



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:	June 6, 2019
EXPIRATION DATE:	July 6, 2019
REFERENCE NUMBER:	POA-2019-00231
WATERWAY:	Turnagain Arm

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. 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 Jason Berkner at (907) 753-5778, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Jason.R.Berkner@usace.army.mil if further information is desired concerning this notice.

APPLICANT: U.S. Forest Service, Glacier Ranger District, Chugach National Forest 145 Forest Station Road, Girdwood, AK, 99587.

PROJECT NAME: Portage Curve Multimodal Connector.

LOCATION: The project site is located within Section 5, T. 8N., R. 3E., Seward Meridian; Latitude 60.817° N., Longitude 148.967° W.; within the Municipality of Anchorage and the Kenai Peninsula Borough; near Portage, Alaska.

PURPOSE: The applicant's stated project purpose is to provide safe multimodal access along the Seward Highway right-of-way between Ingram Creek and the hooligan fishing parking area proposed by Alaska Department of Transportation and Public Facilities' (DOT&PF) north of the Twenty-mile River. There is a need for safe, multimodal access through the project area, due to its popularity for a variety of recreation activities. Access to these activities is currently disconnected, limited, and inefficient.

PROPOSED WORK: The applicant proposes to construct the Portage Curve Multimodal Connector Main Trail Project. This work would result in discharges of fill material into a total of 11.27 acres of wetlands, and other waters, that abut and/or are adjacent to the Turnagain Arm of the Cook Inlet. This total includes approximately 0.03-acre of Federally Navigable Waters subject to Section 10 of the Rivers and Harbors Act of 1899. Table 1 provides a summary of direct impacts to wetlands/waters by wetland type.

TABLE 1. SUMMARY OF DIRECT IMPACTS TO WETLANDS AND OTHER WATERS

Wetland Type	Acres
Emergent	1.35
Scrub-Shrub	1.60
Aquatic Beds, Ponds, & Lakes	2.97
Estuarine Shorelines and Waters	5.32
Total Section 404 (Section 10)	11.24 (0.03)
Grand total Section 404 and 10	11.27

The proposed discharges are for the construction of an 8-foot wide, universally accessible trail along approximately seven miles of the Seward Highway, and construction of four trailhead parking areas and one spur trail.

The primary trail would parallel the Seward Highway and cross the Twenty-mile River, Portage Creeks Number 1 and 2, Placer River, and Placer River Overflow on bridges constructed by the DOT&PF as part of the proposed Seward Highway Milepost 75 to 90 Road and Bridge Rehabilitation Project (ref. POA-2013-00448). The proposed trail would connect: proposed future segments of the Iditarod National Historic Trail at each end; the Trail of Blue Ice segment of the Iditarod National Historic Trail via the Moose Flats Day Use Area; the Alaska Railroad Corporation Portage Station; the Alaska Wildlife Conservation Center; and DOT&PF's proposed parking area that would serve the subsistence hooligan fishery north of Twenty-mile River.

In addition to constructing the primary trail, the project would include construction of four trailhead parking areas and a trail connecting the primary trail to the Moose Flats Day Use Area in the Portage Valley. A new connection between the primary trail and the Trail of Blue Ice at the Moose Flats Day Use Area would allow continuous trail connections between the Portage Curve area, two Chugach National Forest campgrounds, fish viewing platforms, and the Begich, Boggs Visitor Center at Portage Lake.

Each of the four proposed trailheads are described below.

- Ingram Creek: Parking for approximately eight vehicles in a former Seward Highway alignment near Ingram Creek on the mountain side of the Seward Highway, and access to the planned Ingram Creek segment of the Iditarod National Historic Trail.
- Placer River: Parking for approximately seven vehicles, with additional parallel parking along access road. Existing boater access would be retained. Trailhead would be located on inlet side of new highway alignment and bridge.
- Portage 2: Parking for approximately 24 vehicles would be developed with access off of the existing Alaska Wildlife Conservation Center driveway. Existing parking off of highway would be removed, and proposed trailhead would provide safer parking and boater access to Portage Creek 2.
- Alaska Railroad Corporation Portage Station: Parking for approximately 86 passenger vehicles and 3 buses would be developed. This facility would be developed in cooperation with the Alaska Railroad Corporation's (ARRC) planned upgrade of facilities at Portage Station as a separate construction project.

All work would be performed in accordance with the enclosed plan (sheets 1-27), dated March 27, 2019.

APPLICANT PROPOSED MITIGATION STATEMENT: The applicant has proposed 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 proposed project parallels the Seward Highway Milepost 75 to 90 Rehabilitation Project. The location of a linear project adjacent to an existing project limits the amount of wetlands avoidance possible. By siting the trail on the side of the new highway route opposite Turnagain Arm, wetlands directly adjacent to the Arm were avoided to the greatest extent practicable. For portions of the trail not adjacent to the highway routes were chosen to cross local high ground wherever available.

b. Minimization: Wetland impacts were minimized by using the steepest side slopes consistent with user safety and engineering practices.

c. Compensatory Mitigation: The applicant has proposed compensation through restoration of wetland and aquatic habitat value from two Chugach National Forest projects, the Freestone Gravel Pit Restoration and the Portage Valley Waterfowl and Fish Habitat Improvement 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 lead Federal agency, the US Forest Service, is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. A permit for the described work will not be issued until the Section 106 process has been completed and the Corps concurs with the US Forest Service's work or documentation. Any comments received regarding historic properties or the 106 process will be forwarded to the lead Federal agency and considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known range of the Cook Inlet distinct population segment of beluga whales (*Delphinapterus leucas*). The Cook Inlet beluga whale (CIBW) is federally designated as endangered under the Endangered Species Act (ESA). The project area is located within waters designated as Critical Habitat for the Cook Inlet beluga whale.

The project would be constructed in conjunction with the Seward Highway Milepost 75 to 90 Road and Bridge Rehabilitation Project. In preparation for the Seward Highway MP 75-90 Project, DOT&PF transmitted a Biological Assessment to National Marine Fisheries Service (NMFS) seeking concurrence and conclusion of the informal consultation process under Section 7 of the ESA. NMFS completed informal consultation and responded in a letter dated September 18, 2015, and another dated November 11, 2017, with their concurrence that the project is not likely to adversely affect CIBW or adversely modify their critical habitat.

The Portage Curve Multimodal Connector Trail would not have any impacts on the CIBW or its designated critical habitat, as sufficient bridge width was included in the Seward Highway 75 to 90 project design to accommodate the trail across the Placer River Overflow, Placer River, Portage Creek #1, Portage Creek #2, and the Twenty-mile River. Further, the trail would be on the mountain side of the highway in the vicinity of Ingram Creek.

We have determined the described activity would have no effect on the CIBW and would have no effect on its critical habitat. Therefore, no consultation with 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 forwarded to the lead Federal agency and 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 Chinook (*Oncorhynchus tshawytscha*), chum (*O. keta*), coho (*O. kisutch*), sockeye (*O. nerka*), and pink (*O. gorbuscha*) salmon. 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.

The lead Federal agency, the US Forest Service, is responsible for compliance with the requirements of Magnuson-Stevens Act. A permit for the described work will not be issued until the process has been completed and the Corps concurs with the US Forest Service's work or documentation.

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 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.

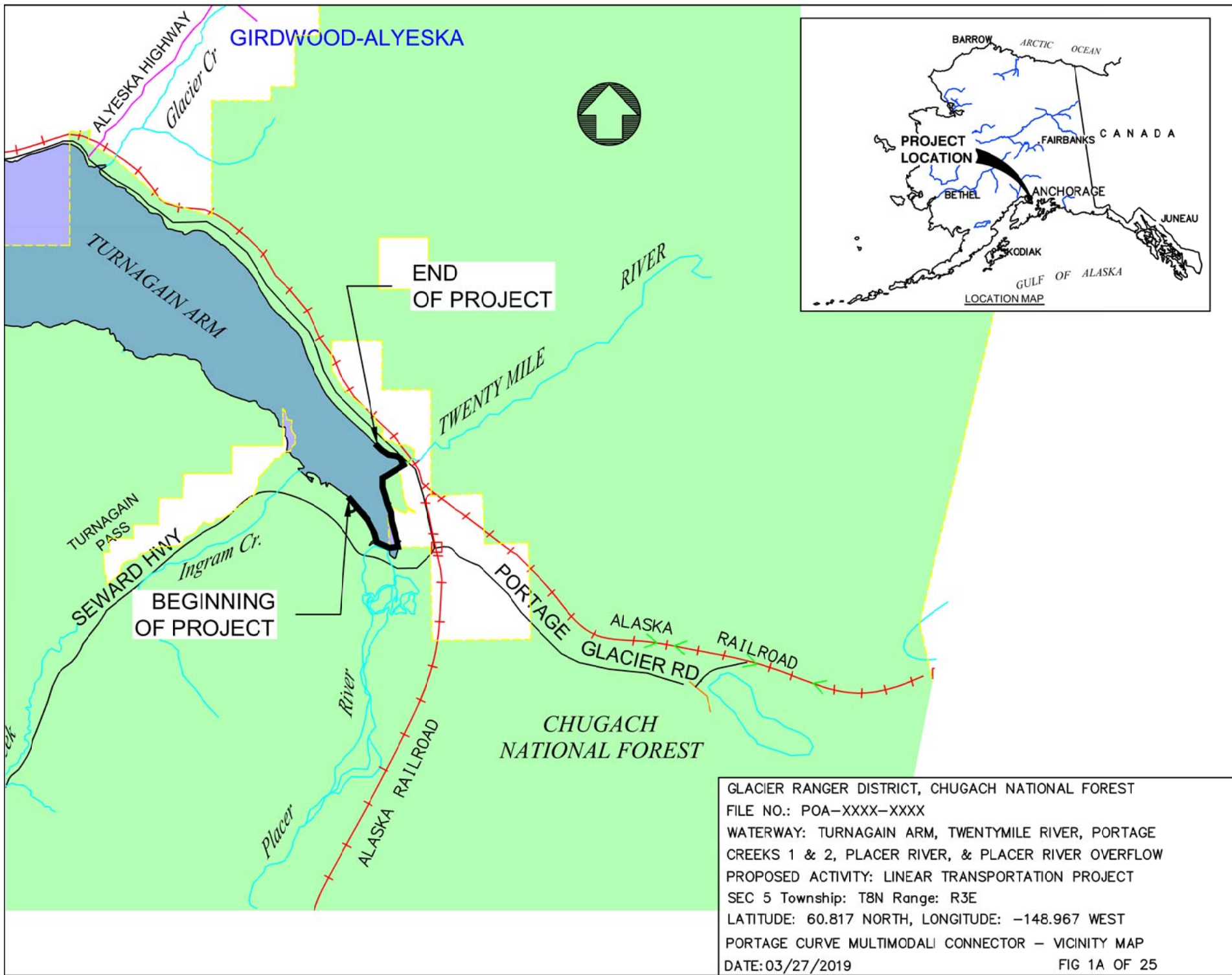
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number **POA-2019-00231, Turnagain Arm**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

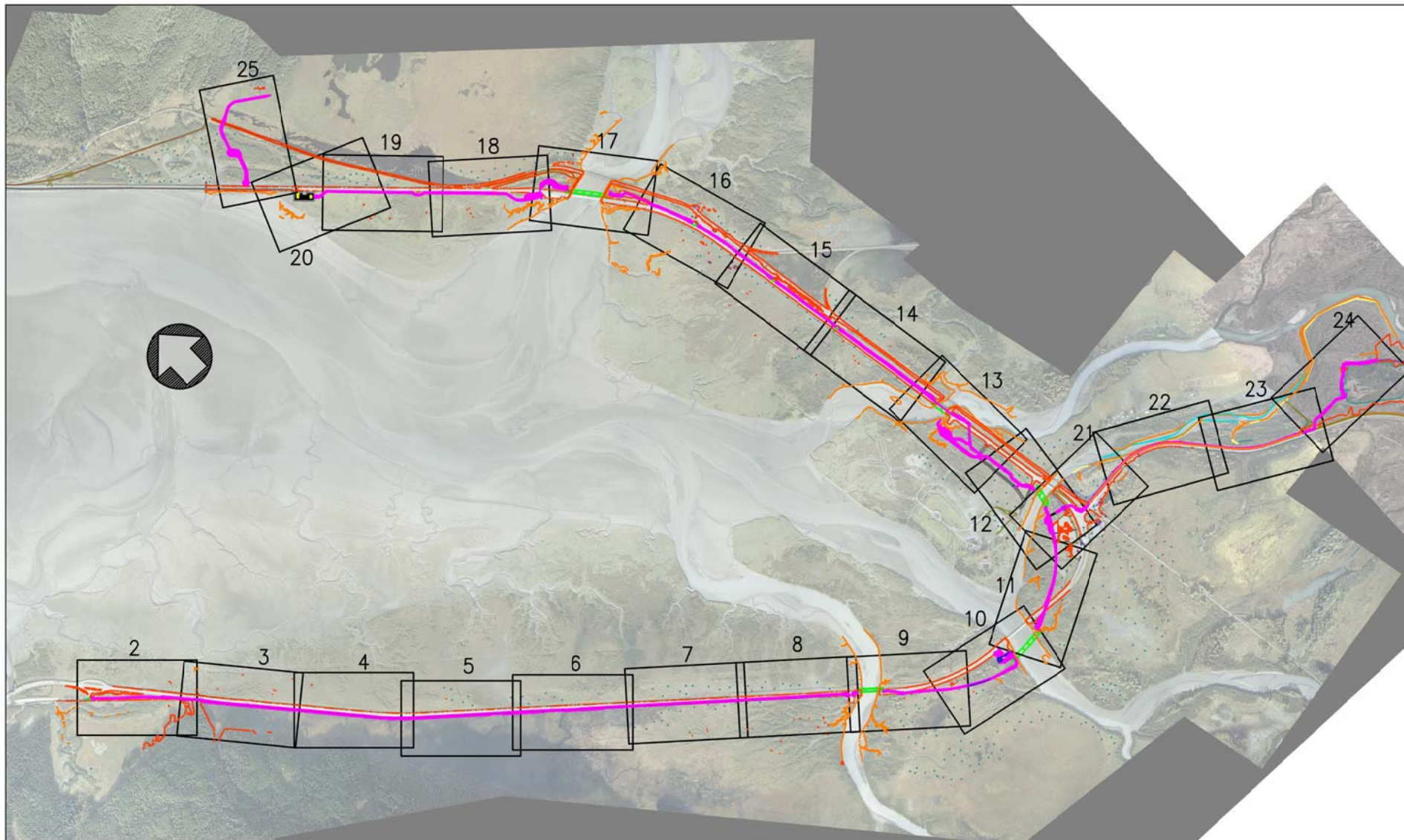
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

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.

