



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

Juneau Field Office  
Regulatory Division (1145)  
CEPOA-RD  
8800 Glacier Highway, Suite 106  
Juneau, Alaska 99801-8079

<b>PUBLIC NOTICE DATE:</b>	<b>September 23, 2015</b>
<b>EXPIRATION DATE:</b>	<b>October 22, 2015</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2015-354</b>
<b>WATERWAY:</b>	<b>McKenzie Inlet</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.

Comments on the described work, with the reference number, 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 Randal Vigil at (907) 790-4491 or by email at [Randal.P.Vigil@usace.army.mil](mailto:Randal.P.Vigil@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Sealaska Timber Corporation, 1900 1<sup>st</sup> Avenue, Suite 315, Ketchikan, Alaska 99901.

**LOCATION:** The project site is located within Section 5, T. 75 S., R. 86 E., Copper River Meridian; USGS Quad Map Craig B-2; Latitude 55.400° N., Longitude 132.384° W.; near Kasaan, Alaska.

**PURPOSE:** The applicant's stated purpose is to construct a log sort yard, campsite, and service float, including the installation of standing log booms and anchor bouys for building log rafts and ship moorage.

**PROPOSED WORK:** The applicant requests authorization for the following work in waters of the United States:

1. Discharge 305 cubic yards of stack rock and shot rock fill material into 0.016 acres below the High Tide Line (approximate elevation +19.4 feet above the 0.0 foot contour) to construct a 12 feet wide by 50 feet long approach.
2. Construct below the Mean High Water mark, (MHW), (approximate elevation +14.4 feet above the 0.0 foot contour), one 5 feet wide by 70 feet long timber ramp, connected to one 30 feet wide by 30 feet long log service float, secured to the seafloor by four 1-ton anchors.
3. Excavate by drilling and blasting 1,320 cubic yards from 0.15 acres below the MHW to construct a 122 feet long by 45 feet wide Log Transfer Facility drive-down ramp, including the installation of two 18-inch steel skids below the MHW
4. Discharge 13,000 cubic yards of organic overburden and shot rock fill material into 0.02 acres of wetlands to construct a 4 acre sort yard.
5. Install below the MHW, one 2,600 feet long standing log booms anchored with ten 6-ton concrete anchors with bouys.
6. Install below the MHW one 2,000 feet long standing log booms anchored with seven 6-ton concrete anchors with bouys.
7. Install below the MHW three 800 feet long standing log booms anchored with nine 6-ton concrete anchors with bouys.
8. Install below the MHW two 6-ton concrete anchors with bouys for ship moorage.

All work would be performed in accordance with the enclosed plan sheets 1 - 4, dated July 20, 2015, and sheets 1 - 2, dated September 9, 2015.

**ADDITIONAL INFORMATION:** The applicant proposes to remove rock from below the MHW by drilling and blasting for the construction of the Log Transfer Facility (LTF) drive-down ramp during a suitable tidal stage such that the rock is exposed.

**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:** "Sealaska Timber's McKenzie Inlet project proposes developing a 4.0 acre log sort yard and smaller 0.75 acre logging camp site in an area that contains almost no identifiable wetlands. In fact, the camp site contains zero (0.0) acres of wetlands and the sort yard area only 0.02 acres of wetlands. These two areas are located within very close proximity to each other on gently sloped ground and were selected, in part, due to the well drained aspects of the sites and their almost complete lack of wetlands. In addition, the LTF drive-down ramp is located on an existing prominent rock outcrop that will require some excavation work but no additional rock fill

to complete it. Excavated rock material from the ramp construction will then be backhauled into the adjoining sort yard construction site as additional clean shot rock fill material. A 30' x 30' adjoining airplane float to service the logging camp site will also be placed in McKenzie Inlet, anchored by four (4) 1-ton cement anchors. The float will be accessed by a 5' x 70' walkway ramp which itself will be attached to the 305 cubic yards of stacked clean shot armor rock and clean pit-run rock which comprise the float approach. The float, ramp, and rock approach are all at the minimum size determined to adequately meet the camp support access requirements necessary, and are placed in an area composed of a rocky substrata; very little plant growth below MHW was evidenced.”

