

# STATE OF ALASKA

**DEPT. OF ENVIRONMENTAL CONSERVATION**  
**DIVISION OF WATER**  
**WASTEWATER DISCHARGE AUTHORIZATION PROGRAM**

**SEAN PARNELL, GOVERNOR**

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December 24, 2009

Ms. Heidi Firstencel  
U.S. Army Corps of Engineers  
CEPOA-RD  
8800 Glacier Highway, Suite 106  
Juneau, AK 99801-8079

RE: POA-2000-495-M3 Gastineau Channel Douglas Harbor Improvements

Dear Ms. Firstencel:

On December 8, 2009, the U.S. Army Corps of Engineers (Corps) issued a Public Notice of Application for Permit under Section 404 of the Clean Water Act; reference number POA-2000-495-M3. The Alaska Department of Environmental Conservation (ADEC) has been involved in pre-application discussions with the City and Borough of Juneau, the Corps, and the U.S. Environmental Protection Agency (EPA) for many months.

ADEC has the following requests and comments with regard to the Public Notice for POA-2000-495-M3:

1. ADEC requests that the comment period be extended by 30 days to provide agencies and the public additional time to develop their comments. The reasons for the request include: people out of the office due to the holidays, the unique nature of the proposed activity (the discharge of dredged sediments with elevated levels of mercury), and the preliminary determination by the Corps that the proposed activity would be subject to MPRSA.
2. ADEC requests that a public hearing be held for this application. The reasons for this request include: the unique nature of the proposed activity (the discharge of dredged sediments with elevated levels of mercury), it is our preliminary understanding there is a personal use fishery near the disposal area (and this has not been fully discussed during the pre-application meetings), and the preliminary determination by the Corps that the proposed

activity would be subject to MPRSA (which is a change from the previous Corps position).

3. ADEC will be submitting a request to the applicant for additional information. ADEC will want the additional information prior to making our decision on the 401 certificate of reasonable assurance for this proposed activity.
4. ADEC has asked the Alaska Department of Law to evaluate and provide comments on the preliminary determination by the Corps that the proposed activity would be subject to MPRSA. ADEC will submit those comments as soon as we can.

If you have any questions about these requests and comments please contact me at the phone number listed above or at [william.ashton@alaska.gov](mailto:william.ashton@alaska.gov).

Sincerely,



William Ashton, Section Manager  
Stormwater & Wetlands

cc: Carrie Bohan, ADNR, DCOM  
Joe Hitselberger, ADF&G  
Chris Meade, EPA  
Chiska Derr, NMFS  
Teri Camery, CBJ

Cam Leonard, ADOL  
Alex Dugaqua, ADNR, DMLW  
Deb Rudis, USFWS  
John Stone, CBJ