



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>30 December 2024</b>
<b>EXPIRATION DATE:</b>	<b>29 January 2025</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2024-00628</b>
<b>WATERWAY:</b>	<b>Pederson Creek</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 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 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](mailto:Delana.P.Wilks@usace.army.mil), if further information is desired concerning this public notice.

**APPLICANT:** RH Development LLC  
PO Box 32403  
Juneau, AK 99803

**AGENT:** proHNS LLC  
PO Box 33322  
Juneau, AK 99803

**LOCATION:** The project site is located within Section 26, T. 40 S., R. 65 E., Copper River Meridian; USGS Quad Map JNU B-2; Latitude 58.3758° N., Longitude 134.6259° W.; in Juneau, Alaska.

PURPOSE: The applicant's stated purpose is to create high-density housing in the City and Borough of Juneau. The overall development will provide approximately 30 residential dwelling units, as well as a common/shared driveway, shared guest parking, and utilities (water, sewer & power to support the residential development.

PROPOSED WORK: This project would fill 2.35 acres of wetlands with 7,203 cubic yards of shot rock/gravel and 379 cubic yards of asphalt to create fill pads for construction of 30 residential dwelling units, including driveways, utilities, and related infrastructure. Additional work would include rerouting 3,145 linear feet of existing stream through 1,134 linear feet of open ditching and 86 linear feet of culvert pipe. All work would be performed in accordance with the enclosed plan (sheets 1-5), dated December 11, 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. Avoidance: This project has avoided wetlands, to the maximum extent possible first by site selection. The developer has searched for quality buildable land available in the Juneau area, which has the least amount or a lower grade of wetlands. In Juneau there is little to no land available that is not encompassed with wetlands. There are less expensive properties that entail much more valuable wetlands than the site we have chosen. Secondly the access point (driveway) location was selected on the southeast portion of the lot where the site has previously been disturbed to construct the driveway to 10635 Glacier Hwy. and where the most significant area of mapped uplands exists. Thirdly the design of the building pad has been configured as such to prevent filling of the most significant stream that runs adjacent to Glacier Hwy. on the northeast side of the lot.

b. Minimization: The project team has minimized unavoidable impacts to wetlands through a long process of searching for a viable building site. The proposed project would allow for high density housing with more units to be created on less wetlands and acreage. Several other Juneau area housing projects such as single-family homes are utilizing much more acreage of land to develop less housing units. The project will provide up to 38 housing units (33 shown on the conceptual plan that is attached) on only 2.40 acres of wetlands, minimizing the impacts to wetlands and the environment area wide. The building pad and development layout has been designed to minimum City and Borough of Juneau setback, parking and driveway standards. The layout has been optimized to be as efficient as possible with little to no wetland-fill area not being used for a specific purpose as part of the development. To minimize the impacts to the minor streams that will be disturbed by the proposed fill the design includes rerouting those channels through new drainage channels on the property and connecting them back into their receiving channel as quickly as possible.

c. Compensatory Mitigation: The applicant believes they have avoided the wetlands and the larger more valuable stream bed as much as possible, while still meeting the access and drainage requirements for the City and Borough of Juneau. They hope their efforts to minimize and avoid adverse impacts to the ecosystem combined with the lower functioning value of the wetlands affected by the project will require no compensatory mitigation.

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 cultural resources in the permit area or within the vicinity of the permit area (JNU 01174 - Delaney Shop/Barn and Garage (Determined not eligible by SHPO and agency (DREJ-S)), JNU 01175 - : Davis Residence At 10635 Glacier Highway (Determined not eligible by SHPO and agency (DREJ-S)), and JNU 01176 - Calvary Fellowship (Determined not eligible by SHPO and agency (DREJ-S)). 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

