



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

FAIRBANKS FIELD OFFICE
Regulatory Division (1145)
CEPOA-RD
2175 University Avenue, Suite 201E
Fairbanks, Alaska 99709-4927

PUBLIC NOTICE DATE: September 10, 2012

EXPIRATION DATE: September 24, 2012

REFERENCE NUMBER: POA-2005-1245-M2

WATERWAY: Piledriver Slough

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 Ellen Lyons at (907) 474-2166, by fax at (907) 474-2164, or by email at ellen.h.lyons@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Alaska Department of Transportation and Public Facilities
(ADOT&PF)

LOCATION: The project site is located within Section 19, T. 2 S., R. 3 E., and Sections 24 & 25 T. 2 S., R. 2 E., Fairbanks Meridian; USGS Quad Map Fairbanks C-1; Latitude 64.723° N., Longitude 147.2452° W.; Fairbanks North Star Borough; milepost 345 on the Richardson Highway, near North Pole, Alaska.

PURPOSE: The applicant's stated purpose is to create a grade separation between the Richardson Highway and the railroad at the highway railroad crossing to address safety, delays, and conflicts. The proposed project is consistent with a Memorandum of Understanding (MOU) between ADOT&PF and the Alaska Railroad Corporation to eliminate all at-grade highway crossings along the National Highway System.

PROPOSED WORK: The applicant proposes to place approximately 5,400 cubic yards (cy) of gravel fill material into approximately 1.5 acres of wetlands to improve the Richardson Highway crossing over the railroad and establish a new approach to the road south of the highway that leads to the Old Valdez

Trail and a dike along the Tanana River. Fill material for the project would be extracted from a nearby site containing approximately 7 acres of wetlands and adjacent to Piledriver Slough. The project was originally put out on Public Notice on July 29, 2005, and a permit was issued on April 11, 2006 and expired April 30, 2009. No work was performed under the original authorization. The new proposal is nearly identical to the original project. The Richardson Highway road surface would be elevated up to 27 feet from approximately MP 345.65 to MP 344.8 and bridged over the existing railroad crossing. The existing access to the dike road would be eliminated and replaced with an approach, (off ramp), leading from the south side of the Richardson Highway near MP 344.9.

Up to 400,000 cy of fill material would be extracted from a 45-acre vegetated site situated east of the dike road; mechanized land-clearing and extraction at the material site would eliminate 7 acres of jurisdictional wetlands. Approximately 5 acres of the material site would be used as a workpad and staging area for construction equipment. Approximately 160,000 cubic yards of fines and overburden would be stockpiled at the material site. Upon completing construction, the material site would be reclaimed / converted to create a 19-acre pond and boat launch connecting to Piledriver Slough. The 5-acre workpad would be converted into the boat launch and parking area. All work would be performed in accordance with the enclosed plan, (sheets 1-7), dated August 27, 2012.

ADDITIONAL INFORMATION: Please see attached plans and narrative from applicant.

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 road improvements would be mostly constrained to the existing road prism. Temporary stockpiles and equipment staging areas will be located in uplands or previously disturbed areas whenever possible.

b. Minimization: Road improvement activities occurring in areas immediately adjacent to the existing road prism contain relatively few wetlands. The proposed material site also contains few wetlands given its proximity to Piledriver Slough.

The steepest side slopes recommended for slope stability and traffic safety have been incorporated into the project design. Existing drainage patterns would be maintained. Temporary construction disturbance would be limited to 20 feet beyond the proposed toe of the slope. Sloping fill areas and stockpiles would be stabilized and re-vegetated to reduce erosion and sediment transport.

c. Compensatory Mitigation: The pond and wetland fringe to be created at the material site would serve as compensatory mitigation for the unavoidable impacts to 8.5 acres of jurisdictional wetlands. The pond would have an irregular shoreline sloping at 2:1 to 10:1. The extent of surface water is expected to fluctuate annually from 19 acres to 21.5 acres. Approximately 7.4 acres of the pond's central area would be approximately 25 feet deep. The pond would provide off-channel fish habitat that could serve as rearing and refuge for arctic grayling and/or chum salmon.

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 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. This 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.

We have determined the described activity would have no effect on 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 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, 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).

