



US Army Corps
of Engineers
Alaska District

Juneau Field Office
Regulatory Division (1145)
CEPOA-RD
Post Office Box 22270
Juneau, Alaska 99802-2270

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	July 30, 2020
EXPIRATION DATE:	August 14, 2020
REFERENCE NUMBER:	POA-2005-01171
WATERWAY:	Fish Creek

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States (U.S.) as described below and shown on the enclosed project drawings.

All comments regarding this Public Notice (PN) should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the Project Manager's email as listed below or to regpagemaster@usace.army.mil. All comments should include the PN reference number listed above.

All comments should reach this office no later than the expiration date of this PN to become part of the record and be considered in the decision. Please contact Randal Vigil at (907) 790-4490, or by email at: Randal.P.Vigil@usace.army.mil if further information is desired concerning this notice.

APPLICANT: City and Borough of Juneau, Eaglecrest Ski Area, 5651 North Douglas Highway, Juneau, AK 99801.

LOCATION: The project site is located within Section 30 and 31, T. 41 S., R. 67 E., Copper River Meridian; USGS Quad Map Juneau B-2; Latitude 58.283844° N., Longitude 134.520834° W.; Eaglecrest Ski Area, in Juneau, Alaska.

PURPOSE: The applicant's stated purpose is to perform trail improvements to the Lower Loop Nordic Trail.

PROPOSED WORK: Discharge clean shot rock fill material into waters of the U.S. consisting of Palustrine emergent and forested wetlands to construct improvements to the Lower Loop Nordic Ski Trail as follows:

WETLAND EFFECTED TRAIL LENGTHS, AREA AND FILL TABLE										
Trail Name	Trail Type	Trail Width (feet)	Trail Length (feet)	Wetland Sq. Footage	% Forested Wetlands or open Peatland	Culvert pad cumulative impact 300 sqft per culvert	Total # of stream crossings / Culverts	Length of stream crossings in feet	Shotrock cu yd. fill into wetland	
Meadow Access	Nordic	10'	2,707	27,070	100%	1800	6	108'	1604	18 inches Deep
Connection to Lower Parking	Nordic	10'	600	6,000	100%				333	18 inches Deep
Nordic Back Meadow Loop	Nordic	10'	2,664	26,640	100%				1,480	18 inches Deep
Fish Creek Loop	Nordic	10'	1,679	16,790	100%	300	1	20'	949	18 inches Deep
Fish Creek Access	Mulit Use	10'	484	4,840	100%	1200	4	80'	336	18 inches Deep
Learning Area	Nordic	10'	220	2,200					12	18 inches Deep
Total Square Footage of Impacts				83,540		3300				
						Cumulative Wetland Impacts sqft			86,840	
						Acres of Wetland Impacts			1.99	
						Total Fill in Cubic Yard			4,714.00	

All work would be performed in accordance with the enclosed plan (sheets 1-10), dated July 16, 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: In the siting of the trail improvement areas the trail tread took special care to avoid all natural ponding in the Dome Bog

b. Minimization: The trail tread was keep at a minimum width necessary to accommodate winter ski trail grooming equipment. The entire area encompassing our Lower Nordic Loop Area, which is Eaglecrest's only beginner and intermediate Nordic Ski Trail Area is classified as open peat land or forested wetland. Due to careful layout of the trail surface wetland impacts were kept at just under 2 acres. The North Eastern portion of the Back Meadow Loop has started to degrade from pedestrian traffic following the old Treadwell Board Walk which ends in the muddy bog. The new hardened trail section will eliminate further trampling.

c. Compensatory Mitigation: No compensatory Mitigation is proposed.

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

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are cultural resources (JUN-00756 Treadwell Ditch and Maintenance Trail, Main Branch) within the vicinity of the permit area. Consultation of the AHRs constitutes the extent of cultural resource investigations by the Corps of Engineers (Corps) at this time. Although there are historic properties within or encompassing the project area no adverse effects to those resources are anticipated, as the proposed work would not occur within the alignment of the Treadwell Ditch Trail. The Corps has made a No Adverse Effect determination for the proposed project. 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: No threatened or endangered species are known to use the project area.

We have determined the described activity would have no effect on any listed or proposed threatened or endangered species and would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the U.S. Fish and Wildlife Service or 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 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).

No EFH species are known to use the project area.

