



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

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

PUBLIC NOTICE DATE:	10 April, 2018
EXPIRATION DATE:	25 April, 2018
REFERENCE NUMBER:	POA-2010-00249
WATERWAY:	Zak Lake

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 Jack Hewitt at (907) 753-2708, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at jack.j.hewitt@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Alaska Department of Transportation and Public Facilities.

LOCATION: The project site is located within Sections 7, 8, 9, 17, and 18, T. 17 N., R. 2 W., and Section 12, T. 17 N., R. 3 W., Seward Meridian, project beginning at Latitude 61.5792° N., Longitude 149.6448° W., project ending at Latitude 61.5775° N., Longitude 149.7277° W., Parks Highway MP 48.8-52.3, west of Wasilla, Alaska.

PURPOSE: The applicant's stated purpose is to improve mobility and safety for people and freight, and enhance access management along the Parks Highway.

PROPOSED WORK: The ADOT&PF proposes to discharge 14,598 cubic yards of fill into 1.49 acres of wetlands to upgrade the Parks Highway by widening the existing two-lane sections to four lanes, adding a depressed center median, improve and extend frontage roads, install continuous illumination, replace existing culverts with a bridge at Little Meadow Creek, relocate

and reconstruct the existing multi-sue pathway, and relocate utilities. All work would be performed in accordance with the enclosed plan, 15 sheets, dated 2 Oct, 2017.

ADDITIONAL INFORMATION: Improvements to the Parks Highway MP 43-52 is a three phase project. Phase 1 (MP 43.5-44.5) is complete. Construction of Phase 2 (MP 44.5-48.8) is underway and expected to be completed in 2018. The proposed project, Phase 3 (MP 48.8-52.3) is scheduled for construction in 2019. Each phase has been permitted separately due to design scheduling and funding.

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the US from activities involving discharges of dredged or fill material.

a. Avoidance: Complete avoidance of wetland impacts is not feasible because the existing road corridor bisects several wetland complexes. Total realignment of the highway outside of the wetlands is not reasonable or feasible due to the prohibitive costs of construction and right-of-way acquisition. Wherever possible however, ADOT&PF did realign the highway and secondary roads to avoid wetland impacts.

b. Minimization: Unavoidable impacts to Waters of the U.S. would be minimized by reducing the roadway centerline grade and steepening side slope fill areas to the maximum extent practicable. Impacts to Little Meadow Creek would be reduced by replacing the existing culverts with a clear span bridge. Additionally, the pedestrian facilities along the southwest side of the bridge crossing would be moved to an on-street facility to reduce embankment fill into wetlands adjacent to Little Meadow Creek.

Construction-related impacts would be minimized in the following ways:

- Staking the wetland boundaries prior to ground disturbance activities,
- Prohibiting fueling or maintenance of vehicles/construction equipment within 100 feet of Waters of the U.S.
- Implementing a Storm Water Pollution Prevention Plan prior to construction activities in accordance with the Alaska Pollutant Discharge Elimination System Construction General Permit for Large and Small Construction Activities,
- Utilizing Best Management Practices to control erosion and sedimentation into wetlands;
- Reseeding and stabilizing disturbed ground with seed recommended for the region by DNR Plant Materials Center's '*A Revegetation Manual for Alaska*'.

c. Compensatory Mitigation: ADOT&PF proposes to compensate for impacts to Waters of the U.S. by purchasing 1.0 in-lieu-fee credit from Great Land Trust. ADOT&PF calculated debits by utilizing USACE Alaska District's 2016 Credit-Debit Methodology.

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, Federal Highways Administration (FHWA), is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. The Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation, Office of History and Archaeology concurred with the FHWA's finding of "no historic properties affected" for the proposed project in a letter dated February 16, 2017.

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, 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 (MSA), 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 Pacific salmon: pink (*Oncorhynchus gorbuscha*), chum (*O. keta*), coho (*O. kisutch*), and sockeye (*O. nerka*). FHWA, the lead Federal agency, is responsible for compliance with the requirements of the MSA. 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 MSA.

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 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) 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
401 Certification Program
Non-Point Source Water Pollution Control Program

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 No. **POA-2010-00249, Zak Lake**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

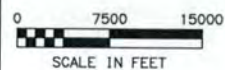
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

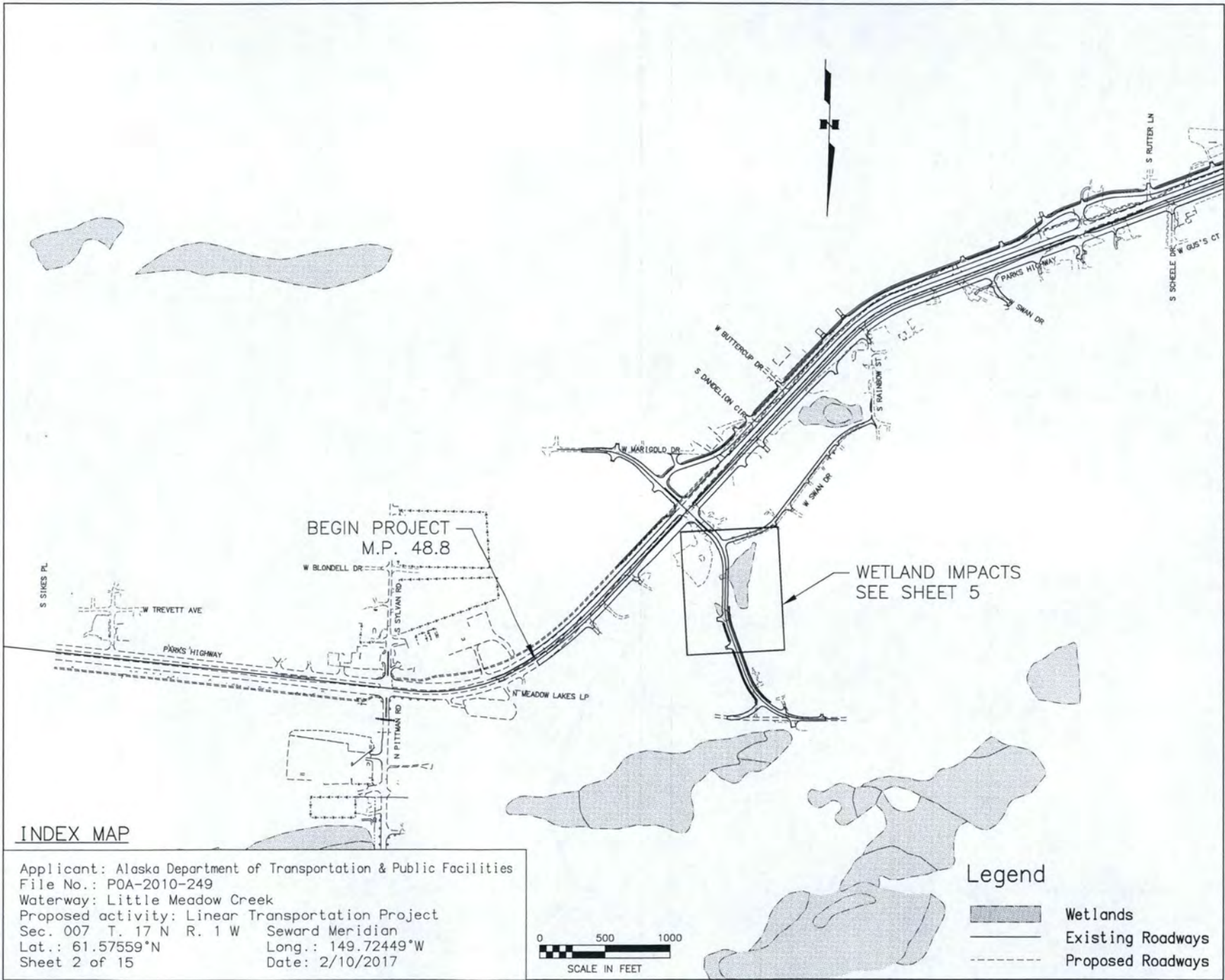
Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.



