



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

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

**PUBLIC NOTICE DATE:** October 4, 2012

**EXPIRATION DATE:** November 2, 2012

**REFERENCE NUMBER:** POA-2001-1268-M4

**WATERWAY:** Tanana River

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 or by email at [Ellen.H.Lyons@usace.army.mil](mailto:Ellen.H.Lyons@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Mr. John V. Huntsbury, P.O. Box 71600, Fairbanks, Alaska 99707

**AGENT:** Mr. Shane C. Huntsbury, 3676 Laurence Road, Apartment A-1, North Pole, Alaska 99705

**LOCATION:** The project site is located within Section 28, Township 1 South, Range 1 East, Fairbanks Meridian; USGS Quad Map Fairbanks D-2; Latitude 64.80° N., Longitude 147.573° W.; Lots 2823 and 2849; south of the Richardson Highway and just east of the B Channel in the Fairbanks North Star Borough, near Fairbanks, Alaska.

**PURPOSE:** The applicant's stated purpose is to enlarge the existing gravel pit to provide gravel fill material for commercial sales and on site construction consisting of thirteen house pads with driveways, four commercial pads with driveways, two connex trailers, and a road encircling the gravel pit to access each pad. This project was originally authorized under 4-2001-1268, (now POA-2001-1268), on March 18, 2002, which expires December 31, 2012. However, work will not be completed at that time and the applicant could need a time extension. Since it has been 10 years since the

original permit was issued, a new public notice with full review will be issued. None of the original plans have changed.

PROPOSED WORK: Approximately 5104 cubic yards of fill material would be deposited into 2.88 acres of wetlands for residential development; approximately 9260 cubic yards of fill material would be deposited into approximately 3.30 acres of wetlands for commercial development; approximately 5650 cubic yards of fill material would be deposited into approximately 2.5 acres of wetlands to construct a road encircling the gravel pit. Total impacts to waters of the United States (wetlands) would be approximately 8.7 acres.

ADDITIONAL INFORMATION: Aerial photos show that the entire area was cleared, and the access road to the pit area was constructed prior to May of 1985. The pit itself was well established by 1993. The applicant plans to expand the existing gravel pit on site to a total area of 640,000 square feet (800' x 800') approximately 14.7 acres.

Overburden material and gravel would be used for construction on site and commercial sales. The applicant would require deposition of fill material into waters of the United States, wetlands, for the following purposes:

1. To stock pile overburden and gravel excavated on site for commercial sales and on site development.
2. To construct thirteen - 100' x 100' residential gravel pads.
3. To construct thirteen - 50' long x 12' wide residential driveways.
4. To construct four - 200' long x 150' wide commercial gravel pads.
5. To construct four - 25' long x 42' wide commercial driveways.
6. To construct two - 40' long x 20' wide gravel pads to temporarily store connex Trailers.

To date, the applicant has completed a portion of Phase 1. They have not constructed the road along the south side of the property or the four house pads, (see Page 6 of 16 of the attached plans). They have cleared the area for the pit and have continued to remove material.

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 entire site was mapped as wetlands. Avoidance is not practicable.

b. Minimization: The applicant has phased the development of the pit to minimize unnecessary impacts at any one time. They will use existing roads as much as possible.

c. Compensatory Mitigation: The applicant intends to reclaim the pit to create 1.8 acres of emergent wetlands along the perimeter of the pit.

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 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).

No EFH species are known to use the project area.

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

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

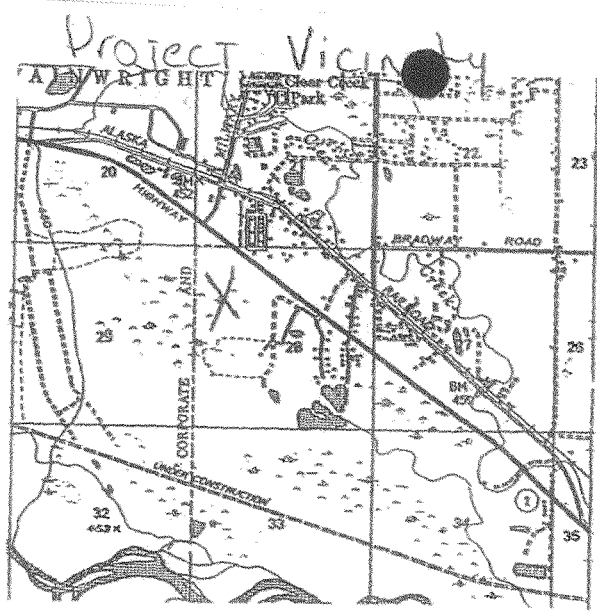
NOTICE OF APPLICATION  
FOR  
STATE WATER QUALITY CERTIFICATION

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.

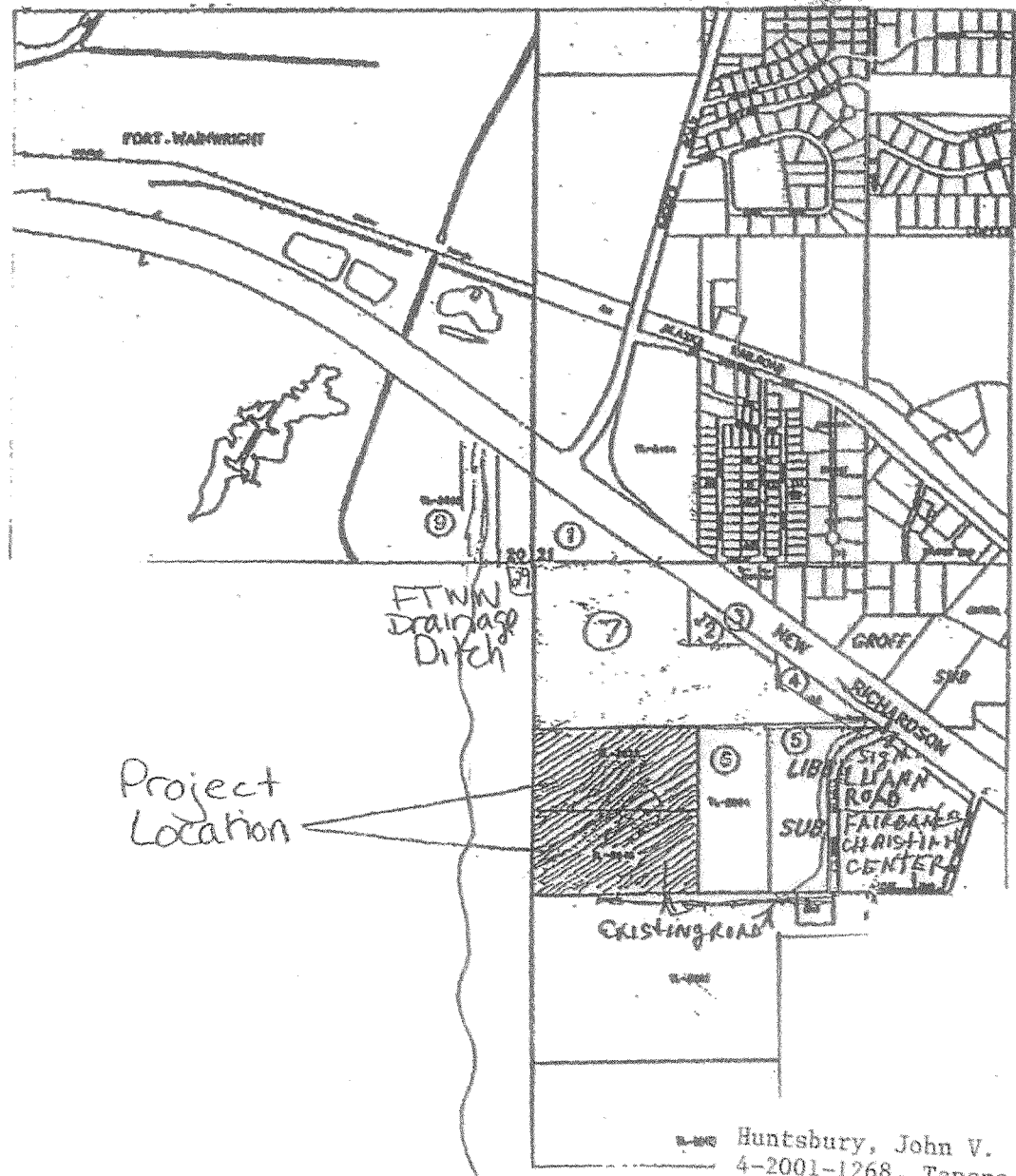
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-2001-1268-M4, Tanana River serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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.

