



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

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

<b>PUBLIC NOTICE DATE:</b>	<b>April 5, 2023</b>
<b>EXPIRATION DATE:</b>	<b>May 5, 2023</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2023-00148</b>
<b>WATERWAY:</b>	<b>Caswell 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 Roberta Budnik at (907) 753-2785, toll free from within Alaska at (800) 478-2712, or by email at [roberta.k.budnik@usace.army.mil](mailto:roberta.k.budnik@usace.army.mil) if further information is desired concerning this public notice.

**APPLICANT:** Matanuska Susitna Borough (MSB), 350 East Dahlia Avenue, Palmer, AK 99645

**AGENT:** DOWL, 5015 Business Park Boulevard, Suite 4000, Anchorage, AK 99503

**LOCATION:** The project site is located at Latitude 61.989321° N., Longitude 149.978962° W.; Hidden Hills Road near mile point 88 of the Parks Highway, between Willow and Talkeetna, Alaska.

**PURPOSE:** The applicant's stated purpose is to reconstruct the roadway to collector road standards from the Parks Highway to South Caswell Loop Road.

PROPOSED WORK: Permanently discharge up to 3,609 cubic yards of fill material into 1.1 acres of waters of the U.S., including wetlands, and temporarily discharge up to 441 cubic yards of fill material into 0.1-acre of waters of the U.S., including wetlands in order to make improvements to Hidden Hills Road. A total of 3,313 cubic yards of Type B or better fill material would be discharged into wetlands to improve the road subgrade and widen lanes, replace, repair, or install roadside hardware, adjust or relocate utilities, and make drainage improvements. Up to 296 cubic yards of stream substrate fill would be permanently placed below the ordinary high water mark (OHW) of an unnamed tributary to Caswell Creek in order to replace the existing culverts with an eight foot box culvert and armor the downstream channel. Up to 441 cubic yards of gravel fill would be temporarily discharged below the OHW in order to install a temporary culvert to maintain stream connectivity during construction.

All work would be performed in accordance with the enclosed plan (sheets 1-14) dated March 9, 2023.

ADDITIONAL INFORMATION: The proposed project would require a temporary water use authorization from the State of Alaska Department of Natural Resources, as well as a Fish Habitat Permit from the Alaska Department of Fish and Game (ADF&G).

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the U.S., including wetlands, from activities involving discharges of fill material.

a. Avoidance: Complete avoidance of waters of the U.S. is not possible due to meeting the project purpose of reconstructing the roadway to collector road standards. Hidden Hills Road is existing and crosses several large wetland areas and anadromous streams.

b. Minimization: Impacts to waters of the U.S., including wetlands would be minimized by the following:

1. Diversion channel would be filled in with native material;
2. Disturbed areas would be stabilized post construction;
3. Disturbed riparian areas would be capped with topsoil and seeded from OHW to ten feet outside top bank;
4. Lane widening is proposed to be the minimum extent practicable to meet the project purpose;
5. Erosion and sediment control devices would be put in place to prevent sedimentation;
6. Diversion structure and fill would be temporary and removed after construction of the eight foot culvert on the unnamed tributary to Caswell Creek; and
7. Post construction, the new stream channel would be restored with coir log and brush layering, willow staking, and vegetation mats.

c. Compensatory Mitigation: The applicant has not proposed any compensatory mitigation, stating that the proposed project would replace two damaged and undersized culverts with a box culvert as fish passage improvement, and that the road improvements are required to meet collector road standards. The applicant states that wetland impacts are an extremely small percentage of the overall acreage of the large wetland complexes adjacent to Hidden Hills Road and that impacts collocated with existing disturbance would not negatively impact wetland functions.

WATER QUALITY CERTIFICATION: A Department of the Army 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 coordinating directly with ADEC.

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 known cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be footprint of the proposed project within jurisdictional waters of the U.S., including wetlands, and the immediately adjacent upland areas. Consultation of the AHRs and a review of *Shem Pete's Alaska* (James Kari and James A. Fall) 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; therefore, 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). As such, no consultation with the U.S. Fish and Wildlife Service (USFWS) 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 (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed culvert replacement would take place within a mapped anadromous stream (247-41-10200-2190-3020-4011) which supports coho salmon (*Oncorhynchus kisutch*). We have determined the described activity would not permanently adversely affect EFH in the

project area. The applicant has stated that they have been working with USFWS to improve anadromous fish passage through the culverts under Hidden Hills Road. Additionally, the proposed project would require a Fish Habitat Permit from ADF&G which would ensure minimal impacts to EFH. Any comments or recommendations NMFS may have concerning EFH will be considered in our final assessment of the described work.

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 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 are enclosed with this public notice.

