



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

SITKA FIELD OFFICE  
Regulatory Division (1145)  
CEPOA-RD  
Post Office Box 16  
Sitka, Alaska 99835

**PUBLIC NOTICE DATE:** November 1, 2012

**EXPIRATION DATE:** November 30, 2012

**REFERENCE NUMBER:** POA-2012-0822

**WATERWAY:** Mermaid Cove

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 **Linda Speerstra** at (907) 747-0658, or by email at [linda.speerstra@usace.army.mil](mailto:linda.speerstra@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Alaska Department of Transportation and Public Facilities (ADOT&PF), Post Office Box 112506, Juneau, Alaska 99801.

**POINT OF CONTACT:** Jill Taylor, ADOT&PF Post Office Box 112506, Juneau, Alaska 99801, (907) 465-4509.

**LOCATION:** The project site is located within Section 2, T. 56 S., R. 63 E., Copper River Meridian; USGS Quad Map Sitka A-5; Latitude 57.045° N., Longitude 135.3527° W.; in Sitka, Alaska.

**PURPOSE:** Relocate the seaplane haul-out located on the west side of the existing Sitka airport runway. This expansion would:

- a. Reduce the potential for runway incursions.
- b. Improve the safety and efficiency of aircraft operations at the Sitka airport.
- c. Avoid the spread of the invasive colonial sea squirt, *Didemnum vexillum*, which currently resides at the existing seaplane haul-out located in Whiting Harbor.

PROPOSED WORK: The applicant requests authorization for the following work below the High Tide Line (HTL) (approximate elevation +12.7 feet above the 0.0 foot contour):

- Dredge 0.10 acres of subtidal marine substrate to a depth of -9.6' to prepare the site for construction of the haul-out ramp.
- Discharge a maximum of 2500 cubic yards (combined) of riprap fill material to prepare the base of the haul-out and along each side of the ramp for erosion protection. The riprap would be discharged into Mermaid Cove in an area measuring 200' long by 40' wide.
- Discharge 100 (20' long x 8" wide x 1.75" thick) precast concrete planks to construct the haul-out surface.

The proposed seaplane haul-out would result in the permanent loss of 0.22 acres of intertidal and subtidal habitat, including 30 square feet of intertidal eel grass habitat.

All work would be performed in accordance with the enclosed plan (sheets 1-6), dated October 2010.

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 states: "The proposed seaplane haul-out is a water dependent facility. The Alaska Department of Transportation & Public Facilities (ADOT&PF) is unable to entirely avoid impacts to waters of the U.S."

b. Minimization: The applicant states: "The proposed seaplane haul-out has been designed to the minimum width and length necessary to meet the purpose and need of the project. Additionally, the seaplane haul-out location minimizes impacts to adjacent eel grass habitat."

c. Compensatory Mitigation: The ADOT&PF proposes to compensate according to the following mitigation ratios:

1. The loss of 0.22 acres of intertidal and subtidal marine habitat in Mermaid Cove at a ratio of 2:1, the ratio for the loss of moderate value habitat.
2. The loss of 30 square feet of intertidal vegetated shallows, specifically eel grass habitat, at a ratio of 3:1, the ratio for the loss of high value habitat.

The ADOT&PF has credits available with Southeast Alaska Land Trust. A Habitat Equivalency Analysis (HEA) would be performed on the 0.22 acre area of impact to determine the Habitat Functional Acres (HFA) debits. Additionally, ADOT&PF proposes to monitor the adjacent eel grass habitat to ensure conditions remain stable.

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: The project area is within the known or historic range of the Humpback whale (*Megaptera novaeangliae*), Sperm whale (*Physeter macrocephalus*), Fin whale (*Balanoptera physalus*), and Steller sea lion (*Eumetopias jubatus*).

Preliminarily, 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). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS). 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.

