



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD
2175 University Avenue, Suite 201E
Fairbanks, Alaska 99709-4927

PUBLIC NOTICE DATE:	May 26, 2021
EXPIRATION DATE:	June 25, 2021
REFERENCE NUMBER:	POA-2021-00031
WATERWAY:	Tanana River

Interested parties are hereby notified that a Department of the Army (DA) 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 Amy Tippery at (907) 458-1602, by fax at (907) 753-5567, or by email at amy.c.tippery@usace.army.mil if further information is desired concerning this notice.

APPLICANT: United States Department of Transportation Federal Highway Administration Western Federal Lands Highway Division, Attention Stephen Morrow

AGENT: N/A

LOCATION: The project site is located within Sections 21, 22, 27 and 28, T. 01 S., R. 01 W., Fairbanks Meridian; USGS Quad Map Fairbanks D-2; Latitude 64.8058° N., Longitude 147.7443° W.; Tanana Lakes Recreation Area in Fairbanks, Alaska.

SPECIAL AREA DESIGNATION: The project is located within the Tanana Lakes Recreation Area, a subset of property within the Fairbanks North Star Borough Tanana Lakes Recreation Area Master Plan (FNSB 2007).

PURPOSE: The applicant's stated purpose of this Tanana River Recreation Area (TRRA) Improvements Project is to implement road infrastructure, multi-modal access, and site improvements identified in the 2007 Tanana Lakes Recreation Area (TLRA) Master Plan linking the City of Fairbanks and the Fairbanks Northstar Borough (FNSB) to the TLRA and to federally-managed lands along the river. The proposed improvements would facilitate public access to the Tanana Flats Training Area across the river, as well as other federal, State, and Native Alaskan lands within the Tanana and Yukon River watersheds, and fulfills recommendations of the 2007 TLRA Master Plan.

PROPOSED WORK: The project comprises the extension of South Lathrop Street and Northlake Lane, addition of an entrance station, parking improvements, restrooms, accessibility improvements, road surface paving and gravel improvements, and overhead power line installation. The project footprint is approximately 18.5 acres of which permanent impacts to wetlands and waters of the U.S. would total 2.93 acres and temporary impacts would total 0.01 acres. All work would be performed in accordance with the enclosed plan (sheets 1–3), dated May 21, 2021.

ADDITIONAL INFORMATION: A 401 Water Quality Certification will be sought from Alaska Department of Conservation.

ALTERATION OR OCCUPATION OF A FEDERAL CIVIL WORKS PROJECT: Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408), referred to as Section 408, authorizes the U.S. Army Corps of Engineers (Corps) to grant permission for the alteration, occupation or use of a the Corps Civil Works Project provided it is determined that the activity will not be injurious to the public interest and will not impair the usefulness of the Federal project. The requester's project will alter the Tanana Levee and the associated Groin 9 which are Federal flood control project features constructed as part of "Chena River Lakes Project – Tanana River Levee Phase II B" and "Chena River Lakes Project – Tanana River Levee Protection Phase II", respectively. The requester proposes to construct a new road across the Tanana Levee and, similarly, construct new and upgrade existing roads across Groin 9 which fully bisects the width of Tanana Lakes Recreation Area (TLRA). Overhead power would also be required to cross, though not alter, the Levee and Groin. Comments received as a result of this PN will help inform the determinations required under Section 408.

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:

- Where possible, the embankment will incorporate areas previously impacted by fill placement or off-road vehicle activity.
- Delineate work and staging areas, and clearly mark clearance and fill boundaries to avoid accidental impacts from inadvertent access, equipment operation, clearing of, and fill material placement to wetlands and waters.
- Road embankment slopes were steepened from 4:1 to 2:1 during the design refinement process, reducing the overall road width from 76 feet to 61 feet, or a

20% areal reduction. This required 8.5% less fill material, overall. The steeper slopes are also anticipated to deter off-road vehicle users from leaving the roadway, which leads to erosion and dust impacts.

- Following wetland delineation recommendations, the roadway was realigned to avoid higher value wetlands. This realignment reduced the overall wetland impacts by 0.22 acres and the impacts to higher value (semi-permanently flooded wetlands) by 0.42 acres. Additional details are provided in the project's Wetland Impacts and Mitigation Report.

b. Minimization:

- Vegetation clearing will be selective and the minimum width necessary for project construction and safe operation.
- Install culverts and drainage mat in wetland areas as appropriate to minimize road effects on natural drainage patterns and to restore hydrologic flow currently impacted by extensive off-road vehicle use.
- Retain native topsoil for future use on site.
- When clearing areas where revegetation is desired, cut vegetation flush with the ground to allow passive revegetation of disturbed areas.
- Construct roadway embankment and backfill any sub-excavation with gravel to provide better hydrologic connectivity to either side of the road.

c. Compensatory Mitigation:

- The project will require compensatory mitigation to offset unavoidable impacts to wetlands and waters of the U.S. A wetland delineation and functional assessment were conducted for this project and are available as separate documents.

