



US Army Corps
of Engineers
Alaska District

Regulatory Division (1145)
CEPOA-RD-E-JFO
8800 Glacier Highway, Suite 106
Juneau, Alaska 99801-8079

Public Notice of Application for Permit

PUBLIC NOTICE DATE: September 4, 2008

EXPIRATION DATE: November 3, 2008

REFERENCE NUMBER: POA-2001-637

WATERWAY: Amalga Harbor 2

Interested parties are hereby notified that a Department of the Army (DA) permit application has been received for work in waters of the United States (U.S.) 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 C. Leeds, III**, at (907) 790-4490, or by email at john.c.leeds@usace.army.mil if further information is desired concerning this notice.

APPLICANT: City and Borough of Juneau, 155 South Seward Street, Juneau, Alaska 99801

AGENT: Mr. Charles R. Somerville, PND Engineers, Suite 100, 9360 Glacier Highway, Juneau, Alaska 99801, (907) 586-2093.

LOCATION: The project site is located within Section 14, T. 39 S., R. 64 E., Copper River Meridian; USGS Quad Map Juneau B-3; Latitude 58.492° N., Longitude -134.787° W. (NAD83); north of Juneau, Alaska.

PURPOSE: The applicant's stated purpose is to "...improve public safety by providing ADA (**Americans with Disabilities Act of 1990**) accessible concrete pathway and staircase access to the existing kayak launch ramp."

PROPOSED WORK: Applicant proposes to place certain structures, excavate approximately 26 cubic yards, discharge approximately 200 cubic yards of fill materials, all work to occur below the High Tide Line (HTL) of waters of the United States, in conjunction with the proposed improvements to the kayak access ramp:

Fill Components:

Concrete	4.0	cubic yards
Base Course Grading C-1.	20.0	" "
Class A Shot Rock.	50.0	" "
Riprap	100.0	" "
Concrete Retaining Blocks	8.0	" "
Concrete Area Drain	0.1	" "

Concrete Staircase	3.3	"	"
Concrete Pathway	13.0	"	"
Partial Concrete Stairs	1.5	"	"
Excavation Components:			
Existing Ground	15.0	"	"
Riprap	11.0	"	"

Structures placed below the HTL:

- | | |
|----------------------------|-----------------------|
| * Storm Drain Outlet | * Storm Drain Manhole |
| * 18 inch CCP Pipe | * Staircase Handrail |
| * Geotextile Reinforcement | |

All work would be performed in accordance with the enclosed plan, 2 sheets, dated August 28, 2008.

ADDITIONAL INFORMATION: For additional information on the proposed project, contact Brandon Ivanowicz, Staff Engineer, P|N|D Engineers, Incorporated, 9360 Glacier Highway, Suite 100, Juneau, Alaska 99801, at (907) 586-2093, or by email at bivanowicz@pndengineers.com.

MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the U.S. from activities involving discharges of dredged or fill material:

1. "Clean shot rock fill will be used on side slopes to minimize turbidity and suspension of sediments to the greatest extent possible.
2. The total wetlands impact of 0.05 acres was felt to be the lowest possible impact while still accomplishing the project purpose. The design layout of the kayak pathway is intended to avoid impacts as much as possible.
3. The pathway will be constructed of concrete in place of existing gravel to decrease turbidity and siltation. This preservation measure is proposed as permittee-responsible mitigation.
4. A second preservation measure consists of the removal of the existing treated timber staircase and replacing it with a concrete staircase."

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 four registered or eligible properties in the vicinity of the worksite. These have been designated as the Amalga Harbor Shell Midden (JUN-249), the Amalga Boat Ramp Midden (JUN-451), the Amalga Salt Lake Pits (JUN-452), and the Ernest Gruening Cabin (JUN-119). Because these properties have been determined to be outside of the project area, no further action is required. Consultation of the AHRs constitutes the extent of cultural resource investigations by the District Commander at this time. This application

is being coordinated with 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 (EFH): 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 EFH.

Preliminarily, the described activity will not adversely 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).

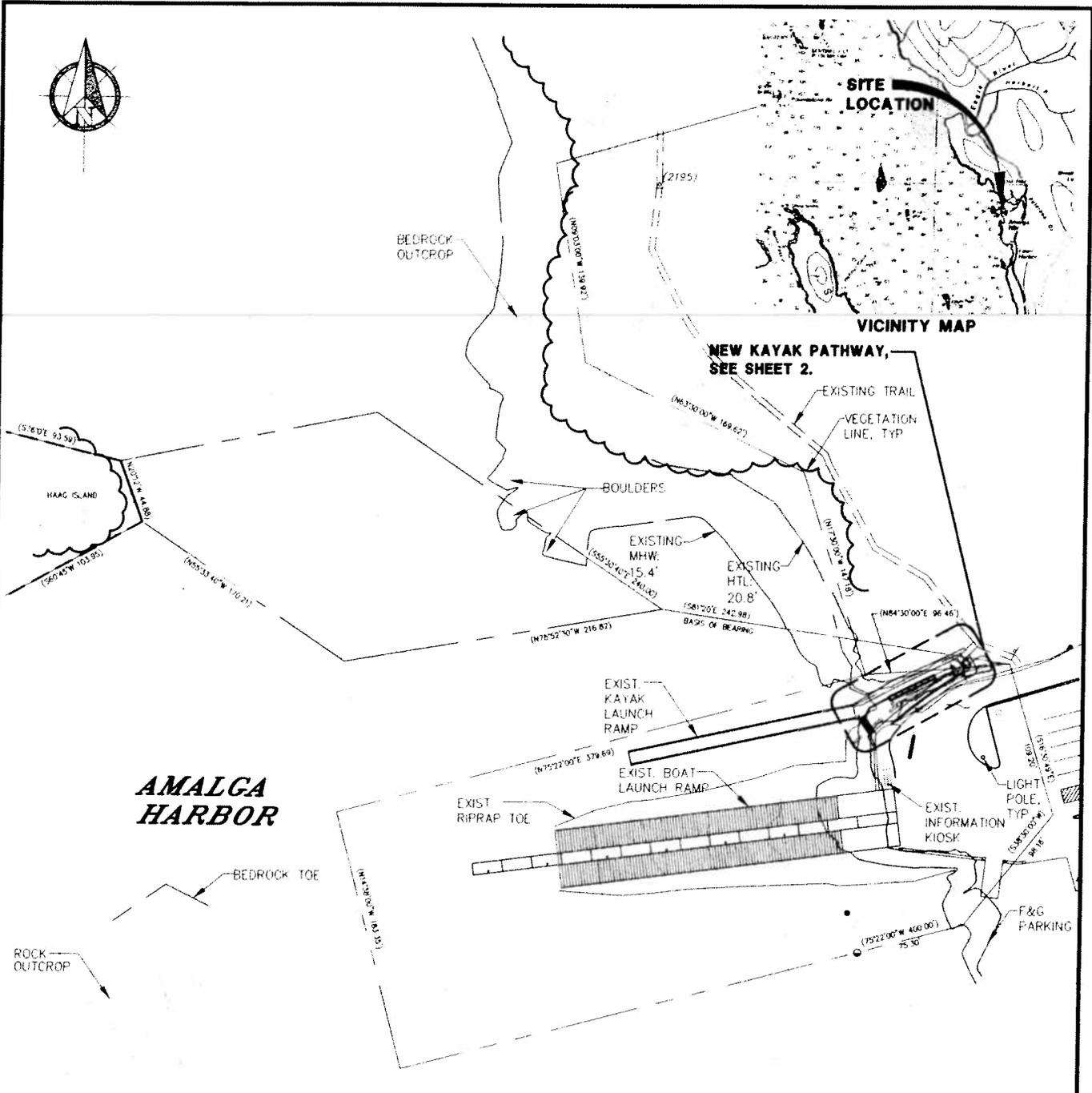
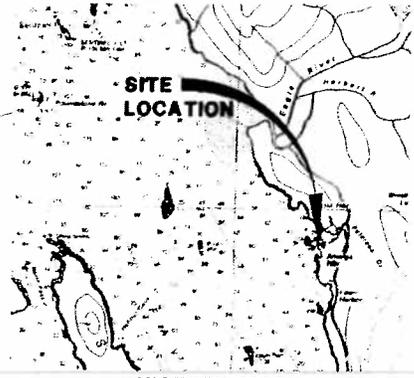
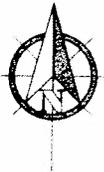
(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

