



US Army Corps  
of Engineers  
Alaska District

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

# Public Notice of Application for Permit

<b>PUBLIC NOTICE DATE:</b>	<b>February 13, 2019</b>
<b>EXPIRATION DATE:</b>	<b>March 15, 2019</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2019-00036</b>
<b>WATERWAY:</b>	<b>Pikmiktalik River</b>

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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.

All comments regarding this Public Notice 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](mailto: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 Public Notice to become part of the record and be considered in the decision. Please contact Nicholas Lucore at (907) 753-5783, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [Nicholas.Lucore@usace.army.mil](mailto:Nicholas.Lucore@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Lower Kuskokwim School District, 1004 Ron Edwards Memorial Drive  
Bethel, Alaska 99558

**AGENT:** Restoration Science & Engineering, LLC

**LOCATION:** The project site is located within Section 20, T. 9 N., R. 73 W., Seward Meridian; USGS Quad Map Baird Inlet D-1; Latitude 60.8611° N., Longitude 162.2804° W.; in Atmautluak, Alaska.

**PURPOSE:** The applicant's stated purpose is to construct a K-12 school in Atmautluak.

**PROPOSED WORK:** The work being proposed involves the discharge of 1,500 cubic yards of clean fill over 1.63 acres to provide a pad for the construction of a school facility and to increase thermal stability. All work would be performed in accordance with the enclosed plan (sheets 1-6), dated January 8, 2018.

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

- a. Avoidance: Due to the geographic area of Atmautluak within the low-lying Kuskokwim Delta, avoidance of wetlands is not considered practicable. The Atmautluak area is dominated by small ponds and areas of standing water between the dominant rivers and waterways. The proposed alternative retains many wetland features while creating an accessible and practical space for students and community gatherings.
- b. Minimization: Alternative locations that could further reduce wetland impacts were not identified during the alternatives evaluation of this project. The proposed project design has been adjusted to reduce the impact to wetlands as much as feasibly possible while abiding by applicable Clean Water requirements. Overall the design will maintain the existing water flow patterns by directing proportional flow to existing drainages. The design uses infiltration and detention features to provide water quality and emulate existing hydrologic function.
- c. Compensatory Mitigation: By incorporating appropriate and practicable avoidance and minimization measures, the proposed Atmautluak School project will result in 1.63 acres of unavoidable impacts to wetlands. The Alaska Wetlands Initiative (USEPA, USACE 1994) discusses the special circumstances of Alaska with respect to wetlands and national policy, and acknowledges that, in Alaska, avoiding wetlands may not be practicable where there is a high proportion of land in a watershed or region which is wetlands. The proposed project is of a unique human importance and public interest to this area and does not result in a significant resource loss in this wetland-rich area. Demolition of the former school will result in the restoration of a local wetland area. There is no wetland bank in this area of the State. The proposed project will result in minimal individual and cumulative environmental effects and the applicant does not propose compensatory mitigation.

**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 no cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be only those areas comprising of waters of the United States that will be directly affected by the proposed work or structures. Consultation of the AHRs constitutes the extent of cultural resource investigations by the 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: No threatened or endangered species are known to use the project area.

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.

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 Corps of Engineers 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 of Engineers 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](mailto: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.