District Commander  
U.S. Army, Corps

Enclosure

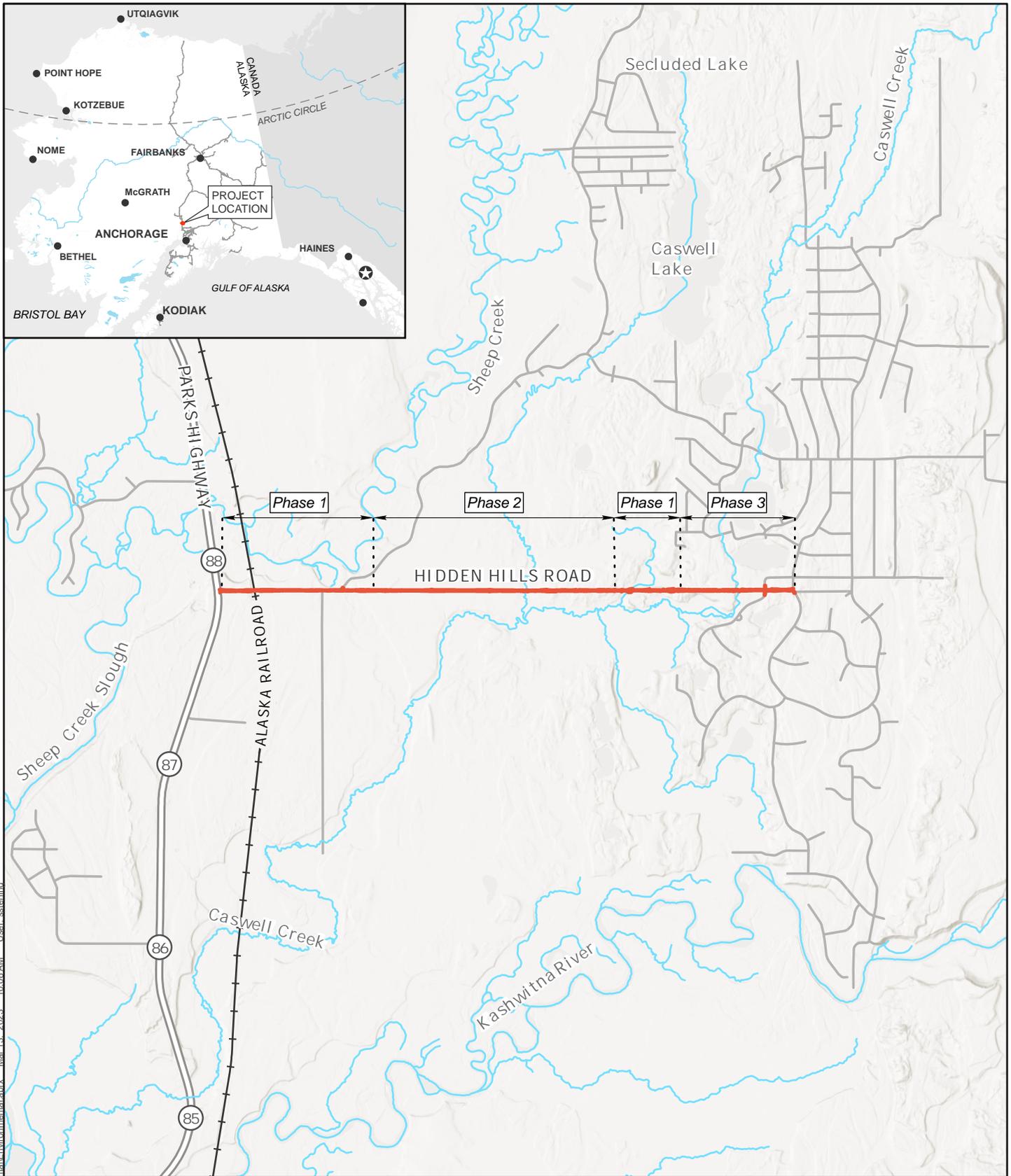


FIGURE 1: Location & Vicinity

POA-2023-00148  
 Applicant: Matanuska-Susitna Borough  
 Proposed Activity: Paving Design, Grading, Drainage, and Surfacing  
 T 22N R 4W Section 20, 21, 22, 23 Seward Meridian  
 Latitude: 61.98924° N Longitude: 150.05082° W  
 Sheet: 1 of 14

Date: 3/13/2023

- # DOT&PF Milepost
- Proposed Project Limits
- Railroad (ARRC)
- Stream (NHD)

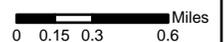




FIGURE 2a: Plan View  
POA-2023-00148

Applicant: Matanuska-Susitna Borough  
 Proposed Activity: Paving Design, Grading, Drainage, and Surfacing  
 T 22N R 4W Section 20, 21, 22, 23 Seward Meridian  
 Latitude: 61.98924° N Longitude: 150.05082° W  
 Sheet: 2 of 14

