



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

ANCHORAGE
Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

PUBLIC NOTICE DATE:	February 14, 2020
EXPIRATION DATE:	March 16, 2020
REFERENCE NUMBER:	POA-2019-00705
WATERWAY:	Shipley Bay

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 Andrew Gregory at (907) 753-2791, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at: andrew.w.gregory@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Sealaska Timber Company, LLC, 1900 First Avenue, Suite 315, Ketchikan, Alaska, 99901

LOCATION: The project site is located within Section 8, T. 67 S., R. 77 E., Copper River Meridian; USGS Quad Map Petersburg A-5; Latitude 56.0793° N., Longitude 133.548° W.; near Petersburg, Alaska.

PURPOSE: The applicant's stated purpose is to construct a log transfer facility to service, store, and transport log bundles that are produced in upland timber operation.

PROPOSED WORK: Placement of approximately 1,305 cubic yards of fill material into 0.095- acre of intertidal estuarine wetlands for the construction of a drive down ramp and bulkhead for walkway. Additionally, the installation of three 850-foot-long log booms, creating a 22.4 acre of log rafting area with six, 58-inch diameter buoys (Tract A); installation of a 2000-foot-long log standing boom for a 24.1 acre log rafting storage area with four, 58-inch diameter buoys (Tract B); installation of two 58-inch diameter buoys for ship mooring (Tract C); and installation of a small boat and float plane floating dock consisting of a 70-foot-long x 5-foot-wide ramp leading to a 30-foot-long x 30-foot-wide float with four 1-ton concrete anchors. All work would be performed in accordance with the enclosed plan (sheets 1-11).

ADDITIONAL INFORMATION: Other state authorizations applied for include Alaska Department of Natural Resources Tidelands Lease.

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 surrounding area consists of a high proportion of wetlands and the available space is limited by an existing Easement with U.S. Forest Service. The development of the sort yard area and camp site has been limited to avoid impacts on adjacent wetlands. The ramp is being placed on an existing rock outcrop to reduce the amount of fill material needed in the intertidal zone.

b. Minimization: The proposed sort yard is on top of an previously existing log transfer facility to minimize disturbance to the surround area.

c. Compensatory Mitigation: To address compensatory mitigation the applicant proposes purchasing credits from the Natzuhini Bay Mitigation Bank.

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 within the vicinity of the permit area (PET-00583, PET-00504, PET-00784, and PET-00029). The permit area has been determined to be the entire 4.0 acre development of the log transfer facility and the boundary of the in-water structures. 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 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 Mexico Distinct Population Segment (DPS) Humpback Whale (*Megaptera novaeangliae*).

We have determined the described activity may affect the endangered Mexico DPS Humpback Whale. We will initiate 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.

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, Chum salmon, Pink salmon, Pink salmon, Sockeye salmon, and Coho salmon.

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

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This PN serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use

on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

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

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(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-2019-00705, Shipley Bay**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

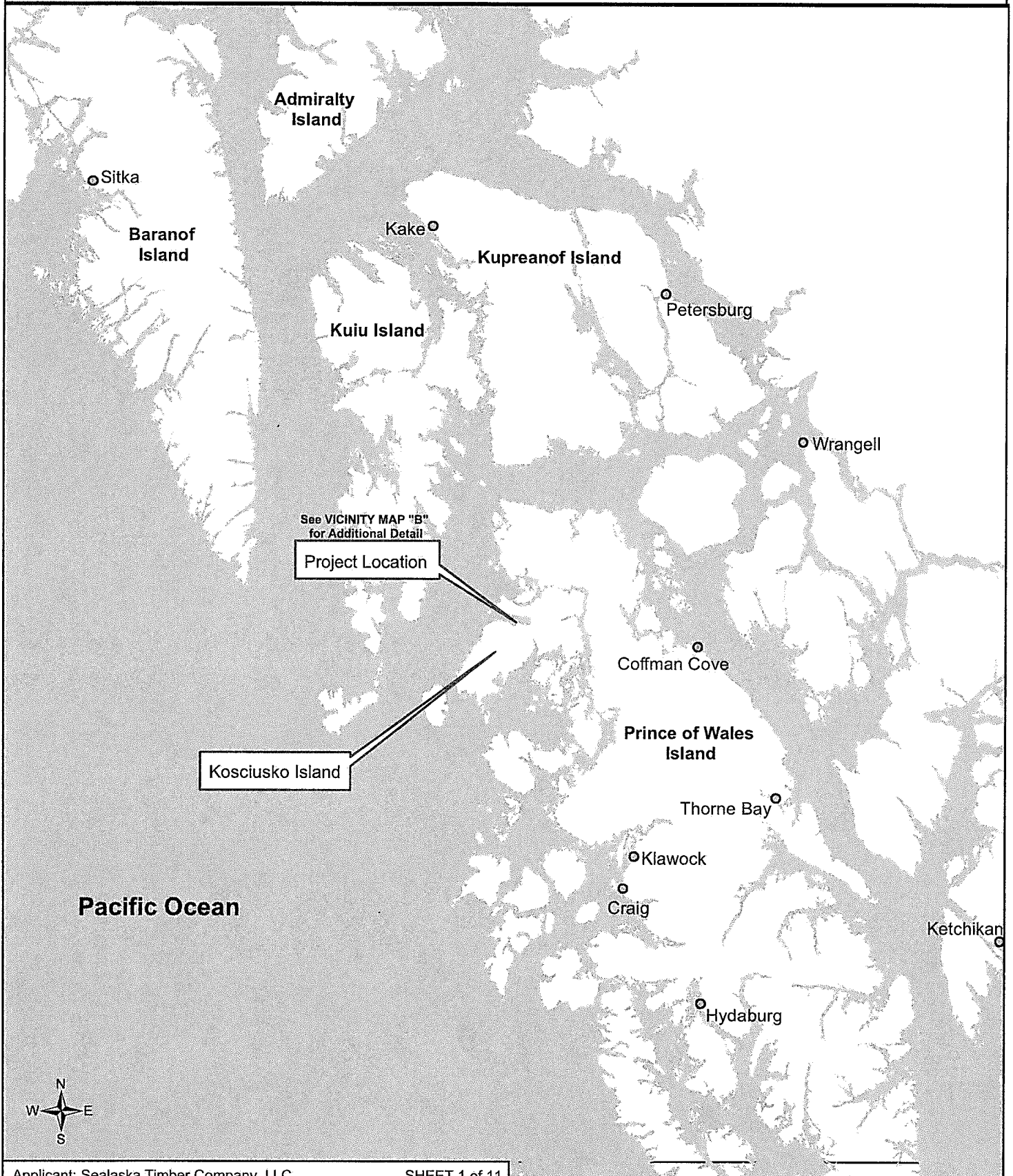
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

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.

