



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

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

**PUBLIC NOTICE DATE:** August 27, 2008

**EXPIRATION DATE:** September 10, 2008

**REFERENCE NUMBER:** POA-2008-1156

**WATERWAY:** Grindall Bay

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 Steve Lindamood at (907) 753-2796, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Steve.D.Lindamood@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Jonathan Kemp, 8889 Stein Rd., Custer, Washington 98240.

AGENT: John Halterman, 417 W. 14<sup>th</sup> Ave., Spokane, Washington 99204;  
tel. (206) 419-6022.

LOCATION: The project site is located within Section 14, T. 74 S., R. 87 E., Copper River Meridian; USGS Quad Map Craig B-1; Latitude 55.456° N., Longitude -132.155° W.; Prince of Wales Island, Grindall Bay, near Kasaan, Alaska.

PURPOSE: The applicant's stated purpose is to construct a public dock to provide access to his property Grindall Bay Lodge.

PROPOSED WORK: The applicant proposes to construct an 8-foot wide by 2-foot deep concrete abutment above high tide line. A 6-foot wide by 80-foot long aluminum walkway ramp would connect to a 30-foot by 40-foot wooden floating structure to the concrete abutment. A small 8-foot by 30-foot wooden floating structure would connect to the previous float structure. A total of 4 steel pilings would be driven into place to support the primary float structure. A 225-foot long sewer outfall trench would be constructed. An 8-inch diameter HDPE pipe will be buried within the above trench to a minimum depth of 2-feet. The trench would be backfilled with excavated material and spread to match the grade of the adjacent ground surface. The total affected area of this entire project would be approximately 2000 square feet. The total amount of fill associated with this project would be less than 0.01-acre. All work would be performed in accordance with the enclosed plan (sheets 1-9), dated 8/19/2008.

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.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Division of Coastal and Ocean Management, Department of Natural Resources has concurred with the applicant's certification.

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 is an unevaluated property in the vicinity of the worksite. It has been designated CRG-0001. Because the property has been determined to be outside of the project area, no further action is required.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

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).

Preliminarily, the described activity may affect EFH in the project area. This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations 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 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, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, 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

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF COASTAL AND OCEAN MANAGEMENT

## JUNEAU

DIVISION OF COASTAL AND OCEAN MANAGEMENT  
POST OFFICE BOX 111030, MS 1030  
JUNEAU, ALASKA 99811-1030  
PHONE: (907) 465-3562/FAX: (907) 465-3075

NOTICE OF APPLICATION  
FOR  
CERTIFICATION OF CONSISTENCY WITH THE  
ALASKA COASTAL MANAGEMENT PROGRAM

Notice is hereby given that a request is being filed with the Division of Coastal and Ocean Management for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. POA-2008-1156, Grindall Bay, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Division of Coastal and Ocean Management (DCOM). For information about this consistency review, contact DCOM at the address or phone number above, or visit the ACMP web site at <http://www.alaskacoast.state.ak.us//Projects/projects.html>.

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# STATE OF ALASKA

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

## JUNEAU

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-2008-1156, Grindall Bay**, 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.

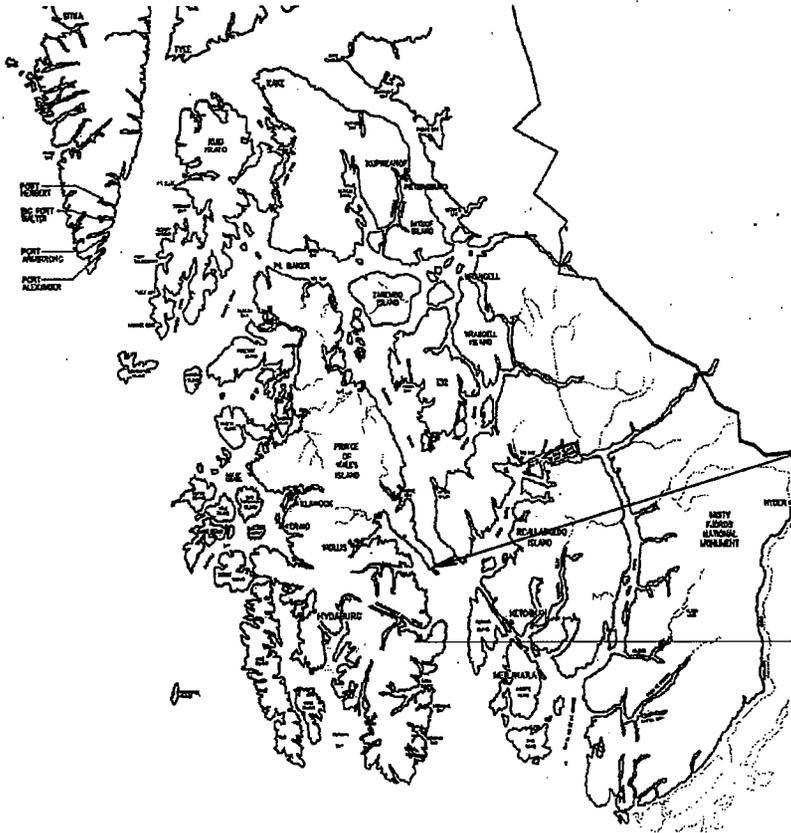
Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.

