



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: July 16, 2008
EXPIRATION DATE: August 15, 2008
REFERENCE NUMBER: POA-2001-1315-M1
WATERWAY: Ward 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 **Ms. Shannon Morgan** at (907) 753-5555, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at **Shannon.R.Morgan@usace.army.mil** if further information is desired concerning this notice.

APPLICANT: Mr. Rob Holston, 11380 Alderwood Street North, Ketchikan, Alaska 99901.

AGENT: R&M Engineering, Attn: Mr. Trevor Sande, 335 Carlanna Lake Road, Ketchikan, Alaska 99901; (907) 225-7917.

LOCATION: The project site is located within Section 33, T. 74 S., R. 90 E., Copper River Meridian; USGS Quad Map Ketchikan B-6; Latitude 55.405° N., Longitude 131.729° W.; approximately 3.5 miles north of Ketchikan, Alaska.

PURPOSE: The applicant's stated purpose is to provide a commercial business and tourist site utilizing an existing floating logging camp, for the purpose of providing visitors a chance to see part of the historic heritage. Existing usable buildings would be located on fill pads and would house businesses and commercial shops. The remainder of the floats would be refurbished and anchored to show their historical condition and significance to the logging industry in Southeast Alaska. The marina and dock would be used for public moorage.

PROPOSED WORK: Place 680 cubic yards of stacked rock and shot rock fill material in 0.07 acre of waters of the United States below the high tide line (including 240 cubic yards below the mean high water line), to construct pads to support the old float houses. Additionally, construct and/or moor the following structures in navigable waters:

- A 320-foot long by 10-foot wide wood boardwalk (32 count, 12-inch wood piling seaward of the mean high water line);

- A 570-foot long by 10-foot wide wood float supported by 13 count, 16-inch steel piling and two 6-foot by 6-foot by 6-foot concrete anchors and cable; connected to shore in two locations by a 54-foot long by 5-foot wide ramp and an 80-foot long by 6-foot wide ramp;
- Nine count, 15-foot long by 4-foot wide finger floats;
- Six count, 30-foot long by 4-foot wide finger floats;
- Seven count, 20-foot long by 4-foot wide finger floats;
- Moor five loggerville log floats supporting an old floating camp, with total dimensions of 441 feet long by 80 feet wide;
- A 670-foot long by 10-foot wide wood float supported by nine count, 6-foot by 6-foot by 6-foot concrete anchors and cable; connected to a 32-foot long by 10-foot wide wood float; connected by a 70-foot long by 6-foot wide ramp; and supported by a pile supported pier with three 12-inch steel piling;
- Two mooring dolphins.

All work would be performed in accordance with the enclosed plan (sheets 1-7), sheets 1-3 dated 4-23-2008; sheets 4-5 dated 4-29-2008; and sheets 6-7 dated 5-5-2008.

ADDITIONAL INFORMATION: Road access would be via an upland access road. Fill would be obtained from a local commercial quarry. Pilings would be driven using a double-acting hammer (vibratory hammer through softer substrate and then an air hammer to further set the piles). Portable restrooms would be used until such time as the facility is connected to the existing pulp mill sewer system.

The original permit (1-2001-1315, Ward Cove 34), issued on May 10, 2002, authorized moorage of: "one approximate 570-foot long by 150-foot wide, perpendicular, wood-decked, log and plastic drum (55 gal.) float; connected to one approximate 30-foot long by 20-foot wide, perpendicular, log and plastic drum (55 gal.) float; connected to one approximate 70-foot long by 5-foot wide, perpendicular, aluminum ramp; connected to the shore by one approximate 8-foot long by 40-foot wide concrete abutment. Secure the structure at three points with 1 ¼-inch diameter galvanized cable, connected to an approximate 45-foot length of 1 ¼-inch diameter galvanized cable to trees on shore." The following conditions were included on that permit authorization and would be included on this permit modification, if issued: 1) No portion of the structure shall ground at any tidal stage; and 2) No pentachlorophenol treatment shall be used on wooden portions of the structure, and any treatment of wood shall be limited to pressure injected preservatives.

MITIGATION: The applicant and agent state that due to the surrounding topography at the shoreline, avoidance of fill in waters of the United States for the proposed fill pads is not practicable, as blasting would be required to manage the existing slope. Locating the buildings on piling was considered, but rejected as unsafe since the old floating houses are not as structurally sound as newer buildings. Aside from minimizing the proposed fill footprint along the shore, the applicant has not proposed any additional mitigation.

