



US Army Corps
of Engineers
Alaska District

Juneau Field Office
Regulatory Division (1145)
CEPOA-RD
Post Office Box 22270
Juneau, Alaska 99802-2270

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	June 1, 2023
EXPIRATION DATE:	June 16, 2023
REFERENCE NUMBER:	POA-2023-00271
WATERWAY:	Gastineau Channel

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 Randal Vigil at (907) 201-5022 or by email at Randal.P.Vigil@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: Garrett Johnson, Glacier Heights, LLC/Rooftop Properties, LLC, 445 North 2000 West, Suite 7, Springville, UT 84663.

LOCATION: The project site is located within Section 32, T. 40 S., R. 66 E., Copper River Meridian; USGS Quad Map Juneau B-2; Latitude 58.360434° N., Longitude 134.544145° W.; USS 1568, TR B1, 7400 Glacier Highway, in Juneau, Alaska.

PURPOSE: The applicant's stated purpose is to construct multi-family housing.

PROPOSED WORK: The applicant requests authorization to discharge approximately 1,260 cubic yards of crushed rock and 4,625 cubic yards of shot-rock fill material into approximately 1.64 acres of waters of the United States consisting of forested wetlands and perennial streams to construct six multi-family housing units, including relocation of the lower reach of several stream branches to one perennial stream to allow for drainage.

All work would be performed in accordance with the enclosed plan (sheets 1-3), dated May 25, 2023.

ADDITIONAL INFORMATION: The applicant has received City and Borough of Juneau subdivision approval and preliminary plat approval.

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: Avoid disrupting additional wetlands by utilizing the existing zoning ordinances and density bonuses provided by the City and Borough of Juneau.
- b. Minimization: Minimize disruption to the wetlands throughout the city by maximizing the density and building height allowed.
- c. Compensatory Mitigation: Compensation shouldn't be required as we have observed that the local ecosystem does not significantly depend on the functionality of these wetlands.

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 (JUN-00503 Mendenhall Dairy Barn) in the vicinity but outside 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" 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 Advisory Council on Historic Preservation 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 (Magnuson-Stevens 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). 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 authority:

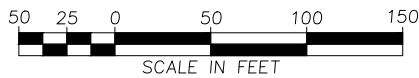
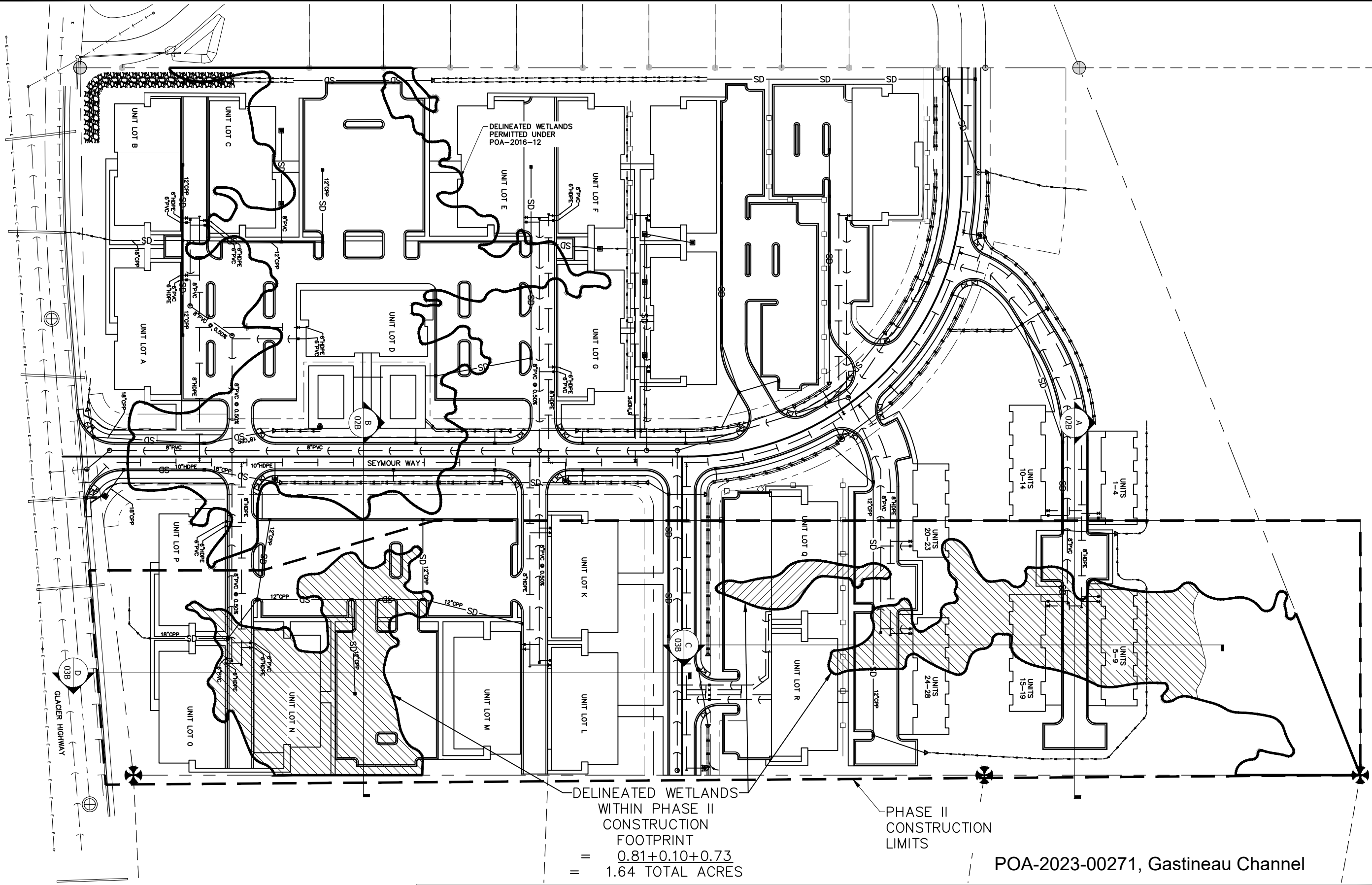
(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings are enclosed with this public notice.

