

FAIRBANKS FIELD OFFICE Regulatory Division (1145) CEPOA-RD P.O. Box 35066 Fort Wainwright, AK 99703

## Public Notice of Application for Permit

PUBLIC NOTICE DATE: February 13, 2023

**EXPIRATION DATE:** March 15, 2023

REFERENCE NUMBER: POA-2023-00061

WATERWAY: Jarvis Creek

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.

All comments regarding this public notice should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the project manager's email as listed below or to regpagemaster@usace.army.mil. All comments should include the public notice reference number listed above.

All comments 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 Greg Mazer at (907) 347-9059, toll free from within Alaska at (800) 478-2712, or by email at Gregory.J.Mazer@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: Clifford Baker, Fort Greely, P.O. Box 31310, Fort Greely, AK 99731

AGENT: Dan Rees, Fort Wainwright, 1046 Marks Road, Fort Wainwright, AK 99703

<u>LOCATION</u>: The project site is located within Sections 12 & 13, T. 11 S., R. 10 E., Sections 7 & 18, T. 11 S., R. 11 E., Fairbanks Meridian; Latitude 63.9704° N., Longitude 145.6836° W.; within Fort Greely, Alaska. From Delta Junction drive south on the Richardson Highway for 4.2 miles. Turn left at the gate to Fort Greely. Pass through the security gate and continue straight for 0.4-mile. Turn left onto Robin Road and continue for 0.1-mile. Turn right onto Arctic Avenue and follow 0.75-mile to the T-intersection. Take a left and continue for 0.4-mile. Take a right onto the unnamed road. Drive 0.5-mile. The north end

of the stabilization project will be on your left. Access to Fort Greely is restricted and requires checking in with the Army.

<u>PURPOSE</u>: The applicant's stated purpose is to repair an eroded section of the Ammunition Holding Area (AHA) Patrol Road, stabilize the west bank of Jarvis Creek, and prevent erosion of the Fort Greely AHA, security fence, and the Patrol Road.

<u>PROPOSED WORK</u>: The proposed project would stabilize a 1,350-foot length of the west bank of Jarvis Creek. Approximately 3,000 cubic yards of riprap and 635 cubic yards of clean gravel would be placed along the bank, including below ordinary high water, to re-establish the eroded section of the patrol road and the adjacent three (3) feet buffer between the road and streambank.

Material from the excavation would be used to contour the banks. Approximately 0.44-acre of fill would be placed below ordinary high water. Enough fill would be discharged to achieve a 2:1 slope along the streambank. A layer of woven geotextile would be placed over the gravel fill to prevent fines from washing out of the bank. A five (5) feet layer of Class II riprap (more than 50 percent of the rocks weigh 200 pounds or more) would be placed on top of the geotextile. Class I riprap (up to 50 percent of the rocks weigh 25 pounds or less) would be placed in the upland from ordinary high water to two (2) feet above ordinary high water.

During construction, approximately 2,000 cubic yards of in-stream material would be relocated to form temporary berms to obstruct active channels within the creek where it would be necessary to divert flow away from the work site to keep it dry. When construction is complete, the berms would be removed to allow the stream to re-occupy its natural channels.

The project will be constructed in three phases executed over a period of 10 years, beginning in 2023 and ending in 2032. The first phase would stabilize the upstream end and southernmost 700 feet of the project area and fix the area where the Patrol Road has collapsed. The second phase would begin where the first phase left off and continue north 350 feet to stabilize a second erosional feature that is threatening the road. The third phase would continue north approximately 300 feet from the end of the second phase and protect the northern end of the AHA from future erosion. The endpoints of all phases would tie into a stable section of the bank to prevent erosion from occurring behind the structure. All work would be performed in accordance with the enclosed plan (sheets 1–4), dated February 2023.

<u>ADDITIONAL INFORMATION</u>: The applicant is also applying for other necessary authorizations including a fish habitat permit from the Alaska Department of Fish and Game.