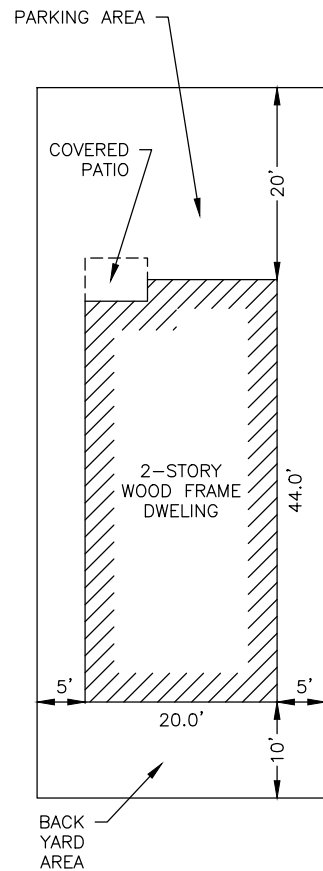
**LEGEND**

 LIMITS OF FILL/FILL/DEVELOPMENT

- NOTES:
1. THE CONCEPTUAL SITE LAYOUT SHOWN IN THESE PLANS IS APPROXIMATE AND MAY BE REVISED WITHIN THE PERMITTED WETLAND FILL AREA.
  2. SEE SHEETS 2-4 FOR STREAM AND WETLAND LOCATIONS.
  3. SEE SHEET 4 FOR SECTION VIEWS.
  4. SEE SHEET 5 FOR AN OVERLAY OF THE DEVELOPED AREA OVER THE WETLANDS.