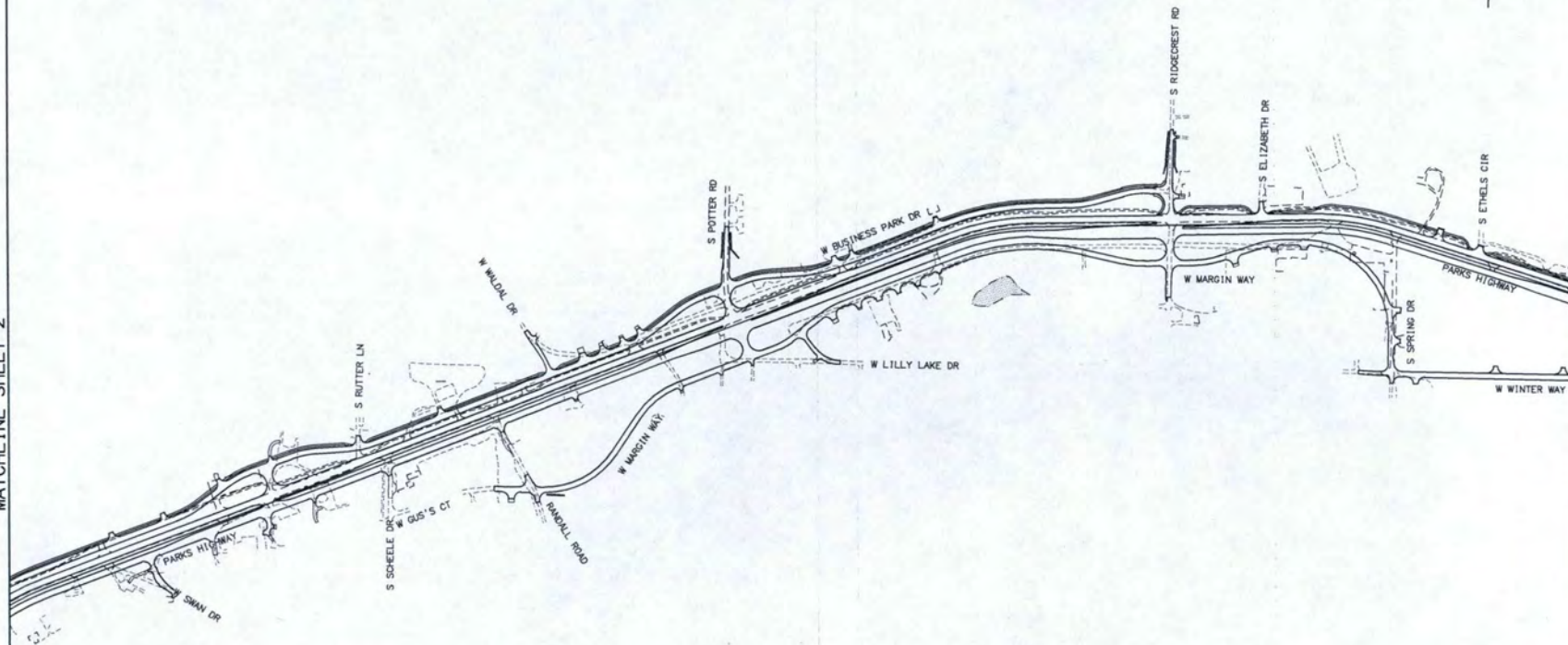
VICINITY MAP

Applicant: Alaska Department of Transportation & Public Facilities
 File No.: POA-2010-249
 Waterway: Little Meadow Creek
 Proposed activity: Linear Transportation Project
 Sec. 007 T. 17 N R. 1 W Seward Meridian
 Lat.: 61.57559°N Long.: 149.72449°W
 Sheet 1 of 15 Date: 2/10/2017



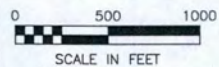


MATCHLINE SHEET 2






INDEX MAP

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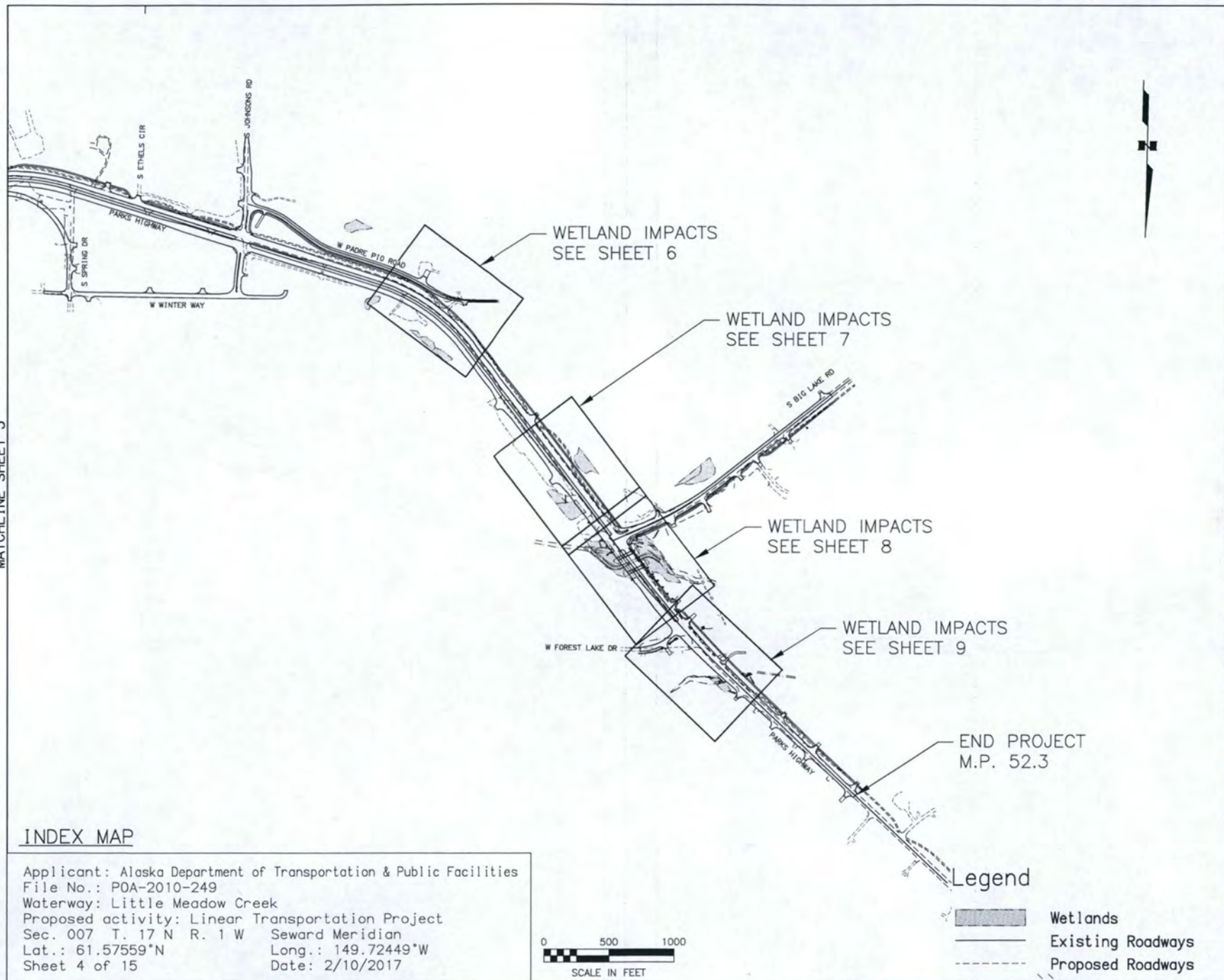


