



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:	September 24, 2020
EXPIRATION DATE:	October 9, 2020
REFERENCE NUMBER:	POA-2008-00756
WATERWAY:	Cripple Creek

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 Public Notice 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 Ashley Kraetsch at (907) 458-1606, or by email at: Ashley.M.Kraetsch@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Fairbanks Northstar Borough Parks & Recreation (Attention: Bryant Wright)

LOCATION: The project site is located within Section 25, T. 1 S., R. 3 W., Fairbanks Meridian; Latitude 64.802° N., Longitude -148.052° W.; within the Isberg Recreation Area, in Fairbanks, Alaska.

PURPOSE: The applicant's stated purpose is to construct a hardened, linear transportation corridor for recreational trail use through the Fairbanks North Star Borough's Isberg Recreation Area. A hardened trail is needed to get park users across wet terrain, limit traffic to a single corridor, and reduce impacts to adjacent wetlands.

PROPOSED WORK: This project intends to repair 2,000 feet of damaged trail in the Isberg Recreation Area. Final trail widths will be between 10-15 feet. Trail construction will begin with placing the following on the existing ground: geotextile fabric, biaxial geogrid, base course of rock tailings, and a surface course of compacted D-1 gravel. Placement of the base course may take place during winter months over frozen ground to reduce pumping and ground disturbance. Additionally, several 18" diameter culverts will be installed to accommodate seasonal flowing water. A larger 36" culvert will be installed to accommodate Cripple Creek. All work would be performed in accordance with the enclosed plan (sheets 1-4), dated September 11, 2020.

ADDITIONAL INFORMATION: A Fish Habitat Permit was obtained from the Alaska Department of Fish and Game in 2019.

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: Avoidance of wetlands for lowland trails in the Isberg Recreation Area is not possible as the entire area is classified as wetlands. Any reroute of the existing trail would impact previously undisturbed wetlands. This project intends to harden an existing route that has deteriorated to the point that users are avoiding heavily damaged trail sections resulting in braided trails and increasing the area of impacted wetlands. Trail hardening will result in users being confined to the hardened trail corridor and thus avoiding the wetlands that are adjacent to the trail. The braided trail sections will be abandoned and allowed to naturally regenerate. The project will install a 36" culvert where the trail crosses Cripple Creek as well as several 18" culverts in areas with seasonal or intermittent flow in order to maintain natural drainage patterns.

b. Minimization: The applicant intends to minimize impacts to wetlands by constructing a hardened trail corridor that will pass through heavily damaged trail sections. Trail damage has resulted in trail braiding along much of the trail, resulting in a footprint approximately 50% larger than necessary. Trail hardening will restrict users to a single trail corridor and reduce impacts to wetlands outside of the hardened trail surface. Construction activities will be limited to the existing trail corridor, utilize best practices for erosion control, and include installation of culverts where necessary to maintain natural drainage patterns. These principles and features were successfully practiced and installed during construction of the first 1,300 feet of trail in 2020. Trail hardening will be comprised of laying geotextile fabric on the existing ground surface, covering the fabric with 6" minus rock tailings to a width of 10-15 feet, and adding a surface course of D-1 to a width of 8-10 feet to allow sufficient width for operation of recreational off-highway vehicles.

c. Compensatory Mitigation: The applicant expects that restricting impacts to the hardened trail will allow regeneration of natural wetland vegetation adjacent to the new trail.

Due to the limited project area and the regeneration of natural wetlands throughout the project area, the applicant has not proposed any compensatory mitigation. A Permittee responsible mitigation plan was put in place to mitigate for impacts created while constructing other portions of the Isberg Recreation Area under a permit issued on September 17, 2009. This plan included placement of a conservation easement over 7.84 acres of existing wetlands within the recreation 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 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 portions of trail that will cross wetlands and other waters of the U.S. Consultation of the AHRs constitutes the extent of cultural resource investigations by the Corps of Engineers (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).

The project area is within the known range of the chum (*Oncorhynchus keta*), coho (*O. kisutch*), and chinook salmon (*O. tshawytscha*).