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GRAPHIC SCALE  
SCALE IN MILES, APPROX.

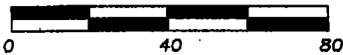


PROJECT SITE



PROJECT SITE

GRAPHIC SCALE  
SCALE IN MILES

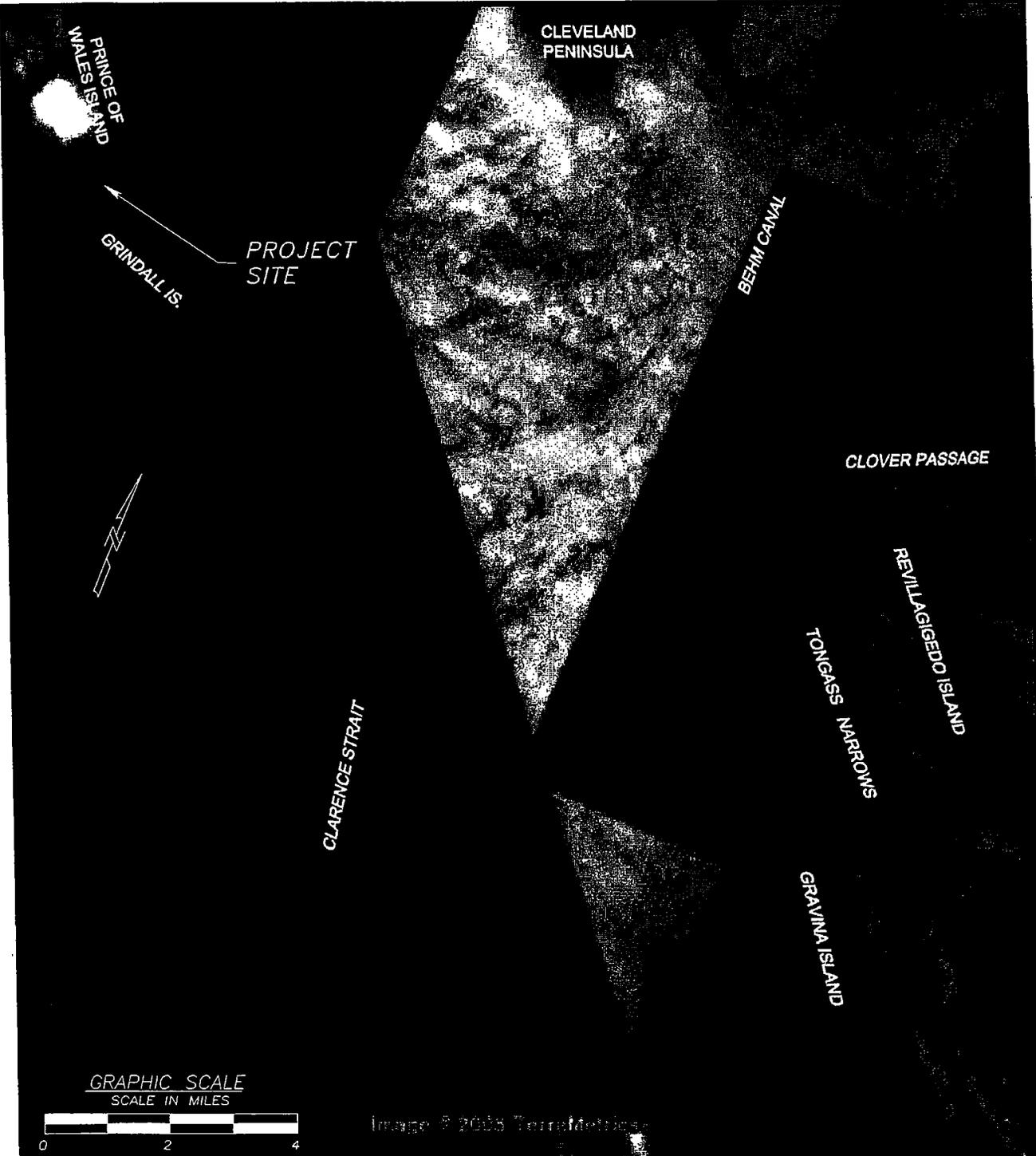


**VICINITY MAPS  
STATE AND REGIONAL**

APPLICATION BY:  
JONATHAN KEMP  
8889 STEIN ROAD  
CUSTER, WASHINGTON 98240

**GRINDALL BAY  
PROPERTY  
IMPROVEMENTS  
U.S.S. 275**

AT: PRINCE OF WALES ISLAND  
NEAR KETCHIKAN, AK  
LOCATED IN: T.74S., R.87E., SEC. 14&15  
DATE: 8-19-08 SHEET **1** OF **9**



GRAPHIC SCALE  
SCALE IN MILES



Image © 2005 TerraMetrics

**NOTE:**  
MAP IMAGING TAKEN FROM  
GOOGLE EARTH SOFTWARE

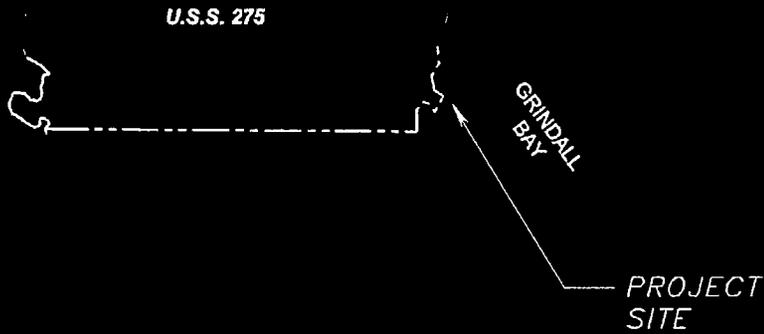
**VICINITY MAP  
SURROUNDING AREA**

APPLICATION BY:  
JONATHAN KEMP  
8889 STEIN ROAD  
CUSTER, WASHINGTON 98240

**GRINDALL BAY  
PROPERTY  
IMPROVEMENTS  
