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 May 2004**

EXPIRATION DATE: **24 June 2004**

REFERENCE NUMBER: **POA-1980-133-Q**

WATERWAY NUMBER: **Terror Lake**

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: Four Dam Pool Power Agency, 703 West Tudor, Suite 102, Anchorage, Alaska 99503, (907) 258-2781: Agent, Meridian Management, Jim Thrall, (907)677-2601

LOCATION: On Kodiak Island, section 12, T. 29 S., R. 23 W., Seward Meridian, Longitude 152° 44′, Latitude 57° 41′; section 6, T. 29 S., R. 22 W., Seward Meridian, Longitude 152° 52′, Latitude 57° 41′

WORK: Mechanically clear approximately 3 acres of vegetated flood plain of the Kizhuyak River. Excavate a new 75-foot wide, 5-foot deep section of tailrace, shifting the lower 400 feet to the west to widen the floodplain available between the new tailrace alignment and the mountains to the southeast, which would lengthen by 120 feet and realign the lower end of the tailrace. Construct a 1,700-feet long, 12-foot wide berm along the lower right bank of the tailrace and left bank of the river and a 500-foot long by 12-foot wide berm along the lower left bank of the tailrace and river, using gravel and rock taken from the tailrace work area and borrow areas in the floodplain. Armor the river side of these berms with revetment mats and place gabion basket groynes as needed using rock obtained from the work area and borrow sites.

Perform repairs along approximately 350 feet of the existing Kizhuyak River training works that were constructed 3,000 feet upstream of the tailrace in 1998. Repairs to this berm would include placement of new revetment mats, gabion baskets and/or cobble fill in areas that suffered erosion during the past two flood events, along with placement of 3 to 5 additional groynes. This activity would require approximately 400 cubic yards of gabion rock, to be screened and separated from the gravel used to construct the tailrace berms.

PURPOSE: Eliminate or reduce the frequency of flood damage to the tailrace, which might negatively effect hydroelectric generation.

ADDITIONAL INFORMATION: The Kizhuyak River is an anadromous river and the applicant has applied for a Fish Habitat Permit.

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.

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 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 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). Alaska Fish and Game catalogued stream 252-36-10050, Kizhuyak River, provides habitat for coho, pinks and Chinook spawning and for Dolly Vardin Char. We have determined that 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 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 **Dr. Jan Stuart** at (907) 753-2720, or toll free in Alaska at (800) 478-2712, or by email at jan.f.stuart@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

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution 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-1980-133-Q, Terror Lake** serves as application for a short-term variance of State Water Quality Certification from the Department of Environmental Conservation, as provided in Section 401 of the Clean Water Act of 1977 (PL 95-217).

The Department will review the proposed activity to ensure that, except for an allowed, short-term variance, any discharge to waters of the United States resulting from the referenced project will comply with the Clean Water Act of 1977 (PL95-217), 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) 269-7564
FAX: (907) 269-7508

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMNT AND PERMITTING

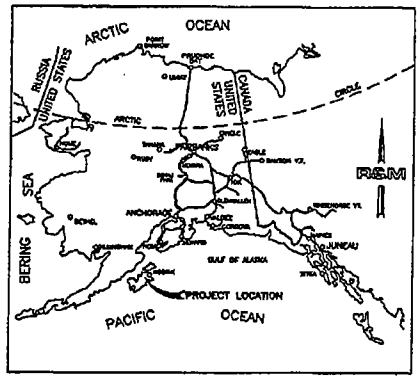
ALASKA COASTAL ZONE MANAGEMENT
550 WEST 7TH AVENUE, SUITE 1660
ANCHORAGE, ALASKA 99501-3568

NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM

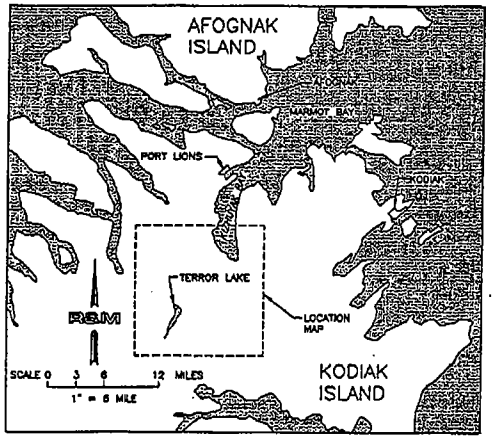
Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA-1980-133-Q, Terror Lake**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

The Office of Project Management and Permitting requests your comments, particularly on the proposed project's consistency with the affected local coastal district management program. For more information on the 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.

