



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

PUBLIC NOTICE DATE: July 18, 2012
EXPIRATION DATE: August 17, 2012
REFERENCE NUMBER: POA-2012-273
WATERWAY: Tongass Narrows

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.

Comments on the described work, with the reference number, 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 **Heather Boyer** at (907) 753-753-2877, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at **heather.l.boyer@usace.army.mil** if further information is desired concerning this notice.

APPLICANT: Dr. Jason Evison 3225 S Tongass Highway, Ketchikan, Alaska 99901

AGENT: Tongass Engineering, LLC, Mr. Brett Serlin, Post Office Box 5436, Ketchikan, Alaska 99901, 907-617-8982

LOCATION: The project site is located within Section 3, T. 76 S., R. 91 E., Copper River Meridian; USGS Quad Map Ketchikan B-5; Latitude 55.3059° N., Longitude 131.5959° W.; USS 1697, Block 3, Lots 4 and 5; in Ketchikan, Alaska.

PURPOSE: The applicant's stated purpose is to expand the useable area for construction of a new single-family residence.

PROPOSED WORK: The applicant proposes to place 2990 cubic yards of material into a 0.16-acre area below the high tide line, including the area of the rock wall. The area that would be filled is exposed bedrock within the tidal zone. The rock wall would be constructed from sound, angular rock with an excavator. The backfill material would consist of compactable material including soil, sand, gravel, rock, or combinations thereof, using a dump truck, bulldozer, and compaction roller. All work would be performed in accordance with the enclosed plan (sheets 1-5), dated April 9, 2012.

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 stated that "approximately one-half of the area below the high tide line within the property boundary will remain unchanged throughout this project."

b. Minimization: The applicant has stated that "the area of fill below the high tide line is minimized to the extent necessary to satisfy the residential building plan of the Evison family."

c. Compensatory Mitigation: The applicant has stated "the area proposed for fill below the high tide line comprises a footprint of only 0.16 acres. It is predominantly exposed and shallow bedrock, offering low-functioning habitat as it is generally free of riffle and pool complexes." The applicant investigated potential compensatory mitigation projects with organizations in Ketchikan and could not find any habitat projects in which to participate. The applicant proposes to conduct regular and as-needed beach cleanup of the 800 feet of adjacent beachfront (1.9 acre area), to remove trash and other floating and/or discarded debris that pollutes the environment.

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 no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO 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. 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). Therefore, no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service 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, 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). The project area is within the known range of chum, Coho, pink, sockeye and Chinook salmon species. We have determined the described activity would not adversely affect EFH in the project area.

TRIBAL CONSULTATION: The Alaska District 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 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.

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

District Commander
U.S. Army, Corps of Engineers

Enclosures

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
410 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1795
PHONE: (907) 465-5321/FAX: (907) 465-52

