



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

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

PUBLIC NOTICE DATE:	October 5, 2021
EXPIRATION DATE:	November 4, 2021
REFERENCE NUMBER:	POA-2021-00224
WATERWAY:	Cottonwood Creek

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

All comments regarding this Public Notice should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the Project Manager's email as listed below or to regpagemaster@usace.army.mil. All comments should include the Public Notice reference number listed above.

All comments 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 Roberta Budnik at (907) 753-2785, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at roberta.k.budnik@usace.army.mil if further information is desired concerning this notice.

APPLICANT: State of Alaska Department of Transportation and Public Facilities (ADOT&PF), Post Office Box 196900, Anchorage, Alaska 99519

LOCATION: The project site is located near Latitude 61.5958° N., Longitude 149.3599° W.; Seward Meridian Parkway, in Wasilla, Alaska.

PURPOSE: The applicant's stated purpose is to increase the capacity of the Seward Meridian Parkway between the Parks Highway and Bogard Road. Improvements incorporated in doing so include reestablishment of access to the Cottonwood Creek recreation site, improvements to drainage features, access improvements and access control elements, intersection improvements, and other necessary safety and roadway management considerations.

PROPOSED WORK: To permanently discharge up to 55,800 cubic yards (CY) of fill material (A/C, Class I/II riprap, and backfill) into a total of 2.98 acres of waters of the U.S., including wetlands, and temporarily discharge up to 7,700 CY of fill material into a total of 1.3 acres of waters of the U.S., including wetlands, to remove the existing culvert at the crossing of Seward Meridian Parkway (SMP) and Cottonwood Creek and replace it with a 125-foot long by 91.5-foot wide bridge, create a new access and parking area at the Cottonwood Creek recreation site, and widen the SMP near its intersection with East Cottonwood Way.

Temporary Impacts: To remove the culvert and install the bridge, Cottonwood Creek would be temporarily diverted by temporary berms (2,700 CY in 0.31-acre below ordinary high water (OHW)) into a temporary stream channel, through a culvert under the SMP and again into another temporary stream channel until the creek re-enters its permanent channel. After bridge installation the temporary berms would be removed, and the stream would flow under the bridge in the permanent channel. To construct the Cottonwood Creek recreational access and parking area, temporary surcharge would be placed within wetlands to help compact the wetland ground underneath to expel water and create a more stable ground surface. Up to 5,500 CY of fill material would be placed temporarily into 0.99-acre of wetlands for both the bridge installation and creek access and parking.

Permanent Impacts: To install the bridge, up to 1,800 CY of fill material would be permanently placed into 0.26-acre below the OHW of Cottonwood Creek. For the bridge installation, Cottonwood Creek recreational access and parking, and widening the SMP near its intersection with East Cottonwood Way, up to 54,000 CY of fill would be placed into 2.72 acres of wetlands.

All work would be performed in accordance with the enclosed plan (sheets 1-6), dated May 27, 2021.

ADDITIONAL INFORMATION: The proposed project described in this public notice is a part of a larger project that includes the widening of the SMP and its extension to Seldon Road from its current terminus at Bogard Road. The widening would only impact wetlands near East Cottonwood Way. The extension would not impact any waters of the U.S., including wetlands, and therefore does not require authorization from the Corps.

The proposed project requires a Fish Habitat Permit from the Alaska Department of Fish and Game.

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

a. Avoidance: Due to the existing alignment of the SMP, complete avoidance of waters of the U.S., including wetlands, is not feasible.

b. Minimization: Proposed minimization measures would include spanning the bridge across Cottonwood Creek (no in-water piers proposed), steep road embankment slopes approaching the bridge to reduce overall project footprint, staking wetland boundaries prior to construction, implementation of a Storm Water Pollution Prevention Plan, implementation of best management practices for erosion and sedimentation control, and reseeding and stabilizing disturbed ground in accordance with the Alaska Department of Natural Resource's *A Revegetation Manual for Alaska*. The proposed access road and parking area for the recreational site were designed to impact the smallest area of waters of the U.S., as possible, while still accommodating expected traffic levels.

c. Compensatory Mitigation: The ADOT&PF has stated that the reconstruction of the stream channel and replacement of the culvert with a bridge offsets the proposed project's impacts as it would improve fish and wildlife passage, provide better flood conveyance, and facilitate recreational access and travel beneath the bridge. ADOT&PF has also stated that the proposed Cottonwood Creek access road and parking area would also reduce erosion into Cottonwood Creek and impacts to wetlands from those accessing the creek and surrounding wetlands for recreational purposes without a true designated access point. ADOT has not proposed any compensatory mitigation.

