



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

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

PUBLIC NOTICE DATE: October 16, 2012
EXPIRATION DATE: November 15, 2012
REFERENCE NUMBER: POA-2012-772
WATERWAY: Tongass Narrows

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 **Heather Boyer** at (907) 753-2877, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at heather.l.boyer@usace.army.mil if further information is desired concerning this notice.

APPLICANT: City of Ketchikan, 334 Front Street, Ketchikan, Alaska 99901, Karl R. Amylon, City Manager, karla@city.ketchikan.ak.us, 907-225-3111

AGENT: PND Engineers, Inc., 9360 Glacier Highway, Juneau, Alaska 99901, 907-253-2093

LOCATION: The project site is located within Section 24, T. 75 S., R. 90 E., Copper River Meridian; USGS Quad Map Ketchikan B-6; Latitude 55.3490° N., Longitude 131.6776° W.; in the southeast corner of Bar Harbor in Ketchikan, Alaska.

PURPOSE: The applicant's stated purpose is to service commercial fishing and provide efficient marine loading operations.

PROPOSED WORK: The proposed Ketchikan Bar Harbor Drive Down Float Facility project would include the construction of a drive down float, including a 20-foot x 48-foot approach dock with vehicle transition; a 17-foot x 140-foot transfer bridge, a 48-foot x 120-foot drive down float with bridge support float, including (6) 24-inch x 0.500-inch thick galvanized steel Float Anchor Piles, (8) 16-inch x 0.500-inch thick galvanized steel Dock Support Batter Piles, (6) 16-inch x 0.500-inch thick galvanized steel Vertical Dock Support Piles, and float mooring pile frames as required. Marine excavation of 5,100 cubic yards with disposal in an approved uplands site would allow for all-tide access. The project would also refurbish,

relocate and reinstall the existing Net Float, including reinstallation of (6) 16" Ø x 0.500" thick galvanized steel Float Anchor Piles. A domestic water system, life ring cabinets and fire extinguishers will be added to improve safety.

All work would be performed in accordance with the enclosed plan (sheets 1-7), dated September 2012.

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 facility has been designed to minimize any impacts beyond what is required to construct the Ketchikan Bar Harbor Drive Down Float.

- b. Minimization: The facility has been designed to minimize any impacts beyond what is required to construct the Ketchikan Bar Harbor Drive Down Float. Measures to avoid impact to jurisdictional wetlands and waters of the U.S. include the following actions:
 - Avoid fill placement. The project was designed to utilize pile supported and floating structures to the maximum extent possible. No fill would be used below the HTL.
 - Protect eelgrass beds. The project utilizes a small corner of an existing harbor basin and relocates the existing Net Float to protect eelgrass beds within the harbor basin.
 - Minimize dredging activities. The project has been redesigned to minimize extensive dredging by extending a pile supported approach dock into deeper water to the drive down float location. Only minor dredging is required at the face of the proposed loading dock to achieve suitable depth at the berth. Uplands disposal is proposed for this small volume of dredging.
 - Avoid migration barriers to salmonids. At no time would the construction activities result in a migration barrier to salmonids.
 - Avoid impacts from potential spills during construction. To prevent spills or leakage of hazardous material during construction, standard spill-prevention measures including on-site spill kits would be implemented during construction.
 - Avoid impacts to marine mammals. A marine mammal monitor would be assigned to the project during pile driving operations. Driving piles can generate underwater sound pressure waves that have the potential to disrupt migration and harass or injure marine mammals. The following measures will be taken:
 - o An observer would begin to observe 15 minutes prior to pile driving and throughout the duration of each pile driving event.
 - o If marine mammals are observed within a 200-meter (656-foot) radius of the pile being driven, driving would cease until the animal is clear of the zone.
 - o If the marine mammal is observed during pile driving and appears to be disturbed by the noise/activity, pile driving would be discontinued and not resumed until the marine mammal is no longer observed.
 - o Methods would be confirmed through consultation with NOAA.
 - o Impacts to wetlands and other waters of the U.S. and other resources that depend on other wildlife that depend on aquatic ecosystems have been avoided to the greatest extent practicable.

