



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

PUBLIC NOTICE DATE:	November 16, 2022
EXPIRATION DATE:	December 16, 2022
REFERENCE NUMBER:	POA-2022-00430
WATERWAYS:	Johnson Slough, Wetlands

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 Chris Parrish at (505) 231-3586, toll free from within Alaska at (800) 478-2712, or by email at christopher.m.parrish@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Native Village of Napakiak, P.O. Box 34069, Napakiak, Alaska 99634

LOCATION: The proposed project is located on an island between Johnson Slough to the north and west and the Kuskokwim River to the east and south within Sections 17 and 18 of Township 23 N, Range 72 W, Seward Meridian, Latitude 60.69646° N., Longitude -162.00056° W., which is approximately 15 miles down the Kuskokwim River from Bethel, Alaska.

PURPOSE: The purpose of this project is to relocate the community inland to the recently platted subdivision due to severe erosion of the riverbank and increase in flooding of the Kuskokwim River over the last several years.

PROPOSED WORK: The applicant proposes the development of a new material source and construction of associated pioneer access road, 24 new house pads and driveways, 3 commercial gravel pad foundations and driveways, electrical distribution to the new subdivision, the extension of Mission Road, and the restoration and cleanup of former lots of homes and community buildings relocated to the new subdivision. The proposed scope of work will generally focus on moving structures closest to the river first and then proceeding inland. As structures are moved to the new subdivision, the lots they previously occupied will be cleaned of all debris and revegetated through a combination of seeding and willow staking. These efforts will improve the habitat nearest the river and most susceptible to erosion and degradation of the watershed.

The proposed project would discharge approximately 30,705 cubic yards of fill material and permanently impact 5.31 acres of waters of the United States (WOTUS). Temporary impacts to WOTUS from clearing and grubbing is estimated to be 13.1 acres.

Material Source: The project involves the development of a new material source west of the existing community landfill. The proposed site is situated at an elevated location relative to the surrounding area. As such, it is expected that groundwater levels will be lower and the presence of a higher percentage of sands relative to silts is anticipated. Willow thickets and tundra grasses comprise a majority of the vegetation at this location. This site is approximately 3 acres in size and is expected to provide up to 8,000 cubic yards of material for the construction of the access road, house pads, and Mission Road extension. The material extracted from this site will be blended with imported E1/D1 gravel.

Material Site Access Road: An access road to the material site measuring 950 linear feet is currently proposed as Alternative B in the attached drawings and connects with the proposed Mission Road extension. Alternative B has been selected because it connects to the Mission Road extension through an existing right-of-way. It also avoids transecting a private residential lot. The pioneer access road will be 20 feet wide on a 2.5 feet thick embankment and have a 6-inch gravel surface. Side slopes will be 2:1 for a total road footprint width of approximately 30 feet. Clearing for the road will extend 10 feet in each direction from the toe of slope. The embankment will be constructed while the ground is frozen to minimize impacts to adjacent wetlands. This project component would result in the discharge of approximately 2,270 cubic yards of fill over 0.65 acres of WOTUS.

Foundation Pads: A total of 27 gravel pad foundations and driveways would be constructed to for the relocation of homes and community buildings, 24 of these for private residences and the remaining 3 pads for commercial facilities. The commercial buildings include the Corporation Store, City Office and Washeteria, and Bingo Hall. Each residential pad/driveway is expected to require the discharge of approximately 450 cubic yards of fill over 0.13 acres of WOTUS. The commercial pad for relocation of the Corporation Store is estimated to involve the discharge of approximately 1,160 cubic yards of fill over 0.35 acres of WOTUS. The gravel pads for the City Office/Washeteria and Bingo Hall are estimated to require the discharge of approximately 620 cubic of fill over 0.2 acres. The total proposed discharge of fill within WOTUS for the foundation pads is approximately 13,200 cubic yards over 3.8 acres.