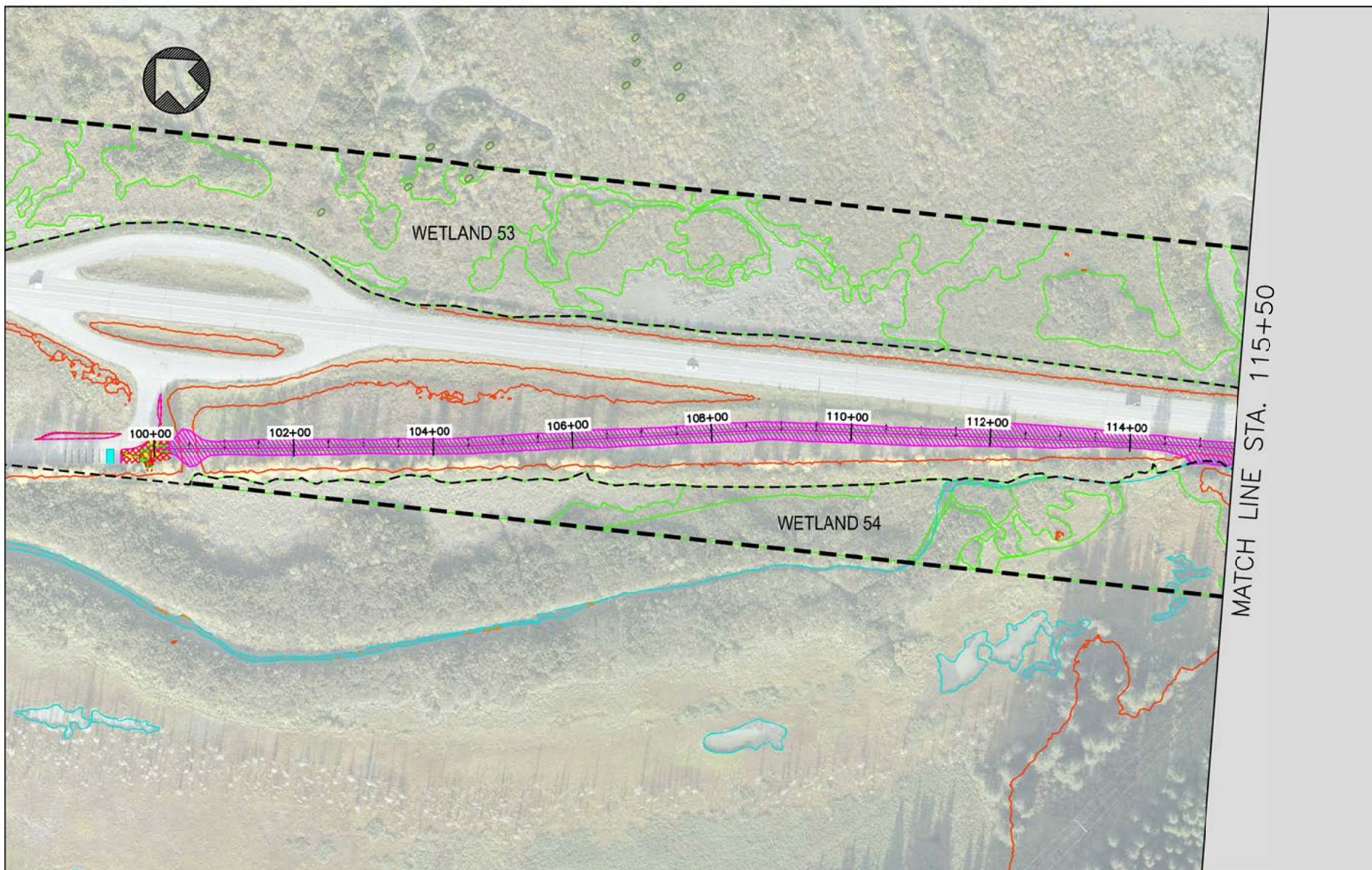
Disability Reasonable Accommodation Notice

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 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.

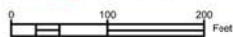




GLACIER RANGER DISTRICT, CHUGACH NATIONAL FOREST
 FILE NO.: POA-XXXX-XXXX
 WATERWAY: TURNAGAIN ARM, TWENTYMILE RIVER, PORTAGE
 CREEKS 1 & 2, PLACER RIVER, & PLACER RIVER OVERFLOW
 PROPOSED ACTIVITY: LINEAR TRANSPORTATION PROJECT
 SEC 5 Township: T8N Range: R3E
 LATITUDE: 60.817 NORTH, LONGITUDE: -148.967 WEST
 PORTAGE CURVE MULTIMODAL CONNECTOR - KEY MAP
 DATE: 03/27/2019



MATCH LINE STA. 115+50



Legend

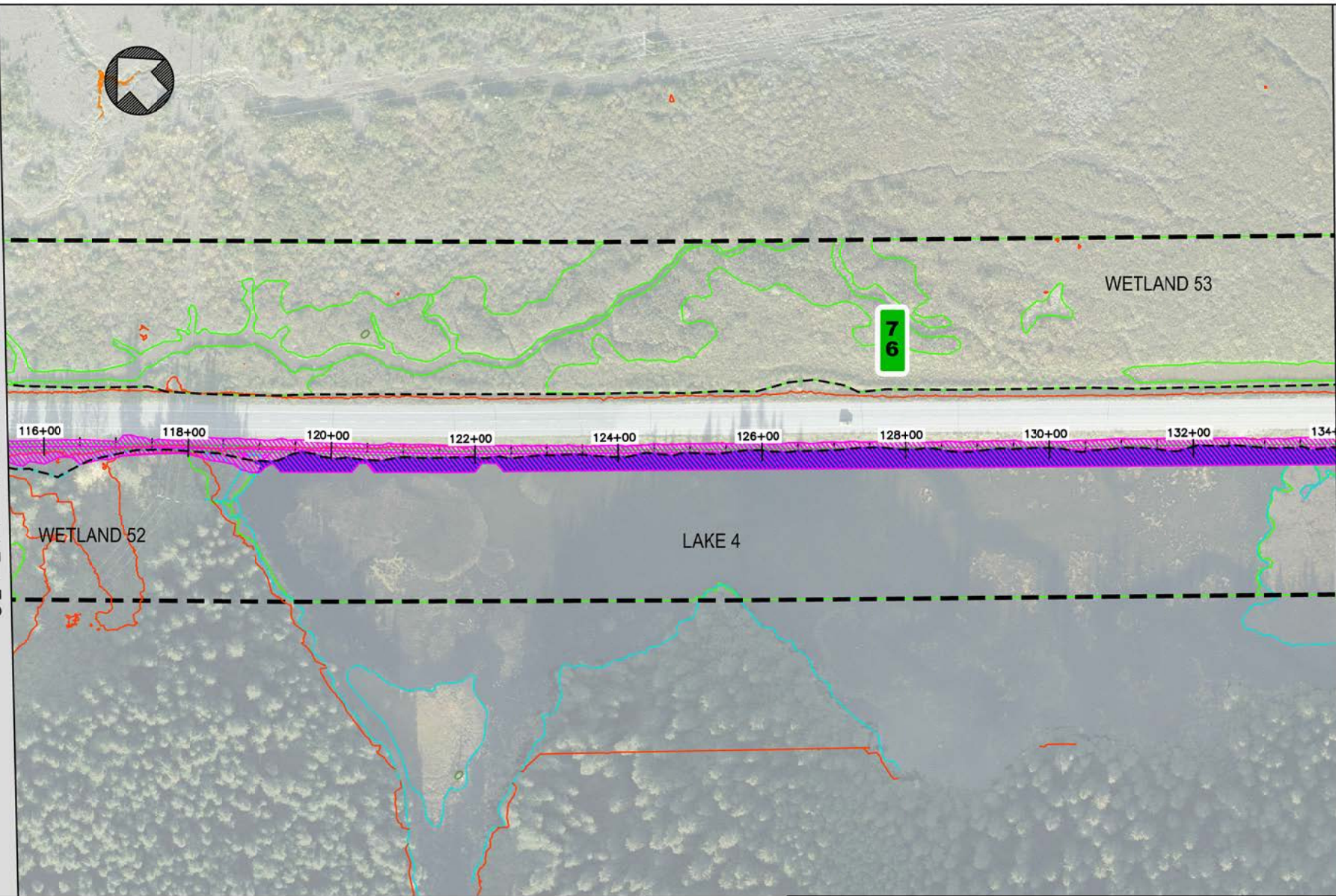
- Rail Road
- High Tide Line
- Mean High Water
- Wetland Boundary

- Wetland Project Review Boundary
- Project Footprint
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- Realignment
- Impact to Wetlands

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PORTAGE CURVE MULTIMODAL CONNECTOR - PLAN VIEW
DATE: 03/27/2019

MATCH LINE STA. 115+50

MATCH LINE STA. 134+00



Legend

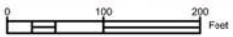
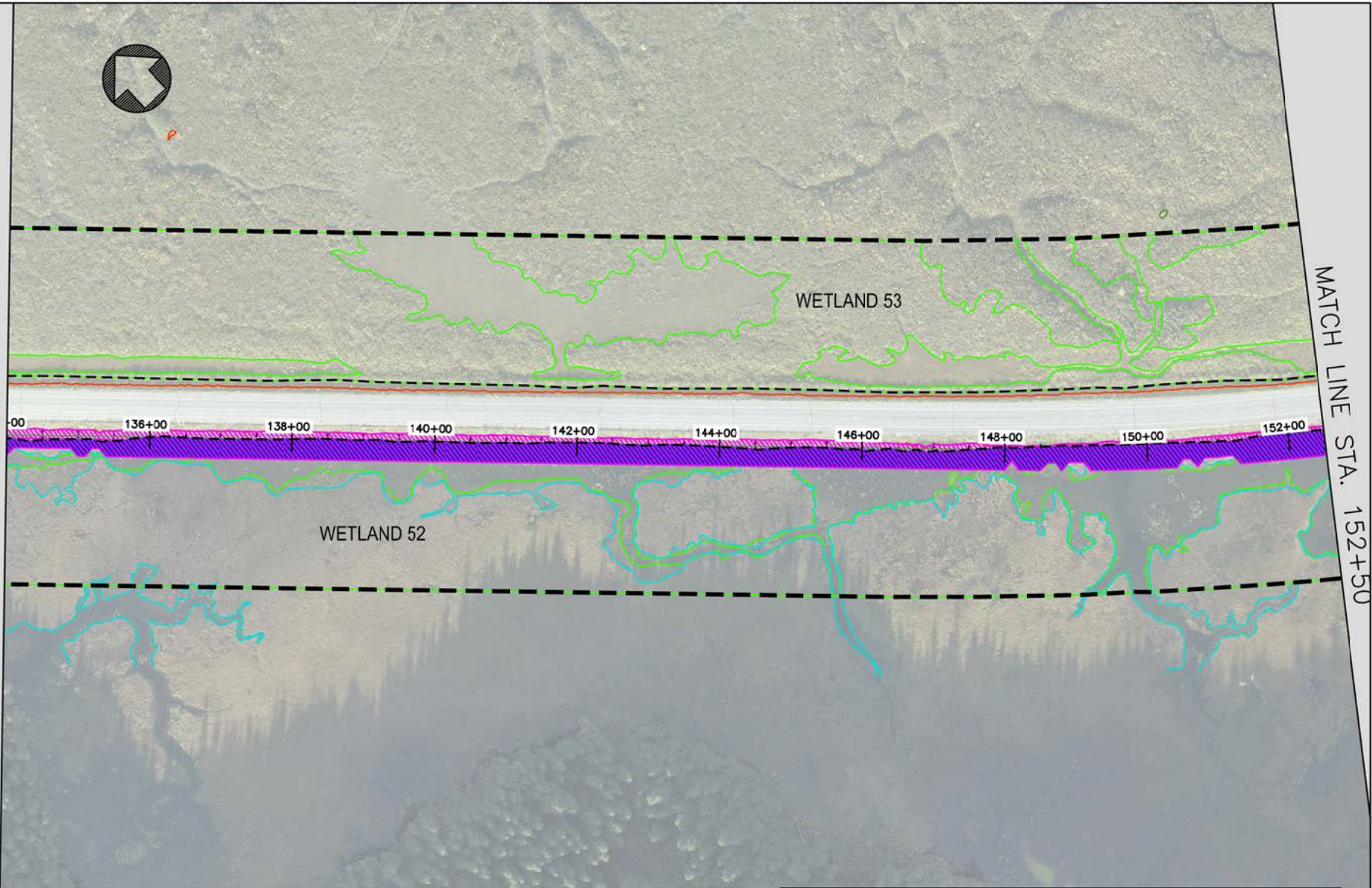
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PORTAGE CURVE MULTIMODAL CONNECTOR - PLAN VIEW
DATE: 03/27/2019