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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 the Chum salmon (*Oncorhynchus keta*), King salmon (*O. tshawytscha*), Pink salmon (*O. gorbuscha*), Coho salmon (*O. kisutch*), Sockeye salmon (*O. nerka*) and Pacific herring (*Clupea pallasii*).

Preliminarily, we have determined the described activity would not adversely affect EFH in the project area. This application is being coordinated with the NMFS. Any comments they may have concerning EFH will be considered in our final assessment of the described work.

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 Sitka Tribe of Alaska which is 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 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) 465-5274

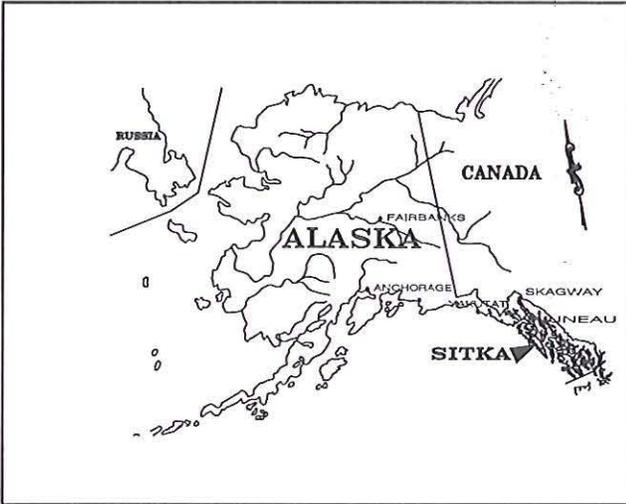
NOTICE OF APPLICATION  
FOR  
STATE WATER QUALITY CERTIFICATION

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.

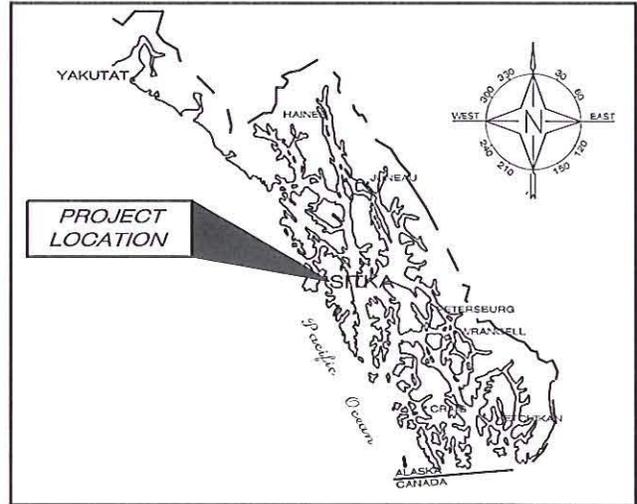
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2012-0822, Mermaid Cove**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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.