Date: 3/13/2023

-  Proposed Permanent Cut/Fill Limits
-  Edge of Road

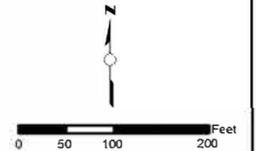
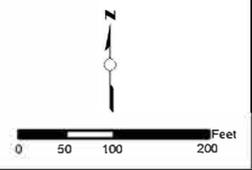




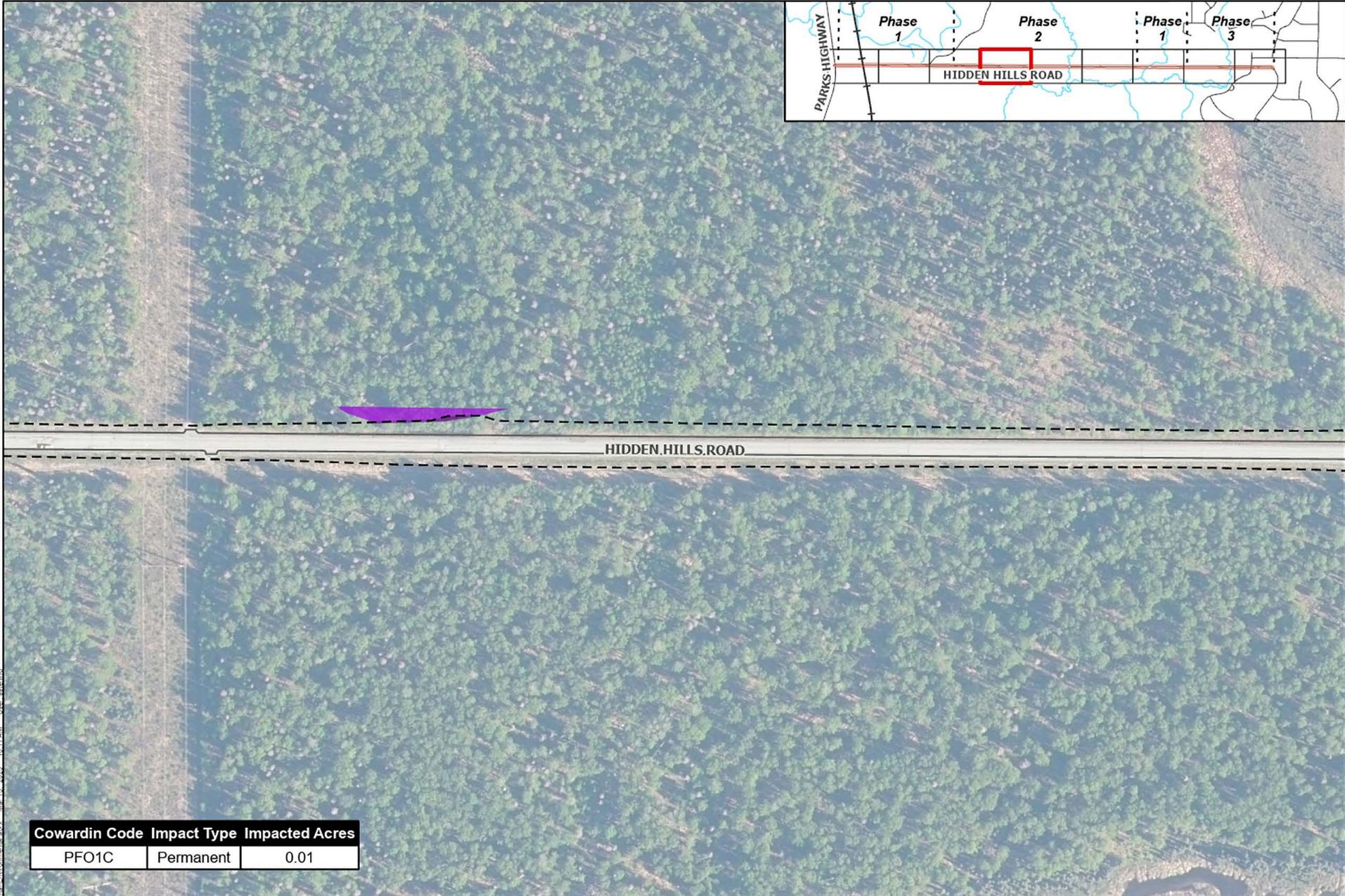


FIGURE 2c: Plan View  
 POA-2023-00148  
 Applicant: Matanuska-Susitna Borough  
 Proposed Activity: Paving Design, Grading, Drainage, and Surfacing  
 T 22N R 4W Section 20, 21, 22, 23 Seward Meridian  
 Latitude: 61.98924° N Longitude: 150.05082° W  
 Sheet: 4 of 14 Date: 3/13/2023

Proposed Permanent Cut/Fill Limits  
 Edge of Road



150.05082, 61.98924, Matanuska-Susitna Borough, Alaska, 3/13/2023, 10:10 AM, User: 6587072