**b. Minimization:** “Development of the sort yard area has been limited to 4.0 acres, even though a larger sort yard is desirable and the terrain is conducive for it. Limiting the size of the sort yard also limits the impact on any additional wetlands adjacent to the site. Similarly, the camp site is established on a small rise that contains no wetlands. Also, establishing the LTF drivedown ramp on an existing rock outcrop eliminates the need to deposit several hundred yards of shot rock material into McKenzie Inlet for the same purpose. The nearby airplane float structure is also kept to the minimum size necessary to meet its purpose.”

**c. Compensatory Mitigation:** “Sealaska Timber Corporation acknowledges that there is unavoidable impact to a very small amount of U.S. waters in conjunction with this project (0.036 acres total). Sealaska Corporation, based in Juneau, is the parent company of STC and has an approved mitigation bank located on Prince of Wales Island near Hydaburg. To address compensatory mitigation requirements pertaining to this project, STC proposes purchasing credits from this mitigation bank, which is approximately 19 miles from the project site.”

**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 listed or eligible properties in the vicinity of the worksite. Therefore, the Corps of Engineers has determined the proposed project does not have the potential to cause effects to historic properties. Consultation of the AHRs constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. 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.

**ENDANGERED SPECIES:** The project area is within the known or historic range of the Humpback Whale (*Megaptera novaeangliae*), and Steller Sea Lion (*Eumetopias jubatus*) Western Distinct Population Segment.

We have determined the described activity would have no effect on the endangered Humpback Whale (*Megaptera novaeangliae*), and Steller Sea Lion (*Eumetopias jubatus*) Western Distinct Population Segment, 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).

The project area is within the known range of the Chinook (*Oncorhynchus tshawytscha*), chum (*Oncorhynchus keta*), Coho (*Oncorhynchus kisutch*), pink (*Oncorhynchus gorbuscha*), and sockeye (*Oncorhynchus nerka*) salmon.

We have determined the described activity would not adversely affect EFH in the project area.

This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations 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 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 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  
401 Certification Program  
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WQM/401 CERTIFICATION  
410 WILLOUGHBY AVENUE  
JUNEAU, ALASKA 99801-1795  
PHONE: (907) 465-5321/FAX: (907) 465-5274

## NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

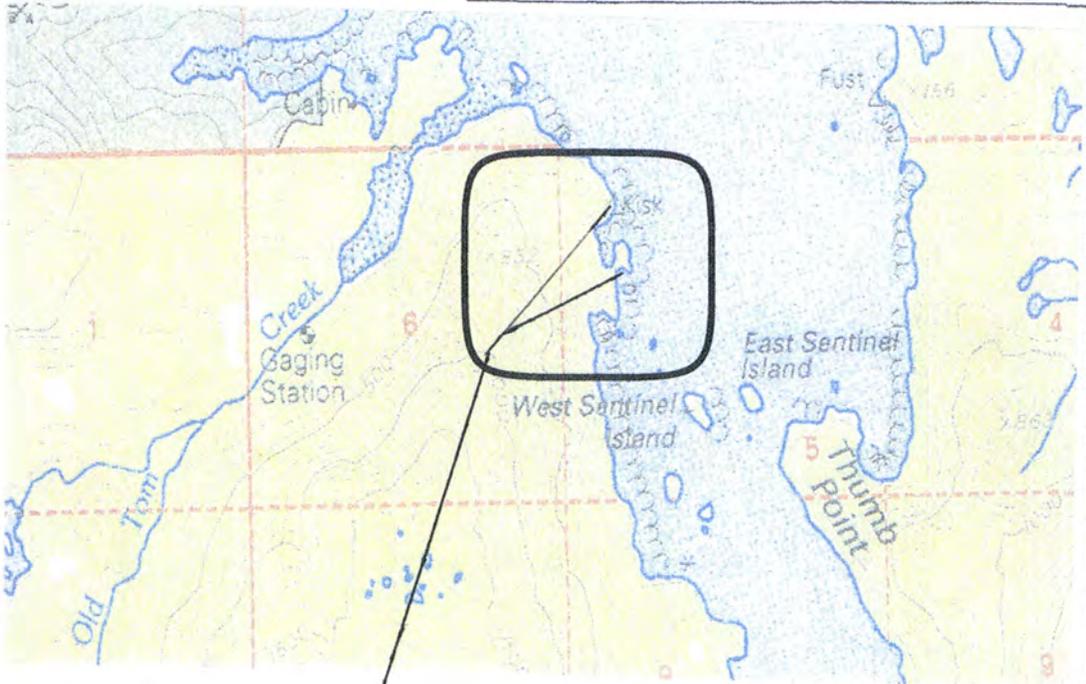
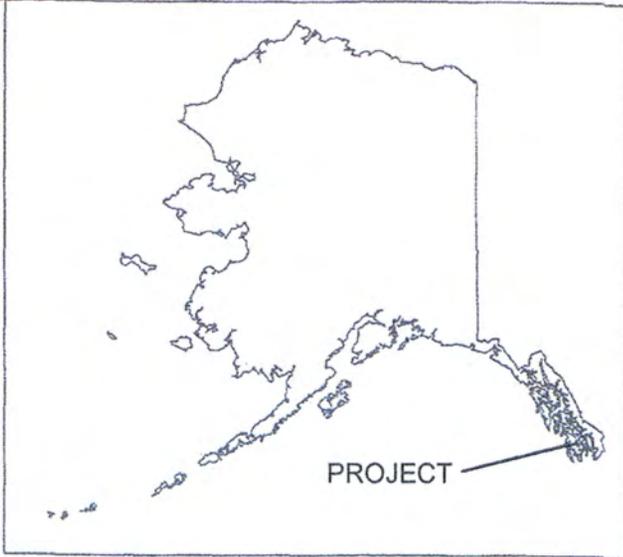
Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation 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 No. **POA-2015-354, McKenzie Inlet**, 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 by the expiration date of the Corps of Engineer's Public Notice.

