



PUBLIC NOTICE

Alaska Department of Environmental Conservation (DEC)
Wastewater Discharge Authorization Program/§401 Certification
555 Cordova Street, Anchorage AK9501-2617
Phone: 907-269-6285 | Email: DEC-401Cert@alaska.gov

Notice of Application for State Water Quality Certification

Public Notice (PN) Date: February 6, 2024
PN Expiration Date: March 10, 2024

PN Reference Number: POA-2019-00473 v1.0
Waterway: Big Lake

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into waters of the United States, in accordance with Section 401 of the Clean Water Act (CWA), must also apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the CWA and the Alaska Water Quality Standards (18 AAC 70). The scope of certification is limited to the water quality-related impacts from the activity subject to the Federal license or permit (40 CFR 121.3, 18 AAC 15.180).

Notice is hereby given that a request for a CWA §401 Water Quality Certification of a Department of the Army Permit application, Corps of Engineers' PN Reference Number indicated above has been received¹ for the discharge of dredged and/or fill materials into waters of the United States (WOTUS), including wetlands, as described below, and shown on the project figures/drawings. The public notice and related project figures/drawings are accessible from the DEC website at <https://dec.alaska.gov/water/wastewater/>.

To comment on the project or request for a public hearing with respect to water quality, submit comments electronically via the DEC public notice site at <https://water.alaskadec.commentinput.com?id=YDkc6CbAu> on or before the public notice expiration date listed above.

Applicant: April Tynan, 1160 E Hidden Ranch Loop, Palmer, AK 99645, (907) 717-5491; daisy@gci.net

Project Name: Tynan, Property – Residential Fill

Location: The proposed activity is located within Section 20, T. 17 N., R. 3 W., Seward Meridian; near Big Lake, Alaska. (Latitude, Longitude): 61.545900, -149.86260.

Purpose: The applicant's stated purpose is to "provide a safe and happy place for family recreation, including a house and garage. The current state of the property is unsafe and creates challenges for children and elders to access the lake for activities such as swimming, boating, fishing, snow machining, and other activities." The applicant states that the proposed project would create a safe place for family recreation and gathering.

Description of Proposed Work: The applicant proposes to discharge 15,419 cubic yards of gravel, sand, and gravel material into 1.91 acres of wetlands in order to create a residential pad. The residential pad would include space for an 80-foot by 100-foot house, an 80-foot by 80-foot boat house and garage, space for a front yard, backyard, septic tank, and water well. The proposed project would include an approximately 40-foot by 320-foot driveway and access road. A culvert would be installed under the access road where it meets at the existing right-of-way road. The culvert would be 27-foot long and 16-inch in diameter, made of corrugated metal. The culvert would be placed at a 2% gradient.

ADDITIONAL INFORMATION: The applicant would contact the following State and local agencies if necessary: Alaska Department of Fish and Game and the Matanuska Susitna Borough.

¹ Reference submission number: HPY-YZKB-21NJK; Received: 11/7/2023 2:13:42 PM

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 applicant states avoidance is not possible due to the lot being composed mostly of wetlands. The applicant states that there would be an approximately 50- foot width of non-filled area on the west side of the property and a 90-foot width on the east side of the property, extending the total length of the property. There would be a setback of 20 feet along the water edge that would also not be filled, and vegetation would be preserved. The applicant states that the 0.3-acre of uplands on the southeast corner of the property can not be utilized as there is a utility box occupying the area and it provides off-road parking.
- b. **Minimization:** The applicant states that minimization has been achieved by modifying the original proposal from being 3 acres to being 1.91 acres. The applicant states that the Property Owner’s Guide to Shoreline Landscaping in the Matanuska-Susitna Borough and the “Mat-Su Streambank Habitat Rehabilitation and Protection” brochure would be followed. The applicant states that “all efforts [would] be made to eliminate water from the wetlands or debris from construction entering Big Lake. Construction setback is approximately 100 feet from the shoreline, assuring no construction debris [would] enter the lake. Landscaping [would] be graded away from the shoreline and the undeveloped wetlands. Specifically, the driveway [would] be graded so any runoff from said driveway [would] not flow into the undeveloped wetlands. Where appropriate, fabric mats [would] be used for palustrine protection on all filled areas.”
- c. **Compensatory Mitigation:** The applicant does not propose any compensatory mitigation. The applicant states “compensatory mitigation is not appropriate or practicable for this project. The fill area is less than 2 acres and the land all around the property is fully developed... there is a large 50-acre state owned wetlands very close to this property. It is highly unlikely it will ever be developed.”

