



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: March 13, 2024
PN Expiration Date: March 28, 2024

PN Reference Number: POA-2022-00430 v1.0
Waterway: Johnson Slough

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=dk4NgVUrb> on or before the public notice expiration date listed above.

Applicant: Native Village of Napakiak, Lucy Pavilla, PO Box 34069, Napakiak, AK 99634, (907) 589-2135; nativevillageofnapakiak@yahoo.com

Agent: Summit Consulting Services, Steven Lemmel, 3230 C Street, Suite 202 ANCHORAGE, AK 99503; (907) 563-5675; steven.y.lemmel@gmail.com.

Project Name: Napakiak 2020 Subdivision Infrastructure Improvements

Location: The proposed activity is located within Section 13, 18, T. 007N, R. 072W, Seward Meridian, in Bethel Census Area, Alaska. Project Site (Latitude, Longitude): 60.695882, -162.00019.

Purpose: The purpose of the modification request to the existing authorization is to include an additional 585 lf of pioneer road and a 1.35-acre laydown pad in support of the ongoing Managed Retreat Project in Napakiak, AK. The applicant also proposes to modify the currently authorized access road alignment between the permitted material site and Mission Rd.

Description of Proposed Work: This request is for a modification of the existing 401 Authorization to accommodate an additional 7,771 cy of fill over an additional 1.78 acres for the construction of a pioneer access road between the material site and existing landfill road, a material laydown pad adjacent to the existing landfill, and constructing an alternate material site access road between the material site and Mission Road. The existing authorization covered the placement of 30,705 cy of fill over 5.31 acres of wetlands. The new total fill quantity under the requested permit modification would be 38,476 cy of fill over 7.09 acres.

¹ Reference submission number: HQ1-T3RT-13Z86; Received: 3/1/2024 9:47:32 AM

Pioneer Road between Existing Landfill Road and Material Site: Work under the proposed permit modification involves the construction of a new 585 lf Pioneer Road connecting the existing landfill road to the new material site. The new connection seeks to improve safety in the community by routing heavy equipment transporting fill material around the heavily populated portions of the community, reducing potential pedestrian vehicular conflicts. The pioneer road will be 20 ft. wide at the top of traveled way, with a 2.5 ft. thick sand/silt embankment, and 2:1 side slope for a total footprint of roughly 30 ft./ft. of road. Construction of the pioneer road will entail the placement of roughly 1,355 cy of sand/silt fill over approximately 0.4 acres of wetlands.

Laydown Pad: Work under this proposed permit modification also includes the construction of a 300 ft. by 180 ft. laydown pad for material preparation and staging. The proposed laydown pad is adjacent to the existing landfill and will remain upon project completion to accommodate a new landfill after the existing landfill reaches capacity. The laydown pad will consist of a 3 ft. thick sand/silt embankment with 2:1 side slopes, encompassing roughly 6,265 cy of material placed over roughly 1.35 acres of wetlands.

Modification to Material Site Access Road Alignment: The proposed permit modification also involves altering the alignment of the material site access road connecting the extraction area to Mission Rd. The new alignment reflects the lack of available funding to extend Mission Rd., where the previously permitted alignment was meant to connect. The new alignment is roughly 65 lf longer than the originally authorized alignment, resulting in the placement of an additional 150 cy of fill over a further 0.05 acres of wetlands.

Additional Information: On September 15, 2023, the Native Village of Napakiak obtained authorization (POA-2022-00430) for the Napakiak Managed Retreat Project to discharge approximately 30,705 cubic yards of fill material and permanently impact 5.31 acres of waters of the United States (WOTUS). Temporary impacts to WOTUS from clearing and grubbing is estimated to be 13.1 acres. The authorization included the development of a new material source and construction of associated pioneer access road, 24 new house pads and driveways, three (3) commercial gravel pad foundations and driveways, electrical distribution to the new subdivision, the extension of Mission Road, and the restoration and cleanup of former lots of homes and community buildings relocated to the new subdivision. The proposed scope of work will generally focus on moving structures closest to the river first and then proceeding inland. As structures are moved to the new subdivision, the lots they previously occupied will be cleaned of all debris and revegetated through a combination of seeding and willow staking. These efforts will improve the habitat nearest the river and most susceptible to erosion and degradation of the watershed.

