



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>December 8, 2016</b>
<b>EXPIRATION DATE:</b>	<b>January 9, 2017</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2011-831</b>
<b>WATERWAY:</b>	<b>Gastineau Channel</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.

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 Randal Vigil at (907) 790-4491, or by email at [Randal.P.Vigil@usace.army.mil](mailto:Randal.P.Vigil@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Joseph M. Smith, Salmon Creek Development, LLC, PO Box 34437, Juneau, AK 99803. Telephone number (907) 321-2330.

**LOCATION:** The project site is located within Section 9 and 16, T. 41 S., R. 67 E., Copper River Meridian; USGS Quad Map Juneau B-2; Latitude 58.325032° N., Longitude 134.470568° W.; within Gastineau Channel, in Juneau, Alaska.

**PURPOSE:** The applicant's stated purpose is to deepen the entrance channel and dock face at the Salmon Creek barge facility. The facility was previously used for the import of freight and occasional material barges both with shallower drafts. The barge operator is now exclusively a material importer-exporter with plans to utilize deeper draft barges. The draft on the high capacity barges is 5 feet more than the current barges being used and the water depth is not adequate for egress and lay over through low tide. The work would enable larger capacity material barges access to the dock and lengthen the unloading time.

**PROPOSED WORK:** The applicant requests authorization for the following work in and over navigable waters of the United States:

Dredge 55,000 cubic yards of marine sediment from 6.5 acres below the mean high water mark (approximate elevation +15.4 feet above the 0.0 foot contour) in Gastineau Channel at the Salmon Creek barge facility to deepen the dock face and entrance channel for the navigation of deep draft barges. The applicant is proposing to perform the dredging using conventional clamshell dredging techniques to a proposed depth of -15 to -20 feet MLLW. Dredge material would be deposited in a center-dump barge, with return flow, for transport to the disposal site. Disposal of the dredged material is proposed through the discharge over 7.5 acres of the seafloor at a location approximately 0.6 miles southeast of the proposed dredging site at Latitude 58.318396° N., Longitude 134.460761° W. within Gastineau Channel.

All work would be performed in accordance with the enclosed plan sheet 1 -1, dated Revised 12-2-16 and sheets 2-4, dated 9-1-16.

**ADDITIONAL INFORMATION:** A determination of suitability of the dredged marine sediment for discharge into waters of the United States will be made in consultation with the State and Federal agencies.

**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 project includes improvements to an existing barge facility, and the applicant is unable to entirely avoid impacts to waters of the U.S. The alternative to using the barge landing, is a barge landing located at Thane, 5 miles to the southeast. Using this site would require an additional 10 miles of trucking time and necessitate the truck traffic being routed through the downtown area.

b. Minimization: A clam shell dredge which will be used for the excavation keeps the material concentrated during the extraction process, minimizing the exposure to the water column and turbidity while using a hopper barge contains the discharge in a pool like enclosure allowing time for fines to settle out. Discharge of the excavated material through the bottom of the dump barge into shallow water keeps the material in a concentrated mass and reduces the amount of time the material is in the water column. Material will be concentrated into the smallest area possible by using high tide to stack loads over previously placed loads.

c. Compensatory Mitigation: No mitigation is proposed as both areas have been previously impacted by dredging. No work would occur in the tidal zones. The proposed excavation area is within the foot print disturbed during the entrance channel development. Disposal would result in partially restoring a previously disturbed site.

**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:** The project area is within the known or historic range of endangered humpback whales (*Megaptera novaeangliae*) and Steller sea lions (*Eumetopias jubatus*) in the western Distinct Population Segment (DPS).

We have determined the described activity would have no effect on endangered humpback whales or Steller sea lions in the western DPS, 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, 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 the known range of the Chinook (*Oncorhynchus tshawytscha*), chum (*Oncorhynchus keta*), coho (*Oncorhynchus kisutch*), pink (*Oncorhynchus gorbuscha*), and sockeye (*Oncorhynchus nerka*) salmon.