() Transport dredged material for the purpose of dumping it into ocean waters - Section 103 Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 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



PURPOSE:
 TO PROVIDE ADA ACCESSIBLE CONCRETE PATHWAY AND STAIRCASE ACCESS TO THE EXISTING KAYAK LAUNCH RAMP.

HTL: 20.8'
 MHW: 15.4'
 MLLW: 0.0'

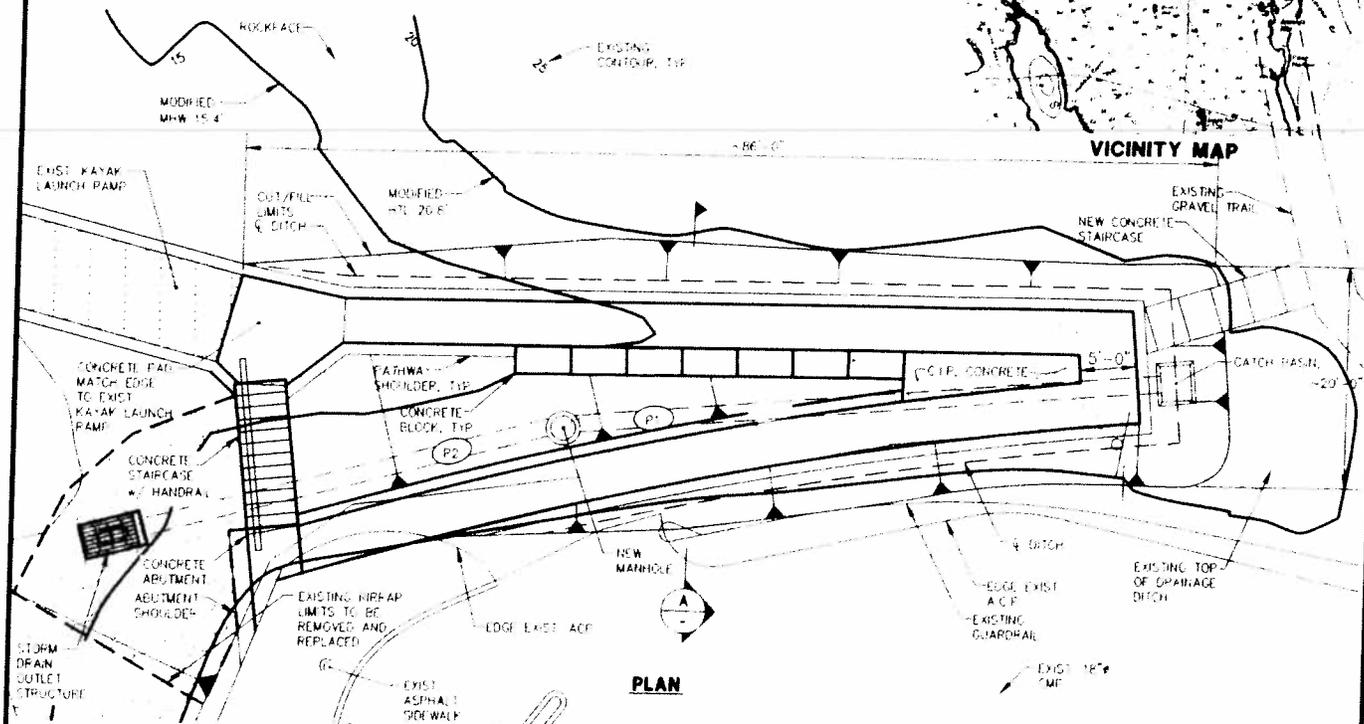
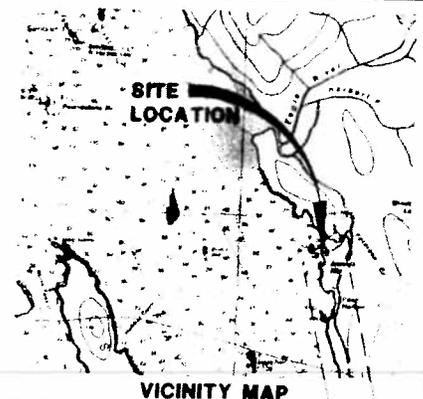
SITE PLAN

CITY & BOROUGH OF JUNEAU
 155 SOUTH SEWARD ST.
 JUNEAU, AK 99801

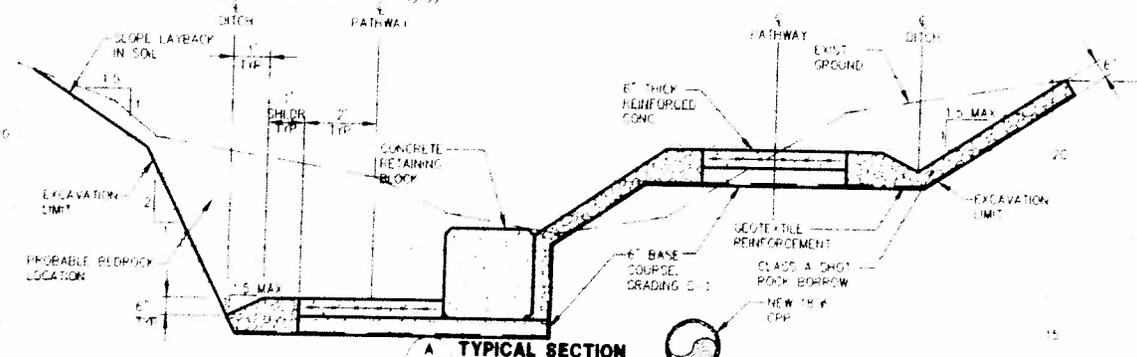
PND PROJECT NO. 072062.01

**AMALGA HARBOR
 KAYAK PATHWAY**

IN: AMALGA HARBOR
 NEAR: AMALGA HARBOR
 AT: JUNEAU, ALASKA
 BY: CITY AND BOROUGH OF JUNEAU
 DATE: 8/21/08



PLAN



A TYPICAL SECTION

PURPOSE:

TO PROVIDE ADA ACCESSIBLE CONCRETE PATHWAY AND STAIRCASE ACCESS TO THE EXISTING KAYAK LAUNCH RAMP

HTL: 20.8'
 MHW: 15.4'
 MLLW: 0.0'

KAYAK PATHWAY

CITY & BOROUGH OF JUNEAU
 155 SOUTH SEWARD ST
 JUNEAU, AK 99801

PNC PROJECT NO. 072062.01

AMALGA HARBOR KAYAK PATHWAY

IN: AMALGA HARBOR
 NEAR: AMALGA HARBOR
 AT: JUNEAU, ALASKA
 BY: CITY AND BOROUGH OF JUNEAU

DATE: 8/21/08

The Public burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research and Sanctuaries Act, 33 USC 1413, Section 103. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO. POA-2001-637	2. FIELD OFFICE CODE AMALGA HARBOR	3. DATE RECEIVED 29 JUL 2008	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME John Stone, City and Borough of Juneau, Alaska	8. AUTHORIZED AGENT'S NAME AND TITLE (<i>an agent is not required</i>) Charles R. (Dick) Somerville, P.E., V.P., PND Engineers, Inc.
6. APPLICANT'S ADDRESS City and Borough of Juneau, Alaska 155 South Seward St. Juneau, Alaska 99801	7. AGENT'S ADDRESS PND Engineers, Inc. 9360 Glacier Hwy., Suite 100 Juneau, Alaska 99801
7. APPLICANT'S PHONE NOS. W/AREA CODE a. Residence b. Business (907) 586-0292	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business (907) 586-2093

11. STATEMENT OF AUTHORIZATION

I hereby authorize **Charles R. (Dick) Somerville, P.E.** to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE _____ DATE _____

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (<i>see instructions</i>) Amalga Harbor Kayak Pathway	
13. NAME OF WATERBODY, IF KNOWN (<i>if applicable</i>) Amalga Harbor	14. PROJECT STREET ADDRESS (<i>if applicable</i>) West end of Dotson Landing Road Juneau, Alaska
15. LOCATION OF PROJECT Juneau COUNTY Alaska STATE	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (*see instructions*)
Lat. 58°29'34", Long. 134°29'34", Township 39 South, Range 64 East, Section 14, USGS Quad Map Juneau B3, Copper River Meridian

17. DIRECTIONS TO THE SITE
From the intersection of Egan Drive and Main Street (downtown Juneau), proceed 24 miles northward on Egan Drive. Egan Drive becomes Glacier Highway at approximate milepost 9.4 and then changes to Juneau Veteran's Memorial Highway at approximate milepost 12.2. Continue to approximate milepost 24 and turn left on Dotson Landing Road. Proceed 0.6 miles west to Amalga Harbor boat launch facility.

18. Nature of Activity (Description of project, include all features)

The Amalga Harbor Kayak Pathway project will include:

- ADA accessible concrete kayak pathway and staircase with handrail.
- Site drainage system with storm sewer pipe, manhole, and catchbasin.

*See attached Site Plan, and Kayak Pathway.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The purpose of the Amalga Harbor Kayak Pathway project is improve public safety by providing ADA accessible concrete pathway and staircase access to the existing kayak launch ramp.

Proposed project start date: November 2008

Proposed project completion date: May 15, 2009

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

The concrete pathway will join up to the existing kayak launch ramp at elev. 13.3 ft.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

Type of Discharge	Quantity within Corps. jurisdiction	Total Project Quantity
Concrete	1 CY	15 CY
Base Course, Grading C-1	1 CY	15 CY
Class A Shot Rock Borrow	1 CY	30 CY

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Fill will be placed on approximately .001 acres below the HTL. The material is likely to be placed with an excavator.

23. Is Any Portion of the Work Already Complete? Yes _____ No X IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

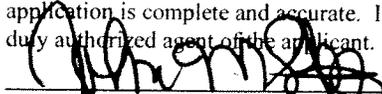
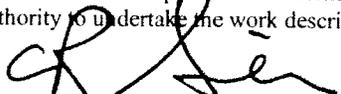
1. Alaska State Parks (Attn. Mike Eberhardt), 400 Willoughby Avenue, Juneau, Alaska 99801
2. CBJ Parks and Recreation, 155 S. Seward St., Juneau, AK 99801
3. Alan and Pamela Kegler, 24995 Amalga Harbor Road, Juneau, Alaska 99801
4. Edward and Linda Mills, 25025 Amalga Harbor Road, Juneau, Alaska 99801
5. Richard and Lynn Wallen, Amalga Harbor Island, 1222 S. 15th St., Manitowac, WI 54220
6. Ralph and Rosemary Kimlinger, Amalga Harbor Island, P.O. Box 240274, Douglas, AK 99824
7. Robert Frampton and Denise Chase, 25400 Amalga Harbor Rd., Juneau, AK 99801
8. Robert Murphy and Catherine Sullivan, 25120 Amalga Harbor Rd., Juneau, AK 99801

25. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

7-25-08 7/29/08

SIGNATURE OF APPLICANT DATE SIGNATURE OF AGENT DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

2. Attach the following: • a detailed project description, all associated facilities, and land use conversions, etc. (Be specific, including access roads, caretaker facilities, waste disposal sites, etc.); • a project timeline for completion of all major activities; • a site plan depicting project boundary with all proposed actions; • other supporting documentation to facilitate project review. Note: If the project is a modification, identify existing facilities and proposed changes on the site plan.