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DATE: 8-19-08 SHEET **2** OF **9**

KASAAN PENINSULA  
(PRINCE OF WALES ISLAND)



KASAAN BAY

GRINDALL ISLAND

GRAPHIC SCALE  
SCALE IN FEET



**NOTE:**  
MAP IMAGING TAKEN FROM  
GOOGLE EARTH SOFTWARE

**VICINITY MAP  
NEIGHBORHOOD**

**APPLICATION BY:**  
JONATHAN KEMP  
8889 STEIN ROAD  
CUSTER, WASHINGTON 98240

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## PROJECT DATA

LOT AREA

3,341,013 SQ. FT.  
76.70 ACRES

### PROPOSED STRUCTURES

LARGE FLOAT - PRESSURE-TREATED WOOD FRAMING AND DECKING; HDPE FLOATS	1,200 SQ. FT.
SMALL FLOAT - PRESSURE-TREATED WOOD FRAMING AND DECKING; HDPE FLOATS	240 SQ. FT.
ALUMINUM-FRAMED WALKWAY	480 SQ. FT.
16-INCH DIAMETER GALVANIZED STEEL PIPE PILES	4
8-INCH DIAMETER HDPE SEWER OUTFALL PIPE	225 FT.

NOTE: WALKWAY ABUTMENT IS ABOVE THE HIGH TIDE LINE (ELEV. 19.2') AND OUT OF CORPS OF ENGINEERS' JURISDICTION.