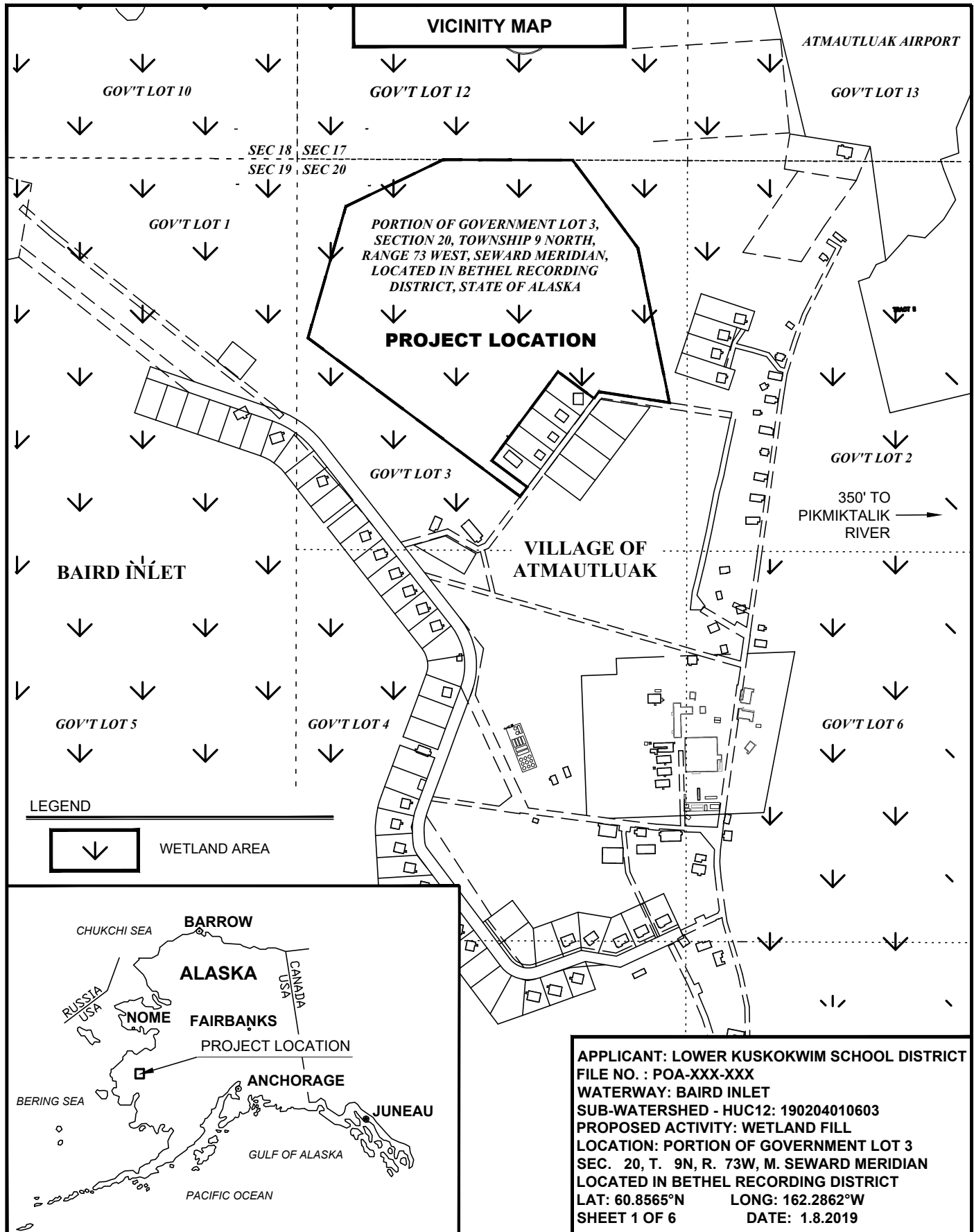
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number **POA-2019-00036, Pitkmikialik River**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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.

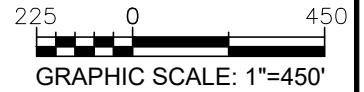
Any person desiring to comment on the project with respect to Water Quality Certification, may submit written comments to the address above or via email to [dec-401cert@alaska.gov](mailto:dec-401cert@alaska.gov) by the expiration date of the Corps of Engineer's Public Notice. All comments should include 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 Theresa Zimmerman 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.



# WETLAND FILL - PLAN VIEW



GOV'T LOT 12

GOV'T LOT 3

GOV'T LOT 3

PORTION OF GOVERNMENT LOT 3,  
SECTION 20, TOWNSHIP 9 NORTH,  
RANGE 73 WEST, SEWARD MERIDIAN,  
LOCATED IN BETHEL RECORDING  
DISTRICT, STATE OF ALASKA

PROPOSED SCHOOL &  
BOARDWALK PROJECT  
LOCATION

600' TO  
PIKMIKTALIK  
RIVER

**DISTURBANCE AREA: 1.63 ACRES**

**FILL: (APPROXIMATE)**

10,000 SQ FT BOARDWALK PILINGS

600 CU. YDS OF TYPE A & B GRAVEL FILL

600 CU. YDS OF SAND

300 CU. YDS OF CLEAN NATIVE TOPSOIL

**TOTAL FILL - 1,500 CU YDS**

GOV'T LOT 3

CENA AVENUE

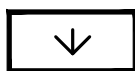
ATMAUTLUAK CHURCH LANE ROAD  
SUBDIVISION PLAT NO. 2008-14

ATMAUTLUAK CHURCH LANE ROAD  
SUBDIVISION ADDITION NO. 1  
PLAT NO. 2013-12

ROW EASEMENT TO 2004-000172-0  
(BOARDWALKS & GRAVEL ROADS)  
ATMAUTLUAK TRADITIONAL COUNCIL  
2/6/2004



## LEGEND



WETLAND AREA



PROPOSED TOTAL FILL AREA (1.63 ACRES)



