



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:	November 22, 2024
EXPIRATION DATE:	December 23, 2024
REFERENCE NUMBER:	POA-2016-00206
WATERWAY:	Casa Del Sol 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 Matthew Brody at (907) 201-5023, or by email at Matthew.T.Brody@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: Tlingit & Haida Regional Housing Authority
5446 Jenkins Drive,
Juneau, Alaska 99827

LOCATION: The project site is located within Section 25, T. 40 S., R. 65 E., Copper River Meridian; USGS Quad Map Juneau B-2; Latitude 58.37432° N., Longitude 134.612969° W.; Pederson Hill Lot 2, in Juneau, Alaska.

PURPOSE: The applicant's stated purpose is to "CBJ has a well-documented housing problem due to shortage of supply, limited housing choices, limited buildable land, and high burdens in material and housing costs. The result of the Pederson Hill Subdivision and its development will be an increase in the available stock of affordable, modern, energy efficient housing in

Juneau. Developable land in the Juneau area is considered scarce due to topographical constraints as well as limited availability of private land. These housing units will provide affordable housing to qualified lower-income homebuyers who are residents of the Juneau area.

The proposed action is for Phase 1B and Phase 1C of Lot 2B.

Phase 1 will include the development of 11 residences and one public use lot along Guwakaan and Kwalx Street.

Phase 2 will include the development of 21 residences and one public use lot along Guwakaan and Kwalx Street.

Both phases 3 and 4 will include the development of 18 residences during each phase (a total of 36 residences) along Yan Street.

Begin and complete dates: Phase 1 (FY 2024 to FY 2028) Phase 2 (FY 2029 to FY 2033) Phase 3 & Phase 4 (FY 2034 to FY 2038)".

PROPOSED WORK: The applicant is proposing to place 20,584 cubic yards of shot rock, 2,573 cubic yards of crushed rock, and 858 cubic yards of sand and gravel into 5.1 acres of waters of the United States consisting of forested wetlands in order to construct a residential subdivision. All work would be performed in accordance with the enclosed plan (sheets 1-7), dated May 2016.

ADDITIONAL INFORMATION: The proposed project was permitted in 2016 and only partial construction of the authorized work was completed. The proposed project is for the portion of the original authorization that was not constructed.

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 & Minimization: "THRHA is proposing the construction of single-family homes on 11.5 acres that will consist of 69 lots plus two public use or greenspace lots. An adjacent parcel was previously subdivided and developed and consists of single-family residences, paved roadways, curb and gutter, and tie-ins to public utilities. There was a previous plan by the City and Borough of Juneau (CBJ) to continue development of the subdivision as the location was deemed suitable and beneficial to additional housing. The continued development of the property will be undertaken in two phases. Phase 1B will include the development of 31 residences and one public use lot. Phase 1C will add 38 residences and one public use lot. The subdivision is accessed from Glacier Highway via Karl Reishus Boulevard which is a paved road leading to the subdivision with existing cross streets at Guwakaan Street, Kwalx Street, and Yan Street. Guwakaan, Kwalx, and Yan Streets will be extended for access to the new residences. Keishish Lane will be a connector road on the eastern edge of the project site that will connect Yan and Guwakaan Streets. All new streets to access residences will be constructed along with the continued development of the subdivision. All lots will require the addition of sewer, water, and electrical service lines to be placed along with sidewalks and

street lighting. The property is positioned in an area that utilizes the existing road system with easy access via Glacier Highway to and from commercial and residential areas of the community. Surrounding properties include private property to the south, CBJ Lands and Resources property to the west and north, and University of Alaska Southeast property to the east. The property is situated to easily tie into city utilities along Glacier Highway. The current site condition of the proposed project is vacant land zoned D10SF with a total area of approximately 11.5 acres or approximately 500,263 square feet. There are 10 existing private homes to the west of the project site that were part of Phase 1A development by CBJ with the earliest home being constructed in 2020. There is an existing paved road (Karl Reishus Boulevard) that provides access to the existing homes with paved intersections at Guwakaan, Kwalx, and Yan Streets. The planned subdivision will tie into the existing intersections and existing utilities. The City and Borough of Juneau has a well-documented housing problem due to shortage of supply, limited housing choices, limited buildable land, and high burdens in material and housing costs. The result of the Pederson Hill Subdivision and its development will be an increase in the available stock of affordable, modern, energy efficient housing in Juneau. Developable land in the Juneau area is considered scarce due to topographical constraints as well as limited availability of private land. These housing units will provide affordable housing to qualified lower-income homebuyers who are residents of the Juneau area. The clearing limits at each site were chosen to be of the smallest dimensions possible that will fit the anticipated pad. Clearing and grubbing will be limited to only the necessary area and depth of existing material in order to create a stable building pad."