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 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-2008-00756, Cripple Creek**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

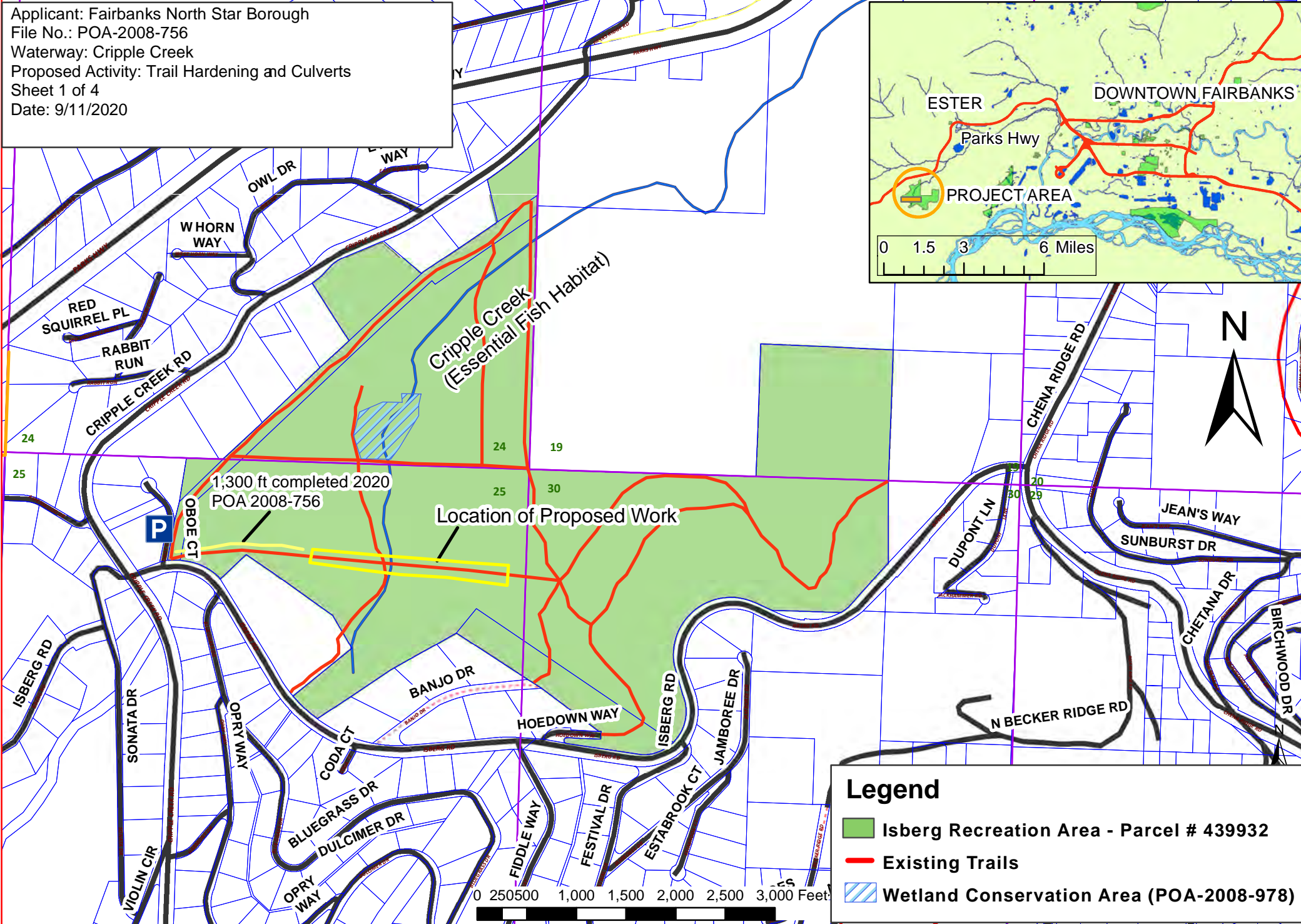
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

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.