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 authority:

(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-2005-01171, Fish Creek**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

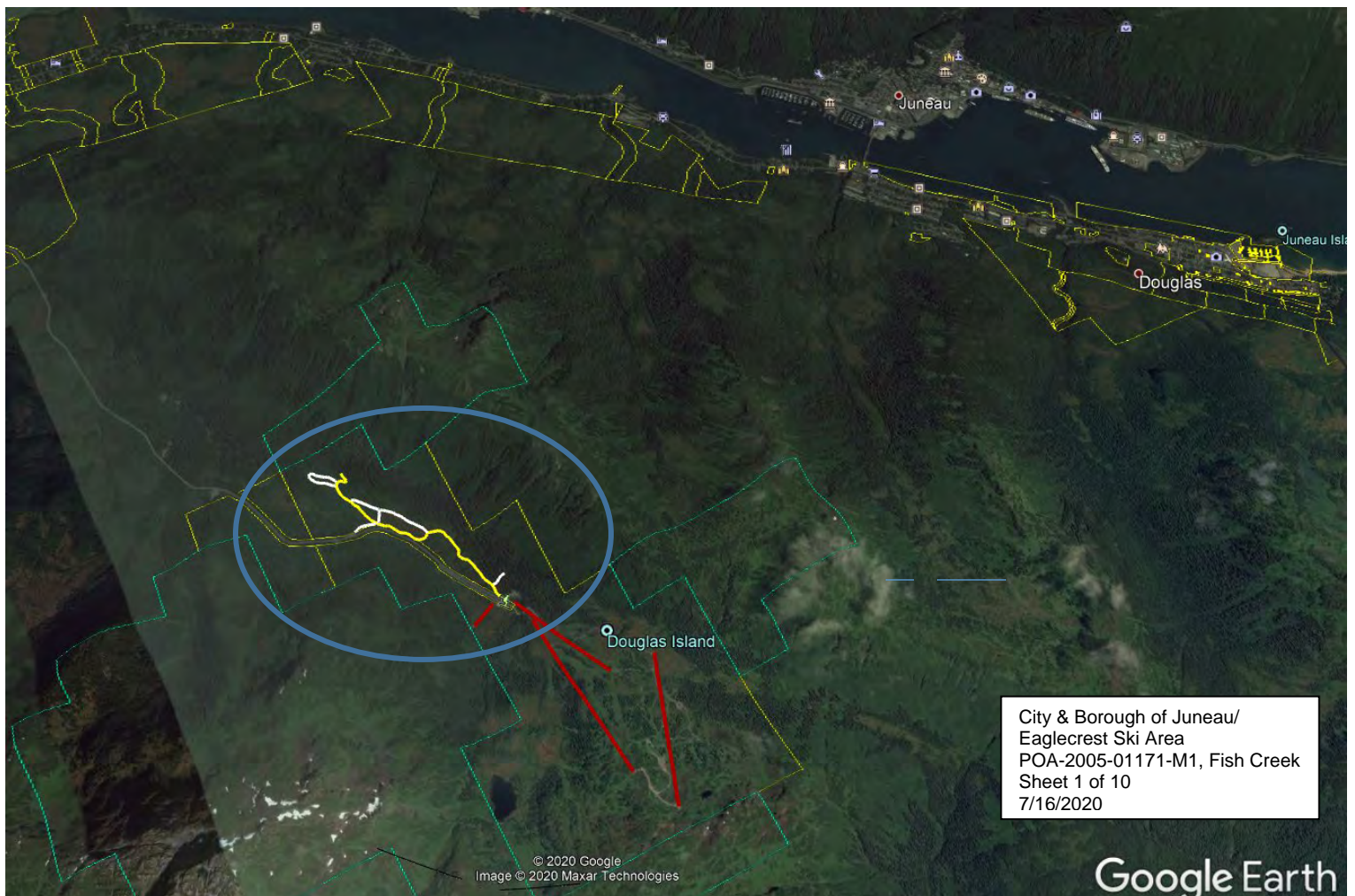
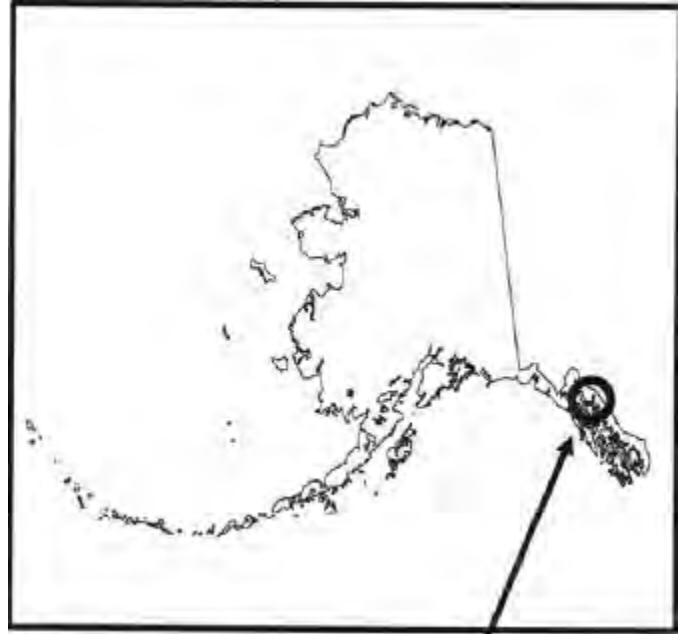
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

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

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact Kate Orozco at 907-465-6171 or TDD Relay Service 1-800-770-8973/TTY or dial 711 within 5 days of the expiration date of this public notice to ensure that any necessary accommodations can be provided.

