



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:** April 27, 2018

**EXPIRATION DATE:** May 11, 2018

**REFERENCE NUMBER:** POA-2018-122

**WATERWAY:** North Fork of the Dall River

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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](mailto: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 Melissa Riordan at (907) 474-2166, by fax at (907) 474-2164, or by email at [melissa.c.riordan@usace.army.mil](mailto:melissa.c.riordan@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** The Alaska Department of Transportation and Public Facilities  
(AKDOT&PF)

**LOCATION:** The project site is located within Section 4, T. 16 N., R. 13 W., Fairbanks Meridian; USGS Quad Map Bettles B-1; Latitude 66.2486° N., Longitude 150.3164° W.; Dalton Highway Milepost 89-90, 40 miles north of the Yukon River, Alaska.

PURPOSE: The applicant's stated purpose is to aid in the removal of unwanted moisture, and slow the thaw settlement of perennially frozen ground in order to stabilize subsurface roadbed materials and roadway.

PROPOSED WORK: Discharge 7, 616 cubic yards of unclassified gravel material into 1.14 acres of wetlands. For a more detailed description of work see attached permit letter submitted by the applicant. All work would be performed in accordance with the enclosed plan (sheets 1-7), dated March 2018.

APPLICANT PROPOSED MITIGATION: The applicant's mitigation measure statement to avoid and minimize and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material, is provided in attached application letter dated March 27, 2018.

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 AKDOT&PF has coordinated with the State Historic Preservation Officer (SHPO), and is waiting on concurrence. The Corps of Engineers will review the AKDOT&PF's documentation and either concur with their documentation or continue to work with them and SHPO until any issues are resolved. A permit for the described work will not be issued until the Section 106 process has been completed and the Corps of Engineers concurs with AKDOT&PF's documentation.

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. 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-2018-122, West Fork of the Dall River** 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.



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

## Department of Transportation and Public Facilities

Northern Region Maintenance & Operations  
Administrative & Engineering Support

2301 Peger Road  
Fairbanks, Alaska 99709  
Main: 907.451.2249  
Fax: 907.451.5153  
dot.state.ak.us

March 27, 2018

Benjamin Soiseth  
North Central Section Chief  
U.S. Army Corps of Engineers  
2175 University Avenue, Suite 201E  
Fairbanks, AK 99709-4927

RE: Dalton Highway MP 89-90 Embankment Stabilization  
State Funded Maintenance and Operations Project  
**Section 404 Permit Application**

Dear Mr. Soiseth,

Enclosed is the application packet for a Department of the Army permit under Section 404 of the Clean Water Act. The Alaska Department of Transportation and Public Facilities (DOT&PF), Maintenance and Operations (M&O), is requesting your review of the proposed project and authorization of its impact to jurisdictional wetlands.

### **Project Description**

DOT&PF is proposing repair a section of roadway between Dalton MP 89-90 (Section 4, T16N, R13W and Section 34, T17N, R13W, Bettles B-1, FM; Figure 1). The Dalton Highway at this location has continual ground pumping issues due to poor surface and subbase material in conjunction with poor drainage. This project will replace the existing surface and base material and install a wicking geotextile fabric to aid in removing unwanted moisture from the embankment. The addition of thermal berms to the sides of the roadway will aid in slowing the uneven thaw settlement of perennially frozen ground under the roadway and also aid in moving standing water away from the embankment improving site drainage. The replacement of four culverts is planned to improve natural drainage patterns in the area (Figures 3 & 4). This project will help decrease maintenance requirements and improve roadway safety.

Project plans include the excavation of the existing road surface and the placement of approximately 13,100 cubic yards (c.y.) of excavated material adjacent to the roadway for the creation of the thermal berms (Figure 5). New material will be brought in from existing stockpiles at nearby material sites to rebuild the road profile (Figure 5). Work is anticipated to occur in late summer 2018. In advance of the project, necessary vegetation and tree clearing will be performed by DOT&PF Maintenance and Operations crews, in consideration of the U.S. Fish and Wildlife Service Timing Recommendations for Land Disturbance & Vegetation Clearing. No permanent impacts to the vegetative mat are anticipated.

