US Army Corps
of Engineers
Alaska District

# Public Notice of Application for Permit

JUNEAU FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD
8800 Glacier Highway, Suite 106
Juneau, Alaska 99801-8079

**PUBLIC NOTICE DATE:** **June 11, 2012**

**EXPIRATION DATE:** **July 11, 2012**

**REFERENCE NUMBER:** **POA-1993-544-M8**

**WATERWAY:** **Skaters 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.

Comments on the described work, with the reference number, 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) 790-4493, or by email at Matthew.T.Brody@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Metlakatla Housing Authority
Att: Ron Ryan
P.O. Box 59
Metlakatla, Alaska 99926
907-886-6500
Mha01@aptalaska.net

AGENT: Gordon Seversen
Michael L. Foster & Associates, Inc.
13135 Old Glenn Highway
Eagle River, Alaska 99577
907-696-6200
ges@mlfaalaska.com

LOCATION: The project site is located within Section 8, T. 78 S., R. 92 E., Copper River Meridian; USGS Quad Map Ketchikan A-5; Latitude 55.1186° N., Longitude -131.5813° W.; Raven Loop Subdivision, Block 3, Lot 6, Block 4, Lots 1-3, and Block 5, Lots 1-4; Southwest of Skaters Lake, in Metlakatla, Alaska.

SPECIAL AREA DESIGNATION: The project is located within the Annette Islands Reserve, a federal Indian reservation.

PURPOSE: The applicant's stated purpose:

"Housing construction by the Metlakatla housing Authority represents a significant portion of the housing growth within the community where there currently is a tremendous need for low income housing. As in 2008, there is a waiting list of 65 families for mutual help housing. The project will supply a much needed housing area where duplex units can be constructed with U.S. Department of Housing and Urban Development (HUD) funding."

"The project will eliminate a short dead end spur in the existing water distribution system at the existing Raven Loop Subdivision. A dead end in a water line will provide stagnation which can cause water quality degradation in the line, lowered chlorine residuals, sand re-growth of bacteria and or water borne viruses. The proposed project will loop the water distribution system allowing water to flow throughout the mains and eliminate the potential for stagnation."

PROPOSED WORK: The applicant is proposing to expand the existing Raven Loop Subdivision by placing 89,810 cubic yards of material into 6.16 acres of wetlands. The expansion would include utilities and roads for eight duplex low-income rental homes on Block 3 Lot 6, Block 4, Lots 1-3, and Block 5, Lots 1-4. The water line is 6-inch diameter polyvinyl chloride (PVC) and would be located on the shoulder of the road at a burial depth of 4 feet. There would be 2,000 feet of water main, three isolation valves and boxes, sixteen 1-inch HEPE water services, sixteen curb stops, and one fire hydrant. An 8-inch diameter PVC sewer line would be installed on the shoulder of the road and buried between 6-4 feet. The sewer system would include 1,000 feet of 8-inch PVC, 16 4-inch sewer services, and three manholes. Areas where sewer and water lines are to be buried below bedrock would be blasted by a contractor. Roadways will consist of 5-inch thick concrete over classified fill and make up 900 x 25 feet in dimensions. Eight driveways measuring 90 x 30 feet would be constructed of 4-inch thick concrete over classified fill. Eight building pads, measuring 120 x 120 feet, will be constructed with classified fill. All excavated overburden would be disposed of at an existing overburden disposal area. Ditching will be installed along both sides of the road as well as along the perimeters of the subdivision expansion to facilitate proper drainage. Riprap would be placed, 6-inches to 1-foot deep, into drainage ditches around the perimeter of the expansion and at culvert ends. Eight 12-inch corrugated HDPE culverts approximately 55-feet long would be place under each driveway, and two 18-inch corrugated HDPE culverts approximately 100-feet long would be installed under the road as appropriate.

All work would be performed in accordance with the enclosed plan (sheets 1-30), dated February 2012.

