



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

JUNEAU FIELD OFFICE  
Regulatory Division (1145)  
CEPOA-RD  
Post Office Box 22270  
Juneau, Alaska 99802-2270

<b>PUBLIC NOTICE DATE:</b>	<b>August 14, 2024</b>
<b>EXPIRATION DATE:</b>	<b>September 15, 2024</b>
<b>REFERENCE NUMBER:</b>	<b>POA-1999-00277</b>
<b>WATERWAY:</b>	<b>Gastineau Channel</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 (WOTUS) 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](mailto: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 be part of the record and be considered in the decision. Please contact Ms. Delana Wilks at (907) 201-5021, or by email at [Delana.P.Wilks@usace.army.mil](mailto:Delana.P.Wilks@usace.army.mil) if further information is desired concerning this public notice.

**APPLICANT:** City and Borough of Juneau

**AGENT:** PND Engineers, Inc

**LOCATION:** The project site is located within Section 9, T. 41 S., R. 67 E., Copper River Meridian; USGS Quad Map JUN B-2; Latitude 58.3263° N., Longitude 134.4672° W.; in Juneau, Alaska.

**PURPOSE:** The applicant's stated purpose is to repair and update the Wayside Park float to allow for continued use of the site. The float is only occasionally used for vessel mooring, and is primarily used as a recreational and sport fishing access float. The float has been in service for about 24 years, and has encountered some damage to several structural components. CBJ

seeks to repair and update the float by dredging the harbor basin to prevent the float from grounding during low tide, adding flotation billets, and repairing components of the float to improve access via foot and boat.

PROPOSED WORK: The project involves dredging 5,520 cubic yards of marine sediment from 0.63 acres below the mean high water mark (approximate elevation +15.3 feet above the 0.0 foot contour) at the existing float location as well as making several repairs to the existing float. To accomplish this, the float would be temporarily removed, and the gangway rested on a temporary cap between landing float piles. Dredging would be done using an excavator or clamshell bucket from a barge, and the dredged material would be temporarily stored on barge and disposed of at an approved location within Gastineau Channel.

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. As this project involves underwater dredging and removal, impacts to WOTUS could not be avoided.
- b. The project is located in an already disturbed area and all material disposal will take place at a site already used for that purpose. Straw wattle on the barge will help filter seawater and dredge material to minimize impacts to WOTUS.
- c. Compensatory mitigation is not warranted because the effects of the dredging and disposal are temporary, and the project site is already in a developed area, with an existing dock and neighboring infrastructure.

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 cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be the footprint of the proposed project. Consultation of the AHRs constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps has made a No Historic Properties Affected (No Effect) determination for the proposed project. 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. The Corps is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: We have determined the described activity may affect the threatened or endangered humpback whale (*Megaptera novaeangliae*), sunflower sea star (*Pycnopodia helianthoides*), and the Steller sea lion (*Eumetopias jubatus*). We have initiated the appropriate consultation procedures under section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service (NMFS). 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 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 not within mapped EFH.

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. This application is being coordinated with federally recognized tribes and other consulting parties. Any comments federal recognized tribes and other consulting parties may have concerning presently unknown archeological or historic data that may be lost or destroyed by the work under the requested permit will be considered in the Corps final assessment of the described work.

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 authorities:

