



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

PUBLIC NOTICE DATE:	March 8, 2023
EXPIRATION DATE:	April 7, 2023
REFERENCE NUMBER:	POA-2023-00037
WATERWAY:	Wallace Lake

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 Estrella Campellone at (907) 753-2518, toll free from within Alaska at (800) 478-2712, or by email at Estrella.f.campellon@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: Matthew Soloy, Soloy Construction LLC. P.O. Box 874645, Wasilla, Alaska 99654. Email: matt_soloy@hotmail.com. Telephone: (907) 232-9597.

LOCATION: The project site is located within Section 11, T. 17 N., R. 2 W., Seward Meridian; USGS Quad Anchorage C-7; Latitude 61.57839° N., Longitude 149.58429° W.; 5314 West Parks Highway. Directions: from Parks Highway heading north, take a left on Museum Drive, in Wasilla, Alaska.

PURPOSE: The applicant's stated purpose is to create a permanent area to dispose of overburden and excess material and create a snow storage area associated with the development of 100 feet by 80 feet shop building and a 3-acre laydown yard in adjacent uplands. Overburden would be the result of developing adjacent uplands for a shop and a laydown yard.

PROPOSED WORK: To discharge 7,000 cubic yards of overburden in 1.38 acres (500 feet by 120 feet) of palustrine wetlands to create a permanent area to dispose overburden and as snow storage. The proposed fill is associated with the development of adjacent uplands for a 100 feet by 80 feet shop building and a 3-acre laydown yard. All work would be performed in accordance with the enclosed plan (sheets 1-3), dated January 10, 2023.

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 applicant has designed his proposed project to avoid an area of wetlands to ensure hydrology is maintained the area of wetlands adjacent to the impacts.
- b. Minimization: The applicant would set in place sediment and runoff control measures.
- c. Compensatory Mitigation: The applicant did not propose 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. The proposed activity would require an individual Water Quality Certification (WQC) from the Alaska Department of Environmental Conservation (ADEC). The applicant plans to contact ADEC directly to initiate the process for the WQC 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 the footprint of the proposed project in wetlands and immediately adjacent wetlands. 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.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service 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 not within mapped EFH. 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 Corps, 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 rights or resources. 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.

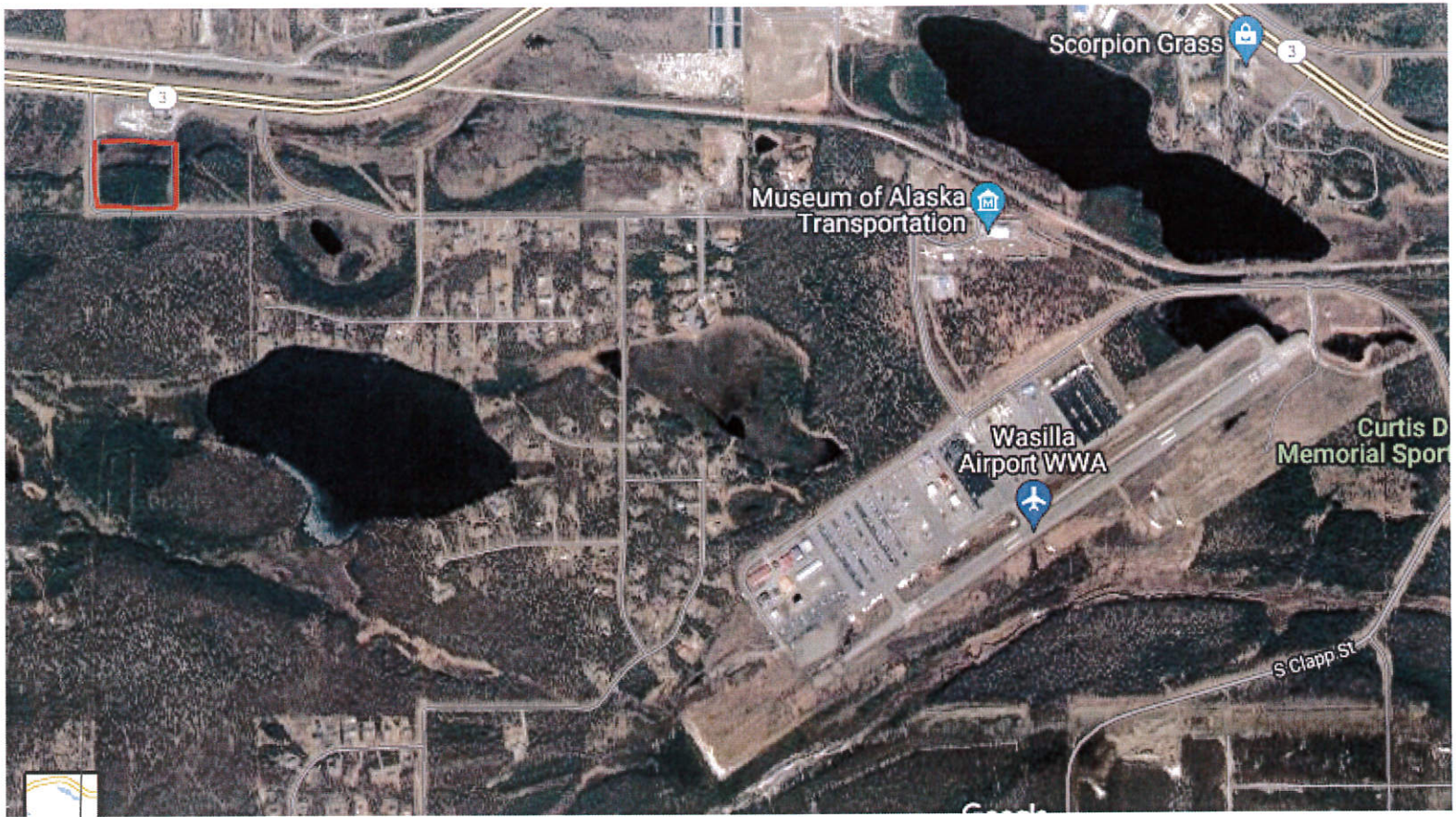
AUTHORITY: This permit will be issued or denied under the following authorities:

(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 are enclosed with this public notice.

District Commander
U.S. Army, Corps

Enclosure



Vicinity Map

5314 W. Parks Hwy

Matthew Soloy

Wetland Fill

Sec. 11 T. 17N M. 2W

61.57839 -149.58429

POA-2023-00037

Waterway: Wallace Lake

Applicant: Matthew Soloy

Project: Snow Storage/
Overburden Disposal Area

Date: January 10, 2023

Sheet 1 of 3

POA-2023-00037

Waterway: Wallace Lake

Applicant: Matthew Soloy

Project: Snow Storage/
Overburden Disposal

Date: January 10, 2023

Sheet 2 of 3

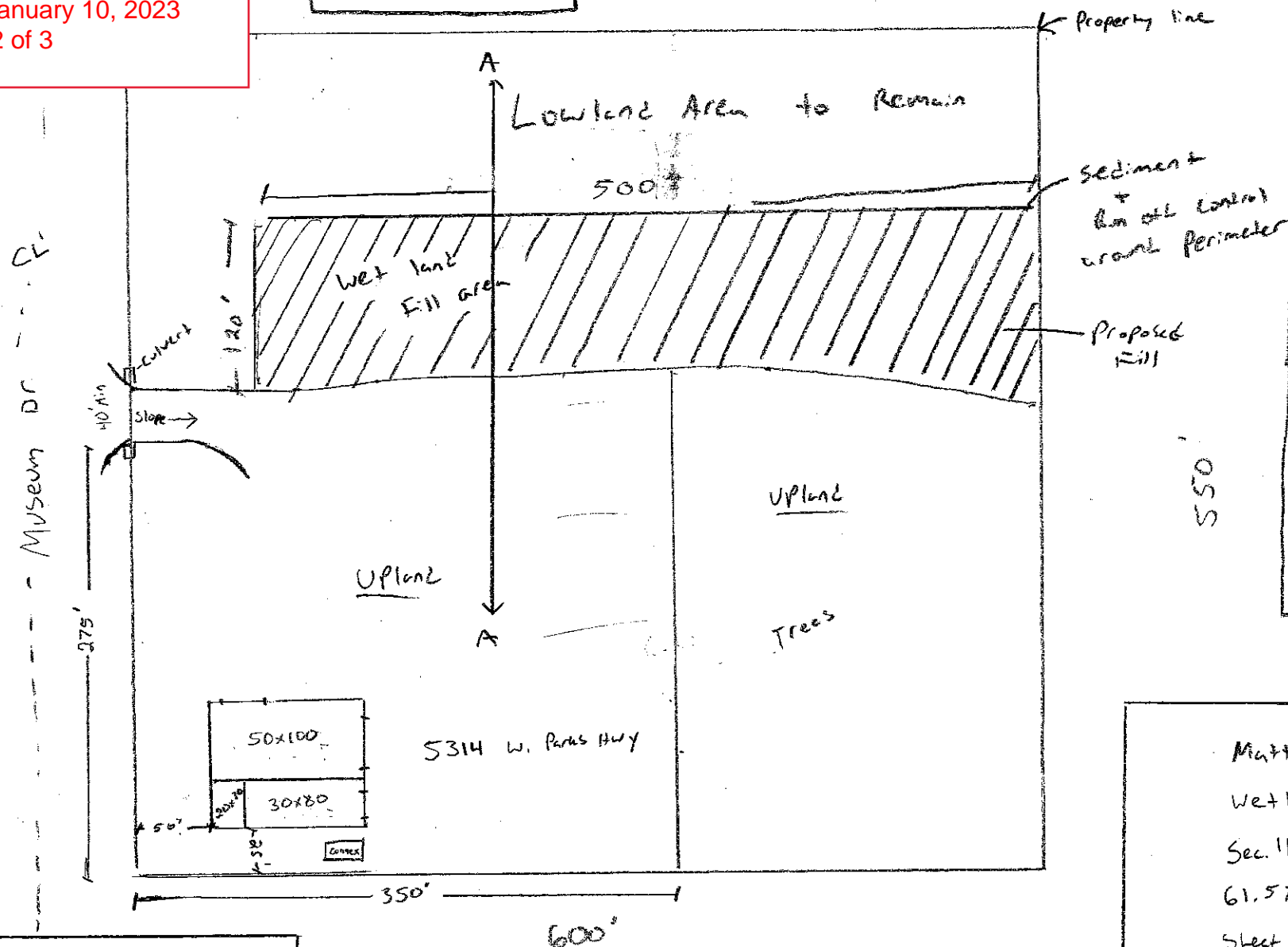
Parks Hwy

Wetland Fill - Plan view

Scale = 1" = 100'



Charles Pasco
PO Box 879084