■ PROJECT LOCATION

1. Attach a copy of the topographical and vicinity map clearly indicating the location of the project. Please include a map title and scale.
2. The project is located in which region (see attached map): Northern Southcentral Southeast Southwest within or associated with the Trans-Alaska Pipeline corridor
3. Location of project (Include the name of the nearest land feature or body of water.) Amalga Harbor Township 39 S Range 64 E Section 14 Meridian Copper River Latitude/Longitude 58°29'34"/134°29'34" USGS Quad Map Juneau B3
4. Is the project located in a coastal district? Yes No If yes, identify: City and Borough of Juneau
(Coastal districts are a municipality or borough, home rule or first class city, second class with planning, or coastal resource service area.) Note: A coastal district is a participant in the State's consistency review process. It is possible for the State review to be adjusted to accommodate a local permitting public hearing. Early interaction with the district is important; please contact the district representative listed on the attached contact list.
5. Identify the communities closest to your project location: City and Borough of Juneau, AK
6. The project is on: State land or water* Federal land Private land Municipal land Mental Health Trust land
**State land can be uplands, tidelands, or submerged lands to 3 miles offshore. See Question #1 in DNR section. Contact the applicable landowner(s) to obtain necessary authorizations.*

■ DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) APPROVALS

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. Will a discharge of wastewater from industrial or commercial operations occur?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Will the discharge be connected to an approved sewer system?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Will the project include a stormwater collection/discharge system?..... | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you intend to construct, install, modify, or use any part of a wastewater (sewage or greywater) disposal system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If the answer is yes, will the discharge be 500 gallons per day or greater? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) If constructing a domestic wastewater treatment or disposal system, will the system be located within fill material requiring a USACE permit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If you answered yes to a) or b), answer the following:

- 1) What is the distance from the bottom of the system to the top of the subsurface water table? _____
- 2) How far is any part of the wastewater disposal system from the nearest surface water? _____
- 3) Is the surrounding area inundated with water at any time of the year?.....
- 4) How big is the fill area to be used for the absorption system? _____

(Questions 1 & 2 will be used by DEC to determine whether separation distances are being met;
 Questions 3 & 4 relate to the required size of the fill if wetlands are involved.)

- | | Yes | No |
|---|--------------------------|-------------------------------------|
| 3. Will your project require a mixing zone?
(If your wastewater discharge will exceed Alaska water quality standards, you may apply for a mixing zone.
If so, please contact DEC to discuss information required under 18 AAC 70.032.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. a) Will your project result in construction, operation, or closure of a facility for
solid waste disposal?
(Note: Solid waste means drilling wastes, household garbage, refuse, sludge, construction or demolition wastes,
industrial solid waste, asbestos, and other discarded, abandoned, or unwanted solid or semi-solid material, whether
or not subject to decomposition, originating from any source. Disposal means placement of solid waste on land.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Will your project result in treatment of solid waste at the site?
(Examples of treatment methods include, but are not limited to: incineration, open burning, baling, and composting.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Will your project result in storage or transfer of solid waste at the site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Will the project result in storage of more than 50 tons of materials for reuse, recycling,
or resource recovery? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Will any sewage solids or biosolids be disposed of or land-applied to the site?.....
(Sewage solids include wastes that have been removed from a wastewater treatment plant system, such as a
septic tank, lagoon dredge, or wastewater treatment sludge that contain no free liquids. Biosolids are the solid,
semi-solid, or liquid residues produced during the treatment of domestic septage in a treatment works which are
land applied for beneficial use.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Will your project require application of oil, pesticides, and/or any other broadcast
chemicals? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. a) Will you have a facility with industrial processes that are designed to process no less
than five tons per hour and needs air pollution controls to comply with State
emission standards?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Will you have stationary or transportable fuel burning equipment, including flares,
with a total fuel consumption capacity no less than 50 million Btu/hour? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Will you have a facility with incinerators having a total charging capacity of no less
than 1,000 pounds per hour? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Will you have a facility with equipment or processes that are subject to Federal New
Source Performance Standards or National Emission Standards for hazardous air pollutants?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Will you propose exhaust stack injection?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Will you have a facility with the potential to emit no less than 100 tons per year of any
regulated air contaminant? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Will you have a facility with the potential to emit no less than 10 tons per year of any
hazardous air contaminant or 25 tons per year of all hazardous air contaminants? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Will you construct or add stationary or transportable fuel burning equipment of no less
than 10 million Btu/hour in the City of Unalaska or the City of St. Paul? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Will you construct or modify in the Port of Anchorage a volatile liquid storage tank with
a volume no less than 9,000 barrels, or a volatile liquid loading rack with a design
throughput no less than 15 million gallons?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Will you be requesting operational or physical limits designed to reduce emissions from
an existing facility in an air quality nonattainment area to offset an emission increase
from another new or modified facility? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Do you plan to develop, construct, install, or alter a public water system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. a) Will your project involve the operation of waterborne tank vessels or oil barges
that carry crude or non-crude oil as bulk cargo, or the transfer of oil or other
petroleum products to or from such a vessel or a pipeline system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- b) Will your project require or include onshore or offshore oil facilities with an effective aggregate storage capacity of greater than 5,000 barrels of crude oil or greater than 10,000 barrels of non-crude oil?.....
- Yes No
- c) Will you operate facilities on land or water for exploration or production of hydrocarbons?.....

If you answered "No" to ALL questions in this section, continue to next section.
If you answered "Yes" to ANY of these questions, contact the DEC office nearest you for information and application forms. Please be advised that all new DEC permits and approvals require a 30-day public notice period. DEC Pesticide permits take effect no sooner than 40 days after the permit is issued.

Based on your discussion with DEC, please complete the following:

Types of project approvals or permits needed and name of individual you contacted.	Date application submitted

9. Does your project qualify for a general permit for wastewater or solid waste?
- Note: A general permit is an approval issued by DEC for certain types of routine activities.*

If you answered "Yes" to any questions in this section and are not applying for DEC permits, indicate reason:

Greg Drzewiecki (DEC contact) told me on 7/23/08 that no DEC approvals are required on this project because total project size is less than 1 acre.

Other: _____

■ DEPARTMENT OF FISH AND GAME (DFG) APPROVALS

Yes No

1. Is your project located in a designated State Game Refuge, Critical Habitat Area or State Game Sanctuary?.....
2. Does your project include construction/operation of a salmon hatchery?.....
3. Does your project affect, or is it related to, a previously permitted salmon hatchery?.....
4. Does your project include construction of an aquatic farm?.....

If you answered "No" to ALL questions in this section, continue to next section.
If you answered "Yes" to ANY questions under 1-4, contact the ADF&G Commercial Fisheries Division headquarters for information and application forms

Based on your discussion with ADF&G, please complete the following:

Types of project approvals or permits needed.	Date application submitted

If you answered "YES" to any questions in this section and are not applying for ADF&G permits, indicate reason:

_____ (ADF&G contact) told me on _____ that no ADF&G approvals are required on this project because _____

Other: _____

■ DEPARTMENT OF NATURAL RESOURCES (DNR) APPROVALS

Yes No

1. Is the proposed project on State-owned land or water or will you need to cross State-owned land for access? ("Access" includes temporary access for construction purposes. *Note: In addition to State-owned uplands, the State owns almost all land below the ordinary high water line of navigable streams, rivers and lakes, and below the mean high tide line seaward for three miles.*).....

a) Is this project for a commercial activity?

2. Is the project on Alaska Mental Health Trust land (AMHT) or will you need to cross AMHT land?

Note: Alaska Mental Health Trust land is not considered State land for the purpose of ACMP reviews.

