



## 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](mailto:DEC-401Cert@alaska.gov)

# Notice of Application for State Water Quality Certification

**Public Notice (PN) Date:** February 27, 2024  
**PN Expiration Date:** March 19, 2024

**PN Reference Number:** POA-2014-00299 v1.0  
**Waterway:** North Fork Little Campbell Creek

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 received<sup>1</sup> 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=tkhDKEfr7> on or before the public notice expiration date listed above.

**Applicant:** Spinell Homes, Andre Spinelli, 1900 W. Northern Lights Blvd, Suite 200, Anchorage, AK 99517, (907) 344-5678; [andre@spinellhomes.com](mailto:andre@spinellhomes.com)

**Project Name:** Spinell Homes – Spruce Hollow Subdivision

**Dates of the proposed activity is planned to begin and end:** 04/15/2024 to 05/01/2025

**Location:** The proposed activity is located within Section 4, T. 12n, R. 3w, Seward Meridian, in Anchorage, Alaska. Project Site (Latitude, Longitude): 61.156200, -149.81820.

**Purpose:** The purpose of the proposed project is to construct a residential subdivision of 21 single-home lots including streets, driveways, utilities, and single-family homes in conformance with MOA ordinances.

**Description of Proposed Work:** Spinell Homes, Inc. (Spinell) proposes to construct a new single-family home subdivision in Anchorage, Alaska. The proposed activity entails clearing (tree and brush removal), grubbing (stump and surface vegetation removal), excavation of vegetation and soil, and discharge of approximately 18,300 cubic yards of fill into the 4.3-acre property. As a result, the 1.43 acres of wetlands and 0.03 acre (755-foot length) of intermittently flowing stream would be permanently filled. Stream flow would be directed into an 18-inch diameter high-density polypropylene buried pipe that would run along the south and west edges of the property line and discharge into the off-site part of the stream channel, which leads another 350 feet to the North Fork Little Campbell Creek.

Overall development of the site would include construction of 21 house pads (40 feet by 60 feet) with associated driveways (30 feet by 25 feet) and two new roads for access, Miranda Drive (300 feet by 30 feet) and Moraine Circle

<sup>1</sup> Reference submission number: HQ0-0XC3-FB8P5; Received: 2/22/2024 12:16:12 PM

(360 feet by 30 feet). Not all components would be in wetlands. Approximately 1.46 acres of MOA Class “C” wetlands on the property would be filled as part of site development. Construction of a nominal 2-foot-thick development pad would involve placement of approximately 18,300 cubic yards of clean fill and topsoil into wetlands. Due to over excavation required at the site from a varying amount of organics and peat underlying existing grade, this volume of fill represents fill that would be placed in wetlands only. Native material obtained onsite from excavation of the road prisms would be used as fill material, and other locally-sourced clean fill as needed. The fill would be graded to engineered specifications to provide for final drainage, paving, utility installations, and home construction on the site. Prior to fill placement, the footprint of the cul-de-sac, driveways, utility corridor, house pads, and yards would be cleared of trees and shrubs, and grubbed to remove stumps, roots, and surface vegetation. A portion of the surficial layer of organic soil material would be removed during the grubbing.

A small seasonally intermittent stream extends from the southeast corner to the northwest corner of the property. The watercourse is classified as an intermittent open channel by MOA mapping (subject to reclassification by MOA Watershed Management Department). The watercourse was observed to have spatially continuous flow during November 2013 and January 2014. The channel ranges between 1 to 3 feet wide and 1 to 2 feet deep; the channel extends approximately 754 feet across the property from south to north. The total area of the channel is estimated to be 1,133 square feet (0.026 acres). The flowing water in the channel at the time of the inspection was approximately 10 inches wide and 4 inches deep, although on the south side of the property the flow is somewhat dispersed among clumps of grass. Except at the extreme southeast corner where the stream enters the property, it resembles an artificial ditch and is probably the result of channelization in the past; the channel flows through two culverts where old driveways apparently crossed. At the northwest corner of the property, the watercourse turns sharply to the north into the Spruce Street ditch (east side of the road), where it flows discontinuously on the surface and through driveway culverts for a distance of approximately 360 feet before discharging into the North Fork Little Campbell Creek at 61.1582°N, 149.8194°W.