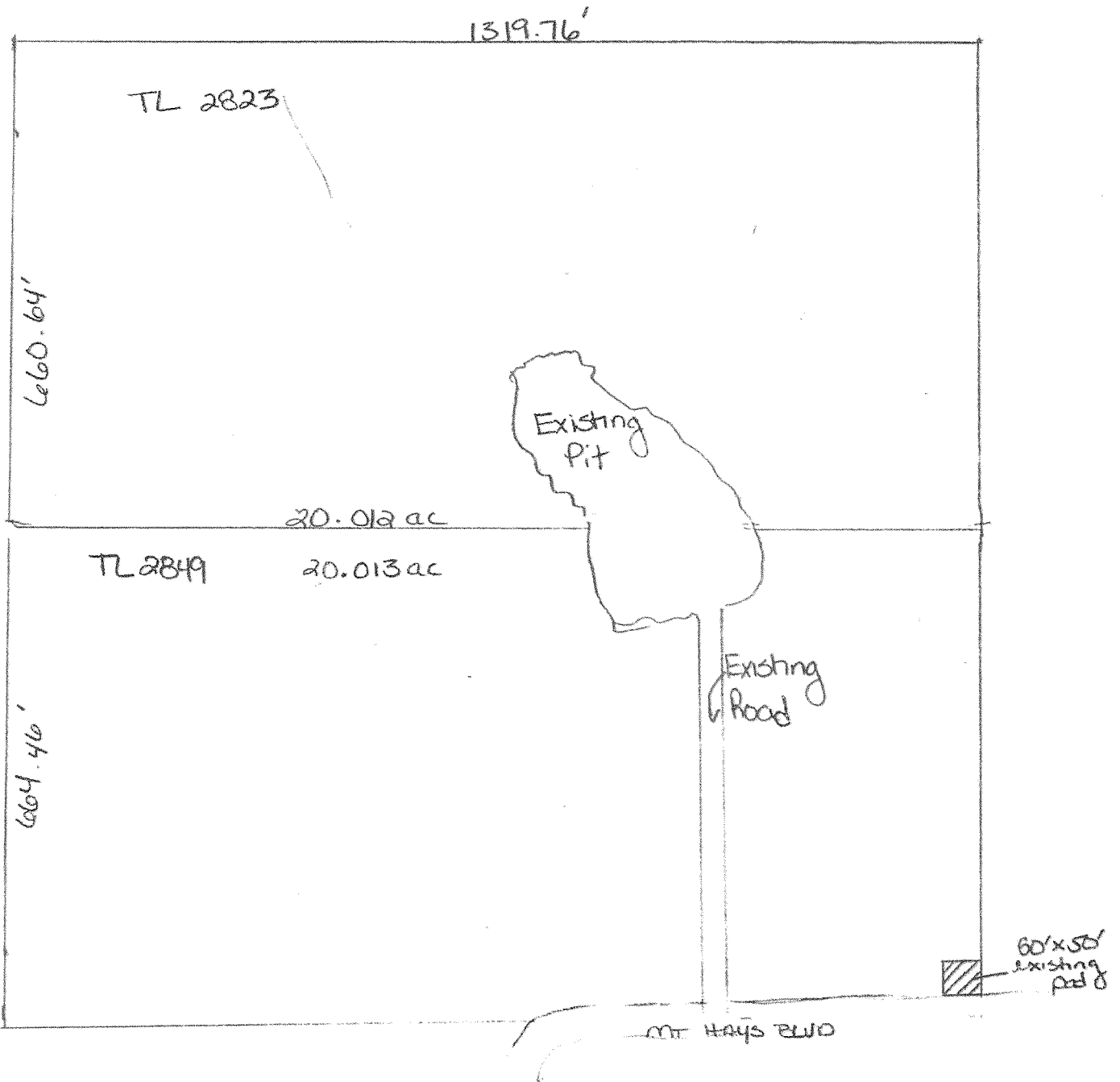


Sec 28 T 15, R 1E, FM  
X project area



Huntsbury, John V.  
4-2001-1268, Tanana River 201  
Project Location  
January 7, 2001

*J.V.H.*

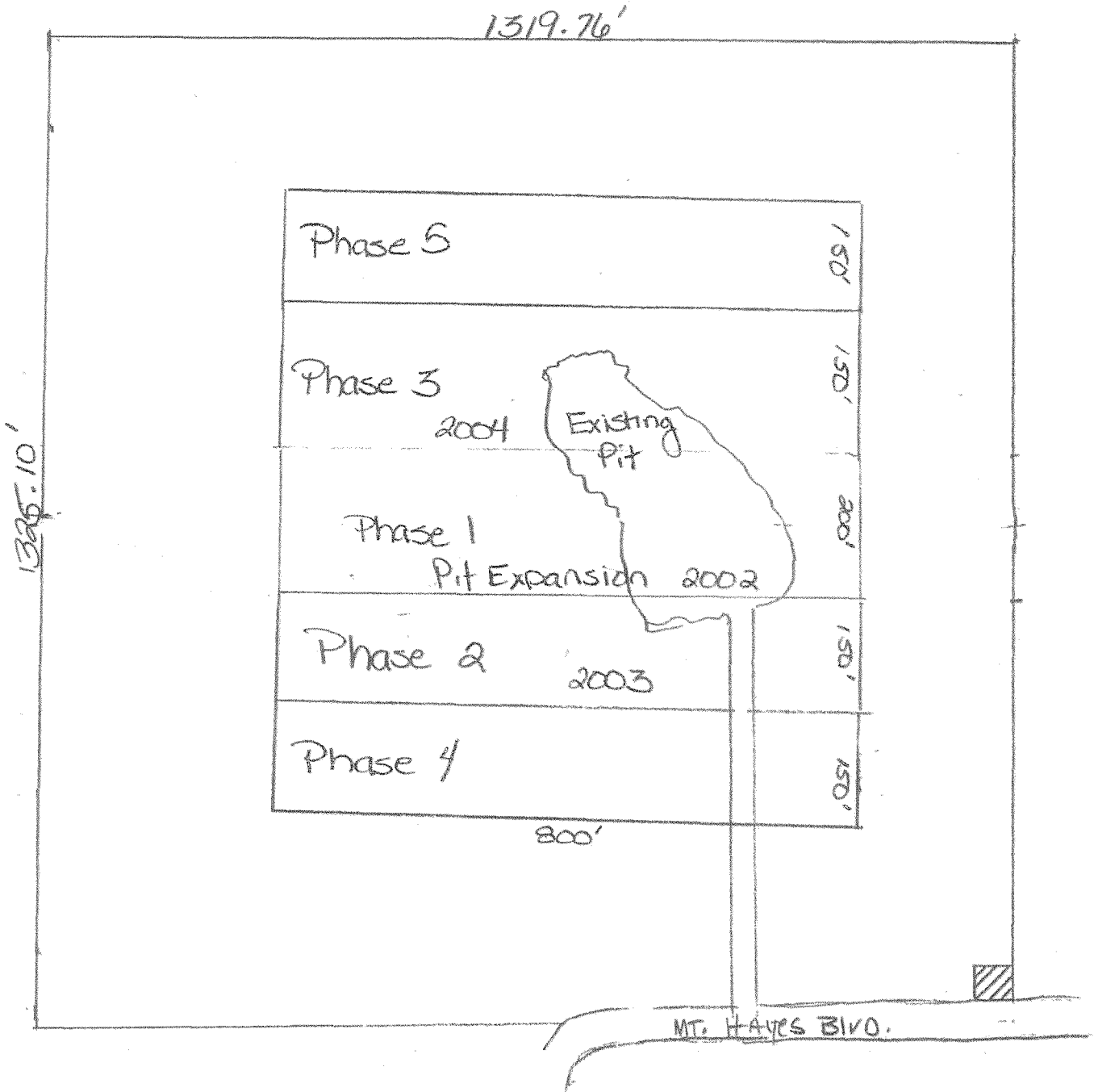


Scale  
 100'