Vicinity Map



City & Borough of Juneau/
Eaglecrest Ski Area
POA-2005-01171-M1, Fish Creek
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Google Earth

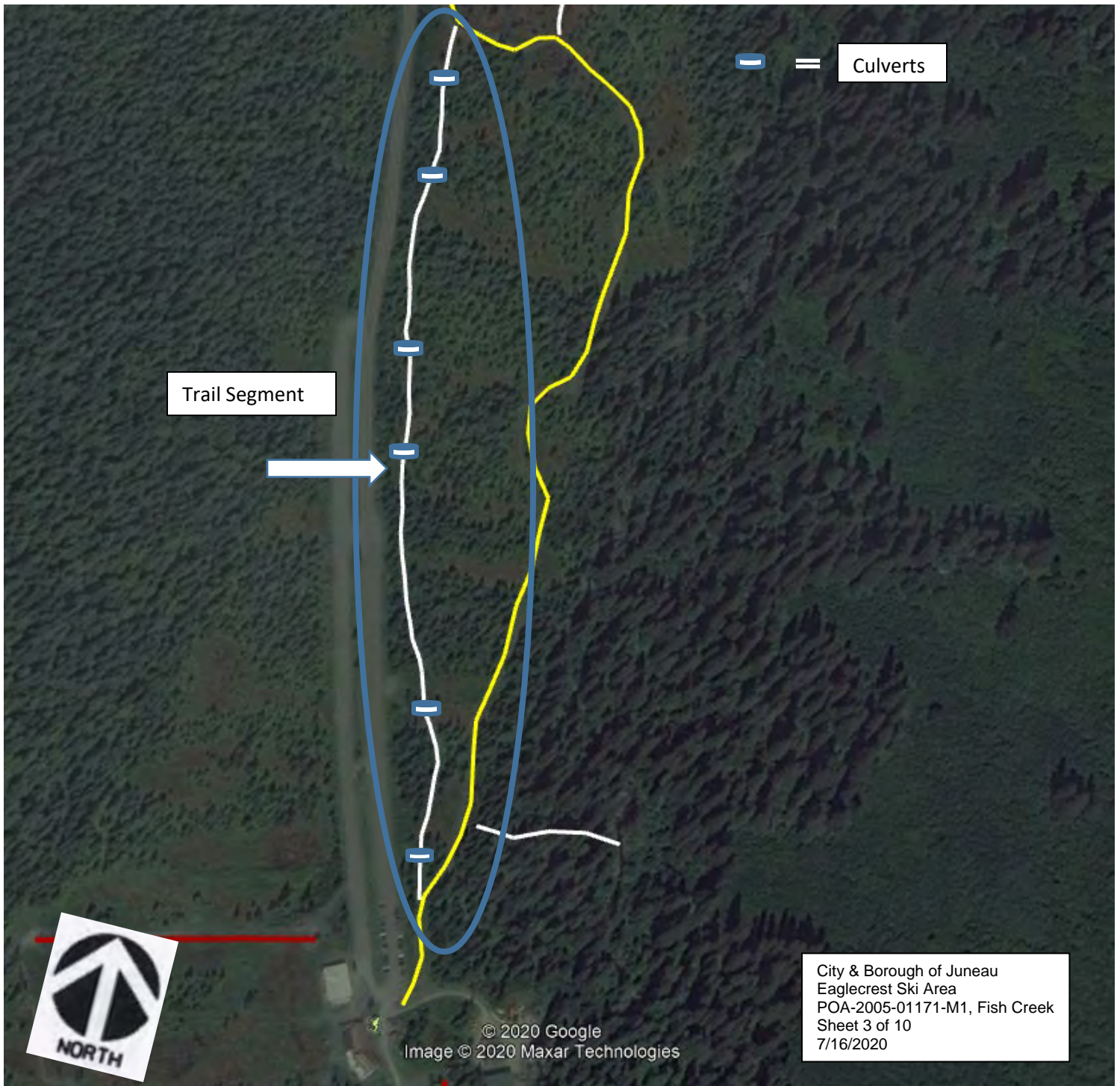
City & Borough of Juneau
Eaglecrest Ski Area
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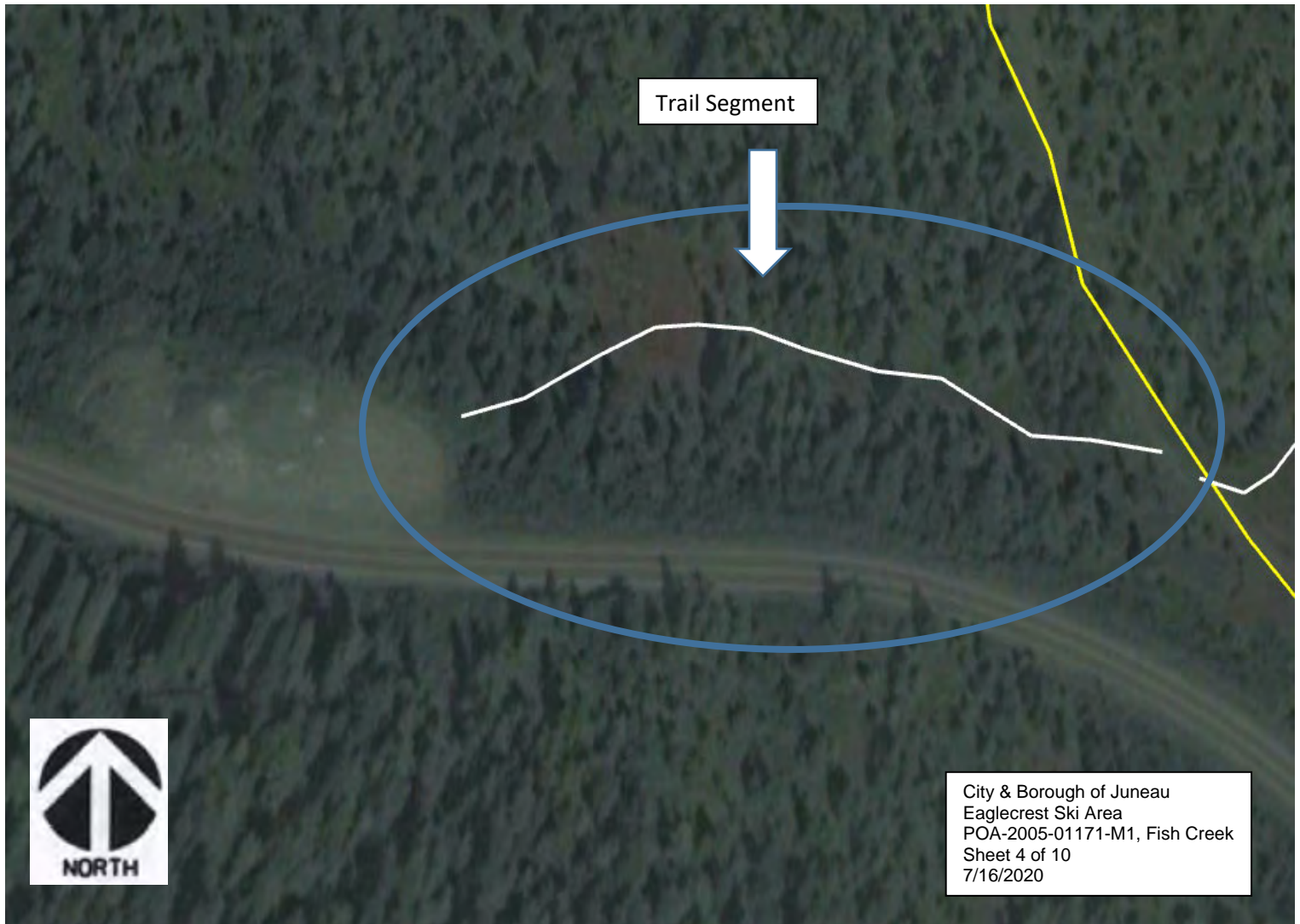


