US Army Corps
of Engineers
Alaska District

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

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	**24 August 2018**
EXPIRATION DATE:	**10 September 2018**
REFERENCE NUMBER:	**POA-2002-869**
WATERWAY:	**SNAKE RIVER**

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 Heather Markway at (907) 753-2797, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Heather.N.Markway@usace.army.mil if further information is desired concerning this notice.

APPLICANT: City of Nome, PO Box 281, Nome, AK 99762; Joy Baker (907) 304-1905 jbaker@nomealaska.org

AGENT: PND Engineers, Incorporated, 1506 West 36th Avenue, Anchorage, Alaska 99503; Brenna Hughes (907) 561-1011 bhughes@pndengineers.com

LOCATION: The project site is located at Section 26, T. 11 S., R. 34 W., KATEEL Meridian; Latitude 64.5017° N., Longitude 165.4289° W.; at Nome Inner Harbor on Port Road, in the City of Nome, Alaska.

SPECIAL AREA DESIGNATION: The project is located within the Nome Inner Harbor.

PURPOSE: The applicant's stated purpose is to construct additional small boat moorage and associated support infrastructure, which would alleviate congestion within the existing Nome small boat harbor.

PROPOSED WORK: The proposed project includes: dredging 80,000 cubic yards from the mooring basin (a portion of which was completed under the 6th permit modification); construction of a 900-foot stabilizing revetment along the western shoreline (quantities are shown on sheet 3 of 7 and a typical section drawing is shown on sheet 5 of 7); installation of two new access ramps, one north and one south, for small boat access and egress (the south access ramp would be equipped with two new three-pile dolphins for which eight (8) 30-inch piles would be driven using vibratory and/or impact pile drivers) (both ramps would have a similar ramp slope and revetment side-slope, as shown on sheet 5 of 7).

The new vessel haulout facility is proposed to be located between the two new proposed access ramps on the western bank for haulout of vessels too large for the access ramps. The 118-foot bulkhead would incorporate a 26-foot-wide by 64-foot-long slip for marine lift access. Twelve (12) 24-inch piles, five (5) 30-inch piles, and approximately 154 sheet piles are to be driven using vibratory and/or impact pile drivers to form the bulkhead. Sheet 4 of 7 shows plan and section views of the vessel haulout area.

A new 40-foot by 80-foot washdown pad and associated water treatment facilities would be installed upland of the new marine lift. Water treatment facilities would include a washwater treatment and recycling system that captures accumulated sludge for off-site disposal. The collection would be isolated when not in use so that stormwater can be separately directed to an outfall adjacent to the haulout facility (shown on sheet 2 of 7). Sheet 7 of 7 shows a schematic drawing of the water treatment system. An adjacent parking area and restroom facility would be constructed above HTL, covering approximately 0.8 acres.

Between the north access ramp and the vessel haulout, a 50-foot gangway would connect to a 220-foot headwalk for access to the new float system. Extending perpendicular to the headwalk floats will be two approximately 600-foot-long float lines. The float lines are separated by 120 feet, and the near float line is approximately 97 feet from the toe of the revetment.

Each float line would be seasonally secured by chains anchored to the river bed (see sheet 3 of 7 for details). The anchor chains and anchors would be the only items associated with the floats remaining in the water year-round. Everything that is floating or that connects the floating portions will be seasonally removed.

The float system (shown on sheet 2 of 7) is proposed to consist of:

- A 50' by 7' gangway,
- 4 ea. 55' by 12' headwalk floats,
- 30 ea. 40' by 10' float sections, and a
- Steel chain anchoring system for floats with approximately 24 anchors.

Quantities and affected area are listed on sheet 3 of 7 for the revetment, dredging, mooring dolphins, and new vessel haulout facility. Construction timing is dependent on funding and could occur at any time the year. Dredging is likely to occur February through May, through the ice. Other construction activities are likely to occur from May to October. All work would be performed in accordance with the enclosed plan (sheets 1-7), dated March 1, 2018.

ADDITIONAL INFORMATION: State of Alaska Department of Fish and Game issued a Fish Habitat Permit (FH17-III-0185 AMENDMENT 1) on July 20, 2018 that expires December 31, 2022.

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: Measures to avoid impact to jurisdictional wetlands and waters of the U.S. include the following actions:
   - Avoid migration barriers to salmonids. At no time will the construction activities result in a migration barrier to salmonids.
   - Avoid introduction of contaminated material during construction. Contaminant-free, clean shot rock embankment and surface materials will be used during all aspects of construction. Material used for construction or discharge will not consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.).
   - Avoid impacts to water quality. The contractor will comply with water quality restrictions as required by law and implement corrective measures if water quality standards are exceeded.
   - Prevent petroleum and hazardous materials from entering waters of the U.S. during construction. To prevent spills or leakage of hazardous material during construction, standard spill-prevention measures will be implemented during construction. Care will be taken to prevent any petroleum products or other toxic or deleterious materials from entering the waters of the U.S. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc., will be checked regularly for drips or leaks, and shall be maintained and stored properly on secondary containment pallets to prevent spills.
   - Avoid impacts to marine mammals. Driving piles can generate underwater sound pressure waves that have the potential to disrupt migration and harass or injure marine mammals. A marine wildlife monitor shall be assigned to the project during pile driving operations. The wildlife observer's primary responsibility will be to watch for and report on events related to marine mammal species. The attached Anchorage Fish and Wildlife Field Office Observer Protocols for Pile Driving, Dredging and Placement of Fill will be utilized.