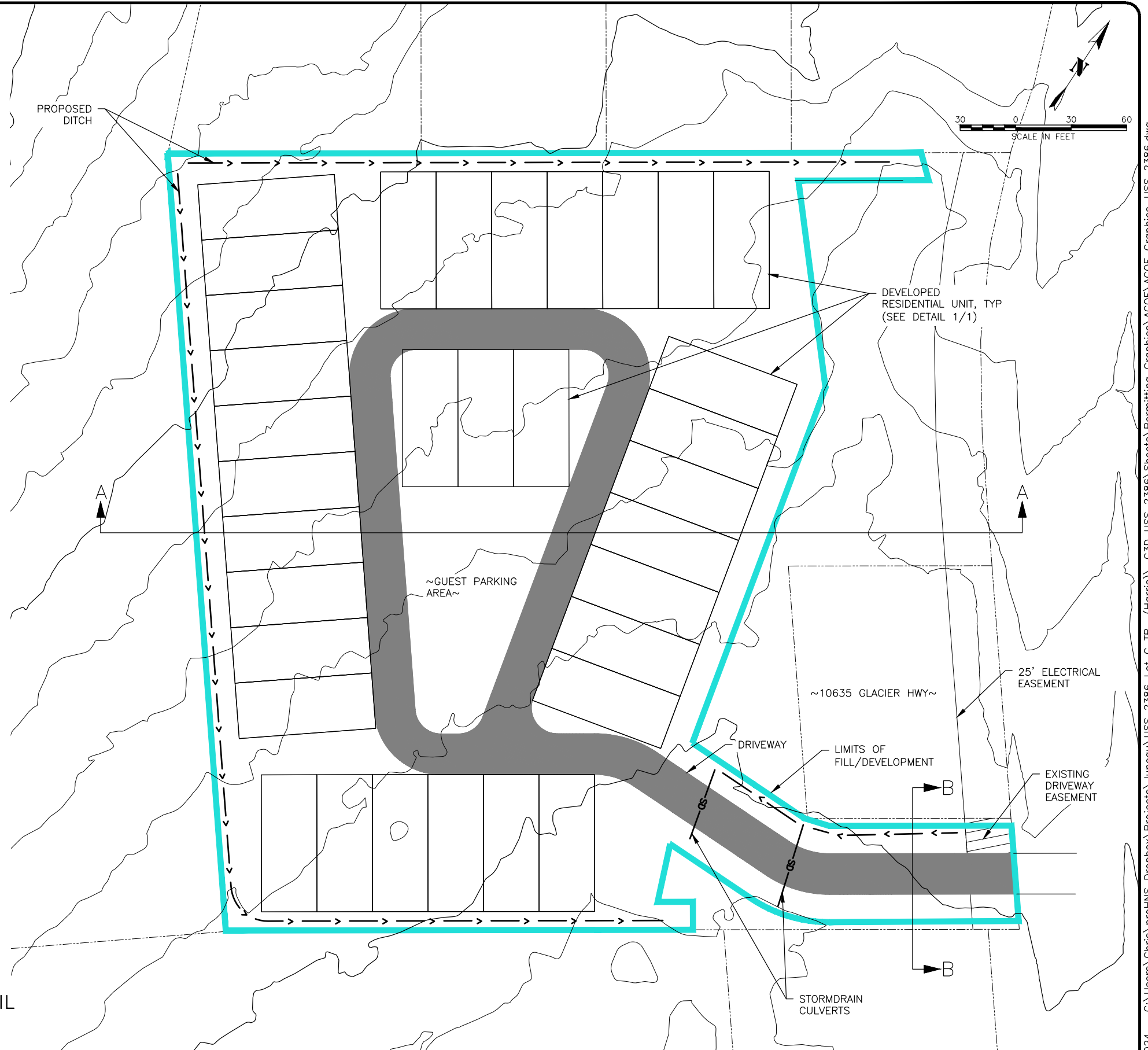


VICINITY MAP



**1** RESIDENTIAL UNIT DETAIL

SCALE: NOT TO SCALE



RECORD OF REVISIONS			
No.	DATE	DESCRIPTION	BY



DRAWN BY: C. BYDLON  
DESIGNED BY: C. BYDLON  
CHECKED BY: L. CHAMBERS

**USS 2386  
DEVELOPMENT**

RICHARD HARRIS

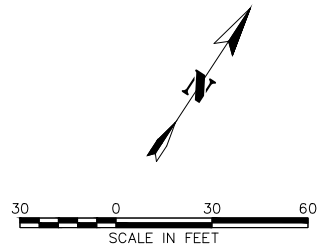
**USS 2386 -  
CONCEPTUAL SITE  
LAYOUT**

SHEET NUMBER	
1	OF
5	

**LEGEND**

- CLASSIFIED ONSITE UPLAND AREA
- UNCLASSIFIED ONSITE AREA
- CLASSIFIED ONSITE WETLAND AREA – TYPE PF01/4g
- LIMITS OF FILL/DEVELOPMENT

NOTES:  
 1. THE CONCEPTUAL SITE LAYOUT SHOWN IN THESE PLANS IS APPROXIMATE AND MAY BE REVISED WITHIN THE PERMITTED WETLAND FILL AREA.  
 2. ALL WETLAND BOUNDARIES WERE DELINEATED ON 8/13/2024.



~10635 GLACIER HWY~  
 LIMITS OF FILL/DEVELOPMENT

RECORD OF REVISIONS			
No.	DATE	DESCRIPTION	BY



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 DESIGNED BY: C. BYDLON  
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2201 DUNN STREET, STE 2  
 JUNEAU, AK 99801  
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

**USS 2386  
 DEVELOPMENT**

RICHARD HARRIS

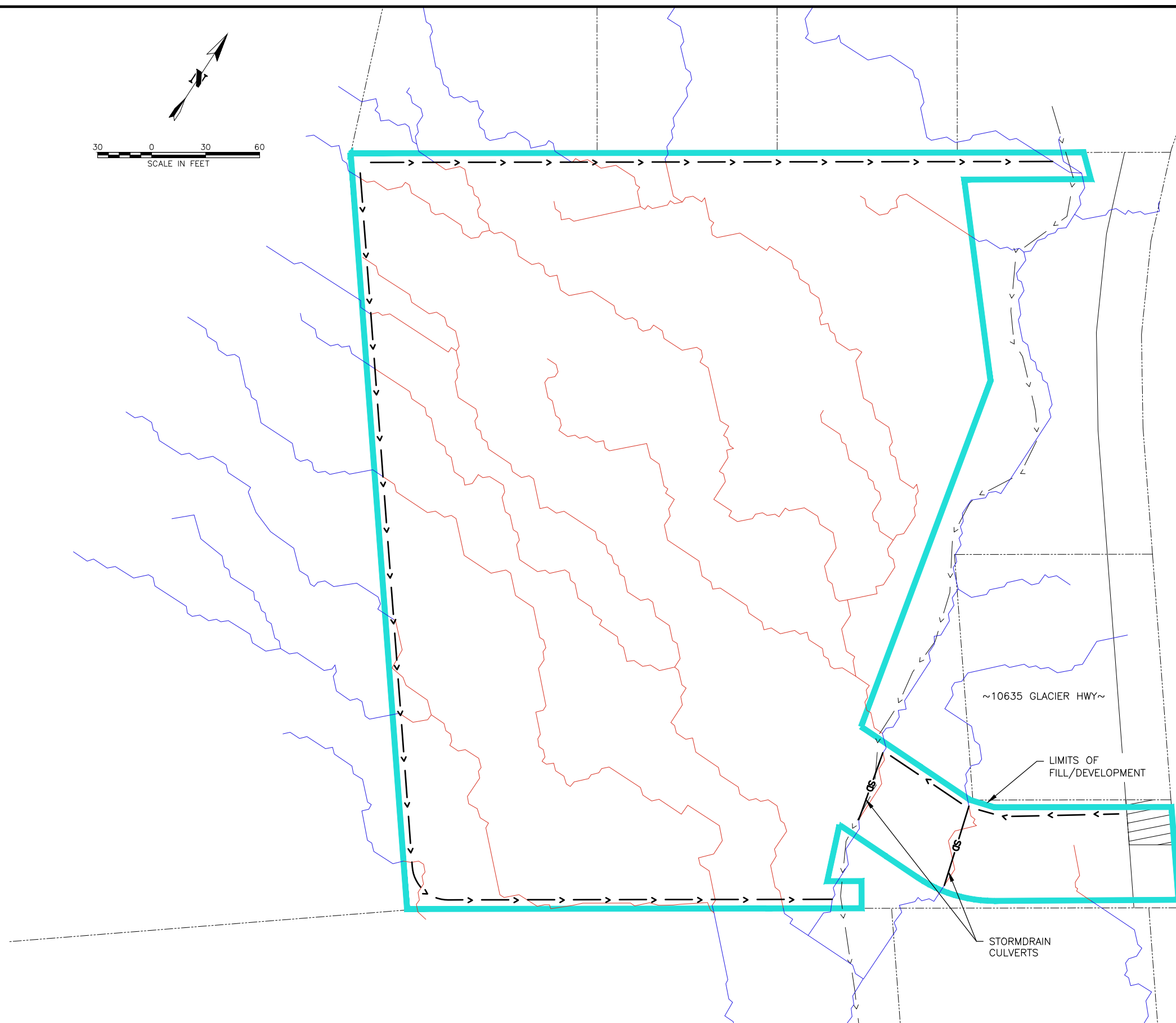
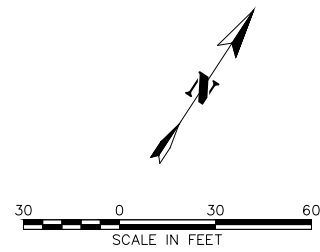
**USS 2386 - WETLANDS**