Sealaska Timber Corporation - VICINITY MAP "A" - Shipley Bay Project Plan



Applicant: Sealaska Timber Company, LLC

File No.: POA-2019-00705

Waterway: Shipley Bay

Proposed Activity: LTF, Floating Dock, LSA, & Log Ship Moorage

Section: 8 Township: 67 S. Range: 77 E. Meridian: Copper River

Lat.: 56° 4' 45.5" North (LTF) Long.: 133° 32' 52.8" West (LTF)

SHEET 1 of 11

Scale: 1 inch equals 20 miles

STC GIS - November 2019

VICINITY MAP "B"

Shipley Bay LTF, Floating Dock, Rafting, LSA, and Log Ship Moorage 2019

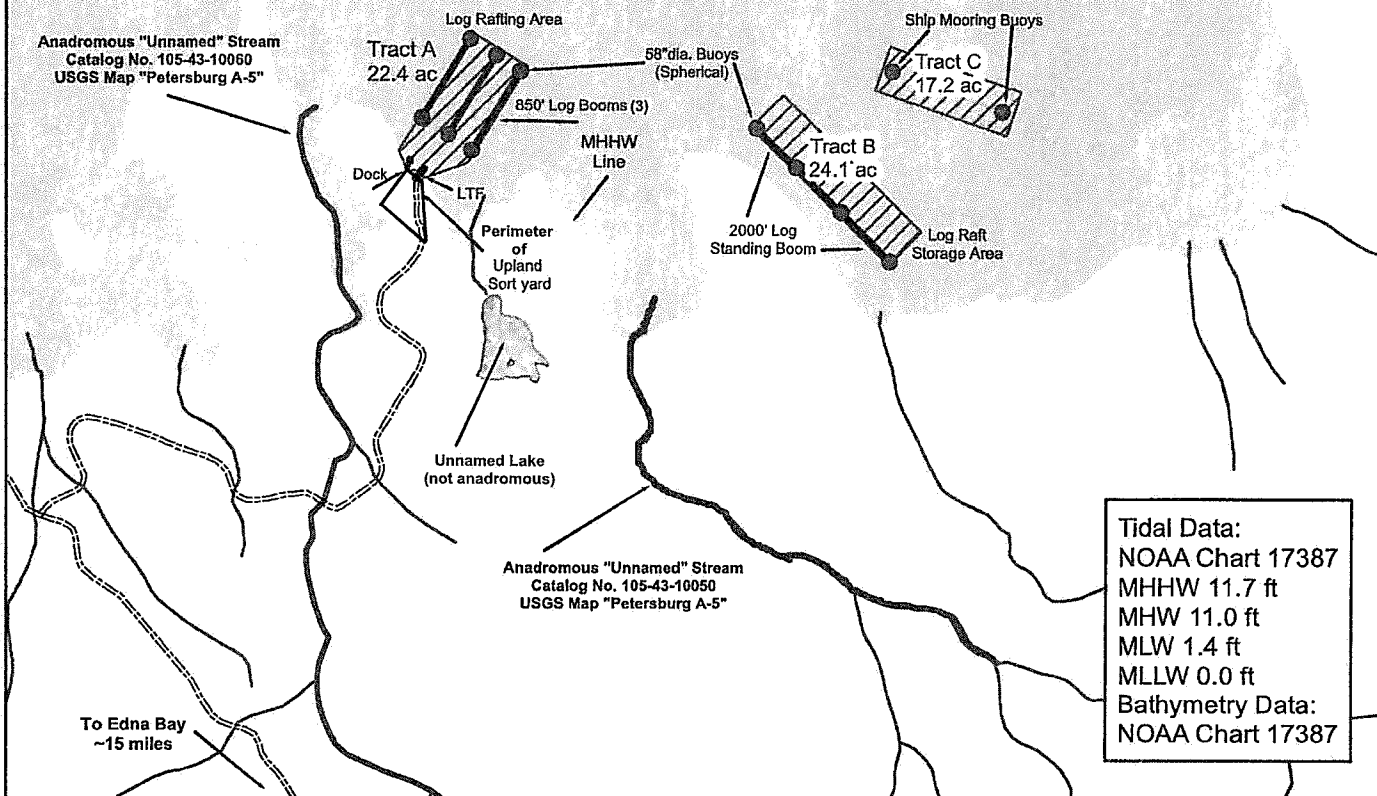
Applicant: Sealaska Timber Company, LLC
 File No.: POA-2019-00705
 Waterway: Shipley Bay
 Proposed Activity: LTF, Floating Dock, LSA, & Log Ship Moorage
 Section: 8 Township: 67 S. Range: 77 E. Meridian: Copper River
 Lat.: 56° 4' 45.5" North (LTF) Long.: 133° 32' 52.8" West (LTF)

SHEET 2 of 11

Kosciusko Island (West side)

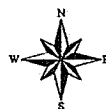
Shipley Bay
(East end)

Note: Refer to NOAA Chart and Schematic Diagrams for more detail.
 Corner Coordinates for each Tract are provided in SHEET 3 of ____



Legend

	Sealaska Ownership		18 ft		Anadromous Streams
	Facility Boundary		30 ft		Water Quality Streams
	Roads		60 ft		Anchored Buoy
	Existing		120 ft		Standing Boom
			HTL		



Prepared December 2019
 STC GIS

0 2,000 4,000 Feet

SEALASKA TIMBER COMPANY

Shipley Bay Rafting, Log Storage, and Ship Moorage

2019

Applicant: Sealaska Timber Company, LLC

SHEET 3 of 11

File No.: POA-2019-00705

Waterway: Shipley Bay

Proposed Activity: LTF, Floating Dock, LSA, & Log Ship Moorage

Section: 8 Township: 67 S. Range: 77 E. Meridian: Copper River

Lat.: 56° 4' 45.5" North (LTF) Long.: 133° 32' 52.8" West (LTF)

Note: The purpose of this Map is to show "corner coordinates" of facility tracts ONLY.
Therefore, important features and descriptions are shown in other sheets.