Mission Road Extension: The proposed project includes the extension of Mission Road for approximately 650 linear feet to provide access to the western portion of the new subdivision and the new material site. This extension would match the existing road prism, which consists of two 9-foot-wide lanes with 1-foot-wide shoulders, an embankment height of 5-foot, and a 3:1 side slope. The road extension would also involve crossing a tidally influenced stream. The proposed crossing includes installation of corrugated metal pipe (CMP) measuring 6-foot in diameter for base flows and a CMP measuring 2-foot in diameter as an overflow outlet, as well as geogrid reinforcement. This project component is expected to result in the discharge of approximately 5,000 cubic yards of fill within 0.85 acres of WOTUS. As with the pioneer access road, this extension would occur while the ground is frozen to minimize impacts to adjacent wetlands.

Power Distribution: The construction of approximately 5,500 linear feet of new 3-phase primary distribution line is proposed as part of this project. This distribution line would connect into the existing Bethel-Napakiak intertie. This project component would involve the clearing and grubbing of a 15-foot-wide utility easement along the existing and extended Mission Road alignment. The utility pole anchors will be the only discharge of fill associated with this project component.

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 design of the project follows the platted subdivision layout for road alignments, lot layouts, and utility easements, which co-located project components within areas of previous disturbance to the maximum extent practicable. However, due to the ubiquitous nature of wetlands at the general location of the project site, avoidance was not feasible for much of the project design.

b. Minimization: The following measures are proposed to minimize impacts to waters of the United States as part of the project design and implementation.

Residence Foundation Pads: The residential foundation pads have been sized to the smallest extent possible while still providing sufficient structural support and ensuring that floor elevations are above the predicted flood level and to accommodate infrastructure such as fuel tanks and sewage holding tanks. The residence pads are also designed to allow room for water delivery and sewer removal pump trailers to access the respective hookups.

Mission Road Extension: This project component is designed ensure that the road is elevated above predicted flood levels on the island, which in turn minimizes the potential for additional discharges into adjacent wetlands. It is worth noting that cross-sectional elements of the roadway follow standard design guidelines and cannot be further minimized without negatively affecting vehicular safety.

Material Site Access Road: This project component is designed to cover the minimal distance required to connect the material site to the Mission Road extension through a road easement established as part of the new subdivision plat.

Construction: The limits of proposed disturbance areas will be marked prior to construction to minimize unnecessary impacts to surrounding wetlands. Further, a project specific Storm Water Pollution Prevention Plan will be established and implemented to protect adjacent wetlands from any sediment runoff.

c. *Compensatory Mitigation:* The applicant is proposing restoration of the lots of relocated homes and community buildings as compensatory mitigation. This effort would include the clean-up and revegetation of the abandoned lots and surrounding areas via gravel scraping, soil scarifying, seeding, fertilizing, and willow staking. Approximately 7.6 acres of wetland restoration will be performed as part of this proposal.

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 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 within the vicinity of the permit area. The permit area has been determined to be the construction footprint of the proposed project. 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.

Based on the location of the identified cultural resources beyond the construction footprint of the proposed project, direct effects are not anticipated. Further, as the proposed scope of work will not alter the viewshed in a manner that is inconsistent with the existing landscape, indirect effects to the historic setting of general area are also not expected. Further, the Native Village of Napakiak have informed the Corps in writing that the proposed project is not expected to cause a substantial negative impact to any landscape, sacred place, or object with historic or cultural value. For these reasons, the Corps has determined that there will be no adverse effect to historic properties from the undertaking.

Any comments the State Historic Preservation Office, 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.

ENDANGERED SPECIES: According to a search of the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPAC) database, the Wood bison and Steller's eider are listed as threatened species for the general area; however, there is no designated critical habitat within the project site. Any comments the USFWS or the National Marine Fisheries Service (NMFS) may have regarding 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 occur within 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. The applicant is the Native Village of Napakiak, a Federally recognized Tribe.

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, 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) 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).

Project drawings are enclosed with this Public Notice.

