



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:	April 9, 2020
EXPIRATION DATE:	April 24, 2020
REFERENCE NUMBER:	POA-2015-00056-M1
WATERWAY:	Hamilton Slough

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 Mary Romero at (907) 753-2773, toll free from within Alaska at (800) 478-2712, or by email at: Mary.R.Romero@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mr. Chevie Roach, City of Shageluk, P.O. Box 110, Shageluk, Alaska 99665, (907) 473-8221

AGENT: Ms. Robin Reich, Solstice Alaska Consulting, Inc., 2607 Fairbanks St. #B, Anchorage, Alaska 99503, (907) 929-5960, robin@solsticeak.com

LOCATION: The project site is located within Sections 25, 26, 35, &36, T. 30 N., R. 55 W., Seward Meridian; USGS Quad Map Holy Cross C-2; Latitude 62.6552° N., Longitude 159.5309° W.; in Shageluk, Alaska.

PURPOSE: The applicant's stated purpose is to ensure public health, sanitation, and security; replace aging infrastructure; and accommodate community growth.

PROPOSED WORK: The temporary trenching and backfilling with up to 2,000 cubic yards of trenched gravel, dirt and rigid board insulation materials within 1.0 acre of Palustrine wetlands, for the placement of up to 7,125 linear feet of water main, 4,025 linear feet of sewer main, 37 water service lines, and 35 sewer service lines would be installed within separately constructed trenches.

Each trench would vary in depth and width based on the substrate (granular soil, permafrost, rock soil) and whether the line is pressurized or gravity, but is expected to be from 4-feet up to 8-feet deep, and from 10-feet up to 20-feet wide. The pipelines would be surrounded by pipe bedding material and rigid board insulation, and covered with at least 4 feet of native material previously removed from the trench. Where the pipe is located within roadway, the area would be covered with at least 4 inches of leveling course. Where the pipe is located in natural areas, the trench would be mounded above grade with 6 inches of topsoil and seeded and fertilized. The proposed wastewater system would be a buried gravity sewer system. 18 manholes would be installed along the sewer main. The portions of the project placed within the road prism would not be under the U.S. Army Corps of Engineers (Corps) jurisdiction.

Additionally, the following portions of the project are not under the jurisdiction of the Corps but are part of the proposed project:

- the existing Water Treatment Plant/washeteria would be remodeled
- new water treatment, mechanical, and electrical equipment would be installed
- a new 65,000-gallon water storage tank would be installed on a previously cleared and filled area.
- plumbing upgrades (bathrooms, kitchen sinks, etc.) would be constructed in each home

Construction is expected to start in late summer/fall 2020, and is expected to continue until fall of 2023. All work would be performed in accordance with the enclosed plan (sheets 1-6), dated March 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 applicant has stated to meet the purpose and need for this project complete avoidance of wetlands is not possible.

b. Minimization: To minimize impacts to wetlands the applicant has state that the majority of piping would be located within existing road sections, and the following measures would be implemented:

- Construction limits - construction limits would be staked and clearly demarcated.
- Fueling - heavy equipment fueling would not occur within 100 feet of the Innoko River or Hamilton Slough.
- Wetland and water quality best management practices (BMPs). Water quality would be protected during construction through BMP's including:

- Temporary and permanent stabilization measures (i.e., slope tracking, seeding, and mulch) would be initiated as soon as practicable, but within at least 14 days on all portions of the site where construction has temporarily or permanently ceased.
- Sediment prevention measures (i.e., silt fence or other means) would be placed, maintained, stabilized and revegetated.
- Vegetation disturbance - natural vegetation would be retained wherever possible, disturbed areas would be reseeded with native vegetation types, landscaping improvements would be completed, and the following BMPs would be implemented to revegetate disturbed areas.
 - All disturbed areas would be restored to preconstruction conditions.
 - Topsoil, seeding, and vegetation would be placed to rehabilitate disturbed areas

c. Compensatory Mitigation: To mitigate for temporary ground disturbing activity within wetlands, the applicant has stated the backfilled trench would be re-vegetated following the recommendations of the Alaska Department of Natural Resources Alaska Plant Materials Center and restored to as near pre-construction condition as feasible. Additionally the applicant plans to replace multiple culverts within the project area.