VICINITY MAP



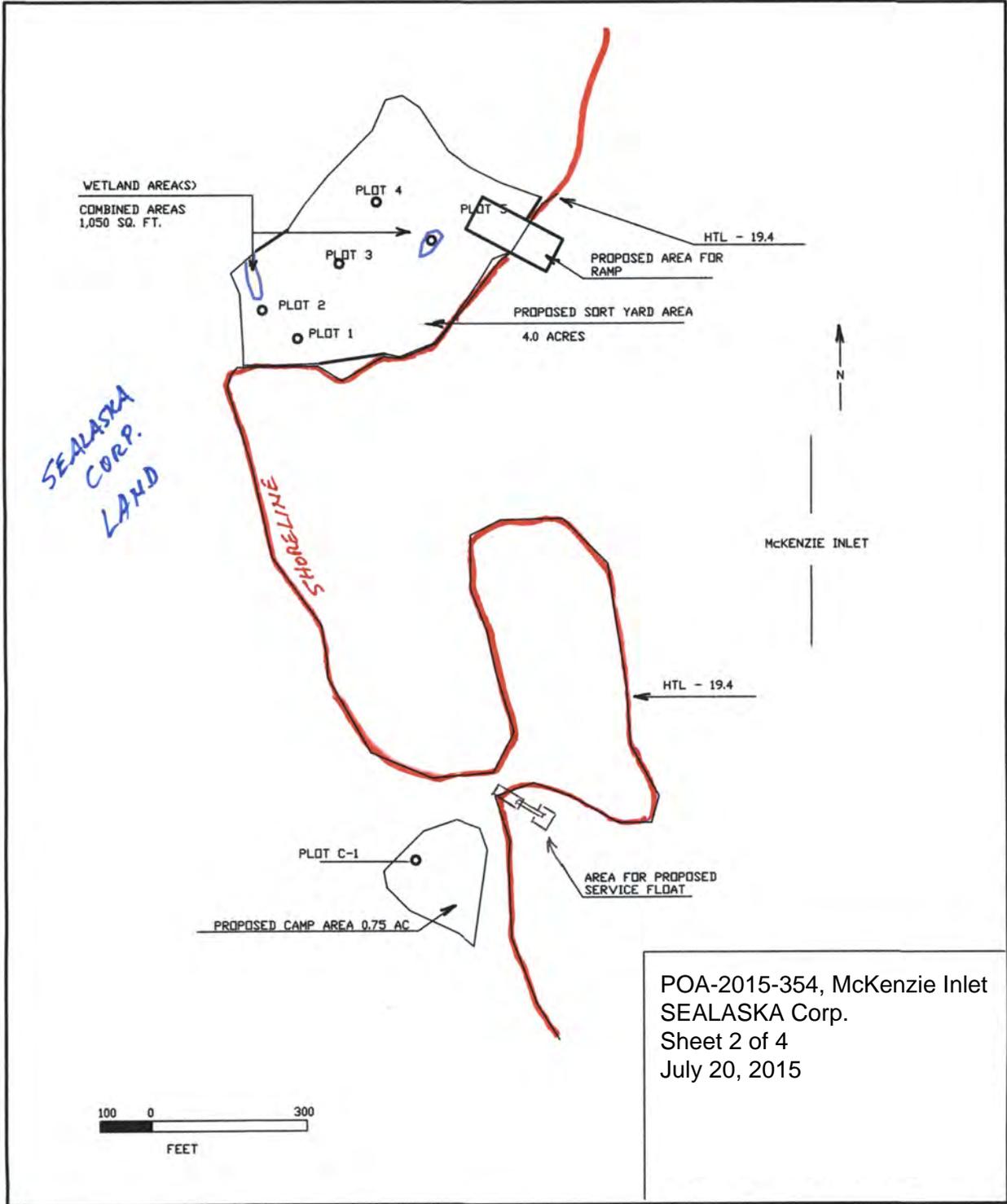
Project Location



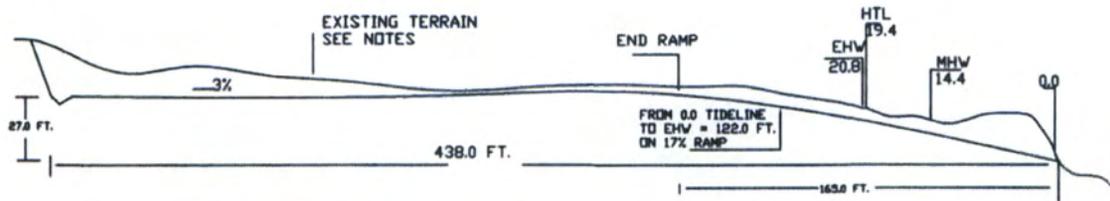
Scale:

Sheet No. 1 Of 4

POA-2015-354, McKenzie Inlet  
SEALASKA Corp.  
Sheet 1 of 4  
July 20, 2015



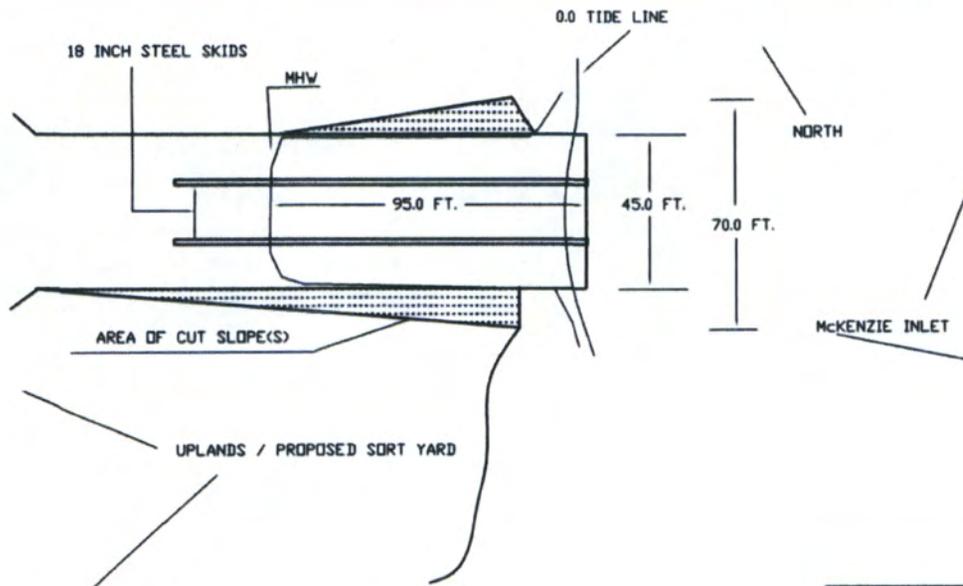
POA-2015-354, McKenzie Inlet  
SEALASKA Corp.  
Sheet 2 of 4  
July 20, 2015



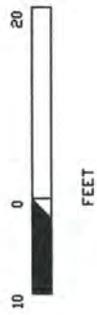
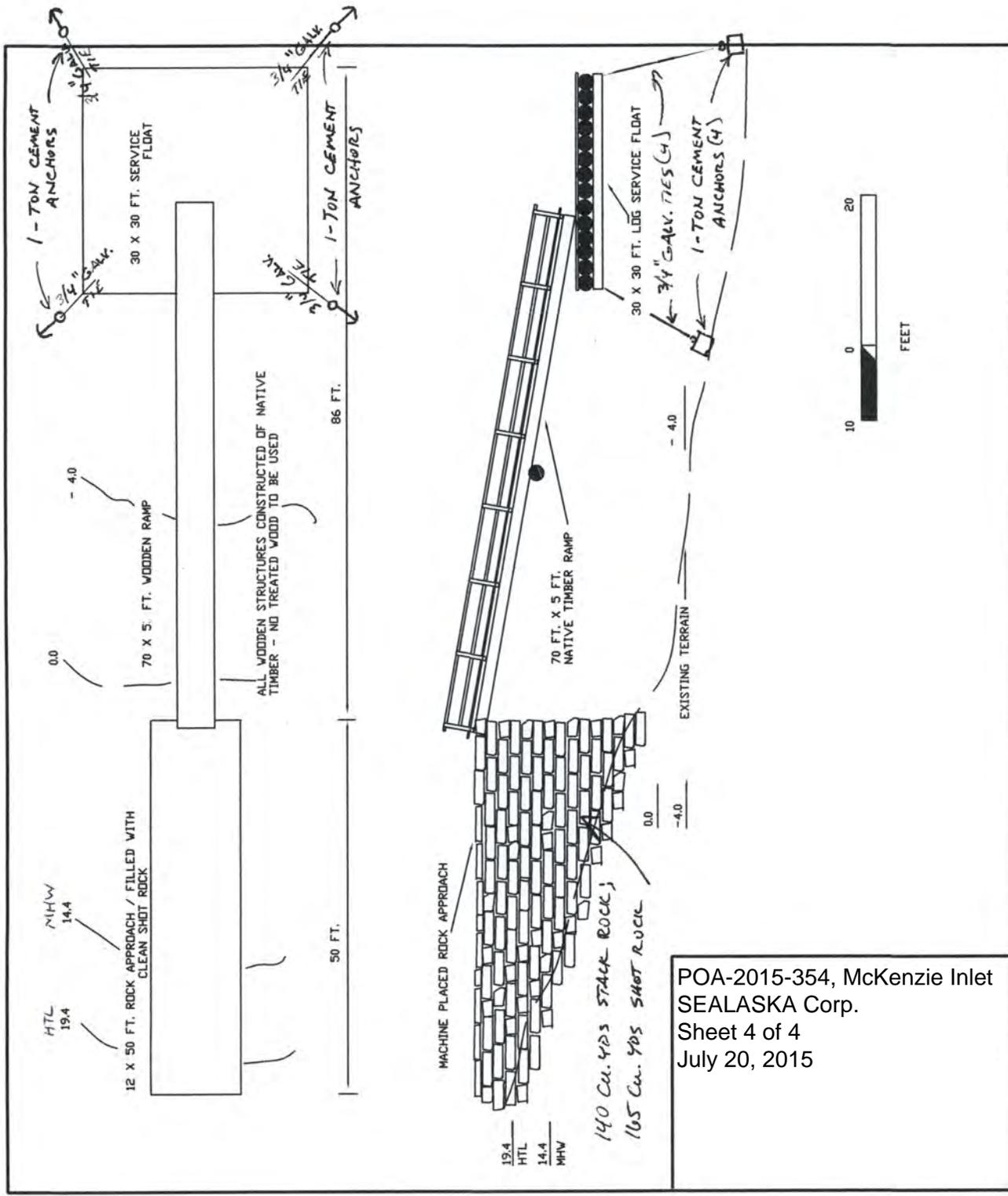
NO SCALE USE DIMENSIONS SHOWN