District Commander
U.S. Army, Corps

Enclosure

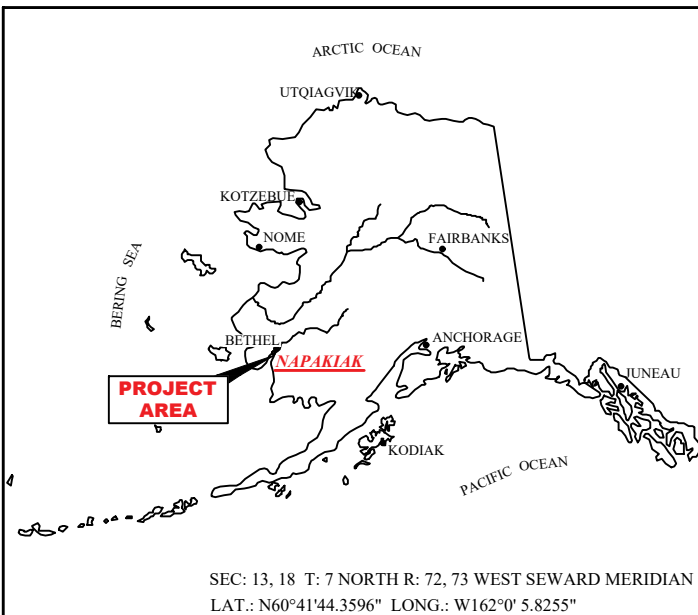
City of Napakiak, Alaska

NAPAKIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS

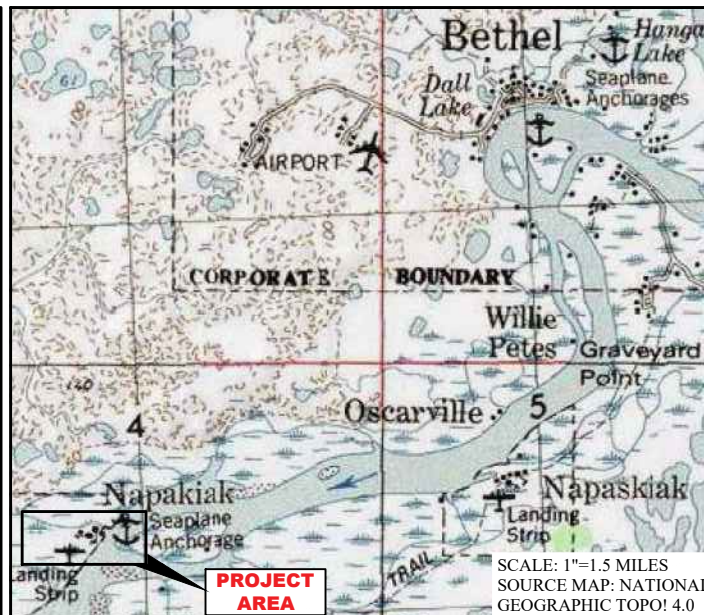
NOT FOR CONSTRUCTION, FOR PERMITTING PURPOSES ONLY

November 03, 2022

LOCATION MAP