The proposed modification request will result in the placement of an additional 7,771 cy of fill over a further 1.78 acres compared to the originally authorized project. Total fill volume under the proposed modification is expected to be around 38,476 cy permanently impacting roughly 7.09 acres of wetlands.

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:** Avoidance of wetlands through site selection, alignments, design configurations, etc. was not feasible due to the abundance of wetlands on the island. The US Fish & Wildlife Service National Wetland Inventory identifies the existing developed townsite as the only uplands on the island. Experience on the island, including several geotechnical test holes drilled on the island as well as the bluff north of the island towards Bethel, confirms that the Wetland Inventory is likely accurate with the exception of possibly some small pockets of microtopographic uplands scattered throughout. In addition, the designs included in this permit application follow the platted 2020 Subdivision layout for road alignments, lot layouts, utility easements, etc.
- b. **Minimization:** House pads are to be sized to the smallest extent possible while still providing sufficient structural support and ensure that finish floor elevations sit above the predicted flood level. House pads will be sized individually on a case by case basis based on the size of the house to be relocated to avoid excess fill resulting from a larger generic pad size. House pads will extend 10 ft. in all directions to accommodate

residential infrastructure such as fuel tanks and sewage holding tanks. They are also designed to allow room for water delivery and sewer removal pump trailers to access the homes' respective hookups. An alternative involving houses being supported by pile foundations that could reduce the project fill footprint and volumes is discussed in the alternative analysis above. The alternative was determined not to be feasible based on its high capital costs and technical sophistication, relative to the gravel pad alternative. The Mission Rd. extension embankment height, and resulting fill footprint/quantities, is designed to ensure that the road sits above predicted flood levels on the island. Cross-sectional elements of the roadway follow standard rural roadway design guidelines and cannot be further minimized without negatively affecting vehicular safety.

The material site access road is designed to be as short as possible and connect the material site to the extended Mission Rd. through a future road easement established in the 2020 Subdivision plat. An alternative to the material site access road that connects to the existing Lagoon Rd. rather than Mission Rd., is discussed above. This alternative would reduce the project fill footprint and volume but requires the haul route to traverse roughly 0.6 miles of residential streets, creating pedestrian safety and air quality issues. For this reason, this alternative was determined to be not feasible.

In addition to the minimization of design elements, the disturbance limits of the project will be delineated and marked prior to construction in order to minimize unnecessary impacts to wetlands. A project specific SWPPP will be established to protect surrounding wetlands from any sediment runoff.

