

CWA 401 Water Quality Certification Request

version 2.15

(Submission #: HQB-69NV-Q5SDW, version 1)

Digitally signed by:
dec.alaska.gov
Date: 2025.03.18 12:32:13 -08:00
Reason: Submission Data
Location: State of Alaska

Details

Site: USS 2386 Development

Submission ID HQB-69NV-Q5SDW

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)

Application Preparer

Agent

Contact

Prefix

NONE PROVIDED

First Name Last Name

Christopher Bydlon

Title

Agent/Consultant

Organization Name

proHNS, LLC

Phone Type Number Extension

Business 907-780-4004

Email

chris@prohns.com

Mailing Address

PO Box 33322

Juneau, AK 99803

[NO COUNTRY SPECIFIED]

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)

Applicant

Billing Contact

Owner

Contact

Prefix

NONE PROVIDED

First Name Last Name

Richard Harris

Title

Owner

Organization Name

RH Development, LLC

Phone Type Number Extension

Business 907-723-4791

Email

rharris@rhdalaska.net

Mailing Address

PO Box 32403

Juneau, AK 99803

[NO COUNTRY SPECIFIED]

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-2024-00628

Project Name or Title

USS 2386 Development

Primary Receiving Waterbody Name

Unnamed creek upgradient of Pederson Creek (Casa Del Sol Creek).

Estimated Project Dates (+/- 30 days)

Project Estimated Start Date	Project Estimated End/Completion Date
07/01/2025	12/31/2026

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

Description	Discharge Estimated Start Date	Discharge Estimated End Date
Shot Rock Fill	07/01/2025	12/31/2026

Project Description (Nature of Activity, include all features)

This project will fill approximately 2.35 acres of PFO1/4g wetlands in order to create a fill pad for construction of approximately 30 small tightly spaced residential dwelling units including driveways, utilities, and related infrastructure. Approximately 3,145 LF of existing streams will be rerouted through approximately 1,134 LF of open ditching and 86 LF of culvert pipe.

Project Purpose (Describe the reason(s) for discharge)

This project purpose is to create high-density housing in the City and Borough of Juneau. The overall development will provide approximately 30 residential dwelling units, as well as a common/shared driveway, shared guest parking, and utilities (water, sewer & power) to support the residential development.

Is any portion of the work already complete?

No

Description of current activity site conditions

None.

Relevant Site Data, Photographs that Represent Current Site Conditions, or other Relevant Documentation

[USS 2386 ACOE GRAPHICS_2024.12.11.pdf - 03/18/2025 10:48 AM](#)

Comment

NONE PROVIDED

Is this a linear project? (i.e., utility line, road, etc.)

No

Project Address

NHN Glacier Hwy

Juneau, AK 99801

Visit the link below to help with conversion between DMS and Latitude/Longitude

[DSM - Lat/Long converter](#)

Project Location

58.375808,-134.625902

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
NONE PROVIDED	City and Borough of Juneau	Copper River	26	40S	65E

Directions to Site

From Juneau International Airport, head south on Shell Simmons Dr toward Yandukin Dr for 0.2 mi. Turn left onto Yandukin Dr for 0.2 mi. Turn right on Shell Simmons Dr for 0.2 mi. Turn left onto Glacier Highway for 0.3 mi. Continue onto Mendenhall Loop Road for 0.3 mi. Turn left onto Egan Dr for 0.4 mi. Continue onto Glacier Hwy for 1.1 mi. The project location is on the left hand side of the street immediately past 10585 Glacier Hwy (Church of Jesus Christ of Latter-Day Saints).

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**

Delana Wilks

Title

Regulatory Specialist

Organization Name

US Army Corps of Engineers

Phone Type **Number** **Extension**

Business 907-201-5021

Email

Delana.P.Wilks@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 accepted 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

-

- [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

Local quarry or borrow pit.

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

Type	Cubic Yards
Shot Rock	7,203
Asphalt	379

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

Surface Area	Units
2.35	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

Unnamed creek upgradient of Pederson Creek (Casa Del Sol Creek)

Discharge Location

58.375808,-134.625902

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?