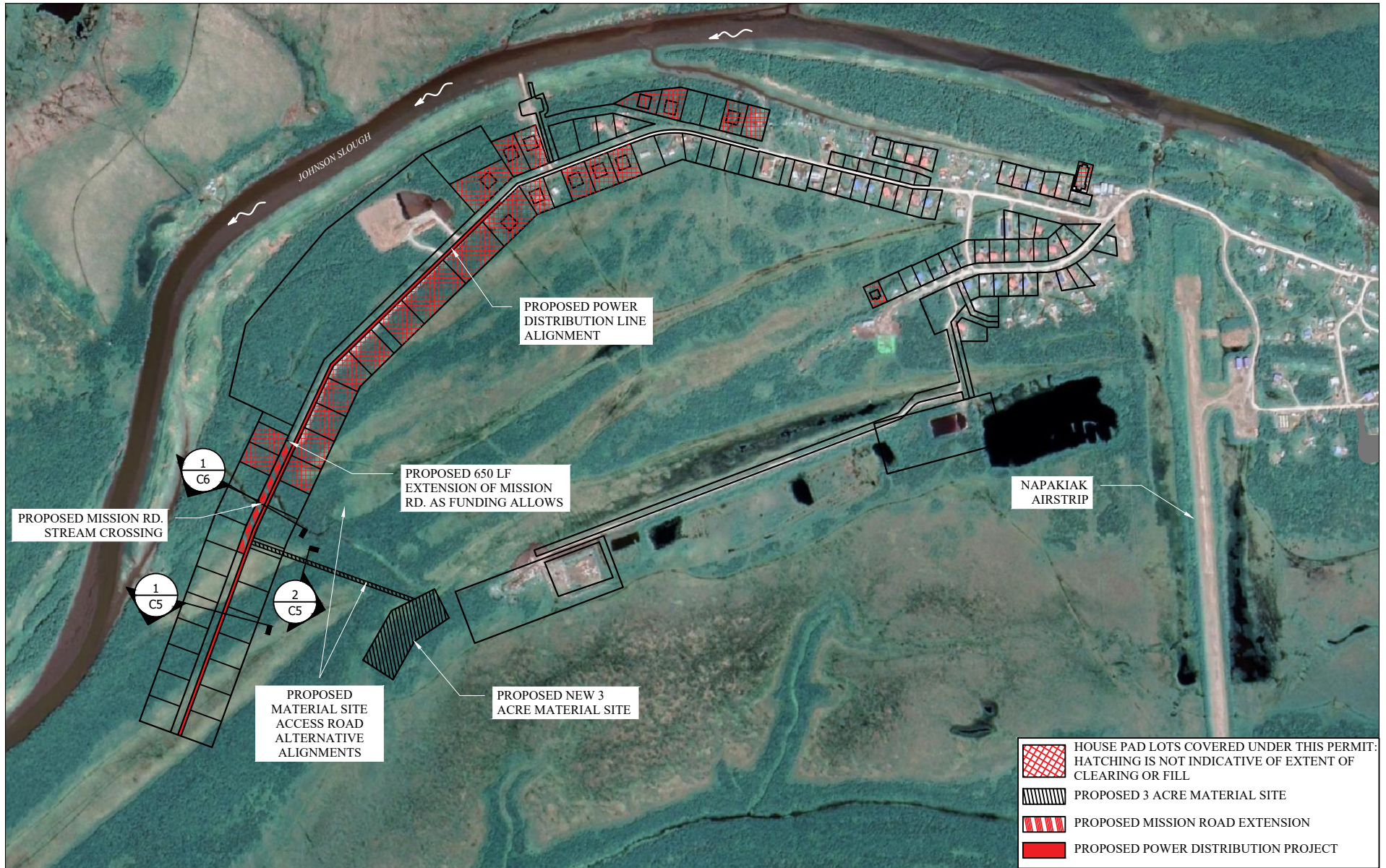


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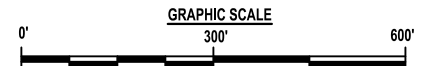
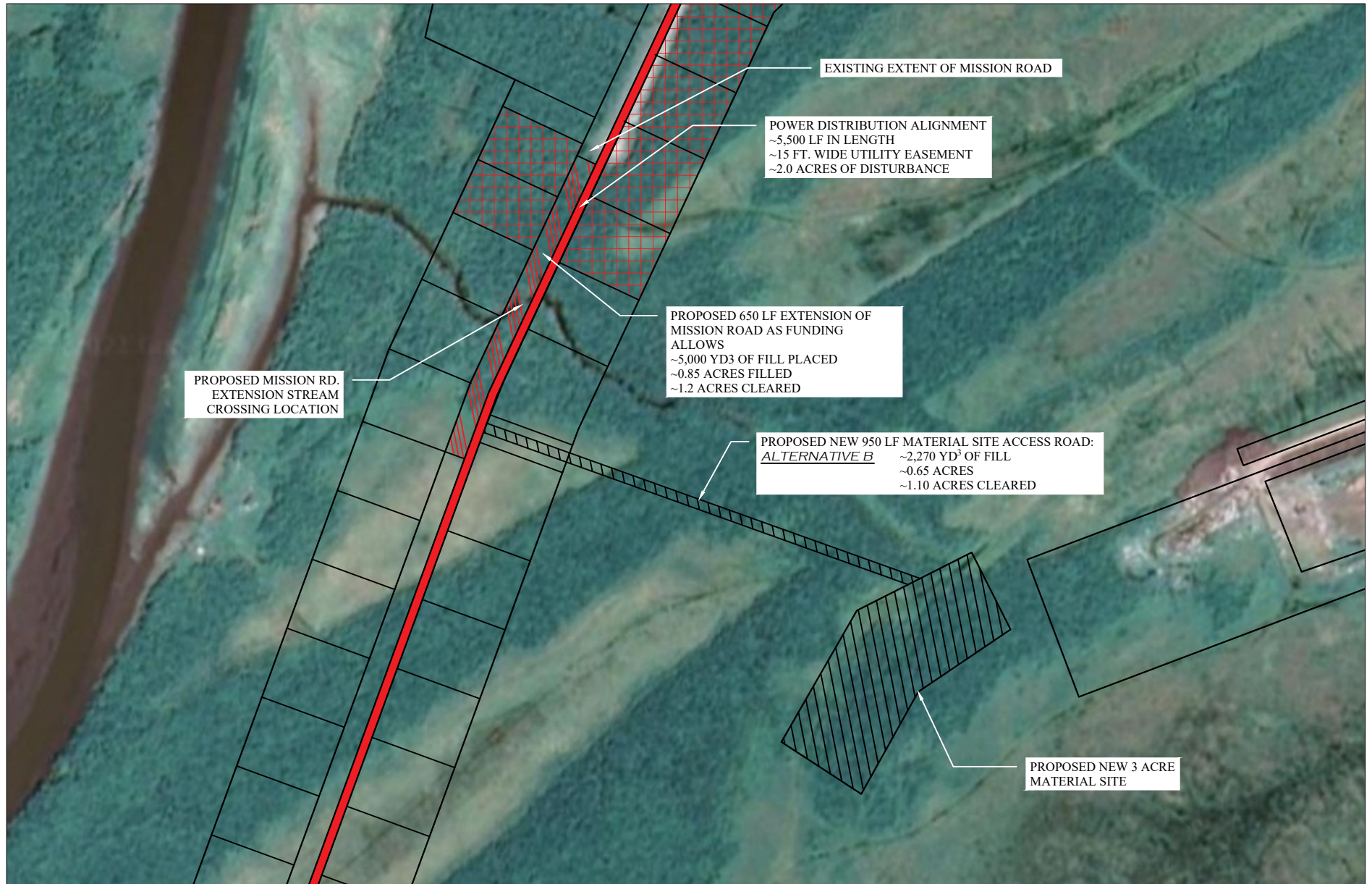


