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

PUBLIC NOTICE DATE:	**November 26, 2018**
EXPIRATION DATE:	**December 26, 2018**
REFERENCE NUMBER:	**POA-1922-00022-M26**
WATERWAY:	**Tongass 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 Public Notice 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 Ms. Roberta Budnik at (907) 753-2785, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at roberta.k.budnik@usace.army.mil if further information is desired concerning this notice.

APPLICANT: City of Ketchikan, Mr. Karl Amylon, 334 Front Street, Ketchikan, Alaska 99901; 907-228-5603; KarlA@ktn-ak.us

AGENT: Moffat & Nichol, Ms. Margaret Schwertner, 880 H Street, Suite 208, Anchorage, Alaska 99501; 206-622-0222; mschwertner@moffatnichol.com

LOCATION: The project site is located within Section 30, T. 75 S., R. 91 E., Copper River Meridian; Latitude 55.3392º N., Longitude 131.6494º W.; in Ketchikan, Alaska.

PURPOSE: The applicant's stated purpose is to improve navigational safety and access while allowing for more efficient berthing for cruise ships moving to and from Berths I and II by removing the rock pinnacle to a target depth of -42 feet Mean Lower Low Water (MLLW).

PROPOSED WORK: The City of Ketchikan proposes to remove up to 15 vertical feet of rock (7,500 cubic yards) from a 0.76-acre area. This rock pinnacle removal would bring the ocean bottom depth to -42 feet MLLW. There would be up to 50 days of blasting (25 to 50 blasts anticipated), with up to one blast per day at a maximum weight of explosive up to 75 pounds per blast. The proposed project would occur between September 16, 2019, and April 30, 2020, with blasting occurring between November 15, 2019, and March 15, 2020. The blasted rock material would be removed using a mechanical dredging technique (i.e., clamshell dredge, excavator from a barge, etc.), placed on a barge, and moved to an appropriate stockpile or placement site, permitted as necessary.

Attached to this public notice is the applicant's detailed complete project description (sheets 1-6), dated November 19, 2018. Please refer to this attached description for more information.

All work would be performed in accordance with the enclosed plan (sheets 1-3), dated November 5, 2018.

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: As the proposed project is for the improvement of navigational safety and access to the existing marine berths, avoidance of waters of the U.S. is not achievable.

b. Minimization: The smallest quantity of material is proposed for removal to minimize habitat disturbance. Blasting was designed to minimize exposure to the water column. The lowest number of blasts and lowest explosive weight possible to remove the necessary material would be used. For shallow cuts, small diameter holes and tight drill patterns would be used to break the rock for blast holes. Only one blast would be performed per day. All blasting would be performed by an experienced contractor and would be completed in accordance with applicable regulations. A General Blasting Plan would be developed and implemented by the contractor. Blasting would only occur during daylight hours between November 15 and March 15. State and water quality standards would be adhered to during rock pinnacle removal activities, and a Spill Prevention, Control, and Countermeasure (SPCC) Plan would also be prepared for the project.

c. Compensatory Mitigation: The applicant has not proposed any compensatory mitigation for the proposed project.

The applicant's detailed mitigation statement is included in their detailed project description, attached, as referenced above.

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 permit area or within the vicinity of the permit area. The applicant's detailed project description (attached) includes a discussion of nearby historical resources.

The permit area has been determined to be the footprint of the proposed project within waters of the U.S. 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: The project area is within the known or historic range of the humpback whale (*Megaptera noavaeangliae*) and fin whale (*Balaenoptera physalus*). We have determined the National Marine Fisheries Service is the lead federal agency for compliance with Section 7 of the Endangered Species Act (ESA), as an Incidental Harassment Authorization (IHA) is required under the Marine Mammal Protection Act (MMPA) for the proposed project, and the proposed project would take place entirely within marine waters. The agent, on behalf of the applicant will submit a biological opinion and a request for an IHA to the NMFS. The Corps will still consider any comments the Services 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 Chinook salmon (*Oncorhynchus tshawytscha*), sockeye salmon (*O. nerka*), chum salmon (*O. keta*), coho salmon (*O. kisutch*), and pink salmon (*O. gorbuscha*). We have determined that the proposed project may adversely affect EFH. The Corps will coordinate with the NMFS, as required by the Magnuson-Stevens Fishery Conservation and Management Act.

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)(l) 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 (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authority:
(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

Project drawings are enclosed with this Public Notice.

