



US Army Corps
of Engineers
Alaska District

ANCHORAGE
Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

Public Notice of Application for Permit

PUBLIC NOTICE DATE:	February 1, 2024
EXPIRATION DATE:	March 4, 2024
REFERENCE NUMBER:	POA-2019-00473
WATERWAY:	Big Lake

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 Hayley Farrer at (907) 753-2778, toll free from within Alaska at (800) 478-2712, or by email at Hayley.M.Farrer@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: April A. Tynan; 1160 E. Hidden Ranch Loop, Palmer, Alaska 99645.
Telephone: (907) 707-1164. Email: daisy@gci.net.

LOCATION: The project site is located within Section 20, T. 17 N., R. 3 W., Seward Meridian; Latitude 61.5459° N., Longitude 149.8626° W.; near Big Lake, Alaska.

PURPOSE: The applicant's stated purpose is to "provide a safe and happy place for family recreation, including a house and garage. The current state of the property is unsafe and creates challenges for children and elders to access the lake for activities such as swimming, boating, fishing, snow machining, and other activities." The applicant states that the proposed project would create a safe place for family recreation and gathering.

PROPOSED WORK: The applicant proposes to discharge 15,419 cubic yards of gravel, sand, and gravel material into 1.91 acres of wetlands in order to create a residential pad. The residential pad would include space for an 80-foot by 100-foot house, an 80-foot by 80-foot boat house and garage, space for a front yard, backyard, septic tank, and water well. The proposed project would include an approximately 40-foot by 320-foot driveway and access road. A culvert would be installed under the access road where it meets at the existing right-of-way road. The culvert would be 27-foot long and 16-inch in diameter, made of corrugated metal. The culvert would be placed at a 2% gradient. All work would be performed in accordance with the enclosed plan (sheets 1-5), dated January 2024.

ADDITIONAL INFORMATION: The applicant would contact the following State and local agencies if necessary: Alaska Department of Fish and Game and the Matanuska Susitna Borough.

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 applicant states avoidance is not possible due to the lot being composed mostly of wetlands. The applicant states that there would be an approximately 50-foot width of non-filled area on the west side of the property and a 90-foot width on the east side of the property, extending the total length of the property. There would be a setback of 20 feet along the water edge that would also not be filled, and vegetation would be preserved. The applicant states that the 0.3-acre of uplands on the southeast corner of the property can not be utilized as there is a utility box occupying the area and it provides off-road parking.

b. Minimization: The applicant states that minimization has been achieved by modifying the original proposal from being 3 acres to being 1.91 acres. The applicant states that the Property Owner's Guide to Shoreline Landscaping in the Matanuska-Susitna Borough and the "Mat-Su Streambank Habitat Rehabilitation and Protection" brochure would be followed. The applicant states that "all efforts [would] be made to eliminate water from the wetlands or debris from construction entering Big Lake. Construction setback is approximately 100 feet from the shoreline, assuring no construction debris [would] enter the lake. Landscaping [would] be graded away from the shoreline and the undeveloped wetlands. Specifically, the driveway [would] be graded so any runoff from said driveway [would] not flow into the undeveloped wetlands. Where appropriate, fabric mats [would] be used for palustrine protection on all filled areas."

c. Compensatory Mitigation: The applicant does not propose any compensatory mitigation. The applicant states "compensatory mitigation is not appropriate or practicable for this project. The fill area is less than 2 acres and the land all around the property is fully developed... there is a large 50-acre state owned wetlands very close to this property. It is highly unlikely it will ever be developed."

WATER QUALITY CERTIFICATION: a 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 by the applicant.

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 direct footprint of the proposed project located in wetlands. 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 in mapped EFH, but it is adjacent to Big Lake (AWC Code: 247-50-10330-0010). We have determined the described activity would not adversely affect EFH outside of 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. 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