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. According to AHRS, 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 footprint of the proposed project within waters of the U.S., and the immediately adjacent uplands. 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.

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 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. 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 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 authorities:

(X) Perform work in or affecting navigable waters of the U.S. – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(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).

(X) Requests to Alter or Occupy a Federal Civil Works Project – Section 14 Rivers and Harbors Act 1899 (33 U.S.C. 408).

Project drawings are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures

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 U.S. Department of Transportation Federal
 Highway Administration Western Federal
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Figure 1. Project overview showing the general route of upgrades

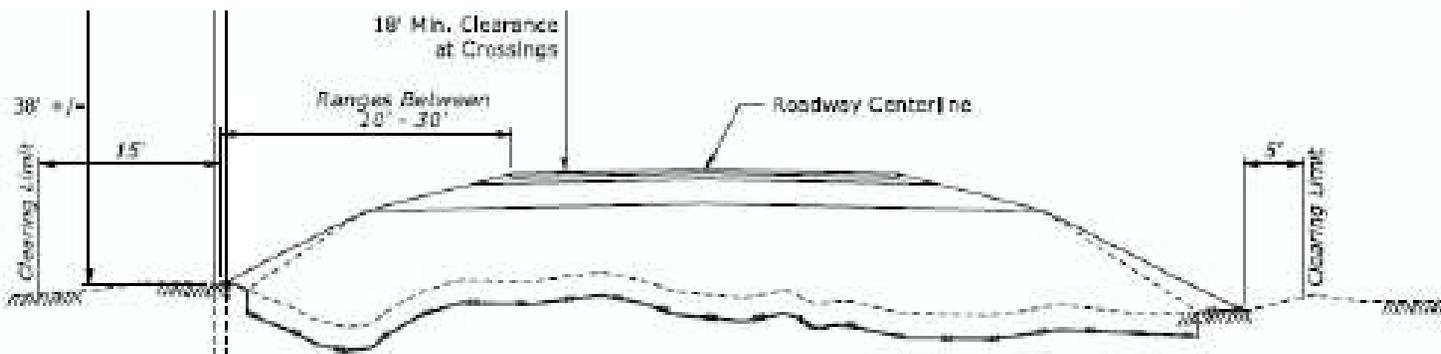
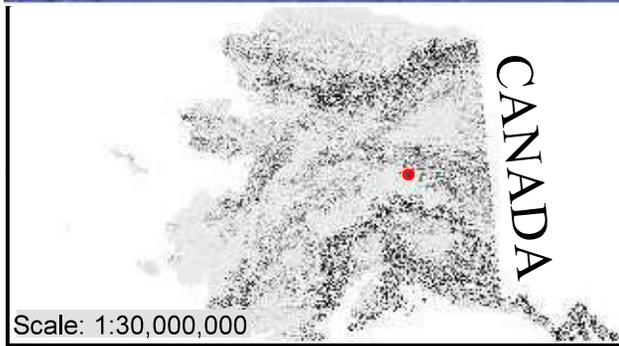
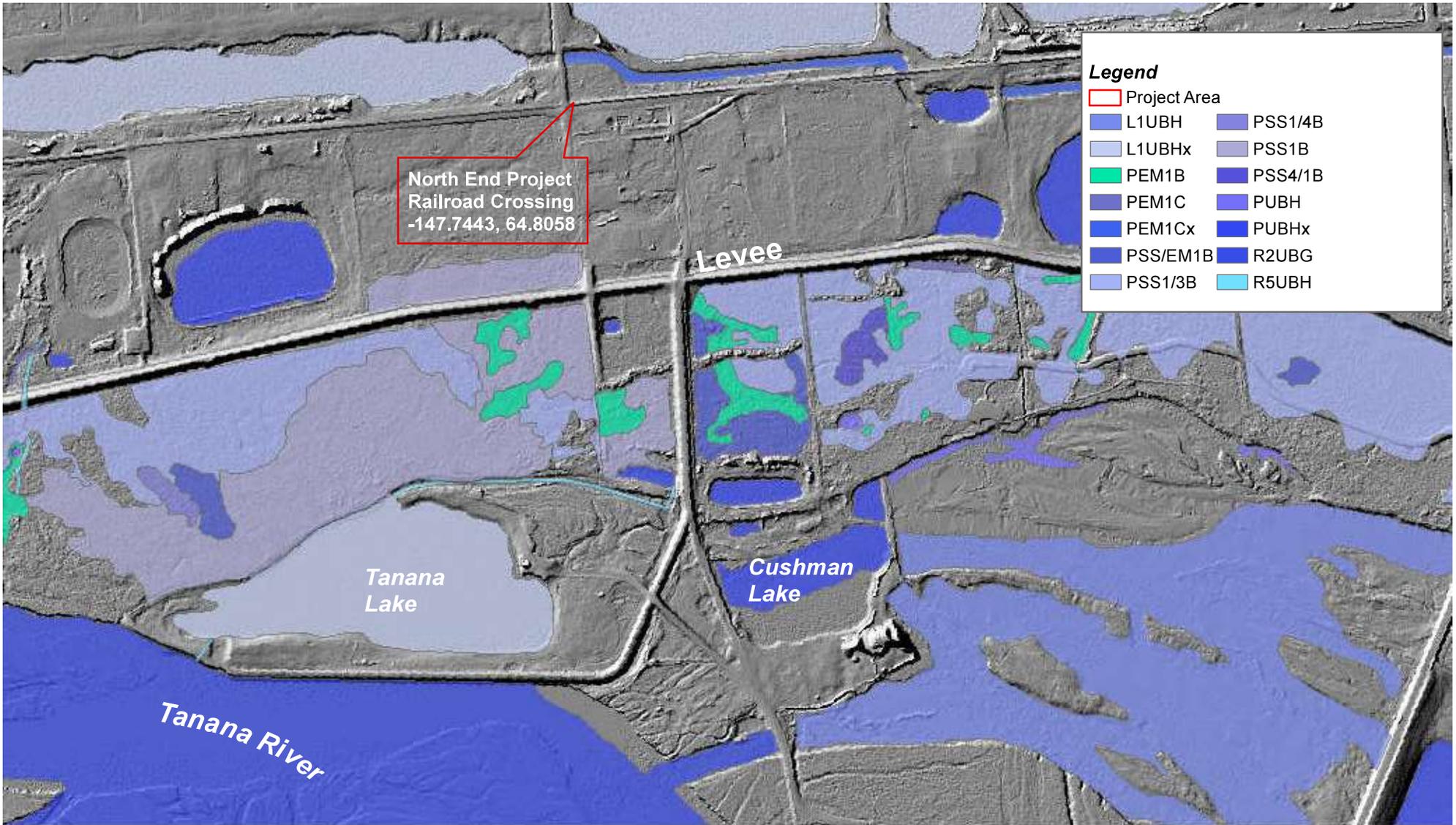


