US Army Corps
of Engineers
Alaska District

Regulatory Division (1145)
CEPOA-RD-NF
3437 Airport Way, Suite 206
Fairbanks, Alaska 99709-4777

Public Notice of Application for Permit

PUBLIC NOTICE DATE: March 1, 2007

EXPIRATION DATE: March 30, 2007

REFERENCE NUMBER: POA 2005-1157-4

WATERWAY: Jarvis Creek

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Michael T. Meeks, Director of Public Works, 1060 Gaffney road, #4500, Fort Wainwright, Alaska 99703-4500

AGENT: Ms. Ellen Clark, ITAM Coordinator, Post Office Box 1291, Delta Junction, Alaska 99737.

LOCATION: The proposed project is located within section 25, T. 12 S., R. 10 E., and sections 17, 18, 19, 30, and 31, T. 12 S., R. 11 E., Fairbanks Meridian; beginning at approximately Latitude 63.8767° N., Longitude -147.6274° W., in Fort Wainwright, Donnelly Training Area, near Delta Junction, Alaska.

PURPOSE: The purpose of the proposed project is to improve an existing trail and to prevent erosion and road propagation in adjacent wetlands.

WORK: The applicant proposes to place approximately 19,122 cubic yards (CY) of pit run gravel into approximately 3.3 acres of wetlands to improve 33-Mile Loop Road. Work to be accomplished in accordance with sheets 1-5, dated January 2007.

ADDITIONAL INFORMATION: The improvements call for grading and shaping, installing geotextile, and filling with gravel compacted in 6-inch lifts. Two 18" culverts would be installed at one unnamed stream crossing and four additional culverts would be installed at various locations to keep wetlands connected from one side of the road to the other. Pit run gravel would be obtained from a new source to be developed in uplands near the start of the project. Excavated material from culvert installation would be back-hauled to the gravel source and placed in uplands. Road dimensions would typically be 12' (20'-28' at toe) with 2:1 side slope and would be 2' to 4' deep. The total road length is approximately 27,662 feet (approximately 5,780 feet of the total length are wetlands).

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.

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.

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 registered or eligible properties in the vicinity of the worksite. It has been designated **XMH-284 and XMH-881.** Because it has been determined to be within the project area, a determination of effect will be made in consultation with the State Historic Preservation Officer (SHPO). There are two properties determined not eligible within the project area. They have been designated **XMH-883 and XMH-1094.** Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time. 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.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, 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 Engineer during the public comment period.

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. 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 proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

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. That 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 Engineer 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.

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 **Benjamin Soiseth** at (907) 474-2166 or by email at **Benjamin.N.Soiseth**@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(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).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments

SARAH PALIN, GOVERNOR

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION

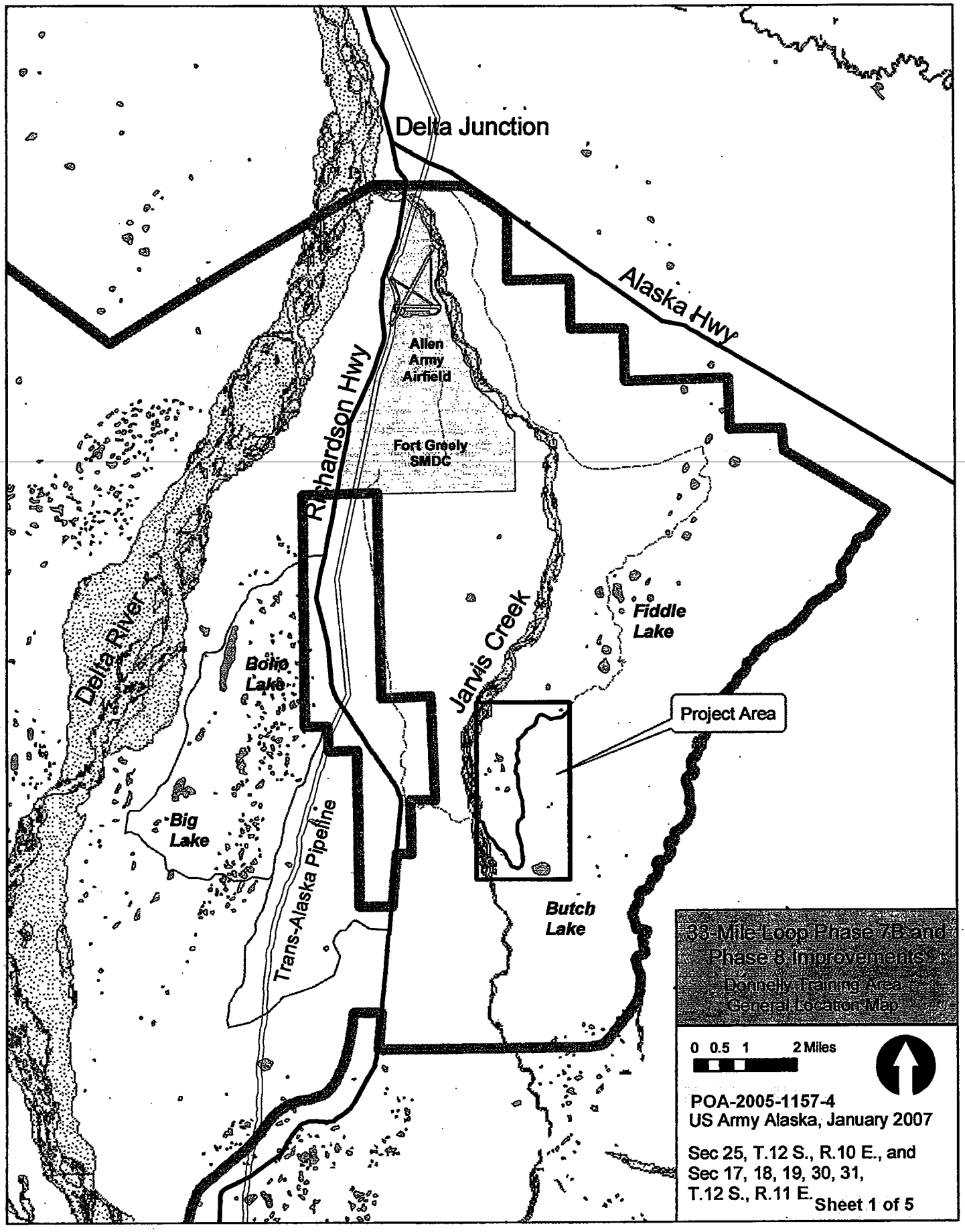
Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation 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.

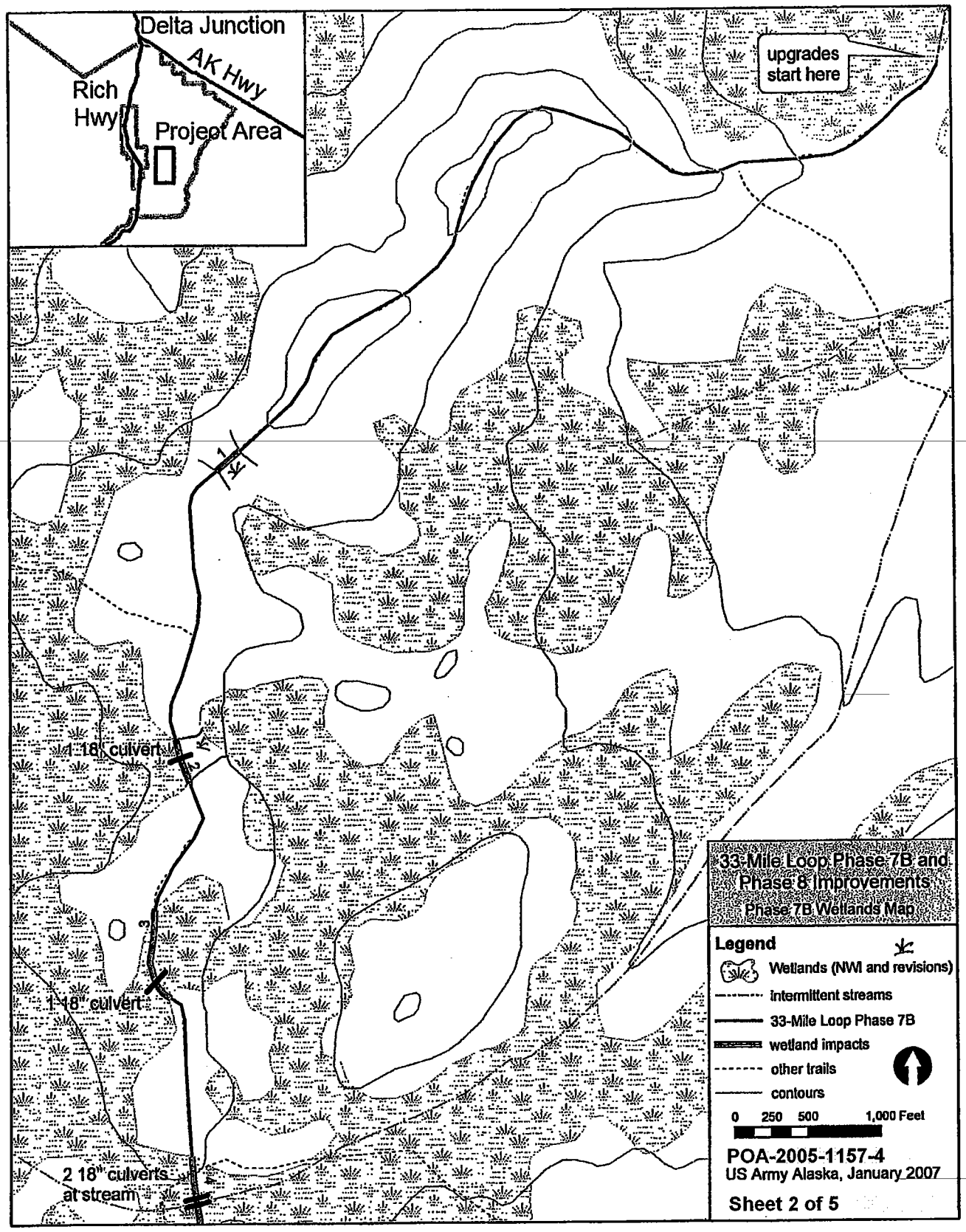
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No POA-2005-1157-4, Jarvis Creek serves as application for State Water Quality Certification from the Department of Environmental Conservation.