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 Indian Health Service in coordination with the Alaska Native Tribal Health Consortium (ANTHC), is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. Consultation with the State Historic Preservation Office was completed April 4, 2016 (3130-IT HIS, 2016-00455). The Corps has reviewed the Section 106 documentation from ANTHC and concurs with their findings and determinations.

ENDANGERED SPECIES: The project area is within the known or historic range of the wood bison (*Bison bison athabasca*).

The U.S. Fish and Wildlife Service, on May 7, 2014, published a final rule to allow a nonessential experimental population (NEP) of wood bison to be established in Alaska under section 10(j) of the Endangered Species Act (ESA). Under section 4(d) of the ESA, this final rule also determines those measures and prohibitions that are necessary and advisable for the conservation of the wood bison in Alaska. This final rule allows for the reintroduction of a NEP of wood bison in Alaska, establishes provisions under which wood bison in Alaska will be managed, and allows for legal incidental taking of wood bison within the defined NEP area. Under the ESA, the Service may establish an experimental population, allowing for the reintroduction of a species to its former range with special rules that allow for some of the management requirements of the ESA to be relaxed to facilitate acceptance by local landowners and managers. Within this final rule, there are exemptions for the incidental effects of development, land management and other lawful activities, and for regulated

hunting, in order to ensure management flexibility. These exemptions provide assurance that the establishment of wild wood bison herds will not have unintended consequences for the State of Alaska, private landowners, industry, or Alaska Natives.

Consultation is not required because the project would not occur on Federal lands.

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 National Marine Fisheries Service 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.

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 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

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.