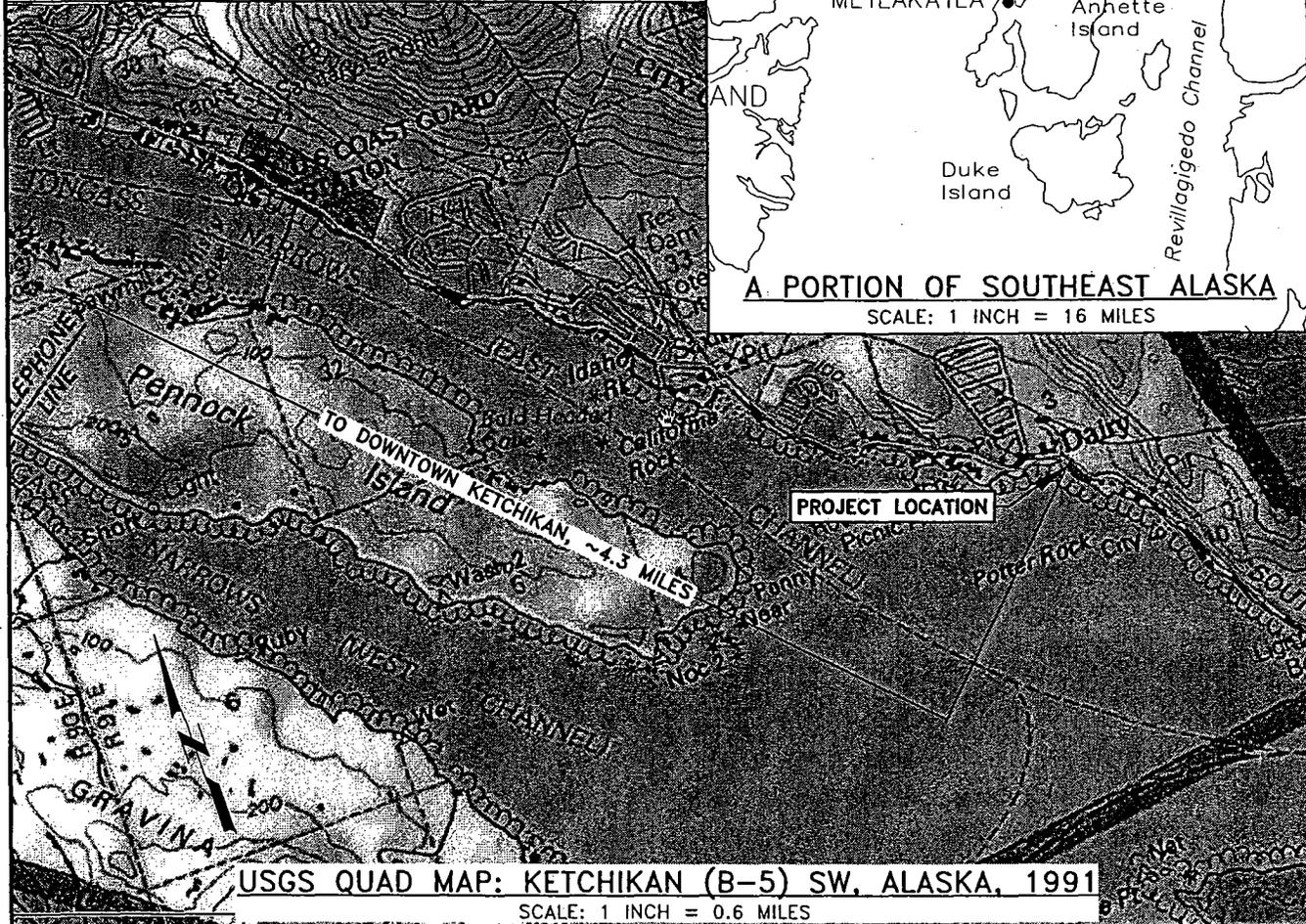
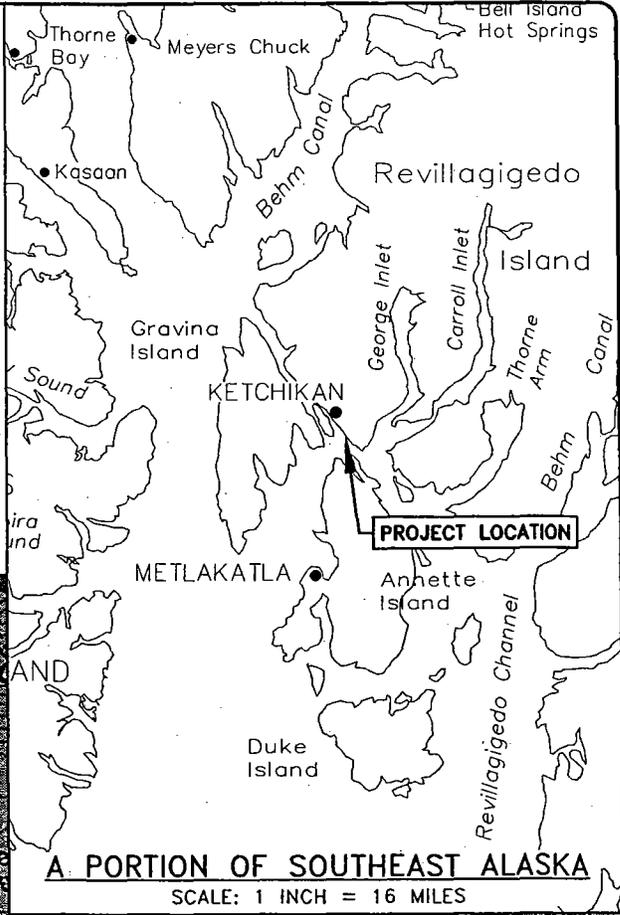
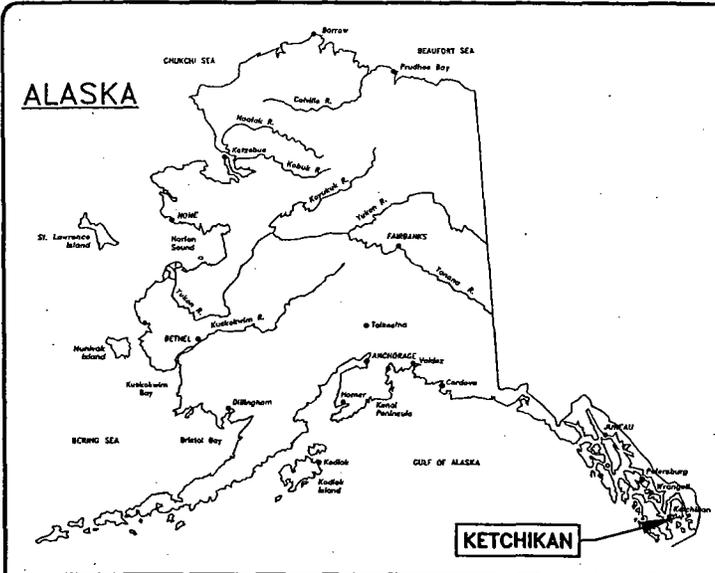
NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-2012-273, Tongass Narrows, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.