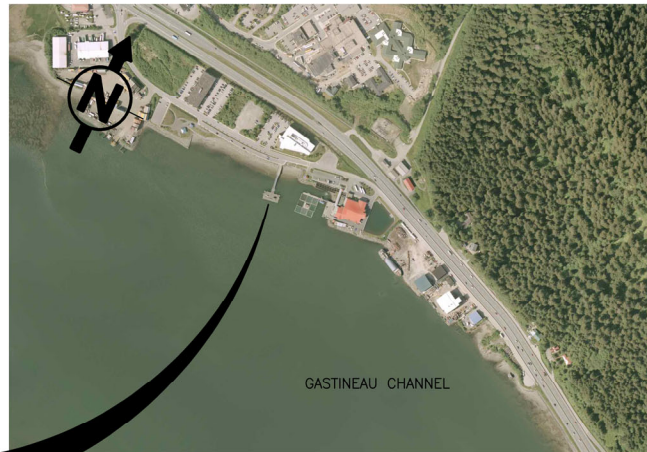
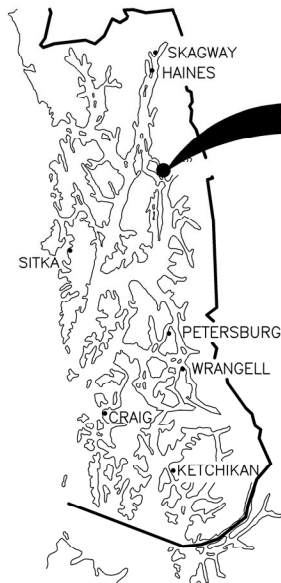
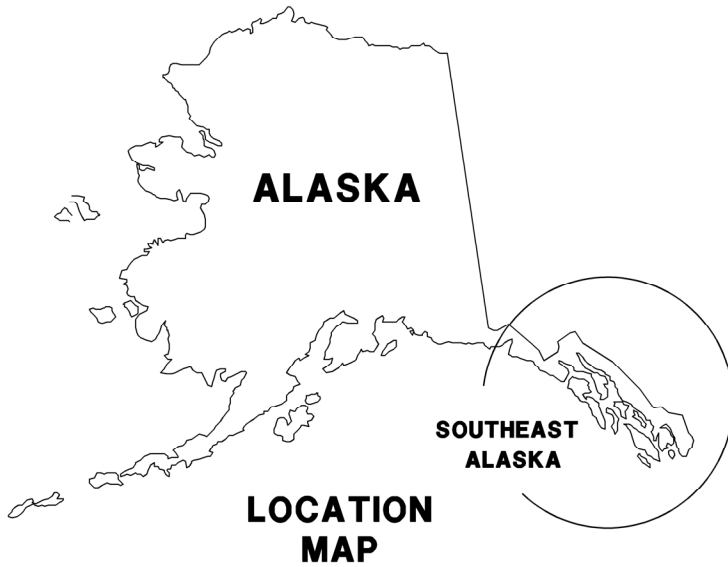
(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(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 are enclosed with this public notice.

District Commander  
U.S. Army, Corps of Engineers

Enclosures



**THIS PROJECT**

**VICINITY MAP**

**PURPOSE:**

TO PERFORM DREDGING UNDER A SMALL FLOAT IN ORDER TO PREVENT GROUNDING DURING LOW TIDE, AND MAKE THE LOCATION SAFER AND EASIER TO ACCESS BY BOAT AND BY FOOT.

**DATUM:**  
MLLW = 0.0' FT

HTL = 16.3  
MHW = 15.34  
MLLW = 0.0'

PND#: 232078.03

**VICINITY MAP**

**WAYSIDE PARK FLOAT  
DREDGING**

APPLICANT: CITY AND BOROUGH OF JUNEAU

FILE NO:

WATERWAY: GASTINEAU CHANNEL

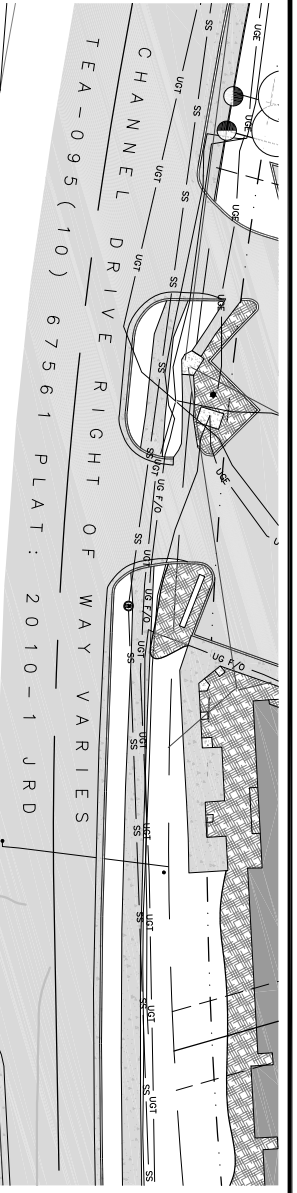
PROPOSED ACTIVITY: DREDGING

S: 9 T: 41S R: 67E M: CRM

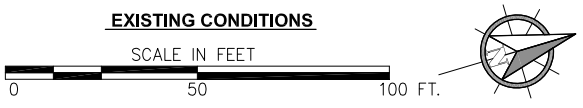
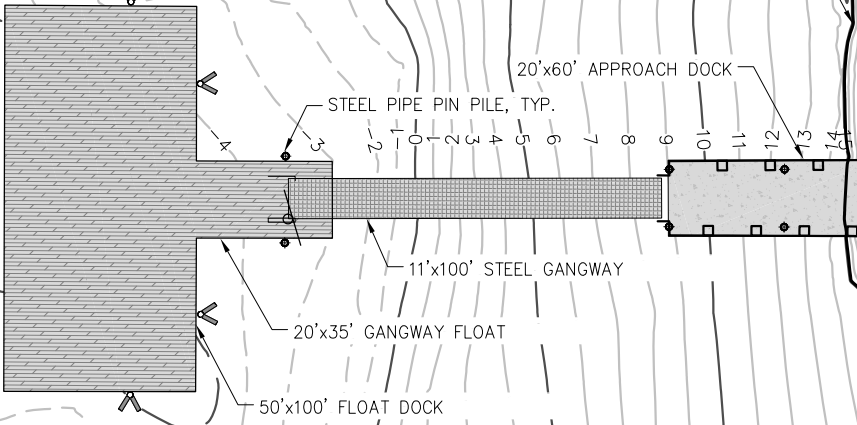
LAT:58° 19' 35"N LONG:134° 28' 2"W

