



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>March 26, 2019</b>
<b>EXPIRATION DATE:</b>	<b>April 25, 2019</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2019-00097</b>
<b>WATERWAY:</b>	<b>Kasegaluk Lagoon</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 Mary Romero at (907) 753-2773, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [mary.r.romero@usace.army.mil](mailto:mary.r.romero@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** The North Slope Borough, Mr. Meryl Guevara, PO Box 350, Barrow, Alaska 99723, [Meryl.Guevara@north-slope.org](mailto:Meryl.Guevara@north-slope.org), (907) 852-0489

**AGENT:** Mr. Ian VanBlankenstein, 949 E. 36<sup>th</sup> Avenue, Suite 500, Anchorage, Alaska 99508, [Ian.VanBlankenstein@jacobs.com](mailto:Ian.VanBlankenstein@jacobs.com), (907) 762-1578.

**LOCATION:** The project site is located at Section 36, T. 5 N., R. 45 W., Umiat Meridian; USGS Quad Map Point Lay C-2; Latitude 69.7401° N., Longitude 163.0054° W.; in Point Lay, Alaska.

PURPOSE: The applicant's stated purpose is to expand the existing Point Lay Wastewater Treatment Plant.

PROPOSED WORK: The placement of 250 cubic yards of gravel fill into 0.03 acre of jurisdictional wetlands to expand the Point Lay Wastewater Treatment Plant to accommodate increased truck haul of holding tank septage and honey buckets, and enable its pretreatment before passing into the existing Wastewater Treatment Plant.

Additionally, the North Slope Borough is requesting authorization to retain the approximately 4,500 cubic yards of fill placed into 0.56 acre for the construction of the Wastewater Treatment Plant pad in 1997, and approximately 8,800 cubic yards of fill placed into 1.09 acre for the construction of the Warm Storage Building pad a few years later. This would be a total of 1.68 acres of jurisdictional wetland impacts.

All work would be performed in accordance with the enclosed plan (sheets 1-6), dated March 6, 2019.

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: There are wetlands across the North Slope and it is not possible to avoid wetlands.

b. Minimization: The project would expand the existing Wastewater Treatment Plant in the smallest manner possible to allow for safe delivery of septage.

c. Compensatory Mitigation: The applicant has stated the project is self-mitigating as the improved wastewater handling will keep septage out of wetlands and the handling and treatment of septage protects the environment and surrounding wetlands.

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 the complete project area. 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 Potential to Cause Effects determination for the proposed project. Consultation with the State Historic Preservation Office

(SHPO) is not required, however, 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.

ENDANGERED SPECIES: The project area is within the known or historic range of the polar bear (*Ursus maritimus*), Steller's eider (*Polysticta stelleri*), and spectacled eider (*Somateria fischeri*).

We have determined the described activity may affect the threatened polar bear, Steller's eider, and spectacled eider. We have initiated the appropriate consultation procedures under section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service. 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).

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-2019-00097, Kaselaguk Lagoon**, 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.

