



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>February 12, 2024</b>
<b>EXPIRATION DATE:</b>	<b>March 13, 2024</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2024-00058</b>
<b>WATERWAY:</b>	<b>Sawmill Cove</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:** City and Borough of Sitka  
100 Lincoln St, Rm 201  
Sitka, AK 99835

**AGENT:** PND Engineers, Inc  
1506 West 36<sup>th</sup> Ave  
Anchorage, AK 99503

**LOCATION:** The project site is located within Section 3, T. 56 S., R. 64 E., Copper River Meridian; USGS Quad Map Sitka A-4; Latitude 57.0478° N., Longitude 135.2289° W.; within the Gary Paxton Industrial Park (GPIP), in Sawmill Cove, near Sitka, Alaska.

**PURPOSE:** The applicant's stated purpose is to construct a vessel haul-out facility with a capacity to haul-out a majority of the vessels within the Sitka Fleet for repair and refurbishment.

**PROPOSED WORK:** Discharge fill material and install structures in Waters of the United States, including navigable waters (WOTUS), consisting of the following components below the High Tide Line (approximate elevation +12.8 feet above the 0.0 foot contour) and the Mean High Water Mark (approximate elevation +9.2 feet above the 0.0 foot contour):

Excavation & Fill Quantities

	Project Total	Below HTL (EL =12.8')	Below MHW (EL=9.2')	Below MLLW (EL=0.0)
Expanded Uplands (acre)	1.13	0.65	0.54	0.28
Expanded Uplands Shot Rock (CY)	11972	4366	2118	64
Expanded Uplands Base Course (CY)	800	374	252	34
Expanded Uplands Armor Rock (CY)	5090	3250	2580	1285
Haulout Pier (acre)	0.06	0.06	0.06	0.06
Haulout Ramp (acre)	0.49	0.44	0.42	0.36
Haulout Ramp Shot Rock (CY)	4060	1850	1180	286
Haulout Ramp Base Course (CY)	450	234	185	100
Haulout Ramp Armor Rock (CY)	3730	2354	1988	840
Deckover (acre)	0.05	0.05	0.05	0.05
Queuing Float (acre)	0.02	0.02	0.02	0.02
Approach Dock (acre)	0.01	0.01	0.01	0.01
Gangway (acre)	0.01	0.01	0.01	0.01

Pile Quantities

	Construction Method	Project Total	Below HTL (EL =12.8')	Below MHW (EL=9.2')	Below MLLW (EL=0.0')	Max Piles Per Day	Mins./ (Strikes) Per Pile <sup>1</sup>	Days of Effort
Haulout Pier Support Pile (36" steel pipe)	Vibratory	20	20	20	20	2	60	20
	Impact	20	20	20	20	2	2000	20
Haulout Pier Batter Pile	Vibratory	4	4	4	4	2	120	10
	Impact	4	4	4	4	2	3000	10

<b>(36" steel pipe)</b>									
<b>Haulout Pier Fender Pile (24" steel pipe)</b>	Vibratory	6	6	6	6	4	30	6	
<b>Template Pile (24" steel pipe or equivalent)</b>	Vibratory Installation & Removal	52	52	52	52	8	20	26	
<b>Deckover Support Pile (36" steel pipe)</b>	Vibratory	9	9	9	9	3	60	18	
	Impact	9	9	9	9	3	2000	9	
<b>Queueing Float Pile (24" steel pipe)</b>	Vibratory	4	4	4	4	4	60	5	
	Impact	4	4	4	4	1	250	1	
<b>Approach Dock Pile (16" steel pipe)</b>	Vibratory	6	6	6	6	6	60	10	
	Impact	6	6	6	6	1	250	10	
<b>Approach Dock Batter Pile (16" steel pipe)</b>	Vibratory	1	1	1	1	1	60	2	
	Impact	1	1	1	1	1	500	2	
<b>Template Pile (24" steel pipe or equivalent)</b>	Vibratory Installation & Removal	32	32	32	32	8	20	16	

All work would be performed in accordance with the enclosed plan (sheets 1-12), dated January, 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: Impacts to WOTUS could not be avoided for this project due to its nature as a marine haul-out facility and its dependence on marine access. Vessel storage and work areas are directly related to the haul-out, as repairs are the primary reason for vessels being hauled out. Vessel storage and work areas need to be in proximity to the haul-out location, and therefore the water, due to safety and logistical considerations.

b. Minimization: Alternative locations and designs were identified and evaluated for practicability and the ability to meet project purpose and need. CBS has demonstrated that there are no other practicable alternatives for the proposed project that are less environmentally damaging. A range of design alternatives were analyzed, and the least environmentally damaging practicable alternative has been selected as the proposed action. A detailed Alternatives Analysis Report has been developed for the proposed project.

In order to minimize impacts to wetlands, WOTUS, and existing habitat, the site selected is one that has already been developed and is located within an industrial area. This area will be expanded to minimize the extent of impacts, rather than selecting an undeveloped site. The configuration of the intertidal and subtidal fill was minimized to the extent possible while still meeting the project purpose and need. The fill will consist of sloped, rocky habitat which will provide habitat for juvenile fish. The spatial configuration of the fill footprint and vessel haulout pier structure was designed to avoid the need for dredging of the seafloor, which minimizes impacts to Essential Fish Habitat (EFH).