DRAINAGE DIRECTION

AS-BUILT HIGH WATER LEVEL

EASEMENTS

ATMAUTLUAK SCHOOL SITE LEASE PARCEL BOUNDARY

**APPLICANT: LOWER KUSKOKWIM SCHOOL DISTRICT**

**FILE NO. : POA-XXX-XXX**

**WATERWAY: BAIRD INLET**

**SUB-WATERSHED - HUC12: 190204010603**

**PROPOSED ACTIVITY: WETLAND FILL**

**LOCATION: PORTION OF GOVERNMENT LOT 3**

**SEC. 20, T. 9N, R. 73W, M. SEWARD MERIDIAN**

**LOCATED IN BETHEL RECORDING DISTRICT**

**LAT: 60.8565°N**

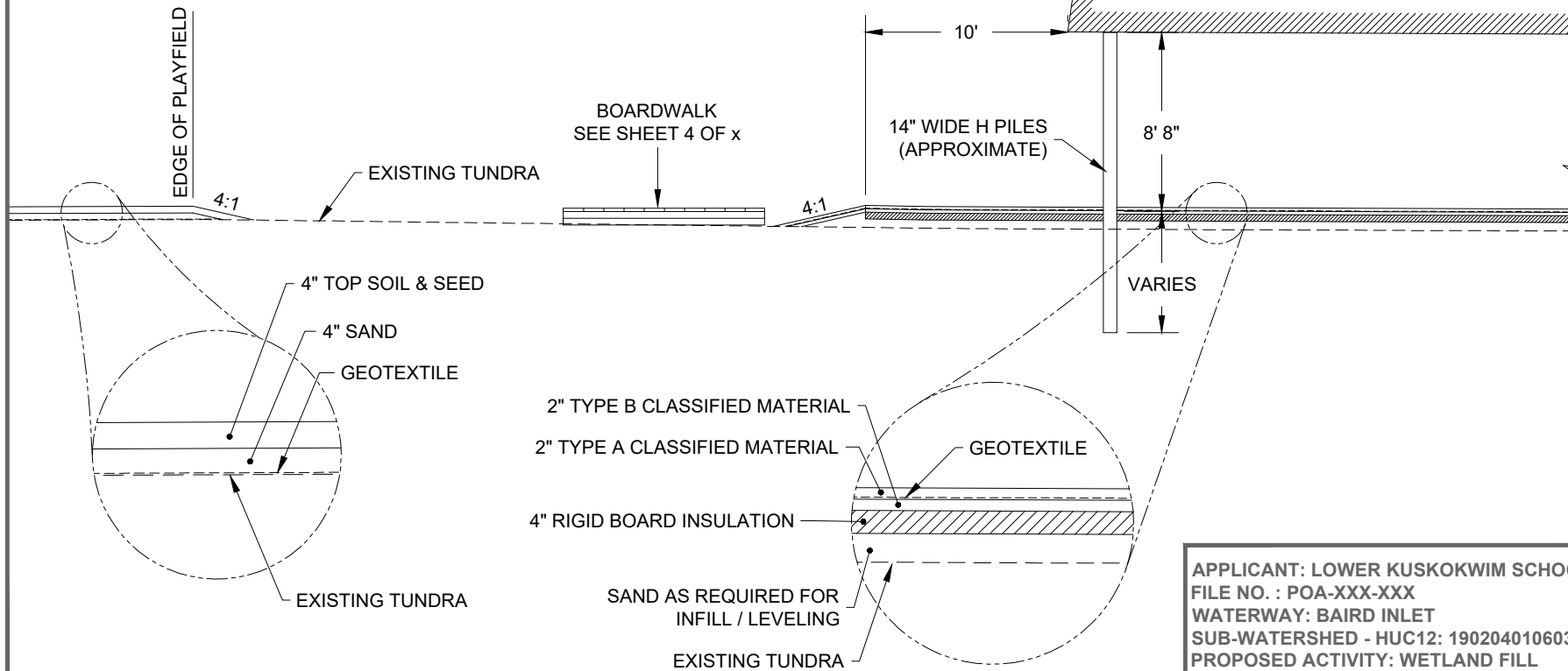
**LONG: 162.2862°W**

**SHEET 2 OF 6**

**DATE: 1.8.2019**

# SITE SECTION VIEW

JOANN A. ALEXIE  
