



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 11, 2018

**EXPIRATION DATE:** November 13, 2018

**REFERENCE NUMBER:** POA-2018-00315

**WATERWAY:** Kotlik 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 (U.S.) as described below and shown on the enclosed project drawings.

All comments regarding this Public Notice (PN) 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 PN reference number listed above.

All comments should reach this office no later than the expiration date of this PN to become part of the record and be considered in the decision. Please contact Janet Post at (907) 753-2831, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [janet.l.post@usace.army.mil](mailto:janet.l.post@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Mr. Brett Nelson, with DOT&PF, 2301 Peger Road, Fairbanks, AK 99709

**LOCATION:** The project site is located within Section 25,36, T. 28 S., R. 26 W., Kateel River Meridian; USGS Quad Map St Michael A-3; Latitude 63.0305° N., Longitude 163.5327 ° W. in Kotlik, Alaska.

**PURPOSE:** The applicant's stated purpose is to provide a safer runway for the community of Kotlik.

**PROPOSED WORK:** The placement of 37,650 cubic yards of clean fill material permanently impacting 3.0 acres of wetlands and temporarily impacting 11.0 acres of wetlands to: provide a staging area, waste disposal area, temporary access road, rehabilitate the segmented circle road and pad, and replace a culvert. All work would be performed in accordance with the enclosed plan (sheets 1-2), dated July 30, 2018.

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

a. Avoidance: Barging materials from an existing material site to avoid creating a new material site.

b. Minimization: Utilizing temporary material haul roads. Limiting the grubbing and clearing to the ends of the runway.

c. Compensatory Mitigation: Compensatory mitigation is not proposed for this project. The applicant stated, "Given the avoidance and minimization incorporated into this project, compensatory mitigation for the remaining unavoidable impact is not appropriate or practicable."

**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 lead Federal agency, Federal Aviation Administration (FAA), is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. The Corps of Engineers (Corps) has reviewed the Section 106 documentation from FAA and concurs with their findings and/or determinations.

**ENDANGERED SPECIES:** The project area is within the known or historic range of the Polar Bear.

We have determined the described activity may affect the threatened or endangered Polar Bear. Consultation with the U.S. Fish and Wildlife Service has been completed by the Federal Aviation Administration (FAA), who is the lead federal agency. The Corps will be reviewing this information 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.

**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 PN 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 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 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

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](mailto: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.