Finally, incorporation of the proposed BMPs listed in Section 10 will avoid and minimize impacts to WOTUS to the extent possible.

c. Compensatory Mitigation: CBS recognizes that fill placement and installation of boat haulout infrastructure will result in a permanent loss of in-water habitat of 1.09 acres, however, fill placement will also create new nearshore habitat for EFH. CBS has minimized and avoided impacts to the extent practicable.

Should additional project mitigation be warranted, CBS 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 cultural resources within the vicinity of the permit area (SIT-01074). Consultation of the AHRs constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time. The Corps has made a No Adverse Effect determination for the proposed project. This application is being coordinated with the State Historic Preservation Office (SHPO), and Federally recognized Tribes. Any comments SHPO or Federally recognized Tribes 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.

ENDANGERED SPECIES: The project area is within the known or historic range of the Steller sea lion (*Eumetopias jubatus*), Sunflower sea star (*Pycnopodia helianthoides*), and Humpback whale (*Megaptera novaeangliae*).

We have determined the described activity may affect the humpback whale, Steller sealion, and sunflower sea star. We have initiated the appropriate consultation procedures under section 7 of the Endangered Species Act with 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 within mapped EFH for Chinook (*Oncorhynchus tshawytscha*), Chum (*Oncorhynchus keta*), Coho (*Oncorhynchus kisutch*), Pink (*Oncorhynchus gorbuscha*) and Sockeye salmon (*Oncorhynchus nerka*).

We have determined the described activity would not adversely affect EFH in the project area as there would be no dredging, the pile driving activity would be temporary, and the area has been previously disturbed.

