



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

PUBLIC NOTICE DATE: July 20, 2012
EXPIRATION DATE: August 20, 2012
REFERENCE NUMBER: POA-2012-447
WATERWAY: Port Bagial

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 **Jack Hewitt** at (907) 753-2708, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at **jack.j.hewitt@usace.army.mil** if further information is desired concerning this notice.

APPLICANT: Craig Tribal Association, Post Office Box 828, Craig, Alaska 99921.

AGENT: R&M Engineering-Ketchikan, Inc., 355 Carlanna Lake Road, Suite 200, Ketchikan, Alaska 99901.

LOCATION: The project site is located within Section 8, T. 74 S., R. 81 E., Copper River Meridian, USGS Quad Map Craig B-4, Latitude 55.468° N., Longitude 133.1323° W., in Craig, Alaska.

PURPOSE: The applicant's stated purpose is to develop a nine lot residential subdivision within Tract 18 of USS 2611.

PROPOSED WORK: Discharge 800 cubic yards (cy) shot rock and 400 cy of crushed aggregate, into 0.6 acre of wetlands to improve Windy Way Road. Discharge 3,300 cy of shot rock and 800 cy of crushed aggregate, into 1.4 acres of wetlands to construct engineered building and parking pads. Total wetland impacts from development of the proposed subdivision would be 2.0 acres. All work would be performed in accordance with the enclosed plans, 7 sheets, dated 5/29/12.

ADDITIONAL INFORMATION: Sunnahae Heights is a proposed nine lot residential subdivision. Infrastructure development would include road improvements, sidewalks, utility extensions, and engineered building pads. Windy Way Loop, an

existing road partially outside the project boundary, has a right-of-way is 433' long, 40' wide, with a ½ round cul-de-sac between Lots 3-5. Improvements to the neighborhood street would consist of paving the two lane road, installing curb and gutter, and installation of a 5' sidewalk on each side. The completed road would be 35' wide. Building and parking pads would be engineered rock fills, constructed to support the housing units and to accommodate off street parking. Municipal water and sewer utilities would be included in the development. Lots 1-2 and 8-9 would have shared pads for zero-lot-line development.

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 proposed site, owned by the Craig Tribal Association (CTA), is zoned for medium density residential. The proposed plan is consistent with The City of Craig Comprehensive Plan as well as the housing needs assessment performed by CTA. The site was selected based on its location to existing residential neighborhoods in Craig, and that a medium density subdivision design develops the property in a responsible manner. Current zoning allows up to 11 lots with 22 residential units; the CTA is proposing 9 lots with 16 residential units.

b. Minimization: A storm water pollution and prevention plan (SWPPP) will be in place during construction of the proposed development. The site work would comply with temporary and permanent soils stabilization and erosion controls, including: maintaining ingress/egress control areas for equipment and trucks, developing silt fences, sediment containment ponds and ditching, and revegetating disturbed areas not slated for further development.

Lot 5 would retain 8,000 square feet of undeveloped forested wetland to store, filter and convey storm water. The existing area drainage would be retained through the wetlands on Lot 5.

c. Compensatory Mitigation: CTA proposes to provide compensatory mitigation by in lieu fee through the SEAL Trust. The proposed 1.5:1 ratio was determined through evaluating the wetland functions utilizing the Appendix A worksheet, attached to the Alaska District Regulatory Guidance Letter (RGL ID No. 09-01).

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.

