



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

PUBLIC NOTICE DATE:	December 28, 2021
EXPIRATION DATE:	January 27, 2022
REFERENCE NUMBER:	POA-2021-00545
WATERWAY:	Selawik River

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.

All comments regarding this Public Notice 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 Public Notice to become part of the record and be considered in the decision. Please contact Jason Brewer at (907) 753-2823, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Jason.D.Brewer@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Alaska Department of Transportation and Public Facilities

LOCATION: The project site is located in Sections 17 and 20, T. 14 N., R. 6 W., Kateel Meridian; Latitude 66.6092° N., Longitude 160.0163° W.; Selawik, Alaska.

PURPOSE: The applicant's stated purpose is to rehabilitate and replace existing damaged boardwalks, repair and widen the existing Barge Landing Access Road from the school area to Adam's Landing on the Selwaik River, and construct a barge staging area.

PROPOSED WORK: Discharge 13,095 cubic yards of gravel into 1.63-acres of wetlands to widen an existing barge access road to approximately 40 feet toe-to-toe, construct a barge landing storage pad, restore the eroded streambank at the Rainbow Bridge, and upgrade (widen) numerous boardwalks in the community. The stream restoration work would include the discharge of 65 cubic yards of fill below the Ordinary High Water Mark of the Selawik River.

All work would be performed in accordance with the enclosed plan (sheets 1-8), dated December 23, 2021.

ADDITIONAL INFORMATION: Other state, local, or federal authorizations include Alaska Department of Fish & Game Title 16 Habitat, Northwest Arctic Borough Title 9, and Alaska Department of Natural Resources Temporary Water Use Authorization.

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: Wetlands impacts are unavoidable due to the high concentration of freshwater wetlands in the project area.

- Not all aspects of the proposed project would result in additional ground-disturbing activities.
- The proposed boardwalk improvements would mostly occur either at grade or be elevated above the surrounding ground surface within the existing developed footprint. Additional ground-disturbing activities would be small and temporary in nature to bury up to 100 timbers as foundation supports and where ramps descend and meet the tundra surface.
- The existing, permitted Spud Farm material site would be used to provide the required gravel fill. The material site would not require expansion to support the project and wetland impacts are not anticipated from the proposed project.
- A winter road/ice road would be used support gravel extraction and gravel hauling to avoid impacts related to permanent road construction.

b. Minimization: To avoid and minimize impacts, the following design elements have been incorporated into the proposed project.

- Embankment side slopes for the Barge Landing Access Road and barge landing storage area have been limited to 3:1 slopes. Slopes at 2:1 are not feasible for this project due to safety reasons.
- Culverts were sized appropriately during previous maintenance, limiting disturbance to hydrologic flow beneath the Barge Landing Access Road during fill material placement.
- Fill material placement below Ordinary High Water in the Selawik River along River Street beneath the Rainbow Bridge is the minimum necessary to ensure the boardwalk withstands ice scour and erosion for the estimated lifespan of the structure. This fill placement would be complimented by streambank restoration where the river has eroded beneath the Rainbow Bridge.

c. **Compensatory Mitigation:** The project has been designed to minimize impacts to wetlands and Waters of the U.S. while meeting the project's purpose. Wetland avoidance is not practicable due to the high proportion of jurisdictional wetlands throughout the community, though wetland impacts have been minimized to the greatest extent possible. Compensatory mitigation for unavoidable impacts to wetlands and Waters of the U.S. was evaluated for the project.

- A credit search on the Regulatory In-lieu Fee and Bank Information Tracking System (USACE 2021) indicates there are no credits available from a U.S. Army Corps of Engineers approved mitigation bank or in-lieu fee program for the project location.
- There is minimal existing or proposed development within the Lower Selawik River watershed (Hydrologic Unit Code 10).
- The proposed project would complete maintenance and improvements projects that are public works projects necessary for the welfare of the community.
- The proposed streambank restoration would reduce erosion and sedimentation to the Selawik River, an anadromous fish stream. The Selawik River has been specified as being important for the spawning, rearing, or migration of anadromous fishes, including migration habitat for sheefish and whitefish, as well as resident fish species.

No compensatory mitigation is proposed as the project has avoided and minimized impacts to aquatic resources to the greatest extent practicable.

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 lead agency, Alaska Department of Transportation and Public Facilities, is responsible for compliance with the requirements of Section 106 of the National Historic Preservation Act. The Corps has reviewed the Section 106 documentation from Alaska Department of Transportation and Public Facilities and concurs with their findings and/or determinations.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

We have determined the described activity would have no effect on any listed or proposed threatened or endangered species, 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 chum salmon (*Oncorhynchus keta*).

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 authority:

(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 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 (ADEC) 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 ADEC, 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-2021-00545, Selawik River**, serves as application for State Water Quality Certification from ADEC.

After reviewing the application, ADEC 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. ADEC 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.

