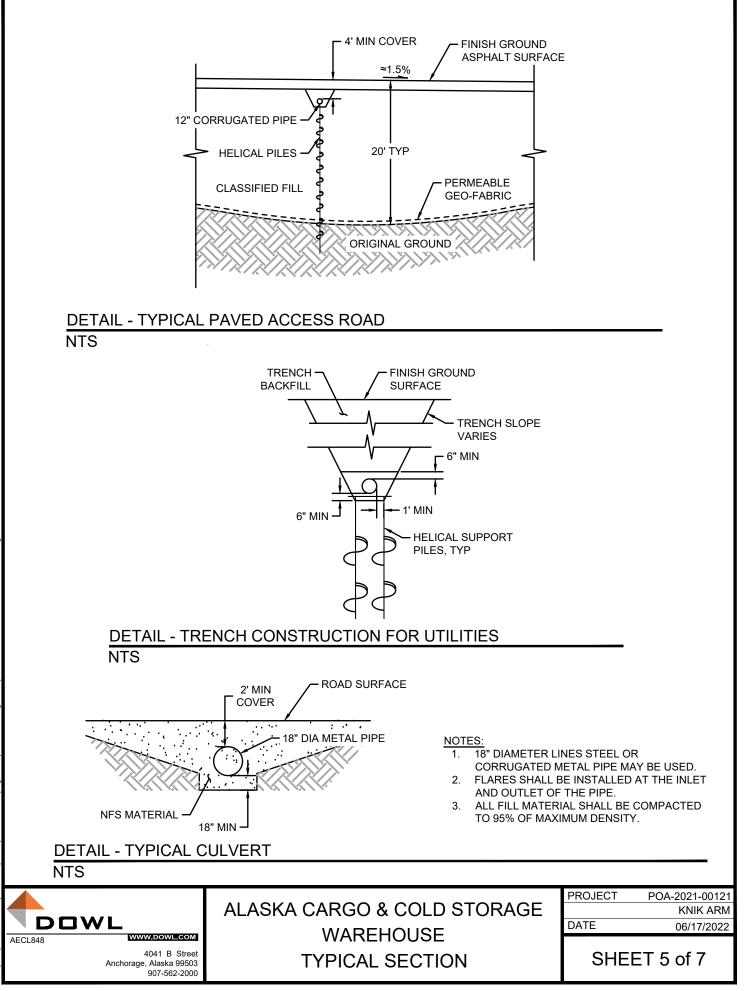


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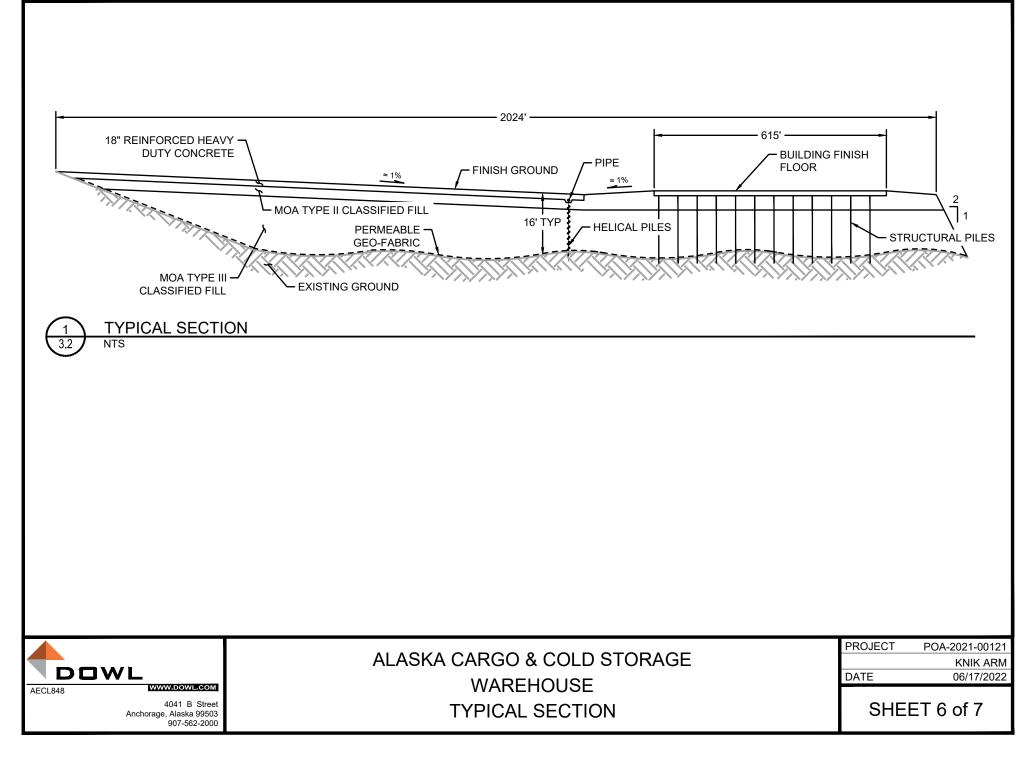












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