Huntsbury, John V.  
 4-2001-1268, Tanana River 200  
 Existing Conditions  
 January 7, 2001 Page 2 of 16

*J.V.H.*

# Gravel Pit expansion phases



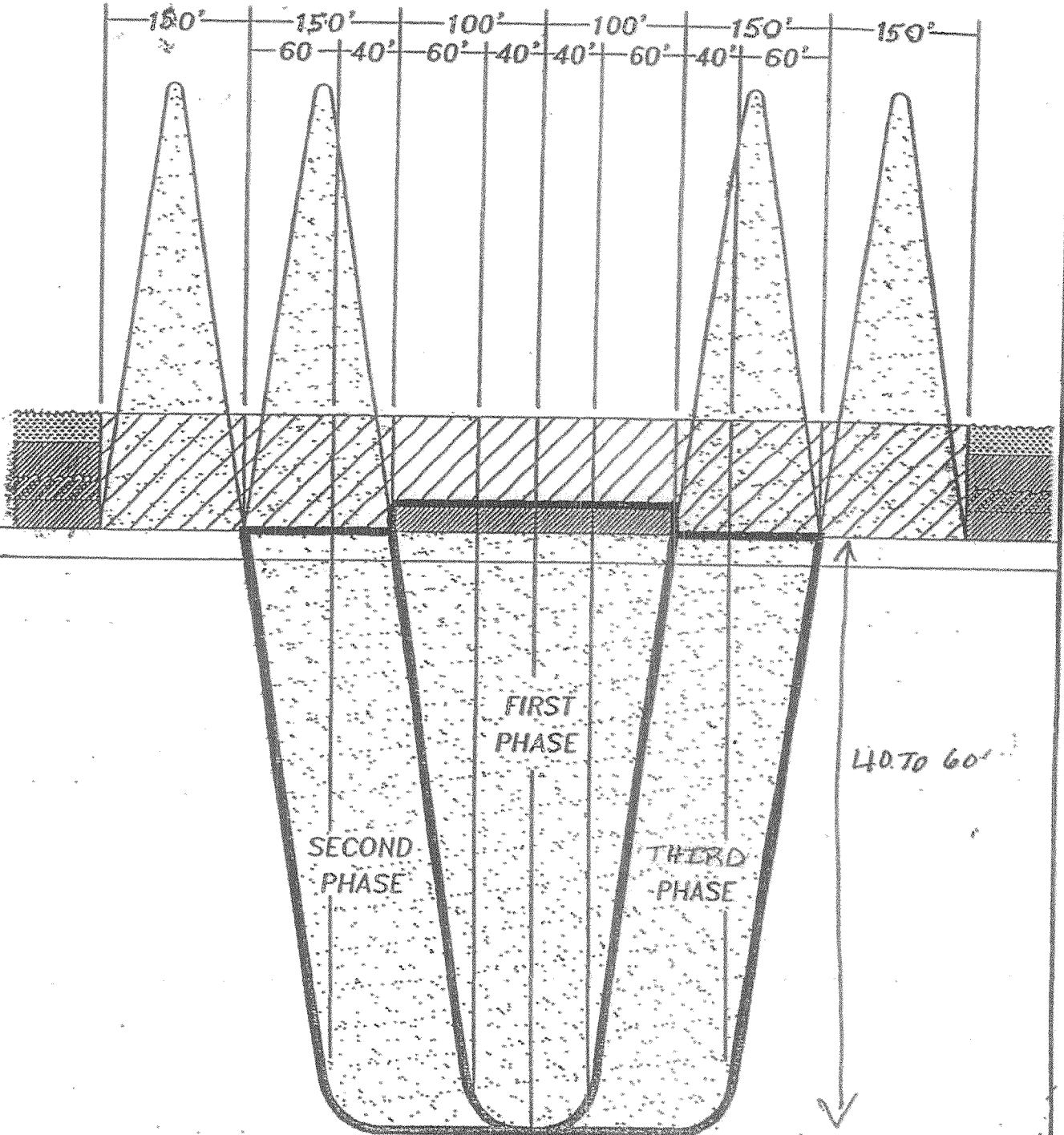
Huntsbury, John V. *J.V.H.*  
4-2001-1268, Tanana River 201  
Gravel Pit Expansion Phases  
January 7, 2001 Page 3 of 16

100'



# HUNTSBURY'S GRAVEL PIT

PURPOSE  
EXPANSION OF  
EXISTING GRAVEL PIT

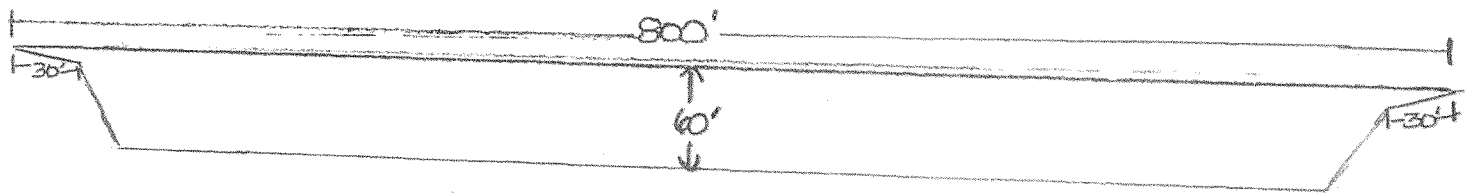


NO SCALE

Huntsbury, John V.  
4-2001-1268, Tanana River 201  
Gravel Pit Excavation Cross Section  
January 7, 2001 Page 4 of 16