3. Do you plan to dredge or otherwise excavate/remove materials on State-owned land?.....

Location of dredging site if different than the project site: _____

Township _____ Range _____ Section _____ Meridian _____ USGS Quad Map _____

4. Do you plan to place fill or dredged material on State-owned land?

Location of fill disposal site if other than the project site: _____

Township _____ Range _____ Section _____ Meridian _____ USGS Quad Map _____

Source is on: State Land Federal Land Private Land Municipal Land

5. Do you plan to use any of the following State-owned resources:

Timber: Will you harvest timber? Amount: _____

Materials such as rock, sand or gravel, peat, soil, overburden, etc.:

Which material? _____ Amount: _____

Location of source: Project site Other, describe: _____

Township _____ Range _____ Section _____ Meridian _____ USGS Quad Map _____

6. Do you plan to divert, impound, withdraw, or use any fresh water, except from an existing public water system or roof rain catchment system (regardless of land ownership)?

Amount (maximum daily, not average, in gallons per day): _____

Source: _____ Intended Use: _____

If yes, will your project affect the availability of water to anyone holding water rights to that water?

7. Do you plan to build or alter a dam (regardless of land ownership)?

8. Do you plan to drill a geothermal well (regardless of land ownership)?.....

9. At any one site (regardless of land ownership), do you plan any of the following?

Mine five or more acres over a year's time

- Mine 50,000 cubic yards or more of materials (rock, sand or gravel, soil, peat, overburden, etc.) over a year's time
- Have a cumulative unreclaimed mined area of five or more acres

If yes to any of the above, contact DNR about a reclamation plan.

If you plan to mine less than the acreage/amount stated above and have a cumulative unreclaimed mined area of less than five acres, do you intend to file a voluntary reclamation plan for approval? Yes No

10. Do you plan to explore for or extract coal?

11. a) Will you explore for or produce oil and/or gas?

b) Will you conduct surface use activities on an oil and/or gas lease or within an oil and/or gas unit?

12. Will you investigate, remove, or impact historical or archaeological or paleontological resources (anything over 50 years old) on State-owned land?

13. Is the proposed project located within a known geophysical hazard area?

Note: 6 AAC 80.900(9) defines geophysical hazard areas as "those areas which present a threat to life or property from geophysical or geological hazards, including flooding, tsunami run-up, storm surge run-up, landslides, snowslides, faults, ice hazards, erosion, and littoral beach process." "known geophysical hazard area" means any area identified in a report or map published by a federal, state, or local agency, or by a geological or engineering consulting firm, or generally known by local knowledge, as having known or potential hazards from geologic, seismic, or hydrologic processes.

14. Is the proposed project located in a unit of the Alaska State Park System?

15. Will you work in, remove water or material from, or place anything in, a stream, river or lake? (This includes work or activities below the ordinary high water mark or on ice, in the active flood plain, on islands, in or on the face of the banks, or, for streams entering or flowing through tidelands, above the level of mean lower low tide.)
Note: If the proposed project is located within a special flood hazard area, a floodplain development permit may be required. Contact the affected city or borough planning department for additional information and a floodplain determination.)

Name of waterbody:

16. Will you do any of the following?

Please indicate below:

- Build a dam, river training structure, other instream impoundment, or weir
- Use water
- Pump water into or out of stream or lake (including dry channels)
- Divert or alter a natural stream channel
- Change water flow or the stream channel
- Introduce silt, gravel, rock, petroleum products, debris, brush, trees, chemicals, or other organic/inorganic material, including waste of any type, into water
- Alter, stabilize or restore banks of a river, stream or lake (provide number of linear feet affected along the bank(s))

- Mine, dig in, or remove material, including woody debris, from beds or banks of a waterbody
- Use explosives in or near a waterbody
- Install a culvert or other drainage structure
- Construct, place, excavate, dispose or remove any material below the ordinary high water of a waterbody
- Construct a storm water discharge or drain into a waterbody
- Place pilings or anchors
- Construct a dock
- Construct a utility line crossing
- Maintain or repair an existing structure
- Use an instream in-water structure not mentioned here

If you answered "No" to ALL questions in this section, continue to next section.

If you answered "Yes" to ANY questions under 1-16, contact the Area DNR, office for information and application forms.

Based on your discussion with DNR, please complete the following:

Types of project approvals or permits needed.	Date application submitted

If you answered "Yes" to any questions in this section and are not applying for DNR permits, indicate reason:

Claire Batac (DNR contact) told me on 2/19/08 that no DNR approvals are required on this project because No others are necessary at this time.

■ FEDERAL APPROVALS

Yes No

U.S. Army Corps of Engineers (USACE)

1. Will you dredge or place structures or fills in any of the following:
- tidal (ocean) waters? streams? lakes? wetlands*?
- If yes, have you applied for a USACE permit?

Date of submittal: Concurrent with this CPQ

Name of COE contact: Mr. John Leeds

(Note: Your application for this activity to the USACE also serves as application for DEC Water Quality Certification.)

**If you are not certain whether your proposed project is in a wetlands (wetlands include muskegs), contact the USACE, Regulatory Branch at 907-753-2712 for a wetlands determination (outside the Anchorage area call toll free 1-800-478-2712)*

Bureau of Land Management (BLM)

2. Is the proposed project located on BLM land, or will you need to cross BLM land for access?
- If yes, have you applied for a BLM permit or approval?

Date of submittal: _____

Name of BLM contact: _____

U.S. Coast Guard (USCG)

3. a) Do you plan to construct a bridge or causeway over tidal (ocean) waters, or navigable rivers, streams or lakes?
- b) Does your project involve building an access to an island?
- c) Do you plan to site, construct, or operate a deepwater port?
- If yes, have you applied for a USCG permit?

Date of submittal: _____

Name of USCG contact: _____

U.S. Environmental Protection Agency (EPA)

4. a) Will the proposed project have a discharge to any waters?
- b) Will you dispose of sewage sludge (contact EPA at 206-553-1941)?
- If you answered yes to a) or b), have you applied for an EPA National Pollution Discharge Elimination System (NPDES) permit?

Date of submittal: None required. Project site less than 1 acre.

Name of EPA contact: _____

(Note: For information regarding the need for an NPDES permit, contact EPA at 1-800-424-4372)

- c) Will construction of your project expose 1 or more acres of soil? (This applies to the total amount of land disturbed, even if disturbance is distributed over more than one season, and also applies to areas that are part of a larger common plan of development or sale.) Yes No
- d) Is your project an industrial facility that will have stormwater discharge directly related to manufacturing, processing, or raw materials storage areas at an industrial plant? Yes No
- If you answered yes to c) or d), your project may require an NPDES Stormwater permit.
Contact EPA at 206-553-8399.