Enclosures

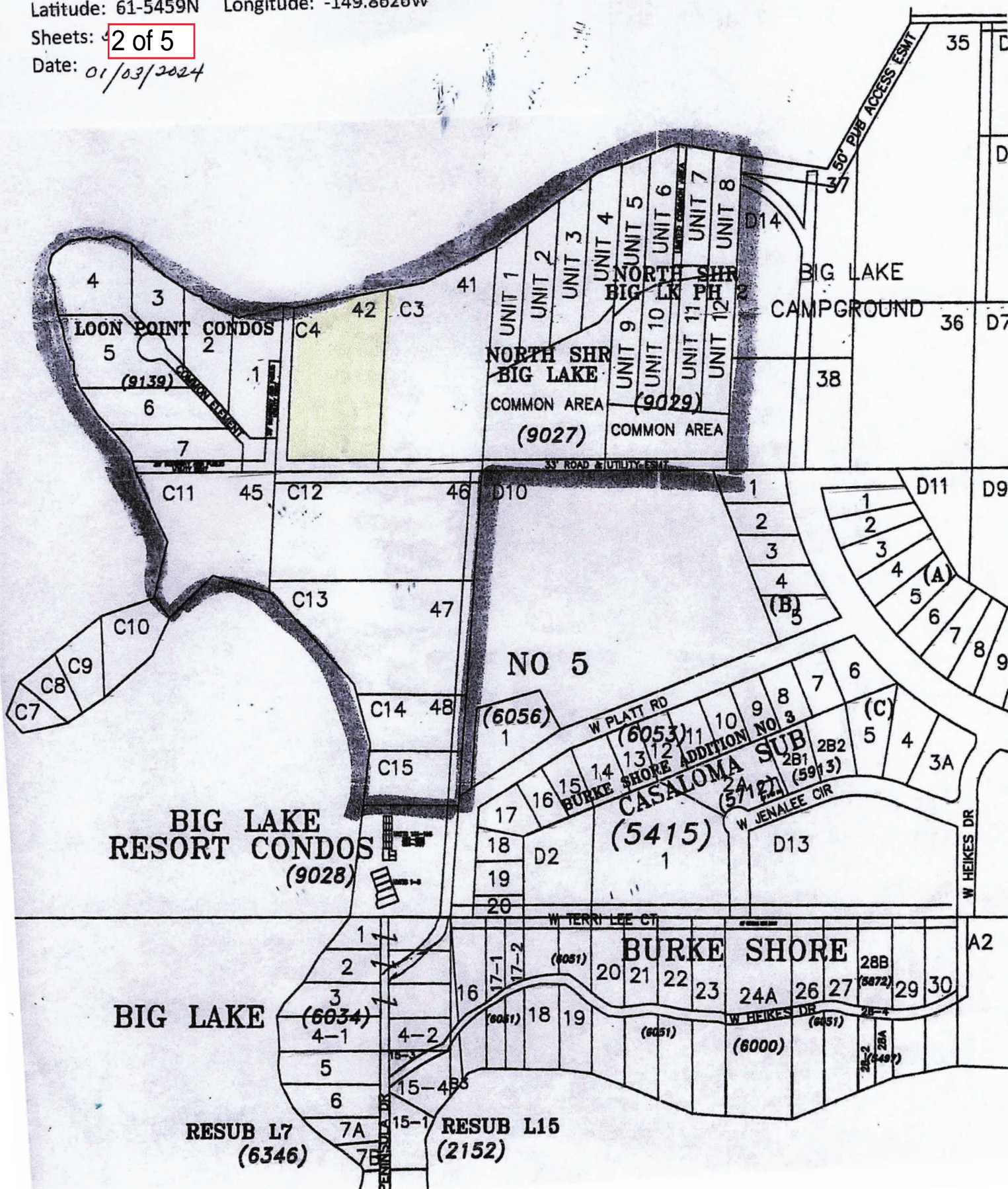
Date: 01/03/2024

The map displays the following features:

- Big Lake:** The central body of water, with a large area on the right highlighted in yellow.
- Islands:**
 - Hoy's Island:** Located near the top center, containing Wright Island (SA, SB, SC) and OS.
 - Long Island:** A large island in the center, divided into numerous numbered lots (e.g., 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N, 1O, 1P, 1Q, 1R, 1S, 1T, 1U, 1V, 1W, 1X, 1Y, 1Z, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 2I, 2J, 2K, 2L, 2M, 2N, 2O, 2P, 2Q, 2R, 2S, 2T, 2U, 2V, 2W, 2X, 2Y, 2Z, 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 3M, 3N, 3O, 3P, 3Q, 3R, 3S, 3T, 3U, 3V, 3W, 3X, 3Y, 3Z, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z, 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, 5S, 5T, 5U, 5V, 5W, 5X, 5Y, 5Z, 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M, 6N, 6O, 6P, 6Q, 6R, 6S, 6T, 6U, 6V, 6W, 6X, 6Y, 6Z, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 7I, 7J, 7K, 7L, 7M, 7N, 7O, 7P, 7Q, 7R, 7S, 7T, 7U, 7V, 7W, 7X, 7Y, 7Z, 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 8I, 8J, 8K, 8L, 8M, 8N, 8O, 8P, 8Q, 8R, 8S, 8T, 8U, 8V, 8W, 8X, 8Y, 8Z, 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, 9K, 9L, 9M, 9N, 9O, 9P, 9Q, 9R, 9S, 9T, 9U, 9V, 9W, 9X, 9Y, 9Z, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V, 10W, 10X, 10Y, 10Z, 11A, 11B, 11C, 11D, 11E, 11F, 11G, 11H, 11I, 11J, 11K, 11L, 11M, 11N, 11O, 11P, 11Q, 11R, 11S, 11T, 11U, 11V, 11W, 11X, 11Y, 11Z, 12A, 12B, 12C, 12D, 12E, 12F, 12G, 12H, 12I, 12J, 12K, 12L, 12M, 12N, 12O, 12P, 12Q, 12R, 12S, 12T, 12U, 12V, 12W, 12X, 12Y, 12Z, 13A, 13B, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, 13K, 13L, 13M, 13N, 13O, 13P, 13Q, 13R, 13S, 13T, 13U, 13V, 13W, 13X, 13Y, 13Z, 14A, 14B, 14C, 14D, 14E, 14F, 14G, 14H, 14I, 14J, 14K, 14L, 14M, 14N, 14O, 14P, 14Q, 14R, 14S, 14T, 14U, 14V, 14W, 14X, 14Y, 14Z, 15A, 15B, 15C, 15D, 15E, 15F, 15G, 15H, 15I, 15J, 15K, 15L, 15M, 15N, 15O, 15P, 15Q, 15R, 15S, 15T, 15U, 15V, 15W, 15X, 15Y, 15Z, 16A, 16B, 16C, 16D, 16E, 16F, 16G, 16H, 16I, 16J, 16K, 16L, 16M, 16N, 16O, 16P, 16Q, 16R, 16S, 16T, 16U, 16V, 16W, 16X, 16Y, 16Z, 17A, 17B, 17C, 17D, 17E, 17F, 17G, 17H, 17I, 17J, 17K, 17L, 17M, 17N, 17O, 17P, 17Q, 17R, 17S, 17T, 17U, 17V, 17W, 17X, 17Y, 17Z, 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18I, 18J, 18K, 18L, 18M, 18N, 18O, 18P, 18Q, 18R, 18S, 18T, 18U, 18V, 18W, 18X, 18Y, 18Z, 19A, 19B, 19C, 19D, 19E, 19F, 19G, 19H, 19I, 19J, 19K, 19L, 19M, 19N, 19O, 19P, 19Q, 19R, 19S, 19T, 19U, 19V, 19W, 19X, 19Y, 19Z, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 20K, 20L, 20M, 20N, 20O, 20P, 20Q, 20R, 20S, 20T, 20U, 20V, 20W, 20X, 20Y, 20Z, 21A, 21B, 21C, 21D, 21E, 21F, 21G, 21H, 21I, 21J, 21K, 21L, 21M, 21N, 21O, 21P, 21Q, 21R, 21S, 21T, 21U, 21V, 21W, 21X, 21Y, 21Z, 22A, 22B, 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, 22K, 22L, 22M, 22N, 22O, 22P, 22Q, 22R, 22S, 22T, 22U, 22V, 22W, 22X, 22Y, 22Z, 23A, 23B, 23C, 23D, 23E, 23F, 23G, 23H, 23I, 23J, 23K, 23L, 23M, 23N, 23O, 23P, 23Q, 23R, 23S, 23T, 23U, 23V, 23W, 23X, 23Y, 23Z, 24A, 24B, 24C, 24D, 24E, 24F, 24G, 24H, 24I, 24J, 24K, 24L, 24M, 24N, 24O, 24P, 24Q, 24R, 24S, 24T, 24U, 24V, 24W, 24X, 24Y, 24Z, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 25I, 25J, 25K, 25L, 25M, 25N, 25O, 25P, 25Q, 25R, 25S, 25T, 25U, 25V, 25W, 25X, 25Y, 25Z, 26A, 26B, 26C, 26D, 26E, 26F, 26G, 26H, 26I, 26J, 26K, 26L, 26M, 26N, 26O, 26P, 26Q, 26R, 26S, 26T, 26U, 26V, 26W, 26X, 26Y, 26Z, 27A, 27B, 27C, 27D, 27E, 27F, 27G, 27H, 27I, 27J, 27K, 27L, 27M, 27N, 27O, 27P, 27Q, 27R, 27S, 27T, 27U, 27V, 27W, 27X, 27Y, 27Z, 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I, 28J, 28K, 28L, 28M, 28N, 28O, 28P, 28Q, 28R, 28S, 28T, 28U, 28V, 28W, 28X, 28Y, 28Z, 29A, 29B, 29C, 29D, 29E, 29F, 29G, 29H, 29I, 29J, 29K, 29L, 29M, 29N, 29O, 29P, 29Q, 29R, 29S, 29T, 29U, 29V, 29W, 29X, 29Y, 29Z, 30A, 30B, 30C, 30D, 30E, 30F, 30G, 30H, 30I, 30J, 30K, 30L, 30M, 30N, 30O, 30P, 30Q, 30R, 30S, 30T, 30U, 30V, 30W, 30X, 30Y, 30Z, 31A, 31B, 31C, 31D, 31E, 31F, 31G, 31H, 31I, 31J, 31K, 31L, 31M, 31N, 31O, 31P, 31Q, 31R, 31S, 31T, 31U, 31V, 31W, 31X, 31Y, 31Z, 32A, 32B, 32C, 32D, 32E, 32F, 32G, 32H, 32I, 32J, 32K, 32L, 32M, 32N, 32O, 32P, 32Q, 32R, 32S, 32T