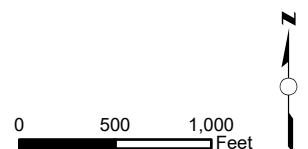


Figure 1: Location Map

POA-2021-00545: Alaska, Department of Transportation & Public Facilities
 Proposed Activity: Selawik Barge Landing Access Rd and Boardwalk Improvements
 Lat.: 66.6092° N Long.: 160.0163° W
 Sheet: 1 of 8

Date: 12/23/2021

-  Barge Landing Access Road and Storage Area Footprint
-  Boardwalk Footprint



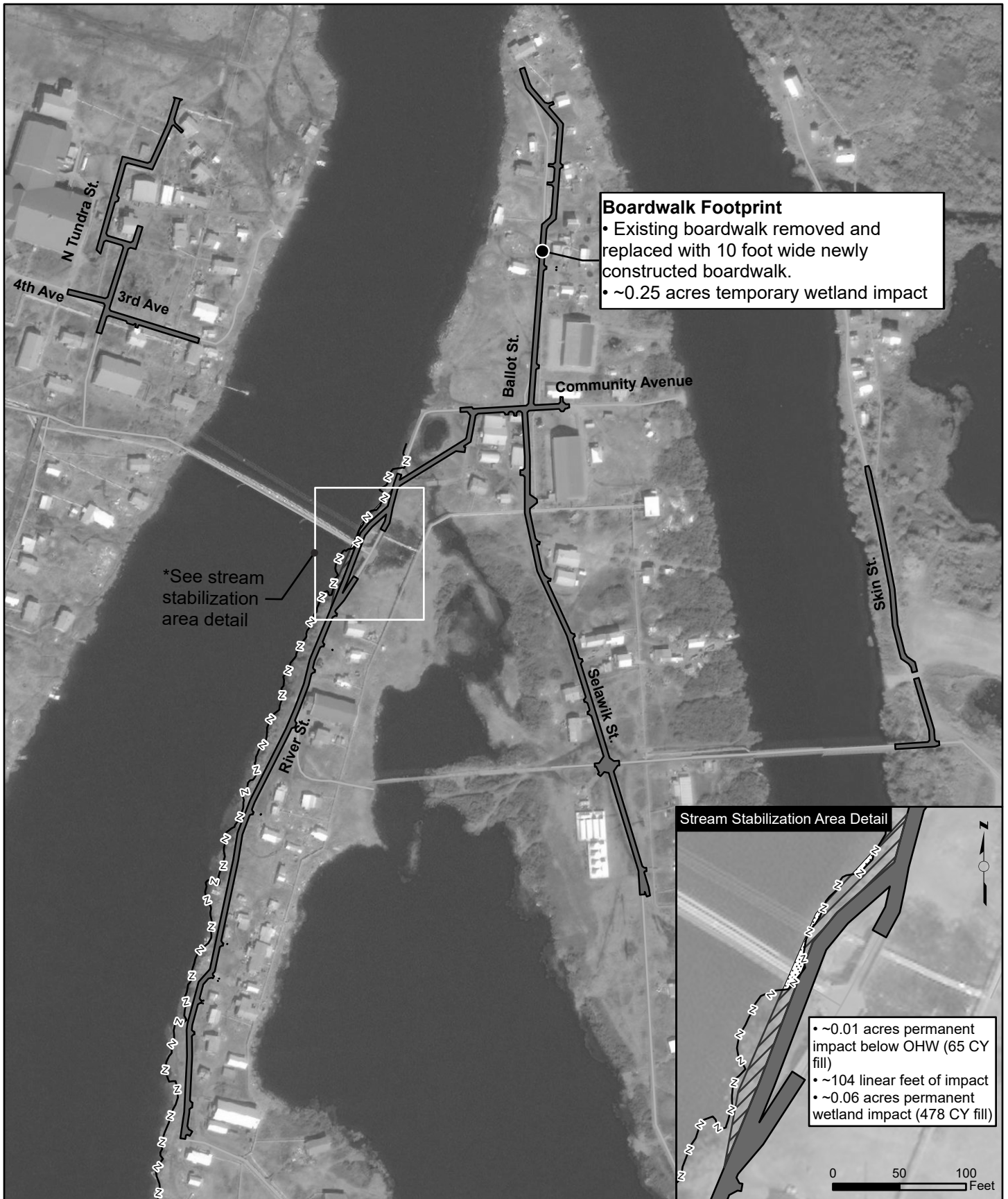
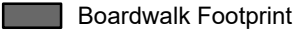
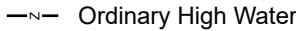
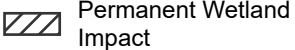

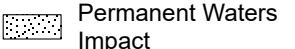
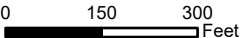


Figure 2: Plan View - Boardwalk

POA-2021-00545: Alaska, Department of Transportation & Public Facilities
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 Lat.: 66.6092° N Long.: 160.0163° W
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Date: 12/23/2021

	Boardwalk Footprint		Ordinary High Water
	Permanent Wetland Impact		
	Permanent Waters Impact		