**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 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.

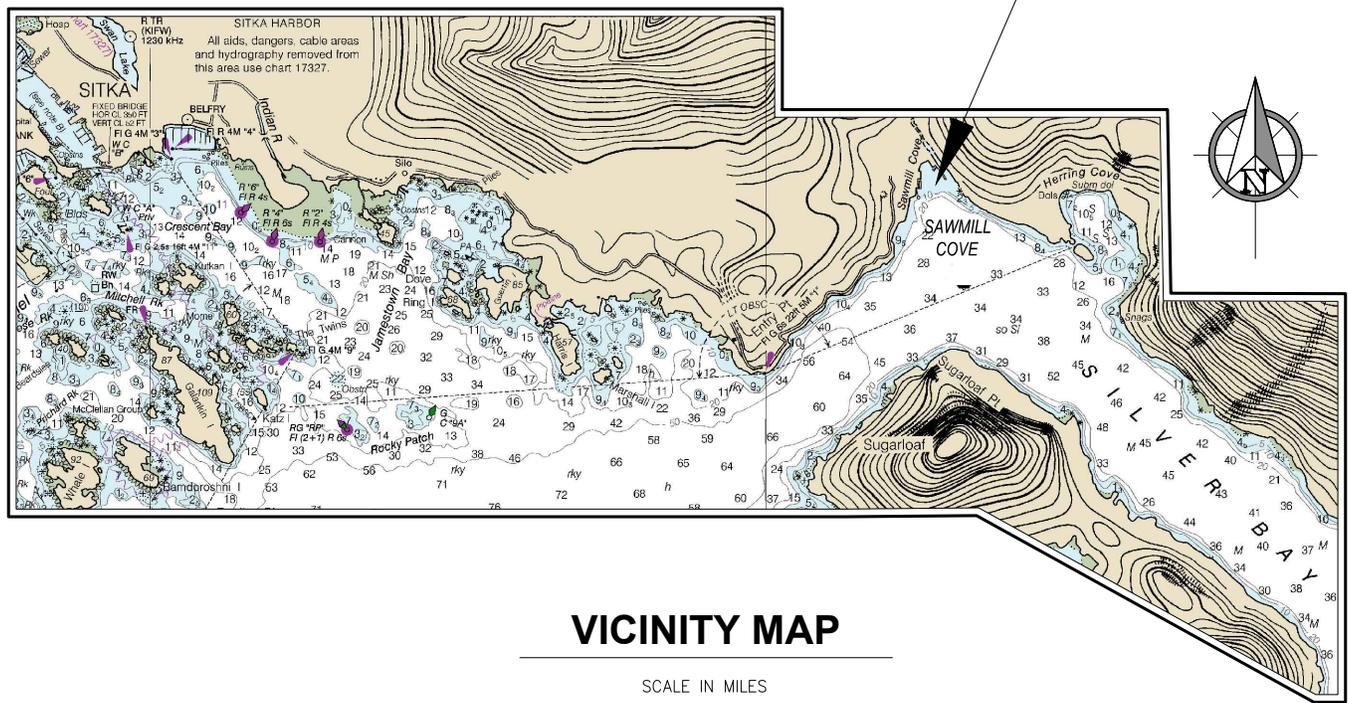
District Commander  
U.S. Army, Corps

Enclosures



**LOCATION MAP**

**PROJECT LOCATION**



**VICINITY MAP**



MAP FROM:  
NOAA CHART 17326,  
BARANOF ISLAND  
CRAWFISH INLET TO SITKA

**PURPOSE:**  
CONSTRUCTION OF A VESSEL  
HAULOUT PIER FACILITY

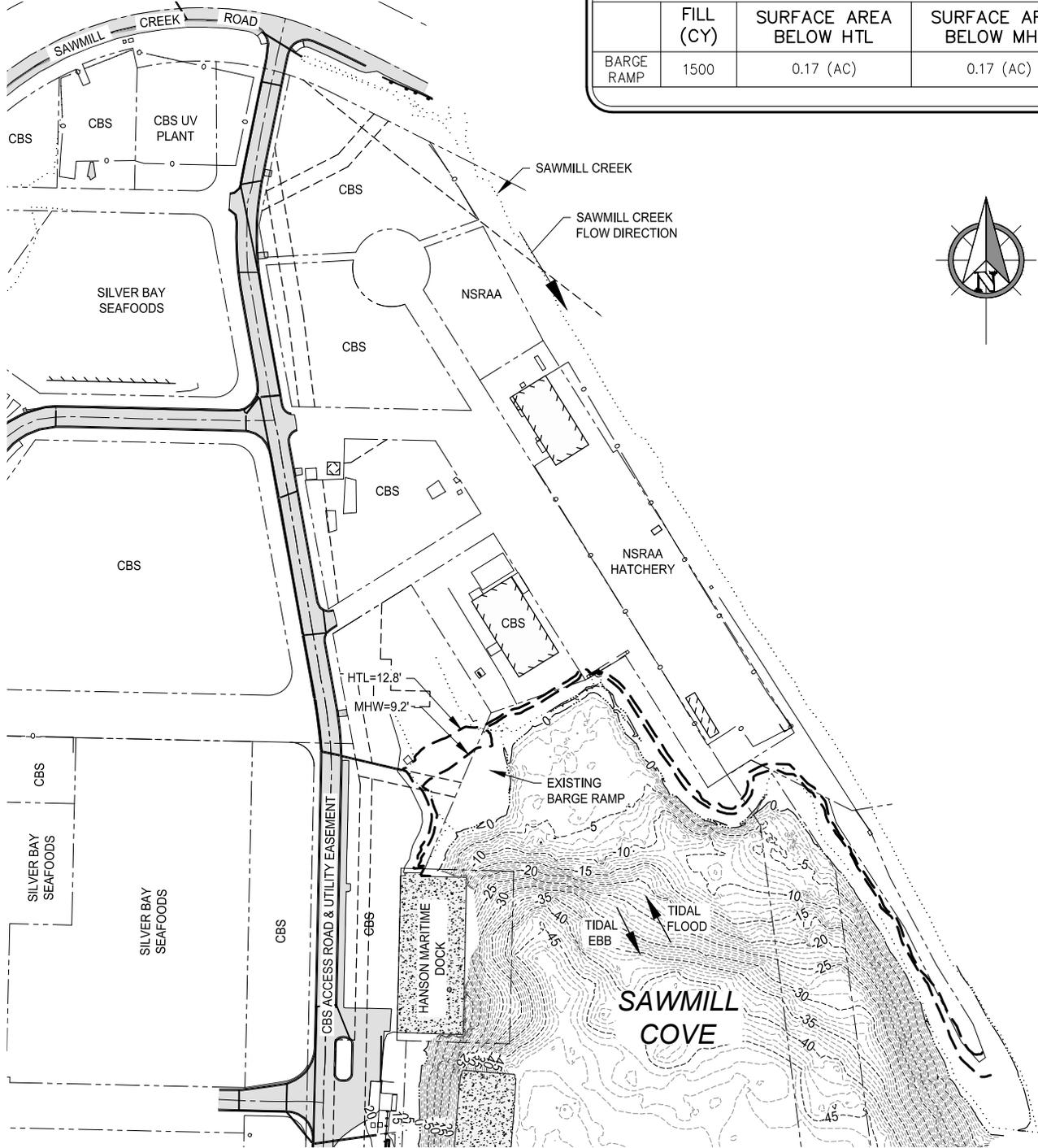
**VICINITY MAP**

**GARY PAXTON INDUSTRIAL PARK  
VESSEL HAULOUT**

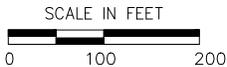
**DATUM:**  
MLLW = 0.0'  
HTL = 12.8'  
MHW = 9.2'

APPLICANT: CITY & BOROUGH OF SITKA  
FILE NO.: **POA-2024-00058**  
WATERWAY: SAWMILL COVE IN SILVER BAY  
PROPOSED ACTIVITY: VESSEL HAULOUT PIER FACILITY CONSTRUCTION  
SEC. 3 T. 56S R. 64E M COPPER RIVER MERIDIAN  
LAT.: 57.0476°N LONG.: 135.2296°W  
DATE: JANUARY 2024

EXISTING BARGE RAMP QUANTITIES TABLE			
	FILL (CY)	SURFACE AREA BELOW HTL	SURFACE AREA BELOW MHW
BARGE RAMP	1500	0.17 (AC)	0.17 (AC)

