



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD
2175 University Avenue, Suite 201E
Fairbanks, Alaska 99709-4927

PUBLIC NOTICE DATE: January 23, 2018

EXPIRATION DATE: February 21, 2018

REFERENCE NUMBER: POA-2017-587

WATERWAY: Silver 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. 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 John Sargent at (907) 474-2166, by fax at (907) 753-5567, or by email at John.C.Sargent@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mr. Jerry Flodin, 4000 Marian Luther Road, Fairbanks, Alaska 99709

AGENT: Stutzmann Engineering, Mr. Jeremy Stark, P.O. Box 71429, Fairbanks, Alaska 99707

LOCATION: The project site is located within Section 35, T. 2 N., R. 1 W., Fairbanks Meridian; USGS Quad Map Fairbanks D-2; Latitude 64.9564° N., Longitude 147.6995° W.; located approximately 120 feet west of Steese Highway off of Goldstream Road in Fairbanks, Alaska.

PURPOSE: The applicant's stated purpose is to construct an access road to Mr. Flodin's property. As part of this project, 6 lots are being created for the University of Alaska in exchange for the proposed public right-of-way.

PROPOSED WORK: Placement of fill material in 4 acres of wetlands for creation of an access road and development of 6 residential lots. All work would be performed in accordance with the enclosed plan (drawings 1-5) dated November 2017.

ADDITIONAL INFORMATION: The Fairbanks North Star Borough preliminary plat was approved June 21, 2017. Alaska Department of Transportation driveway permit was approved on September 29, 2017.

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: Avoidance of wetlands was not possible because of the abundance of wetlands on the property.

b. Minimization: The proposed road footprint is the minimum footprint allowed by the Fairbanks North Star Borough to provide the access standard necessary for future development of the Flodin property. The proposed development footprint in wetlands for each lot would be a maximum of 0.24 acres.

c. Compensatory Mitigation: The applicant proposes to preserve in perpetuity, 43 acres of wetlands and stream channels of Silver Creek as shown on sheets 2 and 3 of the attached drawings.

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 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 cultural resources in the Permit Area or within the vicinity of the Permit Area. The Permit Area has been determined to be the area of placement of fill in wetlands. Consultation of the AHRs constitutes the extent of cultural resource investigations by the Corps of Engineers at this time, and we are otherwise unaware of the presence of such resources. The Corps of Engineers has made a No Historic Properties Affected (No Effect) determination for the proposed project. 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. The Corps of Engineers is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: No threatened or endangered species are known to use the Project Area.

We have determined the described activity would have no effect on any listed or proposed threatened or endangered species and would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, 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).

No EFH species are known to use the project area. Therefore, we have determined the described activity would not adversely affect EFH in the project area.

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 and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