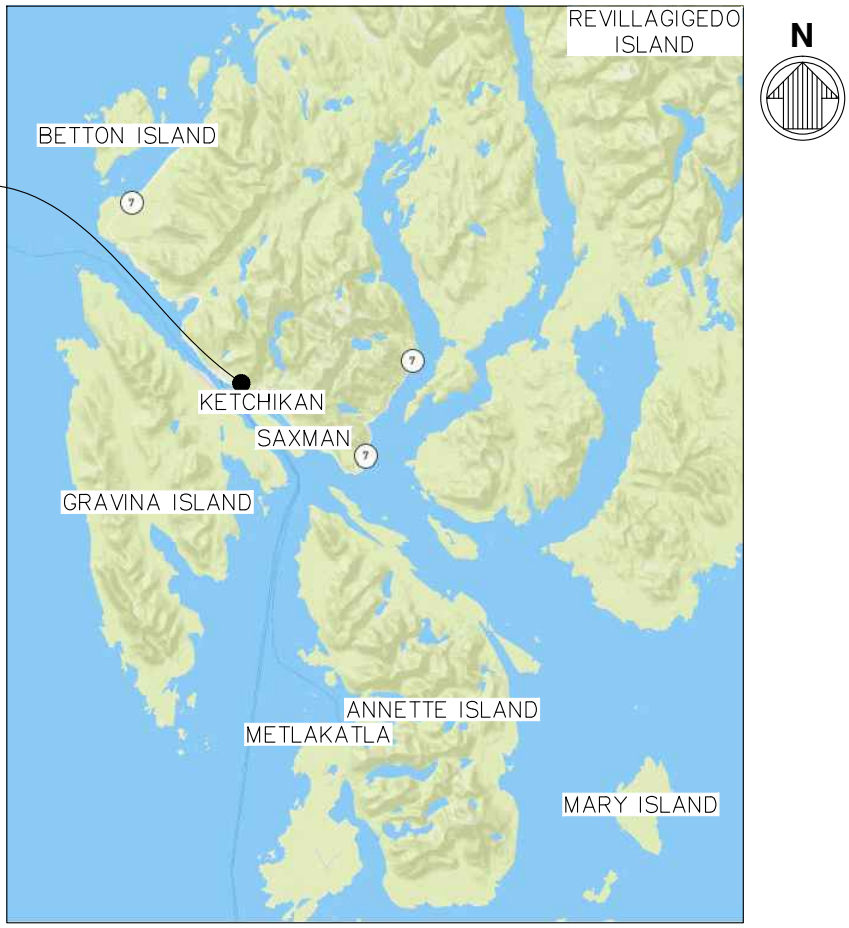
District Commander
U.S. Army, Corps of Engineers