## SHEET INDEX

SHEET 1 STATE AND REGIONAL VICINITY MAPS  
SHEET 2 VICINITY MAP - SURROUNDING AREA 1" = 2 MILES  
SHEET 3 VICINITY MAP - NEIGHBORHOOD 1" = 1000 FEET  
SHEET 4 PROJECT DATA AND QUANTITIES  
SHEET 5 SITE PLAN-ENTIRE PROPERTY AT 400-SCALE  
SHEET 6 SITE DETAIL-WATERFRONT DEVELOPMENT AREA AT 40-SCALE  
SHEET 7 SECTION A-A

## PROPERTY OWNERSHIP

### NOTES:

1. ALL PROPERTY ADJACENT THE SUBJECT PROPERTY IS OWNED BY THE STATE OF ALASKA.
2. THE OWNER'S CONTACT FOR THE ADJACENT PROPERTY IS ALASKA DEPARTMENT OF NATURAL RESOURCES, DIVISION OF MINING, LAND AND WATER, 400 WILLOUGHBY AVENUE, SUITE 500, PO BOX 111021, JUNEAU, ALASKA, 99801.
2. THE SUBJECT PROPERTY IS WITHIN THE UNORGANIZED BOROUGH, SO THERE IS NO LOCAL PLANNING OR ZONING AUTHORITY

## NOTES

### NOTES:

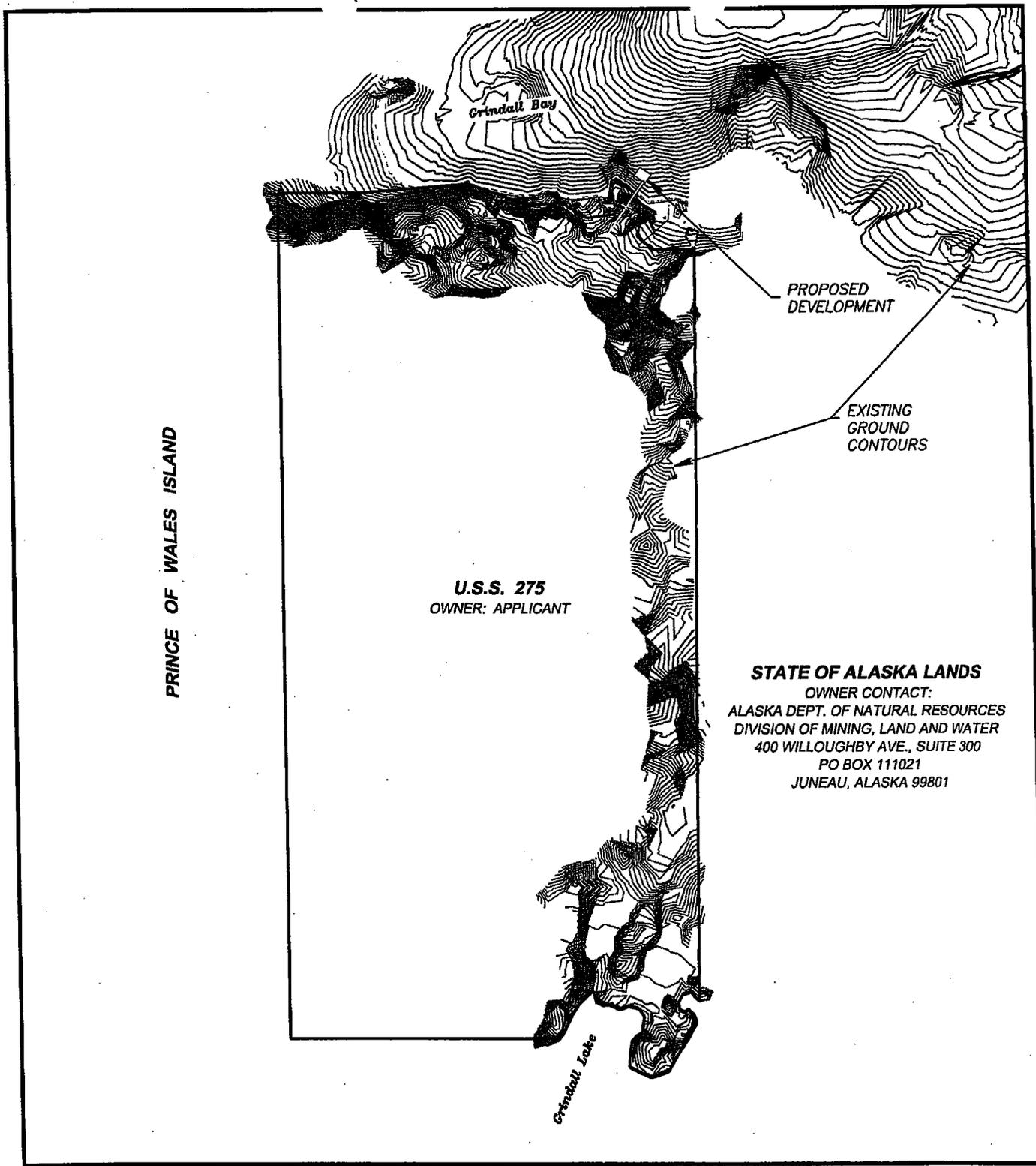
1. WASTEWATER OUTFALL IS TO BE BURIED TWO FEET DEEP ALONG ITS INTERTIDAL ALIGNMENT. NO ADDITIONAL FILL SHALL BE USED IN BACKFILLING TRENCH FOR OUTFALL PLACEMENT. MATERIAL EXCAVATED FOR TRENCH ALIGNMENT SHALL BE PUT BACK IN THE TRENCH ALIGNMENT AND SPREAD TO MATCH THE GRADE OF THE ADJACENT GROUND SURFACE.

