



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

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

<b>PUBLIC NOTICE DATE:</b>	<b>April 21, 2020</b>
<b>EXPIRATION DATE:</b>	<b>May 20, 2020</b>
<b>REFERENCE NUMBER:</b>	<b>POA-1986-00806</b>
<b>WATERWAY:</b>	<b>Knik Arm</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 (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](mailto: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 Ms. Arianne Logwood at (907) 753-5556, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at: [Arianne.n.logwood@usace.army.mil](mailto:Arianne.n.logwood@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Municipality of Anchorage, Port of Alaska, 2000 Anchorage Port Road, Anchorage, Alaska 99501

**AGENT:** R & M Consultants, Inc., Attention: Ms. Kristi McLean, 9101 Vanguard Drive, Anchorage, Alaska 99507, Phone: 907.646.9689, Email: [KMclean@rmconsult.com](mailto:KMclean@rmconsult.com)

**LOCATION:** The project site is located within Knik Arm, Section 12, T. 13 N., R. 4 W., Seward Meridian; USGS Quad Map Anchorage A-8; Latitude 61.2254° N., Longitude -149.9065° W.; in Anchorage, Municipality of Anchorage, Alaska.

PURPOSE: The applicant's stated purpose is to excavate silt that has accumulated over the course of the winter so that the Port of Alaska can install floating docks to ensure boaters may have safe moorage after launching their small boats. The purpose for dredging also is to ensure that all boaters can launch and retrieve their vessels at various stages of the tides.

PROPOSED WORK: The applicant has requested renewal of a 10-year authorization to dredge and discharge fill material into Knik Arm, at the Anchorage Ship Creek Small Boat Launch Facility. Such activities include annual dredging using a bulldozer, to remove approximately 4,800 cubic yards of sediment from a previously authorized dredge area of 0.37-acre and a new 0.32-acre area south of the launch. Dredging is required to remove accumulated sediment from the south/north boat launch ramps and the area adjacent to the sheetpile dock. Dredged material would be disposed of by pushing it seaward with the bulldozer into a 150-foot-wide x 420-foot-long (1.45 acre) area west of the boat launch. All work would occur below mean high water and would occur during the spring minus tides. The dredging would take place annually between April and June. All work would be performed in accordance with the enclosed plan (sheets 1-3), dated February 2020.

ADDITIONAL INFORMATION: The below is a list of previous Corps of Engineers (Corps) authorizations:

- A standard permit (SP) was issued on December 17, 1987.
- A permit modification was issued on November 2, 1988.
- A permit modification was issued on April 26, 1989.
- A permit modification was issued on January 22, 1991.
- A nationwide permit (NWP) 3 issued on August 28, 1996.
- A SP was issued on April 26, 2010, which authorized continued maintenance dredging at the small boat ramp and expires April 30, 2020.
- A NWP 3, was issued on March 24, 2017, which authorized sheet pile maintenance, installation of (8) 12-inch diameter steel pilings, and discharge of 8,000 cubic yards of fill material into 0.43-acre below the high tide line of Knik Arm. This authorization expires March 18, 2022, but the work was completed and verified in 2018.

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 stated impacts have been avoided and minimized to the greatest extent practicable; only the areas for boat use will be dredged into the existing disposal area. The project area has been dredged for over 10 years under previous authorization and consists of accumulated sediment within previously disturbed areas.
- b. Minimization: A small additional area is proposed for dredging to accommodate overwinter storage of south floating dock, but this area is less than 0.10 acres.

c. Compensatory Mitigation: The applicant has not proposed any 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 the open water area of Knik Arm, approximately 3 acres, which includes buffer surrounding the boat launch area, the new dredged area to the south, and the disposal 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 Cook Inlet Distinct Population Segment (DPS) Beluga Whale (*Delphinapterus leucas*).

We have determined the described activity may affect the endangered Cook Inlet DPS beluga whale and its designated critical habitat. We will initiate the appropriate consultation procedures under section 7 of the Endangered Species Act with the National Marine Fisheries Service (NMFS). 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).

The project area is within the known range of the Chum salmon (*Oncorhynchus keta*), Coho salmon (*Oncorhynchus kisutch*), chinook salmon (*Oncorhynchus tshawytscha*), pink salmon (*Oncorhynchus gorbuscha*). The project is located within 500 feet of an anadromous water body, Ship Creek (247-50-10060).