Google

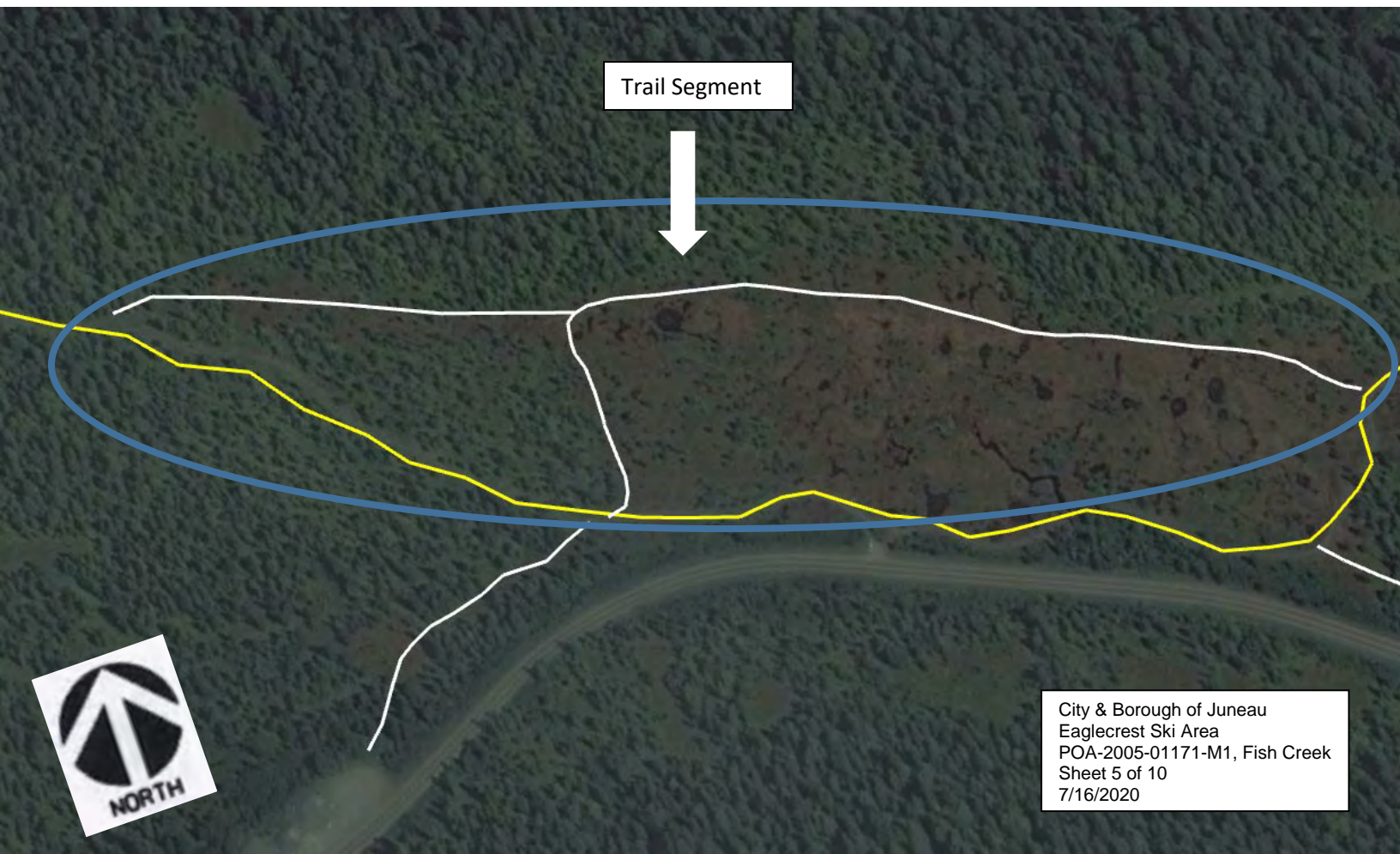
Meadow Access Trail
2,473 Linear Feet
6 culverts
28,870 square Feet of Trail Impacts