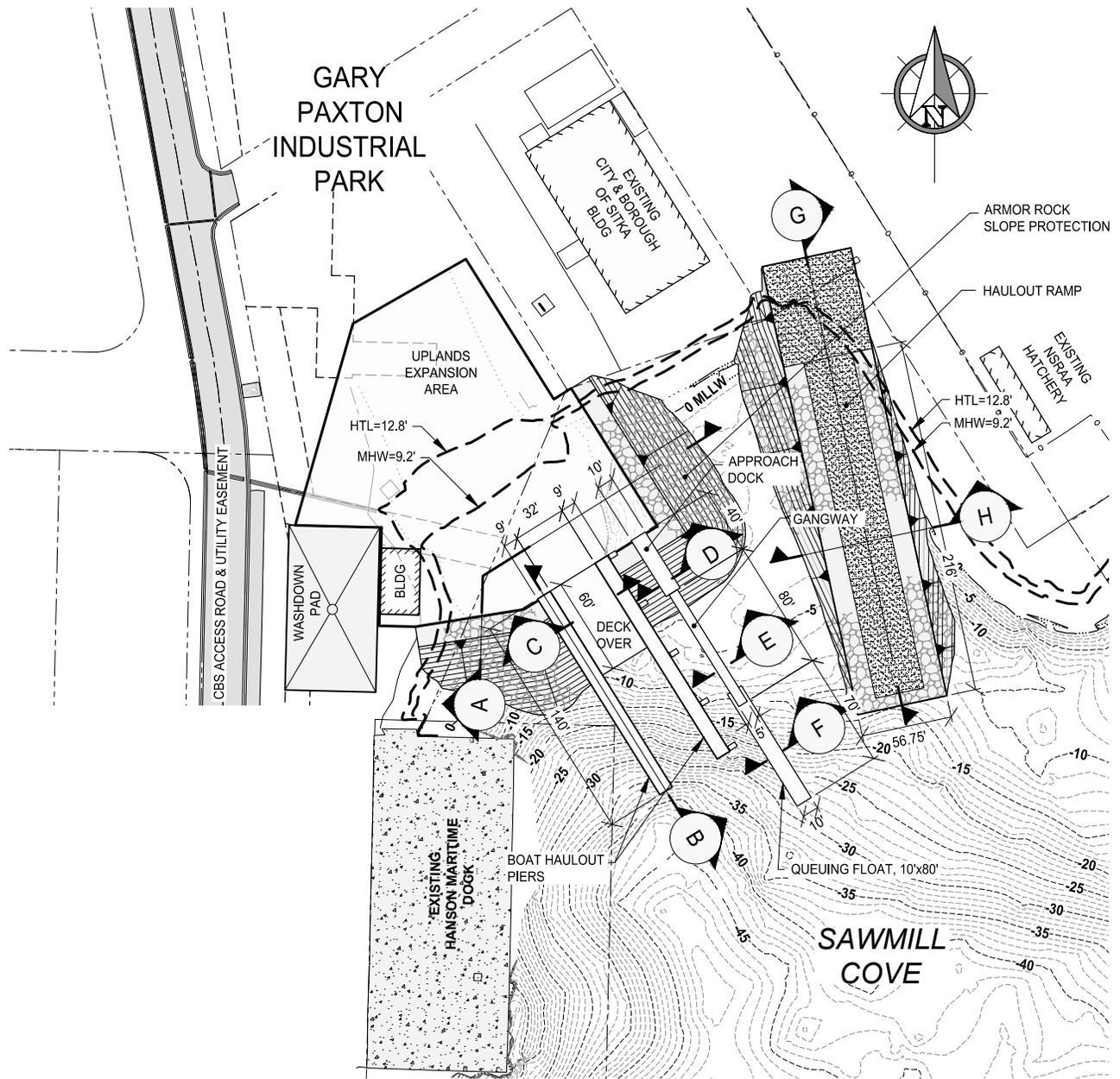


**EXISTING CONDITIONS**



**GARY PAXTON INDUSTRIAL PARK  
VESSEL HAULOUT**

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**SITE PLAN**



**GARY PAXTON INDUSTRIAL PARK  
VESSEL HAULOUT**

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### PHASE 1 FILL & COVERAGE QUANTITIES

	PROJECT TOTAL	BELOW HTL (EL=12.8')	BELOW MHW (EL=9.2')	BELOW MLLW (EL=0)
EXPANDED UPLANDS (ACRE)	1.13	0.65	0.54	0.28
EXPANDED UPLANDS SHOT ROCK (CY)	11972	4366	2118	64
EXPANDED UPLANDS BASE COURSE (CY)	800	374	252	34
EXPANDED UPLANDS ARMOR ROCK (CY)	5090	3250	2580	1285
HAULOUT PIER (ACRE)	0.06	0.06	0.06	0.06

### PHASE 1 PILE QUANTITIES

	CONSTRUCTION METHOD	PROJECT TOTAL	BELOW HTL (EL=12.8')	BELOW MHW (EL=9.2')	BELOW MLLW (EL=0)
HAULOUT PIER SUPPORT PILE (36" STEEL PIPE)	VIBRATORY & IMPACT	20	20	20	20
HAULOUT PIER BATTER PILE (36" STEEL PIPE)	VIBRATORY & IMPACT	4	4	4	4
HAULOUT PIER FENDER PILE (24" STEEL PIPE)	VIBRATORY	6	6	6	6
TEMPLATE PILE (24" STEEL PIPE OR EQUIVALENT)	VIBRATORY INSTALLATION & REMOVAL	52	52	52	52

### PHASE 1 QUANTITY TABLES

### GARY PAXTON INDUSTRIAL PARK VESSEL HAULOUT

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### FUTURE FILL & COVERAGE QUANTITIES

	PROJECT TOTAL	BELOW HTL (EL=12.8')	BELOW MHW (EL=9.2')	BELOW MLLW (EL=0)
HAULOUT RAMP (ACRE)	0.49	0.44	0.42	0.36
HAULOUT SHOT ROCK (CY)	4060	1850	1180	286
HAULOUT BASE COURSE (CY)	450	234	185	100
HAULOUT ARMOR ROCK (CY)	3730	2354	1988	840
DECKOVER (ACRE)	0.05	0.05	0.05	0.05
QUEUING FLOAT (ACRE)	0.02	0.02	0.02	0.02
APPROACH DOCK (ACRE)	0.01	0.01	0.01	0.01
GANGWAY (ACRE)	0.01	0.01	0.01	0.01