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 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 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

# STATE OF ALASKA

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

DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WQM/401 CERTIFICATION  
410 WILLOUGHBY AVENUE  
JUNEAU, ALASKA 99801-1795  
PHONE: (907) 465-5321/FAX: (907) 465-5274

## NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

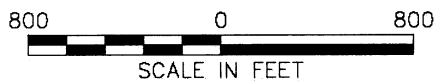
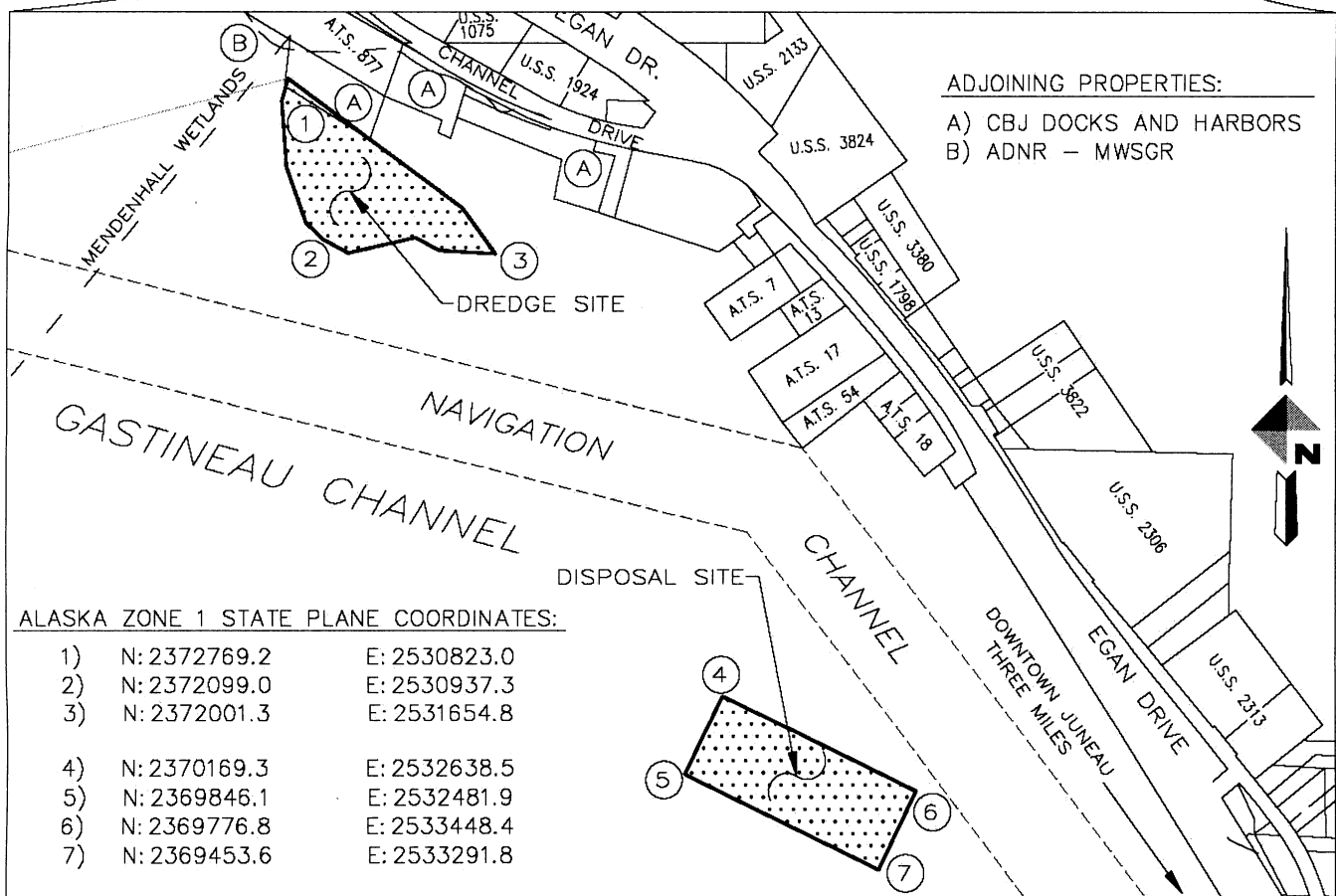
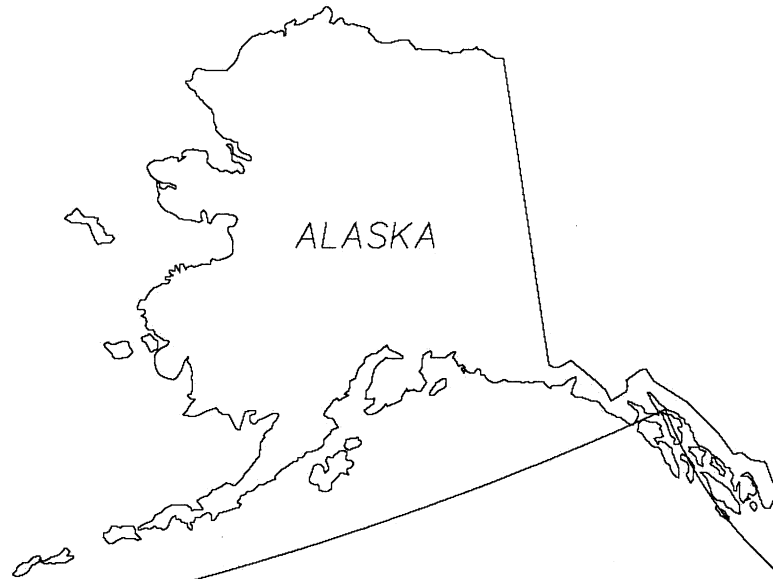
Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation 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-2011-831, Gastineau Channel**, 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.