Date: 01/03/2024

Thursday - in Palmer
Case of Engineers



FILE NUMBER: POA-2019-00476

Waterway: Big Lake, AK

Proposed Activity: Residential Fill

Section: 20 Township: 17N Range: 3W Meridian: Seward

Latitude: 61-5459N Longitude: -149.8626W

Sheets: 3 of 5

Date: 01/03/2024

TYNAN, April

LEGEND:
MEASURED DATA 125'
RECORD DATA N 90°00'00" W
RECOVERED 5/8" REDAR 0

MSB File# 178020160009

LOT 1 LOON POINT CONDO

GOVT LOT 42 3.25 ACRES

GOVT LOT 41

GOVT LOT 45

GOVT LOT 46

WOOD CABIN N.T.S.

LAKE PEANER

75' LAKE SETBACK

NOTE:
STRUCTURES SHOWN WERE VISIBLE AT THE TIME OF THE SURVEY. OTHER IMPROVEMENTS MAY BE COVERED BY SNOW.

ROADWAY & PUBLIC UTILITIES EASEMENT #2015-026317-0
W. LOONSONG CIR.

NOTES:
1. ALL BEARINGS, DISTANCES AND AREAS SHOWN ARE RECORD, UNLESS NOTED OTHERWISE.
2. THIS SURVEY IS PREPARED IN ACCORDANCE WITH THE ASPLS MORTGAGE SURVEY STANDARDS.
3. THERE WAS NO DRIVEWAY. CABIN IS LAKE ACCESSIBLE.
4. CABIN IS ENTIRELY IN THE 75' LAKE SETBACK.

EXCLUSION NOTE:
IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT, UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR FOR ESTABLISHING BOUNDARY OR FENCE LINES.

MORTGAGE SURVEY CERTIFICATE:
I HEREBY CERTIFY THAT I, OR SOMEONE UNDER MY DIRECT SUPERVISION, HAVE PERFORMED A MORTGAGEE'S INSPECTION ON THE FOLLOWING DESCRIBED PROPERTY:
GOVERNMENT LOT 42 17N03W20C04 S.M.
AND THAT NO ENCROACHMENTS EXIST EXCEPT AS INDICATED.