ANCHORAGE

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

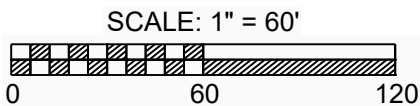
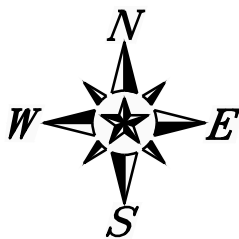
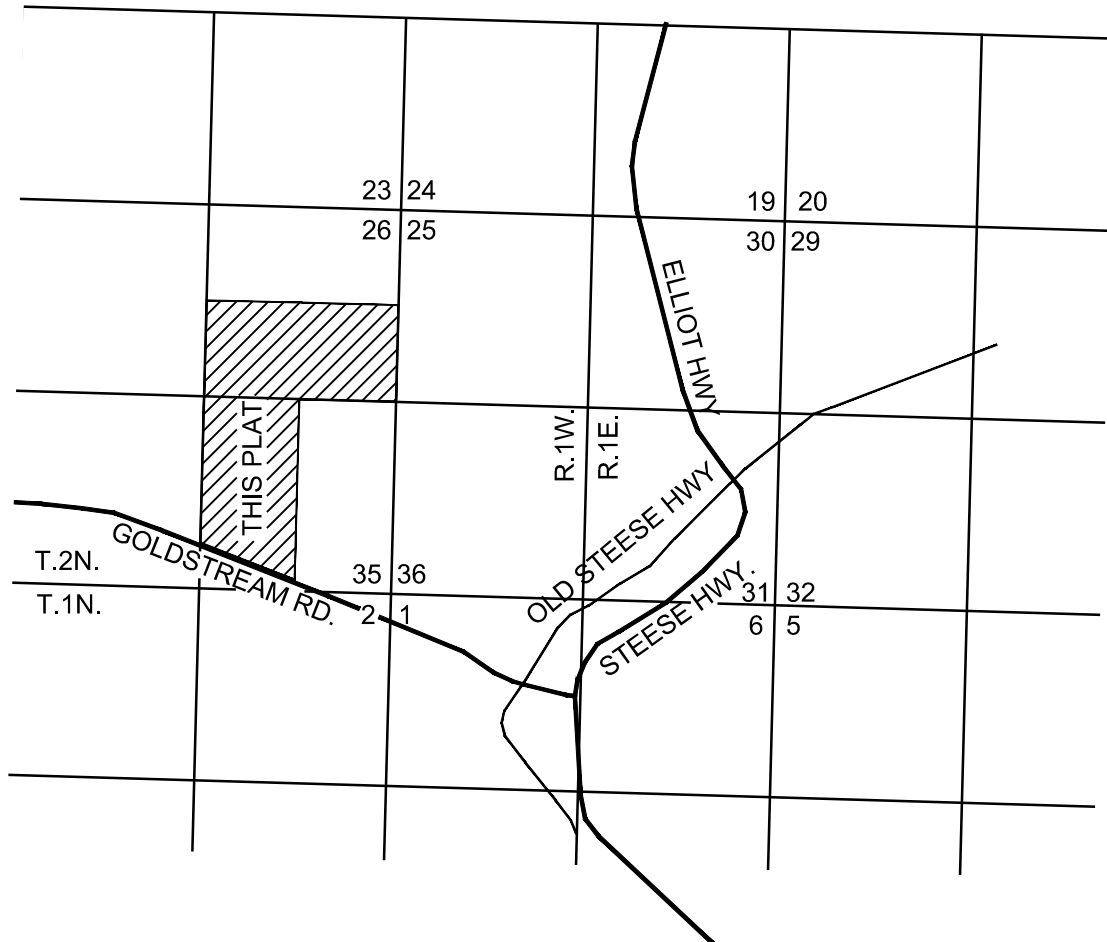
NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

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-2017-587**, Silver Creek 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.



NAME: VICINITY MAP
PROJECT: SILVER CREEK SUB.
LOCATION: SEC. 35
 T.2N., R.1W., F.M., AK
SCALE: N.T.S.
SHEET: 1 OF 5
DATE: NOV. 2017
WATERWAY: SILVER CREEK