Enclosures

TIDAL DATUM
HAT = 19.72
MHHW = 15.45
MHW = 14.55
MTL = 8.06
MLW = 1.57
MLLW = 0.00
LAT = −4.55

VICINITY MAP
SCALE: NOT TO SCALE

PROJECT LOCATION
LATITUDE: 55.3422 N
LONGITUDE: 131.6461 W



LOCATION MAP
SCALE: NOT TO SCALE

REFERENCE NO: TBD BY USACE

APPLICANT: CITY OF KETCHIKAN
ADJACENT PROPERTY OWNERS:
1. TONGASS TRADING COMPANY
2. KETCHIKAN OUTLET STORE
3. SLMP LLC

LOCATION ADDRESS: 334 FRONT STREET
KETCHIKAN, AK 99901

LAT/LONG: 55.3422 N / 131.6461 W

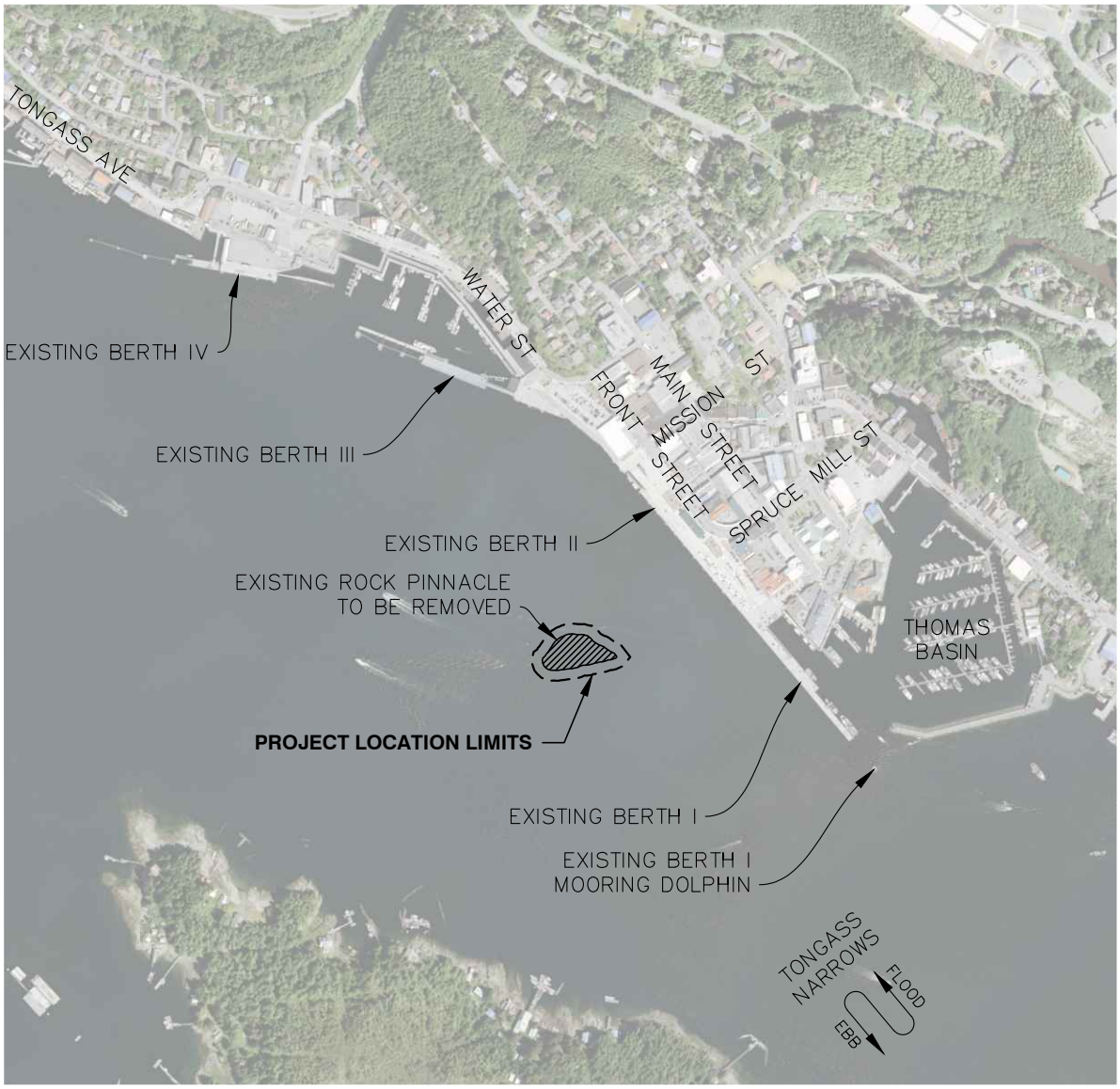
SHEET: 1 OF 3 DATE: NOVEMBER 5, 2018

PROPOSED PROJECT: REMOVAL OF BERTH II
ROCK PINNACLE

PURPOSE: IMPROVED VESSEL ACCESS
IN: TONGASS NARROWS
NEAR/AT: KETCHIKAN
BOROUGH: KETCHIKAN GATEWAY STATE: AK

File: Q:\AK\9779\CADD_Active_Permit Set\9333_1; Plotted: 11/5/2018 2:22 PM

N



TIDAL DATUM
HAT = 19.72
MHHW = 15.45
MHW = 14.55
MTL = 8.06
MLW = 1.57
MLLW = 0.00
LAT = −4.55

PROJECT LOCATION LIMITS
SCALE: 1"=800'

800' 0' 800' 1600'
SCALE: 1"=800'

