



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:	June 28, 2024
EXPIRATION DATE:	July 29, 2024
REFERENCE NUMBER:	POA-2024-00193
WATERWAY:	Mendenhall 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 Ms. 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: Bicknell, Inc

AGENT: RESPEC Engineers

LOCATION: The project site is located within Section 9, T. 41 S., R. 66 E., Copper River Meridian; USGS Quad Map JUN B-2; Latitude 58.3627° N., Longitude 134.6068° W.; in Juneau, Alaska.

PURPOSE: The applicant's stated purpose is to perform ground preparation by excavating the organic grass layer and placing clean fill materials from an upland quarry location in Juneau on the existing undeveloped site for supporting a soil reclamation facility, equipment shop building, office building and boat condos. There is a community need in Juneau to provide

develop industrial zoned property to support these type of buildings to support the services that they provide to the community and Southeast Alaska. As Juneau has developed and become more populated, the level more easily developed areas of the borough have filled in with a combination of residential and commercial development. There is an inadequate supply of commercially available level property for use for industrial purposes. Unlike residential property, which can move up hillsides and still accommodate functional use, industrial property needs to be centrally located and to provide access for heavy equipment and supplies to be moved on and off the property on an ongoing basis. The CBJ Planning Commission encourages the development of this property to fill a strongly voiced need in the community.

PROPOSED WORK: To place 22,672 cubic yards of shot rock into 5.48 acres of wetlands. All work would be performed in accordance with the enclosed plan (sheets 1-6), dated April 19, 2024.

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. The primary method of avoidance took place during selection of this development concept and location. The project is located on terrain that is fairly flat with gentle slopes to the south. The property was subdivided as part of the Industrial Boulevard subdivision with the intent of industrial development as the subdivision name suggests. The land tract contains moderate value wetlands with pockets of uplands with intermittent drainage channels going through the property from manmade developments (boat condos, Industrial Boulevard roadway ditches). The southern portion of the lot will be preserved and the existing drainage channels rerouted to this area to maintain hydraulic functionality around the site.

b. One method of minimization by the applicant is through the project site plan layout. The overall size of the parcel is 8.74 acres of which 5.48 acres of wetlands is proposed to be developed. The proposed building footprints have been designed as two story structures to minimize/consolidate the building footprint impacts. The soil reclamation facility has been designed to have the smallest footprint to operate safely and efficiently upon. The lot contains wetlands on its south sides that will not be impacted by the development. The project also has parking on both sides of the driveway to minimize the length of driveway necessary to serve the individual buildings. Existing drainages will be restored and rerouted around the site to maintain their hydraulic functions. Aside from minimizing the project footprint, impacts are minimized through site selection. The streams that exist on the property are not anadromous (verified by Alaska Department of Fishing Game in 2022) and exist because a series of man-made ditches from the northern boat condominium development and Industrial Boulevard roadway drainages have discharged onto this property. Further, this land tract already has road access via Industrial Boulevard to the site, reducing the impact from construction of new roads and utilities that other areas in the adjacent watershed would need. When accounting for these factors, as well as the environmental public need for providing a soil reclamation facility for Southeast Alaska, boat storage and highly needed industrial uses on the tract, the development presents the best opportunity to

deliver a substantial amount of services for Juneau while limiting the amount of moderate value wetlands disturbed. Impacts to waters of the U.S. will also be minimized through usage of a Storm Water Pollution Prevention Plan (SWPPP). The use of a SWPPP means that off-site impacts to wetlands will be minimized through a variety of best management practices that minimize sediment and other pollutants leaving our site. The SWPPP will be prepared by Respec our local Juneau engineering consultant who also prepares our engineering designs for our development projects. The applicant will consult with design engineers during the project regarding storm water issues throughout the project when necessary.

