



PUBLIC NOTICE

Alaska Department of Environmental Conservation (DEC)
Wastewater Discharge Authorization Program/§401 Certification
555 Cordova Street, Anchorage AK 99501-2617
Phone: 907-269-6285 | Email: DEC-401Cert@alaska.gov

Notice of Application for State Water Quality Certification

Public Notice (PN) Date: September 13, 2024
PN Expiration Date: September 29, 2024

PN Reference Number: POA-2024-00352 v1.0
Waterway: Indian Cove

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 via email to the DEC email address: DEC-401Cert@alaska.gov with the subject line referencing Public Notice Reference Number: **POA-2024-00352 v1.0** or via DEC website <https://dec.alaska.gov/commish/public-notices/> on or before the public notice expiration date listed above.

Applicant: Home Owner, Gustavo Garcia, 14245 Otter Way, Juneau, AK 99801, (917) 570-0362;
gustavo.garcia83@gmail.com

Project Name: 14245 Otter Way – Lawn Landscaping

Dates of the proposed activity is planned to begin and end: 07/25/2024 to 12/27/2024

Location: The proposed activity is located within Section 29, T. 40 S, R. 65 E, Copper River Meridian, in City and Borough of Juneau, Alaska. USS3050 LT 5. Project Site (Latitude, Longitude): 58.377079, -134.70515.

Purpose: The purpose is to have an even front lawn that is clear of hazardous rocks.

Description of Proposed Work: The completed work involved the discharge of 140 cubic yards of sand and gravel and topsoil, including rock/boulders into 0.11 acres below the high tide line (approximate elevation +20.6 feet above the 0.0-foot contour) to construct a 100-foot wide by 49-foot-long yard associated with an existing residence.

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 was not possible to meet the needs of the applicant.
- b. **Minimization:** The workmen and equipment will not enter or drive on the beach in front of any neighboring properties. The applicant also will minimize any disturbance to the beachfront land in front of the home, by

¹ HQ6-GG4N-HQR17; Received: 09/08/2024

allowing the excavator to only maneuver in his yard and immediate high tide area, in front of his yard. The excavator and workers will only enter the yard work area through the property's roadside access point. No beach landing of equipment, workers, or material will be performed to ensure minimal disturbance to the surrounding environment. Only the minimum amount of fill will be used for the project.

- c. Mitigation: The applicant proposes no compensatory mitigation for this project due to minimal adverse impacts to the waters of the U.S.

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.



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* PLAN VIEW *



Otter way

Road parking area

stairs

Property line

Property line

old wood shed

Multi Story Framed House

14245 Otter Way
Juneau, AK 99801

Lot 6

Lot 5

Lot 4

(Clean Front Yard)

Septic tank

Deck

(Ocean Front Yard)

(Large Rocks lined up on property Border)

(Large Rocks that were lined up on property Border)

Low Rock

High Tide Line

Mean High Tide line

(Area across yard that fill was placed to create mowable lawn ≈ 140 cubic yards material placed)

(Area of uncovered old septic outflow pipe)

Indian Cove

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* Cross-Section View *

14245 Otter Way, Juneau AK 99801

