US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

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

PUBLIC NOTICE DATE:	**DECEMBER 16, 2008**
EXPIRATION DATE:	**JANUARY 15, 2009**
REFERENCE NUMBER:	**POA-2006-1811-M1**
WATERWAY:	**AUKE LAKE**

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 Richard G. Jackson at (907) 753-5646, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Richard.G.Jackson@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Ms. Michelle Elfers, City and Borough of Juneau, 155 South Seward Street, Juneau, Alaska 99801

AGENT: Mr. Dick Somerville, PND Engineers, Inc., 9360 Glacier Highway, Suite 100, Juneau, Alaska 99801

LOCATION: The project site is located within Section 23, T. 40 S., R. 65 E. Copper River Meridian, USGS Quadrangle Map Juneau B-2 NW, Latitude 58.382,550° N, Longitude 134.632,382° W; at the Auke Lake Wayside just south of Fritz Cove Road on Glacier Highway, in Juneau, Alaska.

PURPOSE: The applicant's stated purpose is "to construct a boat launch ramp facility with staging, maneuvering, and parking space to provide the residents of Juneau with additional Auke Lake access.

PROPOSED WORK: The applicant proposes to place fill into waters of the United States in conjunction with constructing a boat launch ramp. The total amount of fill would be approximately 1230 cubic yards, including 700 cubic yards of clean shot rock fill, 300 cubic yards of rip rap, 100 cubic yards of base course, grading A, and 130 cubic yards of precast concrete ramp planks. The fill would cover approximately 0.11 acres below the ordinary high water mark. All work would be performed in accordance with the enclosed plans (Sheets 1 of 1 dated 12/10/07 and sheets 1-2 of 2 dated 11/21/2008).

ADDITIONAL INFORMATION: Please contact Mr. Dick Somerville, P.E., authorized agent, PND Engineers, Incorporated, 9360 Glacier Highway Suite 100, Juneau, Alaska 899801; or at (907) 586-2093; or by email at dsomerville@pndengineers.com.

MITIGATION: The applicant has submitted a proposed mitigation statement enclosed here (Sheets 1-7 of 7 dated 12/04/2008).

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 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.

Preliminarily, the described activity may affect threatened or endangered species, or modify their designated 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.

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 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).

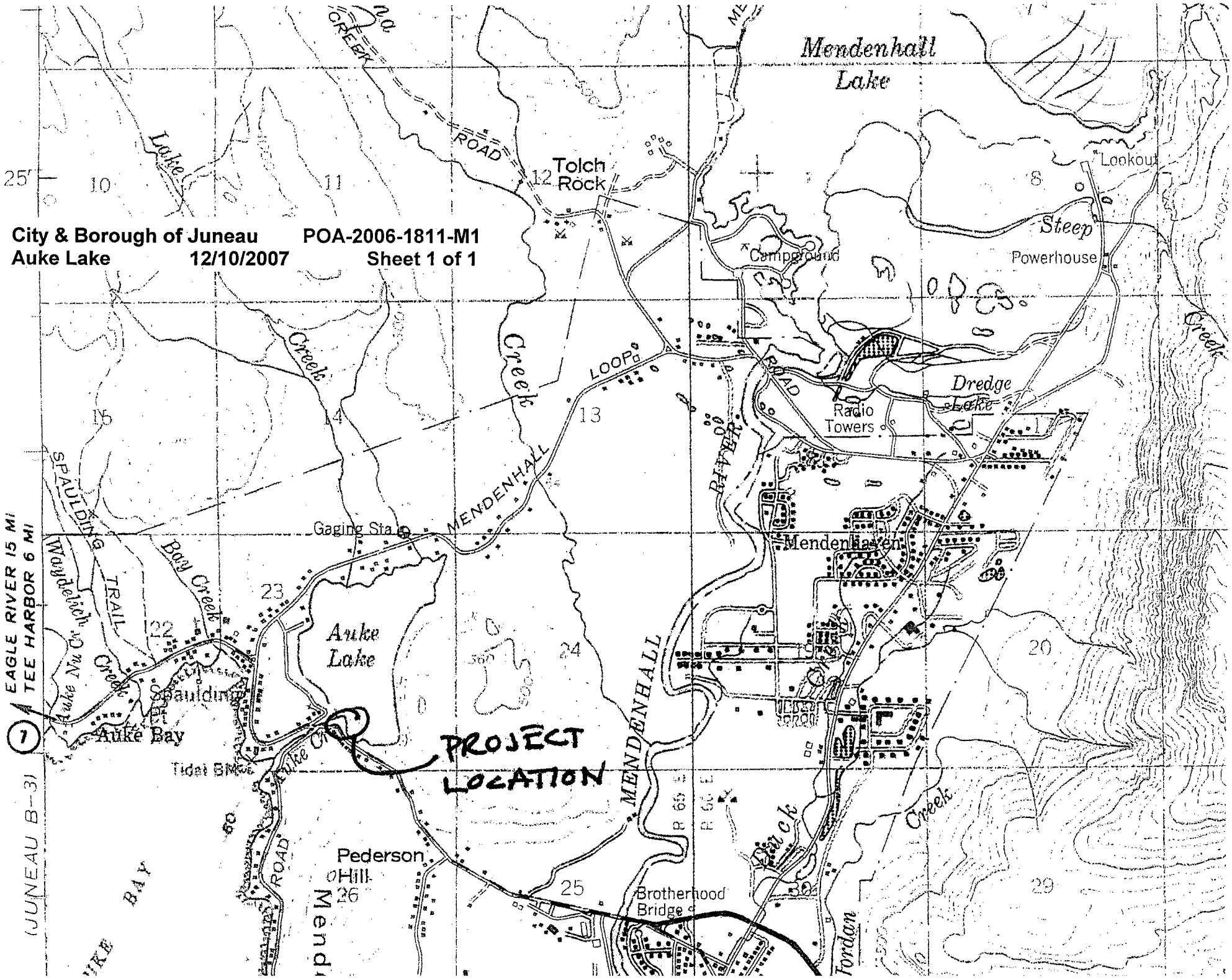
1413). Therefore, our public interest review will consider the criteria established under authority of Section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972, as amended (40 CFR Parts 220 to 229), as appropriate.