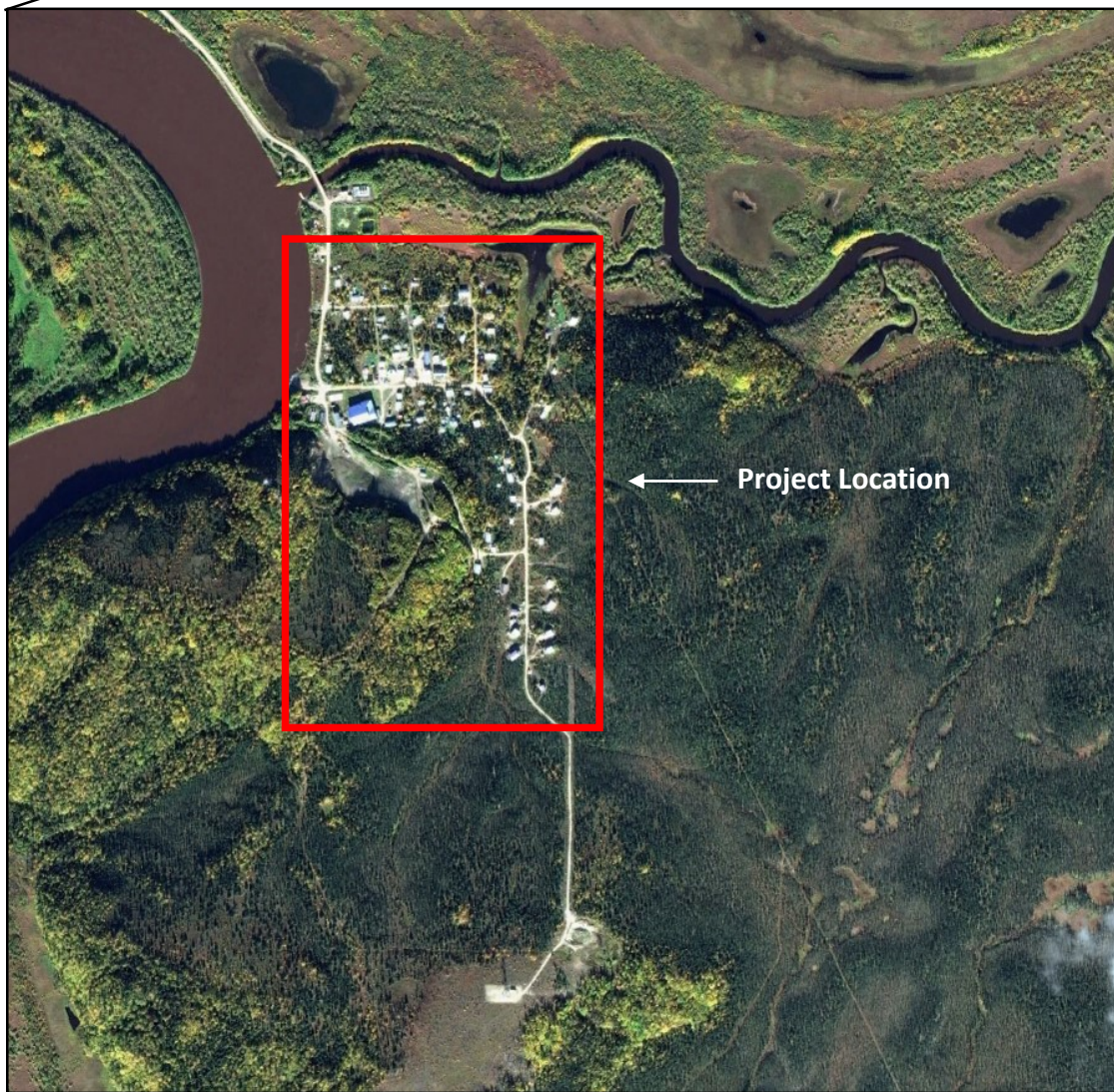
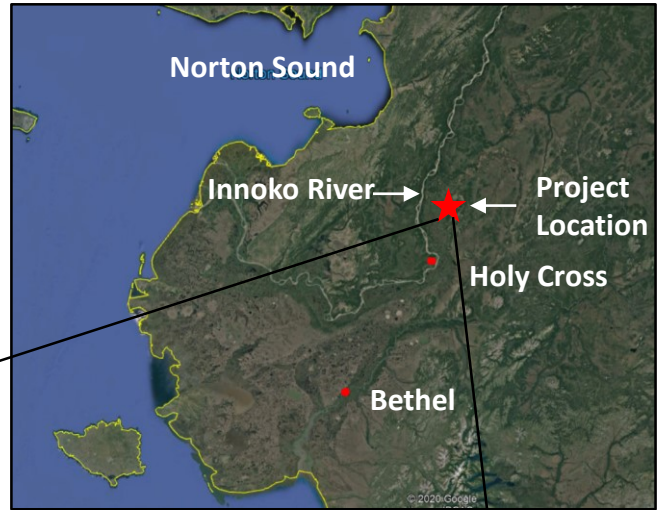
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number **POA-2015-00056-M1, Hamilton Slough**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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.