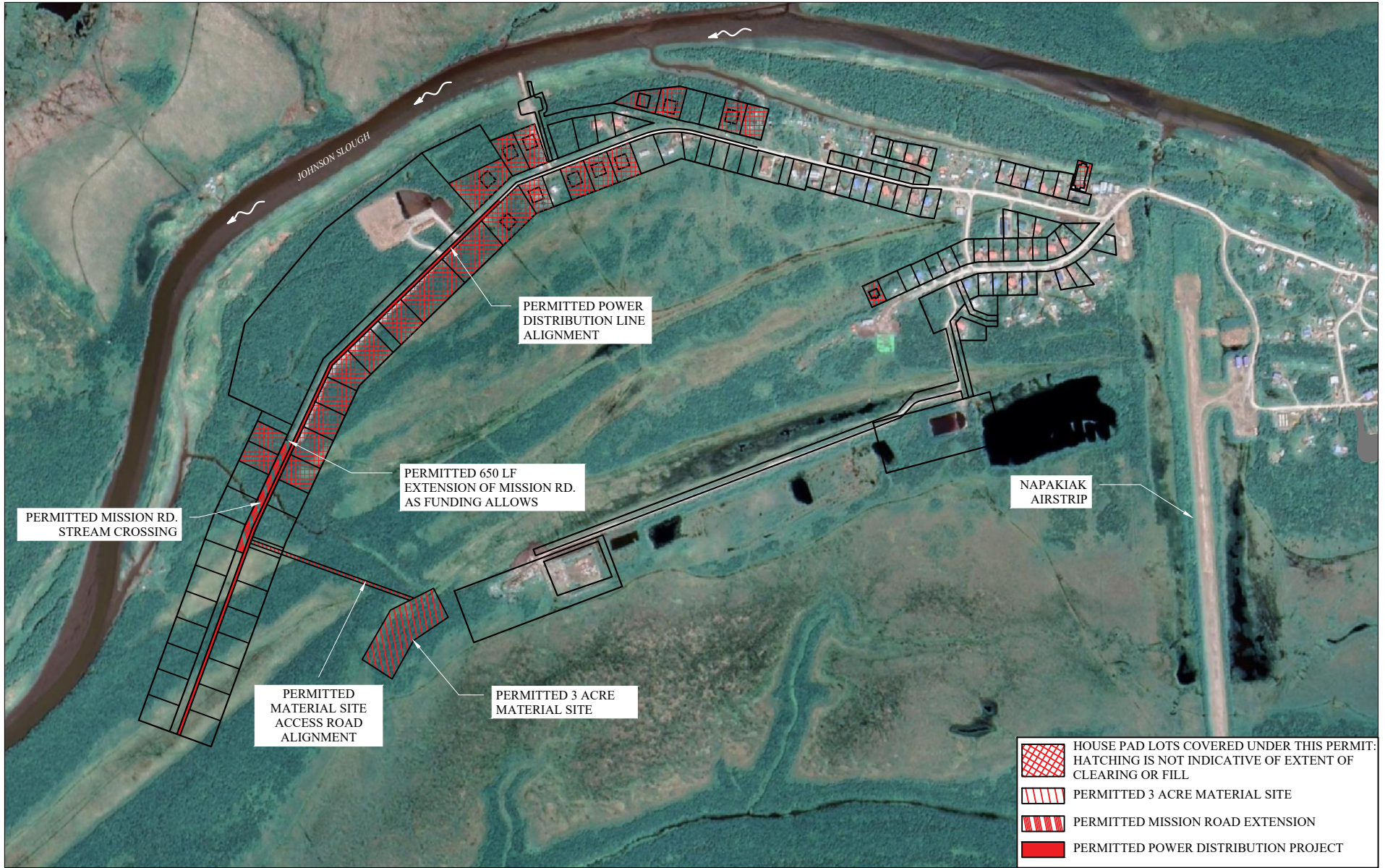
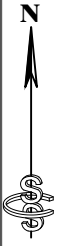
- c. Mitigation: Standard SWPPP BMPs will be put in place to mitigate the amount of discharge leaving the site and any degradation of surrounding wetlands or waterbodies. Mitigation proposed for this project also includes the cleanup and restoration of the former lots of relocated homes and community buildings. Restoration and revegetation will be performed on the abandoned lots and surrounding areas by gravel scraping, soil scarifying, seeding, fertilizing, and willow staking (where conducive). Roughly 7.4 acres of wetland restoration will be performed and is offered as compensatory mitigation for this permitting process.

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.

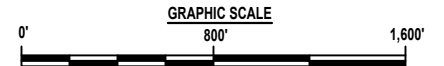
The permit application and associated documents are available for review. For inquires or to request copies of the documents, contact dec-401cert@alaska.gov, or call 907-269-6285.

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.



REFERENCE:
 POA- 2022-00430, Johnson Slough and Kuskokwim River
 Napakiak Managed Retreat Project

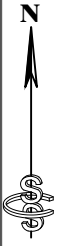


SUMMIT
 CONSULTING SERVICES Inc.