NOTES:

- 1) EXISTING TERRAIN COMPOSED OF EXPOSED ROCK, GRAVELLY MATERIAL AND DIRT
- 2) EXISTING VEGETATION IS SECOND GROWTH TIMBER, WITH SPOTTY GROWTH OF BRUSH.
- 3) DECOMPOSED WOODY DEBRIS SCATTERED WITHIN PROJECT AREA.
- 4) OVERBURDEN AND VEGETATIVE MATERIAL REMOVED DURING CONSTRUCTION SHALL BE BURIED WITHIN THE BOUNDARIES OF THE PROPOSED YARD AREA.
- 5) AREA FROM MHW SEAWARD COMPOSED OF ROCK, NO SANDY / MUDDY SUB STRATA



POA-2015-354, McKenzie Inlet  
 SEALASKA Corp.  
 Sheet 3 of 4  
 July 20, 2015



POA-2015-354, McKenzie Inlet  
 SEALASKA Corp.  
 Sheet 4 of 4  
 July 20, 2015

19.4  
HTL  
14.4  
MHV

140 Cu. Yds STACK ROCK;  
 165 Cu. Yds SHOT ROCK

HTL 19.4  
 MHV 14.4

12 X 50 FT. ROCK APPROACH / FILLED WITH  
 CLEAN SHOT ROCK

70 X 5 FT. WOODEN RAMP

ALL WOODEN STRUCTURES CONSTRUCTED OF NATIVE  
 TIMBER - NO TREATED WOOD TO BE USED

70 FT. X 5 FT.  
 NATIVE TIMBER RAMP

0.0  
-4.0

EXISTING TERRAIN  
-4.0

30 X 30 FT. LOG SERVICE FLOAT

3/4" GALV. TIES (4)  
 1-TON CEMENT ANCHORS (4)