b. Minimization: Impacts to wetlands and other waters of the U.S. have been avoided to the greatest extent possible. However, due to fill placement, there would be unavoidable impacts. The following measures would be implements to minimize unavoidable impacts associated with the proposed project:

- Minimization of noise impacts from pile driving. The City of Nome will specify the use of vibratory pile driving equipment as the primary installation method for the project. Impact driving will only be used to proof piles, or as necessary if soils require.
- Minimization of potential turbidity impacts during construction. Potential impacts to Snake River during construction, such as increased turbidity and substrate disturbance would be temporary in nature and minimized through implementation of construction techniques and BMPs. To minimize substrate disturbance and sediment suspension when removing piles, a vibratory hammer will be used.
- Minimization of impacts from invasive species. Revegetation and planting activities are not anticipated for this work. Should it be necessary, the prevention and establishment of invasive plants during planting and revegetation activities will be accomplished by following the Cooperative Extension Service's "DON'T plant in Alaska" list.

c. Compensatory Mitigation: Proposed modifications have minimal additional impact beyond the original project scope, so no compensatory mitigation is proposed at this time.

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 cultural resources in the permit area and within the vicinity of the permit area. Consultation of the AHRS constitutes the extent of cultural resource investigations by the Corps at this time. The Corps has made a No Adverse Effect determination for the proposed project. This application is being coordinated with 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: The project area is within the known or historic range of the threatened Arctic subspecies of the ringed seal (*Pusa hispida*), Beringia Distinct Population Segment of the bearded seal (*Erignathus barbatus*), polar bears (*Ursus maritimus*), spectacled eiders (*Somateria fischeri*), and Steller's eiders (*Polysticta stelleri*).

There are other species known to occur outside of the action area, however, the Corps has determined there will be no effect to fin whales (*Balaenoptera physalus*), humpback whales (*Megaptera novaeangliae*), North Pacific right whales (*Eubalaena japonica*), or WPDS Steller sea lions (*Eumetopias jubatus*). We have determined that there would be no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). We have determined the described activity may affect the threatened Arctic subspecies of the ringed seal (*Pusa hispida*), Beringia Distinct Population Segment of the bearded seal

(*Erignathus barbatus*), polar bears (*Ursus maritimus*), spectacled eiders (*Somateria fischeri*), and Steller's eiders (*Polysticta stelleri*). We have initiated the appropriate consultation procedures under section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS). 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 project area is within the known range of the pink salmon (*Oncorhynchus gorbuscha*), sockeye salmon (*Oncorhynchus nerka*), chum salmon (*Oncorhynchus keta*), coho salmon (*Oncorhynchus kisutch*), and chinook salmon (*Oncorhynchus tshawytscha*).

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)(l) 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 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).

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

BILL WALKER, GOVERNOR

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
Wastewater Discharge Authorization Program (WDAP) / 401 Certification

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WDAP/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-6285 | EMAIL: dec-401cert@alaska.gov

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.

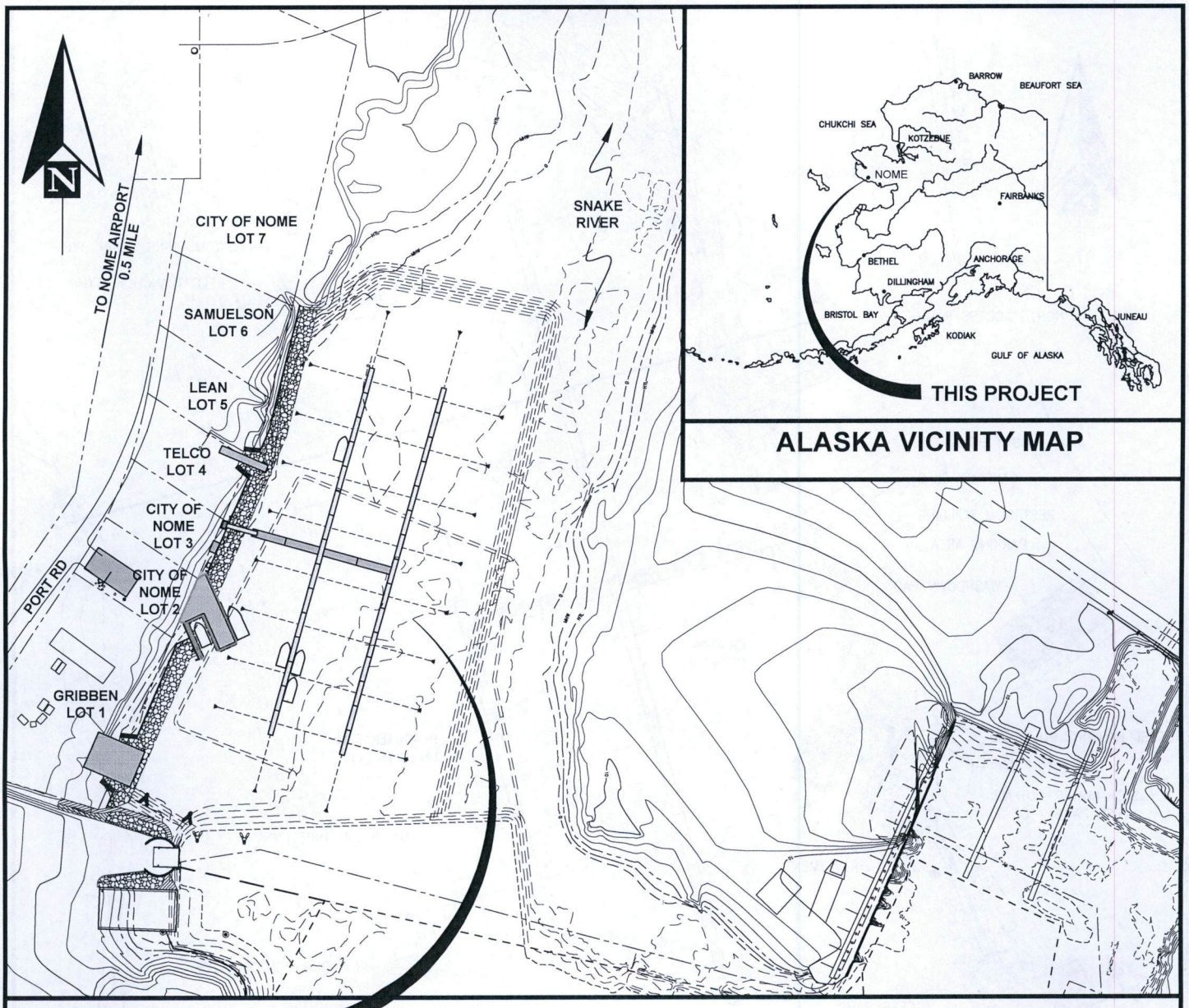
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number **POA-2002-869, SNAKE RIVER**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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 or via email to dec-401cert@alaska.gov by the expiration date of the Corps of Engineer's Public Notice. All comments should include the PN reference number listed above. Mailed comments must be postmarked on or before the expiration date of the public notice.