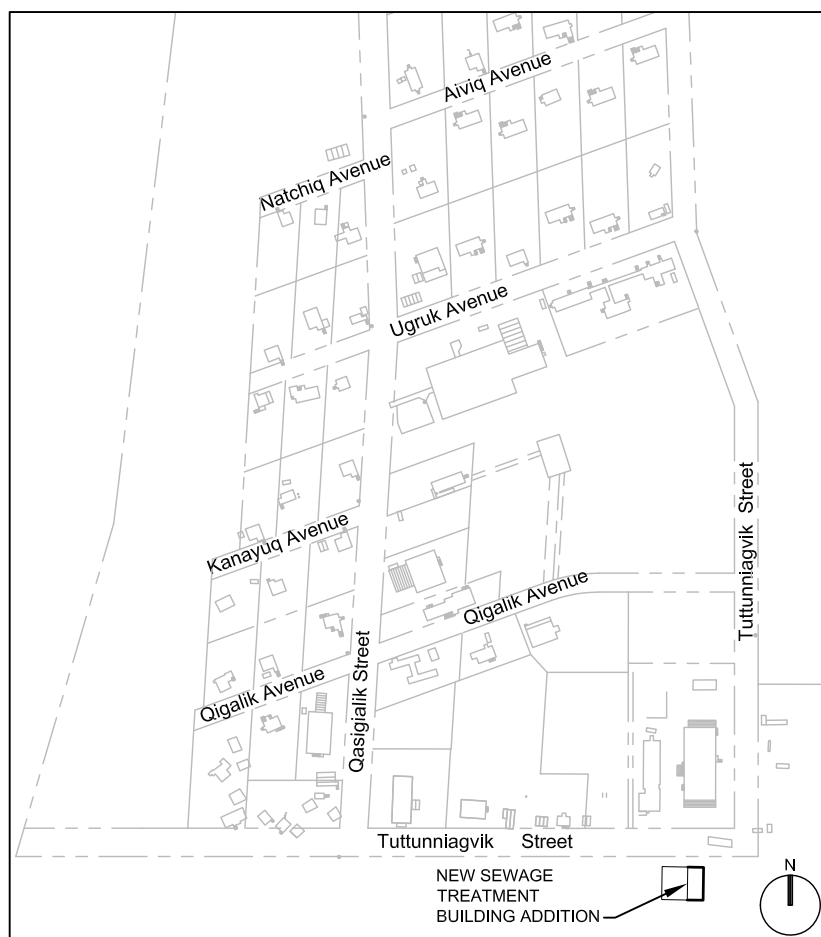


FIGURE 1  
POINT LAY WWTP SITE LOCATION MAP  
POINT LAY, ALASKA



WARM STORAGE BUILDING PAD  
AREA = 1.09 ACRE  
FILL = 8,800 CUBIC YARDS

ORIGINAL WWTP PAD  
AREA = 0.56 ACRE  
FILL = 4,500 CUBIC YARDS

NEW PAD EXPANSION  
FOR THIS PROJECT  
AREA = 0.03 ACRE  
FILL = 250 CUBIC YARDS

POINT LAY  
POI

POA-2019-00097, Kasegaluk Lagoon  
North Slope Borough - Pt Lay Wastewater Treatment Plant  
Drawings dated March 8, 2019  
Sheet 2 of 6



POINT LAY, ALASKA  
LAND OWNERSHIP  
MAP 10



KASEGALUK LAGOON



Data Sources:  
North Slope Borough Planning & Community Services;  
Dept of Commerce, Community, and Economic Development  
Community Profile Maps

	Cully Corporation		North Slope Borough
	Federal		Private
	Housing Authority		Cully Shareholder

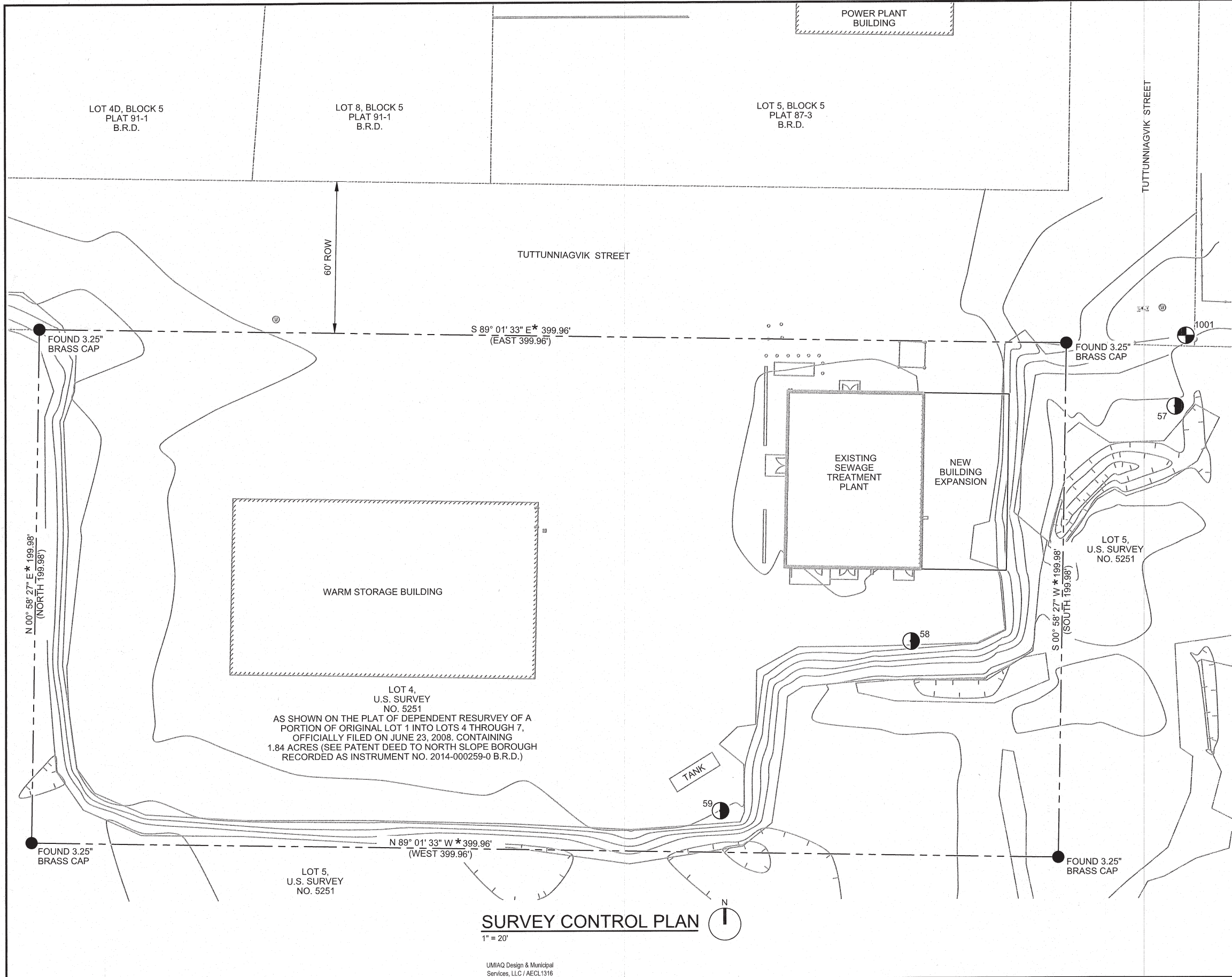
POINT LAY WWTP  
RECEIVING STATION  
SITE

