



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

| | |
|----------------------------|--------------------------|
| PUBLIC NOTICE DATE: | October 24, 2024 |
| EXPIRATION DATE: | November 25, 2024 |
| REFERENCE NUMBER: | POA-2023-00089 |
| WATERWAY: | Grant Creek |

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 Delana Wilks at (907) 201-5021, or by email at Delana.P.Wilks@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: Tlingit Haida Regional Housing Authority

LOCATION: The project site is located within Section 22, T. 41 S., R. 67 E., Copper River Meridian; USGS Quad Map Juneau B-2; Latitude 58.3025° N., Longitude 134.4504° W.; Seet Kanax Duteen Subdivision, in Juneau, Alaska.

PURPOSE: The applicant's stated purpose is to provide affordable housing to qualified lower-income homebuyers (earning less than 80% of Median Family Income) who are residents of Douglas and the Juneau area.

PROPOSED WORK: The construction of a housing subdivision project within the City and Borough of Juneau on Douglas Island. The development of the property for residential housing

will include 40 lots total (4.14 acres of wetlands within the total 17.62 acre project area). All lots will require the addition of water, sewer, and electrical service lines to be placed with access to existing utility tie-ins along North Douglas Highway. Total wetland fill amounts include 48,500 cubic yards shot rock and 12,200 cubic yards of D-1 gravel. All work would be performed in accordance with the enclosed plan (sheets 1-6), dated October 7, 2024.

ADDITIONAL INFORMATION:

ADEC: SWPPP

AK DOT & PF: (TIA)

AK DF&G/USFWS: 2023-0079401

City & Borough of Juneau Planning Commission: CBJ 49.70.310

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 erosion and sediment control plan (ESCP) is only intended to depict the overall site drainage characteristics. The contractor shall utilize the ESCP to develop the SWPPP in accordance with the requirements of the Alaska Department of Environmental conservation ADEC and the Alaska Construction general permit (ACGP) Stormwater runoff for this project can be divided into two categories: The existing drainage that outfalls to Little Grant Creek is an estimated 450 ft away from project property line at Lot 20 and Lot 21. The remainder of stormwater within the project limits will be directed to the outfall and existing culverts along North Douglas Highway.

b. Minimization: The overall clearing limits are estimated at 17.62 acres (4.14 acres of wetlands). All clearing shall be performed outside of the April 15 - July 15 nesting window for forest / woodland birds, and the March 1 - August 31 window for eagles, in accordance with the U.S. Fish and Wildlife Service recommendations. Note: There are no known eagles' nest within 660 feet of the project limits.

c. Compensatory Mitigation: The applicant believes they have minimized and avoided impacts to the extent practicable. Should additional project mitigation be warranted, they will work with USACE to determine a reasonable path forward to mitigate potential impacts to the environment, local habitat, and protected species.

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 project area. 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: 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 (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.

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. If applicable this application will be 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 authority:

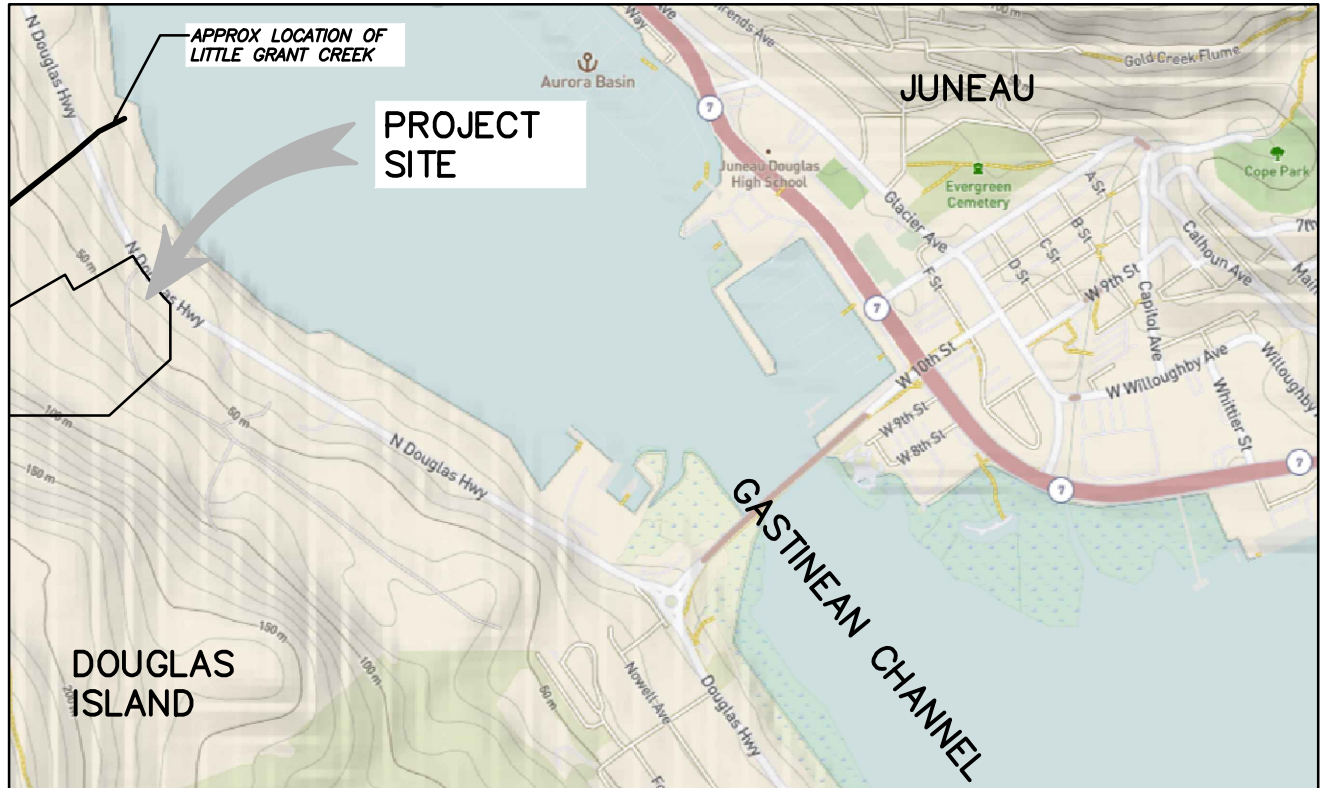
(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines

set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings are enclosed with this public notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures



PROJECT LOCATION MAP

NOT TO SCALE

VICINITY MAP

APPLICATION BY:
TLINGIT-HAIDA REGIONAL
HOUSING AUTHORITY 5446
JENKINS DRIVE JUNEAU, AK
99801

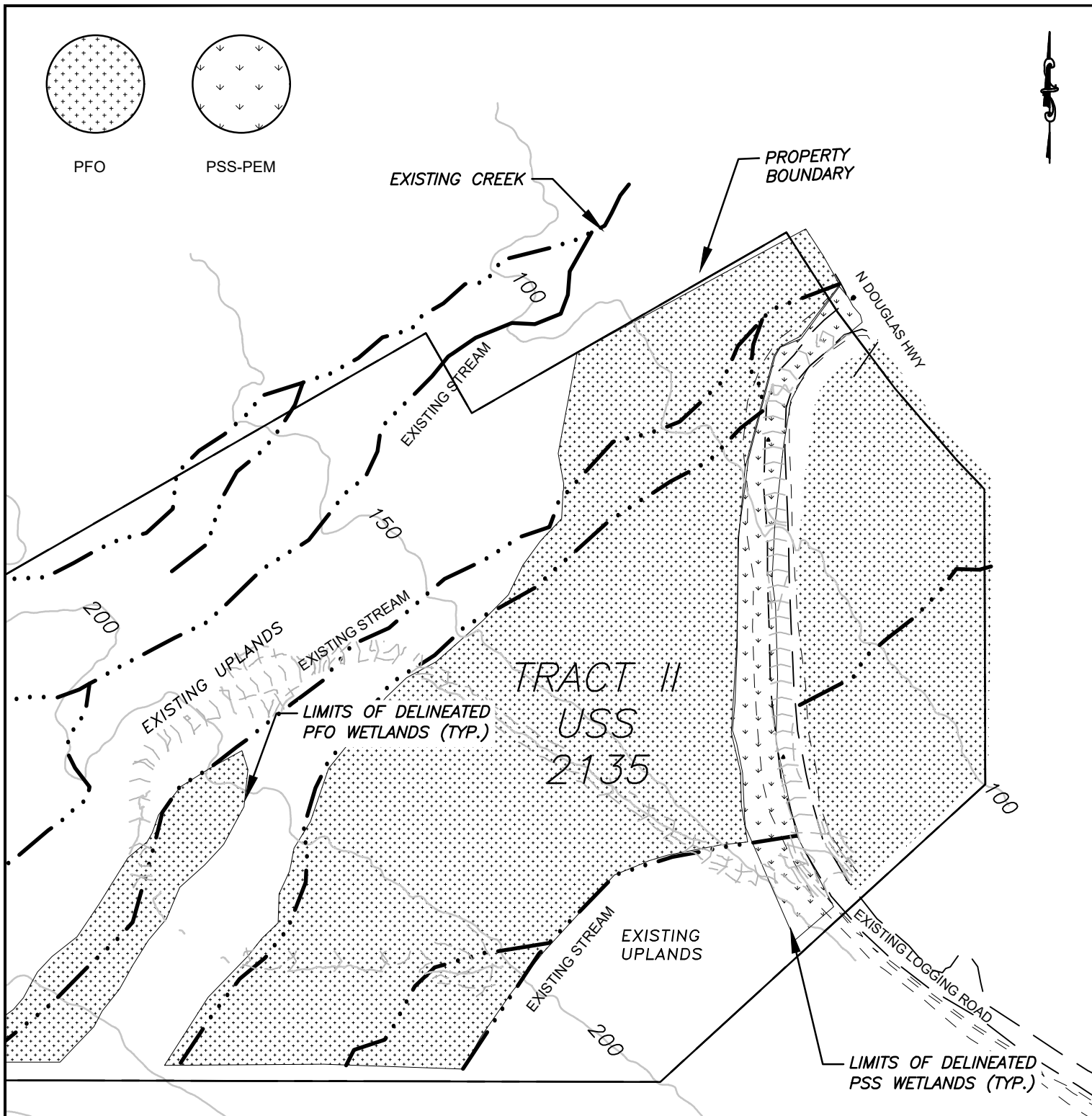
THRHA JUNEAU

AT: JUNEAU

LOCATED IN: TRACT II, USS 2135 JUNEAU
Lat 58°18'8"N, Long. 134°27'4"W

DATE: 10-7-24

SHEET **1**



EXISTING CONDITIONS

APPLICATION BY:
 TLINGIT-HAIDA REGIONAL
 HOUSING AUTHORITY 5446
 JENKINS DRIVE JUNEAU, AK
 99801