Federal Aviation Administration (FAA)

5. a) Is your project located within five miles of any public airport? Yes No
- b) Will you have a waste discharge that is likely to decay within 5,000 feet of any public airport? Yes No
- If yes, please contact the Airports Division of the FAA at 907-271-5438.

Federal Energy Regulatory Commission (FERC)

6. a) Does the project include any of the following:
- 1) a non-federal hydroelectric project on any navigable body of water Yes No
 - 2) a location on federal land (including transmission lines)..... Yes No
 - 3) utilization of surplus water from any federal government dam Yes No
- b) Does the project include construction and operation, or abandonment of natural gas pipeline facilities under sections (b) and (c) of the Federal Power Act (FPA)?..... Yes No
- c) Does the project include construction for physical interconnection of electric transmission facilities under section 202 (b) of the FPA?..... Yes No
- If you answered yes to any questions under number 6, did you apply for a permit from FERC?..... Yes No

Date of submittal: _____

Name of FERC contact: _____

(Note: For information, Div. Hydropower-Environment and Engineering contact: Vince Yearek 202-502-6174 or Mike Henry 503-944-6762, 202-502 8700; (for Natural Gas Projects) Division of Pipeline Certificate 202-502-8625; for Alaska projects contact Richard Foley -- 202-502-8955)

U.S. Forest Service (USFS)

7. a) Does the proposed project involve construction on USFS land? Yes No
- b) Does the proposed project involve the crossing of USFS land with a water line? Yes No
- If the answer to either question is yes, did you apply for a USFS permit or approval? Yes No

Date of submittal: _____

Name of USFS contact: _____

8. Have you applied for any other federal permits or authorizations? Yes No

AGENCY	APPROVAL TYPE	DATE SUBMITTED

The Coastal Project Questionnaire (CPQ) identifies permits subject to a consistency review. You may need additional permits from other agencies or the affected city and/or borough government to proceed with your activity.

ACMP Consistency Evaluation & Certification Statement

Pursuant to 11 AAC 112.215 (a)(1)(c), the applicant shall submit an evaluation of how the proposed project is consistent with the statewide standards at 11 AAC 112.200 - 11 AAC 112.990 and with the applicable district enforceable policies, sufficient to support the consistency certification. Evaluate your project against each section of the state standards and applicable district enforceable policies using the template below or by submitting a narrative description in letter or report form. District enforceable policies are available on the ACMP website at <http://www.alaskacoast.state.ak.us> Definitions of key terms can be found at: 11 AAC 110.990, 11 AAC 112.990 and 11 AAC 114.990.

If you need more space for an adequate explanation of any of the applicable standards, please attach additional pages to the end of this document. Be sure to include references to the specific sections and subsections that you are evaluating.

STATEWIDE STANDARDS

11 AAC 112.200. Coastal Development

Standard:

- (a) In planning for and approving development in or adjacent to coastal waters, districts and state agencies shall manage coastal land and water uses in such a manner that those uses that are economically or physically dependent on a coastal location are given higher priority when compared to uses that do not economically or physically require a coastal location.
- (b) Districts and state agencies shall give, in the following order, priority to
 - (1) water-dependent uses and activities;
 - (2) water-related uses and activities; and
 - (3) uses and activities that are neither water-dependent nor water-related for which there is no practicable inland alternative to meet the public need for the use or activity.
- (c) The placement of structures and the discharge of dredged or fill material into coastal water must, at a minimum, comply with the standards contained in 33 CFR Parts 320 - 323, revised as of July 1, 2003.

Evaluation:

- (a) How is your project economically or physically dependent on a coastal location? Why are you proposing to place the project at the selected location?

The proposed ADA accessible concrete pathway and staircase will provide access to the existing kayak launch ramp at Amalga Harbor.

- (b) Evaluation of development priority.

- (1) How is the proposed project water-dependent? Explain. See Above.
- (2) How is the proposed project water-related? Explain. See above.
- (3) If the proposed project is neither water-dependent nor water-related, please explain why there is not a practicable inland alternative that meets the public need for the use or activity. Explain.

- (c) *OPMP defers to the United States Corps of Engineers (USACE) to interpret compliance with the referenced standards.* If you plan to discharge or fill waters of the US, have you applied to the Corps of Engineers for the appropriate authorization?

Yes, a USACE permit application is concurrent with this CPQ.

11 AAC 112.210. Natural hazard areas.

Standard:

- (a) In addition to those identified in 11 AAC 112.990, the department, or a district in a district plan, may designate other natural processes or adverse conditions that present a threat to life or property in the coastal area as natural hazards. Such designations must provide the scientific basis for designating the natural process or adverse condition as a natural hazard in the coastal area, along with supporting scientific evidence for the designation.
- (b) Areas likely to be affected by the occurrence of a natural hazard may be designated as natural hazard areas by a state agency or, under 11 AAC 114.250(b), by a district.
- (c) Development in a natural hazard area may not be found consistent unless the applicant has taken appropriate measures in the siting, design, construction, and operation of the proposed activity to protect public safety, services, and the environment from potential damage caused by known natural hazards.
- (d) For purposes of (c) of this section, "appropriate measures in the siting, design, construction, and operation of the proposed activity" means those measures that, in the judgment of the coordinating agency, in consultation with the department's division of geological and geophysical surveys, the Department of Community and Economic Development as state coordinating agency for the National Flood Insurance Program under 44 C.F.R. 60.25, and other local and state agencies with expertise,
 - (1) satisfy relevant codes and safety standards; or
 - (2) in the absence of such codes and standards;
 - (A) the project plans are approved by an engineer who is registered in the state and has engineering experience concerning the specific natural hazard; or
 - (B) the level of risk presented by the design of the project is low and appropriately addressed by the project plans.

Evaluation:

- (a) Is your proposed project in a natural hazard area designated by a coastal district Or the Alaska Department of Natural Resources? Yes No
- (b) Describe the potential natural hazards likely to affect the proposed project site or area.
http://www.dggs.dnr.state.ak.us/geologic_hazards_coastal_districts.htm
- (c) Describe how the proposed project is designed to accommodate potential hazards. How will you use site design or operate the proposed activity to protect public safety, services and the environment from potential damaged caused by known natural hazards?

- (d)(1) Describe the measures you will take to meet relevant codes and safety standards in the siting, design, construction and operation of the proposed activity.
- (d)(2)(A) If your project is located in an area without codes and safety standards, how is your project engineered for the specific natural hazard? or
- (d)(2)(B) If the level of risk presented by the design of the project is low, how do the project plans and project design address the potential natural hazard?

11 AAC 112.220. Coastal access.

Standard:

Districts and state agencies shall ensure that projects maintain and, where appropriate, increase public access to, from, and along coastal water.

Evaluation:

Please explain how the proposed project will maintain and, where appropriate, increase public access to, from and along coastal water.

The project will provide improved access to the coastal water by providing safer, more convenient ADA compliant access to the existing kayak launch ramp at Amalga Harbor.

