



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

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

PUBLIC NOTICE DATE: NOVEMBER 17, 2008

EXPIRATION DATE: DECEMBER 17, 2008

REFERENCE NUMBER: POA-2005-1813

WATERWAY: SITKA SOUND

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 Mr. John Klutz at (907) 753-5553, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at john.r.klutz@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Halibut Point Marina Services, Post Office Box 718, Sitka, Alaska POC Mr. Chris McGraw (907) 747-4999

LOCATION: The project site is located within Section 10, T. 55 S., R. 63 E., Copper River Meridian; USGS Quad Map Sitka A-5; Latitude 57.116° N., Longitude -135.393° W.; 4513 Halibut Point Road, Sitka, Alaska.

PURPOSE: The applicant's stated multi-purposes are to;

- Replace an existing deteriorated travel lift.
- Remove a land area adjacent to the travel lift.
- Construct an additional platform/wharf structure with support pilings adjacent to the proposed travel lift and locate an access ramp.
- Place a large floating concrete platform which would accommodate fueling operations, and allow commercial fishing vessels to load and unload gear, and a cargo transfer facility.
- Place floating breakwaters adjacent to the larger float to service and moor transient vessels.

PROPOSED WORK:

1. Reconstruct the boat lift area, reference sheet 6 of 9, "Travelift Dock Demo and Replacement Plans":

~~A. Remove: travel lift piers and steel piling, deteriorated steel sheet pile bulkhead, damaged sheet pile cell and remove 960 cubic yards (CY) of shot rock/riprap [740 CY from below the High Tide Line (HTL)].~~

B. Place: a 90-foot by 4-foot travel lift pier and associated support piling; a second travel lift pier combined with a 3,800 square foot platform/wharf with support pilings; a concrete retaining wall approximately 75 feet long containing 86 CY of concrete (poured into forms); Place 330 cubic yards of clean earthen materials behind the concrete retaining wall. Place 100 linear feet of steel sheet piling where the steel bulkhead was removed. Return: 74 CY of shot rock/riprap materials to the waterway.

2. Place the following for the new facility:

- A 120-foot long by 16-foot wide steel transfer ramp.
- A 1600 square foot transfer float.
- A 40-foot by 300-foot floating concrete platform with associated pilings.
- Four berthing dolphins (per drawings).
- Twelve 65-foot by 10-foot concrete floating breakwaters with associated pilings.
- Four mooring dolphins and 2 additional berthing dolphins.
- Utilities, power and water services would be run through the transfer ramp and the floating docks to accommodate vessels and to power lighting fixtures.
- One 3 inch fuel line from the existing storage tanks to the float dispensers.
- Four fuel (Diesel) dispensers with hose reels and meters.

All work would be performed in accordance with the enclosed plans (sheets 1-9), dated November 4, 2008.

ADDITIONAL INFORMATION: The applicant has proposed to construct a concrete retaining wall within forms/cells. An option to pouring into cells exposed to jurisdictional waters is to set the form walls and pour the concrete before excavating materials waterward of the wall. If done by this method, the concrete wall would not be considered as a discharged into waters of the U.S.

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.

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 will not 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) 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

DIVISION OF COASTAL AND OCEAN MANAGEMENT
550 WEST 7TH AVENUE, SUITE 705
ANCHORAGE, ALASKA 99501-3559
PHONE: (907) 269-7470/FAX: (907) 269-3981

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-2008-1813, Sitka Sound**, 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

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

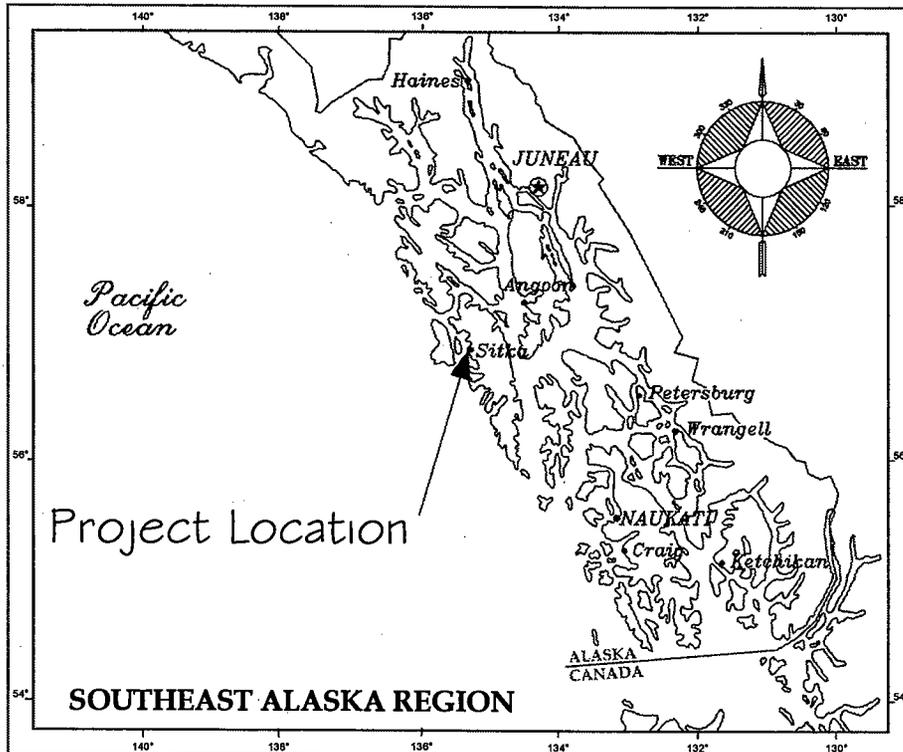
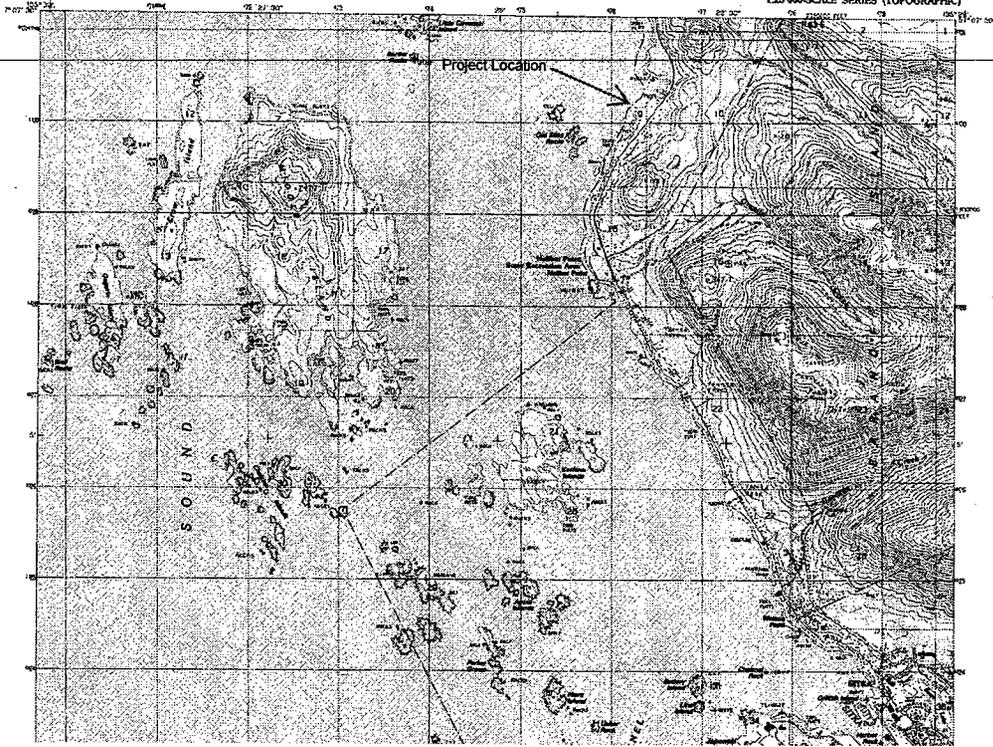
NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