ADDITIONAL INFORMATION:

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 stated that "No significant environmental consequences are expected to result and, therefore, no mitigation is necessary." If the proposed development ties into the existing subdivision and utilities then avoidance would not be feasible since the entire area is composed of muskeg wetlands.

b. Minimization: The applicant stated that "Site layout and design will maximize the retention of existing vegetation. Impacts are expected to be minimal."

c. Compensatory Mitigation: "The Metlakatla Housing Authority does not feel compensation for unavoidable impacts to waters of the U.S. is necessary because there are no alternatives to the proposed activity that would avoid wetland fill. Additionally, this project provides many benefits."

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 Environmental Protection Agency.

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 listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. The applicant has coordinated with the State Historic Preservation Office for the majority of the project area and a determination was made that No Historic Properties Affected. Because the project area has changed the application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO 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: No threatened or endangered species are known to use the project area.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management 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.

TRIBAL CONSULTATION: The Alaska District 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 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 right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

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 of Engineers 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 of Engineers 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.

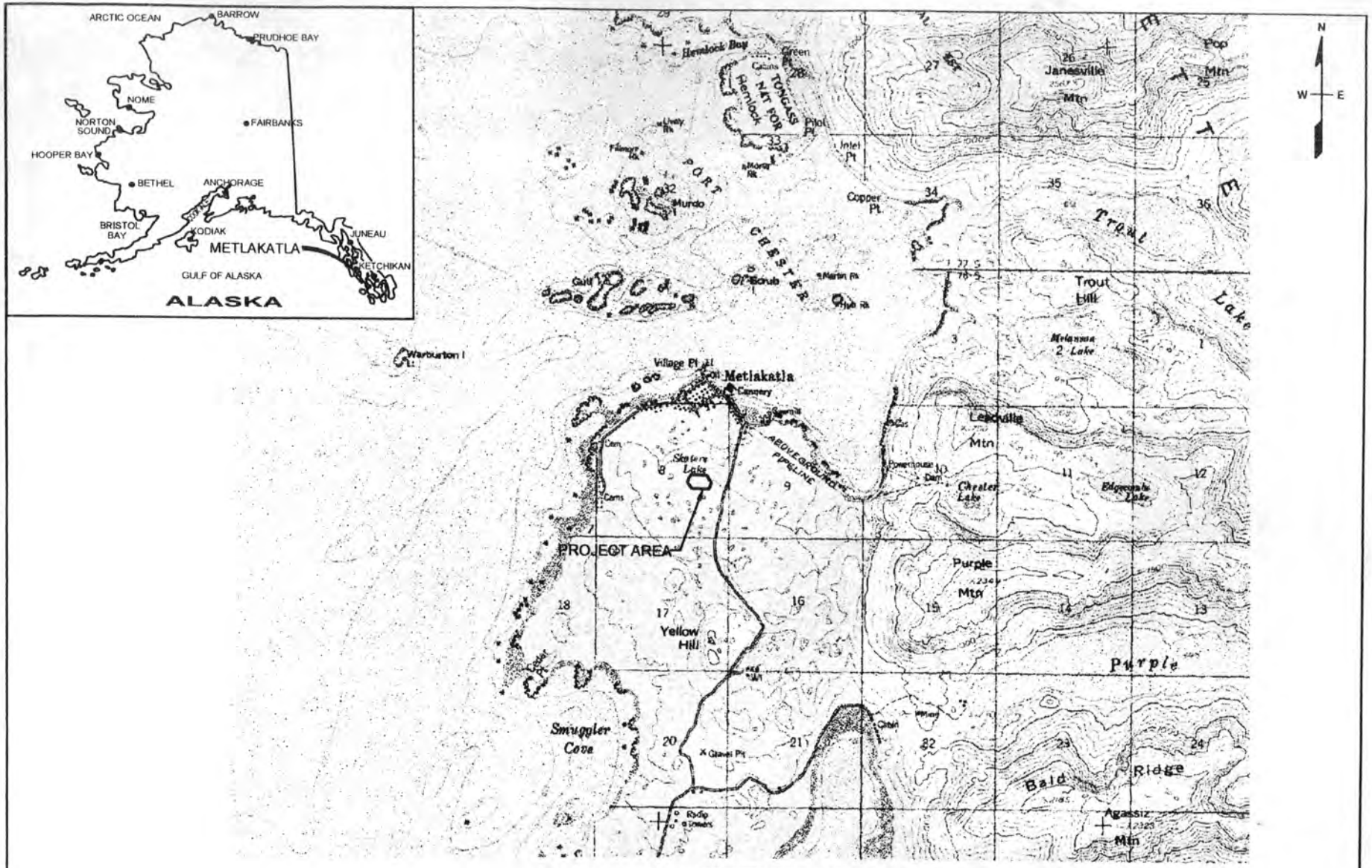
AUTHORITY: This permit will be issued or denied under the following authority:

(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 and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures




USGS KETCHIKAN A-5 QUADRANGLE

## FIGURE 1 - LOCATION, VICINITY, AND USGS TOPOGRAPHY

0 .5 1 2

APPROXIMATE SCALE IN MILES

Applicant: Metlakatla Housing Authority
File Number: To Be Determined
Waterway: Port Chester, Nichols Channel
Proposed Activity: Raven Loop Subdivision Expansion
Sec. 8, T. 78S., Range 92E., Copper River Meridian
Latitude: 55.118618 N. Longitude: 131.58140 W.
Sheet 1 of 6 Date: 02/14/2012

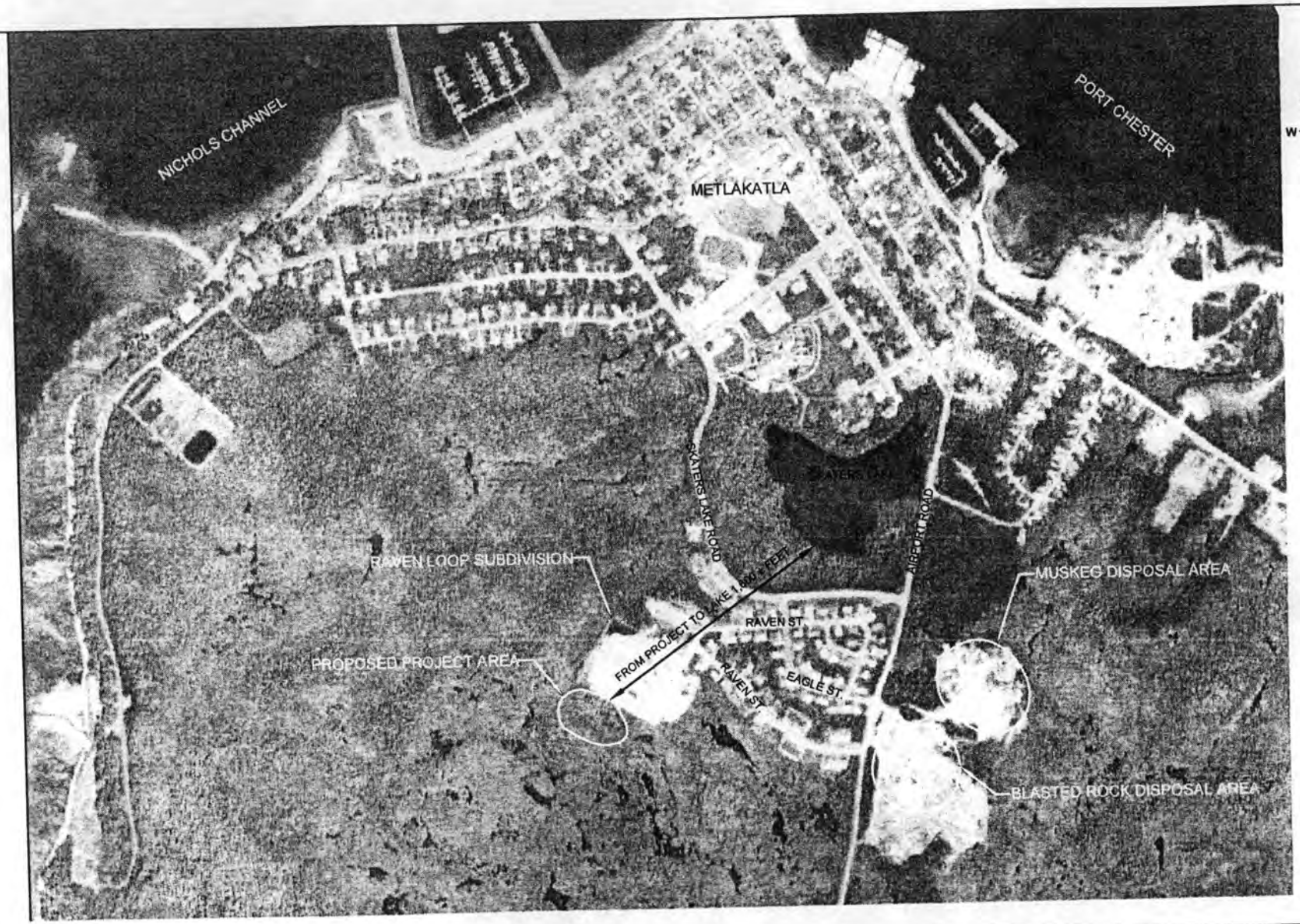



**FIGURE 2 - PROJECT AREA WITH AERIAL IMAGE**

0 750 1500 3000
APPROXIMATE SCALE IN FEET

SOURCE: GOOGLE EARTH, JULY 29, 2009

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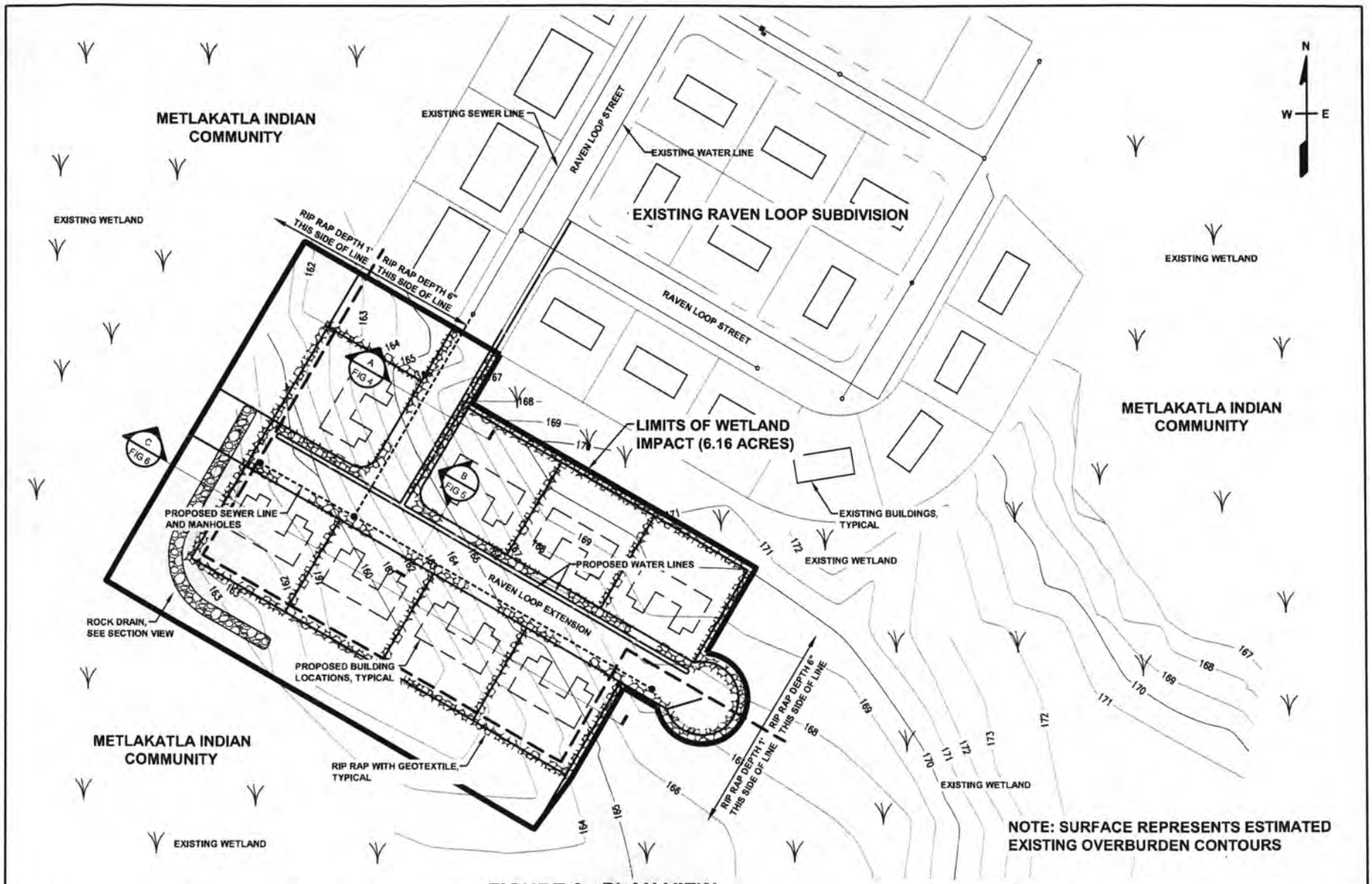
Sec. 8, T. 78S., Range 92E., Copper River Meridian
Latitude: 55.118618 N. Longitude: 131.58140 W.
Sheet 2 of 6 Date: 02/15/2012