## **PROJECT DATA AND QUANTITIES**

APPLICATION BY:  
JONATHAN KEMP  
8889 STEIN ROAD  
CUSTER, WASHINGTON 98240

## **GRINDALL BAY PROPERTY IMPROVEMENTS U.S.S. 275**

AT: PRINCE OF WALES ISLAND  
NEAR KETCHIKAN, AK  
LOCATED IN: T.74S., R.87E., SEC. 14&15  
DATE: 8-19-08 SHEET 4 OF 9

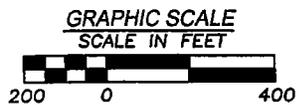


PRINCE OF WALES ISLAND

**U.S.S. 275**  
OWNER: APPLICANT

**STATE OF ALASKA LANDS**  
OWNER CONTACT:  
ALASKA DEPT. OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER  
400 WILLOUGHBY AVE., SUITE 300  
PO BOX 111021  
JUNEAU, ALASKA 99801

**NOTE:**  
TOPOGRAPHIC DATA TAKEN  
FROM 2002 R&M ENGRG  
-KTN., INC. SURVEY

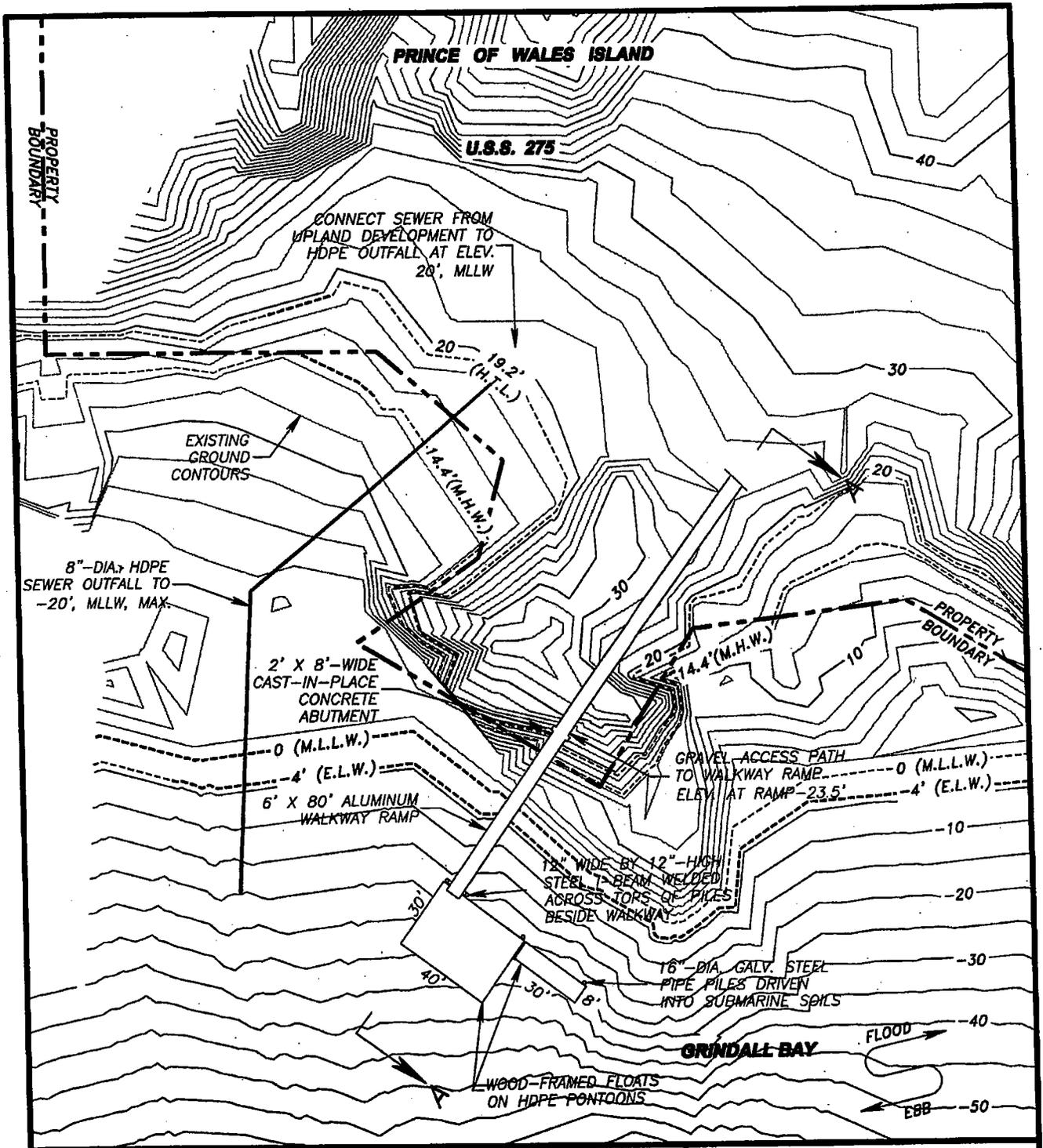


**PROPERTY SITE  
PLAN**

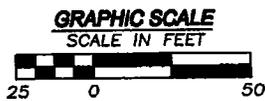
APPLICATION BY:  
JONATHAN KEMP  
8889 STEIN ROAD  
CUSTER, WASHINGTON 98240

**GRINDALL BAY  
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IMPROVEMENTS  
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AT: PRINCE OF WALES ISLAND  
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DATE: 8-19-08 SHEET **5** OF **9**