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. **POA-2008-1813, Sitka Sound**, 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.



Purpose: Replace Travelift Dock and Expand Existing Fuel and Moorage Services

Adjacent Property Owners: See Sheet 3 of 9

Location: Sitka Sound

Local Government: City and Borough of Sitka, Alaska

Datum: 0.0' M.L.L.W

Travelift Dock Replacment Fuel / Transient Vessel Moorage Dock

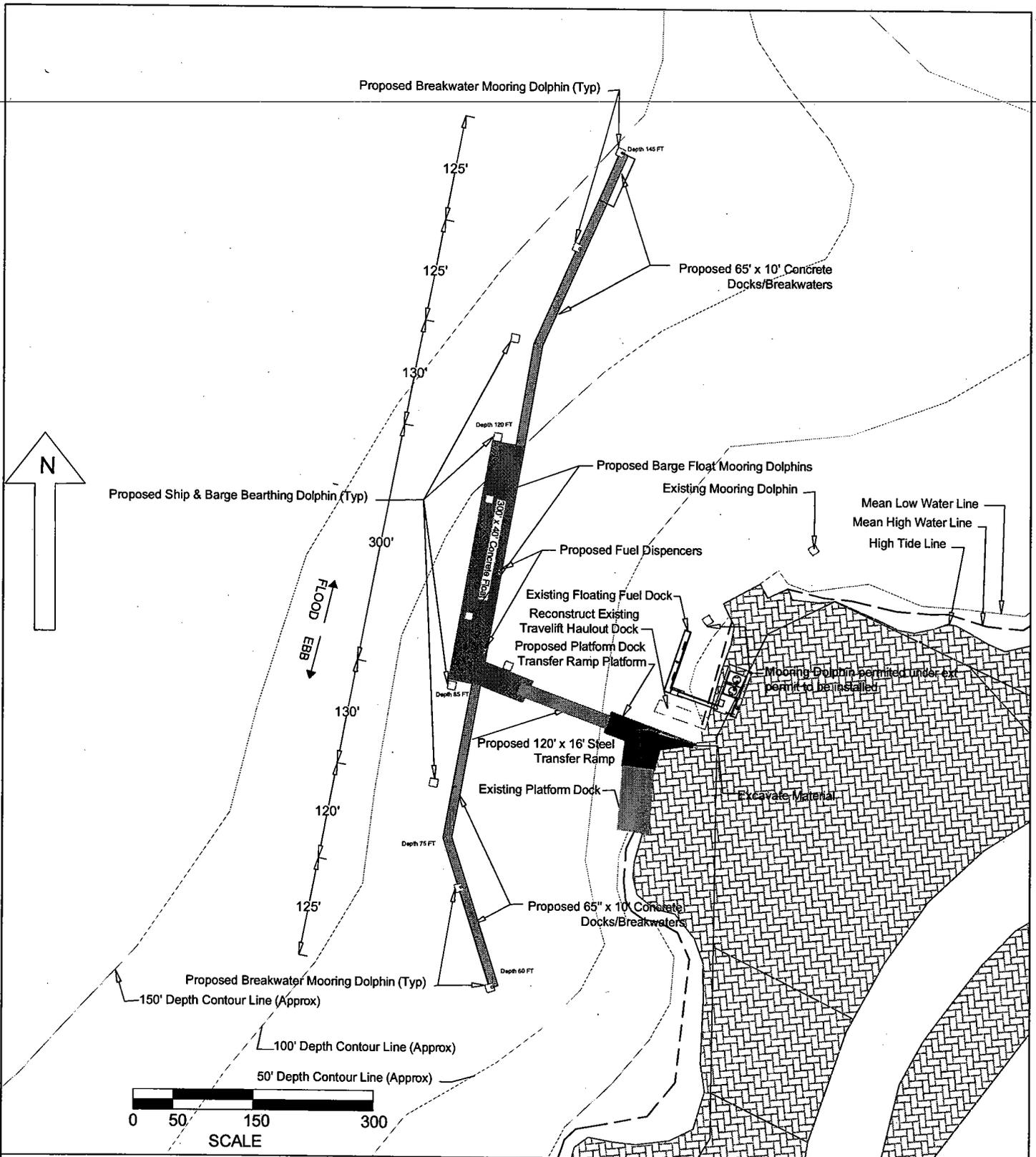
PROJECT LOCATION

Application By
Halibut Point Marine Services
P.O. Box 718
Sitka, AK 99835

MLLW: 0.0'
MHW: 9.1'
HTL: 12.7'
Lat 57 06' 55"
Lon 135 23' 34"