District Commander
U.S. Army, Corps

Enclosure

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REVISIONS		
No.	DATE	DESCRIPTION

BY



6035 Sunset Street
Juneau, Alaska 99801
907-463-5395

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Candy Sims
candy@homeshorellc.com



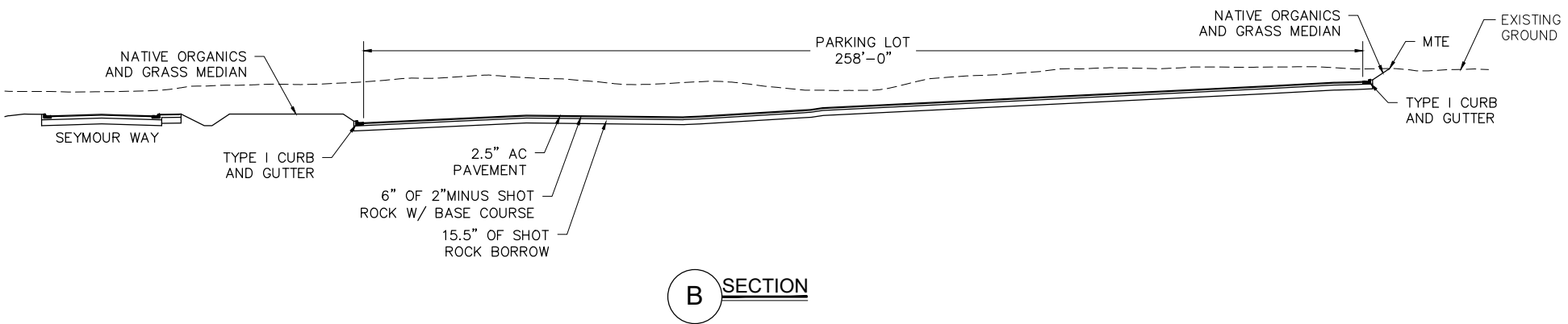
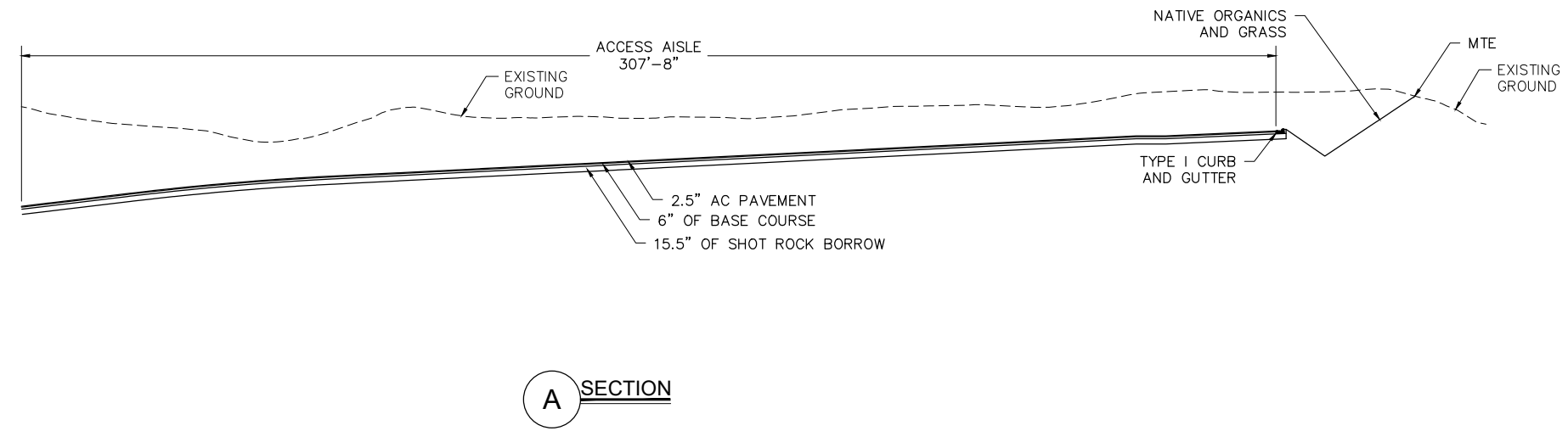
RIDGEVIEW SUBDIVISION