ADOT&PF Dalton Hwy MP 89-90 POA-2018-122 West Fork of the Dall River Sheet 1 of 7      Date: March 2018
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### Section 404 Involvement

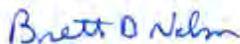
Approximately 7,616 c.y. of this material will be placed in wetlands (PFO4/SS1B, PSS/EM1B, and PSS1/4B; Figure 2). The estimated footprint is approximately 1.14 acres.

### Avoidance and Minimization

In order to avoid and minimize additional wetland impacts, the design of this project is limited to the footprint necessary to address road repair project. During project development, a grade raise in this area was discussed as an alternative. This would have resulted in far greater wetlands impacts and was not the selected alternative. The new wayside pull out was carefully located to meet all safety and design standards while having the least possible footprint in adjacent wetlands. This project will improve the natural drainage patterns in the area by replacing four damaged culverts with new culverts. Three additional culverts exist on area As Builts but were not located during preliminary field review. If these culverts are located during construction, they will also be replaced. With the exception of the vegetative clearing in advance of the project start, no equipment will work off of the existing road surface in order to prevent additional unanticipated impacts to wetlands. Due to the limited impacts and the benefit of reduced maintenance and increased public safety, DOT&PF does not propose any compensatory mitigation for this action.

If you have any questions, or are in need of additional information, please contact Katrina LeMieux, M&O Environmental Analyst, at (907) 451-2243 or at [katrina.lemieux@alaska.gov](mailto:katrina.lemieux@alaska.gov).