Revision: 2
Date: 11-4-08

Sheet 1 of 9



Purpose: Replace Travelift Dock and Expand Existing Fuel and Moorage Services

Adjacent Property Owners: See Sheet 3 of 9

Location: Sitka Sound

Local Government: City and Borough of Sitka, Alaska

Datum: 0.0' M.L.L.W

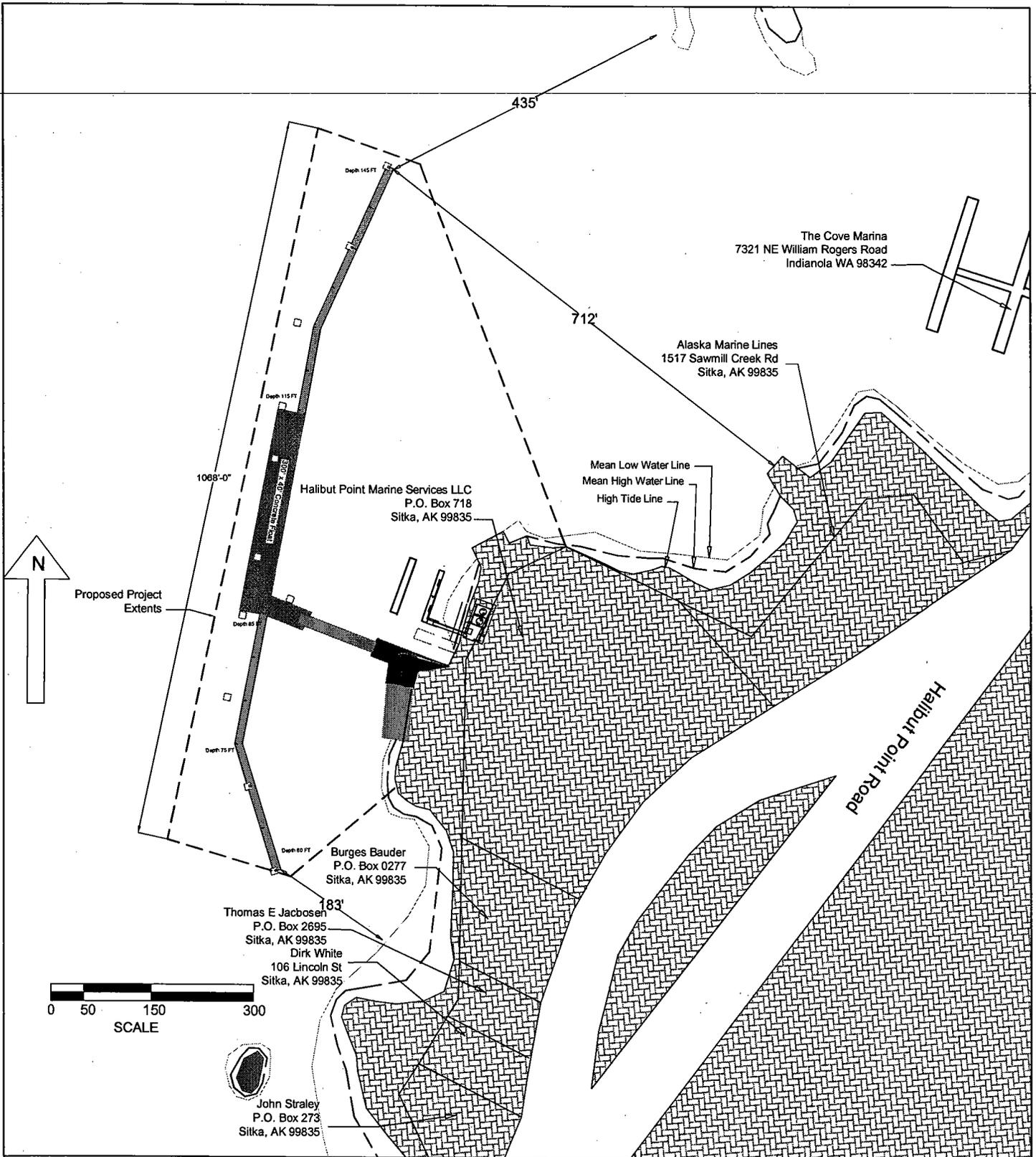
Travelift Dock Replacement Fuel / Transient Vessel Moorage Dock

PROJECT OVERVIEW

Application By
Halibut Point Marine Services
P.O. Box 718
Sitka, AK 99835

MLLW: 0.0'
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Revision: 2
Date: 11-04-08
Sheet 2 of 9



Purpose: Replace Travelift Dock and Expand Existing Fuel and Moorage Services

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 Location: Sitka Sound
 Local Government: City and Borough of Sitka, Alaska
 Datum: 0.0' M.L.L.W