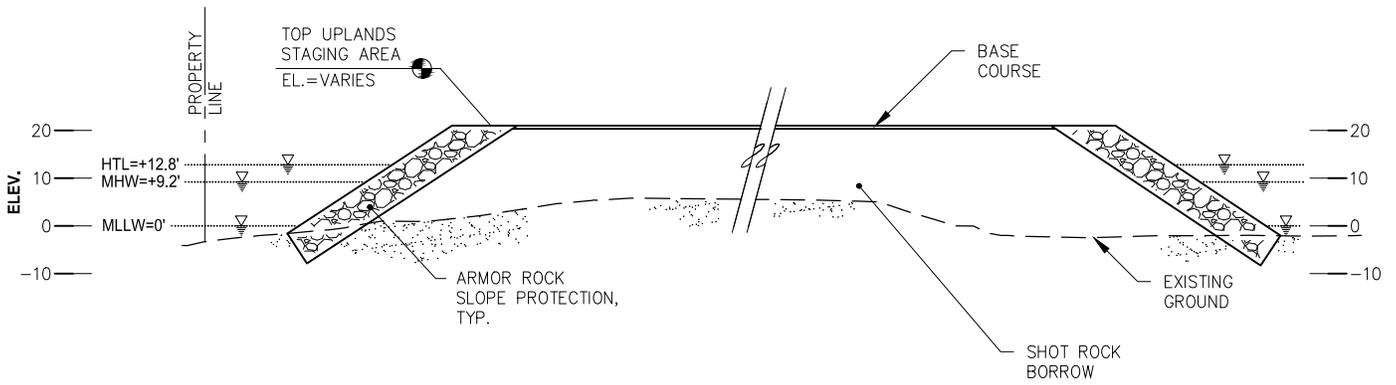
### FUTURE PILE QUANTITIES

	CONSTRUCTION METHOD	PROJECT TOTAL	BELOW HTL (EL=12.8')	BELOW MHW (EL=9.2')	BELOW MLLW (EL=0)
DECKOVER SUPPORT PILE (36" STEEL PIPE)	VIBRATORY & IMPACT	9	9	9	9
QUEUING FLOAT PILE (24" STEEL PIPE)	VIBRATORY & IMPACT	4	4	4	4
APPROACH DOCK PILE (36" STEEL PIPE)	VIBRATORY & IMPACT	6	6	6	6
APPROACH DOCK BATTER PILE (36" STEEL PIPE)	VIBRATORY & IMPACT	1	1	1	1
TEMPLATE PILE (36" STEEL PIPE)	VIBRATORY INSTALLATION & REMOVAL	32	32	32	32

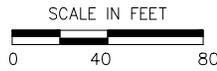
## FUTURE QUANTITY TABLES

### GARY PAXTON INDUSTRIAL PARK VESSEL HAULOUT

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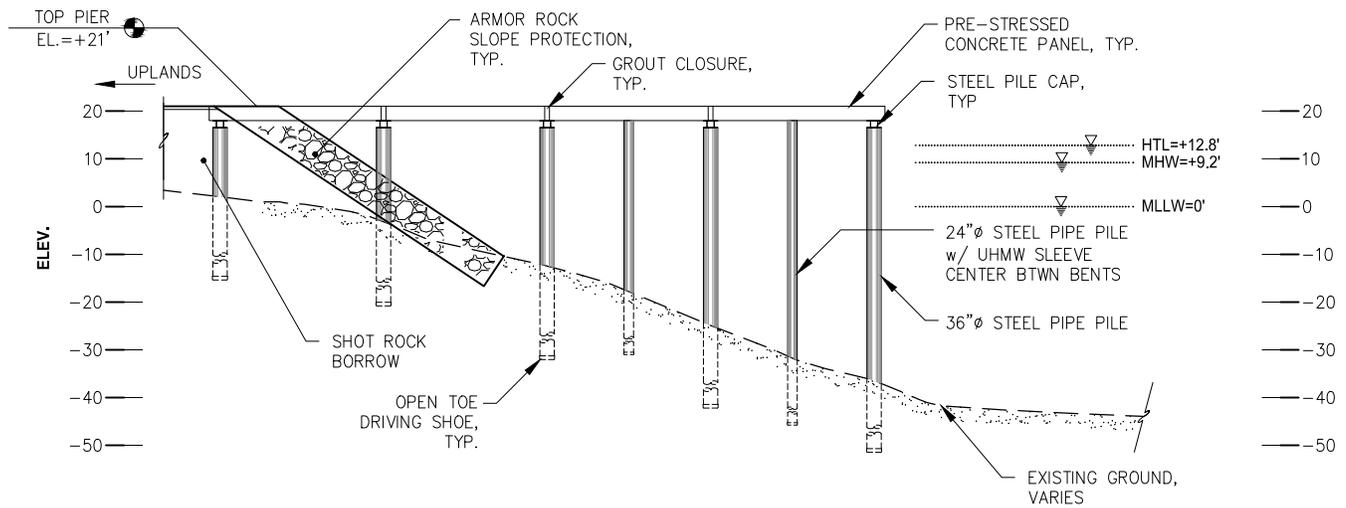


