



US Army Corps  
of Engineers  
Alaska District

# Public Notice Modification of In Lieu Fee Program – Site Additions

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

<b>PUBLIC NOTICE DATE:</b>	<b>April 9, 2015</b>
<b>EXPIRATION DATE:</b>	<b>May 8, 2015</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2006-545</b>
<b>WATERWAY:</b>	<b>Multiple Waterways</b>

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## FEDERAL PUBLIC NOTICE

The District Engineer has received a project proposal to establish an In-lieu Fee (ILF) wetland compensatory mitigation site for Federal permits as described below:

In Lieu Fee Sponsor  
Great Land Trust  
Conservation Director  
715 L St., Suite 200  
Anchorage, AK 99501

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** Site one is located within the Municipality of Anchorage, Latitude 61.065808° N., Longitude -149.802631° W.; near Potters Marsh in Anchorage, Alaska. The proposed ILF mitigation site is approximately 5 acres in size and will be preserved in perpetuity with a deed restriction. The site is located within Anchorage Coastal Wildlife Refuge. The proposed ILF mitigation site contains a portion of Little Survival Creek, a freshwater pond, freshwater emergent wetlands, and freshwater forested/shrub wetlands. Little Survival Creek is an anadromous stream.

**PROPOSED WORK AND PURPOSE:** The sponsor proposes to preserve the 5 acre site. The purpose of the preservation is to protect high value habitat consistent with the State of Alaska Anchorage Coastal Wildlife Refuge Management Plan, the Municipality of Anchorage Wetland Management Plan and Great Land Trust's 2010 wetland prioritization. The goal of the mitigation site is to provide appropriate mitigation for impacts, within the authorized service area, by providing wetland preservation.

The ILF Sponsor plans to establish this mitigation site by preserving all onsite wetlands.

The sponsor has proposed, for purposes of Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act, that the geographic service area of this mitigation site would include the portions of the USGS Hydrologic Unit Code 19020401 that are within the Municipality of Anchorage and the portions of USGS Hydrologic Unit Code 1902030207, Turnagain Arm that are within the Municipality of Anchorage.

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** Site two is located within the Municipality of Anchorage, Latitude 61.391378° N., Longitude -149.505481° W., near Eagle River, Alaska. The proposed ILF mitigation site is approximately 160 acres in size and is preserved in perpetuity with a conservation easement. The site is located adjacent to Chugach State Park. The proposed ILF mitigation site includes freshwater forested/shrub wetlands, freshwater emergent wetlands, and several small streams and is adjacent to Eagle River.

**PROPOSED WORK AND PURPOSE:** The sponsor proposes to preserve the 160 acre site. The purpose of the preservation is to protect high value habitat consistent with the State of Alaska Chugach State Park Eagle River Greenbelt Management Plan (1992), the Municipality of Anchorage Eagle River Greenbelt plan (1985) and Great Land Trust's 2010 wetland prioritization.

The goal of the mitigation site is to provide appropriate mitigation for impacts, within the authorized service area, by providing wetland preservation.

The ILF Sponsor plans to establish this mitigation site by preserving all onsite wetlands.

The sponsor has proposed, for purposes of Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act, that the geographic service area of this mitigation site would include the portions of the USGS Hydrologic Unit Code 19020401 that are within the Municipality of Anchorage.

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** Site three is located within the Municipality of Anchorage, Latitude 61.291631° N., Longitude -149.015164° W., near Birchwood, Alaska. The proposed ILF mitigation site is approximately 230 acres in size and is preserved in perpetuity with a conservation easement. The site is located near the Fire Creek Estuary Conservation Easement, Beach Lake Park and Chugach State Park. The proposed ILF mitigation site includes freshwater forested/shrub wetlands, freshwater emergent wetlands, and two ponds, and a large portion of Mink Creek.

**PROPOSED WORK AND PURPOSE:** The sponsor has preserved the 230 acre site. The purpose of the preservation is to protect high value habitat consistent Great Land Trust's 2010 wetland prioritization. The goal of the mitigation site is to provide appropriate mitigation for impacts, within the authorized service area, by providing wetland preservation.

The ILF Sponsor plans to establish this mitigation site by preserving all onsite wetlands.

The sponsor has proposed, for purposes of Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act, that the geographic service area of this mitigation site would include the portions of the USGS Hydrologic Unit Code 19020401 that are within the Municipality of Anchorage.

Oversight of these mitigation sites will be by a group of federal and state agency representatives. This interagency oversight group will be known as the Interagency Review Team (IRT). The Alaska District of the U.S. Army Corps of Engineers shall chair the IRT.

These mitigation sites may be practicable options available to applicants to compensate for unavoidable wetland impacts associated with permits issued under the authority of Section 404 and 401 of the Clean Water Act (Public Law 95-217).

The actual approval of the use of these mitigation sites for a specific project is the decision of the Corps pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act. The Corps provides no guarantee that any particular individual or general permit will be granted authorization to use this mitigation sites to compensate for unavoidable wetland impacts associated with a proposed permit, even though compensatory mitigation may be available.

**AUTHORITY:** Issuance of a public notice regarding proposed mitigation sites is required pursuant to the "Compensatory Mitigation for Losses of Aquatic Resources; Final Rule," (Rule) as published in the April 10, 2008, Federal Register, Vol. 73, No. 70, Pages 19594-19705 (33CFR Parts 325 and 332).

**FEDERAL EVALUATION OF PROPOSAL:** 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 these proposed mitigation sites. This is not an application for work in Waters of the United States. The Corps of Engineers in evaluating this proposal will consider any comments received. Comments are used to assess the viability of the compensatory mitigation sites.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) conduct of work will not affect species listed as threatened or endangered under the Endangered Species Act of 1973 (PL 93-205); and (3) the project will not have an effect on properties listed on the National Register of Historic Places. Additional information might change any of these preliminary findings.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed project is described above in Proposed Work and Purpose. Based on comments from the National Marine Fisheries Service in response to this public notice, further EFH consultation may be necessary.

**COMMENT PERIOD:** Comments on this project should be made in writing, addressed to the Alaska District Corps of Engineers (ATTN: Sheila Newman), CEPOA-RD-SA, Post Office Box 6898 JBER, Alaska 99506-0898 or by email to sheila.m.newman@usace.army.mil with the project name and number in the subject line. Comments must be received by the close of April 29, 2015.

If you have any questions, please contact Ms. Sheila Newman, Chief, Special Actions, Alaska District, Regulatory Division at 907-753-5556 or by email as above.

**FOR THE DISTRICT ENGINEER:**