| MATERIALS | ESTIMATED TOTAL |
|---|---|
| OVERBURDEN REMOVAL | 48,000 CUBIC YARDS |
| ROCK BLASTING | 7,000 CUBIC YARDS |
| FILL MATERIAL | 31,000 CUBIC YARDS |
| CLASS 1 RIPRAP (6-INCH MINUS) | 2,000 CUBIC YARDS |
| GEOTEXTILE | 10,000 CUBIC YARDS |

## FIGURE 3 - PLAN VIEW

0 37.5 75 150 300
SCALE IN FEET

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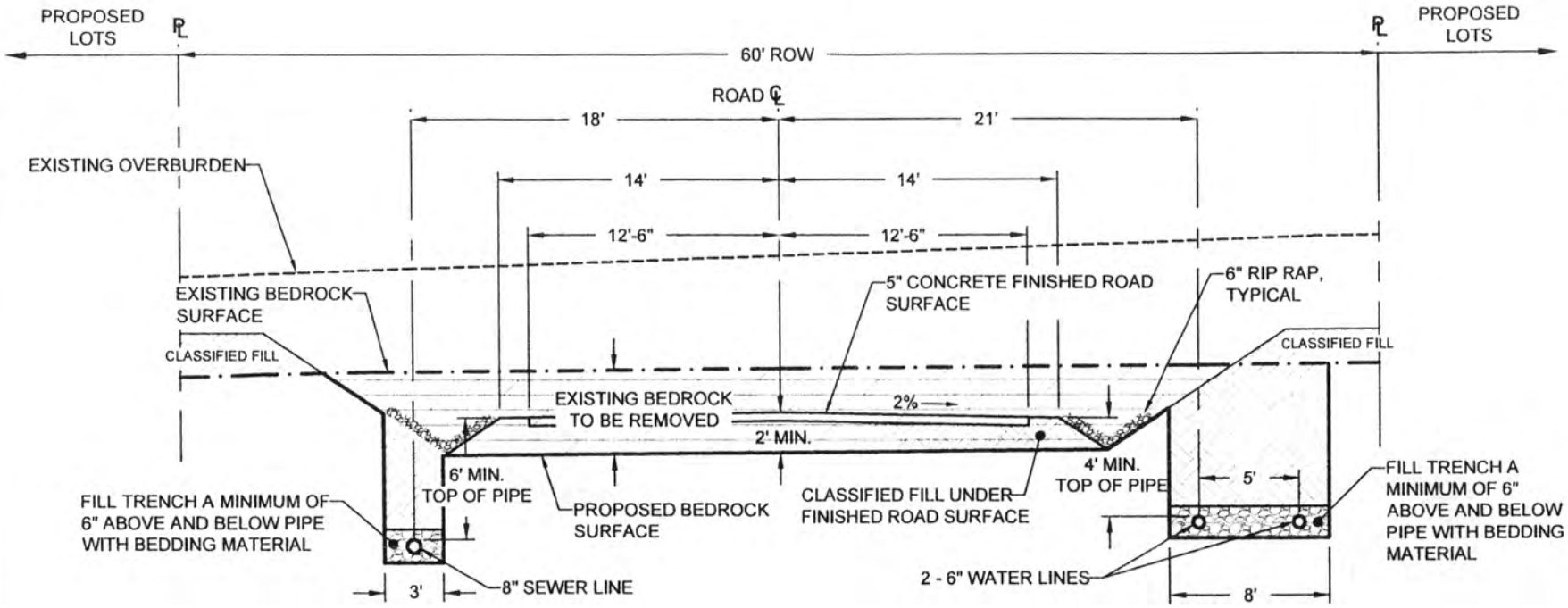
Proposed Activity: Raven Loop Subdivision Expansion
Sec. 8, T. 78S., Range 92E., Copper River Meridian
Latitude: 55.118618 N. Longitude: 131.58140 W.
Sheet 3 of 6 Date: 06/07/2012