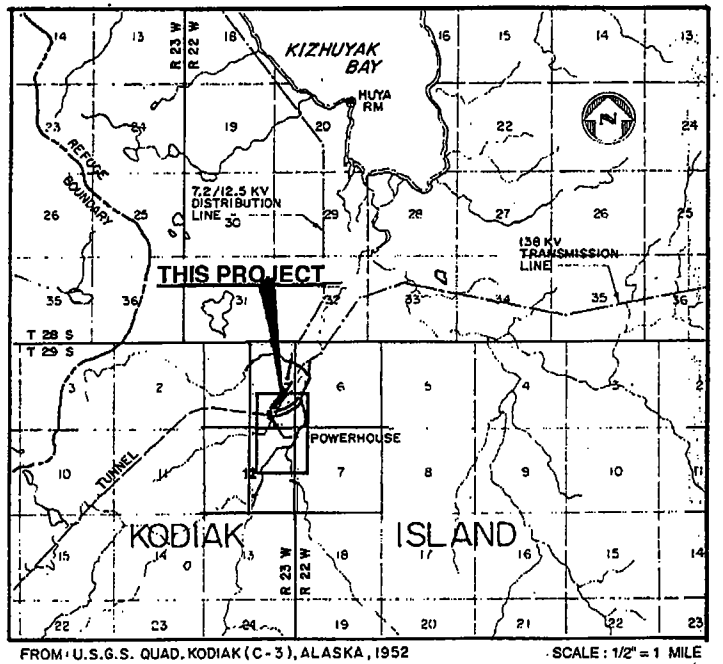
Attachment 2



STATE OF ALASKA



AREA MAP



FROM: U.S.G.S. QUAD. KODIAK (C-3), ALASKA, 1952 SCALE: 1/2" = 1 MILE

VICINITY MAP

PROJECT LOCATION MAPS

Ref AEA Drawing H05-F-10-0018-R49

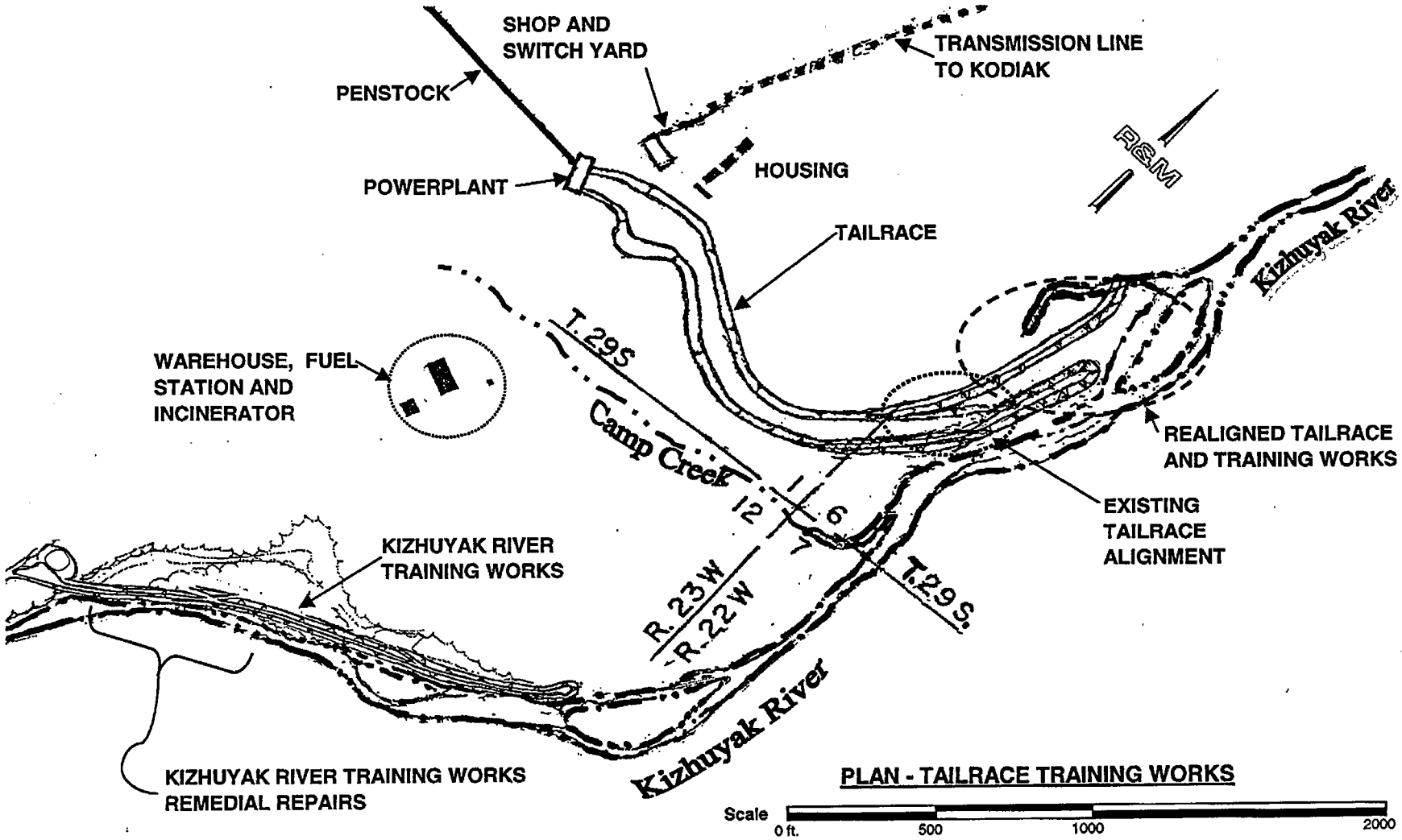
Solomon Gulch Terror Lake
Swan Lake Tyee Lake

The FOUR DAM POOL Power Agency
703 West Tudor Road , Suite 102
Anchorage, Alaska 99503

FERC PROJECT NUMBER 2743
TERROR LAKE HYDROELECTRIC PROJECT
TAILRACE TRAINING WORKS
2004 REMEDIAL WORK
LOCATION MAPS

NAME: The FOUR DAM POOL Power Agency
PROJECT: TERROR LAKE HYDROPLANT TAILRACE
LOCATION: KODIAK ISLAND BOROUGH, ALASKA
Sec. 6, T29S, R22W, & Sec. 1 & 12, T29S, R23W, S.M., Alaska
WATERBODY: KIZHUYAK BAY,
KIZHUYAK RIVER, CAMP CREEK
DATE: 4/05/04 **SHEET 1 OF 6**

