



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

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

| | |
|----------------------------|---------------------------|
| PUBLIC NOTICE DATE: | August 27, 2020 |
| EXPIRATION DATE: | September 28, 2020 |
| REFERENCE NUMBER: | POA-2020-00348 |
| WATERWAY: | Wrangell Narrows |

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. 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 Emily Vullo at (907) 753-2704, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at: Emily.N.Vullo@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Rock-N-Road Construction; POC: Sig Burrell, email: sig@rocknroadak.com, phone: 907-772-3308

AGENT: R&M Engineering-Ketchikan, Inc.; POC: Joel Teune, email: jteune@rmketchikan.com, phone: 907-225-7917

LOCATION: The project site is located near Latitude 56.7680° N., Longitude 132.9623° W.; 384 Mitkof Highway, Petersburg, Alaska.

PURPOSE: The applicant's stated purpose is to create infrastructure to support a commercial freight transport facility which would be used for the mooring of the company's 68-foot landing craft and the loading and unloading of barges. In addition, the space would be used for boat moorage for vessels and guests of the Beachcomber Lodge.

PROPOSED WORK: Dredge 22,160 sq. ft area below the Mean High Water (MHW) Line 160 feet in length, ranging from 133 feet to 161 feet wide, and 0' to 15 feet deep. Limits of dredging would extend from the 1-foot contour to the -15-foot contour. The fill footprint of the barge landing would be 54,900 sq. ft. with a finished grade workable area of 372 feet x 135 feet. The area would be composed of imported shotrock and 6110 cubic yards of dredge spoils retained by an 850 feet long, 25 feet high (max.), stacked rock retaining wall. The limits of fill operation would extend to the existing -29 feet contour. To accomplish the dredging and filling operations described above, this project would include the removal of an existing 3,458 sq. ft. timber float, a 1,596 sq. ft. timber pier, and (25) 12-inch diameter timber piles. All work would be performed in accordance with the enclosed plan (sheets 1-5), dated August 2020.

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: The applicant stated, "The site was selected due to its proximity to Rock-N-Road Construction's office and staging area and the Beachcomber Lodge's operations. This allows for the large volume of deconstruction and construction materials to be transported directly to and from the barge landing. Photographs at low tide and observations from the applicant indicate no eel grass within the project site."

b. Minimization: The applicant stated, "The size of the proposed barge ramp is the smallest practical for the intended use. A stacked rock perimeter was chosen to steepen the slopes to reduce shoreline impacts and fill quantities. The project footprint within the fill zone has been designed to be the smallest practicable area for the proposed barge ramp and staging area. Rock fill work will consist of constructing a machine placed armor rock wall and back filling with clean shot rock and dredged material. All machine work will occur from the upland side of the site within the pad footprint and will be done during low tide events to reduce and/or eliminate potential for any disturbance beyond the fill area. The lowest portion of the launch ramp will need to be constructed in water due to the depth to mud line at the end of the ramp."

c. Compensatory Mitigation: No compensatory mitigation is proposed by the applicant for this project.

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 vicinity of the permit area, PET-00570. The permit area has been determined to be the fill area below the High Tide Line as well as the footprint of the current docks to be removed and the area to be dredged below the Mean High Water Mark. 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. The Corps is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: The project area is within the known or historic range of the Humpback Whale (*Megaptera novaeangliae*).

We have determined that the proposed activity may affect the threatened Mexico Distinct Population Segment (DPS) Humpback Whale, (*Megaptera novaeangliae*) and the whale's proposed critical habitat. We will initiate the appropriate consultation procedures under section 7 of the Endangered Species Act with 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 Chum salmon (*Oncorhynchus keta*), Pink salmon (*Oncorhynchus gorbuscha*), Coho salmon (*Oncorhynchus kisutch*), Chinook salmon (*Oncorhynchus tshawytscha*), and Sockeye salmon (*Oncorhynchus nerka*).

We have determined the described activity may adversely affect EFH in the project area for the above species. 1.26-acres of EFH would permanently be removed through fill placement and another 0.5-acres would be disturbed due to dredging. However, photographs at low tide confirm there is no eel grass in the project footprint. An additional EFH assessment to initiate consultation with NMFS will follow this PN. Any comments or recommendations they may have concerning EFH will be considered in our final assessment of the described work.

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 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

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.