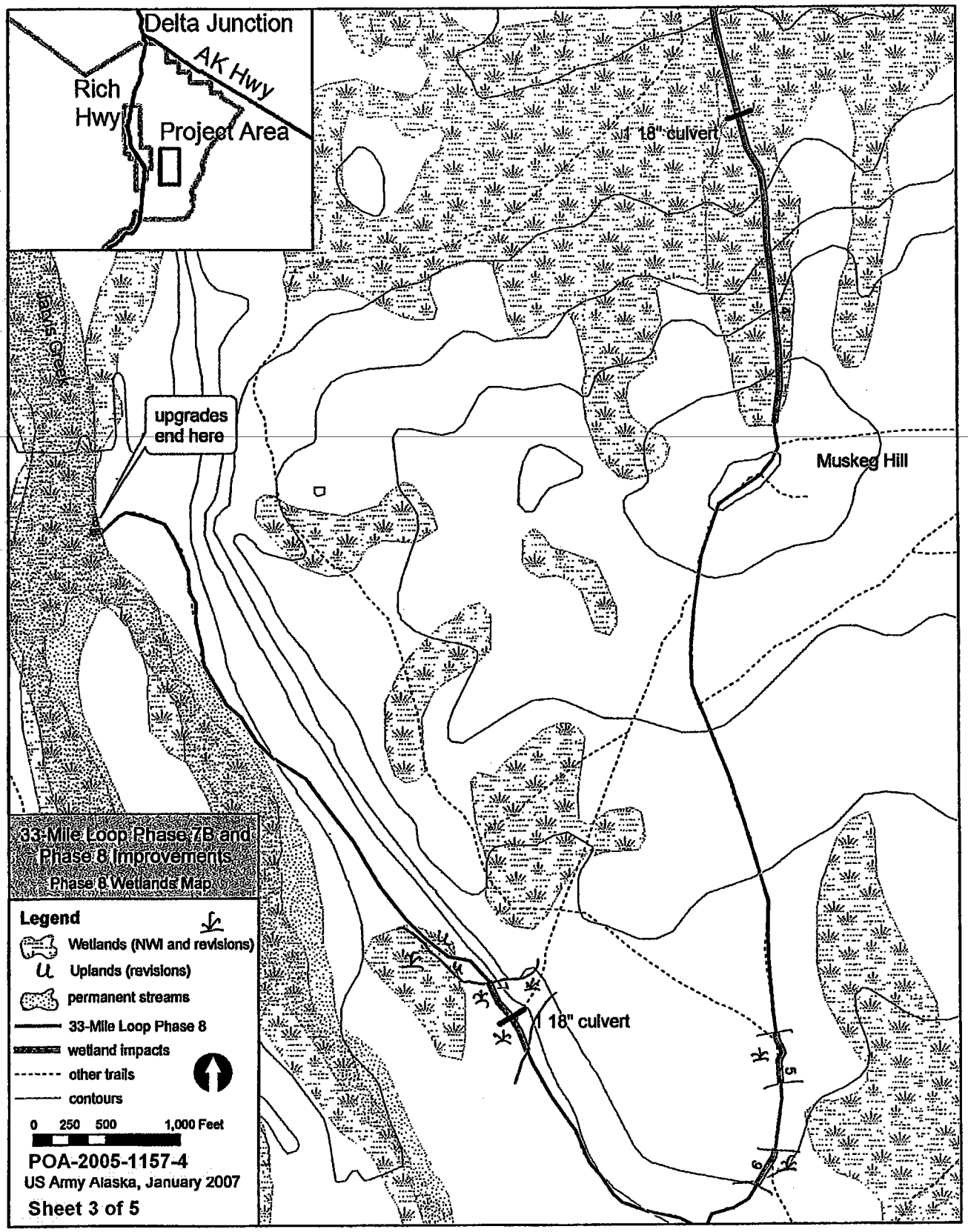
After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-6281
FAX: (907) 269-7508