MEMORIAL SCHOOL  
FF = 14.67



1

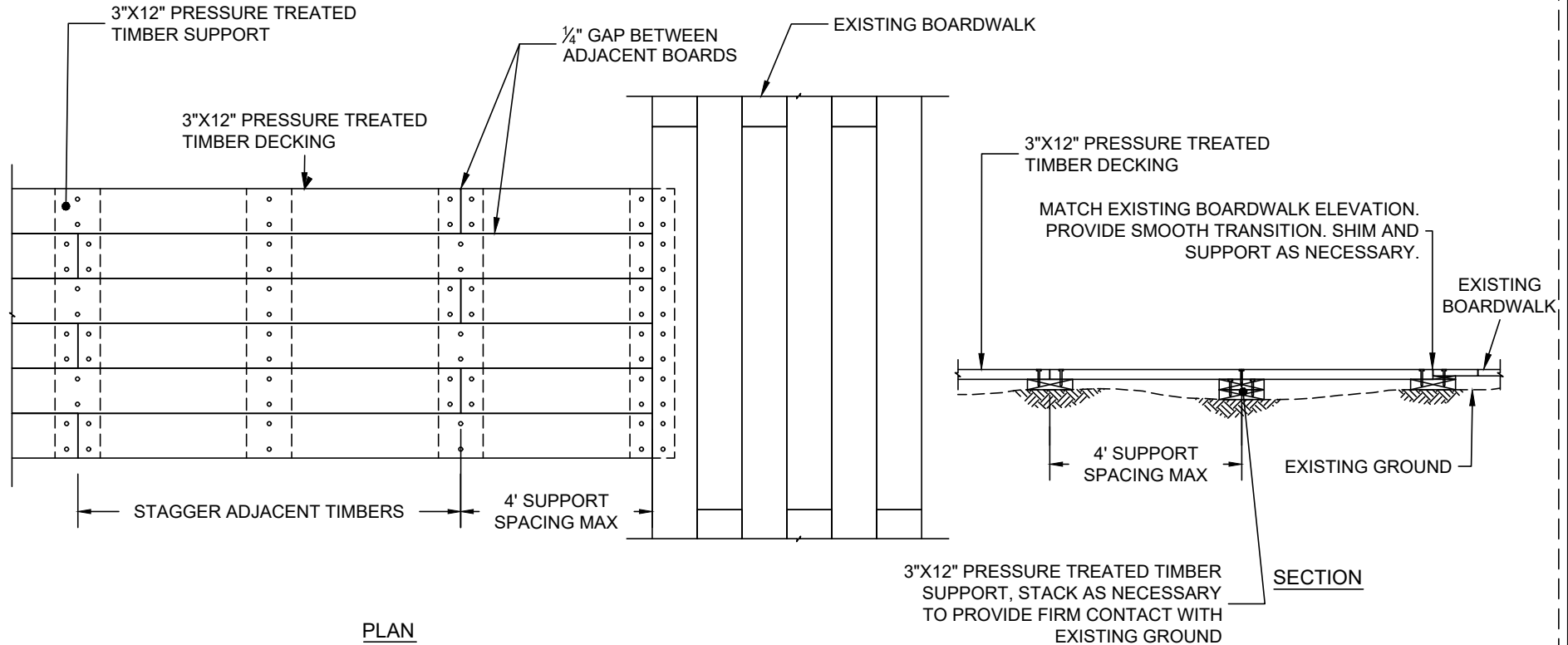
## A-A' ELEVATION CROSS SECTION

SCALE: 1"=10' (APPROX)

APPLICANT: LOWER KUSKOKWIM SCHOOL DISTRICT  
FILE NO. : POA-XXX-XXX  
WATERWAY: BAIRD INLET  
SUB-WATERSHED - HUC12: 190204010603  
PROPOSED ACTIVITY: WETLAND FILL  
LOCATION: PORTION OF GOVERNMENT LOT 3  
SEC. 20, T. 9N, R. 73W, M. SEWARD MERIDIAN  
LOCATED IN BETHEL RECORDING DISTRICT  
LAT: 60.8565°N LONG: 162.2862°W  
SHEET 3 OF 6 DATE: 1.8.2019