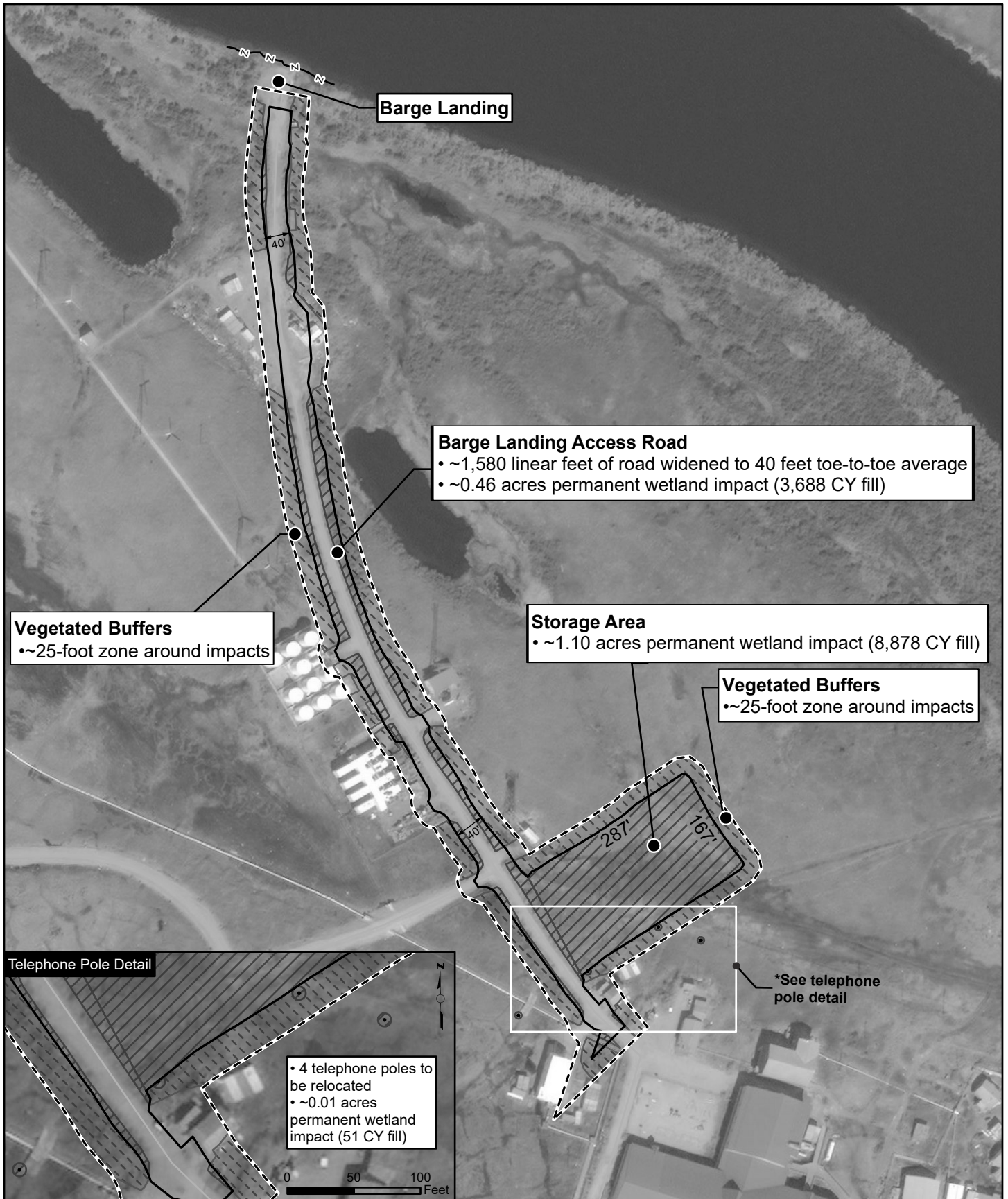
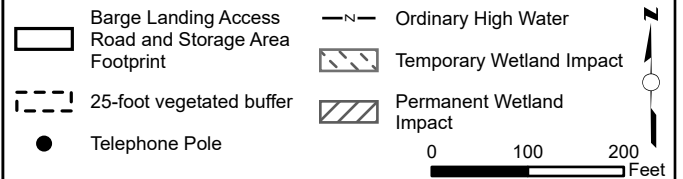