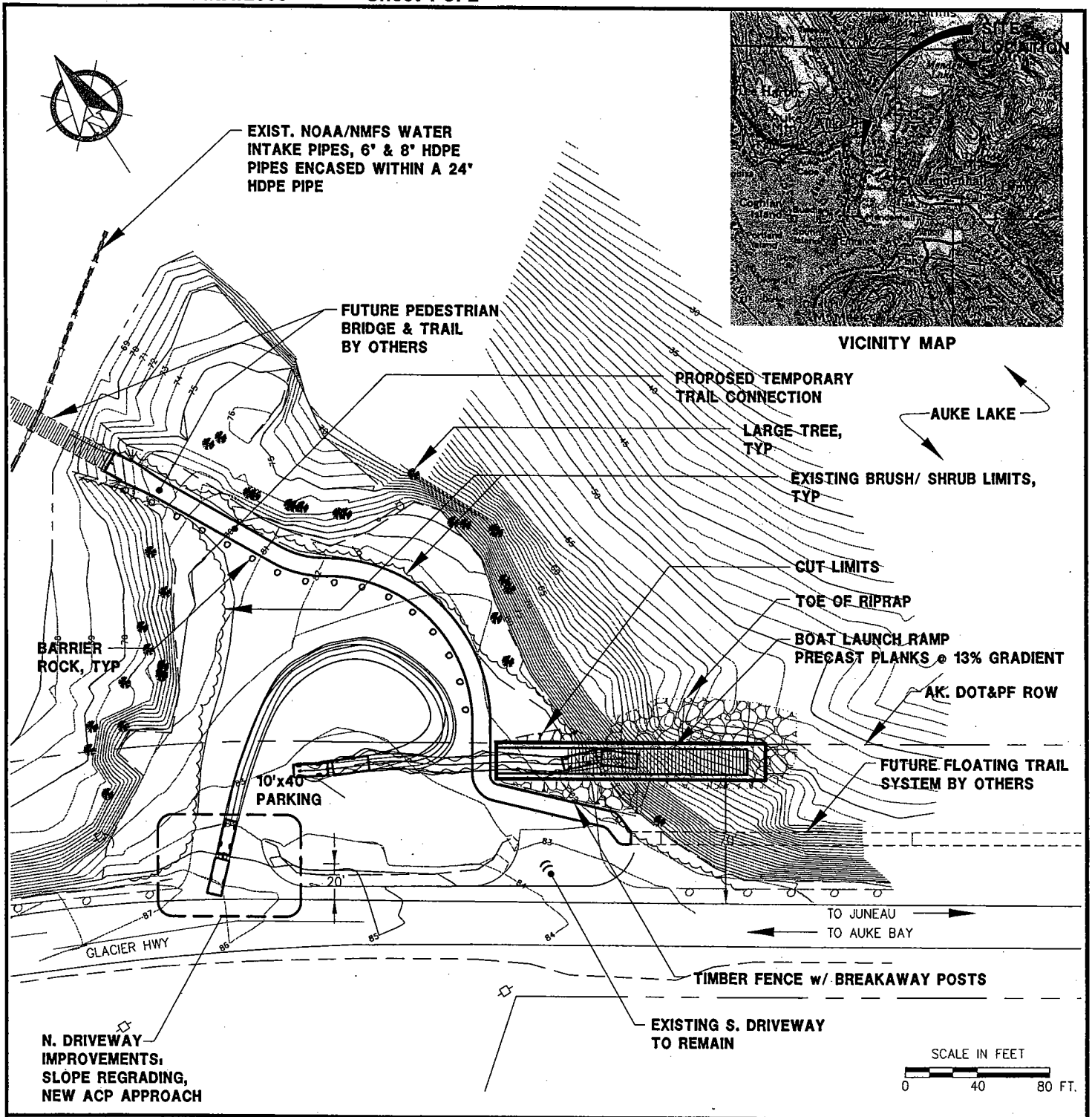
Project drawings, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures

City & Borough of Juneau **POA-2006-1811-M1**
Auke Lake **12/10/2007** **Sheet 1 of 1**





PURPOSE:

TO CONSTRUCT A BOAT LAUNCH FACILITY WITH STAGING, MANEUVERING, AND PARKING SPACE TO PROVIDE THE RESIDENTS OF JUNEAU WITH ADDITIONAL AUKE LAKE ACCESS.