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

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

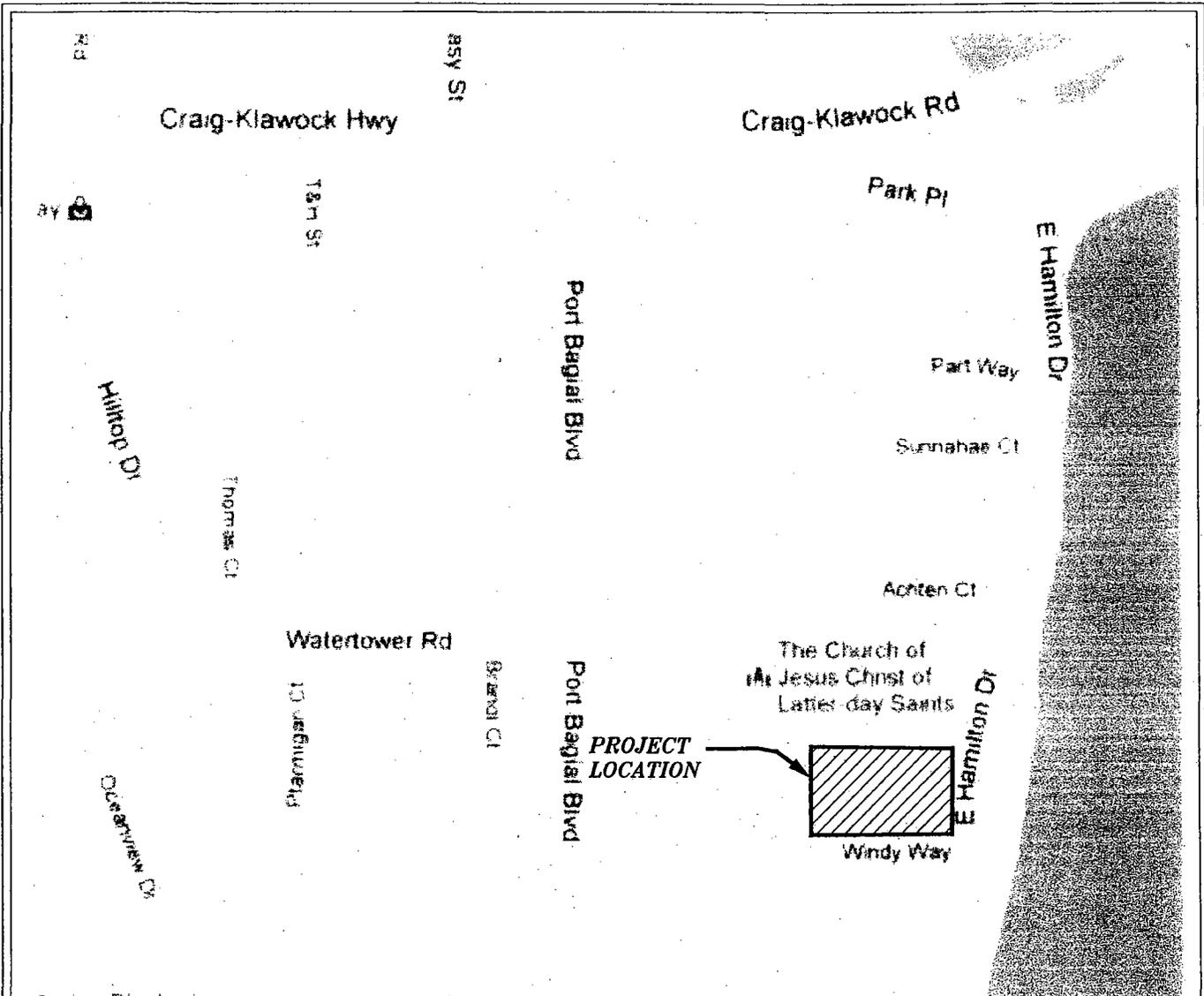
NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION

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-2012-447, Port Bagial, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

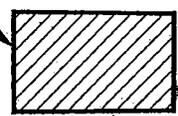
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

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.

