



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

<b>PUBLIC NOTICE DATE:</b>	<b>May 22, 2019</b>
<b>EXPIRATION DATE:</b>	<b>June 21, 2019</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2019-00161</b>
<b>WATERWAY:</b>	<b>Kuskokwim River</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.

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 Nicholas Lucore at (907) 753-5783, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [Nicholas.Lucore@usace.army.mil](mailto:Nicholas.Lucore@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Brent Latham; Tumak Enterprises, LLC; Post Office Box 2841; Bethel, Alaska 99559.

**AGENT:** Kris Manke; Nanuk Construction; Post Office Box 2063; Bethel, Alaska 99559.

**LOCATION:** The project site is located within Section 12, T. 8 N., R. 71 W., Seward Meridian; USGS Quad Map Bethel D-8; Latitude 60.7952° N., Longitude -161.8485° W.; in Bethel, Alaska.

**PURPOSE:** The applicant's stated purpose is to provide road access to new housing for single family residences in Bethel, Alaska.

**PROPOSED WORK:** The applicant has proposed to discharge 10,377 cubic yards of fill into 1.79 acres of scrub-scrub and emergent wetlands to construct road access and develop 10 residential housing lots. All work would be performed in accordance with the enclosed plan (sheets 1-11), dated May 21, 2019.

**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: Wetlands area located throughout the subject property and it is not practicable to avoid all wetlands to meet the project purpose. Alternatives for the proposed project were considered with the current proposed project being the most reasonable alternative.

b. Minimization: Existing drainage patterns will be preserved along the outside of the subdivision; a 10- foot drainage easement will abut all sides of the subdivision. Geotextile separation fabric will be placed on the native sand in certain areas and on the undisturbed native ground prior to filling.

c. Compensatory Mitigation: Compensation for the unavoidable impacts to wetlands is proposed in the form of permanent wetland preservation in the open space, drainage ways along the roads, and restrictive covenants on the individual lots. The open spaces consist of the existing drainage ways and a large area abutting the west side of the subdivision.

Determination of the type and amount of wetland preservation to provide as compensation was made by applying the wetland functional assessment and sample mitigation ratios presented in the Alaska District RGL-09-1. The results of the wetland functional assessment for the non-drainage wetland areas indicated here would be six of potentially ten wetland functions that are likely to occur, with function ratings scored with four moderate ratings and 2 high ratings (for general habitat suitability and native plant richness).

Overall, the impacted wetlands are assigned a low rating for functional capacity for calculation of compensatory mitigation since there are no aquatic features (streams or lakes), no fish habitat, and the wetlands are common in the region. The sample compensation ratios presented in RGL-09-1 indicate for low functioning wetlands, a compensation ratio of 1.5: 1 (1.5 acres compensation for each acre of impact) is appropriate. The calculations in Table 1 summarize the project components and wetland impact acreage. Table 2 summarizes the proposed compensatory mitigation acreage.

**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 footprint of the proposed project which would occur only in waters of the United States (U.S.), including wetlands. Consultation of the AHRs constitutes the extent of cultural resource investigations by the 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. The Corps is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

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.

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

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-2019-00161, Kuskokwim River**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

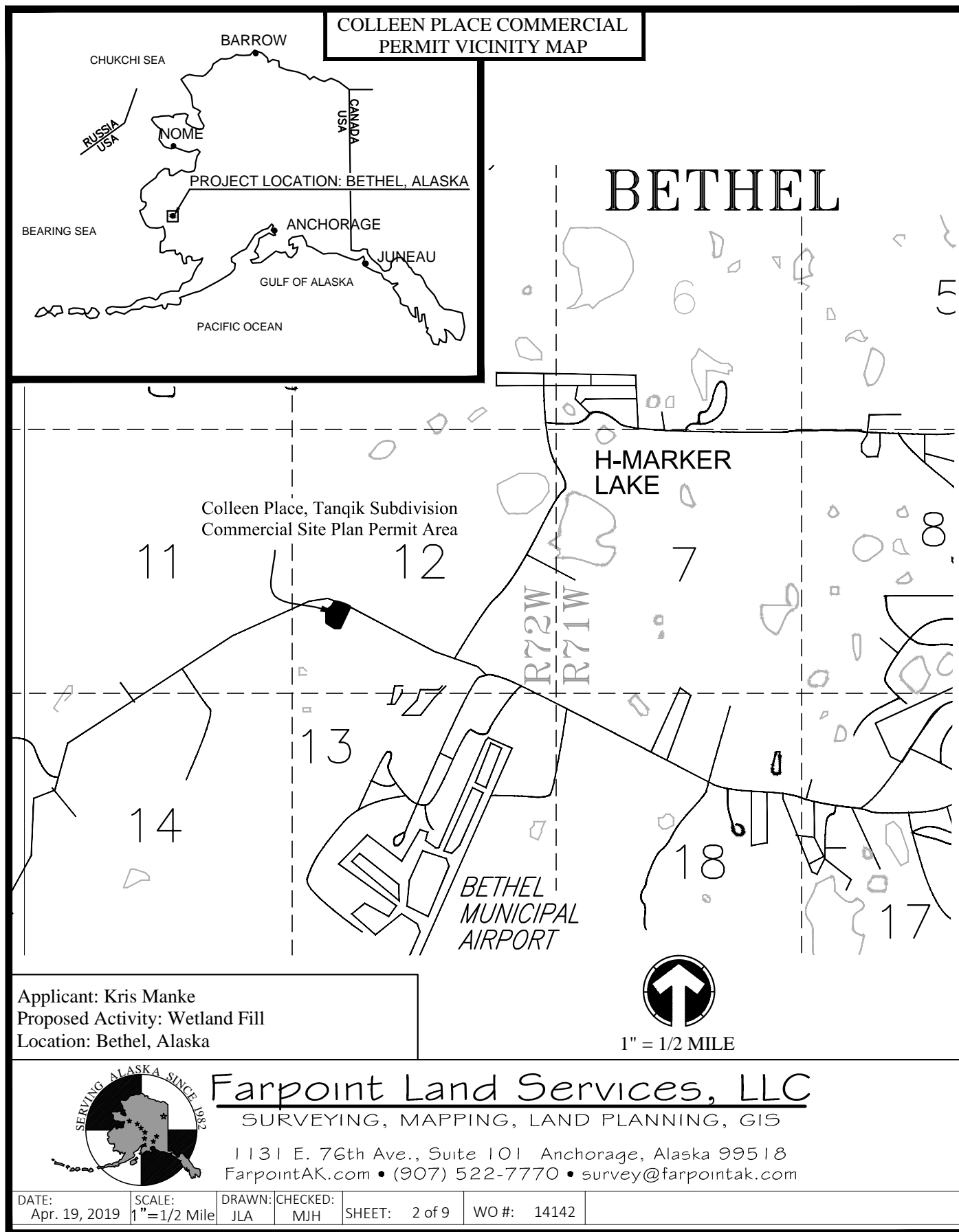
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

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.