SITE PLAN

CITY & BOROUGH OF JUNEAU
155 SOUTH SEWARD ST.
JUNEAU, AK 99801
PN&D PROJECT NO. 072065.01

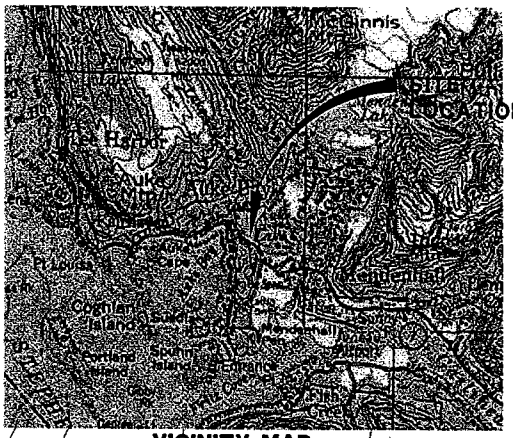
AUKE LAKE WAYSIDE BOAT LAUNCH RAMP

IN: AUKE LAKE
NEAR: AUKE LAKE WAYSIDE
AT: JUNEAU, ALASKA
BY: CITY AND BOROUGH OF JUNEAU

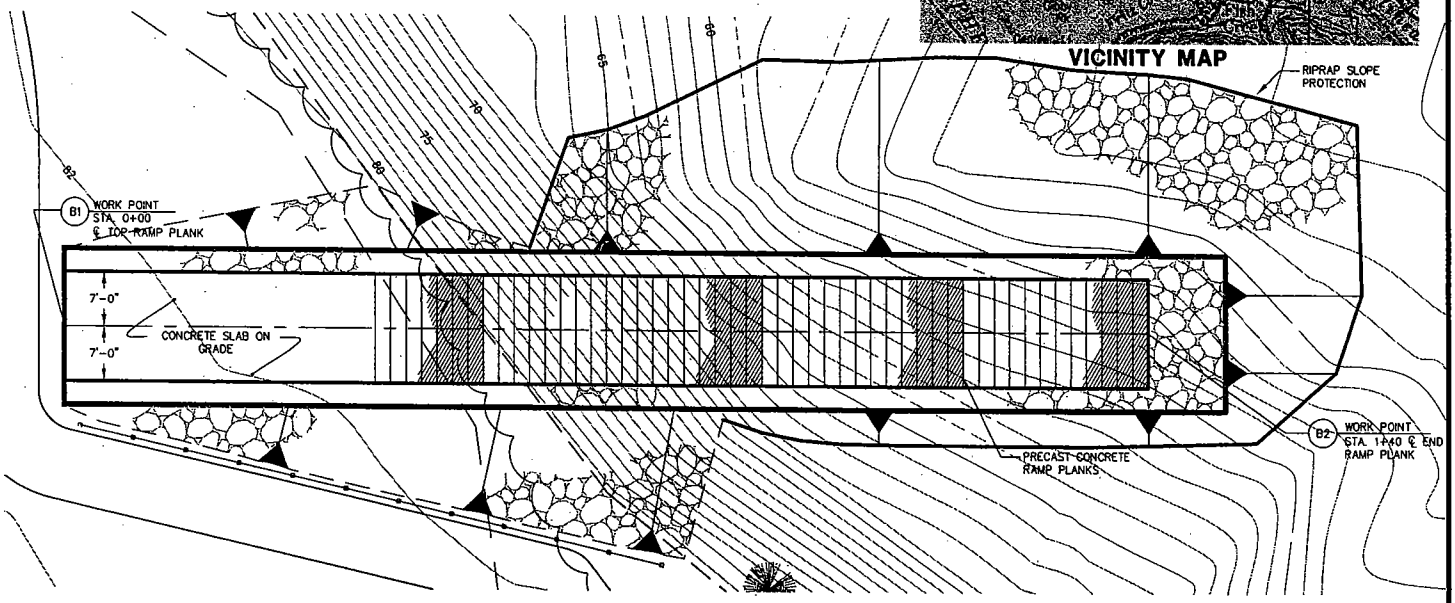
NOVEMBER 21, 2008 SHEET 1 of 2

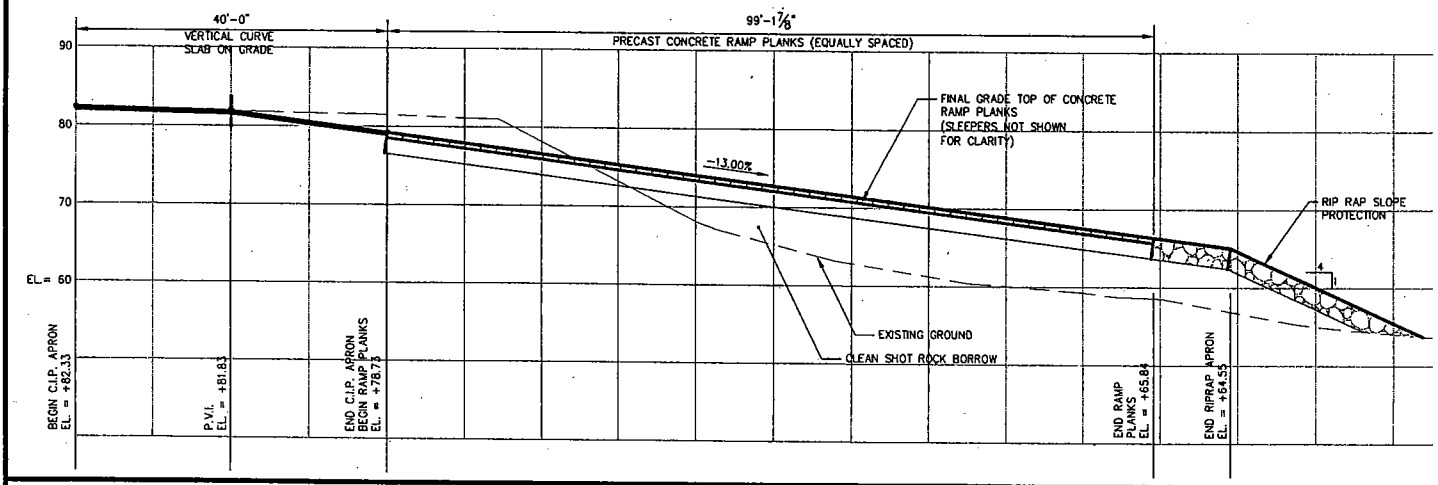
SUMMARY OF APPROXIMATE QUANTITIES

BOAT LAUNCH RAMP		
FILL QUANTITY:		
CLEAN SHOT ROCK FILL	700	CY
RIPRAP	300	CY
BASE COURSE, GRADING A	100	CY
CONCRETE RAMP PLANKS	130	CY
FILTER CLOTH, TYPE B	1000	SY
FILL AREA:	0.11	AC



VICINITY MAP





PURPOSE:

TO CONSTRUCT A BOAT LAUNCH FACILITY WITH STAGING, MANEUVERING, AND PARKING SPACE TO PROVIDE THE RESIDENTS OF JUNEAU WITH ADDITIONAL AUKE LAKE ACCESS.

