



US Army Corps
of Engineers
Alaska District

ANCHORAGE
Regulatory Division (1145)
CEPOA-RD
P.O. Box 6898
JBER, AK 99506-0898

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	March 17, 2023
EXPIRATION DATE:	April 16, 2023
REFERENCE NUMBER:	POA-2015-00451
WATERWAY:	Wetlands adjacent to Kuskokwim 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 Jonathan Hegna at (907) 753-2708, toll free from within Alaska at (800) 478-2712, or by email at Jonathan.R.Hegna@usace.army.mil, if further information is desired concerning this public notice.

APPLICANT: Yukon Kuskokwim Health Corporation, P.O. Box 528, Bethel, AK 99559

AGENT: Shannon & Wilson, Inc., Attn: Dana Fjare, 2355 Hill Road, Fairbanks, AK 99709

LOCATION: The new Lot-2 apartment project site is located within Bethel at 900 Chief Eddie Hoffman Highway in Section 17, Township 8 North, Range 71 West, Latitude 60.790644° North, Longitude -161.779555° West, Bethel Census Area, Alaska.

The Lot-52A construction laydown yard is located within Bethel at 1320 Calista Drive in Section 17, Township 8 North, Range 71 West, Latitude 60.787008° North, Longitude -161.790765° West, Bethel Census Area, Alaska.

PURPOSE: The applicant's stated purpose is to provide housing and accommodations for employees and visitors of the Yukon Kuskokwim Health Corporation (YKHC) Hospital in Bethel, Alaska.

PROPOSED WORK: The proposed work will involve the construction of a multistory apartment building on Lot-2 that is capable of providing approximately 50 one-bedroom units for YKHC temporary duty employees and 70 two-bedroom units for full-time local YKHC employees. Approximately 10,690 cubic yards of sand will be placed into Lot-2 to provide a 2.21 acre foundation for the new apartment building. To allow for the placement of needed construction equipment and materials, a permanent construction laydown yard will be constructed on Lot-52A to facilitate construction of the new apartment building and the ongoing construction work at the adjacent Qavartarvik Customer Lodging Facility. Approximately 8,408 cubic yards of sand will be discharged into Lot-52A to create the 2.06 acre construction laydown yard. These construction activities will result in the permanent loss of 4.27 acres of wetlands. Construction is expected to begin during the summer of 2023 with the construction of the laydown yard. Pile driving will begin in the winter of 2023, and the entire project is expected to be completed by the summer of 2025. All work will be performed in accordance with the enclosed plan (sheets 1–6), dated October 24, 2022.

ADDITIONAL INFORMATION: After construction has been completed for the proposed Lot-2 apartment building project, the construction laydown yard (Lot-52A) will be used as a parking lot for the Qavartarvik Customer Lodging Facility. In the distant future, Lot-52A may also eventually be developed into additional buildings for the YKHC Hospital.

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 City of Bethel is surrounded by wetlands and, as a result, impacts to wetlands are not avoidable for developments in this area.
- b. Minimization: Only the minimum amount of surface area needed for the construction of the laydown yard and apartment building will be filled. The apartment building will be a multistory structure, which will limit surface area impacts to wetlands. Construction will take place adjacent to existing hospital facilities to take advantage of existing infrastructure. A construction laydown yard is needed because there is limited space available in Bethel for equipment and material storage. Because of the remote location of Bethel and lack of barge service in the winter, approximately seven months of building materials need to be stored onsite to allow construction to proceed. After construction is completed, the laydown yard will be used as a parking area for YKHC facilities.
- c. Compensatory Mitigation: The applicant has not proposed any compensatory mitigation for the project's wetland impacts.

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: This application is being coordinated with the State Historic Preservation Office (SHPO), Federally recognized Tribes, and other consulting parties. Any comments SHPO, Federally recognized Tribes, and other consulting parties 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. An effect determination has not yet been made for this proposed project.

ENDANGERED SPECIES: The project area is within the known or historic range of the Threatened Wood Bison (*Bison bison athabasca*).

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 (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with 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 not within mapped EFH.