REFERENCE NO: TBD BY USACE

APPLICANT: CITY OF KETCHIKAN
ADJACENT PROPERTY OWNERS:
1. TONGASS TRADING COMPANY
2. KETCHIKAN OUTLET STORE
3. SLMP LLC

LOCATION ADDRESS: 334 FRONT STREET
KETCHIKAN, AK 99901

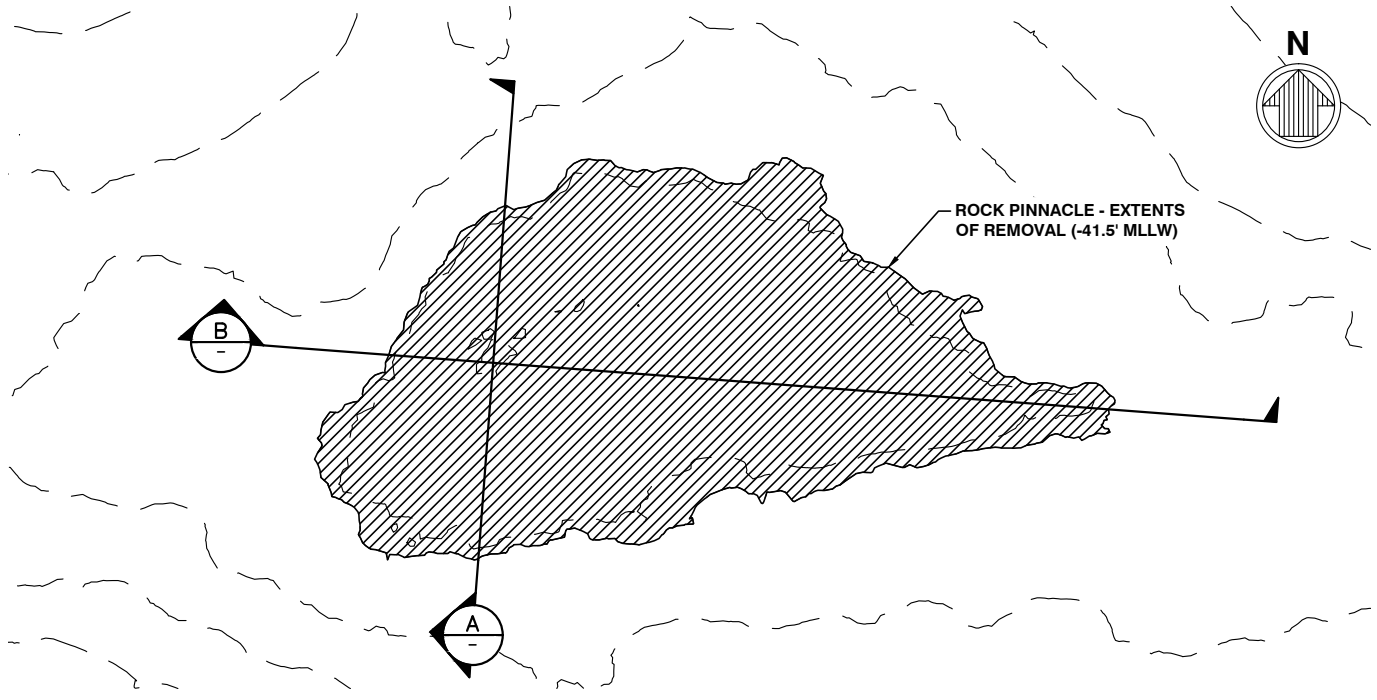
LAT/LONG: 55.3422 N / 131.6461 W

SHEET: 2 OF 3 DATE: NOVEMBER 5, 2018

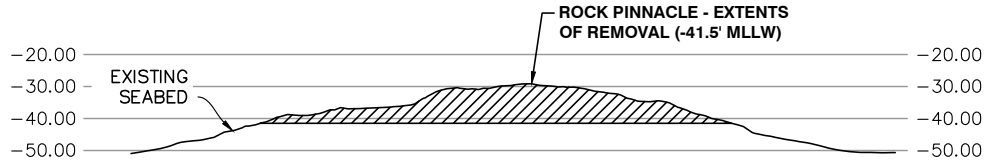
PROPOSED PROJECT: REMOVAL OF BERTH II
ROCK PINNACLE

PURPOSE: IMPROVED VESSEL ACCESS
IN: TONGASS NARROWS
NEAR/AT: KETCHIKAN
BOROUGH: KETCHIKAN GATEWAY STATE: AK

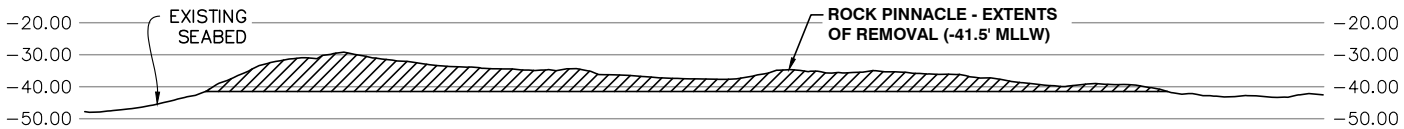
File: Q:\AK\9779\CADD_Active_Permit Set\9333_2; Plotted: 11/5/2018 2:21 PM