The existing drainageway would be abandoned and relocated to the perimeter of the property. A 2.5-foot-deep, 10-foot-wide v-shaped vegetated drainage swale would be constructed from the southeast corner of the property where the drainage enters the lot, extending west where it would bisect two of the proposed home lots on the southwest corner as it turns north along the west side of the property. The relocated drainage swale would be reinforced with turf reinforcement matting that is keyed in to the top of each slope to provide permanent erosion protection. Where the drainage swale intersects Miranda Drive, it would enter an outfall and combine with the proposed storm drain system described in the paragraph below. The combined storm drain and drainageway would then outfall into a 30-inch arch pipe culvert to cross under Spruce Street and then return to a daylighted ditch on the west side of Spruce, eventually rejoining the existing drainageway. A portion of the drainage swale would be reinforced with rip rap at the outfall of the 30-inch pipe.

**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:** Offsite and onsite alternatives that would avoid impacts to wetlands and waters of the U.S. were considered for this project. However, avoiding all impacts to wetlands and waters of the U.S. is not practicable, as it would make construction of the subdivision cost prohibitive. Watercourse relocation and the excavation and discharge of fill into potential jurisdictional wetlands at the property is necessary to construct the project due to the lack of available space in uplands to provide for an economic project in response to MOA requirements, including the size of lots, access roads, driveways, parking areas, all which dictate the configuration of the project components, limiting the opportunity to avoid wetlands at the site.
- b. **Minimization:** To minimize impacts to wetlands and waters of the U.S., house pads would be located on uplands as much as possible. The majority of fill is required for the cul-de-sac that will provide access to the

home sites and the installation of driveways. Native material obtained on-site from excavation of the road prisms would be used as fill material. A portion of the trees and brush cleared may be chipped and used on-site for landscaping mulch.

During construction, stormwater runoff would be controlled by best management practices (BMPs) including installation of silt fencing along the existing watercourse boundary and installation of sediment traps on the northwest side of the parcel. Stormwater would be prevented from flowing on to the site by installation of silt fencing along the south side and southwest corner of the project.

The project would establish features that would remain post-construction to improve infiltration and prevent suspended sediments and other residential pollutants from entering North Fork Little Campbell Creek. These features would include vegetated buffers, infiltration areas within paved surfaces, and engineered subsurface detention. The project would be designed to meet Municipality of Anchorage storm drainage design criteria as described in the Municipality of Anchorage Drainage Design Criteria Manual. The stormwater detention would provide some treatment of potential dissolved and suspended pollutants including hydrocarbons, metals, and sediment.

Although the entire site would be subject to mechanized land clearing, the project minimizes impact to aquatic resource function given that somewhat degraded nature of the on-site wetlands and stream. The wetlands that would be filled by the project are Class "C" wetlands, which are defined by the Anchorage Wetlands Management Plan as the lowest value wetland type within the Municipality of Anchorage. The on-site portion of the stream was apparently channelized many years ago and resembles an artificial ditch except at the extreme southeast corner where it enters the property. The stream flows through two on-site driveway culverts and exits the property at the northwest corner where it turns north and enters the Spruce Street ditch that leads to the North Fork Little Campbell Creek.

- c. Mitigation: The least environmentally damaging alternative for relocation of the seasonal drainage is as shown in the updated site plan. This retains the daylighted aspect of the existing drainage, and would provide additional stormwater filtration and pollutant removal through settling and biological uptake. The existing drainageway would be extended from 754 to 920 feet long and would have erosion protection installed.

Compensatory mitigation is proposed for unavoidable impacts to waters of the U.S., including wetlands. Based on correspondence with the Great Land Trust and Harmany Ranch, appropriately matched credit types are available for purchase. Spinell proposes to purchase credits from either of these approved mitigation banks to compensate for the loss of wetlands.