MATCH LINE STA. 134+00

MATCH LINE STA. 152+50



Legend

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MATCH LINE STA. 152+50

MATCH LINE STA. 171+00



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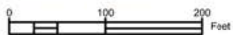
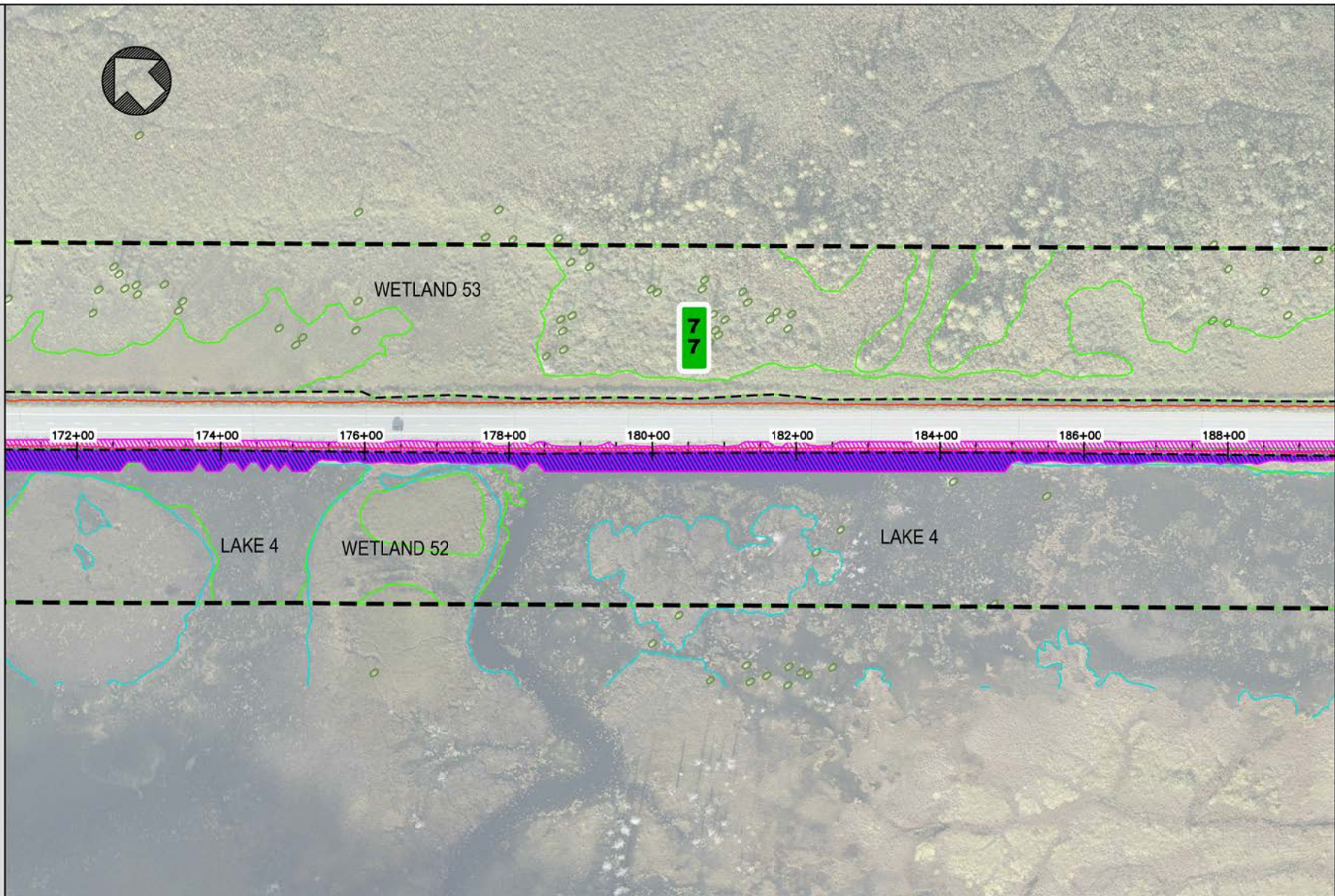
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MATCH LINE STA. 171+00

MATCH LINE STA. 189+50



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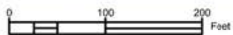
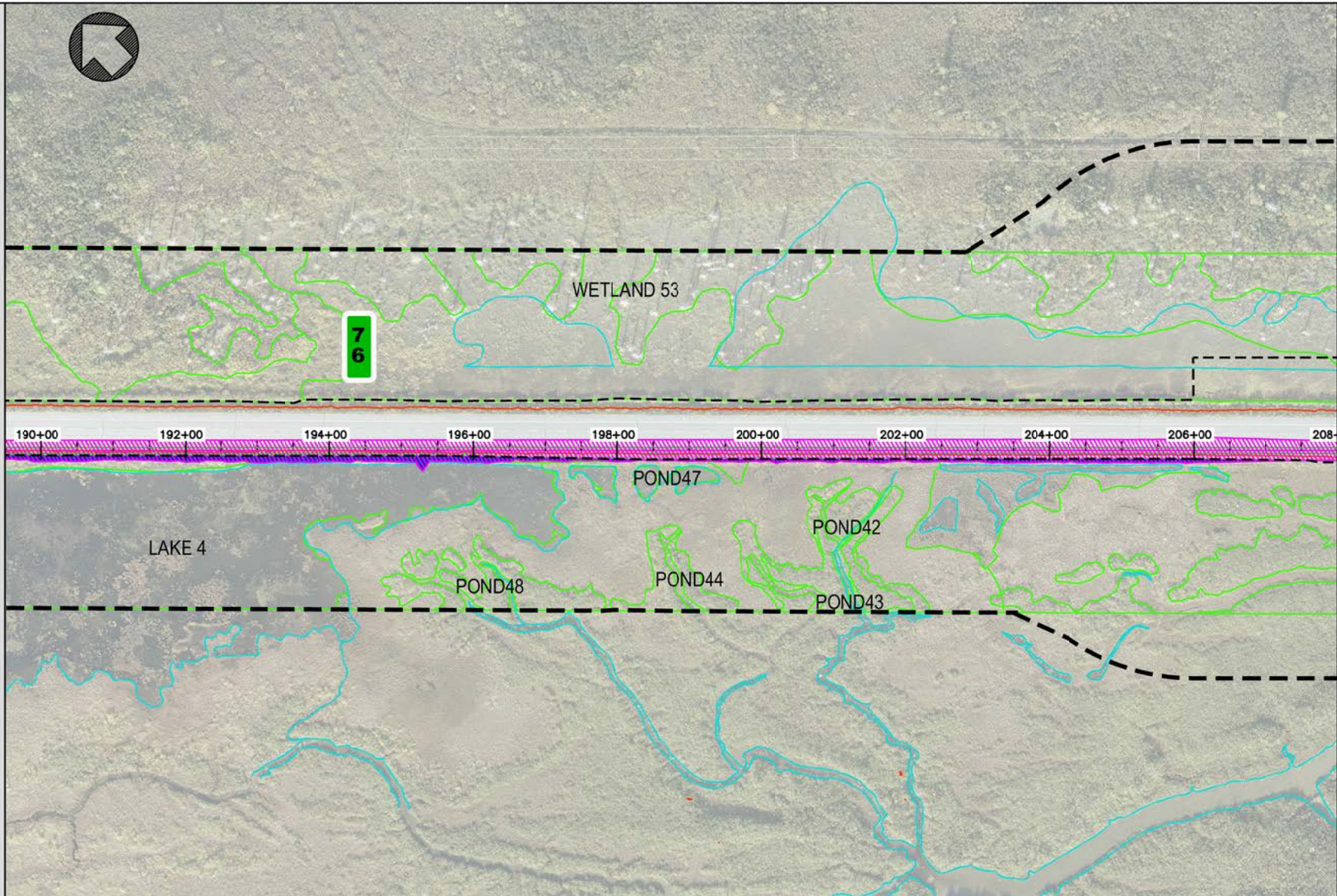
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MATCH LINE STA. 189+50

MATCH LINE STA. 208+00



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MATCH LINE STA. 208+00



MATCH LINE STA. 226+00

WETLAND 53

WETLAND 52

210+00 212+00 214+00 216+00 218+00 220+00 222+00 224+00 226+00

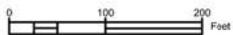
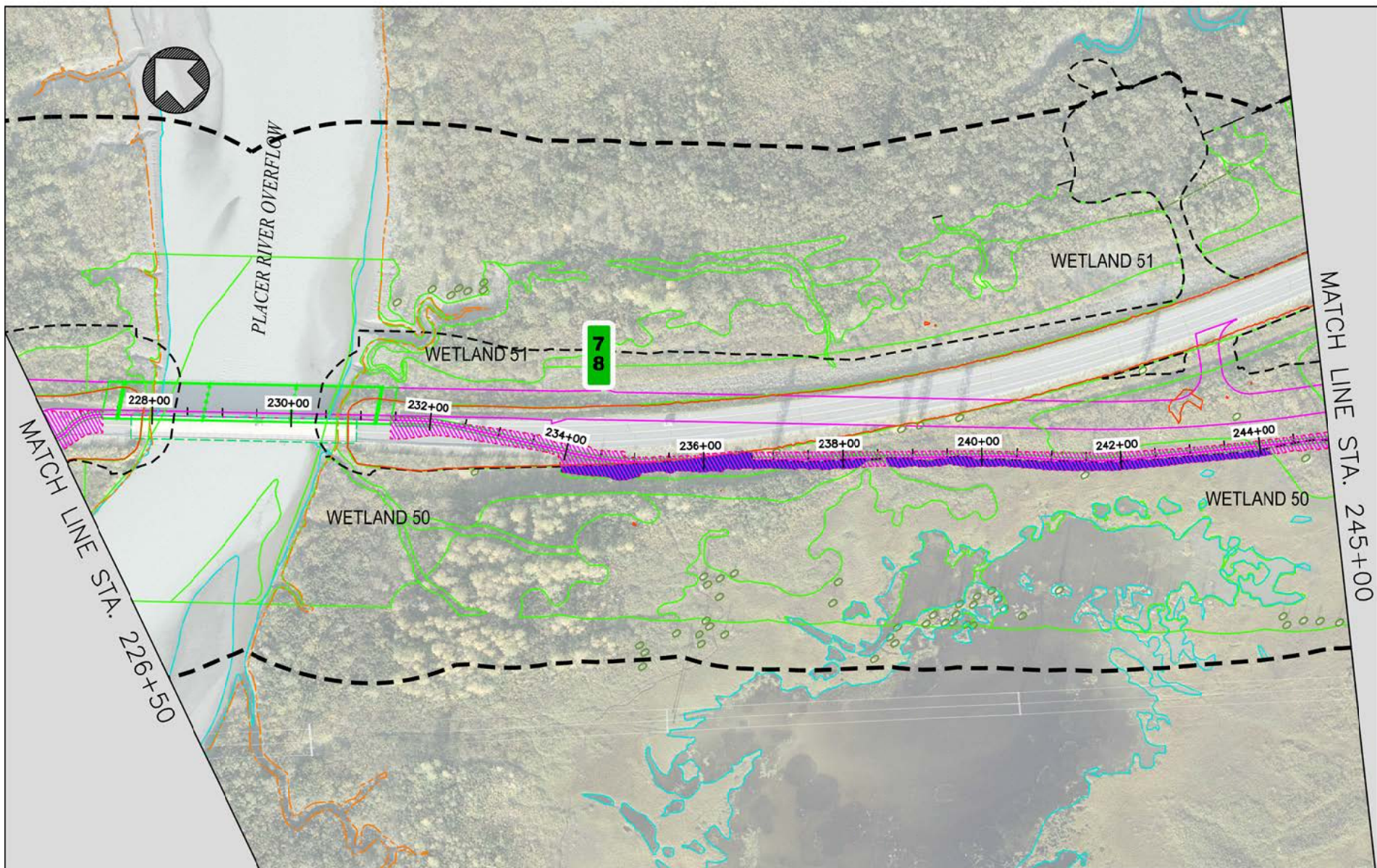
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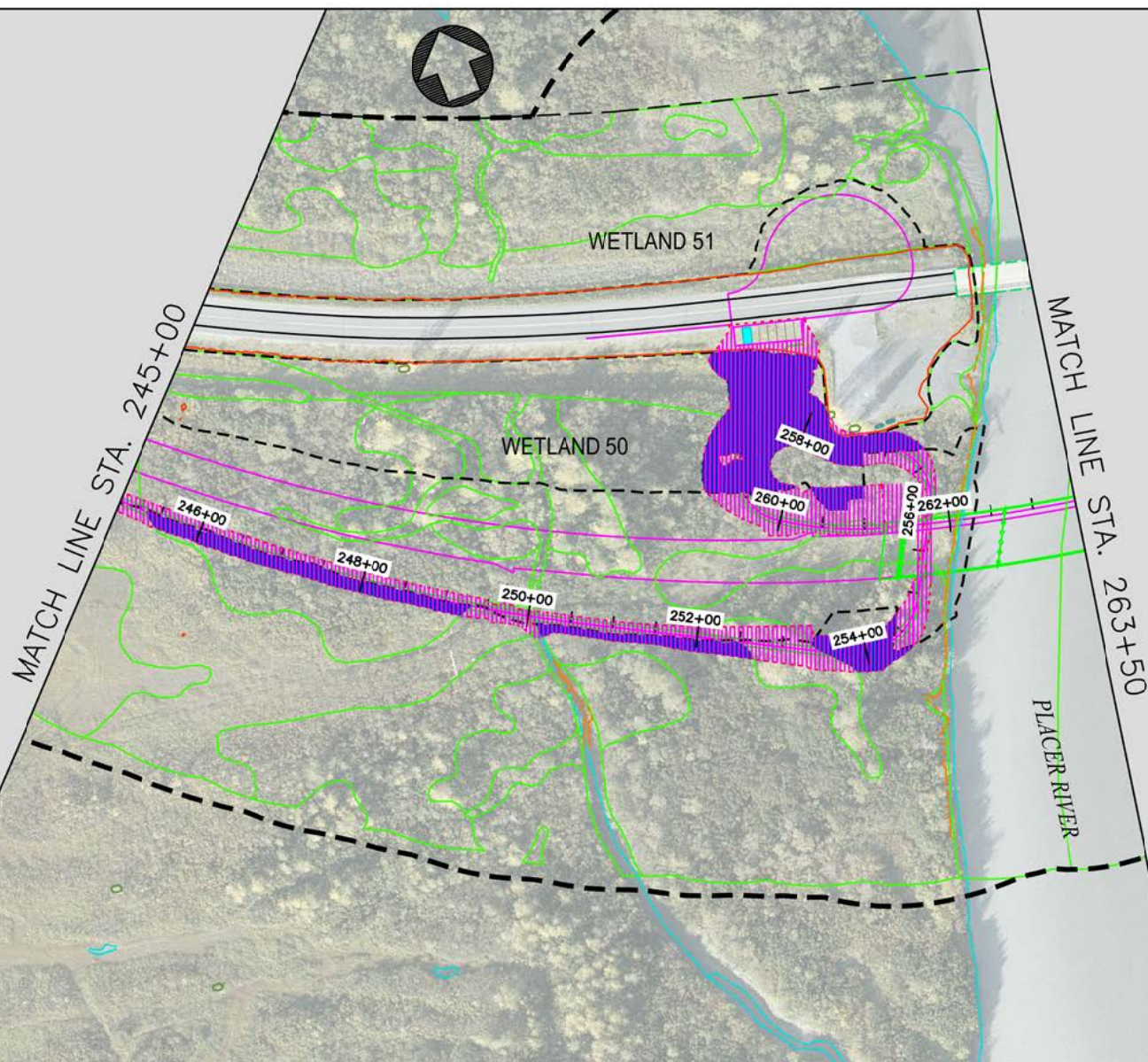