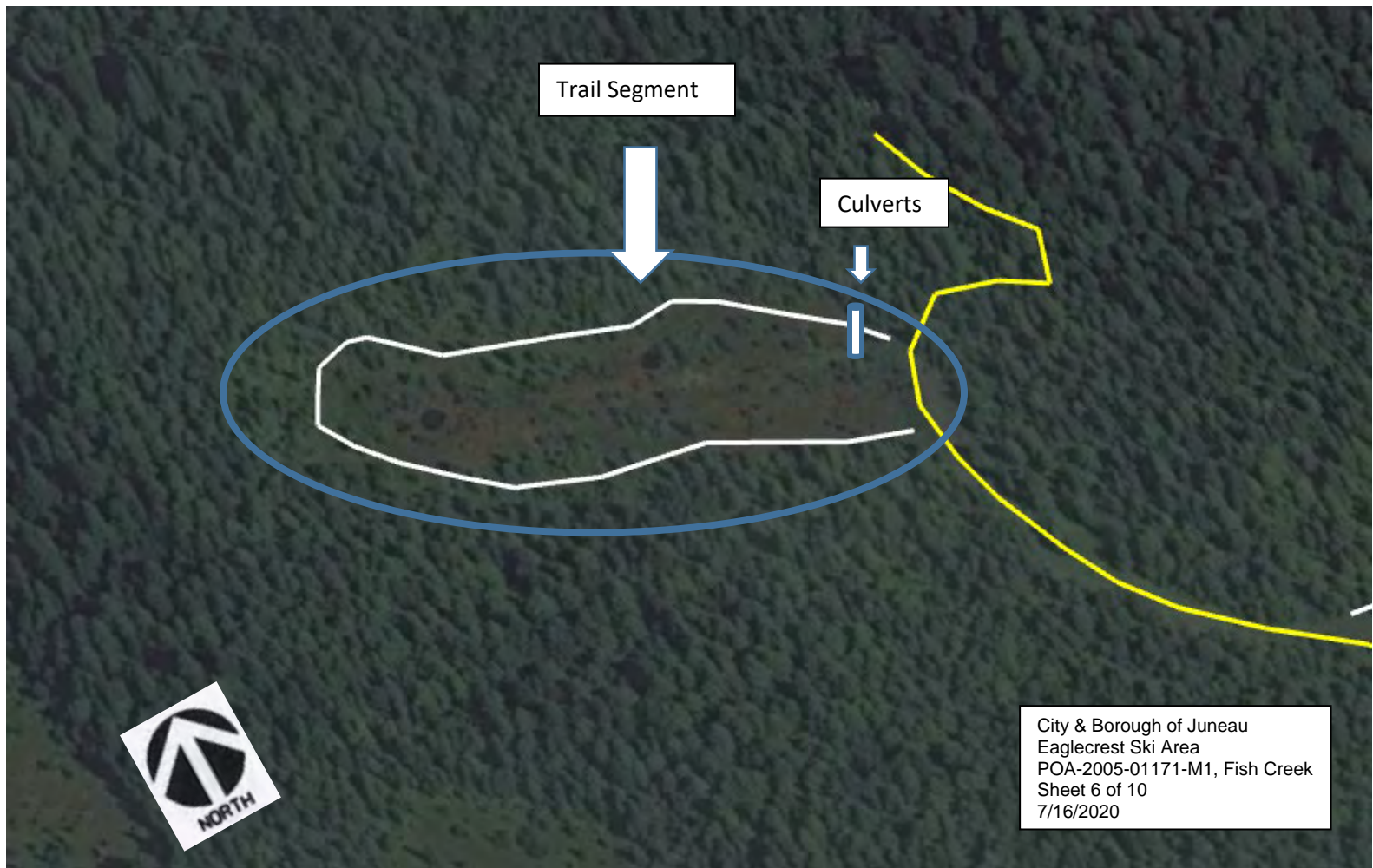
Connection to Lower Parking Lot
600 Linear Feet
6,000 Square Feet of Impacts



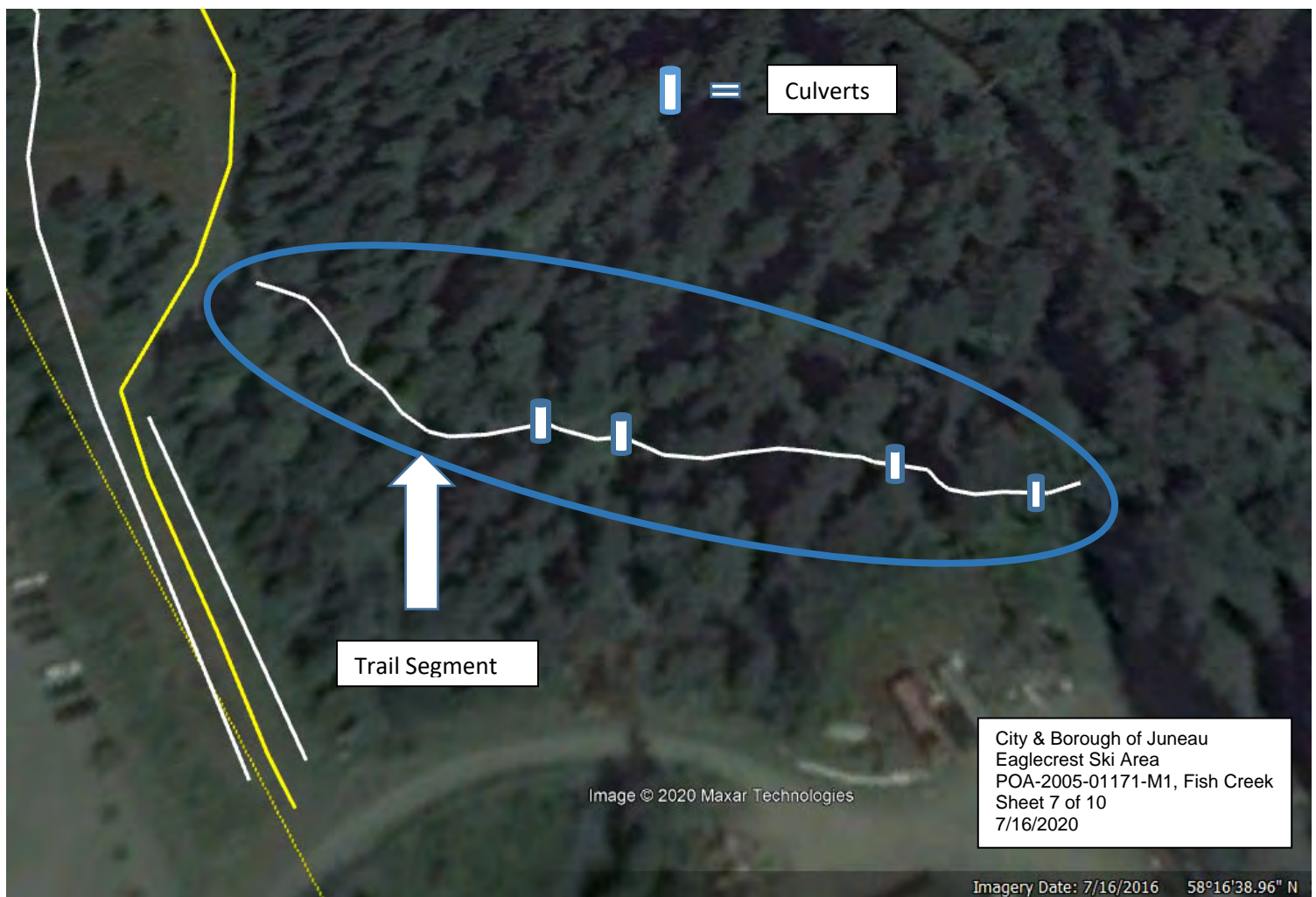
Back Meadow Loop Trail
Trail Length 2,664
26,640 square feet of Impacted Area



