



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145b)
Post Office Box 6898
Elmendorf AFB, Alaska 99506-6898

PUBLIC NOTICE DATE: 24 September 2004
EXPIRATION DATE: 25 October 2004
REFERENCE NUMBER: POA-2000-450
WATERWAY: Blind Slough

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 sheets.

APPLICANT: The Alaska Department of Transportation and Public Facilities, Southeast Region, 6860 Glacier Highway, Juneau, AK 99801-7999. Contact person: Van Sundberg (907) 465-4498.

LOCATION: The proposed South Mitkof Ferry Terminal would be located on Blind Slough at the south end of Mitkof Island, 25 miles south of Petersburg, Alaska. The property is within section 36, T. 61 S., R. 81 E., Copper River Meridian, at Latitude 56.535°N, Longitude 132.712°W.

PURPOSE: To construct a new Alaska Marine Highway System (AHMS) ferry terminal south of Petersburg, which will accommodate Inter-Island Ferry Authority day-boat and AMHS fast vehicle ferries. The ferry terminal would allow regular ferry service between Prince of Wales Island, Wrangell, and Ketchikan, reducing ferry system costs and improving connections between communities.

WORK: Place 71,450 cubic yards of fill material into 5.46 acres of waters of the U.S. to construct a new ferry terminal facility (2.94 acres) and access road (2.52 acres); place 22,000 cubic yards of waste overburden material into 1.52 acres of forested wetlands in two 40-foot by 950-foot berms along a portion of the access road. Also, construct a 920-foot long by 24-foot wide pile supported trestle and a 143-foot long by 15-foot long transfer bridge to connect the terminal with an 80-foot long by 50-foot wide single berth floating dock. Lastly, install seven mooring/berthing dolphins perpendicular to the trestle.

ADDITIONAL INFORMATION: The proposed project would result in the loss of a total of 7.0 acres of wetland of the following acreages and types: 6.52 acres of forested palustrine; and 0.48 acre of estuarine intertidal aquatic.

Approximately 1,700 cubic yards of peat and unusable material generated by the onshore construction activities would be used to rehabilitate a previously disturbed area across the Mitkof Highway from the ferry terminal.

Upgrading the Mitkof Highway is a separate project which would include replacing culverts, correcting subgrade problems, and asphalt paving, between the Crystal Lake Hatchery and Banana Point.

MITIGATION: During the preliminary design phase the applicant was able to avoid and minimize impacts to 3.9 acres of wetland by: realigning the access road and terminal fill areas from muskeg to forested wetland which reduced the amount of unusable material to be disposed of; moving the terminal fill area upland and constructing the majority of the access trestle on pilings to reduce the impact to the more valuable intertidal wetland. Mitigation for unavoidable wetland loss will be required and is currently under consideration.

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 that 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 Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

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 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 Engineer 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.

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: The project area is within the known range of the endangered humpback whale (*Megaptera novaeangliae*) and threatened Steller sea lion (*Eumetopias jubatus*). Preliminarily, the described activity can be undertaken in such a manner as to not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, 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 has been 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).

It has been determined that the proposed work may affect EFH for the following species: adults and juveniles of all five species of salmon; and juvenile groundfish including arrowtooth flounder, dusky rockfish, Pacific cod, walleye Pollock and various species of sculpin. The applicant has prepared an EFH Assessment including a list of conservation measures which have been incorporated into the project. NMFS recommended additional conservation measures which have been accepted by the applicant. This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Conservation recommendations regarding EFH for federally managed fish will be considered in our final assessment of the described work. This proposed project may also adversely affect associated species such as major prey or predator species which are not covered by Fishery Management Plans.

The following EFH conservation measures have been adopted by the applicant: pile driving would occur only between June 1 and March 14 to minimize impacts to juvenile salmon; pilings would be driven with a vibratory hammer where practicable; sound reduction measures would be implemented if peak sound pressure levels from the deepwater pile driving exceed 180 dB re uPa, (the threshold for injury to fish); the required oil spill containment and cleanup materials would be available and staff trained in their use; an eelgrass monitoring and mitigation plan would be developed and reviewed by National Marine Fisheries Service; construction related barges and boats would not place anchoring systems in the eelgrass bed.

SPECIAL AREA DESIGNATION: The project location is within the Tongass National Forest.

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 decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. 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 Mary Leykom at (907) 753-2720, toll free from within Alaska at (800) 478-2712, or by email at mary.f.leykom@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) 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).

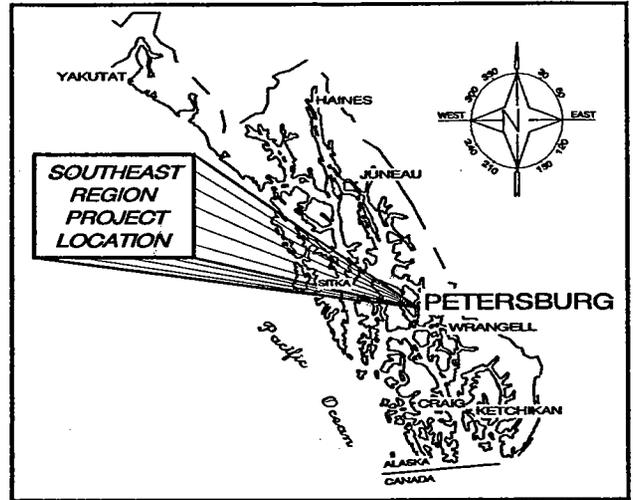
A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

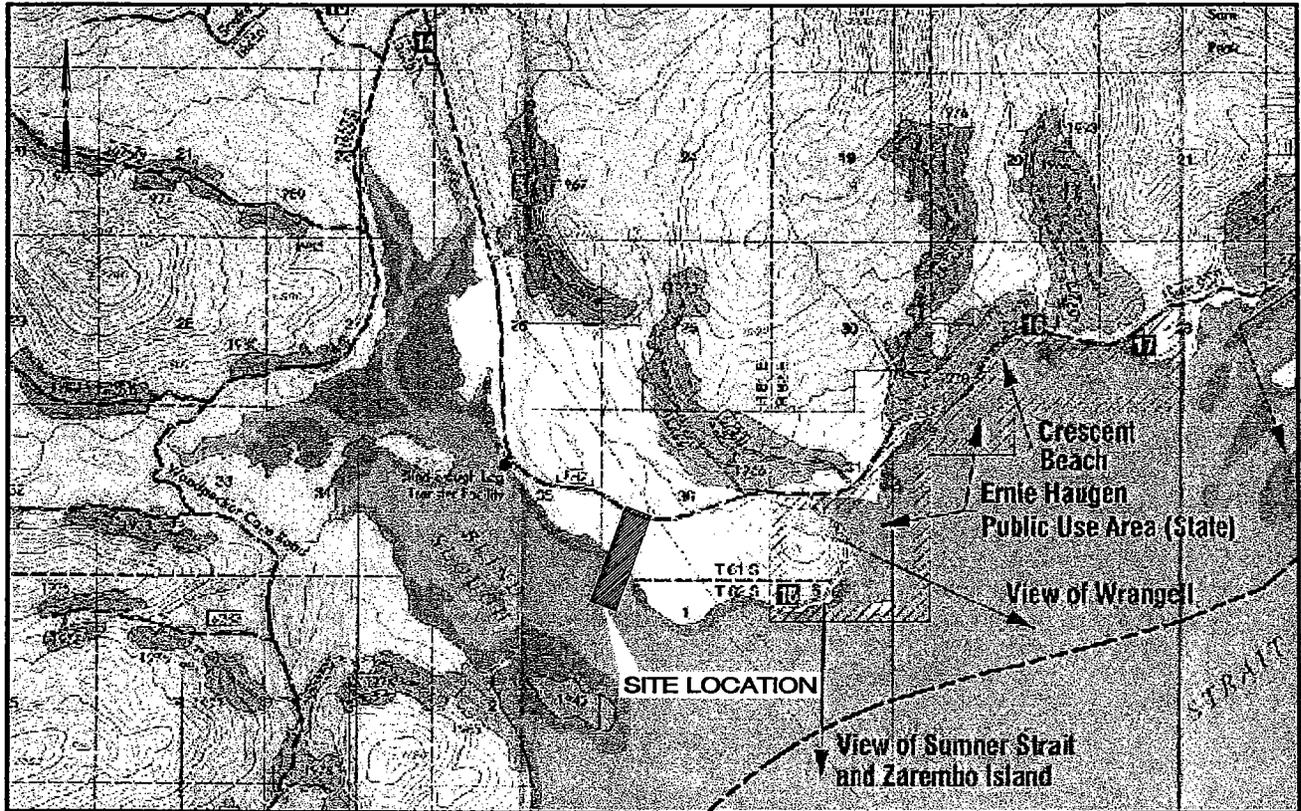
Attachments



AREA MAP



LOCATION MAP



VICINITY MAP

ADJACENT PROPERTY OWNERS:

ADNR - DIVISION OF LAND
SE REGION
400 WILLOUGHBY
JUNEAU, AK 99801

USFS
PETERSBURG DISTRICT
P.O. BOX 1328
PETERSBURG, AK 99833

WATER BODY:
BLIND SLOUGH ENTERING
SUMNER STRAIT

**Area, Location
and Vicinity Maps**

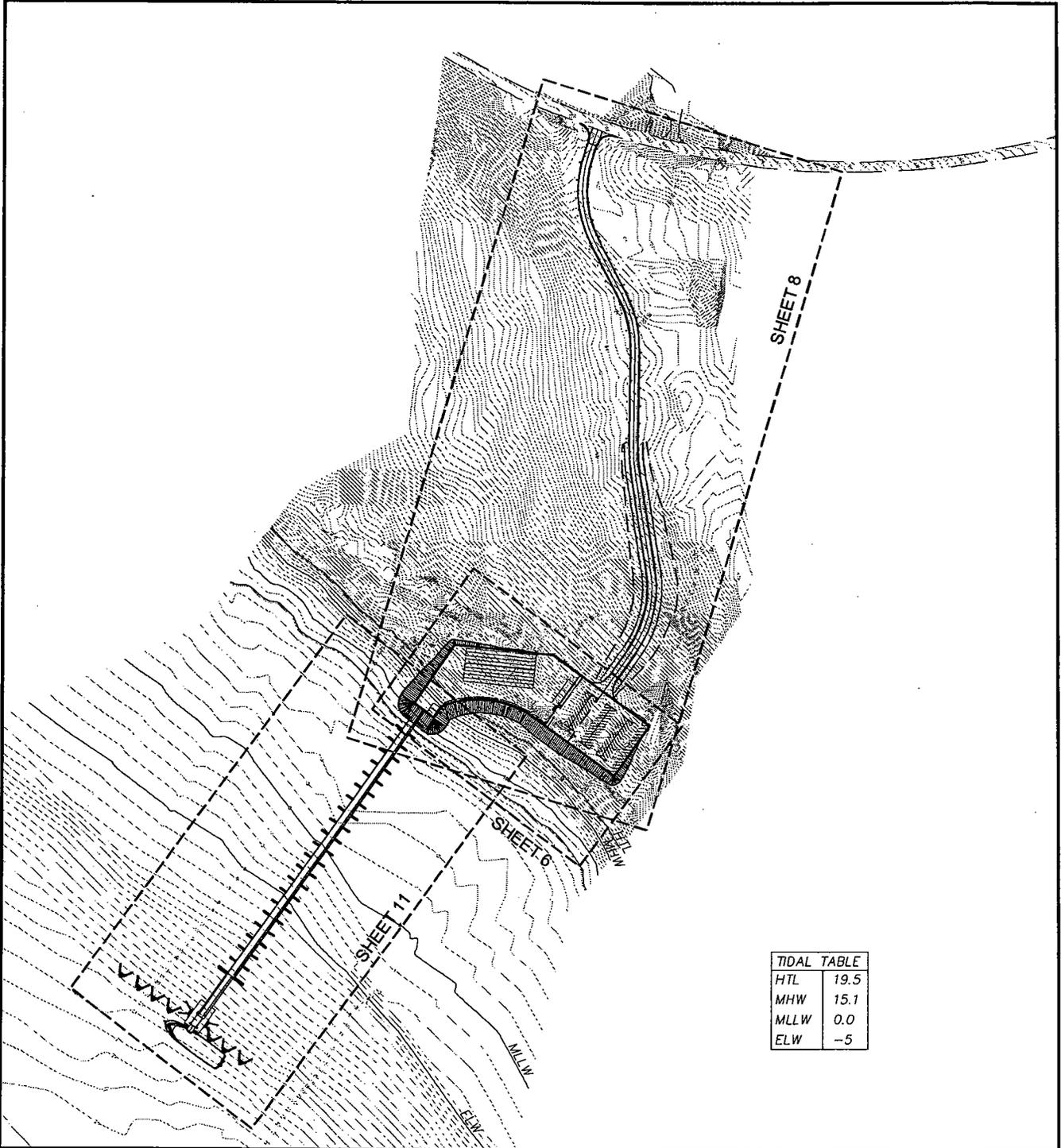
Corps Number POA-2000-450

**SOUTH MITKOF
FERRY TERMINAL**

AT: PETERSBURG, ALASKA
LOCATED IN: TOWNSHIP 61 S
RANGE 81 E
SECTION 36

DATE: JULY, 2004

SHEET 1 OF 13



TIDAL TABLE	
HTL	19.5
MHW	15.1
MLLW	0.0
ELW	-5

ADJACENT PROPERTY OWNERS:
 ADNOR - DIVISION OF LAND
 SE REGION
 400 WILLOUGHBY
 JUNEAU, AK 99801

USFS
 PETERSBURG DISTRICT
 P.O. BOX 1328
 PETERSBURG, AK 99833

WATER BODY:
 BLIND SLOUGH ENTERING
 SUMNER STRAIT