POA - 1980-133-P Terror Lake

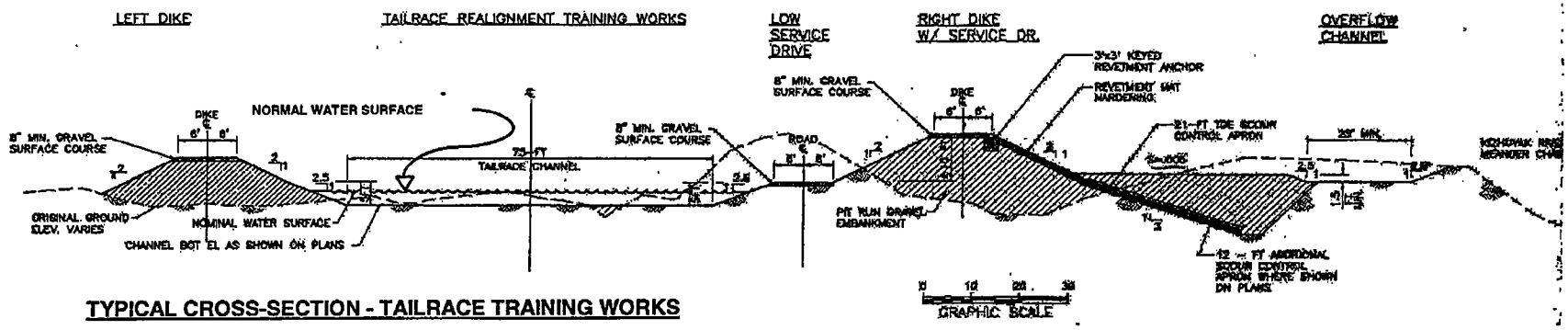


PLAN - TAILRACE TRAINING WORKS

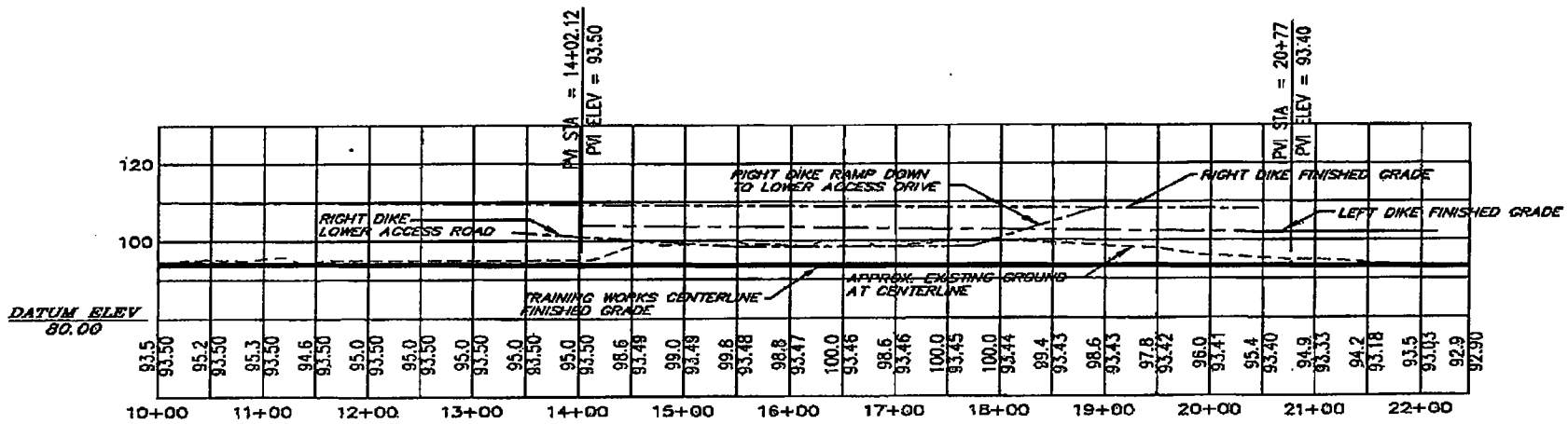
Ref. AEA DrawingS: H04-F-04-2003-R50; H04-G-08-1010-R49; H04-F-08-1011-R49; AK SATE LAND SURVEY 86-136

Solomon Gulch Terror Lake Swan Lake Tyee Lake The FOUR DAM POOL Power Agency 703 West Tudor Road , Suite 102 Anchorage, Alaska 99503	FERC PROJECT NUMBER 2743 TERROR LAKE HYDROELECTRIC PROJECT TAILRACE TRAINING WORKS 2004 REMEDIAL WORK HYDROPLANT & TAILRACE AREA PLAN	NAME: The FOUR DAM POOL Power Agency PROJECT: TERROR LAKE HYDROPLANT TAILRACE LOCATION: KODIAK ISLAND BOROUGH, ALASKA Sec. 6, T29S, R22W, & Sec. 1 & 12, T29S, R23W, S.M., Alaska WATERBODY: KIZHUYAK BAY, KIZHUYAK RIVER, CAMP CREEK DATE: 4/05/04 SHEET 2 OF 6

POA -1980-133-P Terror Lake



TYPICAL CROSS-SECTION - TAILRACE TRAINING WORKS



PROFILES ON TRAINING WORKS CENTERLINE AND LEFT AND RIGHT DIKES

SCALE: H - 1" = 100'
V - 1" = 20'