- Minimization of noise impacts from pile driving. The City of Ketchikan would specify the use of vibratory pile driving equipment as the primary installation method for the project.
 - o Impact hammers and drilled sockets shall only be allowed for piles that encounter soils too dense to penetrate with the vibratory equipment.
 - o The specifications shall require the use of cushion blocks for all impact hammers. Use of a pile cushion between the impact hammer and the piling will help to attenuate sound.
 - o The impact hammer energy would be limited to approximately 60,000 foot-pounds (ft-lbs) to minimize driving energy.
 - o Timing for the installation of all piles shall consider sensitive fish habitat periods for juvenile salmon.
 - o Steel piles, 24-inch in diameter or less would be used, when possible, to minimize potential harm to fish.
 - o Driving will occur at lower tidal stages in an effort to minimize potential impacts to fish.
- Minimization of impacts to bald eagles and migratory birds. The Proposed Action is not expected to have impacts on bald eagles or migratory birds in the project area; however, the following measures will be taken to minimize potential impacts.
 - o If active bird nests, eggs, or nestlings are observed during construction, USFWS agency personnel would be contacted for guidance.
 - o If a bald eagle nest is located in the vicinity of the project area during construction, agencies would be contacted and a bald eagle permit will be obtained, if needed, in accordance with 50 CFR Part 22.
- Minimization of impacts from invasive species. Revegetation and planting activities are not anticipated for this work. Should it be necessary, the prevention and establishment of invasive plants during planting and revegetation activities would be accomplished by following the Cooperative Extension Service's "DON'T plant in Alaska" list.

c. Compensatory Mitigation: Because extreme measures have been taken to avoid and minimize in this project, including the removal of existing infrastructure and because the project does not propose any fill placement, the applicant does not propose compensatory mitigation measures for this project.

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 any listed or proposed 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).

The project area is within the known range of the Chinook (*Oncorhynchus tshawytscha*), Coho (*Oncorhynchus kitsutch*), Sockeye (*Oncorhynchus nerka*), Pink (*Oncorhynchus gorbuscha*), and Chum (*Oncorhynchus keta*) 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 authority:

(X) Perform work in or affecting navigable waters of the United States -
Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

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



PROJECT DESCRIPTION

Ketchikan Bar Harbor Drive Down Float

KEY TO SYMBOLS AND ABBREVIATIONS

'	Feet
"	Inches
@	at
Ø	Diameter
&	And
+/-	Plus or Minus
⊗	Waterline

ACP	Asphalt Concrete Pavement
AK	Alaska
APPROX.	Approximate
CRM	Copper River Meridian
CY	Cubic Yards
E	East
Et al.	Et Alii (Latin indicating "and others")
Etc.	Et Cetera (Latin meaning "and other things")
FT	Feet
HTL	High Tide Line
KTC	Ketchikan
M.	Meridian
MHW	Mean High Water
MLLW	Mean Lower Low Water
N	North
NHN	No House Number
NO	Number
NOAA	National Oceanic and Atmospheric Administration
P.O.	Post Office
QTY	Quantity
QUAD	Quadrangle
R.	Range
REQ'D	Required
S	South or Section
SEPT	September
T.	Township
TYP.	Typical
U.S.	United States
USGS	United States Geological Survey
W	West
W/	With



SOUTHEAST ALASKA



FROM:
NOAA CHART 17430,
KETCHIKAN HARBOR

PURPOSE:

TO SERVICE COMMERCIAL FISHING AND PROVIDE EFFICIENT MARINE LOADING OPERATIONS.