c. The applicant does not propose compensation for unavoidable impacts to the waters of the U.S. Through both our site selection and project design process, the applicant has made great effort to create the maximum amount of benefit for the minimum amount of loss in wetland functionality. Juneau has a known shortage of industrial zoned land that is buildable upon which an environmental soil reclamation facility can be constructed. Recent studies have confirmed that Juneau needs more industrial land as there is less industrial zoned land in the community than any other zoning district. The applicant intends to partially solve that problem through this project. This permit would allow for development of the regional ADEC approved soil reclamation facility, boat storage and industrial shop spaces, all of which are in high demand in Juneau. It is difficult to rezone existing property to an industrial use zoning designation for development in Juneau without impacting wetlands as a majority of the industrial zoned property is on flatter terrain that involves wetlands. The wetlands found on this project site are of a lower quality than many other wetlands found in other watersheds of Juneau (Montana Creek, Vanderbuilt Creek) that support riparian habitat.

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

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) 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

Figure 1. Vicinity Map

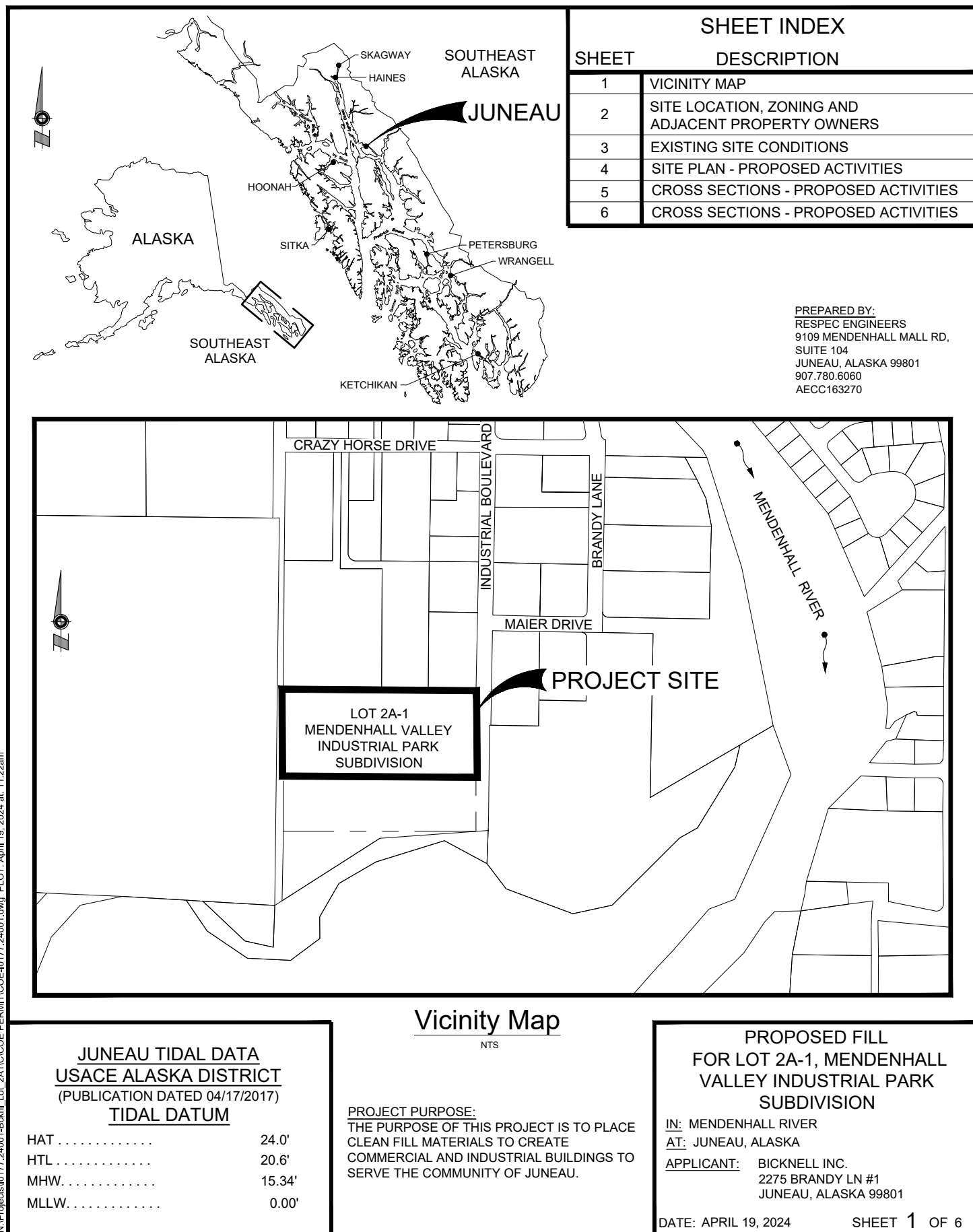
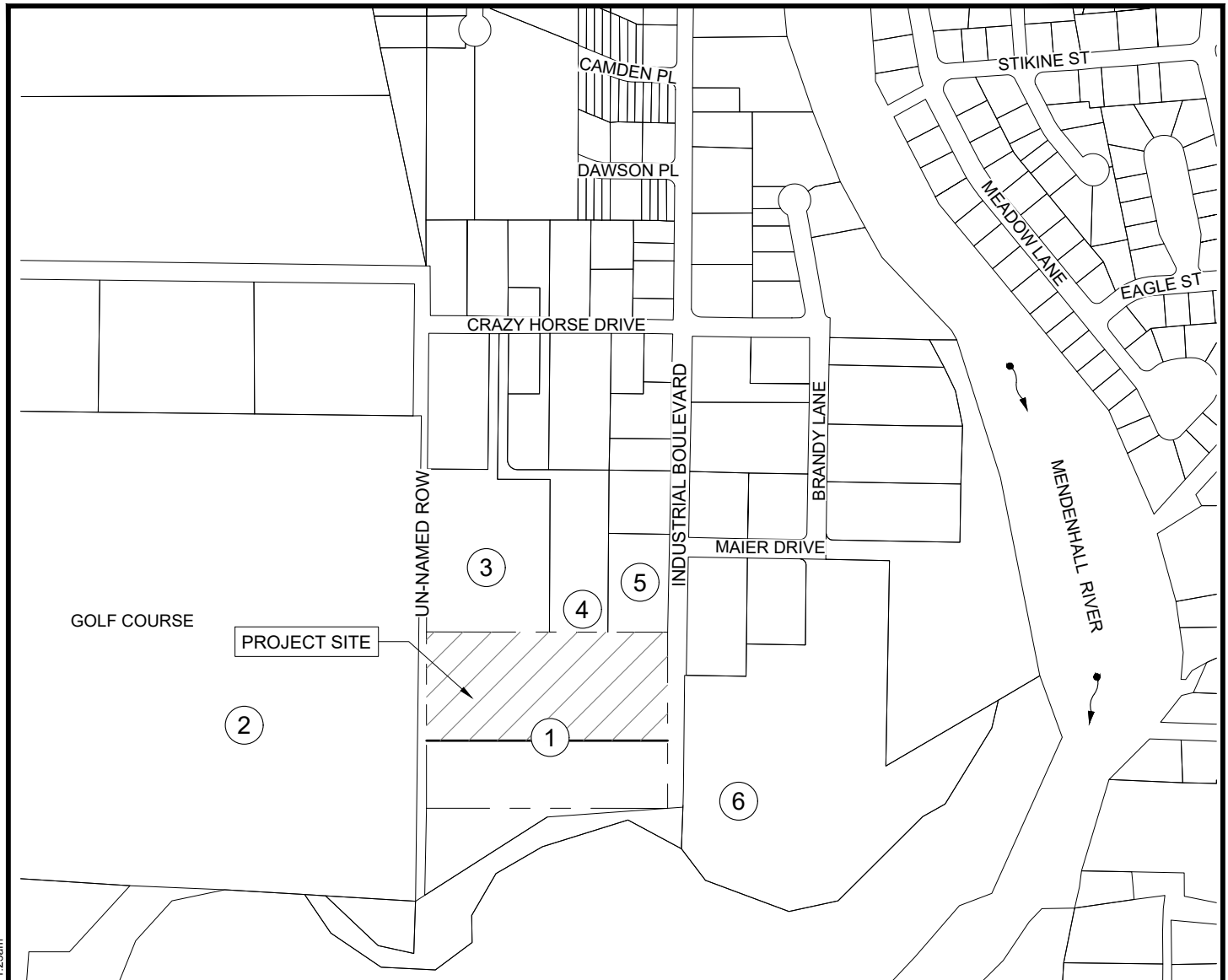