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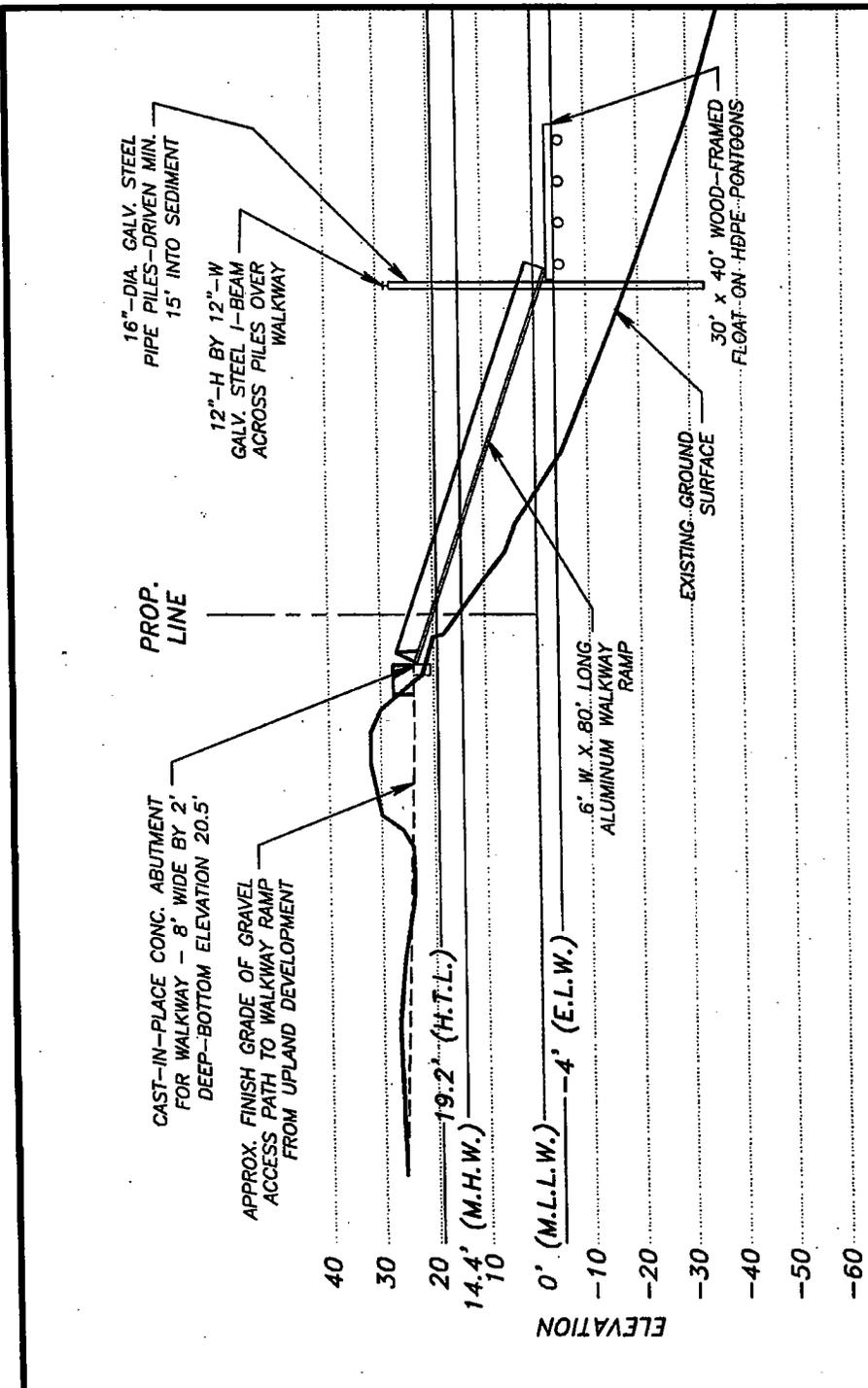


**SITE DETAIL**

APPLICATION BY:  
 JONATHAN KEMP  
 8889 STEIN ROAD  
 CUSTER, WASHINGTON 98240

**GRINDALL BAY  
 PROPERTY  
 IMPROVEMENTS  