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.

CULTURAL RESOURCES: The ADOT&PF assumed the responsibilities of the Federal Highway Administration (FHWA) for ensuring the proposed project's compliance with Section 106 of the National Historic Preservation Act. The ADOT&PF submitted a determination of "No Historic Properties Affected" for the proposed project to the State Historic Preservation Office (SHPO) in June of 2019. The SHPO concurred with the ADOT&PF's determination on July 2, 2019. The Corps has reviewed the Section 106 documentation provided by the applicant and concurs with their findings and determinations.

ENDANGERED SPECIES: The FHWA is the lead federal agency for the proposed project and is responsible for making a determination of effects to species listed as threatened or endangered under the Endangered Species Act (ESA). The FHWA found that there were no threatened or endangered species or critical habitat identified for the proposed project corridor. Therefore, the proposed project would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). No consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) is required. However, 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 Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The FWHA is the lead federal agency for the proposed project and is responsible for making a determination of effects to EFH. In 2006, ADOT&PF assumed the responsibilities for the determination on behalf of the FHWA. Cottonwood Creek is known to have coho salmon (*Oncorhynchus kisutch*) and sockeye salmon (*O. nerka*) present. ADOT&PF determined that the proposed project would have a temporary and minimal adverse effect on EFH from the proposed bridge construction activities to take place below the OHW of Cottonwood Creek. However, conservation measures would be implemented, and as there would be an overall improvement of the stream channel after bridge construction there would be an overall benefit to EFH.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