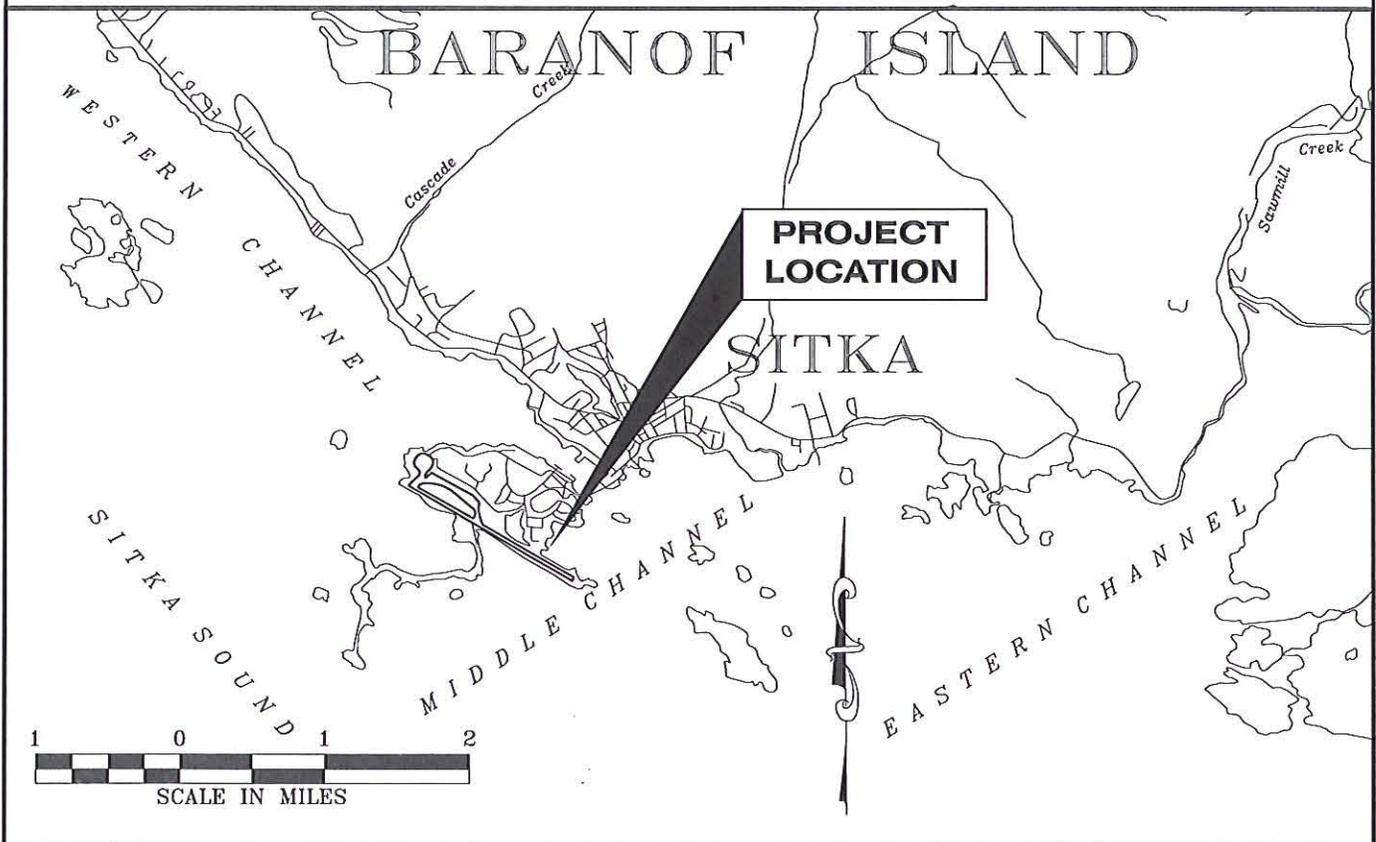
Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.



