



**DEPARTMENT OF THE ARMY**  
**ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS**  
**REGULATORY DIVISION**  
**P.O. BOX 6898**  
**JBER, AK 99506-0898**

April 15, 2024

Regulatory Division  
POA-2023-00398

Mr. Sterling S. Cook  
4051 E. Brenda Avenue  
Wasilla, Alaska 99654

Dear Mr. Cook:

This letter is in regard to your application for a Department of the Army (DA) permit; file number POA-2023-00398, Little Meadow Creek. Attached are a copy of letters and comments received from commenters between December 15, 2023, and January 31, 2024.

Based on the information you provided and the comments received, the Corps has preliminarily determined the proposed construction of a 31-slip floatplane in Island Lake would not be the least damaging practicable alternative (LEDPA). As previously requested, you still need to submit an alternatives analysis for the project to be evaluated further. We have also determined that the proposed project as designed did not clearly include all associated impacts (e.g., delineating the parking area) and did not propose viable mitigation measures to offset losses of wetland functions and services. There are several concerns of public interest brought up by agencies, residents of Island Lake, and the general public that need to be addressed satisfactorily. The larger plan of development, including all ancillary facilities (access, parking, utilities, etc.), must be included in your project plans.

It is the policy of the DA to provide the applicant the opportunity to furnish a proposed resolution or rebuttal to all objections and other substantive comments. The Corps needs additional information to make a determination based on a 404(b)(1) alternatives analysis and configurations within the site. To continue the evaluation of the proposed project, we request that you address the following issues and/or provide the requested information:

1. Reduction of the number of slips to reduce impacts to Island Lake residents to the maximum extent possible.

2. Redefining the purpose and need and revision of the proposed project design accordingly. With new project design, provide documentation on the following:
  - a. At least 35% engineering plan design showing construction of floatplane slips and engineering details on how you intend stabilize the existing saturated peat material to prevent transport of sludge peat material downstream into Cloudy Lake.
  - b. Define the area and capacity of the parking area, as well as ingress and egress routes.
  - c. Calculate the area and volume of fill needed to create the parking area.
  - d. Project design shall include plans for rerouting Little Meadow Creek outside floatplane basin.
  - e. Provide Island Lake bathymetry information and water volumes, as well as an analysis of estimated changes in water levels for pre- and post- construction conditions.
  - f. Provide information of the type of aircraft that would be landing and taking off in the lake associated to your project.
3. Analysis of Alternatives:
  - a. Revise project's purpose and need and provide a detailed analysis of alternatives compliant with 40 CFR 230; the 404(b)(1) Guidelines. See the enclosed guide for additional information of what would be required. Additionally, provide information on the need to develop the 31-slip floatplane base on Island Lake. Your analysis must include data to support construction of the proposed number of slips. These data will include floatplane slips available for renting within a 5-mile radius, including adjacent lakes such as Scott Lake, Beverly Lake, Kalmbach Lake, June Lake, Cloudy Lake, Fuller Lake, Seymore Lake, Visnaw Lake, Lalen Lake, Toad Lake, Frog Lake, Cherry Lake, Prator lake, Loon Lake, Bear Paw Lake, Blodgett Lake, Wallace Lake, Jacobson Lake, Rainbow Lake, Railroad Lake, Carousel Lake and Maruro Lake. Include renting costs and waiting period per base.
  - b. Provide data to support the demand for the number of slips you are proposing, provide a list of potential customers, etc.
4. Safety:
  - a. Provide a landing and take-off plan analysis based on the number of floatplanes the lake can safely accommodate.
  - b. In consultation with lake's residents and users of adjacent runways (e.g., Leisurewood Airstrip Association, etc.), produce a flight plan that specifies aircraft types, flight types, flight paths/routes, height and speed, and air traffic controls to minimize the risk of midair collision. Provide a draft of the flight plan to the Corps.
  - c. Develop a safety plan that includes specific measures to allow safe access of lake residents to enjoy their multiple recreational uses (swimming, paddle boarding, kayaks, canoes, etc.).
5. Noise pollution: Provide a plan with mitigation measures to minimize sound pollution by floatplane activity (e.g., time restrictions, etc.).

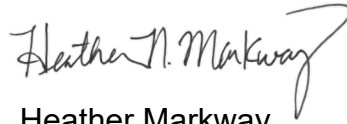
6. Water quality: Provide a plan with measures for dealing with oil and fuel storage, control oil and fuel leaks and water contamination control to minimize impacts to salmon spawning and rearing habitat in the lower reaches of Little Meadow Creek and indirect impacts to the hydrology of adjacent wetlands and other nearby water sources.
7. Provide an analysis to the Corps on the potential impacts and/or benefits the proposed project would have on adjacent land uses, floodplain values, property ownership and values, and how the proposed project would take into consideration the needs and welfare of the Island Lake community.
8. The lake also provides habitat to various species of waterfowl, including trumpeter Swans, grebes, and various species of waterfowl. Please conduct an evaluation of areas of concentration and nesting by these bird species and develop mitigation measures to prevent bird collisions and harassment during nesting windows.
9. Due to the absence of data regarding fish habitat in Island Lake, design and implement a fish survey and provide a report to the Corps on findings, including species present and life stages using the lake.
10. For permanent loss of waters of the U.S., compensatory mitigation would be required for the proposed project. Compensatory mitigation final ratios would be determined by the Corps during evaluation of the project if purchasing credits from a provider is determined appropriate in compliance with the 2008 Mitigation Rule. However, you must submit a mitigation plan of how you propose to offset the impacts.
11. Submit any information you have on past tribal use of the area or cultural resources.

You should be aware that all recommendations on projects proposed to be authorized by a permit must be given full consideration in making our public interest review determination, as required by law. The concerns expressed by the individual commenters appear to this office to be substantive. To complete the public interest review, these concerns must be addressed satisfactorily.

Additionally, as of the date of this letter, in accordance with our September 19, 2023, request for additional information, we have administratively closed your permit application file for the referenced work as we have not received your alternatives analysis which was requested at that time. Closure of the file at this time will not preclude you from reopening your file at a later date should you wish to do so. Please submit the alternative analysis and all information requested above to reopen your file. Please be advised that construction of the activity you applied for, or any other activity under U.S. Army Corps of Engineers' regulatory jurisdiction, without explicit authorization by the Corps of Engineers in the form of a DA Permit, will be considered a knowing violation of federal law.

Please contact Ms. Emily Vullo via email at [Emily.N.Vullo@usace.army.mil](mailto:Emily.N.Vullo@usace.army.mil), by mail at the address above, by phone at (907) 753-2704, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at [www.poa.usace.army.mil/Missions/Regulatory](http://www.poa.usace.army.mil/Missions/Regulatory).

Sincerely,

A handwritten signature in black ink that reads "Heather N. Markway". The signature is written in a cursive style with a large, sweeping flourish at the end.

Heather Markway  
South Branch Chief

Enclosures