<u>APPLICANT PROPOSED MITIGATION</u>: 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 project requires mechanized land clearing and fill placement below the ordinary high water of Jarvis Creek. This project is designed to protect expensive Army property from eroding into the creek and avoid compromising the security of the AHA at Fort Greely. Relocating the AHA is not feasible due to extreme cost.
- b. Minimization: The proposed project would minimize impacts to aquatic resources through the following measures:
  - (1) Construction for the project would be conducted during low water to minimize impacts.
  - (2) The footprint and the amount of fill for the project would be minimized to the extent practicable, but would be designed to withstand high flows from Jarvis Creek.
  - (3) Vegetation will be left in place where possible. Disturbed areas will be revegetated with native species adapted to local conditions and harvested from areas adjacent to the project when possible. All seed used for this project will be certified weed-free.
  - (4) The project will be inspected annually. Any areas where the geotextile is exposed would be re-covered and protected with appropriate fill material and slumping areas would be stabilized or re-filled to prevent discharge of geotextile into the stream.
  - (5) Equipment would be staged off site and above ordinary high water.
- c. Compensatory Mitigation: The applicant stated the following, "Compensatory mitigation should not be required because adverse effects to the creek have been avoided and minimized to the maximum extent practicable. Additionally, bank stabilization will prevent further erosion and the discharge of manmade debris and sediment from the Security Road, Fence and AHA into the stream."

<u>WATER QUALITY CERTIFICATION</u>: 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 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. Based on this information, there are cultural resources in the vicinity of the permit area, but none that are recommended as eligible for listing on the National Register of Historic Places. The historic sites in the project vicinity include nine ammunition bunkers that are a few hundred to several hundred feet from the proposed activity; these sites were determined by State Historic Preservation Office (SHPO) to not be eligible for the National Register of Historic Places. Nevertheless, these resources would be avoided entirely and would not be materially affected by the proposed activity. Thus, the U.S. Army Corps of Engineers (Corps) has made a No Historic Properties Affected (No Effect) determination for the proposed project.

This application is being coordinated with SHPO, and Federally recognized Tribes. The Corps is requesting SHPO's concurrence with this determination. Any comments SHPO, Federally recognized Tribes, or other consulting parties 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.

<u>ENDANGERED SPECIES</u>: No threatened or endangered species are known to use the project area. Thus, 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 (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 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. Thus, we have determined that the described activity would not adversely affect EFH in the project area.

TRIBAL CONSULTATION: The Corps 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 Corps, 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.

<u>PUBLIC HEARING</u>: 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.

<u>EVALUATION</u>: 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 Section 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 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 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.

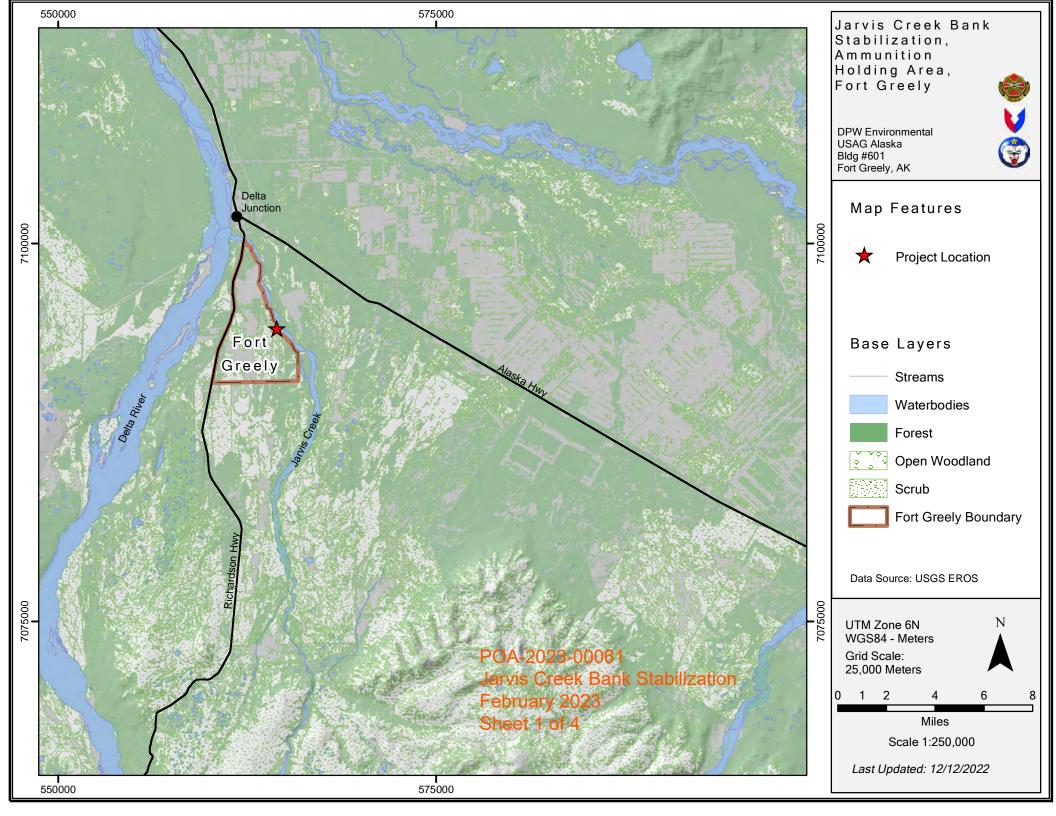
<u>AUTHORITY</u>: This permit will be issued or denied under the following authority:

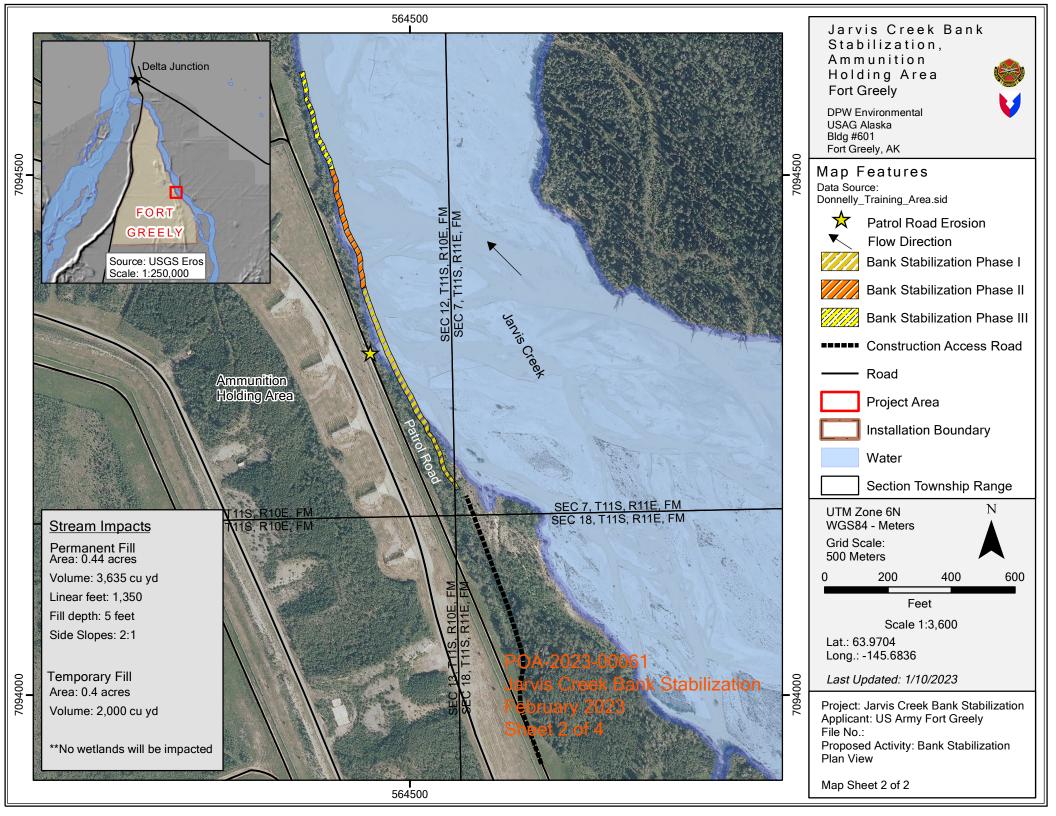
(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