**AREA MAP**



**LOCATION MAP**

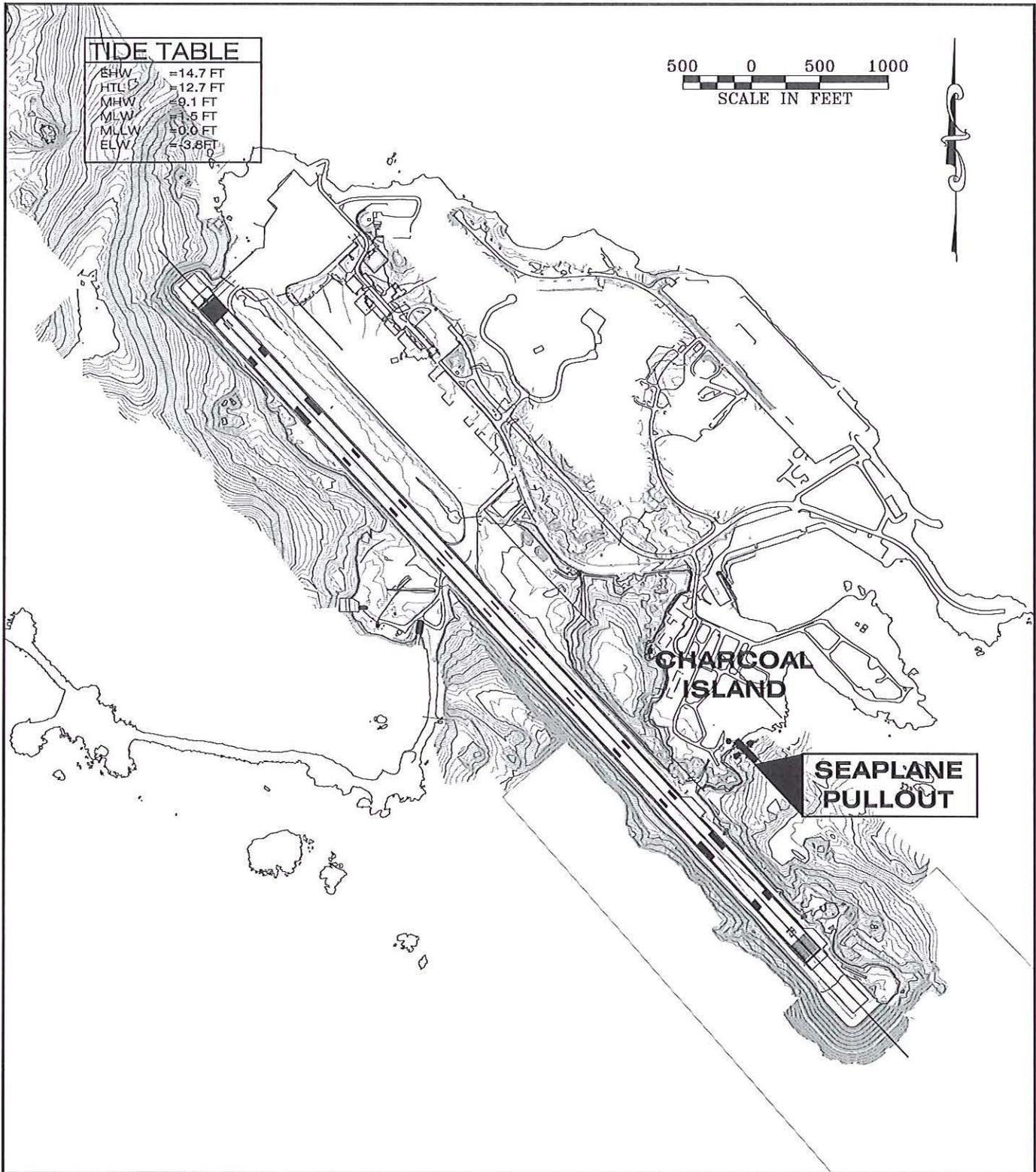


WATER BODIES:  
 SITKA SOUND  
 MIDDLE CHANNEL  
 MERMAID COVE

**SITKA ROCKY GUTIERREZ AIRPORT  
 RUNWAY OVERLAY  
 PROJECT NO. 69652**  
 ALASKA STATE DEPT. OF TRANSPORTATION  
 AND PUBLIC FACILITIES  
 DESIGN & ENGINEERING SERVICES DIVISION  
 SOUTHEAST REGION

**LOCATION DESCRIPTION**  
 AT: SITKA, ALASKA  
 LOCATED IN: TOWNSHIP 56S  
 RANGE 63E  
 SECTION 2  
 C.R.M.  
 LAT N 57.0449 °      LONG W 135.3528 °  
 DATE: OCTOBER 2012      SHEET 1 OF 6

FAGNANT, THOMAS D (DOT)