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact Theresa Zimmerman at 907-465-6171 or TDD Relay Service 1-800-770-8973/TTY or dial 711 within 5 days of the expiration date of this public notice to ensure that any necessary accommodations can be provided.



ALASKA VICINITY MAP

THIS PROJECT

NOME LOCATION MAP

SCALE IN FEET

125 0 125 250 375

PROPOSED ACTIVITY:
HARBOR IMPROVEMENTS

TIDAL DATUM:
MLLW= 0.0'

ADJACENT OWNERS:
SEE LOCATION MAP

LAT/LON: 64.5017/-165.4289
FILE No.: POA-2002-869-M7

VICINITY AND LOCATION

PORT OF NOME
PO BOX 281
NOME, AK 99762

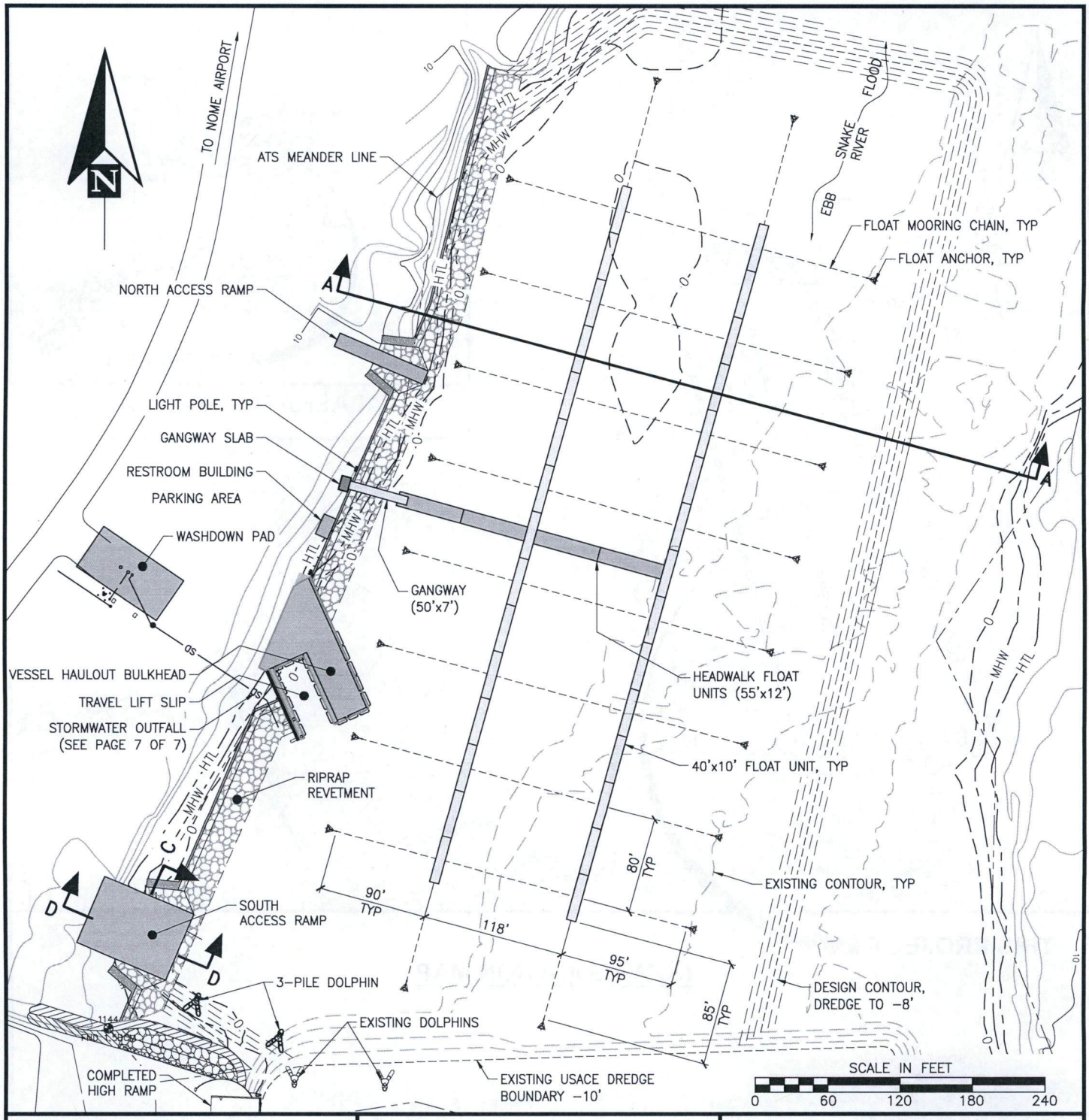
NOME SNAKE RIVER FLOATS & VESSEL HAULOUT FACILITY