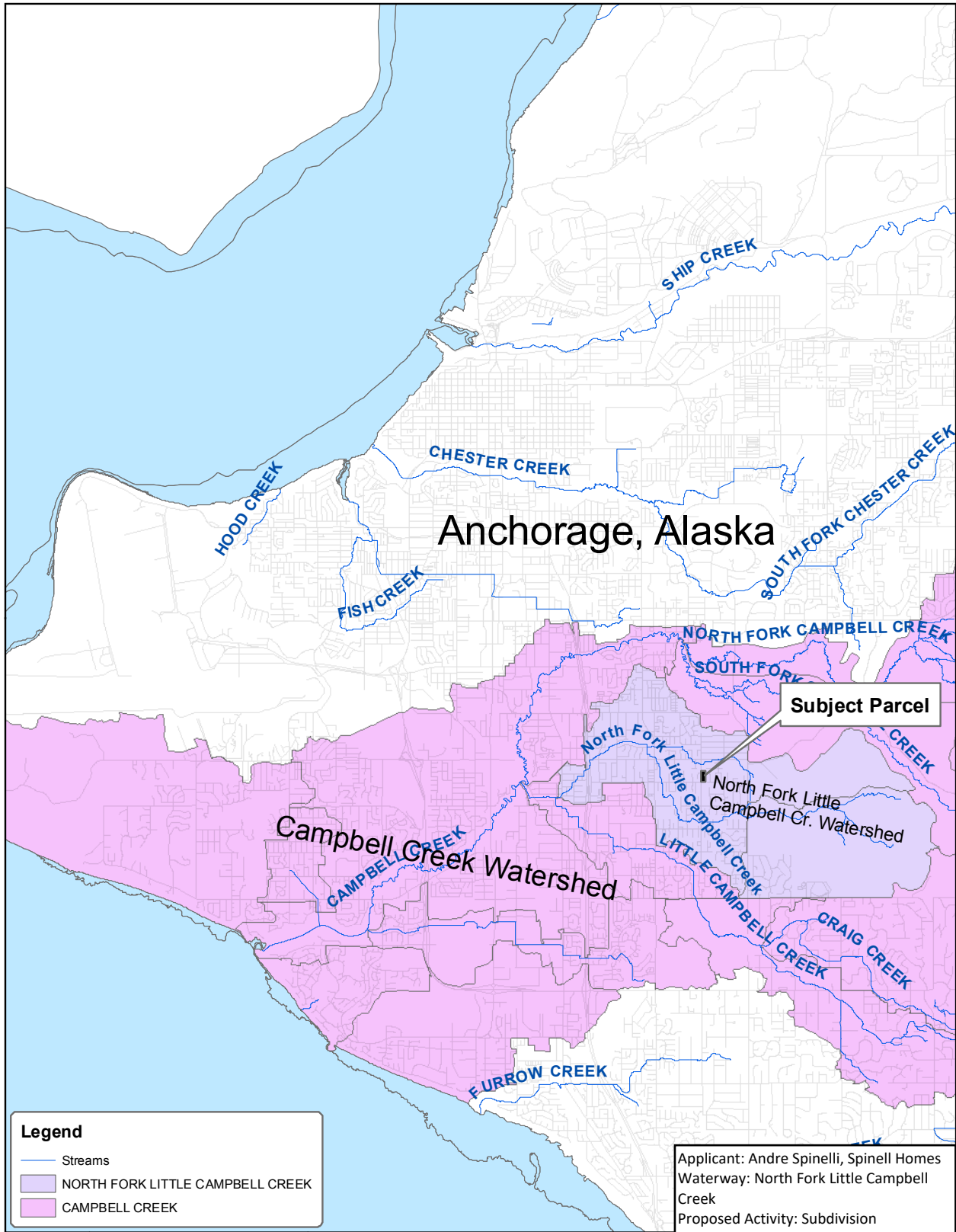
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After reviewing the application, the Department will evaluate whether the activity will comply with applicable water quality requirements (any limitation, standard, or other requirement under sections 301, 302, 306, and 307 of the CWA, any Federal 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](mailto: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.



