



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE  
Regulatory Division (1145)  
CEPOA-RD  
2175 University Avenue, Suite 201E  
Fairbanks, Alaska 99709-4927

<b>PUBLIC NOTICE DATE:</b>	<b>April 30, 2020</b>
<b>EXPIRATION DATE:</b>	<b>June 1, 2020</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2020-00176</b>
<b>WATERWAY:</b>	<b>Tongass Narrows</b>

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Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States (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](mailto: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 Amy Tippery at (907) 458-1602 or by email at: [Amy.C.Tipper@usace.army.mil](mailto:Amy.C.Tipper@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** City of Ketchikan, Ketchikan Public Utilities Company, Attention: Andrew Donato, Electric Division Manager

**AGENT:** PND Engineers, Inc., Attention: Brenna Lambert, E.I.T., Staff Engineer  
9360 Glacier Highway, Suite 100, Juneau, Alaska 99801 Email – [blambert@pndengineers.com](mailto:blambert@pndengineers.com)

**LOCATION:** The project site is located in Sections 22 and 23, T. 75 S., R. 90 E., Copper River Meridian; USGS Quad KTN B-6; Latitude 55.35879° N., Longitude 131.7009° W. on the Revillagigedo Island side and Latitude 55.35493° N., Longitude 131.7053° W. on the Gravina Island end; in Ketchikan, Alaska.

**PURPOSE:** The applicant's stated purpose is to replace the existing sub-marine power cable that services the Ketchikan Airport and Gravina Island with a new, modern power cable.

**PROPOSED WORK:** The proposed project would lay a new 15 kV submarine electrical cable on the seafloor in Section 10 waters (33 U.S.C. 401 et seq.) between Revillagigedo Island and Gravina Island. The project consists of 2,500 linear feet of submarine cable (3.4-inch outer diameter) with 160 linear feet of HDPE sleeve (12-inch outer diameter) at each end. The HDPE necessitates the placement of 10 cubic yards of concrete anchors at about -5 feet of mean high tide (33 U.S.C. 1344). All work would be performed in accordance with the enclosed plan (sheets 1-4), dated April 20, 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 upgraded cable has been located to avoid effects to the seafloor and Section 10 waters by using the shortest possible route which is also the route of the in-place utility cable.

b. Minimization: Minimization measures include using an existing cable route to avoid further sedimentation and/or changes in hydrologic flow patterns affecting sea-floor sediment drift and adjacent benthic communities.

c. Compensatory Mitigation: The project will not result in a loss of waters of the U.S. greater than 1/10th of an acre, and the applicant has stated that compensatory mitigation is not being planned.

**WATER QUALITY CERTIFICATION:** A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

**CULTURAL RESOURCES:** The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be the footprint of the submarine cable, its endpoints, and the immediate vicinity. 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 Potential to Cause Effects determination for the proposed project. Consultation with the State Historic Preservation Office (SHPO) is not required, 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 humpback whale (*Megaptera novaeangliae*) and Steller sea lion (*Eumetopias jubatus*).

We have determined the described activity may affect the threatened humpback whale (*Megaptera novaeangliae*) Mexico distinct population segment (DPS) and its designated critical habitat and the endangered Steller sea lion (*Eumetopias jubatus*) western DPS, but not its critical habitat. We have initiated 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.

Avoidance measures are being taken as practicable for effects to marine mammals. The timing of the work is currently unknown and work will be timed to coincide with another project by a separate entity. It is likely that work will occur in the fall when the cruise vessels are not in Ketchikan. Peak numbers of humpbacks in Southeast Alaska occurs during late summer to early fall. It is possible that humpback whales may occasionally be in the project area during the construction window.

In order to minimize impacts from vessel interactions with marine mammals, the crews aboard project vessels will follow NMFS's marine mammal viewing guidelines and regulations as practicable (<https://alaskafisheries.noaa.gov/protectedresources/mmv/guide.htm>).

**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*), Coho (*O. kisutch*), Chum (*O. keta*), Sockeye (*O. nerka*) and Pink (*O. gorbuscha*) Salmon.

We have determined the described activity would not adversely affect EFH in the project area.