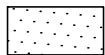
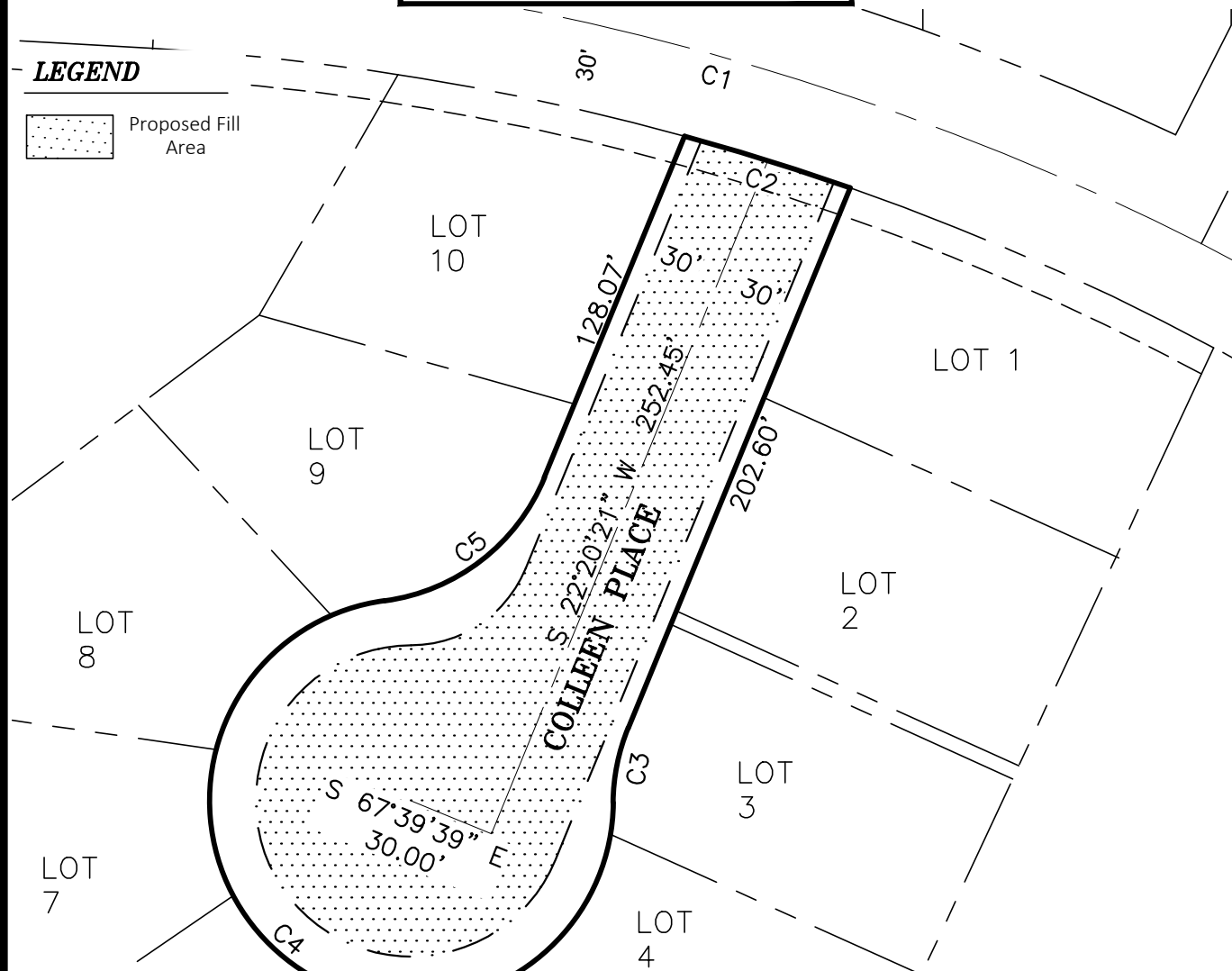
### Disability Reasonable Accommodation Notice

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.

## Attachment B



## Attachment B

COLLEEN PLACE COMMERCIAL  
PERMIT OVERVIEW**LEGEND**Proposed Fill  
Area

CURVE	RADIUS	ARC	DELTA
C1	918.83'	396.83'	24°44'43"
C2	888.83'	60.24'	3°53'00"
C3	70.00'	26.62'	21°47'12"
C4	70.00'	319.83'	261°47'12"
C5	70.00'	73.30'	60°00'00"

Applicant: Kris Manke  
Proposed Activity: Wetland Fill  
Location: Bethel, Alaska



SCALE: 1" = 100'



## Farpoint Land Services, LLC

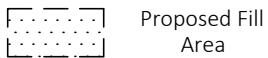
SURVEYING, MAPPING, LAND PLANNING, GIS

1131 E. 76th Ave., Suite 101 Anchorage, Alaska 99518  
FarpointAK.com • (907) 522-7770 • survey@farpointak.com

DATE: Apr. 19, 2019	SCALE: 1"=60'	DRAWN: JLA	CHECKED: MJH	SHEET: 3 of 9	WO #: 14142
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COLLEEN PLACE COMMERCIAL  
PERMIT SITE PLAN**NOTES**