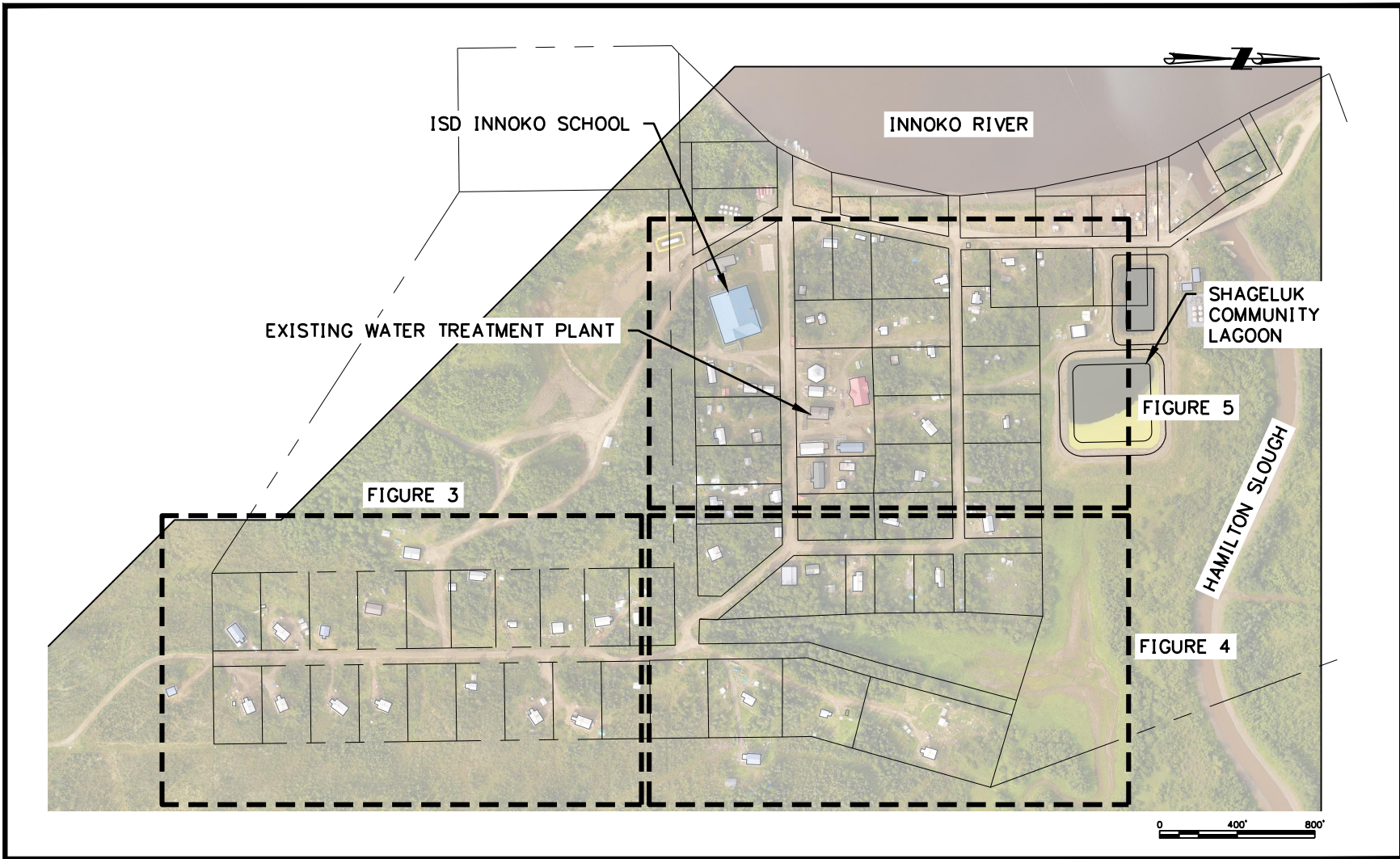


Alaska Native Tribal Health Consortium
Division of Environmental Health and Engineering
4500 Diplomacy Drive
Anchorage, Alaska 99508
(907) 729-3600

Project Disturbance Area
Project: Shageluk Water and Sewer Project
POA-2015-56, Hamilton Slough Modification Request
Applicant: City of Shageluk