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

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

Project drawings are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

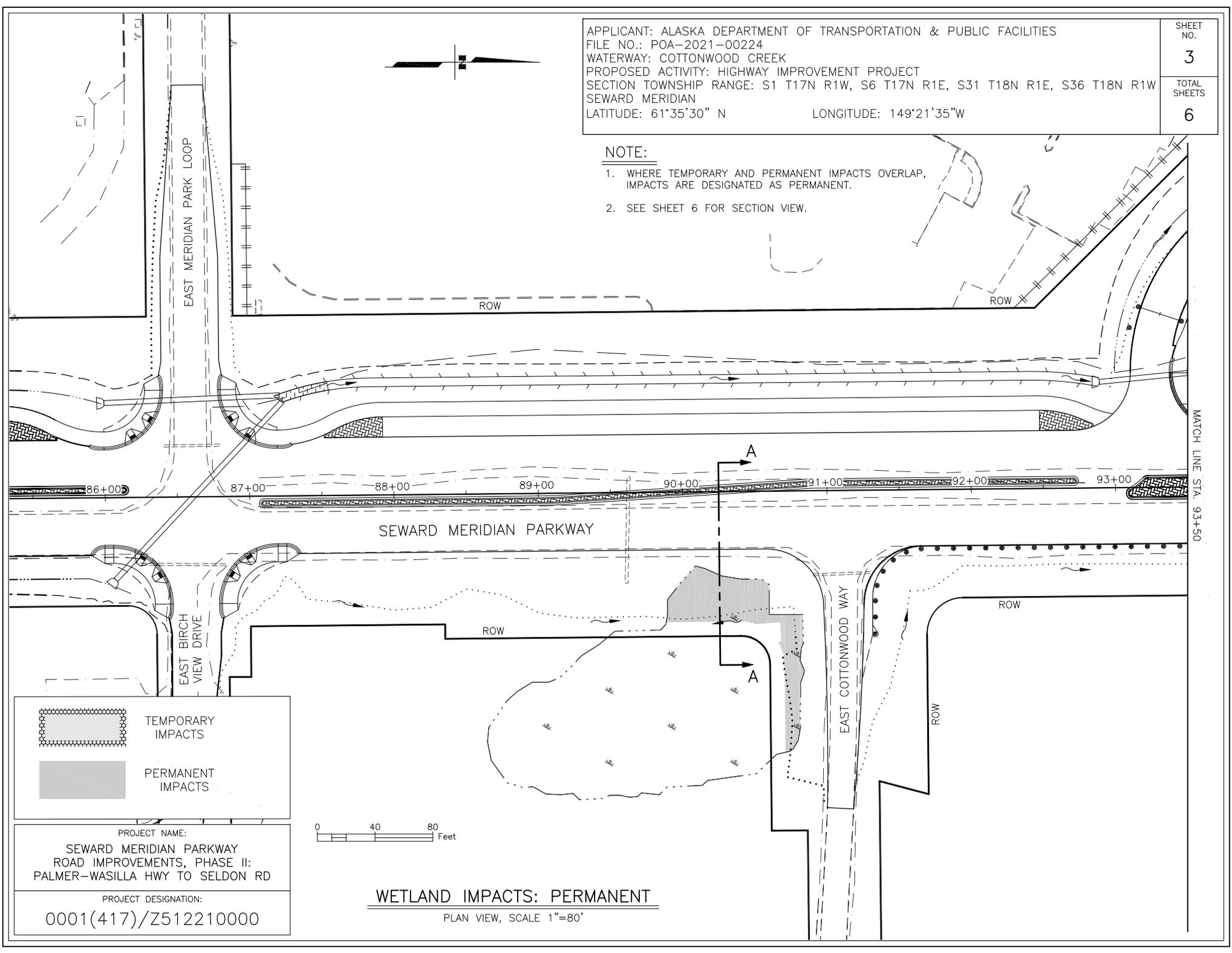
Enclosures

APPLICANT: ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
 FILE NO.: POA-2021-00224
 WATERWAY: COTTONWOOD CREEK
 PROPOSED ACTIVITY: HIGHWAY IMPROVEMENT PROJECT
 SECTION TOWNSHIP RANGE: S1 T17N R1W, S6 T17N R1E, S31 T18N R1E, S36 T18N R1W
 SEWARD MERIDIAN