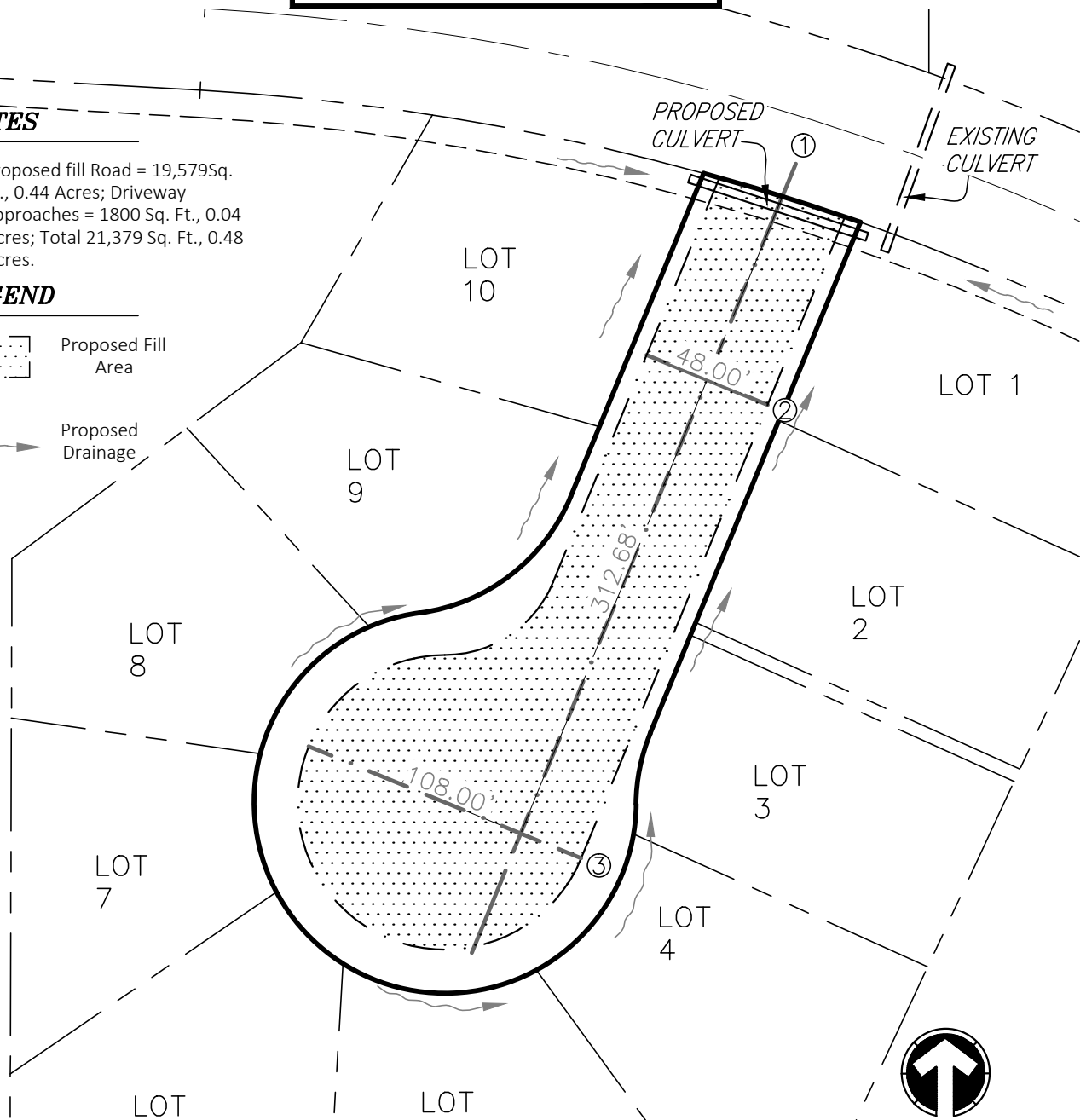
1. Proposed fill Road = 19,579 Sq. Ft., 0.44 Acres; Driveway approaches = 1800 Sq. Ft., 0.04 Acres; Total 21,379 Sq. Ft., 0.48 Acres.

**LEGEND**

Proposed Fill Area



Proposed Drainage



Applicant: Kris Manke  
Proposed Activity: Wetland Fill  
Location: Bethel, Alaska



SCALE: 1" = 100'



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DATE:  
Apr. 19, 2019

SCALE:  
1"=60'

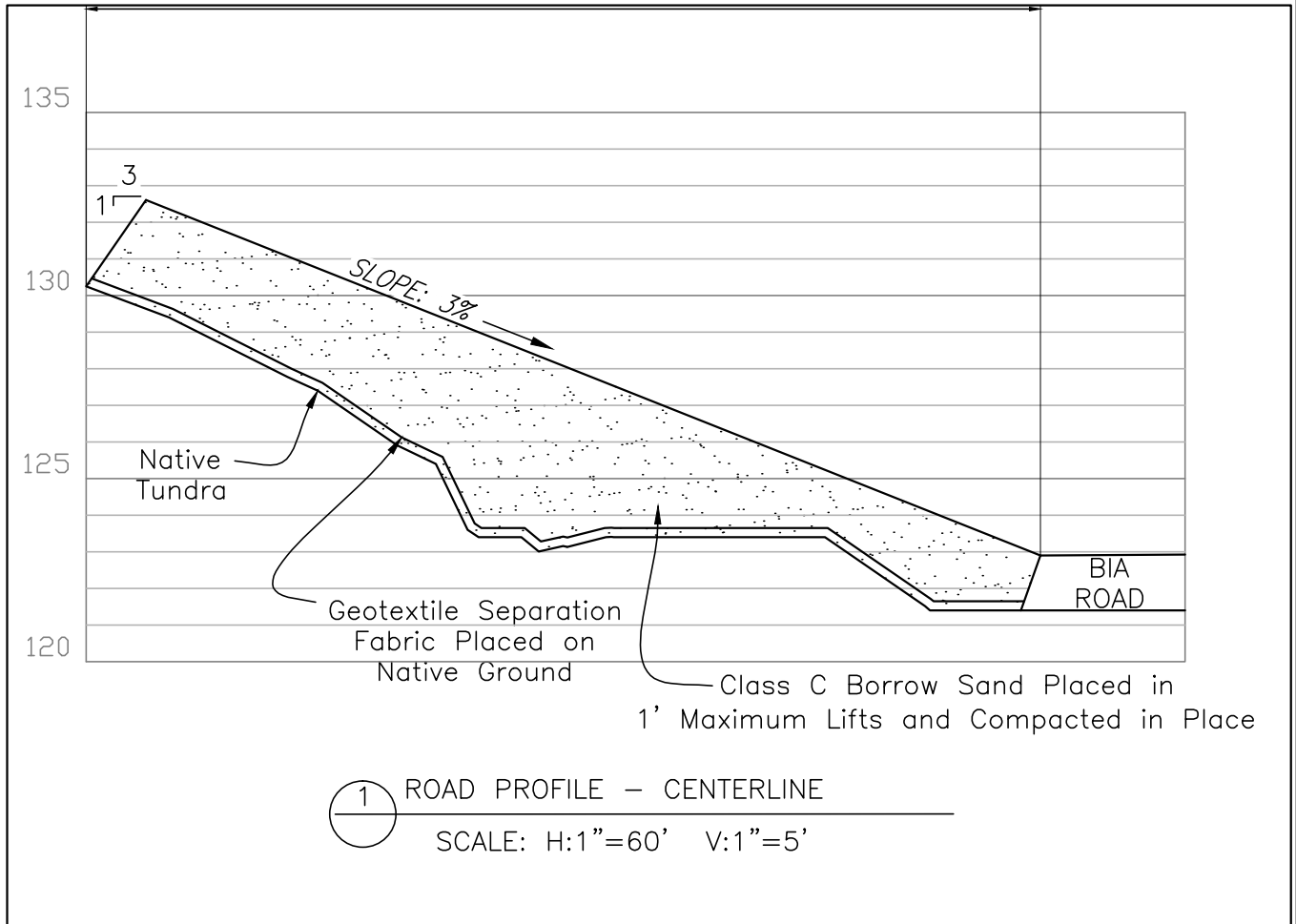
DRAWN: JLA  
CHECKED: MJH

SHEET: 4 of 9

WO #: 14142



COLLEEN PLACE COMMERCIAL PERMIT  
CROSS SECTIONS



Applicant: Kris Manke  
Proposed Activity: Wetland Fill  
Location: Bethel, Alaska