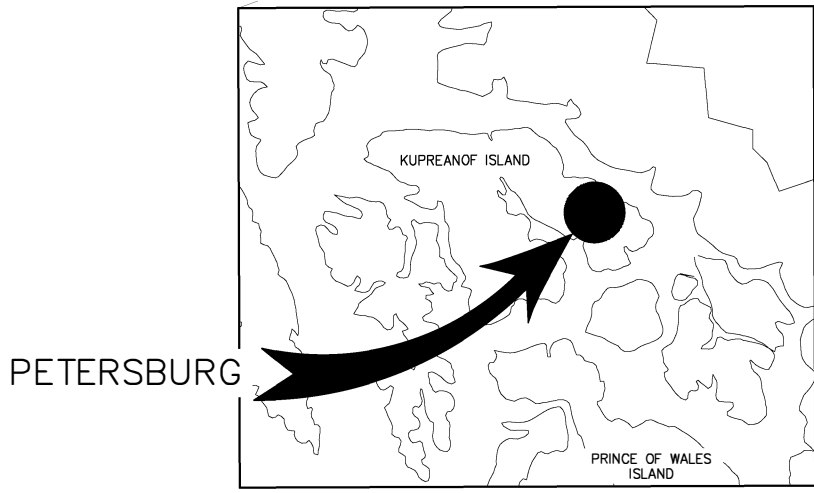
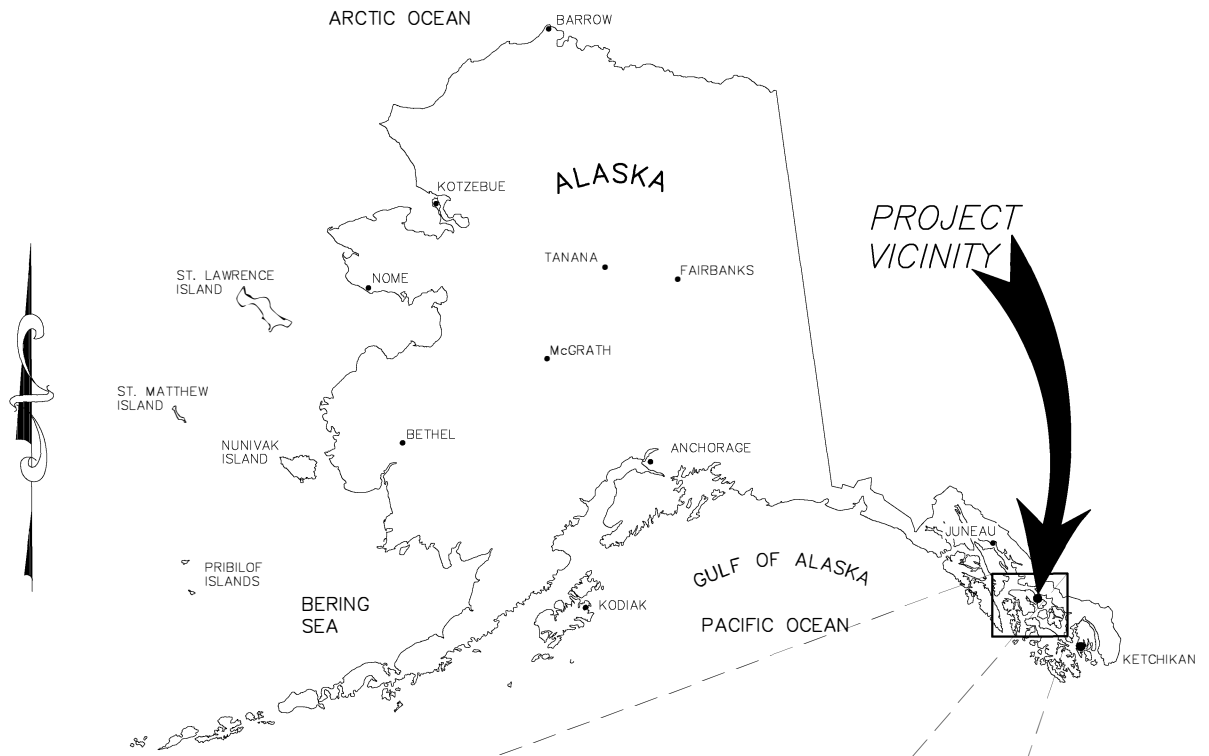
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number POA-2020-00348, Wrangell Narrows, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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 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