BOAT LAUNCH RAMP
PLAN AND PROFILE

CITY & BOROUGH OF JUNEAU
155 SOUTH SEWARD ST.
JUNEAU, AK 99801
PN&D PROJECT NO. 072065.01

AUKE LAKE WAYSIDE BOAT LAUNCH RAMP

IN: AUKE LAKE
NEAR: AUKE LAKE WAYSIDE
AT: JUNEAU, ALASKA
BY: CITY AND BOROUGH OF JUNEAU

NOVEMBER 21, 2008 SHEET 2 of 2

City and Borough of Juneau Proposed Mitigation Statements
Auke Lake Boat Launch Ramp, POA-2006-1811-M1, Auke Lake

1. Avoidance of impacts to waters of the U.S., including wetlands:

The City and Borough of Juneau (CBJ) has undertaken a project to replace the existing boat launch ramp at the Auke Lake Wayside on Glacier Highway. The project aims to improve small scale recreational access to the lake and to alleviate habitat concerns from the existing boat launch ramp into sensitive areas of Auke Creek. Currently, boats are launched from the parking area to the northwest, down a steep dirt and gravel slope into the mouth of Auke Creek. Vehicles carry sediment with them down the ramp into the creek and wake action from the boats disturbs the creek banks. This disturbance affects a critical migration zone for fish habitat in Auke Creek. Returning salmon migrate through this area to spawn in Auke Lake and fry move from the lake into the creek in this area. This project proposes improving access by prohibiting boat launching into Auke Creek and constructing a new launch ramp using rip rap and concrete with a concrete plank surfacing from the parking lot to the southeast of the wayside into Auke Lake, as far from the creek as possible.

The CBJ began the planning process for this project with a site selection analysis. The table below shows the various factors considered in the process. The attached plans show the four concepts.

Comparison Matrix - Auke Lake Wayside Launch Ramp Design Concepts			
	Criteria #1 Compatibility with Auke Lake Wayside Master Plan	**Criteria #2** Potential Environmental Impact	**Criteria #3** Construction Cost
Concept #1 Ramp as shown on the Auke Lake Wayside Master Plan	**High**	**High** -Requires placement of 2,600 CU YD of fill -Ramp far from sensitive creek area	**Moderate/ High** $246,359
Concept #2 Ramp pulled into upland area, similar to Master Plan	**Moderate** - Reduction of usable upland area - Trail is rerouted away from shoreline - Parking is impacted in SE corner of the wayside - Additional upland area used for ramp turning maneuver	**Low** -Requires placement of 730 CU YD of fill -Low amounts of vegetation to be removed from site -Ramp far from sensitive creek area	**Low** $193,545
Concept #3 Ramp along east shore of the Wayside	**Low** - Impact to view shed - Loss of existing shoreline - Trail is rerouted away from shoreline and has greater interface with ramp turning maneuver	**Moderate/ High** -Requires placement of 1,650 CU YD of fill -Requires removing large amounts of vegetation and trees -Ramp close to sensitive creek area	**Moderate** $217,264

1997 Permit Site Ramp from north shore of the Wayside	**Low** - Reduction of usable upland area - Impact to view shed - Additional upland area used for ramp turning maneuver	**Moderate** - Fill estimate not available - Ramp close to sensitive creek area	**Unknown**

Based on this analysis, the CBJ proposes constructing option #2. The site selection process avoids impacts to the waterbodies to the maximum extent practicable by terminating use of the existing ramp that is eroding into sensitive fish habitat and replacing it with a concrete and riprap structure that is located farther from the creek mouth.

2. Minimization of unavoidable impacts to waters of the U.S., including wetlands:

By selecting option two, the environmental impacts to the lake by a boat launch ramp are minimized. This option removes the least amount of vegetation and requires less fill than other options. The ramp is located as far from the sensitive fish habitat as possible. Additionally, the use of rip rap and concrete to construct the ramp will minimize sediment runoff into the lake.

The CBJ is prepared to schedule construction work as requested by the agencies to minimize impact to fish and other aquatic life.

3. Compensation for unavoidable impacts to waters of the U.S., including wetlands:

The CBJ proposes performing compensatory mitigation through the permittee-responsible mechanism. The Auke Lake Wayside site is an ideal location to perform mitigation as it will improve the affected waterbody.