**TRIBAL CONSULTATION:** The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This 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 U.S. – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the U.S. – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander  
U.S. Army, Corps of Engineers

Enclosures

# STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION  
DIVISION OF WATER

Wastewater Discharge Authorization Program (WDAP) / 401 Certification

DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WDAP/401 CERTIFICATION  
555 CORDOVA STREET  
ANCHORAGE, ALASKA 99501-2617  
PHONE: (907) 269-6285 | EMAIL: [dec-401cert@alaska.gov](mailto:dec-401cert@alaska.gov)

## NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

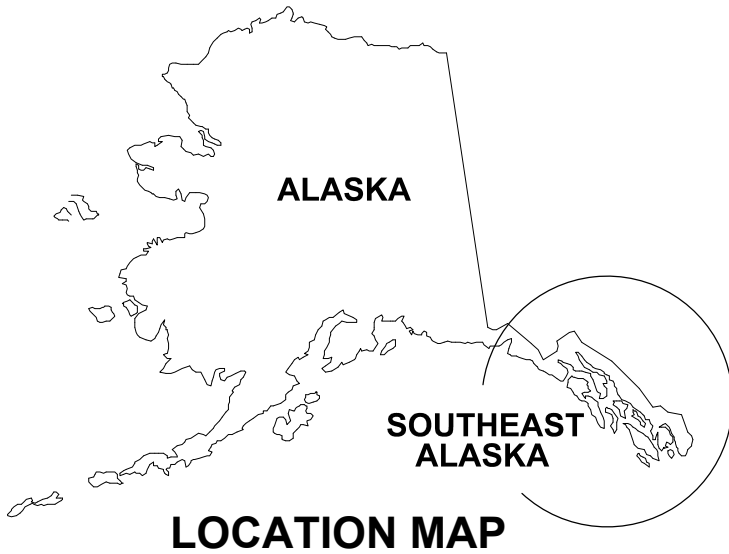
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number **POA-2020-00176, Tongass Narrows** serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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.

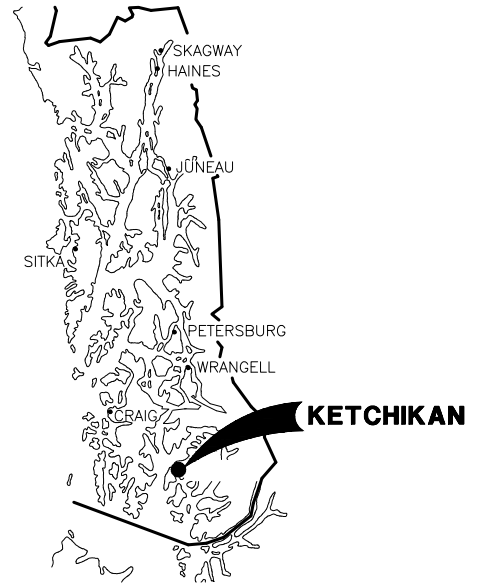
Any person desiring to comment on the project with respect to Water Quality Certification, may submit written comments to the address above or via email to [dec-401cert@alaska.gov](mailto:dec-401cert@alaska.gov) by the expiration date of the Corps of Engineer's Public Notice. All comments should include the PN reference number listed above. Mailed comments must be postmarked on or before the expiration date of the public notice.

### Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact 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.