# Anchorage, Alaska

**Subject Parcel**

**Campbell Creek Watershed**

**North Fork Little Campbell Cr. Watershed**

**Legend**

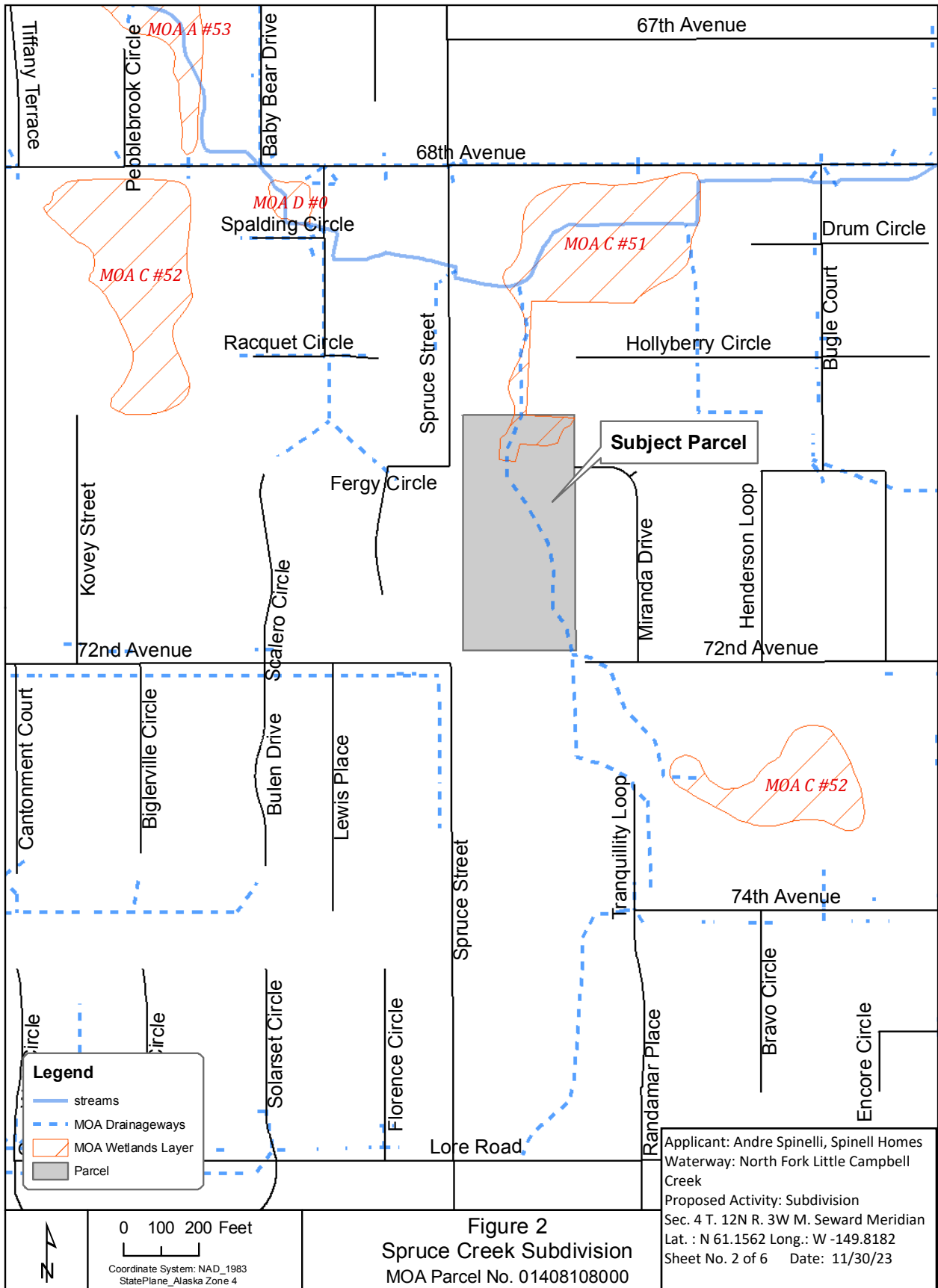
- Streams
- NORTH FORK LITTLE CAMPBELL CREEK
- CAMPBELL CREEK

Applicant: Andre Spinelli, Spinell Homes  
 Waterway: North Fork Little Campbell Creek  
 Proposed Activity: Subdivision  
 Sec. 4 T. 12N R. 3W M. Seward Meridian  
 Lat. : N 61.1562 Long.: W -149.8182  
 Sheet No. 1 of 6 Date: 11/30/23