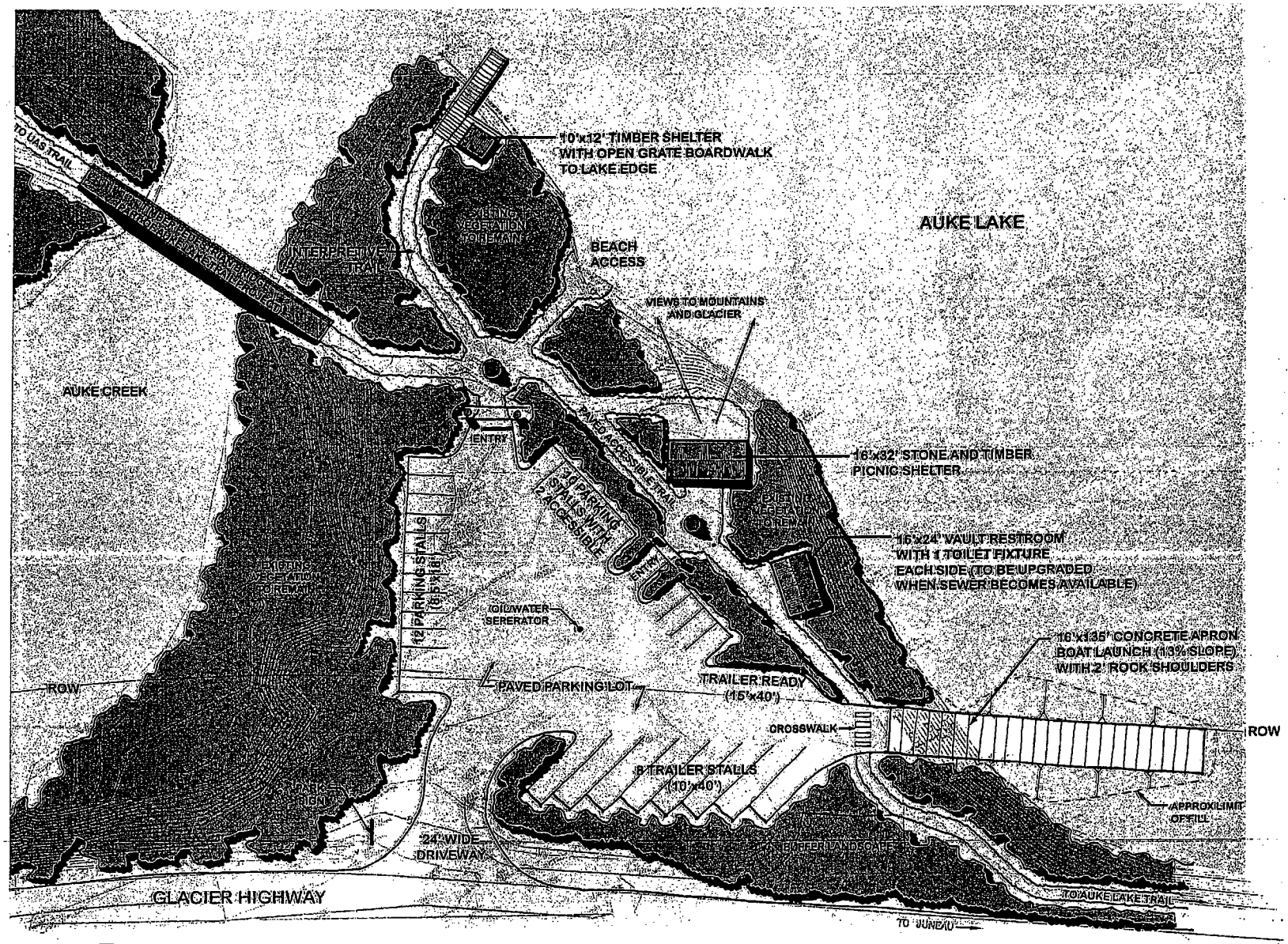
Upon closing the existing dirt and gravel launch ramp into Auke Creek, an erosive slope into Auke Creek will still remain. The CBJ proposes prohibiting vehicular access to this slope and stabilizing the slope to restore the riparian edge of the creek. Boulders will be placed at the top of the slope and the upland portions of the slope will be planted with spruce, willow and alder in organic topsoil imported from other sites in Juneau. Where topography allows, the base of the slope at the creek's edge will be planted with wetland emergent plants. Plugs will be sourced from downstream populations to maintain native gene stocks.

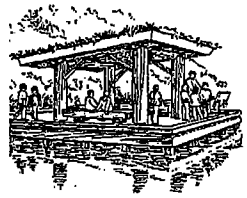
Additionally, slopes adjacent to the launch ramp that are disturbed during construction will be stabilized by hydroseeding with native seed and planting spruce, willow and alder where topography permits. The CBJ will also evaluate the riparian edge along the wayside for damage from recreational use and replant and revegetate with native plants as needed.

Proposed Mitigation Statement Prepared by:

Michele Elfers 12/3/08

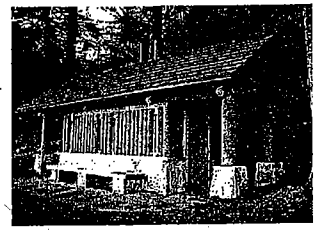
Michele Elfers, Project Manager, City and Borough of Juneau Date





TIMBER SHELTER
AND BOARDWALK

STONE AND TIMBER
PICNIC SHELTER



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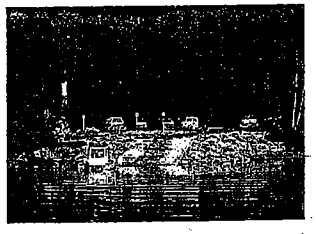