Applicant: Fairbanks North Star Borough
 File No.: POA-2008-756
 Waterway: Cripple Creek
 Proposed Activity: Trail Hardening and Culverts
 Sheet 1 of 4
 Date: 9/11/2020



Legend

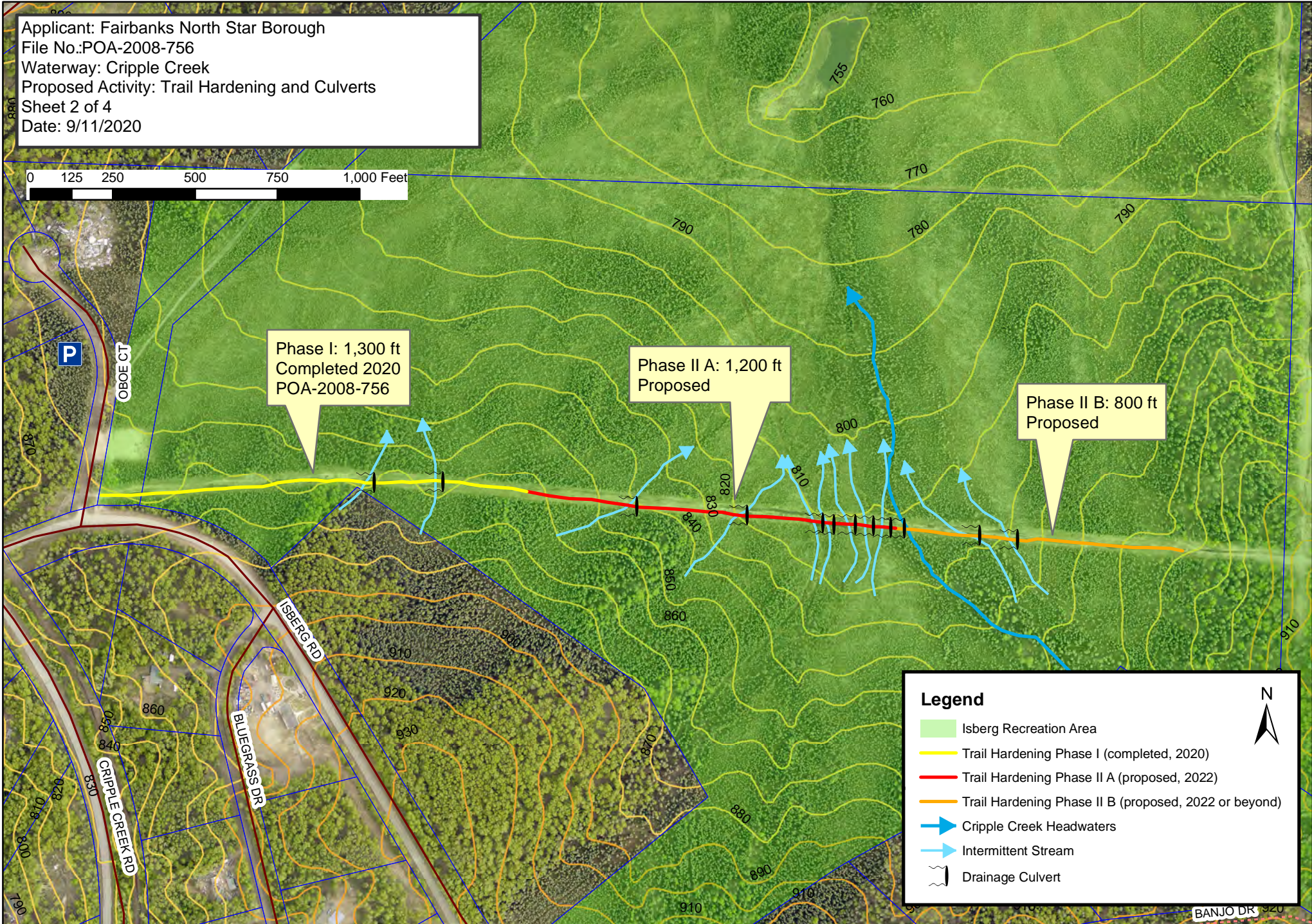
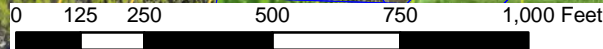
- Isberg Recreation Area - Parcel # 439932
- Existing Trails
- Wetland Conservation Area (POA-2008-978)