1-TON CEMENT ANCHORS  
 3/4" GALV. TIE

30 X 30 FT. SERVICE FLOAT

1-TON CEMENT ANCHORS  
 3/4" GALV. TIE

86 FT.

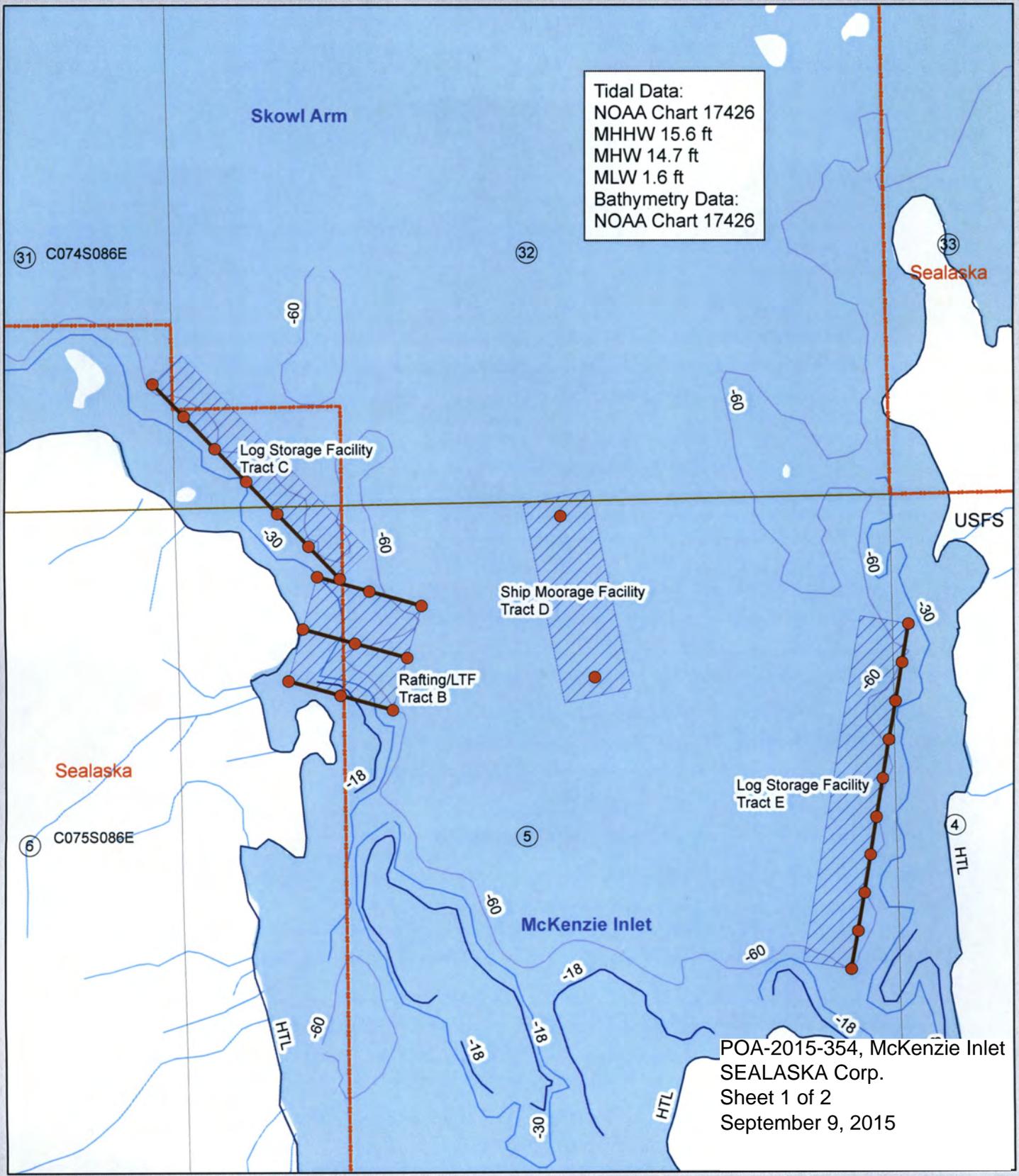
50 FT.

# SEALASKA TIMBER CORPORATION

## McKenzie Inlet Log Rafting, Storage, and Ship Moorage

### September 9, 2015

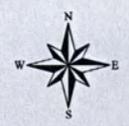
Tidal Data:  
 NOAA Chart 17426  
 MHHW 15.6 ft  
 MHW 14.7 ft  
 MLW 1.6 ft  
 Bathymetry Data:  
 NOAA Chart 17426



POA-2015-354, McKenzie Inlet  
 SEALASKA Corp.  
 Sheet 1 of 2  
 September 9, 2015

