



US Army Corps  
of Engineers  
Alaska District

# Special Public Notice

ANCHORAGE  
Regulatory Division (1145)  
CEPOA-RD  
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JBER, Alaska 99506-0898

**PUBLIC NOTICE DATE:** February 24, 2015  
**EXPIRATION DATE:** March 24, 2015  
**REFERENCE NUMBER:** GP-1993-10-M4,  
GP-1993-11-M4,  
GP-1993-12-M4,  
GP-1993-13-M4 and  
GP-1993-14-M4

**WATERWAY NAME:** MULTIPLE WATERWAYS

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## **PROPOSED REISSUANCE OF ANCHORAGE GENERAL PERMITS (GPs) GP-1993-10-M4, GP-1993-11-M4, GP-1993-12-M4, GP-1993-13-M4 and GP-1993-14-M4**

Interested parties are hereby notified that the Alaska District Corps of Engineers (Alaska District), in accordance with Title 33 CFR 325.2(e)(2), as published in the Federal Register, Volume 51, Number 219, is soliciting comments on the modification and reissuance of the existing five General Permits (GPs) (GP-1993-10-M4, GP-1993-11-M4, GP-1993-12-M4, GP-1993-13-M4, GP-1993-14-M4) pursuant to Section 404 of the Clean Water Act (PL 95-217, 33 U.S.C. 1344) for the placement of fill material into specifically listed wetlands within the Municipality of Anchorage, which were designated "C" in the Anchorage Wetlands Management Plan (AWMP) Revision. GP-93-10-M4 is for residential fill pads, site preparation, and driveways; GP93-11-M4 is for roads and other linear developments; GP 93-12-M4 is for commercial, institutional, and community development and parking lots; GP 93-13-M4 is for industrial developments; and GP 93-14-M4 is for wetland, habitat, and water quality enhancement. These GPs were renewed with modifications on April 15, 2010, and expire on April 15, 2015.

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 Ms. Amanda Whittier at (907) 753-753-5582, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [Amanda.L.Whittier@usace.army.mil](mailto:Amanda.L.Whittier@usace.army.mil) if further information is desired concerning this notice.

**BACKGROUND:** The main change proposed in this revision is the addition of limitations on the amount of wetlands that can be impacted by a proposed project under GP-1993-10-M4, GP-1993-11-M4, GP-1993-12-M4 and GP-1993-13-M4. The current GPs are available for reference on the Alaska District website [www.poa.usace.army.mil/reg/default.htm](http://www.poa.usace.army.mil/reg/default.htm). The text of the proposed GPs is available on the Alaska District website [www.poa.usace.army.mil/reg/SPNNew.htm](http://www.poa.usace.army.mil/reg/SPNNew.htm).

**PROPOSED ACTIVITY:** Brief descriptions of the five GPs are below. For a complete description see the Draft GPs.

**GP 93-10-M4 (Residential Development):** Authorizes site preparation, such as mechanized land clearing, and other discharges of dredged or fill material for residential developments, including primary and attendant structures, driveways, garages, sheds, on-site utilities, and yards.

**GP 93-11-M4 (Linear Infrastructure Development):** Authorizes site preparation, such as mechanized land clearing, and other discharges of dredged or fill material for certain roads, as well as linear utility installations and associated attendant features.

GP 93-12-M4 (Commercial, Institutional and Community Development): Authorizes site preparation, such as mechanized land clearing, and other discharges of dredged or fill material for commercial, institutional and community developments, including parking areas.

GP 93-13-M4 (Industrial Development): Authorizes site preparation, such as mechanized land clearing, and other discharges of dredged or fill material for certain industrial and storage facilities and attendant features, such as offices, salesrooms and parking areas.

GP 93-14-M4 (Wetland Restoration and Enhancement): Authorizes site preparation and other discharges of dredged or fill material for wetland, habitat and water quality restoration or enhancement projects.