PINNACLE DREDGING PLAN
SCALE: 1"=80'



A SECTION
SCALE: 1" = 60'-0"



B SECTION
SCALE: 1" = 60'-0"

TIDAL DATUM
HAT = 19.72
MHHW = 15.45
MHW = 14.55
MTL = 8.06
MLW = 1.57
MLLW = 0.00
LAT = -4.55

NOTE:
CONSTRUCTION ACTIVITIES ARE
BOLDED FOR EASE OF REFERENCE.

30' 0' 30' 60'
SCALE: 1"=60'

40' 0' 40' 80'
SCALE: 1"=80'

REFERENCE NO: TBD BY USACE

APPLICANT: CITY OF KETCHIKAN
ADJACENT PROPERTY OWNERS:
1. TONGASS TRADING COMPANY
2. KETCHIKAN OUTLET STORE
3. SLMP LLC

LOCATION ADDRESS: 334 FRONT STREET
KETCHIKAN, AK 99901

LAT/LONG: 55.3422 N / 131.6461 W

SHEET: 3 OF 3 DATE: NOVEMBER 5, 2018

PROPOSED PROJECT: REMOVAL OF BERTH II
ROCK PINNACLE

PURPOSE: IMPROVED VESSEL ACCESS
IN: TONGASS NARROWS
NEAR/AT: KETCHIKAN
BOROUGH: KETCHIKAN GATEWAY STATE: AK

File: Q:\AK\9779\CADD_Active_Permit Set\9333_3; Plotted: 11/5/2018 2:23 PM

Supplement to USACE Application for Removal of Berth II Rock Pinnacle Project, Expanded Responses to Questions on USACE Permit Application Form
Revised on November 20, 2018

The following information supplements the USACE application for the City of Ketchikan (City) Removal of Berth II Rock Pinnacle Project (herein referred to as the "Project"). Information provided below is for those USACE Application questions where the length of the response exceeded the available space.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

Project Description and Purpose

The City of Ketchikan proposes to remove an existing rock outcrop (commonly referred to as the rock pinnacle), in close proximity to Berth II to expand the area of safe navigation depths for cruise ships (ships) that presently visit Berths I and II.

The project will decrease navigation and turning radius limitations off Berths I and II by removing the pinnacle that restricts navigation to and from the berths due to shallow water depths during low tide and high wind conditions. Removal of the pinnacle will bring the entire area to an optimal depth, allowing for improved access and more efficient berthing for existing ships during high winds. The -42 feet Mean Lower Low Water (MLLW) target dredge elevation within the project limits will result in removing approximately 15 vertical feet of rock. The approximate total solid volume of rock removed, over the entire pinnacle area (about 0.76 acres), is less than 7,500 cubic yards. Removing the pinnacle will provide a more reliable ingress and egress for ships over a much wider range of wind and water level conditions and is important to improving conditions contributing to a safe, accessible, and commercially viable existing navigation facility.

18. Nature of Activity (Description of project, include all features)

Existing Site Conditions and History

The project site is located in Ketchikan, Alaska, within the Ketchikan Gateway Borough on Revillagigedo Island in the Tongass Narrows. The Port of Ketchikan is comprised of three City-owned berths (Berths I, II, and III), and one privately-owned berth (Berth IV). Ketchikan receives as many as six daily cruise ship calls from May through September, with over 1,000,000 annual cruise passenger visits. The wharf, comprised of Berths I and II, is currently about 1,450-feet-long (Berth I at the south end, Berth II at the north end). A mooring dolphin exists approximately 165 feet offshore and to the south of Berth I. Ships arrive and depart each berth from both the north and south directions, depending on wind conditions and whether the ships are on a northbound or southbound voyage itinerary. The channel to the west of Berths III and IV is used as a turning basin. The approach channel widths range from approximately 1,000 feet for southbound vessels to approximately 1,200 feet for northbound vessels. Occasionally, on days when all four berths are occupied, a cruise ship may anchor offshore on the ship's anchor in the designated anchorage area across from Berth IV, thereby reducing the available channel width to the north without impacting navigation and maneuvering to the existing berths.