Figure 3: Plan View - Barge Landing Access Road and Storage Area

POA-2021-00545: Alaska, Department of Transportation & Public Facilities
 Proposed Activity: Selawik Barge Landing Access Rd and Boardwalk Improvements
 Lat.: 66.6092° N Long.: 160.0163° W
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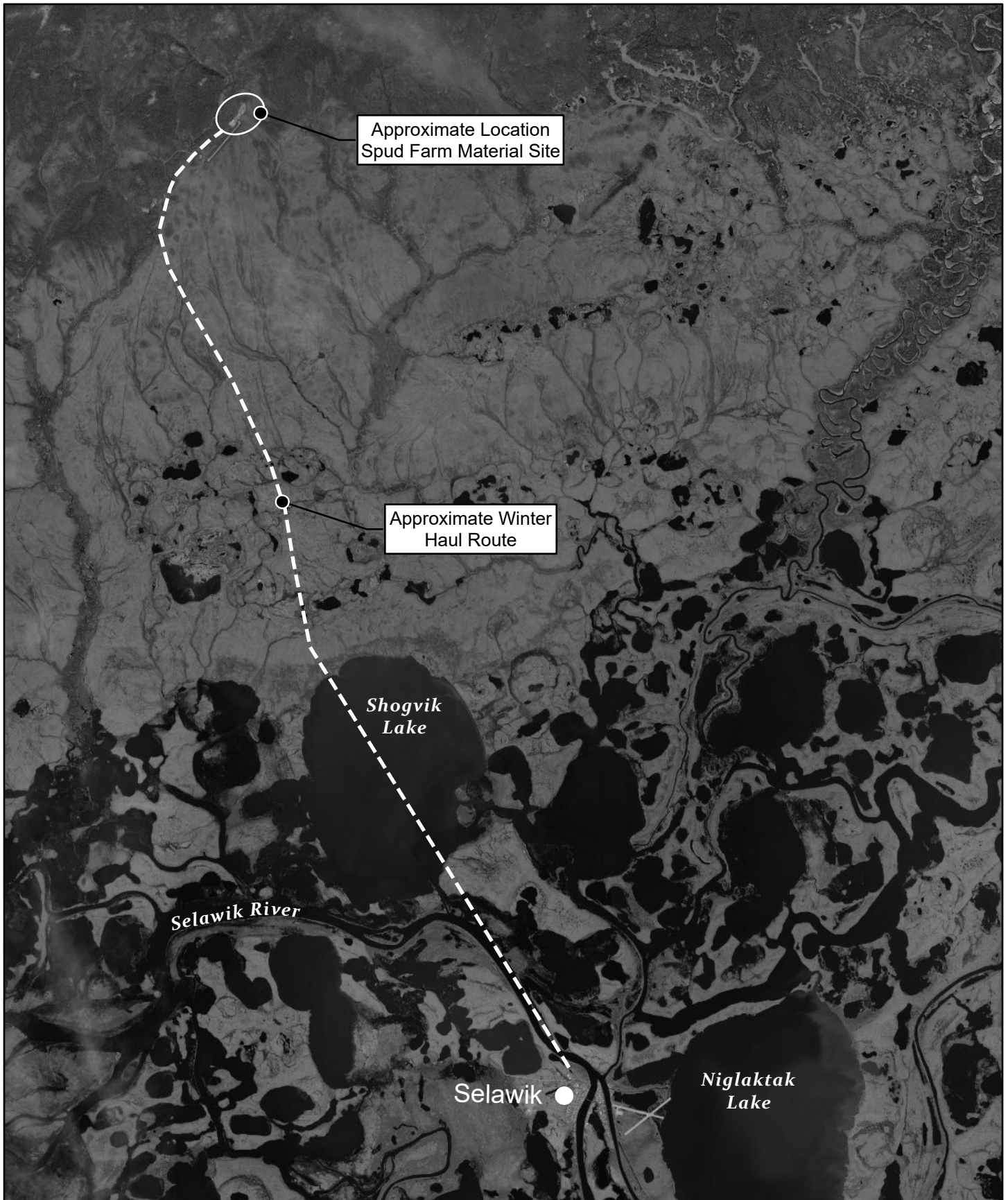
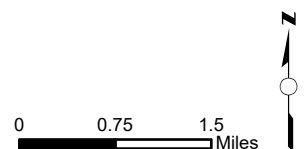
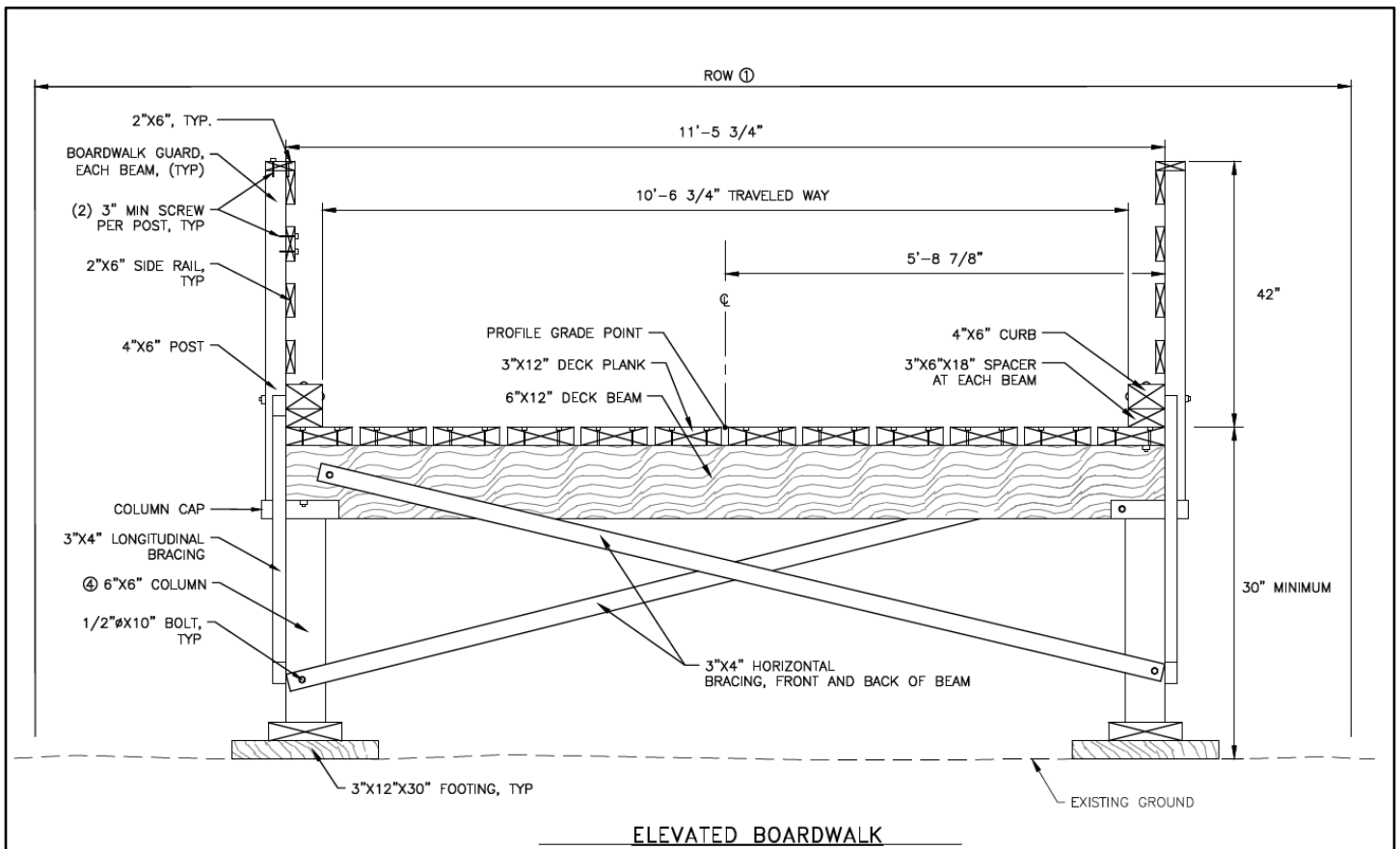