Fish Creek Loop
Total Trail Length 1679 Feet
One culvert
17,090 Total Square Feet of Impacted Area



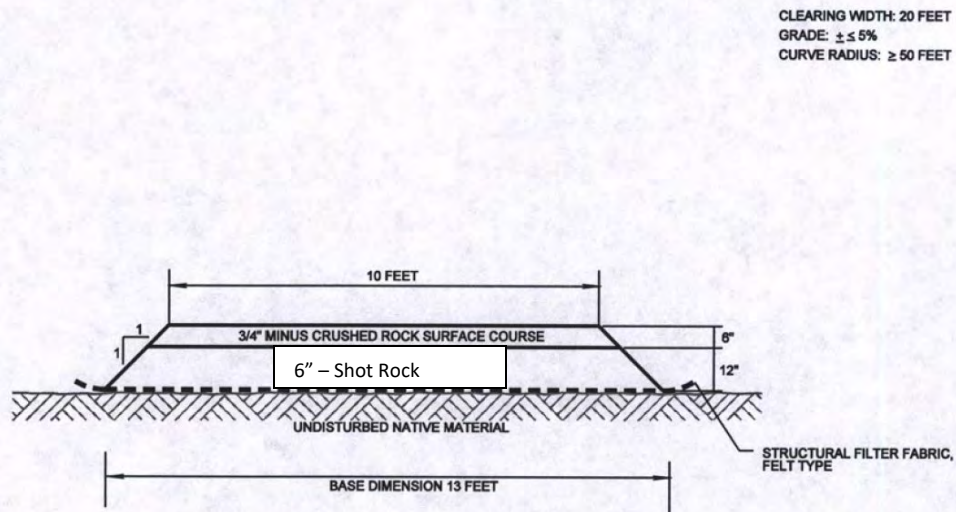
Fish Creek Access Trail and Hardened Viewing Pad
Total Linear Feet of Trail 484
Total of 4 culverts
Total Square Footage of Impacts 6,040



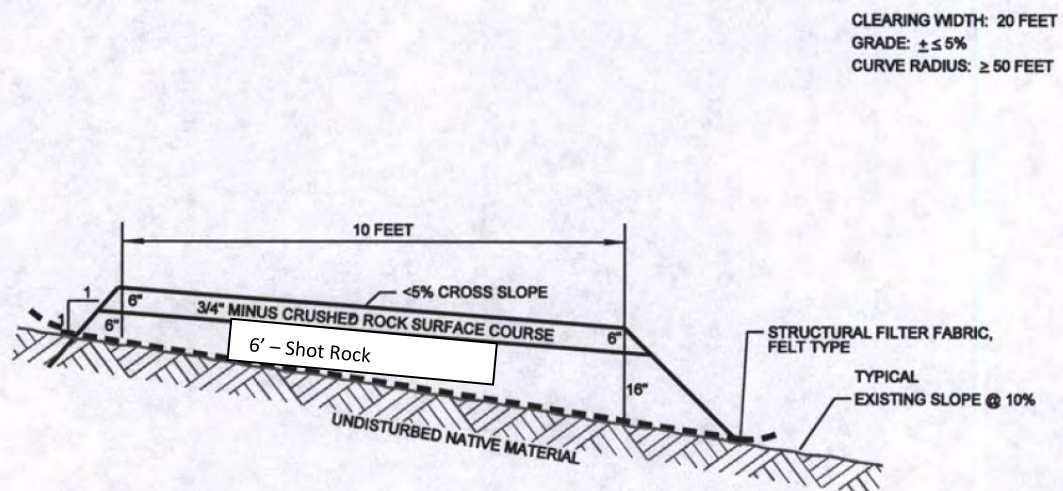
Nordic Learning Area
Total Linear Length 220 feet
Total Wetland Impacts 2200 square feet