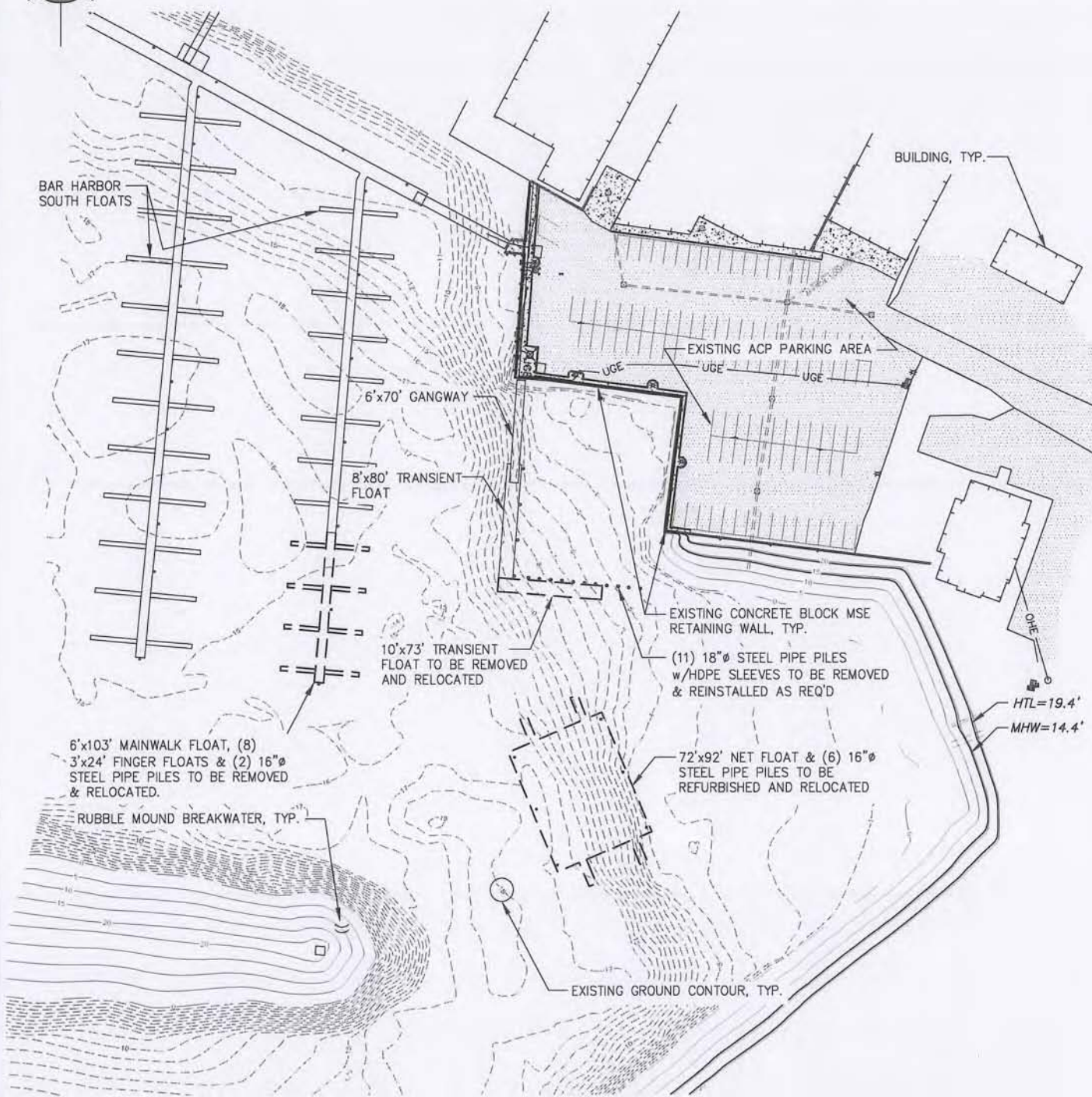
DATUM:
MLLW = 0.0' FT

HTL = 19.4'
MHW = 14.4'
MLLW = 0.0'

PND#: 122026.02

**KETCHIKAN BAR HARBOR
DRIVE DOWN FLOAT**

City of Ketchikan
POA-2012-772
Tongass Narrows
September 2012
Sheet 2 of 8



PURPOSE:

TO SERVICE COMMERCIAL FISHING AND PROVIDE EFFICIENT MARINE LOADING OPERATIONS.