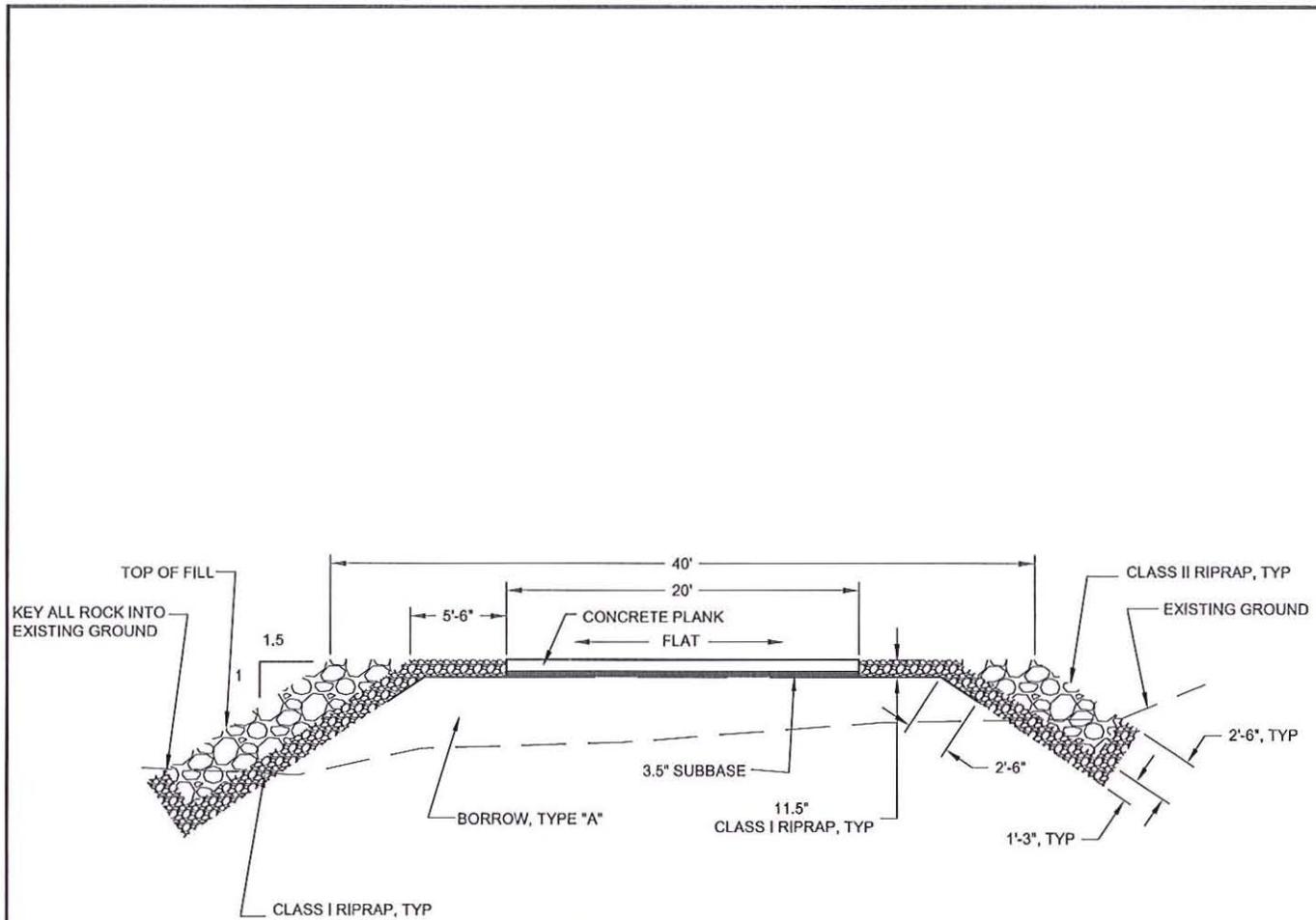


WATER BODIES:  
SITKA SOUND  
MIDDLE CHANNEL  
MERMAID COVE

**SITKA ROCKY GUTIERREZ AIRPORT  
RUNWAY OVERLAY - OVERVIEW  
PROJECT NO. 69652**  
ALASKA STATE DEPT. OF TRANSPORTATION  
AND PUBLIC FACILITIES  