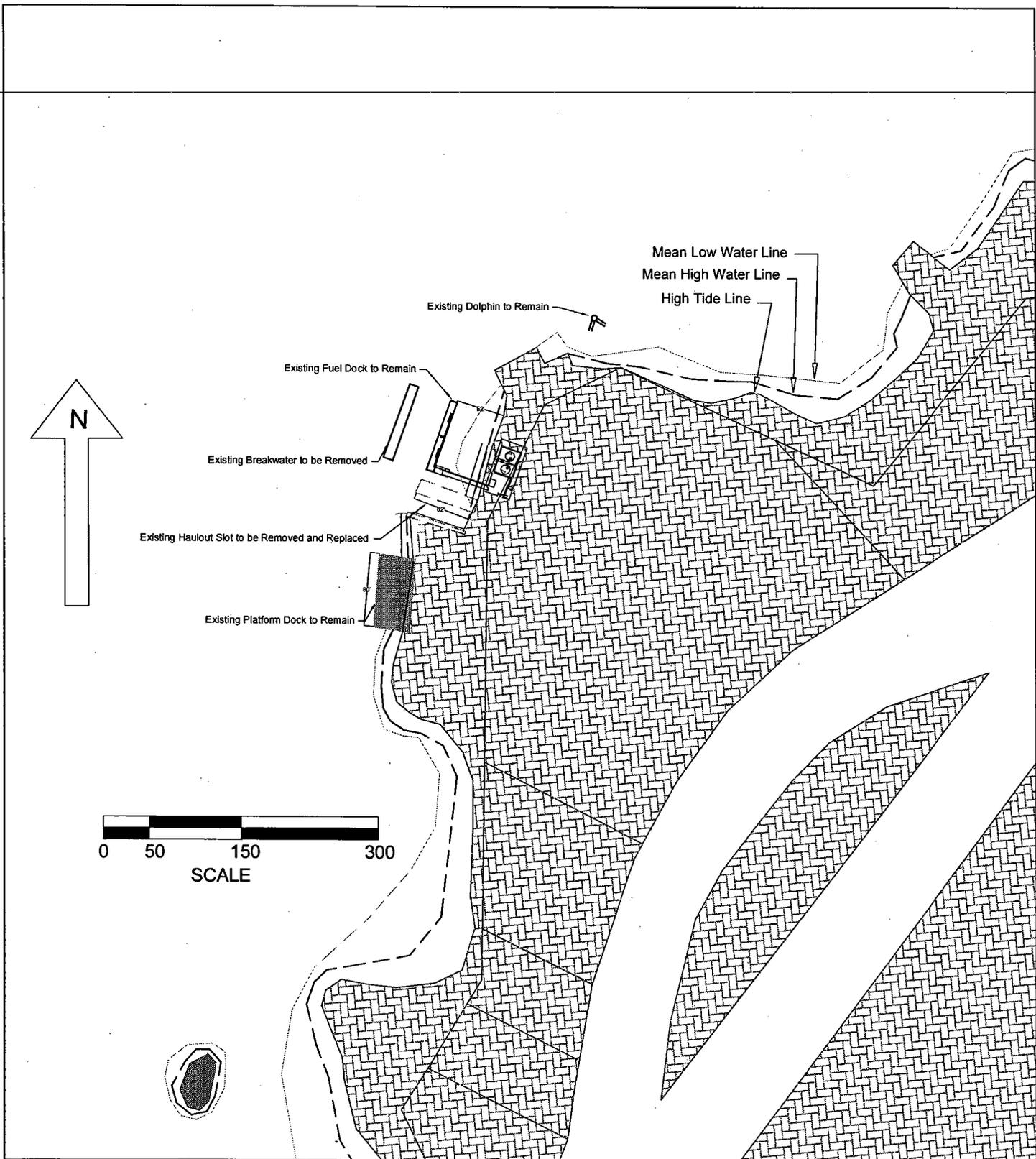
**Travelift Dock Replacment
 Fuel / Transient Vessel Moorage Dock**

PROPERTY OWNERS

Application By
 Halbut Point Marine Services
 P.O. Box 718
 Sitka, AK 99835

MLLW: 0.0'
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Revision: 2
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 Sheet 3 of 9



Purpose: Replace Travelift Dock and Expand Existing Fuel and Moorage Services

Adjacent Property Owners: See Sheet 3 of 9
Location: Sitka Sound
Local Government: City and Borough of Sitka, Alaska
Datum: 0.0' M.L.L.W

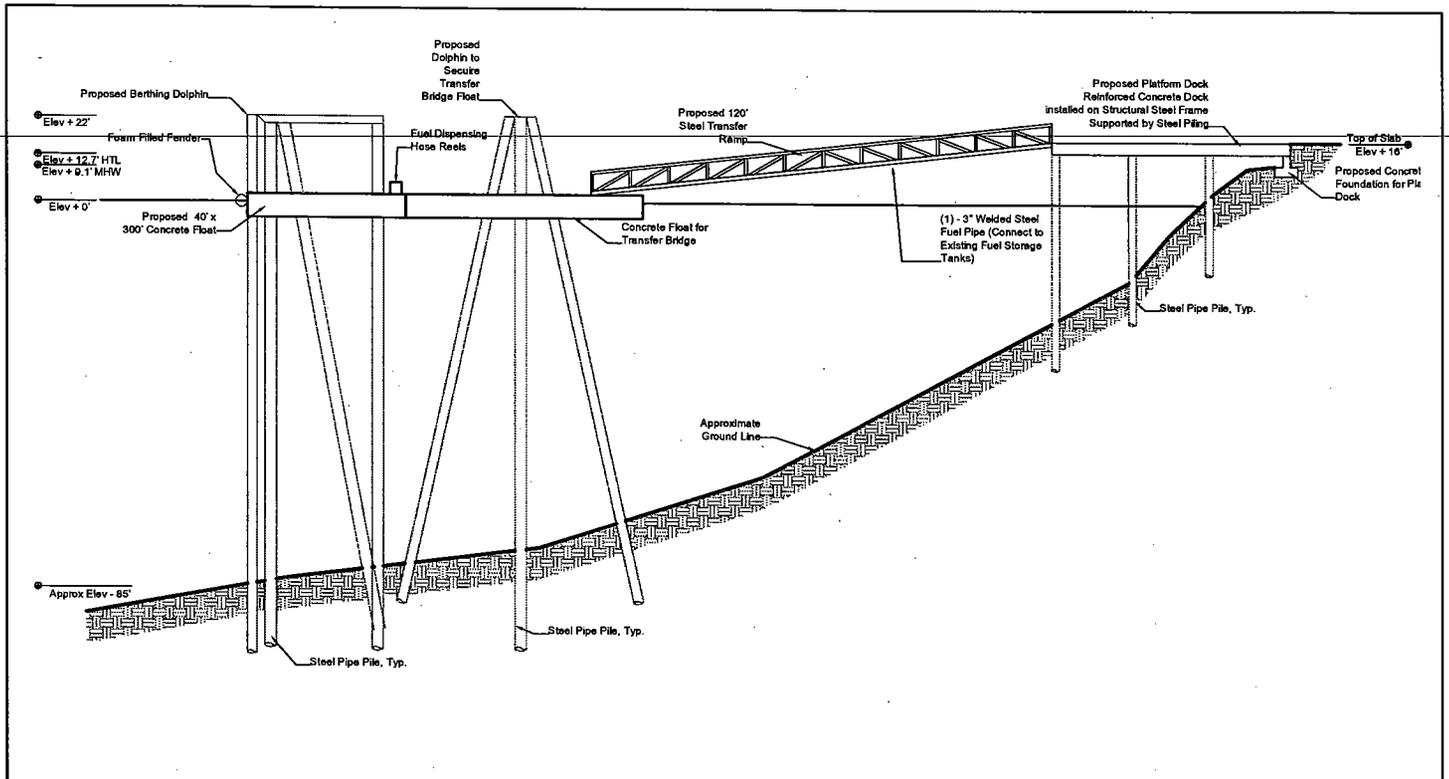
Travelift Dock Replacment Fuel / Transient Vessel Moorage Dock