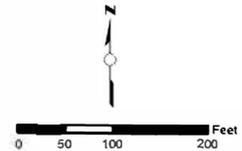


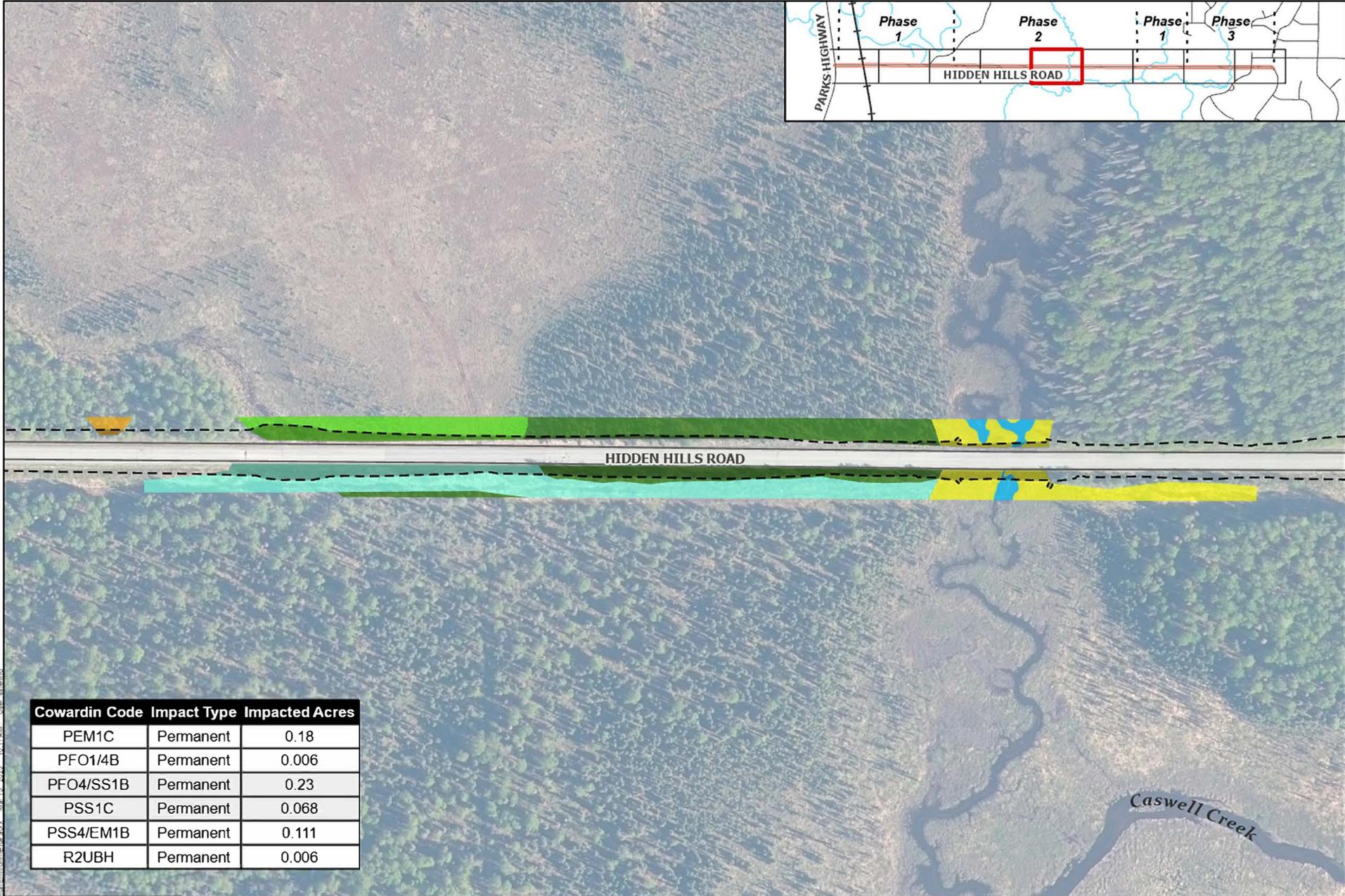
Cowardin Code	Impact Type	Impacted Acres
PFO1C	Permanent	0.01

FIGURE 2d: Plan View  
 POA-2023-00148  
 Applicant: Matanuska-Susitna Borough  
 Proposed Activity: Paving Design, Grading, Drainage, and Surfacing  
 T 22N R 4W Section 20, 21, 22, 23 Seward Meridian  
 Latitude: 61.98924° N Longitude: 150.05082° W  
 Sheet: 5 of 14

Date: 3/13/2023

-  Proposed Permanent Cut/Fill Limits
-  Edge of Road
-  DOWL Mapped Wetland
-  PFO1C





Cowardin Code	Impact Type	Impacted Acres
PEM1C	Permanent	0.18
PFO1/4B	Permanent	0.006
PFO4/SS1B	Permanent	0.23
PSS1C	Permanent	0.068
PSS4/EM1B	Permanent	0.111
R2UBH	Permanent	0.006

