CWA 401 Water Quality Certification Request

version 2.14

(Submission #: HQ3-PHQF-YJR3M, version 2)

Details

Site: Marble Seafoods Oyster Nursery Modifications

Submission ID HQ3-PHQF-YJR3M

Form Input

Form Instructions

Form Instructions

Instructions for filling out the 401 Prefiling Meeting Request Form are located on the Alaska DEC website at the link below.
401 Prefiling Meeting Request Form Instructions

Agents: For Delegation of Authority to act on behalf of the applicant in processing the application, use the following form, have signed, and upload with application.

- Delegation of Authority - 401 Application

Contact Information (1 of 2)

Required Contacts

The following **Contact Roles are *REQUIRED***. Please select the appropriate role(s) for each contact and complete the contact details. Multiple role(s) may be assigned to each unique individual.

- **Applicant** (Responsible Party)
- **Billing Contact**

Contact Role(s)
Billing Contact
Owner
Applicant
Onsite Contact
Operator
Agent

Contact

Prefix
Mr.

First Name	Last Name
Trevor	Sande

Title
Owner

Organization Name
R&M Engineering-Ketchikan, Inc.

Phone Type	Number	Extension
Business	907-225-7917	

Email
trevorsande@rmketchikan.com

Mailing Address

7180 Revilla Road, Suite 300

Ketchikan, AK 99901

Contact Information (2 of 2)

Required Contacts

The following **Contact Roles are *REQUIRED***. Please select the appropriate role(s) for each contact and complete the contact details. Multiple role(s) may be assigned to each unique individual.

- **Applicant** (Responsible Party)
- **Billing Contact**

Contact Role(s)
Application Preparer

Contact

Prefix
Ms.

First Name	Last Name
Farren	Linne

Title
EIT

Organization Name
R&M Engineering-Ketchikan-Inc.

Phone Type	Number	Extension
Business	907-225-7917	

Email
farren@rmketchikan.com

Mailing Address

7180 Revilla Road, Suite 300

Ketchikan, AK 99901

Project / Facility Site Info

Identify the applicable federal license or permit

A copy of the federal permit or license application is required to be submitted with the request for the water quality certification. (18 AAC 15.130, 18 AAC 15.180)

Federal Agency
Army Corps of Engineers (USACE)

Permit License Number (ex. USACE: POA-XXXX-XXXX; FERC: FERC-xxxx-xxxx; EPA: AK#######)
POA-2011-00769

Project Name or Title
Marble Seafoods Oyster Nursery Modifications

Primary Receiving Waterbody Name
Clover Passage

Estimated Project Dates (+/- 30 days)

Project Estimated Start Date	Project Estimated End/Completion Date
09/01/2024	11/15/2025

Approximate date(s) when any Discharge(s) may commence (+/- 30 days)

Description	Discharge Estimated Start Date	Discharge Estimated End Date
Shot Rock	09/15/2025	09/20/2025
Gravel	09/15/2025	10/30/2025

Project Description (Nature of Activity, include all features)
The project will relocate the following to a new aquatic farming loase approximately 300' to the south.
Relocate a 46' x 125' concrete work raft with a 30' x 46' processing building and a 20' x 75 nursery system consisting of 144 seed tubs measuring 24" x 24". Relocate (7) 12" steel piling.

Add (7) 12" diameter steel support piling, add (2) 13'x104' concrete breakwaters, add (1) 20'x20' concrete float.
Add (4) 6000lb concrete anchors and (4) 90' shots of chain at each anchor to breakwater, add 115 lineal feet of 6'-8" tall concrete retaining wall, add shot rock embankment behind wall to support utilities, buried tanks and multi-use building and parking lot.

Project Purpose (Describe the reason(s) for discharge)
The purpose of this project is to expand/relocate oyster processing to match the relocated aquatic farming lease which needed to be move to facilitate the sale of the adjacent upland property. The new facility will be much more functional for loading/unloading of product using a drive down ramp suitable for higher traffic loads and also will enable grounding of a currently floating former school building that will be converted to a farm gift shop/ retail/ tasting room/ and worker housing.

Is any portion of the work already complete?
No

Description of current activity site conditions
The site is currently used for parking for the current operation.

Relevant Site Data, Photographs that Represent Current Site Conditions, or other Relevant Documentation
NONE PROVIDED
Comment
NONE PROVIDED

Is this a linear project? (i.e., utility line, road, etc.)
No

Project Address
NHN
Ketchikan, AK 99901

Visit the link below to help with conversion between DMS and Latitude/Longitude
DSM - Lat/Long converter

Project Location
55.482778,-131.775833

Visit the following link if you need to convert the lat/long to get the **PLSS information**
Converter for Section, Township, and Range

PLSS Location (Public Land Survey System)

State Tax Parcel ID	Borough/Municipality	Meridian	Section	Township	Range
ADL 108094	Ketchikan Gateway Borough	Copper River	5	74S	90E

Directions to Site
Take the Airport Ferry to Revilla Island. Head north on North Tongass Highway to 15639 North Tongass Highway.