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 at the proposed worksite. The old pulp mill location is adjacent to the proposed site but not within the proposed work area. 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 will not 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 authorities:

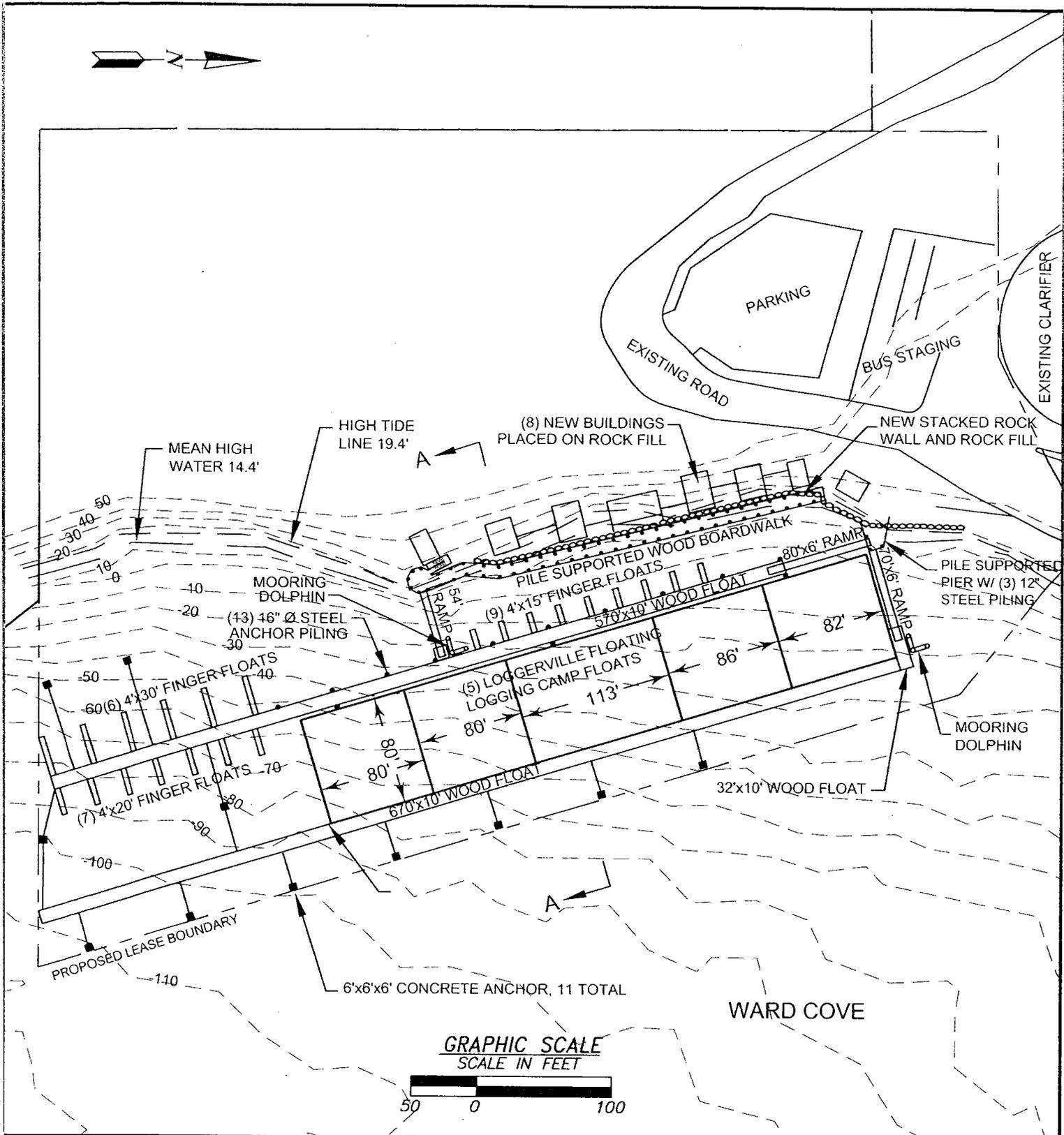
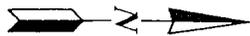
(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(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