ACTIVITIES EXCLUDED FROM THIS GPs: These GPs do not apply to activities in marine or estuarine waters, streams, rivers, lakes, or ponds, "A" or "B" wetlands (as designated by the AWMP), nor to unmapped or undesignated wetlands not listed in Attachment A of these GPs.

GENERAL PERMIT BOUNDARY: These GPs only apply to the "C" wetlands listed in the AWMP and are listed in Attachment A of these GPs.

MITIGATION: None proposed. However, these GPs evaluate the need for mitigation on a case by case basis. Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

CUMULATIVE USE OF THESE GENERAL PERMITS: A preliminary review has been done of the distribution of GP verifications by watershed between April 1, 2010 and November 1, 2014: the acreages described are those that were permitted; the entire authorized acreage may not have been filled at this time.

GP 93-10-M3: Residential fill pads, site preparation, and driveways. Total: 14.344 acres

GP 93-11-M3: Roads and other linear developments. Total: 0.398-acre

GP 93-12-M3: Commercial, institutional, and community development. Total: 1.84 acres

GP 93-13-M3: Industrial developments. Total: 4.04 acres

GP 93-14-M3: Wetland, habitat, and water quality enhancement. Total: none

**TOTALS:**

Total # GPs: 32; Total Acreage: 20.622 acres

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The following is a breakdown by watersheds:

ANCHORAGE BOWL: Total 21 GPs, 17.10 acres.

Campbell Creek: 8 GPs, 14.01 total acres. Note: 3 were for use of residential GP 93-10-M3, 1 was for use of roads and linear developments GP 93-11-M3, 1 was for use of commercial/institutional GP 93-12-M3, and 3 were for use of industrial GP 93-13-M3

Little Campbell Creek: 3 GPs, 2.01 acres. Note: 2 were for use of residential GP 93-10-M3 and 1 was for use of commercial/institutional GP 93-12-M3

Fish Creek: 1 GP, 0.37-acre. Note: 1 was for use of roads and linear developments GP 93-11-M3

Furrow Creek: 4 GPs, 0.15-acre. Note: 2 were for use of residential GP 93-10-M3, 1 was for use of roads and linear developments GP 93-11-M3 and 1 was for use of commercial/institutional GP 93-12-M3

Hood Creek: 1 GP, 0.32-acre. Note: 1 was for use of residential GP 93-10-M3

Little Rabbit Creek: 3 GPs, 0.19-acre. Note: 2 were for use of residential GP-1993-10-M3 and 1 was for use of residential GP-1993-10-M3 and roads and linear developments GP-1993-11-M3

Little Survival Creek: 1 GP, 0.05-acre. Note: 1 was for use of residential GP-1993-10-M3  
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OUTSIDE ANCHORAGE BOWL:

EAGLE RIVER AREA: Total 2 GPs, 2.65 acres

Fire Creek: 2 GPs, 2.65 acres. Note: 1 was for use of residential GP-1993-10-M3 and 1 was for use of residential GP-1993-10-M3 and roads and linear developments GP-1993-11-M3  
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GIRDWOOD AREA: Total: 9 GPs, 0.87-acre

Glacier Creek: 9 GPs, 0.87-acre. Note: 7 were for use of residential GP-1993-10-M2, 1 was for use of roads and linear developments GP-1993-11-M3 and 1 was for use of commercial/institutional GP-1993-12-M3  
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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. The wetland units covered by the revised GPs do not include a registered or eligible property. 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.

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 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).

No EFH species are known to use class "C" wetlands. We have determined the described activity would not adversely affect EFH.

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 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).

  
for 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

ANCHORAGE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WQM/401 CERTIFICATION  
555 CORDOVA STREET  
ANCHORAGE, ALASKA 99501-2617  
PHONE: (907) 269-7564/FAX: (907) 334-2415

## 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. **GP-1993-10-M4, GP-1993-11-M4, GP-1993-12-M4, GP-1993-13-M4 and GP-1993-14-M4, Multiple Waterways**, 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.