 LATITUDE: 61°35'30" N LONGITUDE: 149°21'35"W

SHEET NO.
3
 TOTAL SHEETS
6

NOTE:

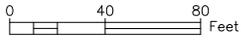
1. WHERE TEMPORARY AND PERMANENT IMPACTS OVERLAP, IMPACTS ARE DESIGNATED AS PERMANENT.
2. SEE SHEET 6 FOR SECTION VIEW.



MATCH LINE STA. 93+50

	TEMPORARY IMPACTS
	PERMANENT IMPACTS

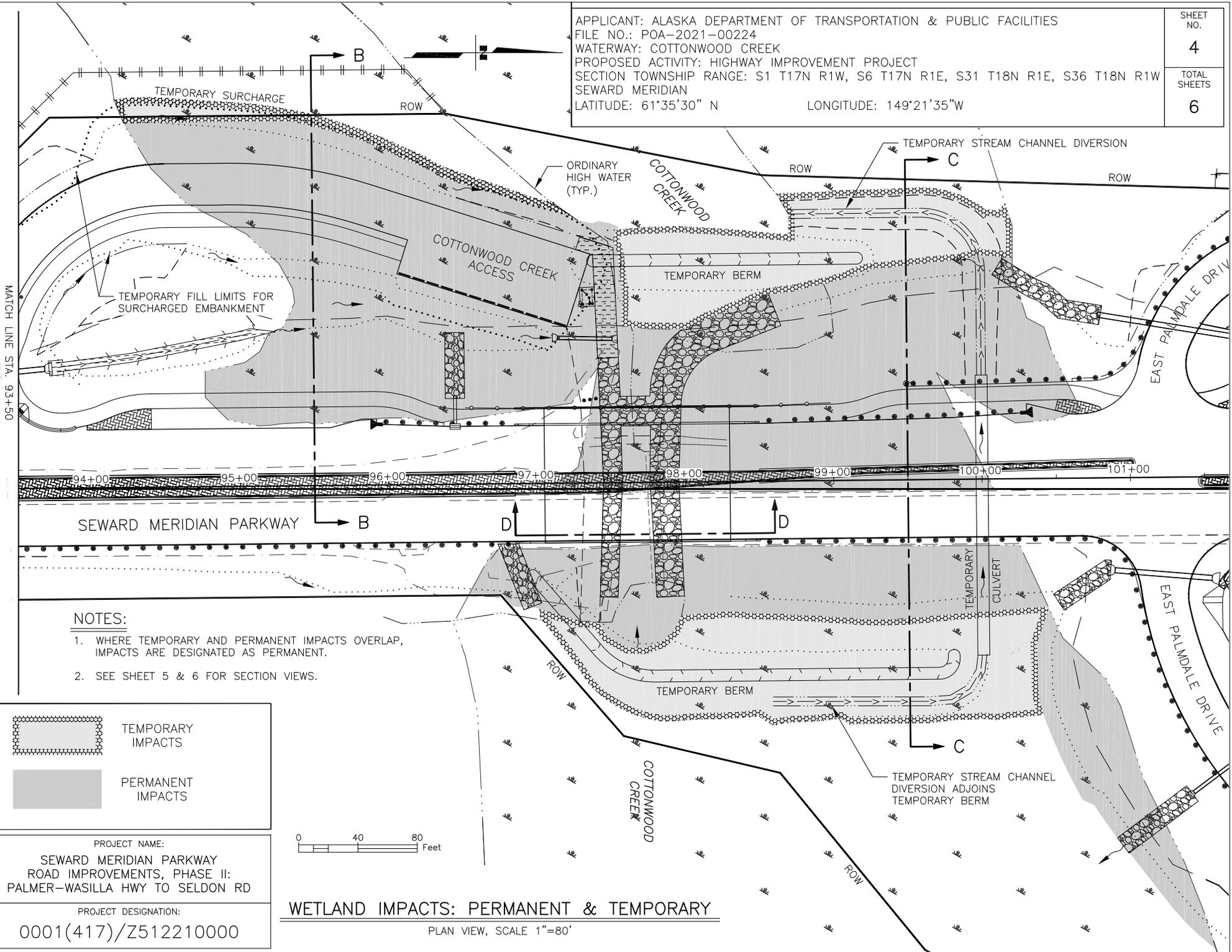
PROJECT NAME:
 SEWARD MERIDIAN PARKWAY
 ROAD IMPROVEMENTS, PHASE II:
 PALMER-WASILLA HWY TO SELDON RD
 PROJECT DESIGNATION:
 0001(417)/Z512210000