SHEET NUMBER
<b>2</b>
OF
<b>5</b>

**LEGEND**

-  LIMITS OF FILL/DEVELOPMENT
-  DIVERTED STREAM (ORIGINAL LOCATION)
-  EXISTING STREAM
-  PROPOSED DRAINAGE DITCH
-  PROPOSED CULVERT

- NOTES:
1. THE CONCEPTUAL SITE LAYOUT SHOWN IN THESE PLANS IS APPROXIMATE AND MAY BE REVISED WITHIN THE PERMITTED WETLAND FILL AREA.
  2. ALL STREAM LOCATIONS WERE DELINEATED ON 8/13/2024.



RECORD OF REVISIONS			
No.	DATE	DESCRIPTION	BY

**proHNS LLC**  
 CERTIFICATE OF AUTHORIZATION  
 #100662

DRAWN BY: C. BYDLON  
 DESIGNED BY: C. BYDLON  
 CHECKED BY: L. CHAMBERS

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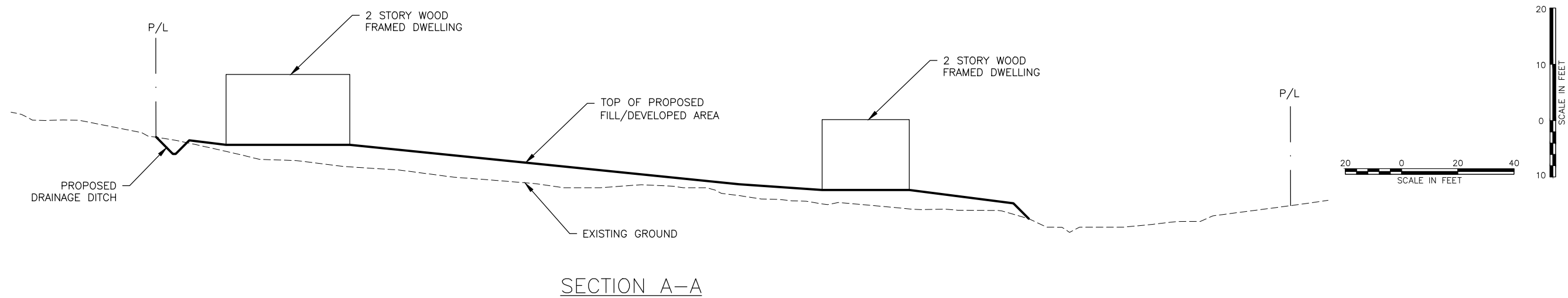
**USS 2386  
 DEVELOPMENT**