After reviewing the application, the Department will evaluate whether the activity will comply with applicable water quality requirements (any limitation, standard, or other requirement under sections 301, 302, 306, and 307 of the CWA, any Federal and state laws or regulations implementing those sections, and any other water quality-related requirement of state law). The Department may certify (or certify with conditions) with reasonable assurance the activity and any discharge that might result will comply with water quality requirements. The Department also may deny or waive certification.

The permit application and associated documents are available for review. For inquires or to request copies of the documents, contact dec-401cert@alaska.gov, or call 907-269-6285.

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act (ADA) of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact ADA Coordinator Megan Kohler at 907-269-4198 or TDD Relay Service 1-800-770-8973/TTY or dial 711 prior to the expiration date of this public notice to ensure that any necessary accommodations can be provided.

FILE NUMBER: POA-2019-00476

Waterway: Big Lake, AK

Proposed Activity: Residential Fill

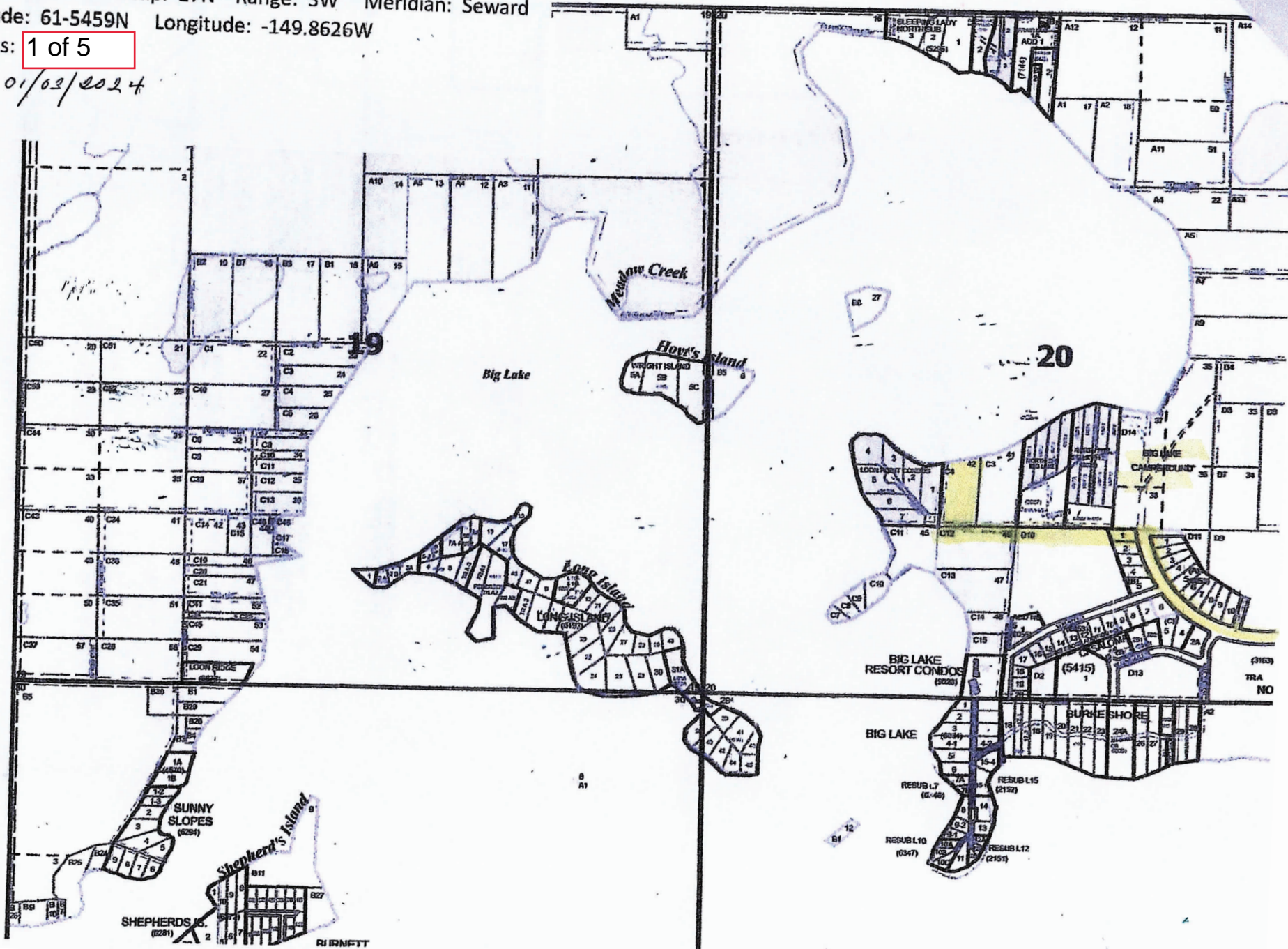
Section: 20 Township: 17N Range: 3W Meridian: Seward