*J.V.H.*

# Gravel Pit Reclamation Cross section

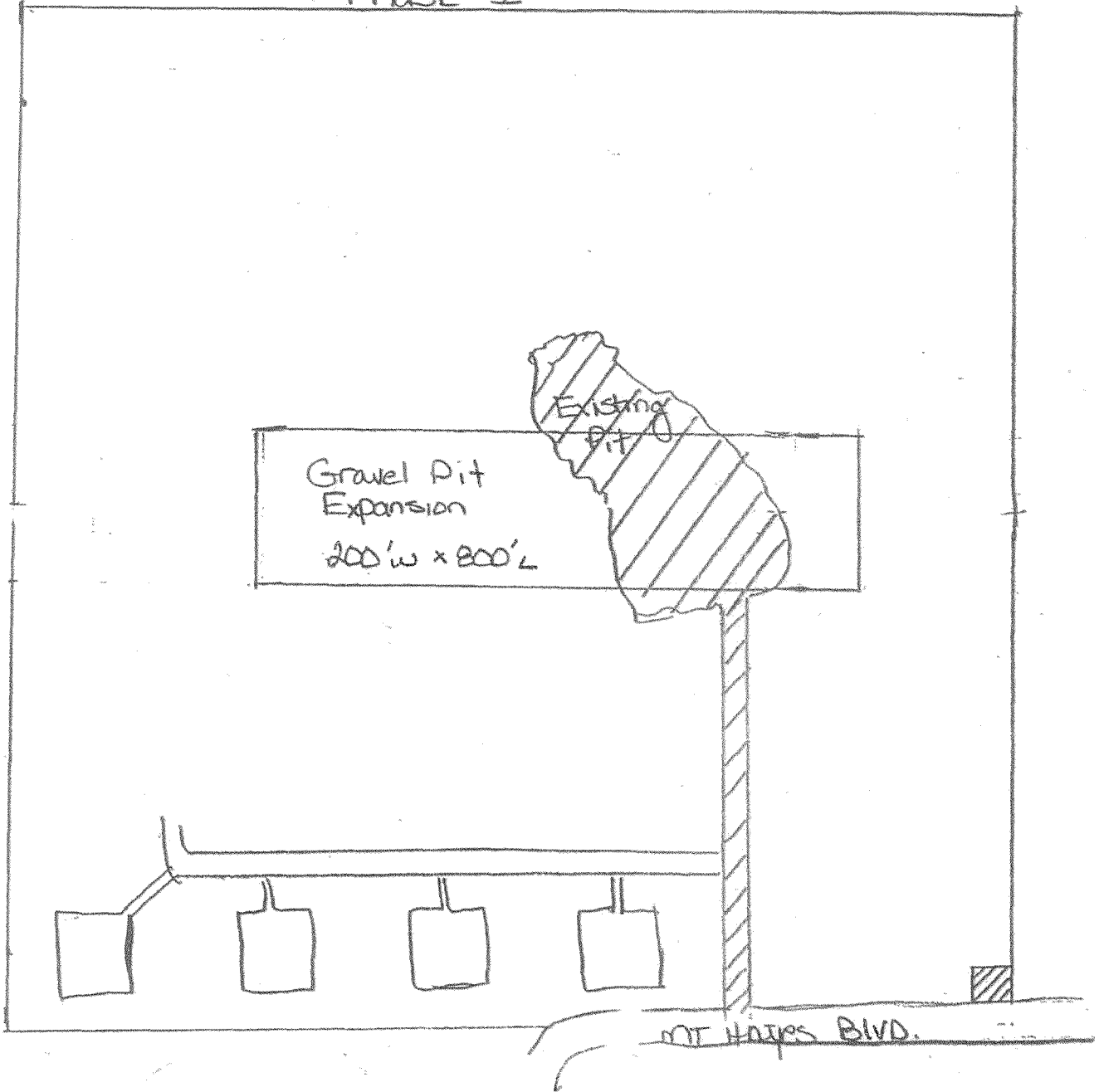


Pit reclamation would include a 30' shallow shelf at a 20:1 slope.

SCALE =  100'

Huntsbury, John V.   
4-2001-1268, Tanana River 201  
Gravel Pit Reclamation Cross Section  
January 7, 2001 Page 5 of 16

Phase 1

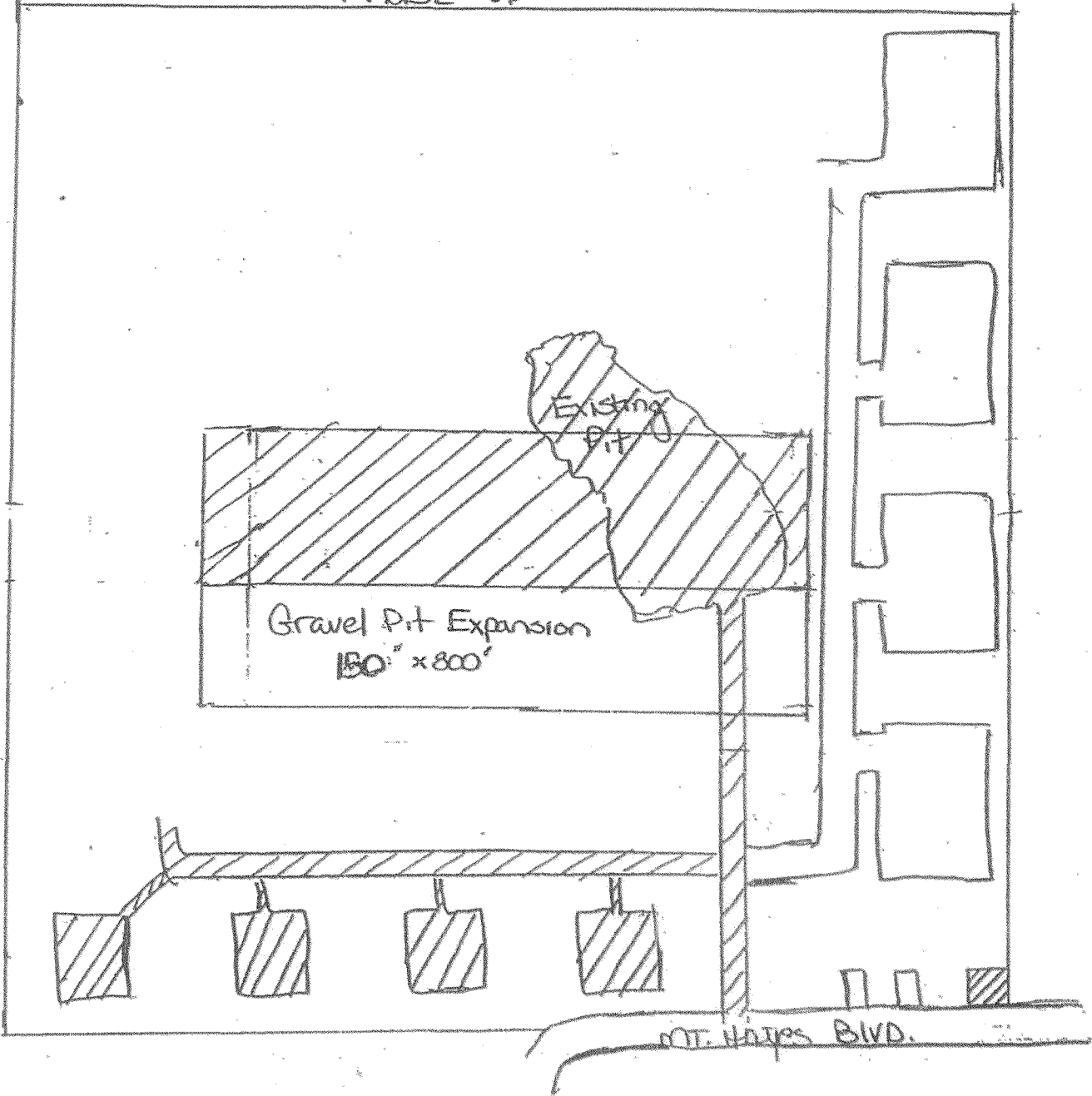


Existing work ///

Scale  
100'

Huntsbury, John V.  
4-2001-1268, Tanana River 201  
Phase 1 Construction  
January 7, 2001 Page 6 of 16