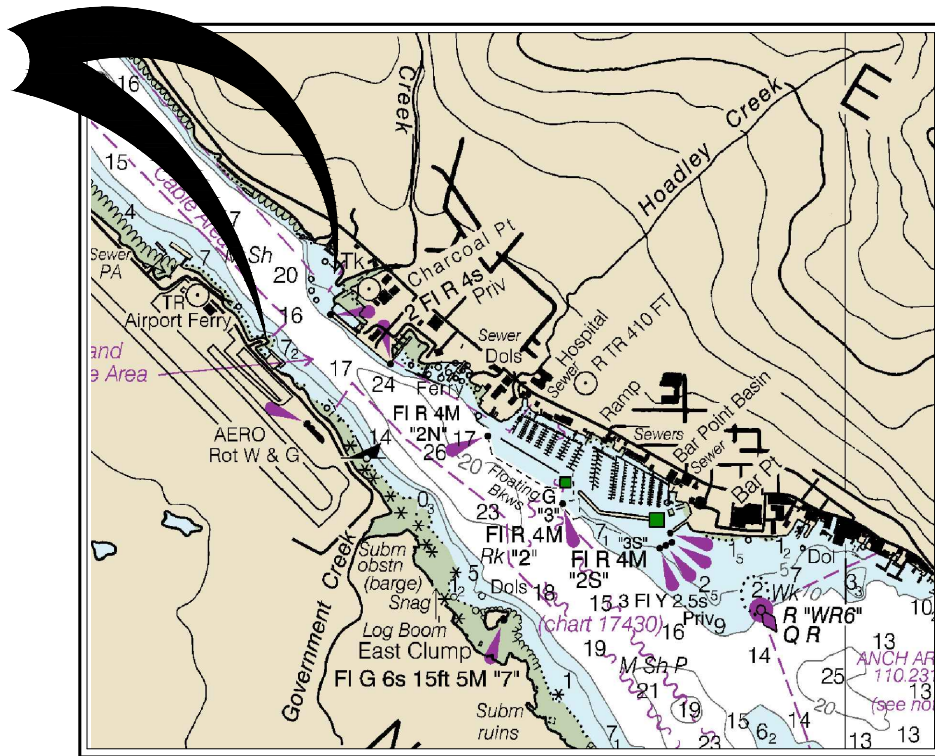


**LOCATION MAP**



**SOUTHEAST ALASKA**

**PROJECT LOCATION**



**VICINITY MAP**

**PURPOSE:**

TO REPLACE AN EXISTING POWER CABLE WITH A NEW, MODERN POWER CABLE.

POA-2020-00176  
 City of Ketchikan, Ketchikan  
 Public Utilities Company  
 Tongass Narrows  
 April 20, 2020  
 Sheet 1 of 4

**KPU SUBMARINE CABLE**

APPLICANT: CITY OF KETCHIKAN  
 (d/b/a KETCHIKAN PUBLIC UTILITIES,  
 ELECTRICAL DIVISION)

WATERWAY: TONGASS NARROWS

PROPOSED ACTIVITY: SUBMARINE POWER CABLE

S: 22 T: 75S R: 90E M: CRM QUAD: KTN B6  
 LAT: 55°21'31.66" N LONG: 131°42'3.29" W (REVILLA)  
 LAT: 55°21'31.66" N LONG: 131°42'3.29" W (GRAVINA)  
 DATE: MARCH 2020 SHEET 1 OF 4

DATUM:  
 MLLW = 0.0' FT

HTL = 19.4'  
 MHW = 14.54'  
 MLLW = 0.0'