## BOARDWALK DETAILS & NOTES



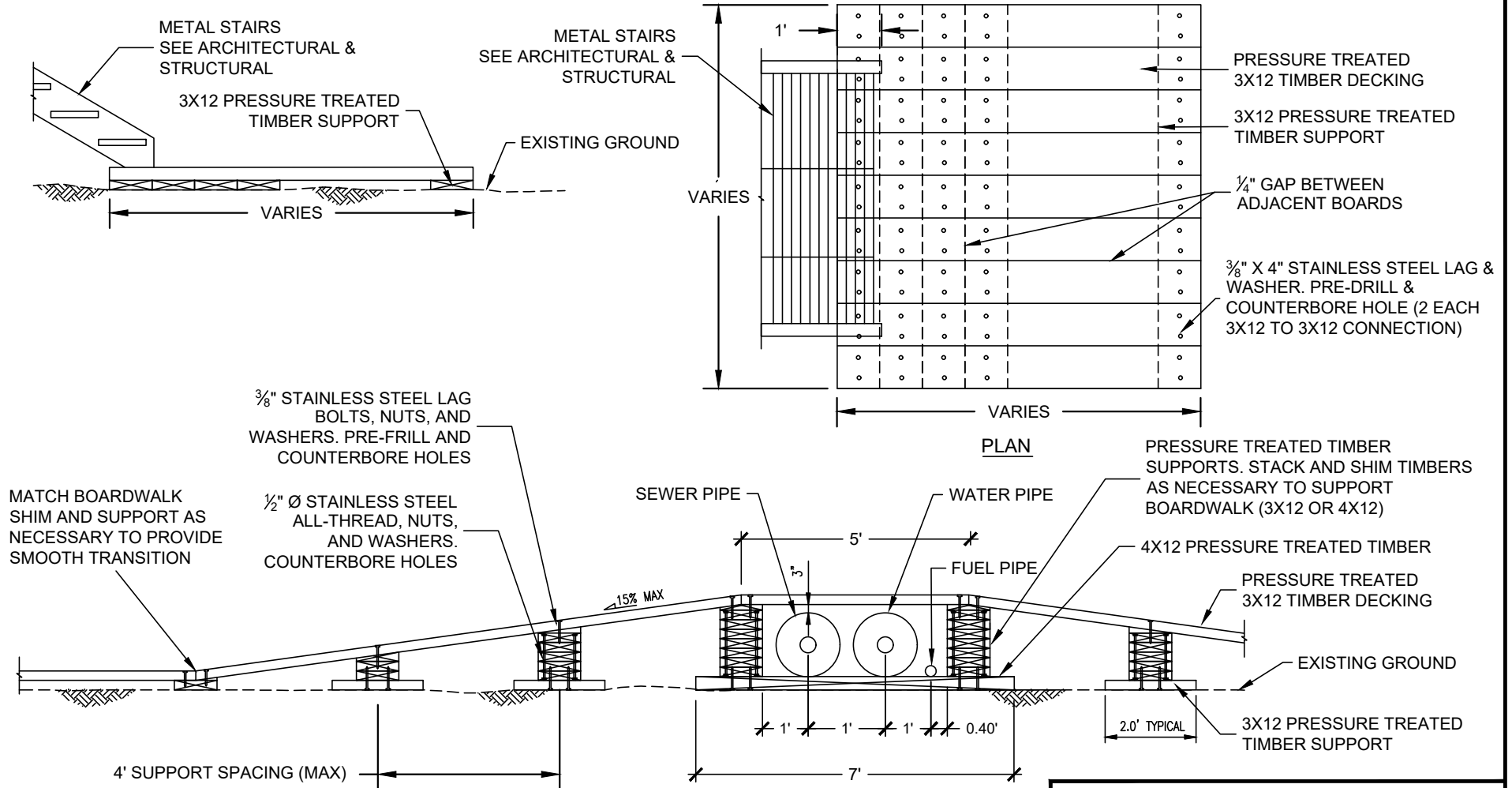
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### BOARDWALK DETAIL

SCALE: 1"=10' (APPROX)