DATE: JUNE 2024

SHEET **1** of **4**

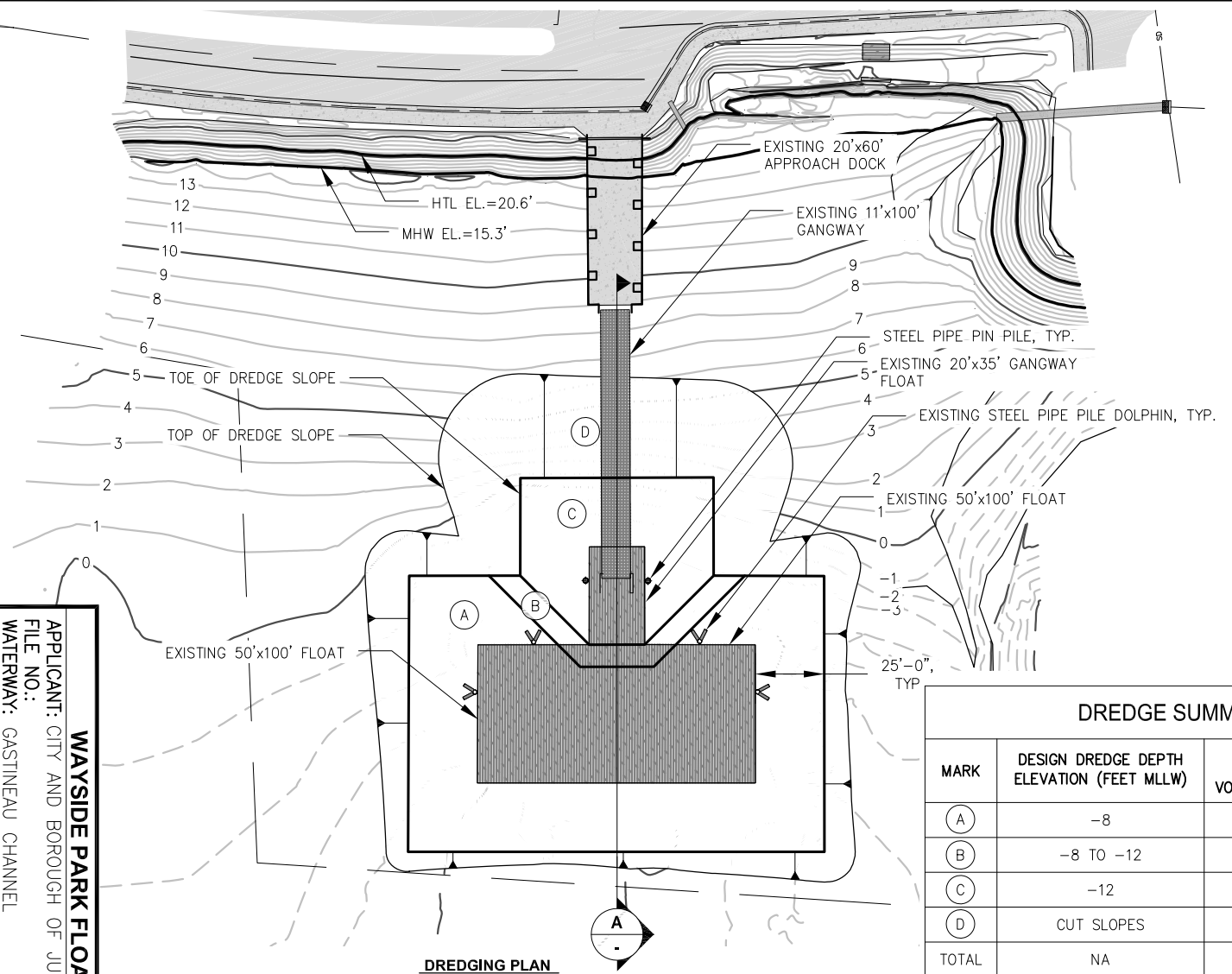
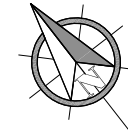