CITY OF NAPAKIAK, ALASKA
NAPAKIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT

PROJECT SITE MAP

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DATE: 11/02/2022
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CHECKED BY: SL
SCALE: AS NOTED




CITY OF NAPAIAK, ALASKA
NAPAIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT
**PROPOSED MATERIAL SITE/
ACCESS ROAD PLAN VIEW**

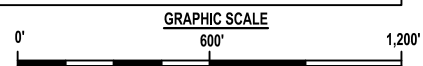
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DATE: 11/02/2022
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SCALE: AS NOTED



26 TOTAL HOUSE PADS
~12,580 YD³ OF FILL PLACED
~3.64 ACRES FILLED
~5.53 ACRES CLEARED/GRUBBED

 HOUSE PAD LOTS COVERED UNDER THIS PERMIT: HATCHING IS NOT INDICATIVE OF EXTENT OF CLEARING OR FILL



CITY OF NAPAIAK, ALASKA
NAPAIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT

PROPOSED LOTS FOR GRAVEL HOUSE PADS

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DATE: 11/02/2022
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SCALE: AS NOTED



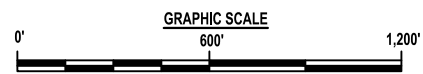
CURRENT EXTENT OF RIVER EROSION

NAPAKIAK SCHOOL

NAPAKIAK AIRSTRIP

KUSKOKWIM RIVER

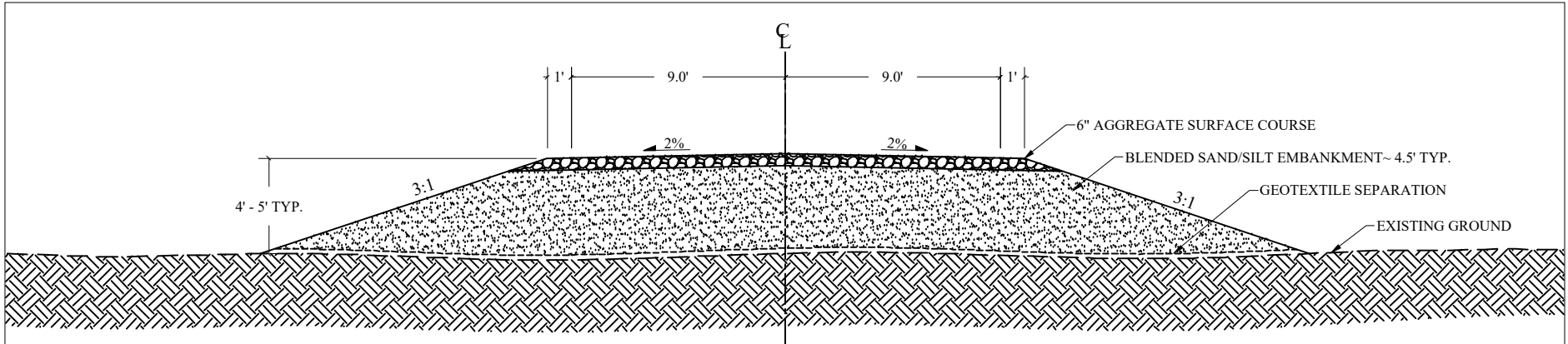
EXTENT OF CLEANUP, RESTORATION, AND REVEGETATION UNDER THIS PROJECT ~7.6 ACRES



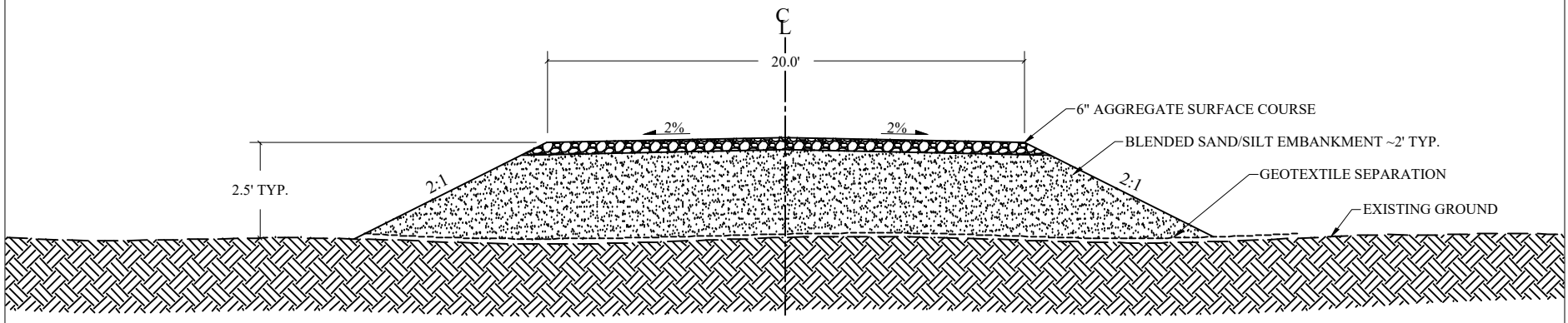
CITY OF NAPAKIAK, ALASKA
NAPAKIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT
**EXTENT OF FORMER RELOCATED HOME LOTS
CLEANUP & RESTORATION**

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DATE: 11/02/2022
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SCALE: AS NOTED