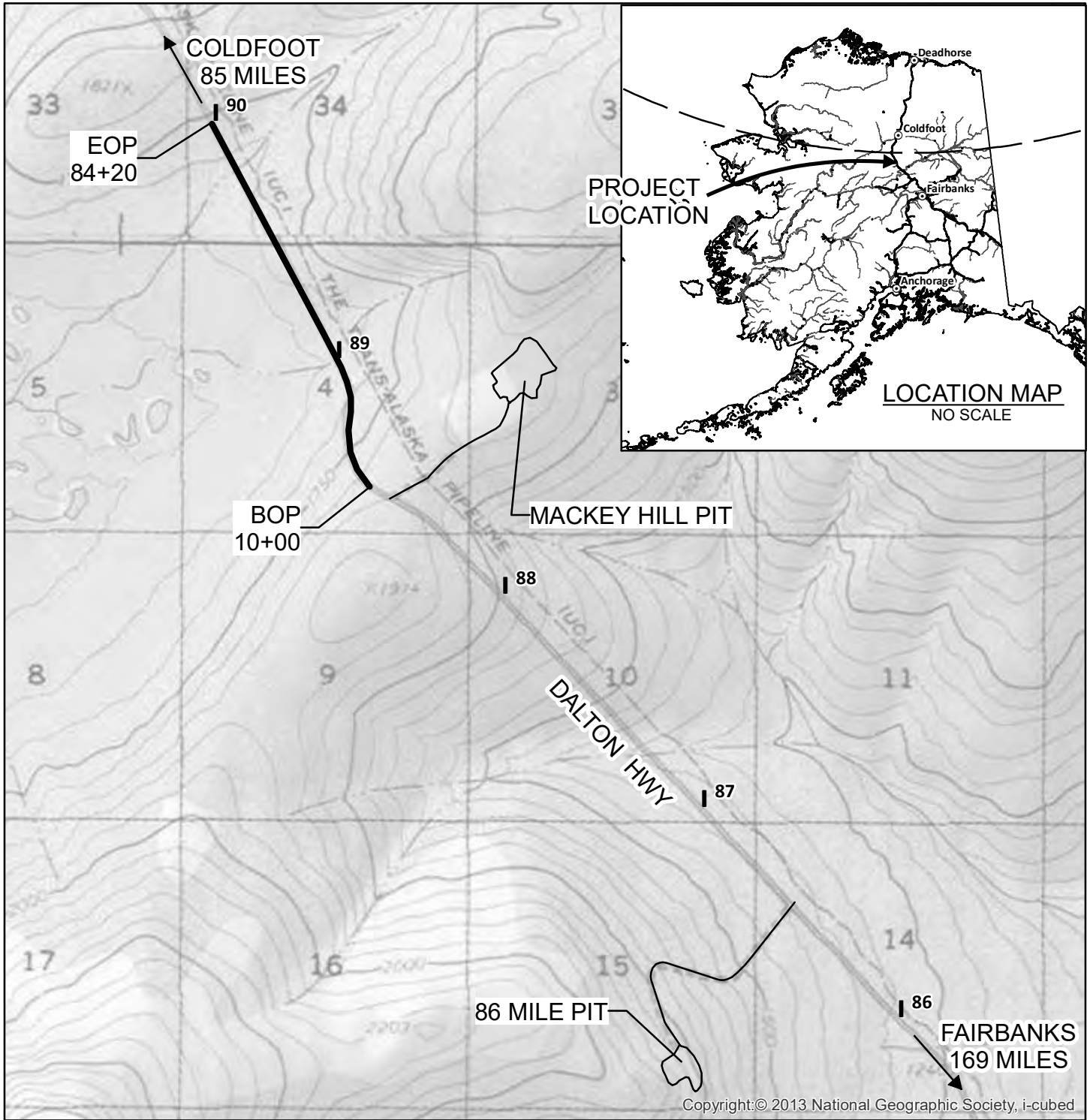
Sincerely,



Brett Nelson  
Regional Environmental Manager

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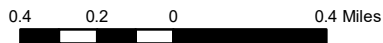
Enclosures: Figure 1: Location & Vicinity Map  
Figure 2: Project Impact Summary  
Figure 3: Details Plan 1  
Figure 4: Details Plan 2  
Figure 5: Typical Section  