DATUM:

MLLW = 0.0' FT

HTL = 19.4'
MHW = 14.4'
MLLW = 0.0'

PND#: 122026.02

EXISTING CONDITIONS AND DEMOLITION PLAN



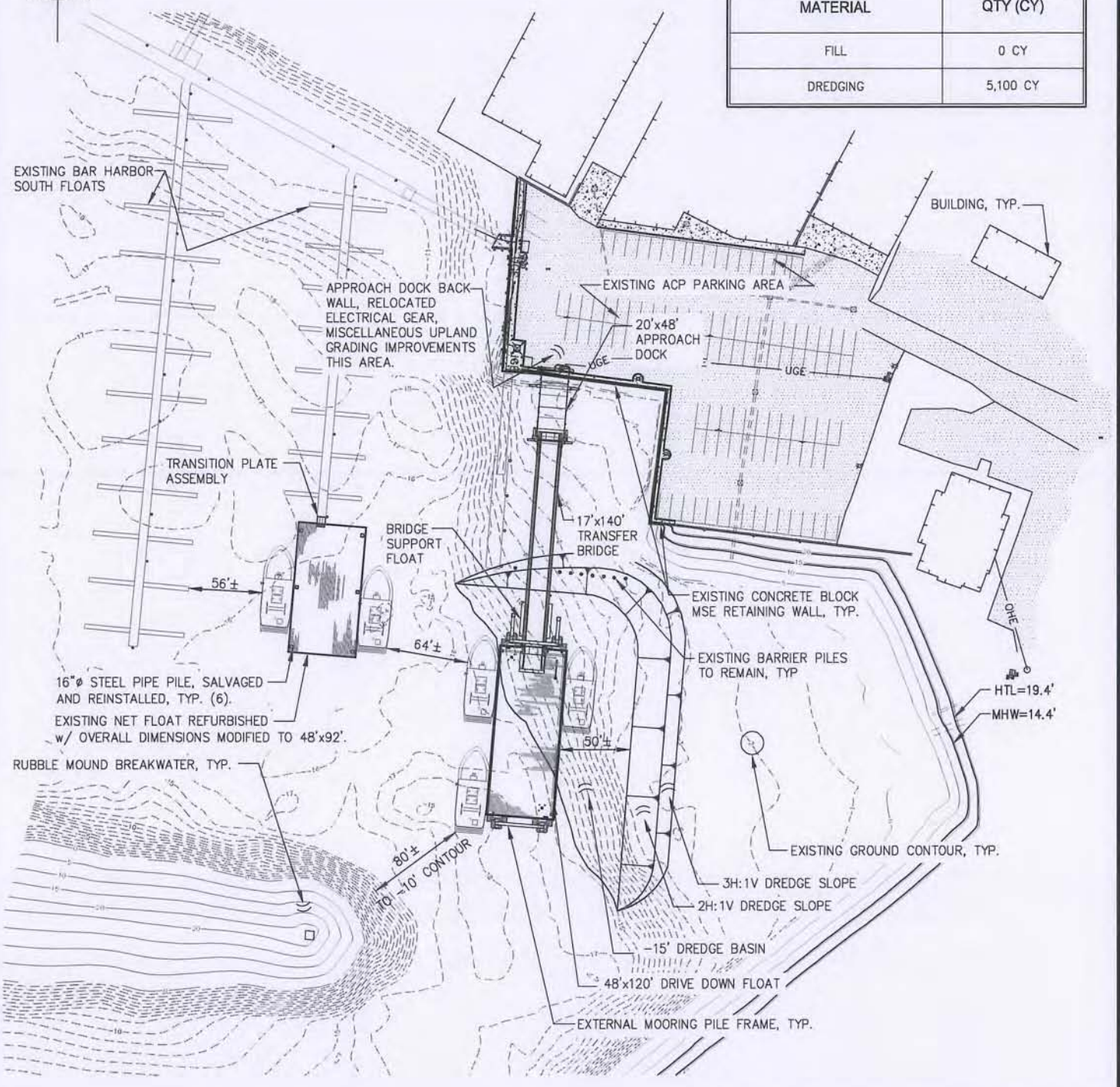
KETCHIKAN BAR HARBOR DRIVE DOWN FLOAT

City of Ketchikan
POA-2012-772
Tongass Narrows
September 2012
Sheet 3 of 8