## A FIG 4 FIGURE 4 - ROAD CROSS SECTION

1"=8'

Applicant: Metlakatla Housing Authority
File Number: To Be Determined
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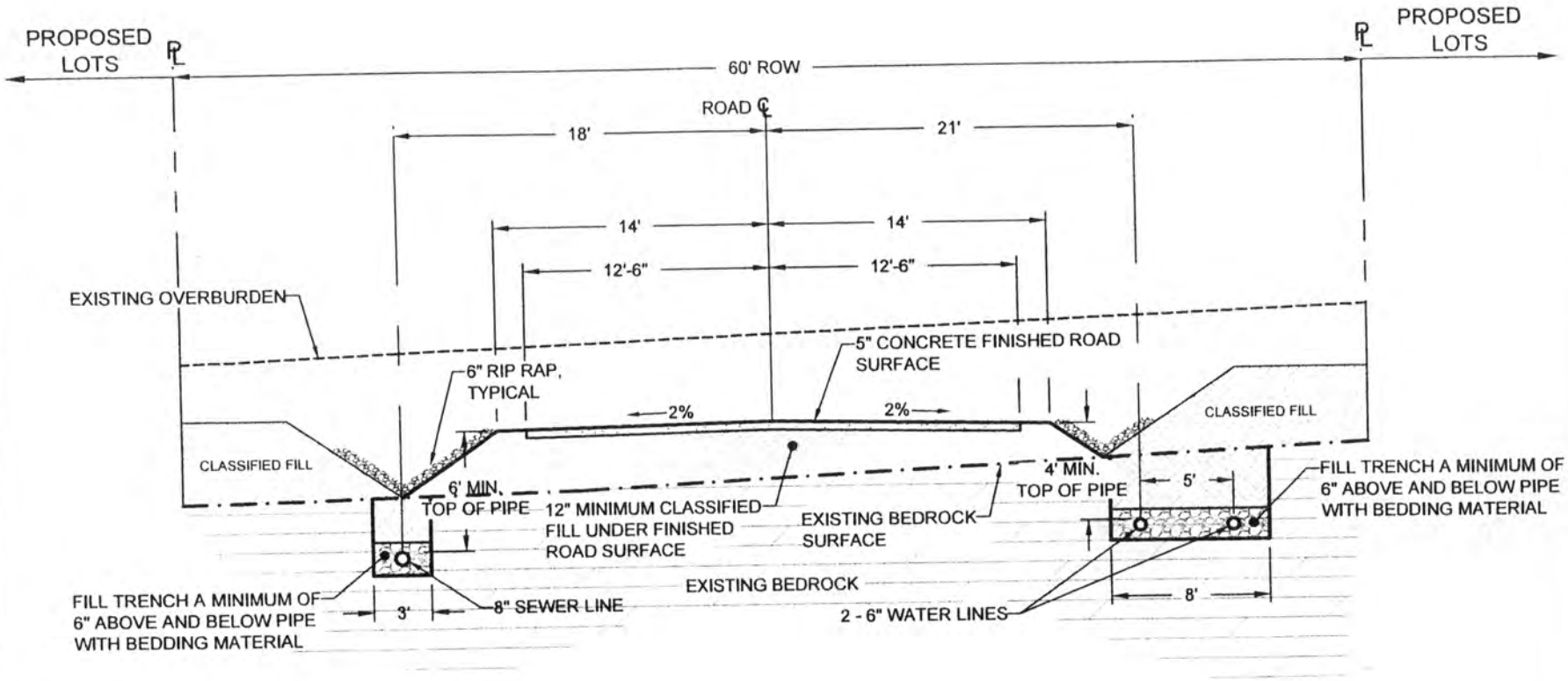
Proposed Activity: Raven Loop Subdivision Expansion
Sec. 8, T. 78S., Range 92E., Copper River Meridian
Latitude: 55.118618 N. Longitude: 131.58140 W.
Sheet 4 of 6 Date: 02/15/2012