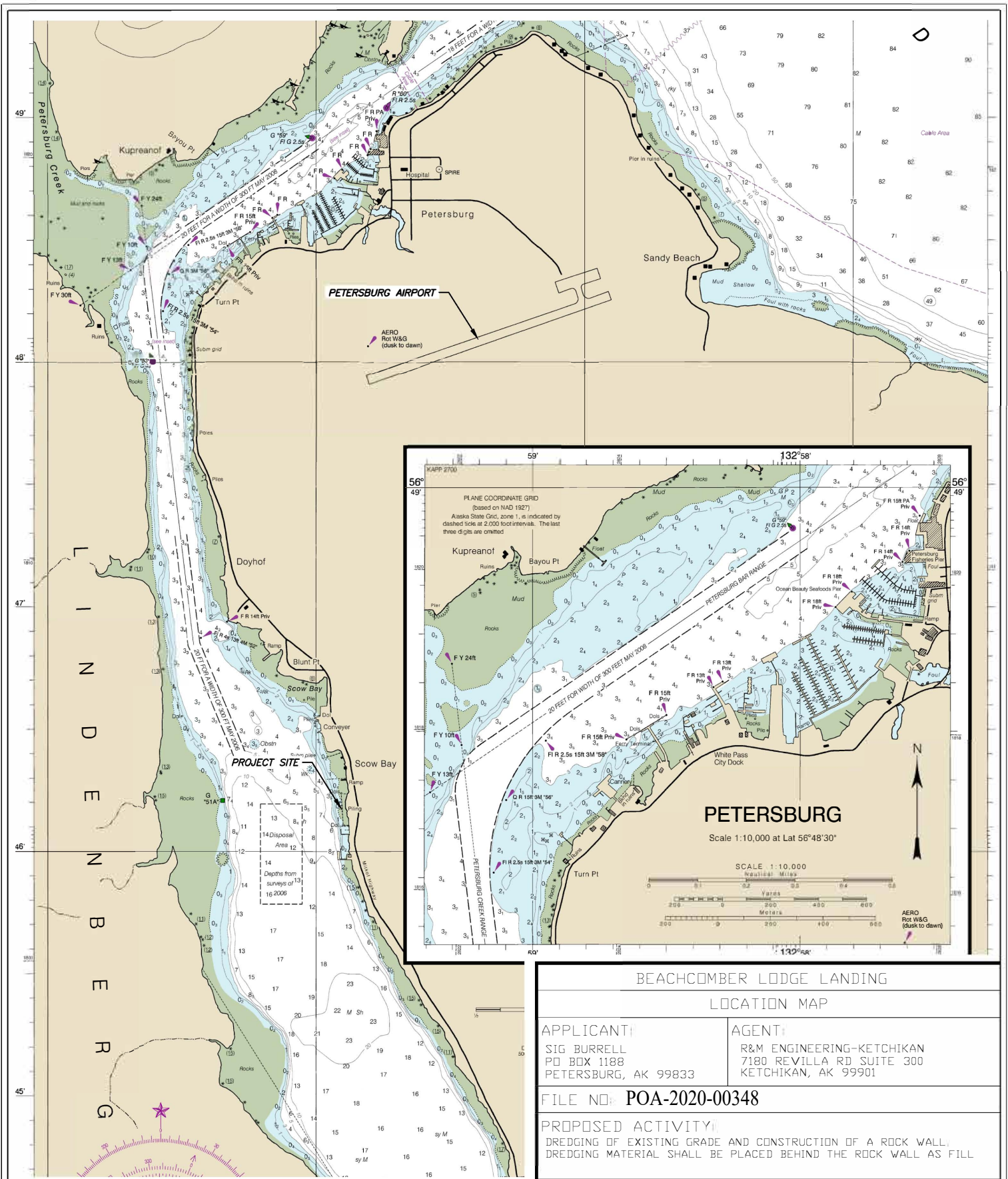
The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact Kate Orozco at 907-465-6171 or TDD 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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| BEACHCOMBER LODGE LANDING | |
| TITLE SHEET | |
| APPLICANT: SIG BURRELL PO BOX 1188 PETERSBURG, AK 99833 | AGENT: R&M ENGINEERING-KETCHIKAN 7180 REVILLA RD SUITE 300 KETCHIKAN, AK 99901 |
| FILE NO: POA-2020-00348 | |
| PROPOSED ACTIVITY: DREDGING OF EXISTING GRADE AND CONSTRUCTION OF A ROCK WALL. DREDGING MATERIAL SHALL BE PLACED BEHIND THE ROCK WALL AS FILL | |
| LOCATION: T 59S, R 79E, SEC 10, COPPER RIVER MERIDIAN LAT: N 56.7680° LONG: W 132.9623° | |
| DATE: 8/17/2020 SHEET: 1 OF 5 | LOCATION: PETERSBURG, AK WATER WAY: WRGL NARROWS |