Figure 2. Generalized overview of road section profile with clearance and placement of poles



USACE Regulatory, Alaska District
 Fairbanks Field Office (907) 458-1602
 Contact: amy.c.tippery@usace.army.mil
 Citation: NWI, Tanana Flats
 HUC8_19080307 accsd online 2019
 Imagery: Hillshade_2010_LiDAR_DEM.img
 Scale: 1:9,500 Date:5/21/2021~

0 570 1140 1710 Feet

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Figure 3. Overview of preferred alternative

Wetland Name	Wetland Type	Volumes (CY)				Impact Area (SQFT)	Impact Area (AC)
		Fill - Typical Section	Fill - Riprap Erosion Protection	Excavation - Riprap Erosion Protection	Excavation - Typical Section		
W-18	PEMIF	111	-	-	-	3,148	0.07
W-19	PEM/SSIF	19	-	-	-	365	0.01
W-21	PSSIE	14	-	-	5	319	0.01
W-23	PFO4B	2,038	-	-	625	10,074	0.23
W-24	PFOIC	251	-	-	-	3,091	0.07
W-25	PSSIF	654	-	-	204	3,070	0.07
W-26	PFO4B	1,013	-	-	374	6,388	0.15
W-27	PSSIF	-	-	-	-	235	0.01
W-30	PSSIF	2,454	6	6	691	9,616	0.22
W-31	PEMIF	4	-	-	-	1,943	0.04
W-33	PEM/SSIF	91	-	-	4	1,316	0.03
W-34	L2US2C	74	-	-	11	428	0.01
W-36	L2US2C	-	-	-	-	320	0.01
W-37	L2UB2H	-	-	-	-	255	0.01
Total:		24,637	107	107	7,069	127,620	2.93

Table 1. Summary of permanent impacts to waters of the U.S.

Wetland Name	Wetland Type	Fill Volume (CY)	Impact Area (SQFT)	Impact Area (AC)
Stream-2	R2UBH	100	1000	0.01
Total:		100	1000	0.01

Table 2. Summary of temporary impacts to waters of the U.S.

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