Phase 2

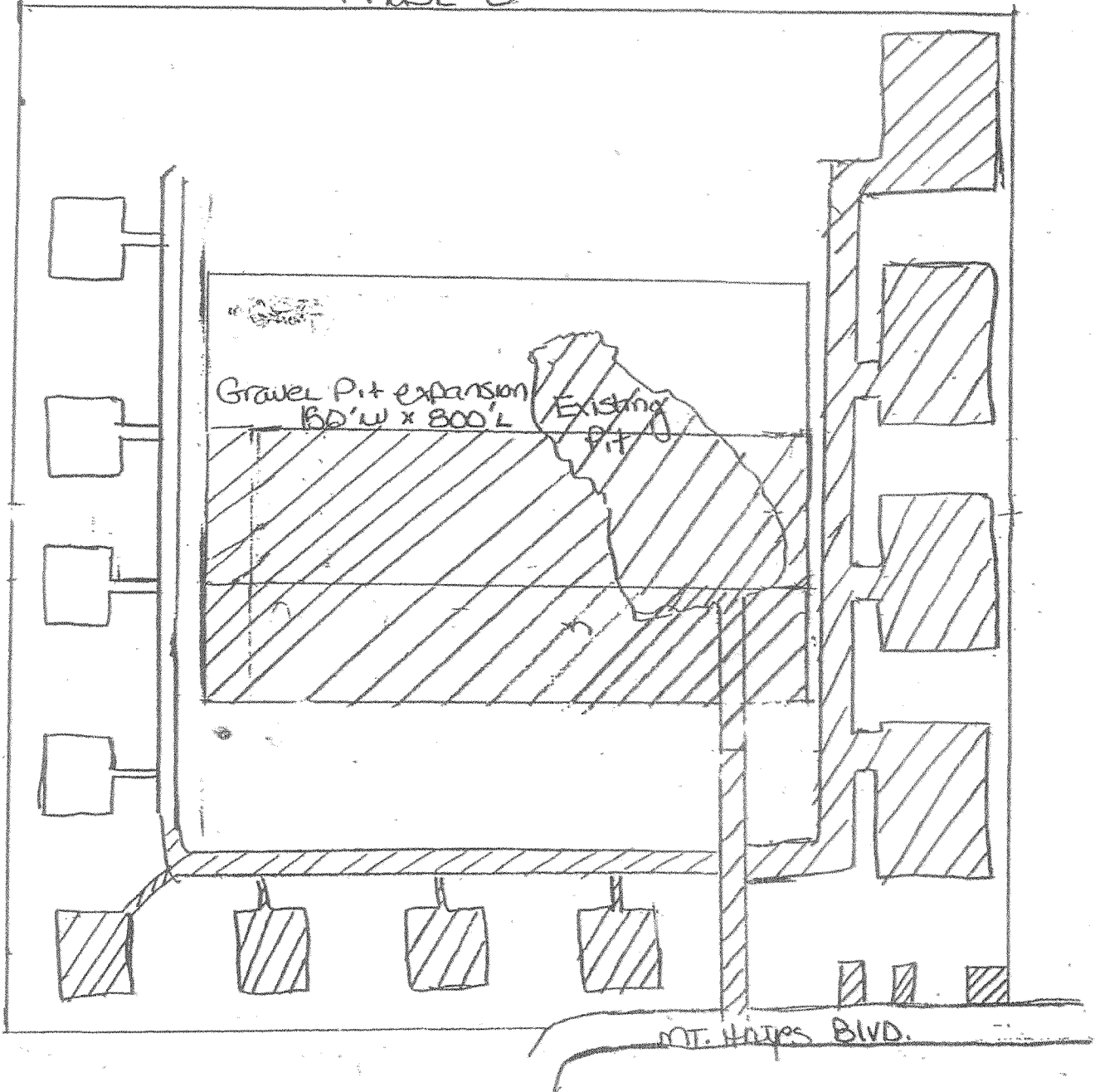


Existing work /// at the beginning of Phase 2

Scale  
100'

Huntsbury, John V.  
4-2001-1268, Tanana River 201  
Phase 2 Construction  
January 7, 2001 Page 7 of 16

# Phase 3

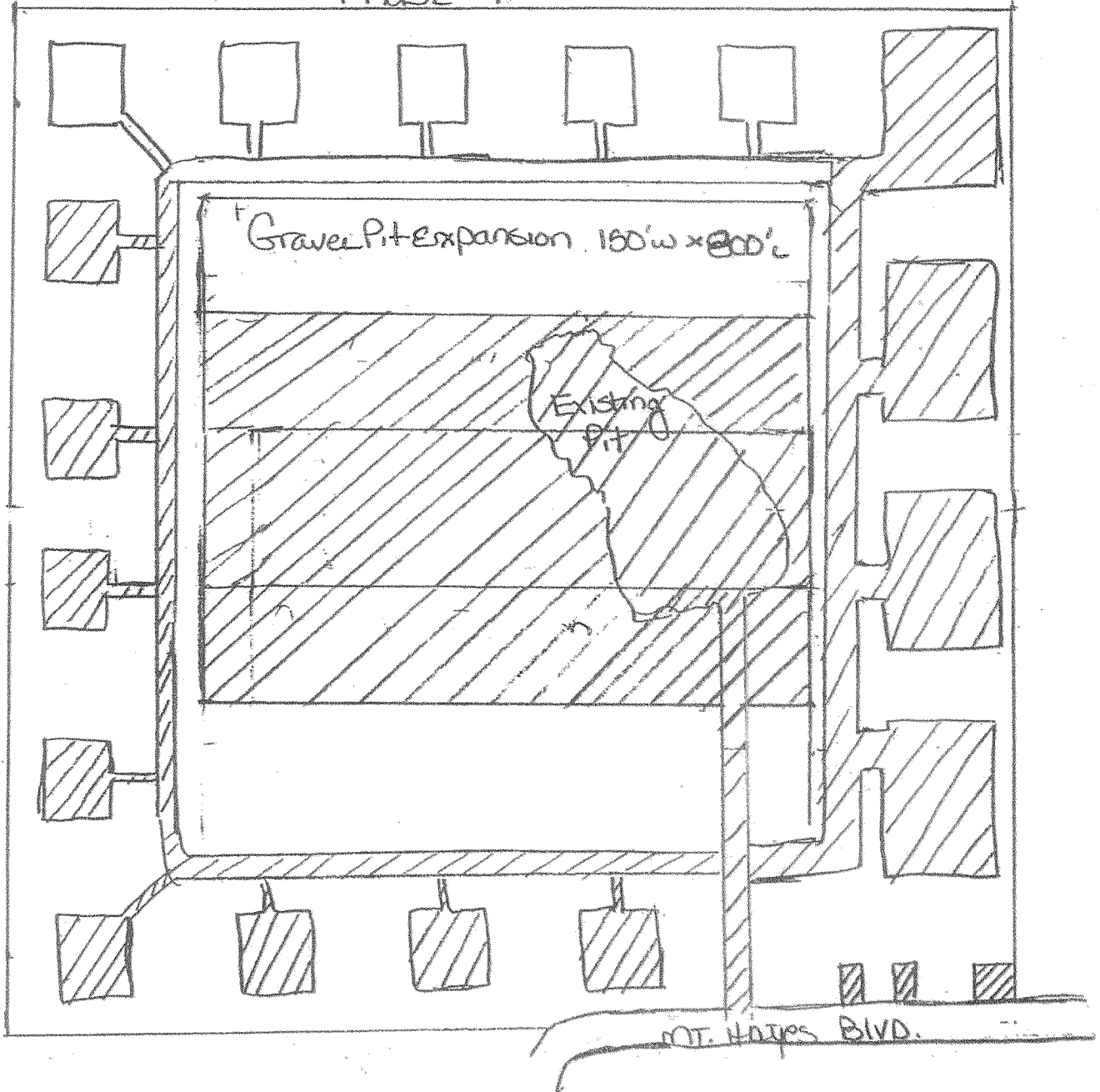


Existing work /// at the beginning of Phase 3

Scale  
100'

Huntsbury, John V.  
4-2001-1268, Tanana River 201  
Phase 3 Construction  
January 7, 2001 Page 8 of 16