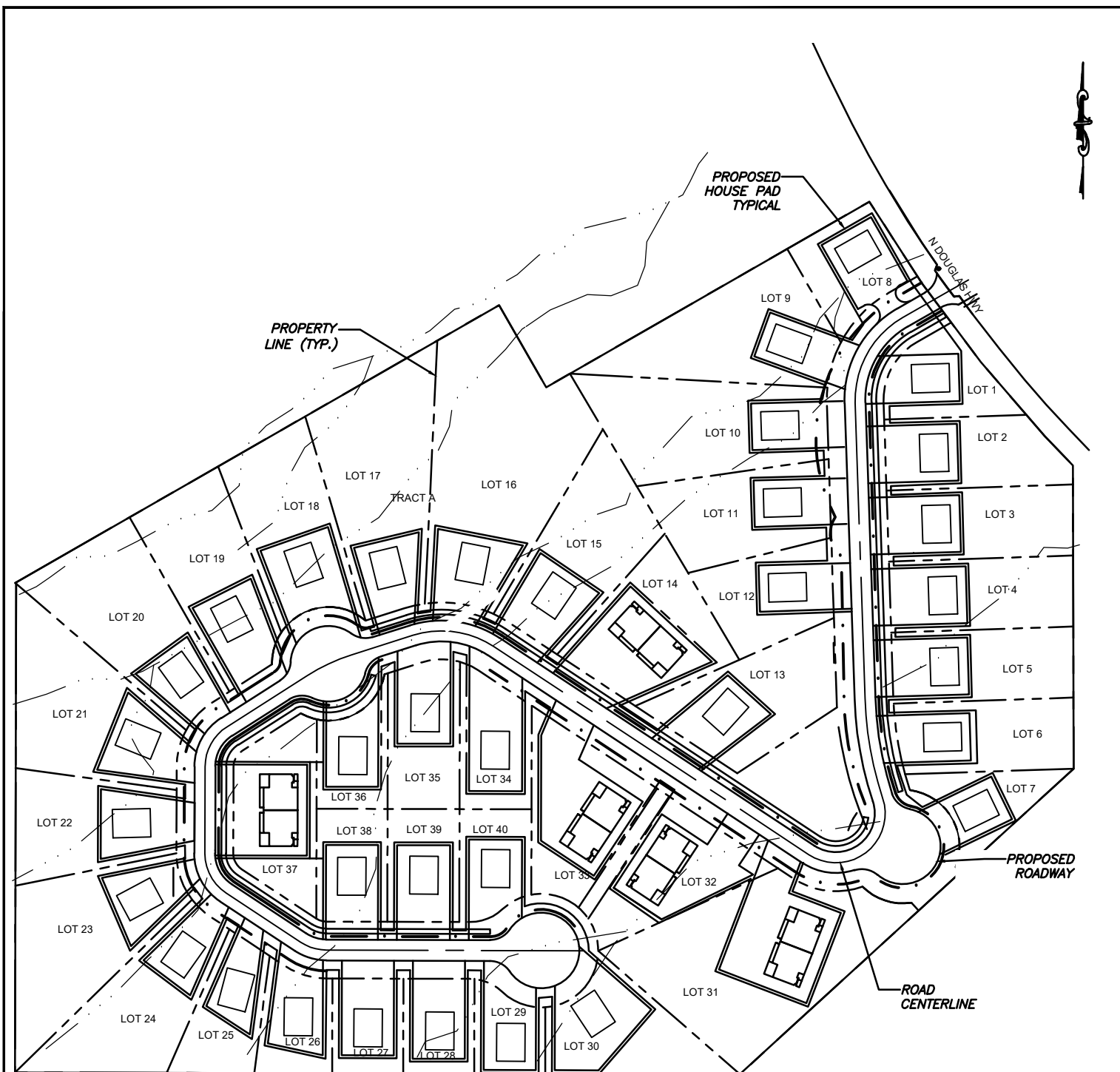
THRHA JUNEAU

AT: JUNEAU

LOCATED IN: TRACT II, USS 2135 JUNEAU
 Lat 58°18'8"N, Long. 134°27'4"W

DATE: 10-7-24

SHEET **2**



0 150 300
Feet

TOTAL LOTS DEVELOPED: 40
TOTAL PROJECT AREA: 17.62 ACRES
TOTAL AREA DISTURBED: 8.12 ACRES
PROJECT AREA IN WETLANDS:
PFO= 3.53 ACRES
PSS-PEM= 0.68 ACRES
TOTAL ROAD LENGTH: 2025 LF
ROAD LENGTH IN WETLANDS: 1400 LF
STREAM LENGTH IMPACTED: 2245 LF