Latitude: 61-5459N Longitude: -149.8626W

Sheets: 1 of 5

Date: 01/03/2024

SEE HO12



FILE NUMBER: POA-2019-00476

Waterway: Big Lake, AK

Proposed Activity: Residential Fill

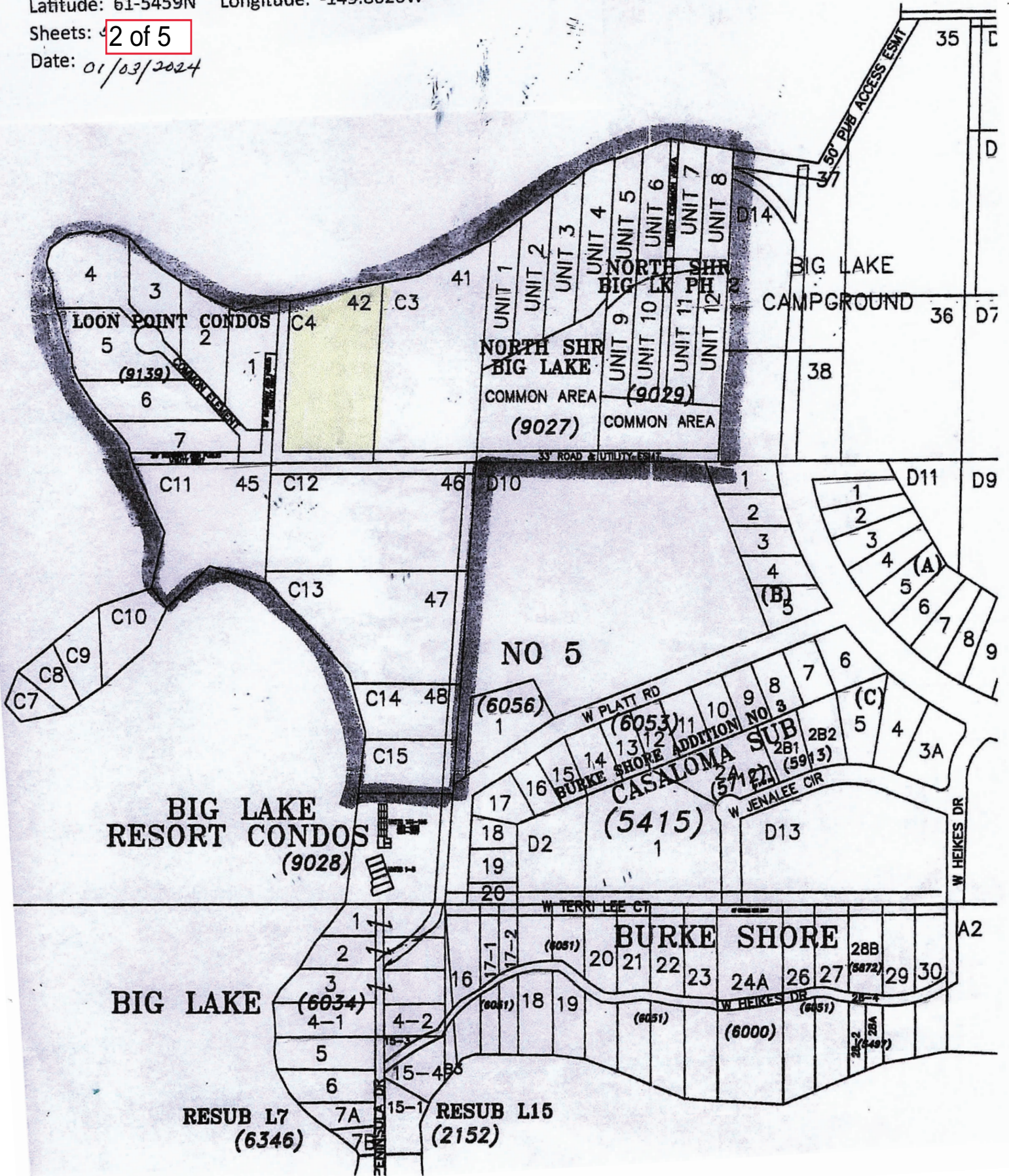
Section: 20 Township: 17N Range: 3W Meridian: Seward