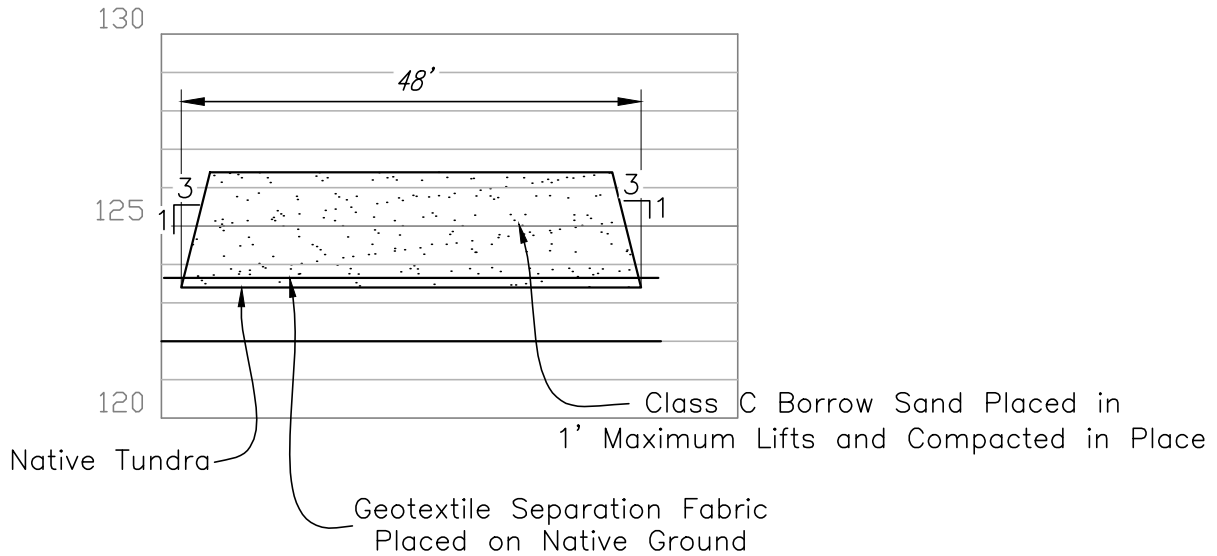


**Farpoint Land Services, LLC**  
SURVEYING, MAPPING, LAND PLANNING, GIS

1131 E. 76th Ave., Suite 101 Anchorage, Alaska 99518  
FarpointAK.com • (907) 522-7770 • survey@farpointak.com

DATE: Apr. 19, 2019	SCALE: NTS	DRAWN: JLA	CHECKED: MJH	SHEET: 5 of 9	WO #: 14142
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**COLLEEN PLACE COMMERCIAL PERMIT  
CROSS SECTIONS**



② ROAD PROFILE – CROSS SECTION  
SCALE: H:1"=60' V:1"=5'

Applicant: Kris Manke  
Proposed Activity: Wetland Fill  
Location: Bethel, Alaska

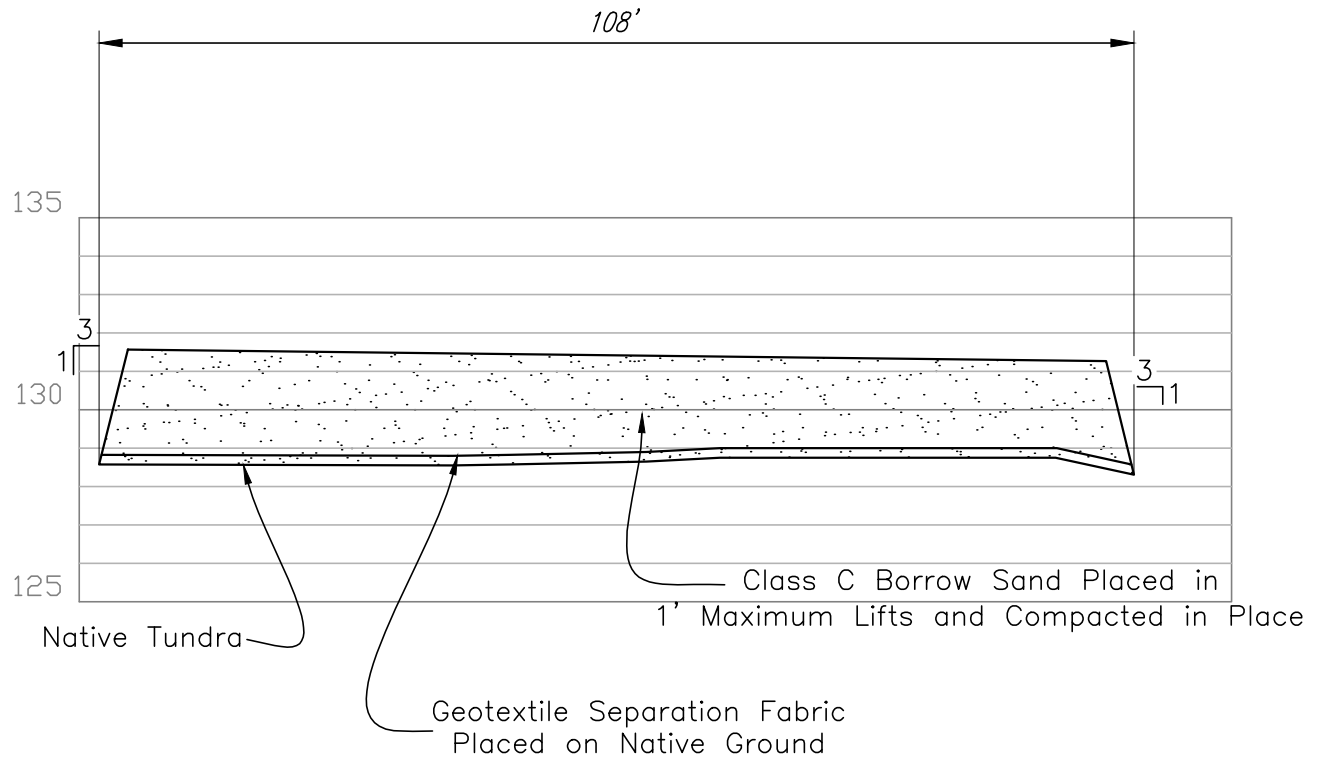


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DATE: Apr. 19, 2019	SCALE: NTS	DRAWN: JLA	CHECKED: MJH	SHEET: 6 of 9	WO #: 14142
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COLLEEN PLACE COMMERCIAL PERMIT  
CROSS SECTIONS