Figure 4: Winter Haul Route and Spud Farm Material Site

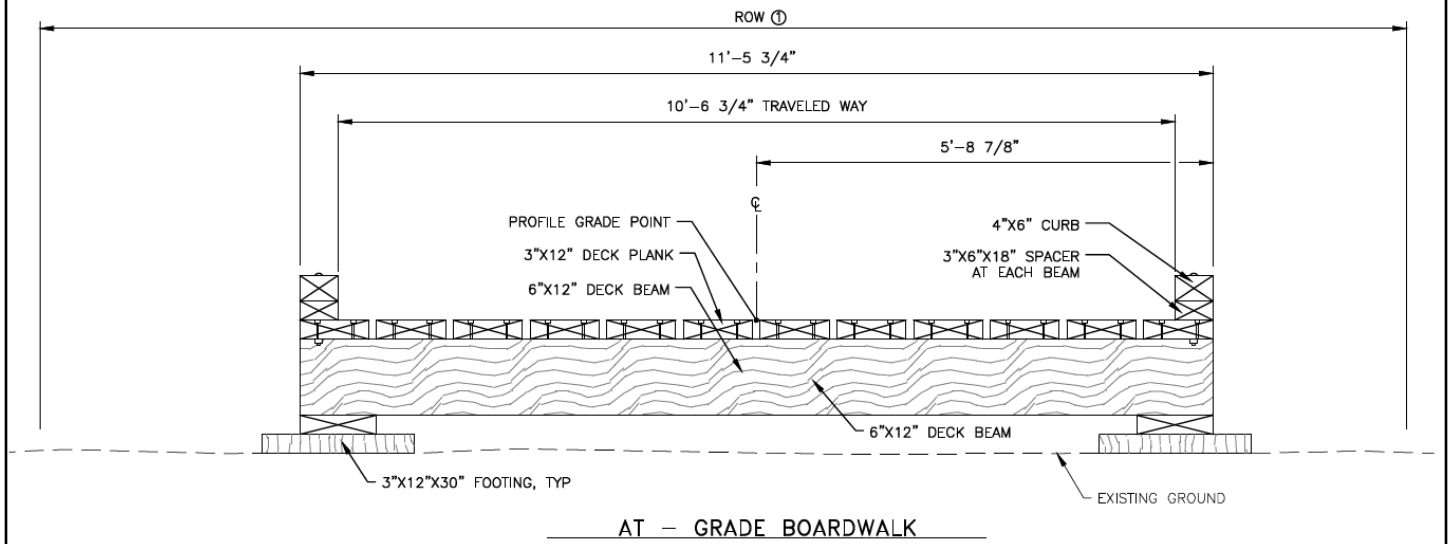
POA-2021-00545: Alaska, Department of Transportation & Public Facilities
 Proposed Activity: Selawik Barge Landing Access Rd and Boardwalk Improvements
 Lat.: 66.6092° N Long.: 160.0163° W
 Sheet: 4 of 8