HTL EL.=25.0'  
 MHW EL.=15.3'



**WAYSIDE PARK FLOAT DREDGING**

APPLICANT: CITY AND BOROUGH OF JUNEAU  
 FILE NO.:  
 WATERWAY: GASTINEAU CHANNEL  
 PROPOSED ACTIVITY: DREDGING  
 SEC. 9 T. 41S R. 67E M. CRM  
 LAT.: 58° 19' 35"N LONG.: 134° 28' 2"W  
 DATE: JUNE 2024

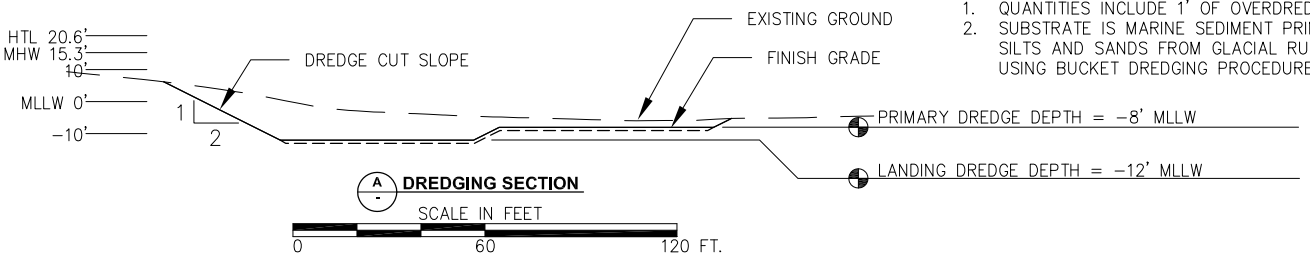


**DREDGING PLAN**

DREDGE SUMMARY			
MARK	DESIGN DREDGE DEPTH ELEVATION (FEET MLLW)	TOTAL DREDGE VOLUME (CY)	DREDGE AREA (SF)
(A)	-8	2250	13080
(B)	-8 TO -12	220	840
(C)	-12	1420	3600
(D)	CUT SLOPES	1630	10110
TOTAL	NA	5520	27630

**NOTES:**

1. QUANTITIES INCLUDE 1' OF OVERDREDGE VOLUME.
2. SUBSTRATE IS MARINE SEDIMENT PRIMARILY CONSISTING OF SILTS AND SANDS FROM GLACIAL RUNOFF, TO BE REMOVED USING BUCKET DREDGING PROCEDURES



**DREDGING SECTION**

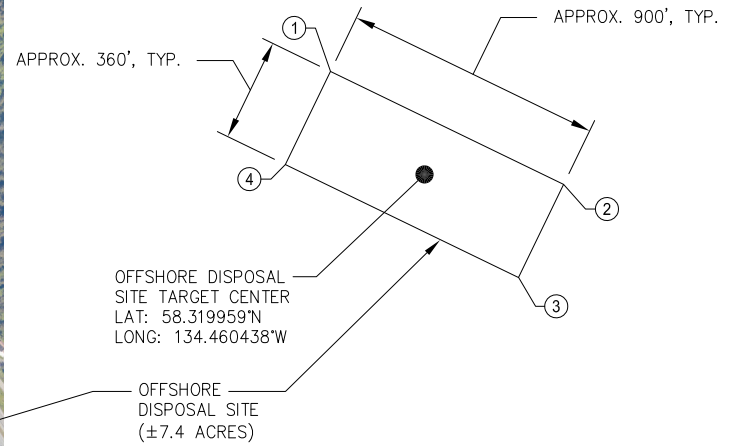


**WAYSIDE PARK FLOAT DREDGING**  
 APPLICANT: CITY AND BOROUGH OF JUNEAU  
 FILE NO.:  
 WATERWAY: GASTINEAU CHANNEL  
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 SEC. 9 T. 41S R. 67E M. CRM  
 LAT.: 58° 19' 35"N LONG.: 134° 28' 2"W  
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PERMITTED AREA FOR OFFSHORE DISPOSAL SITE			
POINT	LAT.	LONG.	DESCRIPTION
①	58.320865°N	134.462203°W	NORTH CORNER
②	58.319817°N	134.457967°W	EAST CORNER
③	58.318927°N	134.458762°W	SOUTH CORNER
④	58.319975°N	134.462998°W	WEST CORNER



**OFFSHORE DISPOSAL SITE**



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