FIGURE 2e: Plan View

POA-2023-00148

Applicant: Matanuska-Susitna Borough

Proposed Activity: Paving Design, Grading, Drainage, and Surfacing

T 22N R 4W Section 20, 21, 22, 23 Seward Meridian

Latitude: 61.98924° N Longitude: 150.05082° W

Sheet: 6 of 14

Date: 3/13/2023

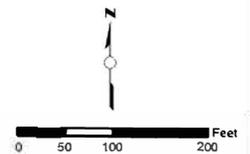
Proposed Permanent Cut/Fill Limits  
Edge of Road

**DOWL Mapped Wetland**

PEM1C  
PFO1/4B

PFO4/SS1B  
PSS1C  
PSS4/EM1B

R2UBH



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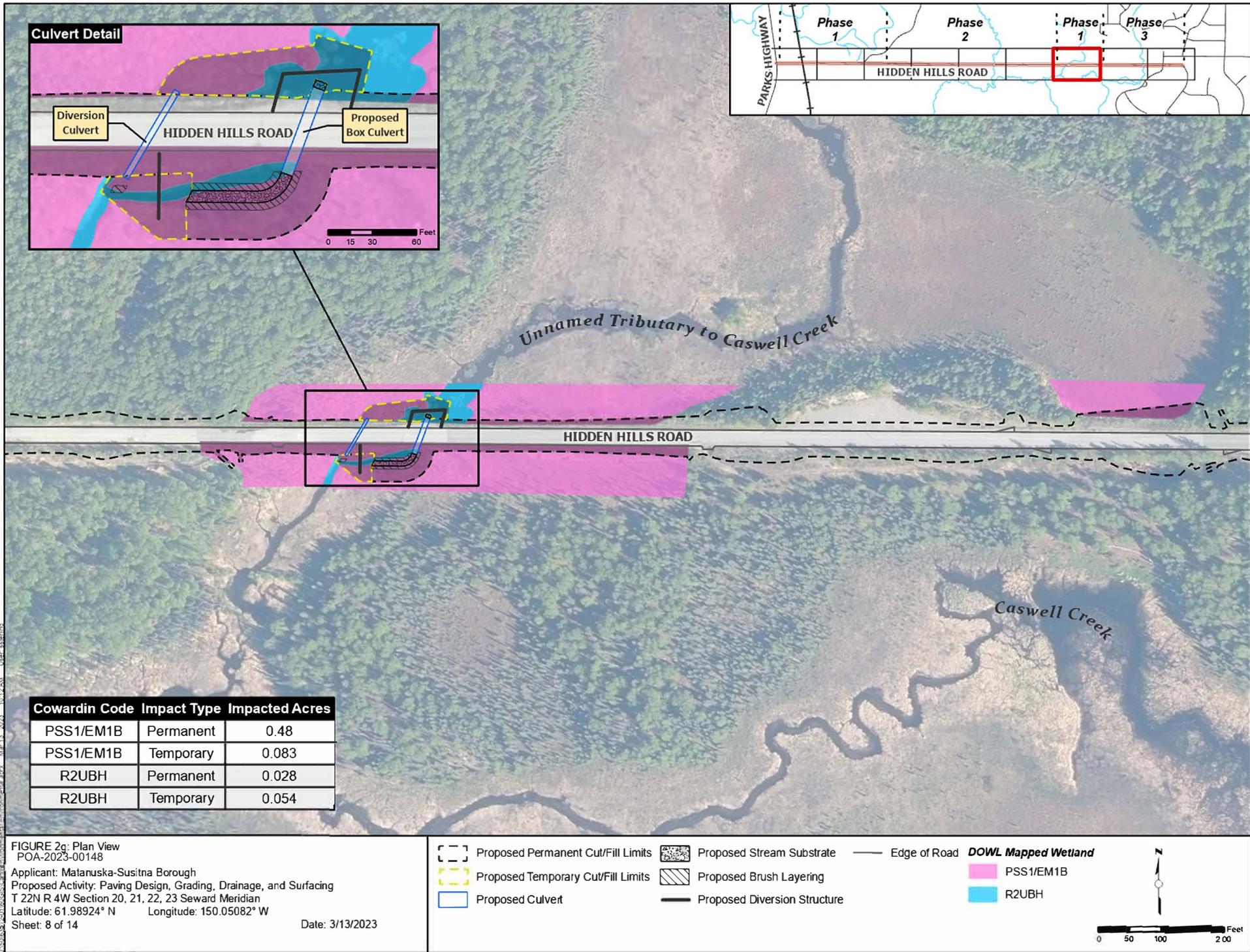


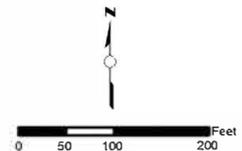


FIGURE 2h: Plan View

POA-2023-00148  
 Applicant: Matanuska-Susitna Borough  
 Proposed Activity: Paving Design, Grading, Drainage, and Surfacing  
 T 22N R 4W Section 20, 21, 22, 23 Seward Meridian  
 Latitude: 61.98924° N Longitude: 150.05082° W  
 Sheet: 9 of 14