Date: 12/23/2021





ELEVATED BOARDWALK

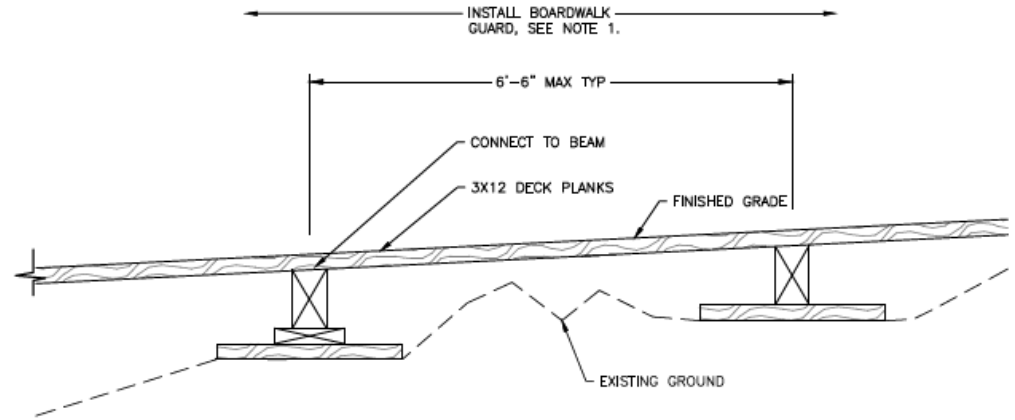
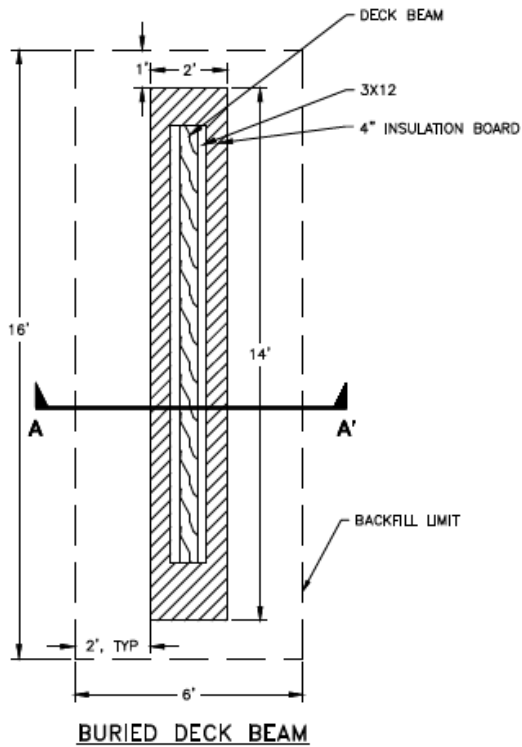


AT - GRADE BOARDWALK

Figure 5: Elevation View - Boardwalk

POA-2021-00545: Alaska, Department of Transportation & Public Facilities
 Proposed Activity: Selawik Barge Landing Access Rd and Boardwalk Improvements
 Lat.: 66.6092° N Long.: 160.0163° W
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Date: 12/23/2021



NOTE:
1. SPAN HIGH POINTS IN EXISTING GRADE BY CENTERING HIGH POINTS BETWEEN BEAMS.