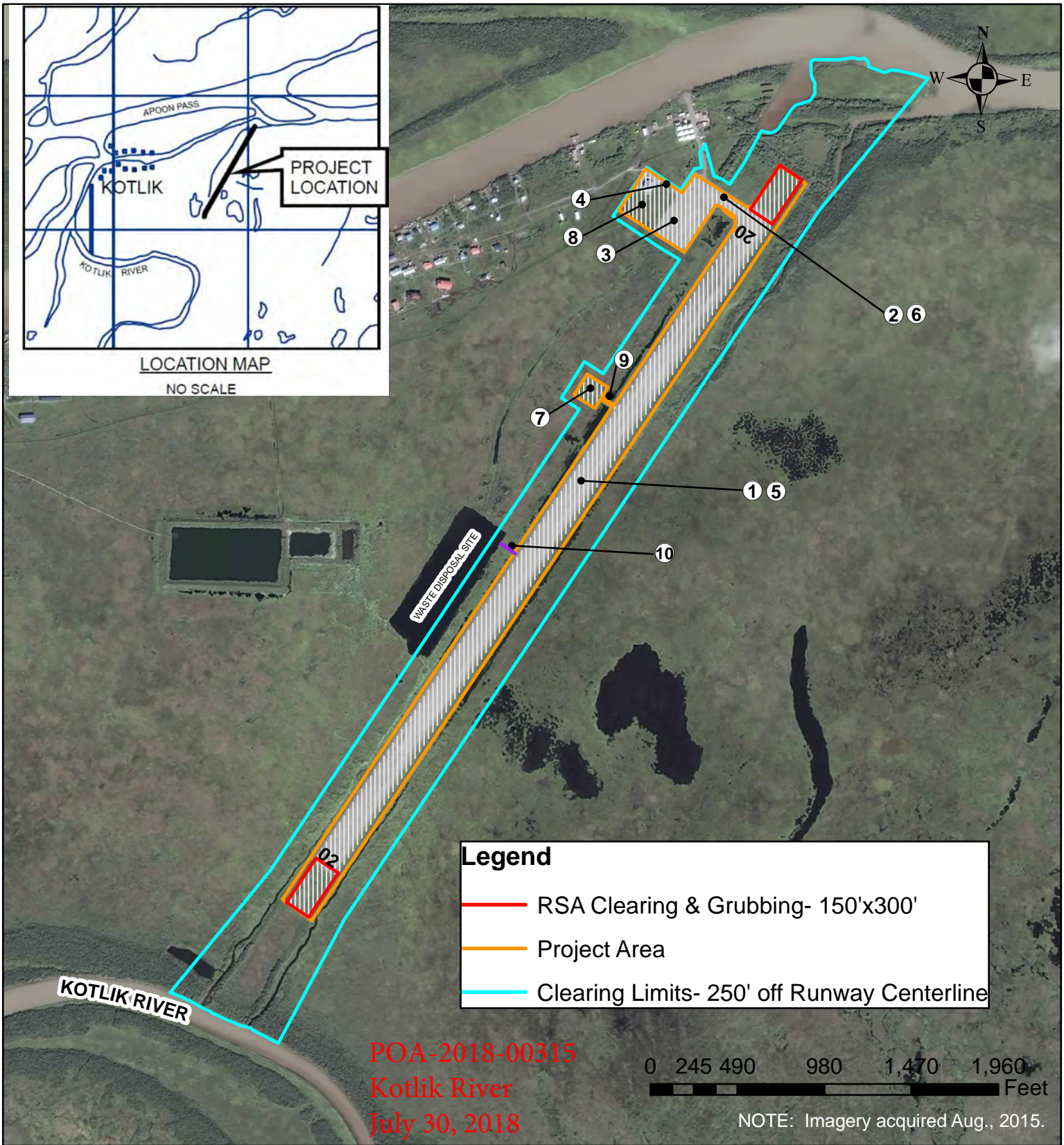
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number **POA-2018-00315 Kotlik River**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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](mailto: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.



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|---------------------------------------|--|
| ① Rehabilitate Runway                 | ⑥ Replacing Taxiway Lighting   |
| ② Rehabilitate Taxiway                | ⑦ Replacing Segmented Circle & Windcone, Rehab Segmented Circle Road & Pad |
| ③ Rehabilitate Apron                  | ⑧ Constructing staging area  |
| ④ Rebuilding Approach to Service Road | ⑨ Replacing Existing Culvert   |
| ⑤ Replacing Runway Lighting           | ⑩ Constructing Temporary Haul Road   |