AT: NOME INNER HARBOR, SNAKE RIVER

IN: NOME, ALASKA

MARCH 1, 2018 SHEET **1** of **7**

PND CAD File: J:\2017\171086 Nome Floats & Boatlift\Drawings\Permits\Updated 2018\01 Vicinity.dwg, Mar 7 2018, REV0



PROPOSED ACTIVITY:
HARBOR IMPROVEMENTS

TIDAL DATUM:
MLLW= 0.0'

ADJACENT OWNERS:
SEE LOCATION MAP

LAT/LON: 64.5017/-165.4289
FILE No.: POA-2002-869-M7

SITE PLAN

PORT OF NOME
PO BOX 281
NOME, AK 99762

NOME SNAKE RIVER FLOATS & VESSEL HAULOUT FACILITY

AT: NOME INNER HARBOR, SNAKE RIVER

IN: NOME, ALASKA

MARCH 1, 2018 SHEET **2** of **7**

PND CAD File: J:\2017\171086 Nome Floats & Boatlift\Drawings\Permits\Updated 2018\02 Site Plan.dwg, Mar 7 2018, REV0

PILE QUANTITIES

24ø x 1/2"	12
30"ø x 1"	13
TOTAL	25

QUANTITIES IN CUBIC YARDS

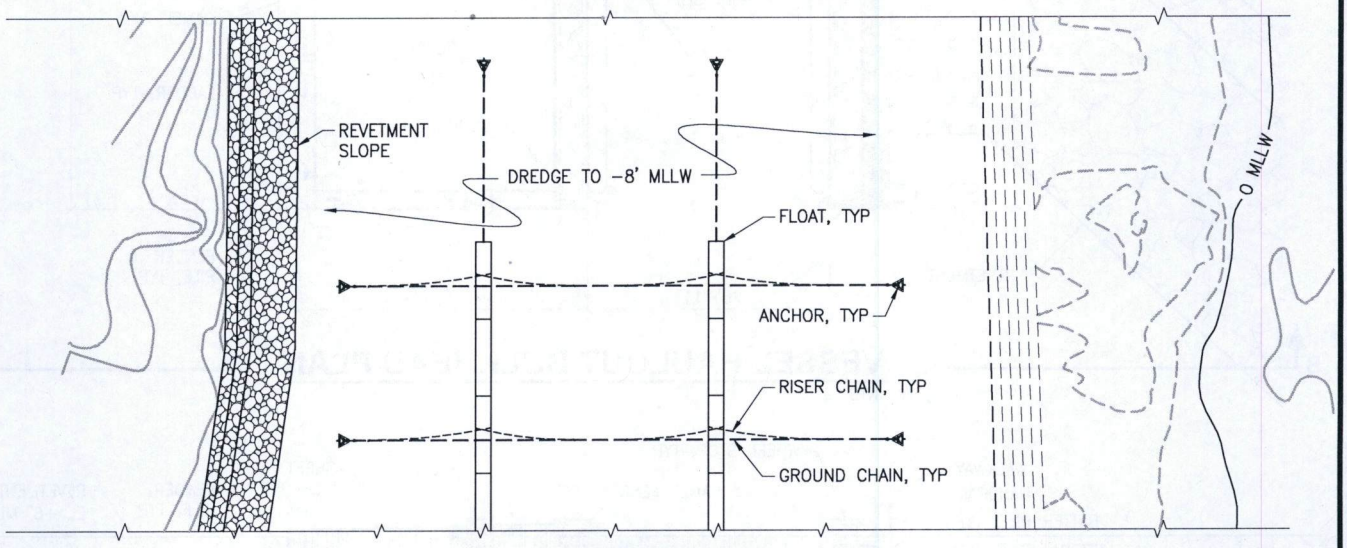
FLOAT ACCESS AND BASIN

	HTL (1.7')	MHW (1.3')
FILL BELOW	1,400	1,350
ARMOR ROCK BELOW	2,750	2,600
DREDGE BELOW	80,000	80,000
FILTER ROCK BELOW	1,330	1,270