TRACT A

1. 133°32'42.776"W, 56°4'59.444"N
2. 133°32'32.369"W, 56°4'55.763"N
3. 133°32'43.601"W, 56°4'45.534"N
4. 133°32'51.868"W, 56°4'43.822"N
5. 133°32'56.723"W, 56°4'46.804"N

Shipley Bay

TRACT C

1. 133°31'23.073"W, 56°4'57.896"N
2. 133°30'58.154"W, 56°4'53.003"N
3. 133°31'0.987"W, 56°4'48.37"N
4. 133°31'25.967"W, 56°4'53.208"N

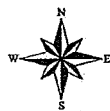
TRACT B

1. 133°31'43.406"W, 56°4'52.68"N
2. 133°31'17.209"W, 56°4'38.071"N
3. 133°31'23.418"W, 56°4'34.562"N
4. 133°31'49.615"W, 56°4'49.19"N

Kosciusko Island

Legend

- Sealaska Ownership
- Facility Boundary
- Roads
- Existing
- Anadromous Streams
- Water Quality Streams
- NGS Monuments



1 inch = 1,320 feet

Prepared January 2020
STC GIS

0 0.25 0.5 Miles

133°33'0"W

133°32'45"W

Applicant: Sealaska Timber Company, LLC

SHEET 4 of 11

File No.: POA-2019-00705

Waterway: Shipley Bay

Proposed Activity: LTF, Floating Dock, LSA, & Log Ship Moorage

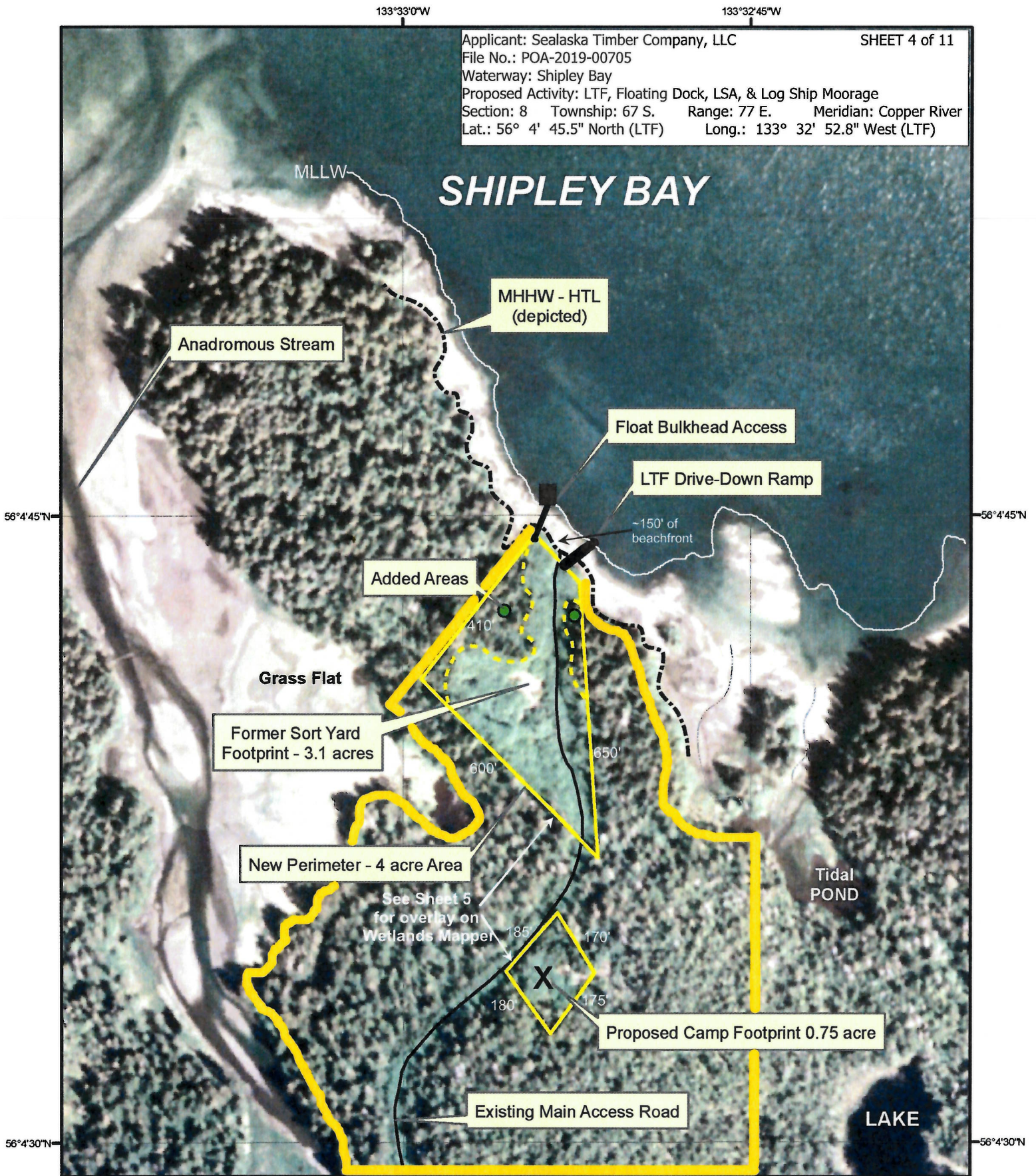
Section: 8 Township: 67 S.

Range: 77 E.

Meridian: Copper River

Lat.: 56° 4' 45.5" North (LTF)

Long.: 133° 32' 52.8" West (LTF)