BOAT LAUNCH

AUKE LAKE WAYSIDE CONCEPTUAL MASTER PLAN

CITY AND BOROUGH OF JUNEAU

JANUARY 18, 2007

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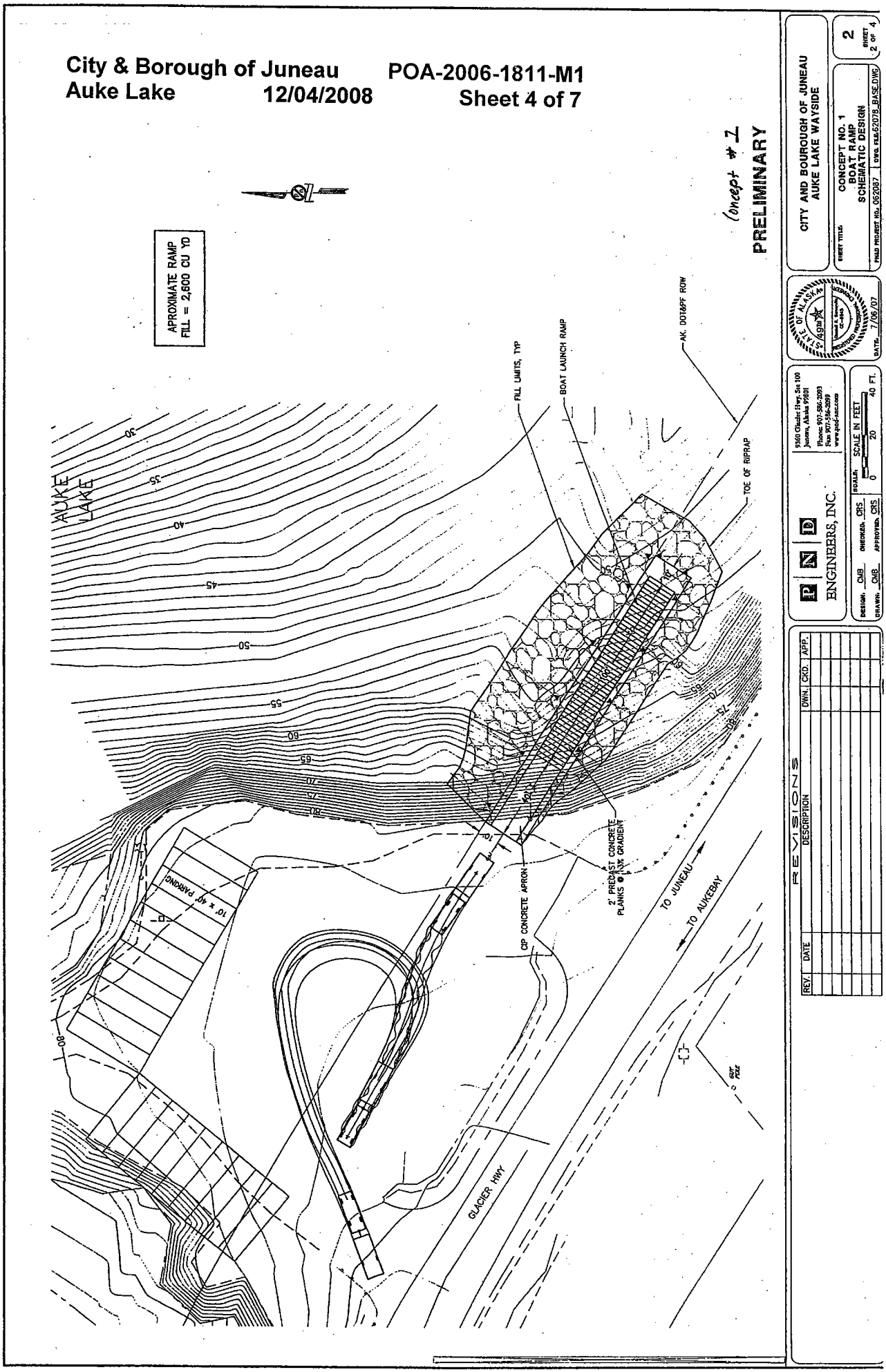
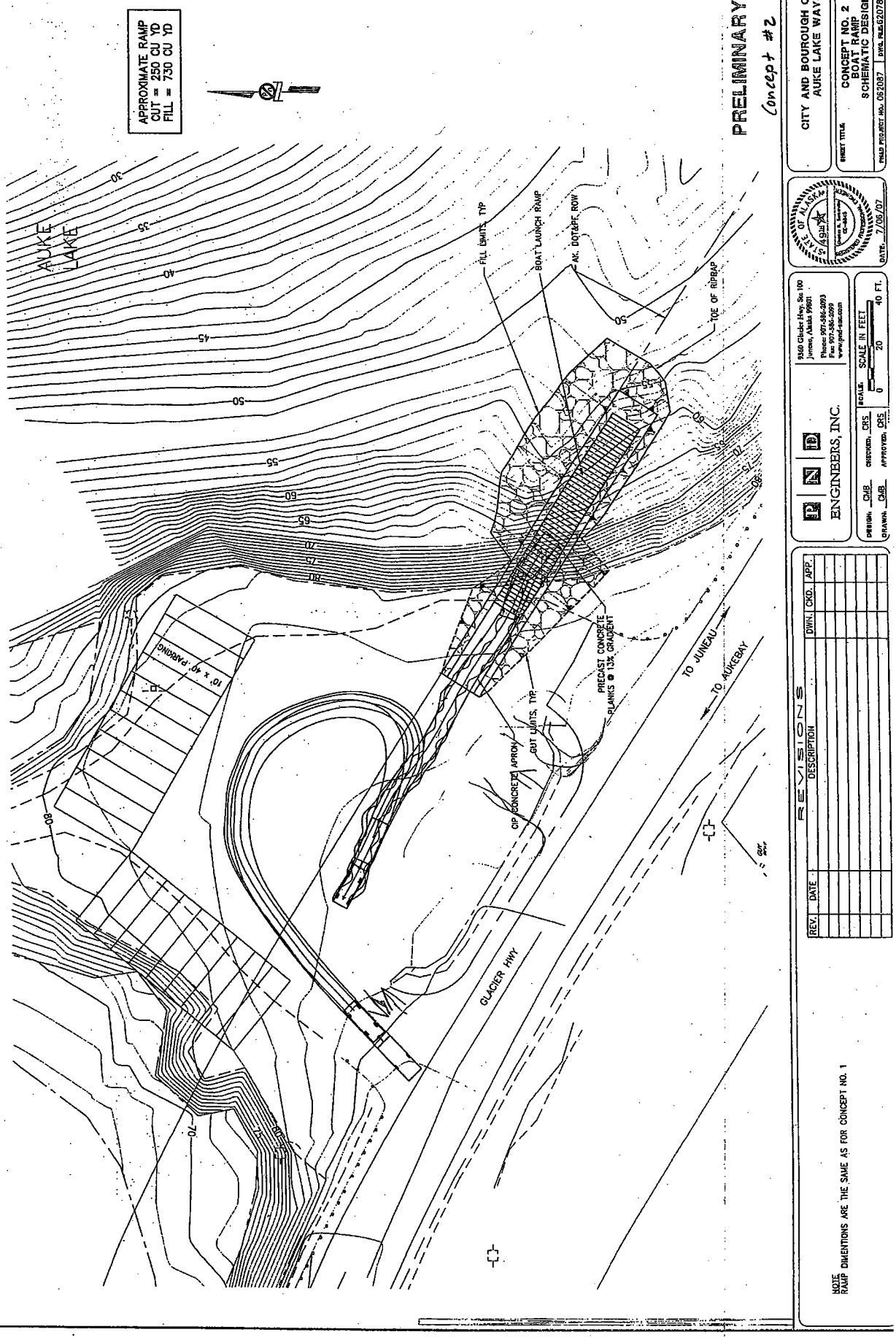
Jensen Yorba Lott Inc