ELEVATION TO GRADE
NTS

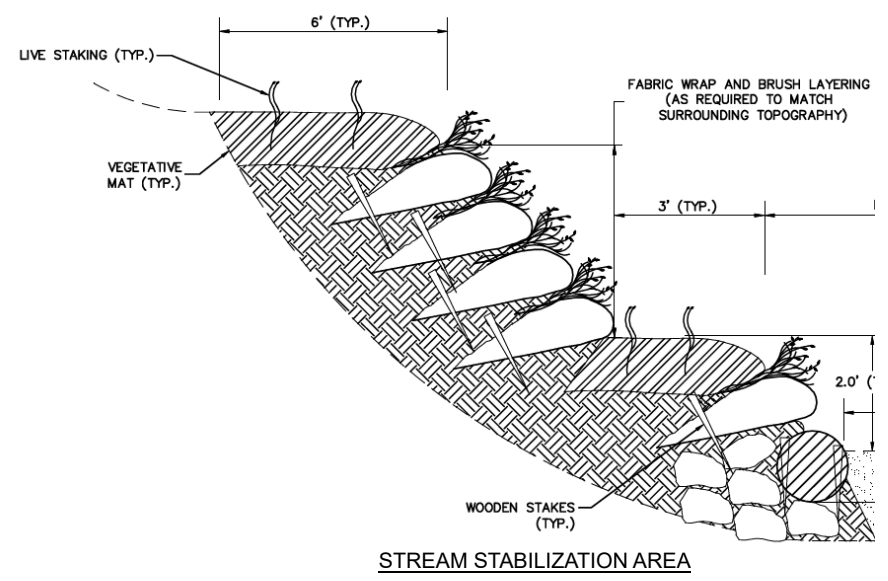
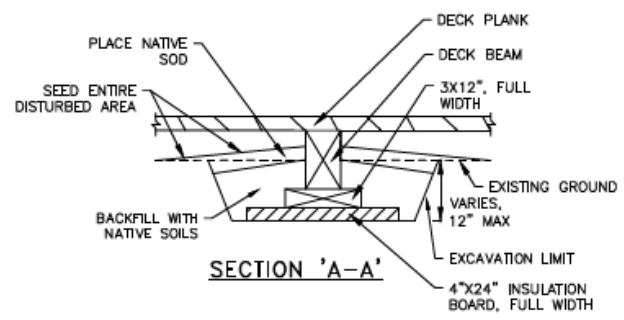
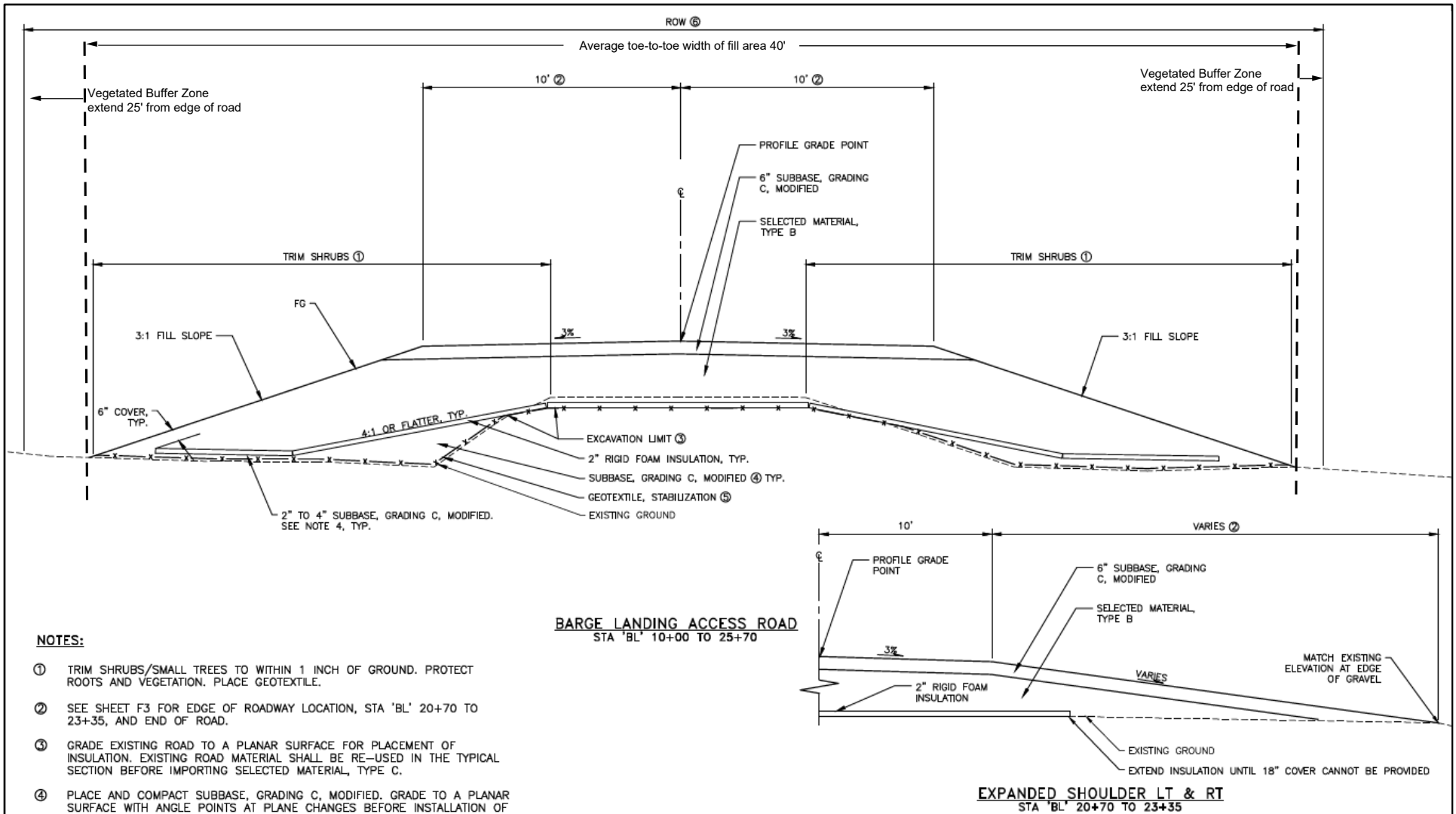