③ ROAD PROFILE – CROSS SECTION  
SCALE: H:1"=60' V:1"=5'

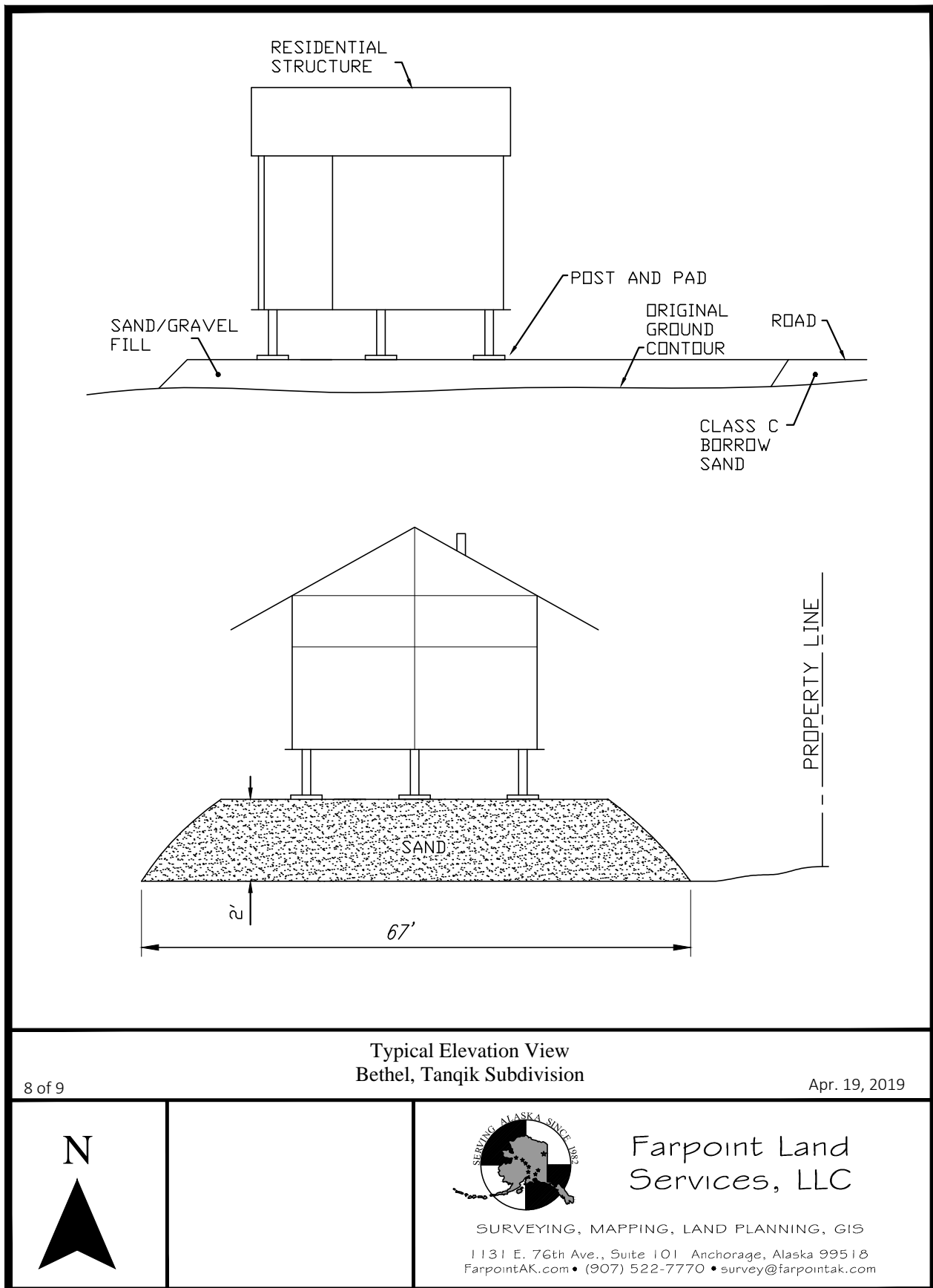
Applicant: Kris Manke  
Proposed Activity: Wetland Fill  
Location: Bethel, Alaska