**A UPLANDS EXPANSION AREA SECTION**

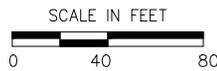


**GARY PAXTON INDUSTRIAL PARK  
VESSEL HAULOUT**

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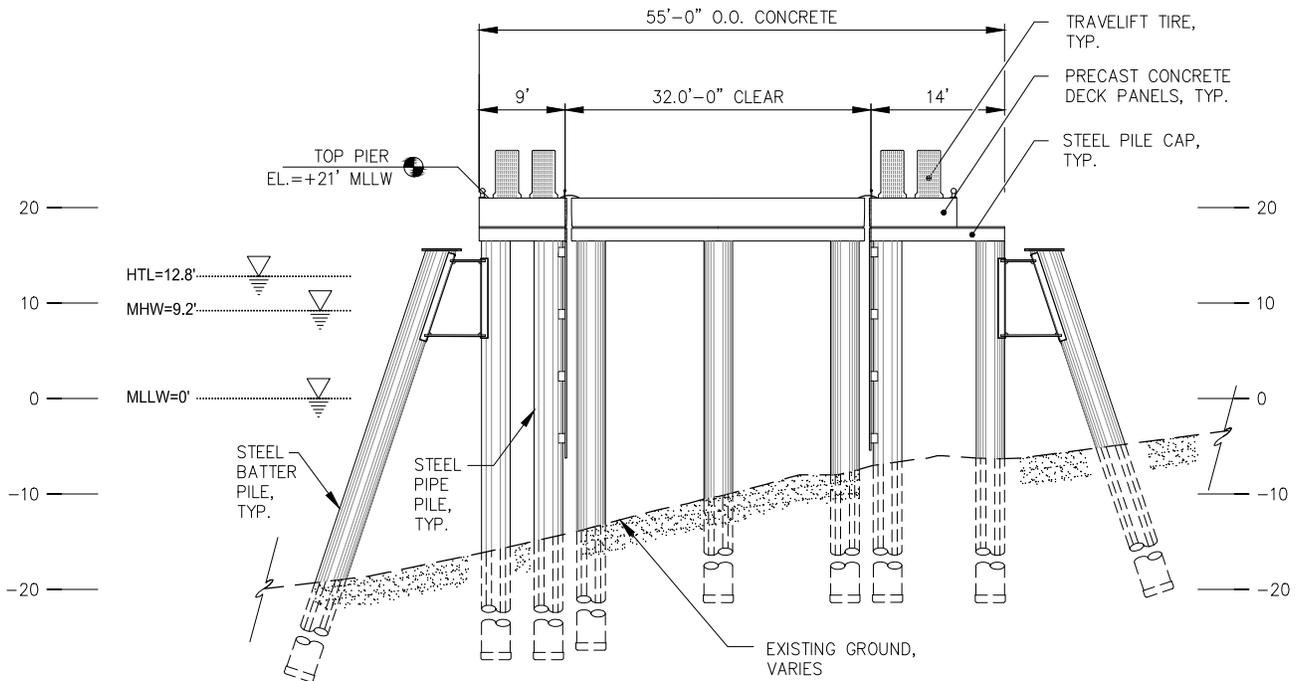


**B HAULOUT PIER & EMBANKMENT ELEVATION**

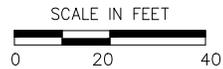


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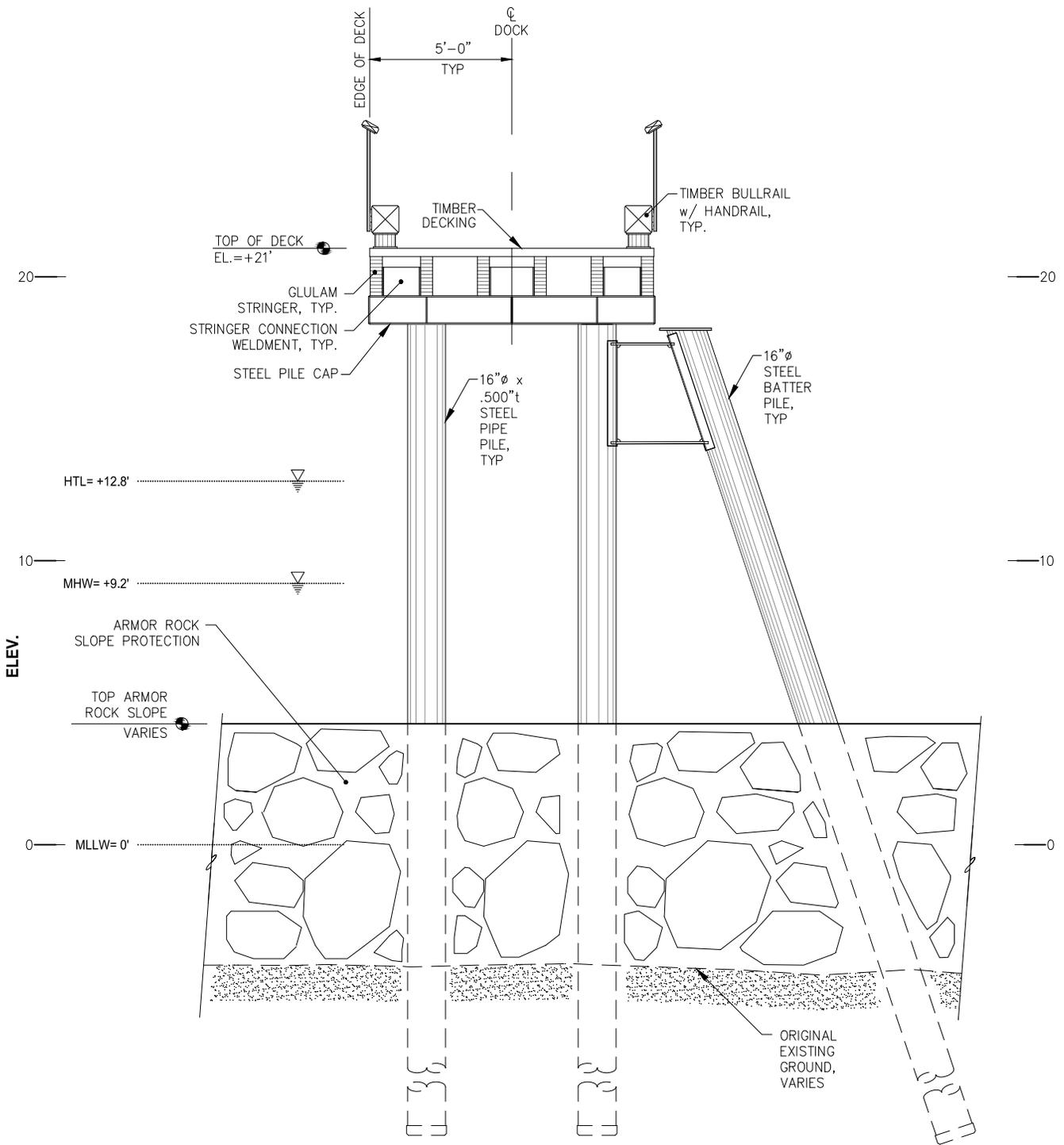