SITE PLAN

APPLICATION BY:
TLINGIT-HAIDA REGIONAL
HOUSING AUTHORITY 5446
JENKINS DRIVE JUNEAU, AK
99801

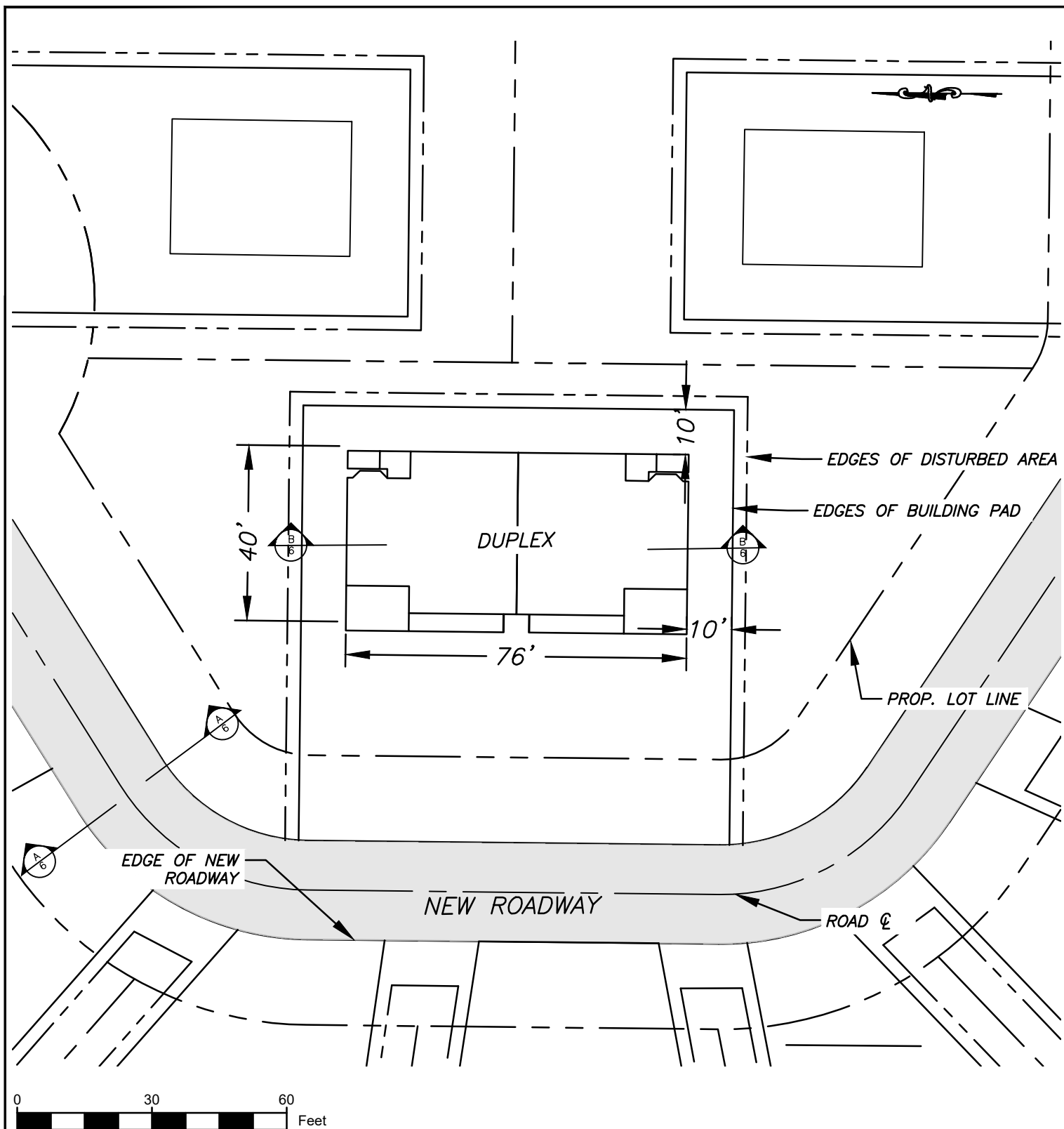
THRHA JUNEAU

AT: JUNEAU

LOCATED IN: TRACT II, USS 2135 JUNEAU
Lat 58°18'8"N, Long. 134°27'4"W