DESIGN & ENGINEERING SERVICES DIVISION  
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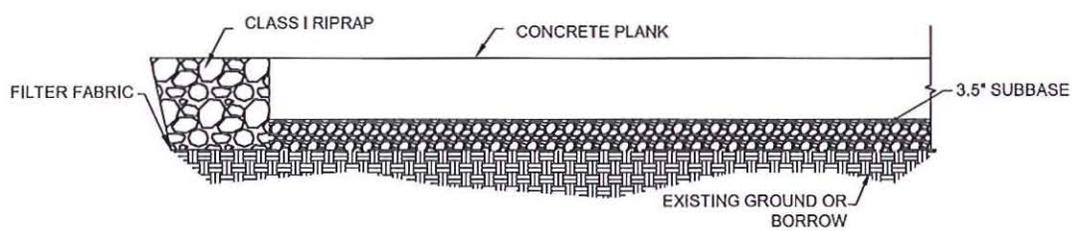
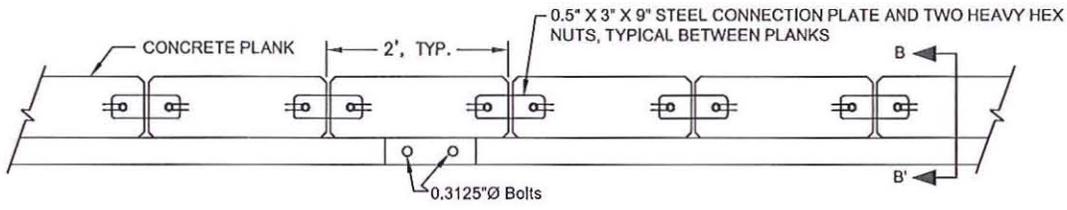
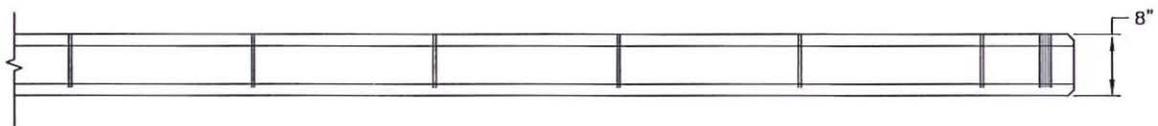
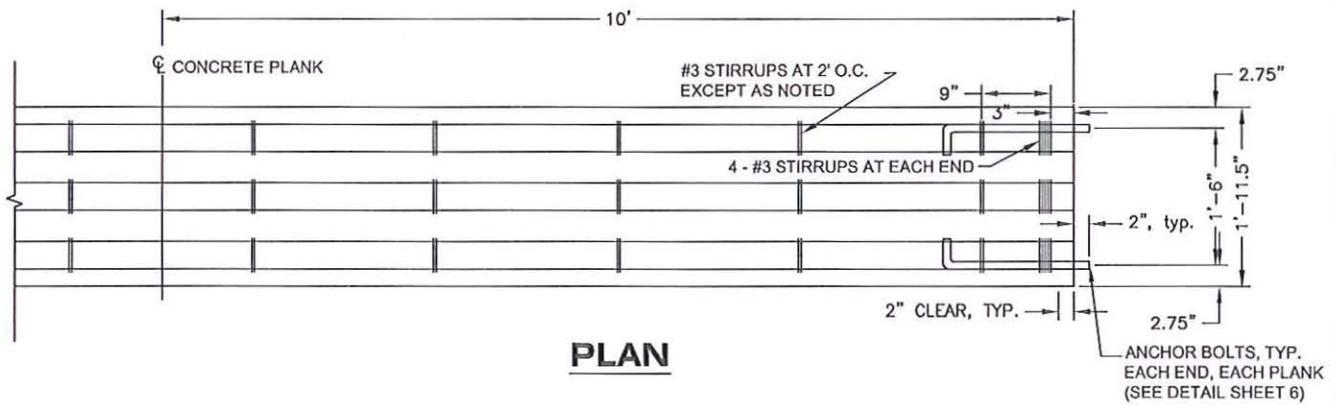




