



KRC#

9084

PARCEL#

U.S. ARMY CORPS. OF ENG

514 Funny River Road • Soldotna, AK 99669 • (907) 260-4882 • Fax: (907) 260-5992

Dear Applicant:

Enclosed please find the individual permits from the following Kenai River Center agencies.

- Expires 12/31/2013 Kenai Peninsula Borough, Flood Plain
- N/R Expires Kenai Peninsula Borough, Habitat Protection
- N/R Expires ADNR, Division of Parks Outdoor Recreation, Park Use Permit
- Expires 12/31/2014 Department of Fish Game, Division of Habitat

N/R - Not Required O-Other PC-Project Completion SL-Lifetime of Structure

PLEASE MAKE SURE YOU HAVE YOUR PERMIT FROM THE ARMY CORPS OF ENGINEERS

Please be advised that the above permits do not relieve you of the responsibility for securing other necessary local, state and federal permits and complying with all other applicable laws.

Each of these permits has expiration dates. Please review them carefully. If you are unable to complete your project by the expiration dates then you will need to apply for an extension to your permits.

The permittee is responsible for the actions of the contractors, agents, or other persons who perform work to accomplish the approved plan. For any activity that deviates from the approved plan, the permittee shall notify the Kenai River Center and obtain written approval before beginning the activity.

If you have any questions regarding your project please contact the Kenai River Center at (907) 260-4882.

Cost Share

Sent by: Cheri

4/12/2012 1:46:53 PM



RIVER CENTER

514 Funny River Road • Soldotna, AK 99669 • (907) 260-4882 • Fax: (907) 260-5992

April 12, 2012

Chris Floyd
US Army Corps of Engineers
PO Box 6898
JBER, AK 99506

RE: FLOODPLAIN DEVELOPMENT PERMIT
Issued: December 31, 2012

KRC # 9084
Expires: December 31, 2013

Dear Mr. Floyd:

Pursuant to KPB Chapter 21.06, Floodplain Management, the Kenai Peninsula Borough (KPB) has reviewed and approved your request to replace north main floats (total 715 feet), replace floatplane dock (22' by 44' structure), install two new steel pilings at the base of the harbor ramp, and replace an existing wooden piling with a steel piling. This project must be constructed as shown on the original application and site plan and built to the minimum requirements outlined in this permit. Modifications from the original permitted project will require evaluation and written approval by this office. Please read this document carefully and contact this office with any questions before beginning work.

Please note that the permit is only valid for the period indicated above. KPB Chapter 21.06 only allows a permit period of one year.

The work will occur within Section 32, T8S, R14W, S.M., AK. This project is within the special flood hazard area identified by the Federal Emergency Management Agency (FEMA). The property is located within *FEMA FIRM Panel* 020012-5065A dated May 19, 1981; *Flood Hazard Zone A*. This project /is not located with the mapped floodway.

Please be advised that the flood information contained in this permit is based on the Regulatory Floodplain Map for the Kenai Peninsula Borough. This information does not imply the referenced property will or will not be free from flooding or damage. A property not in a Regulatory Floodplain Map may be damaged by flooding greater than that predicted on the FEMA FIRM panel. This information does not create liability on the part of the Borough, or its officers or employees for any damage that results from reliance on this information.

Pursuant to KPB 21.06.050 STANDARDS (Floodplain Management), the proposed project within the FEMA mapped floodplain **must be built to the following minimum requirements:**

This permit may only be exercised between December 31, 2012 and December 31, 2013.

Structure and materials must be securely anchored to resist flotation, collapse, or lateral movement.

All old pilings must be removed off site and outside the mapped floodplain at completion of project.

Construction methods and practices shall minimize potential for flood damage.

This permit does not constitute final authorization. Evidence that the above minimum requirements have been met is required to issue a final permit. Upon completion of this project, and prior to the expiration date above, the following documentation is required:

Submit photographs of completed project.

Contact the River Center at completion of the project for possible field inspection.

Also note that under the Kenai Peninsula Borough Code of Ordinance Chapter 21.06, any future development, including but not limited to buildings, roads, dredging, filling, excavating or substantial structural improvements within the designated flood hazard area, will require an additional KPB floodplain development permit. It is also your responsibility to obtain all other required local, state and federal permits.

The Permittee is responsible for the actions of the contractors, agents, or other persons who perform work to accomplish the approved plan. **For any activity that deviates from the approved plan**, the permittee shall notify the River Center and obtain written approval before beginning the activity.

If you have any questions, I may be reached by email at dbevington@borough.kenai.ak.us or by phone at 907-714-2464.

Sincerely,



Daniel Bevington
KPB Floodplain Administrator

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

Division of Habitat

SEAN PARNELL, GOVERNOR

514 Funny River Road
Soldotna, Alaska 99669
Phone: (907) 714-2475
FAX: (907) 260-5992

SPECIAL AREA PERMIT 12-V-0151-SA

ISSUED: April 5, 2012
EXPIRES: December 31, 2014

Chris Floyd
U.S. Army Corps of Engineers
P.O. Box 6898
JBER, AK 99506

Dear Mr. Floyd:

RE: Dock Renovation
Kachemak Bay Critical Habitat Area
Seldovia Harbor
Sections 31&32, T 8S, R 14W, S.M.
Kenai River Center Tracking No. 9084

Pursuant to 5 AAC 95, the Alaska Department of Fish and Game (ADF&G), Division of Habitat has reviewed your request for a time extension to complete renovation of the Seldovia Boat Harbor float system at the referenced location in Seldovia. All other aspects of the project remain unchanged.