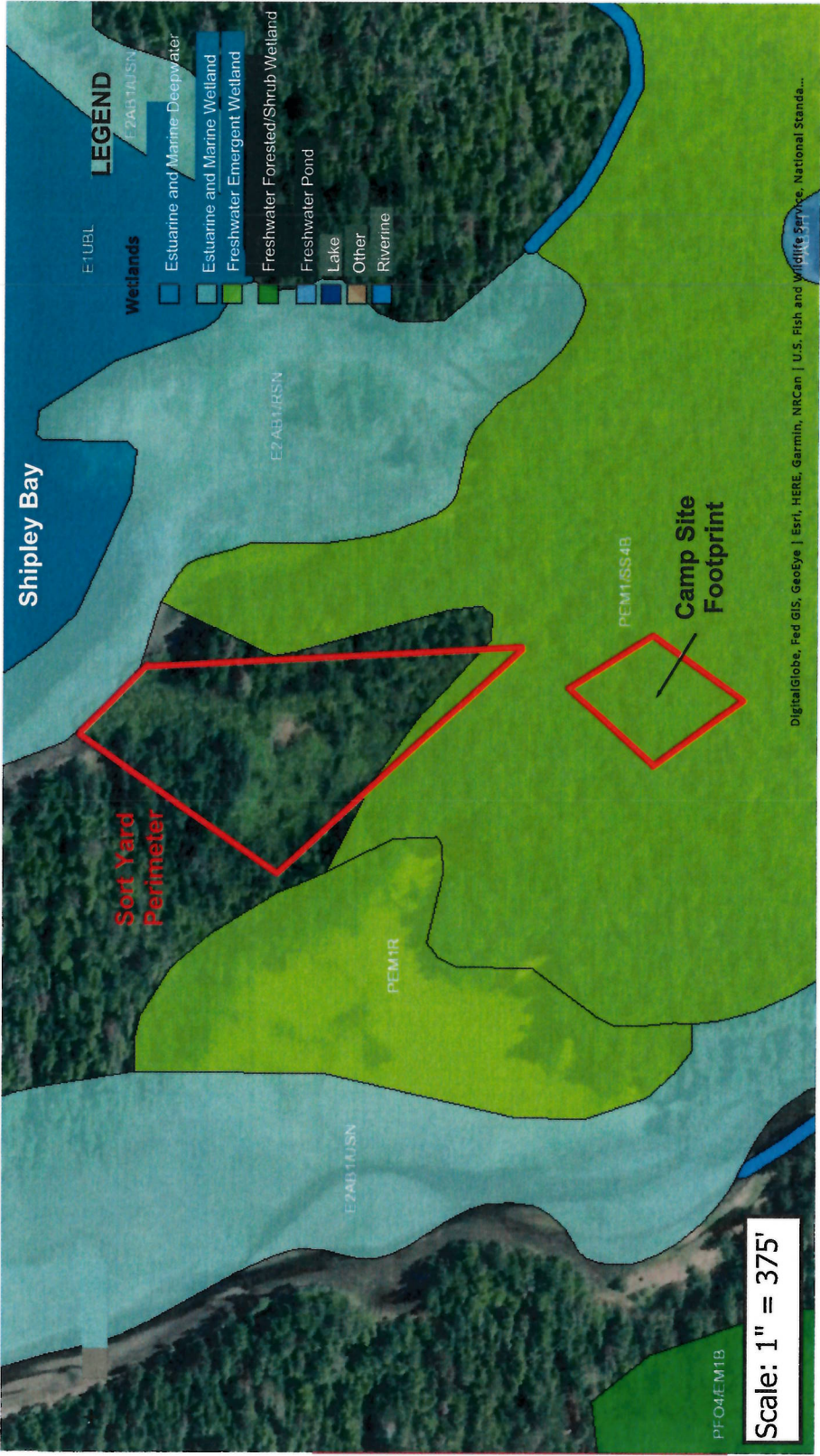
1 inch = 300 feet

Shipley Bay Sort Yard & LTF - Vicinity Map

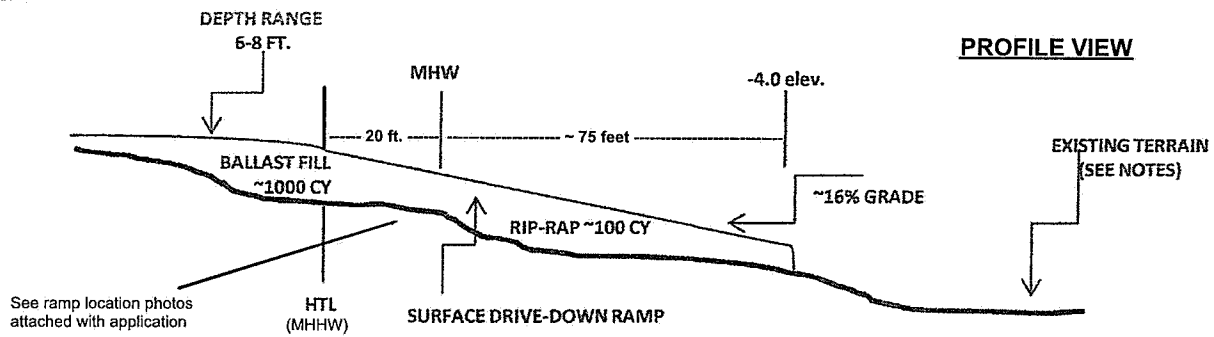
[NOTE: The purpose of this map is to depict location of upland features only.]

USDA Forest Service Easement Boundary

SHIPLEY BAY Upland Project Placement; Sort Yard & Camp Site Boundaries



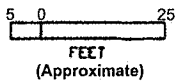
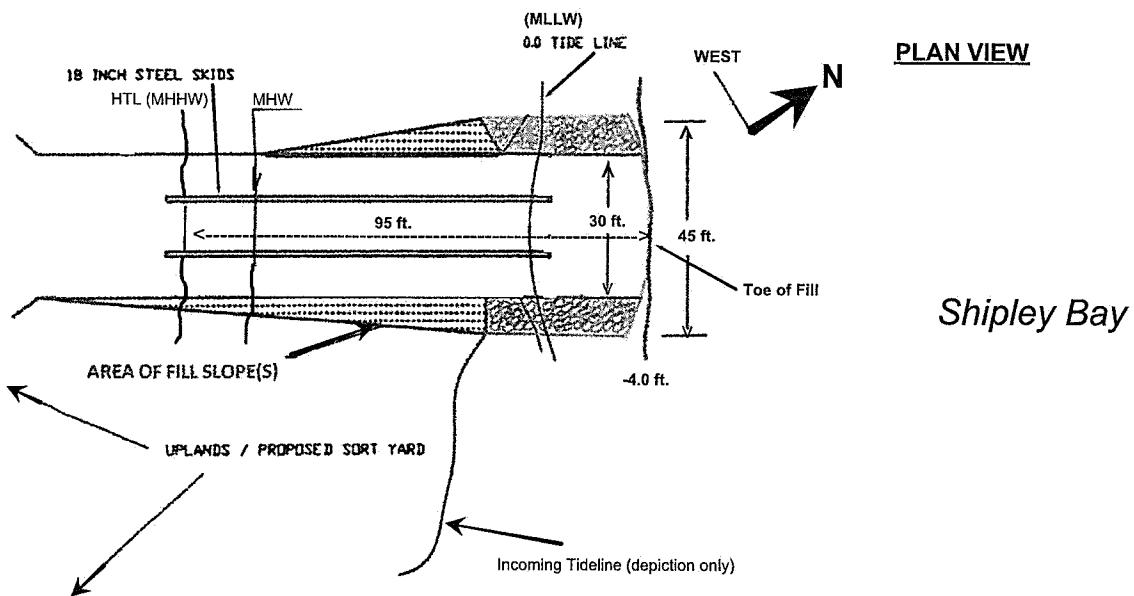
Applicant: Sealaska Timber Company, LLC	SHEET 5 of 11
File No.: POA-2019-00705	
Waterway: Shipley Bay	
Proposed Activity: LTF, Floating Dock, LSA, & Log Ship Moorage	
Section: 8 Township: 67 S. Range: 77 E. Meridian: Copper River	
Lat.: 56° 4' 45.5" North (LTF)	Long.: 133° 32' 52.8" West (LTF)



