



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: July 20, 2017

EXPIRATION DATE: August 21, 2017

REFERENCE NUMBER: POA-2017-348

WATERWAY: Chena Slough

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 Laurel Gale at (907) 474-2166, by fax at (907) 474-2164, or by email at Laurel.A.Gale@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Richard J. Eide, 1310 Roma Street, North Pole, Alaska 99705

LOCATION: The project site is located within Section 23, T. 1 S., R. 1 E., Fairbanks Meridian; USGS Quad Map Fairbanks D-1; Latitude 64.8060° N., Longitude 147.4860° W.; Blueberry Acres Subdivision, Parcel Number 13; near North Pole, Alaska.

PURPOSE: The applicant's stated purpose is to construct a gravel access road and runway pad to be used for seasonal, powered paragliding.

PROPOSED WORK: The applicant proposes to hand clear and place approximately 3,335 cubic yards (cy) of gravel fill into approximately 2.0 acres of wetlands for the construction of an access road and runway pad. The proposed work plans call for the hand clearing and discharge of fill for the construction of a 600 feet x 12 feet access road consisting of approximately 0.17 acre linking the property to Bradway Road.

Once completed, plans call for the construction of a 528 feet x 165 feet runway consisting of approximately 1.9 acres, which will be used as a powered paragliding take-off / landing area.

A 120 feet vegetated buffer would remain between the project area and Bradway Road. All work would be performed in accordance with the enclosed plan sheets (sheets 1-4), dated June 21, 2017.

ADDITIONAL INFORMATION: The project parcel consists almost entirely of wetlands. The parcel is 4.81 acres in size, and of this, approximately 0.75 acre is classified as uplands which abuts Bradway Road. The applicant states “paragliding is safest when separated from airplanes, powerlines, trees, and people. The proposed project area is rare as it satisfies all this, plus all the extra treeless space that provides smooth air required for motorized paragliding. The North Pole area has no other landing opportunities for powered paragliders that match the generous acreage site”. The applicant will be constructing two cabins and a portion of the access road within the upland area. No overburden will be removed, and no work will occur until the ground is frozen. Filter fabric would be placed over the ground surface in the footprint of the project, and 6 to 12 inches of gravel fill material will be placed on top. In areas where softer ground is encountered, limbed spruce boughs will be laid perpendicular to the road centerline and placed under the fill.

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: The subject property consist nearly entirely of wetlands, with approximately 0.75 acres of uplands. “The alignment of the access road and location of the runway area was selected to avoid crossing wetlands and other waters to the maximum extent possible. Additionally, the construction location of the cabins was also moved to the upland area of the parcel to also minimize the impact area. The parcel landscape is very level, and the 100 feet of the northern end of the property contains about twelve inches of seasonal meltwater. No work shall occur within 300 feet of this area. The toe slope of the graveled areas of the runway and access road will be angled to avoid erosion and runoff, as well as to prevent its migration out of the project area. In addition, to prevent sediment migration silt fencing will be installed around the project perimeter until soil compaction is sufficient enough to prevent migration to the surrounding wetlands”.

b. Minimization: The applicant has minimized impacts to the maximum extent practicable. “The proposed project plans are to only disturb enough wetlands to safely operate powered paragliders from the site, as well as for the transportation of vehicles and equipment back and forth from the runway area. The location of the proposed project acts to minimize wetland impacts by allowing the shortest possible access road, consequently, [minimizing impacts to wetlands]. The shorter access road also helps in reducing dust which is created by driving on gravel that migrates into off- project wetlands. Fabric overlay will be installed prior to the installment of gravel, as the organic mat will not be removed, which will minimize soil disturbance, thermal degradation,

and erosion. The natural drainage patterns will be maintained where necessary. Only clean fill gravel from a local gravel pit operation will be used for the entire project.

The project will be completed in two stages, and no construction will occur until freeze-up to minimize impacts to the surrounding area, and to prevent heavy equipment getting stuck in soft ground. Stage I will consist of the construction of the access road, and will begin in fall of 2017, after the ground has frozen. Stage II, will be runway construction in the spring season prior to break-up of 2018, again while the ground remains frozen”.

c. Compensatory Mitigation: The applicant submitted the following: The proposed access road and runway is in a relatively undeveloped area. Numerous measures have been taken to avoid and minimize impacts to waters of the United States (U.S.), including routing, hand clearing, and construction methods. The proposed access road length is approximately 200 feet longer than necessary if it did not avoid wetlands impacts. This will add significantly to the cost of the road. Additional cost for compensatory mitigation is not warranted for this project.

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. 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: 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 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).

