



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: July 19, 2019

EXPIRATION DATE: August 19, 2019

REFERENCE NUMBER: POA-2019-00313

WATERWAY: Ward Cove

Interested parties are hereby notified that a Department of the Army permit application has been received by the Corps of Engineers (Corps) 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 Estrella Campellone at (907) 753-2518, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Estrella.f.campellone@usace.army.mil if further information is desired concerning this notice.

APPLICANT: David Spokely, Power Systems & Supplies of Alaska; dave@wciak.com; PO Box 772; Ward Cove, Alaska 99928.

AGENT: Robin Reich, Solstice Alaska Consulting, Inc.; robin@solstceak.com; 2607 Fairbanks Street Suite B; Anchorage, Alaska 99503

LOCATION: The project site is located within sections 33-34, T. 74 S., R. 90 E., Copper River Meridian; USGS Quad Map Ketchikan B-6; Latitude 55.4037° N., Longitude 131.7316° W.; Alaska Tidelands Survey 1010 Parcel # 313230006000ATS1, approximately five miles north of downtown Ketchikan, off the North Tongass Highway; in Ketchikan, Alaska.

PURPOSE: The applicant's stated purpose is to construct a dock that accommodates larger cruise ships and their passengers outside of downtown Ketchikan. This project is needed to improve safe transit through Tongass Narrows, provide safe harbor for large cruise ships, and relieve existing and future vessel, pedestrian, and vehicle congestion in the Port of Ketchikan and downtown Ketchikan.

PROPOSED WORK: To construct a new 500-foot x 70-foot floating pontoon dock in Ward Cove with a trestle that includes a driving lane and walkway for easy access to shore; this would require:

1. Installation of 48 temporary 30-inch-diameter steel piles as templates to guide proper installation of permanent piles (these temporary piles would be removed prior to project completion).
2. Install 14 permanent 30-inch-diameter piles, 20 permanent 36-inch-diameter piles, and 20 permanent 48-inch diameter piles to support the new floating pontoon dock, mooring structures, and shore-access transfer span and trestle.
3. Install dock components such as bull rail, floating fenders, mooring cleats, vehicle driveway, curb, passenger walkway, hand rail, and mast lights (Note: these components would be installed out of the water).

All work would be performed in accordance with the enclosed plan (table 1 and sheets 1-10 dated May 16, 2019).

Table 1: Proposed Piling Schedule

Pile Location	Pile Size	Pile Quantity	Max. Length	Socket Length
Trestle Bent (7 bents with 2 piles per bent)	30"	14	120'	30'
Trestle Mooring Dolphins (2 dolphins with 5 piles per dolphin)	36"	20	130'	30'
Reaction Dolphins (2 dolphins with 6 piles per dolphin)	48"	12	150'	30'
Off-shore Mooring Dolphins (2 dolphins with 4 piles per dolphin)	48"	8	180'	30'
Template piles (temporary) (20 piles for standard trestle, 12 piles for mooring trestle, 8 piles for reaction dolphins, and 8 piles for off-shore mooring dolphins)	30"	48	Varies	Varies
TOTAL PILES		102		

ADDITIONAL INFORMATION

On June 25, 2019, a 15-day Agency Coordination Letter was sent to resource agencies to request comments on potential issuance of permit authorization in the form of a Letter of Permission. Based on comments and new information received, the Corps has determined that an Individual Permit evaluation process is the most appropriate method of review for this project, which includes a PN to advise all interested parties of the proposed project and to solicit comments and information necessary to evaluate probable project impacts on the public interest.

The U.S. Coast Guard, Waterways Management Division, is currently conducting a risk assessment for the proposed project.

The proposed project may be located within a federal superfund site subject to CERCLA regulations as per March 2000 EPA Record of Decision (ROD) and would need to be reviewed by EPA. Approximately 53 acres of the contaminated sediments were capped with a thin-layer of sand; therefore, the ROD called for institutional controls to be established that would restrict certain uses in Ward Cove, including uses of the site that in any manner could interfere with, materially damage, or adversely affect the integrity or protectiveness of the sediment cap.

Based on the proposed scope of work and details in the enclosed plans, this project will not require a Section 408 review pursuant to Section 14 of the Rivers and Harbors Act, as the work would not impact any Civil Works projects.

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid and minimize impacts to waters of the U.S:

1. The project would be located in a previously developed area.
2. The project has a compact design to reduce the amount and size of piles.

No compensatory mitigation was proposed, as the project would not require placement of fill material and there would be no loss of waters of the U.S.

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 location of the 500-foot x 70-foot floating pontoon dock and the temporary template piles. The State Historic Preservation Office (SHPO) has already concurred with our determination that the proposed project would have no effect on historic properties (July 8, 2019). Consultation with SHPO is complete, however, 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 Mexico Distinct Population Segment (PS) humpback whale (*Megaptera novaeangliae*). The project is currently being reviewed for impacts to species listed under the Endangered Species Act (ESA). The Corps has designated Solstice Alaska Consulting, Inc. (Solstice), as the non-federal representative for the evaluation of effects to listed species. Solstice is currently gathering information regarding this species; therefore, the Corps has yet to make a determination of effect. Should we find that the described activity may affect the species listed above, and/or its designated critical habitat, we will follow the appropriate consultation procedures under section 7 of the Endangered Species Act of 1973 (87 Stat. 844). Any comments the U.S. Fish and Wildlife Service or the National Marine Fisheries

Service (NMFS) 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 all five species of Pacific salmon species: chum salmon (*Oncorhynchus keta*), Chinook salmon (*O. tshawytscha*), Pink Salmon (*O. gorbuscha*), Coho Salmon (*O. kisutch*), and sockeye salmon (*O. nerka*). Ward Cove is designated as EFH for all five species of Pacific salmon (NMFS 2019, NOAA 2019). Alaska Department of Fish and Game and NMFS have also identified Pacific Herring (*Clupea pallasii*) and Pacific Halibut (*Hippoglossus stenolepis*) as important in the project area (HDR 2017). There are four anadromous streams that flow into the action area (Figure 7). Ward Creek (stream # 10150) and an unnamed stream (stream #10145) flow into the head of Ward Cove, they are located approximately 0.7 kilometers (0.4 miles) from the proposed dock site. Ward Creek supports Chum Salmon, Coho Salmon, Pink Salmon, Sockeye Salmon, Dolly Varden (*Salvelinus malma*), and Steelhead Trout (*Oncorhynchus mykiss*). Unnamed stream #10145 supports Coho Salmon and Pink Salmon. The other two anadromous creeks that flow into the action area are located on Gravina Island approximately 3.5 kilometers (two miles) from the dock site across Tongass Narrows: unnamed creek #10500 is anadromous for Chum Salmon, Coho Salmon, and Pink Salmon; and unnamed creek #10490 is anadromous for Coho Salmon and Pink Salmon (ADF&G 2019).