11 AAC 112.230. Energy facilities.

Standard:

(a) The siting and approval of major energy facilities by districts and state agencies must be based, to the extent practicable, on the following standards:

- (1) site facilities so as to minimize adverse environmental and social effects while satisfying industrial requirements;
 - (2) site facilities so as to be compatible with existing and subsequent adjacent uses and projected community needs;
 - (3) consolidate facilities;
 - (4) consider the concurrent use of facilities for public or economic reasons;
 - (5) cooperate with landowners, developers, and federal agencies in the development of facilities;
 - (6) select sites with sufficient acreage to allow for reasonable expansion of facilities;
 - (7) site facilities where existing infrastructure, including roads, docks, and airstrips, is capable of satisfying industrial requirements;
 - (8) select harbors and shipping routes with least exposure to reefs, shoals, drift ice, and other obstructions;
 - (9) encourage the use of vessel traffic control and collision avoidance systems;
 - (10) select sites where development will require minimal site clearing, dredging, and construction;
 - (11) site facilities so as to minimize the probability, along shipping routes, of spills or other forms of contamination that would affect fishing grounds, spawning grounds, and other biologically productive or vulnerable habitats, including marine mammal rookeries and hauling out grounds and waterfowl nesting areas;
 - (12) site facilities so that design and construction of those facilities and support infrastructures in coastal areas will allow for the free passage and movement of fish and wildlife with due consideration for historic migratory patterns;
 - (13) site facilities so that areas of particular scenic, recreational, environmental, or cultural value, identified in district plans, will be protected;
 - (14) site facilities in areas of least biological productivity, diversity, and vulnerability and where effluents and spills can be controlled or contained;
 - (15) site facilities where winds and air currents disperse airborne emissions that cannot be captured before escape into the atmosphere;
 - (16) site facilities so that associated vessel operations or activities will not result in overcrowded harbors or interfere with fishing operations and equipment.
- (b) The uses authorized by the issuance of state and federal leases, easements, contracts, rights-of-way, or permits for mineral and petroleum resource extraction are uses of state concern.

Evaluation:

(a) If this standard applies to your project, please describe in detail how the proposed project is designed to meet each applicable section of this standard:

(1) N/A – Not an energy facility

(2) _____

(3) _____

- (4) _____

- (5) _____

- (6) _____

- (7) _____

- (8) _____

- (9) _____

- (10) _____

- (11) _____

- (12) _____

- (13) _____

- (14) _____

- (15) _____

- (16) _____

(b) List the authorizations for state and federal leases, easements, contracts, rights-of-way, or permits for mineral and petroleum resource extraction you have applied for or received. N/A – No mineral or petroleum resource extraction.

11 AAC 112.240. Utility routes and facilities.

Standard:

- (a) Utility routes and facilities must be sited inland from beaches and shorelines unless
 - (1) the route or facility is water-dependent or water related; or
 - (2) no practicable inland alternative exists to meet the public need for the route or facility.

- (b) Utility routes and facilities along the coast must avoid, minimize, or mitigate
- (1) alterations in surface and ground water drainage patterns;
 - (2) disruption in known or reasonably foreseeable wildlife transit;
 - (3) blockage of existing or traditional access.

Evaluation:

(a) If the proposed utility route or facility is sited adjacent to beaches or shorelines, explain how the route or facility is water dependent water related or why no practical inland alternative exists.

Due to the reconfiguration of the kayak pathway a site drainage system must be constructed.

(b) If the proposed utility route or facility is sited along the coast, explain how you will avoid, minimize or mitigate:

(1) ~~alterations in surface and ground water drainage patterns;~~ Alterations in surface and groundwater drainage patterns by the construction of this facility will be managed by the new drainage system.

(2) disruption in known or reasonably foreseeable wildlife transit;

This project will cause no foreseeable wildlife transit disruptions.

(3) blockage of existing or traditional access.

The existing access will be removed and replaced with improved ADA compliant concrete pathway and staircase access.

11 AAC 112.250. Timber harvest and processing.

Standard:

AS 41.17 (Forest Resources and Practices Act) and the regulations adopted under that chapter with respect to the harvest and processing of timber are incorporated into the program and constitute the components of the program with respect to those purposes.

Evaluation:

Does your activity involve harvesting or processing of timber? Yes _____ No X

If yes, please explain how your proposed project meets the standards of the State Forest Resources and Practices Act.

11 AAC 112.260. Sand and gravel extraction.

Standard:

Sand and gravel may be extracted from coastal waters, intertidal areas, barrier islands, and spits if there is no practicable alternative to coastal extraction that will meet the public need for the sand or gravel.

Evaluation:

If your proposed project includes extracting sand or gravel from coastal waters, intertidal areas, barrier islands or spits, please explain why there is no practicable alternative to coastal extraction that meets the public need for sand or gravel.

N/A – No sand or gravel extraction.

11 AAC 112.270. Subsistence.

Standard:

(a) A project within a subsistence use area designated by the department or under 11 AAC 114.250(g) must avoid or minimize impacts to subsistence uses of coastal resources.

(b) For a project within a subsistence use area designated under 11 AAC 114.250(g), the applicant shall submit an analysis or evaluation of reasonably foreseeable adverse impacts of the project on subsistence use as part of

(1) a consistency review packet submitted under 11 AAC 110.215; and

(2) a consistency evaluation under 15 C.F.R. 930.39, 15 C.F.R. 930.58, or 15 C.F.R. 930.76.

(c) Repealed 10/29//2004, Register 172.

(d) Except in nonsubsistence areas identified under AS 16.05.258, the department may, after consultation with the appropriate district, federally recognized Indian tribes, Native corporations, and other appropriate persons or groups, designate areas in which a subsistence use is an important use of coastal resources as demonstrated by local usage.

(e) For purposes of this section, "federally recognized Indian tribe," "local usage", and "Native corporation" have the meanings given in 11 AAC 114.990.

Evaluation:

(a) Is your proposed project located within a subsistence use area designated by a coastal district?

Yes _____ No X

If yes, please describe how the proposed project is designed to "avoid or minimize impacts to subsistence uses of coastal resources:"

(b) If your project is located in a subsistence use area designated by the coastal district, provide an analysis or evaluation of its reasonably foreseeable adverse impacts to the subsistence uses.

(c) No response required.

(d) If your project is not located in a designated subsistence use area, please describe any subsistence uses of coastal resources within the project area. Please be advised that subsistence use areas may be designated by the department during a review.

(e) No response required.

11 AAC 112.280. Transportation routes and facilities.

Standard:

Transportation routes and facilities must avoid, minimize, or mitigate

(1) alterations in surface and ground water drainage patterns;

(2) disruption in known or reasonably foreseeable wildlife transit; and

(3) blockage of existing or traditional access.