PETERSBURG, PETERSBURG BOROUGH, AK

DIRECTIONS TO SITE:
 PROCEED FROM PETERSBURG AIRPORT ALONG HAUGEN DR., LEFT
 ONTO S. NORDIC DR., THEN MITKOF HWY. AFTER 4.8 TOTAL MILES,
 TURN RIGHT ONTO PROJECT SITE.



PETERSBURG, PETERSBURG BOROUGH, AK

DIRECTIONS TO SITE:
 PROCEED FROM PETERSBURG AIRPORT ALONG HAUGEN DR, LEFT ONTO S. NORDIC DR., THEN MITKOF HWY. AFTER 4.8 TOTAL MILES, TURN RIGHT ONTO PROJECT SITE

BEACHCOMBER LODGE LANDING
 LOCATION MAP

APPLICANT:
 SIG BURRELL
 PO BOX 1188
 PETERSBURG, AK 99833

AGENT:
 R&M ENGINEERING-KETCHIKAN
 7180 REVILLA RD SUITE 300
 KETCHIKAN, AK 99901

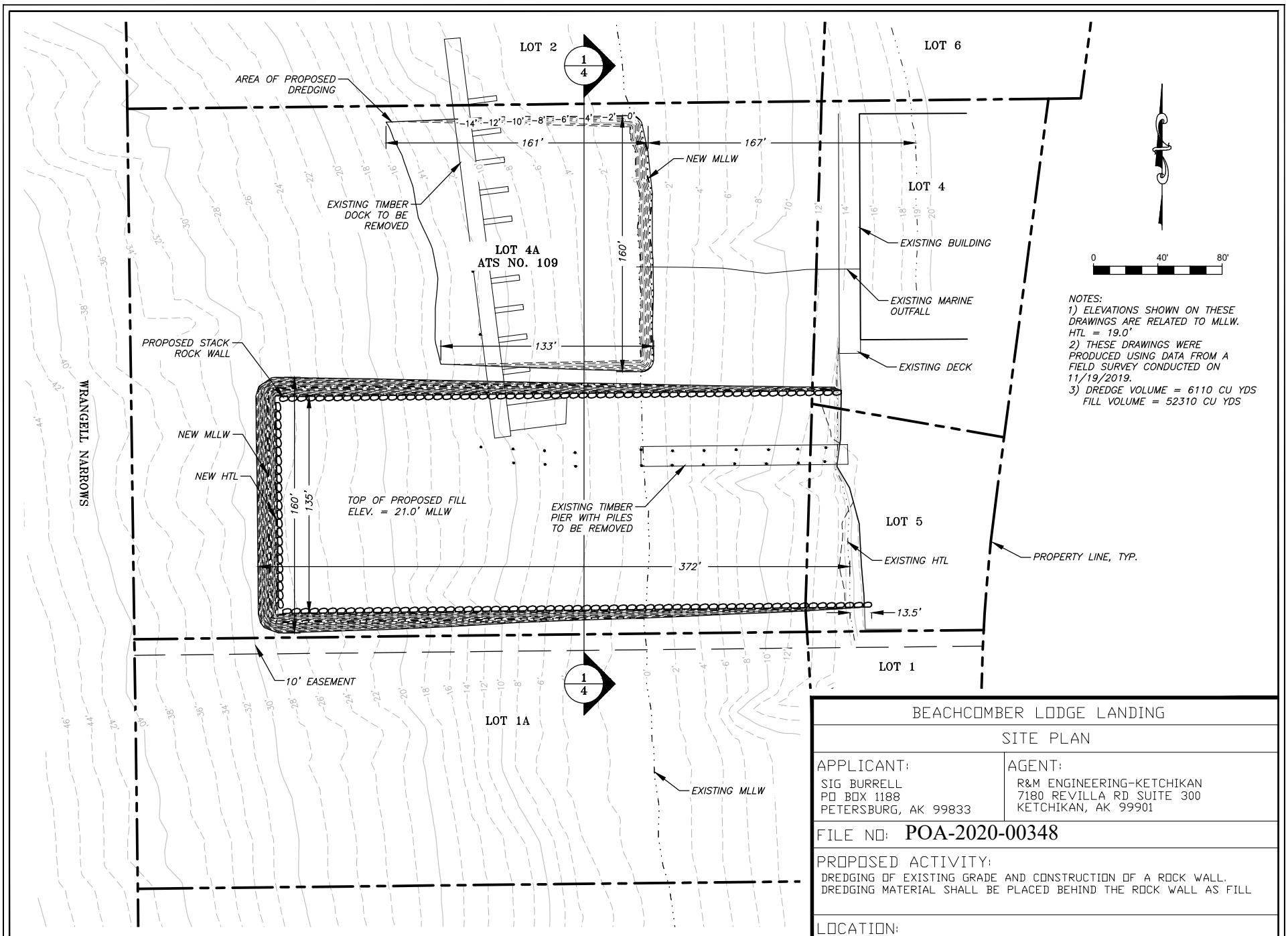
FILE NO: POA-2020-00348

PROPOSED ACTIVITY:
 DREDGING OF EXISTING GRADE AND CONSTRUCTION OF A ROCK WALL. DREDGING MATERIAL SHALL BE PLACED BEHIND THE ROCK WALL AS FILL

LOCATION:
 T 59S, R 79E, SEC 10, COPPER RIVER MERIDIAN
 LAT: N 56.7680° LONG: W 132.9623°

DATE: 8/17/2020
SHEET: 2 OF 5

LOCATION: PETERSBURG, AK
WATER WAY: WRGL NARROWS

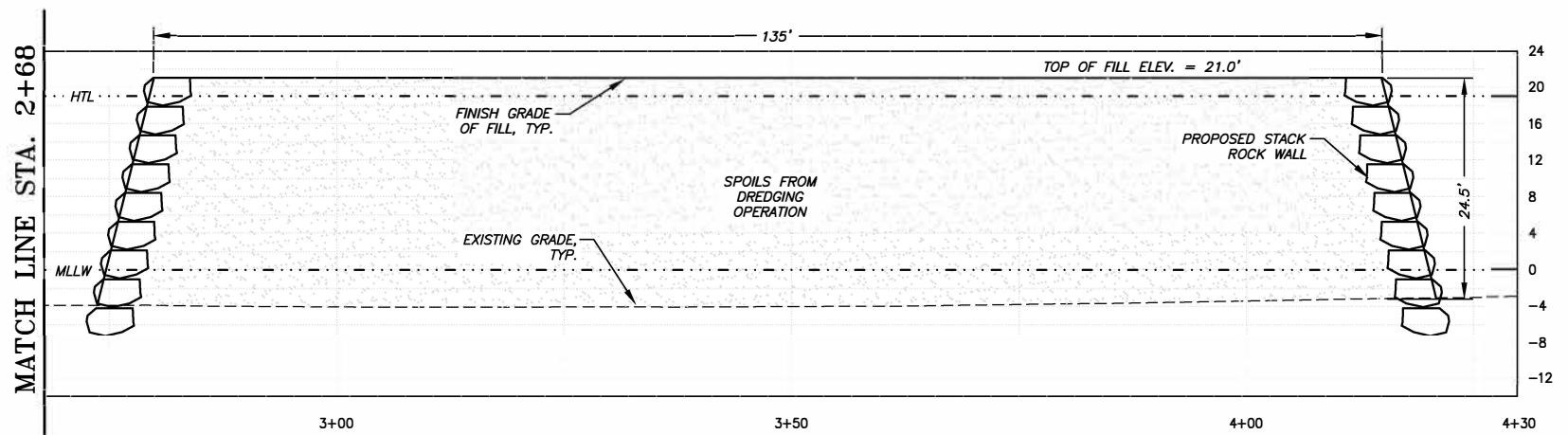
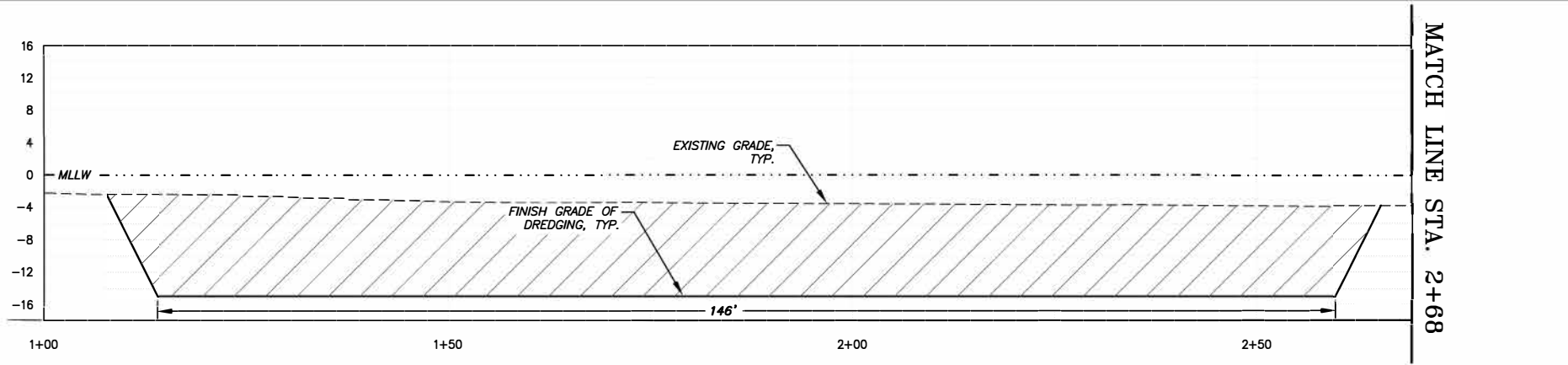