We are currently gathering information regarding these species and have yet to make a determination of effect. Should we find that the described activity may affect the species listed above, we will follow the appropriate course of action under Section 305(b)(2) of the Magnuson-Stevens Act. Any comments the National Marine Fisheries Service may have concerning essential fish habitat 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.

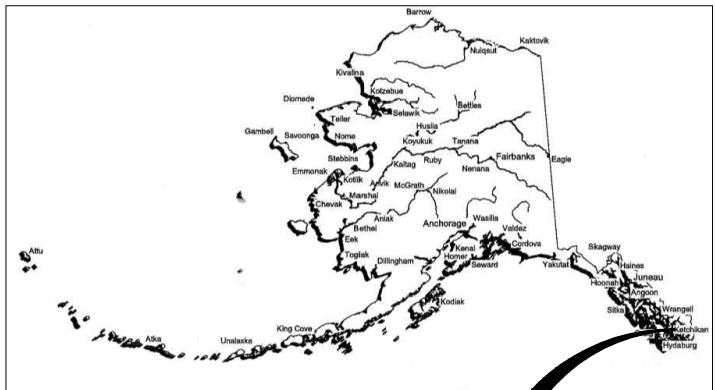
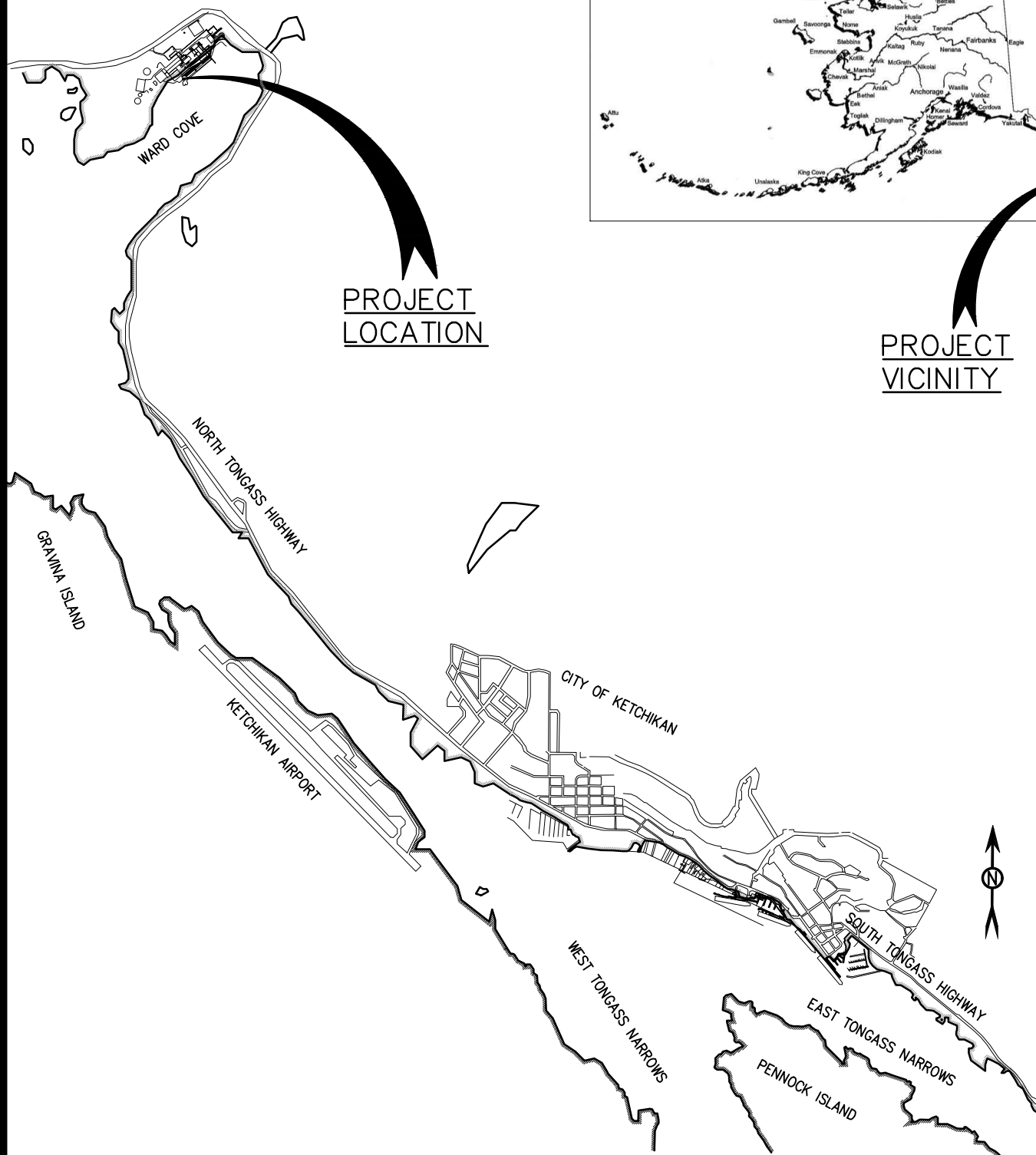
The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, 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).

District Commander
U.S. Army, Corps of Engineers

Enclosures



PROJECT
LOCATION

PROJECT
VICINITY

PURPOSE:

VICINITY MAP & LOCATION MAP

PROPOSED: CRUISE SHIP DOCK

IN: WARD COVE

AT: KETCHIKAN, AK

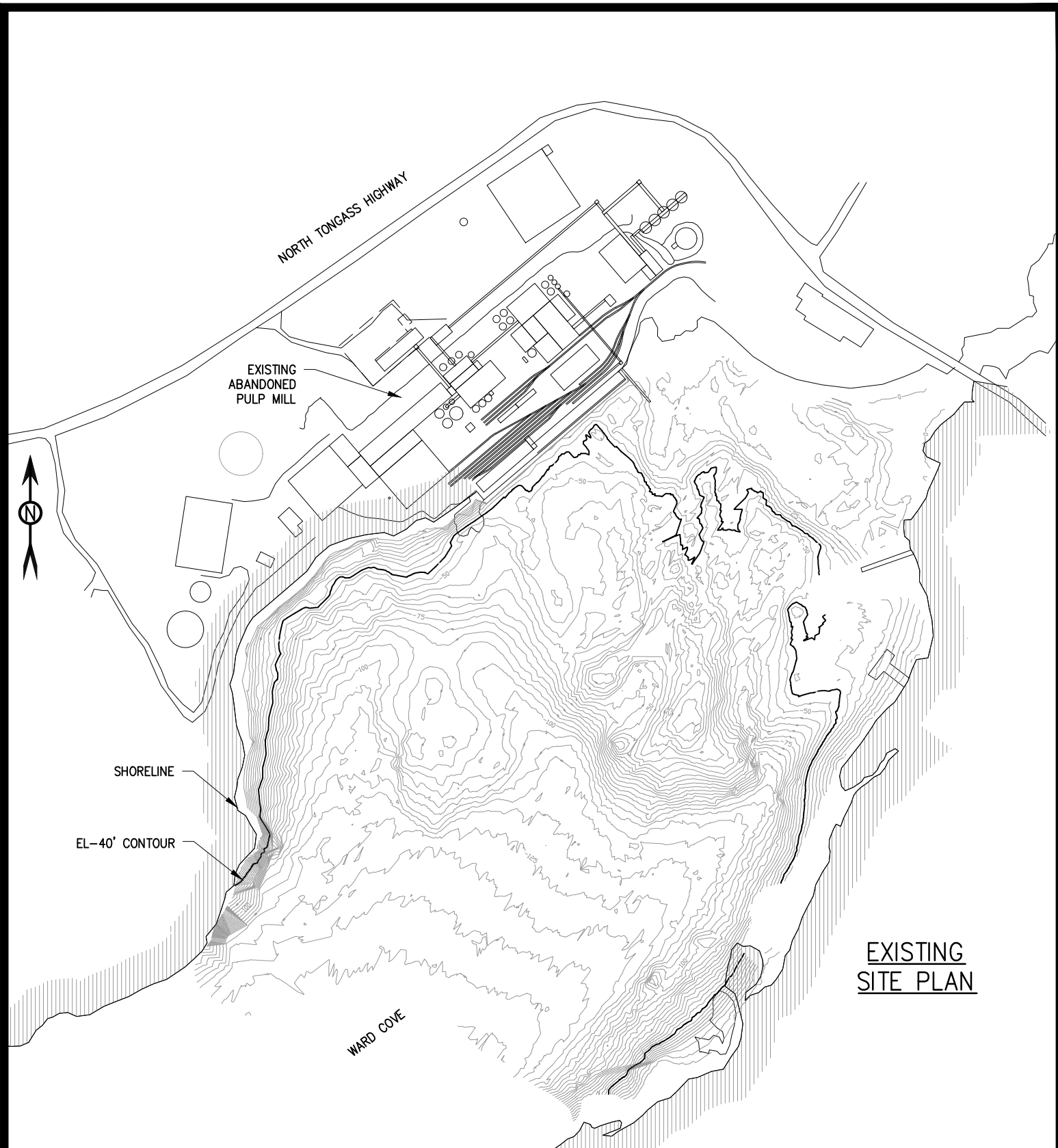
APPLICATION BY: POWER SYSTEMS & SUPPLIES OF ALASKA

DATUM: 0.0' HTL = 19.7'
MHW = 15.45'
MLLW = 0.0'

JOB NO. 19_112_A

DATE: 16 MAY 2019

SHEET: 1 OF 10



PURPOSE:

EXISTING SITE PLAN

PROPOSED:

CRUISE SHIP DOCK

IN:

WARD COVE

AT:

KETCHIKAN, AK

DATUM: 0.0'

HTL = 19.7'
MHW = 15.45'
MLLW = 0.0'

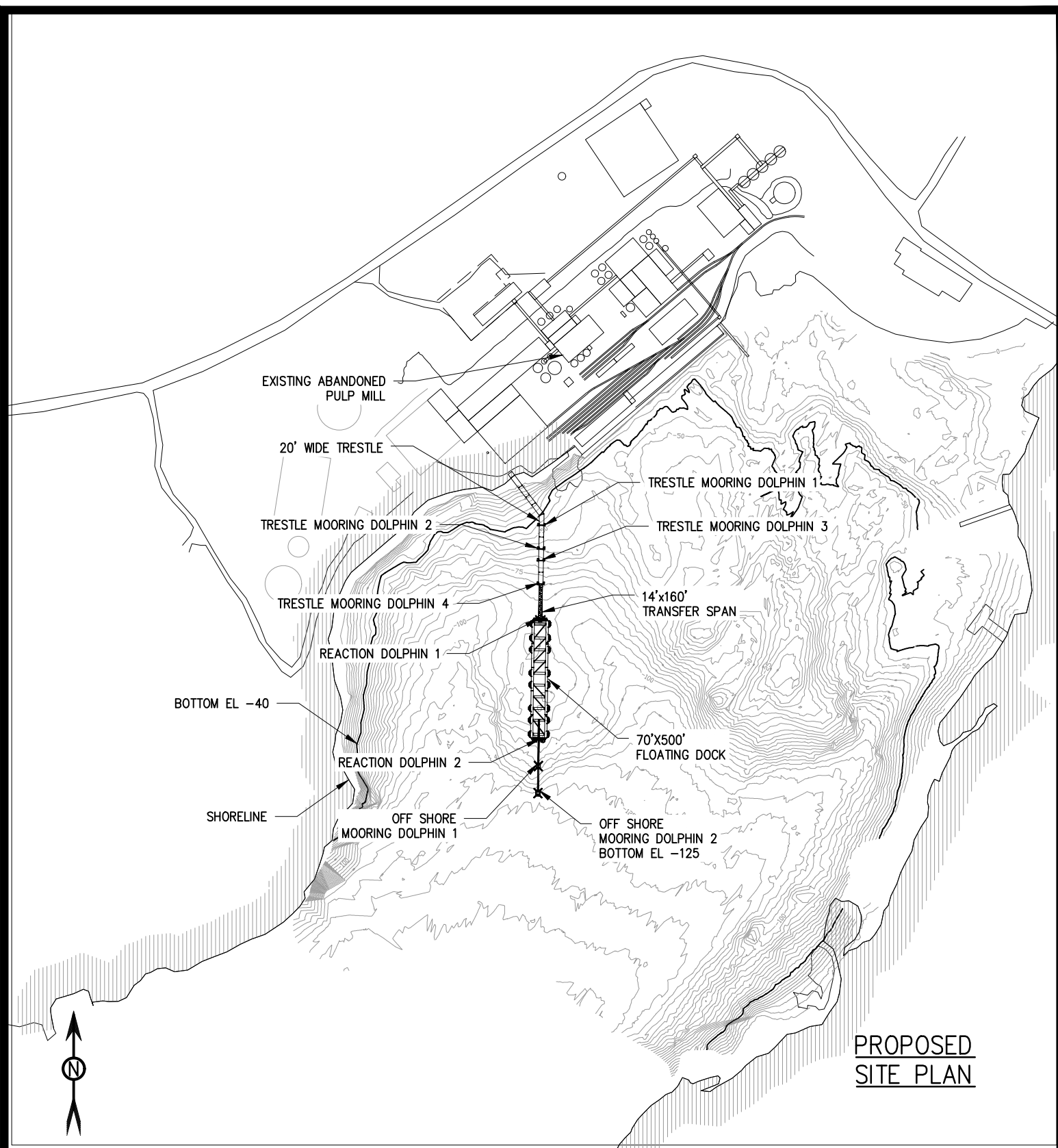
APPLICATION BY:

POWER SYSTEMS & SUPPLIES OF ALASKA

JOB NO. 19_112_A

DATE: 16 MAY 2019

SHEET: 2 OF 10



PURPOSE:

PROPOSED SITE PLAN

PROPOSED:

CRUISE SHIP DOCK

IN:

WARD COVE

AT:

KETCHIKAN, AK

DATUM: 0.0'

HTL = 19.7'
MHW = 15.45'
MLLW = 0.0'

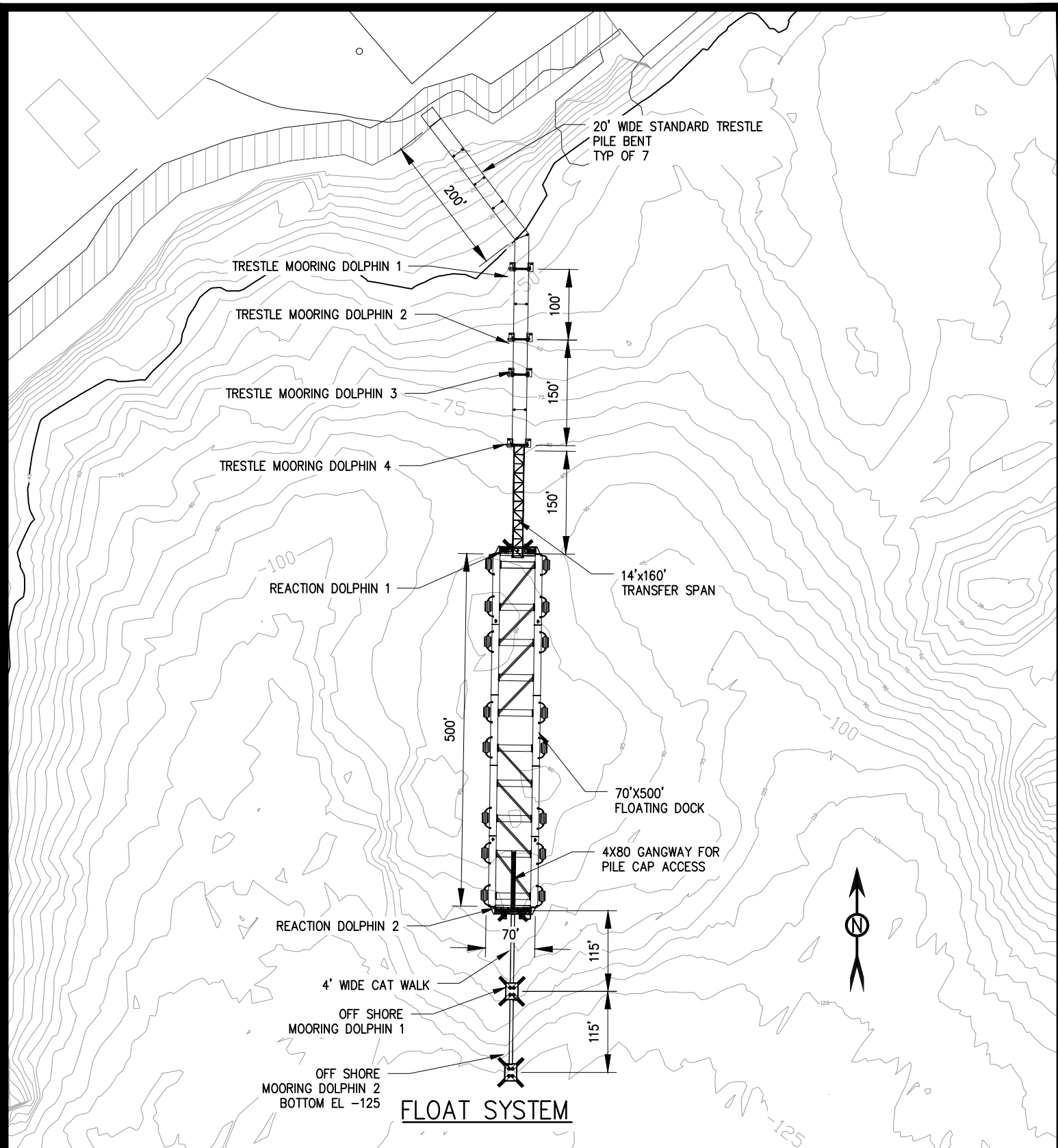
JOB NO. 19_112_A

APPLICATION BY:

POWER SYSTEMS & SUPPLIES OF ALASKA

DATE: 16 MAY 2019

SHEET: 3 OF 10



PURPOSE:

PROPOSED FLOAT SYSTEM

PROPOSED:

CRUISE SHIP DOCK

IN:

WARD COVE

AT:

KETCHIKAN, AK

DATUM: 0.0'

HTL = 19.7'
MHW = 15.45'
MLLW = 0.0'