Wasilla AK 99687



Alvin Campbell
PO Box 210541
Anchorage AK 99521

Matthew Soloy

Wetland Fill

Sec. 11 T. 17N M. 2W

61.57839 -149.58429

Sheet 1 of 2 12/22/22

Wasilla, Matanuska Susitna, Alaska

Parks Hwy N.
left on Museum Dr.

Museum Dr - CL

POA-2023-00037

Waterway: Wallace Lake

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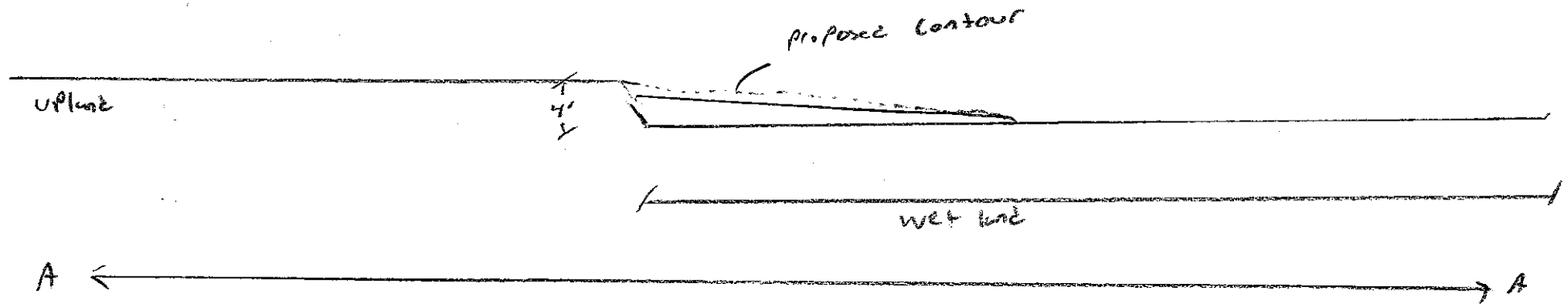
Project: Snow Storage/
Overburden Disposal

Date: January 10, 2023

Sheet 3 of 3

Wetland Fill

Cross-section view A-A



Proposed: Place up to 7000 cubic
Yards of top Soil/overburden in
wet land

Scale 1/2" = 100'

Matthew Soloy
wet land fill

Sec. 11 T. 17 N. M. 2 W

61.57839 -149.58429

Sheet 2 of 2 12/22/22