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

TRIBAL CONSULTATION: The Corps 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 Corps, 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 rights or resources. 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:

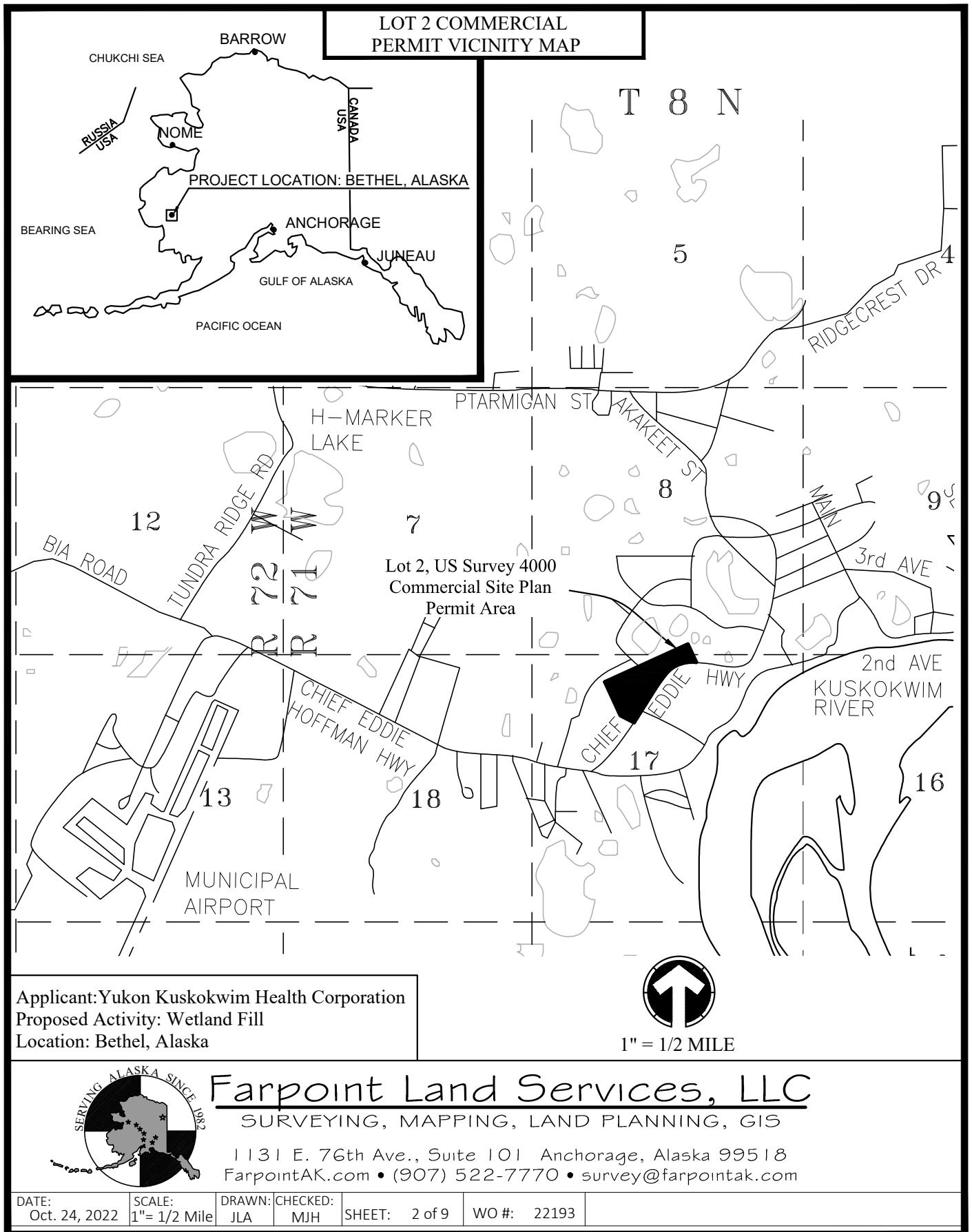
(X) Discharge of dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings are enclosed with this public notice.