Phase 4

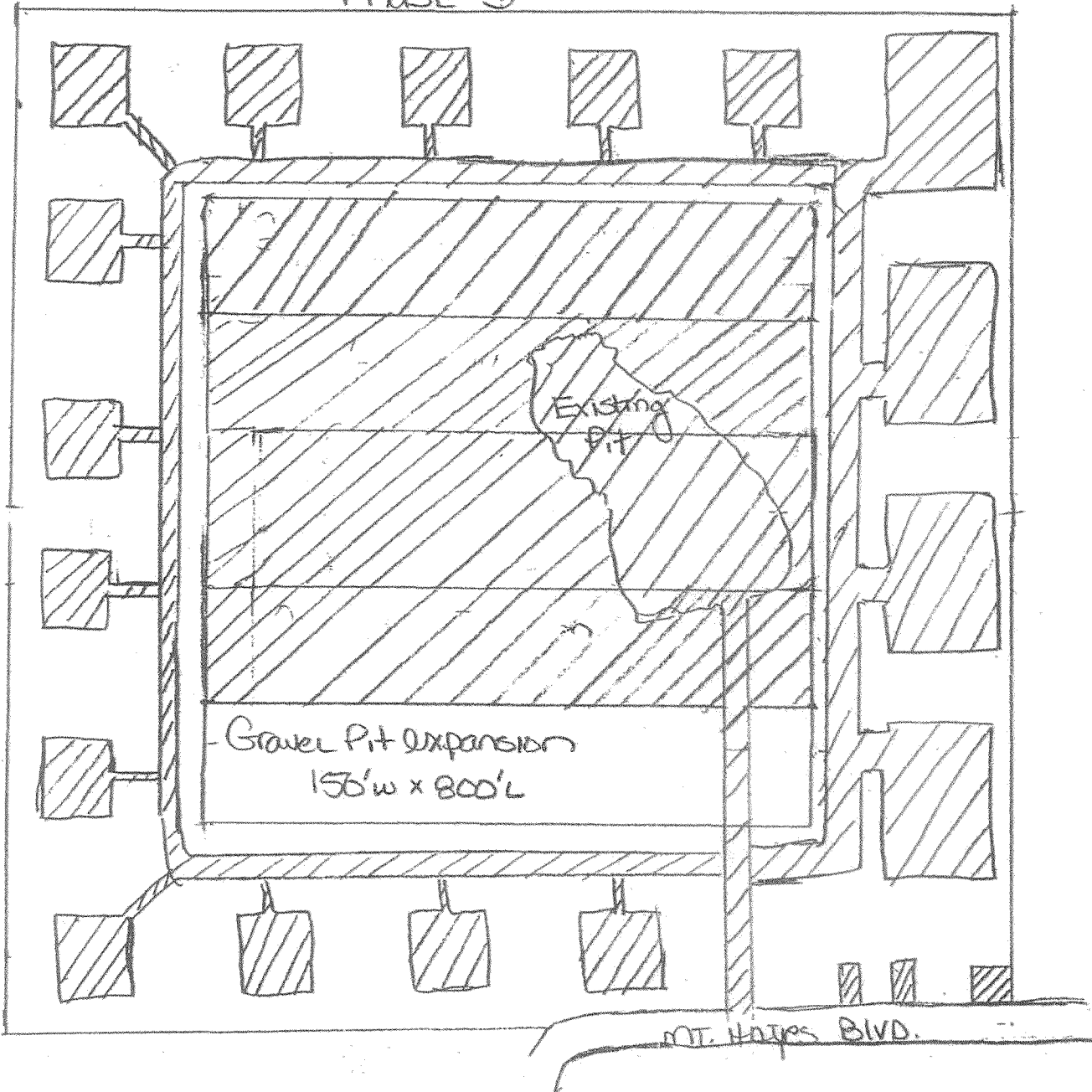


Existing work /// at the beginning of Phase 4

Scale  $\approx$   
100'

Huntsbury, John V. *J.V.H.*  
4-2001-1268, Tanana River 201  
Phase 4 Construction  
January 7, 2001 Page 9 of 16

Phase 5



Existing work /// at the beginning of Phase 5

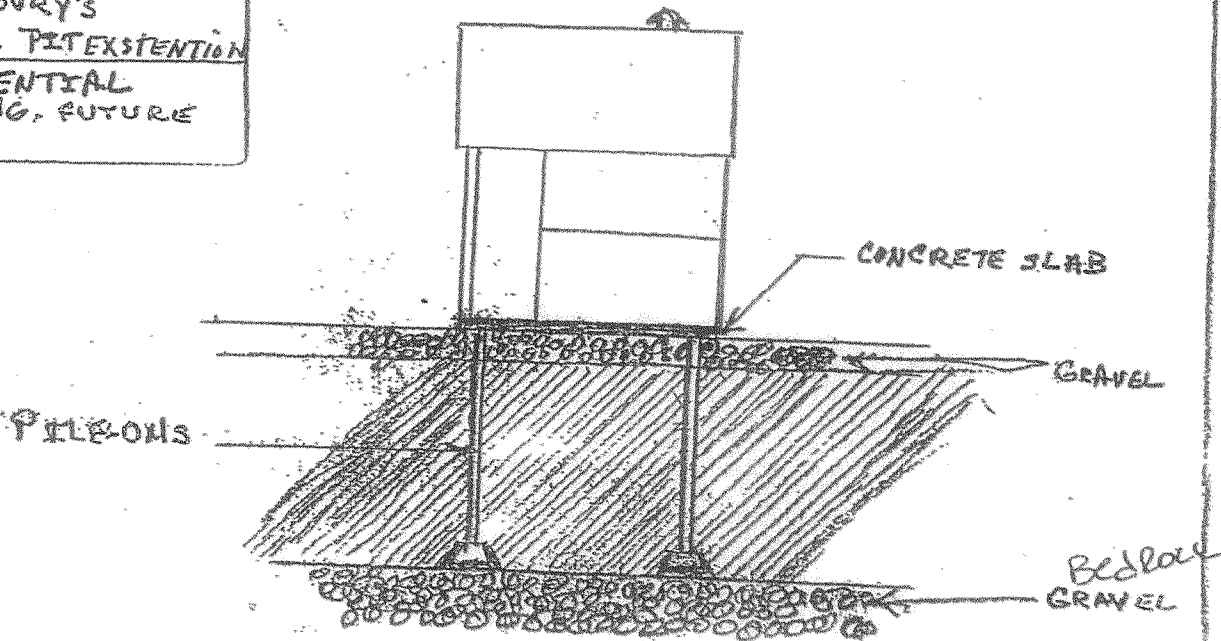
Scale  $\approx$   
100'

Huntsbury, John V. *J.V.H.*  
4-2001-1268, Tanana River 201  
Phase 5 Construction  
January 7, 2001 Page 10 of 16

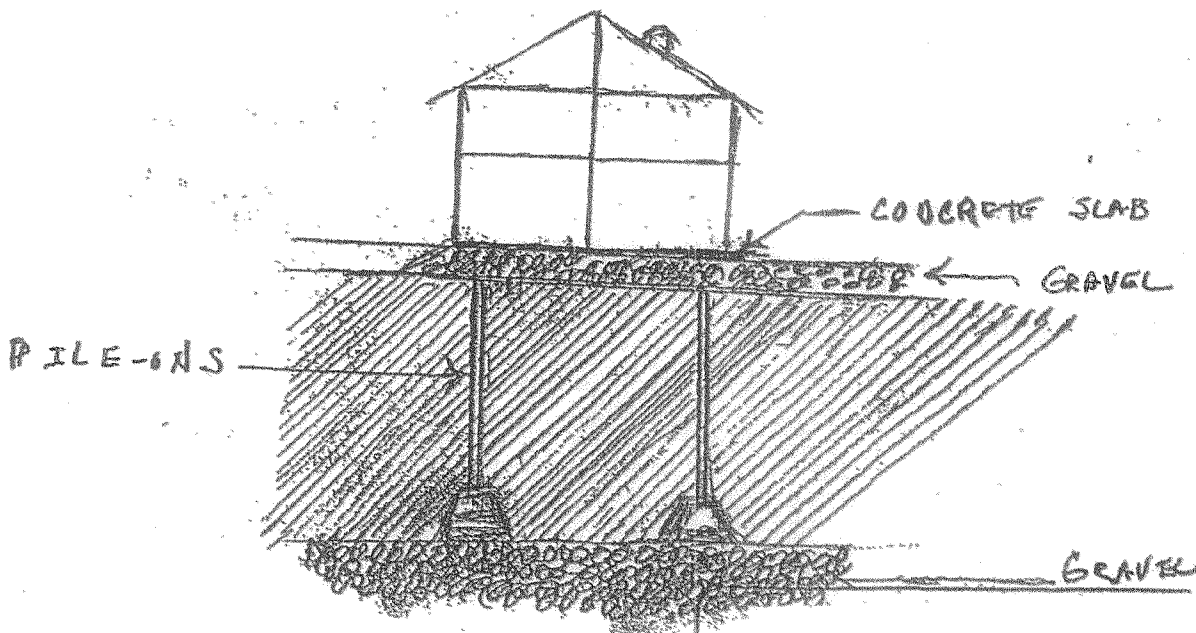
# TYPICAL ELEVATION VIEW DRAWINGS

## RESIDENTIAL STRUCTURE

HUNTSBURY'S  
GRAVEL PILE EXTENSION  
RESIDENTIAL  
HOUSING, FUTURE  
USE.