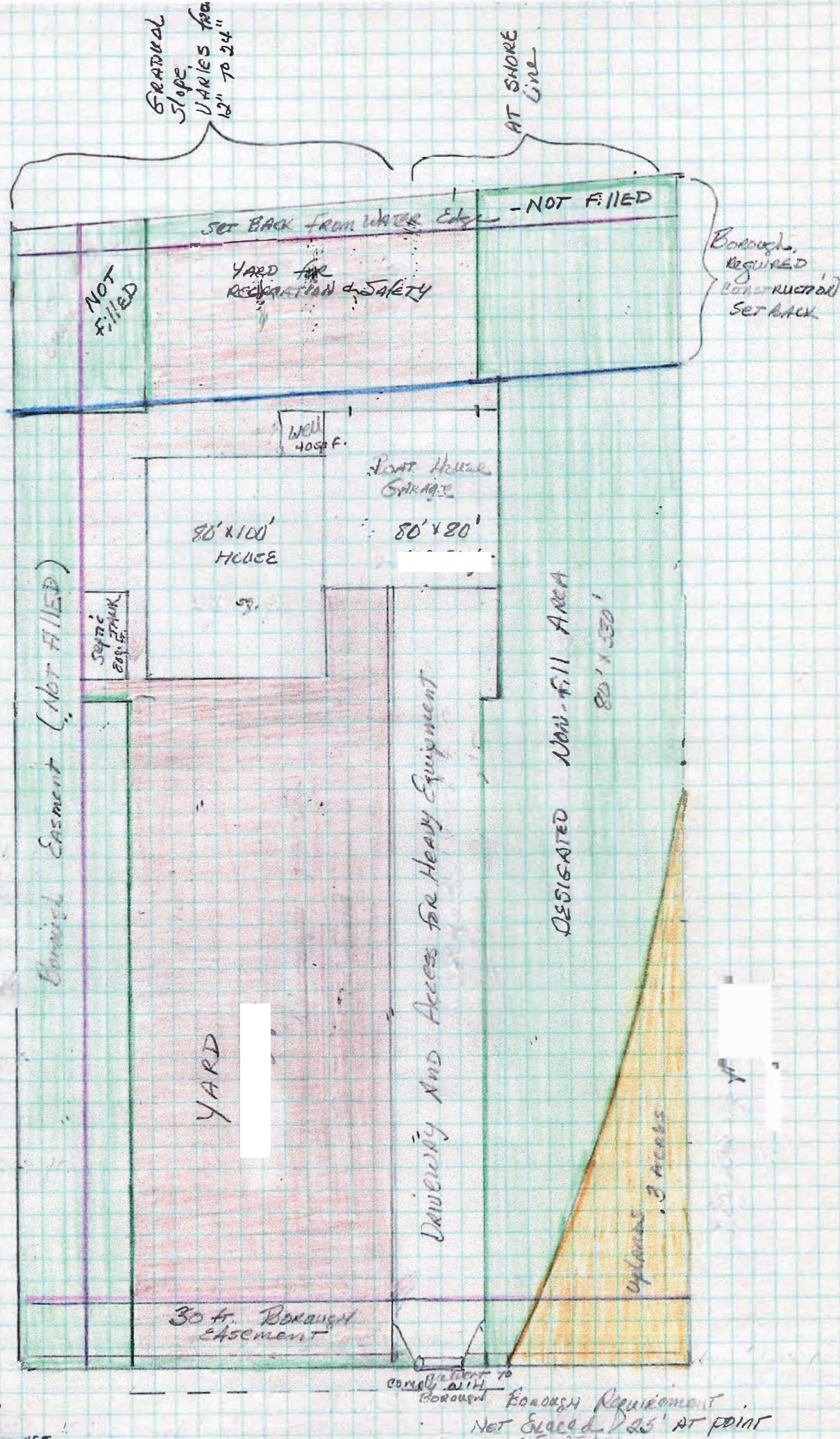
STATE OF ALASKA
49th
Terry L. Nicodemus
No. 9106-S
REGISTERED PROFESSIONAL LAND SURVEYOR
3/23/16

GOVT. LOT: 42
SECTION 20 TOWNSHIP 17N RANGE 3W
SEWARD MERIDIAN
PLAT No. N/A
RECORDING DISTRICT PALMER
PREPARED FOR: TERRI TYNAN

ACUEK
GEOMATICS, LLC
2041 E. BELLE LUPINE CIR #104, WASILLA, AK 99654
907.276-2600 FAX 907.276-9574 ADDRESS@ACUEK.COM
DATE: 3/23/16
JOB NUMBER: 15-03.04
JOB NUMBER: 15-01 40
SCALE: 1" = 100'
DRAWN: TAN
CHECKED: TLN