EXISTING CONDITIONS

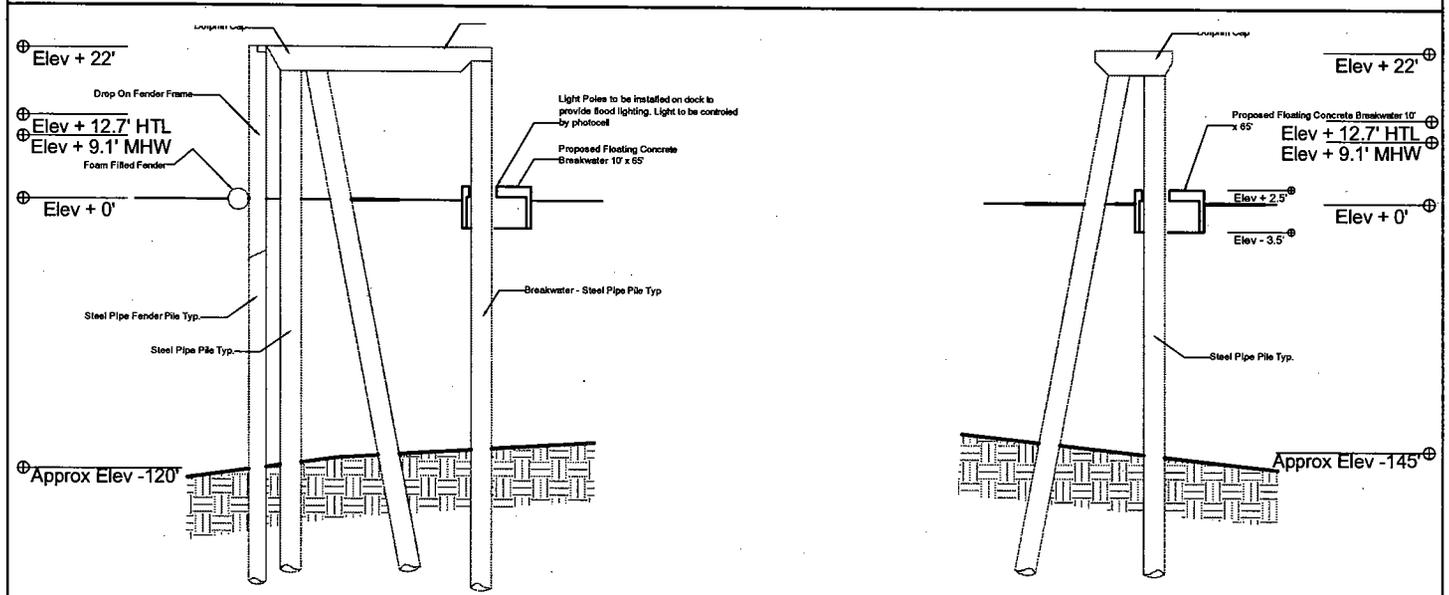
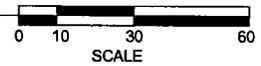
Application By
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P.O. Box 718
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Revision: 2
Date: 11-04-08
Sheet 4 of 9