SITE PLAN

APPLICATION BY:
 ROB HOLSTON
 11380 ALDERWOOD
 KETCHIKAN, ALASKA 99901

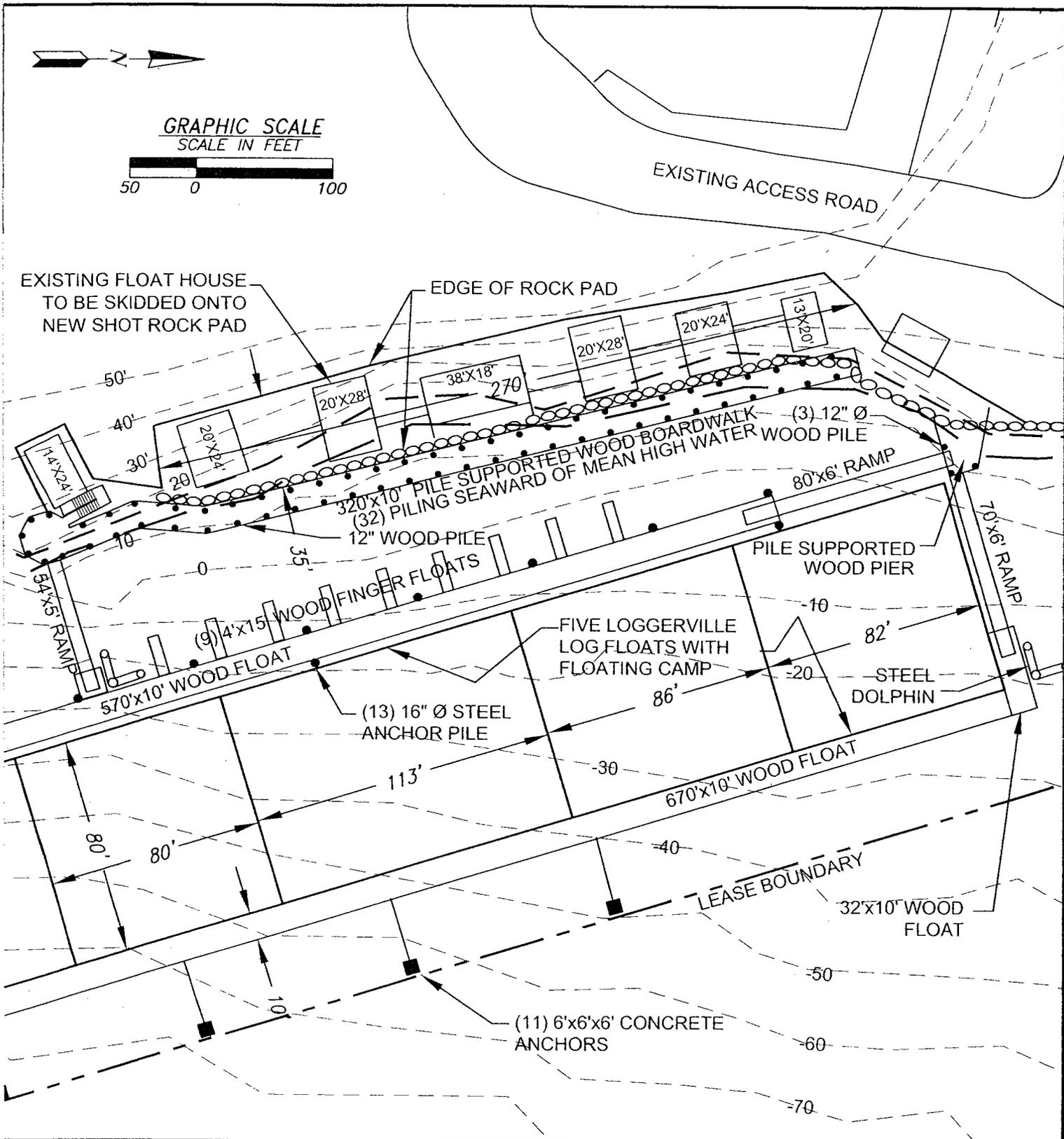
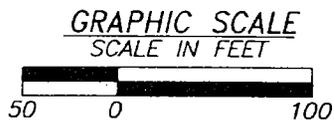
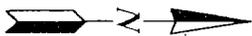
LOGGERVILLE
 VILLAGE & BOAT DOCK
 POA - 2001-1315-M1
 Ward Cove