Application Form for Department of the Army Permit  
Description of Avoidance, Minimization, and Compensation



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WGS 84  
 Latitude 66°14'42.76"N  
 Longitude 150°18'46.33"W



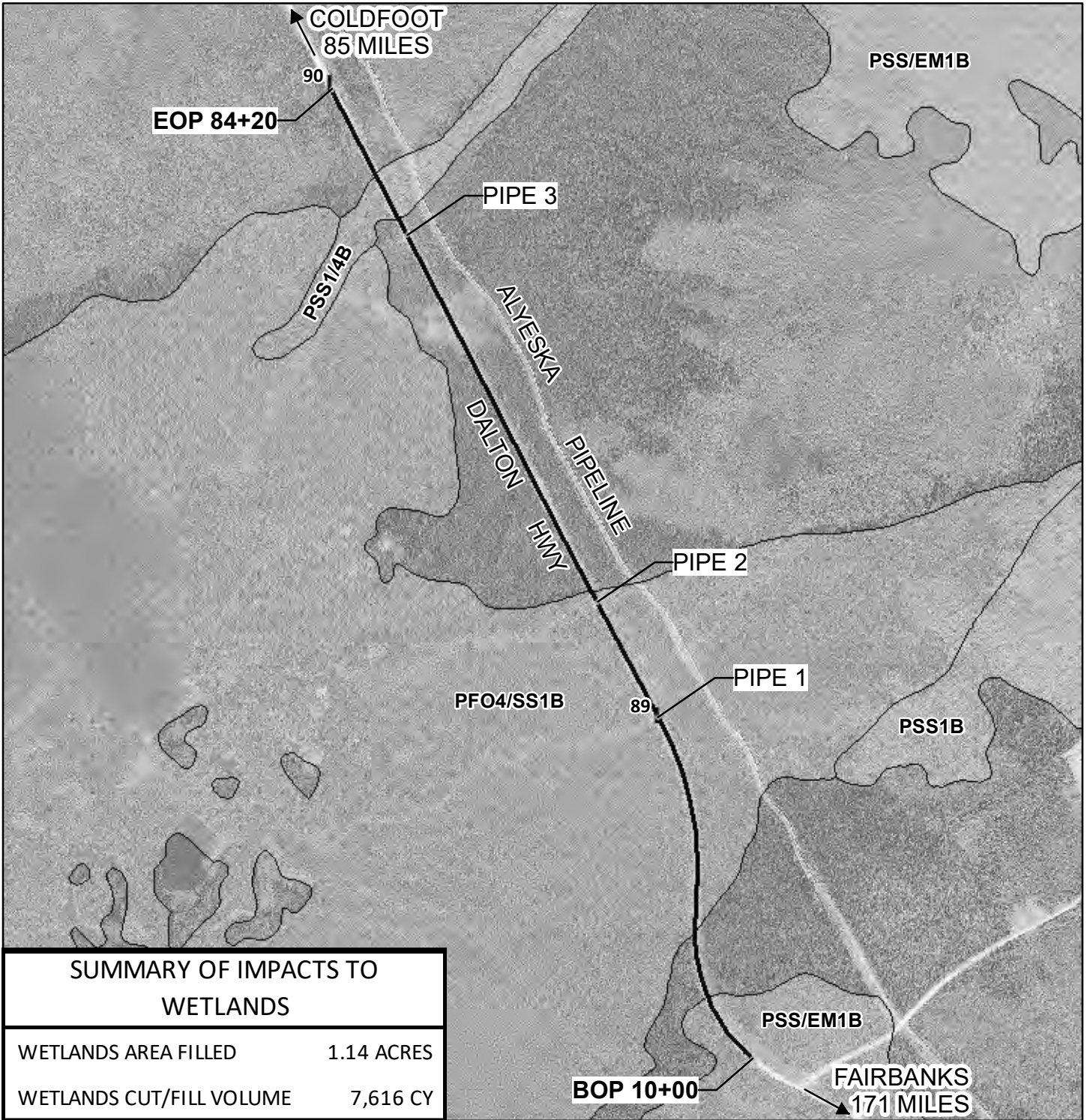
STATE OF ALASKA Department of Transportation and Public Facilities  
 2301 Peger Road Fairbanks, AK 99709  
 Project No. Z641470000