Typical Trail Cross Section Drawing



TYPICAL TRAIL CROSS SECTION- LEVEL GROUND

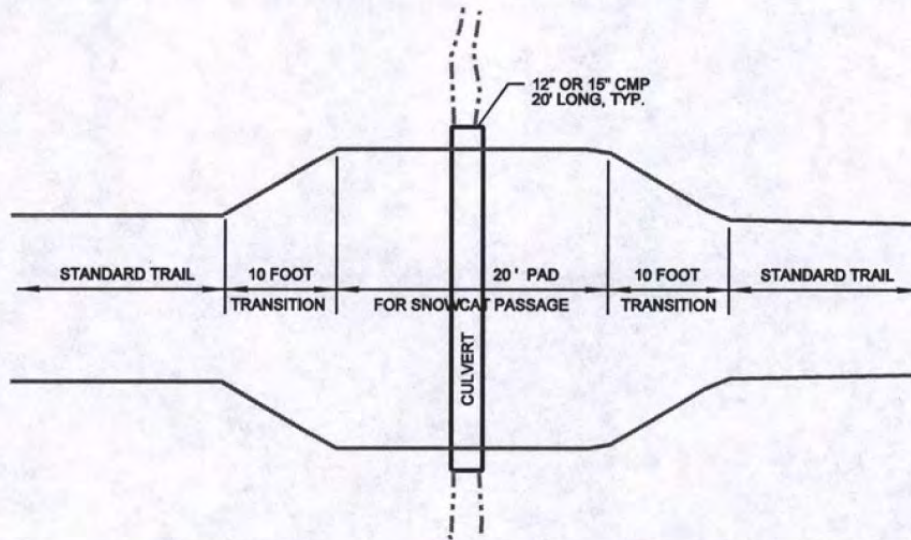


City & Borough of Juneau
Eaglecrest Ski Area
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TYPICAL TRAIL CROSS SECTION- SLOPED GROUND

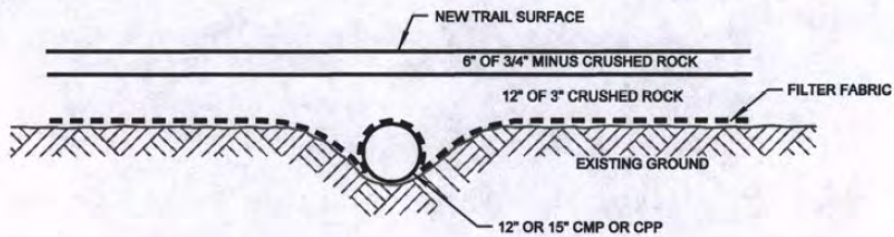
Culvert Plan View

PLAN

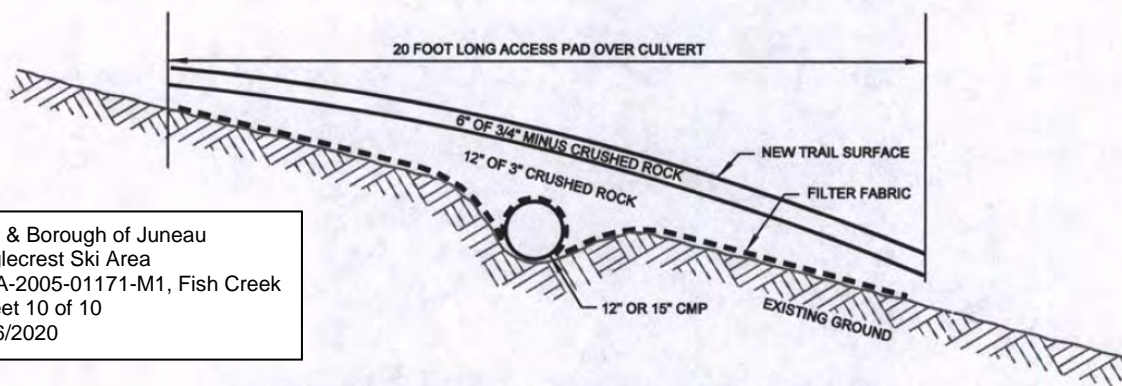


TYPICAL CULVERT INSTALLATION - LEVEL OR SLOPED GROUND

SECTION



TYPICAL CULVERT INSTALLATION - LEVEL GROUND



TYPICAL CULVERT INSTALLATION - SLOPED GROUND

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Eaglecrest Ski Area
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