Date: 3/13/2023

-  Proposed Permanent Cut/Fill Limits
-  Edge of Road



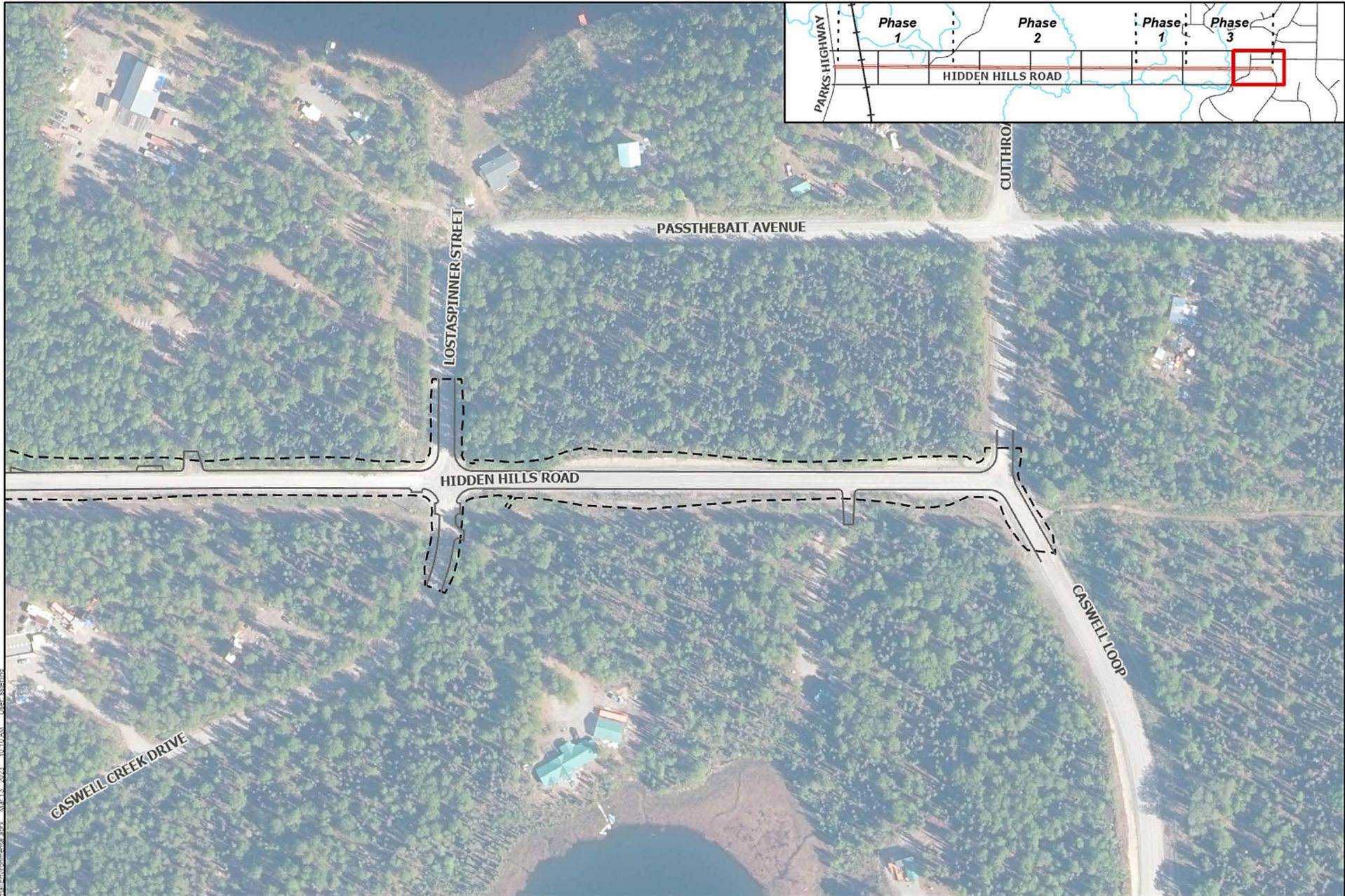
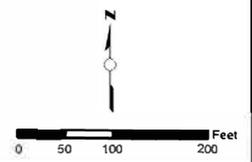