We have determined the described activity may adversely affect EFH in the project area for the following species Chum salmon (*Oncorhynchus keta*), Coho salmon (*Oncorhynchus kisutch*), Chinook salmon (*Oncorhynchus tshawytscha*), pink salmon (*Oncorhynchus gorbuscha*).

The proposed maintenance dredging and discharge of fill material would have a minimal adverse effect to EFH habitat by loss of habitat functions, suspension of sediments causing turbidity of the water column, and disturbance of the native substrate. The current site conditions include an existing boat launch with armored stone revetment and sheetpile retaining wall. The site is located near a residential and industrial area and has been dredged for many years. Suspension of sediments may occur during dredging and discharge of fill material. The adverse effects on EFH due to suspension of sediments are expected to be temporary in nature. Fish may leave feeding areas or avoid natural migration areas due to noise disturbances associated with dredging activities. Adverse effects of underwater noise associated with dredging activities will be temporary. Although EFH is present and adverse effects are anticipated, the existing quality of the site for providing all necessary EFH habitat functions is likely marginal given the current site conditions and the heavy industrial uses of the area. The proposed dredging and discharge of fill will temporarily impact approximately 3 acres of mudflats that may be used by some or all the EFH listed species above or used by their prey species during various life stages for spawning, breeding, feeding, and growth. Due to the existing condition of the site, the loss of this intertidal area would result in a minor adverse impact to EFH and would not be expected to result in a significant loss of EFH or cause a measurable decline in local EFH managed species populations.

This PN initiates EFH consultation with the NMFS pursuant to the use of existing environmental review procedures in 50 CFR § 600.920(f). Any comments or recommendations of additional mitigation measures they may have concerning EFH will be considered in our final assessment of the described work.

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 United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(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-1986-00806, Knik Arm**, 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.

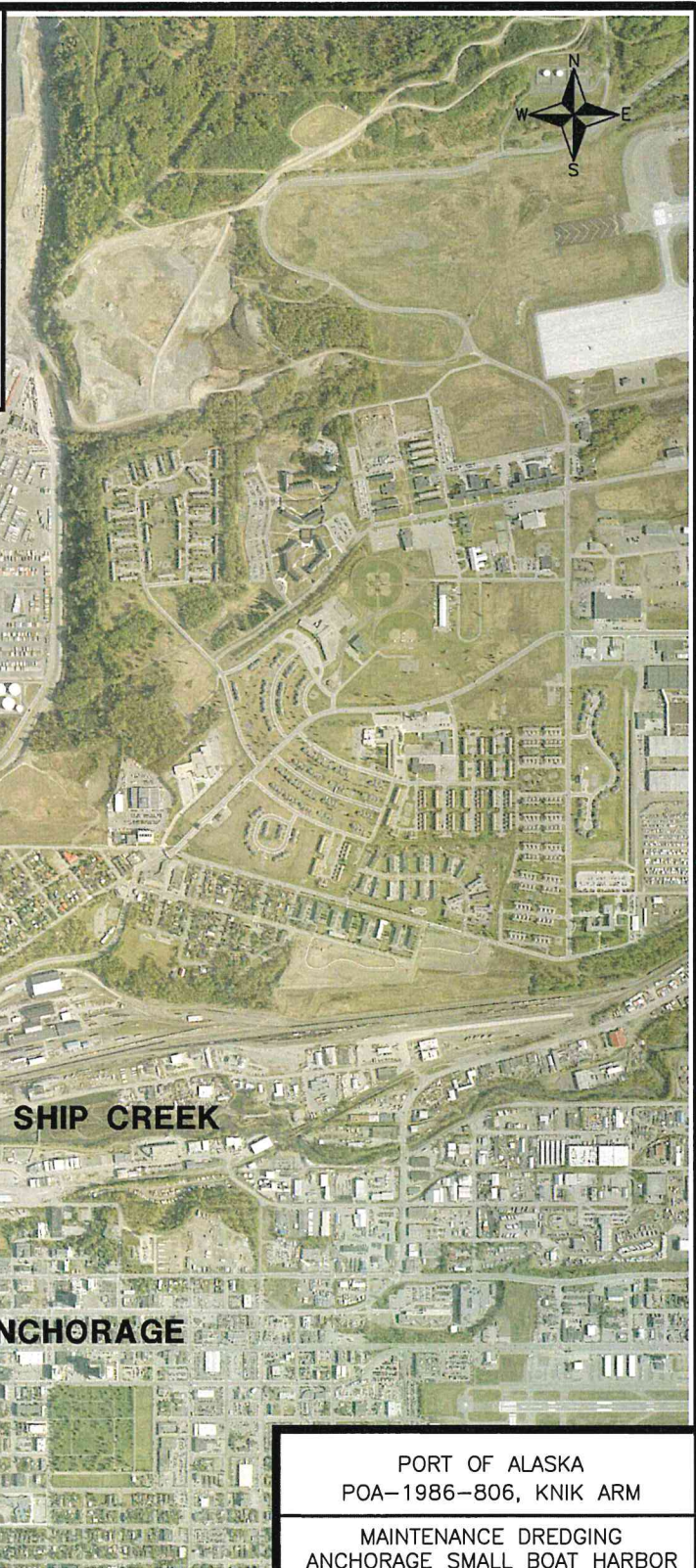
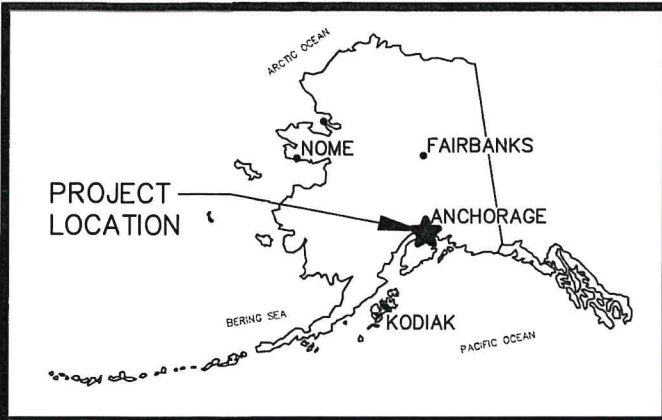
Any person desiring to comment on the project with respect to Water Quality Certification, may submit written comments to the address above or via email to [dec-401cert@alaska.gov](mailto:dec-401cert@alaska.gov) by the expiration date of the Corps of Engineer's Public Notice. All comments should include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