Federal Agency Contact (1 of 1)

Have you been working with anyone in the Federal Agency?
Yes

Federal Contact Role
USACE

Federal Agency Contact

First Name **Last Name**
Rebecca Manbeck

Title
Regulatory Specialist

Organization Name
U.S. Army Corps Engineers - Alaska District

Phone Type **Number** **Extension**
Business 907-251-6716

Email
rebecca.s.manbeck2@usace.army.mil

Dredge Material to be Discharged

Is dredging involved?
No

Tier Analysis

A tier analysis is comprised of a layered approach to determine the need for testing the dredge material to aid in generating physical, chemical, toxicity and bioaccumulation information, but not more information than is necessary to make factual determinations. The tier analysis is a series of tiers (I – IV) or levels of intensity (and cost) of investigation. It is necessary to proceed through the tiers only until information is sufficient to make factual determinations, no further testing is required.

- **Tier I - Site Evaluation and History**. The initial tier (Tier I) uses readily available, existing information (including all previous testing). For certain dredge materials with readily apparent potential for environmental impact (or lack thereof), information collected in Tier I may be sufficient for making factual determinations.
- **Tier II - Chemical Testing** is concerned solely with sediment and water chemistry.
- **Tier III - Biological Testing (bioassay and/or bioaccumulation testing)** is concerned with well-defined, nationally accepte toxicity and bioaccumulation testing procedures.
- **Tier IV - Special Studies** allows for case-specific laboratory and field testing, and is intended to for use in unusual circumstances.

For more information regarding a Tier analysis, see below references

- **EPA Inland Testing Manual**
- **USACE Seattle District Civil Works DMMP User Manual**

Fill Material to be Discharged

Will Fill Material be Discharged?
Yes

For fill material, identify the material source
Eddystone Rock & Ready Mix

Types of material being discharged and the amount of each type (cubic yards)

Type	Cubic Yards
Shot Rock Fill	3,350
Concrete	70
Gravel Surfacing	175

Surface area in (acres or linear feet) of wetlands or other waters filled

Surface Area	Units
0.344	Acres

Discharge Location Information (1 of 1)

Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters

Discharge Location ID (001, 002, 003, - increment by one)
001

NOTE: if you have a receiving water that is Wetlands, just enter the generic term "Wetlands". Do not enter "Wetlands of Tanana River", for example.

Please select 'Other' if your waterbody is not in the list below.
You can start typing the name of the waterbody to filter the list.

Receiving Waterbody / Wetlands Name
Clover Passage

Discharge Location
55.482778,-131.775833

Other Pollutant Sources

Contaminated Site Information

Determine if your project is **within 1,500 feet** of a known Alaska DEC Contaminated Site. See the *Alaska DEC Contaminated Web Map* below. This will help you to identify if any potential pollutants/parameters of concern may be present on your project

site., see DEC's website:

- Contaminated Sites Web Map
- Contaminated Sites Database Search website

Is the project within 1,500 feet of a known contaminated site?
No

Parameters of Concern that may be present in discharge

Parameter(s) of Concern

Identify the parameters of concern that may be present in your discharge from the dredge and/or fill material.

Note, **TURBIDITY** and **SEDIMENT** are routine parameters associated with dredge and/or fill activities.

Consider if other parameters may be present from past activities in the area such as contamianted site data, impaired waters or other relevant water quality data, or other parameters of concern identified during the application process.

Parameter(s)
Turbidity
Sediment

If known, describe respective concentrations, persistence, and potential impacts to the receiving water and data on parameters that may alter the effects of the discharge to the receiving water
Due to the nature of the project including the use of fill material, turbidity and sediment may occur. To limit this occurrence, work will be done at low tide, and the minimum amount of fill material will be used.

Impaired Waters

An ***impaired waterbody*** are those listed as a **Category 4 [304(b)] or Category 5 [303(d)]** in the current EPA approved *Alaska's Integrated Water Quality Monitoring and Assessment Report.*

For the most recently *Approved Integrated Water Quality Monitoring And Assessment Report (Integrated Report)*, see DEC's website:

- **Integrated Water Quality Monitoring And Assessment Report** https://dec.alaska.gov/water/water-quality/integrated-report

Does a discharge of any parameter identified above occur to an impaired waterbody?
No

If determined necessary and requested by the Department, submit sufficient and credible baseline water quality information for the receiving water which meets the requirements of 18 AAC 70.016(a)(6)(A-C).

Avoidance & Minimization BMPs and Mitigation Measures

Describe how impacts are being avoided and minimized on the project site. Include best management practices (BMPs) for sediment and erosion controls that will be implemented to minimize environmental impacts, and any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge.

Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge
To avoid impacts to the water and surrounding environment, the minimum amount of fill to achieve the desired expansion will be used. Construction will occur at low tide to limit the amount of impact to the oceanic environment.

Avoidance Measures
There are no practical alternatives for avoidance due to the location and nature of the project. The oyster processing facility has been in place for over 10 years and this modification is to both expand capacity as well as move the facility slightly to the south to allow for better access to the uplands for loading and unloading product from the dock to a new processing facility. A portion of the facility needs to be floating due to the live oysters and a portion of the facility needs to be on land due to the heavy loading and concrete tanks that hold recirculated seawater for wet storage of oysters.

Minimization Measures
The dock geometry was chosen was designed to be the minimum size to accommodate the
vessels that the applicant anticipates will be common use for the oyster farm. The breakwater have been added to this permit as the site has experienced severe storm damage from northerly winds in the past couple of seasons which has resulted in loss of oyster seed and damage to the concrete floats. The size of the processing buildings is matched to the wet storage equipment as well as the processing equipment.

Mitigation Measures
No compensatory mitigation is proposed for this project.

Social / Economic Importance

Social or Economic Importance

(18 AAC 70.016(c)(5): Provide information that demonstrates the accommodation of important social or economic development. The applicant shall complete either a social OR economic importance analysis (or both) for each affected community in the area where the receiving water for the proposed discharge is located.

Social Importance Analysis
Infrastructure improvements

Economic Importance Analysis
Commercial activities
Access to recourses

Describe Social and/or Economic Importance of the project
Moving the marine business to the proposed location will help expand the current oyster production, allowing for more job availability within the company with the ability to expand the current operation. The new facility will also include worker housing.

Description of Social or Economic Importance, if needed
NONE PROVIDED
Comment
NONE PROVIDED

List of Other Permits or Certificates

*Would include but is not restricted to zoning, building, and flood plain permits.

Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received.

Agency	Type of Approval*	Identification Number	Date Applied	Date Approved	Date Denied
ADF&G	Aquatic Farm Permit	DFG-20011-106-AF-S	02/01/2019	03/01/2019	*NONE PROVIDED*
ASACE	Letter of Permission	POA-2012-107	*NONE PROVIDED*	05/22/2017	*NONE PROVIDED*

Other Agency or Local Contacts (1 of 1)

Contact Role
OTHER_REG_CNTCT

Other Agency and or Local Contacts

First Name	Last Name
Rebecca	Manbeck

Title
Regulatory Specialist

Organization Name
U.S. Army Corps Engineers - Alaska District

Phone Type	Number	Extension
Business	907-251-6716	

Email
rebecca.s.manbeck2@usace.army.mil

Attachments

Copy of Federal Application (USACE, EPA, or FERC, etc.)
updated marble seafoods application 2-10-25.pdf - 02/19/2025 01:57 PM
Comment
NONE PROVIDED

Figures and/or Drawings/Plan Sets. To include a map or diagram of the proposed activity site, including the proposed activity boundaries in relation to local streets, roads, and highways.
Updated Corp Permit Drawings.pdf - 02/19/2025 01:57 PM
Comment
NONE PROVIDED

Document Attachments
Marble Seafoods COE cover letter.pdf - 05/17/2024 08:24 AM
Mitigation Statement for Marble Seafoods Facility.pdf - 05/17/2024 08:32 AM
ICE 22-30 Vibro.pdf - 02/19/2025 01:58 PM
Comment
NONE PROVIDED

Delegation of Authority for Submission of Application
NONE PROVIDED
Comment
NONE PROVIDED

As per 18 AAC 15.030 signing of applications, all permit or approval applications must be signed as follows:
1) in the case of corporations, by a principal executive officer of at least the level of vice president or his duly authorized representative, if the representative is responsible for the overall management of the project or operation;
2) in the case of a partnership, by a general partner;
3) in the case of a sole proprietorship, by the proprietor; and
4) in the case of a municipal, state, federal or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Revisions

Revision	Revision Date	Revision By
Revision 1	5/17/2024 8:24 AM	FARREN@RMKETCHIKAN.COM FARREN@RMKETCHIKAN.COM
Revision 2	2/19/2025 12:00 PM	FARREN@RMKETCHIKAN.COM FARREN@RMKETCHIKAN.COM

Agreements and Signature(s)

As per 18 AAC 15.030 signing of applications, all permit or approval applications must be signed as follows:
1) in the case of corporations, by a principal executive officer of at least the level of vice president or his duly authorized representative, if the representative is responsible for the overall management of the project or operation;
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4) in the case of a municipal, state, federal or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Signed By FARREN@RMKETCHIKAN.COM FARREN@RMKETCHIKAN.COM on 02/19/2025 at 2:15 PM