NOTES:

- 1) SCALE 1" = 40'; REFER TO LISTED DIMENSIONS ALSO.
- 2) EXISTING TERRAIN BELOW HTL COMPOSED OF EXPOSED ROCK, BOULDERS
- 3) RIP-RAP PLACEMENT PLANNED ON SURFACE ONLY OF BOTH SIDES OF DRIVE-DOWN RAMP.
- 4) TOE OF RAMP FILL PLANNED AT APPROXIMATELY -4.0 FEET ELEVATION.

NOTE: Vertical Datum taken from NOAA Chart 17387



Datum:

MHHW = 11.7 ft.
MHW = 10.9 ft.
MLW = 1.4 ft.
MLLW = 0.0 ft.

Applicant: Sealaska Timber Company, LLC

SHEET 6 of 11

File No.: POA-2019-00705

Waterway: Shipley Bay

Proposed Activity: LTF, Floating Dock, LSA, & Log Ship Moorage

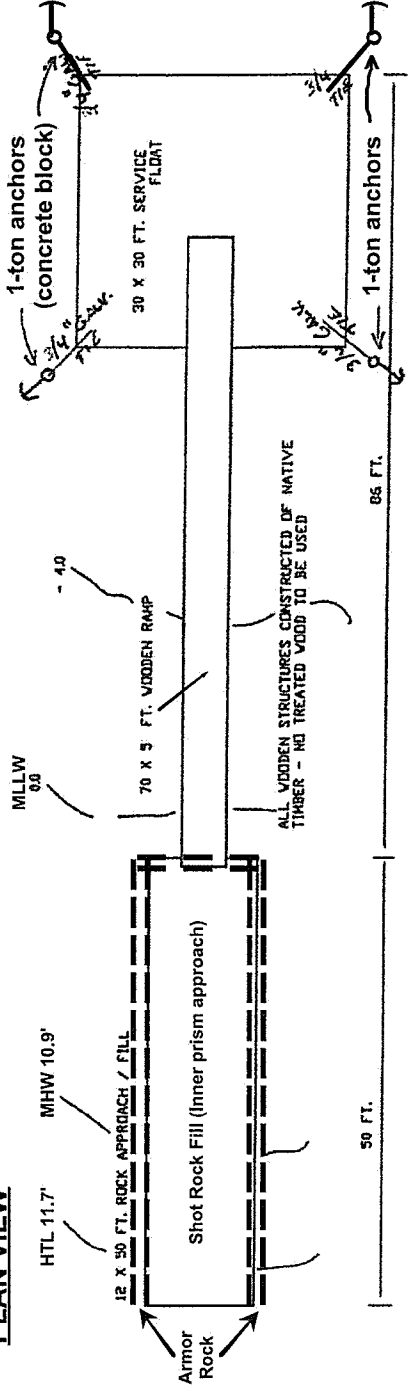
Section: 8 Township: 67 S. Range: 77 E. Meridian: Copper River

Lat.: 56° 4' 45.5" North (LTF) Long.: 133° 32' 52.8" West (LTF)

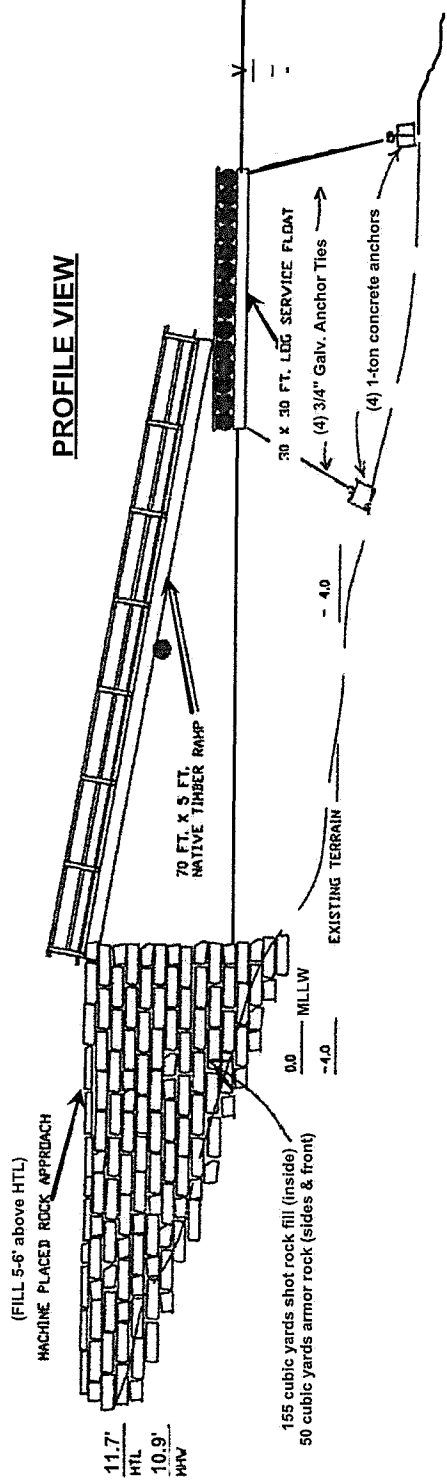
Schematic Detail of Drive-down Ramp

Log Transfer Facility (LTF)