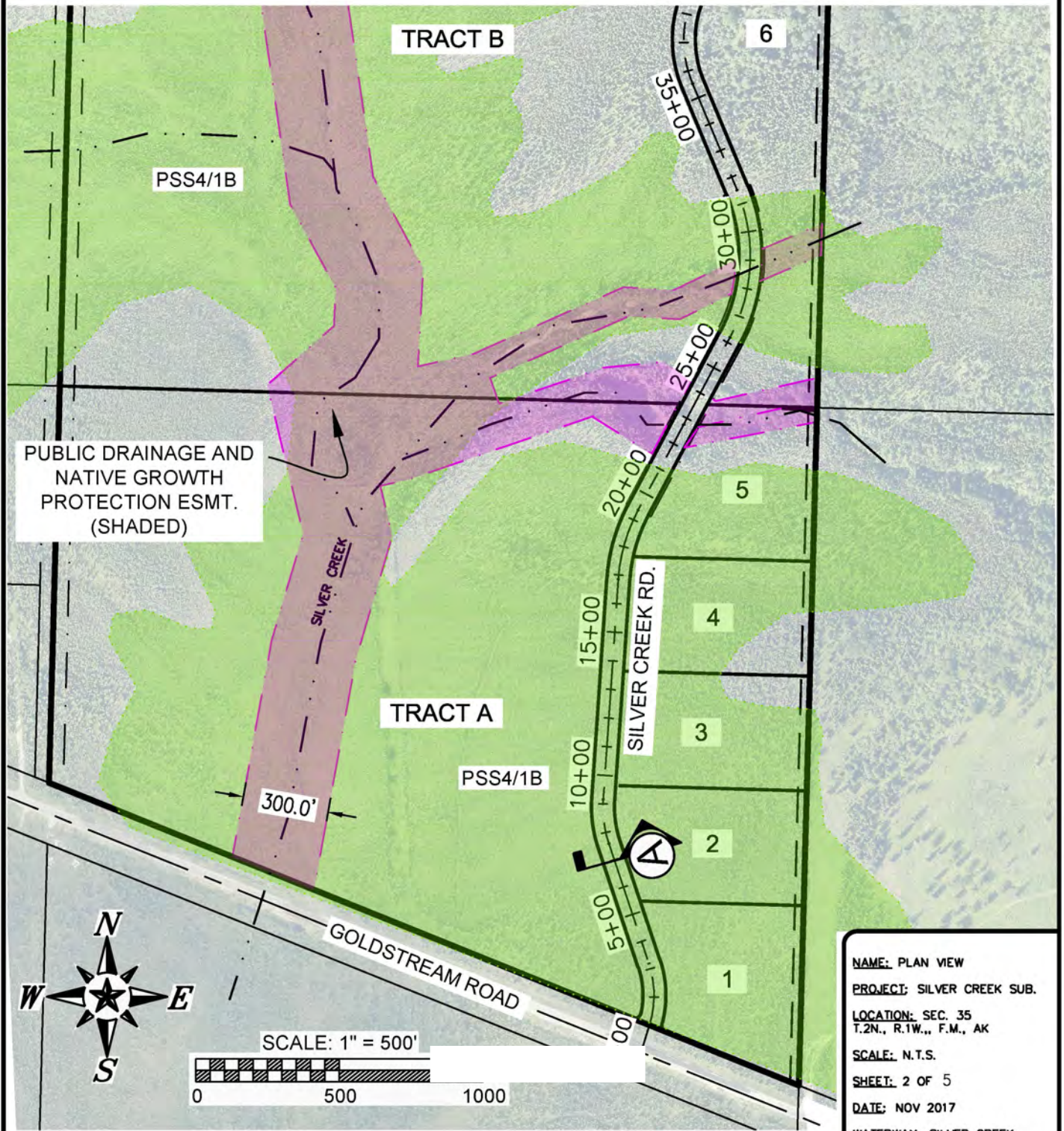

STUTZMANN
ENGINEERING
ASSOCIATES, INC.
 P. O. BOX 71429, FAIRBANKS, ALASKA 99707 907-452-4094

LYNELLE'S
 SURVEYORS
 P.L.L.C.
VICINITY MAP
SILVER CREEK SUB.
 FOR: FLODIN / UNIV OF AK

DRAWN BY: J.D.S.
DATE: NOV. 2017
SCALE: N.T.S.
REVISED:

DRAWING NUMBER
1

NOTE
WETLAND BOUNDARIES ARE FROM NWI 2017.



NAME: PLAN VIEW
 PROJECT: SILVER CREEK SUB.
 LOCATION: SEC. 35
 T.2N., R.1W., F.M., AK
 SCALE: N.T.S.
 SHEET: 2 OF 5
 DATE: NOV 2017
 WATERWAY: SILVER CREEK