Scale 0 ft. 100 200

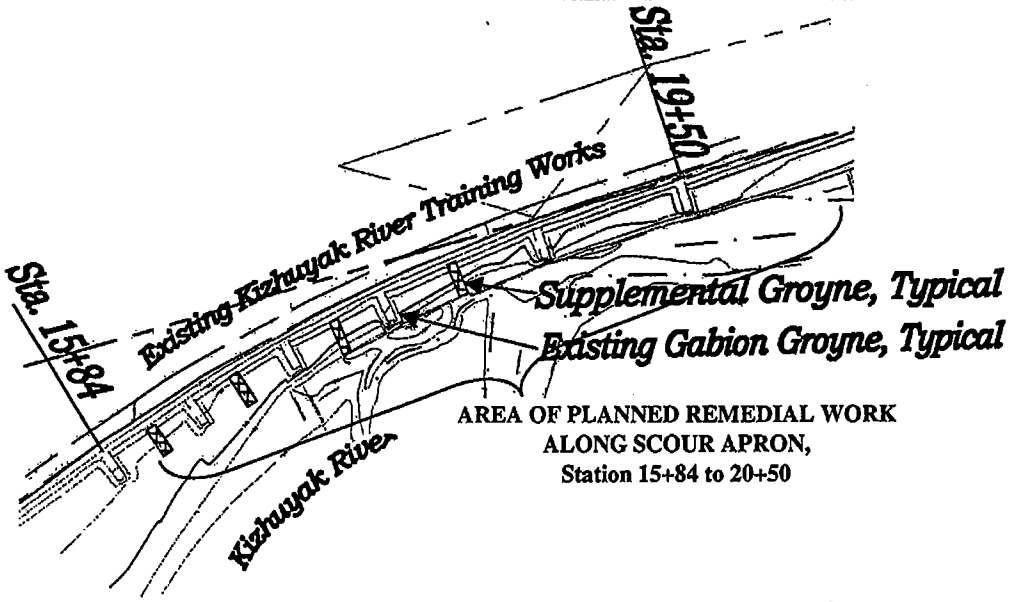
Solomon Gulch Terror Lake
Swan Lake Tyee Lake

The FOUR DAM POOL Power Agency
703 West Tudor Road , Suite 102
Anchorage, Alaska 99503

FERC PROJECT NUMBER 2743
TERROR LAKE HYDROELECTRIC PROJECT
TAILRACE TRAINING WORKS
2004 REMEDIAL WORK
TYPICAL SECTION AND PROFILE

NAME: The FOUR DAM POOL Power Agency
PROJECT: TERROR LAKE HYDROPLANT TAILRACE
LOCATION: KODIAK ISLAND BOROUGH, ALASKA
Sec. 6, T29S, R22W, & Sec. 1 & 12, T29S, R23W, S.M., Alaska
WATERBODY: KIZHUYAK BAY,
KIZHUYAK RIVER, CAMP CREEK
DATE: 4/05/04 **SHEET 3 OF 6**

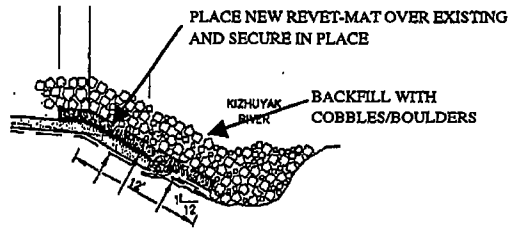
POA-1980-133-Q' Terror Lake



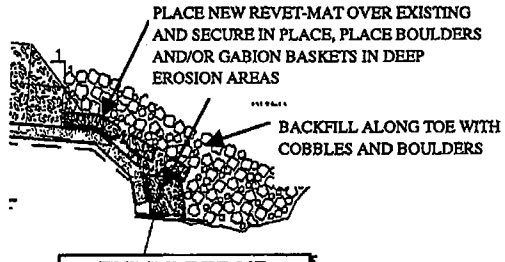
PLAN OF REPAIRS TO KIZHUYAK RIVER TRAINING WORKS

