



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

<b>PUBLIC NOTICE DATE:</b>	<b>September 27, 2017</b>
<b>EXPIRATION DATE:</b>	<b>October 27, 2017</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2000-152</b>
<b>WATERWAY:</b>	<b>Tongass Narrows</b>

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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.

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 Matthew L. Beattie at (907) 753-2791, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [matthew.l.beattie@usace.army.mil](mailto:matthew.l.beattie@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Alaska Department of Transportation & Public Facilities (DOT&PF); Attention: Mr. John Barnett, 6860 Glacier Highway, Juneau, Alaska 99801

**LOCATION:** The project site is located within Sections 16, 21, and 22, T. 75 S., R. 90 E., Copper River Meridian; USGS Quad Map Ketchikan B-6; Latitude 55.3607° N., Longitude 131.7390° W.; near Ketchikan, Alaska.

**PURPOSE:** The applicant's stated purpose is to improve surface transportation between Revillagigedo Island and Gravina Island.

**PROPOSED WORK:** This authorization would permit the Seley Road component of the Gravina Access Project. The other authorizations are being reviewed under separate actions and consist of upgrades to the Revillagigedo Island Ferry Berth (POA-2017-466), Gravina Island Ferry Berth (POA-2017-467), Gravina Island Layup Dock replacement (POA-2017-467), and Gravina Island Heavy Freight Mooring Facility (POA-2017-468).

Reconstruction of Seley Road would begin at Lewis Reef Road to approximately the north end of the Airport Reserve and widen the road to 36 feet. Additionally, road construction would consist of new abutments for the Airport Creek Bridge and the placement of fish passage culverts in all fish bearing streams. Up to 21,770 cubic yards of material would be discharged into 6.1 acres of wetlands for the road construction and 0.2-acre of stream impacts below the Ordinary High Water Mark (OHW) to construct a bridge and three culverts to accommodate fish passage.

Temporary impacts would occur during the construction phase at the Airport Creek Bridge and would consist of up to 4,667 cubic yards of material discharged into 0.10-acre.

All work would be performed in accordance with the enclosed plan (sheets 17-28), dated September 26, 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: The applicant states that, "Impacts to Waters of the U.S. (WOUS), including wetlands, were avoided wherever practicable in the preliminary design phase. Due to the prevalence of wetlands on Gravina Island, complete avoidance of WOUS is not practicable. However, the measures taken to avoid impacts to WOUS include: designing the roadway with a minimum-width fill footprint, maximizing use of the existing roadway, increasing the angle of fill slopes, maintaining natural flow patterns by installing culverts through the fill, eliminating the use of wetlands for staging and storage areas, limiting the area of allowable disturbance during construction, minimizing temporary fill in wetlands, and restoring wetlands that are temporarily disturbed."

b. Minimization: The applicant states that, "minimizing unavoidable impacts to WOUS were an important part of the roadway design and planning. Using appropriate erosion control practices during construction (including the installation of barriers such as coir logs and sedimentation basins, as well as seeding and stabilizing road slopes) and implementing a storm water pollution prevention plan would minimize quality impacts associated with construction of the proposed action to WOUS, including wetlands."

c. Compensatory Mitigation: The applicant states that, "DOT&PF proposes to pay \$305,878 to the Southeast Alaska Land Trust (SEAL Trust) to compensate for 6.683 acres of unavoidable adverse impacts to water of the U.S based on preliminary In-Lieu (ILF) estimate of \$30,513 per acre and 1.5:1 mitigation ratio."

**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 in which impacts would occur within jurisdictional waters. Consultation of the AHRs constitutes the extent of cultural resource investigations by the Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps 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.

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).

The project area is within the known range of the Coho salmon (*Oncorhynchus kisutch*) and Pink salmon (*Oncorhynchus gorbuscha*). 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

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-2000-152, Tongass Narrows**, 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.