No EFH species are known to use the project area. The affected wetlands of the proposed project area is located approximately 2.75 miles from the nearest Essential

Fish Habitat. 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 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) 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

ANCHORAGE

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

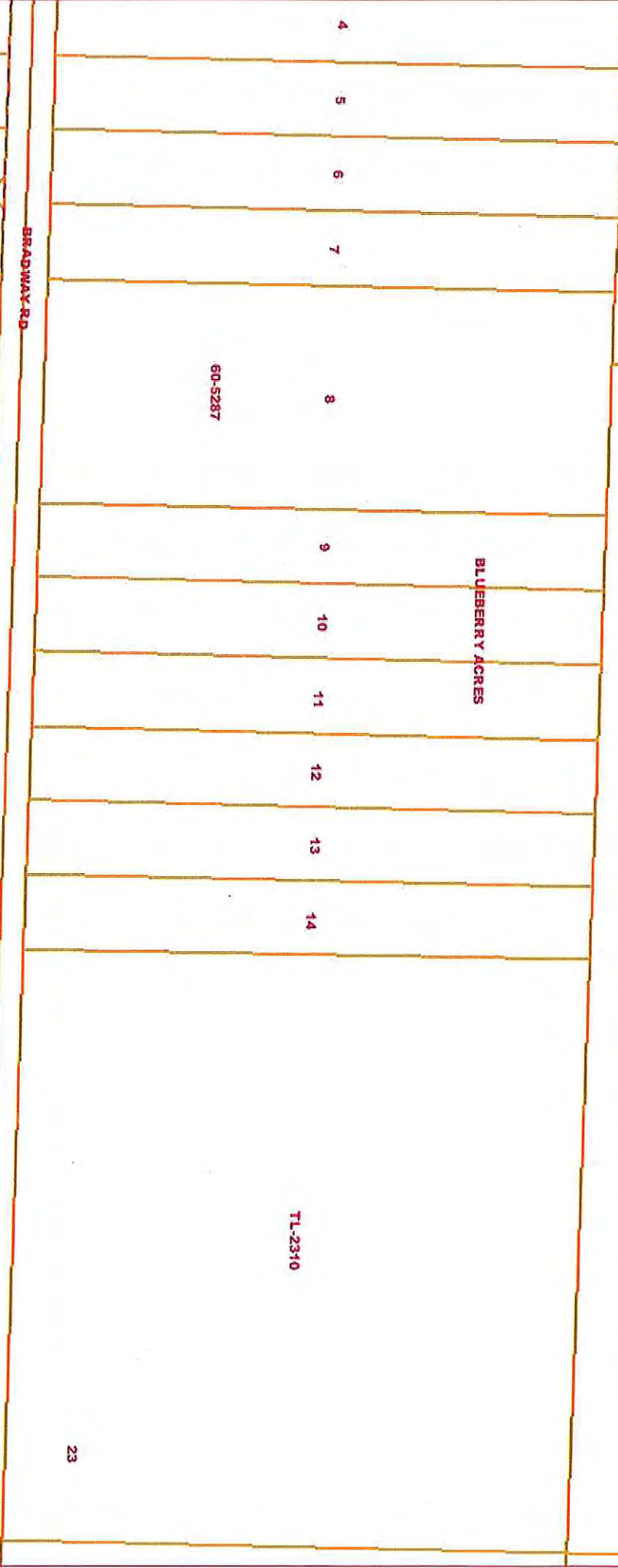
Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation 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.

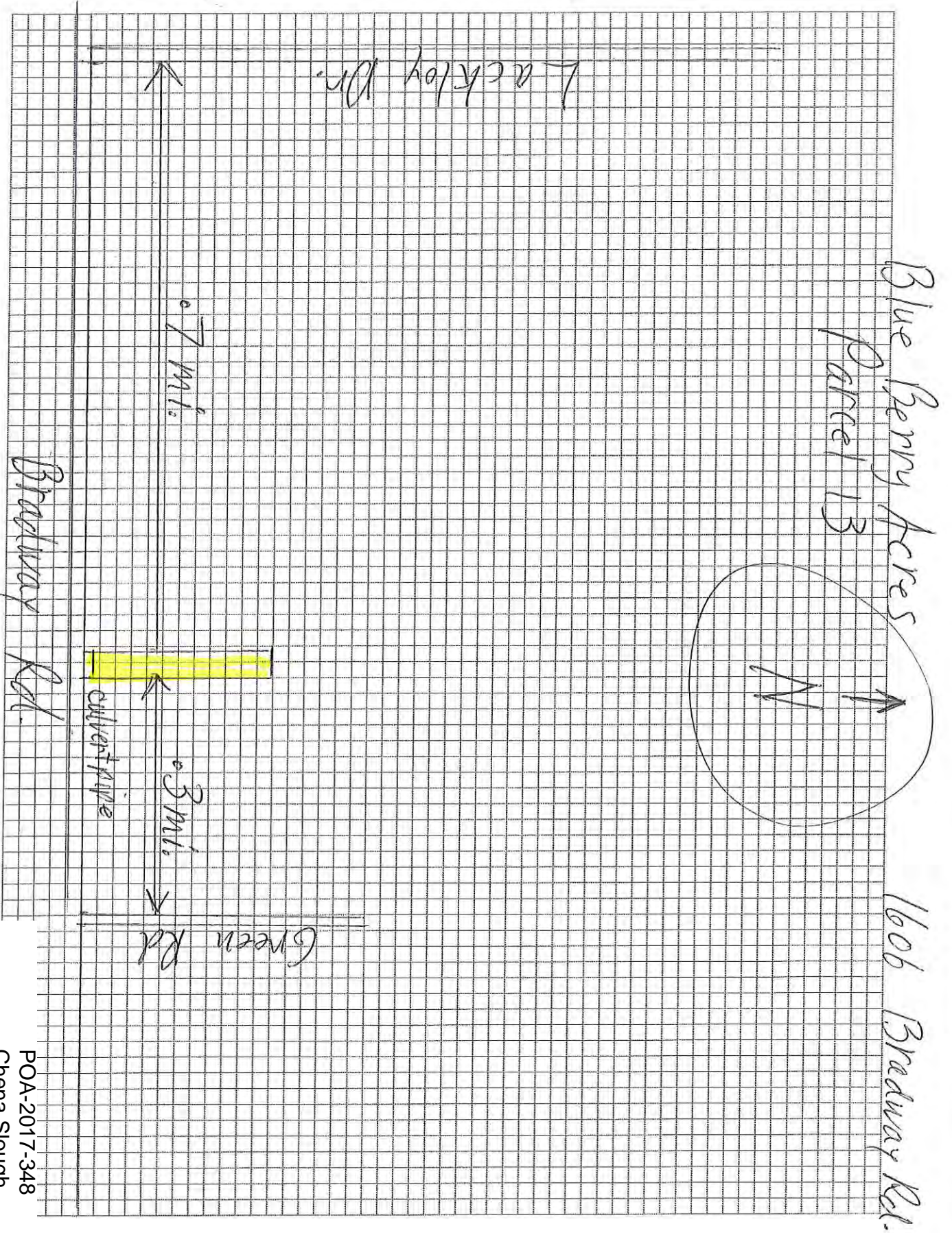
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2017-348, Chena Slough** serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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.