The rock pinnacle is located approximately 1000 feet west of Berth II and limits vessel navigation to Berths I, II and III during low tide and high wind conditions. The current upper elevation of the

pinnacle is approximately -27 feet MLLW, which is less than the optimal elevation of -40 feet MLLW for navigation at low tide. The oval-shaped pinnacle has a length of approximately 320 feet and is approximately 150 feet in width at its widest point. The geotechnical data report (Shannon & Wilson [S&W] 2017) describes the rock generally as greenschist metamorphic rock and, based on the two boreholes drilled, very hard perpendicular to the direction of drilling but relatively weak in the opposite plane. The sediment and rock chemistry of the pinnacle indicates the material is generally clean with detections of some common compounds, all below screening or cleanup levels (S&W 2017). A thin layer of overburden material covers the pinnacle.

Historical Resources

The City of Ketchikan has several historic resources the closest to the project site being the Gilmore Building located on Front Street, approximately 150 feet from Berth II. The National Register of Historical Places (NRHP)[1] lists eight historic buildings and one cultural resource site within a half mile of the project area. In addition to the eight historic buildings, the Stedman-Thomas Historic District, located approximately 1000 feet from Berth I, contains 33 historic buildings and one historic structure. Figure 1 shows the locations of the cultural resources.

Figure 1: Cultural Resources near Project Area (Source: NRHP[1])

[1] https://www.nps.gov/maps/full.html?mapId=7ad17cc9-b808-4ff8-a2f9-a99909164466

Cleanup Sites

An inventory of both active and inactive contamination sites in Ketchikan was obtained from the Alaska Department of Environmental Conservation (DEC)[2] and these sites are shown in Figure 2. Three sites in the area are shown as Active. The closest active site is an upland site and is located at the Former Ketchikan Hospital, approximately 850 feet from Berth II. Cleanup consists of removing 30 cubic yards of lead contaminated soil and 15 cubic yards of Diesel Range Organics (DRO) contaminated soil. The Cleanup Plan was approved in December of 2016. The second site is located approximately one mile from the Project Area at the US Coast Guard (USCG) Ketchikan Base where soil contaminated with petroleum hydrocarbons exists. A long-term Maintenance Sediment Removal Work Plan, which covers the annual removal and disposal of sediment and water, was approved by DEC staff in May 2017. This site is also listed as a Superfund site by the Environmental Protection Agency (EPA). The third and final active site is located at the USCG officer's quarters where diesel contamination was detected. A Work Plan is still being developed. This site is also approximately one mile from the Project Area.