**C BOAT HAULOUT PIER & DECK OVER  
TYPICAL SECTION**



**GARY PAXTON INDUSTRIAL PARK  
VESSEL HAULOUT**

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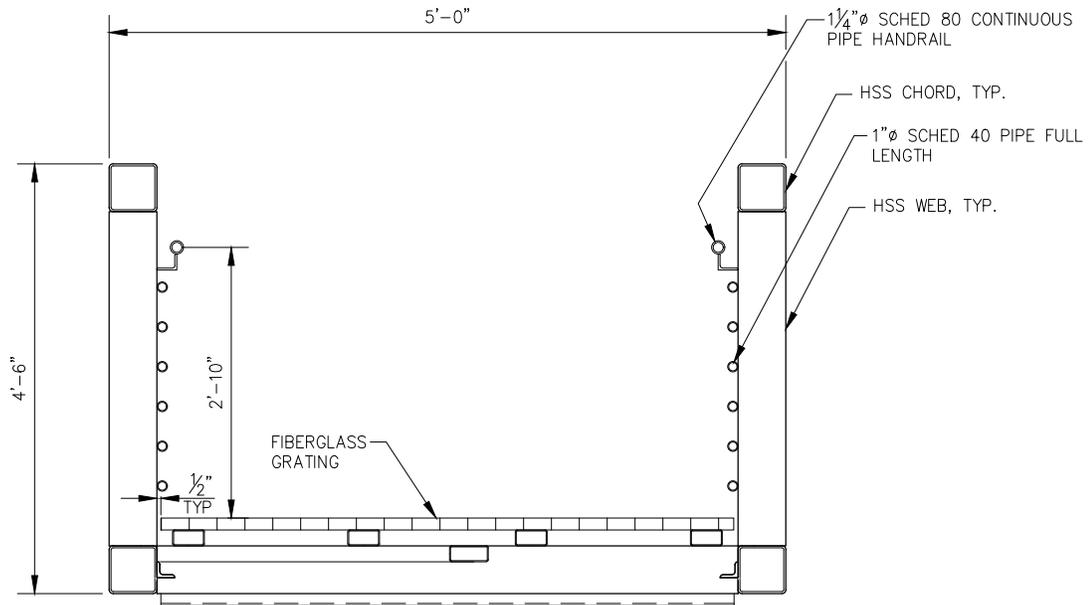