Yes

Contaminated Sites

Hazard ID#	Contaminated Site Name	Contaminant Type	Latitude	Longitude	In soil or groundwater?	CS Staff Contact
4061	Residence - Knickerbocker Spill	Heating oil spill	58.377590	-134.626807	Unknown	Stacee Henderson

Describe the identified contaminated site(s) or groundwater plume within 1,500 feet

Spilled 200 gallons from heating oil tank piping failure. Oil migration followed surface water runoff pathways; pooled oil was collected with sorbent pads. Oil passed through adjacent private property and entered swale in the right of way along Glacier Highway. Numerous attempts were made by the ADEC to initiate a cleanup with no success. A Notice of Environmental Contamination was placed on the property in April of 2014. In December 2014, Carson Dorn Inc. (CDI) conducted a limited site investigation in January of 2015 and again in February 2015 and found evidence of petroleum contamination both on the east and west sides of the old heating oil tank still on site. Samples tested below detection limits for residual range organics (RRO) and positive for diesel range organics (DRO) having DRO soil concentrations of 190 (sample BH-1) and 290 (sample BH-2) mg/kg, just above the migration to groundwater cleanup level. A drinking water well on site was decommissioned in place with bentonite by CDI at the request of the ADEC because city water is available and no groundwater testing had occurred. The site was subsequently closed with institutional controls. October 2016: CDI conducted some test pitting and analyses indicated that there is DRO up to 5,300 mg/kg present on the property in the vicinity of the now removed trailer. The site has subsequently been reopened.

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 contaminated site data, impaired waters or other relevant water quality data, or other parameters of concern identified during the application process.

Parameter(s)

Turbidity

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

Industry standard stormwater control BMP's will be implemented to avoid adverse turbidity or sediment impacts. Anticipated BMP's will be , Fiber Rolls for Erosion and Sediment Control, Fiber Rolls for Erosion Control, Plastic Covering, Silt Fence, Contained Silt Control System, Stabilized Construction Exit, Temporary Check Dams, Vegetation Buffer, Temporary Seeding, Permanent Seeding and Soil Amendments, Site Delineation, Street Sweeping and Vacuuming for Sediment Control, Compacted Aggregate Surfacing, Stockpile Management, and other appropriate BMP's as needed. Since this project will include over one acre of disturbance, coverage under the Alaska Construction General Permit will be obtained. A site specific SWPPP will be prepared, which will include the required BMP's.

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)** <https://dec.alaska.gov/water/water-quality/integrated-report>

Does a discharge of any parameter identified above occur to an impaired waterbody?

Yes

What parameters are causing the Category 4 or 5 impairment?

Pederson Hill Creek is downgradient of this project. It is listed as a category 4A impaired water body due to fecal coliform. This project will not impact this impairment because the development will connect to city sewer, rather than providing onsite disposal. Outhouses will be used and regularly serviced during the construction period.

Are any of the above parameters causing the impairment present in the proposed discharge?

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

Industry standard stormwater control BMP's will be implemented to avoid adverse turbidity or sediment impacts. Anticipated BMP's will be , Fiber Rolls for Erosion and Sediment Control, Fiber Rolls for Erosion Control, Plastic Covering, Silt Fence, Contained Silt Control System, Stabilized Construction Exit, Temporary Check Dams, Vegetation Buffer, Temporary Seeding, Permanent Seeding and Soil Amendments, Site Delineation, Street Sweeping and Vacuuming for Sediment Control, Compacted Aggregate Surfacing, Stockpile Management, and other appropriate BMP's as needed. Since this project will include over one acre of disturbance, coverage under the Alaska Construction General Permit will be obtained. A site specific SWPPP will be prepared, which will include the required BMP's.

Outhouses will be used during construction and serviced regularly. The parcel will be served by sewer once the project is complete.