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 DATE: 8-19-08 SHEET **6** OF **9**



**SECTION A-A**



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 -KTN., INC. SURVEY

**SECTION A-A**

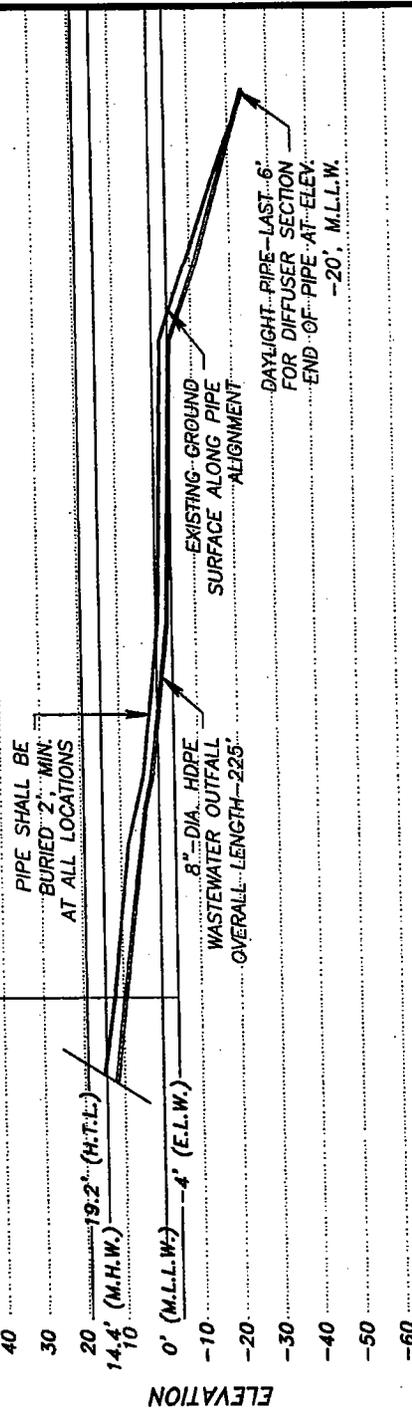
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PIPE BEND