0 0.5 1 Miles

Coordinate System: NAD\_1983  
 StatePlane\_Alaska Zone 4

**Figure 1**  
**Spruce Creek Subdivision**  
 MOA Parcel No. 01408108000



Tiffany Terrace

Pebblebrook Circle MOA A #53

Baby Bear Drive

67th Avenue

68th Avenue

MOA C #52

MOA D #0  
Spalding Circle

MOA C #51

Drum Circle

Racquet Circle

Spruce Street

Hollyberry Circle

Bugle Court

Kovey Street

Fergy Circle

Subject Parcel

Miranda Drive

Henderson Loop

72nd Avenue

Scalero Circle

72nd Avenue

Cantonment Court

Biglerville Circle

Bulen Drive

Lewis Place

Spruce Street

Tranquility Loop

MOA C #52

74th Avenue

Circle

Circle

Solarset Circle

Florence Circle

Lore Road

Randamar Place

Bravo Circle

Encore Circle

**Legend**

- streams
- MOA Drainageways
- MOA Wetlands Layer
- Parcel

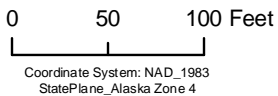
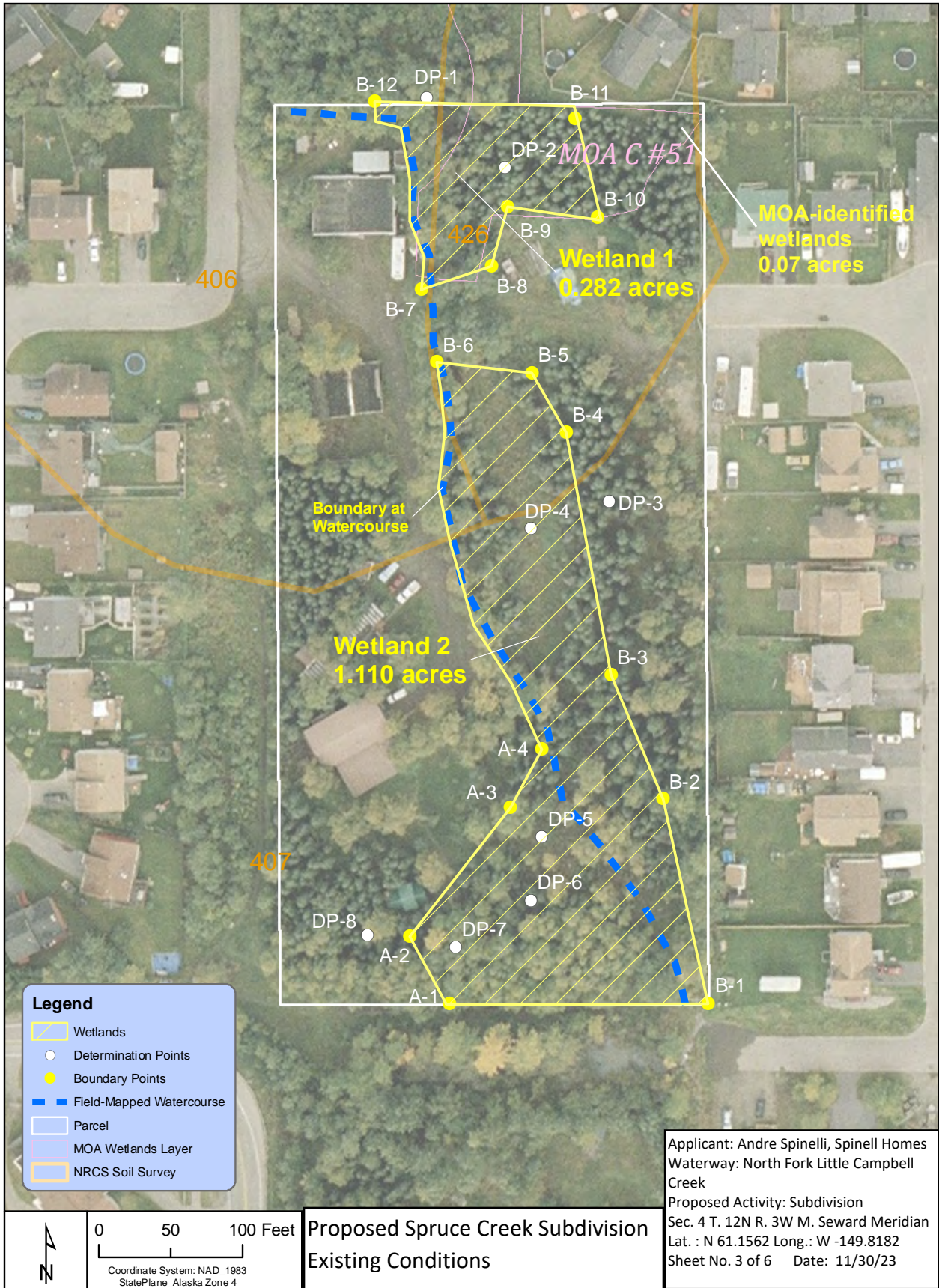