**SEAPLANE PULLOUT** (1)  
 \*S\* STA 0+00 to STA 2+00

<p><u>WATER BODIES:</u>                  SITKA SOUND                  MIDDLE CHANNEL                  MERMAID COVE</p>	<p><b>SITKA ROCKY GUTIERREZ AIRPORT                  RUNWAY OVERLAY- TYP. SECTIONS                  PROJECT NO. 69652</b>                  ALASKA STATE DEPT. OF TRANSPORTATION                  AND PUBLIC FACILITIES                  DESIGN &amp; ENGINEERING SERVICES DIVISION                  SOUTHEAST REGION</p>	<p><b>LOCATION DESCRIPTION</b>                  AT: SITKA, ALASKA                  LOCATED IN: TOWNSHIP 56S                  RANGE 63E                  SECTION 2                  C.R.M.                  LAT N 57.0449 °      LONG W 135.3528 °                  DATE: OCTOBER 2012      SHEET <u>4</u> OF <u>6</u></p>
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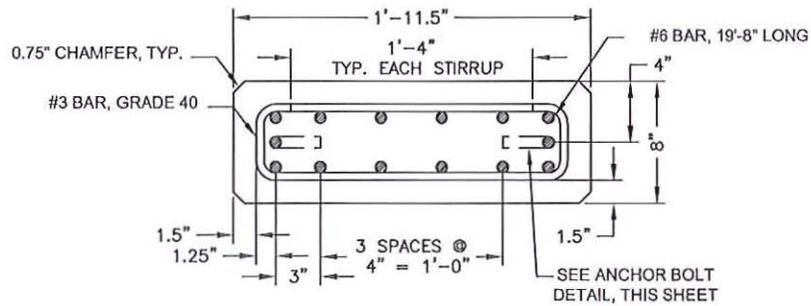


WATER BODIES:  
SITKA SOUND  
MIDDLE CHANNEL  
MERMAID COVE

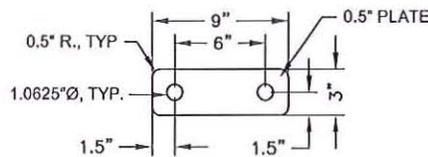
**SITKA ROCKY GUTIERREZ AIRPORT  
RUNWAY OVERLAY - MISC. DETAILS  
PROJECT NO. 69652**

ALASKA STATE DEPT. OF TRANSPORTATION  
AND PUBLIC FACILITIES  
DESIGN & ENGINEERING SERVICES DIVISION  
SOUTHEAST REGION

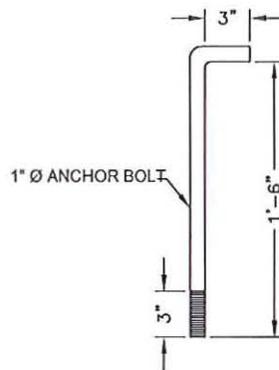
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DATE: OCTOBER 2012 SHEET 5 OF 6



**PLANK SECTION**



**CONNECTION PLATE DETAIL**



**ANCHOR BOLT DETAIL**

WATER BODIES:  
 SITKA SOUND  
 MIDDLE CHANNEL  
 MERMAID COVE

**SITKA ROCKY GUTIERREZ AIRPORT  
 RUNWAY OVERLAY- MISC DETAILS  
 PROJECT NO. 69652**  
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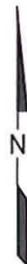
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# Mermaid Cove

Notes: Map prepared from ArcGIS basemap imagery.

## Legend

- Isolated eelgrass shoots
- Eelgrass



Sitka Pre-Construction Monitoring  
Sitka, AK

### *Mermaid Cove Eelgrass Mapping*

12710-03

12/10



Figure  
**1**