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North Slope Borough - Pt Lay Wastewater Treatment Plant  
Drawings dated March 8, 2019  
Sheet 3 of 6

POINT LAY  
POINT



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SURVEYOR'S NOTES:

1. DATE OF SURVEY SEPT. 19-20, 2018.
2. BASIS OF COORDINATES AND BEARINGS IS NAD-83(2011)(EPOCH 2010.0000) ALASKA STATE PLANE ZONE 7 US FT.
3. BASIS OF VERTICAL IS NAVD88 (UTILIZING GEOID 12B).
4. NAD-83 AND NAVD88 VALUES BASED UPON MULTIPLE OPUS SOLUTIONS ON PT 56 ON 8/19/18.
5. BOUNDARY SHOWN HEREON IS RECORD PER U.S. SURVEY NO 5251 SITUATED UPON RECOVERED MONUMENTS.
6. NO TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. IT IS POSSIBLE THAT THERE ARE DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE PROPERTY DEPICTED HEREON.
7. POINT 1001 IS A 60D SPIKE SET AT 1.8' ABOVE GROUND IN WEST SIDE OF POWER POLE.
8. ALL SET 2" ALUMINUM CAPS MARKED: UMIAQ CONTROL 2018, CP#

SURVEY CONTROL POINTS

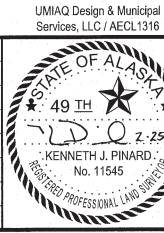
Point #	Northing	Easting	Elevation	Raw Description
57	5755341.90	1512968.35	14.20'	SET 2" AC
58	5755250.97	1512865.36	20.11'	SET 2" AC
59	5755185.16	1512791.04	19.16'	SET 2" AC
1001	5755369	1512973	16.50'	TBM

LEGEND

- 3.25" BRASS CAP MONUMENT
- ◐ 2" ALUMINUM CAP
- ⊕ 60D SPIKE
- SURVEYED PROPERTY LINE
- - - - - PROPERTY LINE - NOT SURVEYED
- B.R.D. BARROW RECORDING DISTRICT
- \* INDICATES NAD-83 GRID BEARING OF APPROXIMATE PROPERTY LINE (SEE NOTE 5)
- ( ) DENOTES RECORD DATA PER U.S. SURVEY 5251
- ROW DEDICATED RIGHT OF WAY