District Commander
U.S. Army, Corps

Enclosure

Attachment B



Attachment B

LOT 2 COMMERCIAL PERMIT - OVERVIEW

Tract C
Plat 71-425

Tract C-1
Plat 73-285

Tract 4
Plat 2002-6

N 65°25'38" E 1818.59'


10' Rear Setback

S 24°38'52" E 394.16'

2.21 Acres

Existing Fill
New Parking

LEGEND

 Proposed Fill Area

Lot 2
USS 4000

15' Front Setback
Right-of-Way

C1 Chief Eddie Hoffman Highway

CURVE	RADIUS	ARC	DELTA
C1	716.20'	808.76'	64°42'01"

Applicant: Yukon Kuskokwim Health Corporation
Proposed Activity: Wetland Fill
Location: Bethel, Alaska



SCALE: 1" = 100'



Farpoint Land Services, LLC

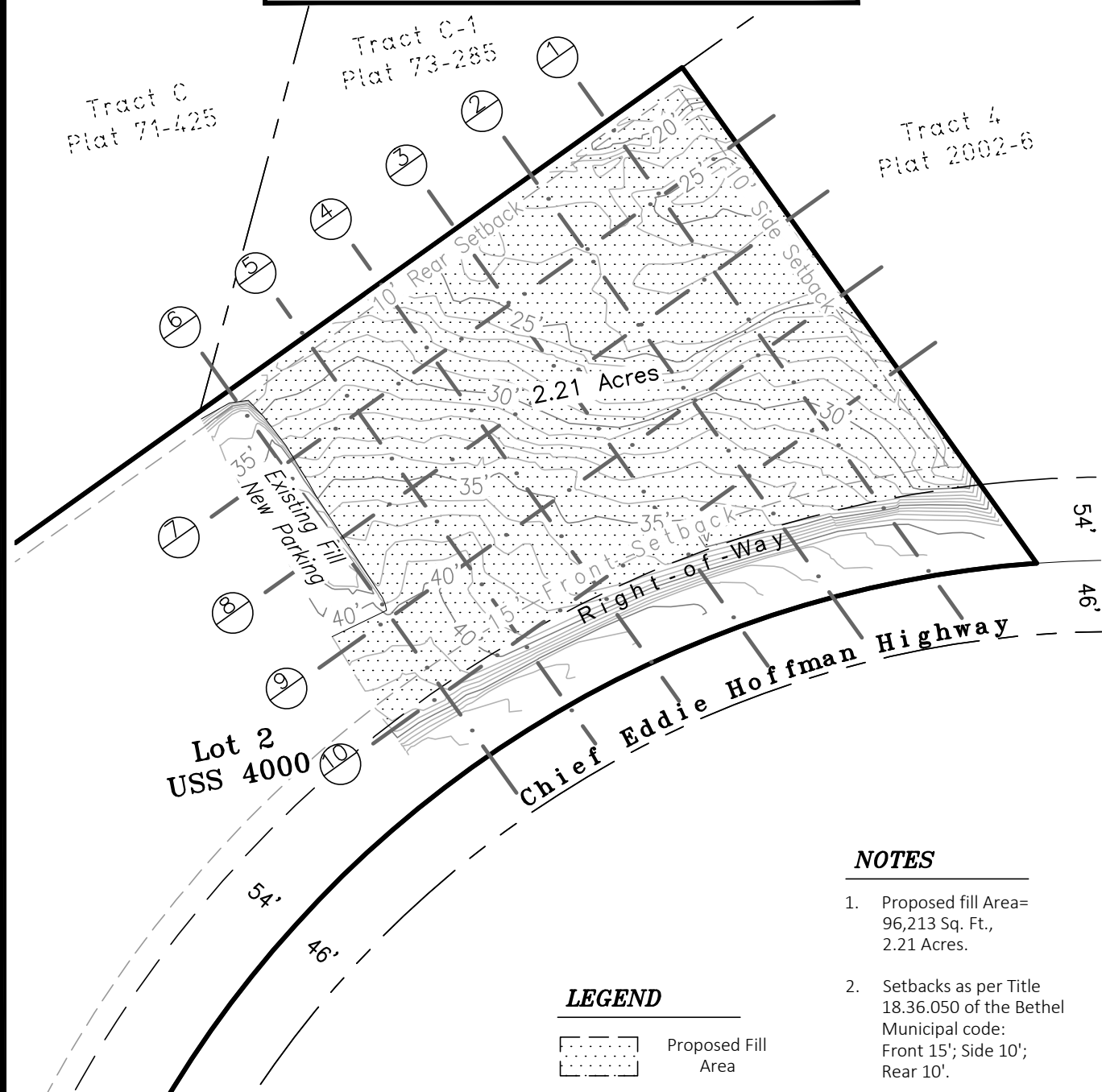
SURVEYING, MAPPING, LAND PLANNING, GIS

1131 E. 76th Ave., Suite 101 Anchorage, Alaska 99518
FarpointAK.com • (907) 522-7770 • survey@farpointak.com

DATE: Oct. 24, 2022	SCALE: 1"=100'	DRAWN: JLA	CHECKED: MJH	SHEET: 3 of 9	WO #: 22193
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Attachment B