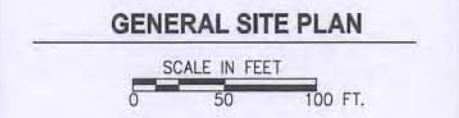
SUMMARY OF QUANTITIES

MATERIAL	QTY (CY)
FILL	0 CY
DREDGING	5,100 CY



PURPOSE:
TO SERVICE COMMERCIAL FISHING AND PROVIDE EFFICIENT MARINE LOADING OPERATIONS.

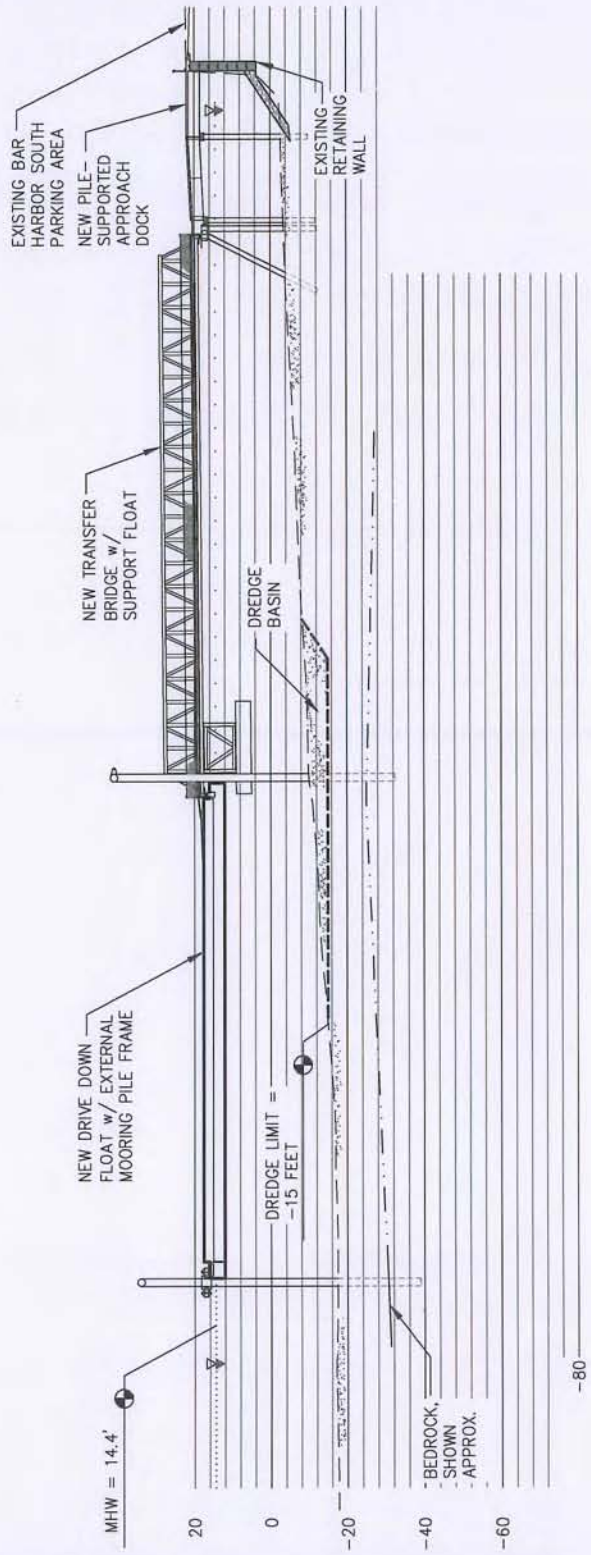
DATUM:
MLLW = 0.0' FT
HTL = 19.4'
MHW = 14.4'
MLLW = 0.0'