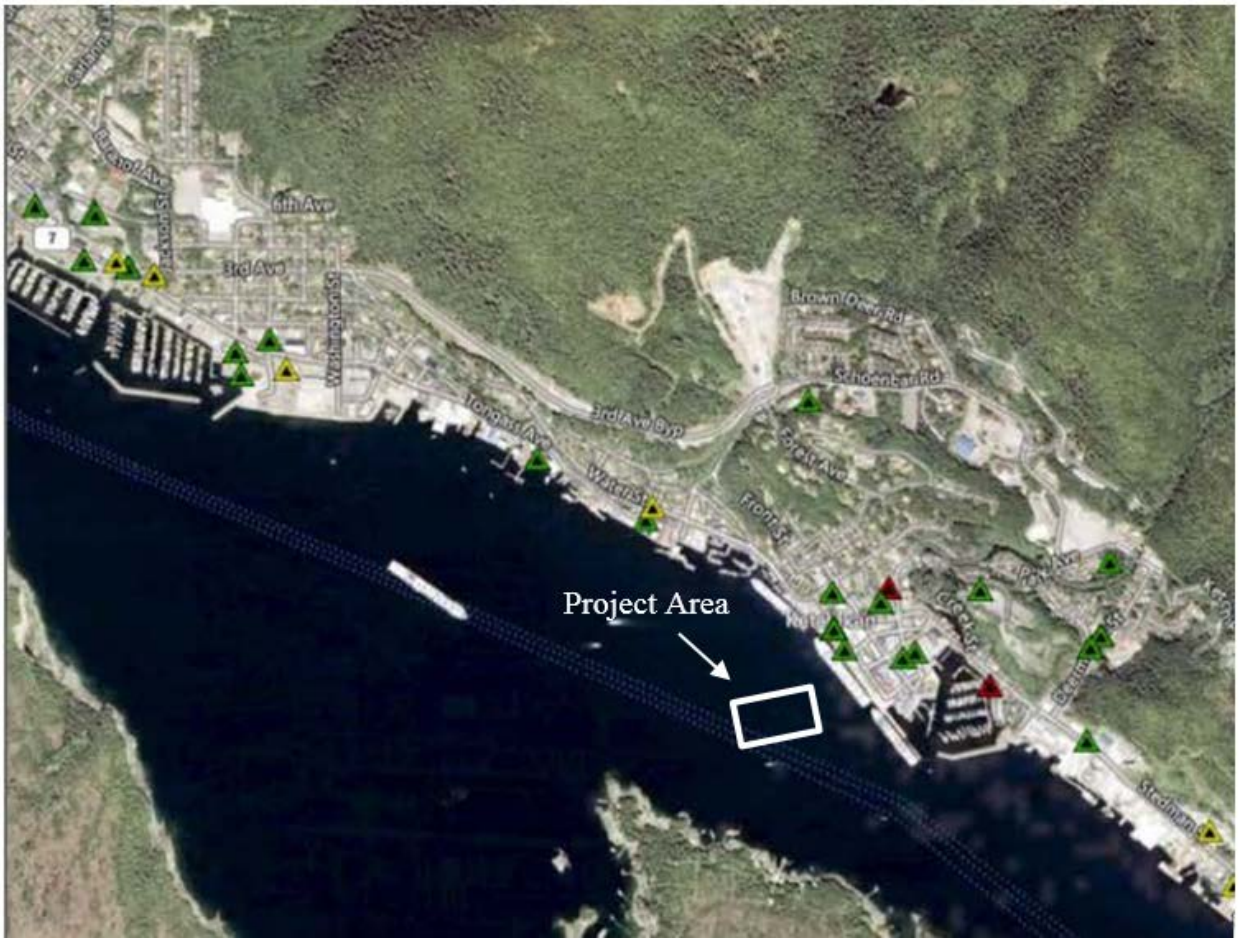


Figure 2: Cleanup Sites near Project Area (source: DEC[1])

[2] http://www.arcgis.com/home/webmap/viewer.html?webmap=315240bfbaf84aa0b8272ad1cef3cad3&center=-131.729468770622,55.4063646296482&level=15&marker=-131.729468770622,55.4063646296482

Project Description

Please refer to the response to Question #19 above. Additional details regarding schedule and construction techniques are described below.

Schedule

Removal of the pinnacle is proposed to occur between September 16 of 2019 and April 30 of 2020. Work occurring within this timeframe includes equipment mobilization, rock pinnacle removal, transporting the material to an appropriate upland stockpile or placement site, equipment demobilization. There will be up to 50 days of blasting (currently anticipating between 25 and 50 blasts) with up to one blast per day at a maximum weight of explosive of up to of 75 pounds (lbs.) per blast. All blasting will occur between November 15 of 2019 and March 15 of 2020. Construction has been scheduled to avoid and minimize impacts to both the City's existing summer cruise season and the environment.

Construction Techniques

Three methods for underwater rock removal (drilling and bar breaking, specialized cutterhead, and drilling and blasting) were examined for removing the pinnacle, and were compared with respect to logistical, economic, and environmental feasibility. Based on equipment availability, required construction duration, and environmental and economic considerations, drilling and blasting is the City's only viable option for removing the pinnacle.

Up to 7,500 cubic yards of material will be mechanically dredged (i.e. clamshell dredge, excavator from a barge, etc.) following blasting, placed on a barge, and moved to an appropriate stockpile or placement site (eventual placement could include using the material for upland construction or other beneficial use). Any necessary permits for placement will be applied for and obtained separately, and conditions stipulated in these permits will be included as requirements in the rock pinnacle removal contract documents.

The nearest dock to the pinnacle (Berth II) is about 1,000 feet from the edge of the pinnacle. Criteria for safe blast vibrations and frequencies at nearby structures are recommended by the U.S. Bureau of Mines (USBM). Calculations incorporating the distance to nearby docks and the proposed blasting charge show that potential ground vibrations will not adversely impact nearby upland facilities and buildings (ASE 2018).