FRONT VIEW



SIDE VIEW

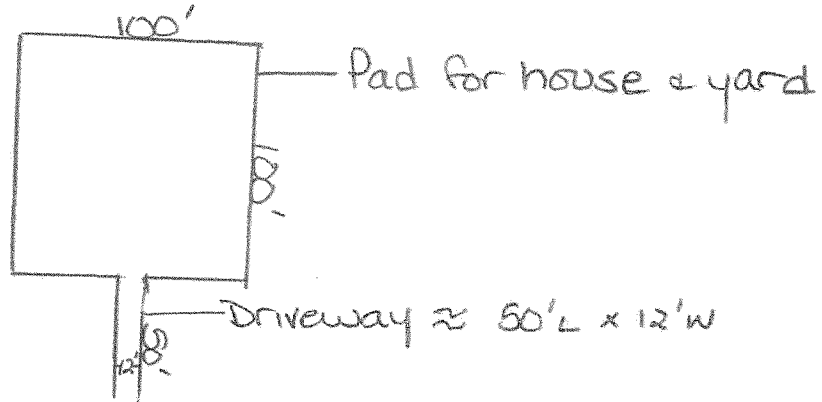
No SCALE

Huntsbury, John V.  
4-2001-1268, Tanana River 201  
Residential Structures  
January 7, 2001

Page 11 of 16



Residential  
Plan view



Impacts  $\approx 0.25$  ac

x 13 residential pads w/driveways

3.25 ac

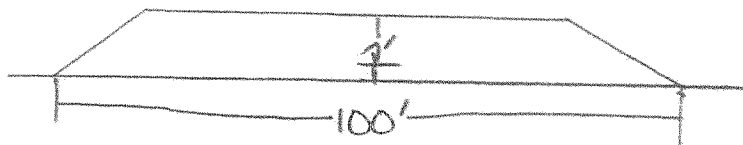
392.6 cy each

x 13

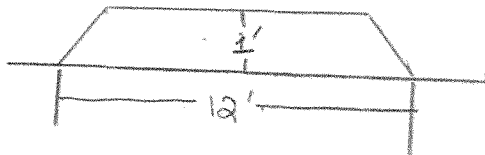
$\approx 5103.8$  cy  
fill material

Cross section

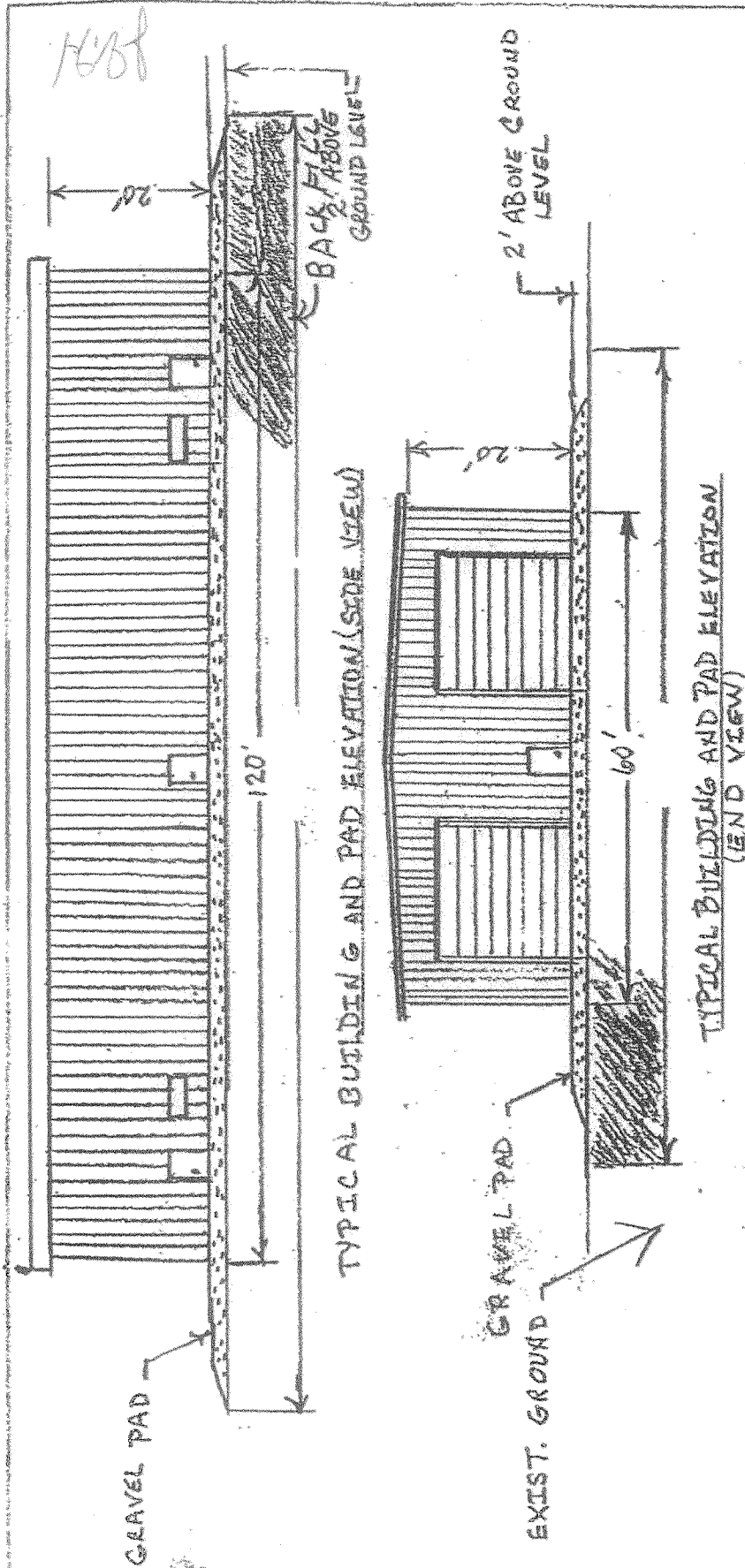
pad



Driveway



Huntsbury, John V.  
4-2001-1268, Tanana River 201  
Residential Pads and driveways plan view  
and cross sections  
January 7, 2001



H/S/B

TYPICAL BUILDING AND PAD ELEVATION (SIDE VIEW)

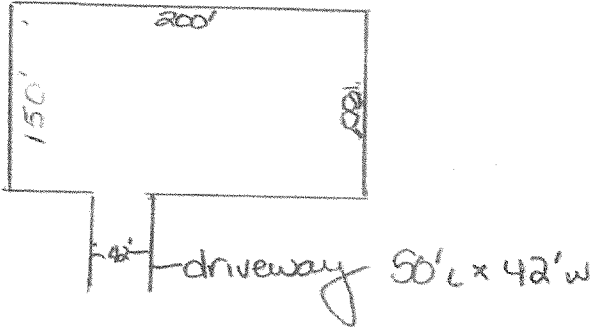
TYPICAL BUILDING AND PAD ELEVATION (END VIEW)

BUILDING SHOWN FOR COMMERCIAL PAD DEVELOPMENT

SON

Huntsbury, John V.  
 4-2001-1268, Tanana River 201  
 Commercial Structures  
 January 7, 2001 Page 13 of 16