WETLAND IMPACTS: PERMANENT
 PLAN VIEW, SCALE 1"=80'

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 SEWARD MERIDIAN
 LATITUDE: 61°35'30" N LONGITUDE: 149°21'35" W

SHEET NO.	4
TOTAL SHEETS	6

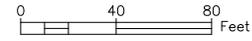


NOTES:

- WHERE TEMPORARY AND PERMANENT IMPACTS OVERLAP, IMPACTS ARE DESIGNATED AS PERMANENT.
- SEE SHEET 5 & 6 FOR SECTION VIEWS.

	TEMPORARY IMPACTS
	PERMANENT IMPACTS

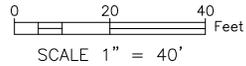
PROJECT NAME: SEWARD MERIDIAN PARKWAY ROAD IMPROVEMENTS, PHASE II: PALMER-WASILLA HWY TO SELDON RD
PROJECT DESIGNATION: 0001(417)/Z512210000



WETLAND IMPACTS: PERMANENT & TEMPORARY
 PLAN VIEW, SCALE 1"=80'

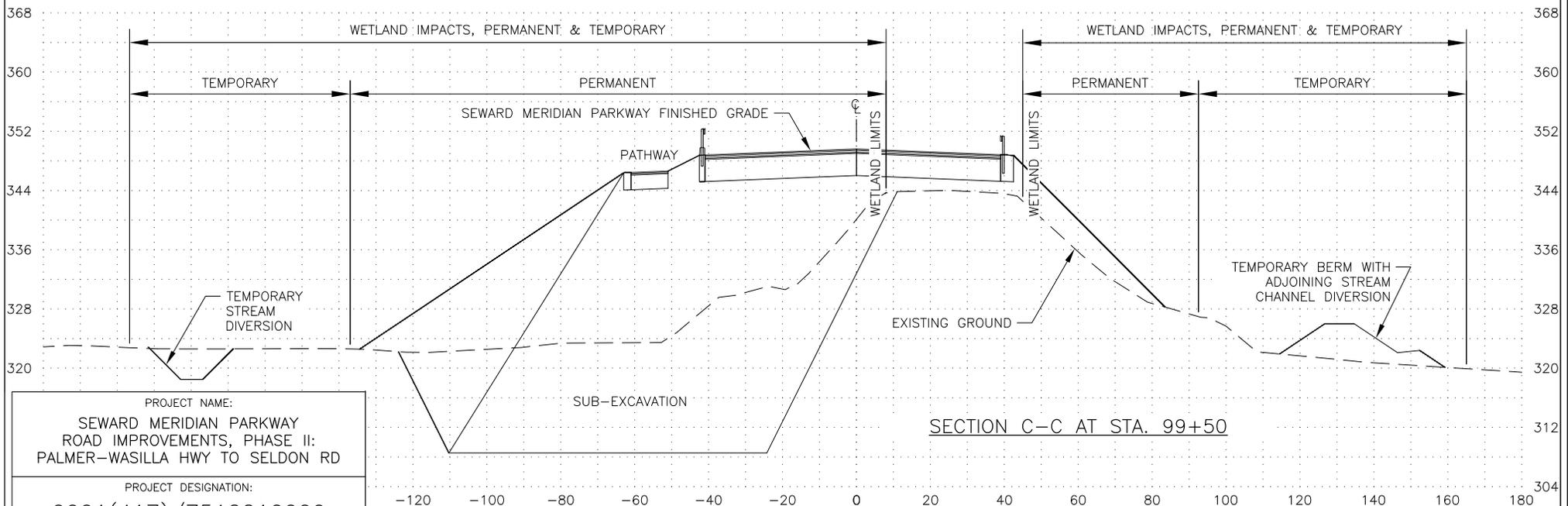
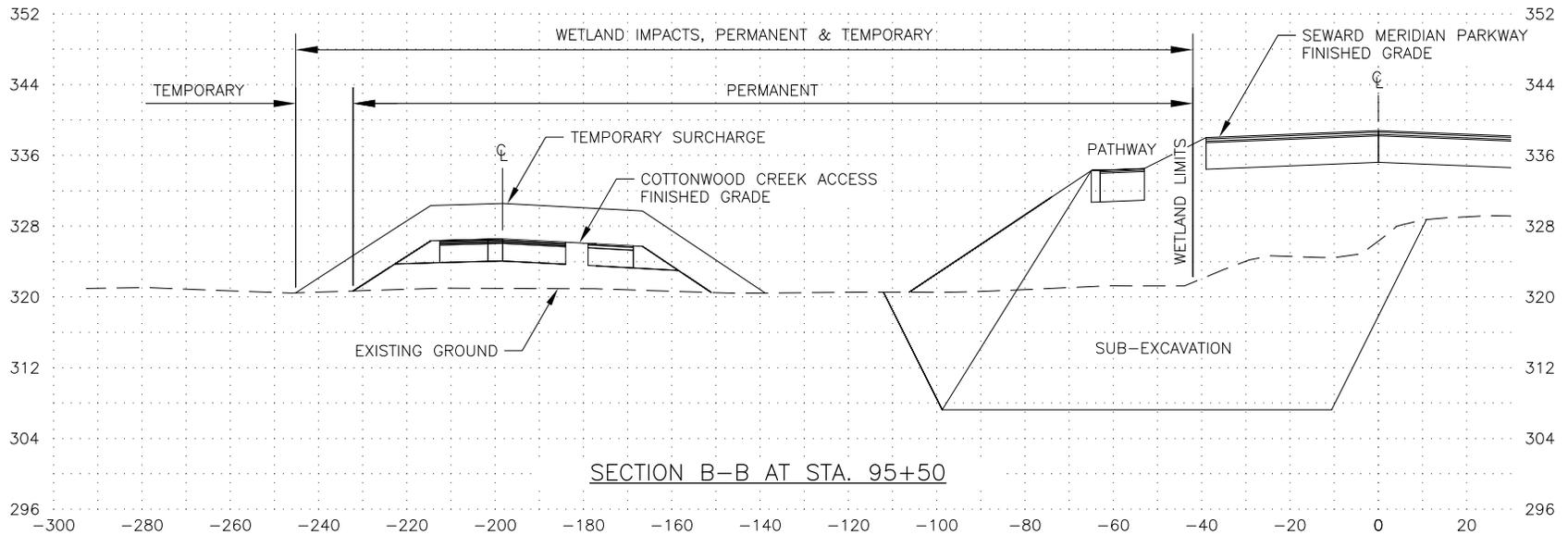
NOTE:

1. SECTION VIEWS ILLUSTRATED WITH A 2X VERTICAL EXAGGERATION.



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 FILE NO.: POA-2021-00224
 WATERWAY: COTTONWOOD CREEK
 PROPOSED ACTIVITY: HIGHWAY IMPROVEMENT PROJECT
 SECTION TOWNSHIP RANGE: S1 T17N R1W, S6 T17N R1E, S31 T18N R1E, S36 T18N R1W
 SEWARD MERIDIAN
 LATITUDE: 61°35'30" N LONGITUDE: 149°21'35"W