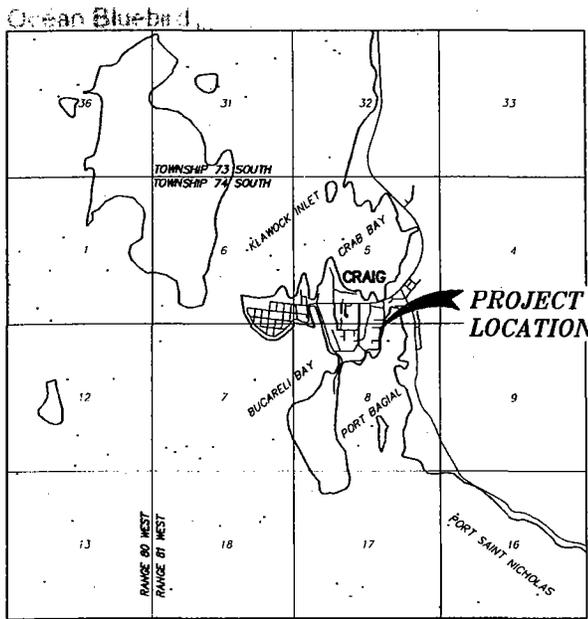


The Church of
Jesus Christ of
Latter-day Saints

**PROJECT
LOCATION**



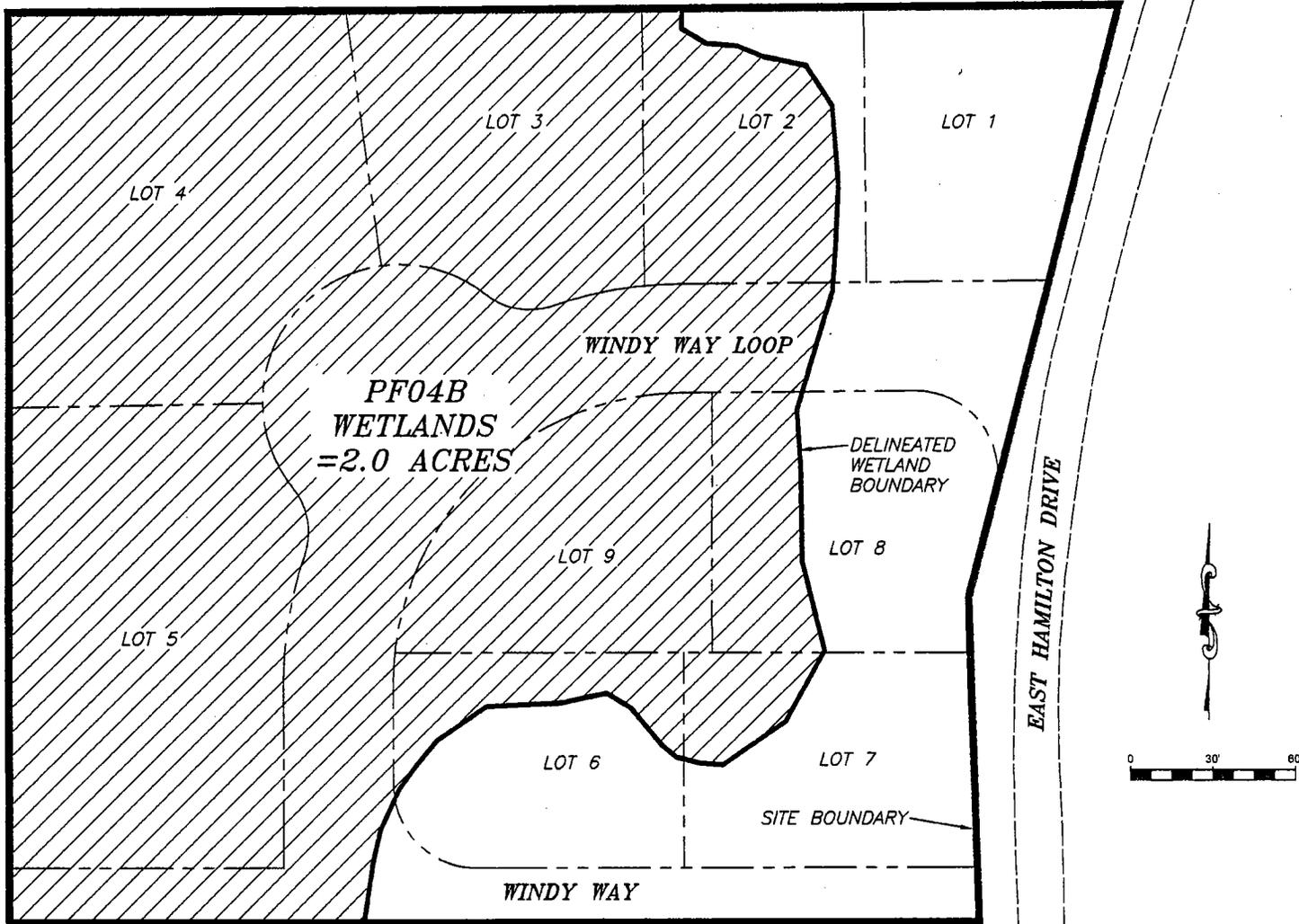
Windy Way



VICINITY MAP

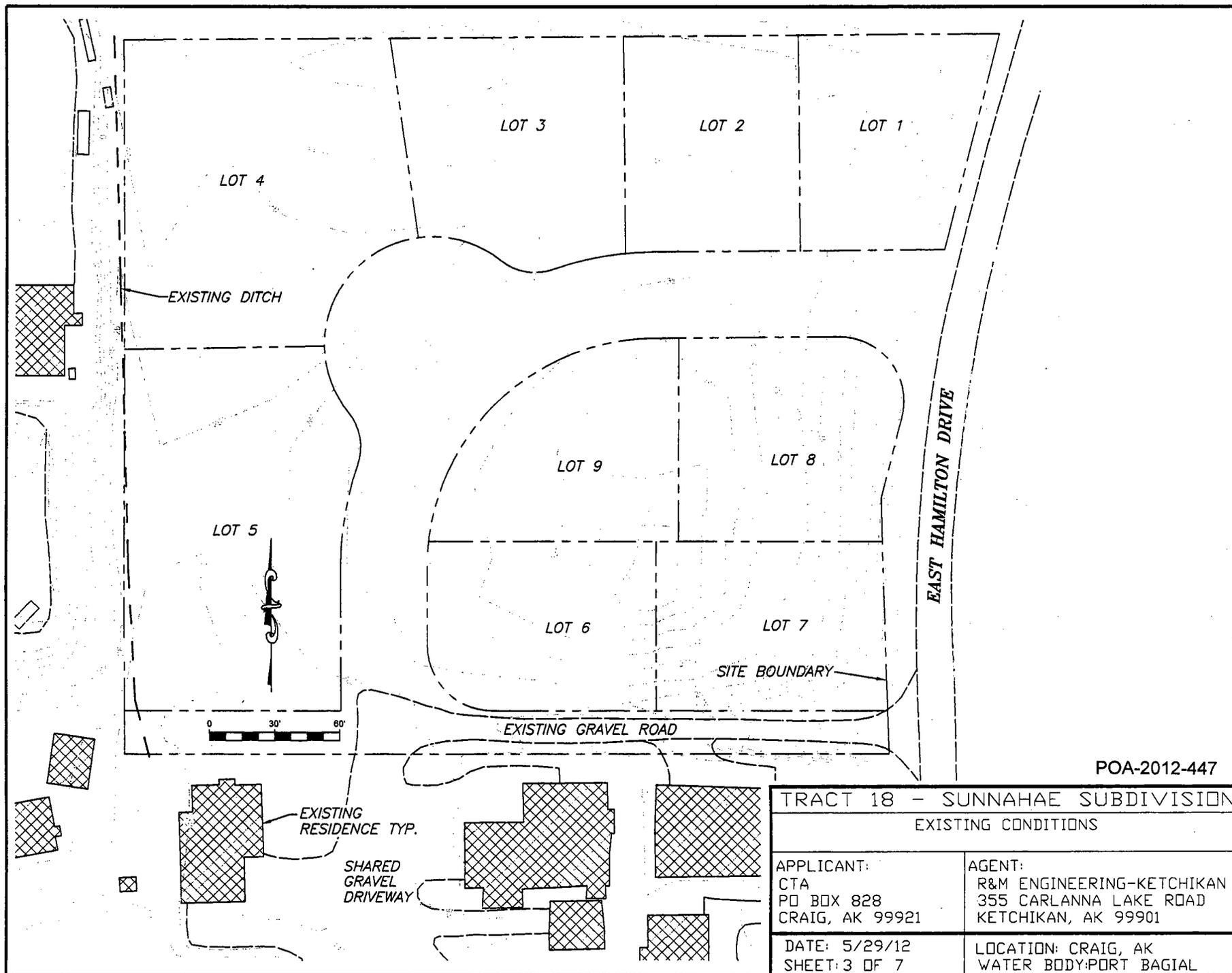
POA-2012-447

TRACT 18 - SUNNAHAE SUBDIVISION	
VICINITY MAP	
APPLICANT: CTA PO BOX 828 CRAIG, AK 99921	AGENT: R&M ENGINEERING-KETCHIKAN 355 CARLANNA LAKE ROAD KETCHIKAN, AK 99901
DATE: 5/29/12 SHEET: 1 OF 7	LOCATION: CRAIG, AK WATER BODY: PORT BAGIAL



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TRACT 18 - SUNNAHAE SUBDIVISION	
WETLAND BOUNDARY DELINEATION	
APPLICANT: CTA PO BOX 828 CRAIG, AK 99921	AGENT: R&M ENGINEERING-KETCHIKAN 355 CARLANNA LAKE ROAD KETCHIKAN, AK 99901
DATE: 5/29/12 SHEET: 2 OF 7	LOCATION: CRAIG, AK WATER BODY: PORT BAGIAL



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TRACT 18 - SUNNAHAE SUBDIVISION