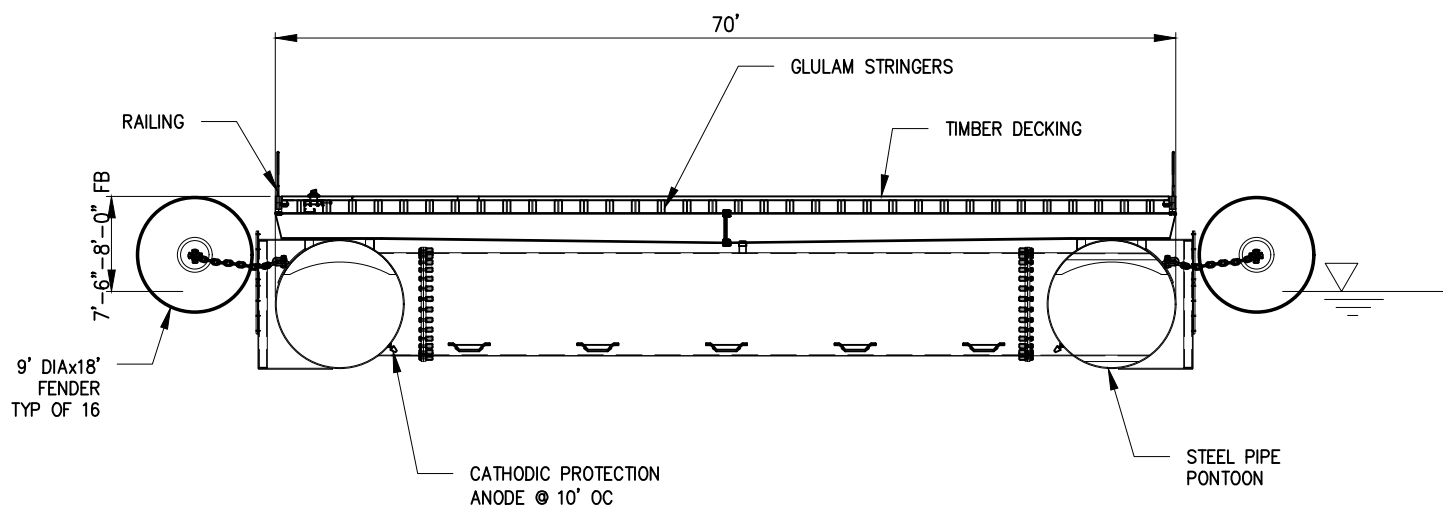
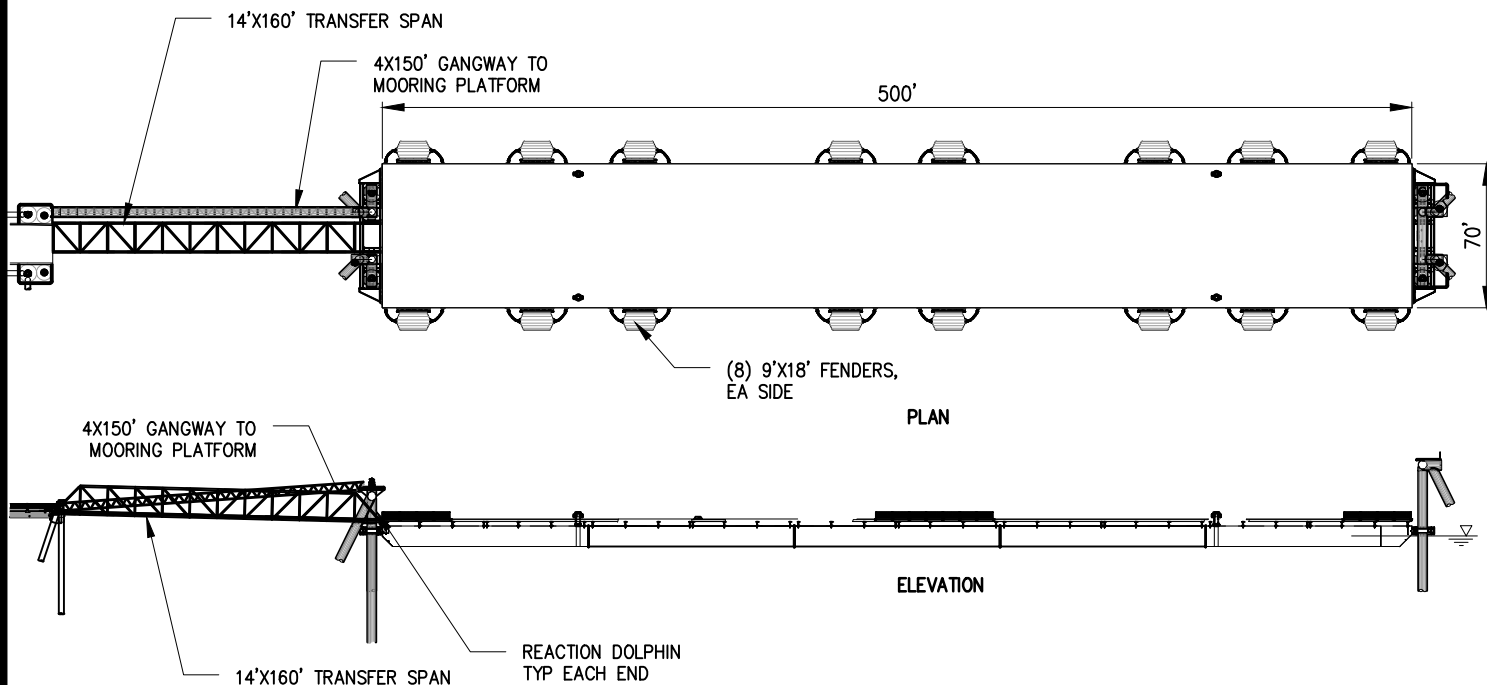
APPLICATION BY:

POWER SYSTEMS & SUPPLIES OF ALASKA

DATE: 16 MAY 2019

SHEET: 4 OF 10

JOB NO. 19_112_A



TYPICAL FLOAT SECTION

PURPOSE: NEW CRUISE
SHIP DOCK

DATUM: 0.0' HTL = 19.7'
MHW = 15.45'
MLLW = 0.0'