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**USS 2386 - STREAMS**

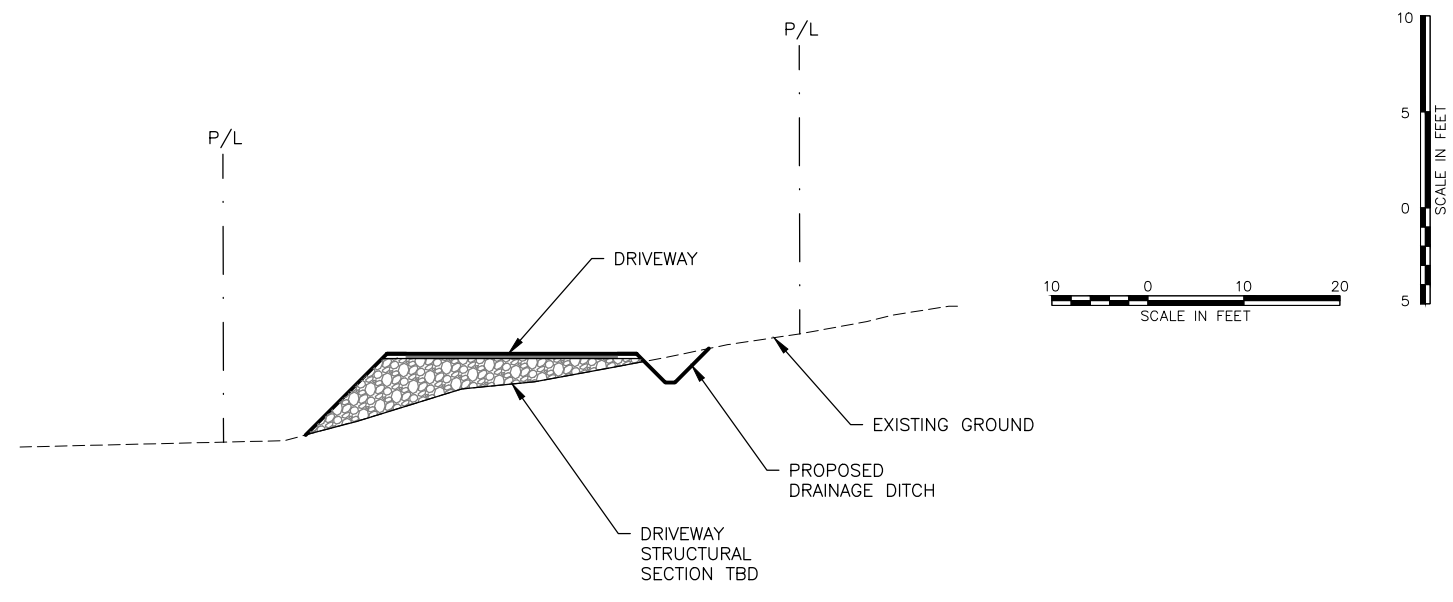
SHEET NUMBER
<b>3</b>
OF
<b>5</b>






SECTION A-A

- NOTES:
1. THE CONCEPTUAL SITE LAYOUT SHOWN IN THESE PLANS IS APPROXIMATE AND MAY BE REVISED WITHIN THE PERMITTED WETLAND FILL AREA.
  2. THE CONCEPTUAL TYPICAL SECTIONS SHOWN IN THESE PLANS ARE APPROXIMATE AND MAY BE REVISED WITHIN THE PERMITTED WETLAND FILL AREA.