Commercial pads  
Plan view



Impacts

Pad 0.70ac x 4 2.8ac

Driveway 0.07ac x 4 0.08ac

Total 2.88ac

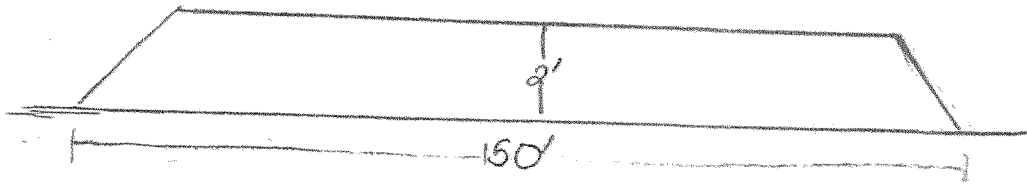
~~8888.9cy~~

311.1cy

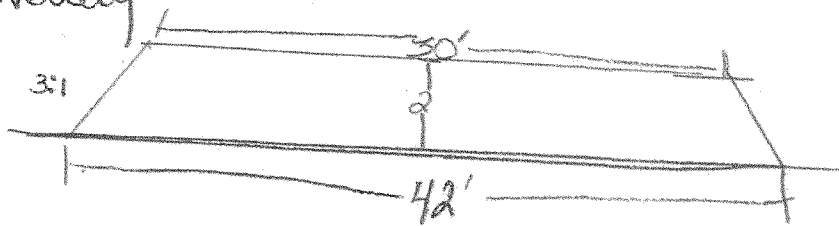
9200cy

Cross Sections

Pad

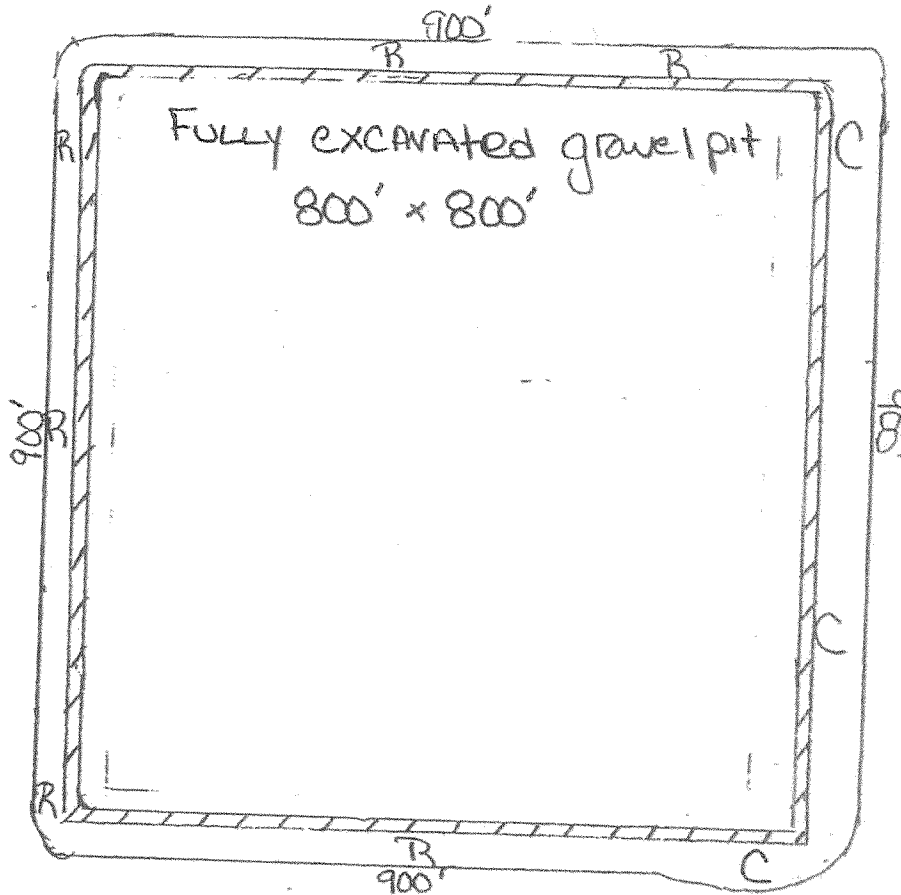


Driveway



Huntsbury, John V.  
4-2001-1268, Tanana River 201  
Commercial pads plan view and cross sections  
January 7, 2001 Page 14 of 16

# Road Plan View

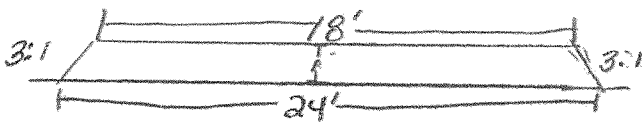


↑ N  
Scale = 1/100'

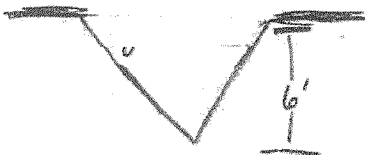
C - commercial road  
R - residential road  
/// area to be seeded along edge of gravel pit

## Cross Sections Residential Road

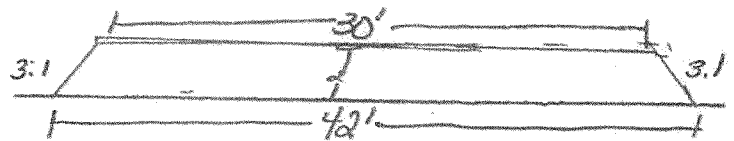
1.4 ac  
2223 cy



Drainage ditch cross section  
500' L x 20' W



## Commercial Road



1.06 ac  
3423 cy

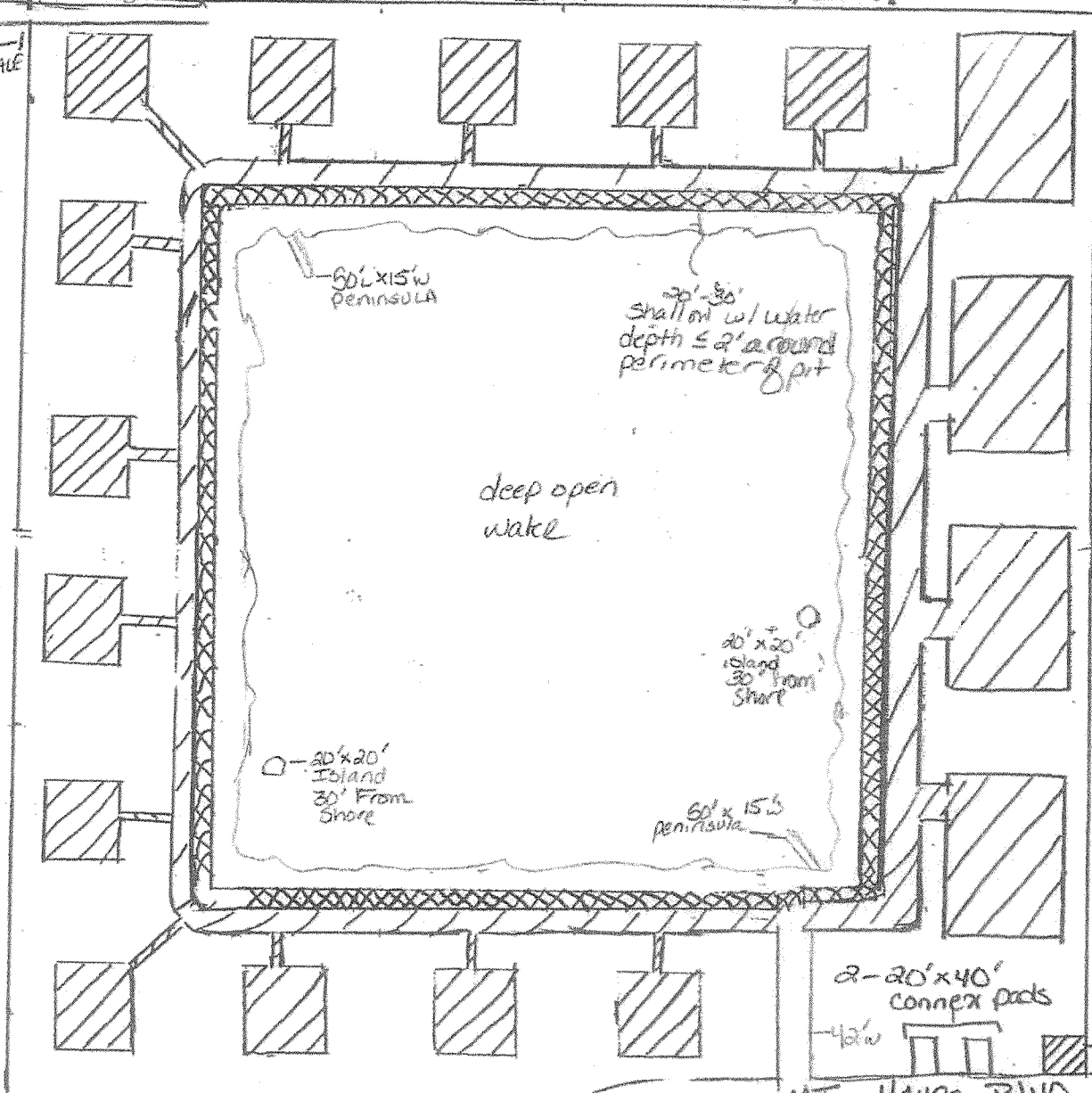
Huntsbury, John V.  
4-2001-0268, Tanana Rive 201  
Road Plan View and Cross Sections  
January 7, 2001 Page 15 of 16  
Drainage ditch Cross section

J.V.H.

possible drainage ditch  
leading to existing drainage ditch  
west of parcel

# FINAL PLAN VIEW

300'  
NOT TO SCALE  
HERE



Commercial Pads  
200' x 150'  
≈ 0.7 acres  
driveways  
42' x 25'  
0.02 acres

HOUSEPADS  
100' x 100'  
DRIVEWAYS ≈ 12' x 60'  
0.26 ac each

Scale  
100'

Huntsbury, John V.  
4-2001-1268, Tanana River 201  
Final Plan View  
January 7, 2001  
Page 16 of 16

XXX Seeded area on edge of gravel pit  
//// Areas to be filled