TYPICAL
FLOAT

JOB NO. 19_112_A

PROPOSED: CRUISE SHIP DOCK

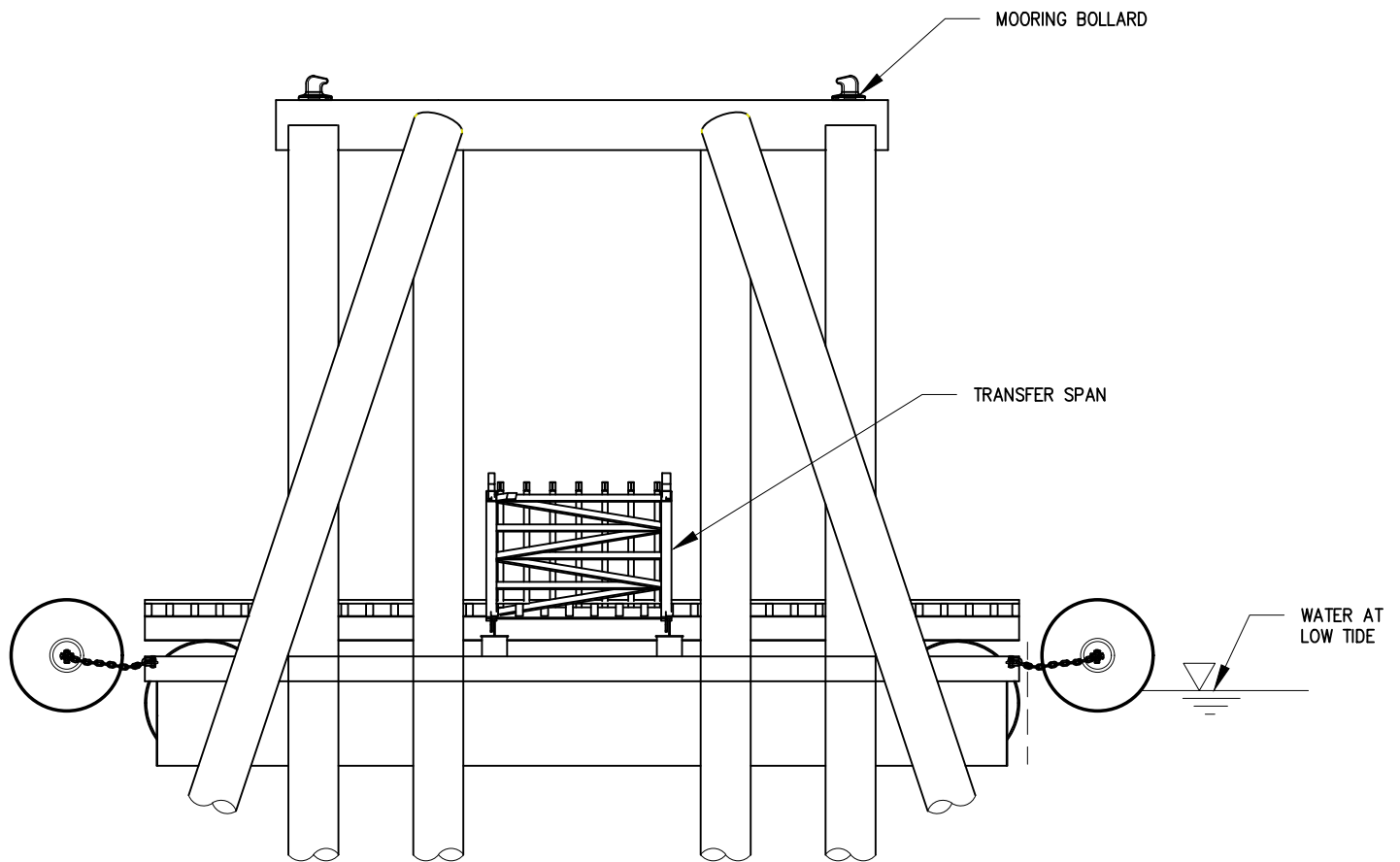
IN: WARD COVE

AT: KETCHIKAN, AK

APPLICATION BY: POWER SYSTEMS & SUPPLIES OF ALASKA

DATE: 16 MAY 2019

SHEET: 5 OF 10



REACTION DOLPHIN

PURPOSE: NEW CRUISE
SHIP DOCK

DATUM: 0.0' HTL = 19.7'
MHW = 15.45'
MLLW = 0.0'

PROPOSED
REACTION DOLPHIN

JOB NO. 19_112_A

PROPOSED: CRUISE SHIP DOCK

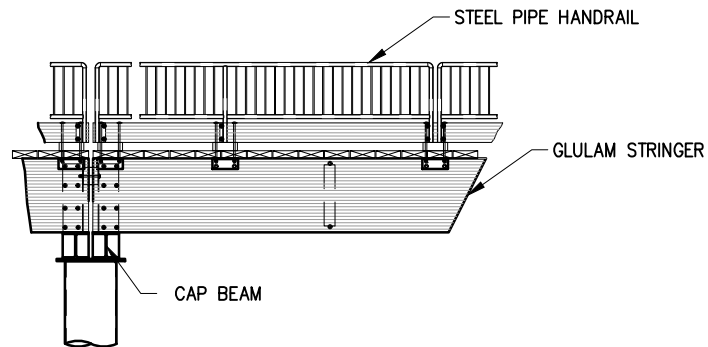
IN: WARD COVE

AT: KETCHIKAN, AK

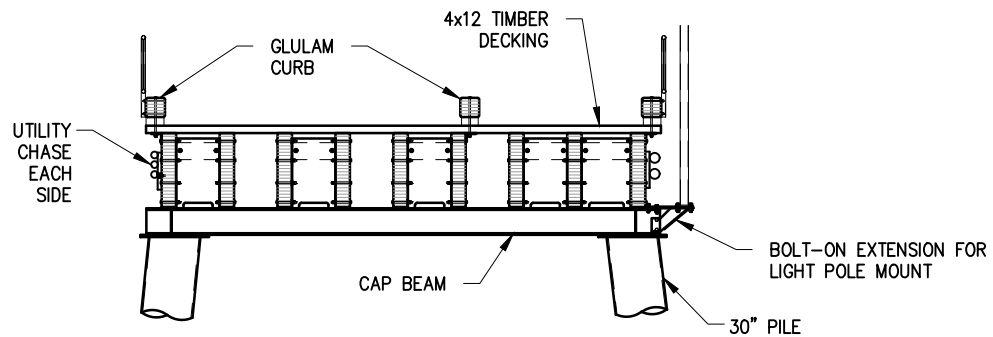
APPLICATION BY: POWER SYSTEMS & SUPPLIES OF ALASKA

DATE: 16 MAY 2019

SHEET: 6 OF 10



ELEVATION AT PILE BENT



SECTION AT PILE BENT

TYPICAL TRESTLE SECTION
AT STANDARD BENT

PURPOSE:

PROPOSED
TRESTLE DETAIL

PROPOSED: CRUISE SHIP DOCK

IN: WARD COVE

AT: KETCHIKAN, AK

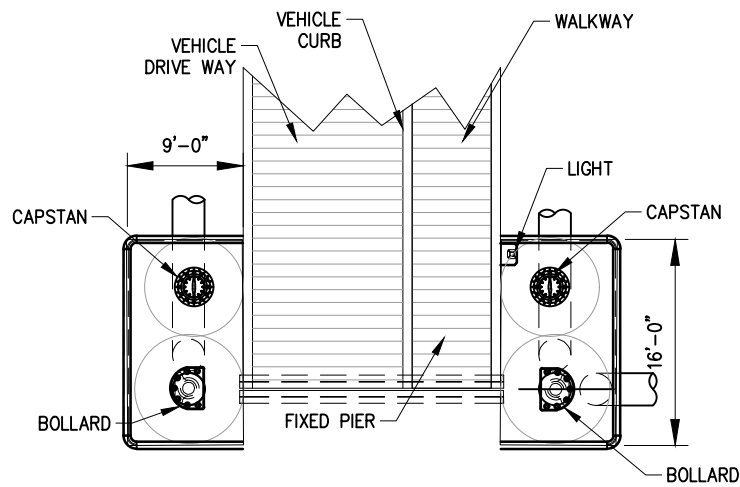
DATUM: 0.0' HTL = 19.7'
MHW = 15.45'
MLLW = 0.0'

APPLICATION BY: POWER SYSTEMS & SUPPLIES OF ALASKA

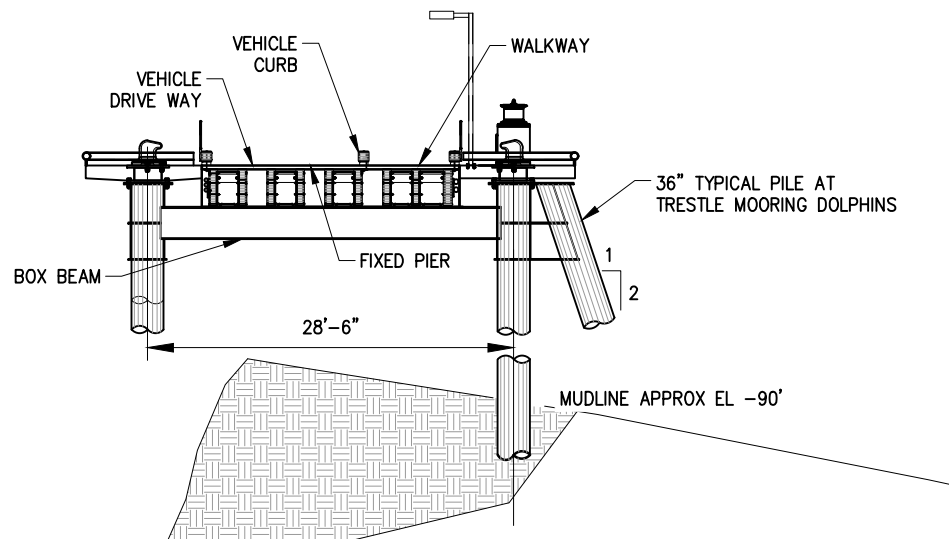
JOB NO. 19_112_A

DATE: 16 MAY 2019

SHEET: 7 OF 10



PLAN



ELEVATION

TYPICAL TRESTLE SECTION
AT MOORING DOLPHIN

PURPOSE:

PROPOSED
MOORING DOLPHIN

PROPOSED:

CRUISE SHIP DOCK

IN:

WARD COVE

AT:

KETCHIKAN, AK

DATUM: 0.0'

HTL = 19.7'
MHW = 15.45'
MLLW = 0.0'

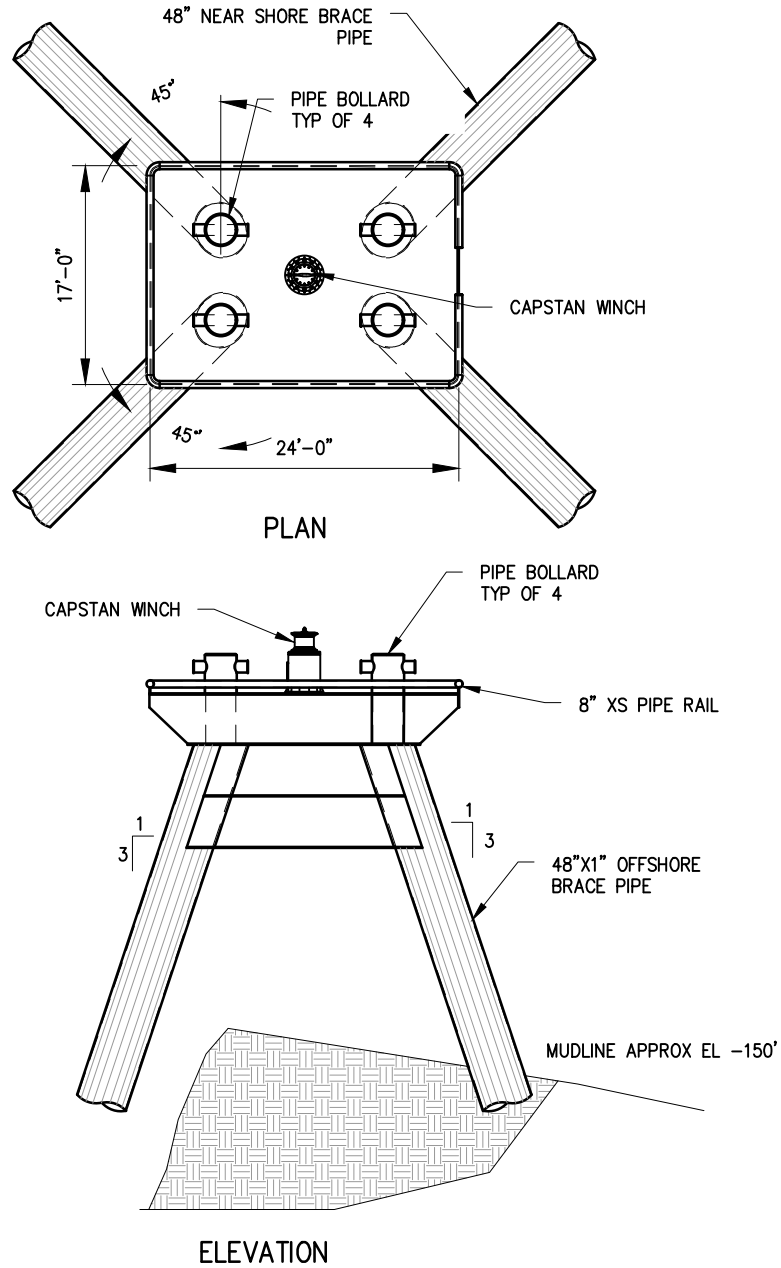
APPLICATION BY:

POWER SYSTEMS & SUPPLIES OF ALASKA

JOB NO. 19_112_A

DATE: 16 MAY 2019

SHEET: 8 OF 10



ELEVATION
OFFSHORE MOORING DOLPHIN DETAIL

PURPOSE:

**PROPOSED
 MOORING DOLPHIN**

PROPOSED: CRUISE SHIP DOCK

IN: WARD COVE

AT: KETCHIKAN, AK

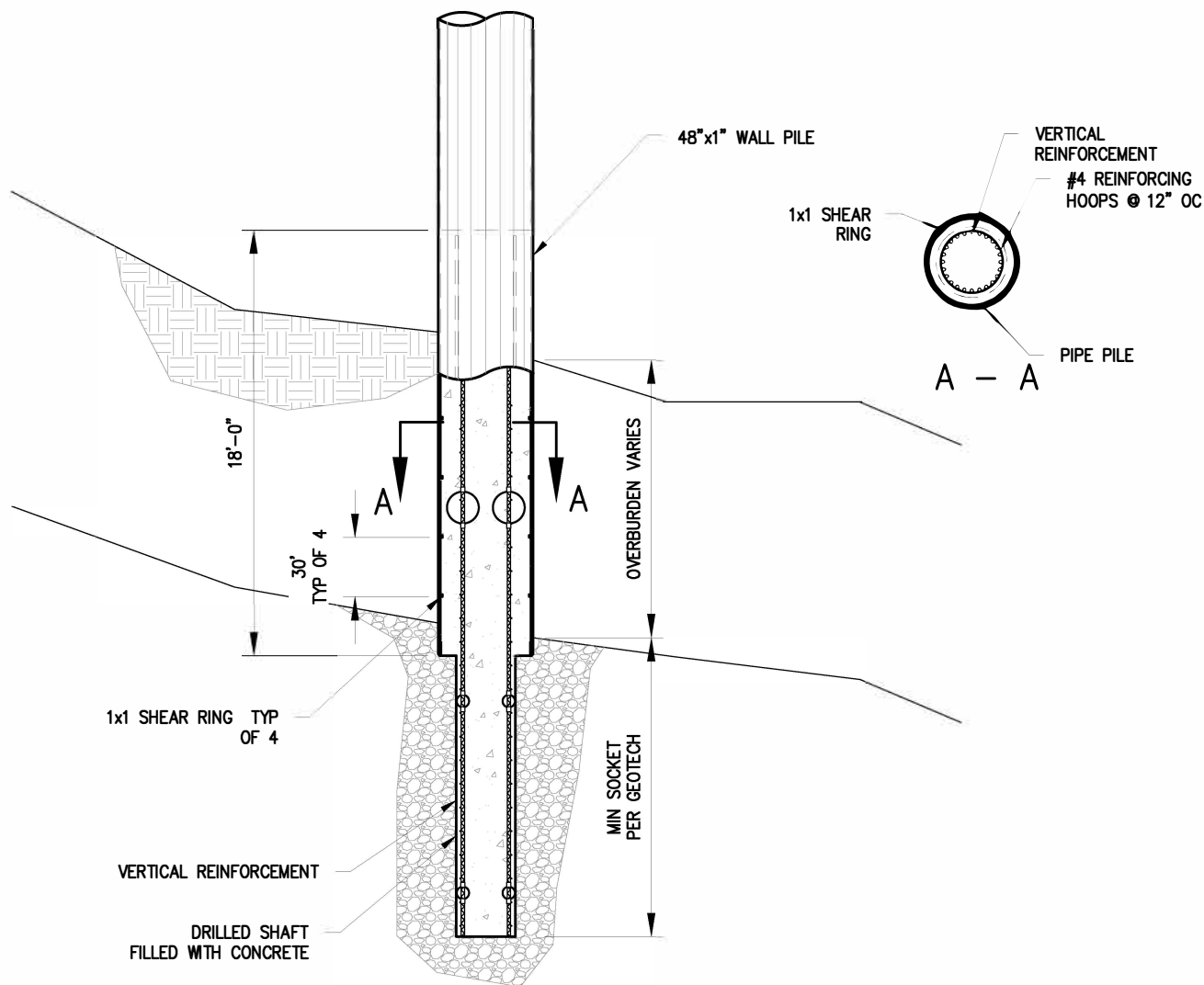
DATUM: 0.0' HTL = 19.7'
 MHW = 15.45'
 MLLW = 0.0'

APPLICATION BY: POWER SYSTEMS & SUPPLIES OF ALASKA

JOB NO. 19_112_A

DATE: 16 MAY 2019

SHEET: 9 OF 10



ELEVATION

TYPICAL ELEVATION AT ROCK ANCHOR

PROPOSED PILE SCHEDULE				
LOCATION	SIZE	QTY	MAX LENGTH	SOCKET LENGTH
TRESTLE BENT (7 BENTS WITH 2 PILES PER BENT)	30"	14	120'	30'
TRESTLE MOORING DOLPHIN (4 DOLPHINS WITH 5 PILES PER DOLPHIN)	36"	20	130'	30'
REACTION DOLPHIN (2 DOLPHINS WITH 6 PILES PER DOLPHIN)	48"	12	150'	30'
OFF SHORE MOORING DOLPHIN (2 DOLPHINS WITH 4 PILES PER DOLPHIN)	48"	8	180'	30'
TEMPLATE PILE (20 PILES FOR STANDARD TRESTLE, 12 PILES FOR MOORING TRESTLE, 8 PILES FOR REACTION DOLPHINS AND 8 PILES FOR OFF SHORE MOORING DOLPHINS)	30"	48	VARIES	VARIES

PURPOSE:

PROPOSED
PILE ANCHOR

PROPOSED:

CRUISE SHIP DOCK

IN:

WARD COVE

AT:

KETCHIKAN, AK

DATUM: 0.0'

HTL = 19.7'
MHW = 15.45'
MLLW = 0.0'

APPLICATION BY:

POWER SYSTEMS & SUPPLIES OF ALASKA

DATE: 16 MAY 2019

SHEET: 10 OF 10

JOB NO. 19_112_A