Scale

0 ft. 100 200 500



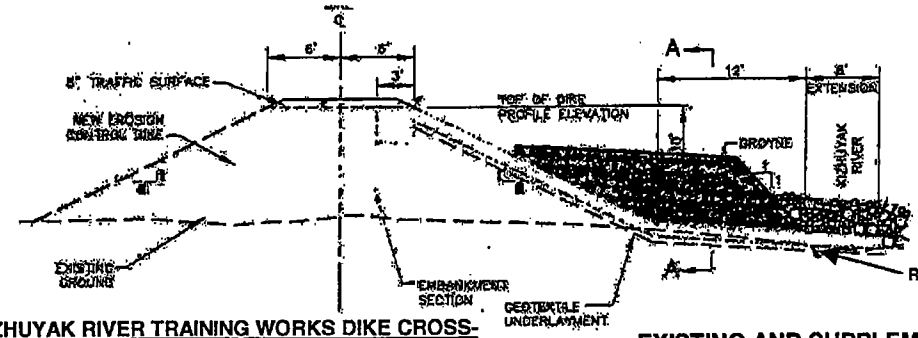
TYPE I REPAIR



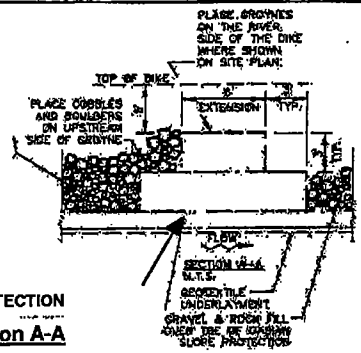
TYPE II REPAIR

TYPICAL SCOUR APRON RESTORATION / REPAIRS

Not To Scale



KIZHUYAK RIVER TRAINING WORKS DIKE CROSS-SECTION



Section A-A

EXISTING AND SUPPLEMENTAL GROYNE - TYPICAL SECTIONS

Not to Scale

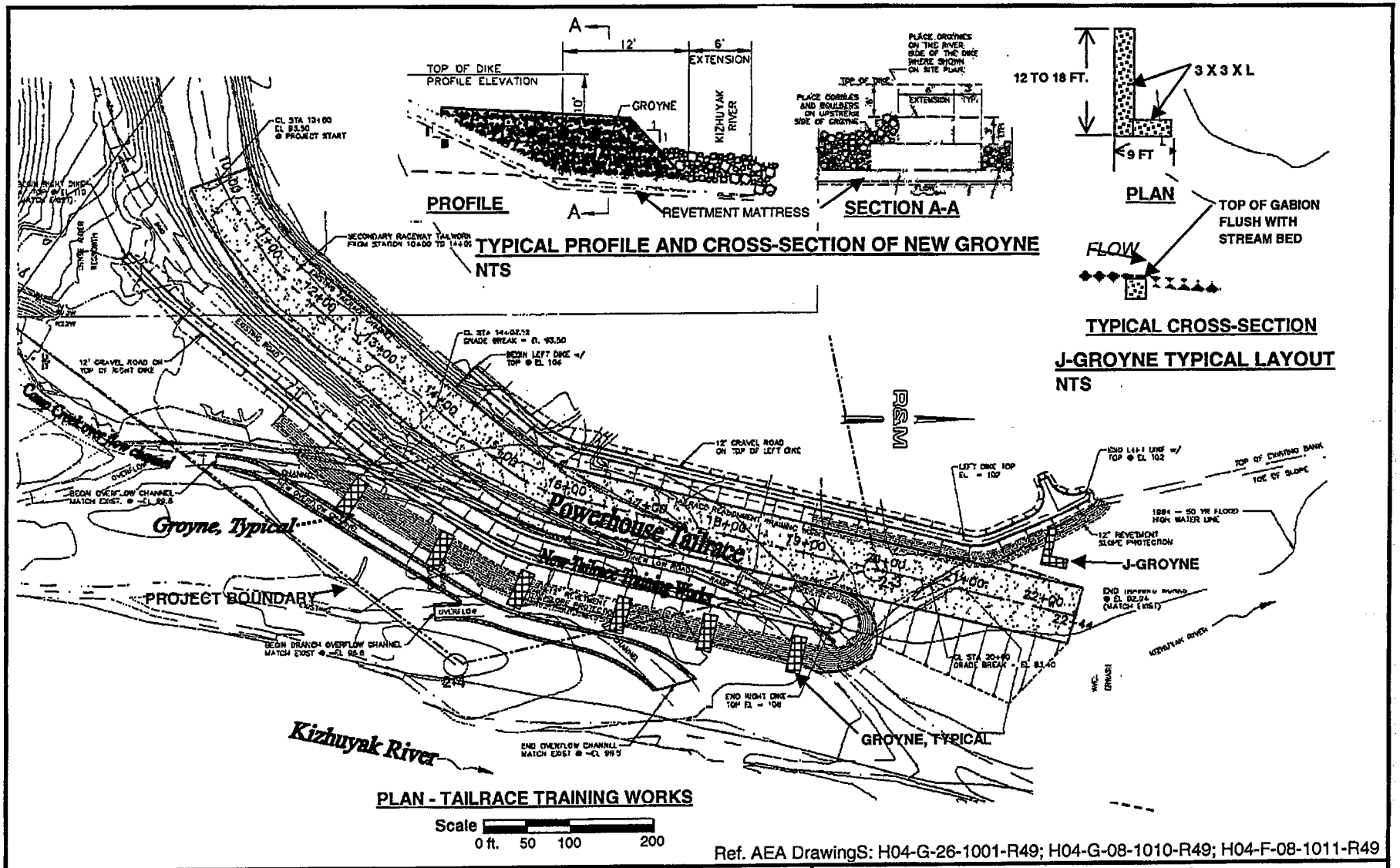
Solomon Gulch Terror Lake
Swan Lake Tyee Lake