City & Borough of Juneau POA-2006-1811-M1
Auke Lake 12/04/2008 Sheet 3 of 7

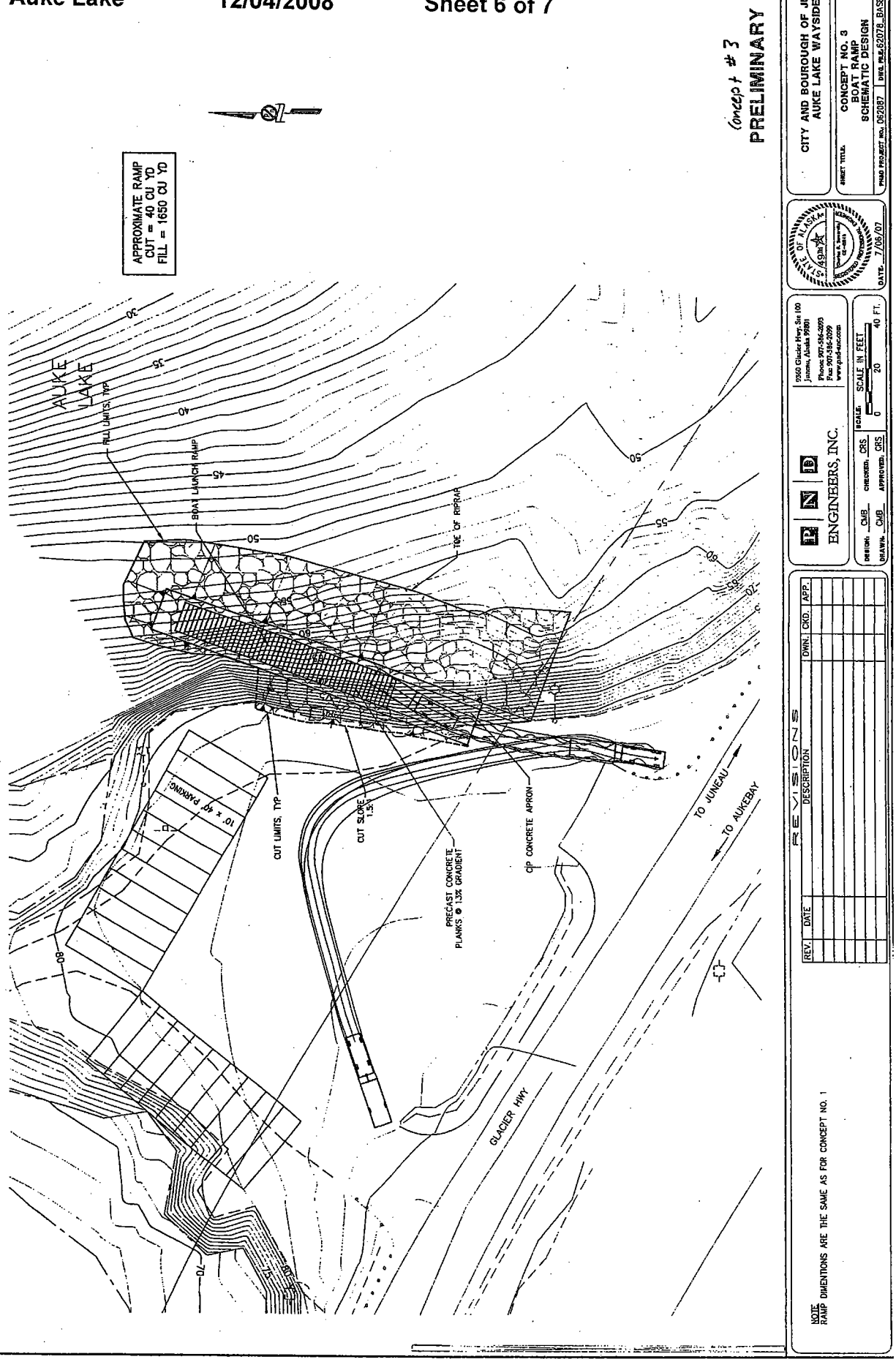
City & Borough of Juneau POA-2006-1811-M1
Auke Lake 12/04/2008 Sheet 4 of 7