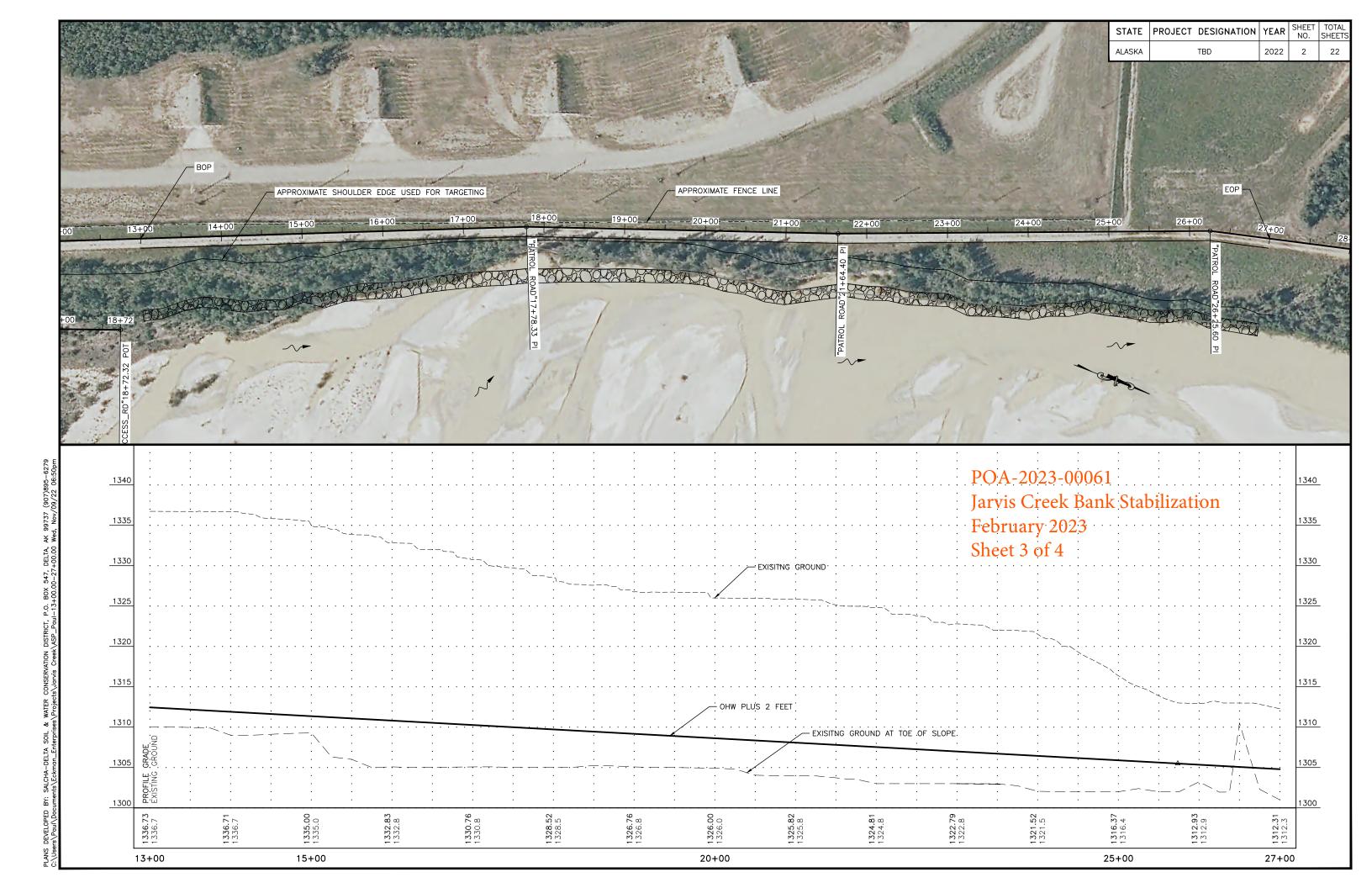
Project drawings are enclosed with this public notice.