CITY OF NAPAKIAK, ALASKA
 NAPAKIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT
PROJECT SITE MAP
EXISTING AUTHORIZED PROJECT

DATE: 11/02/2022
 DRAFTER: JK
 CHECKED BY: SL
 SCALE: AS NOTED



NOTE
 PROPOSED ADDITIONS AND MODIFICATIONS TO AUTHORIZED PROJECT WILL RESULT IN AN ADDITIONAL 7,771 CY OF FILL PLACED OVER 1.78 ACRES OF WETLANDS RELATIVE TO THE EXISTING AUTHORIZED PROJECT.



PERMITTED MISSION RD. STREAM CROSSING

PERMITTED POWER DISTRIBUTION LINE ALIGNMENT







PROPOSED MODIFICATION OF MATERIAL SITE ACCESS ROAD ALIGNMENT: PROPOSED 1,035 LF ALIGNMENT INVOLVES APPROX. 2,396 CY OF FILL OVER 0.7 ACRES OF WETLANDS

NAPAKIAK AIRSTRIP

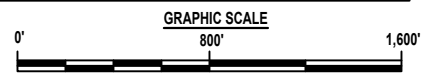
PROPOSED ADDITION TO AUTHORIZED PROJECT OF 585 LF OF NEW PIONEER ACCESS ROAD INCLUDES APPROX. 1,355 CY OF FILL PLACED OVER 0.4 ACRES OF WETLANDS

PROPOSED ADDITION TO AUTHORIZED PROJECT OF 300' x 180' x 3' LAYDOWN AREA INCLUDES APPROX. 6,265 CY OF FILL PLACED OVER 1.35 ACRES OF WETLANDS

PERMITTED MATERIAL SITE ACCESS ROAD ALIGNMENT (NOT TO BE CONSTRUCTED UNDER MODIFIED AUTHORIZATION)

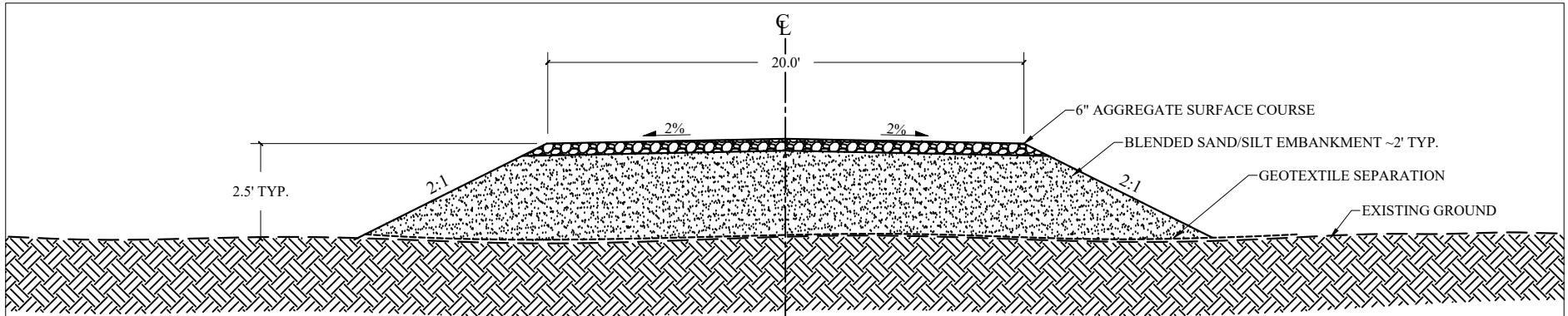
-  PROPOSED MODIFICATION TO AUTHORIZED PROJECT
-  PROPOSED ADDITIONS TO AUTHORIZED PROJECT
-  HOUSE PAD LOTS COVERED UNDER THIS PERMIT: HATCHING IS NOT INDICATIVE OF EXTENT OF CLEARING OR FILL
-  PERMITTED 3 ACRE MATERIAL SITE & ACCESS ROAD
-  PERMITTED MISSION ROAD EXTENSION
-  PERMITTED POWER DISTRIBUTION PROJECT

REFERENCE:
 POA- 2022-00430, Johnson Slough and Kuskokwim River
 Napakiak Managed Retreat Project