- c. Compensatory Mitigation: "Tlingit Haida Regional Housing Authority has minimized and avoided impacts to the extent practicable. Should additional project mitigation be warranted, we will work with USACE to determine a reasonable path forward to mitigate potential impacts to the environment, local habitat, and protected species. Per options below (a) and (b)
- a.) If mitigation is determined to be required a 1:1 ratio for fees-in-lieu of mitigation is proposed. A greater ratio will prevent the THRHA (CBJ) from accomplishing the goal and purpose of this proposed project by driving the price per lot higher and out of the work-force housing market.
- b.) If mitigation is determined to be required, impacts to waters of the United States will be compensated for by working with the Southeast Alaska Land Trust (SEAL Trust). SEAL Trust is authorized to receive fees-in-lieu of mitigation and has been a partner for past 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 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 work within waters of the U.S. 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).

No EFH species are known to use the project area, therefore, we have determined the described activity would not adversely affect 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 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

Pederson Hill Subdivision
Vicinity Map





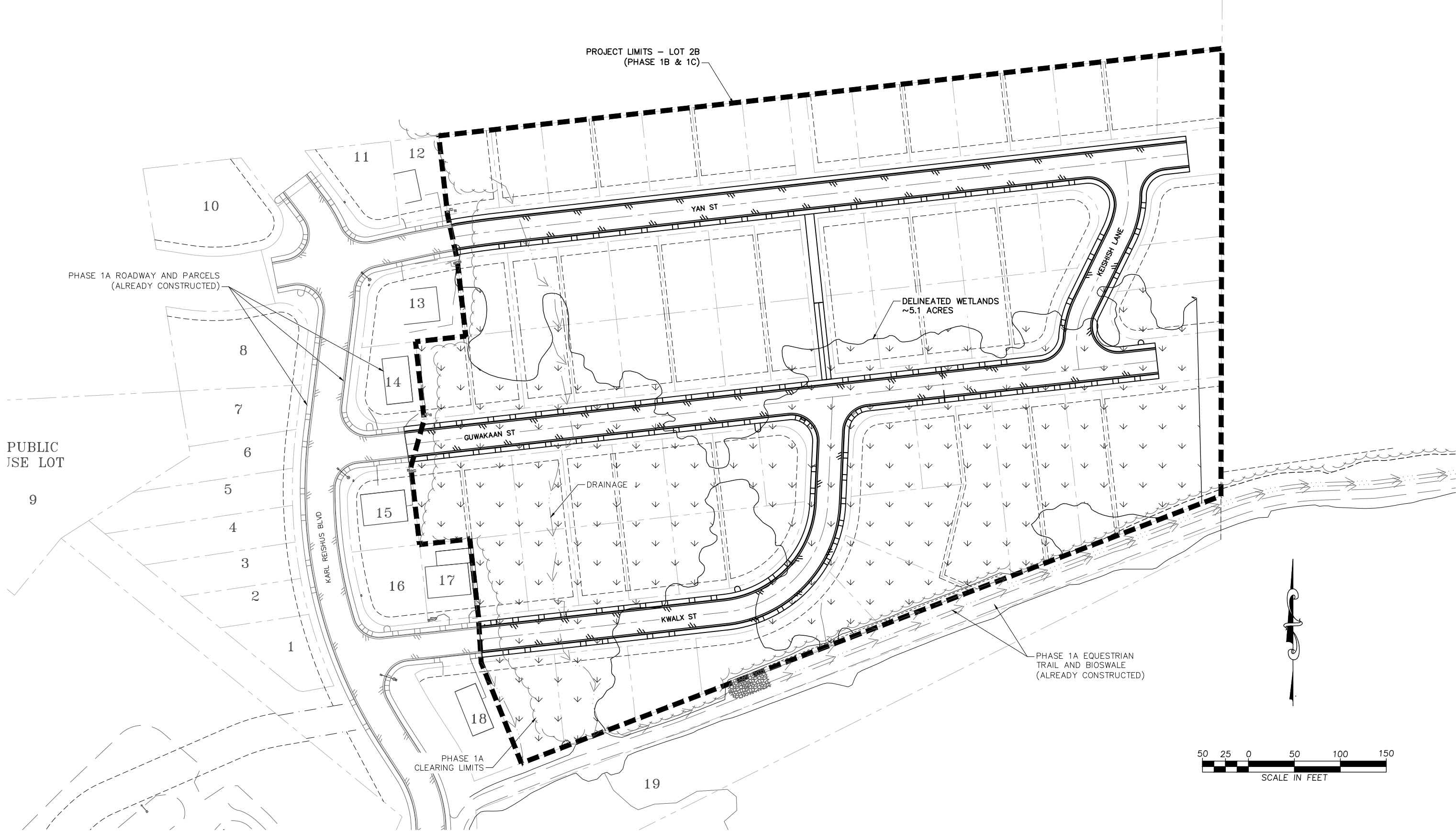
A portion of U.S. Survey
No. 3873, According to
Plat No. 2015-40