Evaluation:

If your proposed project includes transportation routes or facilities, describe how it avoids, minimizes, or mitigates

(1) alterations in surface and ground water drainage patterns;

Alterations in surface and groundwater drainage patterns by the construction of this facility will be mitigated by the new drainage system.

(2) disruption in known or reasonably foreseeable wildlife transit; and
This project will cause no foreseeable wildlife transit disruptions.

(3) blockage of existing or traditional access.

The existing access will be removed and replaced with improved ADA compliant concrete pathway and staircase access.

11 AAC 112.300. Habitats.

Standard:

(a) Habitats in the coastal area that are subject to the program are

(1) offshore areas;

(2) estuaries;

~~(3) wetlands;~~

(4) tideflats;

(5) rocky islands and sea cliffs;

(6) barrier islands and lagoons;

(7) exposed high-energy coasts;

(8) rivers, streams, and lakes and the active floodplains and riparian management areas of those rivers, streams, and lakes; and

(9) important habitat.

(b) The following standards apply to the management of the habitats identified in (a) of this section:

(1) offshore areas must be managed to avoid, minimize, or mitigate significant adverse impacts to competing uses such as commercial, recreational, or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;

(2) estuaries must be managed to avoid, minimize, or mitigate significant adverse impacts to

(A) adequate water flow and natural water circulation patterns; and

(B) competing uses such as commercial, recreational, or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;

(3) wetlands must be managed to avoid, minimize, or mitigate significant adverse impacts to water flow and natural drainage patterns;

(4) tideflats must be managed to avoid, minimize, or mitigate significant adverse impacts to

(A) water flow and natural drainage patterns; and

(B) competing uses such as commercial, recreational, or subsistence uses, to the extent that those uses are determined to be in competition with the proposed use;

(5) rocky islands and sea cliffs must be managed to

(A) avoid, minimize, or mitigate significant adverse impacts to habitat used by coastal species; and

(B) avoid the introduction of competing or destructive species and predators;

(6) barrier islands and lagoons must be managed to avoid, minimize, or mitigate significant adverse impacts

(A) to flows of sediments and water;

(B) from the alteration or redirection of wave energy or marine currents that would lead to the filling in of lagoons or the erosion of barrier islands; and

(C) from activities that would decrease the use of barrier islands by coastal species, including polar bears and nesting birds;

(7) exposed high-energy coasts must be managed to avoid, minimize, or mitigate significant adverse impacts

(A) to the mix and transport of sediments; and

(B) from redirection of transport processes and wave energy;

(8) rivers, streams, and lakes must be managed to avoid, minimize, or mitigate significant adverse impacts to

(A) natural water flow;

(B) active floodplains; and

(C) natural vegetation within riparian management areas; and

(9) important habitat

(A) designated under 11 AAC 114.250(h) must be managed for the special productivity of the habitat in accordance with district enforceable policies adopted under 11 AAC 114.270(g); or

(B) identified under (c)(1)(B) or

(C) of this section must be managed to avoid, minimize, or mitigate significant adverse impacts to the special productivity of the habitat.

(c) For purposes of this section,

(1) "important habitat" means habitats listed in (a)(1) – (8) of this section and other habitats in the coastal area that are

(A) designated under 11 AAC 114.250(h);

(B) identified by the department as a habitat

(i) the use of which has a direct and significant impact on coastal water; and

(ii) that is shown by written scientific evidence to be biologically and significantly productive; or

(C) identified as state game refuges, state game sanctuaries, state range areas, or fish and game critical habitat areas under AS 16.20;

(2) "riparian management area" means the area along or around a waterbody within the following distances, measured from the outermost extent of the ordinary high water mark of the waterbody:

(A) for the braided portions of a river or stream, 500 feet on either side of the waterbody;

(B) for split channel portions of a river or stream, 200 feet on either side of the waterbody;

(C) for single channel portions of a river or stream, 100 feet on either side of the waterbody;

(D) for a lake, 100 feet of the waterbody.

Evaluation:

(a) List the habitats from (a) above that are within your proposed project area or that could be affected by your proposed project.

Amalga Harbor, (1) Offshore areas, (4) tideflats

(b) Describe how the proposed project avoids, minimizes, or mitigates impacts to each of the identified habitat(s) in section (a) above.

During construction, procedures will be taken to decrease any environmental impacts to surrounding habitats. Clean shot rock fill will be used to construct the ditches and side slopes. Disturbance of the bank outside of the fill site will be minimized.

(c) No response required.

11 AAC 112.310. Air, land and water quality

Standard:

Notwithstanding any other provision of this chapter, the statutes and regulations of the Department of Environmental Conservation with respect to the protection of air, land, and water quality identified in AS 46.40.040(b) are incorporated into the program and, as administered by that department, constitute the exclusive components of the program with respect to those purposes.

Evaluation: No response required.

11 AAC 112.320. Historic, prehistoric, and archeological resources.

Standard:

(a) The department will designate areas of the coastal zone that are important to the study, understanding, or illustration of national, state, or local history or prehistory, including natural processes.

(b) A project within an area designated under (a) of this section shall comply with the applicable requirements of

AS 41.35.010 – 41.35.240 and 11 AAC 16.010 – 11 AAC 16.900.

Evaluation:

(a) Have you contacted the State Historic Preservation Office (SHPO) to see if your project is in a designated area of the coastal zone that is important to the study, understanding, or illustration of national, state, or local history or prehistory, including natural processes?

Yes. _____

(b) If your project is within an area designated under (a) of this section, how will you comply with the applicable requirements in the statutes and regulations listed in (b)?

N/A _____

Affected Coastal District Enforceable Policies

Evaluate each applicable district enforceable policy using a format similar to the one you completed above for the State Standards. District enforceable policies are available at <http://alaskacoast.state.ak.us/>.

If you need more space for an adequate explanation of any of the applicable district enforceable policies, please attach additional pages to the end of this document.

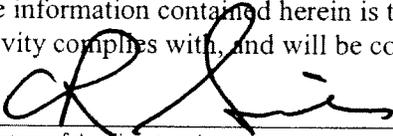
Applicable District Plan(s) _____

Enforceable Policy: _____

Evaluation:

Certification Statement

The information contained herein is true and complete to the best of my knowledge. I certify that the proposed activity complies with, and will be conducted in a manner consistent with, the Alaska Coastal Management Program.



Signature of Applicant or Agent

7/24/08

Date

Note: Federal agencies conducting an activity that will affect the coastal zone are required to submit a federal consistency determination, per 15 CFR 930, Subpart C, rather than this certification statement.

ACMP has developed a guide to assist federal agencies with this requirement. Contact ACMP to obtain a copy.

This certification statement will not be complete until all required State and federal authorization requests have been submitted to the appropriate agencies.

- **To complete your packet, please attach your State permit applications and copies of your federal permit applications to this questionnaire. (11 AAC 110.215(a)(1) and (a)(2))**

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-2001-637, AMALGA HARBOR, 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-2001-637, AMALGA HARBOR, 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.