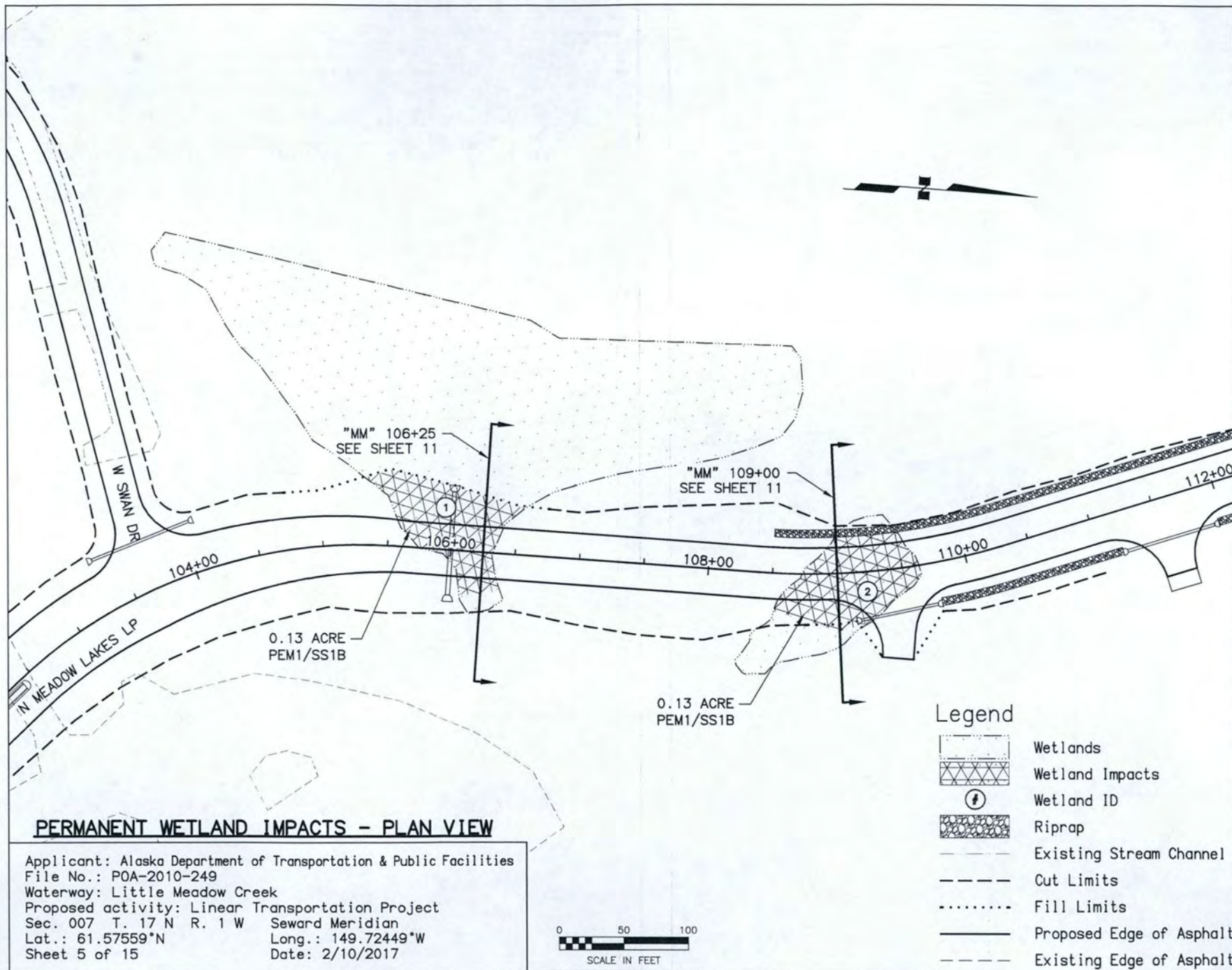
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-  Wetlands
-  Existing Roadways
-  Proposed Roadways

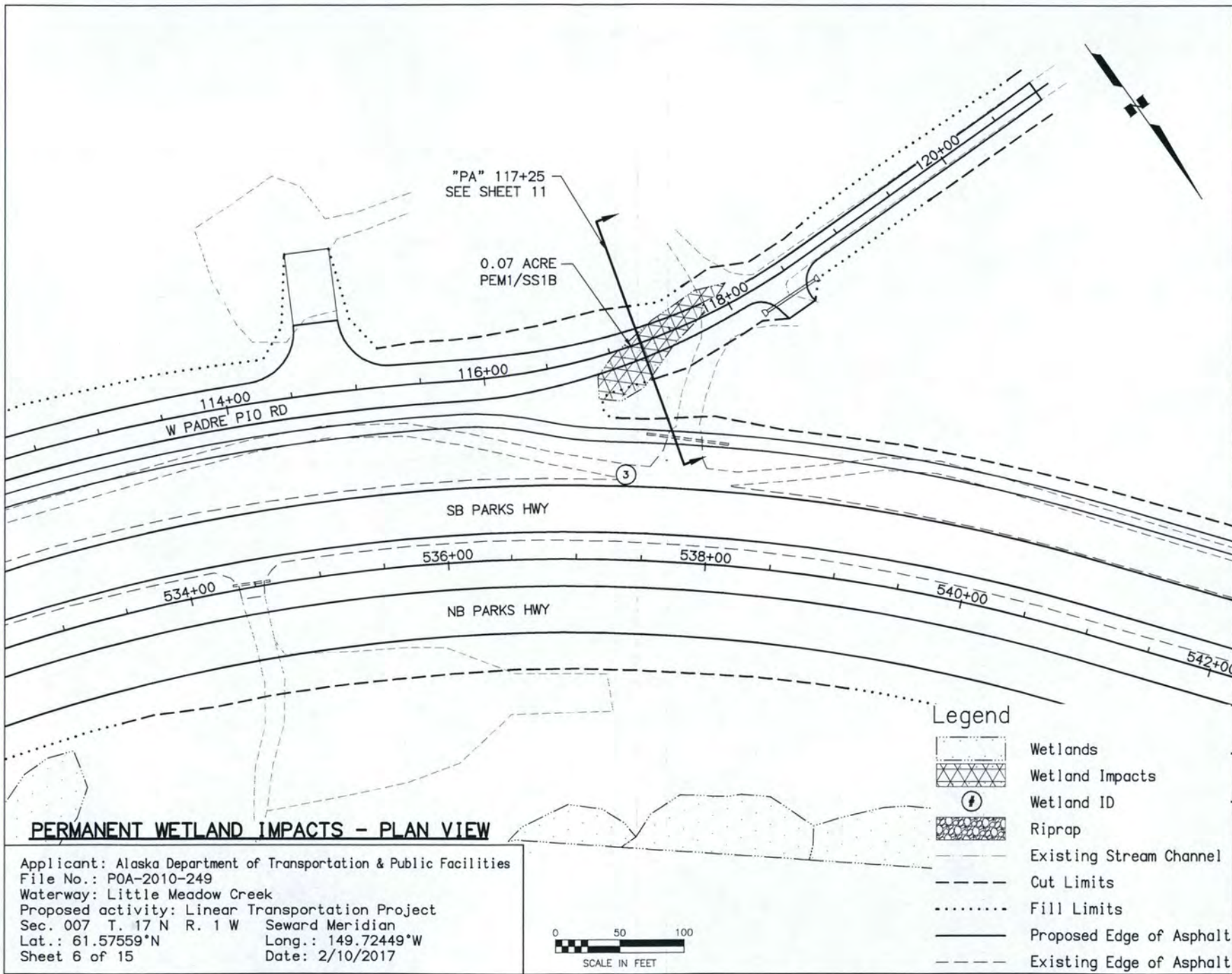
MATCHLINE SHEET 4

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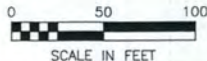