LOT 2 COMMERCIAL PERMIT - SITE PLAN



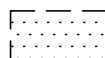
Lot 2
USS 4000

Chief Eddie Hoffman Highway

NOTES

1. Proposed fill Area= 96,213 Sq. Ft., 2.21 Acres.
2. Setbacks as per Title 18.36.050 of the Bethel Municipal code: Front 15'; Side 10'; Rear 10'.

LEGEND

 Proposed Fill Area



SCALE: 1" = 100'

Applicant: Yukon Kuskokwim Health Corporation
Proposed Activity: Wetland Fill
Location: Bethel, Alaska



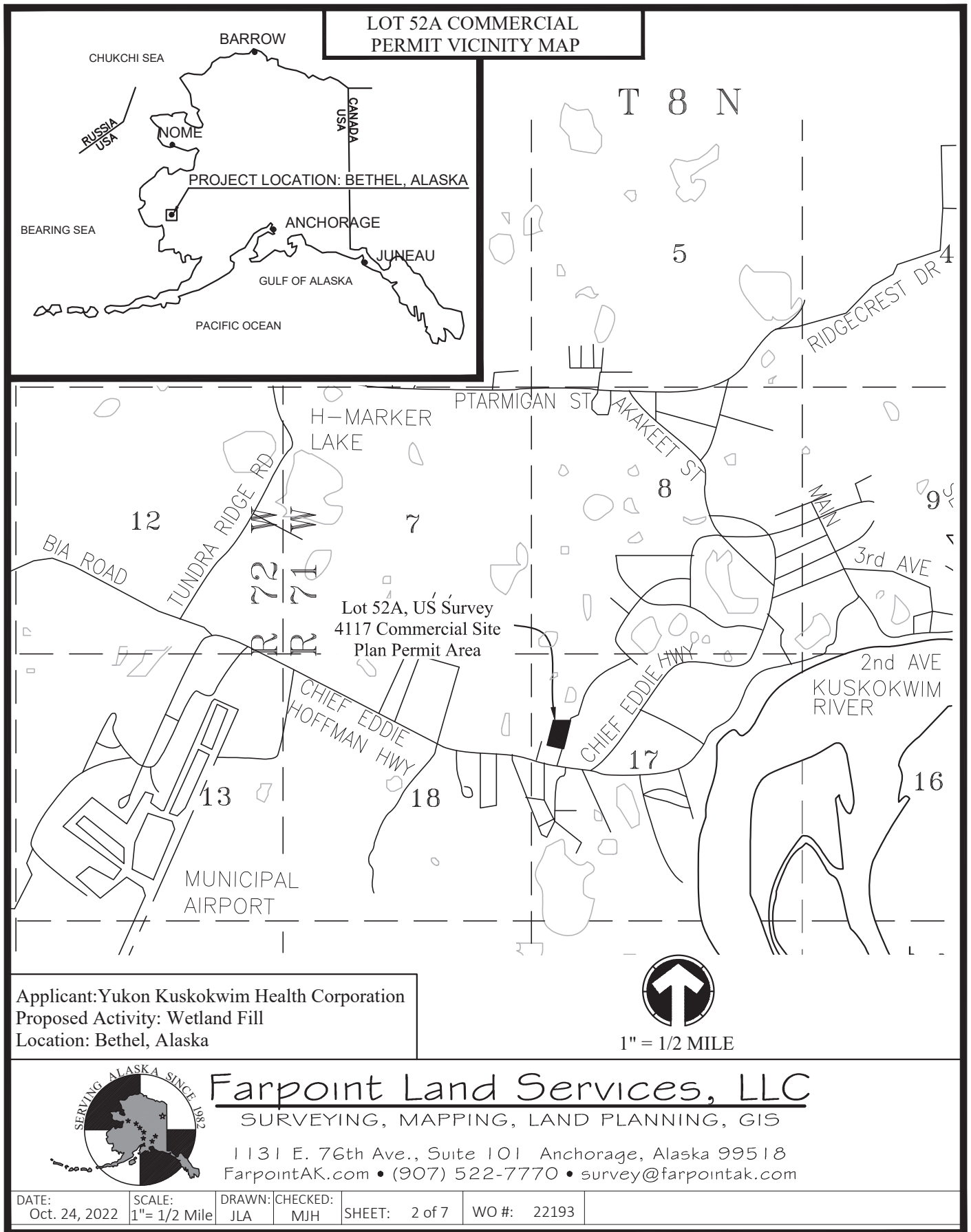
Farpoint Land Services, LLC

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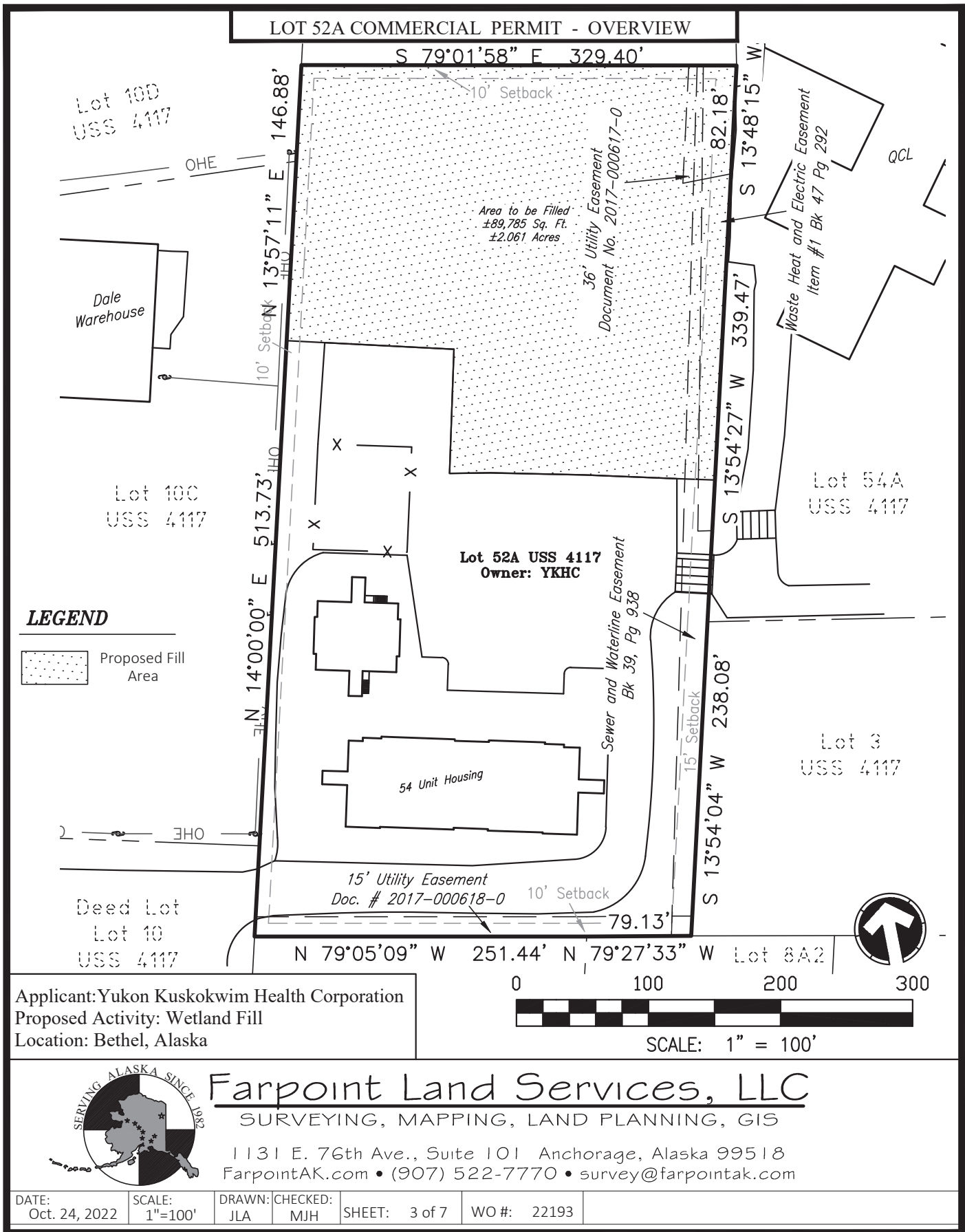
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