**Dalton Hwy MP 89-90 Embankment Stabilization**  
 Sec 4, T16N, R13W & Sect 34, T17N, R13W, Bettles B-1, FM  
**LOCATION & VICINITY MAP**


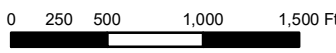
DATE: March 2018

Sheet 3 of 7

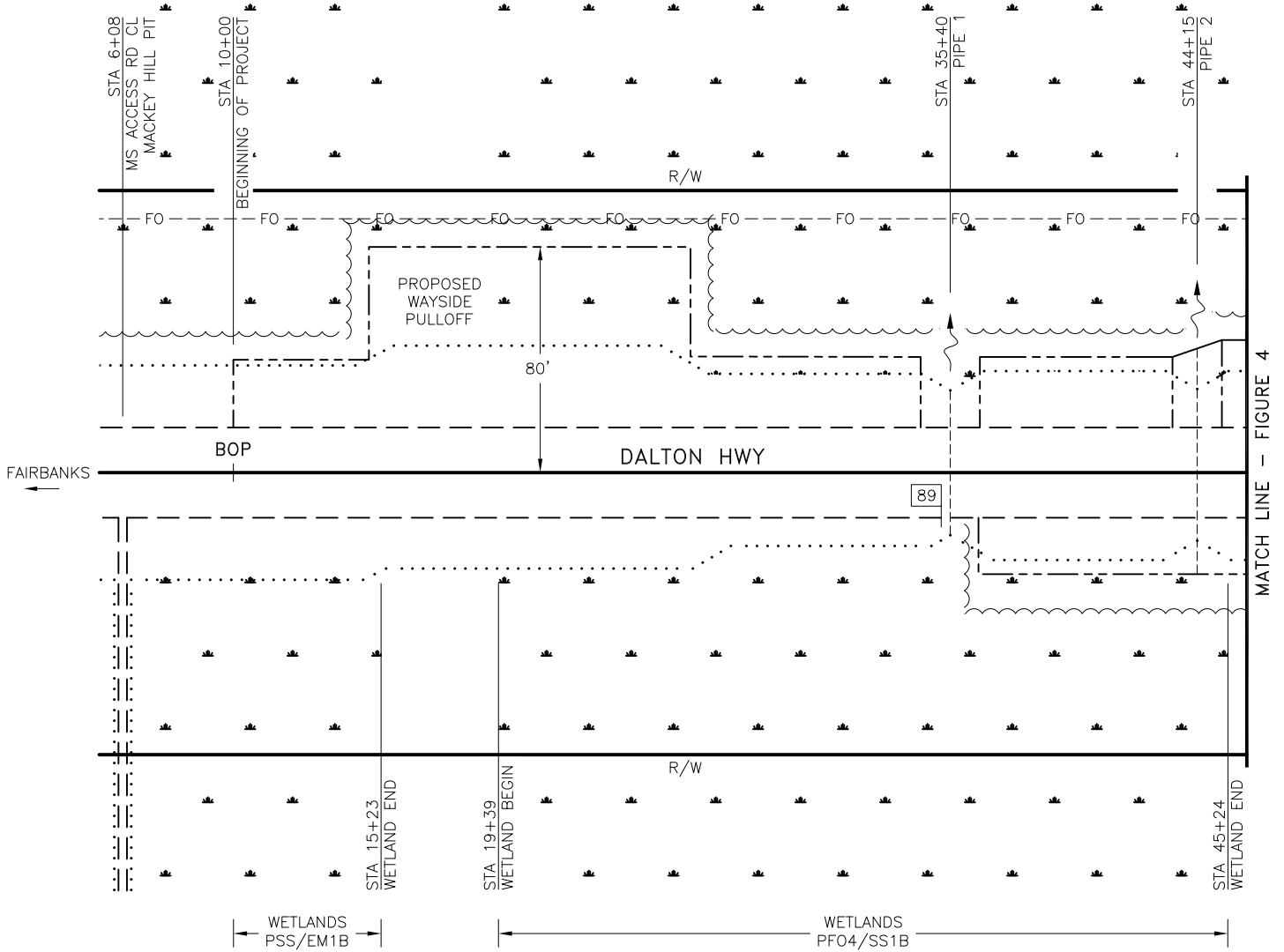




SUMMARY OF IMPACTS TO WETLANDS	
WETLANDS AREA FILLED	1.14 ACRES
WETLANDS CUT/FILL VOLUME	7,616 CY

  
 WGS 84  
 Latitude 66°14'42.76"N  
 Longitude 150°18'46.33"W  


STATE OF ALASKA Department of Transportation and Public Facilities  
 2301 Peger Road Fairbanks, AK 99709  
 Project No. Z641470000  
**Dalton Hwy MP 89-90 Embankment Stabilization**  
 Sec 4, T16N, R13W & Sect 34, T17N, R13W, Bettles B-1, FM  
**PROJECT AREA/IMPACTS SUMMARY**  
 DATE: March 2018 Sheet 4 of 7



**DIAGRAMMATIC LAYOUT PLAN**

NOT TO ACTUAL SHAPE, SCALE  
OR COMPASS DIRECTION

**LEGEND**

- CLEARING LIMITS
- CULVERT
- FLOW DIRECTION
- EXISTING ROADWAY SHOULDER
- EXISTING TOE OF EMBANKMENT SLOPE
- SLOPE TRANSITION (NEW TOE)
- WETLANDS
- BURIED FIBER OPTIC LINE
- STATE RIGHT OF WAY

**CULVERT SUMMARY**

Culvert Name	Approx. Station	Existing Culvert Dia (in) x Lg, (ft)	Proposed Culvert Dia (in) x Lg, (ft)
PIPE 1	35+40	60"x30'	60"x92'
PIPE 2	44+15	60"x74'	72"x80'
PIPE 3A	72+88	60"x90'	60"x92'
PIPE 3B	72+95	48"x76'	48"x85'

STATE OF ALASKA Department of Transportation and Public Facilities  
2301 Peger Road Fairbanks, AK 99709