0 100 200 Feet

Coordinate System: NAD\_1983  
 StatePlane\_Alaska Zone 4

**Figure 2**  
**Spruce Creek Subdivision**  
 MOA Parcel No. 01408108000

Applicant: Andre Spinelli, Spinell Homes  
 Waterway: North Fork Little Campbell Creek  
 Proposed Activity: Subdivision  
 Sec. 4 T. 12N R. 3W M. Seward Meridian  
 Lat. : N 61.1562 Long.: W -149.8182  
 Sheet No. 2 of 6 Date: 11/30/23



**Proposed Spruce Creek Subdivision  
Existing Conditions**

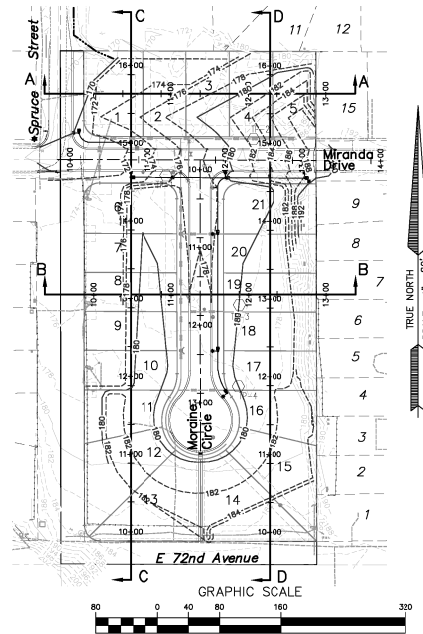
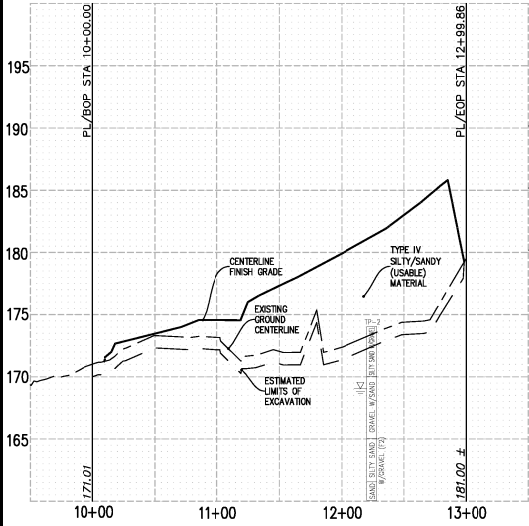
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 Sheet No. 3 of 6 Date: 11/30/23