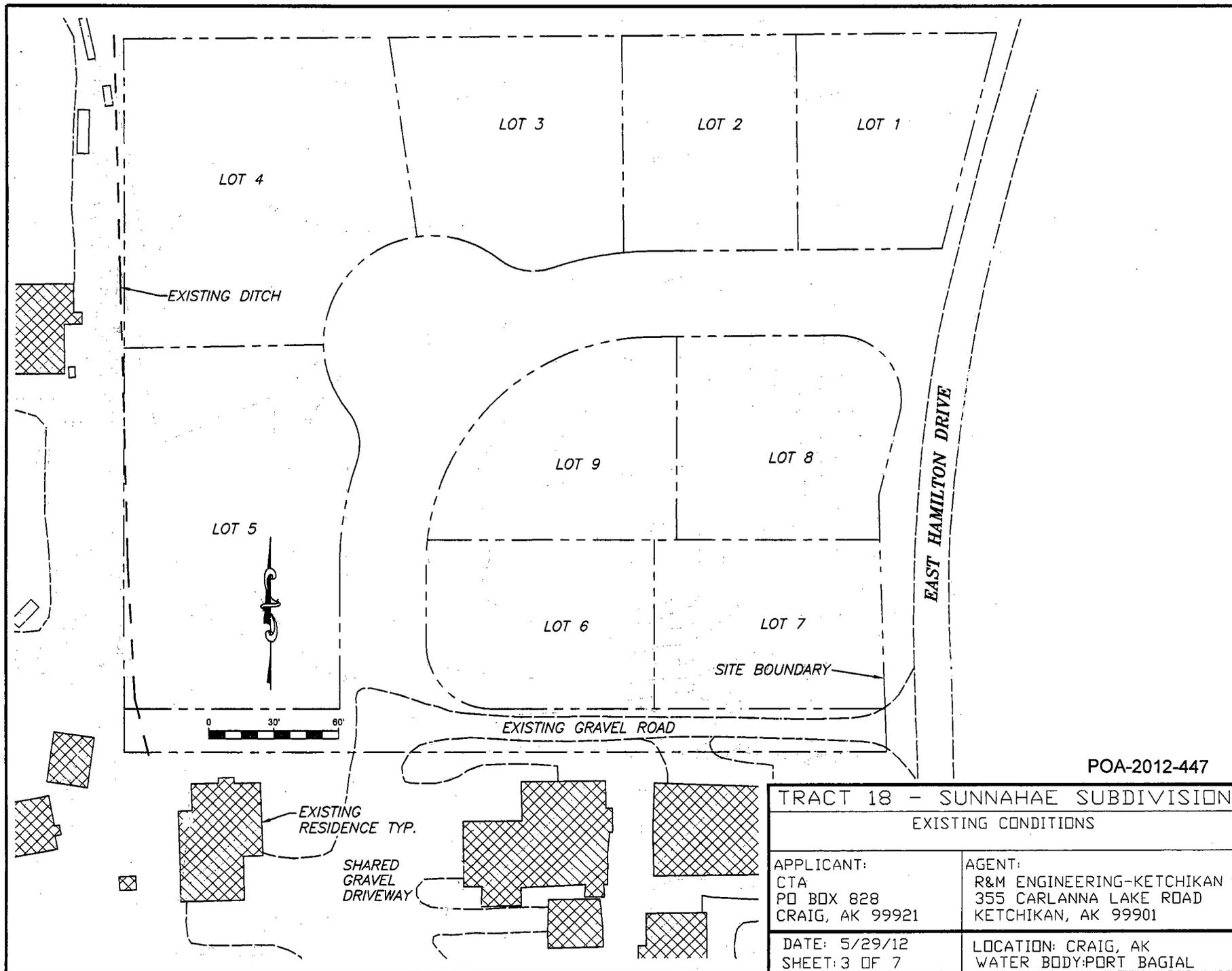
EXISTING CONDITIONS

APPLICANT:
CTA
PO BOX 828
CRAIG, AK 99921

AGENT:
R&M ENGINEERING-KETCHIKAN
355 CARLANNA LAKE ROAD
KETCHIKAN, AK 99901

DATE: 5/29/12
SHEET: 3 OF 7

LOCATION: CRAIG, AK
WATER BODY: PORT BAGIAL



POA-2012-447

TRACT 18 - SUNNAHAE SUBDIVISION

