



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:	July 31, 2017
EXPIRATION DATE:	August 30, 2017
REFERENCE NUMBER:	POA-2017-184
WATERWAY:	Kobuk River

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.

Comments on the described work, with the reference number, 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 Mr. Steve Moore by email at stephen.a.moore2@usace.army.mil, by phone at (907) 753-5713, toll free from within Alaska at (800) 478-2712, or by fax at (907) 753-5567 if you have questions or need further information concerning this public notice.

APPLICANT: Alaska Department of Transportation and Public Facilities (ADOT & PF), 2301 Peger Road, Fairbanks, Alaska 99709. The applicant's contact person is Isadora Fanning, P.E., Engineering Manager, e-mail address: Isadora.fanning@alaska.gov, telephone line: (907) 451-5379.

PROJECT NAME: Kiana Airport Improvements Project (State Project No. Z631790000)

LOCATION: The project is located at the Bob Baker Memorial Airport, Latitude 66.9758333, Longitude – 160.4363888, Kateel River Meridian, T18N/19N, R8W/8W, S 4,5,6,8,9 / 31,32 near the community of Kiana, Northwest Arctic Borough, Alaska.

PURPOSE: to improve safety and efficiency of the Kiana Airport by bringing the airport to Federal Aviation Administration (FAA) standards for aircraft delivering essential goods and services to the community.

PROPOSED WORK: The proposal involves various airport improvements, including skewing and lengthening the existing runway and taxiway, expanding the existing apron, resurfacing operational surfaces, and replacing light and navigational aids (NAVAIDs). Gravel will be sourced from a new, offsite gravel pit located approximately 2.8 miles to the northwest of Kiana, and accessed via a proposed permanent gravel road. The proposed work will result in the filling of 113.99 acres of wetlands, of which 92.82 acres of wetlands will be filled permanently and 21.17 acres will be filled temporarily. Total volume of fill is 304,441 cubic yards.

ADDITIONAL INFORMATION: The applicant has provided supplemental information regarding alternative gravel haul road alignments and construction methods. This information is included as an attachment and titled *Evaluation of the Material Site Access Road Alignment Alternatives*.

APPLICANT PROPOSED MITIGATION: The applicant has provided a mitigation statement regarding efforts to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

a. Avoidance:

- Siting the runway and apron expansion as close to existing disturbances as practicable allowed most improvements to be kept within previously disturbed wetlands or wetlands that are surrounded by development, rather than developing within undisturbed areas further north and west of the airport.
- Selecting a proposed material site that had both suitable material, and was as close to the community as possible reduced haul route length and avoided additional wetland impacts.
- Repeated refinement and alteration of the haul route alignment to avoid high value wetlands and follow existing trails as much as possible allowed for a reduction in high value wetland impacts and maintenance of wetland functions as much as practicable while meeting design requirements.
- Vehicle turnouts were incorporated into the design to allow for vehicle passing safety while reducing lane width, and wetland impacts.
- Incorporating cross culverts into the haul route design as well as moving the western end of the haul route to cross the unnamed stream at a point higher in the watershed allowed for enhanced functional capacity of adjacent wetlands and connectively across the road.
- Incorporating an enhanced culvert design for fish passage where the haul road crosses the unnamed stream contributes to maintenance of habitat value in the area, and allows fish passage along this stretch of the stream.
- Locating the contractor staging area in low value wetlands, moving the stockpile area to uplands, and requiring the contractor to remove fill and rehabilitate the area after construction reduces impacts to wetlands.

b. Minimization:

- Runway and haul route side slopes have been designed as steep as possible, considering geotechnical slope stability and FAA requirements.
- The contractor will draft a mining a reclamation plan which will outline protection for adjacent streams during construction and appropriate re-vegetation measures.
- Best management practices (BMPs) will be implemented, which includes use of only clean fill material for the construction of the Proposed Action components, temporary installation of sediment controls while excavation and fill activities occur, and re-vegetation of disturbed areas with native species.
- The contractor will adhere to the U.S. Fish and Wildlife Service migratory bird nesting window to avoid vegetation clearing between May 20 and July 20, to avoid impacts to migratory nesting birds.
- Measures to control fugitive dust entering wetlands and waters will be implemented such as pre-watering sites prior to excavation, applying a dust palliative, controlling construction traffic patterns and haul routes, and covering, or otherwise stabilizing fill material stockpiles.
- Sediment and other contaminant release into streams during construction will be minimized by maintaining a minimum 100-foot riparian buffer surrounding anadromous waters and a minimum 50-foot riparian buffer surrounding non-anadromous waters and streams.
- To avoid spreading invasive species to wetlands the contractor will pressure wash all wheeled and tracked construction equipment prior to mobilization and upon construction completion. Side slopes and disturbed areas will be re-seeded following construction with a native weed-free seed mix. Soil and vegetation that may have been contaminated with invasive species will be disposed of appropriately.
- The Proposed Action footprint will be staked prior to construction and maintained for the duration of construction to avoid additional impacts to wetlands from construction activities.
- A 25-foot buffer around fill slopes for the runway, apron, and material site haul road, used during construction for maintenance of storm water controls and access will be restored to its original condition after construction is complete. Any sediment or temporary fill placed in these areas will be removed, and the area will be re-seeded with weed-free hydric seed mix appropriate for the region.

- c. **Compensatory Mitigation:** Due to the extensive avoidance, minimization, and enhancement measures incorporated into the project, as well as the additional mitigation measures proposed, compensatory mitigation is not proposed at this time.

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 Federal Aviation Administration is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. The Corps of Engineers (Corps) will review FAA's documentation and either concur with their documentation or continue to work with them until any issues are resolved. A permit for the described work will not be issued until the Section 106 process has been completed and the Corps concurs with FAA's work or documentation. The State Historic Preservation Officer (SHPO) concurred with the applicant's finding of *no historic properties affected* on November 25, 2014.

ENDANGERED SPECIES: 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 NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). 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 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 U.S. Army Corps of Engineers (USACE) 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 fully considered by the USACE 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 received will be used in the preparation of our decision document for the proposed action. 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 modification will be issued or denied under the following authorities:

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).

District Commander
U.S. Army, Corps of Engineers

Enclosures

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

ANCHORAGE

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

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 Number **POA-2017-184 .Kobuk River** 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 by the expiration date of the Corps of Engineer's Public Notice.