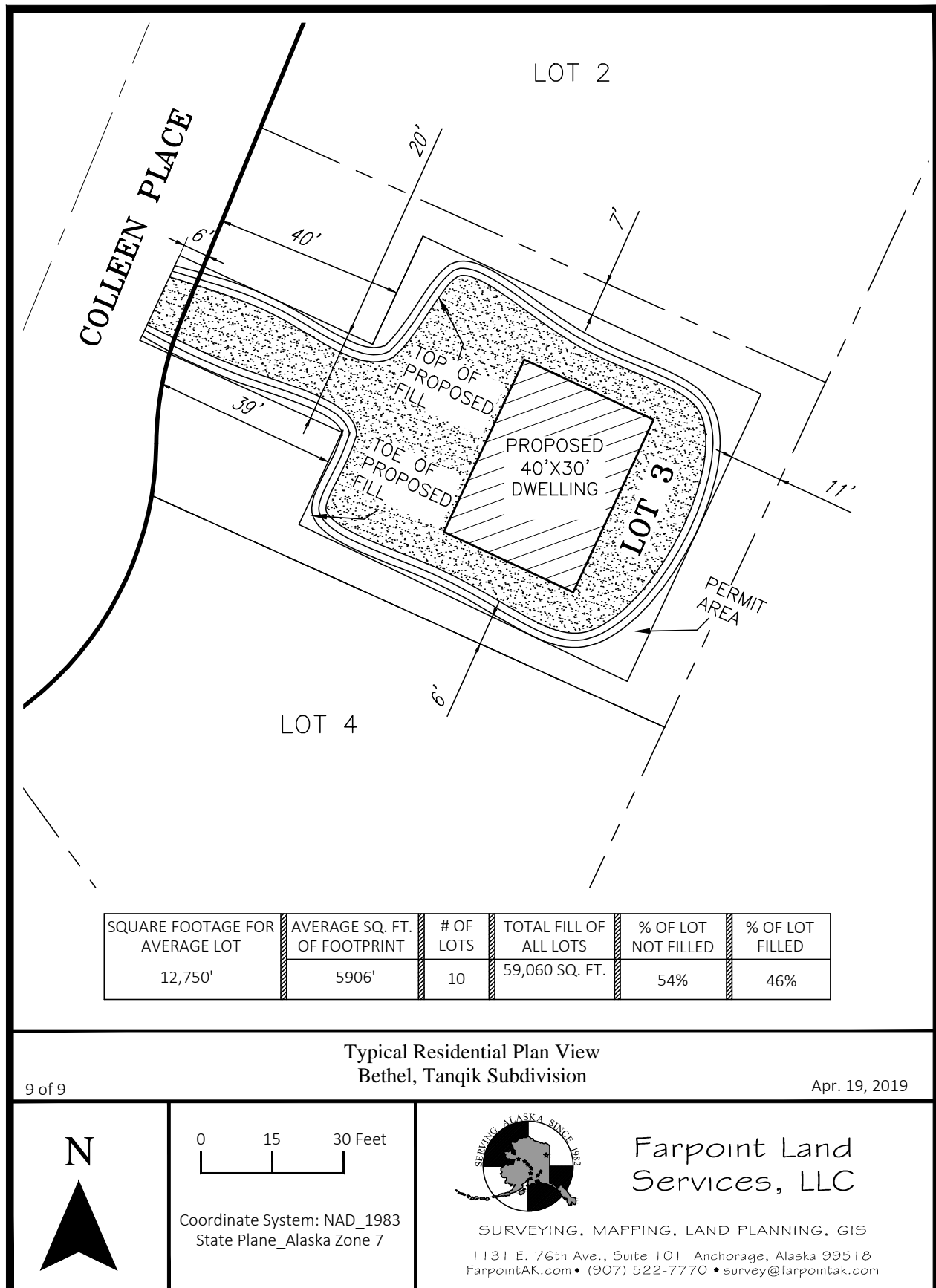


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FarpointAK.com • (907) 522-7770 • survey@farpointak.com

DATE: Apr. 19, 2019	SCALE: NTS	DRAWN: JLA	CHECKED: MJH	SHEET: 7 of 9	WO #: 14142
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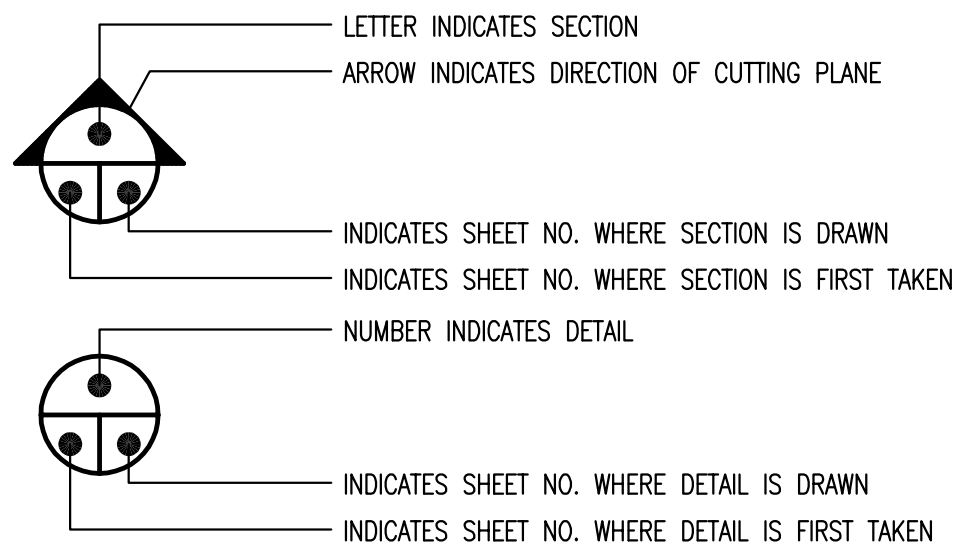
# ATTACHMENT A

### GENERAL NOTES

1. ALL SITE WORK CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE CITY OF BETHEL SUBDIVISION REQUIREMENTS.
2. LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY. VERIFY LOCATIONS BY OBTAINING UTILITY LOCATES PRIOR TO BEGINNING CONSTRUCTION.
3. DIMENSIONS AND RADII SHOWN ARE TO EDGE OF GRAVEL UNLESS INDICATED OTHERWISE.
4. ELEVATIONS ARE TO EDGE OF GRAVEL OR EARTHWORK FINISH GRADE UNLESS INDICATED OTHERWISE.
5. EXISTING GROUND CONTOURS ARE BASED ON TOPOGRAPHIC SURVEY COMPLETED BY FARPOINT LAND SERVICES, LLC IN MAY 2017.
6. NO SOILS INFORMATION PROVIDED.
7. ALL FILL MATERIAL SHALL BE PLACED IN LIFTS NO THICKER THAN 12 INCHES, AND COMPACTED TO AT LEAST 90% OF THE MAXIMUM DENSITY DETERMINED BY AASHTO T-180-d.
8. PROVIDE PASSING COMPACTION TESTS FOR ALL FILL AND BACKFILL AS REQUIRED BY THE CITY OF BETHEL.
9. PROVIDE CONTROLS TO LIMIT SEDIMENT DISCHARGE FROM THE SITE DURING CONSTRUCTION DUE TO SOIL EROSION. IMPLEMENT THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AND UPDATE AS NECESSARY DURING CONSTRUCTION.
10. FOLLOW ALL CITY OF BETHEL REGULATIONS FOR NOISE, HOURS OF OPERATION, AND DUST CONTROL.
11. RESTORE ALL DISTURBED PROPERTY OUTSIDE OF WORK LIMITS TO ORIGINAL CONDITIONS.