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PERMANENT WETLAND IMPACTS - PLAN VIEW

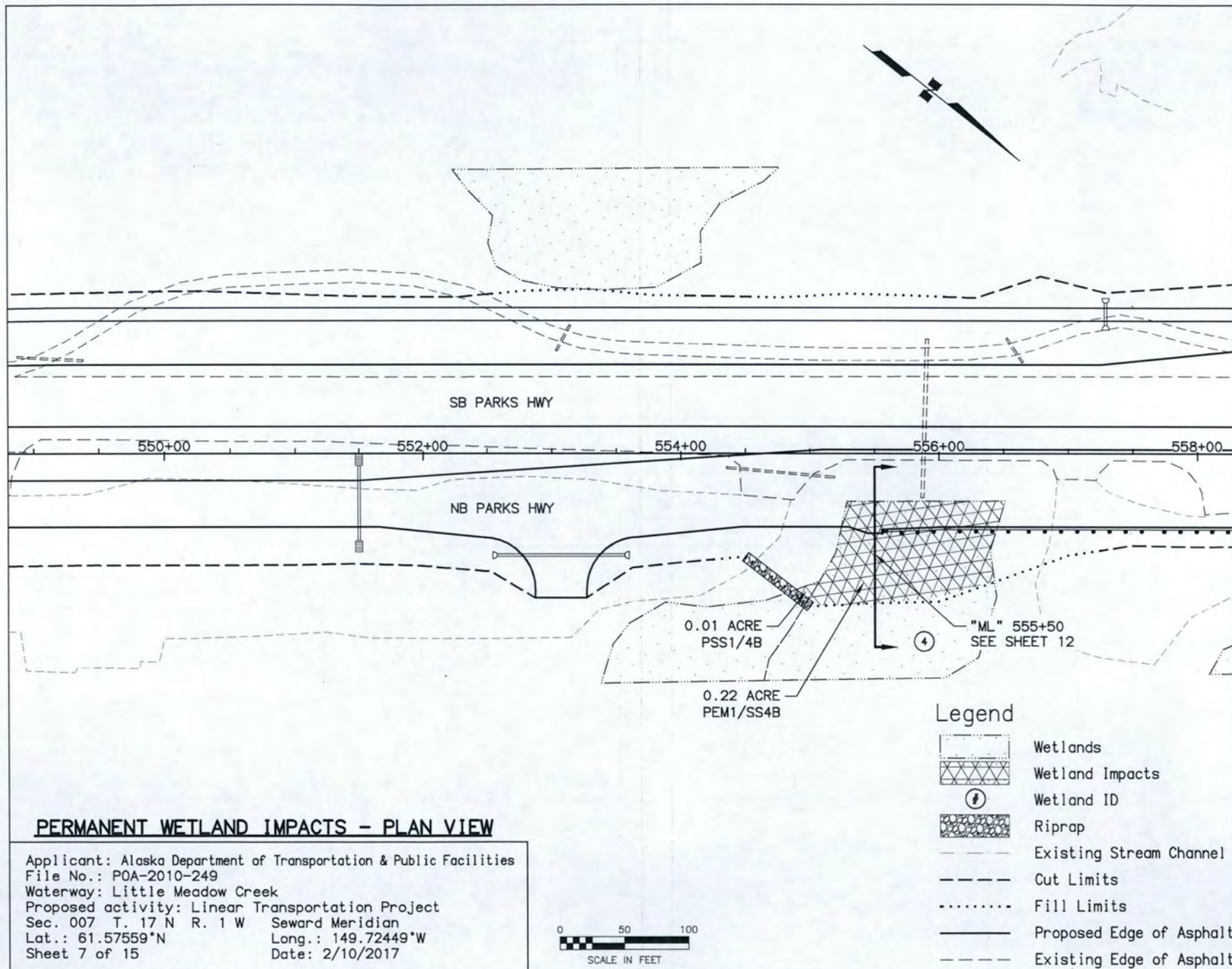
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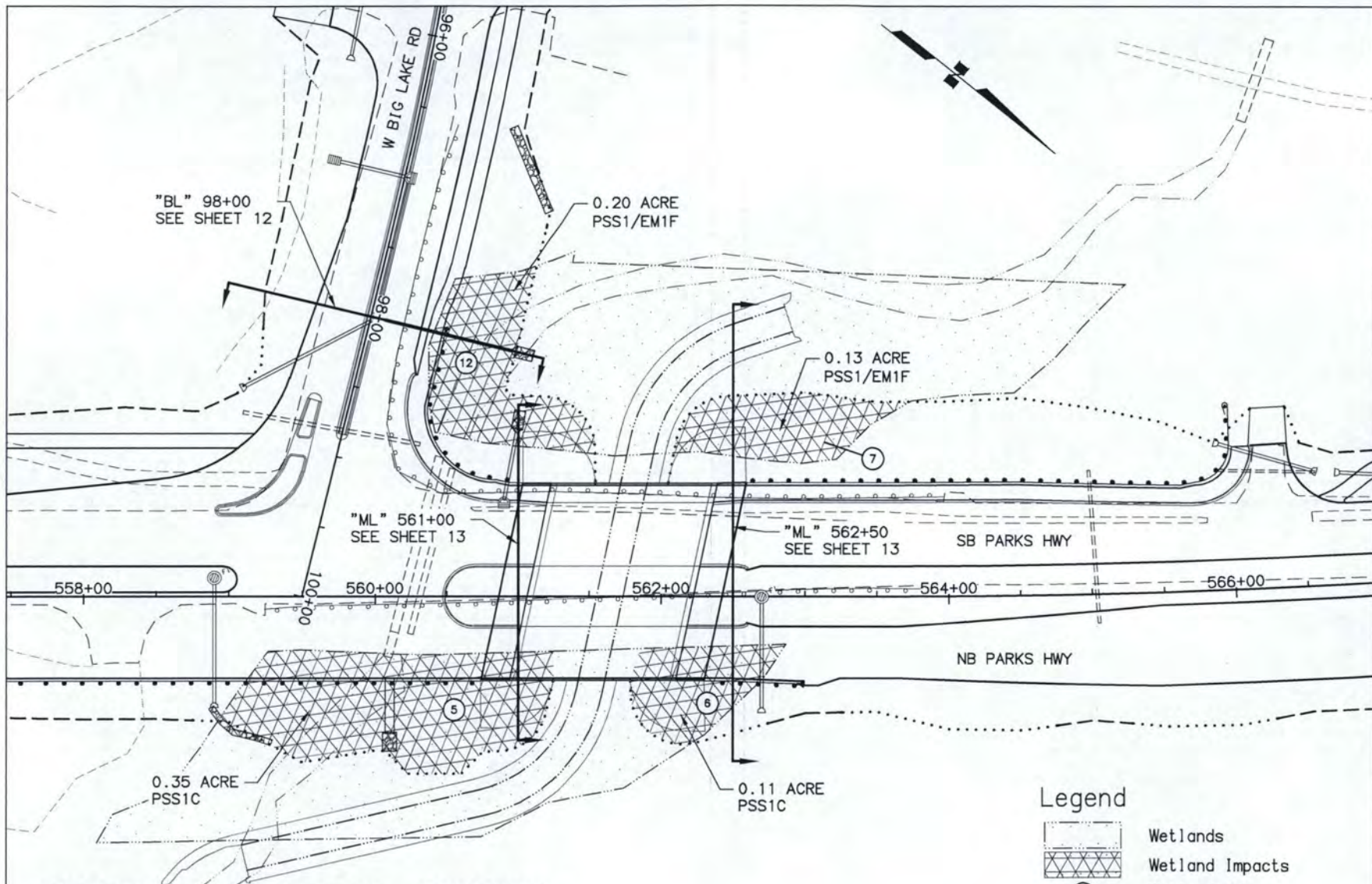
Legend