DATE: 10-7-24

SHEET **3**



TYPICAL DUPLEX LOT BUILDING PAD

APPLICATION BY:
TLINGIT-HAIDA REGIONAL
HOUSING AUTHORITY 5446
JENKINS DRIVE JUNEAU, AK
99801

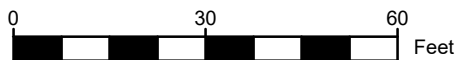
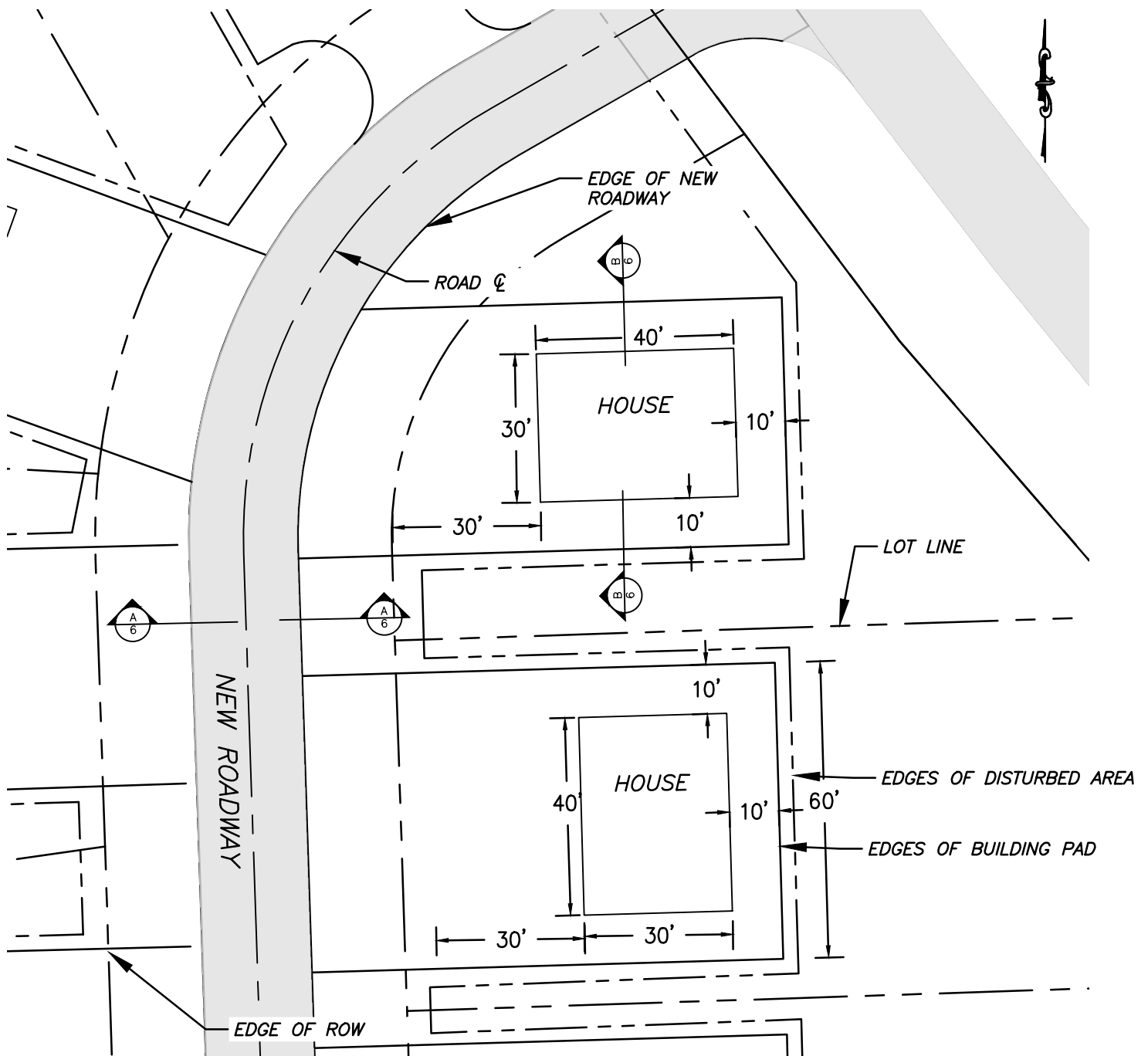
THRHA JUNEAU