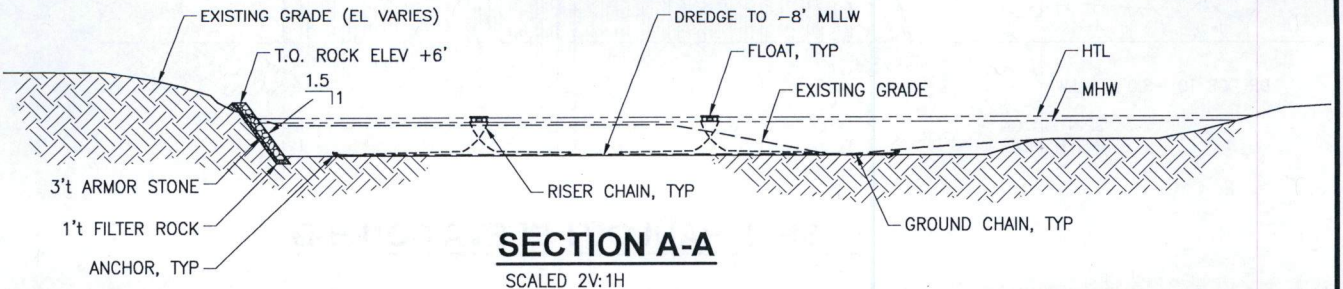
AREA IN SQUARE FEET

FLOAT ACCESS AND BASIN

	HTL (1.7')	MHW (1.3')
FILL BELOW	16,600	16,300
ARMOR ROCK BELOW	15,500	15,200
DREDGE BELOW	380,000	380,000
FILTER ROCK BELOW	16,700	16,400



FLOAT ANCHOR PLAN
NTS



SECTION A-A
SCALED 2V:1H

PROPOSED ACTIVITY:
HARBOR IMPROVEMENTS

TIDAL DATUM:
MLLW= 0.0'

ADJACENT OWNERS:
SEE LOCATION MAP

LAT/LON: 64.5017/-165.4289
FILE No.: POA-2002-869-M7

FLOAT ANCHOR PLAN & SECTION AND PROJECT QUANTITIES

PORT OF NOME
PO BOX 281
NOME, AK 99762

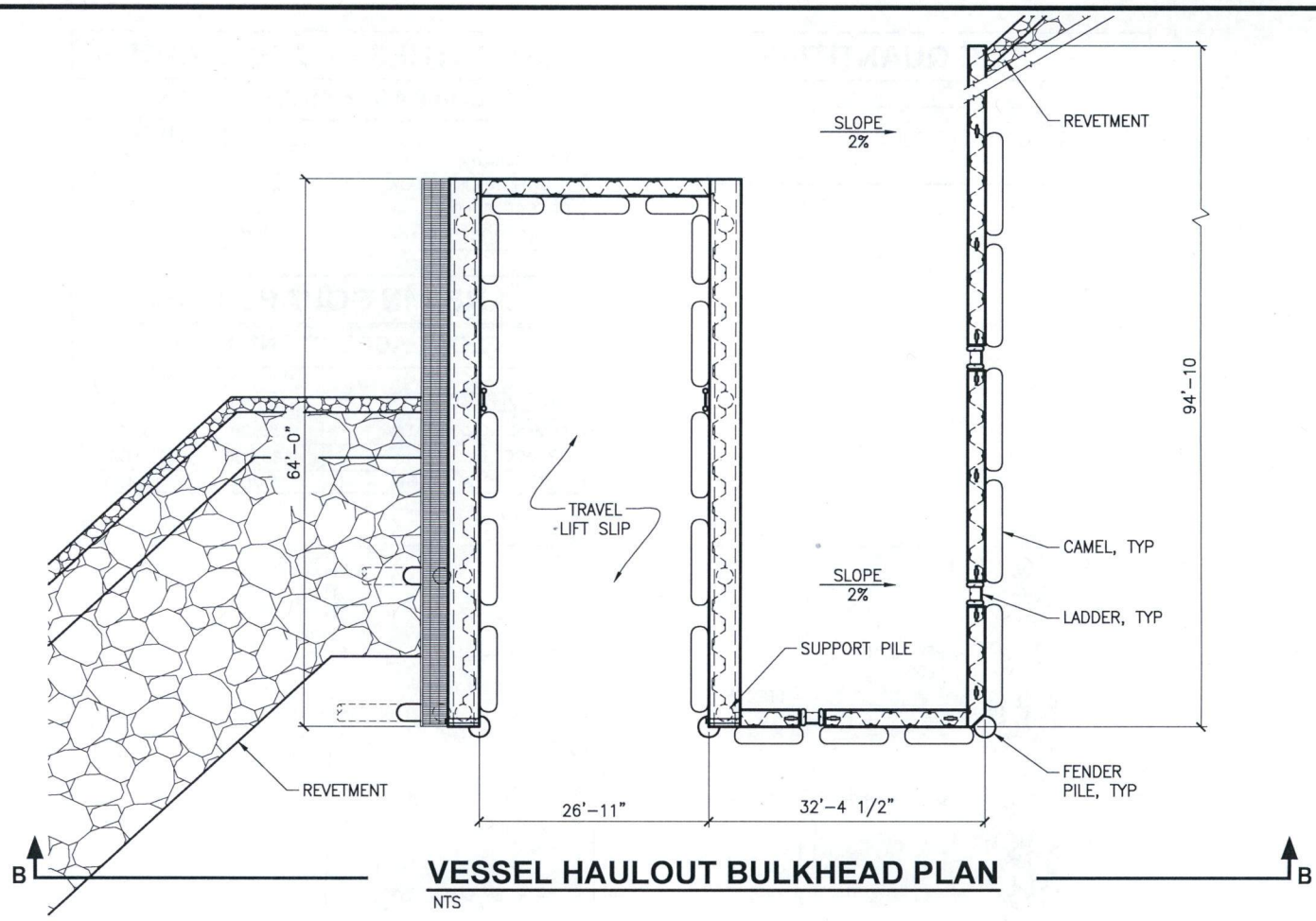
NOME
SNAKE RIVER FLOATS & VESSEL HAULOUT FACILITY