SECTION B-B

RECORD OF REVISIONS			
No.	DATE	DESCRIPTION	BY



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**USS 2386  
DEVELOPMENT**  
  
 RICHARD HARRIS

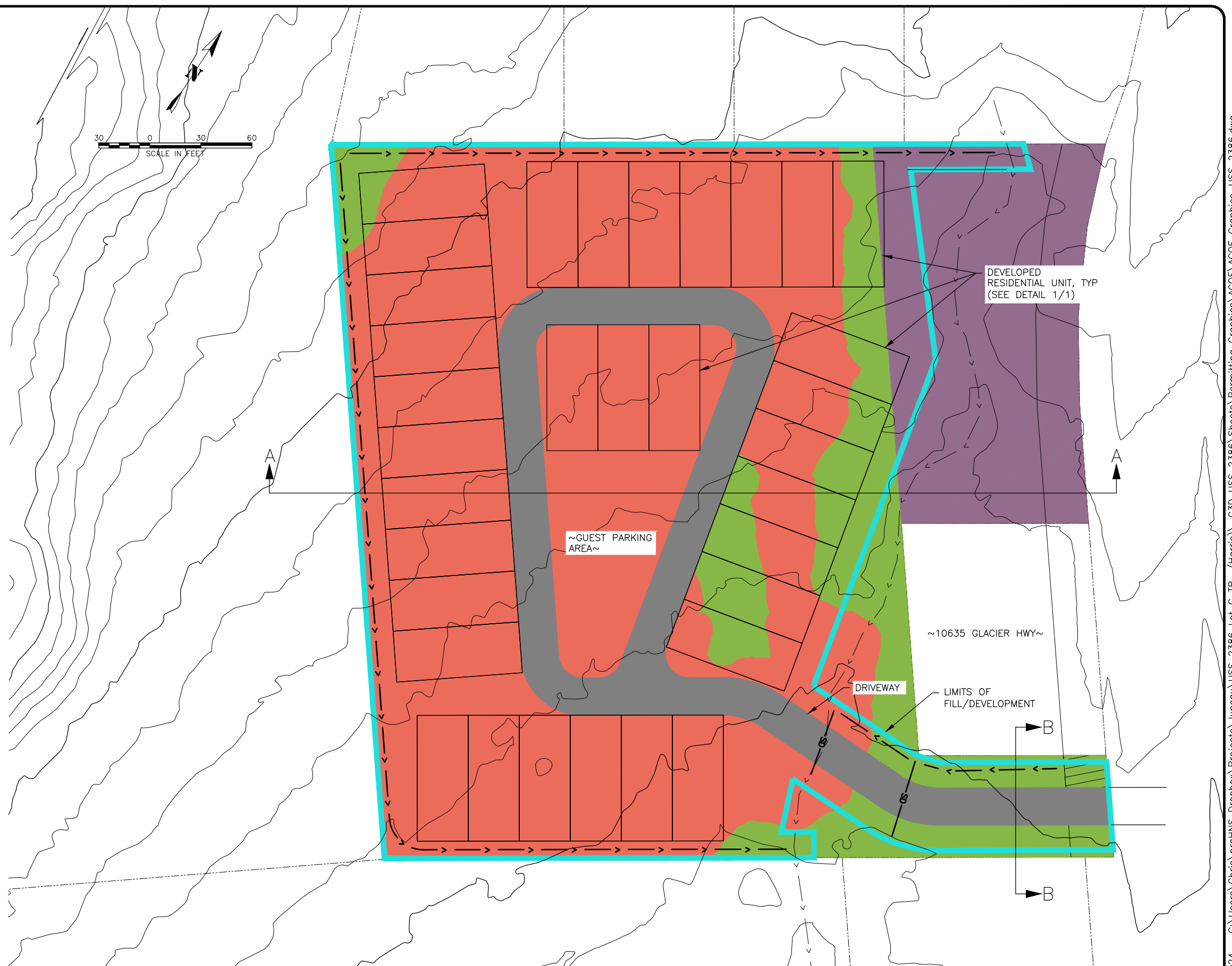
**USS 2386 -  
SECTION VIEWS**

SHEET NUMBER	4
OF	5

**LEGEND**

- CLASSIFIED ONSITE UPLAND AREA
- UNCLASSIFIED ONSITE AREA
- CLASSIFIED ONSITE WETLAND AREA - TYPE PF01/4g
- LIMITS OF FILL/DEVELOPMENT

NOTES:  
 1. THE CONCEPTUAL SITE LAYOUT SHOWN IN THESE PLANS IS APPROXIMATE AND MAY BE REVISED WITHIN THE PERMITTED WETLAND FILL AREA.  
 2. ALL WETLAND BOUNDARIES WERE DELINEATED ON 8/13/2024.



RECORD OF REVISIONS			
No.	DATE	DESCRIPTION	BY



**proHNS LLC**  
 CERTIFICATE OF AUTHORIZATION  
 #100662

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**USS 2386  
 DEVELOPMENT**

RICHARD HARRIS

**USS 2386 -  
 WETLAND IMPACT  
 OVERLAY**

SHEET NUMBER
<b>5</b>
OF
<b>5</b>