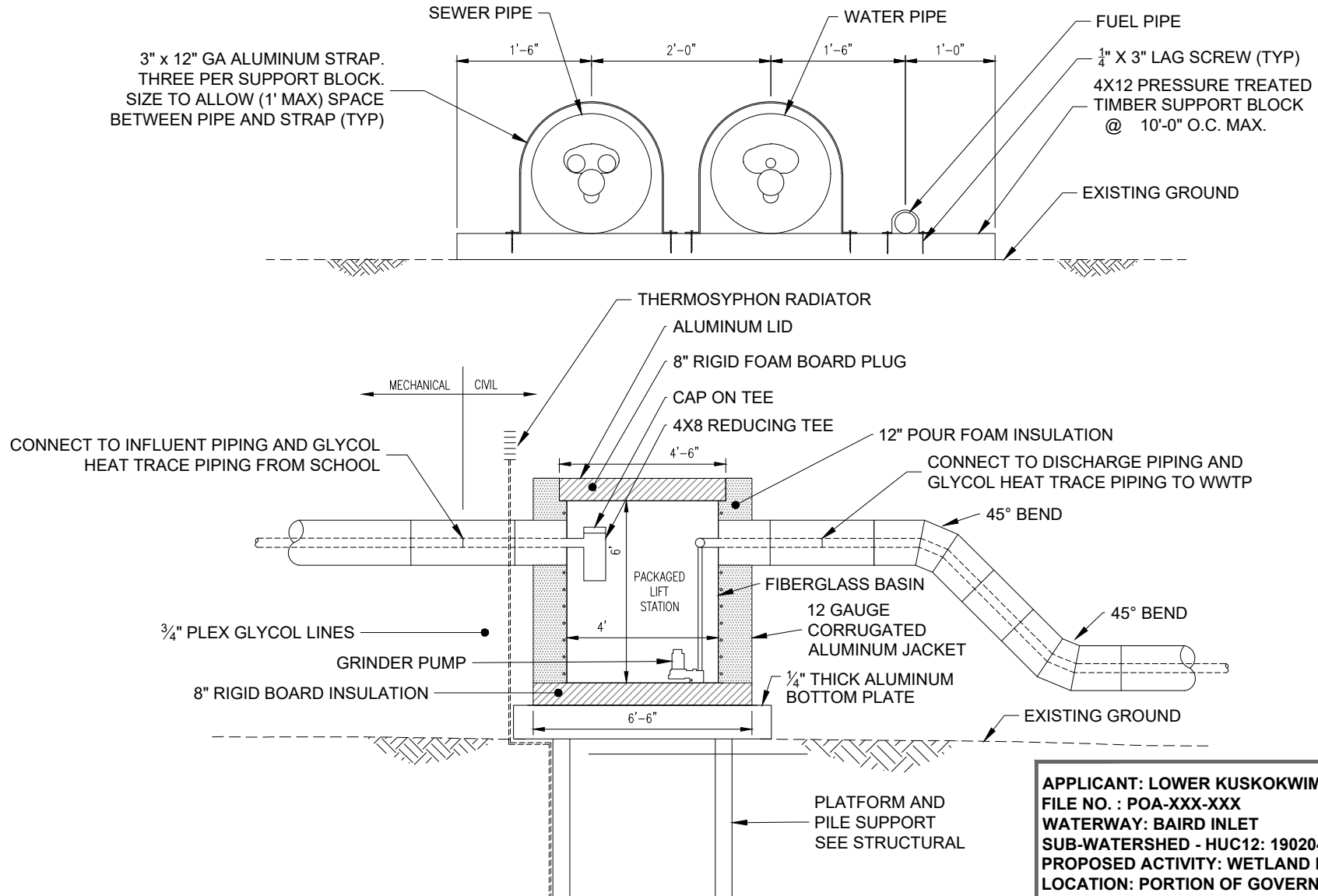
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SHEET 4 OF 6 DATE: 1.8.2019

## BOARDWALK DETAILS & NOTES



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 WATERWAY: BAIRD INLET  
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 LAT: 60.8565°N LONG: 162.2862°W  
 SHEET 5 OF 6 DATE: 1.8.2019

## LIFT STATION DETAIL & NOTES



**APPLICANT:** LOWER KUSKOKWIM SCHOOL DISTRICT  
**FILE NO. :** POA-XXX-XXX  
**WATERWAY:** BAIRD INLET  
**SUB-WATERSHED -** HUC12: 190204010603  
**PROPOSED ACTIVITY:** WETLAND FILL  
**LOCATION:** PORTION OF GOVERNMENT LOT 3  
**SEC. 20, T. 9N, R. 73W, M. SEWARD MERIDIAN**  
**LOCATED IN** BETHEL RECORDING DISTRICT  
**LAT:** 60.8565°N **LONG:** 162.2862°W  
**SHEET 6 OF 6** **DATE:** 1.8.2019