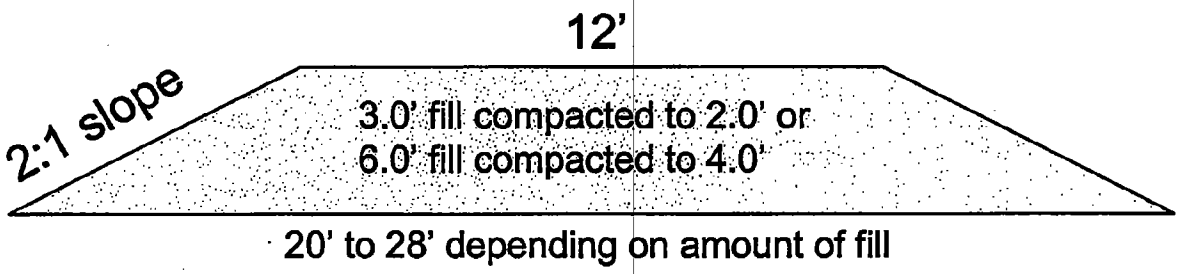

Delta Junction
Alaska Hwy
Allen Army Airfield
Fort Greely SMDC
Richardson Hwy
Delta River
Bolio Lake
Big Lake
Trans-Alaska Pipeline
Jarvis Creek
Fiddle Lake
Project Area
Butch Lake
33-Mile Loop Phase 7B and Phase 8 Improvements
Donnelly Training Area
General Location Map
0 0.5 1 2 Miles
POA-2005-1157-4
US Army Alaska, January 2007
Sec 25, T.12 S., R.10 E., and
Sec 17, 18, 19, 30, 31,
T.12 S., R.11 E.
Sheet 1 of 5


Delta Junction
AK Hwy
Rich Hwy
Project Area
upgrades start here
1
1 18" culvert
2
3
1 18" culvert
2 18" culverts at stream
33-Mile Loop Phase 7B and Phase 8 Improvements
Phase 7B Wetlands Map
Legend
Wetlands (NWI and revisions)
intermittent streams
33-Mile Loop Phase 7B
wetland impacts
other trails
contours
0 250 500 1,000 Feet
POA-2005-1157-4
US Army Alaska, January 2007
Sheet 2 of 5