AT: NOME INNER HARBOR, SNAKE RIVER

IN: NOME, ALASKA

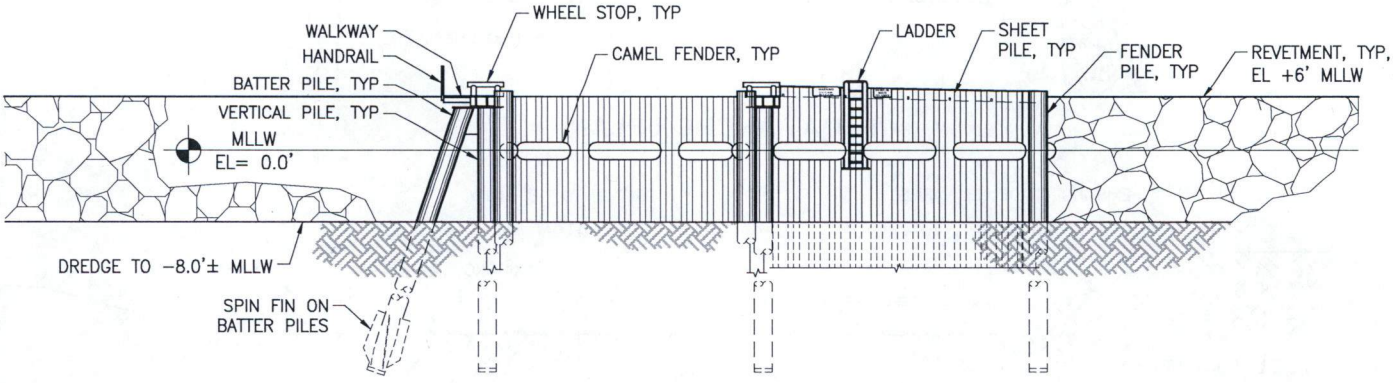
MARCH 1, 2018 SHEET **3** of **7**

PND CAD File: J:\2017\171086 Nome Floats & Boatlift\Drawings\Permits\Updated 2018\03 Harbor Section.dwg, Mar 7 2018, REV0



VESSEL HAULOUT BULKHEAD PLAN

NTS



VESSEL HAULOUT ELEVATION B-B

NTS

PROPOSED ACTIVITY:
HARBOR IMPROVEMENTS

TIDAL DATUM:
MLLW= 0.0'

ADJACENT OWNERS:
SEE LOCATION MAP

LAT/LON: 64.5017/-165.4289
FILE No.: POA-2002-869-M7

VESSEL HAULOUT BULKHEAD

PORT OF NOME
PO BOX 281
NOME, AK 99762

NOME
SNAKE RIVER FLOATS & VESSEL HAULOUT FACILITY

AT: NOME INNER HARBOR, SNAKE RIVER

IN: NOME, ALASKA

MARCH 1, 2018 SHEET **4** of **7**

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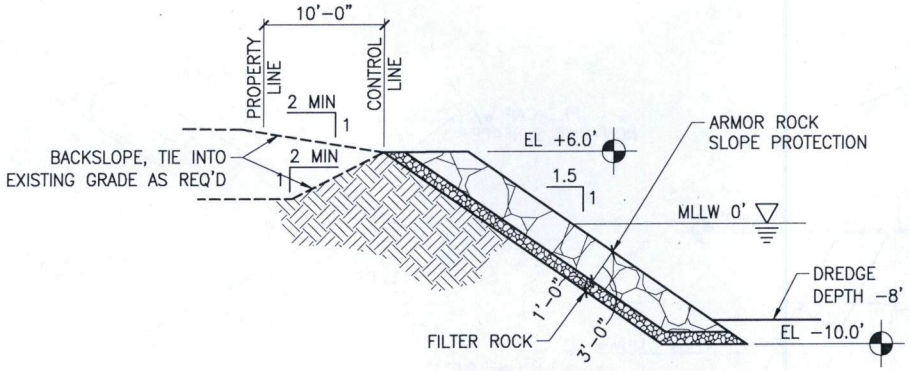
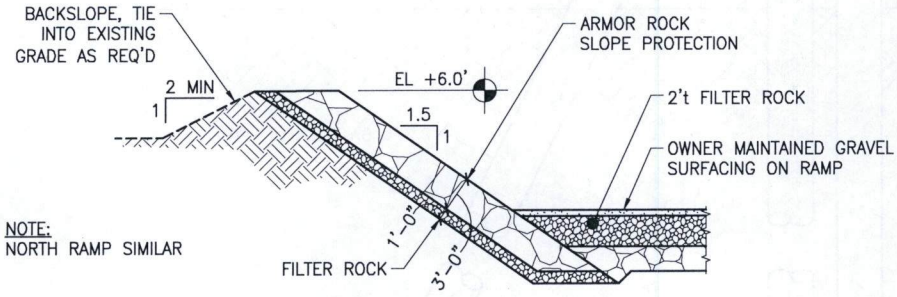