Containing; 39,254 ft.²
Tax ID: 4B2201010101

U.S. Survey No. 3873,
Alaska Containing
121.56 Acres

- ☐ Tax ID:
4B2201010101
- ☐ Legal Description:
Pederson Hill LT 2
- ☐ 134° 36' 47.917" W
58 22' 25.882" N

C:\Users\Toby\Homeshore LLC\Homeshore - Shared\Projects\23-015 T&H Pederson Hill Subdivision\60 CAD\Existing\WC_VB_AL_23-015.dwg SAVED DATE: 2024-1-23 USER: TOBY



REVISION			
No.	DATE	DESCRIPTION.	BY



6035 Sunset Street
Juneau, Alaska 99801
907-463-5395

Toby Lockhart
toby@homeshorellc.com
Candy Sims
candy@homeshorellc.com



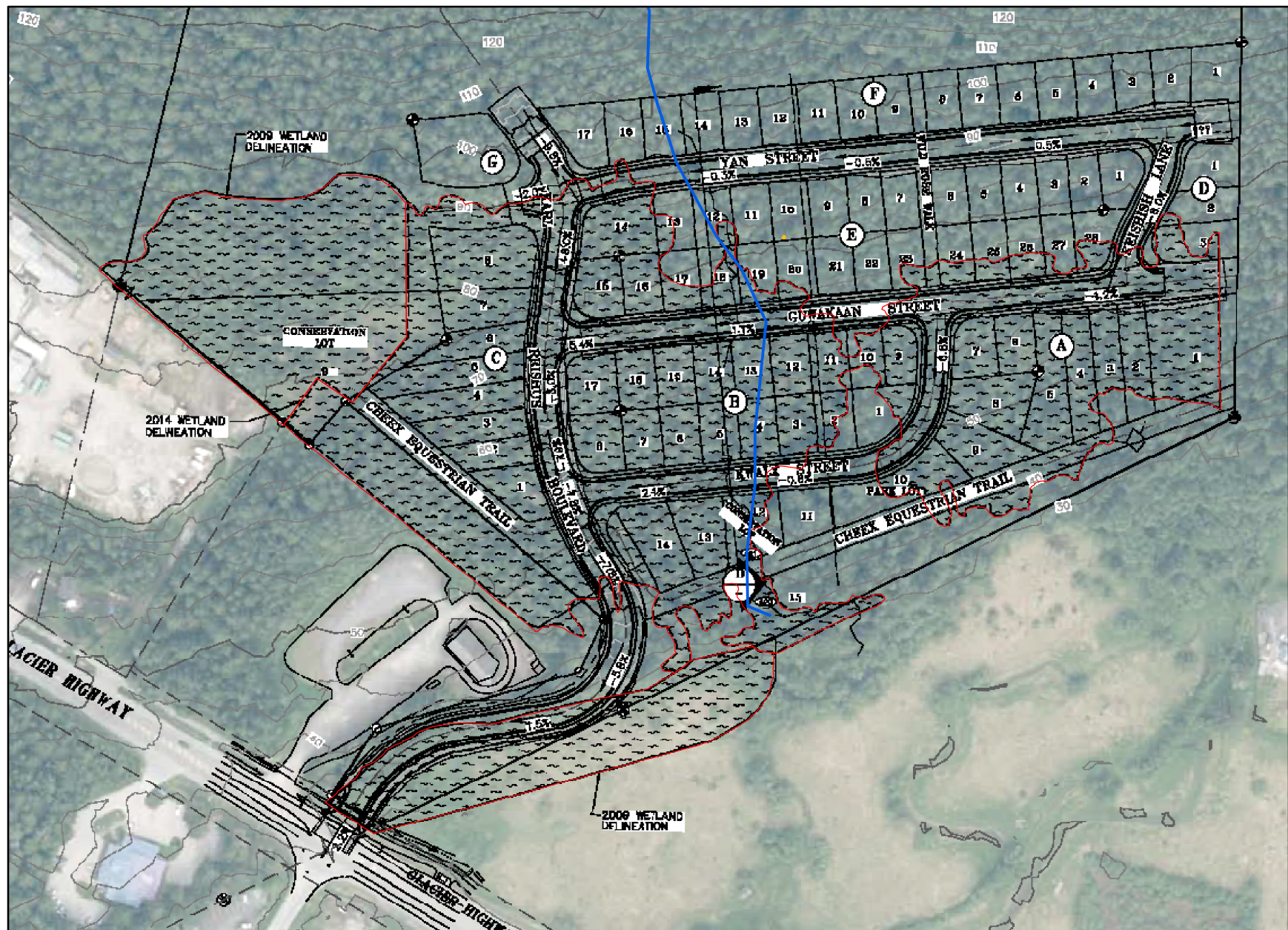
PEDERSON HILL SUBDIVISION
PHASE 1B AND 1C
ENVIRONMENTAL ASSESSMENT
WETLANDS DELINEATION WITH
PROPOSED IMPROVEMENTS