# VICINITY MAP



APPLICANT: SALMON CREEK DEVELOPMENT, LLC.  
 FILE No:  
 WATERWAY: GASTINEAU CHANNEL  
 PROPOSED ACTIVITY: DREDGING  
 SEC. 9, T. 41S, R. 67E, COPPER RIVER MERIDIAN  
 LAT: N58°19'35.20" LONG: W134°28'20.00"  
 SHEET 1 OF 4 DATE: 9-1-16 (REVISED 12-2-16)

# PLAN VIEW DREDGE SITE

## NOTES

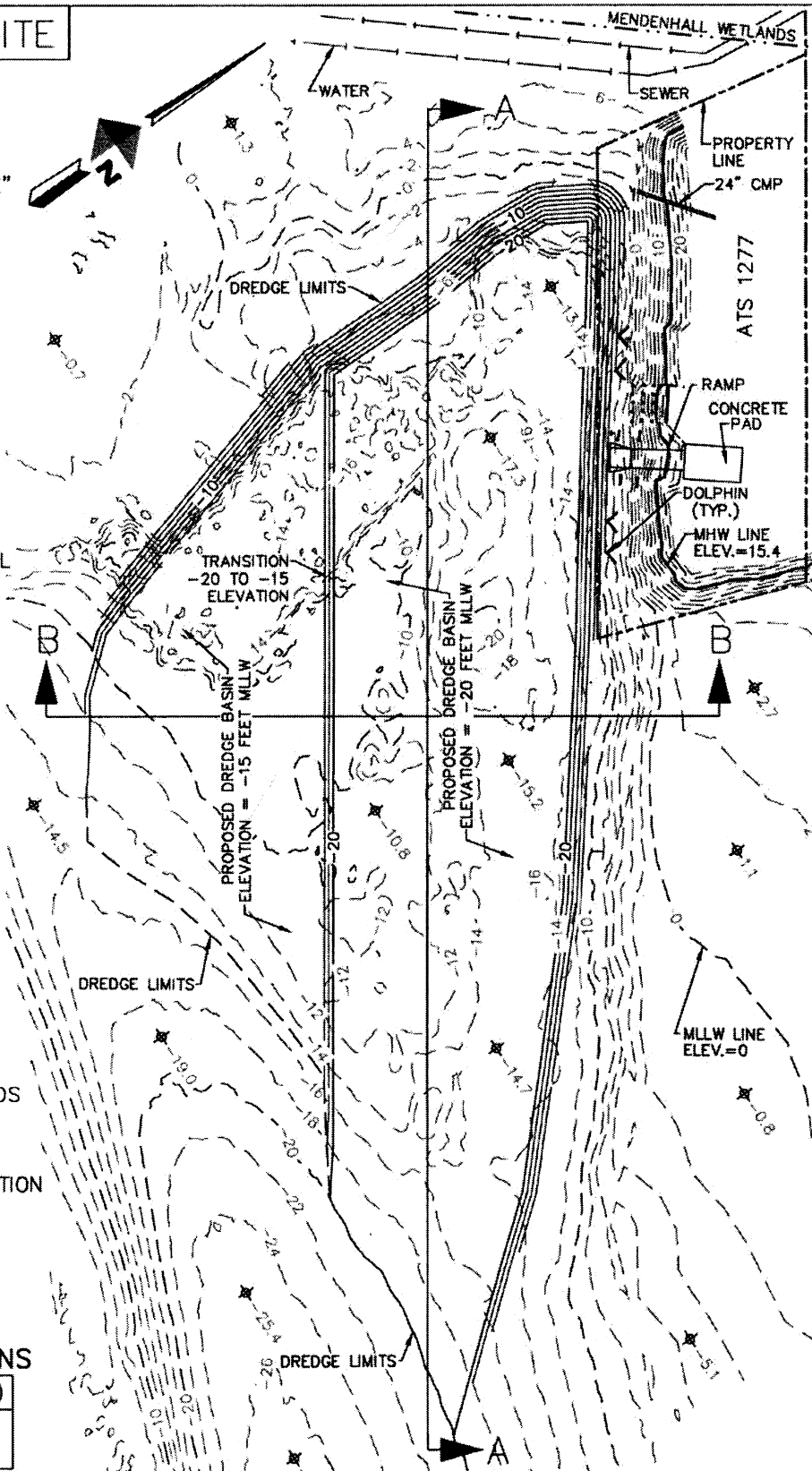
- 1.) DATUM USED FOR CONTOURS IS MEAN LOW LOW WATER (MLLW). BENCHMARK USED WAS "TBM EMPIRE" ELEVATION FROM ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES LEVELS WAS ADJUSTED TO CURRENT 2007-2011 TIDAL EPOCH. ELEVATION OF BENCHMARK = 28.305 FEET
- 2.) UNITS OF MEASUREMENT IS US SURVEY FEET.
- 3.) TOPOGRAPHIC AND BATHOMETRIC SURVEYING DONE BY DOWL IN 2007 WAS COMBINED WITH BATHOMETRIC DATA COLLECTED BY ETRAC INC. ON 3/3/16. ETRAC INC. DATA WAS ADJUSTED TO MLLW 2007-2011 TIDAL EPOCH.
- 4.) GASTINEAU CHANNEL IS TIDAL AND FLOWS NORTHWEST OR SOUTHEAST.