**D APPROACH DOCK  
TYPICAL SECTION**



**GARY PAXTON INDUSTRIAL PARK  
VESSEL HAULOUT**

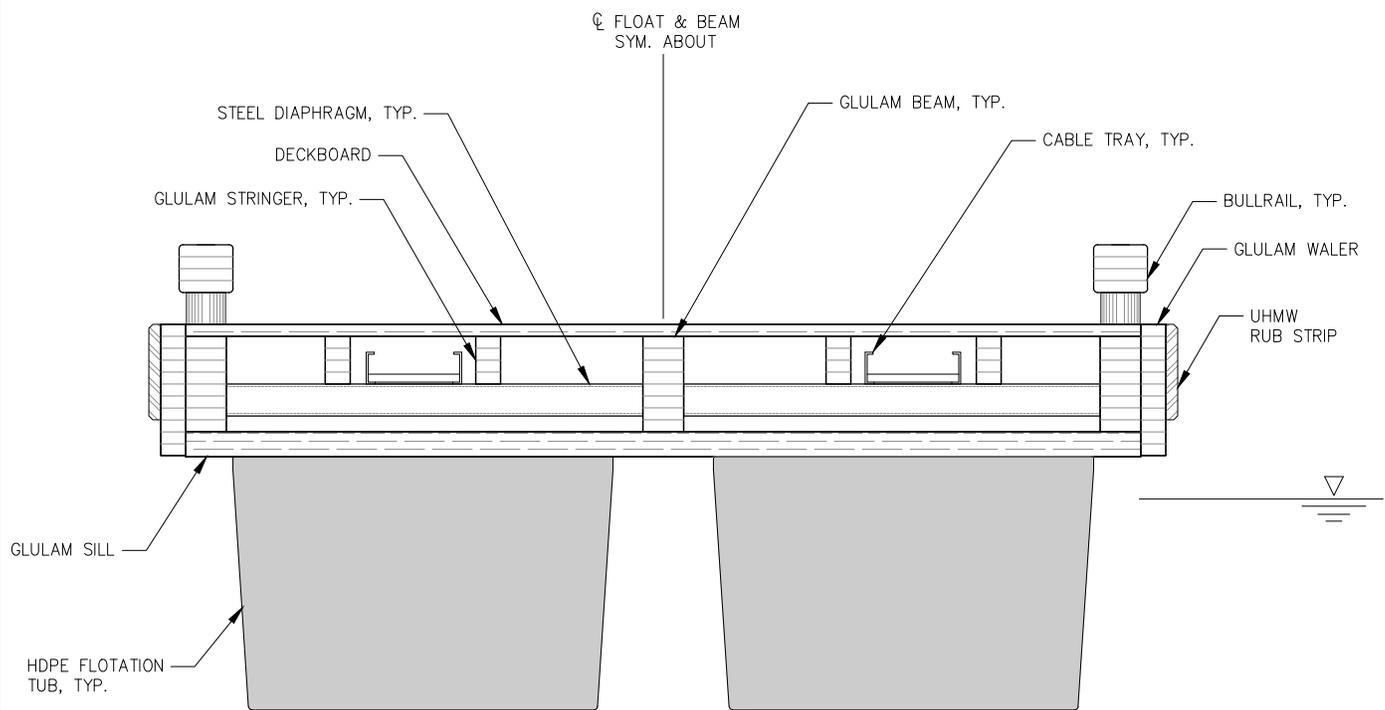
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**E** **GANGWAY**  
**TYPICAL SECTION**

**GARY PAXTON INDUSTRIAL PARK**  
**VESSEL HAULOUT**

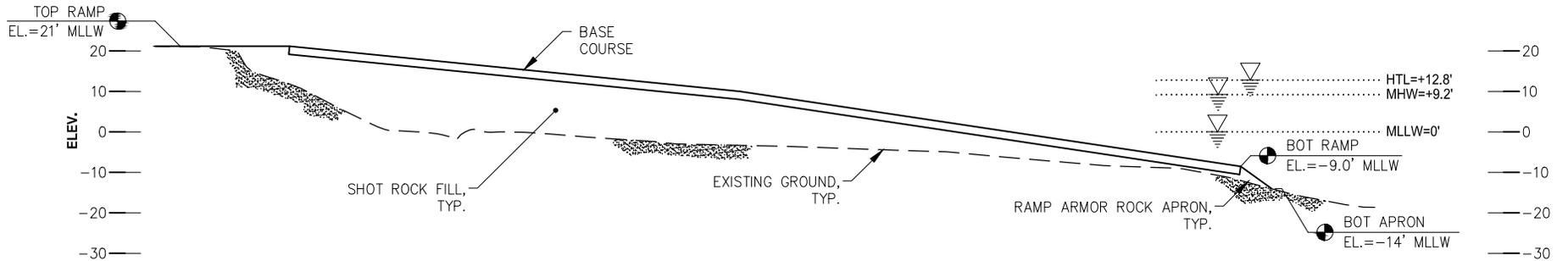
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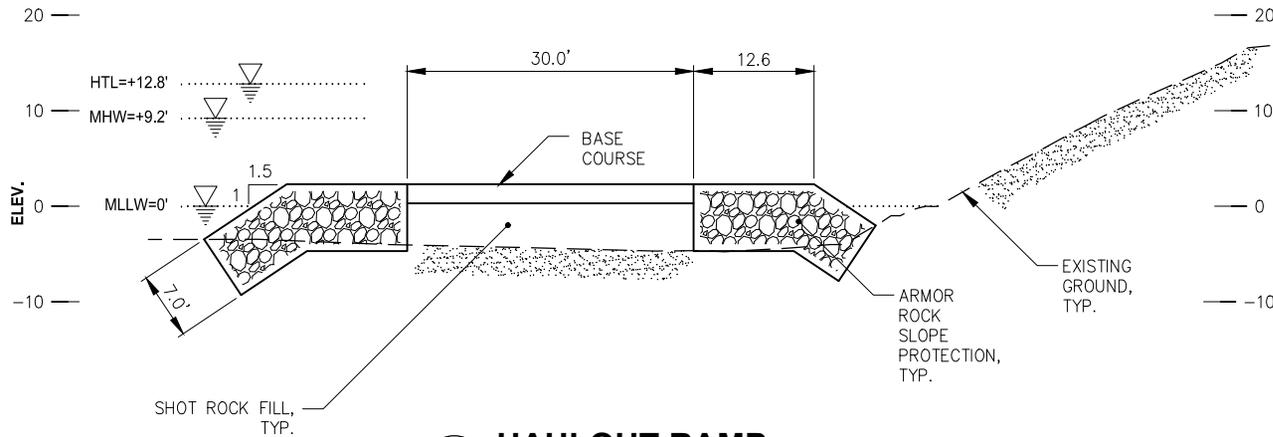
**F MOORING FLOAT  
TYPICAL SECTION**

**GARY PAXTON INDUSTRIAL PARK  
VESSEL HAULOUT**

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**G HAULOUT RAMP ELEVATION**



**H HAULOUT RAMP SECTION**



**GARY PAXTON INDUSTRIAL PARK  
VESSEL HAULOUT**

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