Figure 6: Elevation View - Boardwalk and Stream Stabilization Area
POA-2021-00545: Alaska, Department of Transportation & Public Facilities
Proposed Activity: Selawik Barge Landing Access Rd and Boardwalk Improvements
Lat.: 66.6092° N Long.: 160.0163° W
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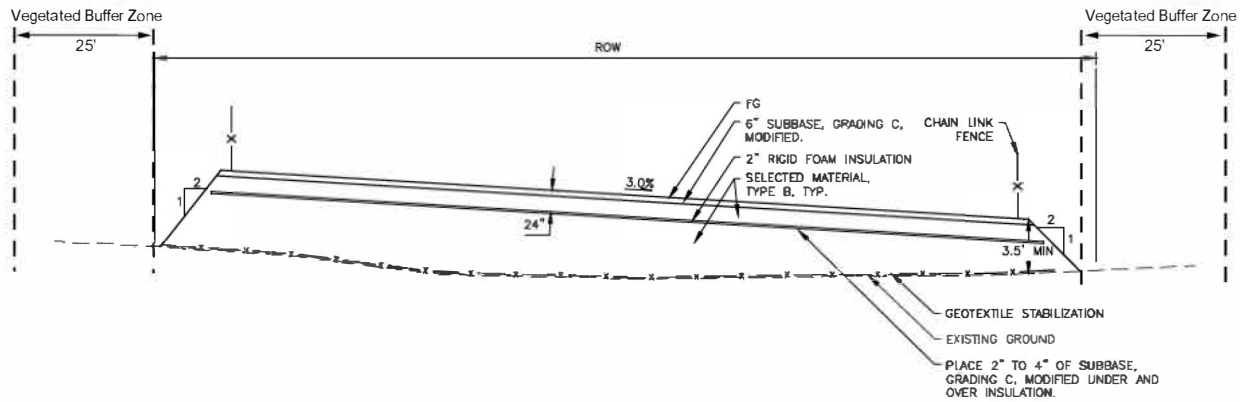
NOTES:

- ① TRIM SHRUBS/SMALL TREES TO WITHIN 1 INCH OF GROUND. PROTECT ROOTS AND VEGETATION. PLACE GEOTEXTILE.
- ② SEE SHEET F3 FOR EDGE OF ROADWAY LOCATION, STA 'BL' 20+70 TO 23+35, AND END OF ROAD.
- ③ GRADE EXISTING ROAD TO A PLANAR SURFACE FOR PLACEMENT OF INSULATION. EXISTING ROAD MATERIAL SHALL BE RE-USED IN THE TYPICAL SECTION BEFORE IMPORTING SELECTED MATERIAL, TYPE C.
- ④ PLACE AND COMPACT SUBBASE, GRADING C, MODIFIED. GRADE TO A PLANAR SURFACE WITH ANGLE POINTS AT PLANE CHANGES BEFORE INSTALLATION OF INSULATION. INSULATION SHALL BE UNIFORMLY SUPPORTED.
- ⑤ PLACE GEOTEXTILE STABILIZATION OVER VEGETATED SURFACE ONLY.
- ⑥ RIGHT-OF-WAY AND TCE VARIES. SEE RIGHT-OF-WAY MAP, TEMPORARY CONSTRUCTION EASEMENT PARCEL PLANS, AND F SHEETS FOR LOCATION.

BARGE LANDING ACCESS ROAD
STA 'BL' 10+00 TO 25+70

EXPANDED SHOULDER LT & RT
STA 'BL' 20+70 TO 23+35

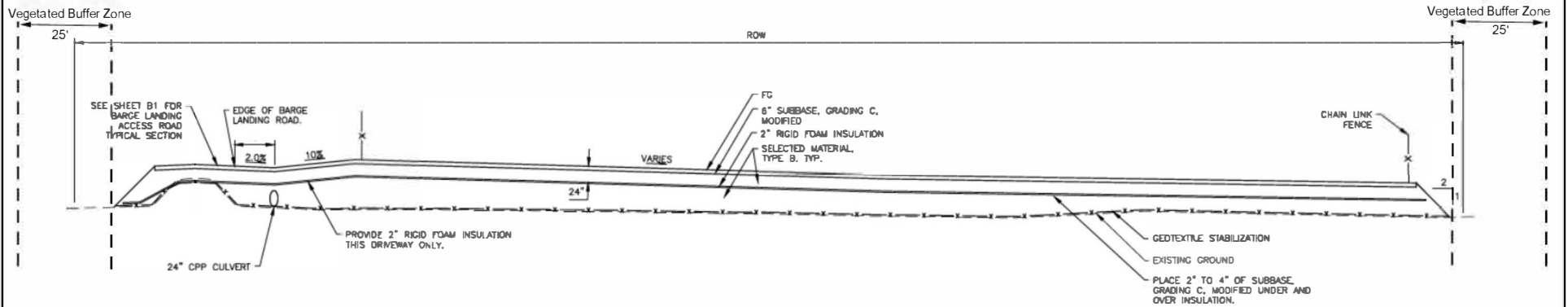
Figure 7: Elevation View - Barge Landing Access Road



STAGING PAD CROSS SECTION: NORTH - SOUTH

SEE SHEET G1 FOR PAD LAYOUT

Note: Drawing not to scale



STAGING PAD CROSS SECTION: EAST - WEST

SEE SHEET G1 FOR PAD LAYOUT

Note: Drawing not to scale

Figure 8: Elevation View - Storage Area