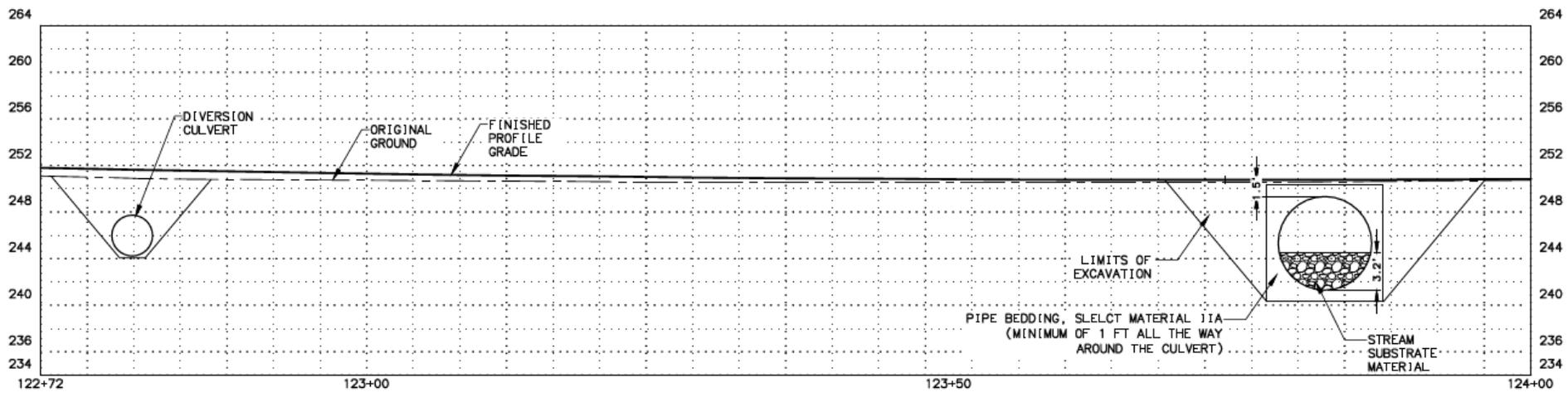
FIGURE 2i: Plan View  
 POA-2023-00148  
 Applicant: Matanuska-Susitna Borough  
 Proposed Activity: Paving Design, Grading, Drainage, and Surfacing  
 T 22N R 4W Section 20, 21, 22, 23 Seward Meridian  
 Latitude: 61.98924° N Longitude: 150.05082° W  
 Sheet: 10 of 14 Date: 3/13/2023

- Proposed Permanent Cut/Fill Limits
- Edge of Road

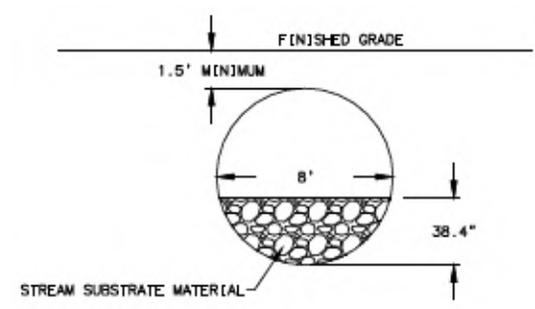


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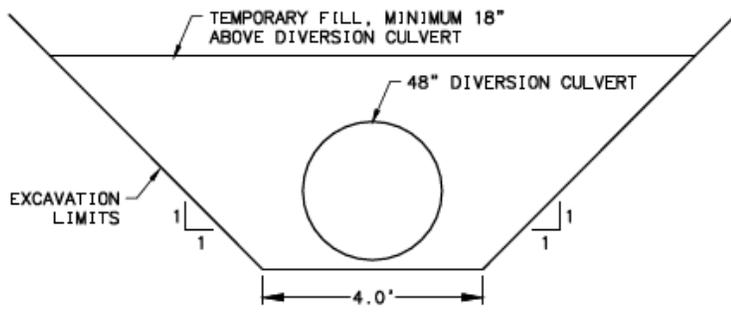
**Excavation Section**



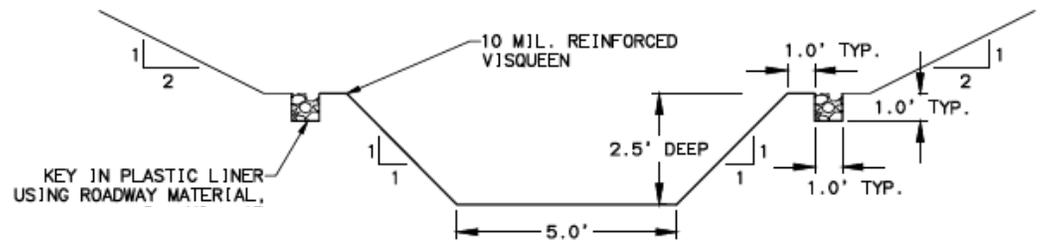
**Culvert Infill**

FIGURE 3b: Elevation View - Channel and Excavation Details  
 POA-2023-00148  
 Applicant: Matanuska-Susitna Borough  
 Proposed Activity: Paving Design, Grading, Drainage, and Surfacing  
 T 22N R 4W Section 20, 21, 22, 23 Seward Meridian  
 Latitude: 61.98924° N Longitude: 150.05082° W  
 Sheet: 12 of 14 Date: 3/9/2023