AT: KETCHIKAN

LOCATED IN: T.74S., R.90E., SECTION 33

DATE: 4-23-08

SHEET **2** OF **7**



SITE PLAN

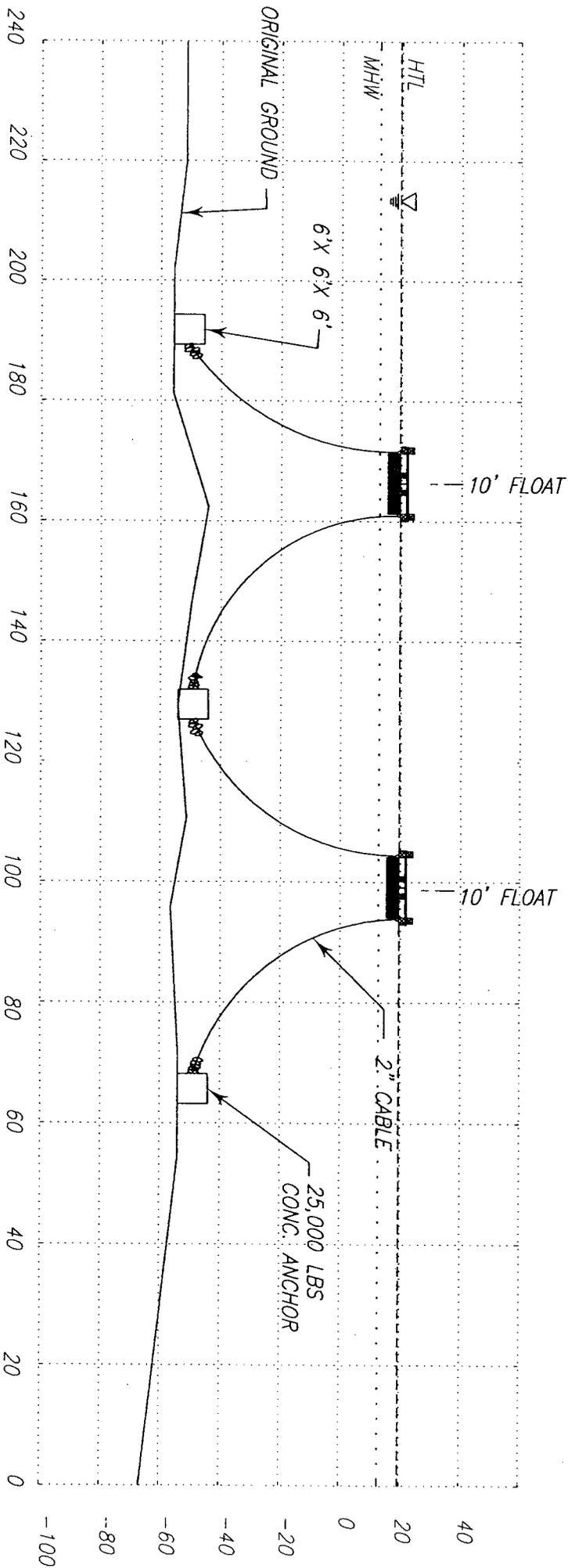
APPLICATION BY:
ROB HOLSTON
11380 ALDERWOOD
KETCHIKAN, ALASKA 99901

LOGGERVILLE
VILLAGE & BOAT DOCK
POA-2001-1315-M1
Ward Cove

AT: KETCHIKAN
LOCATED IN: T.74S., R.90E., SECTION 33

DATE: 4-23-08

SHEET **3** OF **7**



POA - 2001 - 1315 - M1
 Ward Cove

TYPICAL SECTION

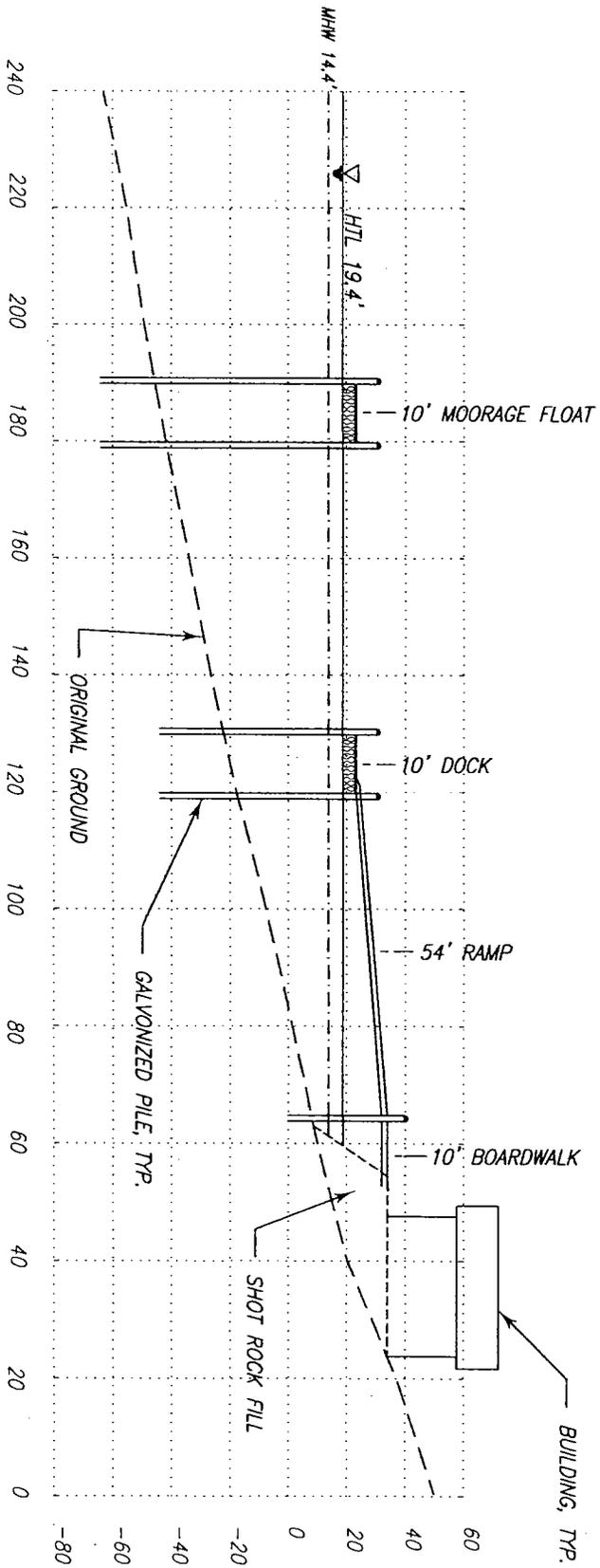
LOGGERSVILLE
 VILLAGE & BOAT DOCK

FOR: ROB HOLSTON