23. Description of Avoidance, Minimization, and Compensation (see instructions)

Protected Species and Habitat(s)

Detailed descriptions of the species and habitat that occur in the project area, and the potential for adverse impacts to these species and habitat(s), can be found in the Biological Assessment (BA), Essential Fish Habitat (EFH) Assessment and Incidental Harassment Authorization (IHA) request for the Project (GeoEngineers 2018a, 2018b, 2018c).

Avoidance, Minimization, and Compensation

The Project has been designed to avoid and minimize substantial adverse impacts to the City's summer cruise season, the surrounding environment, and to benefit existing navigation. Potential adverse

environmental impacts include short-term impacts from intermittent in-air and in-water noise from rock pinnacle removal. Key avoidance, minimization, and compensation measures include:

- Removal of the pinnacle is necessary to improve safety and access to the existing berths. It is not possible to accomplish the project's goals and objectives without removing the pinnacle.
- The smallest quantity of material, that which is required to obtain the optimal dredge elevation or water depth, is proposed for removal to minimize disturbance to habitat and protected species.
- Three methods for underwater rock removal were examined and compared with respect to logistical, economic, and environmental feasibility. Based on equipment availability, construction duration, and environmental and economic considerations, drilling and blasting is the only viable option for the City to remove the rock pinnacle.
- The project team includes a blasting specialist, and blasting has been designed to minimize exposure to the water column. The specialist recommended the lowest number of blasts and lowest explosive weight possible to remove the necessary material (ASE 2018). For shallow cuts, small diameter holes and tight drill-hole patterns will be used to break the rock for blast holes. A maximum of one blast will be performed per day. Considerations for protected habitat and species can be found in the BA, EFH Assessment and IHA request for the Project (GeoEngineers 2018a, 2018b, 2018c).
- Blasting will be performed by an experienced contractor and will be completed in accordance with applicable regulations and specific project requirements to avoid and minimize potential impacts to protected species and nearby landward structures.
- Criteria for safe blast vibrations and frequencies at nearby structures, recommended by USBM, have been adhered to in determining the recommended blasting program (ASE 2018). Calculations incorporating the distance to nearby docks and the proposed blasting charge show that potential ground vibrations will not adversely impact nearby upland facilities and buildings.
- A General Blasting Plan will be developed and implemented by the contractor. The Plan will include consideration of proper barge set up, accurate drilling, rock stemming, and shot duration to ensure potential adverse impacts are reduced to the greatest extent possible.
- State and water quality standards will be adhered to during rock pinnacle removal activities. Given the clean nature of the rock material (based on laboratory analysis of representative samples taken from the site), only localized and temporary increases in water turbidity are anticipated. A Spill Prevention, Control and Countermeasure (SPCC) Plan will also be prepared by the selected contractor and used throughout the duration of the project.
- All in-water work is presently proposed to take place between September 16 of 2019 and April 30 of 2020 (includes equipment mobilization and demobilization and mechanical removal of the rock material from the seafloor). Blasting is further restricted to occur between November 15 of 2019 and March 15 of 2020, during daylight hours only.

- All permit conditions will be adhered to, including in-water work windows. The permit conditions will be included as requirements for the contractor in the construction contract documents.
- A marine mammal monitoring program will be adhered to during blasting (GeoEngineers 2018a) and the construction contractor's compliance with the identified shutdown procedures will be monitored by a representative of the City.

References

Anchorage Fish and Wildlife Field Office (AFWFO). 2012. Observer Protocols for Pile Driving, Dredging and Placement of Fill. Anchorage Fish and Wildlife Field Office. US Fish and Wildlife Service, Anchorage, Alaska.

Alaska Seismic & Environmental (ASE), LLC. 2018. Underwater Blasting Recommendations and Analysis. September 3.

GeoEngineers, Inc. 2018a. Biological Assessment (BA) for Removal of Berth II Rock Pinnacle Project, Ketchikan, Alaska. December.

GeoEngineers, Inc. 2018b. Essential Fish Habitat (EFH) Assessment for Removal of Berth II Rock Pinnacle Project, Ketchikan, Alaska. December.

GeoEngineers, Inc. 2018c. Incidental Harassment Authorization (IHA) for Removal of Berth II Rock Pinnacle Project, Ketchikan, Alaska. December.

Shannon & Wilson (S&W). 2017. Geotechnical Data Report. Berth II Pinnacle Removal. Ketchikan, Alaska. November.