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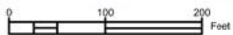
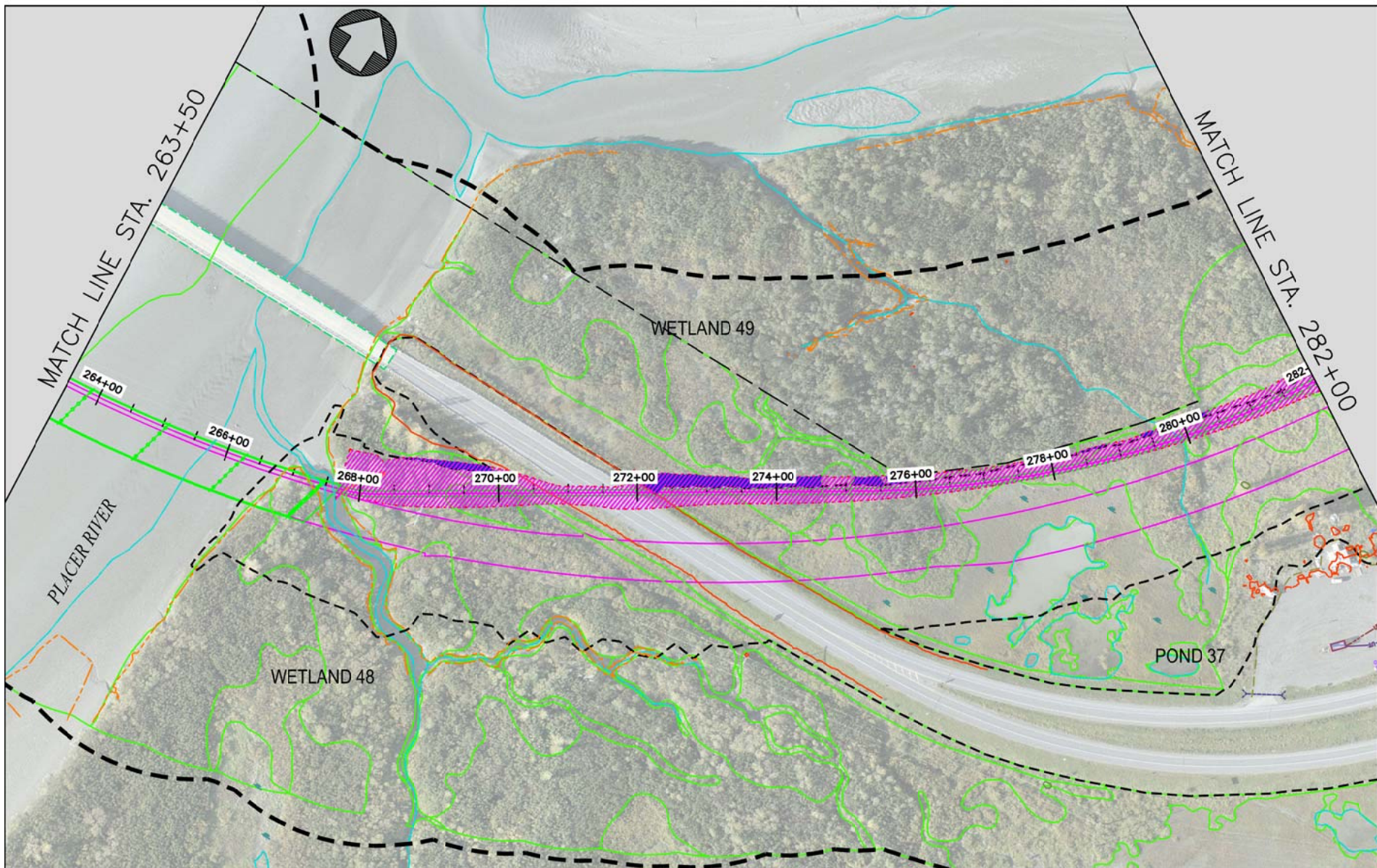
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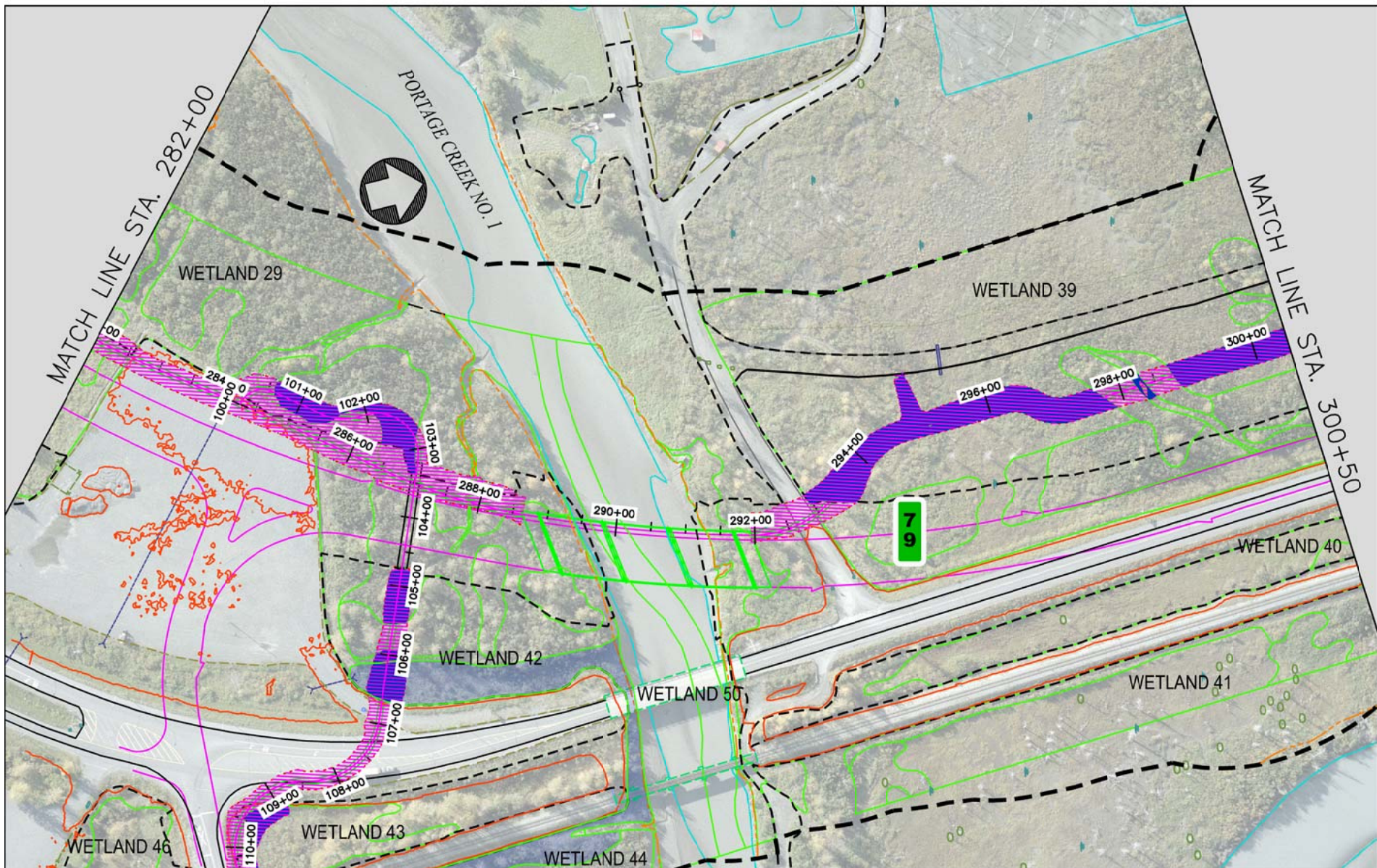


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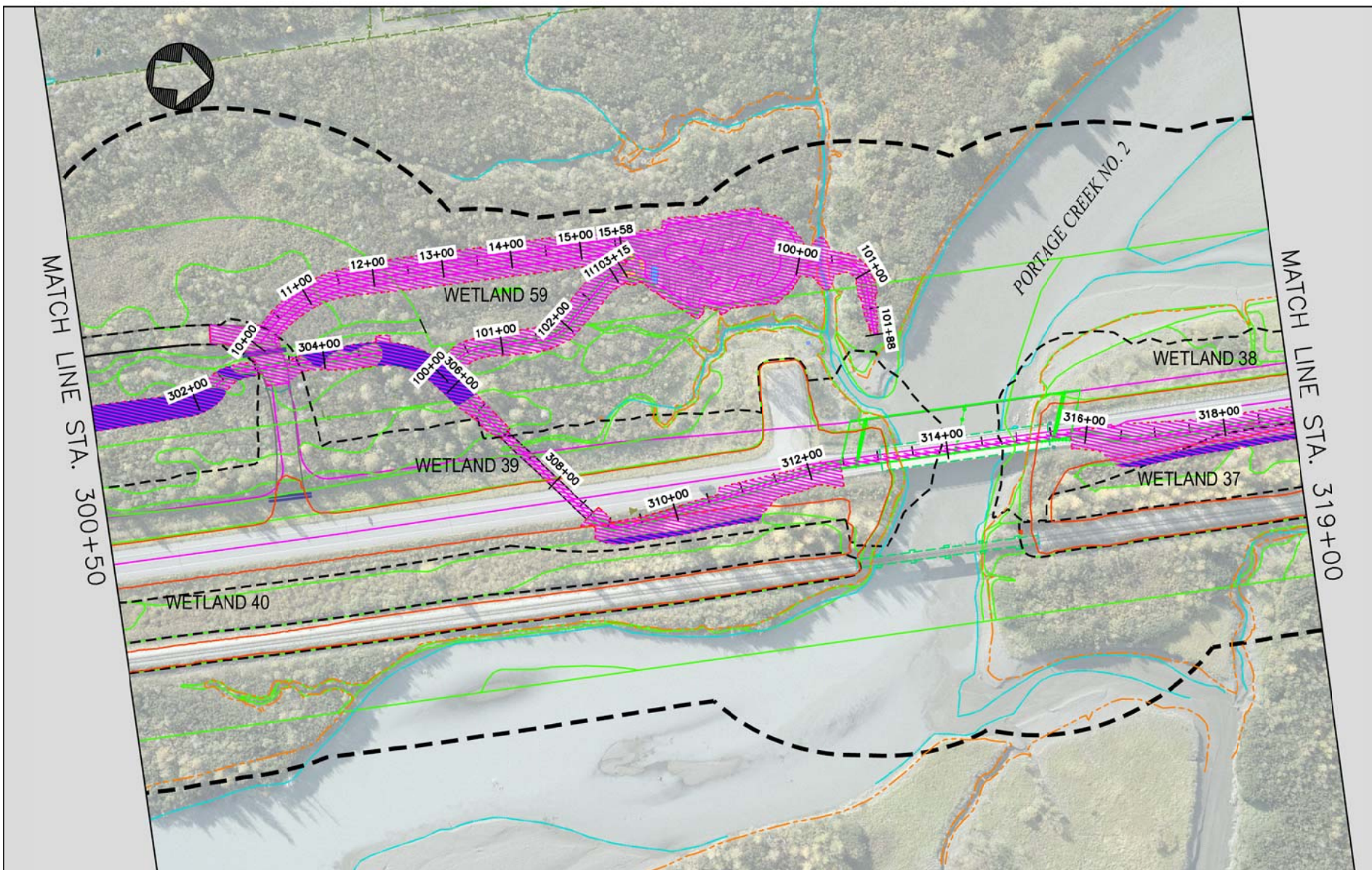
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FIG 12 OF 25