MORTGAGE SURVEY

Date: 01/03/2024



FILE NUMBER: POA-2019-00476

Waterway: Big Lake, AK

Proposed Activity: Residential Fill

Section: 20 Township: 17N Range: 3W Meridian: Seward

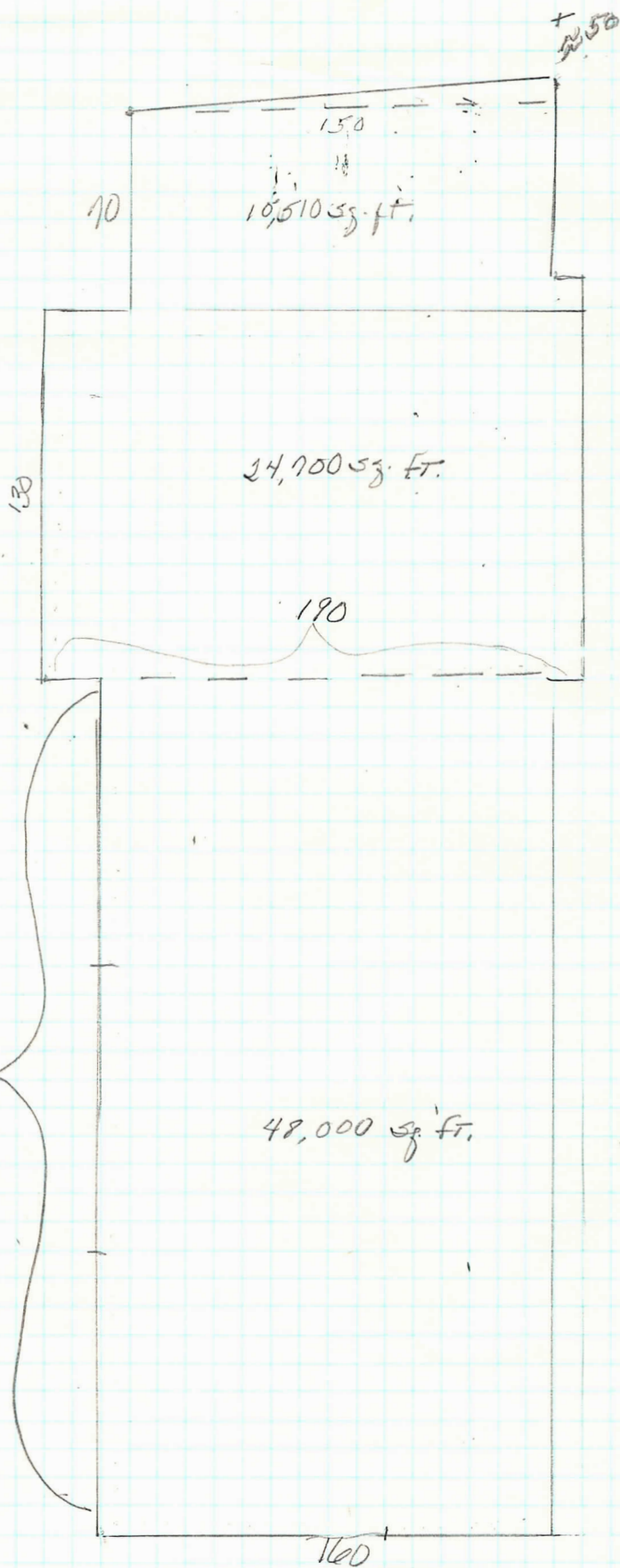
Latitude: 61-5459N Longitude: -149.8626W

Sheets: **5 of 5**

Date: 1/17/2024

TYNAN, April

300



$$\begin{array}{r} 10,510 \\ 50 \\ \hline 10,560 \end{array}$$

$$\begin{array}{r} 24,700 \\ 48,000 \\ + 10,560 \\ \hline 83,260 \text{ sq. ft.} \end{array}$$

$$\begin{array}{r} 5(83,260 \text{ sq. ft.}) \\ 416,300 \text{ cu. ft.} \\ \div 27 \\ 15,419 \text{ cu. yds.} \end{array}$$

$$83,260 \text{ sq. ft.} = 1.911 \text{ ACRES}$$