**A-A NORTH CROSS SECTION**

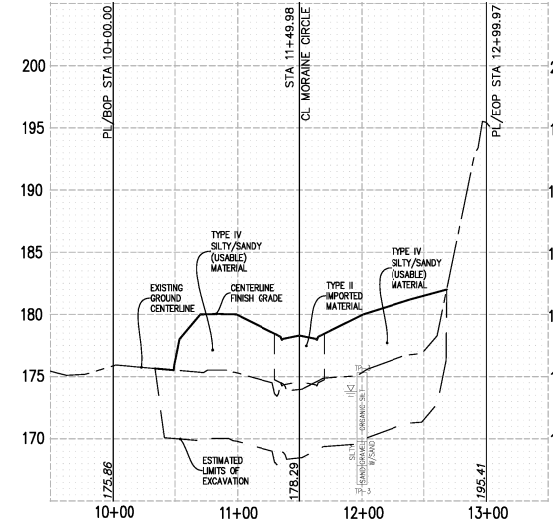
PROFILE SCALE:  
 HORZ: 1" = 50'  
 VERT: 1" = 5'



SEE SHEET C2 FOR KEY MAPS  
 AND TYPICAL SECTION  
 SEE SHEET C3 FOR NOTES & LEGENDS

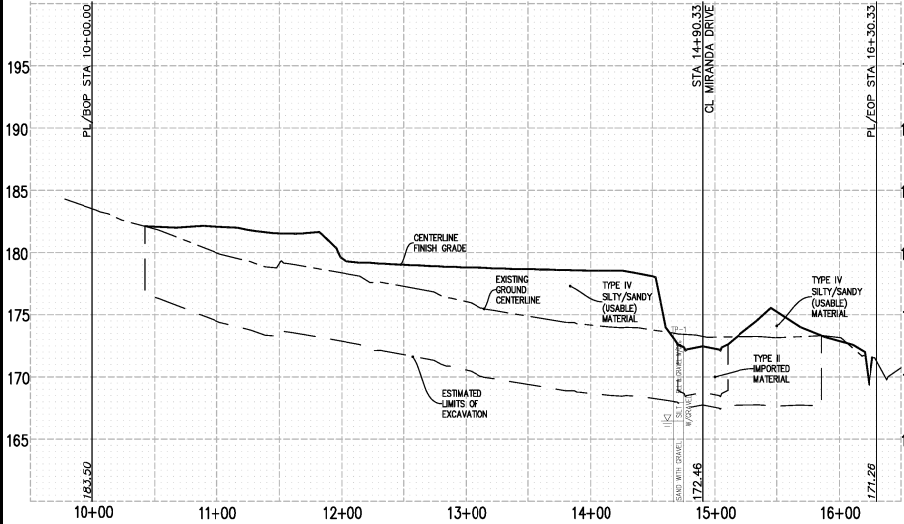
PROFILE SCALE:  
 HORZ: 1" = 50'  
 VERT: 1" = 5'

**B-B SOUTH CROSS SECTION**



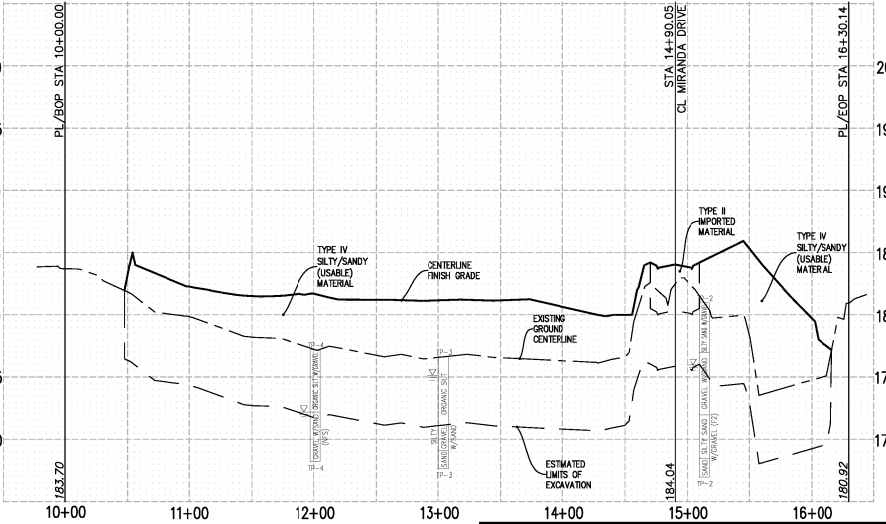
**C-C WEST CROSS SECTION**

PROFILE SCALE: HORZ: 1" = 50'  
 VERT: 1" = 5'