EVISON RESIDENCE ROCK WALL

LOCATION MAP

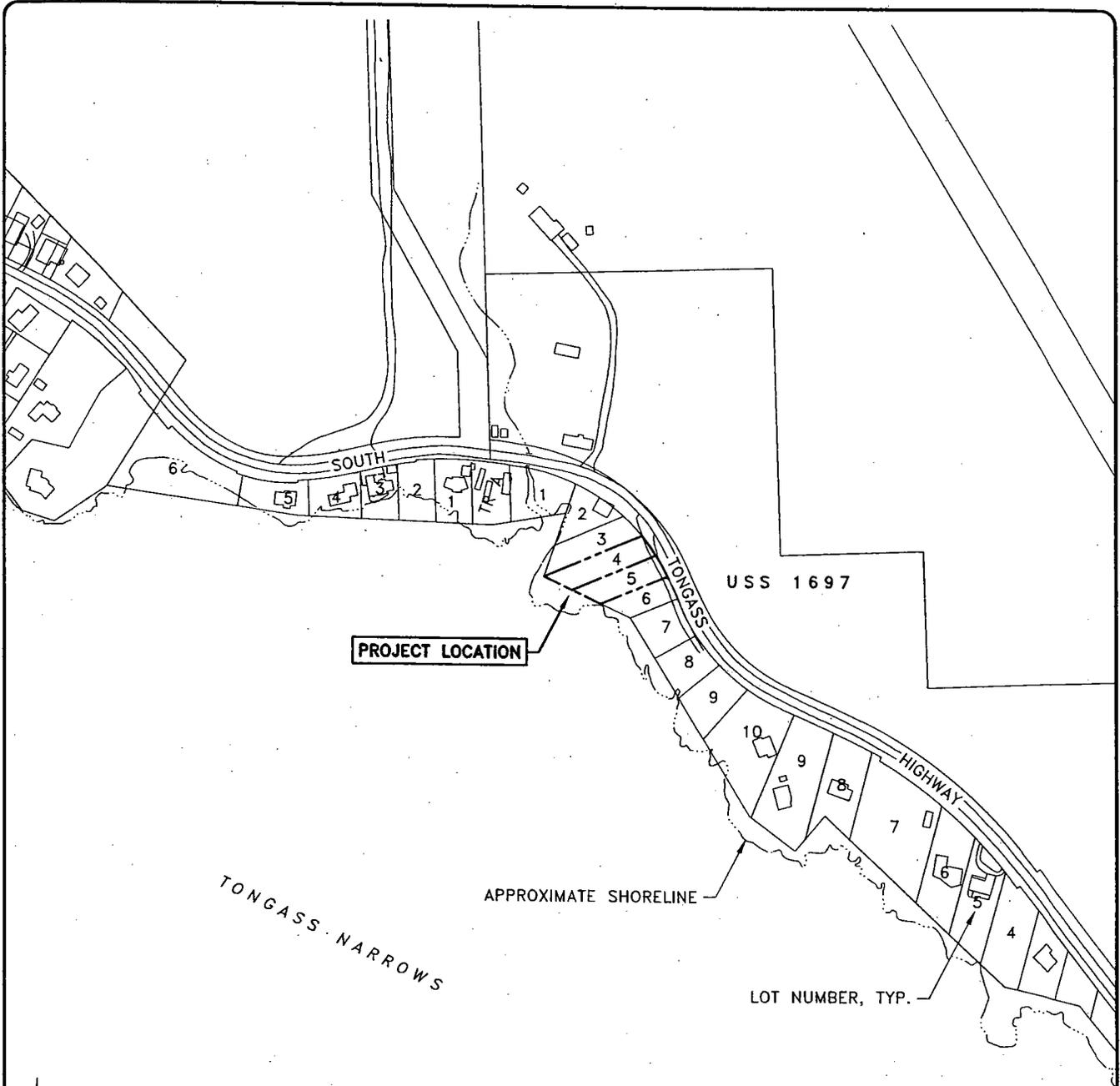
WATERBODY TONGASS NARROWS	DATE 4-9-2012
PROJECT LOCATION S TONGASS HWY, KETCHIKAN, AK LOTS 4 & 5, BLOCK 3, USS 1697 SEC 3, T76S, R91E, CRM 55.3059°N, 131.5659°W	

Jason Evison
POA-2012-273
Tongass Narrows
April 9, 2012
Sheet 1 of 5



TONGASS ENGINEERING
Civil and Environmental Engineering

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(907) 617-8982 | brett@tongassengineering.com
www.tongassengineering.com



NOTE: PROPERTY BOUNDARIES PER
KETCHIKAN GATEWAY BOROUGH MAPPING.