Proposed Transfer Ramp / Dock Section



Proposed Breasting Dolphin

Proposed Breakwater Dolphin



Purpose: Replace Travelift Dock and Expand Existing Fuel and Moorage Services

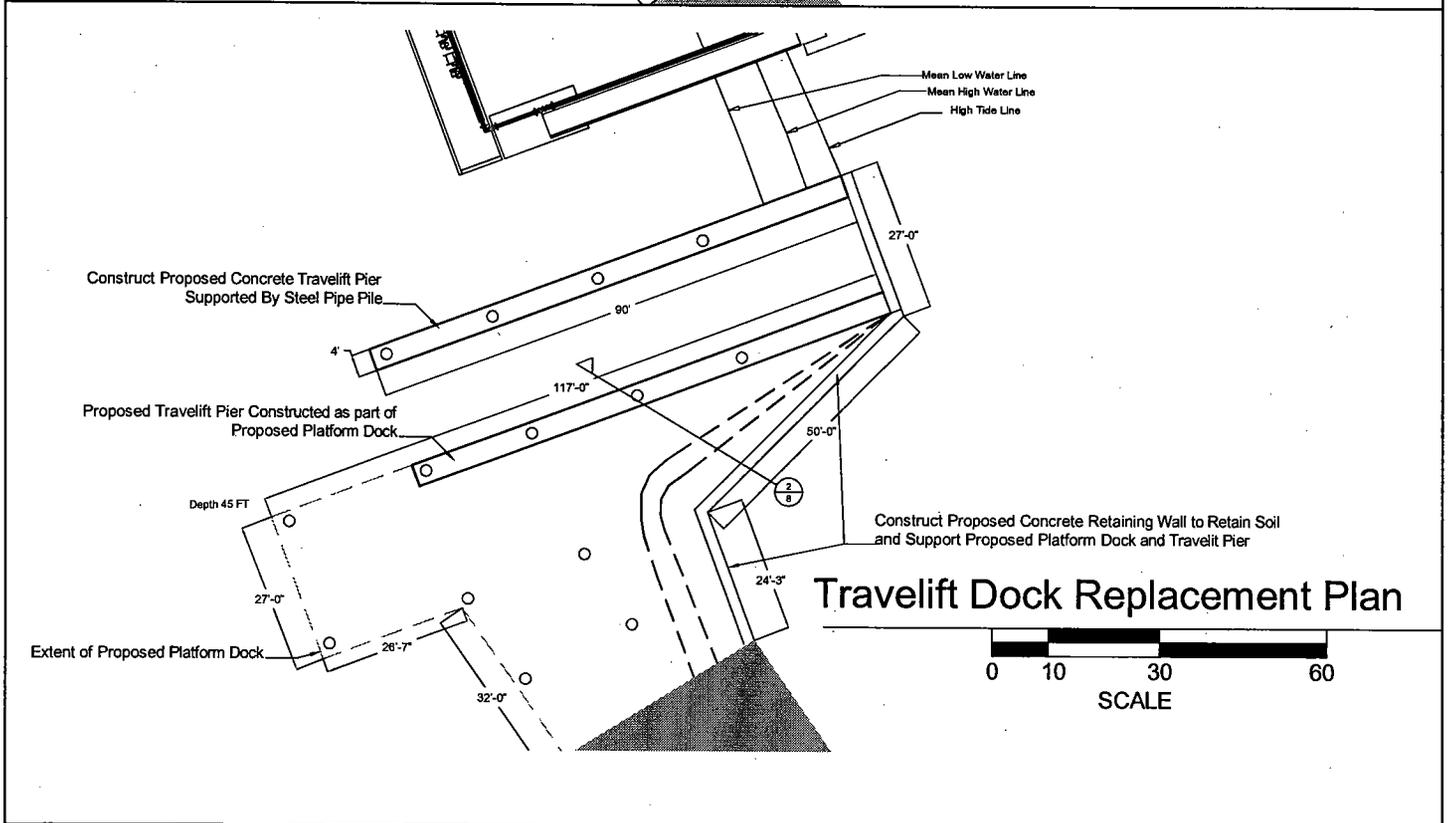
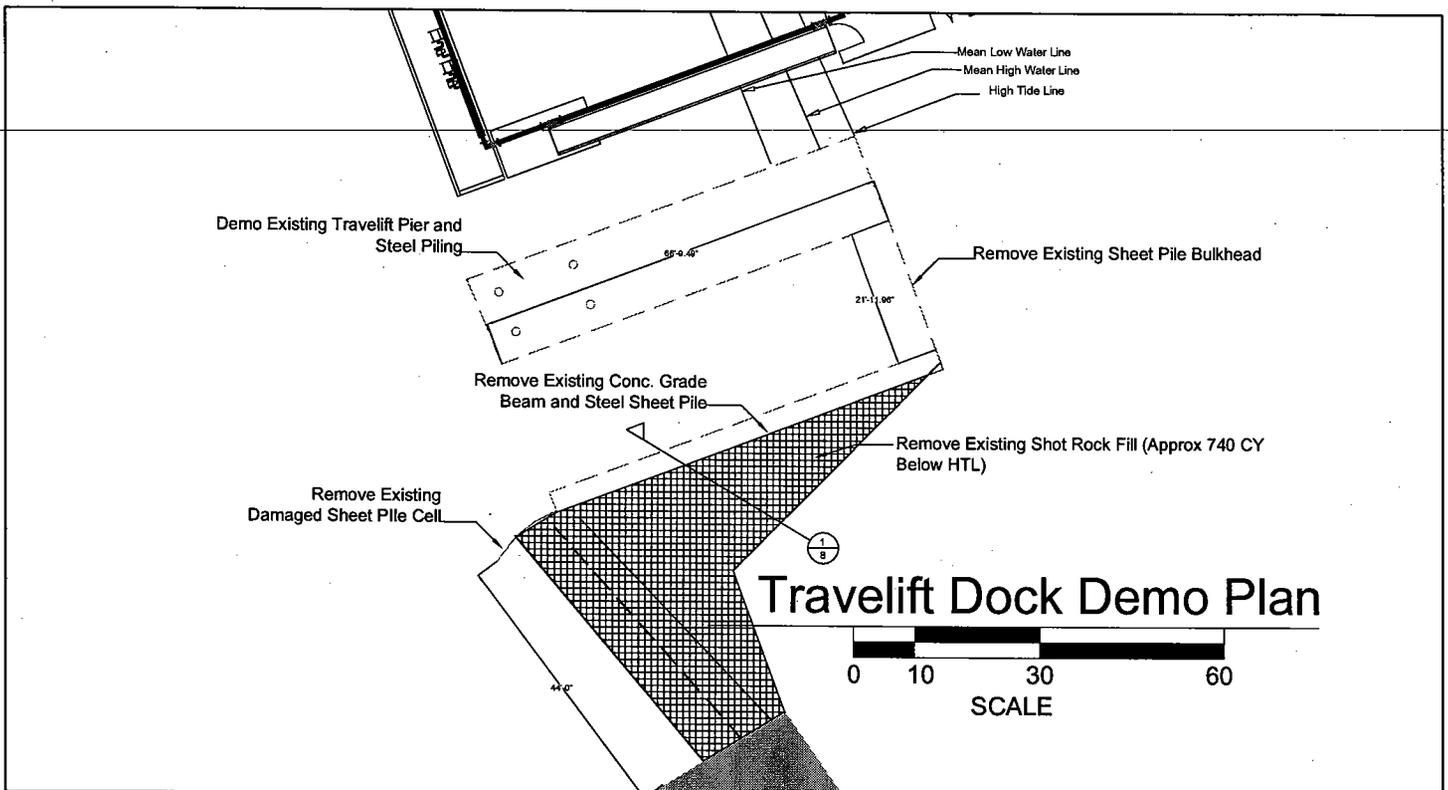
Adjacent Property Owners: See Sheet 3 of 9
 Location: Sitka Sound
 Local Government: City and Borough of Sitka, Alaska
 Datum: 0.0' M.L.L.W