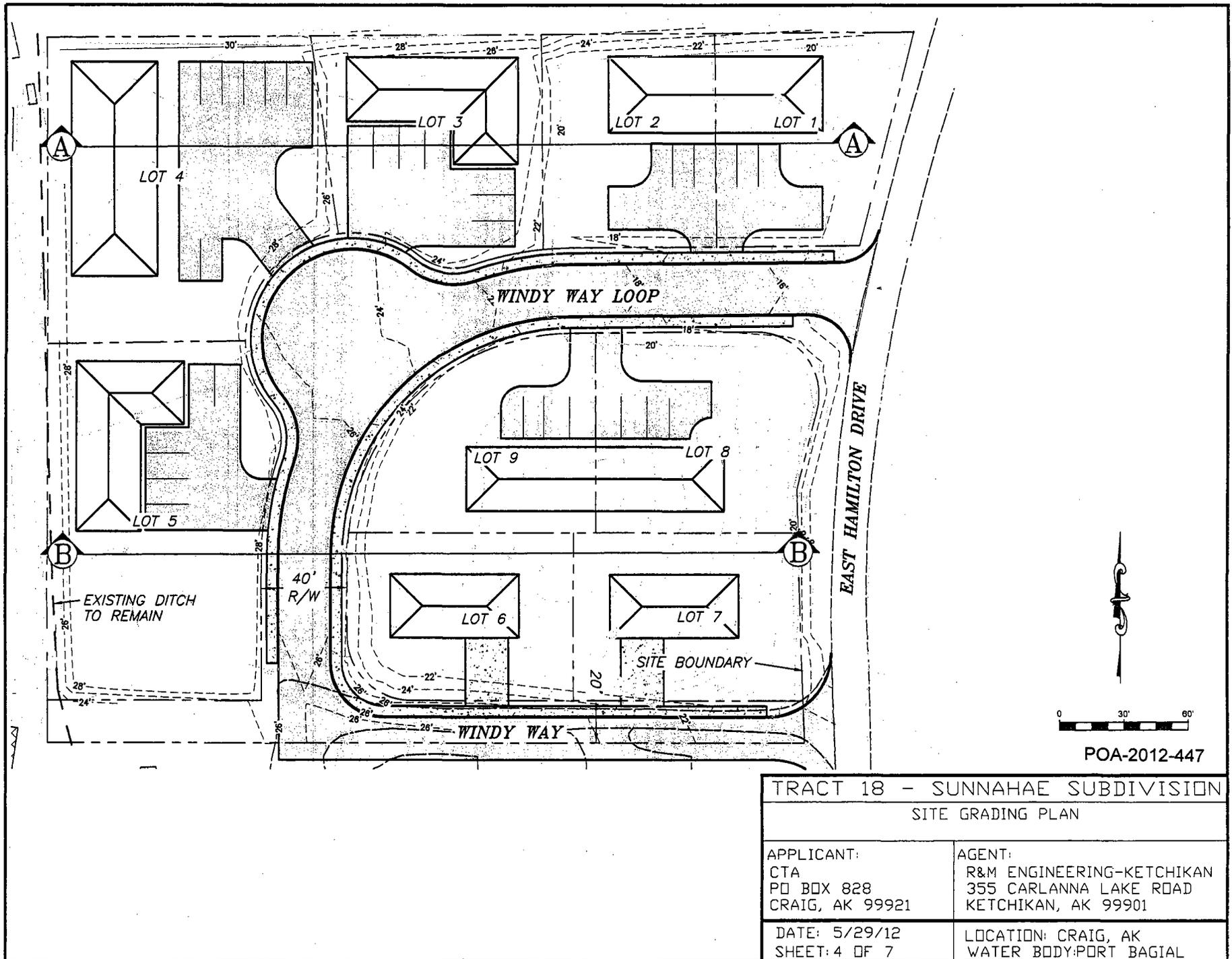
EXISTING CONDITIONS

APPLICANT:
 CTA
 PO BOX 828
 CRAIG, AK 99921

AGENT:
 R&M ENGINEERING-KETCHIKAN
 355 CARLANNA LAKE ROAD
 KETCHIKAN, AK 99901

DATE: 5/29/12
 SHEET: 3 OF 7

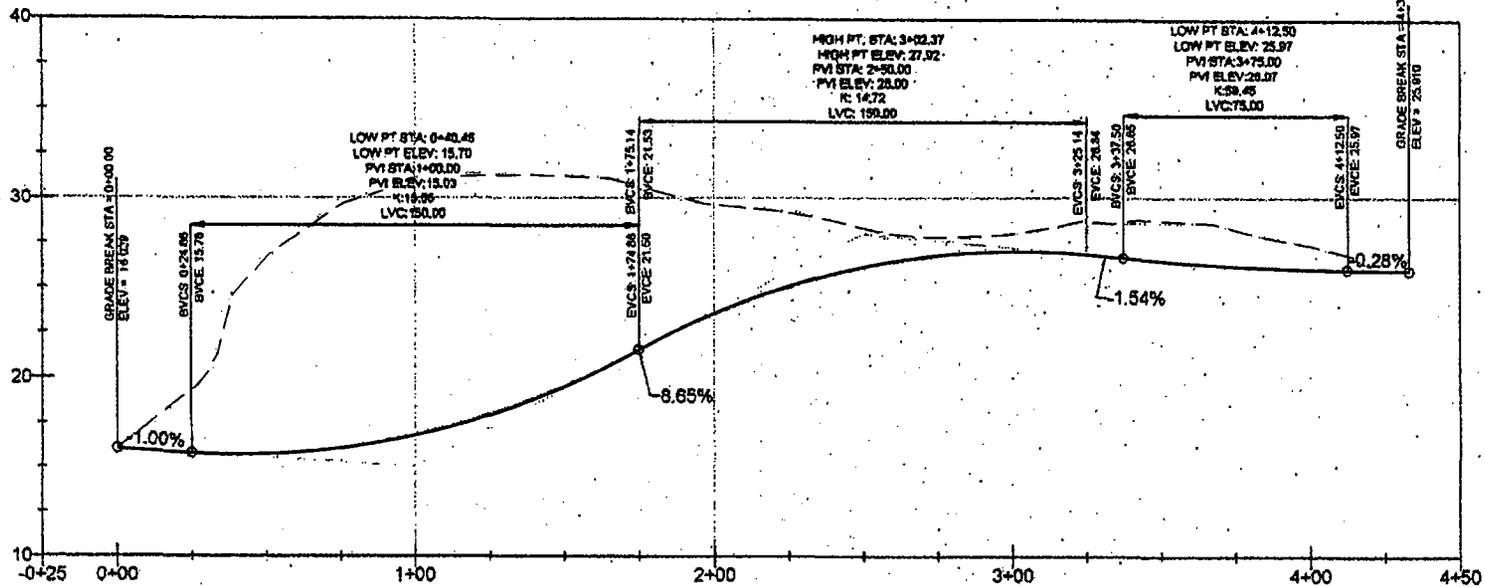
LOCATION: CRAIG, AK
 WATER BODY: PORT BAGIAL