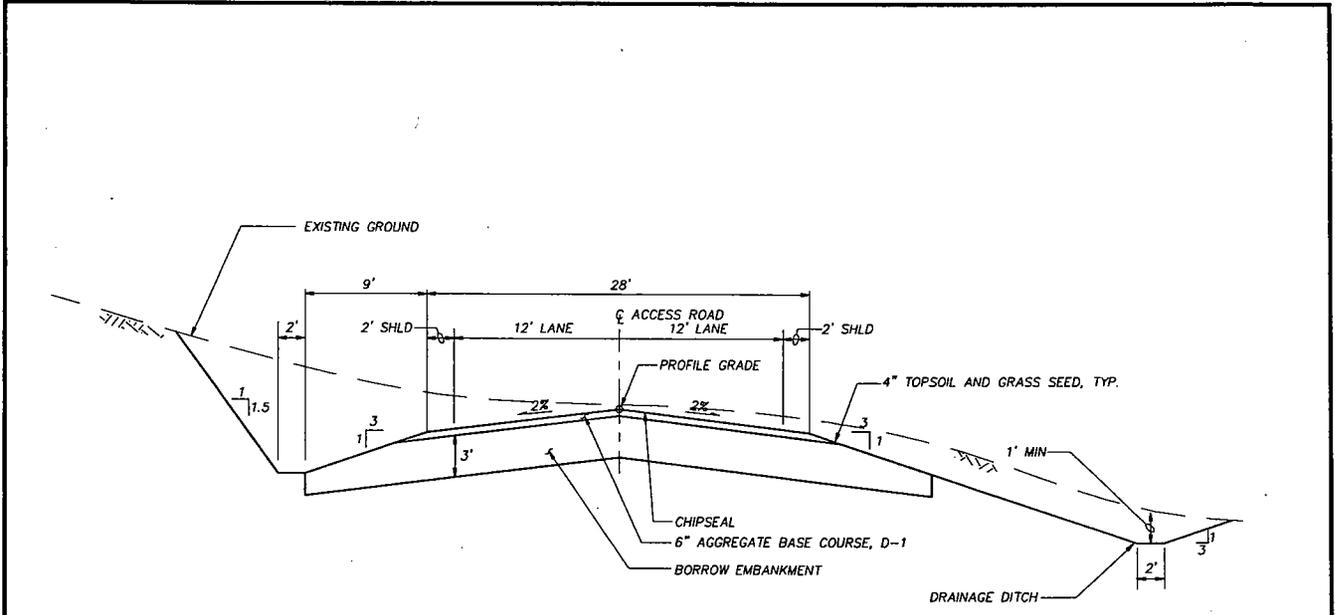
KEY PLAN

POA-2000-450

**SOUTH MITKOF
 FERRY TERMINAL**

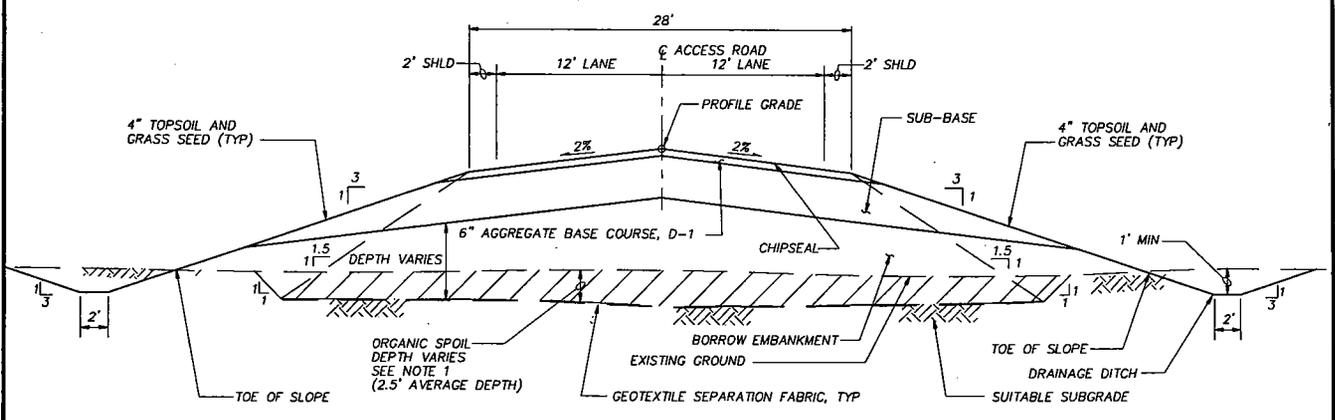
AT: PETERSBURG, ALASKA
 LOCATED IN: TOWNSHIP 61 S
 RANGE 81 E
 SECTION 36

DATE: JULY, 2004 SHEET 2 OF 13



ROADWAY SECTION

SCALE: N.T.S.
STA 10+25 TO STA 17+48



ROADWAY SECTION

SCALE: N.T.S.
STA 1+00 TO STA 10+25 ±

NOTE:
1. REMOVE ORGANIC SOILS (PEATS) BENEATH STRUCTURAL EMBANKMENT AREAS

ADJACENT PROPERTY OWNERS:
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WATER BODY:
BLIND SLOUGH ENTERING
SUMNER STRAIT

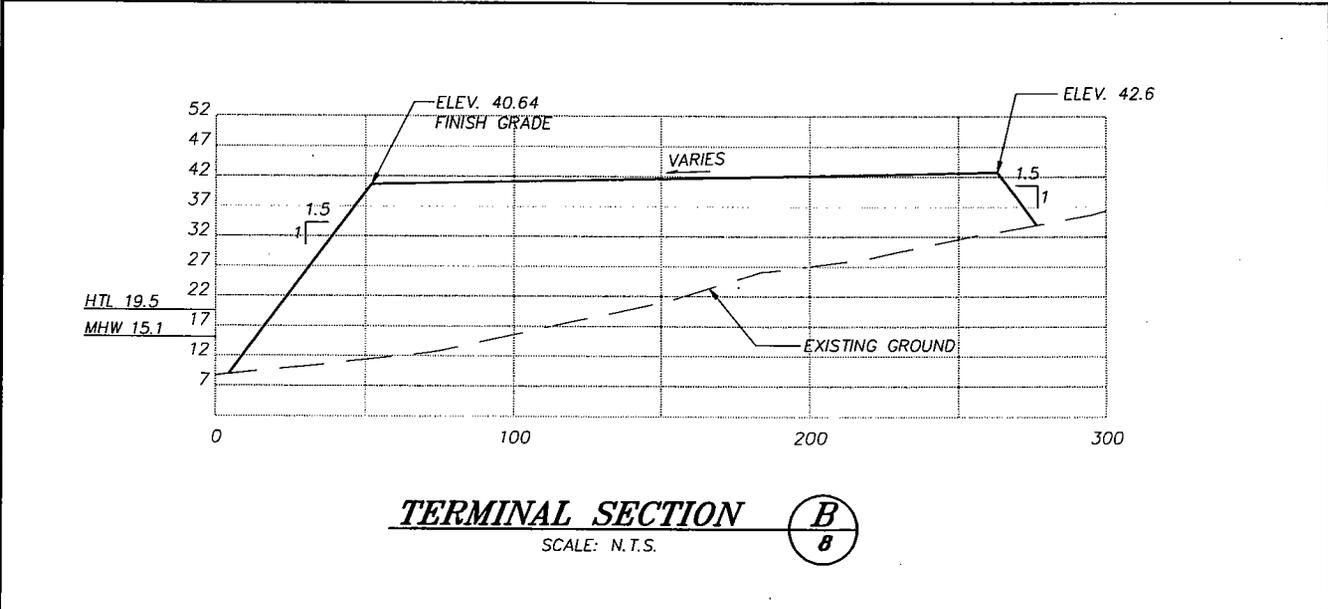
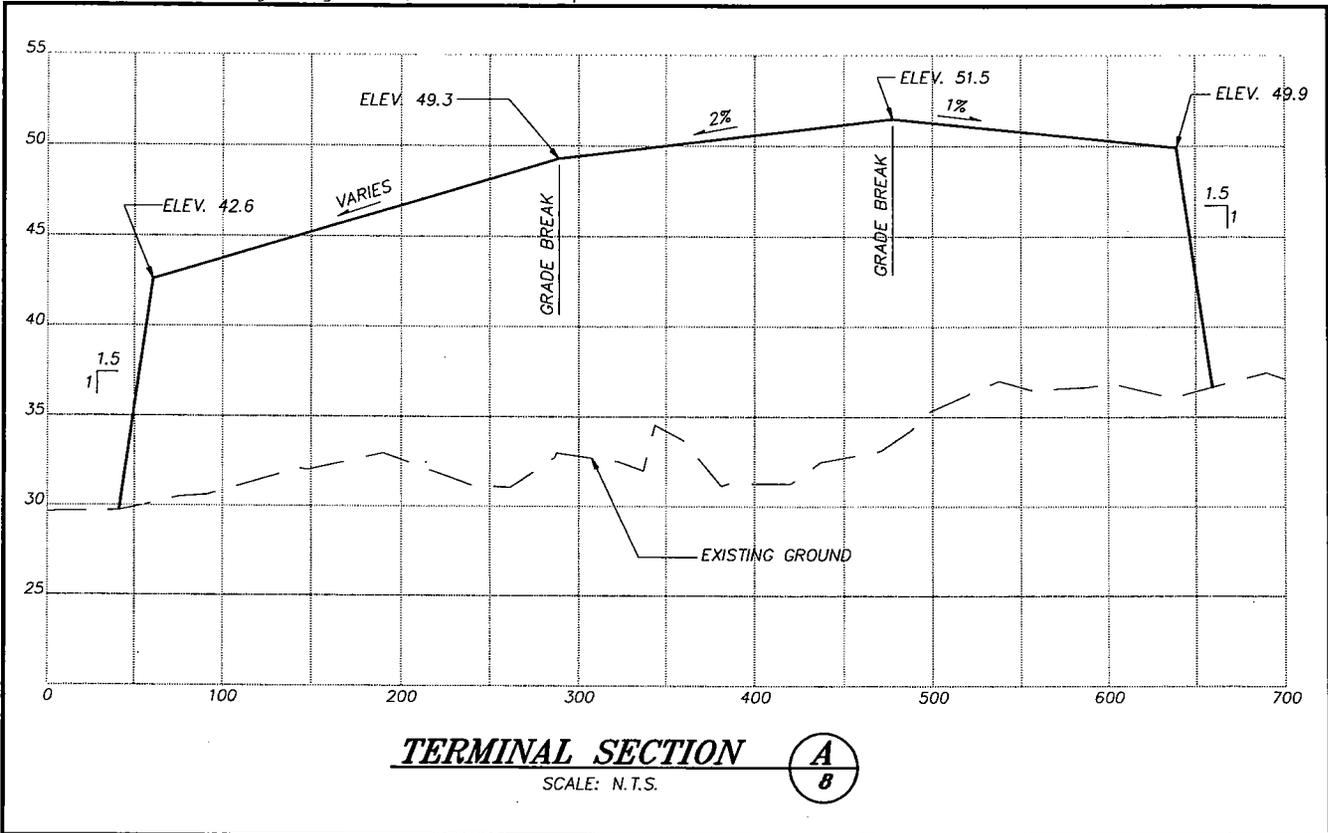
**ACCESS ROAD
TYPICAL SECTIONS**