1 MISSION ROAD EXTENSION TYPICAL CROSS SECTION
 Scale: NTS



2 MATERIAL SITE ACCESS ROAD TYPICAL CROSS SECTION
 Scale: NTS

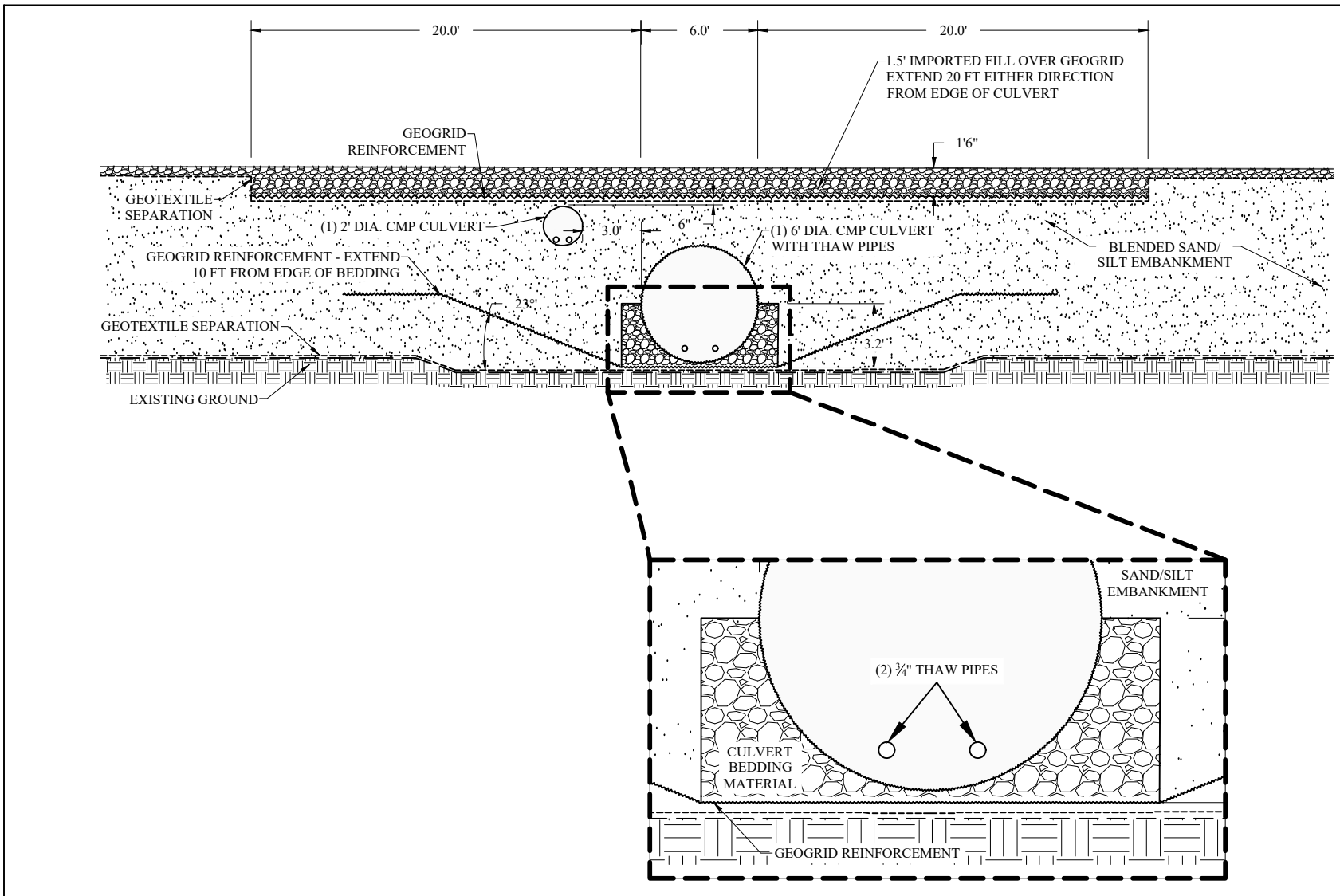


CITY OF NAPAIAK, ALASKA
 NAPAIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT

ROAD CROSS SECTION DETAILS

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DATE: 11/02/2022
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 CHECKED BY: SL
 SCALE: NTS



SUMMIT
CONSULTING SERVICES Inc.