March 2020

Figure: 1 of 6



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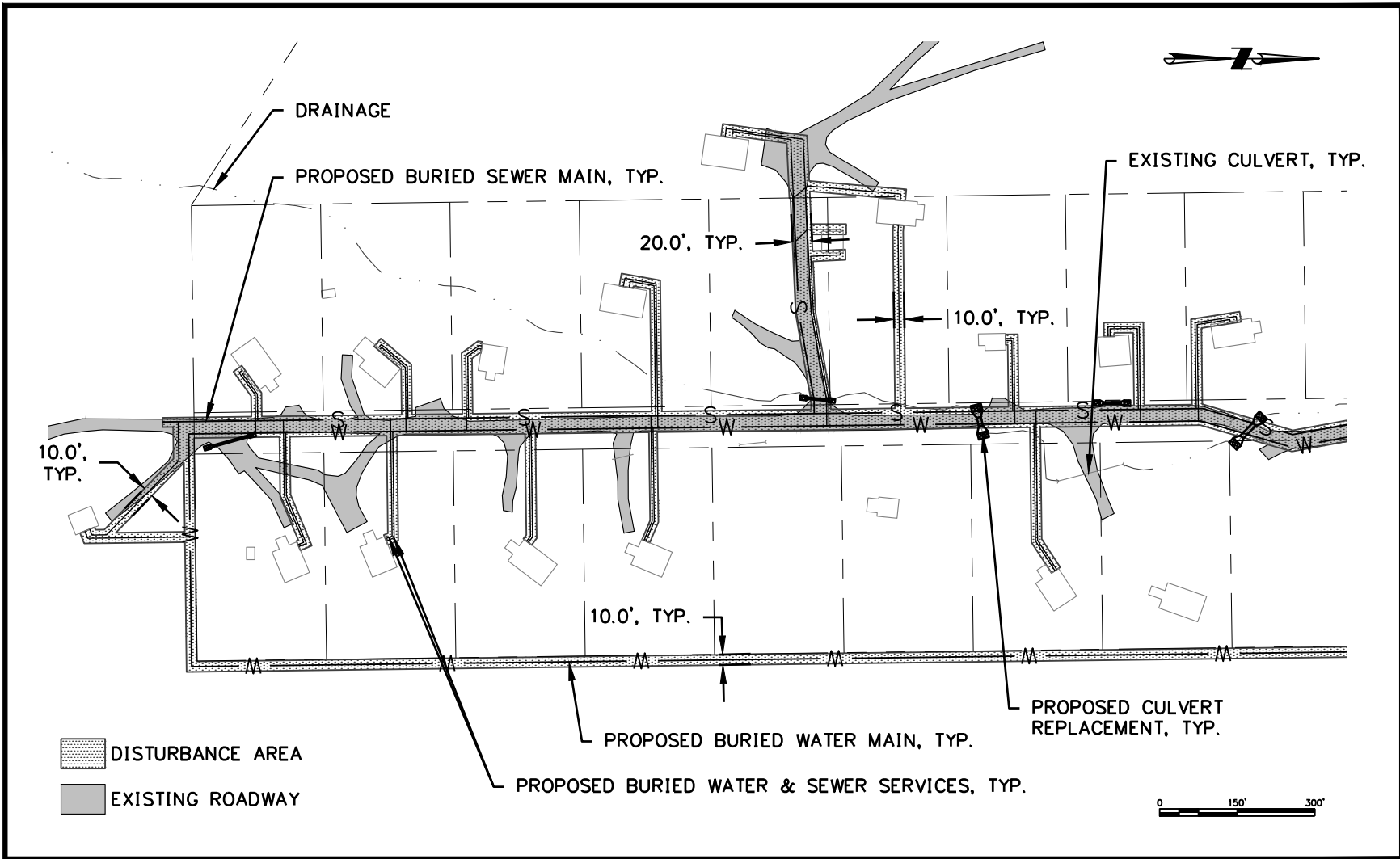
Project Site Overview