PND#: 202025

**LEGEND**

**ABBREVIATIONS:**

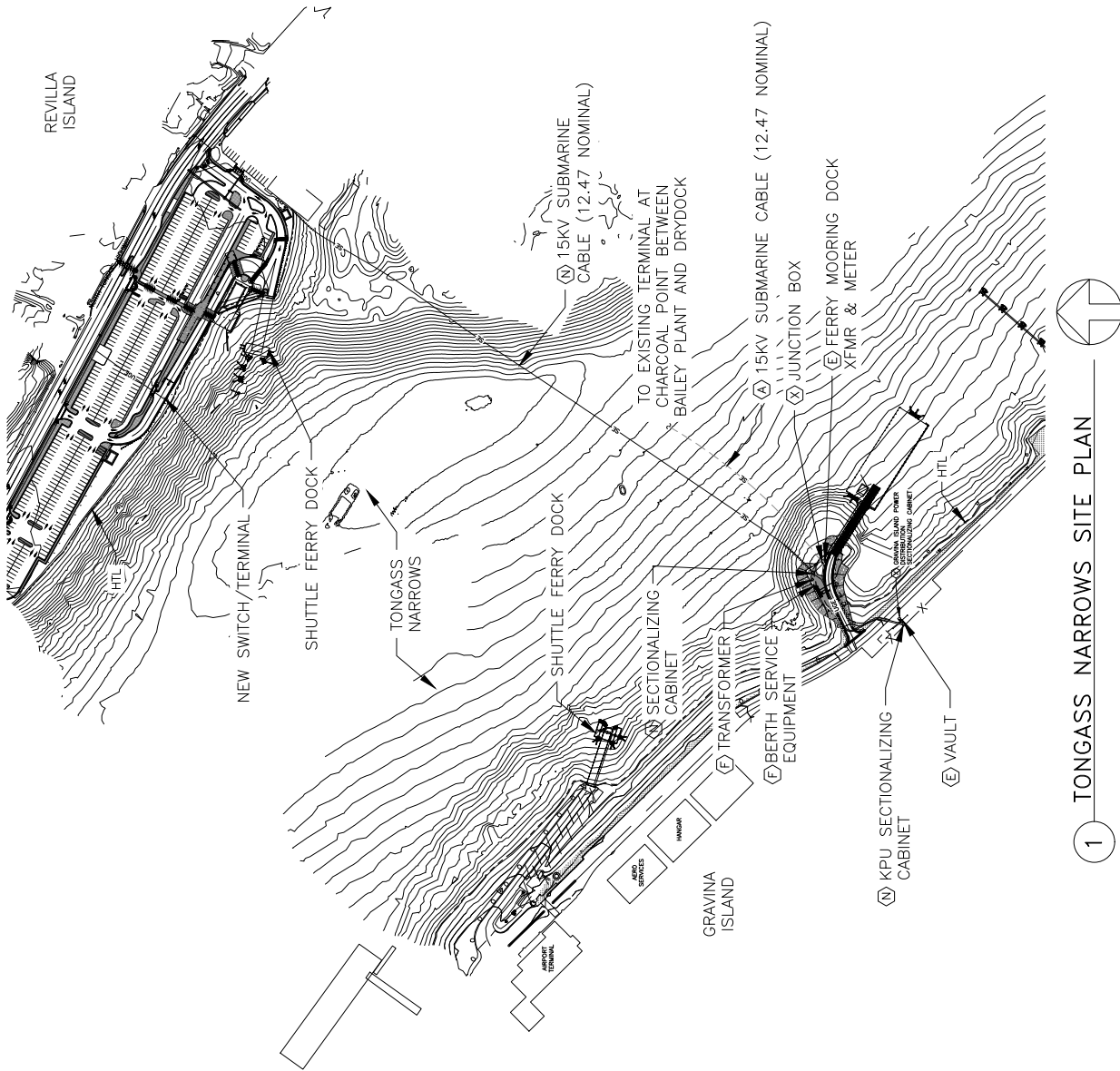
- ATS AUTOMATIC TRANSFER SWITCH
- OHE OVERHEAD ELECTRICAL
- UGE UNDERGROUND ELECTRICAL
- UON UNLESS OTHERWISE NOTED
- WP WEATHERPROOF
- XFMR TRANSFORMER

**SHEET NOTE SYMBOLS:**

- (A) ABANDON IN PLACE
- (E) EXISTING TO REMAIN
- (F) FUTURE
- (N) NEW
- (R) RELOCATE EXISTING
- (X) REMOVE EXISTING
- (X/X) DETAIL/SHEET CALLOUT
- (X/X) SECTION/SHEET CALLOUT

**DIAGRAM SYMBOLS:**

- (Symbol) AUTOMATIC TRANSFER SWITCH
- (Symbol) CIRCUIT BREAKER
- (Symbol) DISCONNECT OR SWITCH
- (Symbol) GENERATOR
- (Symbol) TRANSFORMER
- (Symbol) FUSE