Latitude: 61-5459N Longitude: -149.8626W

Sheets: 2 of 5

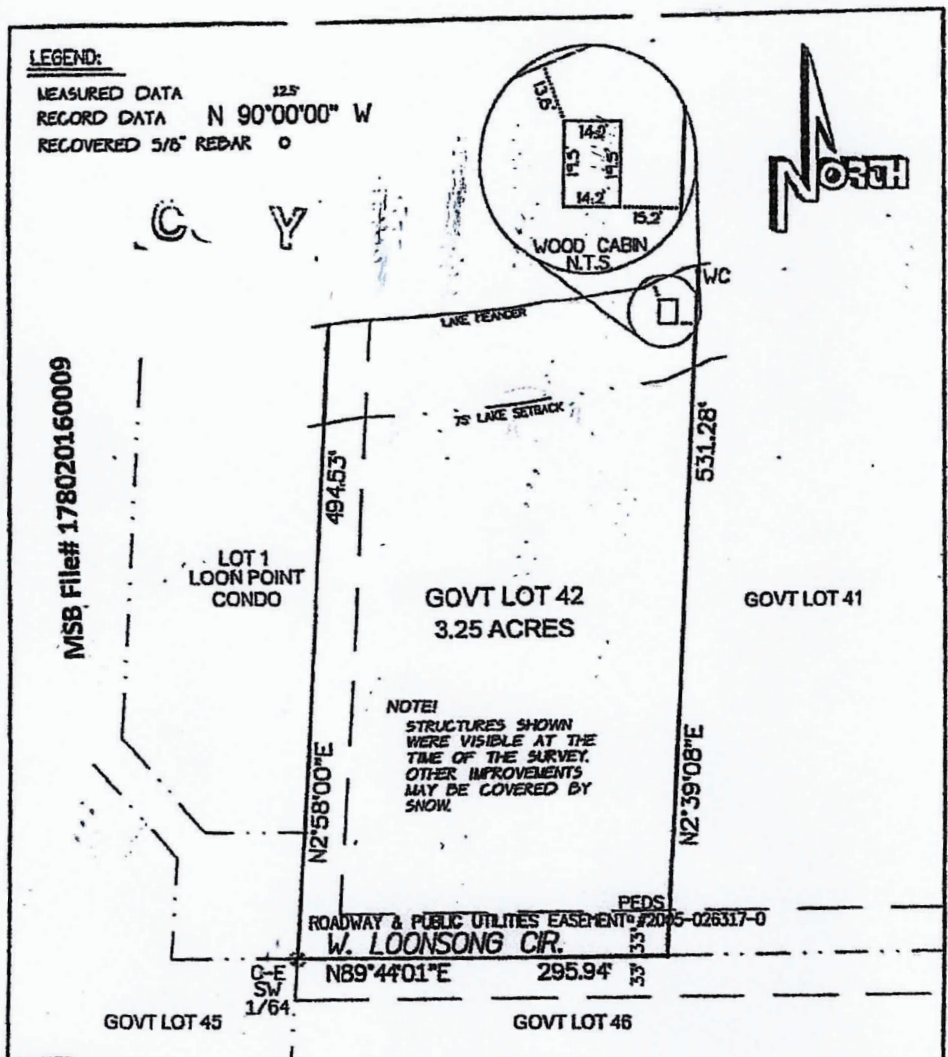
Date: 01/03/2024

*Thursday - in Palmer
Camp of Engineers*



TYNAN, April

FILE NUMBER: POA-2019-00476
 Waterway: Big Lake, AK
 Proposed Activity: Residential Fill
 Section: 20 Township: 17N Range: 3W Meridian: Seward
 Latitude: 61-5459N Longitude: -149.8626W
 Sheets: 3 of 5
 Date: 01/03/2024



NOTES:
 1. ALL BEARINGS, DISTANCES AND AREAS SHOWN ARE RECORD, UNLESS NOTED OTHERWISE.
 2. THIS SURVEY IS PREPARED IN ACCORDANCE WITH THE ASPLS MORTGAGE SURVEY STANDARDS.
 3. THERE WAS NO DRIVEWAY. CABIN IS LAKE ACCESSIBLE.
 4. CABIN IS ENTIRELY IN THE 75' LAKE SETBACK.

EXCLUSION NOTE:
 IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT. UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR FOR ESTABLISHING BOUNDARY OR FENCE LINES.

MORTGAGE SURVEY CERTIFICATE:
 I HEREBY CERTIFY THAT I, OR SOMEONE UNDER MY DIRECT SUPERVISION, HAVE PERFORMED A MORTGAGEE'S INSPECTION ON THE FOLLOWING DESCRIBED PROPERTY:
 GOVERNMENT LOT 42 17N03W20C04 S.M.
 AND THAT NO ENCROACHMENTS EXIST EXCEPT AS INDICATED.

	GOVT. LOT: 42			
	SECTION 20 TOWNSHIP 17N RANGE 3W			
	SEWARD MERIDIAN	DATE: 3/23/16	JOB NUMBER: 15-03.04	FILE NUMBER: 15-01 40
	PLAT No. N/A P.S.P. No. HO 13	SCALE: 1" = 100'	DRAWN: TAN	CHECKED: TLN
RECORDING DISTRICT PALMER	PREPARED FOR: TERRI TYNAN	MORTGAGE SURVEY		