**Travelift Dock Replacment
 Fuel / Transient Vessel Moorage Dock**

SECTIONS

Application By
 Halibut Point Marine Services
 P.O. Box 718
 Sitka, AK 99835

MLLW: 0.0'
 MHW: 9.1'
 HTL: 12.7'
 Lat 57 06' 55"
 Lon 135 23' 34"
 Revision: 2
 Date: 11-4-08
 Sheet 5 of 9



Purpose: Replace Travelift Dock and Expand Existing Fuel and Moorage Services

Adjacent Property Owners: See Sheet 3 of 9

Location: Sitka Sound

Local Government: City and Borough of Sitka, Alaska

Datum: 0.0' M.L.L.W

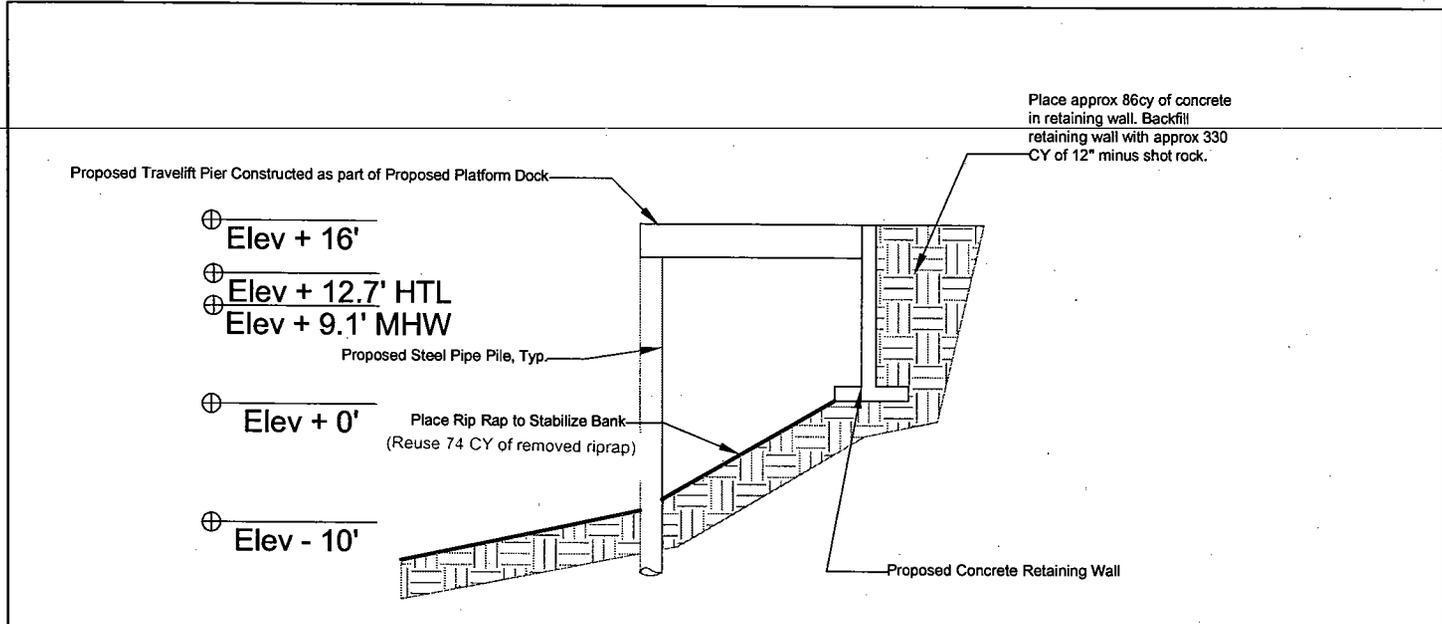
**Travelift Dock Replacment
Fuel / Transient Vessel Moorage Dock**

TRAVELIFT DOCK PLAN

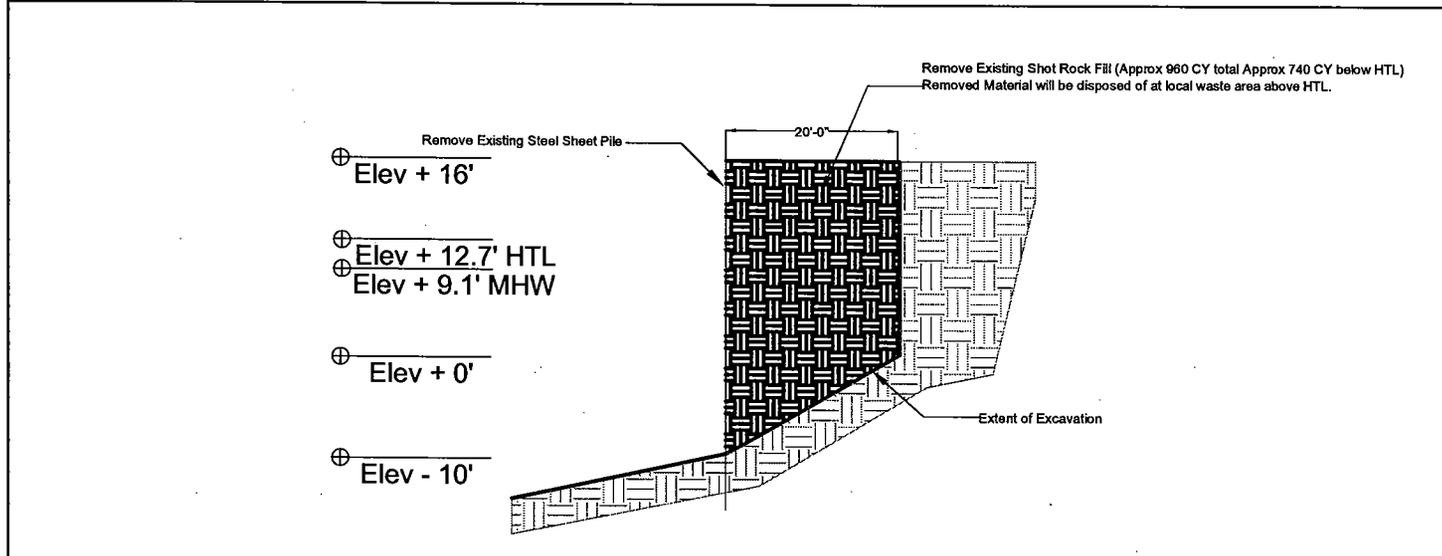
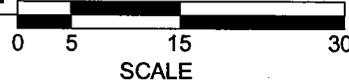
Application By
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Sitka, AK 99835