CORPS OF ENGINEERS
WETLANDS FILL REMAINDER
PLAN

PROJECT 22-007
DATE 05/25/2023

SHEET
01B

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POA-2023-00271, Gastineau Channel

NOTES:
1. UTILITIES NOT SHOWN FOR CLARITY.

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6035 Sunset Street
Juneau, Alaska 99801
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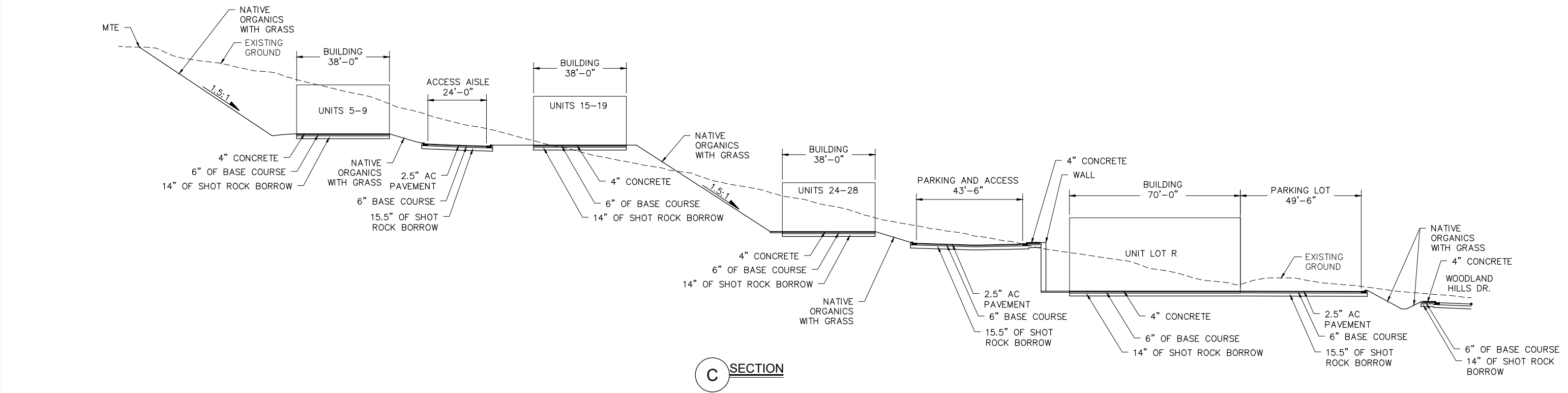
RIDGEVIEW SUBDIVISION

CORPS OF ENGINEERS
WETLANDS FILL REMAINDER
EAST/WEST SECTIONS

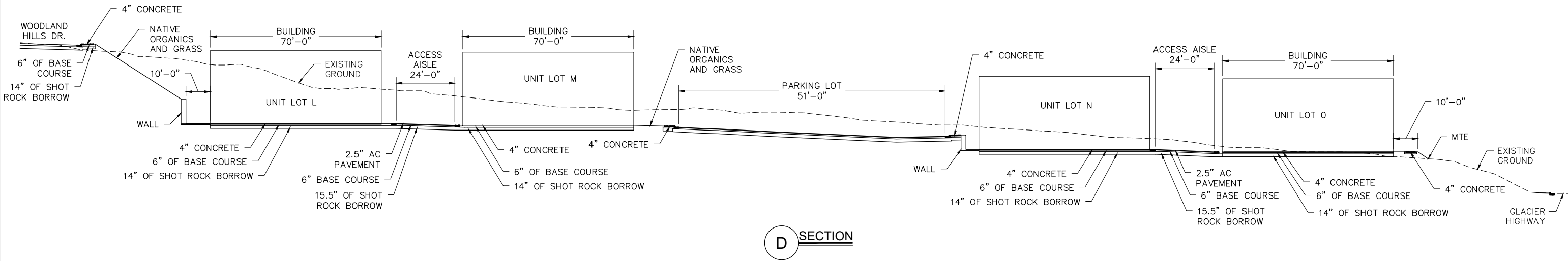
PROJECT 22-007
DATE 5/25/2023

SHEET
02B

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SAVED DATE: 2023-5-25
USER: TOBY



C SECTION



D SECTION

POA-2023-00271, Gastineau Channel

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RIDGEVIEW SUBDIVISION
CORPS OF ENGINEERS
REMAINDER FILL
NORTH/SOUTH SECTIONS

PROJECT 22-007
DATE 5/25/2023

SHEET
03B