Z:\project\260001 - MOK Port Of Alaska Contract Year 1\cadd\Task 4 - Misc Support\32B Dredging\ACAD\260001 - Dredge-B - Project Location.dwg

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**PROJECT AREA**

**SHIP CREEK BOAT LAUNCH**



PORT OF ALASKA  
POA-1986-806, KNIK ARM

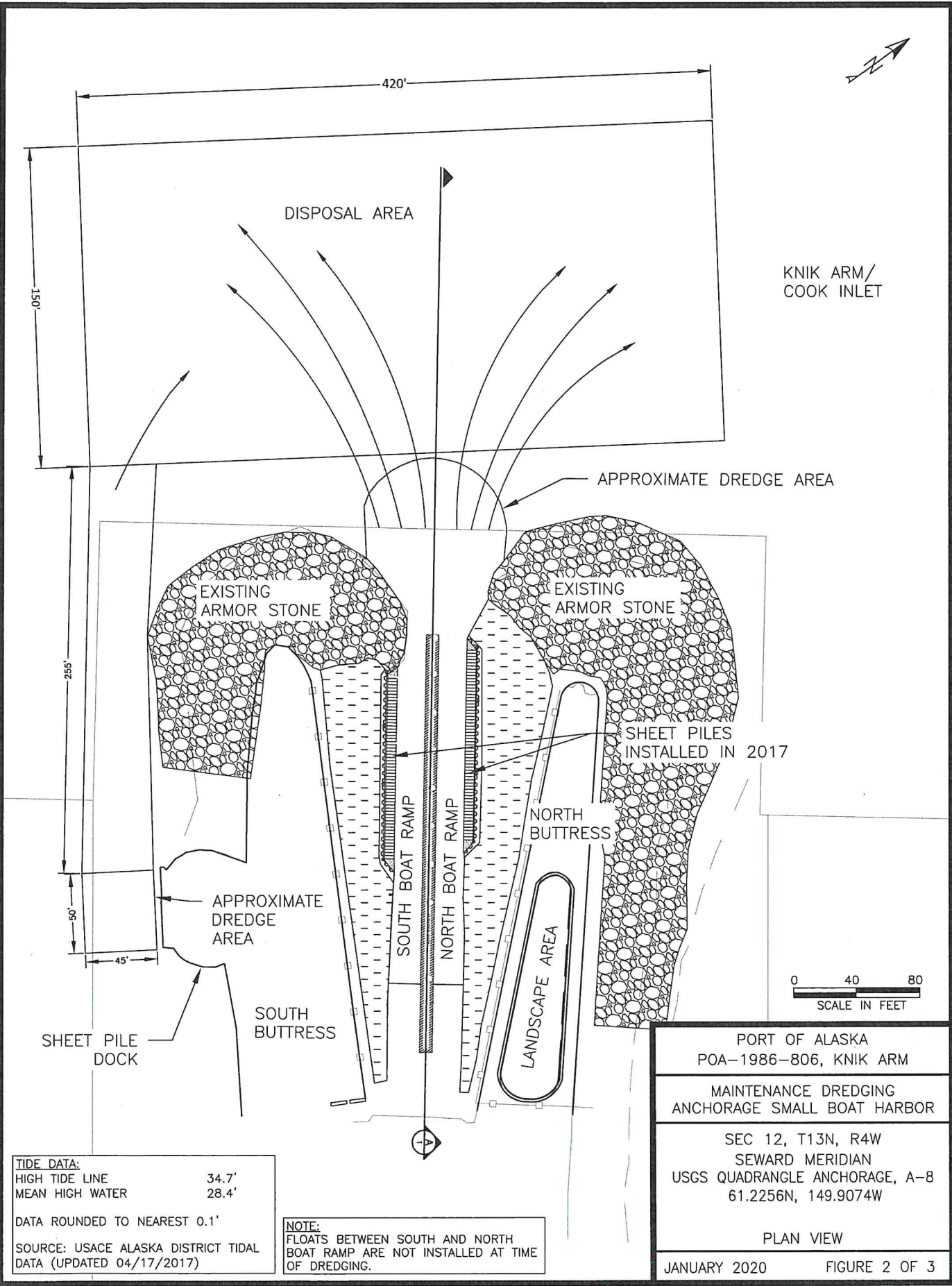