PROP. LINE



**PROFILE ALONG WASTEWATER  
OUTFALL ALIGNMENT**



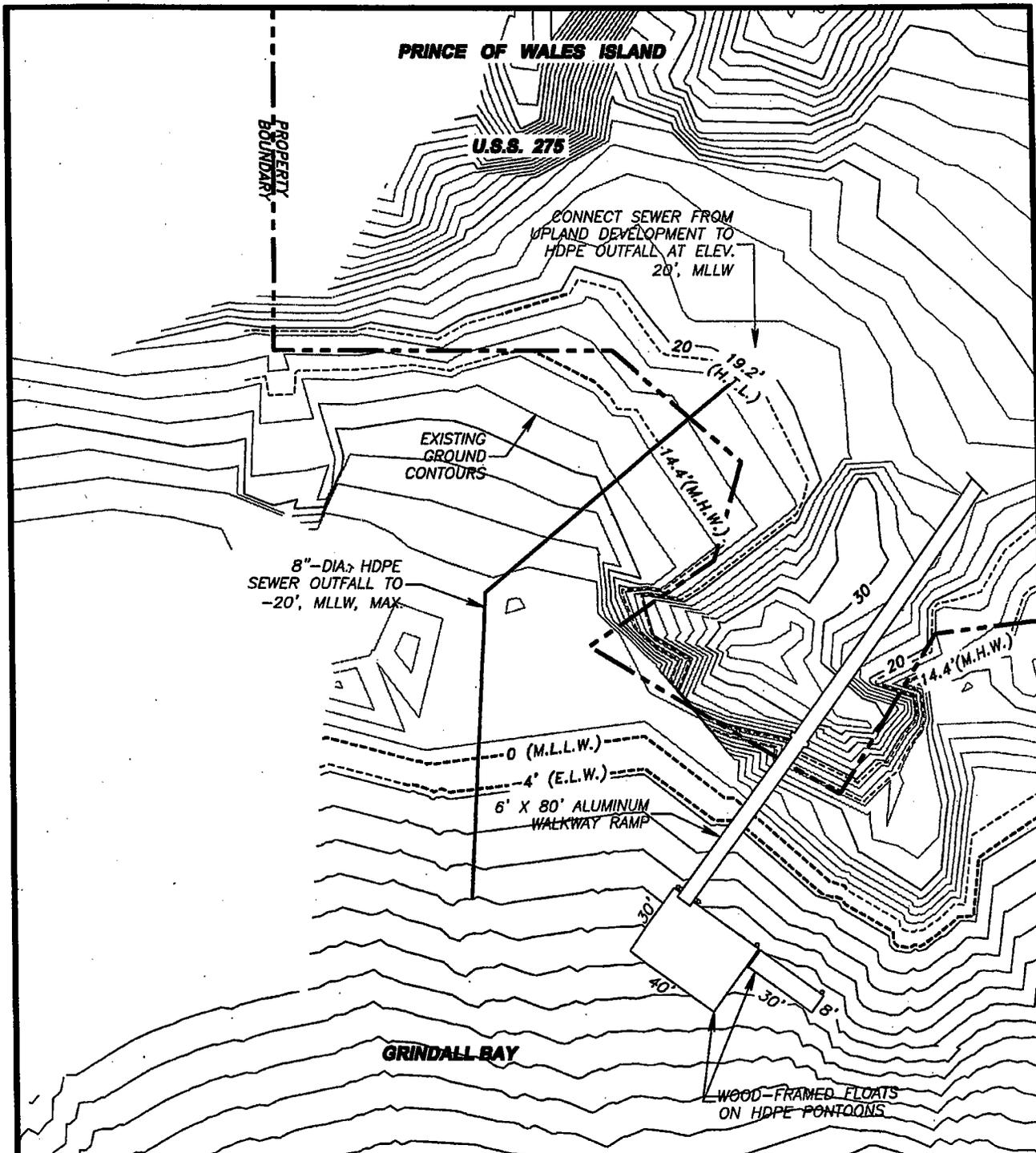
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**PROFILE ALONG  
WASTEWATER  
OUTFALL  
ALIGNMENT**

APPLICATION BY:  
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 -KTN., INC. SURVEY



**WASTEWATER  
 OUTFALL  
 SITE DETAIL**

APPLICATION BY:  
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