PLAN VIEW



PROFILE VIEW



~Scale : 1 inch = 25 feet

Applicant: Sealaska Timber Company, LLC
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 Lat.: 56° 4' 45.5" North (LTF) Long.: 133° 32' 52.8" West (LTF)

SHEET 7 of 11

Schematic of Service Float, Walkway, and Bulkhead Approach

Applicant: Sealaska Timber Company, LLC

SHEET 8 of 11

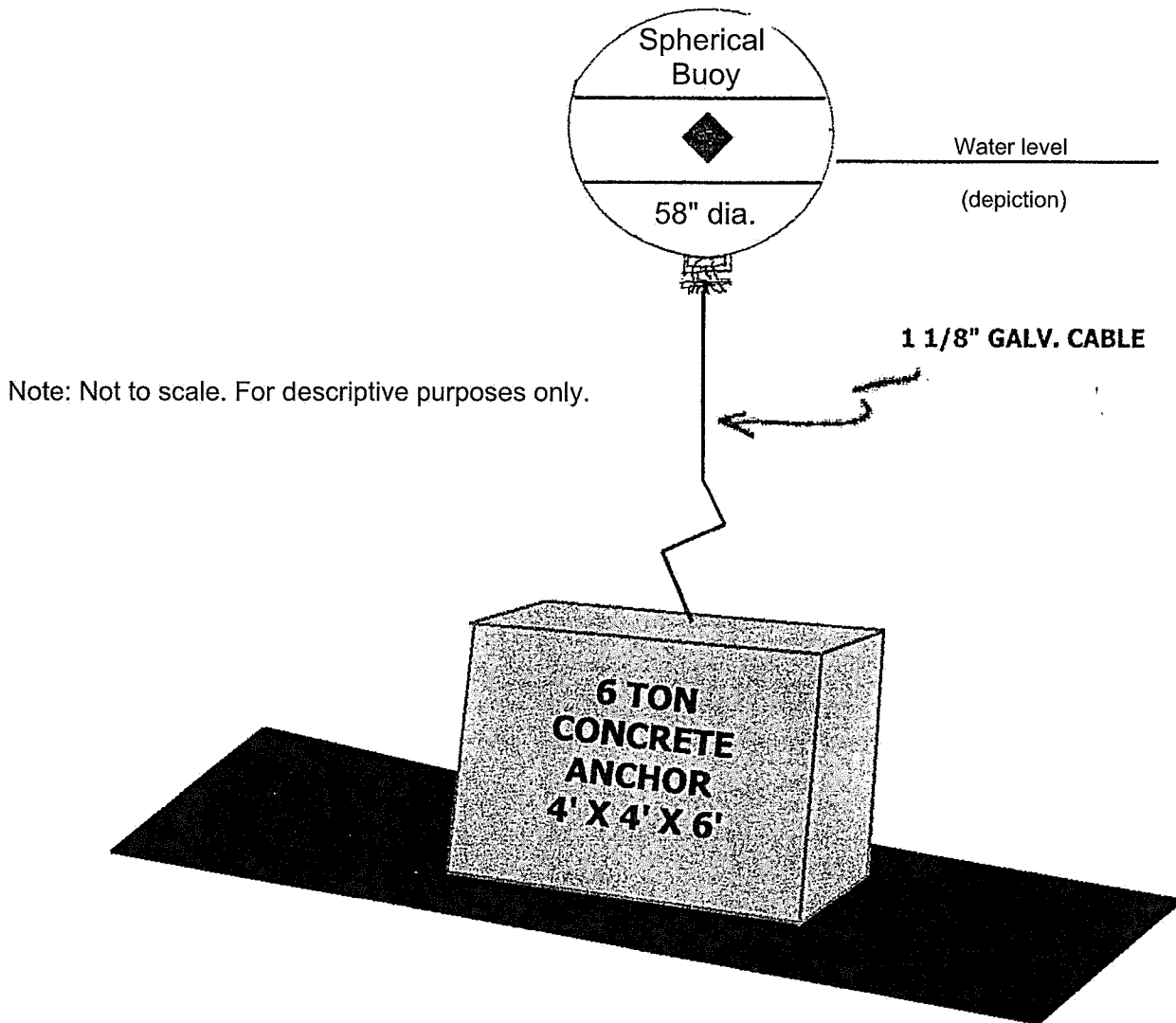
File No.: POA-2019-00705

Waterway: Shipley Bay

Proposed Activity: LTF, Floating Dock, LSA, & Log Ship Moorage

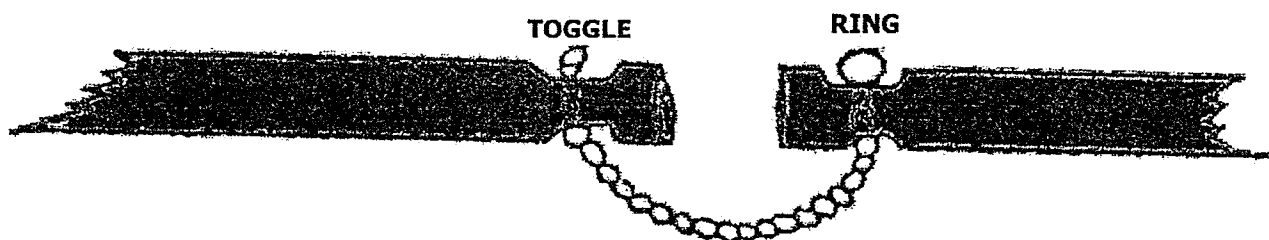
Section: 8 Township: 67 S. Range: 77 E. Meridian: Copper River

Lat.: 56° 4' 45.5" North (LTF) Long.: 133° 32' 52.8" West (LTF)