DA-2000-450

**SOUTH MITKOF
FERRY TERMINAL**

AT: PETERSBURG, ALASKA
LOCATED IN: TOWNSHIP 61 S
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DATE: JULY, 2004 SHEET 3 OF 13



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WATER BODY:
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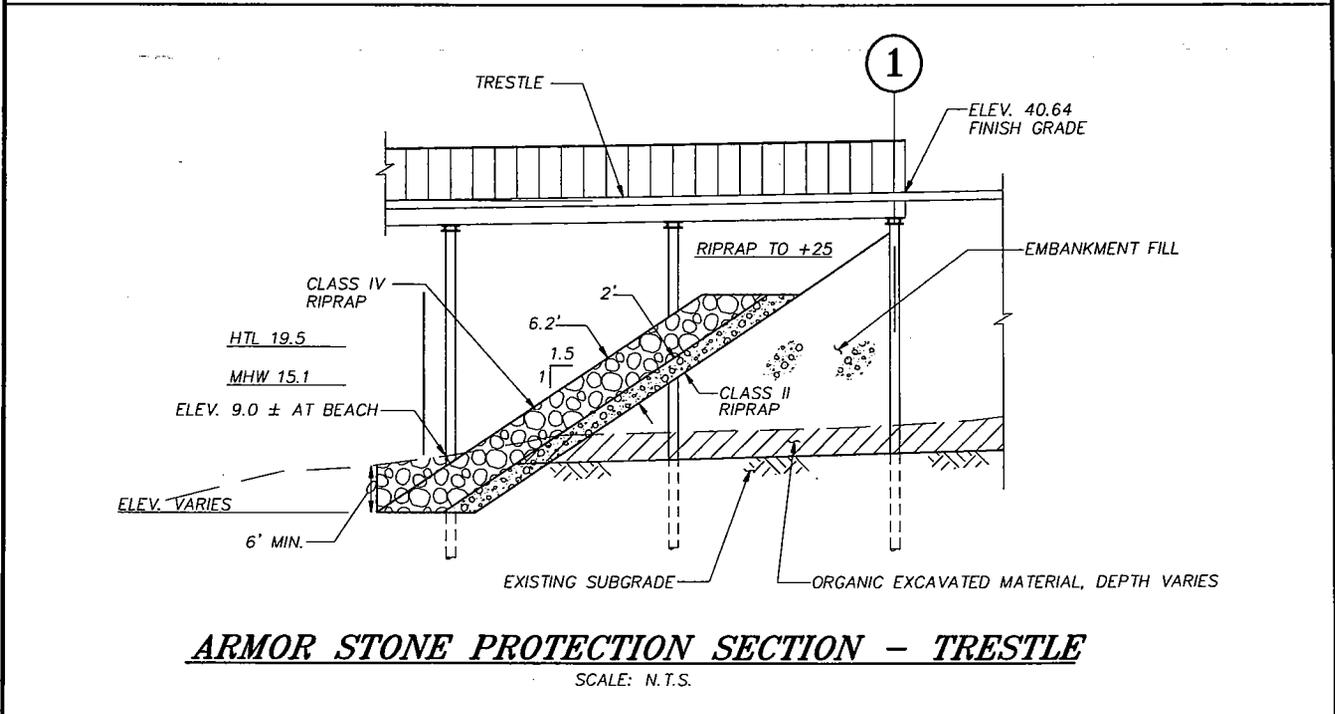
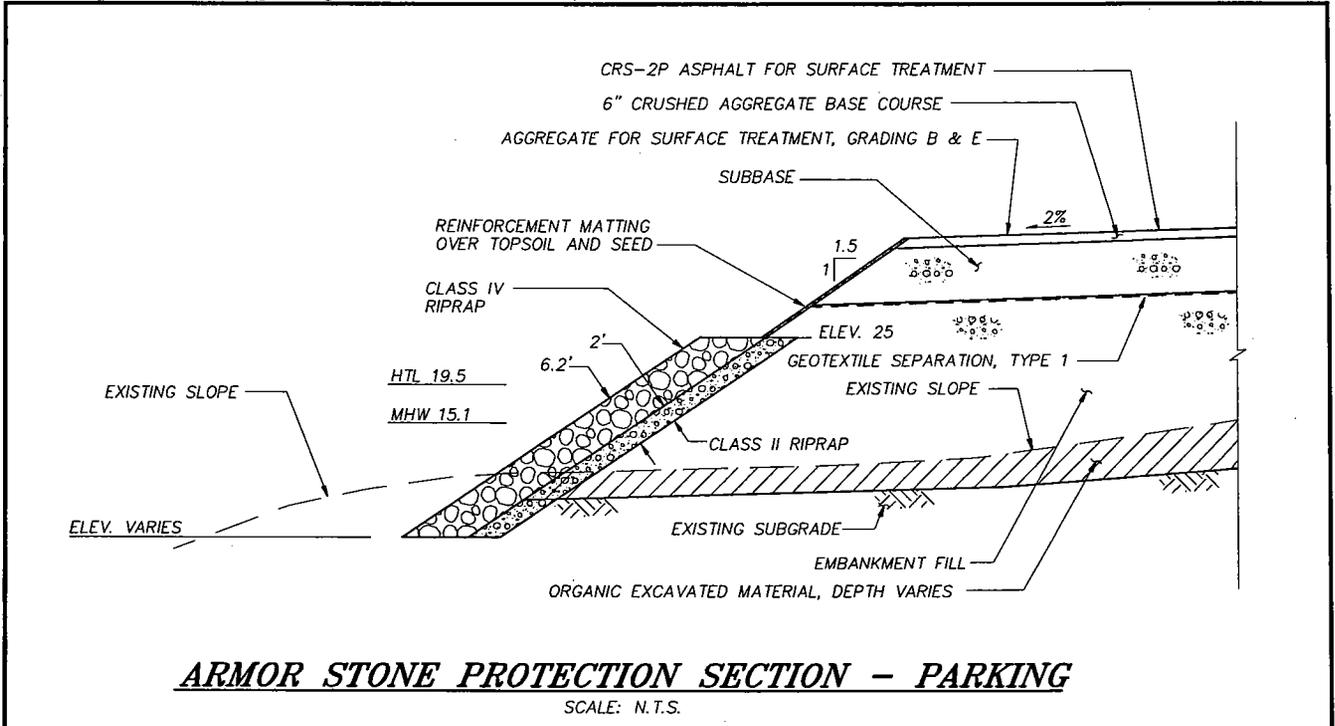
**TERMINAL
 TYPICAL SECTIONS**

Corps Number POA-2000-450

**SOUTH MITKOF
 FERRY TERMINAL**

AT: PETERSBURG, ALASKA
 LOCATED IN: TOWNSHIP 61 S
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DATE: JULY, 2004 SHEET 4 OF 13