0 100 200 Feet

Legend

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GLACIER RANGER DISTRICT, CHUGACH NATIONAL FOREST

FILE NO.: POA-XXXX-XXXX

WATERWAY: TURNAGAIN ARM, TWENTYMILE RIVER, PORTAGE

CREEKS 1 & 2, PLACER RIVER, & PLACER RIVER OVERFLOW

PROPOSED ACTIVITY: LINEAR TRANSPORTATION PROJECT

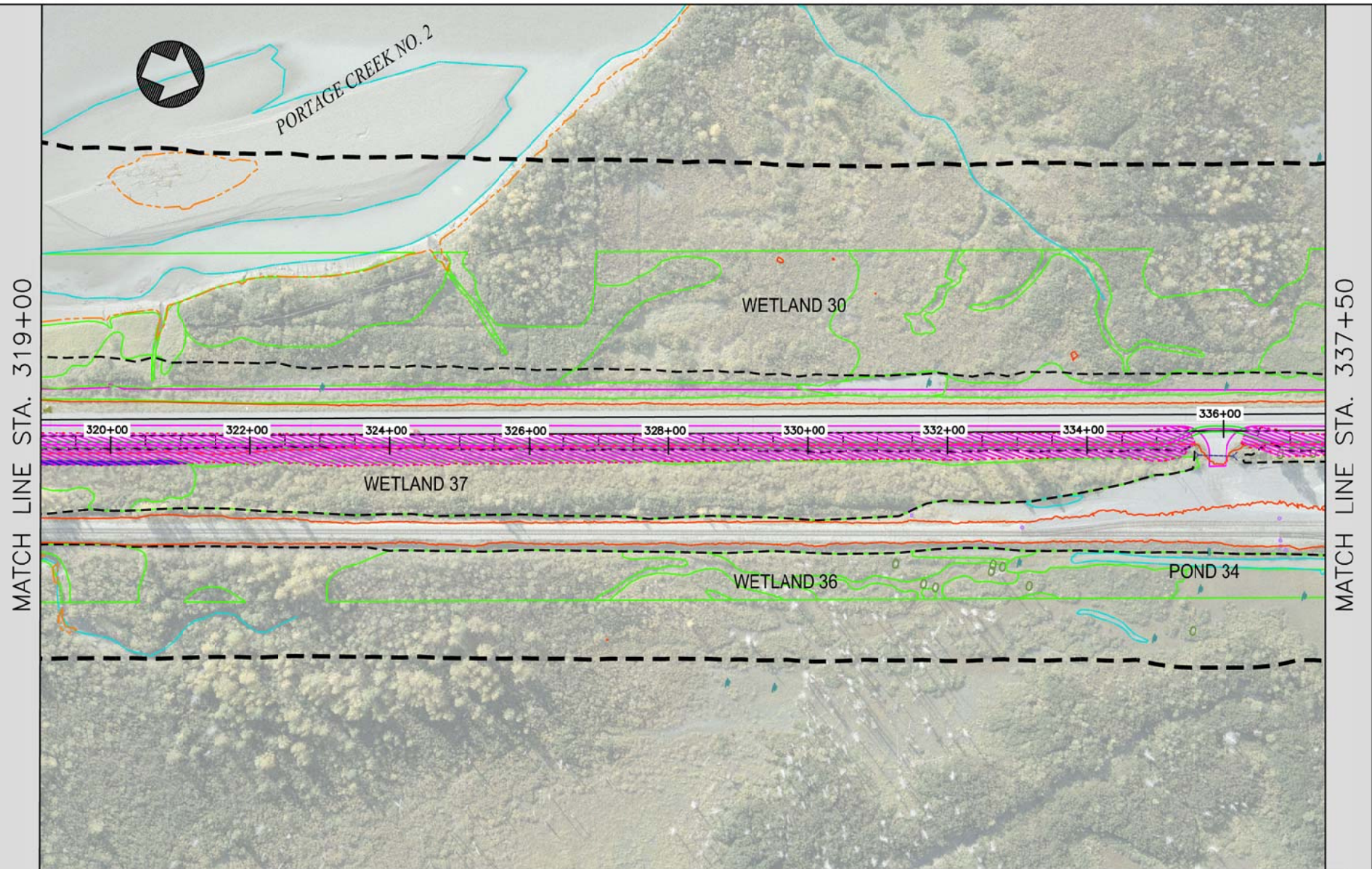
SEC 5 Township: T8N Range: R3E

LATITUDE: 60.817 NORTH, LONGITUDE: -148.967 WEST

PORTAGE CURVE MULTIMODAL CONNECTOR - PLAN VIEW

DATE: 03/27/2019

FIG 13 of 25



Legend

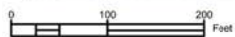
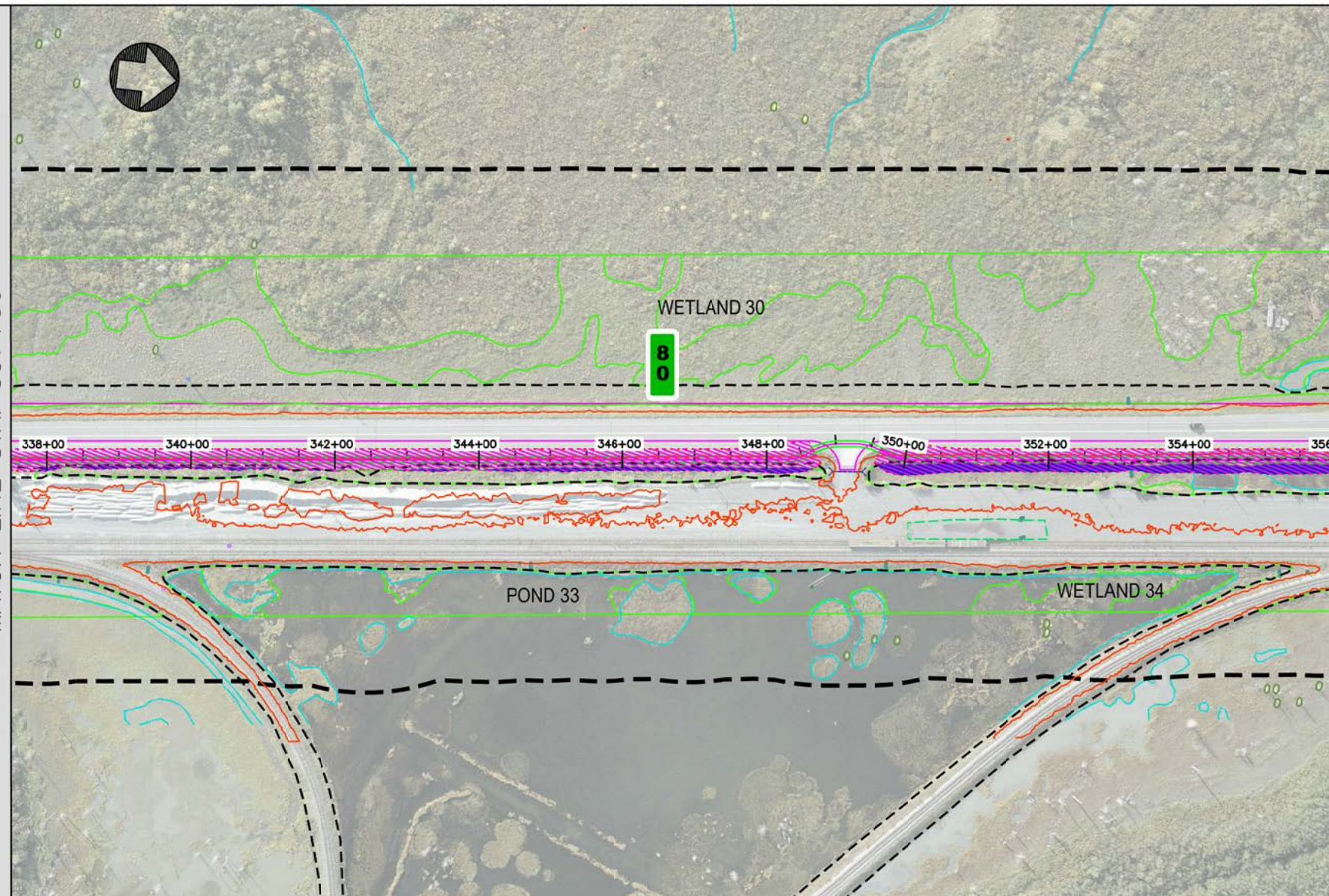
- Rail Road
- High Tide Line
- Mean High Water
- Wetland Boundary

- Wetland Project Review Boundary
- Project Footprint
- Existing Development/Seward Hwy
- Realignment
- Impact to Wetlands

GLACIER RANGER DISTRICT, CHUGACH NATIONAL FOREST
 FILE NO.: POA-XXXX-XXXX
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 CREEKS 1 & 2, PLACER RIVER, & PLACER RIVER OVERFLOW
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 SEC 5 Township: T8N Range: R3E
 LATITUDE: 60.817 NORTH, LONGITUDE: -148.967 WEST
 PORTAGE CURVE MULTIMODAL CONNECTOR - PLAN VIEW
 DATE: 03/27/2019

MATCH LINE STA. 337+50

MATCH LINE STA. 356+00

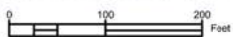
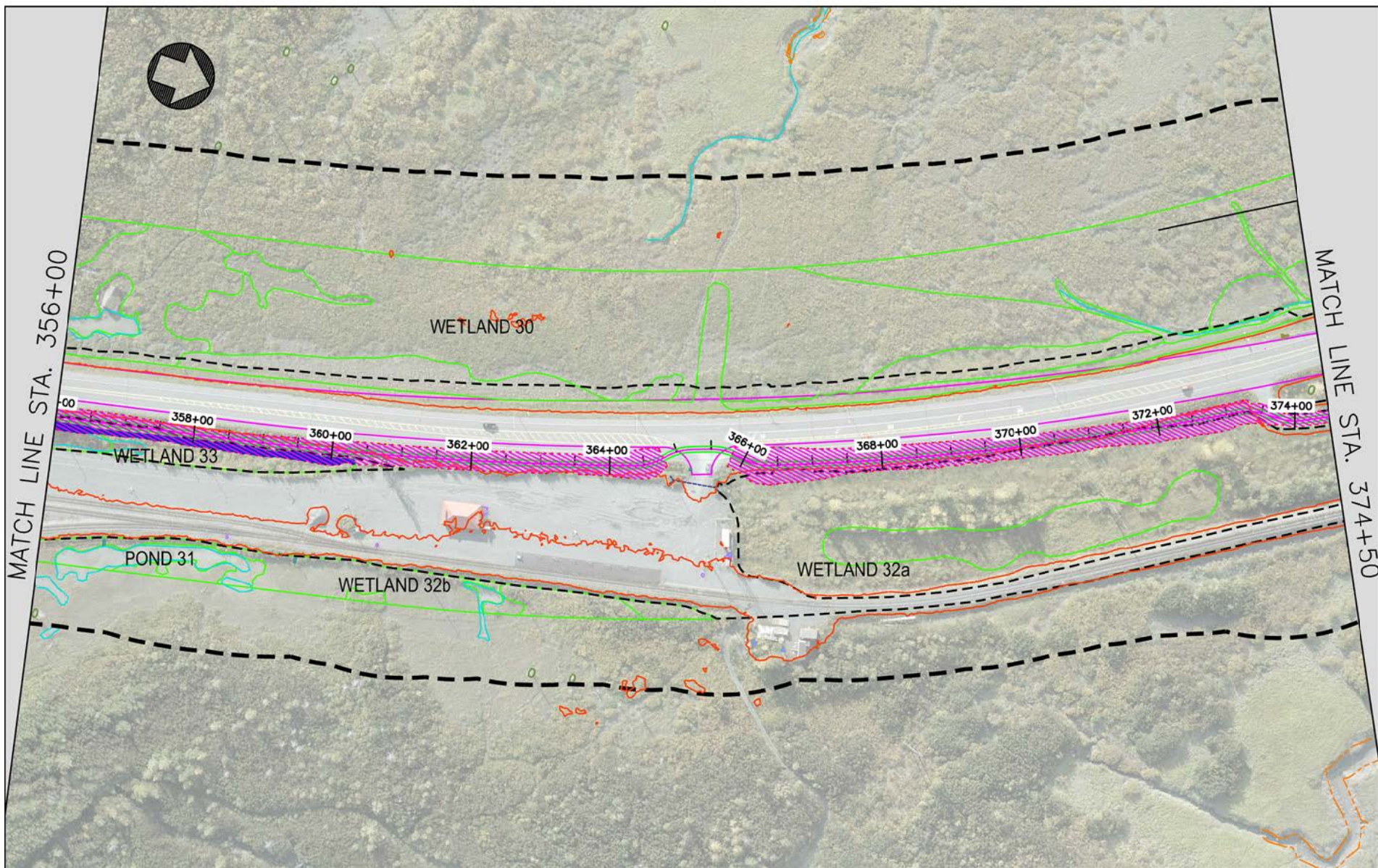