PND#: 122026.02

**KETCHIKAN BAR HARBOR
DRIVE DOWN FLOAT**

City of Ketchikan
POA-2012-772
Tongass Narrows
September 2012
Sheet 4 of 8



RAMP SECTION

PURPOSE:

TO SERVICE COMMERCIAL FISHING AND PROVIDE EFFICIENT MARINE LOADING OPERATIONS.

DATUM:
 MLLW = 0.0' FT

HTL = 19.4'
 MHW = 14.4'
 MLLW = 0.0'

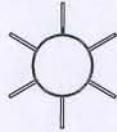
PND#: 122026.02

SECTIONS

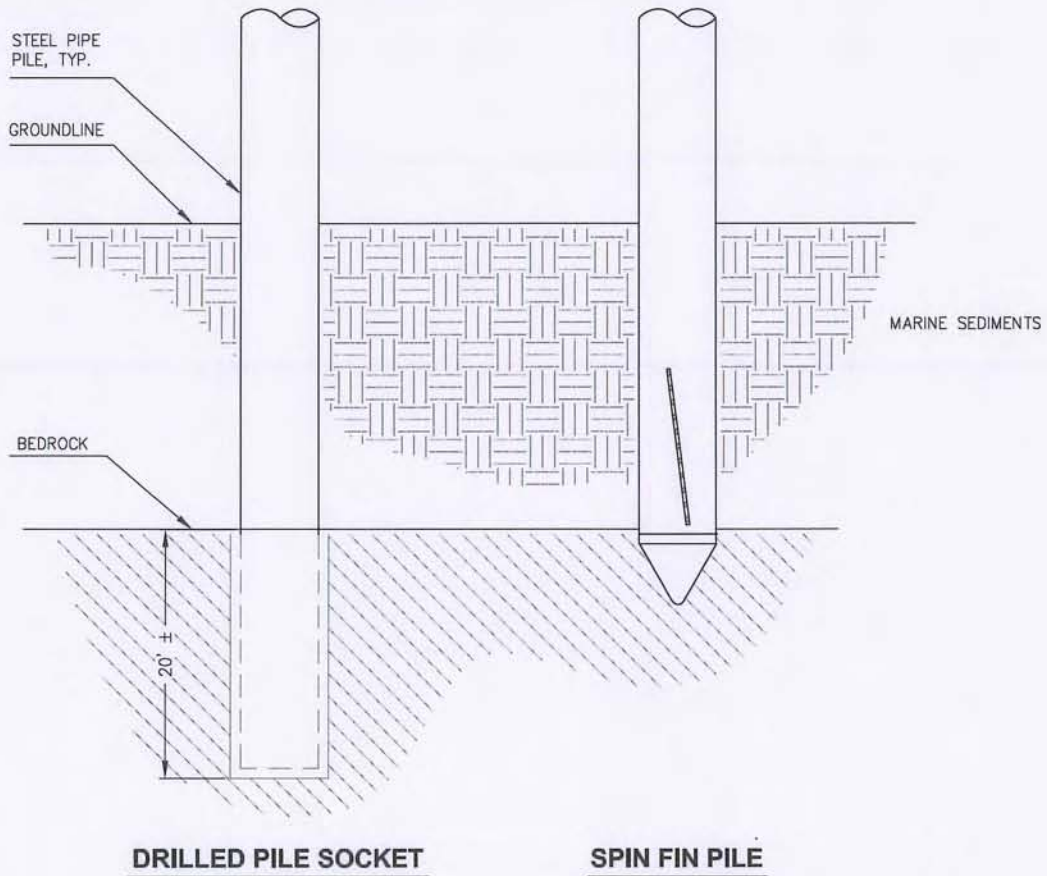
NOT TO SCALE

**KETCHIKAN BAR HARBOR
 DRIVE DOWN FLOAT**

City of Ketchikan
 POA-2012-772
 Tongass Narrows
 September 2012