Project No. Z641470000

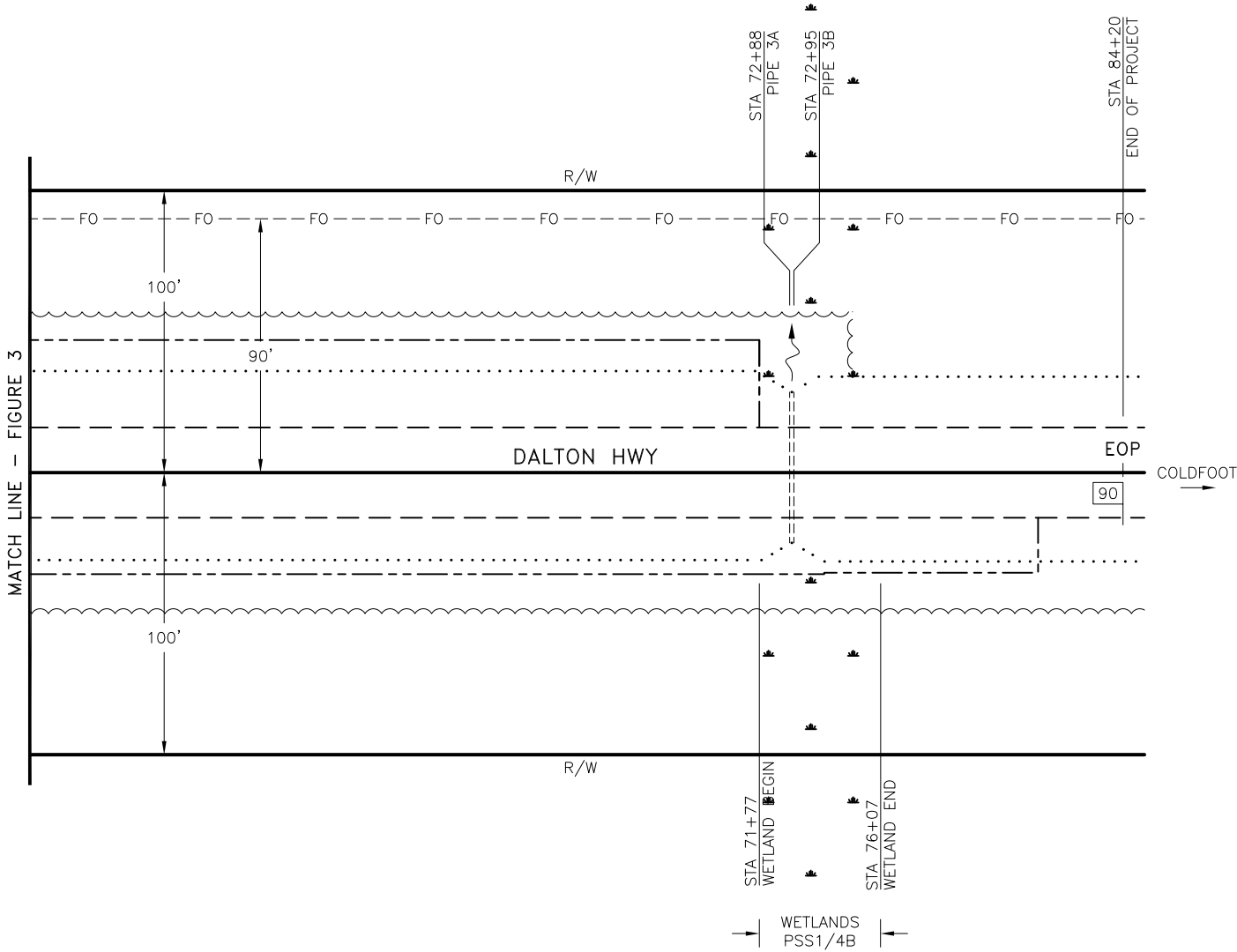
**Dalton Hwy MP 89-90 Embankment Stabilization**

Sec 4, T16N, R13W & Sect 34, T17N, R13W, Bettles B-1, FM

**DETAILS PLAN**

DATE: March 2018

**Sheet 5 of 7**



**DIAGRAMMATIC LAYOUT PLAN**

NOT TO ACTUAL SHAPE, SCALE  
OR COMPASS DIRECTION

**LEGEND**

- CLEARING LIMITS
- CULVERT
- FLOW DIRECTION
- EXISTING ROADWAY SHOULDER
- EXISTING TOE OF EMBANKMENT SLOPE
- SLOPE TRANSITION (NEW TOE)
- WETLANDS
- BURIED FIBER OPTIC LINE
- R/W STATE RIGHT OF WAY