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 PLANNERS

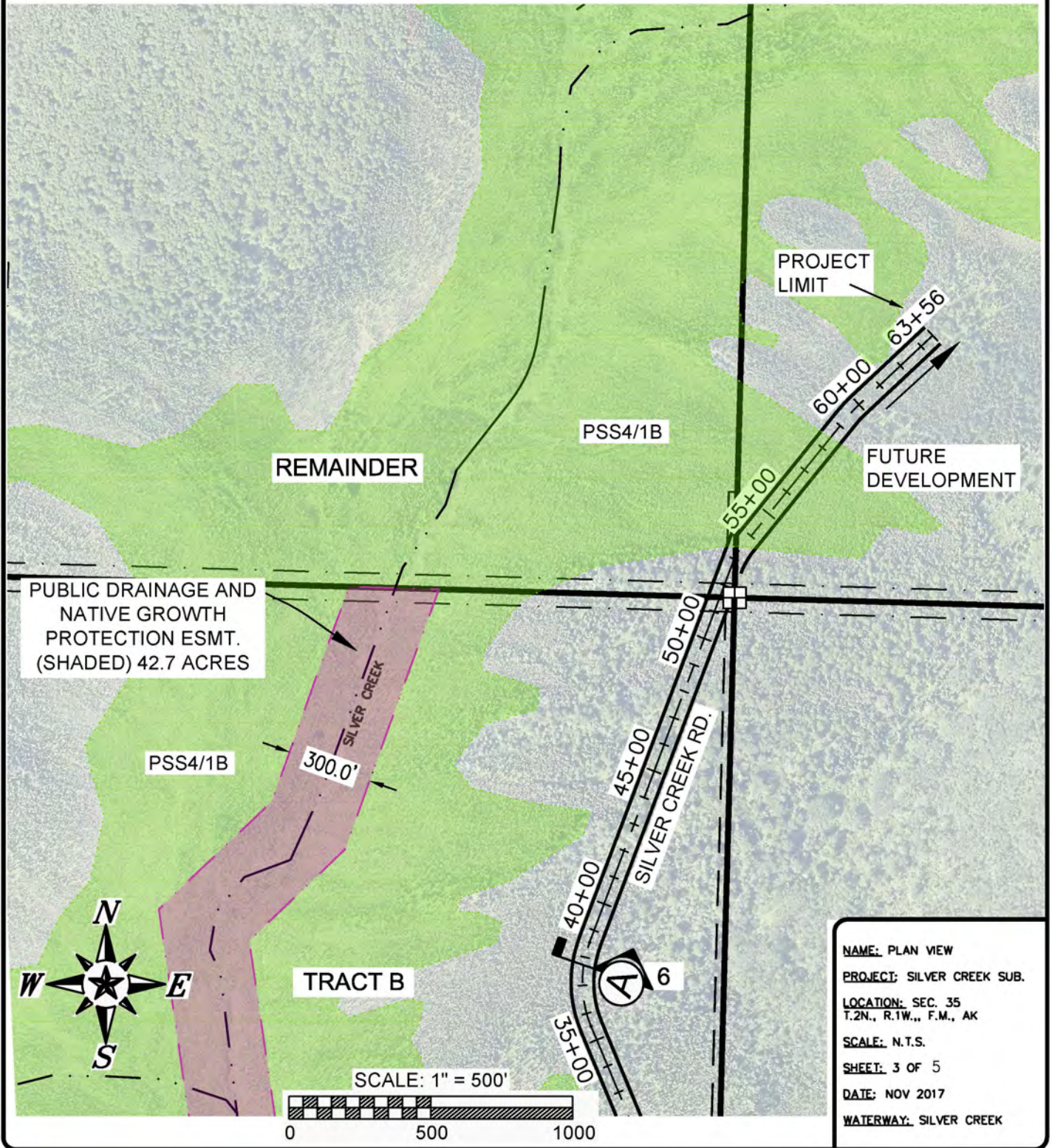
P. O. BOX 71429, FAIRBANKS, ALASKA 99707 907-452-4094

PLAN VIEW
 SILVER CREEK SUB.
 FOR: FNSB

DRAWN BY: J.D.S.
 DATE: NOV 2017
 SCALE: N.T.S.
 REVISED:

DRAWING NUMBER
 2

NOTE
WETLAND BOUNDARIES ARE FROM NWI 2017.



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ENGINEERING
ASSOCIATES, INC.

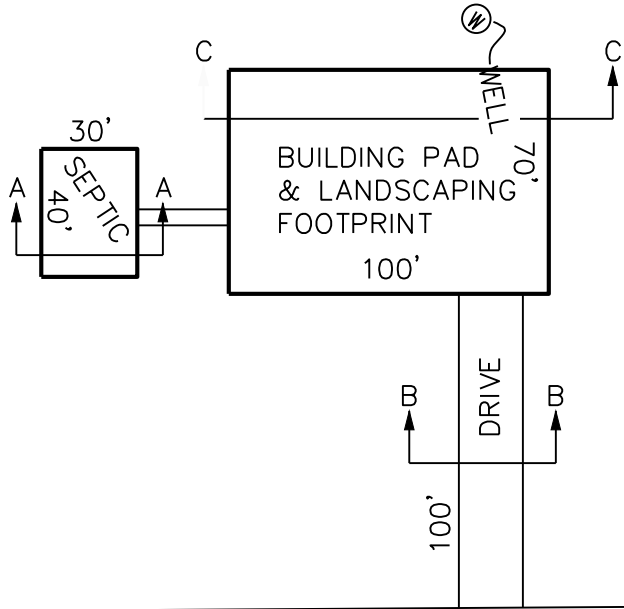
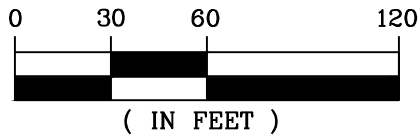
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SURVEYORS
PLANNERS