 Sheet 5 of 8



**TYPICAL SPIN
FIN PILE SECTION**



PURPOSE:

TO SERVICE COMMERCIAL FISHING AND PROVIDE EFFICIENT MARINE LOADING OPERATIONS.

DATUM:

MLLW = 0.0' FT

HTL = 19.4'
MHW = 14.4'
MLLW = 0.0'

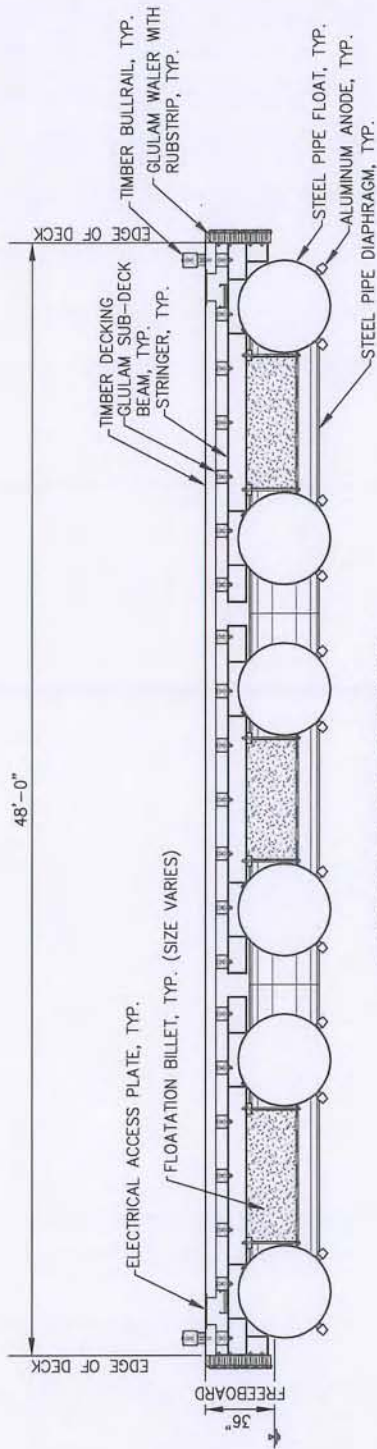
PND#: 122026.02

PILE DETAILS

NOT TO SCALE

**KETCHIKAN BAR HARBOR
DRIVE DOWN FLOAT**

City of Ketchikan
POA-2012-772
Tongass Narrows
September 2012
Sheet 6 of 8



TYPICAL FLOAT SECTION

PURPOSE:

TO SERVICE COMMERCIAL FISHING AND PROVIDE EFFICIENT MARINE LOADING OPERATIONS.