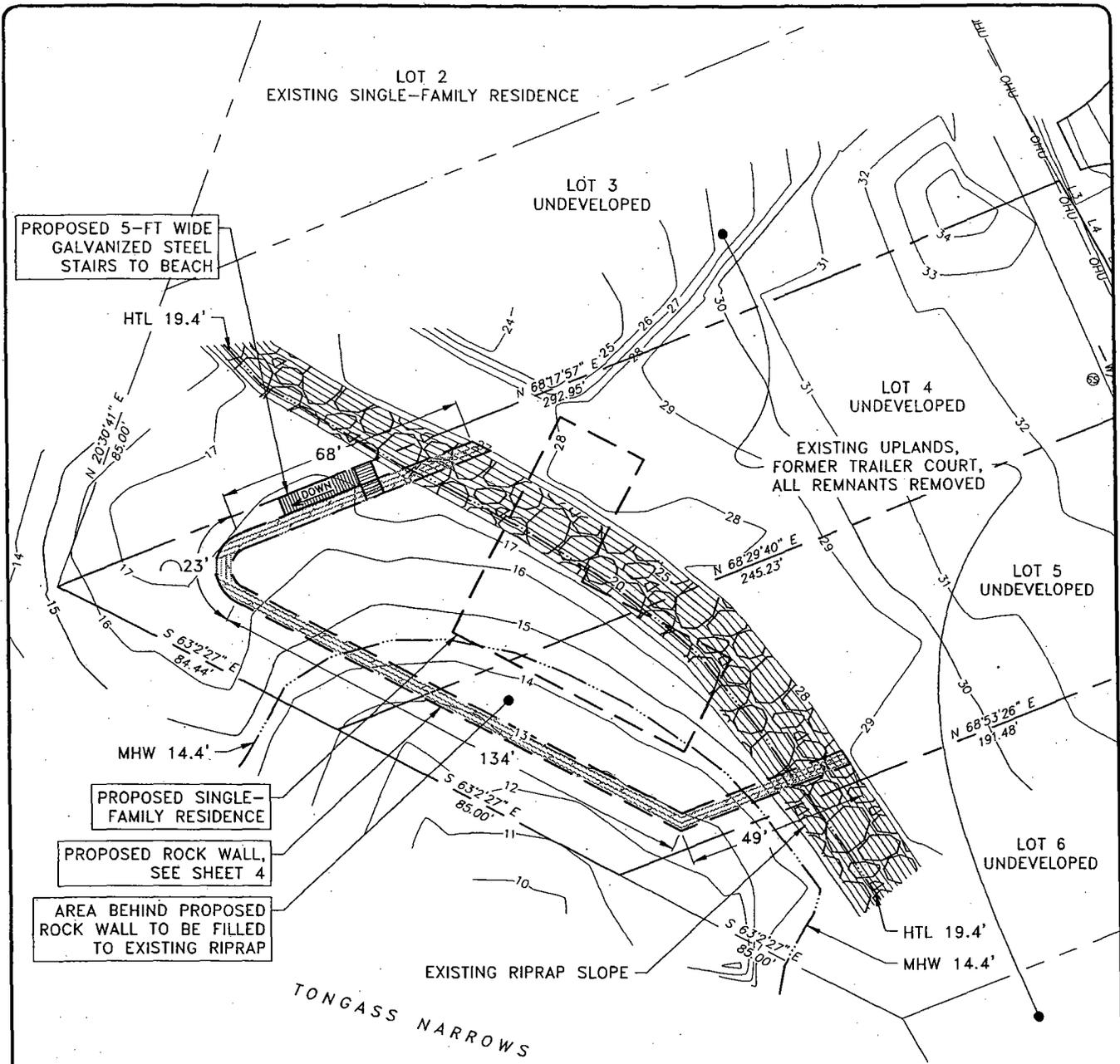
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EVISON RESIDENCE ROCK WALL

AREA MAP

WATERBODY TONGASS NARROWS	DATE 4-9-2012
PROJECT LOCATION S TONGASS HWY, KETCHIKAN, AK LOTS 4 & 5, BLOCK 3, USS 1697 SEC 3, T76S, R91E, CRM 55.3059°N, 131.5659°W	

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POA-2012-273
Tongass Narrows
April 9, 2012
Sheet 2 of 5

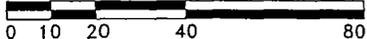


PROPERTY OWNERSHIP:

- LOT 2, USS 1697: GARY AND LEILANI LAKE, 675 SUNSET DR, KETCHIKAN, AK 99901
- LOT 3, USS 1697: GARY AND LEILANI LAKE, 675 SUNSET DR, KETCHIKAN, AK 99901
- LOT 4, USS 1697: JASON EVISON, 3225 S TONGASS HWY, KETCHIKAN, AK 99901
- LOT 5, USS 1697: JASON EVISON, 3225 S TONGASS HWY, KETCHIKAN, AK 99901
- LOT 6, USS 1697: GARY AND LEILANI LAKE, 675 SUNSET DR, KETCHIKAN, AK 99901
- LOT 7, USS 1697: DOUGLAS AND TAMARA MORRIS, PO BOX 34966, JUNEAU, AK 99803

NOTE: CONTOURS SHOWN ARE EXISTING. CONTOURS AND SUBJECT PROPERTY LINES SURVEYED 2/20/12 BY GARY TAMS, LS.

SCALE IN FEET



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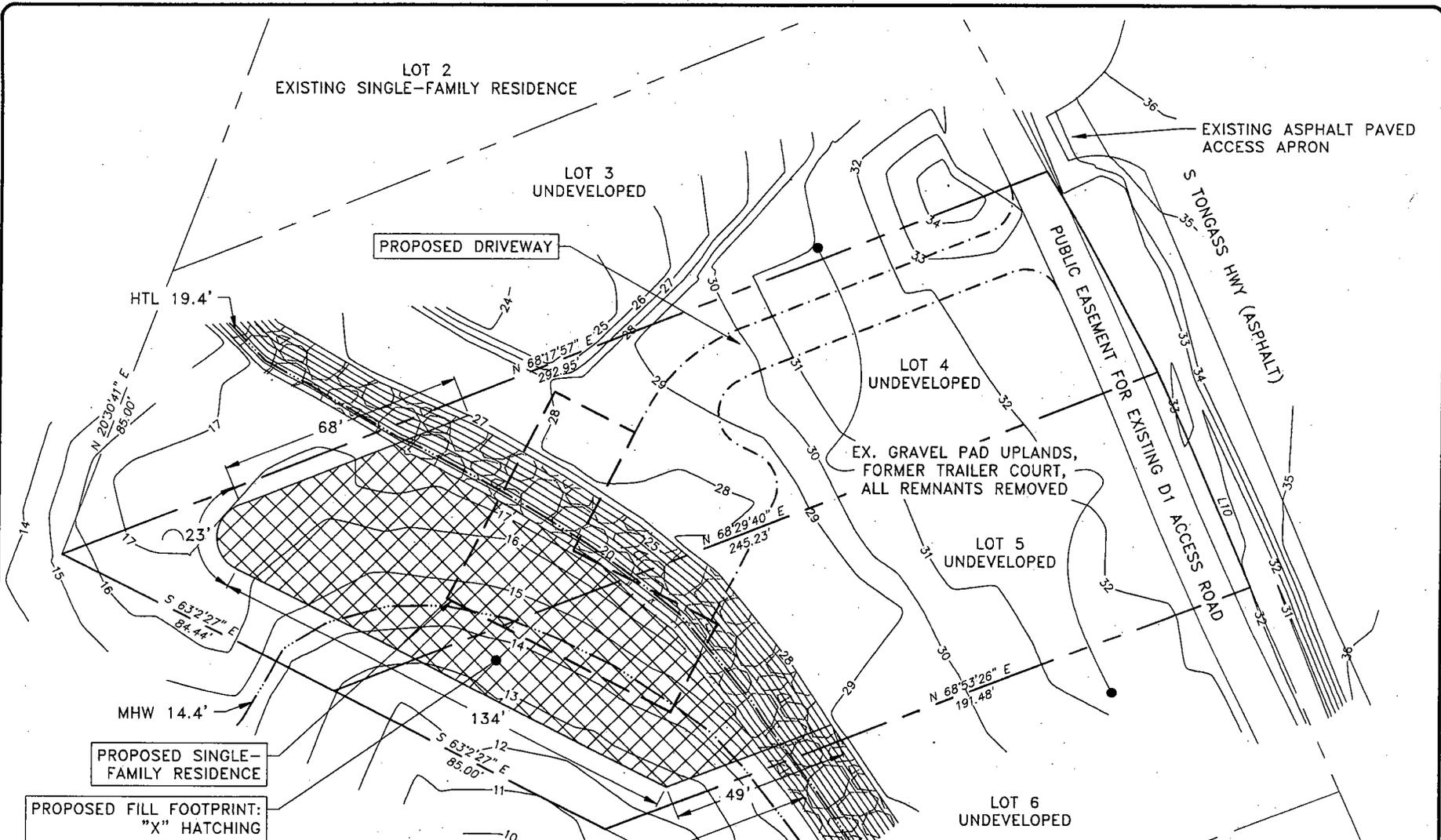
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EVISSON RESIDENCE ROCK WALL