NOTES:
 1) ELEVATIONS SHOWN ON THESE DRAWINGS ARE RELATED TO MLLW. HTL = 19.0'
 2) THESE DRAWINGS WERE PRODUCED USING DATA FROM A FIELD SURVEY CONDUCTED ON 11/19/2019.
 3) DREDGE VOLUME = 6110 CU YDS
 FILL VOLUME = 52310 CU YDS

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| BEACHCOMBER LODGE LANDING | |
| SITE PLAN | |
| APPLICANT: SIG BURRELL PO BOX 1188 PETERSBURG, AK 99833 | AGENT: R&M ENGINEERING-KETCHIKAN 7180 REVILLA RD SUITE 300 KETCHIKAN, AK 99901 |
| FILE NO: POA-2020-00348 | |
| PROPOSED ACTIVITY: DREDGING OF EXISTING GRADE AND CONSTRUCTION OF A ROCK WALL. DREDGING MATERIAL SHALL BE PLACED BEHIND THE ROCK WALL AS FILL | |
| LOCATION: T 59S, R 79E, SEC 10, COPPER RIVER MERIDIAN LAT: N 56.7680° LONG: W 132.9623° | |
| DATE: 8/17/2020 | LOCATION: PETERSBURG, AK |
| SHEET: 3 OF 5 | WATER WAY: WRGL NARROWS |

PETERSBURG, PETERSBURG BOROUGH, AK

DIRECTIONS TO SITE:
 PROCEED FROM PETERSBURG AIRPORT ALONG HAUGEN DR., LEFT ONTO S. NORDIC DR., THEN MITKOF HWY. AFTER 4.8 TOTAL MILES, TURN RIGHT ONTO PROJECT SITE.



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4 DREDGE AND FILL SECTIONS

BEACHCOMBER LODGE LANDING

DREDGE AND FILL SECTION

APPLICANT:
SIG BURRELL
PO BOX 1188
PETERSBURG, AK 99833

AGENT:
R&M ENGINEERING-KETCHIKAN
7180 REVILLA RD SUITE 300
KETCHIKAN, AK 99901

FILE NO: POA-2020-00348

PROPOSED ACTIVITY:
DREDGING OF EXISTING GRADE AND CONSTRUCTION OF A ROCK WALL.
DREDGING MATERIAL SHALL BE PLACED BEHIND THE ROCK WALL AS FILL