Legend

- Rail Road
- High Tide Line
- Mean High Water
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- Wetland Project Review Boundary
- Project Footprint
- Existing Development/Seward Hwy
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GLACIER RANGER DISTRICT, CHUGACH NATIONAL FOREST
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 PORTAGE CURVE MULTIMODAL CONNECTOR - PLAN VIEW
 DATE: 03/27/2019

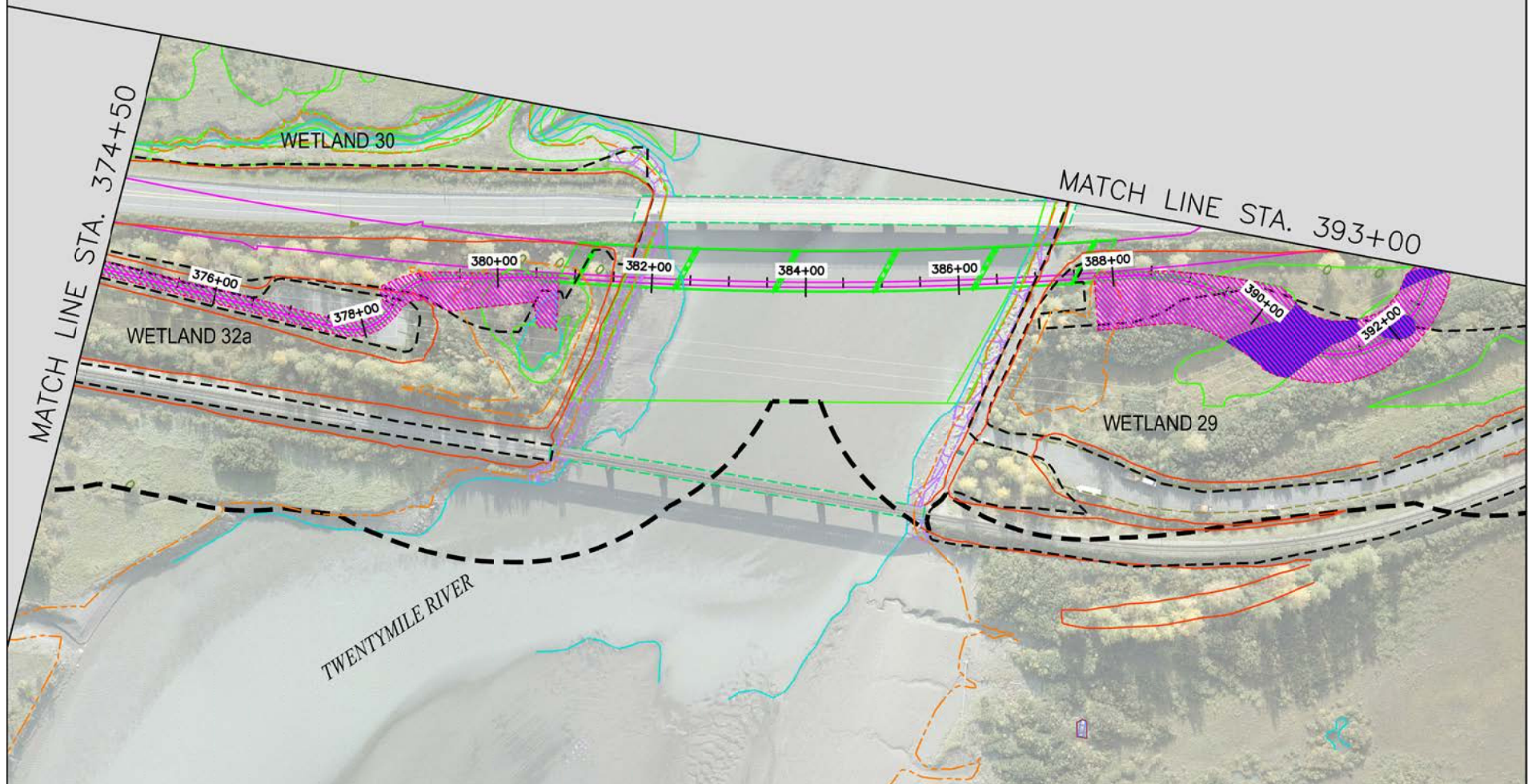


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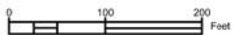
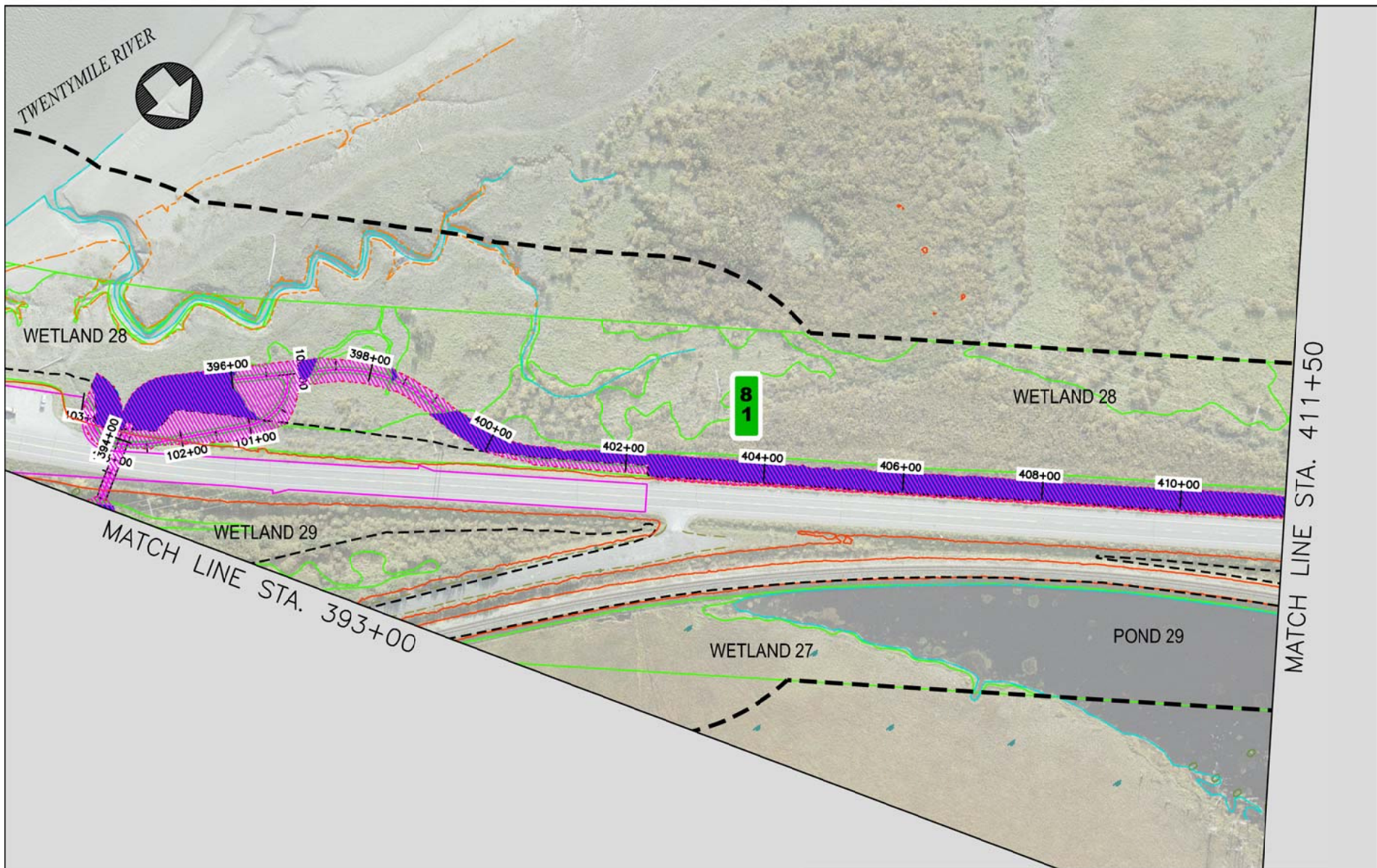
- Rail Road
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GLACIER RANGER DISTRICT, CHUGACH NATIONAL FOREST
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GLACIER RANGER DISTRICT, CHUGACH NATIONAL FOREST
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Legend

- Rail Road
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 PORTAGE CURVE MULTIMODAL CONNECTOR - PLAN VIEW
 DATE: 03/27/2019



MATCH LINE STA. 411+50

MATCH LINE STA. 430+00

412+00 414+00 416+00 418+00 420+00 422+00 424+00 426+00 428+00 430+00





WETLAND 28






WETLAND 26

WETLAND 26

0 100 200 Feet

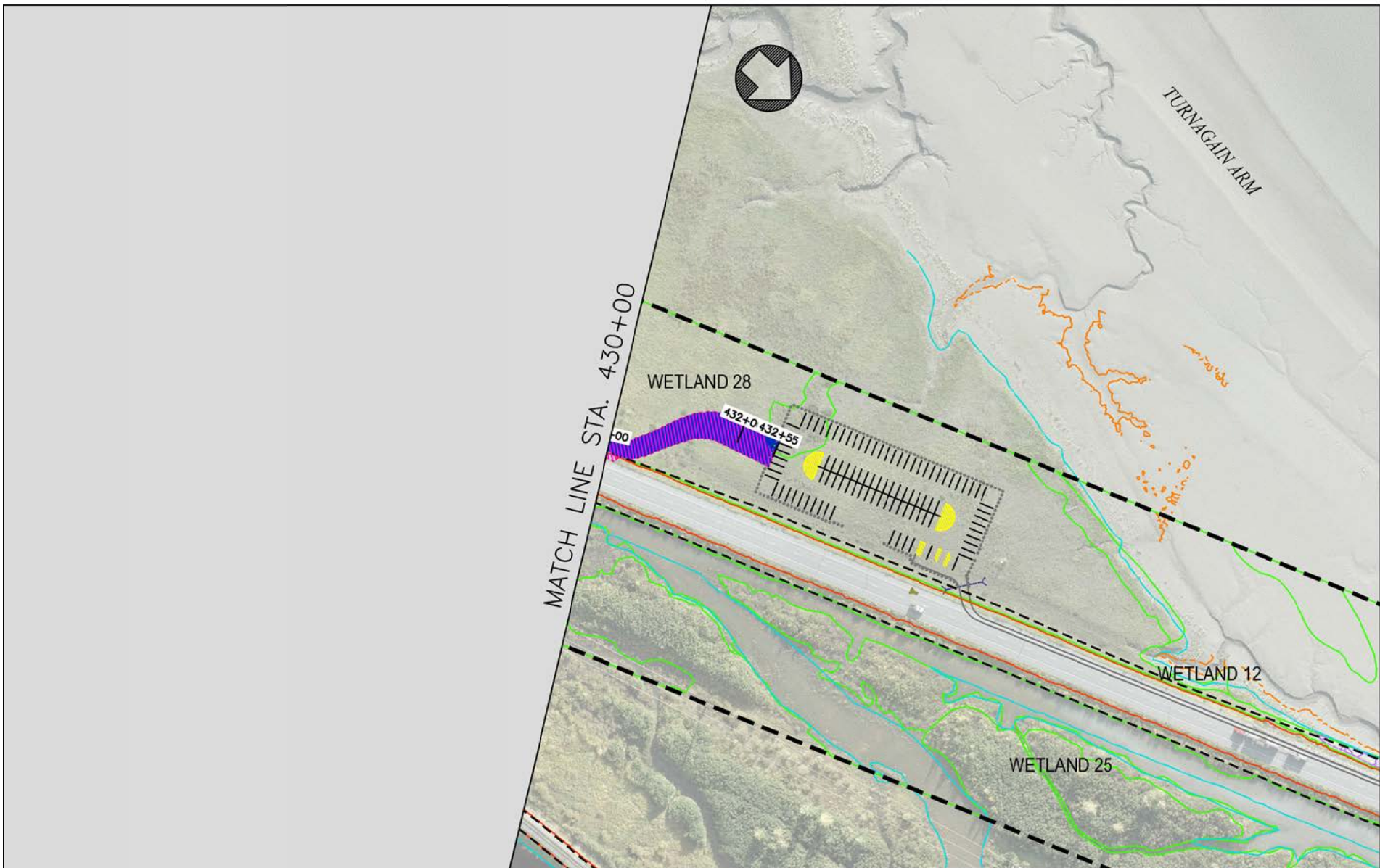
Legend

Rail Road 
High Tide Line 
Mean High Water 
Wetland Boundary 

Wetland Project Review Boundary 
Project Footprint 
Existing Development/Seward Hwy 
Realignment 
Impact to Wetlands 




GLACIER RANGER DISTRICT, CHUGACH NATIONAL FOREST
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PORTAGE CURVE MULTIMODAL CONNECTOR - PLAN VIEW
DATE: 03/27/2019