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Waterway: Big Lake, AK

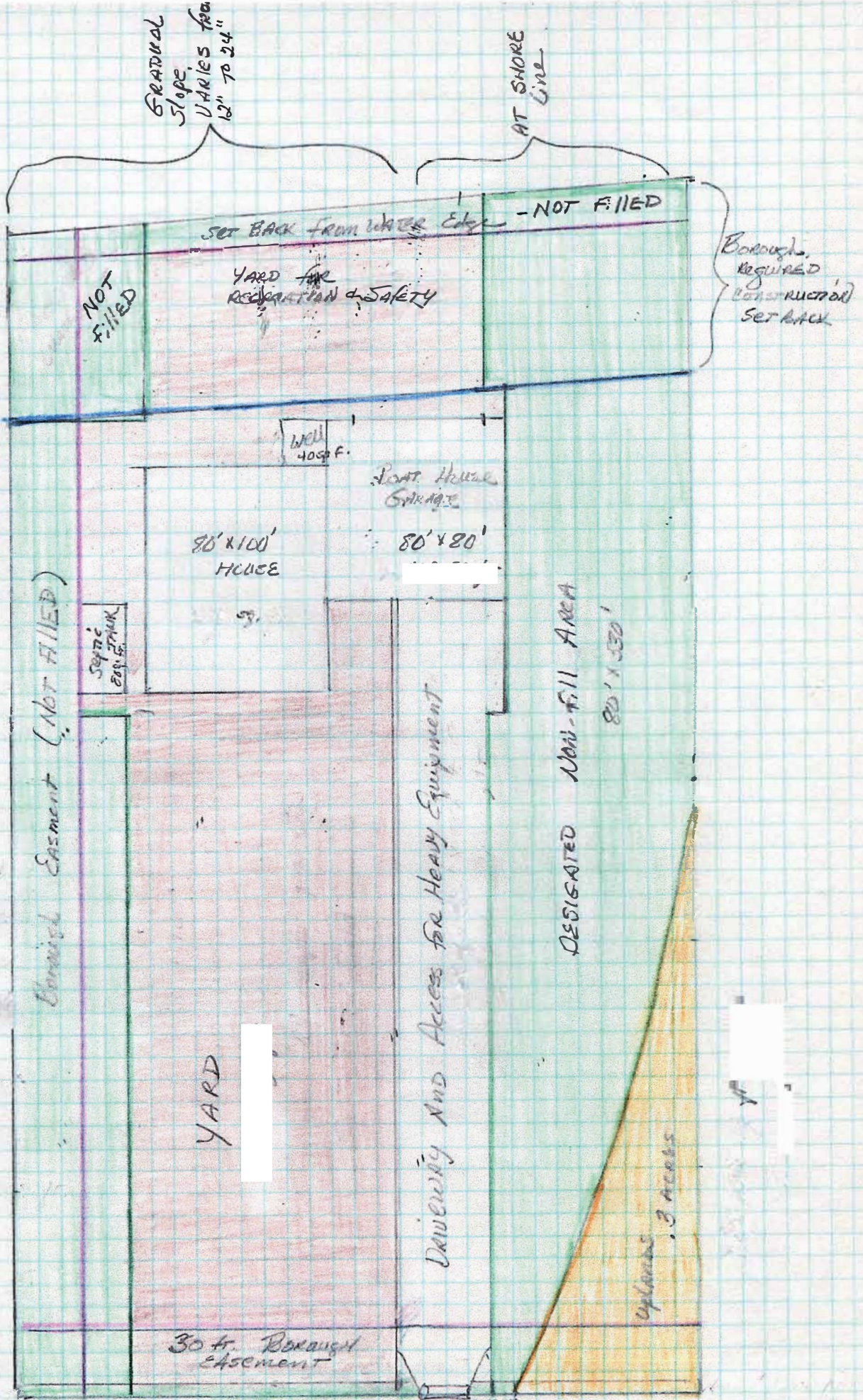
Proposed Activity: Residential Fill

Section: 20 Township: 17N Range: 3W Meridian: Seward

Latitude: 61-5459N Longitude: -149.8626W

Sheets: 4 of 5

Date: 01/03/2024



* Key -

Black - 10 FT.