P. O. BOX 71429, FAIRBANKS, ALASKA 99707 907-452-4094

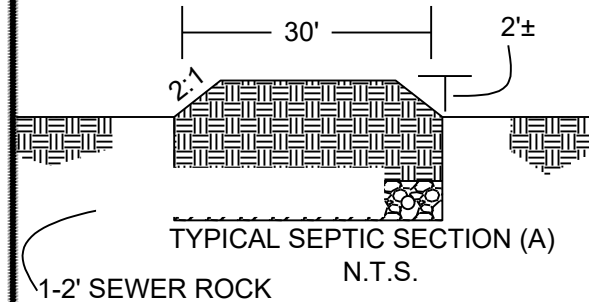
PLAN VIEW
SILVER CREEK SUB.
FOR: FNSB

DRAWN BY: J.D.S.
DATE: NOV 2017
SCALE: N.T.S.
REVISED:

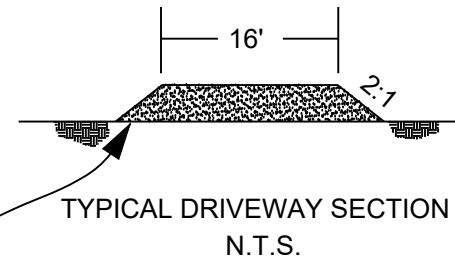
DRAWING NUMBER
3



$$(2 \times 30 \times 40) / 27 = 90 \text{ C.Y.}$$



AVERAGE DRIVEWAY LENGTH=100'



$$((16+24) \times 100) / 27 = 150 \text{ C.Y.} \pm$$

TYPICAL FILL FOOTPRINT / LOT

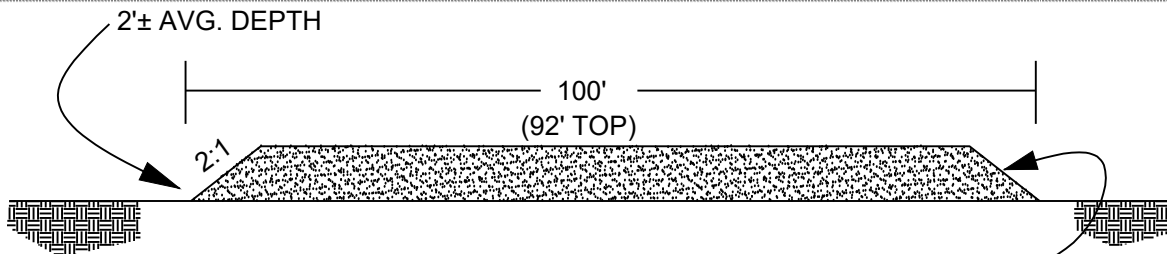
$$((24 \times 100) + (30 \times 40) + (70 \times 100)) / 43560$$

$$= 10,600 \text{ S.F.} = 0.24 \text{ ACRES}$$

TYPICAL LOT IN WETLANDS
PLAN VIEW

TOTAL FILL PLACEMENT
FOR TYPICAL LOT =

$$90 + 175 + 500 = 765 \text{ C.Y.} \pm$$



$$((92+100) \times 70) / 27 = 500 \text{ C.Y.} \pm$$

COMBINATION OF
GRAVEL AND COMMON
FILL.

NAME: SECTIONS
PROJECT: SILVER CREEK SUB.
LOCATION: SEC. 35
T.2N., R.1W., F.M., AK
SCALE: N.T.S.
SHEET: 4 OF 5
DATE: NOV. 2017
WATERWAY: SILVER CREEK