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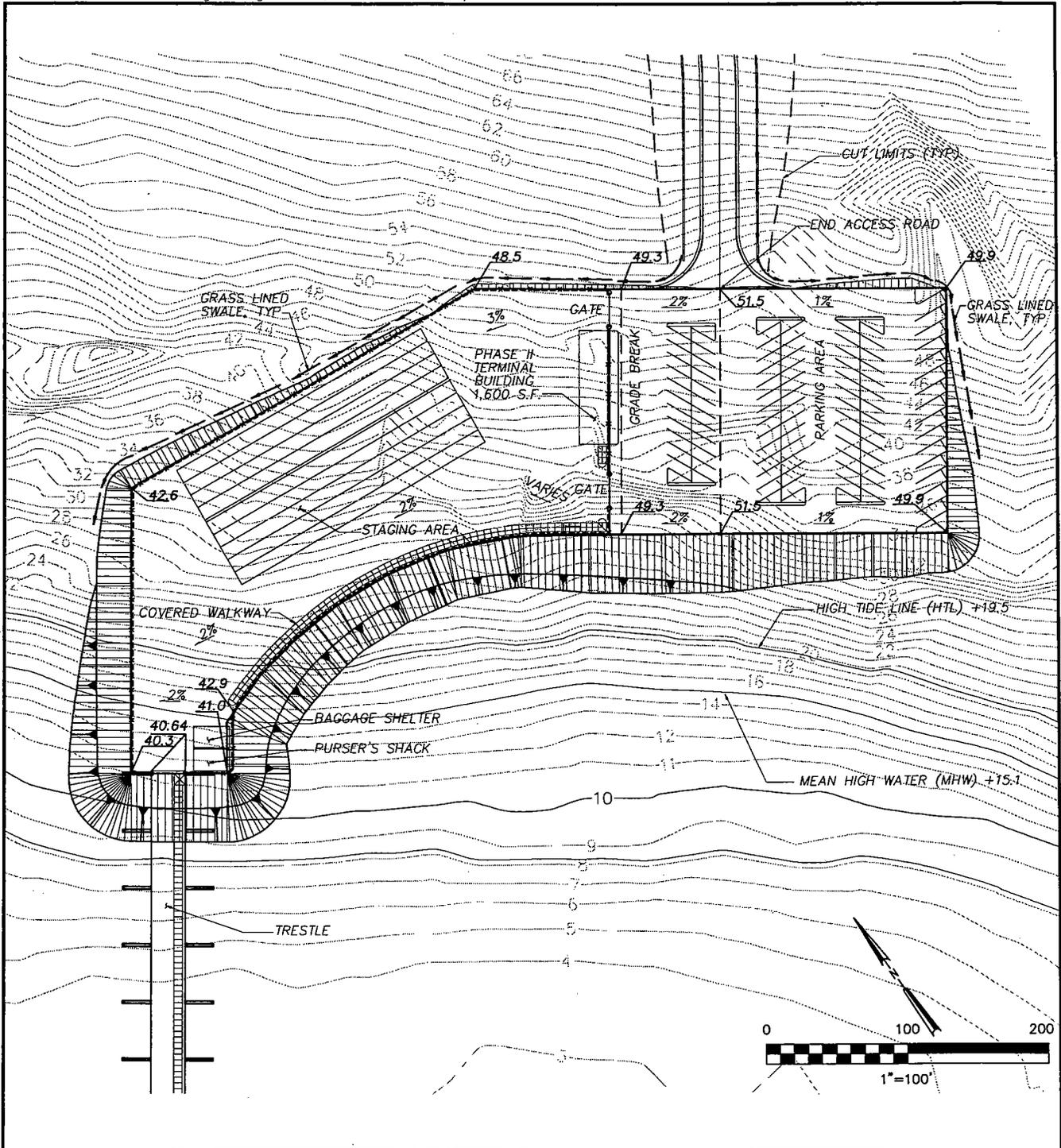
**TERMINAL
TYPICAL SECTIONS**

Corps Number POA-2000-450

**SOUTH MITKOF
FERRY TERMINAL**

AT: PETERSBURG, ALASKA
LOCATED IN: TOWNSHIP 61 S
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DATE: JULY, 2004 SHEET 5 OF 13



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USFS
 PETERSBURG DISTRICT
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WATER BODY:
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 SUMNER STRAIT

TERMINAL SITE PLAN

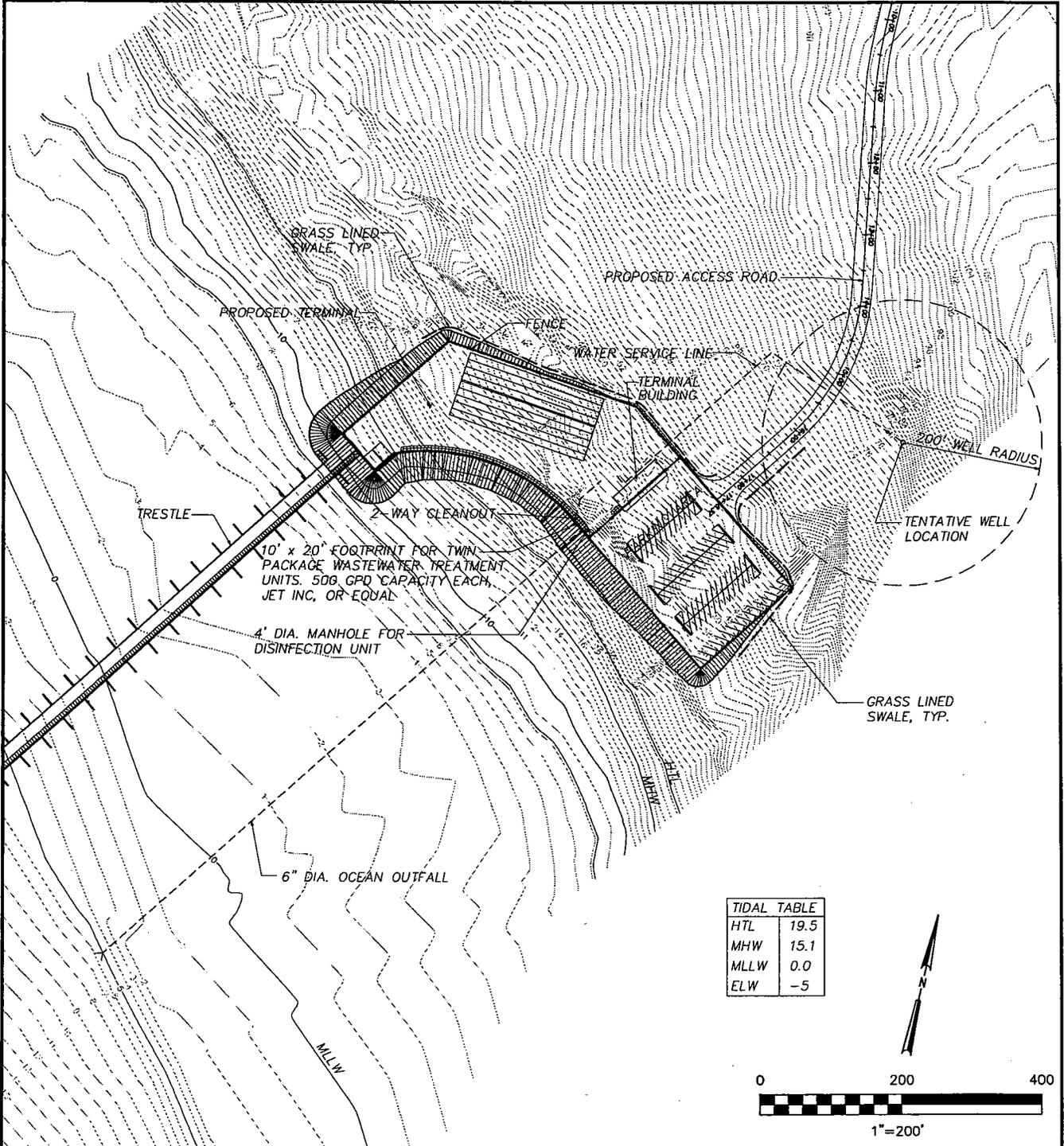
Corps Number POA-2000-450

SOUTH MITKOF FERRY TERMINAL

AT: PETERSBURG, ALASKA
 LOCATED IN: TOWNSHIP 61 S
 RANGE 81 E
 SECTION 36

DATE: JULY, 2004

SHEET 6 OF 16



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USFS
 PETERSBURG DISTRICT
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WATER BODY:
 BLIND SLOUGH ENTERING
 SUMNER STRAIT