We have determined the described activity would not adversely affect EFH in 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

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

ANCHORAGE

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

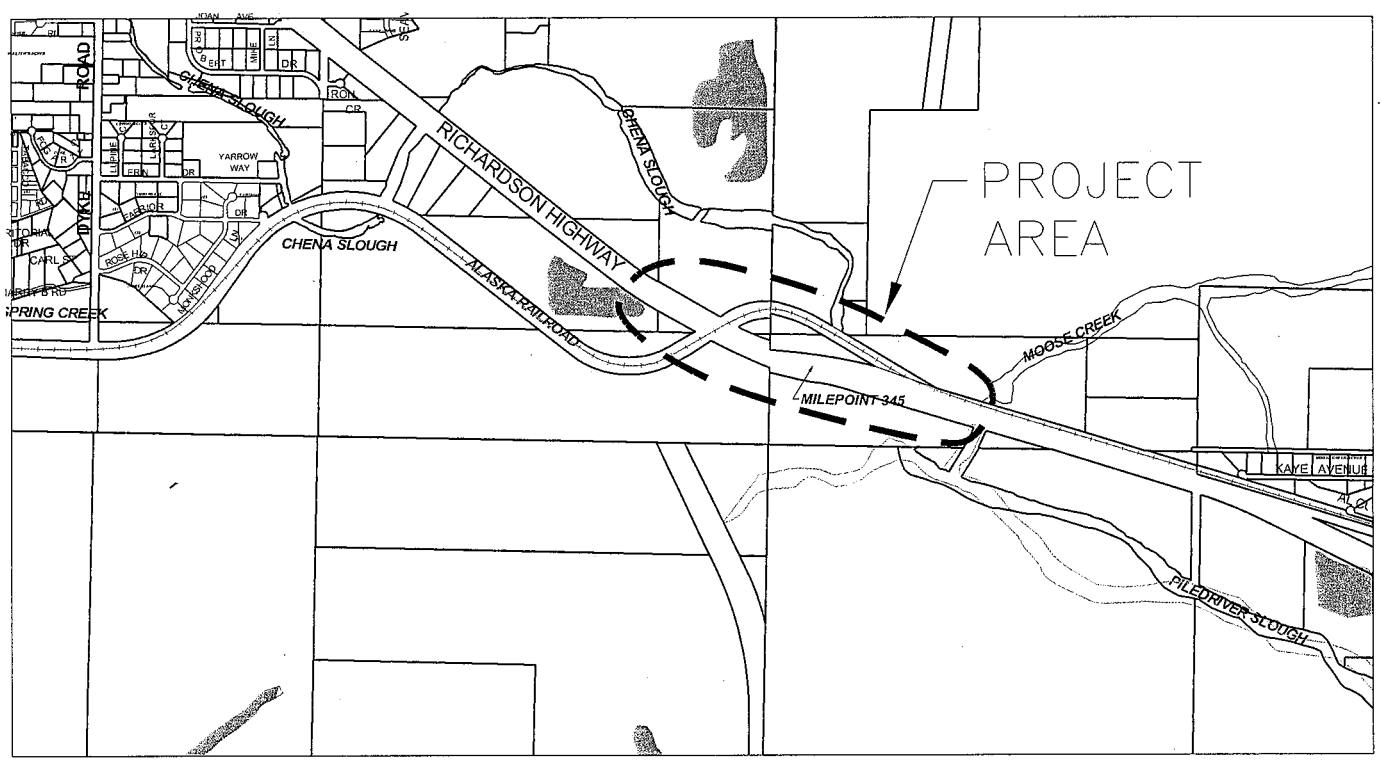
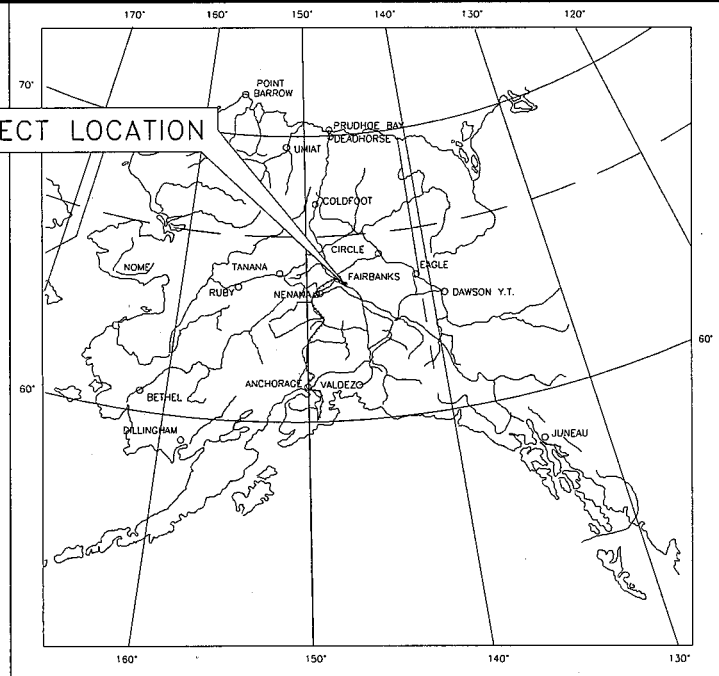
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No.