FIG 19 OF 25



0 100 200 Feet

Legend

- Rail Road 
- High Tide Line 
- Mean High Water 
- Wetland Boundary 

Wetland Project Review Boundary 

Project Footprint 

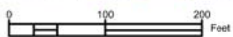
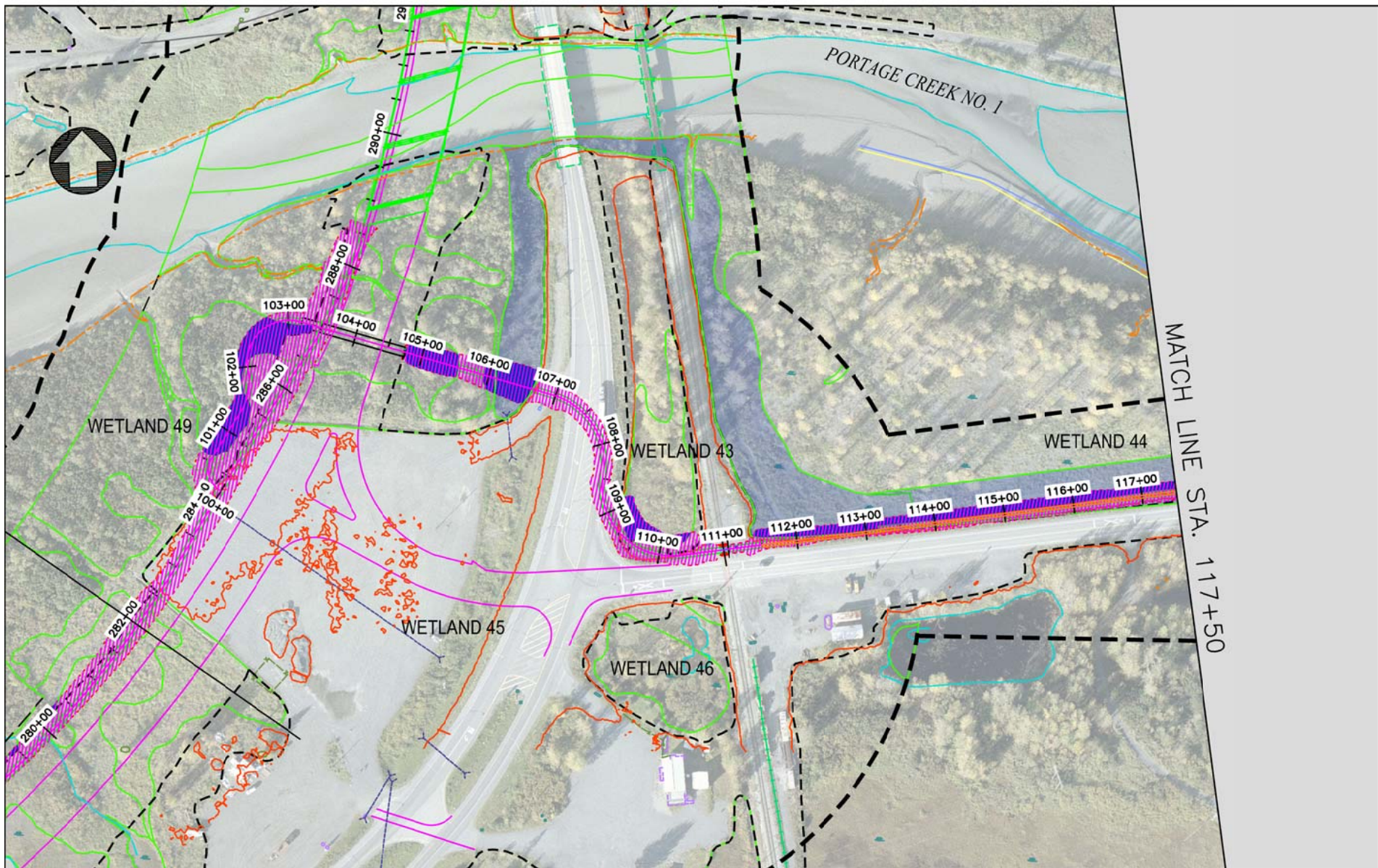
Existing Development/Seward Hwy

Realignment 

Impact to Wetlands 

GLACIER RANGER DISTRICT, CHUGACH NATIONAL FOREST
 FILE NO.: POA-XXXX-XXXX
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 PORTAGE CURVE MULTIMODAL CONNECTOR - PLAN VIEW
 DATE: 03/27/2019

FIG 20 OF 25

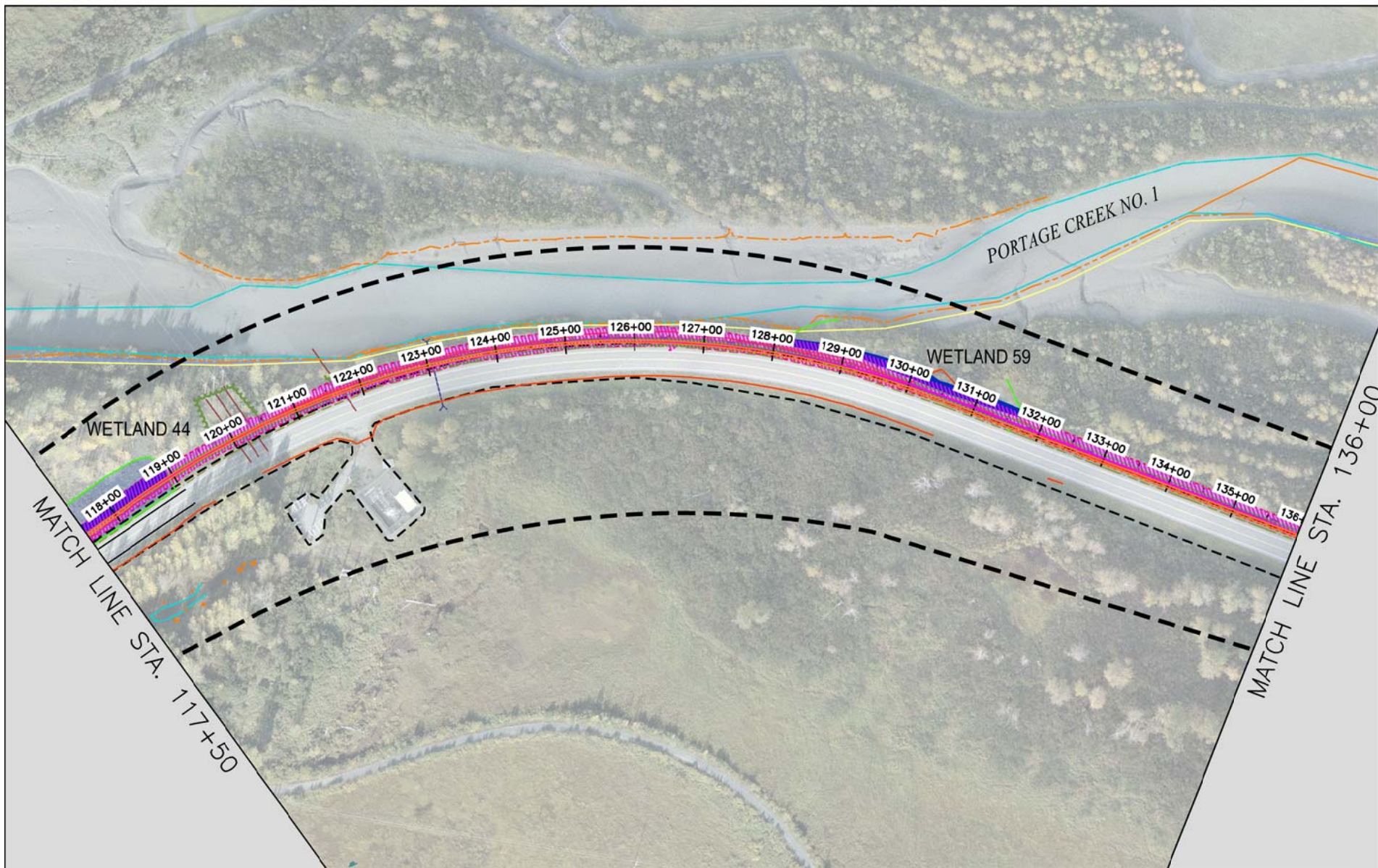


Legend





- Rail Road
- High Tide Line
- Mean High Water
- Wetland Boundary






- Wetland Project Review Boundary
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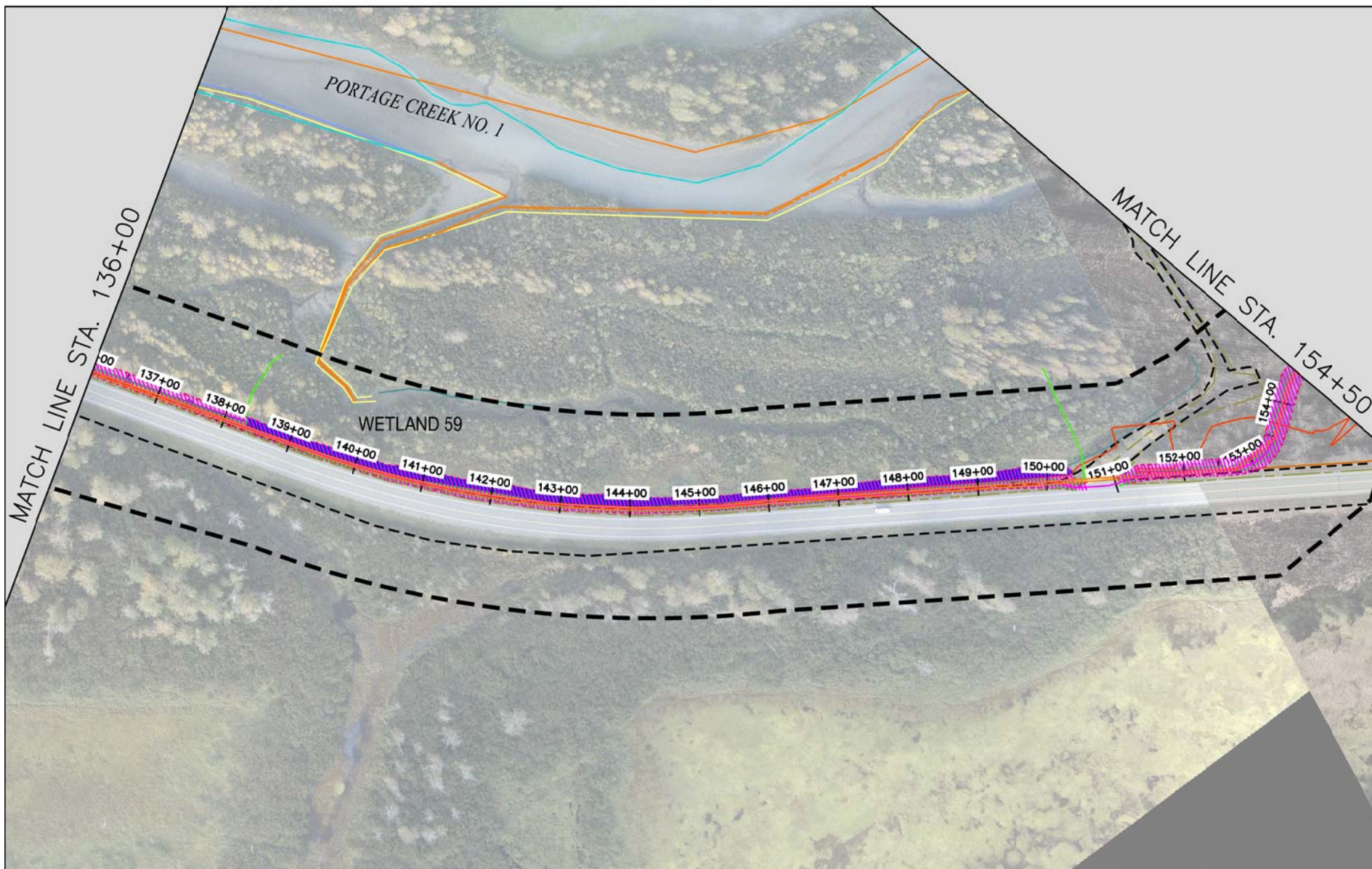


Legend

- Rail Road 
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 PORTAGE CURVE MULTIMODAL CONNECTOR - PLAN VIEW
 DATE: 03/27/2019 FIG 22 OF 25