SITE PLAN

WATERBODY TONGASS NARROWS	DATE 4-9-2012
PROJECT LOCATION S TONGASS HWY, KETCHIKAN, AK LOTS 4 & 5, BLOCK 3, USS 1697 SEC 3, T76S, R91E, CRM 55.3059°N, 131.5659°W	

Jason Evison
POA-2012-273
Tongass Narrows
April 9, 2012
Sheet 3 of 5



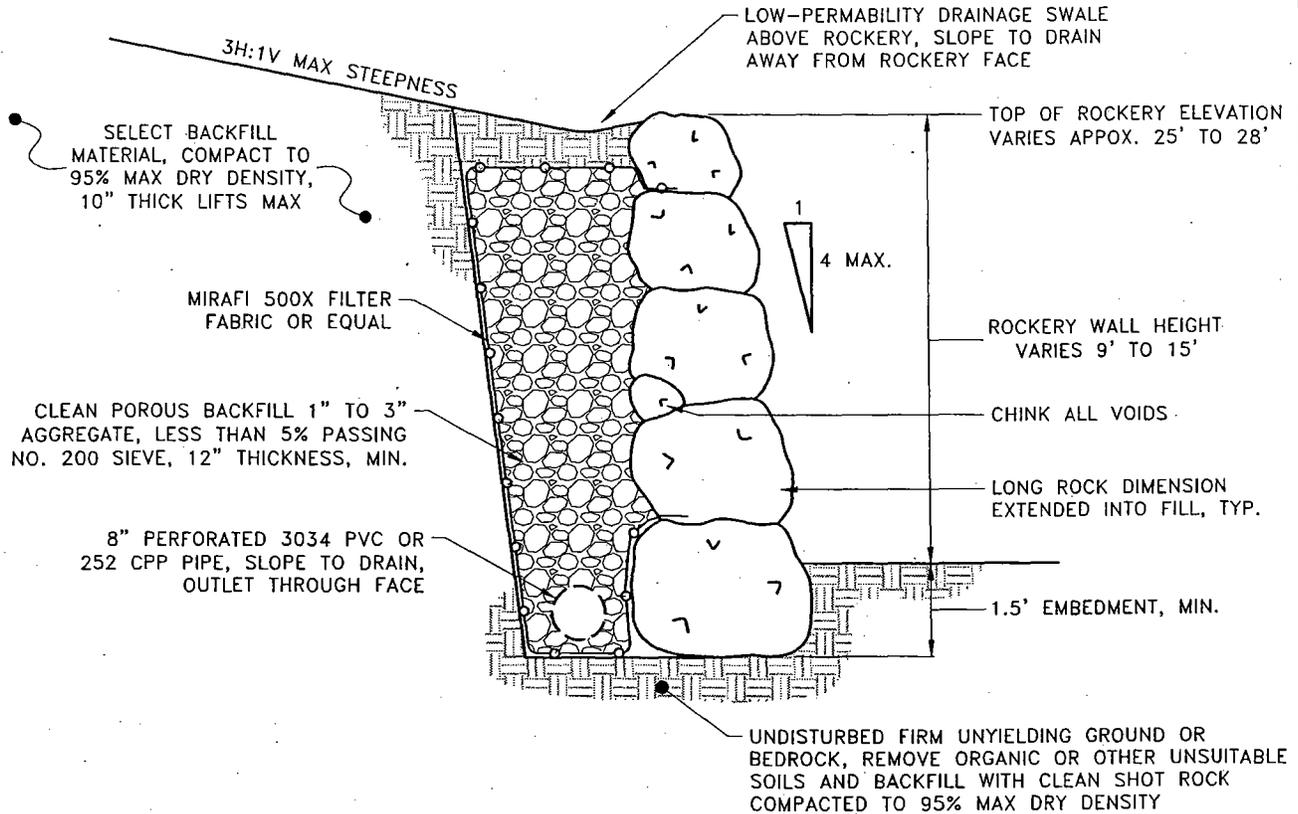
ONSITE WASTEWATER SYSTEM DESIGN		
ADDEN. 1: EXPANDED SITE		
PROJECT NO. 12608	I	Jason Evison POA-2012-273 Tongass Narrows April 9, 2012 Sheet 4 of 5
PROJECT LOCATION 5528 N TONGASS HWY, KETCHIKAN LOT 19-A, 20-A, 24-A; USS 1417 S9 T75S R90E CRM 55.3859°N, 131.7371°W		