POA 2005 1245, Piledriver Slough, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.

PROJECT LOCATION



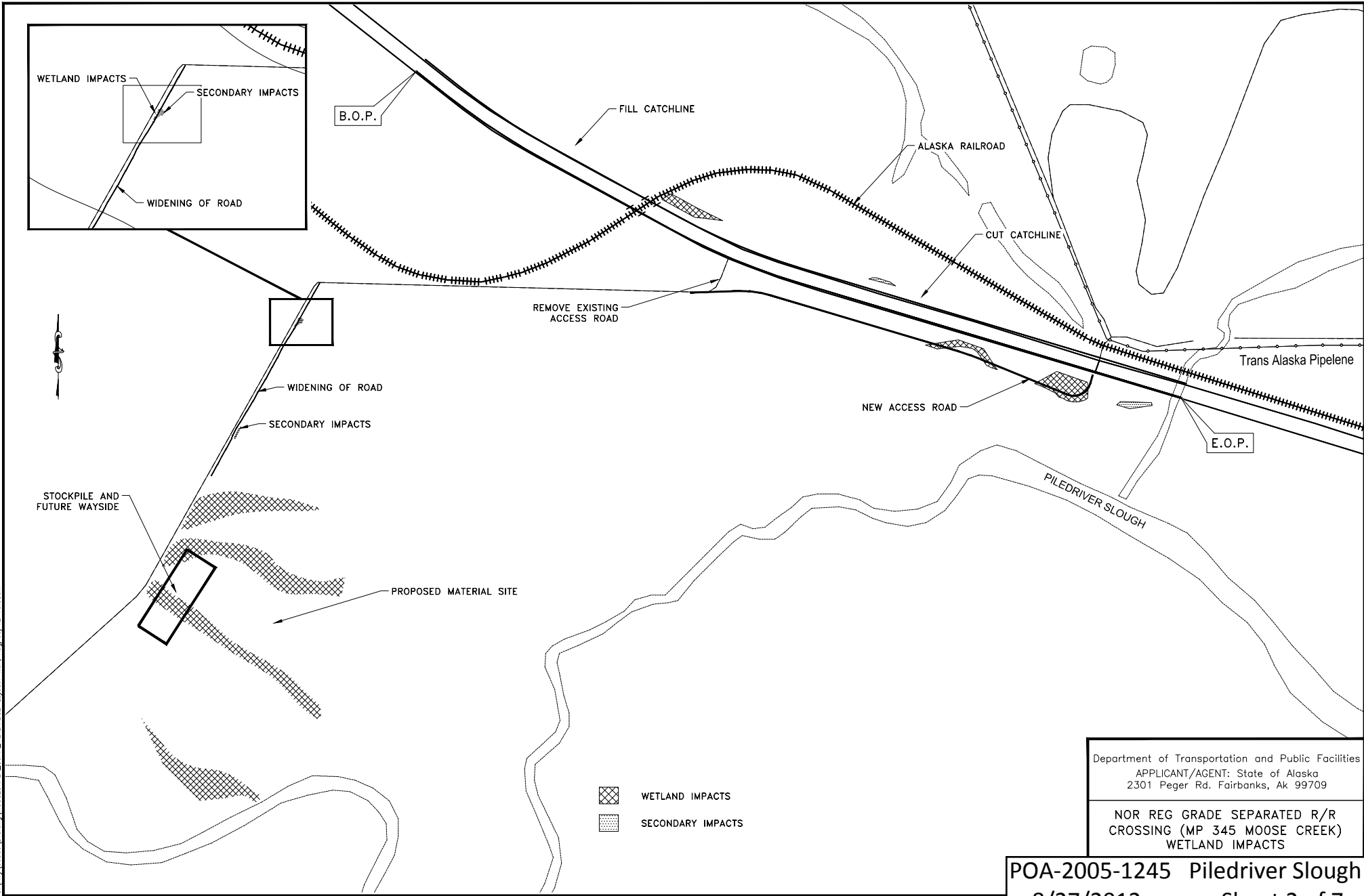
GENERAL LOCATION:
 SECTION 19
 TOWNSHIP 2 SOUTH, RANGE 3, EAST
 FAIRBANKS MERIDIAN
 SOUTHEAST OF NORTH POLE