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POA-2020-00176

City of Ketchikan, Ketchikan

Public Utilities Company

Tongass Narrows

April 20, 2020

Sheet 2 of 4

PND#: 202025

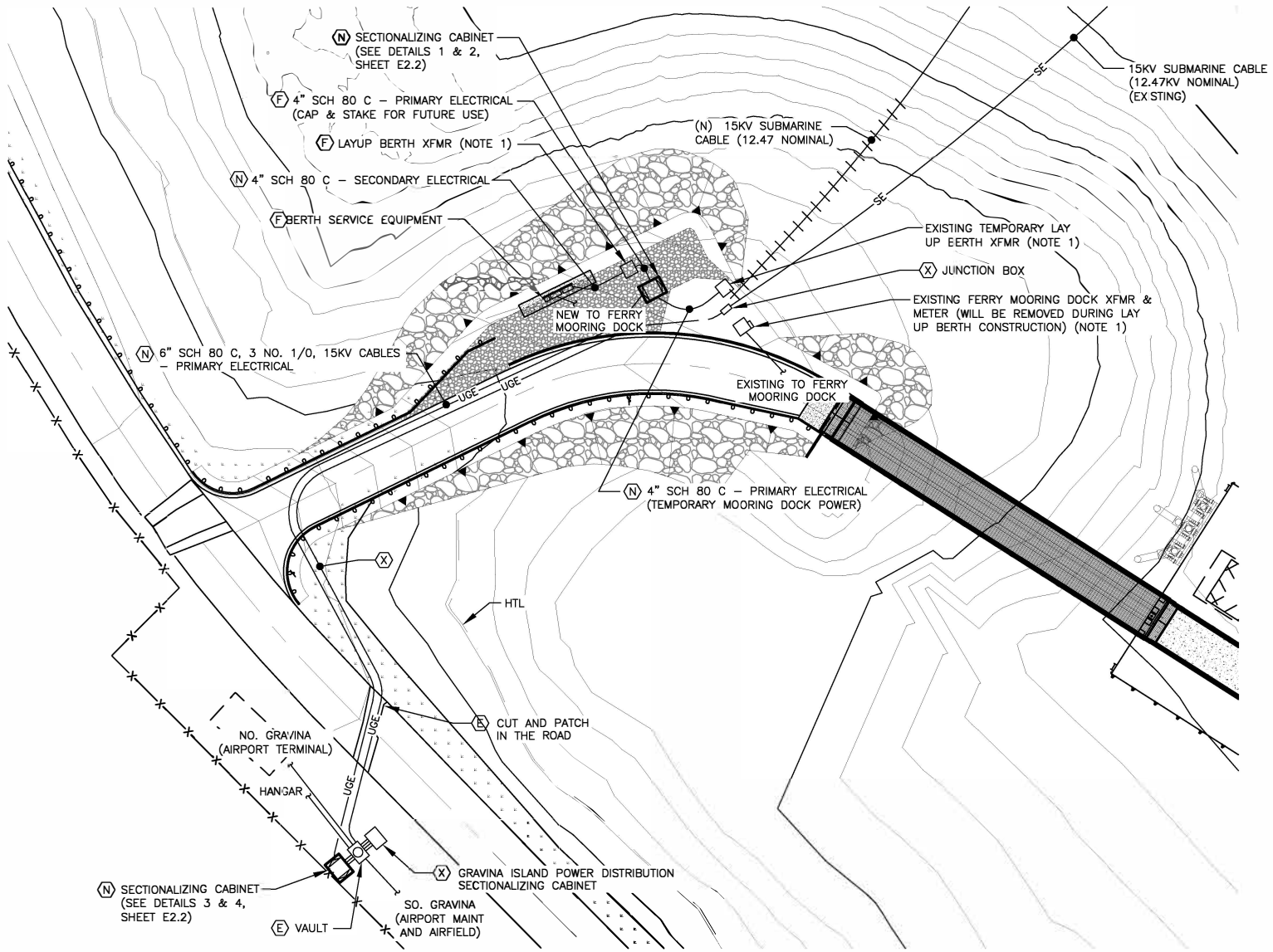
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DATE: MARCH 2020 SHEET 2 OF 4



1 GRAVINA ISLAND - ENLARGED PLAN

NOTE:  
 1. COORDINATE WITH LAYUP BERTH CONSTRUCTION TO PROVIDE POWER TO THAT INSTALLATION.