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NOTE: PROPERTY BOUNDARIES AND EXISTING CONTOURS PER KETCHIKAN GATEWAY BOROUGH. MAPPING.

SCALE IN FEET



NOTES:

1. ROCKERY SHALL BE CONSTRUCTED IN ACCORDANCE WITH ASSOCIATED ROCKERY CONTRACTORS ROCKERY CONSTRUCTION GUIDELINES.
2. ROCK SHALL BE SOUND, ANGULAR, AND HAVE MINIMUM DENSITY OF 160 POUNDS PER CUBIC FOOT.
3. LONG DIMENSION OF ROCKS SHALL EXTEND INTO EMBANKMENT TO PROVIDE MAXIMUM STABILITY.
4. ROCK SHALL BE PLACED WITH NO CONTINUOUS JOINT PLANES IN BOTH VERTICAL AND LATERAL DIRECTIONS.
5. ROCK SHALL BE PLACED SO AS TO BEAR ON AT LEAST TWO ROCKS BELOW IT, WITH GOOD FLAT-TO-FLAT CONTACT, AND LOCK INTO TWO ROCKS IN TIER.
6. UPPER PLANE OF EACH ROCK BETWEEN COURSES (TOP SURFACE OF ROCK) SHALL SLOPE BACK TOWARDS FACE OF FILL MATERIAL BEING PROTECTED (AWAY FROM ROCKERY FACE).
7. SELECT BACKFILL MATERIAL SHALL BE COMPACTABLE EARTH, SAND, GRAVEL, ROCK, OR COMBINATIONS THEREOF CONTAINING NO MUCK, PEAT, FROZEN MATERIAL, ROOTS, SOD, OR OTHER DELETERIOUS MATTER.
8. CONSTRUCT ROCKERY OF 6 MAN TO 2 MAN ROCKS WITH DECREASING SIZE FROM BOTTOM TO TOP PER TABLE.

ROCK SIZE					
APPROXIMATE WEIGHT (LBS)		APPROXIMATE DIAMETER (IN)		LOCATION IN ROCKERY	
2 MAN	200	700	18	28	TOP 3 FEET
3 MAN	700	2000	28	36	2 TO 4 FT FROM TOP
4 MAN	2000	4000	36	48	4 TO 7 FT FROM TOP
5 MAN	4000	6000	48	54	7 TO 10 FT FROM TOP
6 MAN	6000	8000	54	60	8 TO 15 FT FROM TOP @ BOTTOM

EVISON RESIDENCE ROCK WALL

ROCKERY WALL DETAILS

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POA-2012-273
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Sheet 5 of 5



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