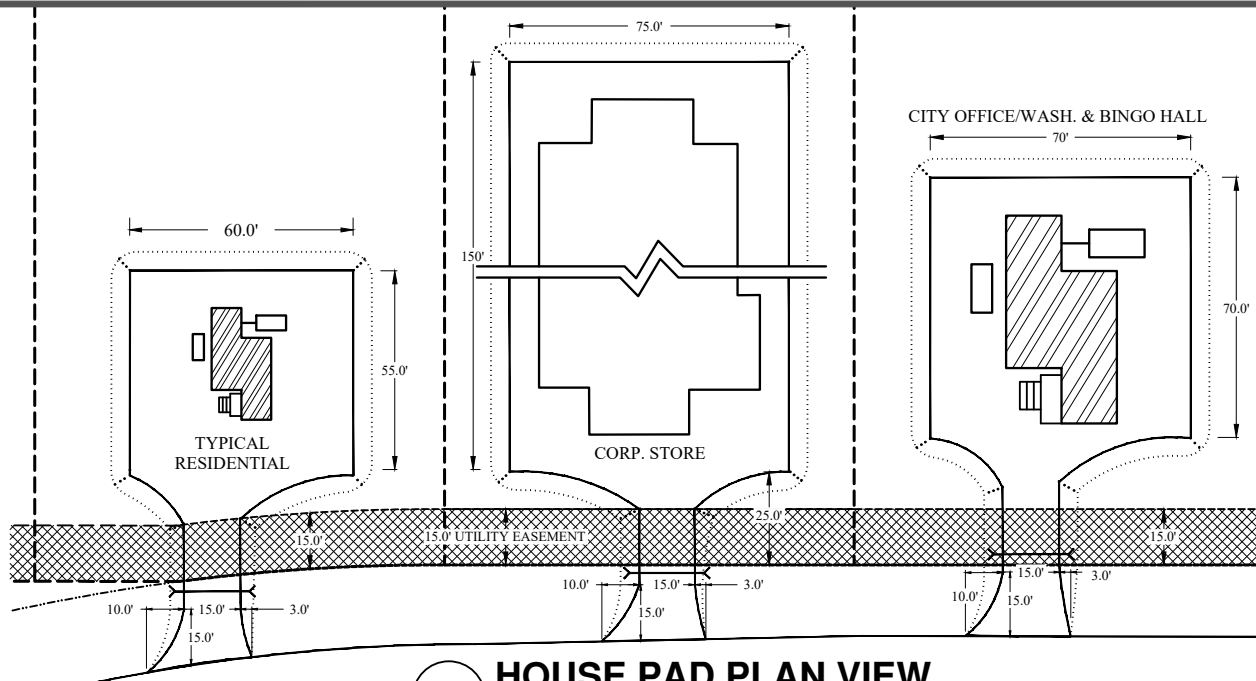


CITY OF NAPAIAK, ALASKA
NAPAIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT

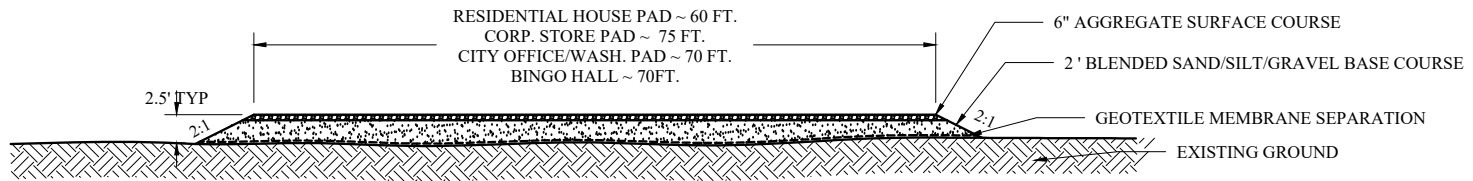
**MISSION ROAD EXTENSION
TYPICAL CROSS SECTION**

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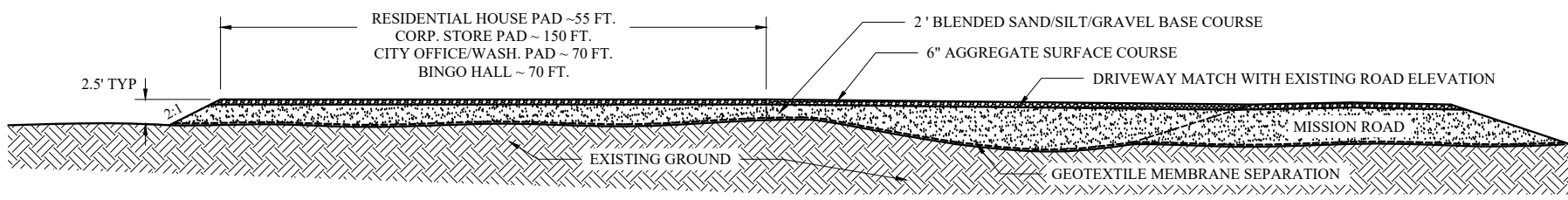
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1 HOUSE PAD PLAN VIEW
Scale: NTS



2 HOUSE PAD SECTION VIEW
Scale: NTS



3 LONGITUDINAL HOUSE PAD/ DRIVEWAY SECTION VIEW
Scale: NTS



CITY OF NAPAIAK, ALASKA
NAPAIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT

HOUSE PAD DETAILS