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

**Kotlik Airport Rehabilitation**  
**Area of Potential Effect**  
 PROJECT NUMBER: NFAPT00251

Date: Jul 30, 2018

Sheet 1

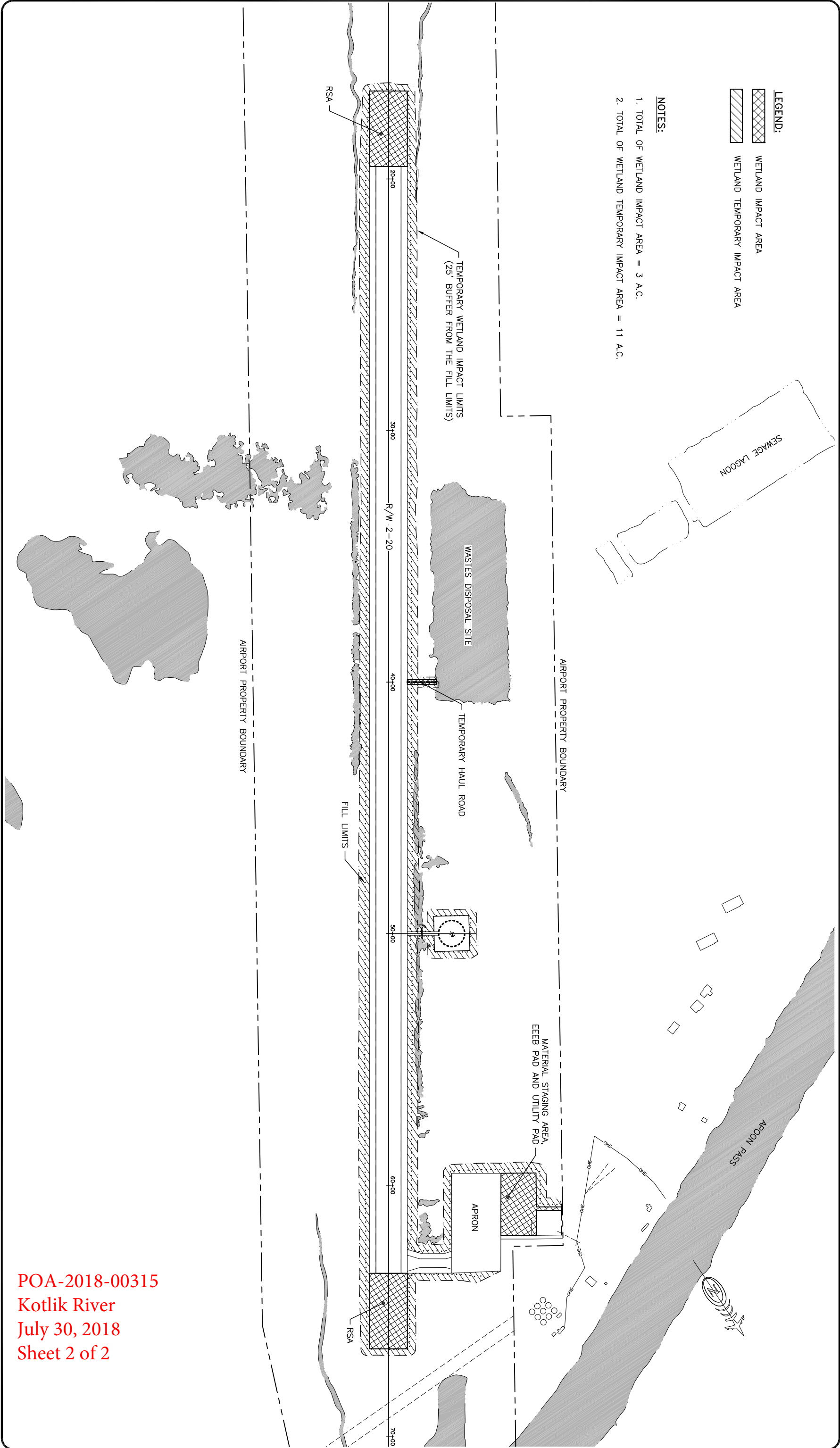
DESIGN MLB  
 DRAWN KC,RA  
 CHECKED CFJ

STATE OF ALASKA  
 DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES  
 NORTHERN REGION-DESIGN AND CONSTRUCTION-AVIATION

BY	DATE	REVISIONS

KOTLIK AIRPORT  
 KOTLIK AIRPORT REHABILITATION  
 AIP 3-02-0159-004-2018/NFAPT00251  
 WETLAND IMPACT AREA

SHEET  
 1  
 OF  
 1



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 Kotlik River  
 July 30, 2018  
 Sheet 2 of 2