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POA-2020-00176  
 City of Ketchikan, Ketchikan  
 Public Utilities Company  
 Tongass Narrows  
 April 20, 2020  
 Sheet 3 of 4

PND#: 202025

**KPU SUBMARINE CABLE**

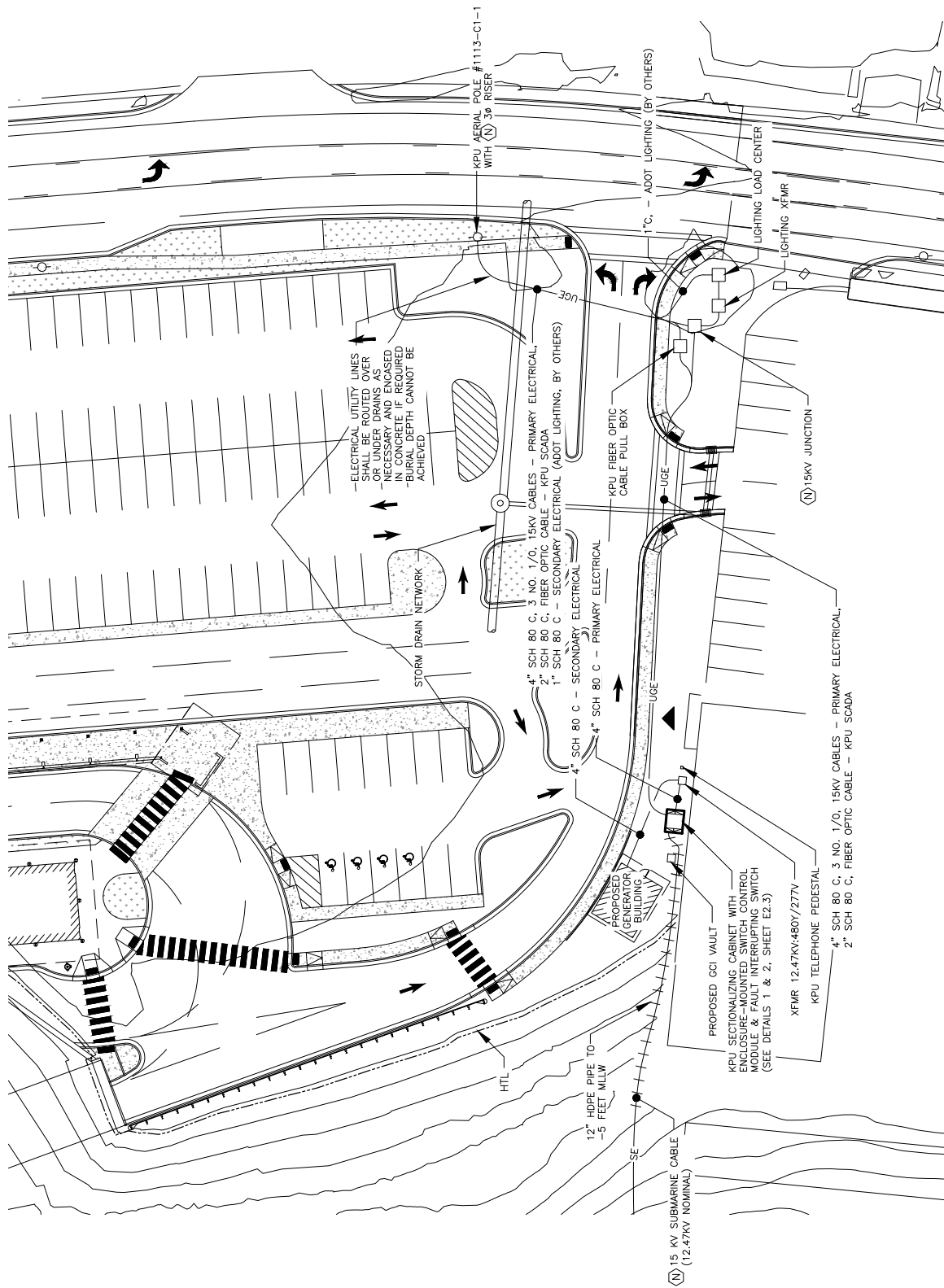
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 DATE: MARCH 2020 SHEET 3 OF 4





1 REVILLAGIGEDO ISLAND — ENLARGED PLAN

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POA-2020-00176  
City of Ketchikan, Ketchikan  
Public Utilities Company  
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Sheet 4 of 4

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