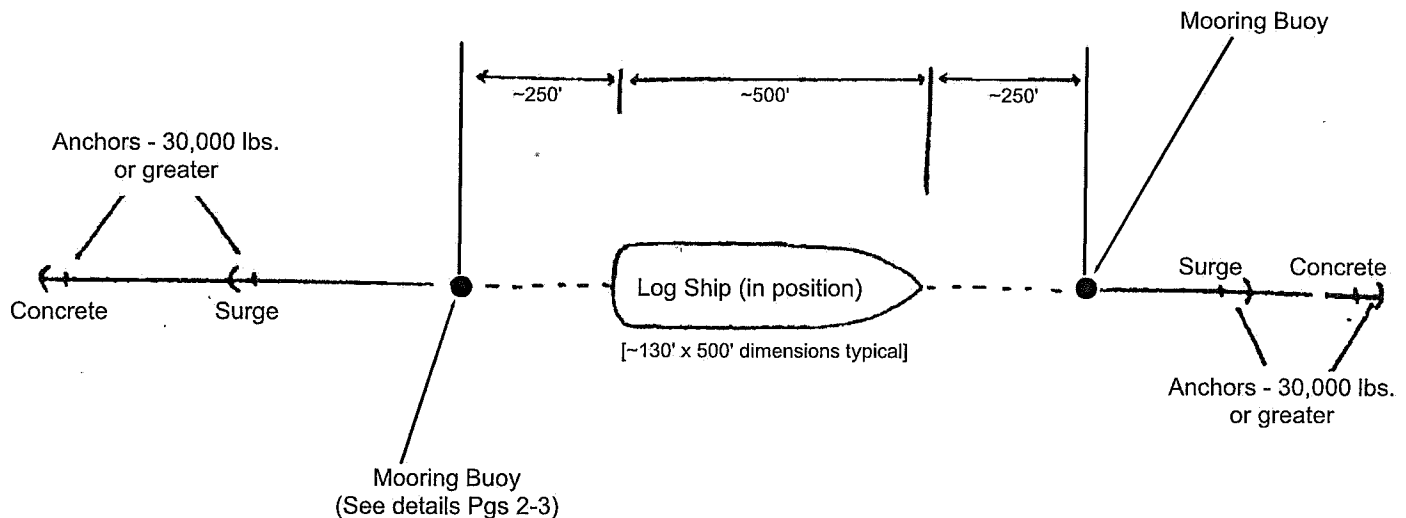


Schematic of Typical Spherical Buoy, Pennant, Anchor, and Boom Stick Configurations