City & Borough of Juneau POA-2006-1811-M1
Auke Lake 12/04/2008 Sheet 5 of 7

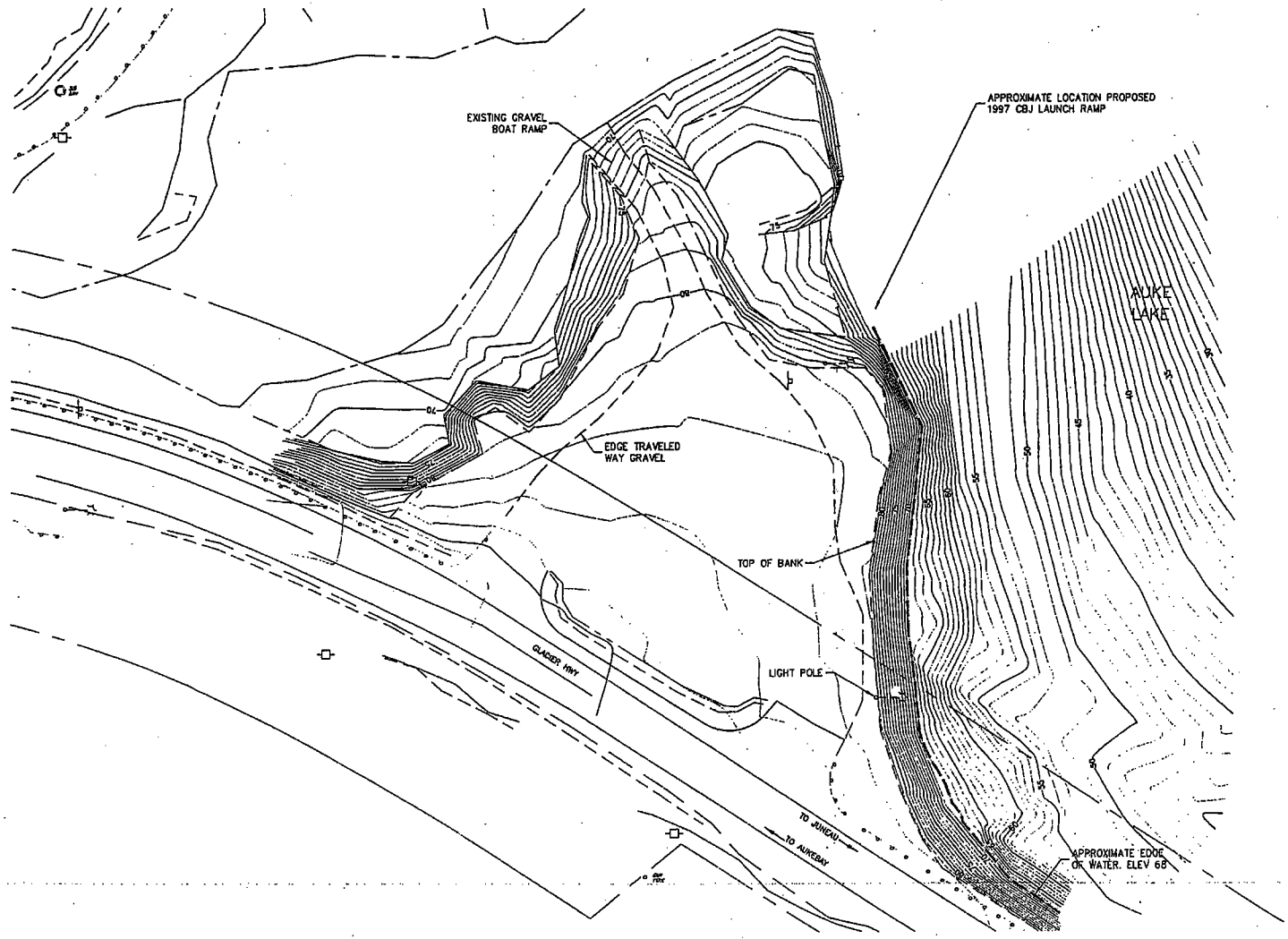


City & Borough of Juneau POA-2006-1811-M1
Auke Lake 12/04/2008 Sheet 6 of 7



City & Borough of Juneau
Auke Lake
12/04/2008

POA-2006-1811-M1
Sheet 7 of 7



PRELIMINARY

NOTE:

1. TOPOGRAPHIC INFORMATION PROVIDED BY DOT:PF
2. PRELIMINARY BATHYMETRIC INFORMATION PROVIDED BY PND TO ROUGH ORDER ACCURACY.

REVISIONS

REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.

PND ENGINEERS, INC.
9360 Glacier Hwy. Ste 100
Juneau, Alaska 99801
Phone: 907-586-2093
Fax: 907-586-2099
www.pnd-inc.com

DESIGN: CMB CHECKED: CRS
DRAWN: CMB APPROVED: CRS
SCALE: SCALE IN FEET 0 30 60 FT.

STATE OF ALASKA — Charles E. Swanson CE-8448 — REGISTERED PROFESSIONAL ENGINEER
DATE: 7/06/07

CITY AND BOUROUGH OF JUNEAU
AUKE LAKE WAYSIDE

SHEET TITLE: EXISTING CONDITIONS, TOPOGRAPHY AND BATHYMETRY

PND PROJECT NO. 062087 | DWG. FILE: 62087B BASE DWG

1
SHEET 1 OF 4

SARAH PALIN, GOVERNOR

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF COASTAL AND OCEAN MANAGEMENT

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-2006-1811-M1, AUKE LAKE**, 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.

SARAH PALIN, GOVERNOR

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-2006-1811-M1, AUKE LAKE**, 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.