**Legend**

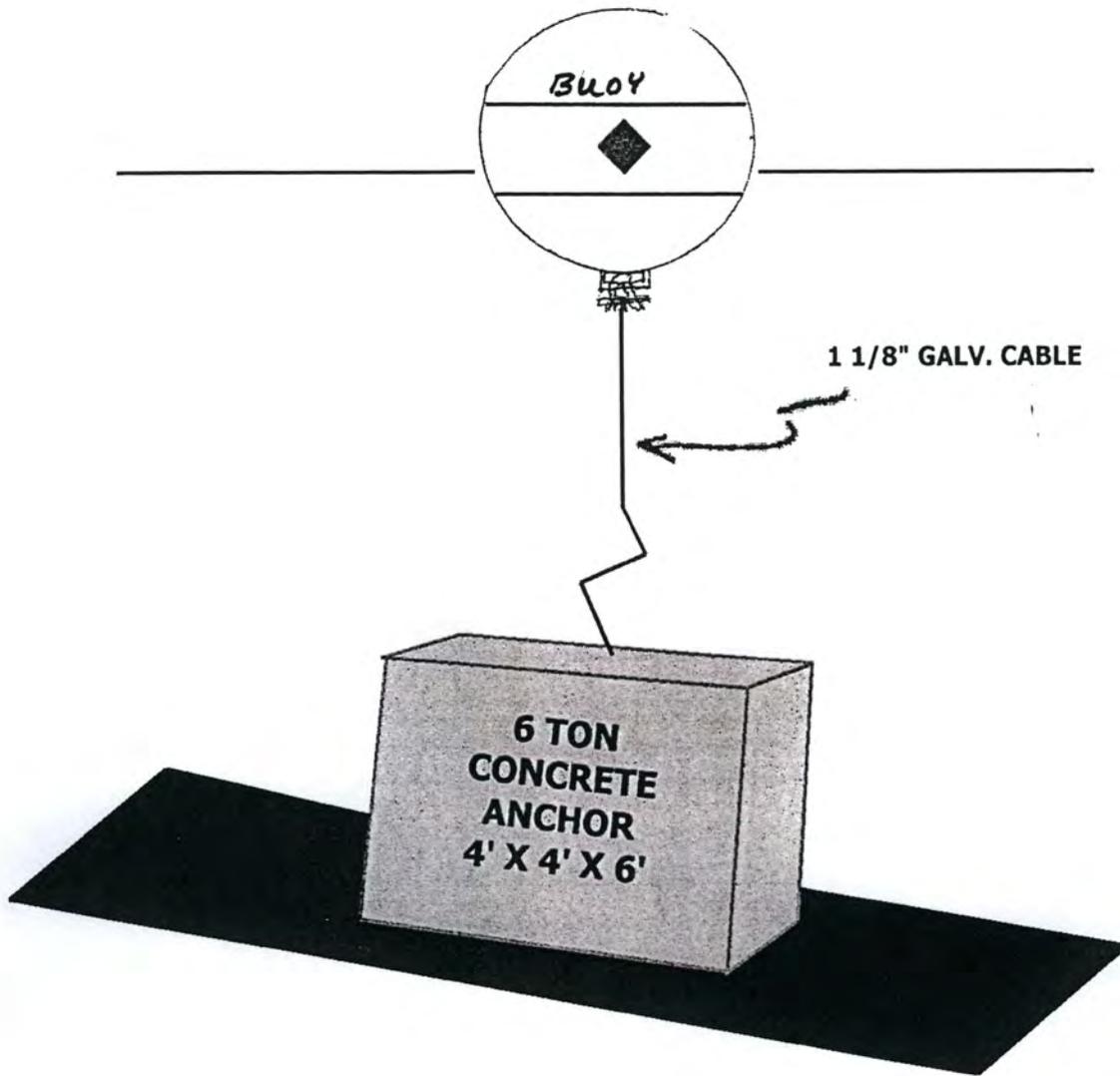
- Sealaska Ownership
- Section
- Township/Range
- 18 ft
- 30 ft
- 60 ft
- HTL
- Anadromous Streams
- Water Quality Streams
- HTL
- Anchored Buoy
- Standing Boom



Prepared September 2015  
 STC GIS

1 in = 1,000 feet

# TYPICAL LOG BUOY AND ANCHOR



## TYPICAL SECTION OF LOG BOOM