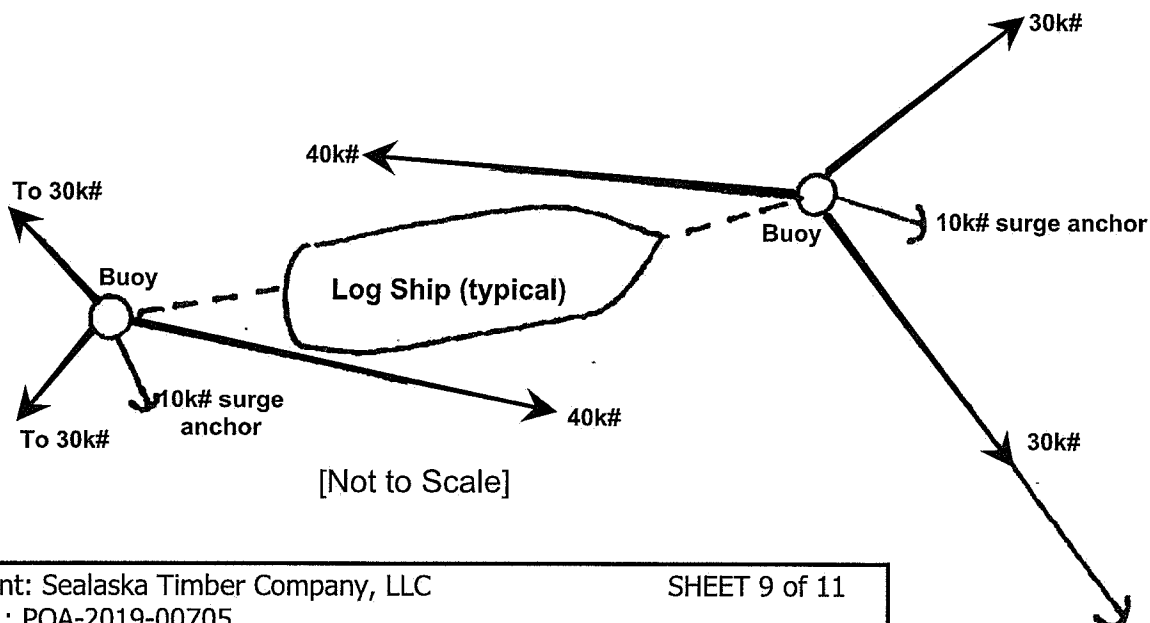
TYPICAL SECTION OF LOG BOOM

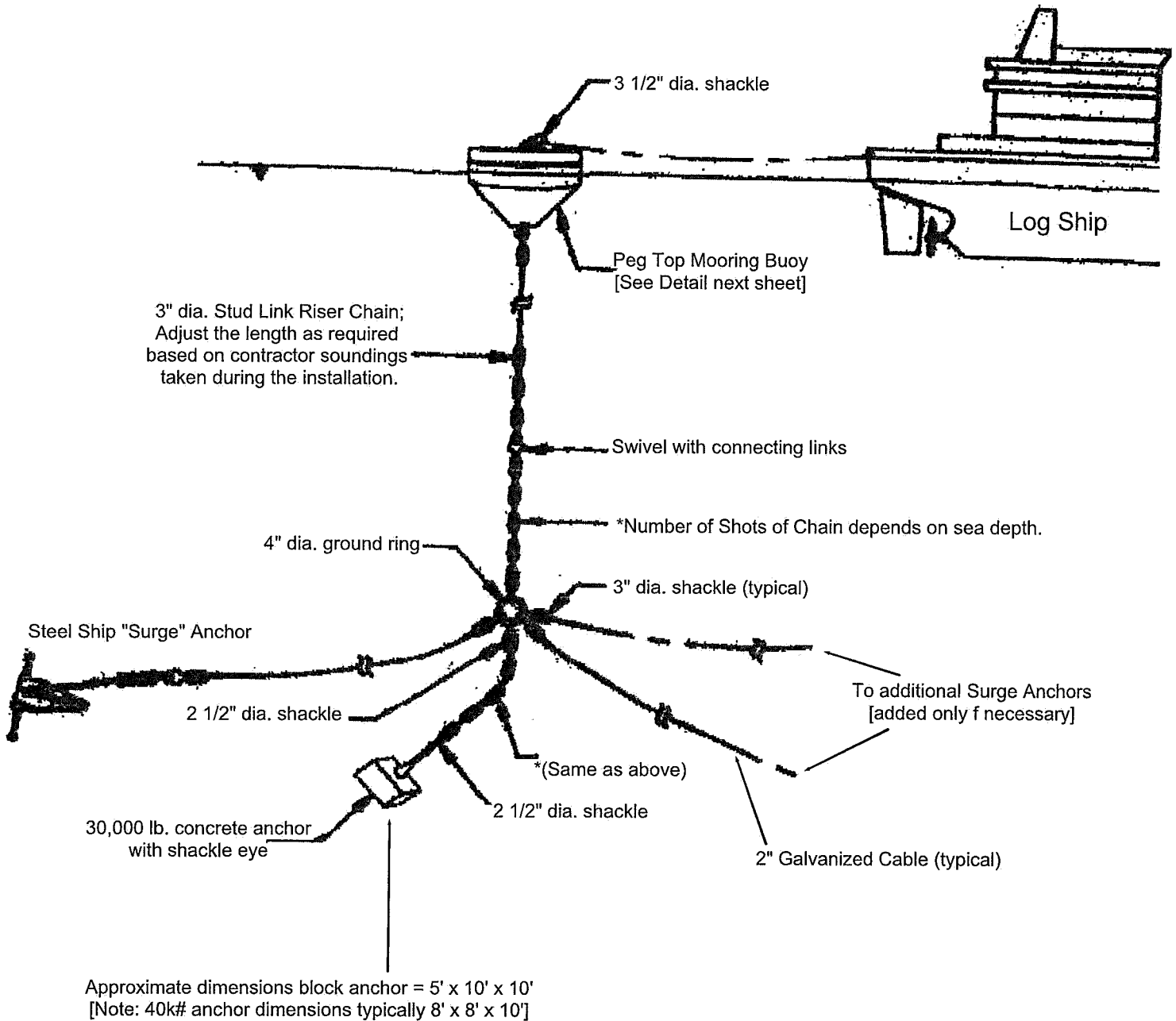


Schematic Details of Ship Moorage System



Note: The schematic above illustrates the planned original installation. If storms and tidal surges prove to place too much strain on this configuration, then the alternative configuration below may be utilized instead. In the event that this occurs, permitting agencies will be notified in advance.





Applicant: Sealaska Timber Company, LLC

SHEET 10 of 11

File No.: POA-2019-00705

Waterway: Shipley Bay

Proposed Activity: LTF, Floating Dock, LSA, & Log Ship Moorage

Section: 8 Township: 67 S.

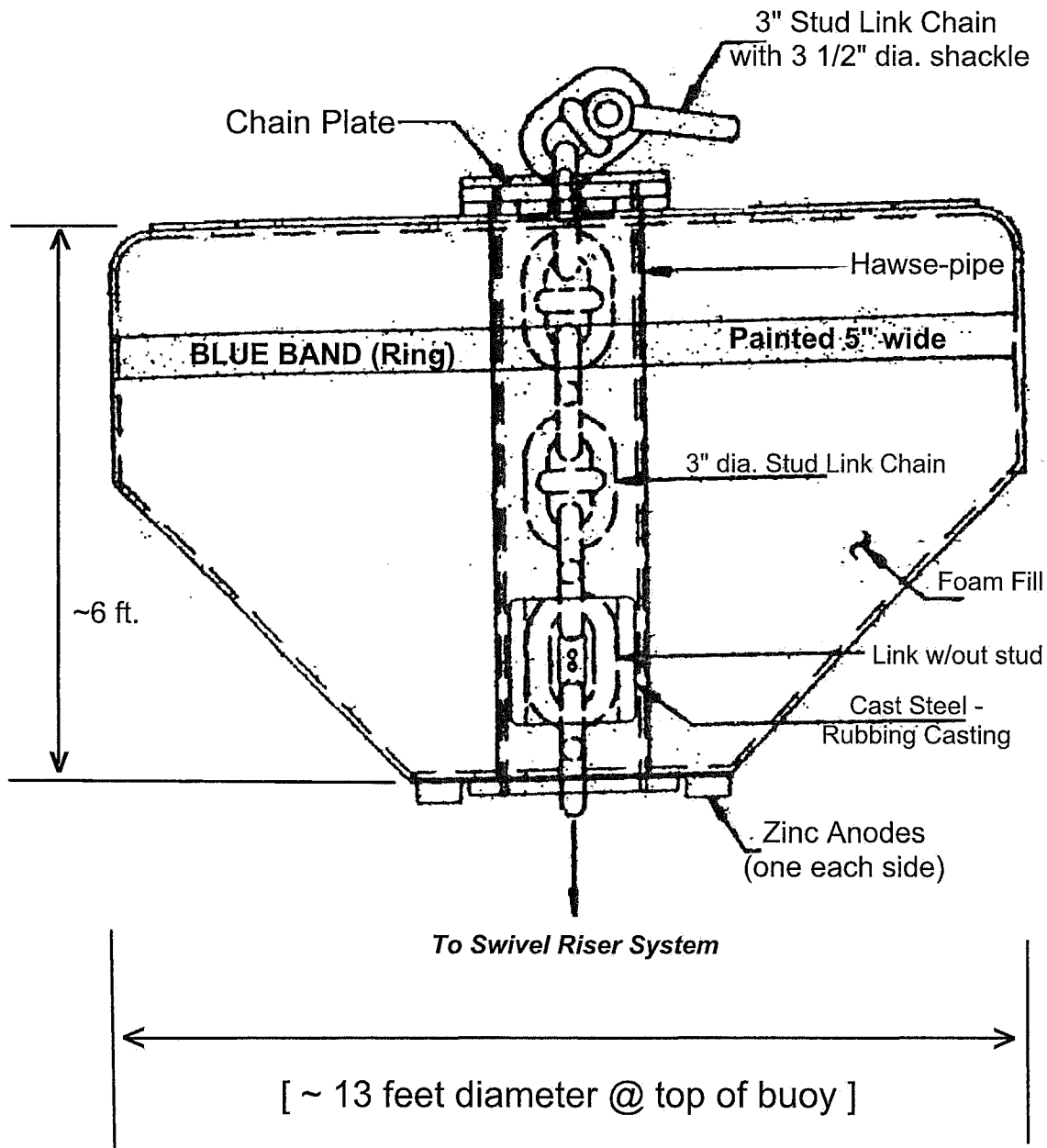
Range: 77 E.

Meridian: Copper River

Lat.: 56° 4' 45.5" North (LTF)

Long.: 133° 32' 52.8" West (LTF)

PEG TOP BUOY DETAIL (Not to Scale)



Applicant: Sealaska Timber Company, LLC

SHEET 11 of 11

File No.: POA-2019-00705

Waterway: Shipley Bay

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