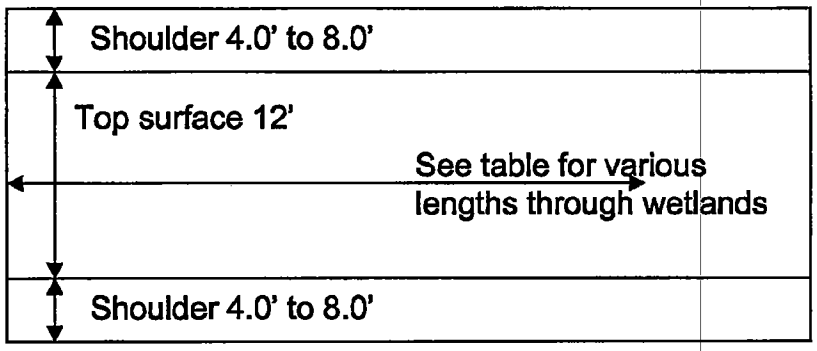

Delta Junction
AK Hwy
Rich Hwy
Project Area
18" culvert
upgrades end here
Muskeg Hill
18" culvert
33-Mile Loop Phase 7B and Phase 8 Improvements
Phase 8 Wetlands Map
Legend
Wetlands (NWI and revisions)
Uplands (revisions)
permanent streams
33-Mile Loop Phase 8
wetland impacts
other trails
contours
0 250 500 1,000 Feet
POA-2005-1157-4
US Army Alaska, January 2007
Sheet 3 of 5

POA-2005-1157-9 US Army Alaska, Donnelly Training Area

33-Mile Loop Phase 7B and Phase 8 Improvements



Typical cross-section, 33-Mile Loop Road



Plan View, 33-Mile Loop Road

Fill Calculations

8 repair sections in wetlands:

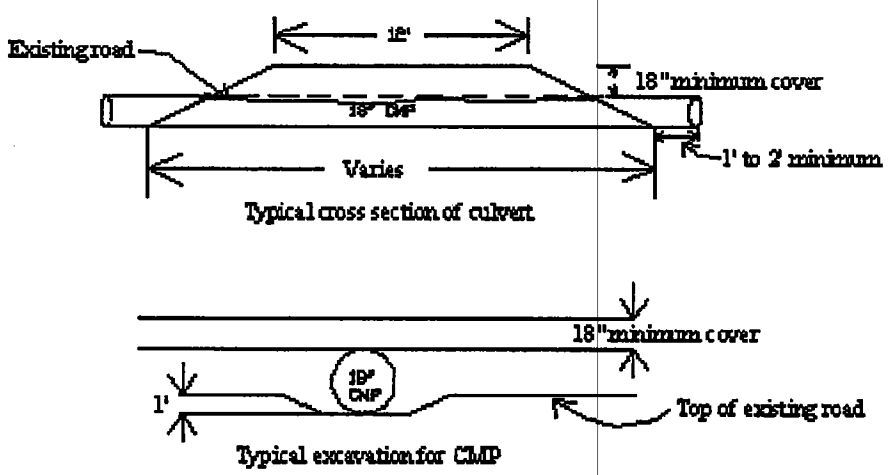
	length ft	depth ft	width at toe ft	cubic ft	CY
impact 1	211	3	20	10,142	376
impact 2	323	3	20	15,512	575
impact 3	660	3	20	31,701	1,174
impact 4	3318	6	28	398,110	14,745
impact 5	358	3	20	17,165	636
impact 6	275	3	20	13,213	489
impact 7	544	3	20	26,110	967
impact 8	91	3	20	4,346	161
					19,122 CY

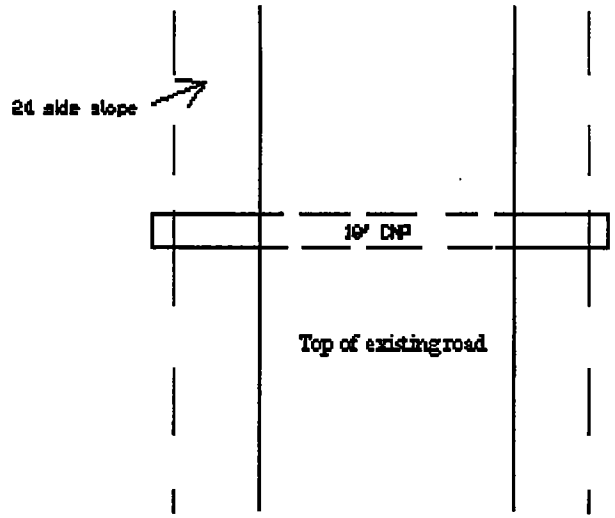
Not drawn to scale.

POA-2005-1157-9 US Army Alaska, Donnelly Training Area

33-Mile Loop Phase 7B and Phase 8 Improvements

33 Mile Loop Road
18" Culvert





NOTE: Average thickness of new gravel to road will be a depth of 2.0