TYPICAL REVETMENT SECTION

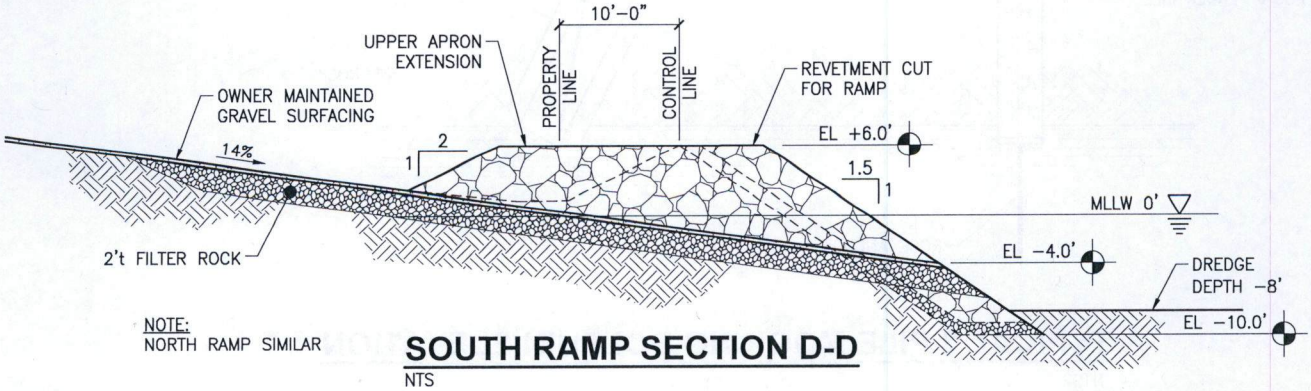
NTS



NOTE:
NORTH RAMP SIMILAR

SOUTH RAMP CROSS SECTION C, TYP

NTS



NOTE:
NORTH RAMP SIMILAR

SOUTH RAMP SECTION D-D

NTS

PROPOSED ACTIVITY:
HARBOR IMPROVEMENTS

TIDAL DATUM:
MLLW= 0.0'

ADJACENT OWNERS:
SEE LOCATION MAP

LAT/LON: 64.5017/-165.4289
FILE No.: POA-2002-869-M7

REVETMENT & RAMP SECTIONS

PORT OF NOME
PO BOX 281
NOME, AK 99762

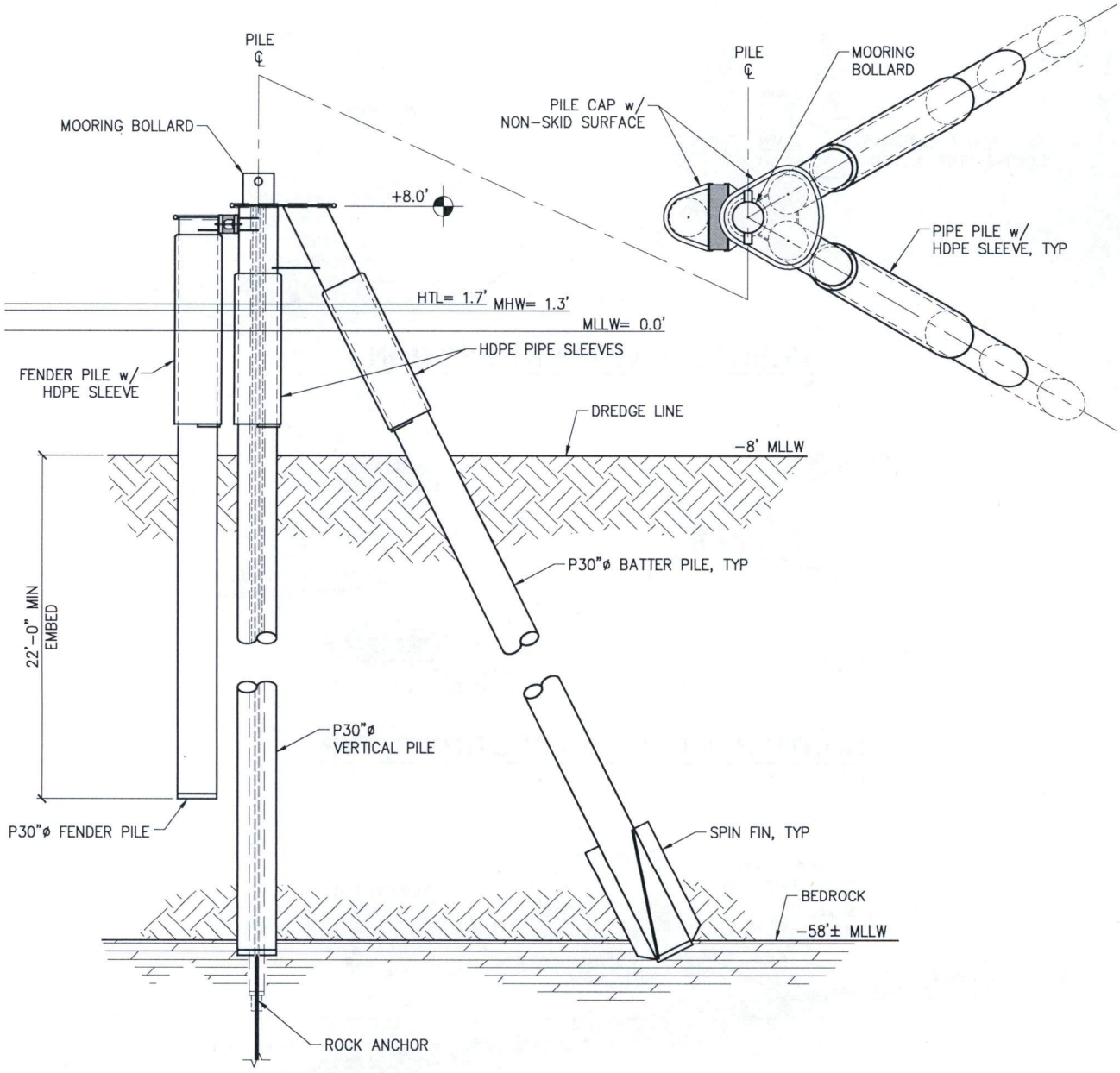
NOME
SNAKE RIVER FLOATS & VESSEL HAULOUT FACILITY