**ISBERG RECREATION AREA EAST-WEST TRAIL HARDENING PHASE II
 NATIONWIDE PERMIT #14 PRECONSTRUCTION NOTIFICATION
 FAIRBANKS NORTH STAR BOROUGH PARKS & RECREATION**

PARKS@FNSB.US
 907-459-1070
 Updated 9/11/2020

Applicant: Fairbanks North Star Borough
 File No.: POA-2008-756
 Waterway: Cripple Creek
 Proposed Activity: Trail Hardening and Culverts
 Sheet 2 of 4
 Date: 9/11/2020



Phase I: 1,300 ft
 Completed 2020
 POA-2008-756

Phase II A: 1,200 ft
 Proposed

Phase II B: 800 ft
 Proposed

Legend

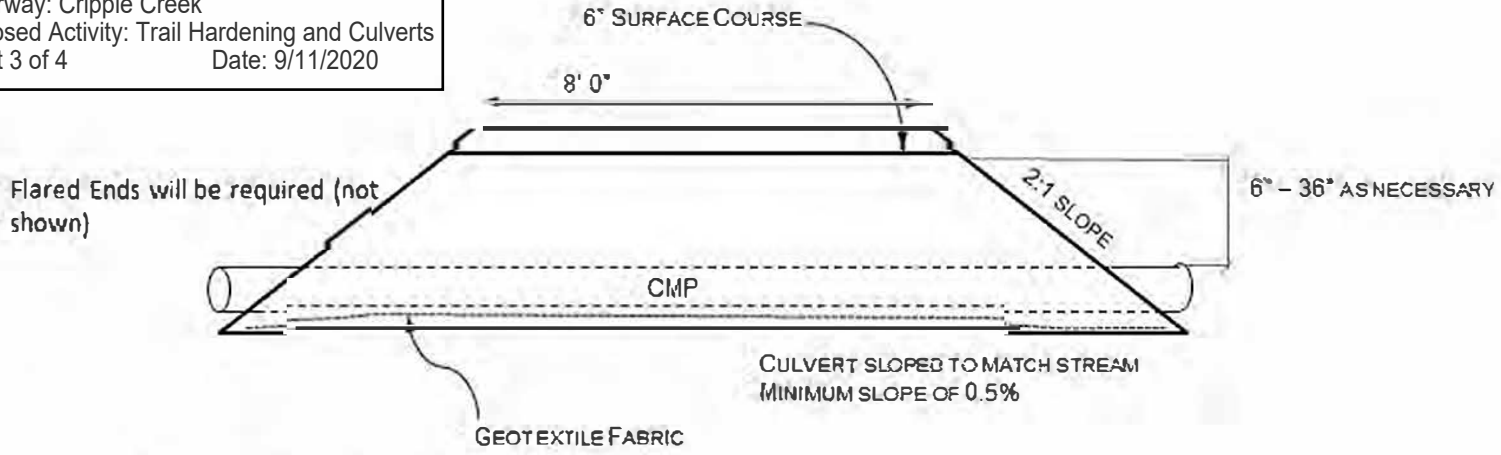
- Isberg Recreation Area
- Trail Hardening Phase I (completed, 2020)
- Trail Hardening Phase II A (proposed, 2022)
- Trail Hardening Phase II B (proposed, 2022 or beyond)
- Cripple Creek Headwaters
- Intermittent Stream
- Drainage Culvert



**ISBERG RECREATION AREA EAST-WEST TRAIL HARDENING, PHASE II
 NATIONWIDE PERMIT #14 PRECONSTRUCTION NOTIFICATION
 FAIRBANKS NORTH STAR BOROUGH**

parks@fnsb.us
 907-459-1070
 Updated 9/11/2020

Applicant: Fairbanks North Star Borough
File No.: POA-2008-756
Waterway: Cripple Creek
Proposed Activity: Trail Hardening and Culverts
Sheet 3 of 4 Date: 9/11/2020



CULVERT CROSS-SECTION

NOT TO SCALE