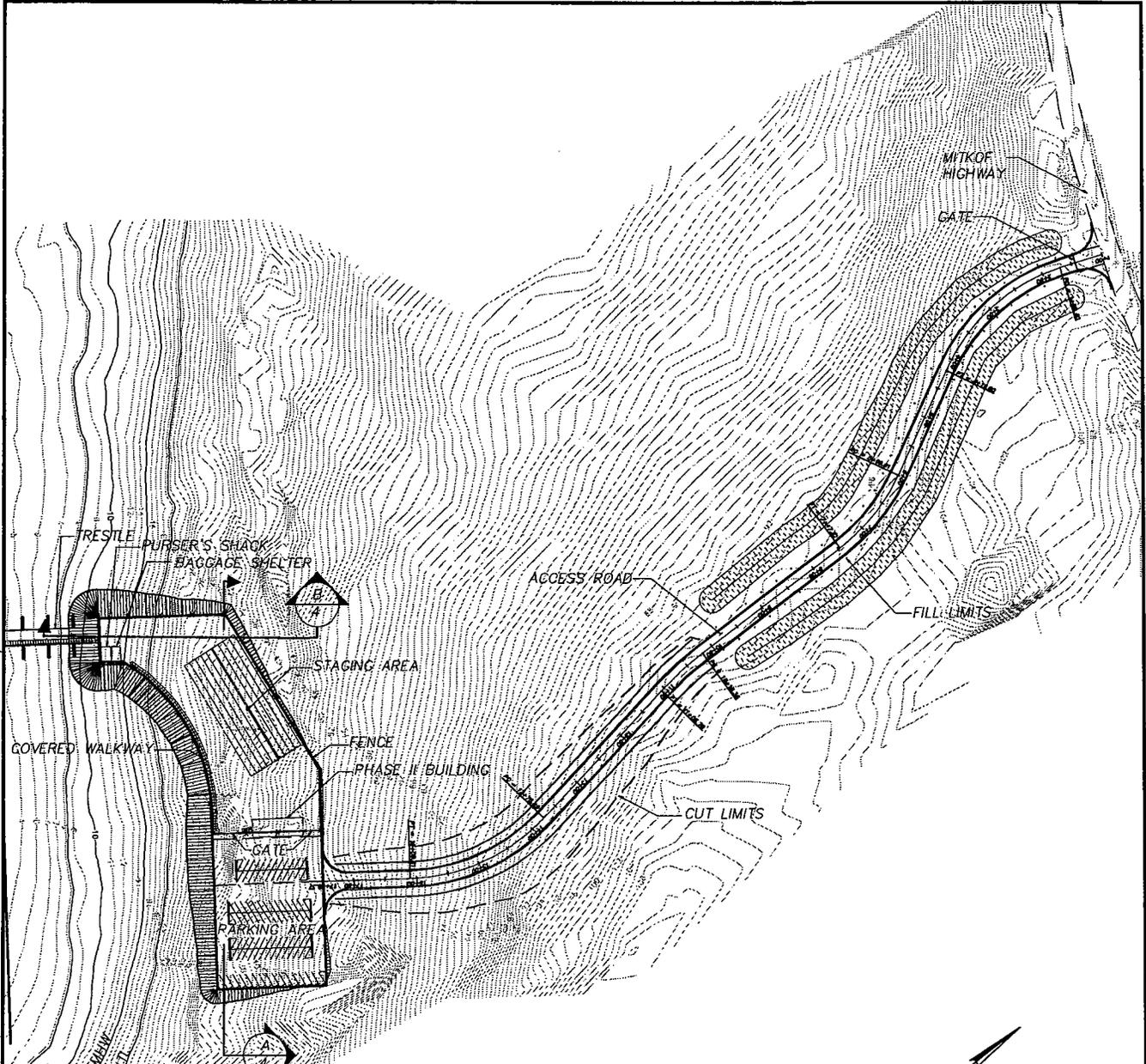
WATER SUPPLY AND WASTEWATER OUTFALL

Corps Number POA-2000-450

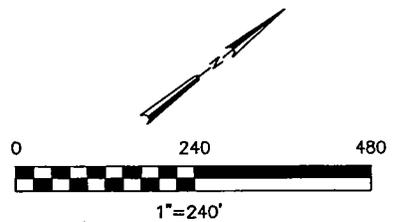
SOUTH MITKOF FERRY TERMINAL

AT: PETERSBURG, ALASKA
 LOCATED IN: TOWNSHIP 61 S
 RANGE 81 E
 SECTION 36

DATE: JULY, 2004 SHEET 7 OF 10



TIDAL TABLE	
HTL	19.5
MHW	15.1
MLLW	0.0
ELW	-5



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WATER BODY:
 BLIND SLOUGH ENTERING
 SUMNER STRAIT

SITE PLAN AND ACCESS ROAD

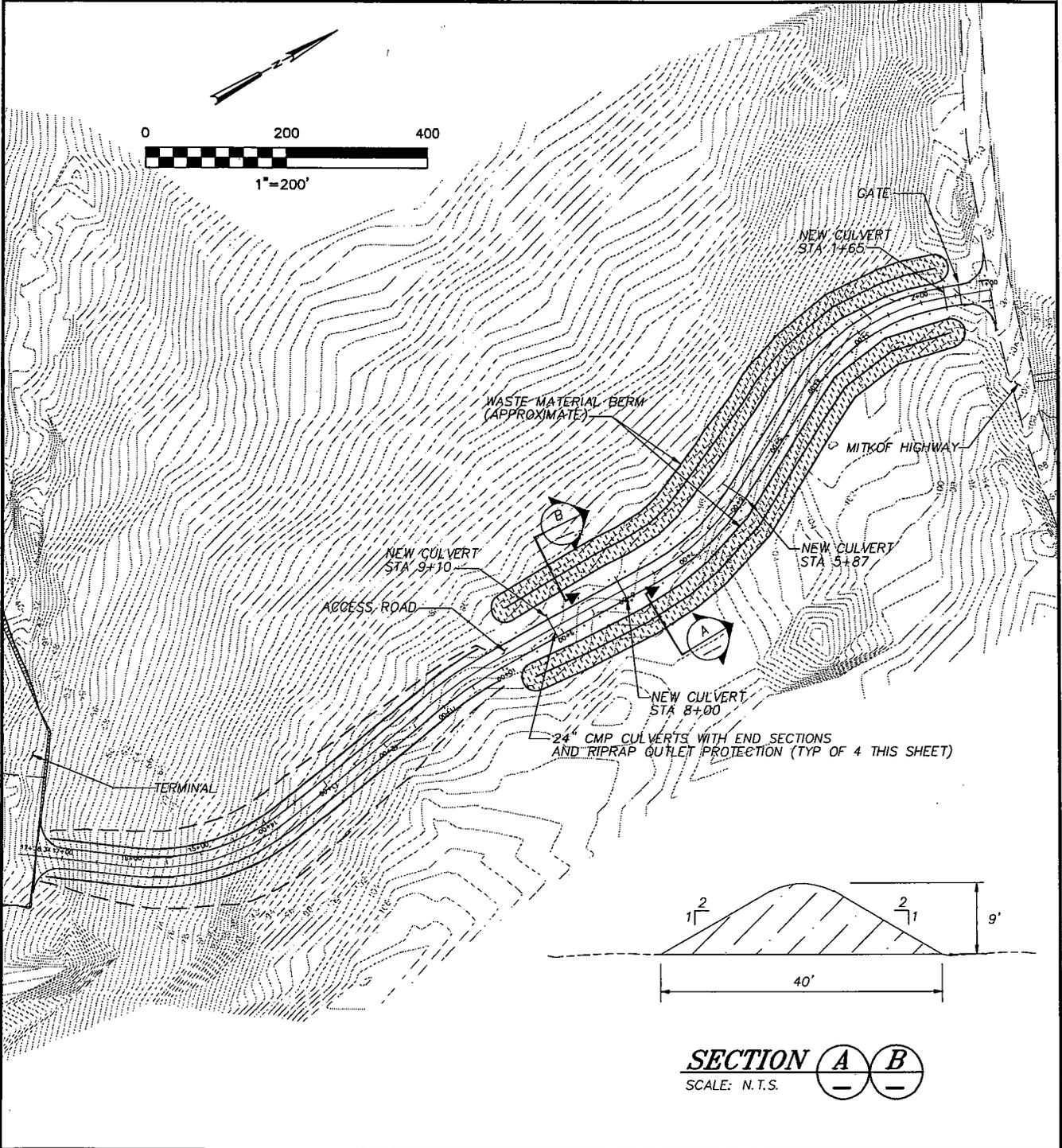
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SOUTH MITKOF FERRY TERMINAL

AT: PETERSBURG, ALASKA
 LOCATED IN: TOWNSHIP 61 S
 RANGE 81 E
 SECTION 36

DATE: JULY, 2004

SHEET 8 OF 13



SECTION **A** **B**
SCALE: N.T.S.