PROJECT 23-015
DATE 01/23/2024

SHEET

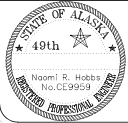
C01

Waters of the United States



- Stream
- Wetlands

POA-2016-206, Casa Del Sol Creek
City & Borough of Juneau
Residential
June 6, 2016



5368 Commercial Blvd.
Juneau, Alaska 99801
(907) 780-3533 Office
(907) 780-3535 Fax

Consulting Engineers • Land Surveyors • Construction Administration

JOB No. J70687 DRAWN BY: STAFF DESIGNED BY: N. HOBBS CHECKED BY: STAFF DATE: JAN. 2016

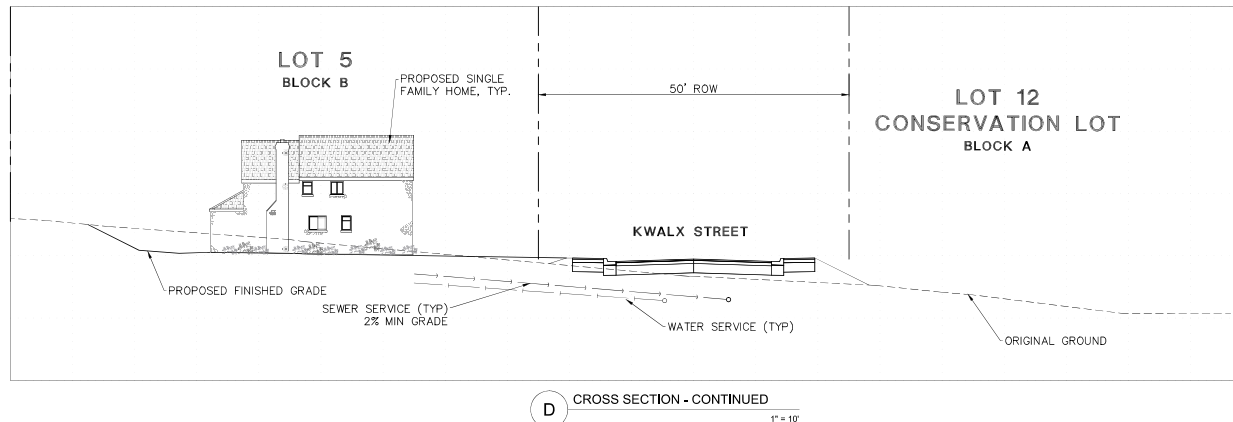
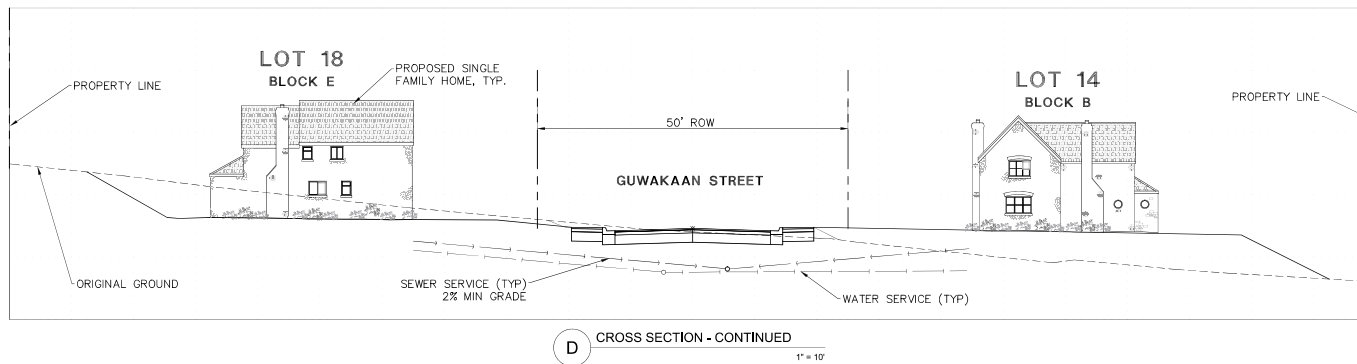
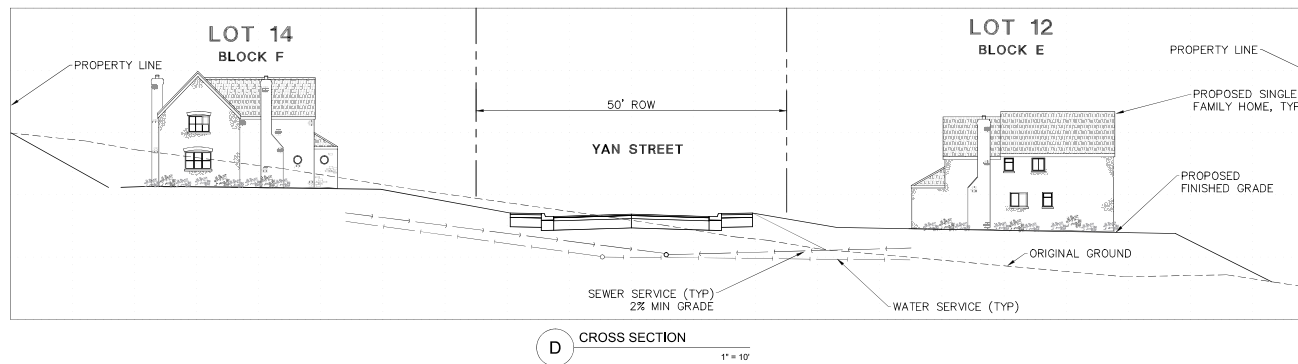


PEDERSON HILL

PEDERSON HILL
SUBDIVISION

SHEET NO.

POA-2016-206, Casa Del Sol Creek
City & Borough of Juneau
Residential
Sheet 1 of 3
May 25, 2016



Consulting Engineers • Land Surveyors • Construction Administration

5368 Commercial Blvd.
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PEDERSON HILL

PEDERSON HILL
CROSS SECTION

JOB No. J70687 DRAWN BY: STAFF DESIGNED BY: N. HOBBS CHECKED BY: STAFF DATE: JAN. 2016

POA-2016-206, Casa Del Sol Creek
City & Borough of Juneau
Residential
Sheet 2 of 3
May 25, 2016

PEDERSON HILL
4.27.16 CBT
BLOCK E



YAN STREET