DATUM:

MLLW = 0.0' FT

HTL = 19.4'
MHW = 14.4'
MLLW = 0.0'

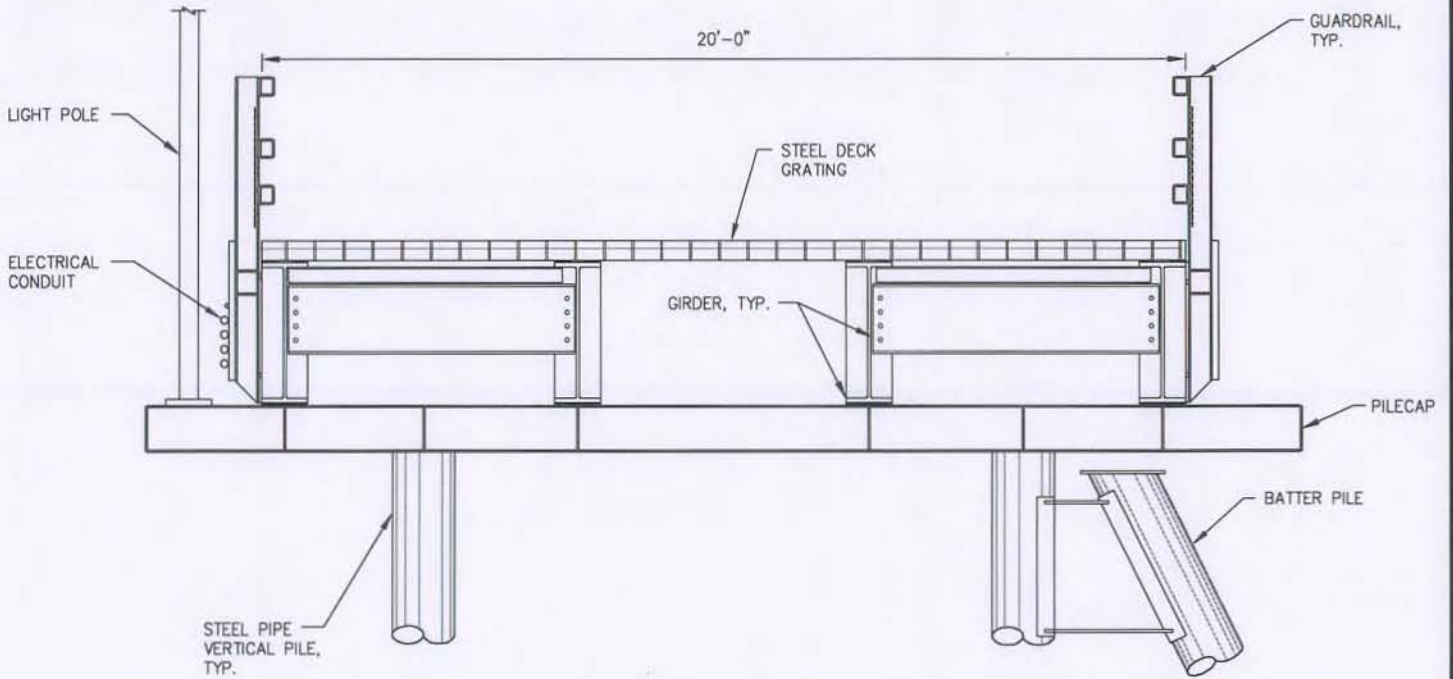
TYPICAL FLOAT SECTION

NOT TO SCALE

PND#: 122026.02

**KETCHIKAN BAR HARBOR
DRIVE DOWN FLOAT**

City of Ketchikan
POA-2012-772
Tongass Narrows
September 2012
Sheet 7 of 8



APPROACH DOCK- TYPICAL SECTION

PURPOSE:

TO SERVICE COMMERCIAL FISHING AND PROVIDE EFFICIENT MARINE LOADING OPERATIONS.

DATUM:

MLLW = 0.0' FT

HTL = 19.4'
 MHW = 14.4'
 MLLW = 0.0'

**APPROACH DOCK
 TYPICAL SECTION**

NOT TO SCALE

PND#: 122026.02

**KETCHIKAN BAR HARBOR
 DRIVE DOWN FLOAT**

City of Ketchikan
 POA-2012-772
 Tongass Narrows
 September 2012
 Sheet 8 of 8