The FOUR DAM POOL Power Agency
703 West Tudor Road , Suite 102
Anchorage, Alaska 99503

FERC PROJECT NUMBER 2743
TERROR LAKE HYDROELECTRIC PROJECT
TAILRACE TRAINING WORKS
2004 REMEDIAL WORK
KIZHUYAK DIKE REPAIR DETAILS

NAME: The FOUR DAM POOL Power Agency
PROJECT: TERROR LAKE HYDROPLANT TAILRACE
LOCATION: KODIAK ISLAND BOROUGH, ALASKA
Sec. 6, T29S, R22W, & Sec. 1 & 12, T29S, R23W, S.M., Alaska
WATERBODY: KIZHUYAK BAY,
KIZHUYAK RIVER, CAMP CREEK
DATE: 4/05/04 SHEET 4 OF 6

POA-1980-153-Q Terror Lake



Ref. AEA DrawingS: H04-G-26-1001-R49; H04-G-08-1010-R49; H04-F-08-1011-R49

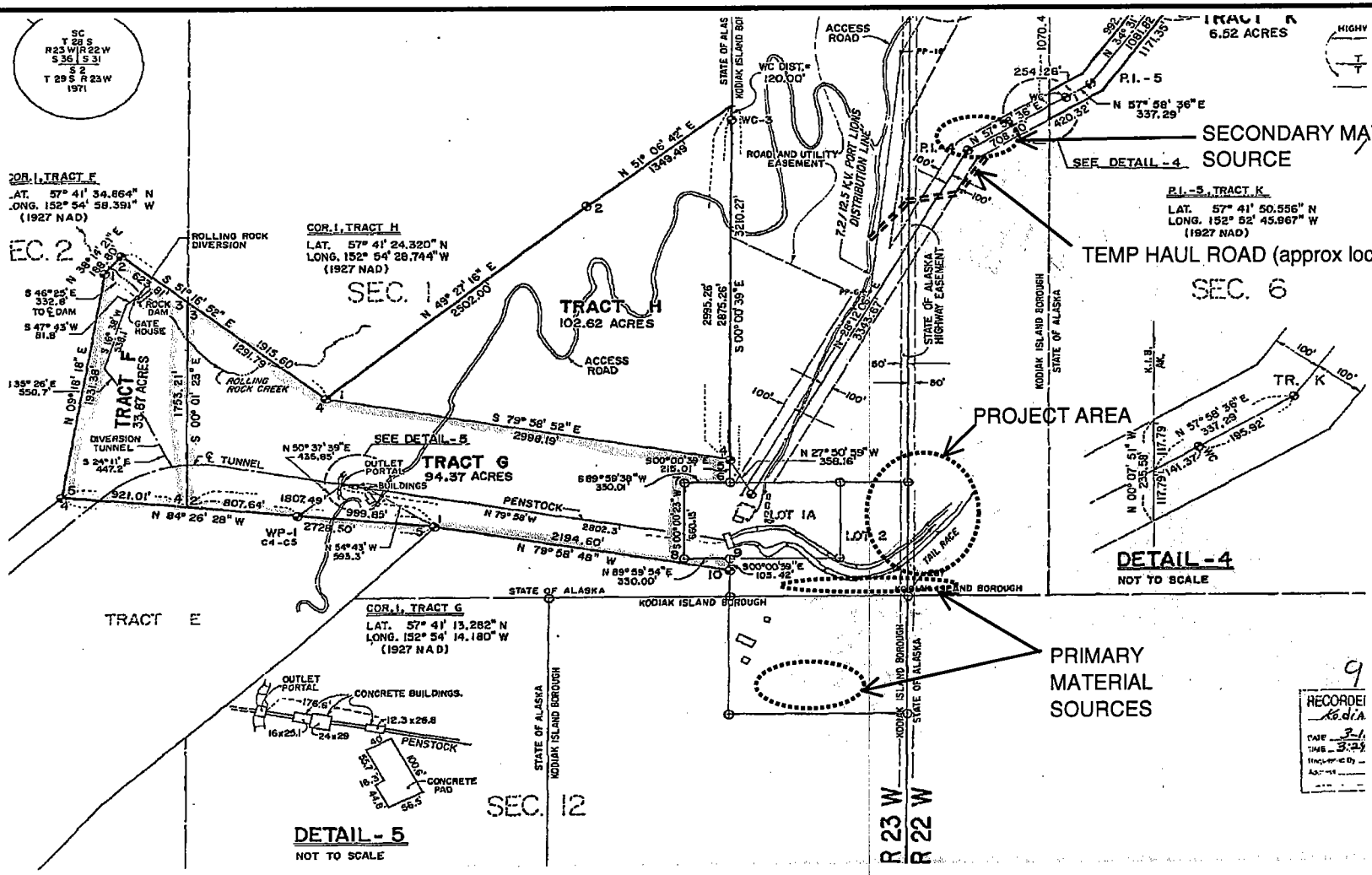
Solomon Gulch Terror Lake
Swan Lake Tyee Lake

The FOUR DAM POOL Power Agency
703 West Tudor Road , Suite 102
Anchorage, Alaska 99503

FERC PROJECT NUMBER 2743
TERROR LAKE HYDROELECTRIC PROJECT
TAILRACE TRAINING WORKS
2004 REMEDIAL WORK
TRAINING WORKS PLAN & MISC. DETAILS

NAME: The FOUR DAM POOL Power Agency