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USFS
 PETERSBURG DISTRICT
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 PETERSBURG, AK 99833

WATER BODY:
 BLIND SLOUGH ENTERING
 SUMNER STRAIT

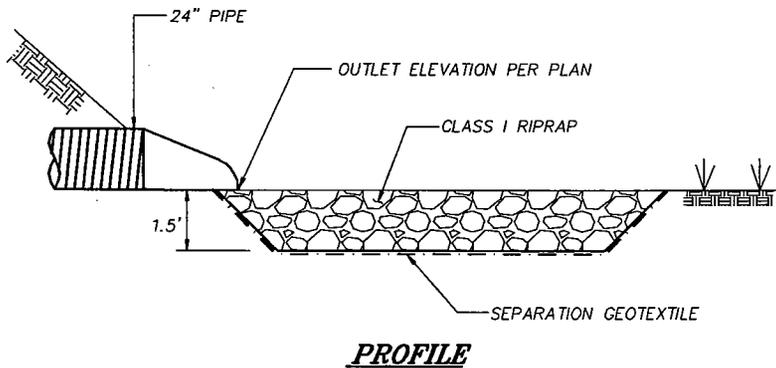
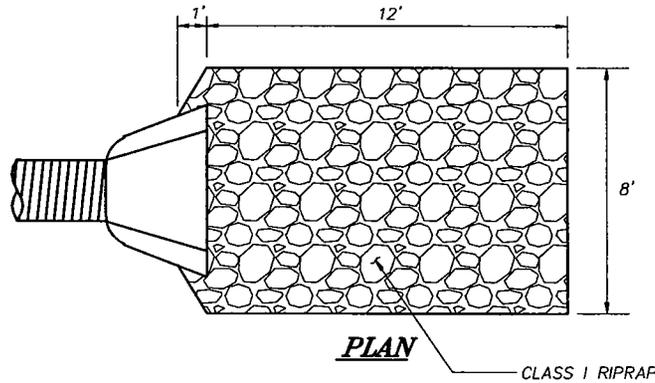
**WASTE MATERIAL
 STOCKPILE PLAN**

POA-2000-450

**SOUTH MITKOF
 FERRY TERMINAL**

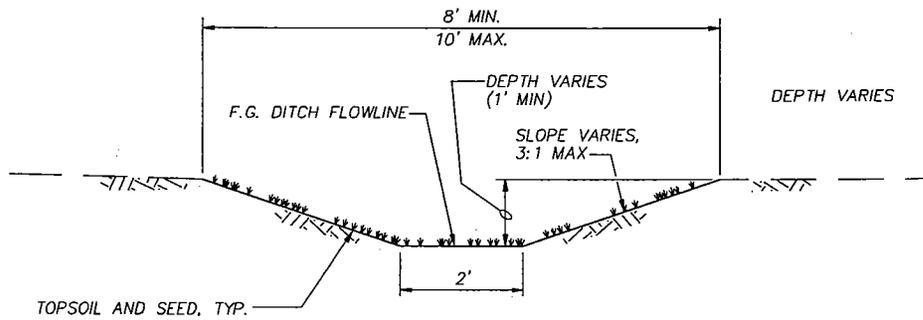
AT: PETERSBURG, ALASKA
 LOCATED IN: TOWNSHIP 61 S
 RANGE 81 E
 SECTION 36

DATE: JULY, 2004 SHEET 9 OF 16



CULVERT MAT RIPRAP

SCALE: N.T.S.



GRASS LINED SWALE SECTION

SCALE: N.T.S.

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USFS
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PETERSBURG, AK 99833

WATER BODY:

BLIND SLOUGH ENTERING
SUMNER STRAIT

DRAINAGE DETAILS

**SOUTH MITKOF
FERRY TERMINAL**

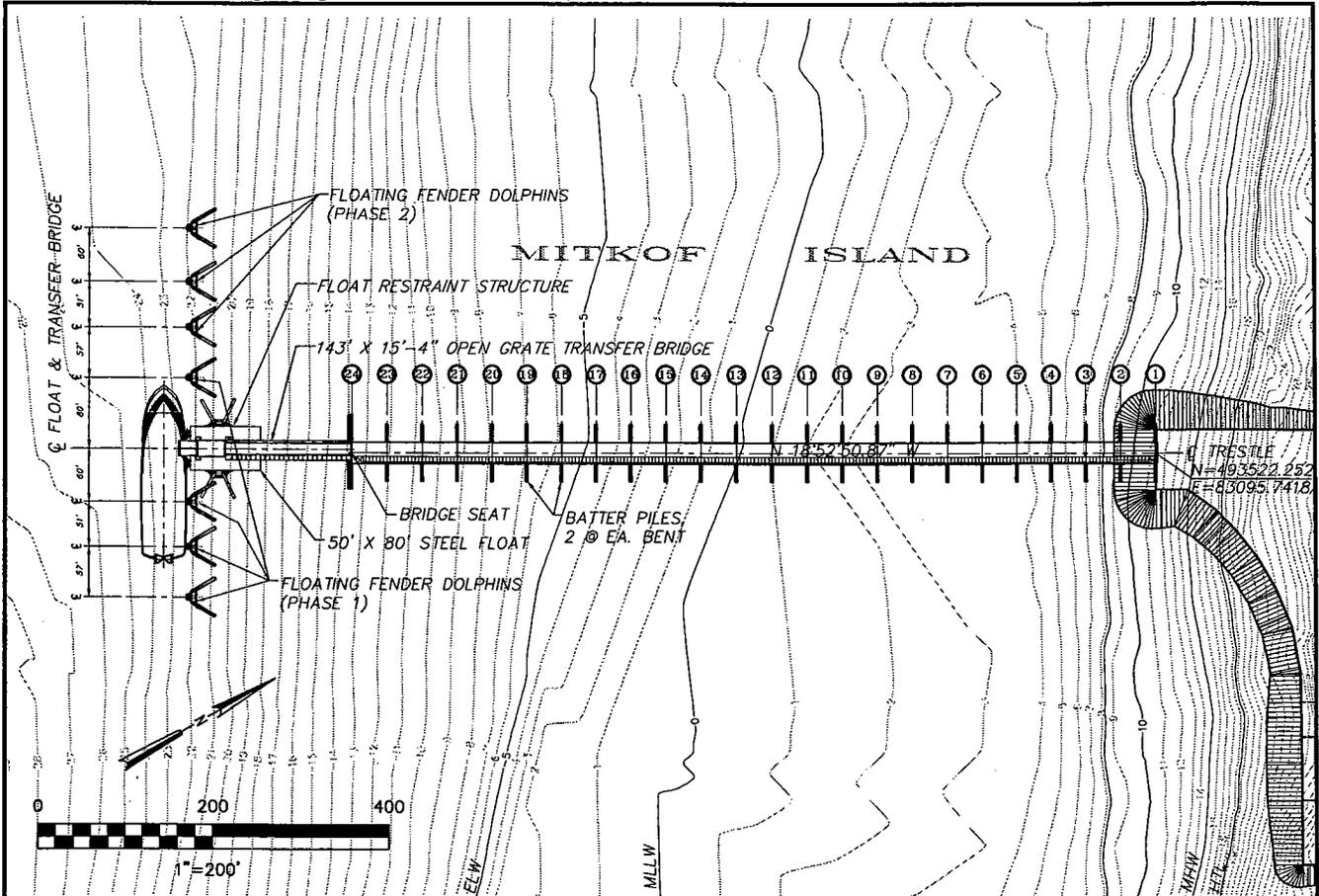
AT: PETERSBURG, ALASKA
LOCATED IN: TOWNSHIP 61 S
RANGE 81 E
SECTION 36

BOA-2000-450

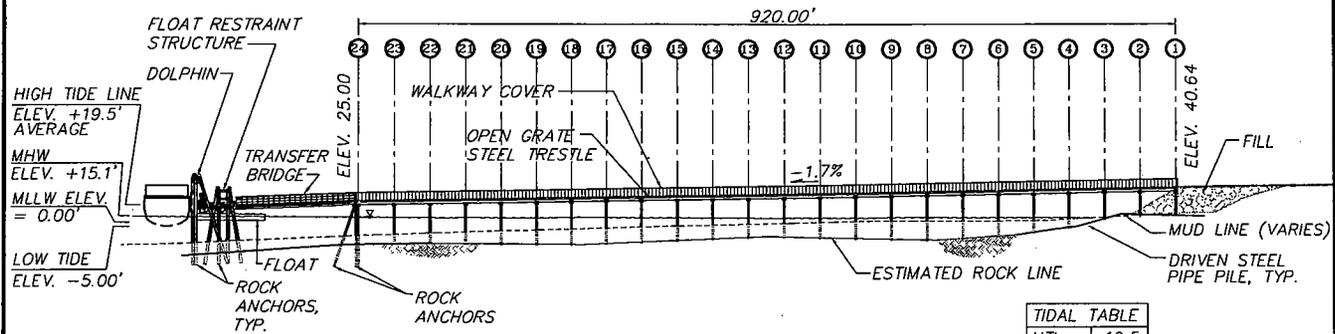
DATE: JULY, 2004

SHEET 10 OF 16

13
16



PLAN



ELEVATION

TIDAL TABLE	
HTL	19.5
MHW	15.1
MLLW	0.0
ELW	-5

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WATER BODY:

BLIND SLOUGH ENTERING
SUMNER STRAIT

MARINE STRUCTURES

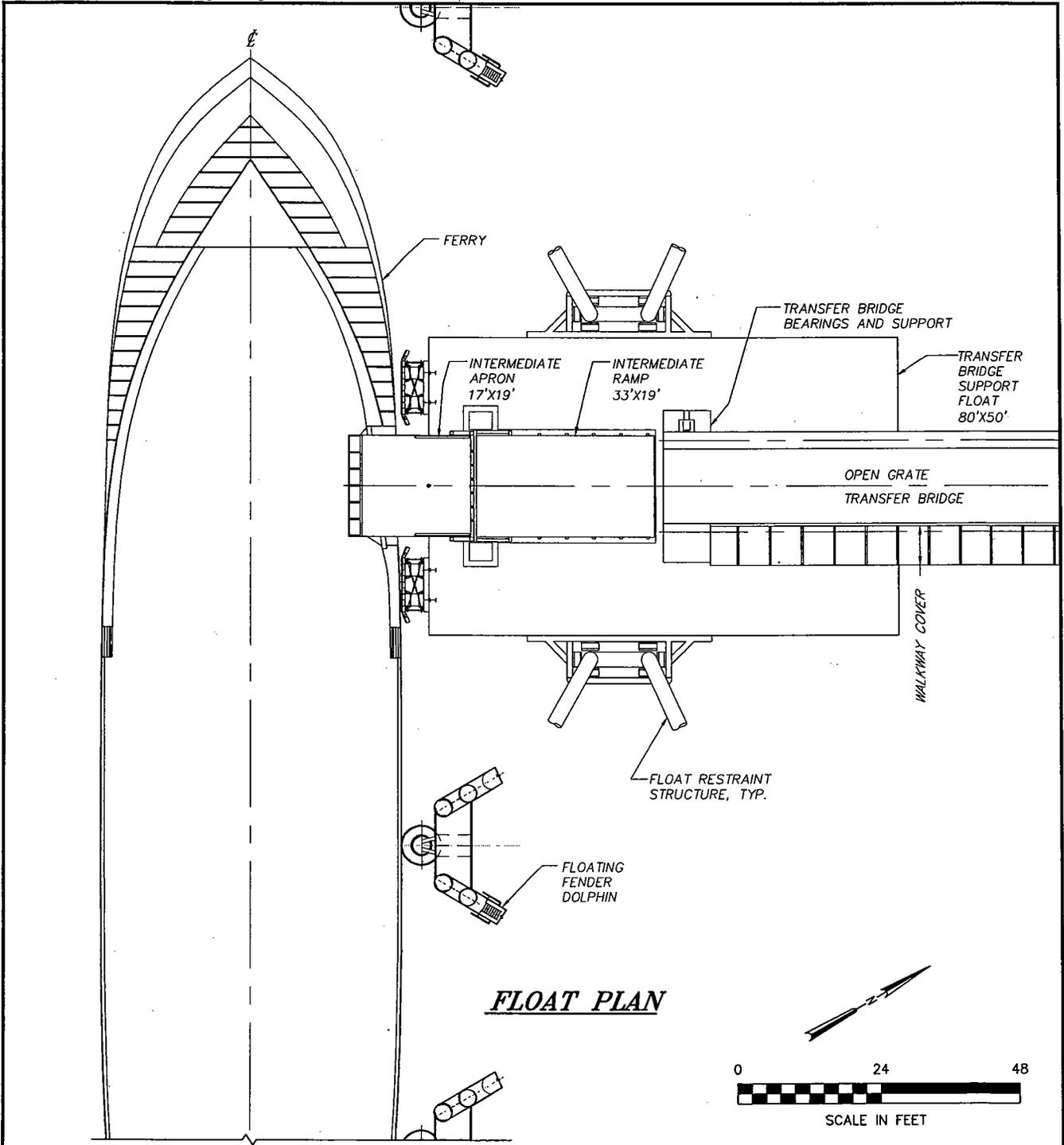
**SOUTH MITKOF
FERRY TERMINAL**

AT: PETERSBURG, ALASKA
LOCATED IN: TOWNSHIP 61 S
RANGE 81 E
SECTION 36

of POA-2000-450

DATE: JULY, 2004

SHEET 11 OF 16



FLOAT PLAN

ADJACENT PROPERTY OWNERS:
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WATER BODY:
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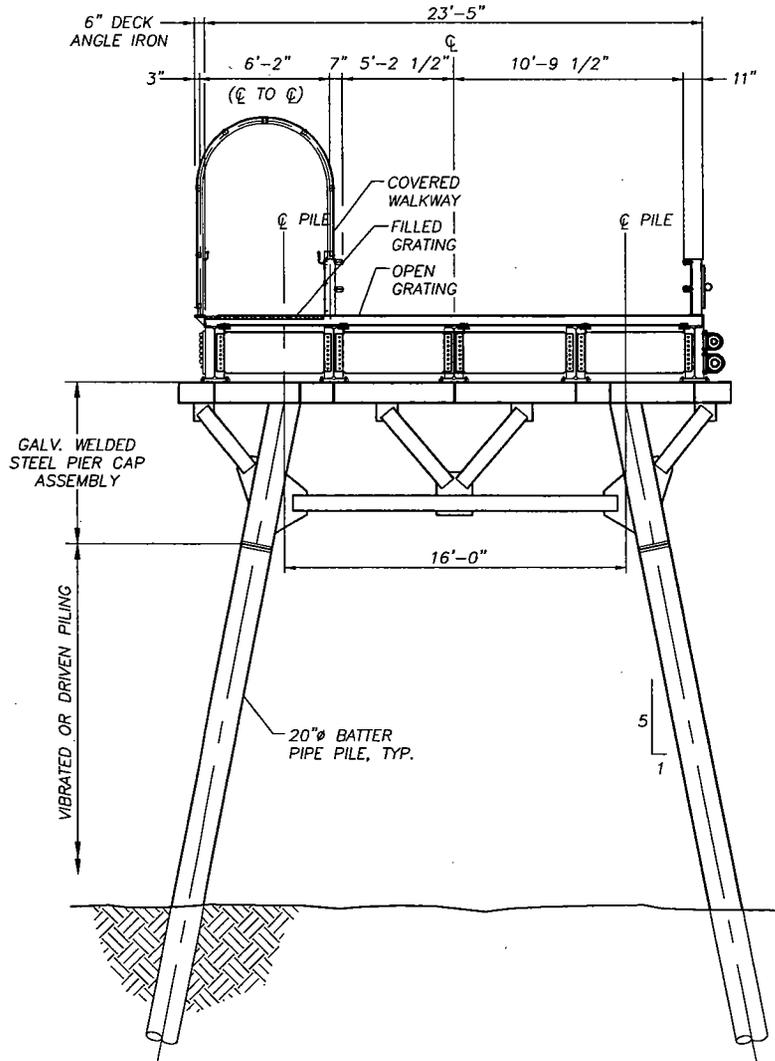
**TRANSFER BRIDGE
 FLOAT PLAN**

POA-2000-450

**SOUTH MITKOF
 FERRY TERMINAL**

AT: PETERSBURG, ALASKA
 LOCATED IN: TOWNSHIP 61 S
 RANGE 81 E
 SECTION 36

DATE: JULY, 2004 SHEET 12 OF 16



SECTION

ADJACENT PROPERTY OWNERS:

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USFS
PETERSBURG DISTRICT
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PETERSBURG, AK 99833

WATER BODY:
BLIND SLOUGH ENTERING
SUMNER STRAIT

**TYPICAL
PIER CAP SECTION**

POA-2000-450

**SOUTH MITKOF
FERRY TERMINAL**

AT: PETERSBURG, ALASKA
LOCATED IN: TOWNSHIP 61 S
RANGE 81 E
SECTION 36

DATE: JULY, 2004

SHEET 13 OF 16

FRANK H. MURKOWSKI,
GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING**

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
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 Office of Project Management and Permitting 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-2000-450, Blind Slough**, 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 Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

STATE OF ALASKA

OFFICE OF THE GOVERNOR

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-2000-450, Blind Slough**, 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
410 Willoughby Avenue
Juneau, Alaska 99801-1795
Telephone: (907) 465-5321
FAX: (907) 465-5274