- Wetlands
- Wetland Impacts
- Wetland ID
- Riprap
- Existing Stream Channel
- Cut Limits
- Fill Limits
- Proposed Edge of Asphalt
- Existing Edge of Asphalt

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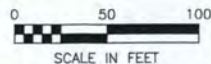


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PERMANENT WETLAND IMPACTS - PLAN VIEW
EXCLUDING STREAM CHANNEL REALIGNMENT

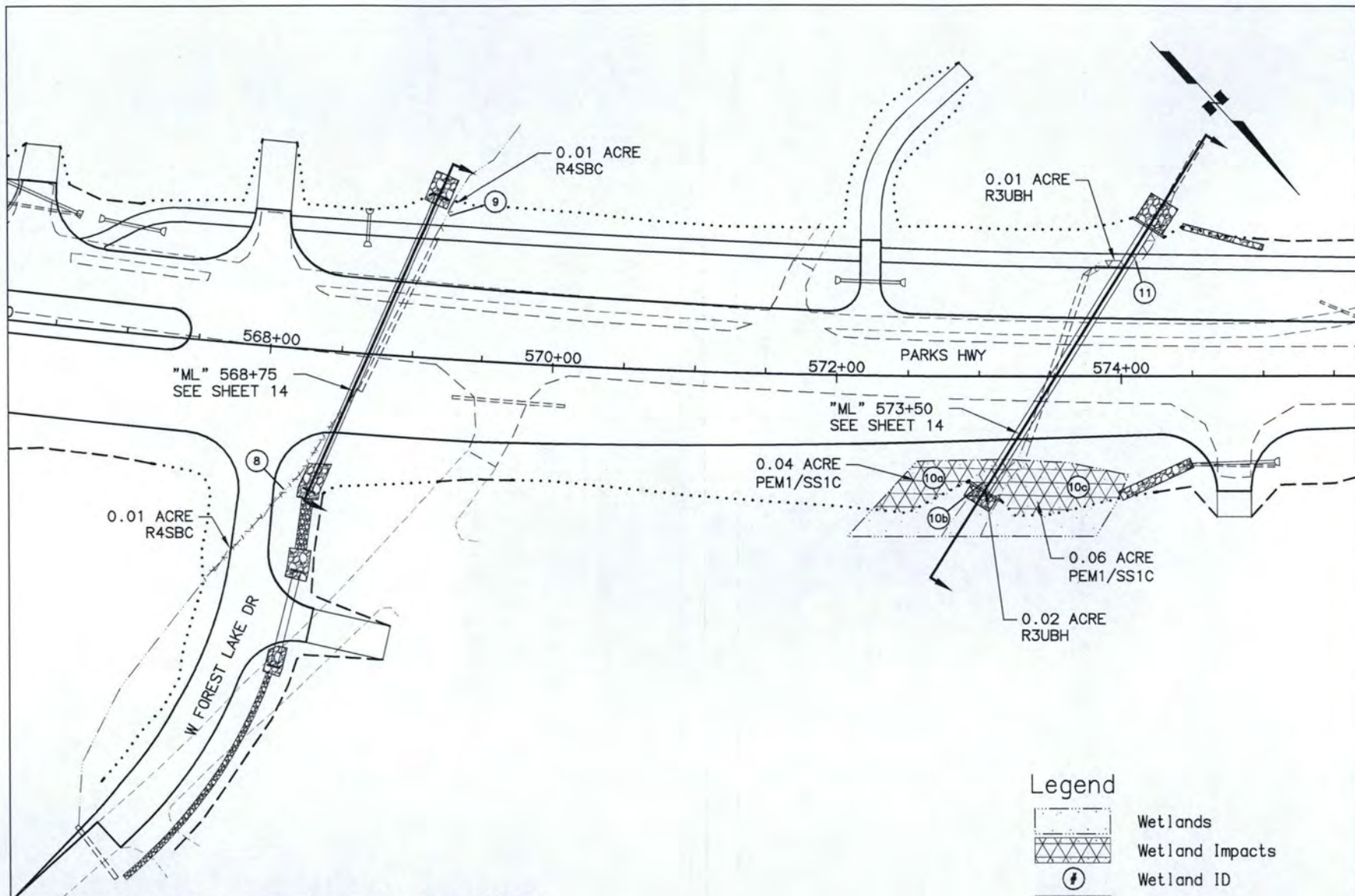
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Legend

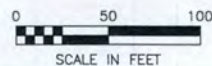
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PERMANENT WETLAND IMPACTS - PLAN VIEW

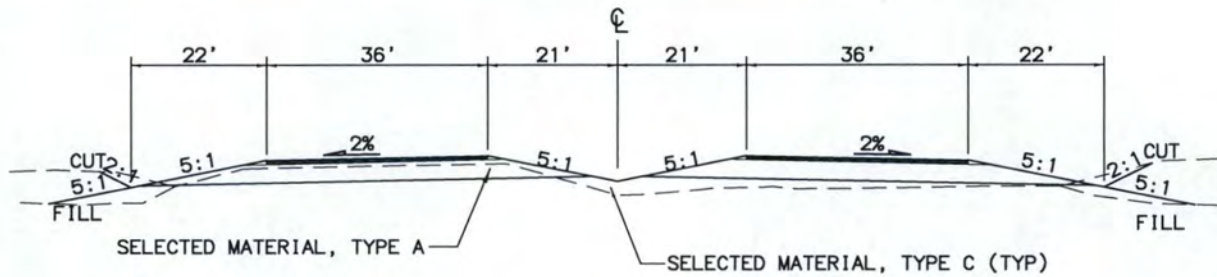
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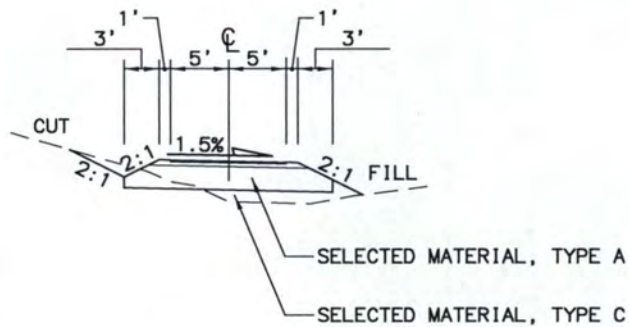
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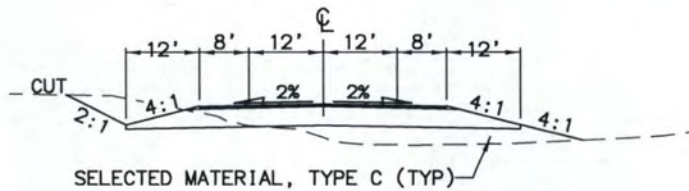
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PARKS HIGHWAY 4-LANE SECTION