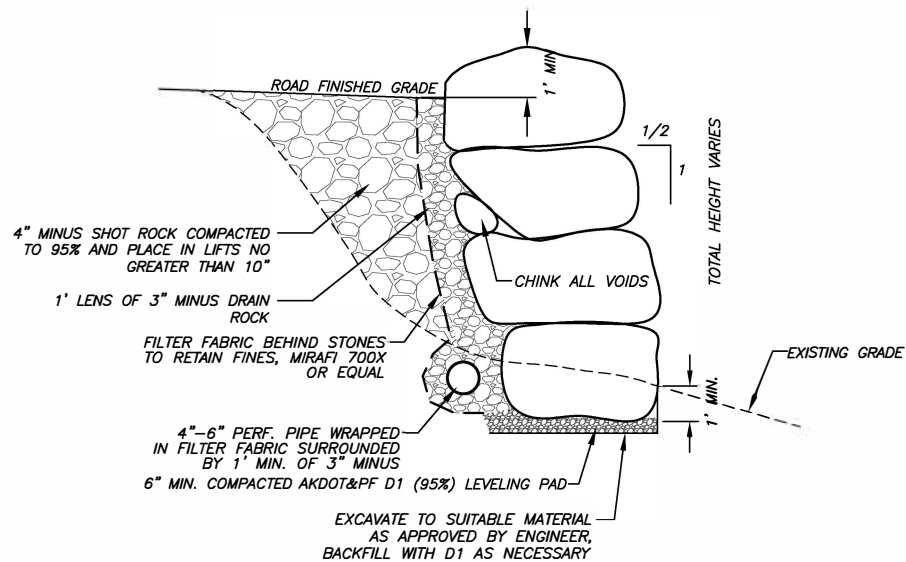
LOCATION:
T 59S, R 79E, SEC 10, COPPER RIVER MERIDIAN
LAT: N 56.7680° LONG: W 132.9623°

DATE: 8/17/2020
SHEET: 4 OF 5

LOCATION: PETERSBURG, AK
WATER WAY: WRGL NARROWS

PETERSBURG, PETERSBURG BOROUGH, AK

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ROCKERY RETAINING WALL DETAIL NOTES:

- 1) THE LONG DIMENSION OF THE ROCKS SHALL EXTEND INTO THE EMBANKMENT TO PROVIDE MAXIMUM STABILITY.
- 2) THE ROCK SHALL BE PLACED SO AS TO LOCK INTO TWO ROCKS; STAGGER JOINTS.
- 3) CONSTRUCT ROCKERY OF 5 MAN TO 2 MAN ROCKS WITH DECREASING SIZE FROM BOTTOM TO TOP.
 - 2 MAN ROCKS 200 LBS MIN, 700 LBS MAX, SIZE 18" TO 28"
 - 2 MAN ROCK LOCATION - TOP 3 FEET
 - 3 MAN ROCKS 700 LBS MIN, 2000 LBS MAX, SIZE 28" TO 36"
 - 3 MAN ROCK LOCATION - 2 TO 6 FEET FROM TOP
 - 4 MAN ROCKS 2000 LBS MIN, 4000 LBS MAX, SIZE 36" TO 48"
 - 4 MAN ROCK LOCATION - 4 TO 8 FEET FROM TOP
 - 5 MAN ROCKS 4000 LBS MIN, 6000 LBS MAX, SIZE 48" TO 54"
 - 5 MAN ROCK LOCATION - BOTTOM TO 8 FEET BELOW TOP

STACKED ROCK RETAINING WALL SECTION

NOT TO SCALE

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|---|---|
| BEACHCOMBER LODGE LANDING | |
| DETAILS | |
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| PROPOSED ACTIVITY: DREDGING OF EXISTING GRADE AND CONSTRUCTION OF A ROCK WALL. DREDGING MATERIAL SHALL BE PLACED BEHIND THE ROCK WALL AS FILL | |
| LOCATION: T 59S, R 79E, SEC 10, COPPER RIVER MERIDIAN LAT: N 56.7680° LONG: W 132.9623° | |
| DATE: 8/17/2020 | LOCATION: PETERSBURG, AK |
| SHEET: 5 OF 5 | WATER WAY: WRGL NARROWS |

PETERSBURG, PETERSBURG BOROUGH, AK

DIRECTIONS TO SITE:

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