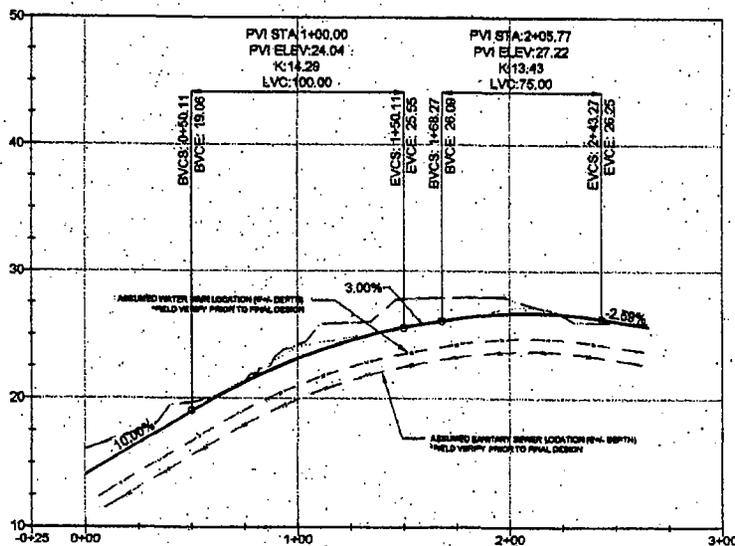
POA-2012-447

TRACT 18 - SUNNAHAE SUBDIVISION	
SITE GRADING PLAN	
APPLICANT: CTA PO BOX 828 CRAIG, AK 99921	AGENT: R&M ENGINEERING-KETCHIKAN 355 CARLANNA LAKE ROAD KETCHIKAN, AK 99901
DATE: 5/29/12 SHEET: 4 OF 7	LOCATION: CRAIG, AK WATER BODY: PORT BAGIAL

Elevation



Elevation

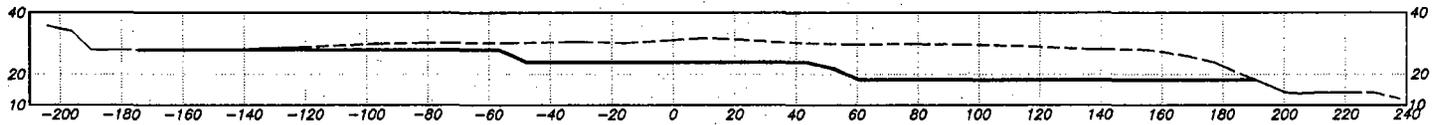


Station

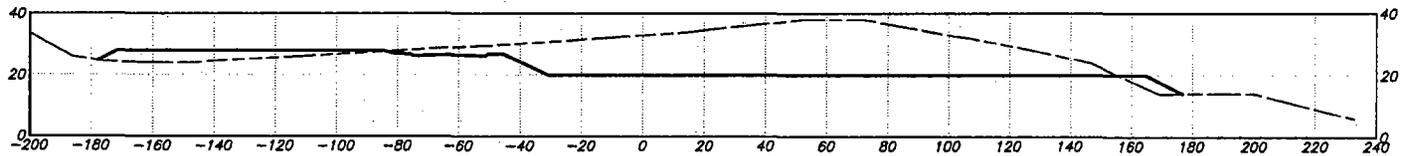
WINDY WAY PROFILE

POA-2012-447

TRACT 18 - SUNNAHAE SUBDIVISION	
DESIGN ROAD PROFILES	
APPLICANT: CTA PO BOX 828 CRAIG, AK 99921	AGENT: R&M ENGINEERING-KETCHIKAN 355 CARLANNA LAKE ROAD KETCHIKAN, AK 99901
DATE: 5/29/12 SHEET: 5 OF 7	LOCATION: CRAIG, AK WATER BODY: PORT BAGIAL