PATHWAY

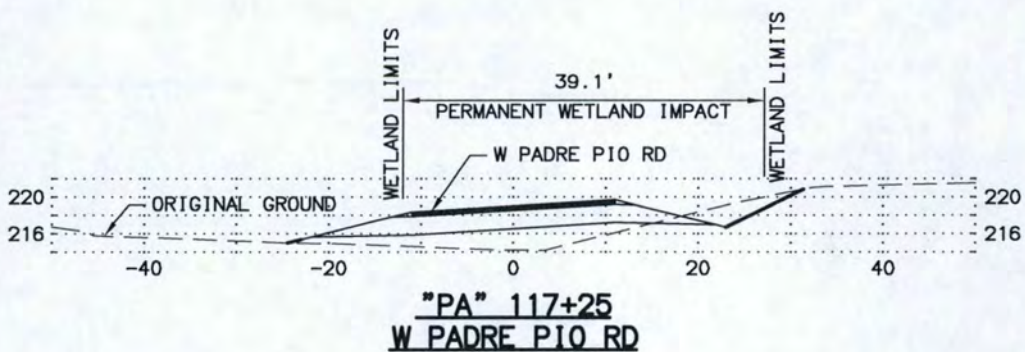
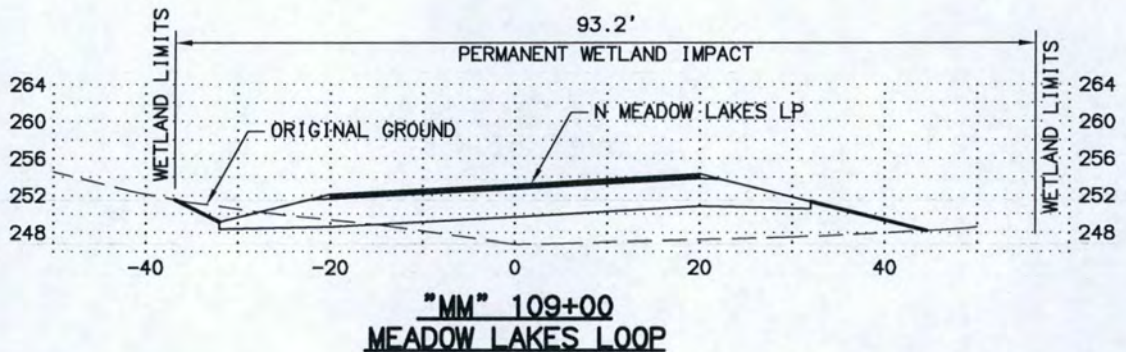
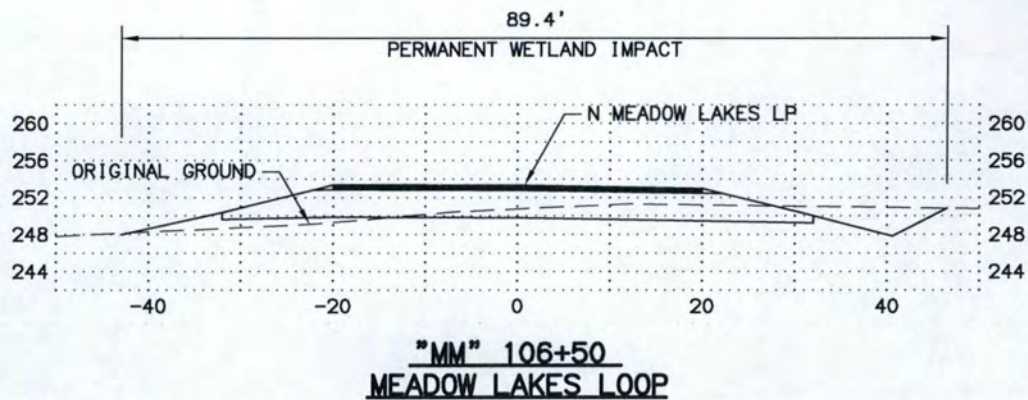


FRONTAGE ROAD/SIDE STREET

TYPICAL SECTIONS

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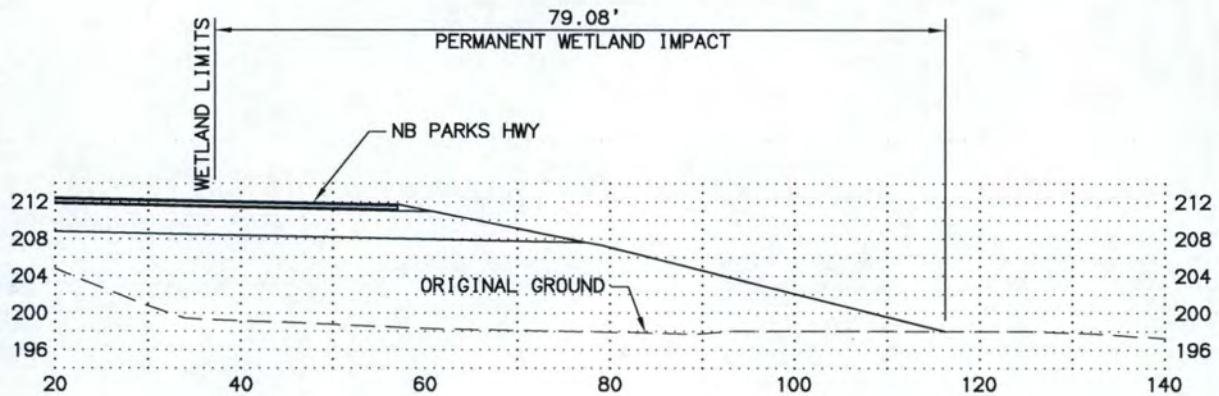
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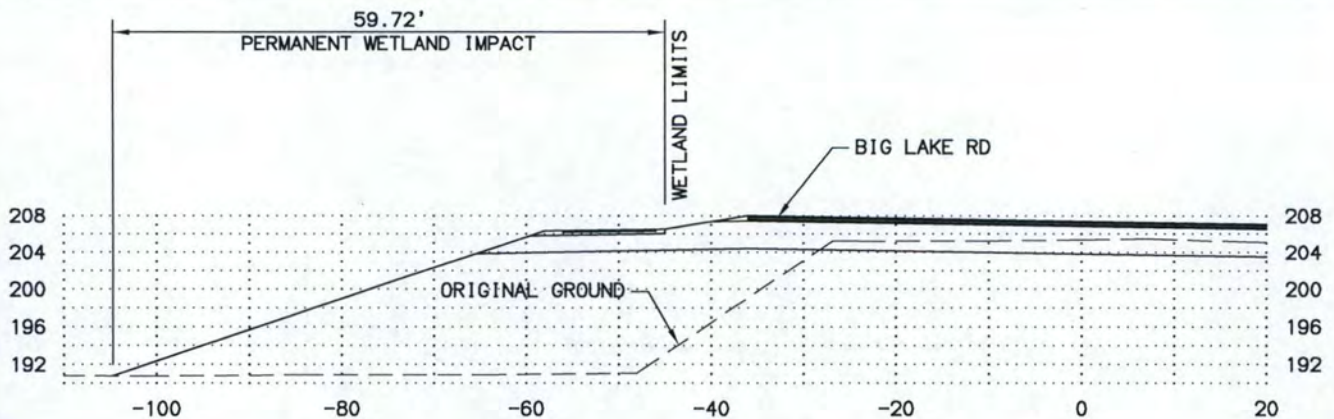
PERMANENT WETLANDS IMPACTS - SECTION VIEW