STATE OF ALASKA Department of Transportation and Public Facilities	
APPLICANT/AGENT: State of Alaska 2301 Peger Rd. Fairbanks, Ak 99709	
PROJECT # 66566 RICHARDSON HIGHWAY MP 345 MOOSE CREEK RAILROAD OVERPASS PROJECT	
POA-2005-1245 Piledriver Slough 8/27/2012	Sheet 1 of 7 Location and vicinity map

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U:\New\66565\Drafting\MOOSECREEK_CORP_WETLANDS-Layout1 Map_Aug/08/12 1:00Bam



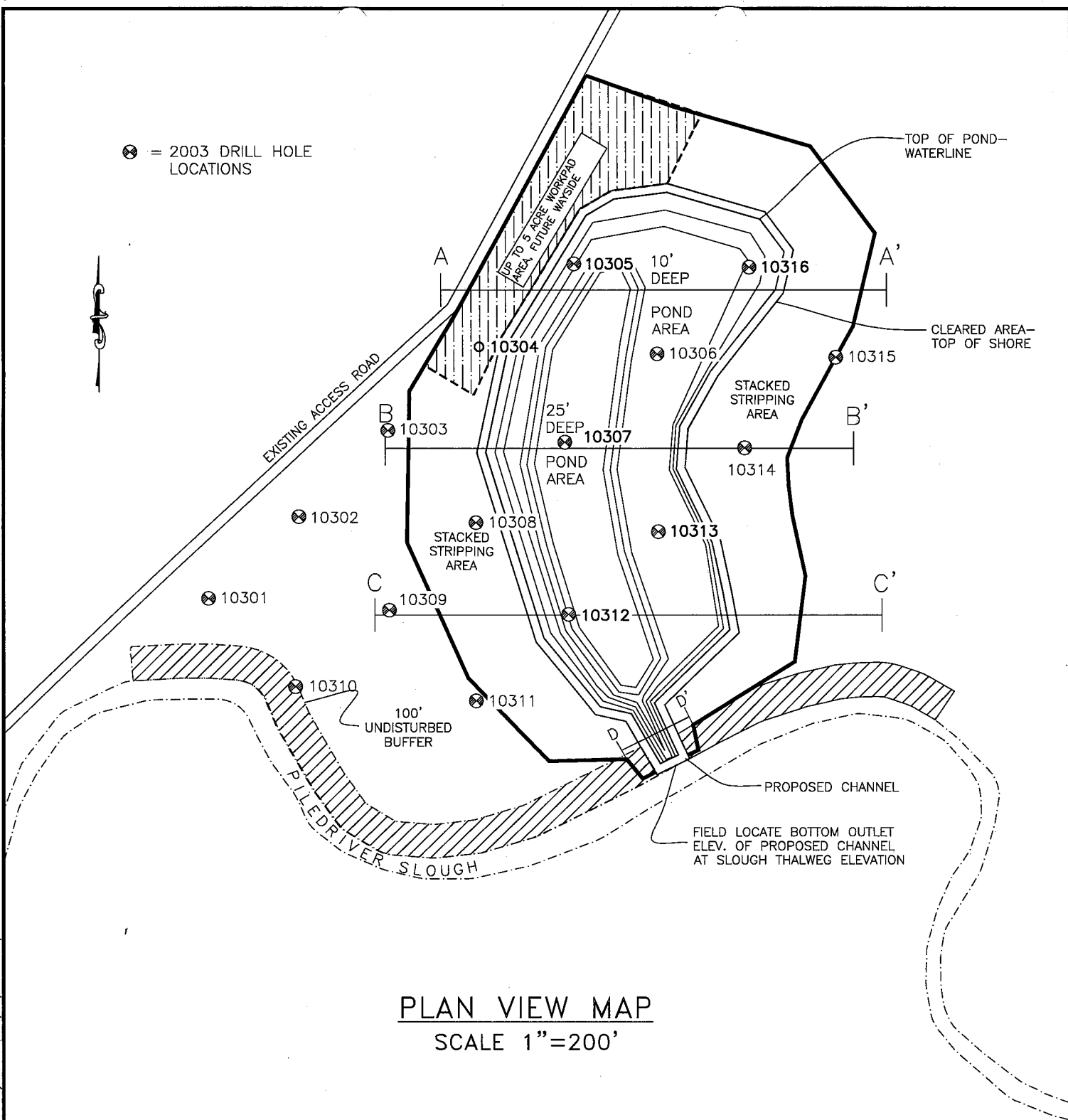
-  WETLAND IMPACTS
-  SECONDARY IMPACTS