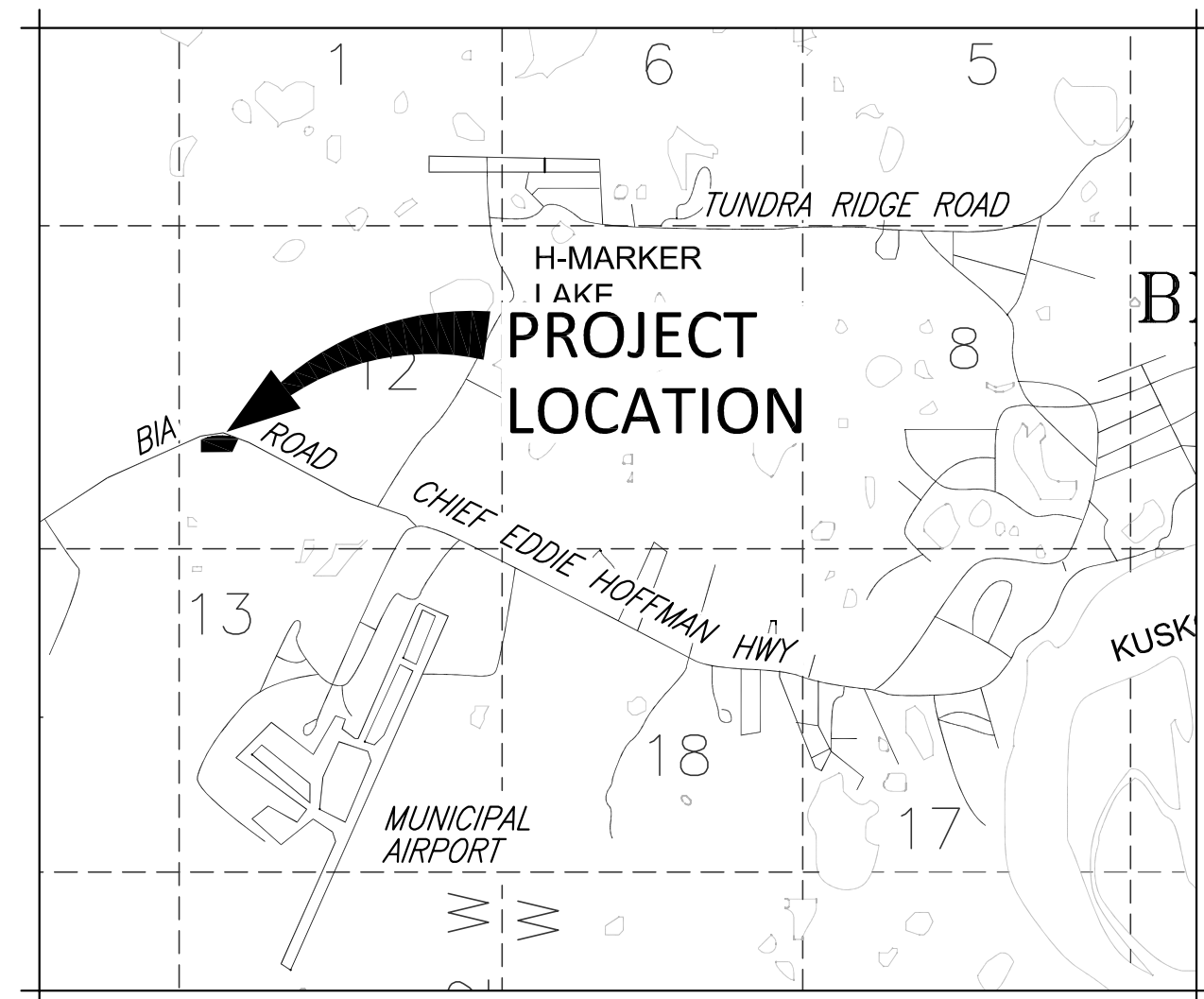
## LEGEND

DESCRIPTION	EXISTING	NEW
PROPERTY LINE	— · — · — · —	
EASEMENT	— — — — —	
GRADE BREAK	— — — — —	----- GB -----
CENTERLINE	— — — — —	
DRAINAGE SWALE	— — — — —>	
DRAINAGE ARROW		
GAS LINE	— G — — —	
UNDERGROUND ELECTRIC	— UGE — — —	
SEWERLINE W/MANHOLE	— S — — — ○	— S — — — ●
STORMDRAIN W/MANHOLE	— SD — — — ⊙	— SD — — — ⊙
WATERLINE W/VALVE	— W — — — ⊕	— W — — — ⊕
ELEVATION CONTOUR	— 204 — — —	— (204) — — —
EDGE OF ASPHALT	— // — — — // —	— // — — — // —
STRUCTURE	— // // // // — —	— [Solid Black Rectangle] —
CONCRETE	— [Box with diagonal lines] —	— [Box with diagonal lines] —
SPOT ELEVATION		
SIGN	— [Circle with horizontal line] —	— [Solid black circle] —
FIRE HYDRANT	— [Circle with cross] —	
TEST BORING	— [Hexagon] TB #3 —	
TEMPORARY BENCH MARK	— [Triangle] TBM #1 —	
2-1/2" BRASS CAP	— [Circle with cross] —	
2" ALUMINUM CAP	— [Solid black circle] —	



## ABBREVIATIONS

AC	ASPHALT CONCRETE
BM	BENCHMARK
C	CENTERLINE
CMP	CORRUGATED METAL PIPE
CP	CONTROL POINT
E	ELECTRICAL
EA	EACH
ELEV	ELEVATION
FL	FLOWLINE
GB	GRADE BREAK
INV	INVERT
LF	LINEAR FEET
MAX	MAXIMUM
ME	MATCH EXISTING
MH	MANHOLE
MIN	MINIMUM
N	NORTH
NTS	NOT TO SCALE
OHE	OVERHEAD ELECTRIC
R	RADIUS
S	SEWER, SOUTH
SD	STORM DRAIN
TYP	TYPICAL
W	WIDTH, WATER



### PROPERTY & SURVEY DATA

LEGAL DESCRIPTION: COLLEEN PLACE RIGHT-OF-WAY DEVELOPED TO SERVE  
LOTS 1-10, BLOCK 1, TANQIK SUBDIVISION.

SURVEY CONTROL

## HORIZONTAL CONTROL

HORIZONTAL CONTROL WAS ESTABLISHED AND HELD ON BLM CORNER LOCATED ON THE SE CORNER OF TRACT A, TSIKOYAK SUBDIVISION. BASIS OF BEARING IS N89°59'04"E ALONG THE SOUTH BOUNDARY OF SAID TRACT.

SE CORNER OF TRACT A    N:2482214.95    E:1667527.43

## VERTICAL CONTROL

VERTICAL CONTROL IS BASED ON AN ASSUMED ELEVATION OF 137.55, WHICH WAS ESTABLISHED AND HELD ON THE BLM CORNER LOCATED AT THE SE CORNER OF TRACT A, TSIKOYAK SUBDIVISION.