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PARKS HIGHWAY

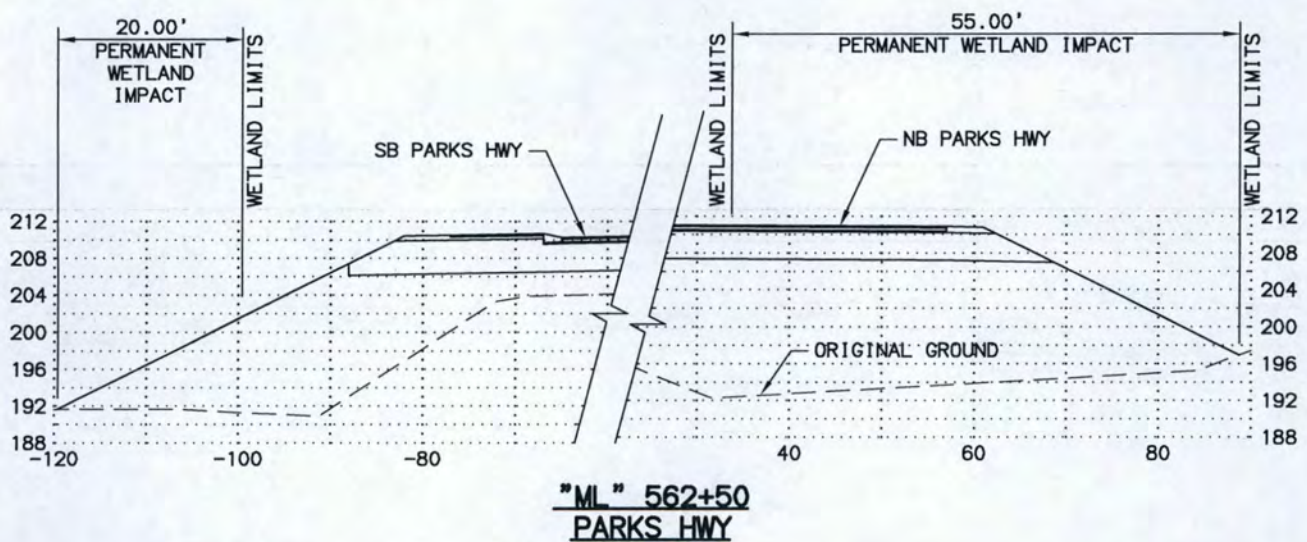
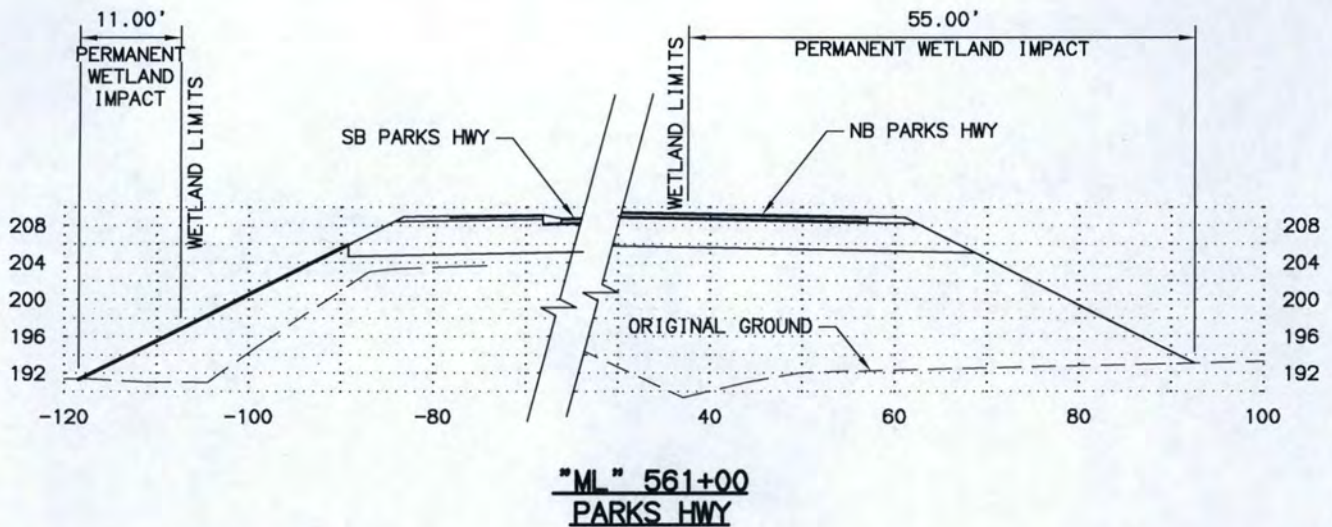