MAINTENANCE DREDGING  
ANCHORAGE SMALL BOAT HARBOR

SEC 12, T13N, R4W  
SEWARD MERIDIAN  
USGS QUADRANGLE ANCHORAGE, A-8  
61.2256N, 149.9074W

LOCATION & VICINITY MAP

JANUARY 2020      FIGURE 1 OF 3

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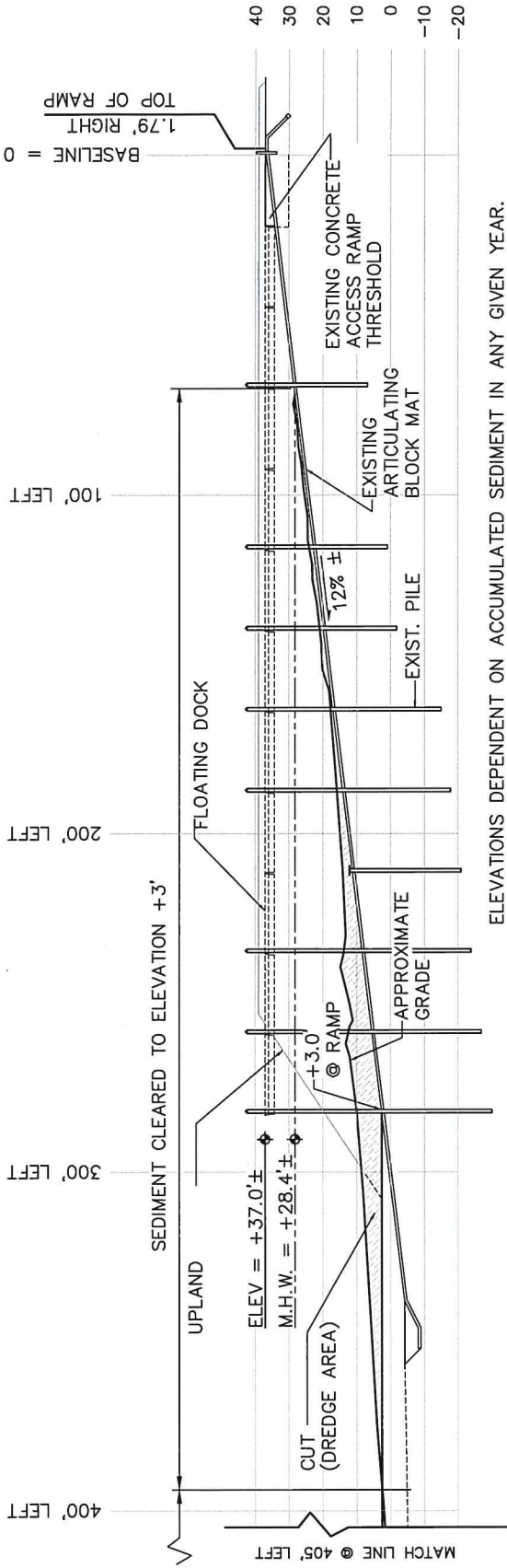