Project Description

The Denali Commission, in partnership with the City of Seldovia and the U.S. Army Corps of Engineers (Corps), will make the following renovations to the Seldovia Harbor float system:

- Replacement of the north main floats (a total of 715 linear feet)
- Replacement of the floatplane dock (a 24-by-44 foot floating structure attached to the harbor floats)
- Installation of two new steel pilings at the base of the harbor ramp
- Removal of one old wooden piling and its replacement with a steel piling

The renovation work is expected to take in early spring or in the autumn of 2012. No dredging is planned and no fill will be placed. The renovations would neither alter the footprint of the harbor float system nor increase moorage capacity. The three new steel pilings would need to be

driven into the harbor bottom. The driving of the three piles is expected to occur over a few days, and most noise would be confined to the harbor basin. Sea otters are known to occasionally use the harbor area and other marine mammals probably move through Seldovia Bay near the harbor. The harbor would be monitored for wildlife during pile-driving and would be halted if a sea otter or other marine mammal approached the harbor entrance.

The KBCHA was established by the Alaska legislature in 1974 through the enactment of AS 16.20.590 to “...protect and preserve habitat areas especially crucial to the perpetuation of fish and wildlife, and to restrict all other uses not compatible with that primary purpose”. (AS 16.20.500). The Kachemak Bay and Fox River Flats Critical Habitat Areas Management Plan (Management Plan) was adopted by the ADF&G in 1993. Activities that occur within the KBCHA must meet the goals and policies of the Management Plan, which have been adopted into regulation and are binding on department actions, including the issuance of Special Area Permits. The management plan provides that KBCHA be managed to maintain and enhance public use of fish, wildlife and critical habitat area lands and water. The proposed project is not expected to adversely impact habitat values or fish and wildlife populations provided the stipulations cited below are followed.

In accordance with 5 AAC 95, project approval is given subject to the project description above and the following additional terms of this permit:

1. The Division of Habitat shall be contacted at (907) 714-2475 three days prior to project initiation and again at project completion.
2. On all new docks, flotation shall be of materials which will not become waterlogged or sink when punctured. Closed cell (extruded) expanded polystyrene or equivalent material of good quality and manufactured for marine use is required. Lesser quality foam bead flotation may be authorized if it is encased in a protective coating to prevent deterioration with resultant loss of beads. Existing foam flotation will be authorized until it is severely deteriorated and is no longer serviceable or capable of supporting the structure, at which time it no longer complies with this stipulation.
3. The wooden portions of docks, access ramps, abutments, or piling shall not be treated with any preservative containing pentachlorophenol or creosote. Wood preservatives must be applied using pressure treatment rather than painted on or allowed to soak into the wood.
4. Due to the possible presence of juvenile salmon and herring in the near shore areas of Seldovia Bay, there shall be no in-water pile driving April 1 to June 30 unless otherwise authorized in writing by ADF&G, Division of Habitat.
5. All activities shall be conducted so as to prevent the introduction of petroleum products and hazardous substances into the waters of KBCHA. This includes ensuring that all equipment is clean and free of contamination and that material such as absorbent pads and booms will be readily available on-site.

6. The permittee shall be responsible for the removal of all structures and associated material from the KBCHA should activities cease or be cancelled. Such removal shall be accomplished within one year of cessation of activities.

For the purpose of inspecting or monitoring compliance with any condition of this permit, the permittee shall give an authorized representative of the state free and unobstructed access, at safe and reasonable times, to the permit site. A permittee shall furnish whatever assistance and information as the authorized representative reasonably requires for monitoring and inspection purposes.

You are responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved project. For any activity that significantly deviates from the approved plan, you shall notify the Division of Habitat and obtain written approval in the form of a permit amendment before beginning the activity. Any action that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is the responsibility of the Division of Habitat. Therefore, it is recommended you consult the Division of Habitat immediately when a deviation from the approved plan is being considered.

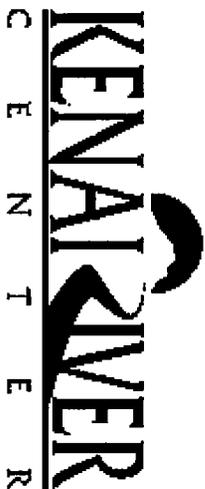
This letter constitutes a permit issued under the authority of 5 AAC 95. This permit must be retained on site during the activity. This determination does not relieve you of your responsibility to secure other permits; state, federal, or local. You are still required to comply with all other applicable laws.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The permittee shall mitigate any adverse effect upon fish or wildlife, their habitat, or any restriction or interference with public use that the commissioner determines may be expected to result from, or which actually results from, the permittee's activity, or which was a direct result of the permittee's failure to: 1) comply with a permit condition or a provision of 5 AAC 95; or 2) correct a condition or change a method foreseeably detrimental to fish and wildlife, or their habitat.

You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330-630.

PLEASE DISPLAY THIS SIGN IN A PROMINENT LOCATION SO IT IS VISIBLE FROM THE RIVER. THIS SIGN SHOULD BE POSTED DURING ALL PHASES OF CONSTRUCTION.



KRC# **9084**

RIVER CENTER 2012 PERMITTED PROJECT

Applicant
Agent U.S. ARMY CORPS. OF
ENGINEERS

FLOYD, CHRIS

KPB Parcel

Legal
Description SEC 32, T8S, R14W, SM

Authorized Work: COMPLETE RENOVATION OF SELDOVIA
BOAT HARBOR FLOAT SYSTEM

Permits Issued:

Expires 12/31/2013 KPB Floodplain

N/R Expires KPB Habitat Protection

N/R Expires ANDR Park Use Permit

Expires 12/31/2014 ADFG Division of Habitat

N/R - Not Required O-Other PC-Project Completion SL-Lifetime of Structure

COE #: POA-1980-434

Questions regarding this permit should be directed to the Gilman River Center, (907) 260-4882