SHEET NO.	5
TOTAL SHEETS	6

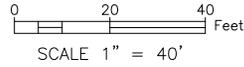


PROJECT NAME:
 SEWARD MERIDIAN PARKWAY
 ROAD IMPROVEMENTS, PHASE II:
 PALMER-WASILLA HWY TO SELDON RD

PROJECT DESIGNATION:
 0001(417)/Z512210000

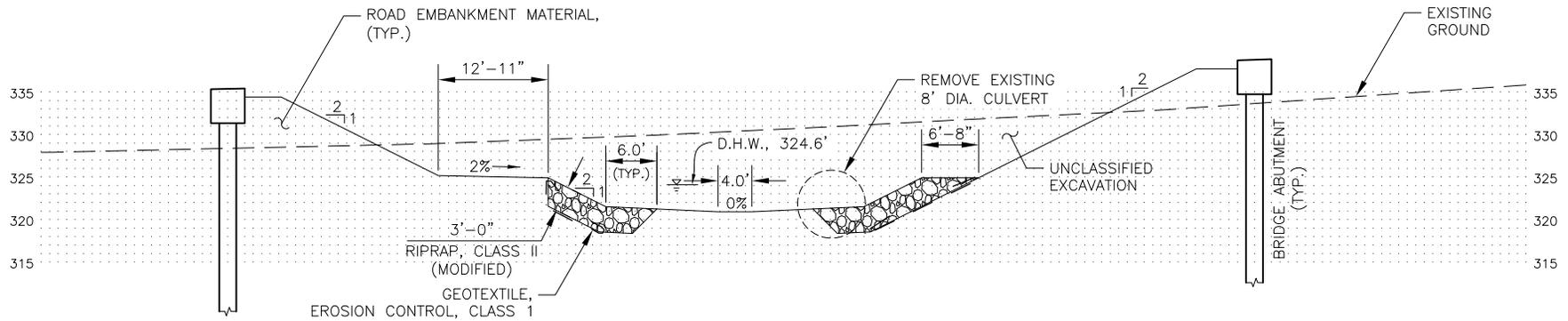
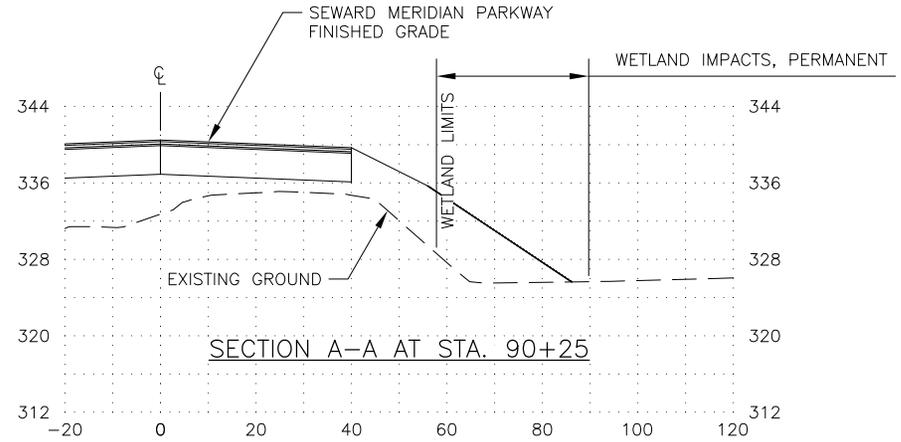
NOTE:

1. SECTION A-A ILLUSTRATED WITH A 2X VERTICAL EXAGGERATION.



APPLICANT: ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
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 SECTION TOWNSHIP RANGE: S1 T17N R1W, S6 T17N R1E, S31 T18N R1E, S36 T18N R1W
 SEWARD MERIDIAN
 LATITUDE: 61°35'30" N LONGITUDE: 149°21'35"W

SHEET NO.
6
 TOTAL SHEETS
6



PROJECT NAME:
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 PALMER-WASILLA HWY TO SELDON RD

PROJECT DESIGNATION:
 0001(417)/Z512210000

RIPRAP SECTION D-D
 UNDER BRIDGE STRUCTURE