<b>TIDE DATA:</b>	
HIGH TIDE LINE	34.7'
MEAN HIGH WATER	28.4'
DATA ROUNDED TO NEAREST 0.1'	
SOURCE: USACE ALASKA DISTRICT TIDAL DATA (UPDATED 04/17/2017)	

**NOTE:**  
 FLOATS BETWEEN SOUTH AND NORTH BOAT RAMP ARE NOT INSTALLED AT TIME OF DREDGING.

PORT OF ALASKA POA-1986-806, KNIK ARM	
MAINTENANCE DREDGING ANCHORAGE SMALL BOAT HARBOR	
SEC 12, T13N, R4W SEWARD MERIDIAN USGS QUADRANGLE ANCHORAGE, A-8 61.2256N, 149.9074W	
PLAN VIEW	
JANUARY 2020	FIGURE 2 OF 3





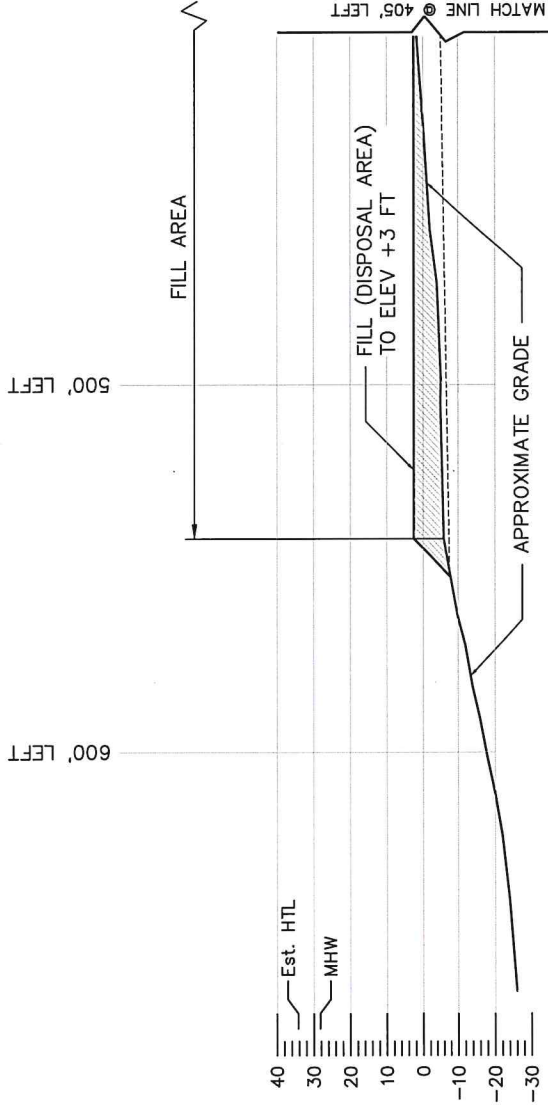
ELEVATIONS DEPENDENT ON ACCUMULATED SEDIMENT IN ANY GIVEN YEAR.

**A** RAMP PROFILE  
1

HOR. SCALE: 1" = 50'-0" @ 8 1/2" x 11"  
 VERT. SCALE: 1" = 50'-0" @ 8 1/2" x 11"

**TIDE DATA**  
 High Tide Line = 34.7'  
 Mean High Water = 28.4'  
 Data Rounded to Nearest 0.1'

SOURCE: USACE Alaska District  
 Tidal Data (Updated 04/17/2017)



**A** RAMP PROFILE  
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HOR. SCALE: 1" = 50'-0" @ 8 1/2" x 11"  
 VERT. SCALE: 1" = 50'-0" @ 8 1/2" x 11"

PORT OF ALASKA POA-1986-806, KNIK ARM
MAINTENANCE DREDGING ANCHORAGE SMALL BOAT HARBOR
SEC 12, T13N, R4W SEWARD MERIDIAN USGS QUADRANGLE ANCHORAGE, A-8 61.2256N, 149.9074W
SECTIONS
JANUARY 2020      FIGURE 3 OF 3