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Revision: 2
Date: 11-04-08
Sheet 6 of 9



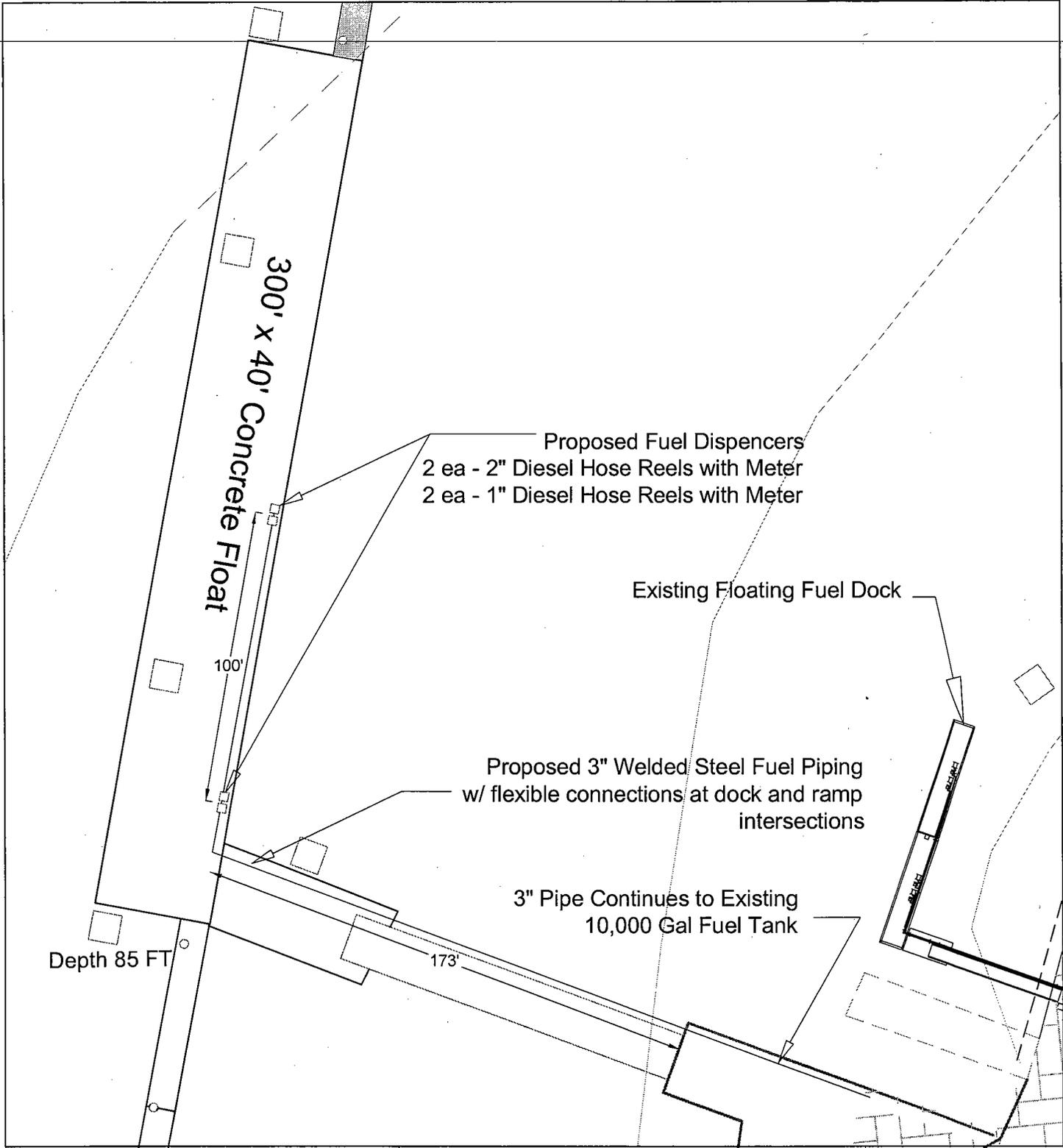
2. Proposed Haulout Dock Section



1. Existing Haulout Dock Demo Section



<p>Purpose: Replace Travelift Dock and Expand Existing Fuel and Moorage Services</p> <p>Adjacent Property Owners: See Sheet 3 of 9</p> <p>Location: Sitka Sound</p> <p>Local Government: City and Borough of Sitka, Alaska</p> <p>Datum: 0.0' M.L.L.W</p>	<p>Travelift Dock Replacment Fuel / Transient Vessel Moorage Dock</p> <p>HAULOUT SECTIONS</p> <p>Application By Halibut Point Marine Services P.O. Box 718 Sitka, AK 99835</p>	<p>MLLW: 0.0'</p> <p>MHW: 9.1'</p> <p>HTL: 12.7'</p> <p>Lat 57 06' 55"</p> <p>Lon 135 23' 34"</p> <p>Revision: 1</p> <p>Date: 11-04-08</p> <p>Sheet 8 of 9</p>
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Purpose: Replace Travelift Dock and Expand Existing Fuel and Moorage Services

Adjacent Property Owners: See Sheet 3 of 9
 Location: Sitka Sound
 Local Government: City and Borough of Sitka, Alaska
 Datum: 0.0' M.L.L.W

**Travelift Dock Replacment
 Fuel / Transient Vessel Moorage Dock**

Fuel Piping Plan

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 Sitka, AK 99835

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Revision: 1
 Date: 11-04-08
 Sheet 9 of 9