Avoidance Measures

This project has avoided wetlands, to the maximum extent possible first by site selection. The developer has searched for quality buildable land available in the Juneau area, which has the least amount or a lower grade of wetlands. In Juneau there is little to no land available that is not encompassed with wetlands. There are less expensive properties that entail much more valuable wetlands than the site we have chosen. Secondly the access point (driveway) location was selected on the southeast portion of the lot where the site has previously been disturbed to construct the driveway to 10635 Glacier Hwy. and where the most significant area of mapped uplands exists. Thirdly the design of the building pad has been configured as such to prevent filling of the most significant stream that runs adjacent to Glacier Hwy. on the northeast side of the lot.

Minimization Measures

Our project team has minimized unavoidable impacts to wetlands through a long process of searching for a viable building site. Our proposed project will allow for high density housing with more units to be created on less wetlands and acreage. Several other Juneau area housing projects such as single-family homes are utilizing much more acreage of land to develop less housing units. Our project will provide up to 38 housing units (33 shown on the conceptual plan that is attached) on only 2.35 acres of wetlands, minimizing the impacts to wetlands and the environment area wide. The building pad and development layout has been designed to minimum CBJ setback, parking and driveway standards. The layout has been optimized to be as efficient as possible with little to no wetland-fill area not being used for a specific purpose as part of the development. To minimize the impacts to the minor streams that will be disturbed by the proposed fill the design includes rerouting those channels through new drainage channels on the property and connecting them back into their receiving channel as quickly as possible.

Mitigation Measures

As you will see on our attached ♦Plan View♦ we have avoided the wetlands and the larger more valuable stream bed as much as possible, while still meeting the access and drainage requirements for the City and Borough of Juneau. We hope our efforts to minimize and avoid adverse impacts to the ecosystem combined with the lower functioning value of the wetlands affected by our project will require no compensatory mitigation.

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

Tax base impacts

Access to a transportation network

Describe Social and/or Economic Importance of the project

The property at USS 2386 has frontage along Glacier Hwy in Juneau, AK. Juneau is currently facing a housing shortage, which has been identified by the City and CBJ assembly as a high priority. This project is intended to provide much-needed housing units to support the local population. The following narrative will attempt to demonstrate that this project has provided appropriate mitigation for the proposed development.

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
Alaska DOT & PF	Driveway Permit	NONE PROVIDED	01/10/2025	NONE PROVIDED	NONE PROVIDED
Alaska DOT & PF	Major Utility Permit	NONE PROVIDED	01/23/2025	NONE PROVIDED	NONE PROVIDED
City & Borough of Juneau	Grading Permit	NONE PROVIDED	NONE PROVIDED	NONE PROVIDED	NONE PROVIDED
City & Borough of Juneau	Conditional Use Permit	NONE PROVIDED	02/10/2025	NONE PROVIDED	NONE PROVIDED
City & Borough of Juneau	Building Permit	NONE PROVIDED	NONE PROVIDED	NONE PROVIDED	NONE PROVIDED
U.S. Army Corps of Engineers	Wetland Fill Permit	NONE PROVIDED	12/04/2024	NONE PROVIDED	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	
Jessica	Lustyik	
Title		
Right-Of-Way Agent II		
Organization Name		
Alaska Department of Transportation and Public Facilities		
Phone Type	Number	Extension
Business	907-465-4517	
Email		
jessica.lustyik@alaska.gov		

Attachments

Copy of Federal Application (USACE, EPA, or FERC, etc.)

[Eng_Form_4345_2019_USS_2386_Signed.pdf - 03/18/2025 10:48 AM](#)

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.

[USS 2386 ACOE GRAPHICS_2024.12.11.pdf - 03/18/2025 10:48 AM](#)

Comment

NONE PROVIDED

Document Attachments

NONE PROVIDED

Comment

NONE PROVIDED

Delegation of Authority for Submission of Application

[delegation-of-authority-401-application_RH.pdf - 03/18/2025 10:48 AM](#)

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.

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;*
- 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.

Signed
By Christopher Bydlon on 03/18/2025 at 12:19 PM