District Commander U.S. Army, Corps

**Enclosures** 

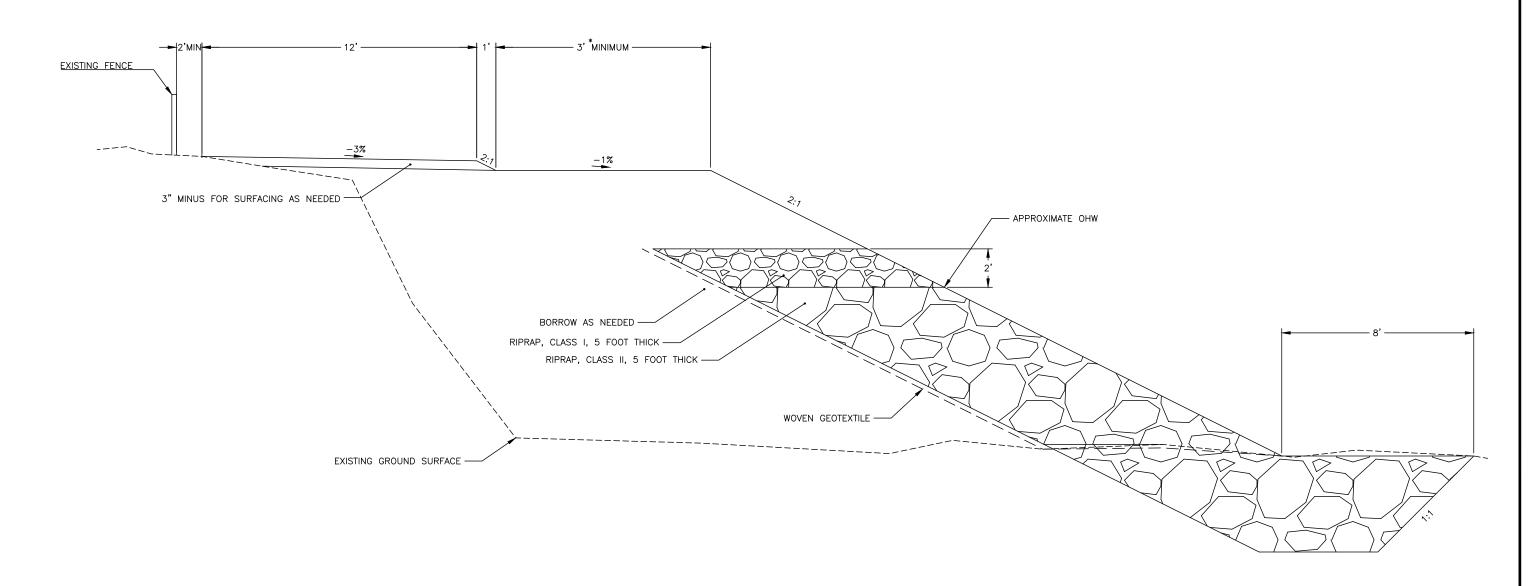






## TYPICAL SECTION NOTES:

- REESTABLISH THE SECURITY ROAD PRIOR TO PLACING RIPRAP ARMOR. DEPTH OF SURFACING SHALL NOT EXCEED 0.5 FEET.
- GEOTEXTILE SHALL BE PLACED SO THAT UPSTREAM STRIPS OVERLAP DOWNSTREAM STRIPS. OVERLAP GEOTEXTILE STRIPS A MINIMUM OF 2 FEET.
- 3. GEOTEXTILE SHALL BE WRAPPED BACK INTO THE RIPRAP AND NOT BE VISIBLE AFTER COMPLETION.
- \*4. CARRY OUT SLOPE TO EDGE OF EXISTING EMBNAKMENT OR TO 3 FEET, WHICHEVER IS LONGER.
- 5. EXCAVATION WILL BE KEPT TO A MINIMUM AT THE TOE OF SLOPE TO INSTALL THE GEOTEXTILE AND THE FILLED MATERIAL.
- 6. EXISTING VEGETATION THAT CAN REMAIN SHALL REMAIN IN PLACE.
- 7. ALL AREAS THAT CAN BE REVEGETATED WILL BE SEEDED AND TRANSPLANTED WITH NATIVE TREES AND SHRUBS ADAPTED TO THE LOCAL SITE CONDITIONS.



POA-2023-00061 Jarvis Creek Bank Stabilization February 2023 Sheet 4 of 4

BANK STABILIZATION
TYPICAL CROSS SECTION

PROJECT DESIGNATION

TBD

YEAR

2022

3

22

STATE

ALASKA