AT: NOME INNER HARBOR, SNAKE RIVER

IN: NOME, ALASKA

MARCH 1, 2018 SHEET **5** of **7**

PND CAD File: J:\2017\171086 Nome Floats & Boatlift\Drawings\Permits\Updated 2018\05 Revetment & Ramp Sections.dwg, Mar 7 2018, REV0



TYPICAL 3 PILE MOORING DOLPHIN ELEVATION

NTS (2 LOCATIONS)

PROPOSED ACTIVITY:
HARBOR IMPROVEMENTS

TIDAL DATUM:
MLLW= 0.0'

ADJACENT OWNERS:
SEE LOCATION MAP

LAT/LON: 64.5017/-165.4289
FILE No.: POA-2002-869-M7

DOLPHIN DETAILS

PORT OF NOME
PO BOX 281
NOME, AK 99762

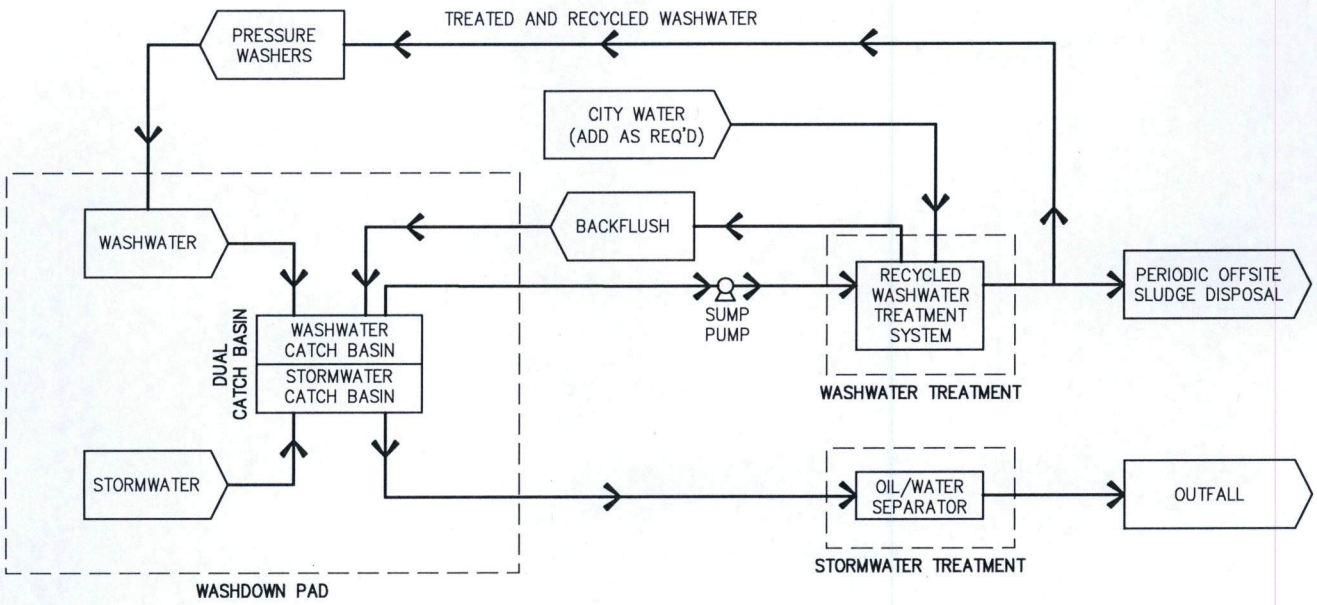
NOME
SNAKE RIVER FLOATS & VESSEL HAULOUT FACILITY

AT: NOME INNER HARBOR, SNAKE RIVER

IN: NOME, ALASKA

MARCH 1, 2018 SHEET **6** of **7**

PND CAD File: J:\2017\171086 Nome Floats & Boatlift\Drawings\Permits\Updated 2018\06 Dolphin Details.dwg, Mar 7 2018, REV0



WATER TREATMENT SCHEMATIC

NTS

PROPOSED ACTIVITY: HARBOR IMPROVEMENTS TIDAL DATUM: MLLW= 0.0' ADJACENT OWNERS: SEE LOCATION MAP LAT/LON: 64.5017/−165.4289 FILE No.: POA−2002−869−M7	**WATER TREATMENT SCHEMATIC** PORT OF NOME PO BOX 281 NOME, AK 99762	**NOME** **SNAKE RIVER FLOATS & VESSEL HAULOUT FACILITY** AT: NOME INNER HARBOR, SNAKE RIVER IN: NOME, ALASKA MARCH 1, 2018 SHEET **7** of **7**

PND CAD File: J:\2017\171086 Nome Floats & Boatlift\Drawings\Permits\Updated 2018\07 Water Treatment Schematic.dwg, Mar 7 2018, REV0