## LEGEND

- PROPERTY LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- WATER LINE
- SEWER LINE
- MENDENHALL WETLANDS STATE GAME REFUGE BOUNDARY
- ◆ 3.1 EXISTING SPOT ELEVATION
- PILEING

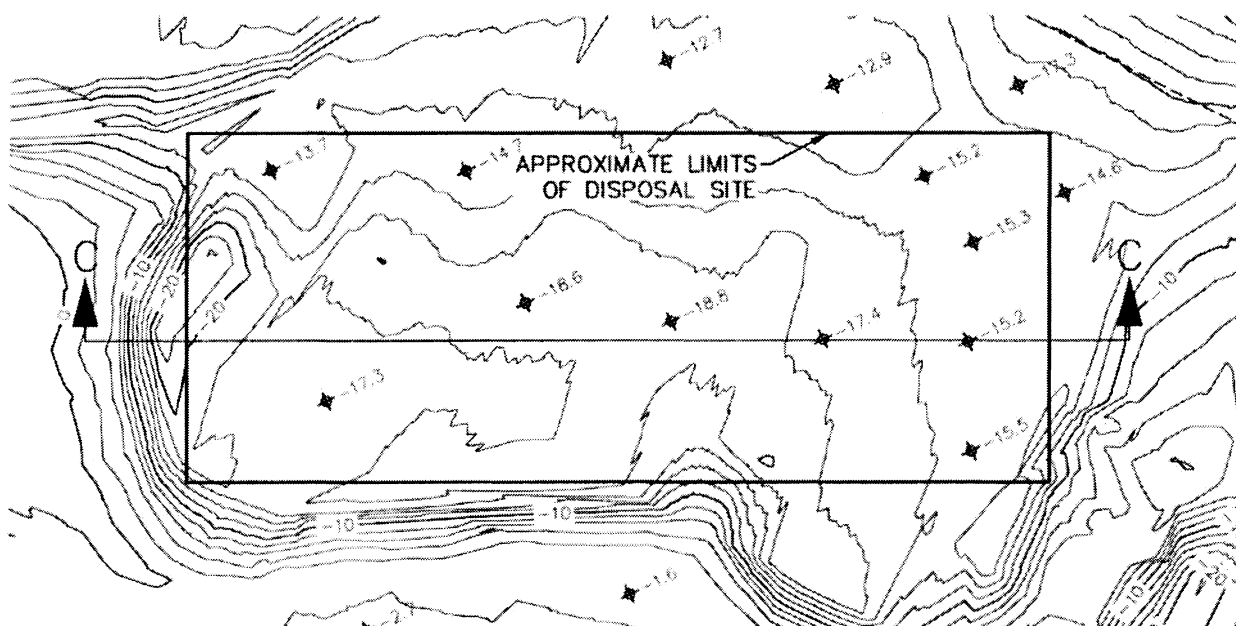
## DREDGING VOLUME CALCULATIONS

2D AREA (Sq.Ft.)	NET CUT (Cu.Yd.)
296,445	54,967

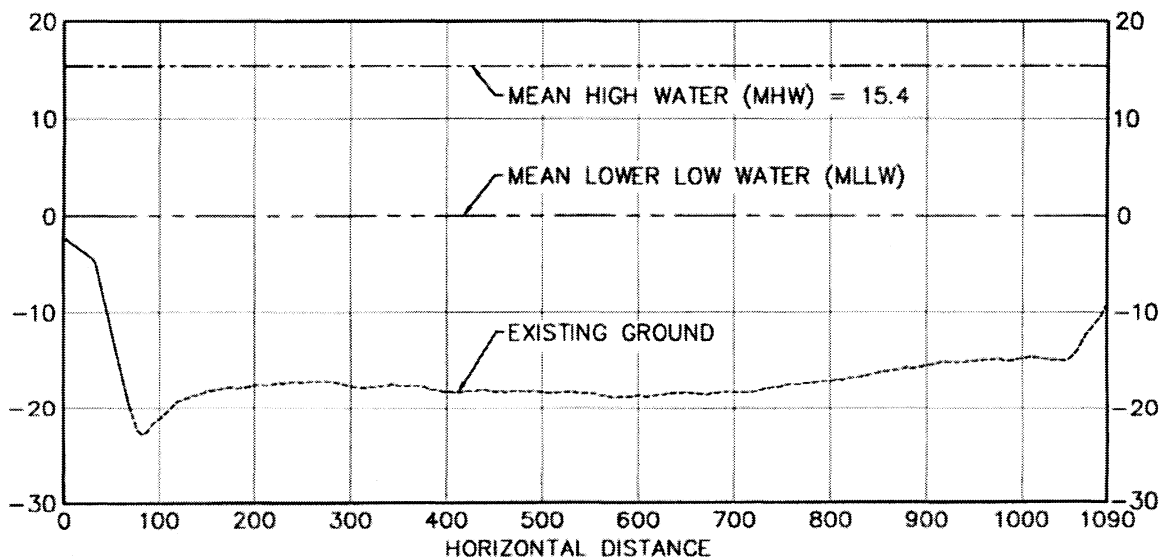


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 SEC. 9, T. 41S, R. 67E, COPPER RIVER MERIDIAN  
 LAT: N58°19'35.20" LONG: W134°28'20.00"  
 SHEET 2 OF 4 DATE: 9-1-16

A horizontal scale bar with a black and white checkered pattern. The numbers 200, 0, and 200 are printed above the bar. Below the bar, the text "SCALE IN FEET" is printed.



HORIZONTAL SCALE 1" = 200', VERTICAL SCALE 1" = 20'