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BIG LAKE RD

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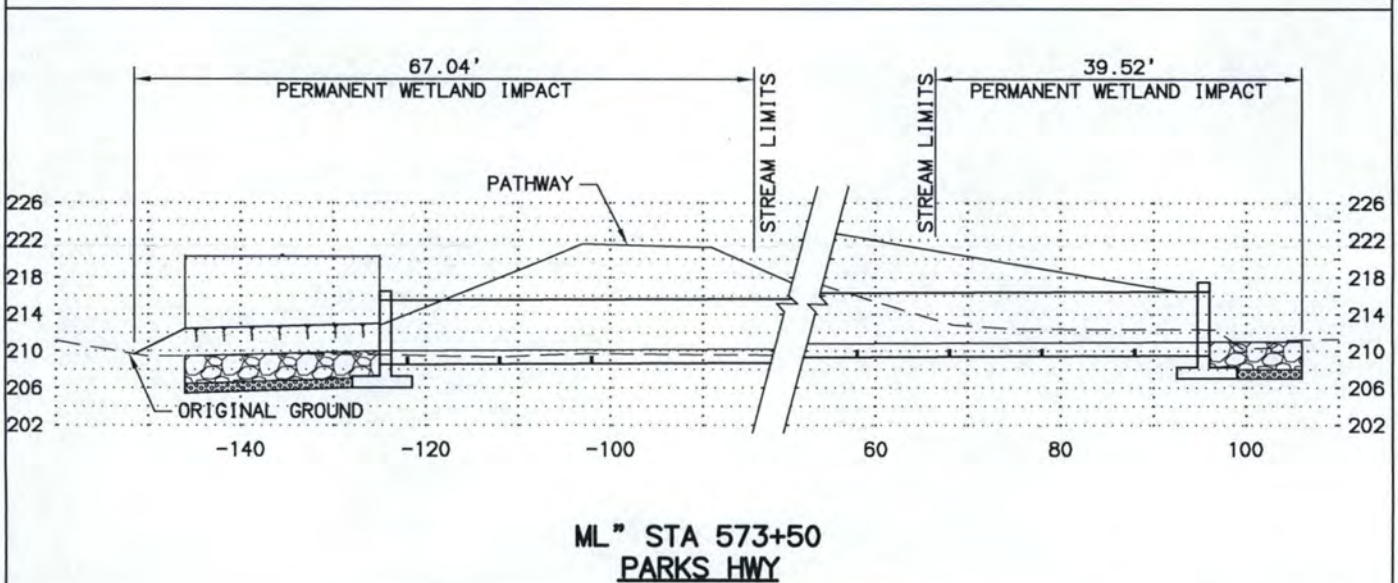
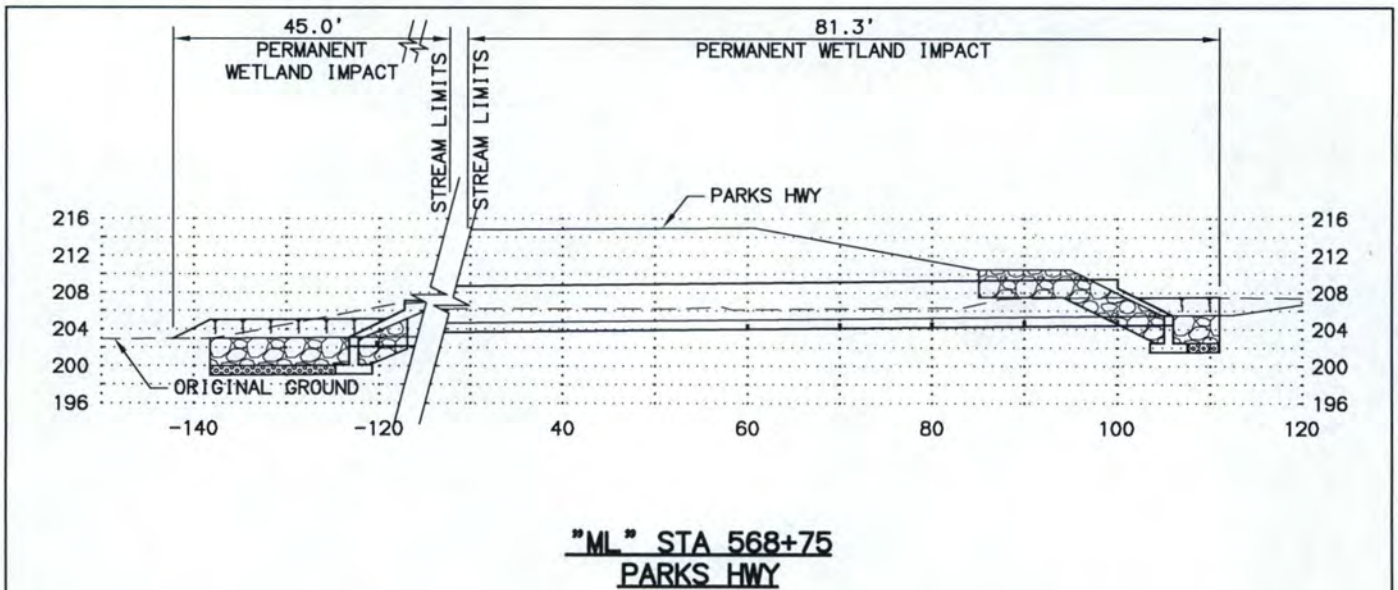
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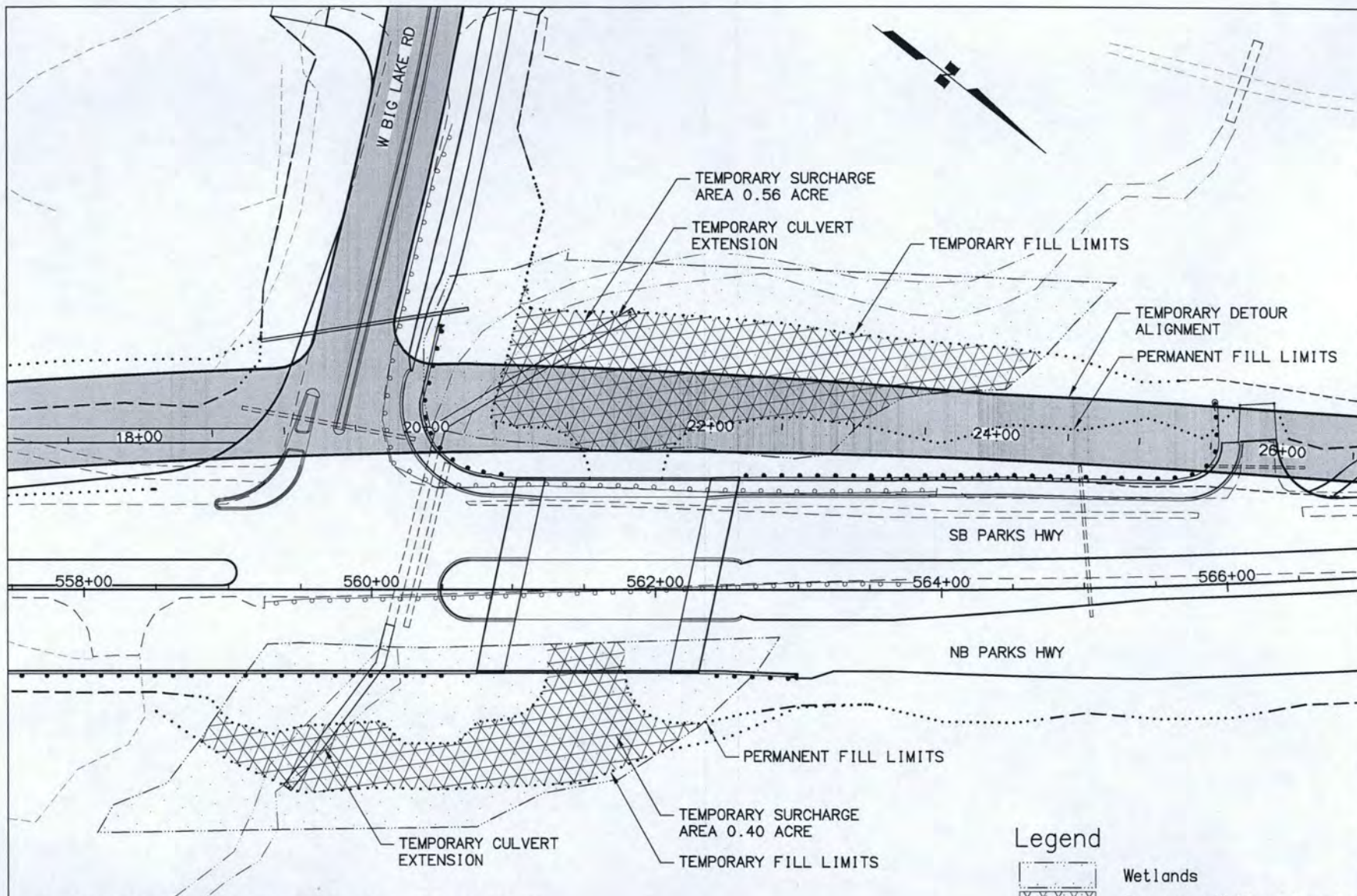
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SCALE IN FEET



TEMPORARY WETLAND IMPACTS - PLAN VIEW

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 Lat.: 61.57559°N Long.: 149.72449°W
 Sheet 15 of 15 Date: 2/10/2017

0 50 100
 SCALE IN FEET

Legend

- Wetlands
- Temporary Wetland Impacts
- Existing Stream Channel
- Cut Limits
- Fill Limits
- Proposed Edge of Asphalt
- Existing Edge of Asphalt

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 VIEW: COE_03_F_PDF, COE_03_F_X7700, COE_08_F_PDF, COE_08_F_X7700
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