Department of Transportation and Public Facilities
 APPLICANT/AGENT: State of Alaska
 2301 Peger Rd. Fairbanks, Ak 99709

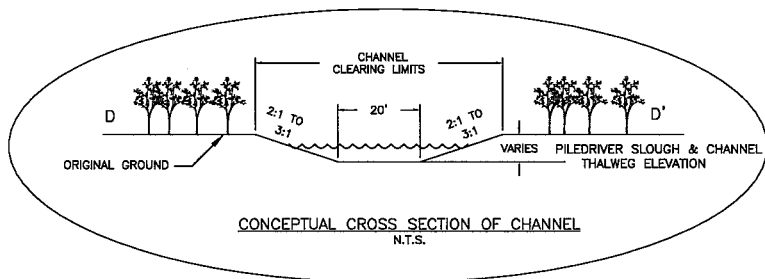
NOR REG GRADE SEPARATED R/R
 CROSSING (MP 345 MOOSE CREEK)
 WETLAND IMPACTS

POA-2005-1245 Piledriver Slough
 8/27/2012 Sheet 2 of 7

⊗ = 2003 DRILL HOLE LOCATIONS



PLAN VIEW MAP
SCALE 1"=200'

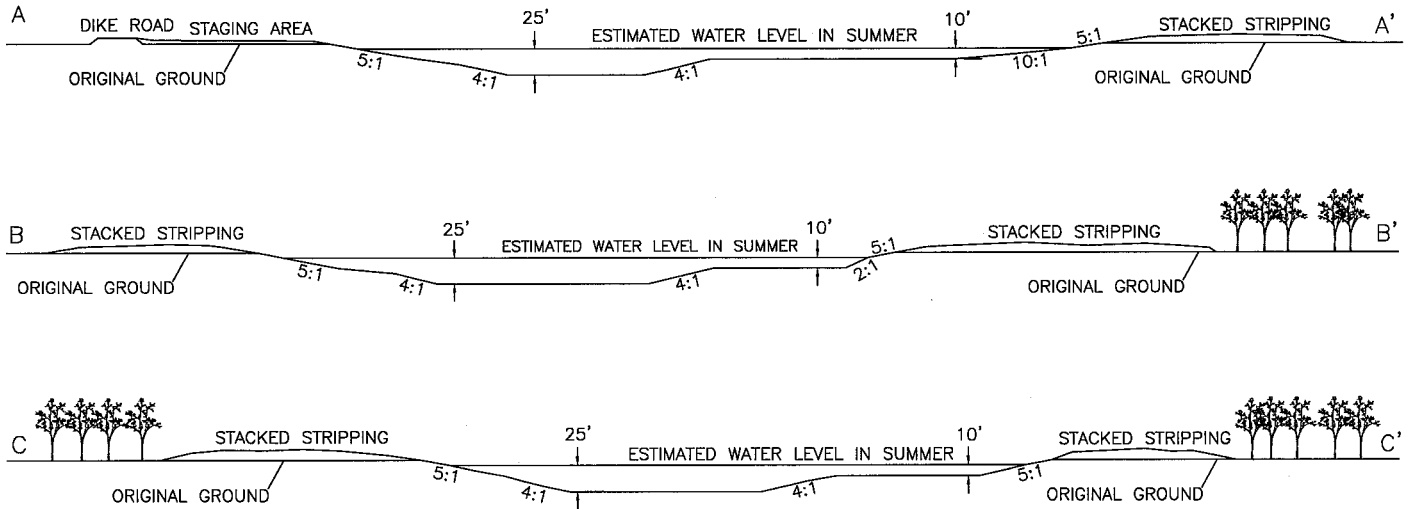


Department of Transportation and Public Facilities
 APPLICANT/AGENT: State of Alaska
 2301 Peger Rd. Fairbanks, Ak 99709