PROJECT: TERROR LAKE HYDROPLANT TAILRACE
LOCATION: KODIAK ISLAND BOROUGH, ALASKA
Sec. 6, T29S, R22W, & Sec. 1 & 12, T29S, R23W, S.M., Alaska
WATERBODY: KIZHUYAK BAY,
KIZHUYAK RIVER, CAMP CREEK
DATE: 4/05/04 **SHEET 5 OF 6**

POA-1980-133-Q Terror Lake.



TERROR LAKE HYDRO ELECTRIC PROJECT HYDROPLANT AREA MAP SHOWING BOUNDARIES, LAND OWNERSHIP AND MATERIALS SOURCES

Ref ALASKA STATE LAND SURVEY NO 86-136

Solomon Gulch Terror Lake
Swan Lake Tyee Lake

The FOUR DAM POOL Power Agency
703 West Tudor Road , Suite 102
Anchorage, Alaska 99503

FERC PROJECT NUMBER 2743
TERROR LAKE HYDROELECTRIC PROJECT
TAILRACE TRAINING WORKS
2004 REMEDIAL WORK
HYDROPLANT AREA MAP

NAME: The FOUR DAM POOL Power Agency
PROJECT: TERROR LAKE HYDROPLANT TAILRACE
LOCATION: KODIAK ISLAND BOROUGH, ALASKA
Sec. 6, T29S, R22W, & Sec. 12, T29S, R23W, S.M., Alaska
WATERBODY: KIZHUYAK BAY,
KIZHUYAK RIVER, CAMP CREEK
DATE: 3/04/04
SHEET 6 OF 6

POA-1980-133-Q Terror Lake