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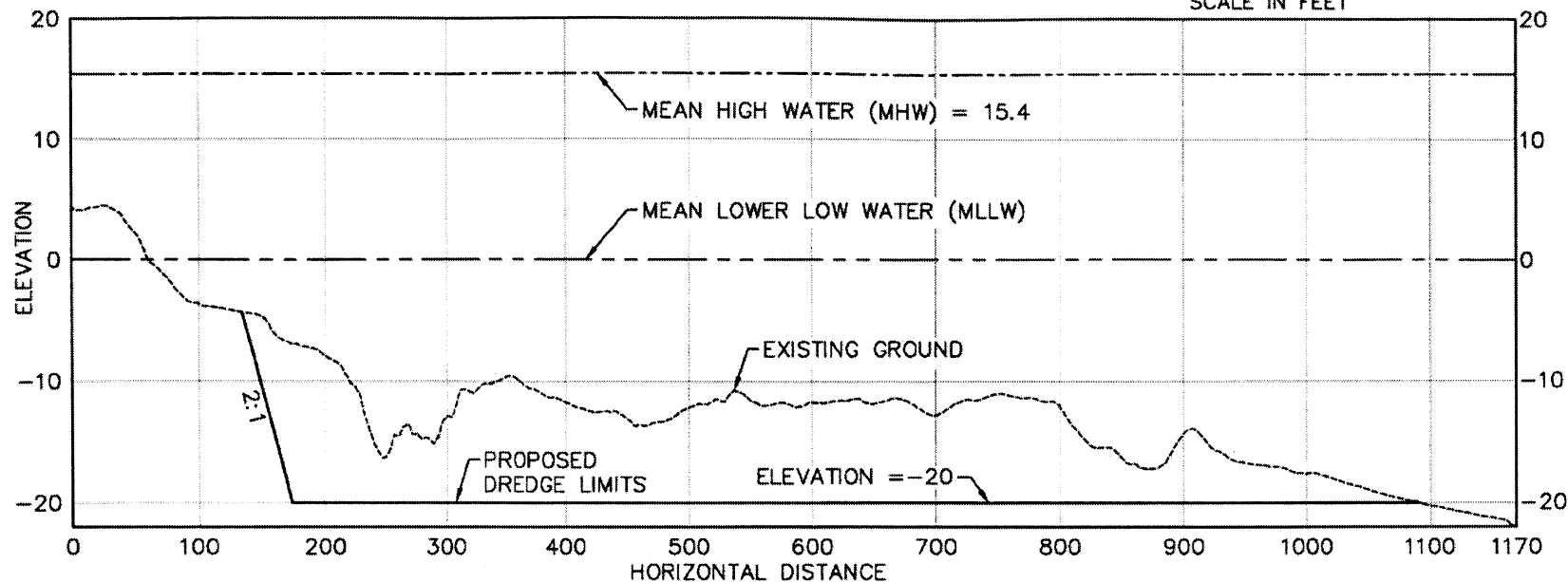
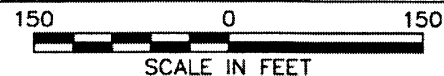
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EXISTING CONTOURS

◆ 8.1 EXISTING SPOT ELEVATION

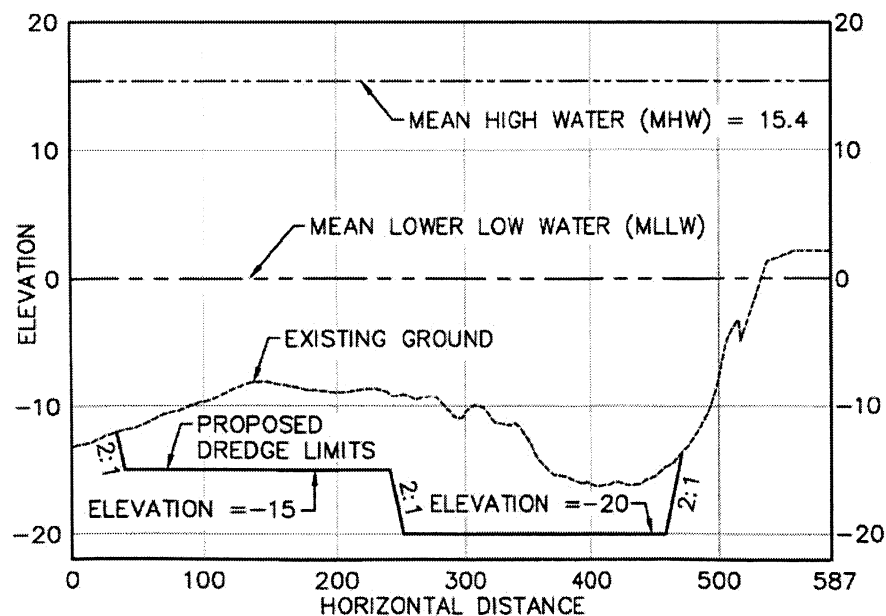
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WATERWAY: GASTINEAU CHANNEL  
PROPOSED ACTIVITY: DREDGING  
SEC. 9, T. 41S, R. 67E, COPPER RIVER MERIDIAN  
LAT: N58°19'10.50" LONG: W134°27'44.03"  
SHEET 4 OF 4 DATE: 9-1-16

# CROSS SECTION VIEW DREDGE SITE



## CROSS SECTION VIEW A-A

HORIZONTAL SCALE 1" = 150', VERTICAL SCALE 1" = 15'



## CROSS SECTION VIEW B-B

HORIZONTAL SCALE 1" = 150', VERTICAL SCALE 1" = 15'

## NOTES

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