Project: Shageluk Water and Sewer Project
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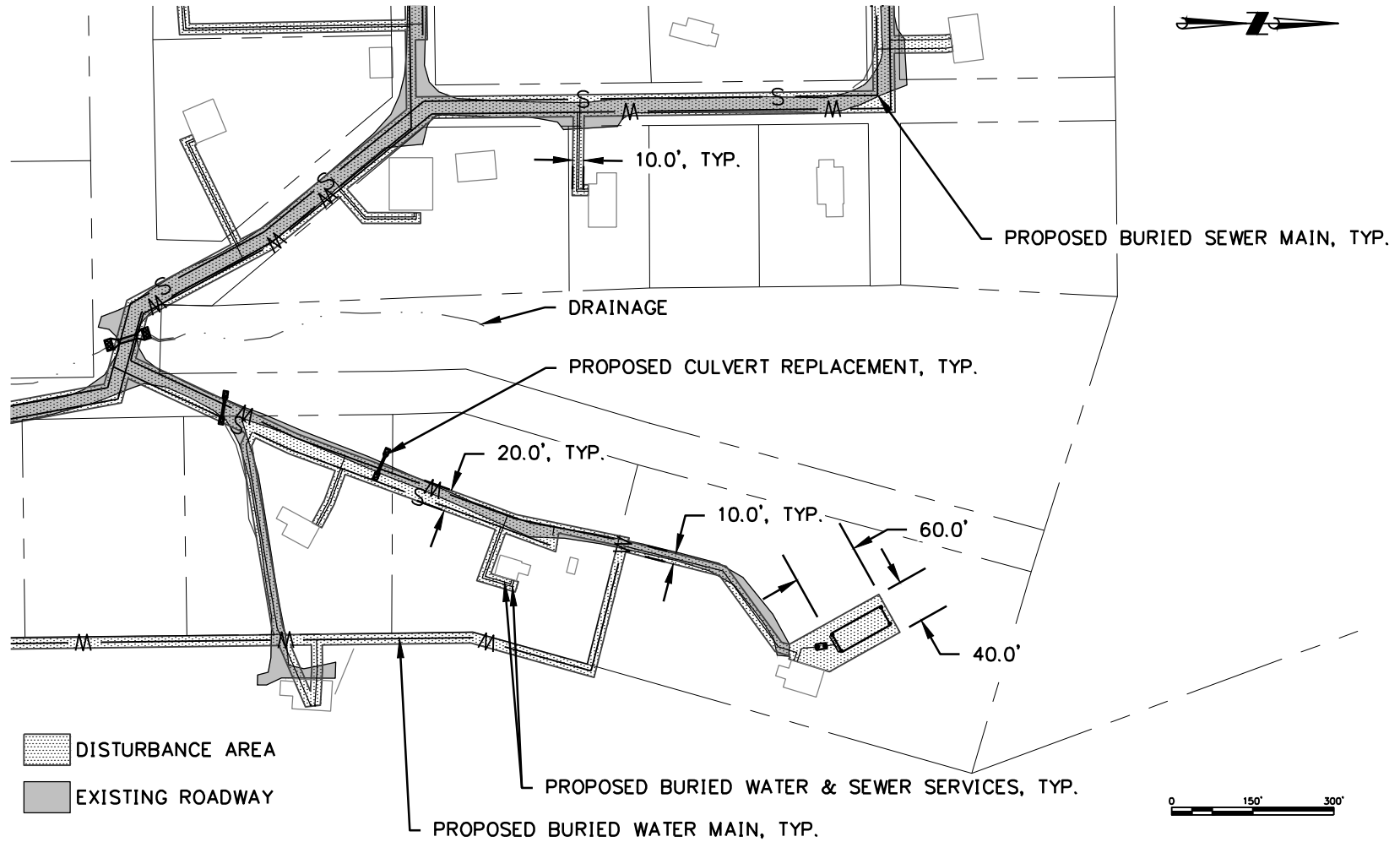
March 2020