 11380 ALDERWOOD ST
 KETCHIKAN, ALASKA 99901

DRAWN: KRJ DATE: 4/29/08

CKD: KRJ SCALE: NOT TO SCALE

PROJECT NO. SHEET: 4 of 7



POA - 2001-1315 - M1
Ward Cove

TYPICAL SECTION

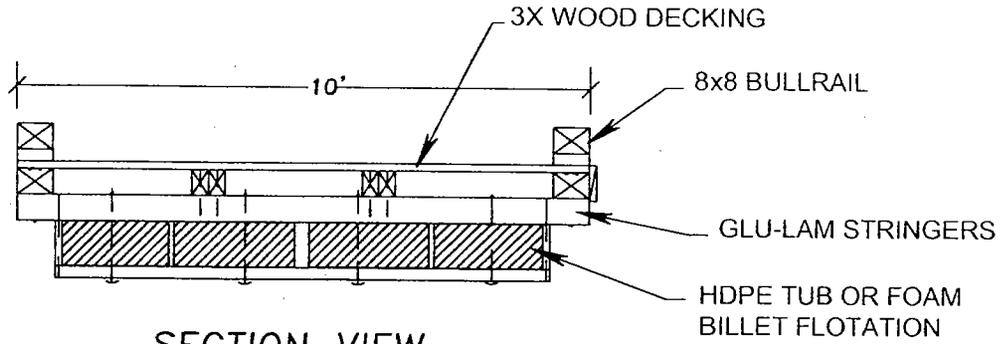
LOGGERSVILLE
VILLAGE & BOAT DOCK

FOR: ROB HOLSTON
11380 ALDERWOOD ST
KETCHIKAN, ALASKA 99901

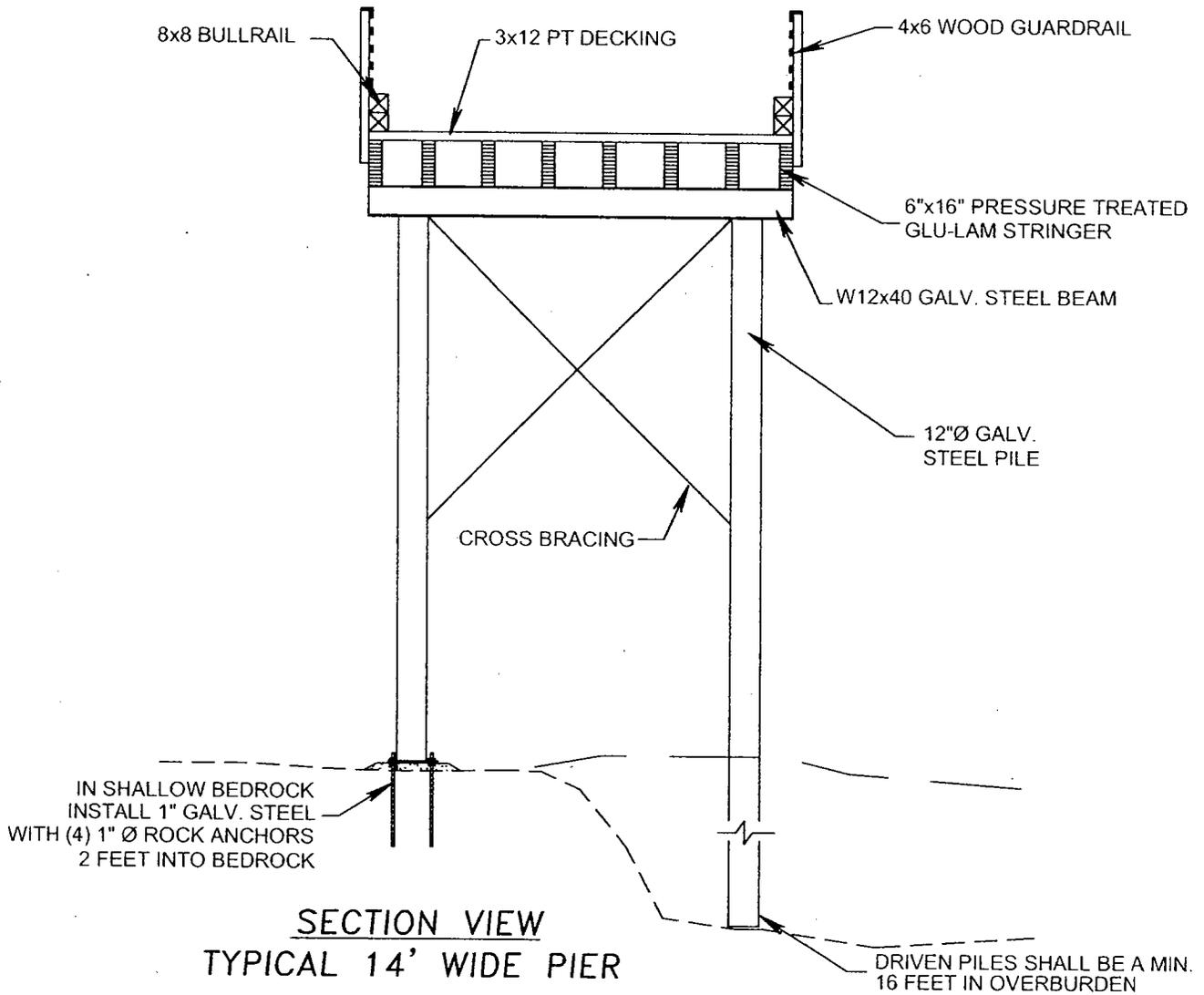
DRAWN: KRJ DATE: 4/29/08

CKD: KRJ SCALE: NOT TO SCALE

PROJECT NO. SHEET: 5 OF 7



SECTION VIEW
TYPICAL 10' WIDE FLOAT



SECTION VIEW
TYPICAL 14' WIDE PIER

NOT TO SCALE

TYPICAL SECTIONS

APPLICATION BY:
ROB HOLSTON
11380 ALDERWOOD
KETCHIKAN, ALASKA 99901

LOGGERVILLE
VILLAGE & BOAT DOCK
PoA-2001-1315-M1
Ward Cove
AT: WARD COVE
LOCATED IN: T.74S., R.90E., SECTION 33
DATE: 05-05-08 SHEET 7 OF 7

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-2001-1315-M1, Ward Cove, 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>.

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-2001-1315-M1, Ward 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.