green - no fill
yellow - upland
red - yard

PROPERTY TO COMPLY WITH BOROUGH REQUIREMENT NET EXCEED 25' AT POINT

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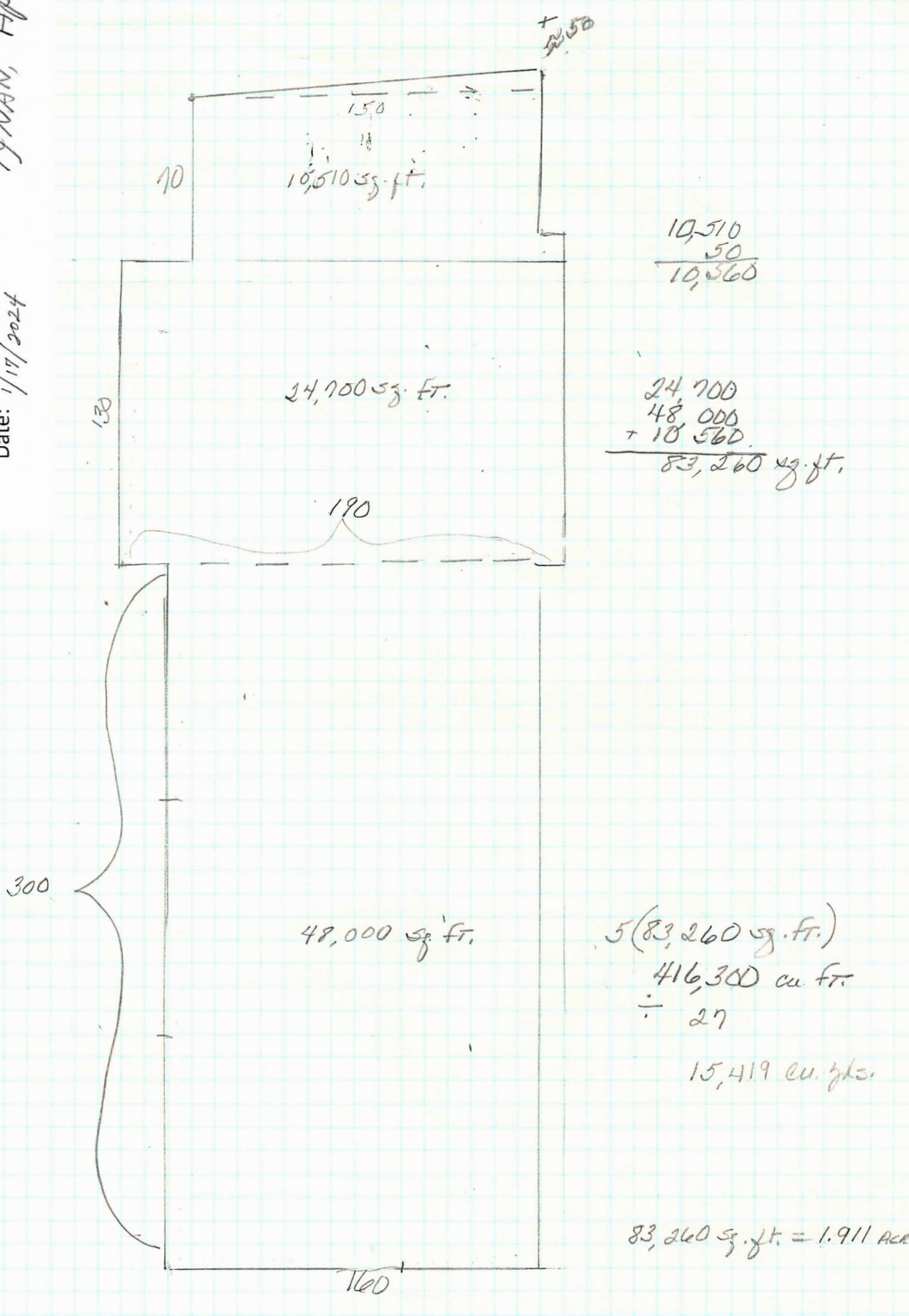
Section: 20 Township: 17N Range: 3W Meridian: Seward

Latitude: 61-5459N Longitude: -149.8626W

Sheets: **5 of 5**

Date: 1/17/2024

TYNAN, April



$$\begin{array}{r} 10,510 \\ + 50 \\ \hline 10,560 \end{array}$$

$$\begin{array}{r} 24,700 \\ + 48,000 \\ + 10,560 \\ \hline 83,260 \text{ sq. ft.} \end{array}$$

$$\begin{array}{r} 5(83,260 \text{ sq. ft.}) \\ 416,300 \text{ cu. ft.} \\ \div 27 \\ \hline 15,419 \text{ cu. yds.} \end{array}$$

$$83,260 \text{ sq. ft.} = 1.911 \text{ Acres}$$