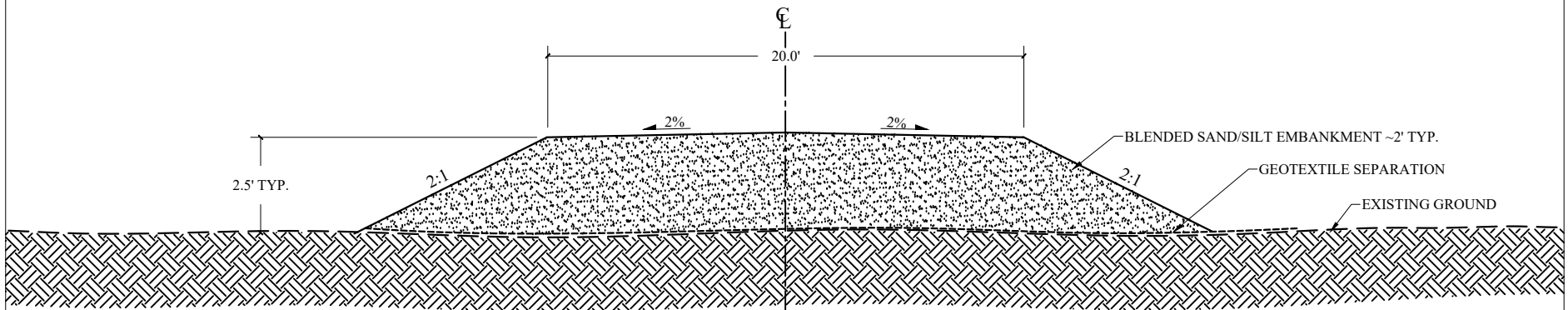
CITY OF NAPAKIAK, ALASKA
 NAPAKIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT
PROJECT SITE MAP
PROPOSED MODIFICATIONS TO AUTHORIZED PROJECT

DATE: 2/22/2024
 DRAFTER: SL
 CHECKED BY: SL
 SCALE: AS NOTED



MATERIAL SITE ACCESS ROAD TYPICAL CROSS SECTION

SCALE: NTS



PIONEER ROAD TYPICAL CROSS SECTION

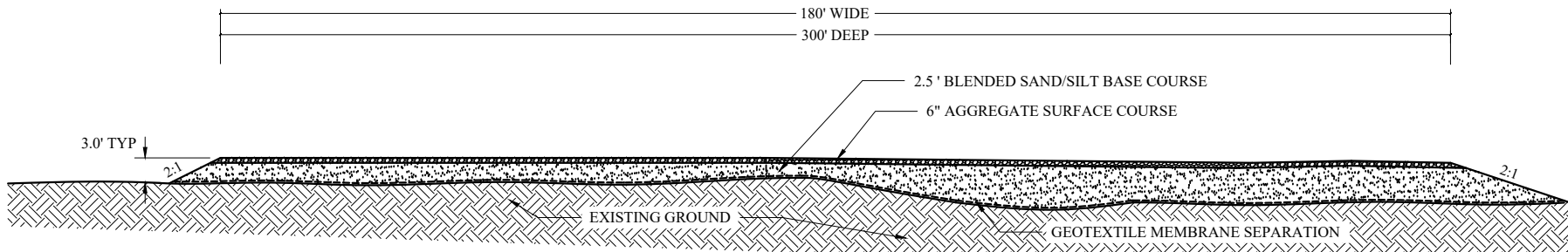
SCALE: NTS



CITY OF NAPAIAK, ALASKA
 NAPAIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT

ROAD CROSS SECTION DETAILS

DATE: 2/23/2024
 DRAFTER: SL
 CHECKED BY: SL
 SCALE: NTS



LAYDOWN PAD TYPICAL CROSS SECTION

SCALE: NTS



CITY OF NAPAIAK, ALASKA
NAPAIAK 2020 SUBDIVISION INFRASTRUCTURE IMPROVEMENTS PROJECT

LAYDOWN PAD DETAILS

DATE: 2/23/2024
DRAFTER: SL
CHECKED BY: SL
SCALE: NTS