NOR REG GRADE SEPARATED R/R
 CROSSING (MP 345 MOOSE CREEK)
 MINE PLAN

POA-2005-1245 Piledriver Slough
 8/27/2012 Sheet 3 of 7

U:\Hwy\66566\Drafting\MooseCreek\PLN_CORP_WETLANDS_POND-LAYOUT1 Fri Jul 20/12 02:23pm

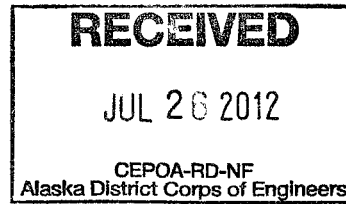


CONCEPTUAL CROSS SECTIONS

Department of Transportation and Public Facilities
 APPLICANT/AGENT: State of Alaska
 2301 Peger Rd. Fairbanks, Ak 99709

NOR REG GRADE SEPARATED R/R
 CROSSING (MP 345 MOOSE CREEK)
 CONCEPTUAL CROSS SECTIONS

POA-2005-1245 Piledriver Slough
 8/27/2012 Sheet 4 of 7



July 25, 2012

Mr. Ben Soiseth
Fairbanks Field Office
U.S. Army Corps of Engineers
2175 University Avenue, Suite 201E
Fairbanks, AK 99709-4927

Re: Nor Reg Grade Separated R/R Crossing (MP 345 Moose Creek)
Project No.: IM-RPD-RRS-000S(159)/66566
POA-2005-1245
Request for Time Extension

Dear Mr. Soiseth,

The Alaska Department of Transportation and Public Facilities (ADOT&PF), in cooperation with the Alaska Division of the Federal Highway Administration (FHWA), is requesting a time extension for the expired permit POA-2005-1245 as proposed during our meeting on July 13, 2012. The forthcoming project would still construct a grade separated crossing on the Richardson Highway at Milepost 345 west of Moose Creek (Figure 1). The proposed project is located in Section 19, Township, 2S, Range 3E, and Section 24 & 25 Township 2S, Range 2E, USGS Map Fairbanks C-1; Fairbanks Meridian.

No changes to the project design parameters have occurred from the original permit. The only change to the project occurred during the calculations of the wetland impacts. The project would increase the wetland impacts by 0.4 acre and would include secondary impacts.

Wetland Impacts

After avoidance and minimization measures are incorporated, the proposed project would have unavoidable impacts to jurisdictional wetlands (Figure 2). The proposed project would impact approximately 1.5 acres of wetlands (Table 1). Approximately 5,400 cubic yards of permanent fill would be placed within the wetlands for the overpass and proposed new access/haul road. Approximately 160,000 cubic yards of material (gravel, fines, and overburden) would be stockpiled on 45 acres and approximately 7.0 acres of wetlands would be impacted to construct the proposed material site and recreation pond. After construction the material site would be converted into a 20 acre open water pond, which would connect into the Piledriver Slough.

Table 1: Wetland Impacts

	Wetland Impacts Acres	Secondary Impacts/Acres
Access/haul road	1.5	1.0
Material site	7.0	0
Total	8.5	1.0

Mitigation

The mitigation and reclamation for this proposed project was developed by ADOT&PF, United States Army Corps Engineers (USACE), and Alaska Department of Fish and Game (ADF&G) Sports Fish and Habitat and Permitting. We propose to provide the following on-site permittee responsible mitigation for the project's permanent impacts to jurisdictional wetlands. ADOT&PF will create wetland habitat through the establishment of a recreation pond with a reorientated boat launch provided by the ADF&G into the Piledriver Slough after material is extracted from this temporary material site. Approximately 14.0 acres of high value functional wetland and 7.4 acres of low functional value deep water (25feet) habitat would be created.