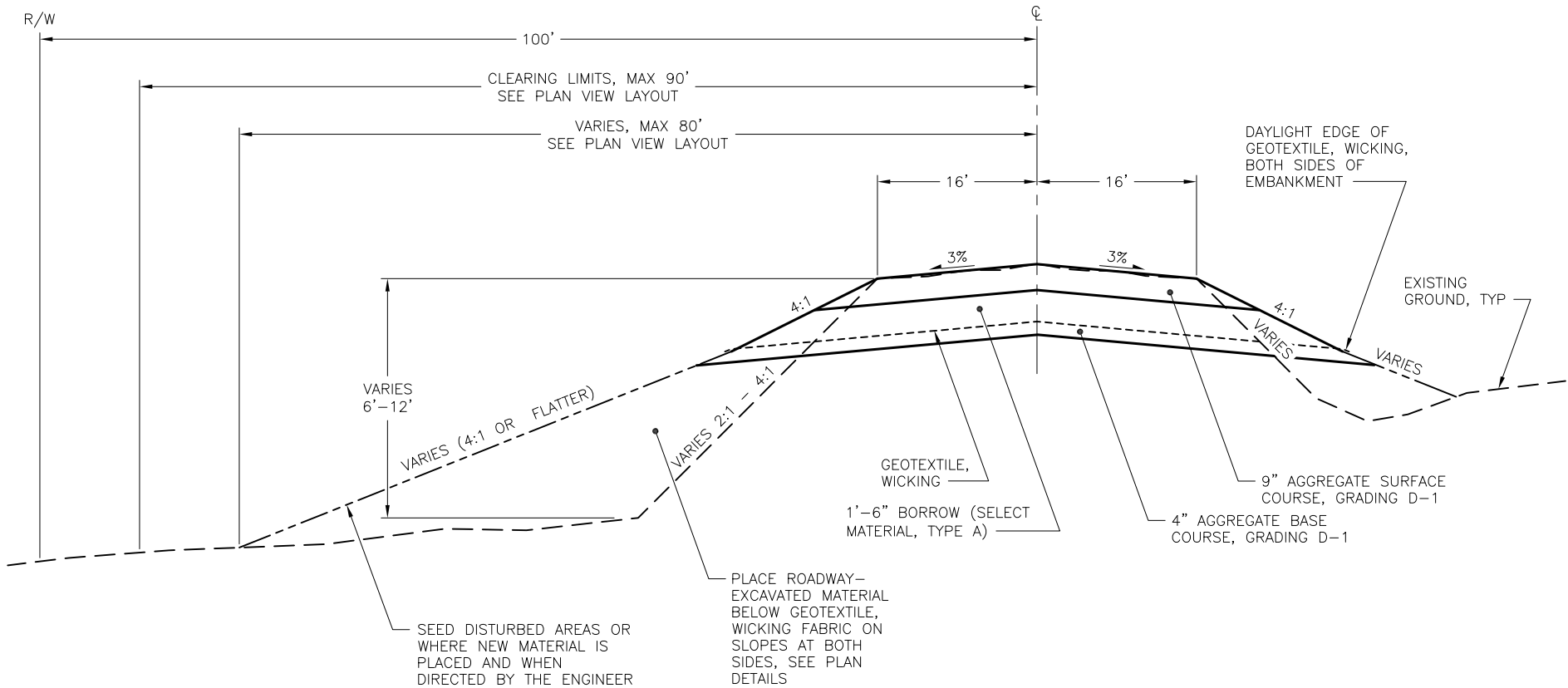
STATE OF ALASKA Department of Transportation and Public Facilities  
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**Dalton Hwy MP 89-90 Embankment Stabilization**  
Sec 4, T16N, R13W & Sect 34, T17N, R13W, Bettles B-1, FM

**DETAILS PLAN**

DATE: March 2018

**Sheet 6 of 7**



TYPICAL SECTION  
NO SCALE

STATE OF ALASKA Department of Transportation and Public Facilities  
 2301 Peger Road Fairbanks, AK 99709  
 Project No. Z641470000  
**Dalton Hwy MP 89-90 Embankment Stabilization**  
 Sec 4, T16N, R13W & Sect 34, T17N, R13W, Bettles B-1, FM  
 TYPICAL SECTION  
 DATE: March 2018 Sheet 7 of 7