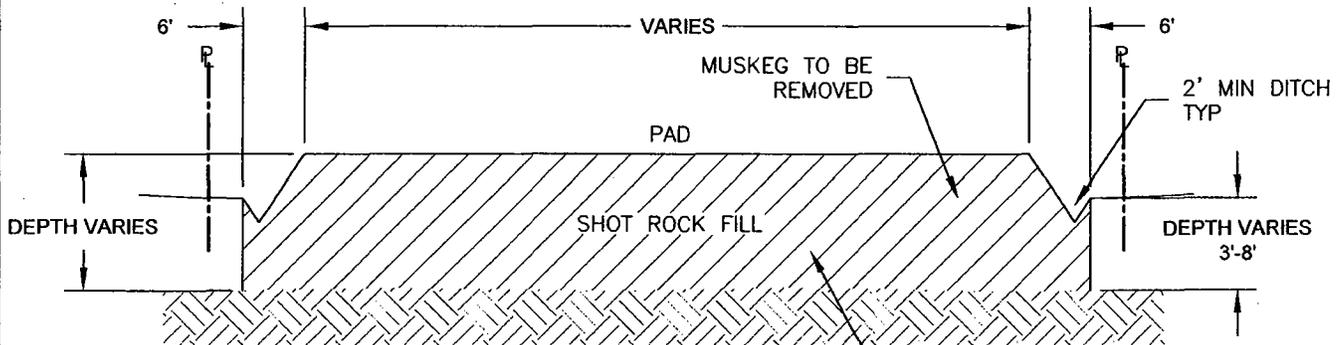
CROSS SECTION A-A



CROSS SECTION B-B

POA-2012-447

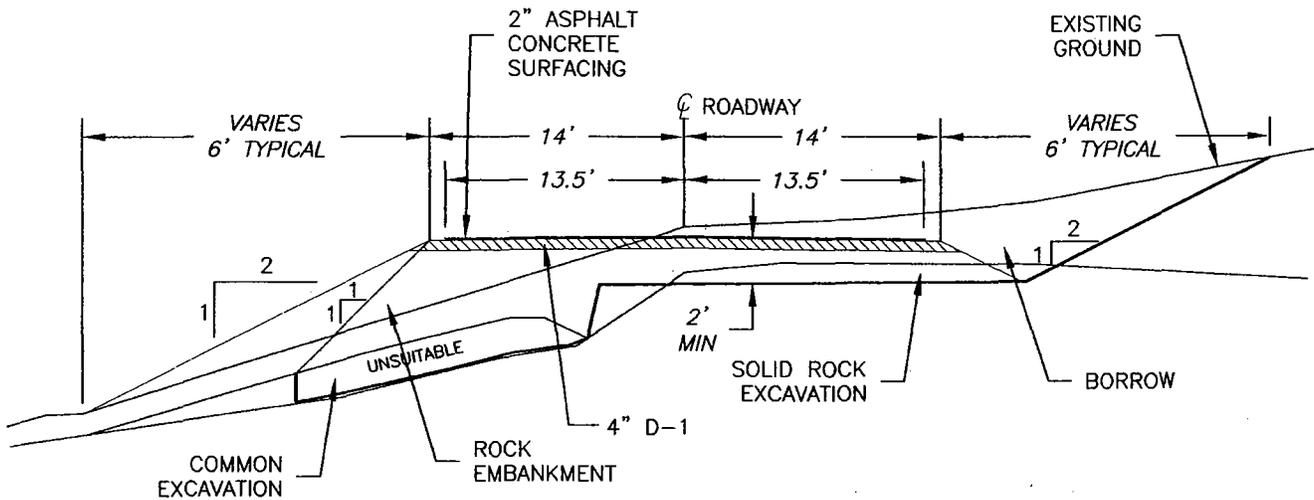
TRACT 18 - SUNNAHAE SUBDIVISION	
SITE CROSS SECTIONS	
APPLICANT: CTA PO BOX 828 CRAIG, AK 99921	AGENT: R&M ENGINEERING-KETCHIKAN 355 CARLANNA LAKE ROAD KETCHIKAN, AK 99901
DATE: 5/29/12 SHEET: 6 OF 7	LOCATION: CRAIG, AK WATER BODY: PORT BAGIAL



**TYPICAL BUILDING PAD
SECTION A-A**

NOT TO SCALE

REMOVE ALL MUSKEG TO
DENSE GLACIAL TILL
OR SOLID ROCK



TYPICAL ROADWAY SECTION

SCALE: NONE

POA-2012-447

TRACT 18 - SUNNAHAE SUBDIVISION	
TYPICAL ROAD AND BUILDING SECTION	
APPLICANT: CTA PO BOX 828 CRAIG, AK 99921	AGENT: R&M ENGINEERING-KETCHIKAN 355 CARLANNA LAKE ROAD KETCHIKAN, AK 99901
DATE: 5/29/12 SHEET: 7 OF 7	LOCATION: CRAIG, AK WATER BODY: PORT BAGIAL