**D-D EAST CROSS SECTION**

PROFILE SCALE: HORZ: 1" = 50'  
 VERT: 1" = 5'



AWMU PLAN SET NO. 10621



**SPINELLI ENGINEERING**  
 P.O. Box 110890  
 Portland, OR 97211  
 (503) 851-0537  
 www.spinelli.com

**RECORD DRAWING**  
 1. DATA PROVIDED BY:  
 This will serve to certify that these Record Drawings are a true and accurate representation of the project as constructed.  
 CONTRACTOR:

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

2. DATA TRANSFERRED BY:  
 COMPANY: \_\_\_\_\_

3. DATA TRANSFER CHECKED:  
 Based on periodic field observations by the Engineer (or an individual under his/her direct supervision), the Contractor-provided data appears to represent the project as constructed.  
 BY: \_\_\_\_\_ COMPANY: \_\_\_\_\_

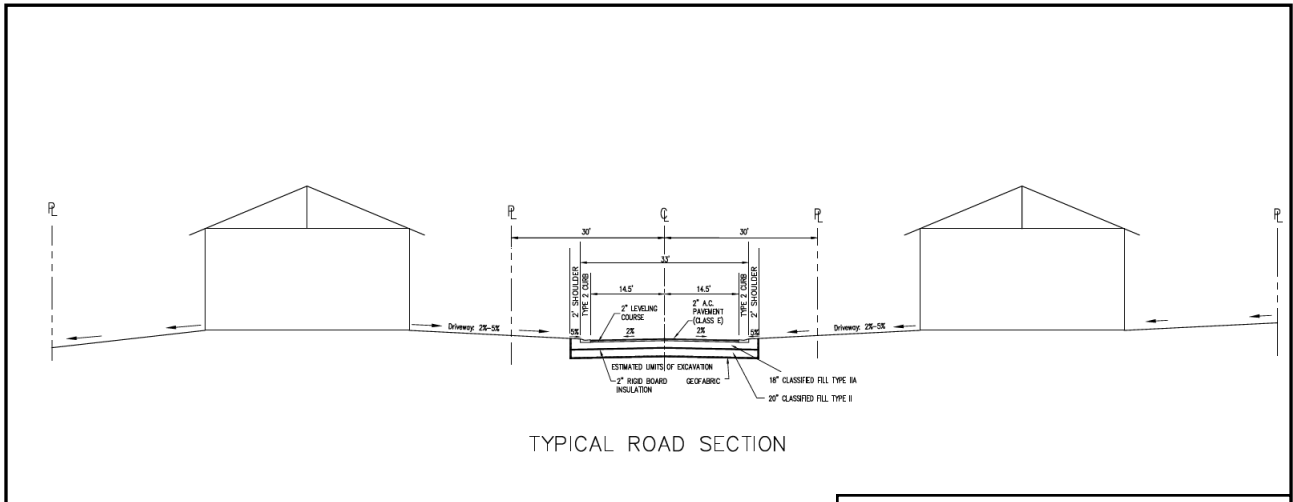
BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Spruce Hollow Subdivision  
 Lots 1-21  
**CROSS SECTIONS**

DATE	REVISIONS	BY	CHK
9/10/16	REVISIONS ISSUED PER AECG	TAM	BJM
7/27/16	REVISIONS PER AEC COMMENTS 5/29/16	TAM	BJM
7/13/16	REVISIONS PER AEC COMMENTS 7/1/16	TAM	BJM
7/1/16	REVISIONS PER AEC COMMENTS 7/1/16	TAM	BJM
7/1/16	REVISIONS PER AEC COMMENTS 7/1/16	TAM	BJM

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 Sheet No. 5 of 6 Date: 11/30/23

SHEET  
**C5**  
 OF  
**14**



Spruce Creek Subdivision  
 Typical Road Section

Applicant: Andre Spinelli, Spinell Homes  
 Waterway: North Fork Little Campbell Creek  
 Proposed Activity: Subdivision  
 Sec. 4 T. 12N R. 3W M. Seward Meridian  
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 Sheet No. 6 of 6 Date: 11/30/23