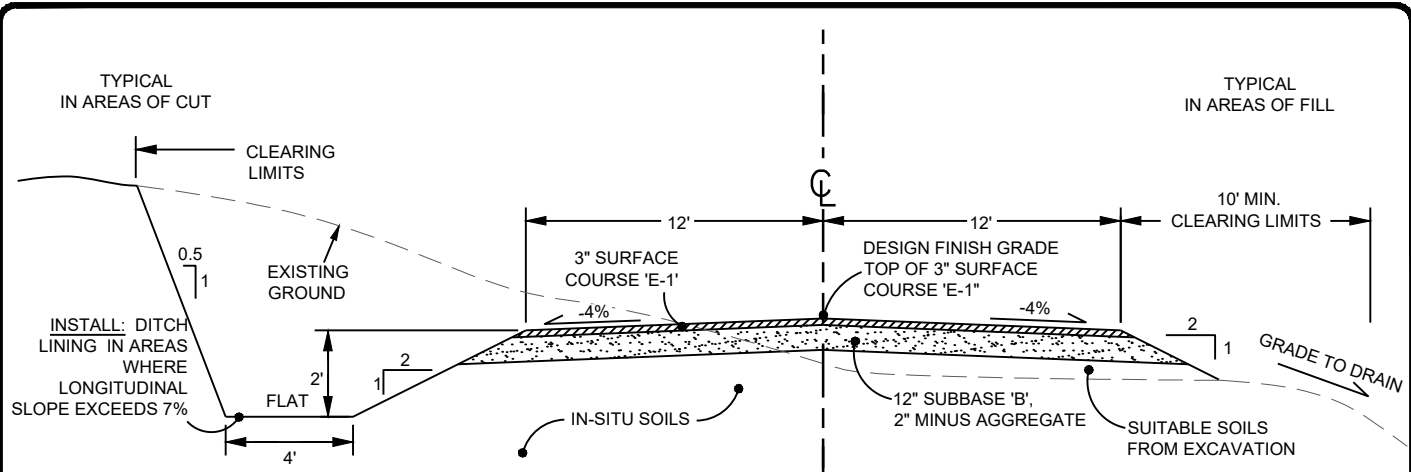
DRAWING
NUMBER
4

DRAWN BY: J.D.S.
DATE: NOV 2017
SCALE: N.T.S.
REVISED:

TYPICAL LOT PLAN &
SECTION
SILVER CREEK SUB
FOR: FLODIN / UA

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A TYPICAL ROAD SECTION

	FILL (C.Y.)	Footprint (Acres.)
Lot Development	3825	1.2
Linear Crossings	4500	2.8
Total	8325	4.0

	Total (Acres)	Impacted (Acres)	Preserved* (Acres)	Avoided (Acres)
Wetlands				
Forest / Scrub/Shrub	192.0	4.0	43.0	188.0
Emergent	0.0	0.0	0.0	0.0

* Preserved areas are areas containing wetlands protected by public drainage and native growth protection easements.

Summary

The ratio of preserved area to area impacted is 10.8 : 1. The ratio of avoided area to area impacted is 47.0 : 1. This permit request proposes the placement of fill on 2.1% of the wetlands within the the project area.

GENERAL NOTES -

- GRAVEL FILL MATERIAL FOR THIS PROJECT WILL COME FROM A NEARBY GRAVEL SITE. IN AREAS OF CUT AND FILL, USEABLE EXCAVATION FROM WITHIN THE ROAD PRISM WILL BE USED FOR EMBANKMENT CONSTRUCTION.
- CULVERTS WILL BE PLACED AS PER THE APPROVED DRAINAGE PLAN TO MAINTAIN EXISTING DRAINAGE PATTERNS.
- LOTS 1-5 ARE COVERED PREDOMINANTLY BY WETLANDS AND WILL REQUIRE THE FULL 765 C.Y. OF FILL DEPICTED IN THE TYPICAL LOT SECTION TO BE PLACED IN WETLANDS. NO OTHER IMPACT FROM LOT DEVELOPMENT ONTO WETLANDS IS PROPOSED.

NAME: ROAD SECTION
 PROJECT: SILVER CREEK SUB.
 LOCATION: SEC. 35
 T.2N., R.1W., F.M., AK
 SCALE: N.T.S.
 SHEET: 5 OF 5
 DATE: NOV 2017
 WATERWAY: SILVER CREEK

STUTZMANN ENGINEERING ASSOCIATES, INC.
 P. O. BOX 71429, FAIRBANKS, ALASKA 99707 907-452-4094
 LICENSES: SURVEYORS, PROFESSIONAL ENGINEERS

ROAD SECTION
 SILVER CREEK SUB.
 FOR: FLODIN / UA

DRAWN BY: J.D.S.
 DATE: NOV 2017
 SCALE: N.T.S.
 REVISED:

DRAWING NUMBER
5