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 Image Layer



**Diversion Culvert Trench**



**Diversion Channel**

FIGURE 3c: Elevation View - Diversion Culvert

POA-2023-00148

Applicant: Matanuska-Susitna Borough

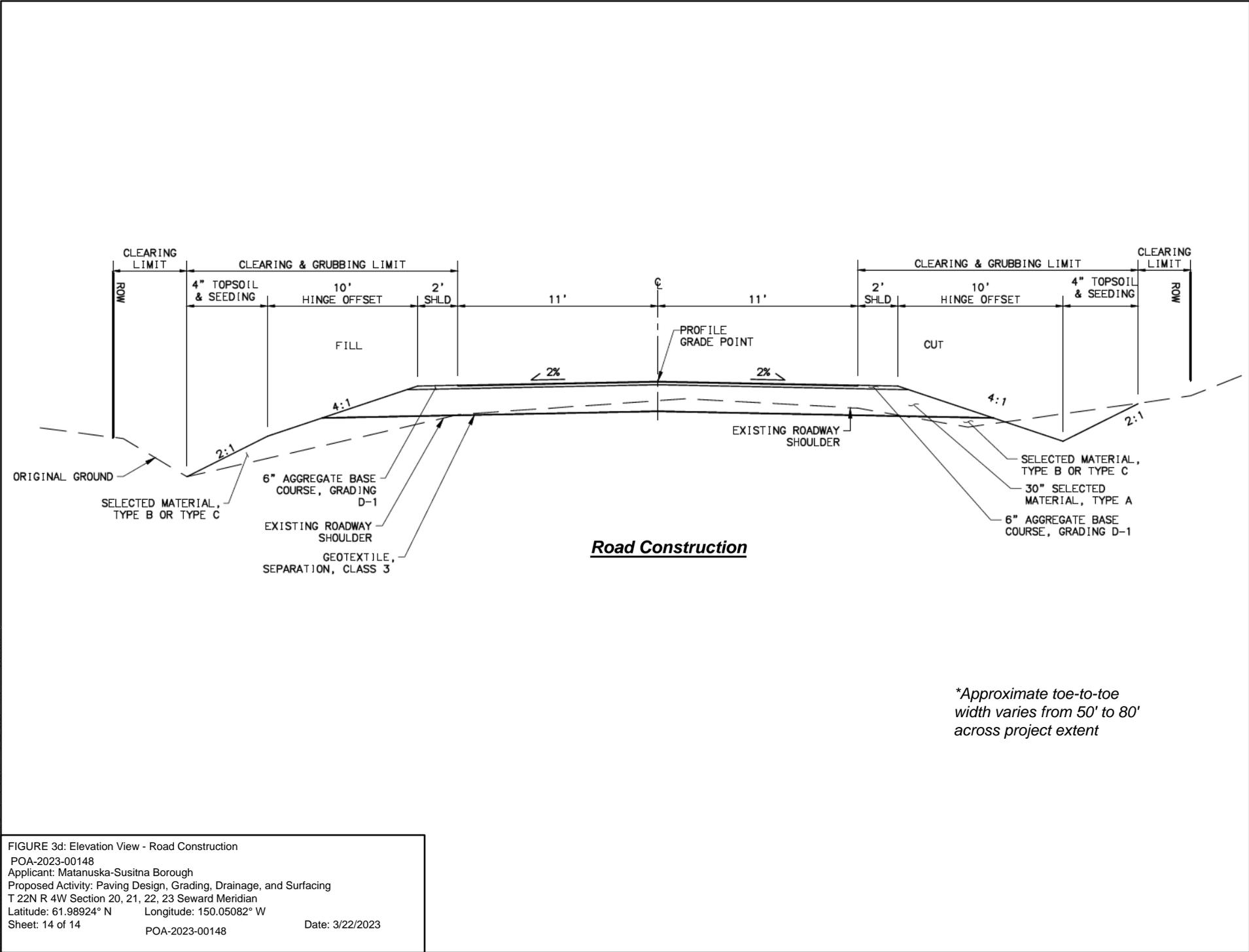
Proposed Activity: Paving Design, Grading, Drainage, and Surfacing

T 22N R 4W Section 20, 21, 22, 23 Seward Meridian

Latitude: 61.98924° N Longitude: 150.05082° W

Sheet: 13 of 14

Date: 3/9/2023



*\*Approximate toe-to-toe width varies from 50' to 80' across project extent*

FIGURE 3d: Elevation View - Road Construction  
 POA-2023-00148  
 Applicant: Matanuska-Susitna Borough  
 Proposed Activity: Paving Design, Grading, Drainage, and Surfacing  
 T 22N R 4W Section 20, 21, 22, 23 Seward Meridian  
 Latitude: 61.98924° N Longitude: 150.05082° W  
 Sheet: 14 of 14 POA-2023-00148 Date: 3/22/2023