STATE OF ALASKA  
49<sup>TH</sup>  
MELISSA A. BRANCH  
CE-11138  
11/5/2018  
REGISTERED PROFESSIONAL ENGINEER



P.O. BOX 92946  
ANCHORAGE, ALASKA 99509  
907/360-0985  
LICENSE # 102525

COLLEEN PLACE  
BETHEL, ALASKA

2	11/5/2018	SUBDIVISION NAME CHANGE	MAB				
1	10/25/2018	SUBDIVISION NAME CHANGE	MAB				
REVISION	DATE	DESCRIPTION	BY				

DATE	08.06.2018
PN	25003
GRID	BETHEL
SCALE	AS SHOWN
ENGINEER	MAB
DRAFTER	MAB

SHEET TITLE
NOTES, LEGEND, AND ABBREVIATIONS

SHEET NUMBER  
**C1.0**  
OF 3



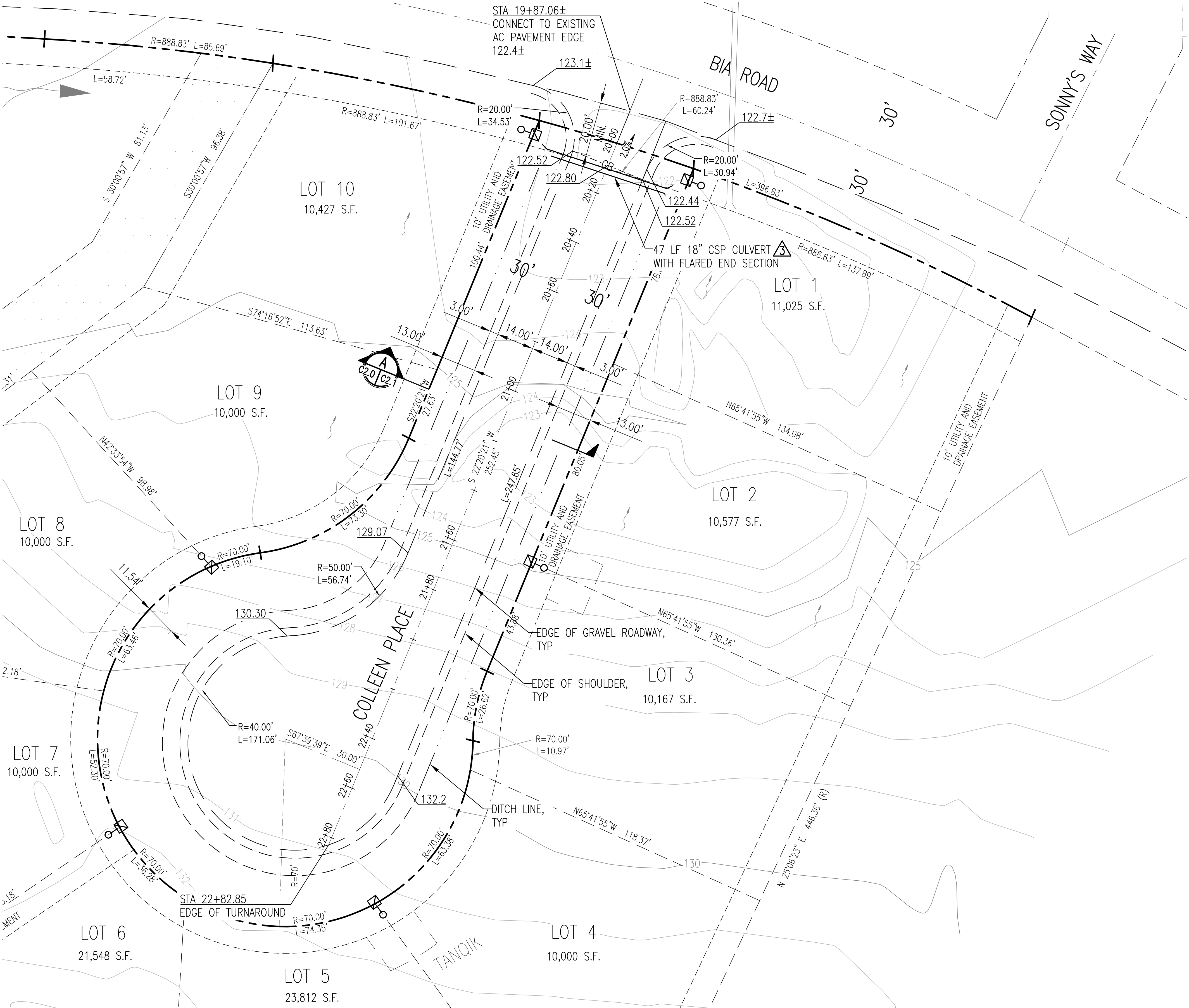
BEFORE DOING  
ANY DIGGING  
OR EXCAVATION


CALL FOR FREE UNDERGROUND LOCATION

ALASKA DIGLINE INC.  
ANCHORAGE AREA: 278-3121  
STATEWIDE: 800-478-3121

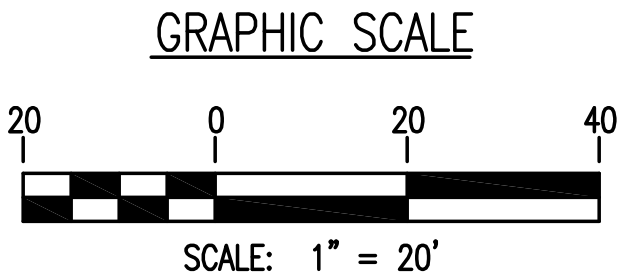


8.20.2016 C:\Users\Melissa\Documents\22003\_Bethel Roadway\CAD\C30\_BCE\_rev.dwg





**SITE LAYOUT PLAN**  
SCALE: 1" = 20'





**BIG CITY ENGINEERS**  
P.O. BOX 92946  
ANCHORAGE, ALASKA 99509  
907/360-0985  
LICENSE # 102625

**COLLEEN PLACE**  
BETHEL, ALASKA

LOTS 1-10, BLOCK 1, TANQIK SUBDIVISION

DATE	DESCRIPTION	BY
4/19/2019	ADDED CULVERT LABEL AND LIGHT POLES	MAB
1/15/2018	SUBDIVISION NAME CHANGE	MAB
10/26/2018	SUBDIVISION NAME CHANGE	MAB

DATE	08.06.2018
PN	25003
GRID	BETHEL
SCALE	AS SHOWN
ENGINEER	MAB
DRAFTER	MAB

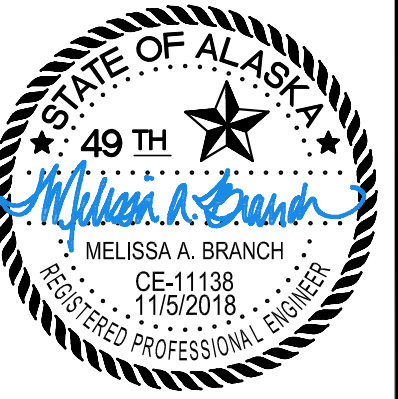
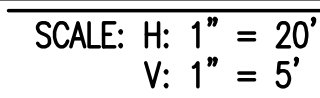
SHEET TITLE

COLLEEN PLACE PLAN

SHEET NUMBER

**C2.0**

OF 3



P.O. BOX 92946  
ANCHORAGE, ALASKA 99509  
907/360-0985  
LICENSE # 102525

COLLEEN PLACE  
BETHEL, ALASKA

LOTS 1-10, BLOCK 1, TANQIK SUBDIVISION

DATE	08.06.2018
UN	25003
RID	BETHEL
SCALE	AS SHOWN
ENGINEER	MAB
RAFTER	MAB

SHEET TITLE	
COLLEEN PLACE PROFILE	
AND TYPICAL SECTION	

SHEET NUMBER

**C2.1**

OF 3