VERIFY SCALES  
BAR IS ONE INCH ON ORIGINAL DRAWING  
0 1"  
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

	CHECKED BY	No.	DATE	DESCRIPTION	BY
INTERNAL QA/QC					
OWNER					
AGENCY					
PLAN CHECK				REVISIONS	



JACOBS

100% SUBMITTAL

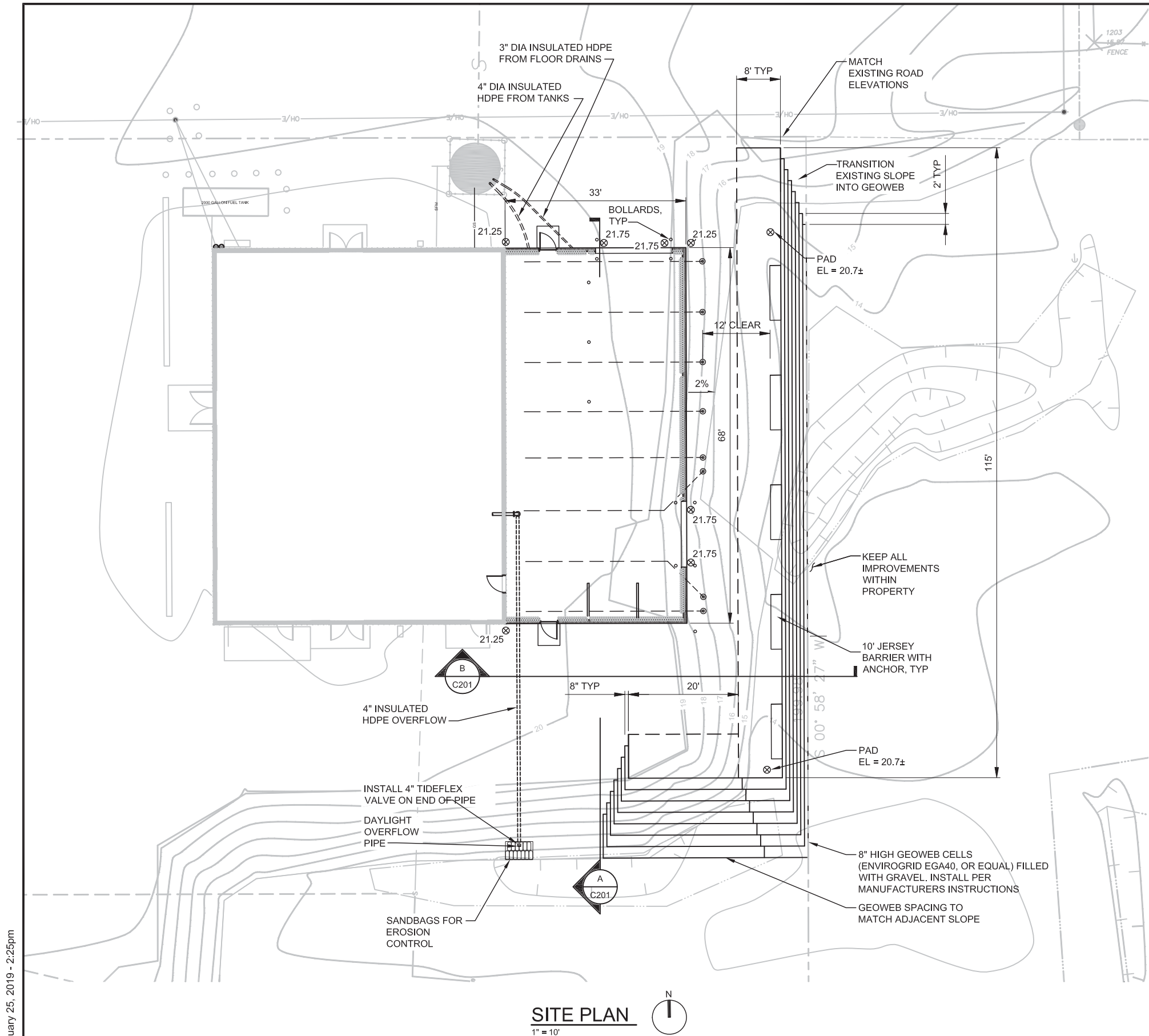


CIVIL SURVEY

NORTH SLOPE BOROUGH

POA-2019-00097, Kasegaluk Lagoon  
North Slope Borough - Pt Lay Wastewater Treatment Plant  
Drawings dated March 8, 2019  
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SITE PLAN  
1" = 10'



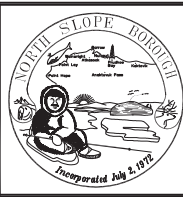
VERIFY SCALES  
BAR IS ONE INCH ON ORIGINAL DRAWING  
0 1"  
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

	CHECKED BY	No.	DATE	DESCRIPTION	BY
INTERNAL					
QA/QC					
OWNER					
AGENCY					
PLAN CHECK				REVISIONS	



JACOBS

100% SUBMITTAL



NORTH SLOPE BOROUGH

POA-2019-00097, Kasegaluk Lagoon  
North Slope Borough - Pt Lay Wastewater Treatment Plant  
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