B FIG 5 **FIGURE 5 - ROAD CROSS SECTION**

**1"=8'**

0 2 4 8 16

SCALE IN FEET

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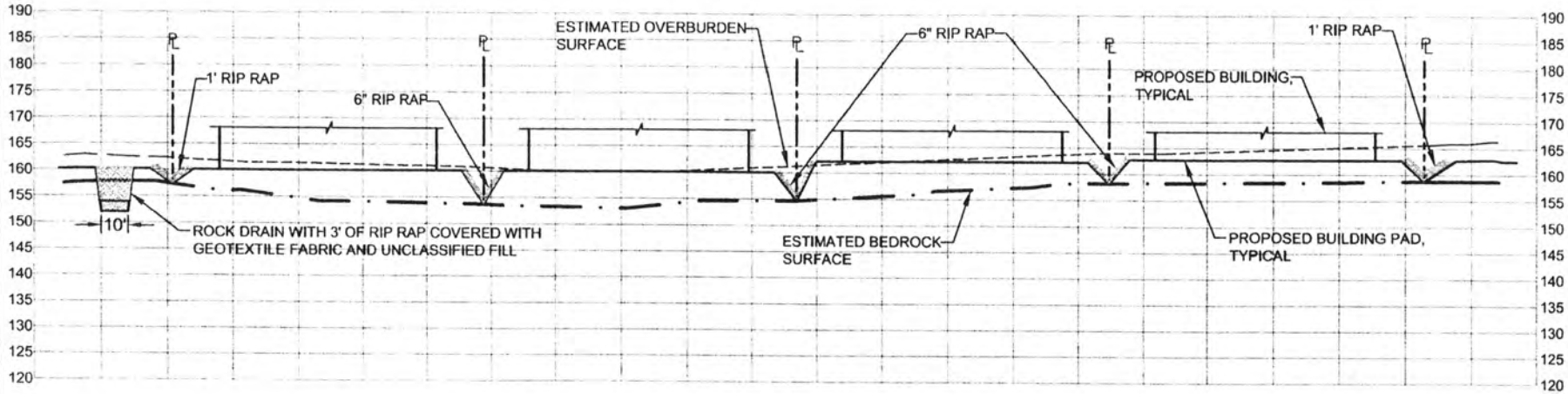
Sec. 8, T. 78S., Range 92E., Copper River Meridian
Latitude: 55.118618 N. Longitude: 131.58140 W.
Sheet 5 of 6 Date: 02/14/2012




C
FIG 6

## FIGURE 6 - CROSS SECTION OF BUILDING PADS AND ROCK DRAIN

0 15 30 60

1"= 60' HORIZ.; 1"=30' VERT.

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Latitude: 55.118618 N. Longitude: 131.58140 W.
Sheet 6 of 6 Date: 02/14/2012