Figure: 2 of 6



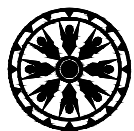
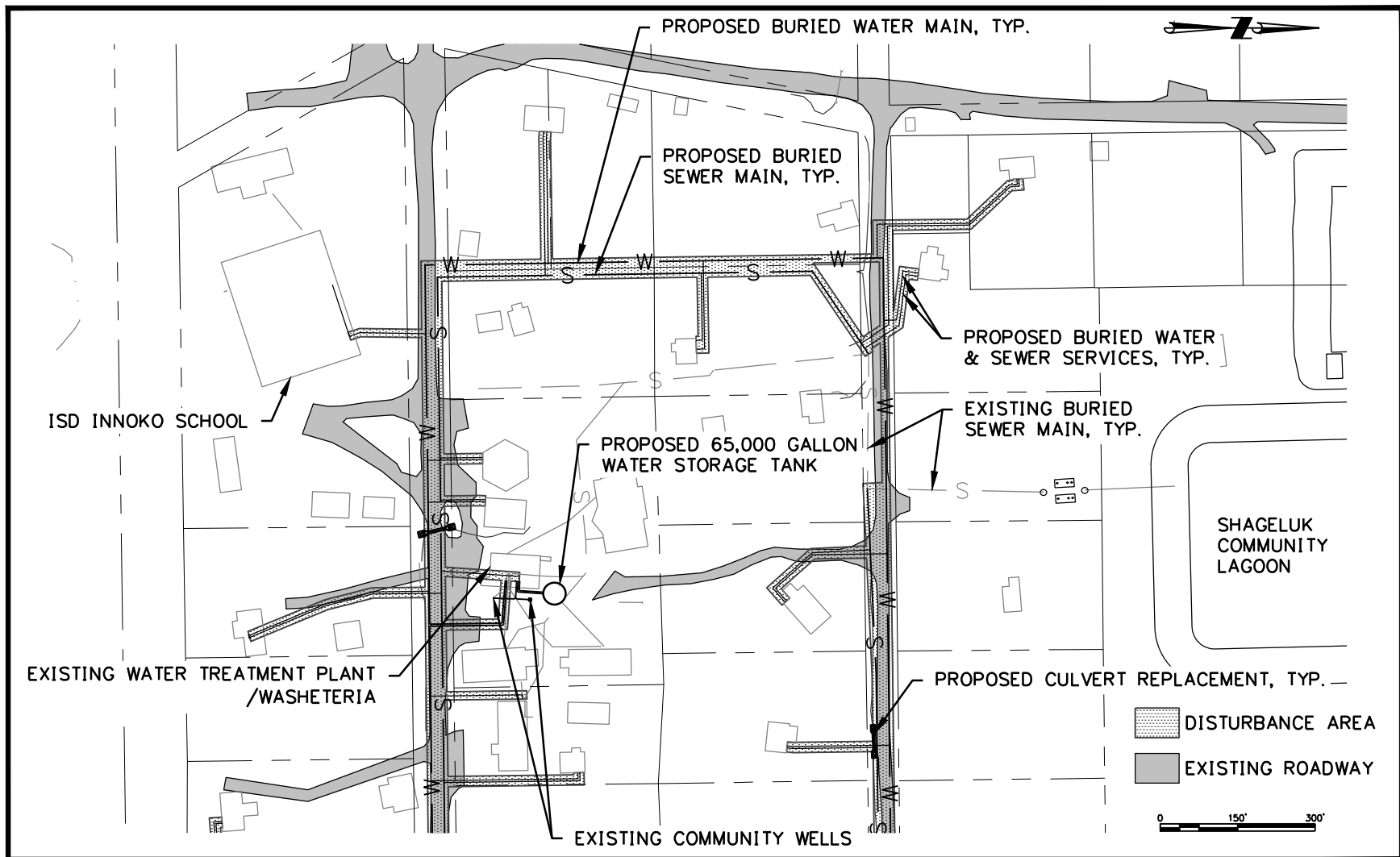
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Project Disturbance Area
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Project Disturbance Area
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Project Disturbance Area
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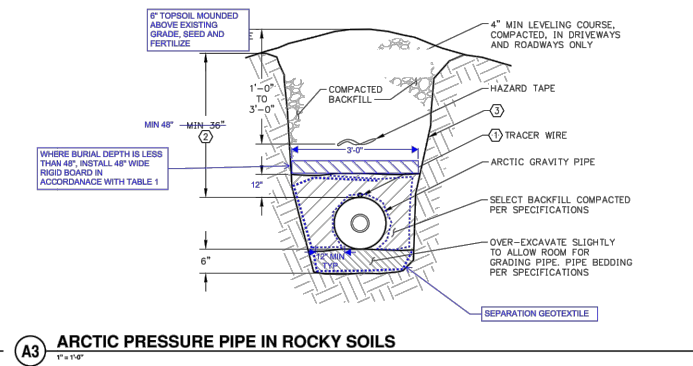
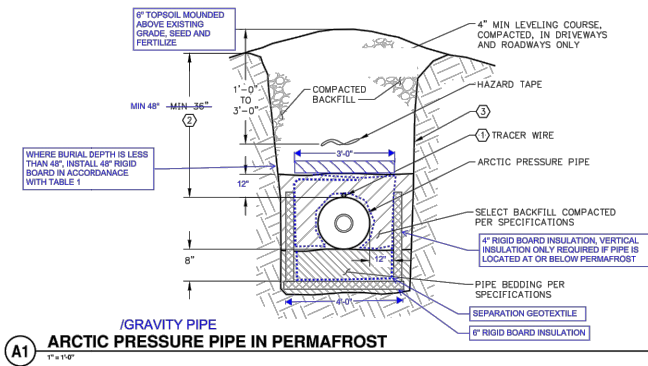
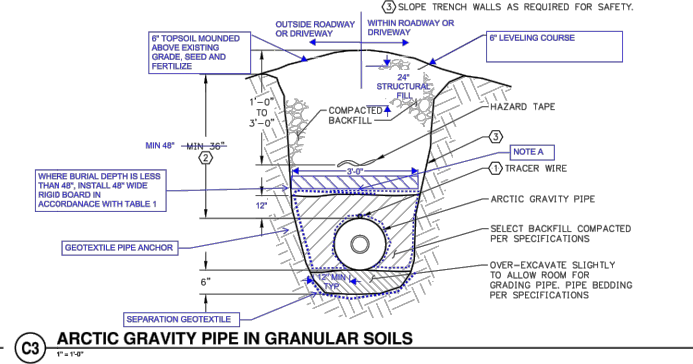
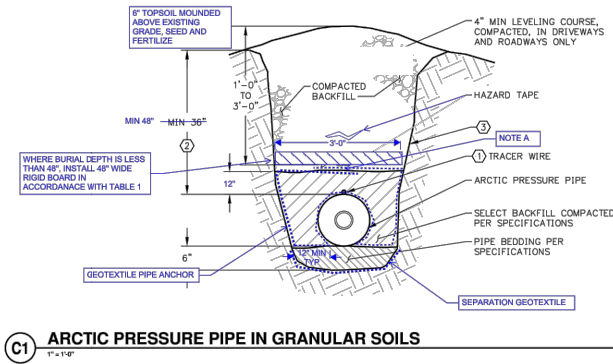
TABLE 1

BURIAL DEPTH	INSULATION THICKNESS
36"	NONE
36"-41"	2"
24"-35"	4"
12"-23"	6"
<12"	NOT ALLOWED

LESS THAN 36" BURY ONLY ALLOWED OUTSIDE OF TRAVELED WAYS.

NOTE A - OVERLAP GEOTEXTILE EDGES 12" MIN

- NOTES:
- INSTALL #12 STRANDED COPPER TYPE UL HMWPE (HIGH MOLECULAR WEIGHT POLYETHYLENE) TRACER WIRE DIRECTLY ON TOP OF WATER PIPE FOR FUTURE LOCATION. (TYPE PTW, 75 DEG. C / 600V, SERVICE WIRE CO.) DAYLIGHT ENDS OF TRACE WIRE AT EACH FLUSH HYDRANT.
 - MINIMUM 36" BURY REQUIRED TO PREVENT TRAFFIC LOADS FROM CRUSHING PIPE. ENGINEER MAY SPECIFY RIGID INSULATION OR DEEPER MINIMUM BURY FOR FREEZE PROTECTION, AND MAY SPECIFY DEEPER BURIAL FOR HEAVY TRAFFIC LOADS.
 - SLOPE TRENCH WALLS AS REQUIRED FOR SAFETY.



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