Mining and Reclamation Plan

The intent of this mining and reclamation plan is to maximize the extraction of sufficient quantity and quality of material for the construction of the Moose Creek Railroad Overpass project, while facilitating the ultimate functionality of the pond. ADF&G would construct boat launch and parking facilities following this project. After the construction this area would be managed by the USACE Chena Flood Control Project. It would replace the random use of slough areas for landing boats that impacts the slough banks. The following specifications have been developed to meet these goals.

Workpad Area

The workpad area would be approximately five acres. Strip the trees, vegetation and overburden, as necessary, from the workpad area, and stockpile in the adjacent stacked stripping area. Use gravel from the material site to develop and stabilize the workpad area.

Clearing and Stripping

Strip the vegetative material and organic soil and silt from the surface of the material site, creating a 20-acre gravel surface approximately at the water table elevation. Trees, vegetation and overburden may be pushed to the stacked stripping limits. Contour the overburden piles to a stable configuration, with final slopes not exceeding 3:1. Leave stands of 3 or more trees between push piles within the area assigned for stacked stripping, spaced every 200' or closer, around the pond perimeter. Stockpile at least ten percent of the stripped vegetative material separately from non-organic overburden for later reclamation use.

Pond Criteria and Reclamation Guidelines**Pond Configuration (Figure 3 & 4)**

1. The pond shoreline shall approximately match the "kidney bean" shape (Figure 3 and 4).
2. The shoreline slopes shall approximately match the contours and cross-sections on Mining and Reclamation Plan, varying from 2:1 to 10:1.
3. The pond shall have a deep area that is a minimum of 25 feet deep. This area shall be continuous (i.e., a channel, not a series of deep holes), and shall extend from the channel connecting the pond to Piledriver Slough to the north end of the pond.
4. Do not dress or smooth the pond bottom after excavation. The pond should have a rough bottom with varying contours, drop-offs, small mounds, micro-trenches and/or ridges. Excavating the pond by bailing is expected to produce the desired surface.

Pond Reclamation

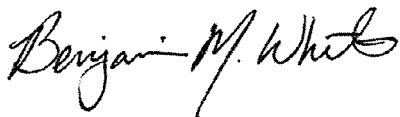
1. Push stockpiled non-organic overburden material into the pond at a 7:1 to 10:1 slope to a depth of approximately 5 feet at three locations on the east side of the pond to create littoral zones. Each area should be approximately 150' wide.
2. Push and/or place organic material in pond, as directed by the Engineer.
3. Do not place organic matter in the pond at a depth greater than 10' from summertime water level.
4. The stockpiled vegetative mat shall be spread around the perimeter and side slopes of the pond and the upland disturbed surface.

Connection to Piledriver Slough

1. Connect the pond to Piledriver Slough after extraction is finished, reclamation is complete and the sediment in the pond has settled.
2. Connect the pond from the south end of the deep pond area to Piledriver Slough.
3. The bottom of the connecting channel shall be at least as deep as the thalweg (deepest line of the channel bottom) of Piledriver Slough at the confluence of the channel with Piledriver Slough to facilitate fish passage.
4. The connecting channel shall have side slopes (both above and below the waterline) between 2:1 and 3:1 and have a flat bottom width of 20 feet.

If you have any questions or need additional information, please contact Kerri Martin, Environmental Impact Analyst, at (907) 451-5289 or at kerri.martin@alaska.gov.

Sincerely,



Benjamin White
Statewide Environmental Program Manager

km/smb



Enclosures:

- Corps 404 Permit Application
- Figure 1: Location and Vicinity Map
- Figure 2: Wetland Impacts
- Figure 3: Mining and Reclamation of the Pond
- Figure 4: Cross Sections of the Pond

Electronic cc:

- Jewel Bennett, Branch Chief, Fairbanks U.S. Fish and Wildlife Field Office
- Mary Brunner, P.E., Acting Engineering Manager, DOT&PF, Northern Region
- Bruce Campbell, Regional Environmental Manager, Northern Region
- Tracy DeGering, Environmental Engineer, EPA Aquatic Resources Unit
- Kerri Martin, Environmental Impact Analyst, DOT&PF, Northern Region
- Benjamin White, Statewide Environmental Program Manager