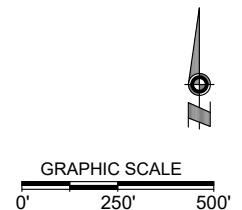
Figure 2. Site Location, Zoning and Adjacent Property Owners



Site Location, Zoning, and Adjacent Property Owners

PROPERTY OWNERS

- ① ELIZABETH FILE, LOT 2A-1, MENDENHALL VALLEY INDUSTRIAL PARK, INDUSTRIAL ZONING (I): 9.30 ACRES
- ② ELIZABETH FILE, LOT 1, REFUGE VIEW II, INDUSTRIAL ZONING (I) : 96.47 ACRES
- ③ R&L LEASING INC., LOT 3A, MENDENHALL VALLEY INDUSTRIAL PARK 4, INDUSTRIAL ZONING (I): 4.48 ACRES
- ④ SAFE HARBOR CONDOMINIUMS ASSOCIATION, LOT 4A, MENDENHALL VALLEY INDUSTRIAL PARK 4, INDUSTRIAL ZONING (I): 2.48 ACRES
- ⑤ CHINOOK BOAT CONDOMINIUMS OWNERS ASSOCIATION, LOT 3A1, MENDENHALL VALLEY INDUSTRIAL PARK, INDUSTRIAL ZONING (I): 1.30 ACRES
- ⑥ SMITH PROPERTIES, LOT 6, BL C, RIVERVIEW COMMERCIAL PARK III, INDUSTRIAL ZONING (I): 13.62 ACRES