PAN#: 290483
Lot 13 of Blueberry Acres
1606 Bradway Road
North Pole, AK
Size: 4.81 Acres





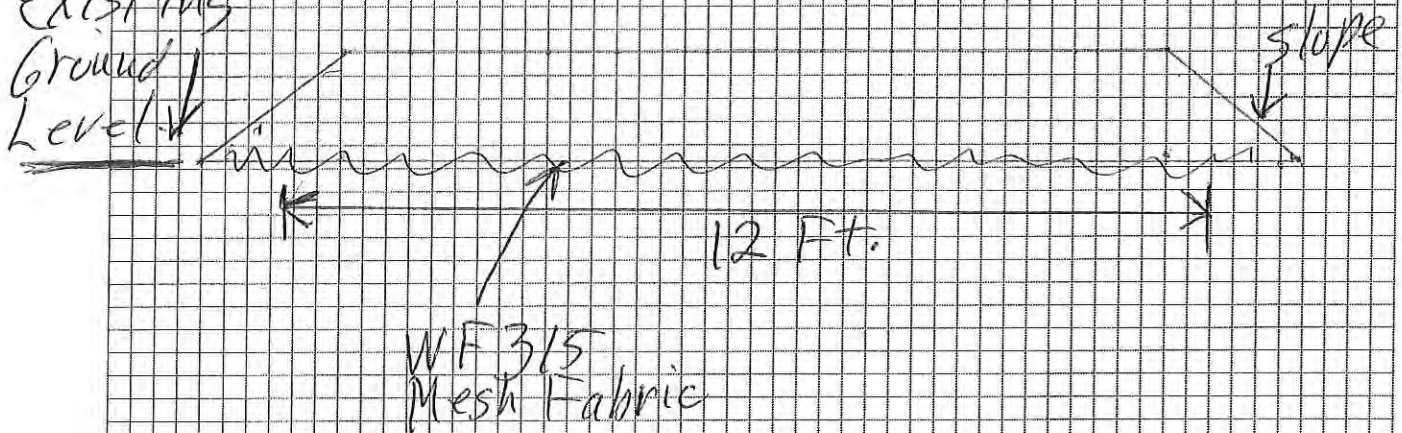
Wetland Fill For Road Section View

A

Blue Berry Acres - Parcel 13

proposed Roadway 12 Ft. x 600 Ft.
- Pitrun Gravel over fabric
400 yd³

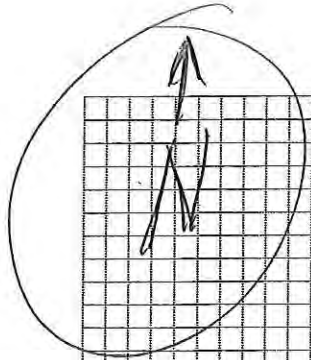
EXISTING
Ground
Level



Scale: 1 inch = 1 ft.

POA-2017-348
Chena Slough
June 21, 2017
3 of 4

Wetland Fill For Road & Acres - Plan View



Blue Berry Acres - Parcel 13

Scale: 100 FT

Proposed
2 Acre
Fill in
Wetland

← Classified
Wetlands

Proposed Roadway
Fill in Wetland
600 ft. long,
400 yds³

← Classified
Non-Wetlands

Bradway Rd. Wetland Boundary Delimited