AT: JUNEAU

LOCATED IN: TRACT II, USS 2135 JUNEAU
Lat 58°18'8"N, Long. 134°27'4"W

DATE: 10-7-24

SHEET **4**



TYPICAL SINGLE LOT BUILDING PAD

APPLICATION BY:
TLINGIT-HAIDA REGIONAL
HOUSING AUTHORITY 5446
JENKINS DRIVE JUNEAU, AK
99801

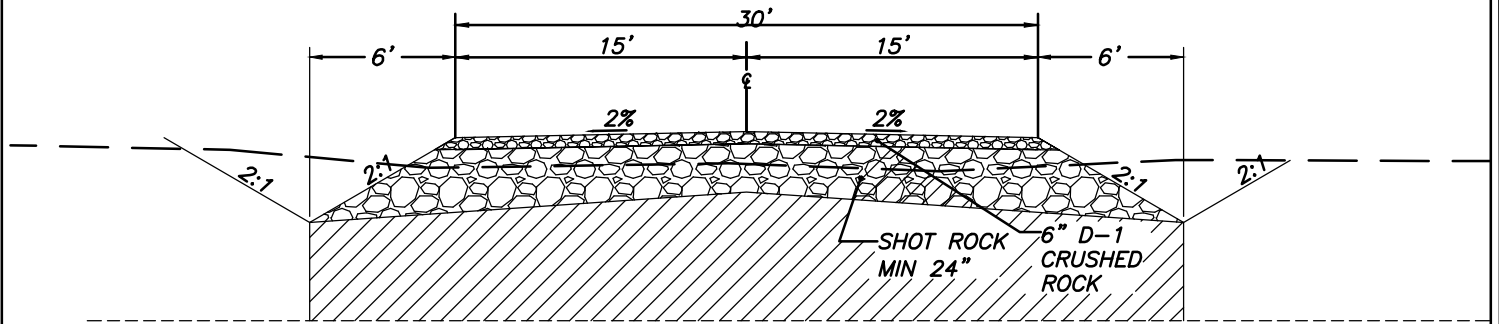
THRHA JUNEAU

AT: JUNEAU

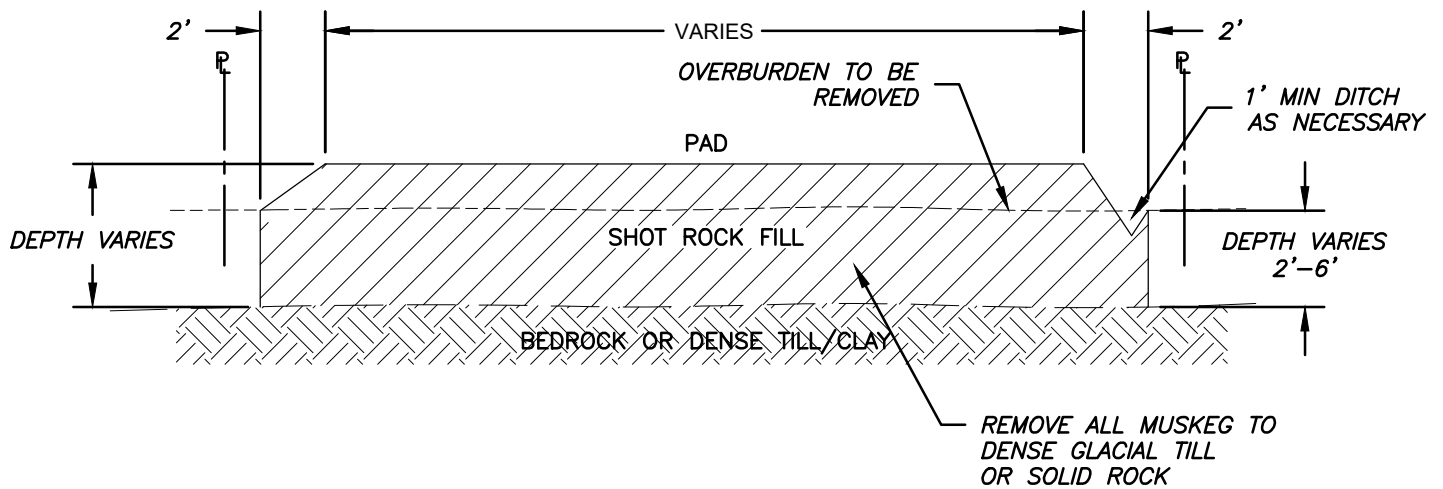
LOCATED IN: TRACT II, USS 2135 JUNEAU
Lat 58°18'8"N, Long. 134°27'4"W

DATE: 10-7-24

SHEET **5**



**TYPICAL ROAD SECTION
A-A**



**TYPICAL BUILDING PAD
B-B**

TYPICAL SECTIONS

APPLICATION BY:
TLINGIT-HAIDA REGIONAL
HOUSING AUTHORITY 5446
JENKINS DRIVE JUNEAU, AK
99801

THRHA JUNEAU

AT: JUNEAU

LOCATED IN: TRACT II, USS 2135 JUNEAU
Lat 58°18'8"N, Long. 134°27'4"W

DATE: 10-7-24

SHEET **6**