**PROPOSED FILL
FOR LOT 2A-1, MENDENHALL
VALLEY INDUSTRIAL PARK
SUBDIVISION**

IN: MENDENHALL RIVER
AT: JUNEAU, ALASKA
APPLICANT: BICKNELL INC.
2275 BRANDY LN #1
JUNEAU, ALASKA 99801

DATE: APRIL 19, 2024

SHEET 2 OF 6

RESPEC PROJ. No. I0177.24001

Figure 3. Existing Site Conditions

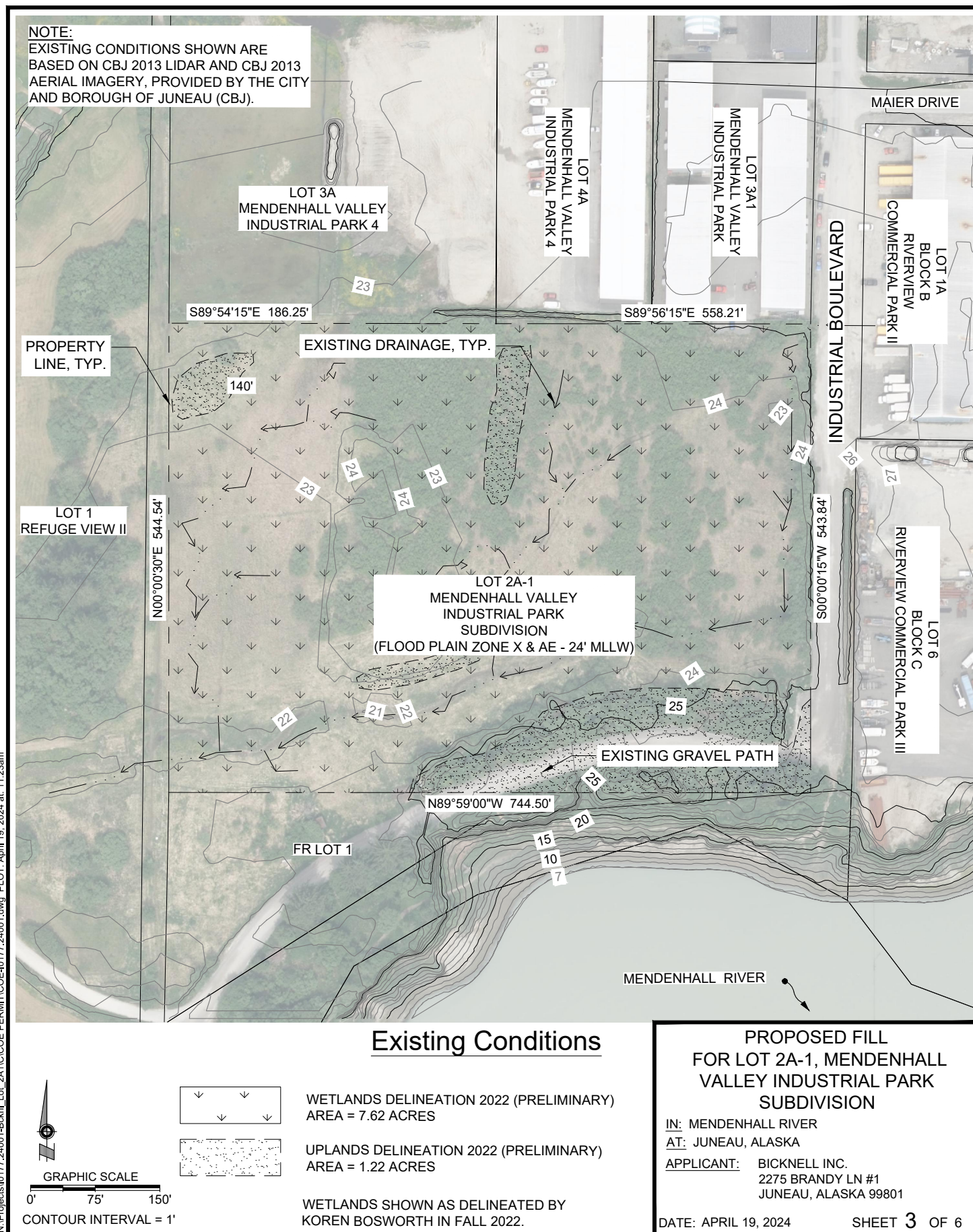


Figure 4. Site Plan

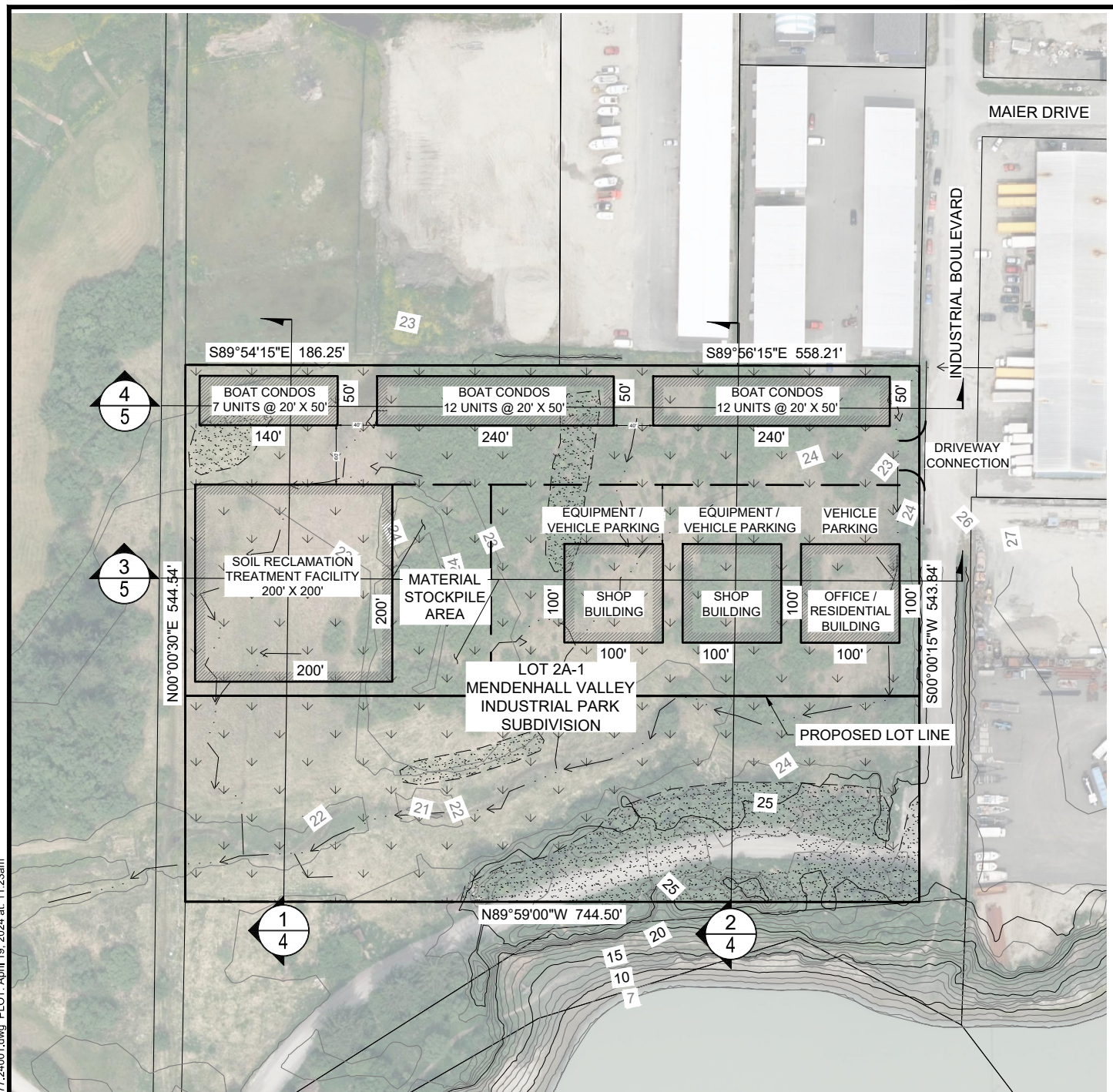
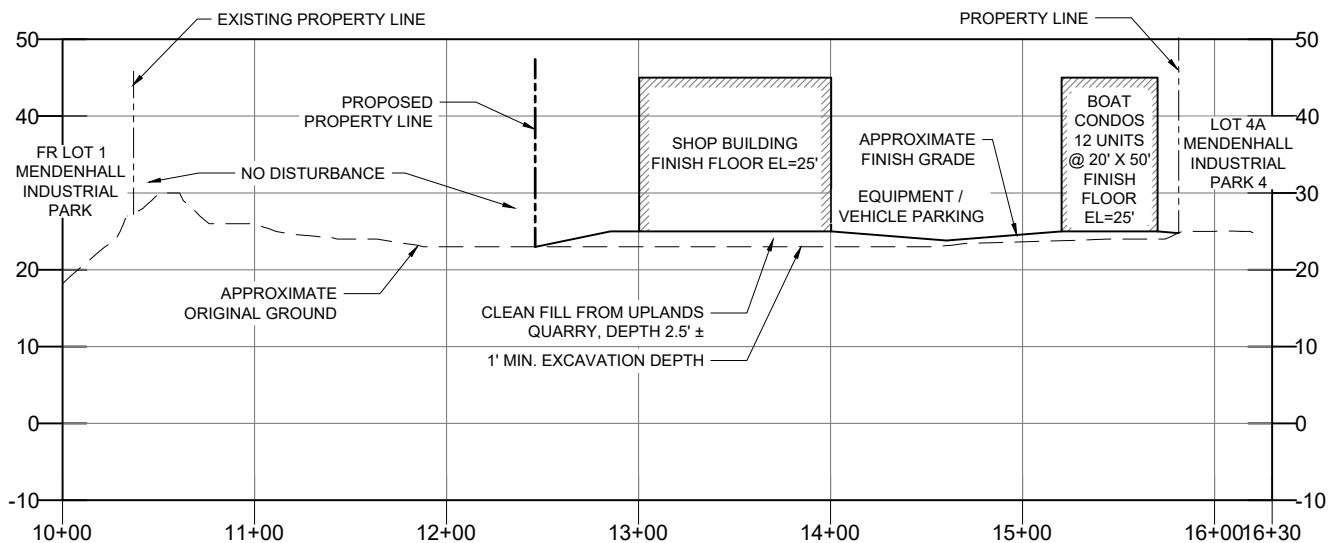
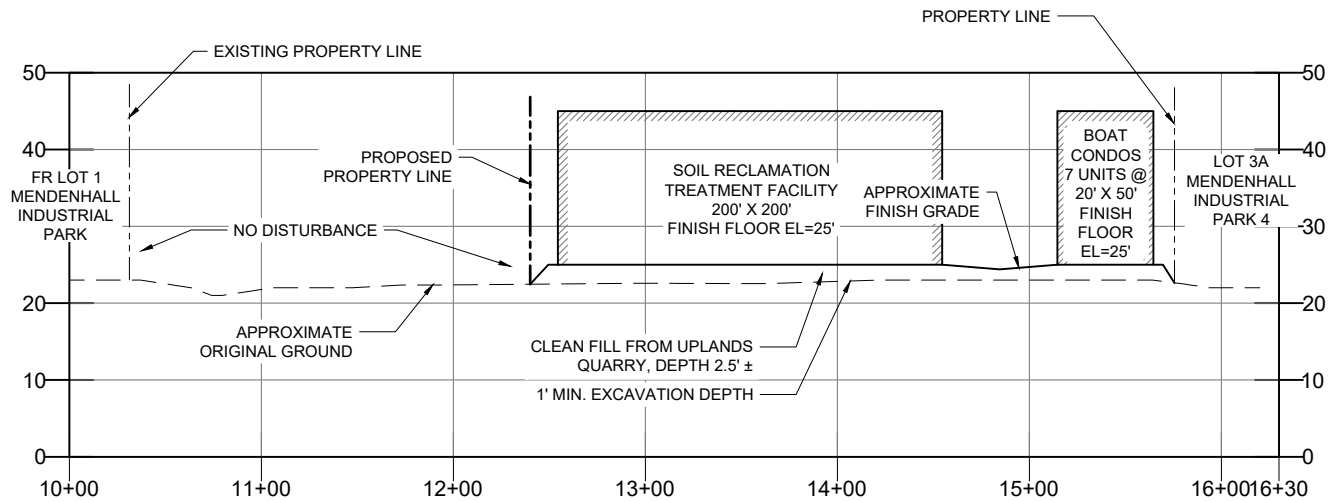
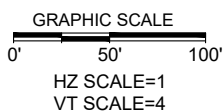


Figure 5. Cross Sections



Cross Sections



PROPOSED FILL FOR LOT 2A-1, MENDENHALL VALLEY INDUSTRIAL PARK SUBDIVISION

IN: MENDENHALL RIVER
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SHEET 5 OF 6

RESPEC PROJ. No. I0177.24001

Figure 6. Cross Sections