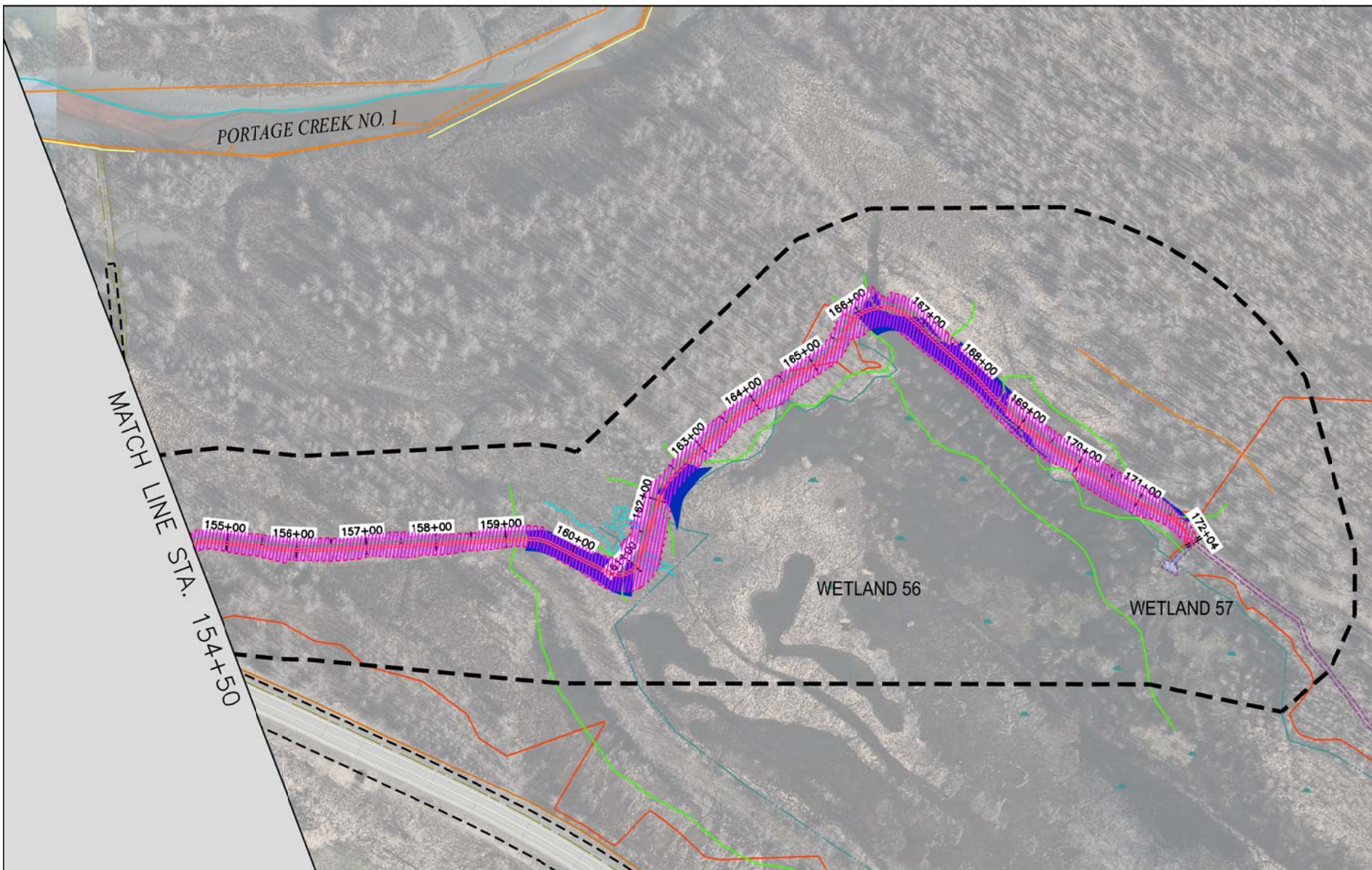


Legend

- Rail Road
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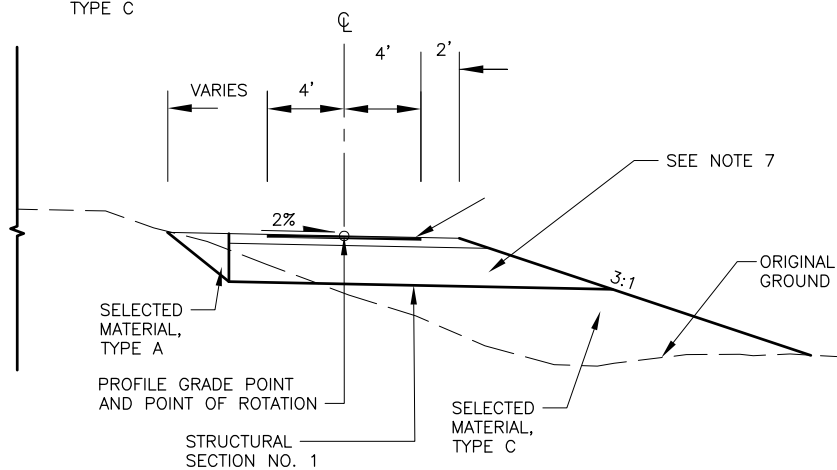
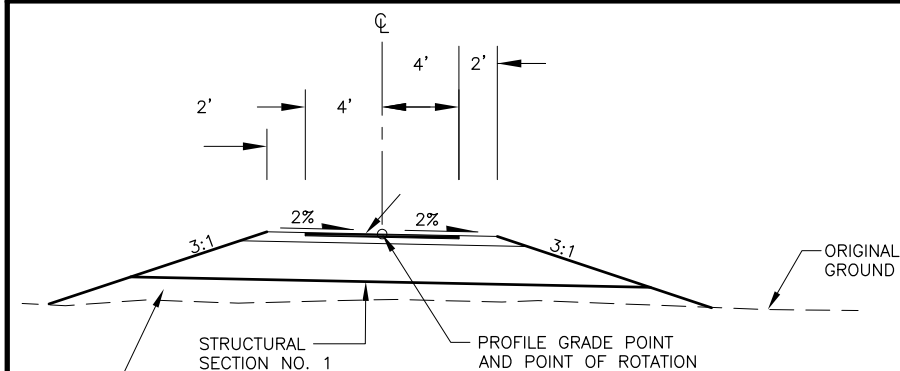


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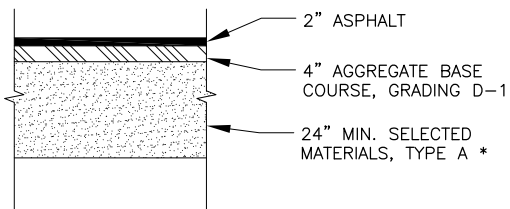
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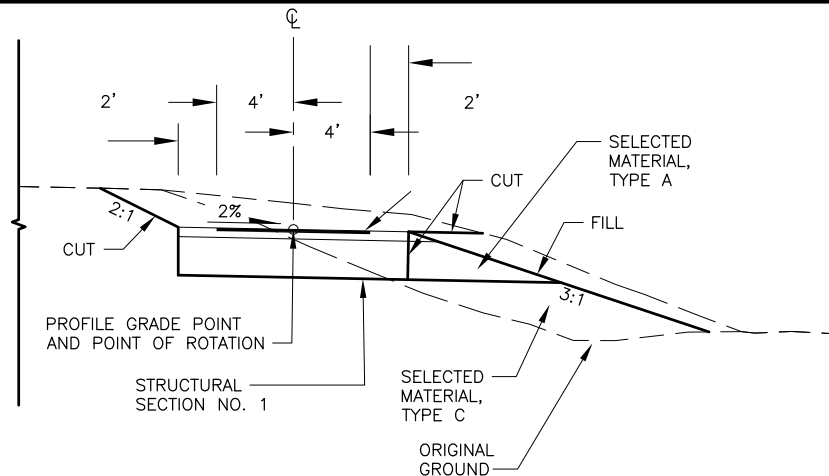
GLACIER RANGER DISTRICT, CHUGACH NATIONAL FOREST
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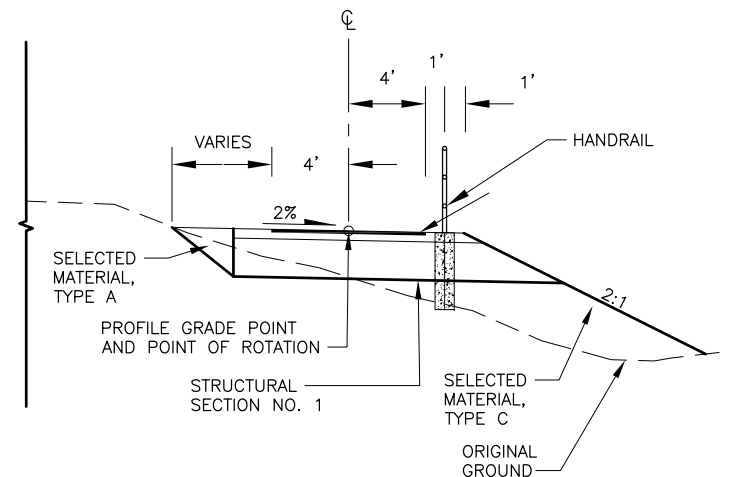
PATHWAY SECTION "B"



STRUCTURAL SECTION NO. 1



PATHWAY SECTION "C"



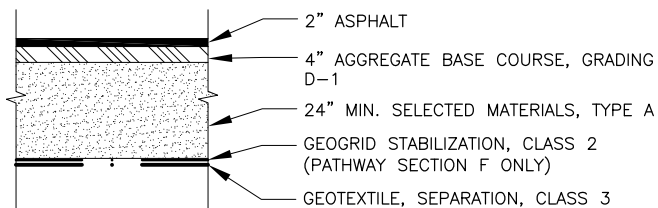
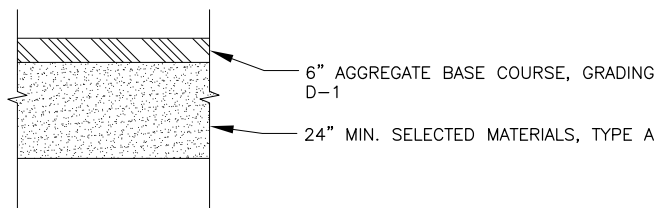
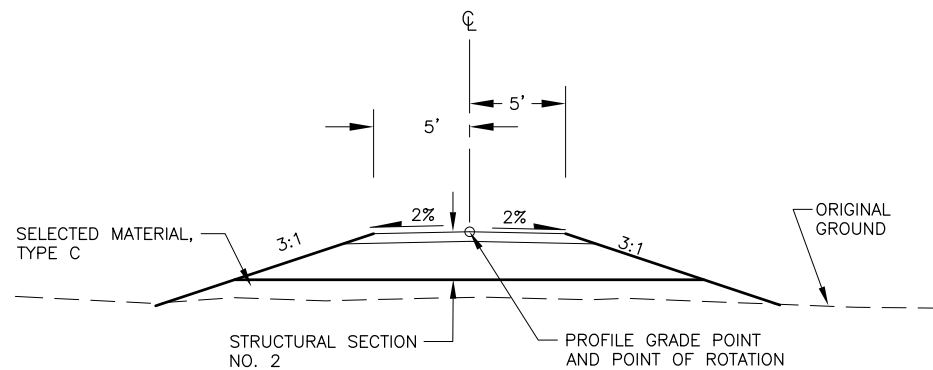
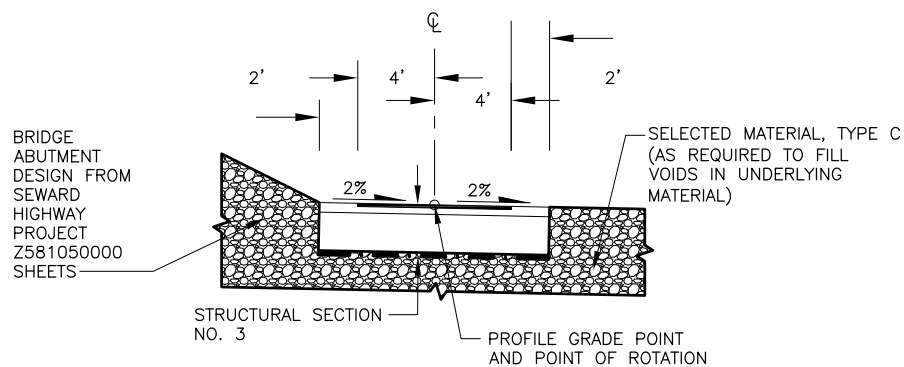
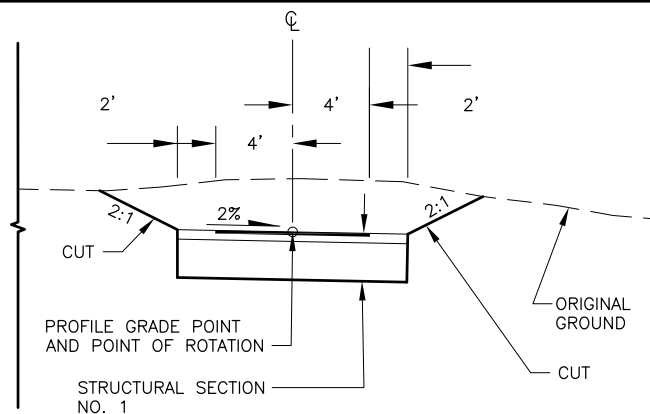
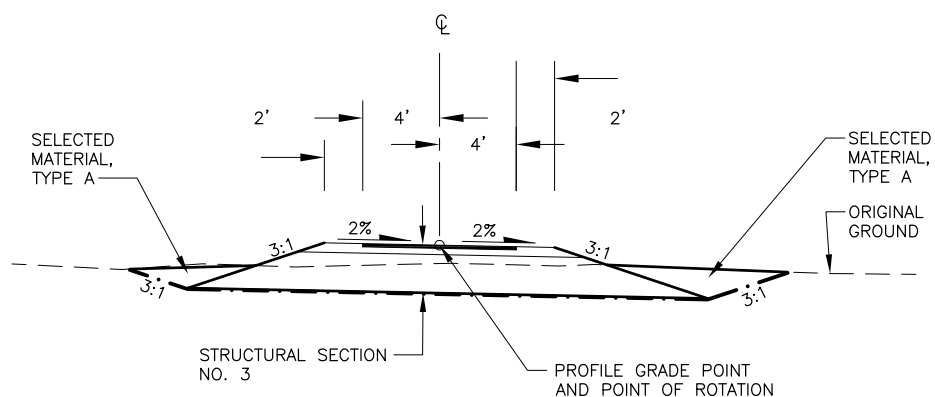
PATHWAY SECTION "D"

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

**INHT-PORTAGE CURVE
MULTIMODAL CONNECTOR**

**APPENDIX C1
TYPICAL SECTIONS**

STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
ALASKA	AK FS CNF 164(1)/CFHWY00308	2019	1	3



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
**INHT-PORTAGE CURVE
MULTIMODAL CONNECTOR**

**APPENDIX C2
TYPICAL SECTIONS**

STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
ALASKA	AK FS CNF 164(1)/CFHWY00308	2019	2	3