E. NEW BUSINESS

2. Conditional Use Permit; PC Resolution 2024-18

Applicant: AK Department of Natural Resources

Request: Install a concrete loading pad and a temporary seasonal use boat retrieval ramp within the 50' Habitat Protection District

of the Kasilof River

Location: 25951 & 26053 Williamson Lane

Kasilof Area

Multi-Agency Permit Application



514 Funny River Road, Soldotna, AK 99669 • (907) 714-2460 • KenaiRivCenter@kpb.us

<u>Applican</u>	<u>t Informati</u>	on: (must be a la	andowner)	Agent Info	<u>rmation:</u> (if applicable)		
Name:	ADNR-DPOR D&C			Name:	Chester Fehrmann (Environmental Impact Analyst		
Mailing:	550 W 7th Ave., Suite 1340			Mailing:	Same		
	Anchorag	je, AK 99501					
Phone:	907-269-8506			Phone:	Same		
Email:	chester.fe	ehrmann@alask	ka.gov	Email:	Same		
	cel ID: Address: on:Block: mit Fees: (Kasilof, AK 99 Coal Creek Co Addition	6 Williamson Ln. 610 Country Estates n/No.: 6	Waterbody: Riverbank: River Mile:	y Information: : Kasilof River (looking downstream) □ Left ■ Right 4 KPB Conditional Use/Floodway Permit		
Project II	nformation	·	R ☐ Extension/		o RC#		
□ Boat La □ Bridge □ Coir Lo □ Culvert □ ELP St □ Equipm ■ Excava	ogs t ructures nent Stream	Crossing ng, and/or Fill	☐ Fish & Wildlife ☐ Floating Dock ☐ Fuel Storage C ☐ In-Stream Stru ☐ Oil & Gas ☐ On-Site Utilitie ☐ Prior-Existing S ☐ Revegetation ☐ Root Wads	Green Infrastruc uctures (Weir)	□ Road Construction □ Structure (Accessory) □ Structure (Residential) □ Spruce Tree Revetment □ Stream Crossing □ Utility Line/Easement □ Veg Mat □ Vegetation Removal □ Water Withdrawal ■ Other: Boat Retrieval		
Project D	Description	: Provide a det	ailed description o	of your project;	; attach additional pages if necessary.		
Kasilof L designed	anding St	ate Recreatio asonally remo	n Site. The boa	nt retrieval s	prior-existing boat retrieval site at Old structure that extends below MHW is the duckbill anchors used to secure		
KPB Tax	Credit Pro	gram: The Boro	et of anadromous	x credit as par streams. If yo	Yes No rtial reimbursement for new habitat protection ou would like to pre-qualify for this credit, grants or other funding assistance:		
		Elevated L	ight Penetrating St	ructures \$	3		
		Habitat Re	storation & Protect	tion \$	S		
		Green Infra	astructure	\$	3		
		Other Activ	vities	\$.		

Project Questions: 1. Start date: 5/1/2025 End date: 6/30/2025 Estimated Days of Construction: 60	
2. Is any portion of the work already complete? If yes, please describe:	Yes • No
N/A	
Ordinary High Water (OHW) and Mean High Water (MHW):	
3. Is the project located within 50 feet of OHW or MHW a waterbody?	■ Yes □ No
4. Does any portion of the project extend <u>below</u> the OHW or MHW of the waterbody?	■ Yes □ No
5. Does any portion of the project cantilever or extend over the MHW of the waterbody?	🗌 Yes 🔳 No
6. Will anything be placed below OHW or MHW of the waterbody?	Yes No
Regulatory Floodplains:	
7. Is the property where the project is taking place near or within a regulatory floodplain?	■ Yes □ No
a. Is this project within or adjacent to a regulatory floodway?	■ Yes □ No
b. Is this project within or adjacent to a coastal high hazard zone?	☐ Yes ■ No
c. For new buildings and/or additions, list all project costs (labor, materials, etc.):	\$
Excavation, Dredging, and Fill:	
8. Will material be <u>excavated</u> or <u>dredged</u> from the site?	☐ Yes 🔳 No
a. Type of material(s): In-situ and existing boat retrieval materials- See Quantities Worksheet	
b. Area to be dredged <u>below</u> OHW or MHW:	
Length: 0 (ft) Width: 0 (ft) Depth: 0 (ft) Total Cubic Yards: 0	
c. Area to be excavated above OHW or MHW:	
Length: <u>20</u> (ft) Width: <u>10</u> (ft) Depth: (ft) Total Cubic Yards:	
d. Location materials will be deposited: Either re-used on-site or removed to off-site location.	
9. Will any material (including soils, debris, and/or overburden) be used as fill?	Yes No
a. Type of material(s): Boat Retrieval Materials- See Quantities Worksheet	
b. Is this fill permanent or temporary?	☐Perm ■Temp
c. Area to be filled <u>above</u> OHW or MHW:	
Length: (ft), Width: (ft), Depth: (ft), Total Cubic Yards:	
d. Area to be filled <u>below</u> OHW or MHW:	
Length: (ft), Width: (ft), Depth: (ft), Total Cubic Yards:	
Motorized Equipment:	
10. Will you be using motorized equipment for this project? If yes, please list all equipment: Excavator, bobcat, ATV	■ Yes □ No
a. Will you be crossing a stream or waterbody?	🗌 Yes 🔳 No
b. How long will equipment be used below OHW or MHW? 20 days	
Signature & Certification:	
This application is hereby made requesting permit(s) to authorize the work described in this application	cation form. I
certify the information in this application is complete and accurate to the best of my knowledge ar	•
plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the control of t	•
ject and that the project will be constructed to the standards in KPB 5.12 Real Property and Person Taxes, KPB 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regularity.	
Chester Fehrmann Digitally signed by Chester Fehrmann Date: 2024.10.09 13.46:22 -08'00' 10/9/2024	
Applicant Signature (required) Date	
Agent Signature (if applicable) Date	

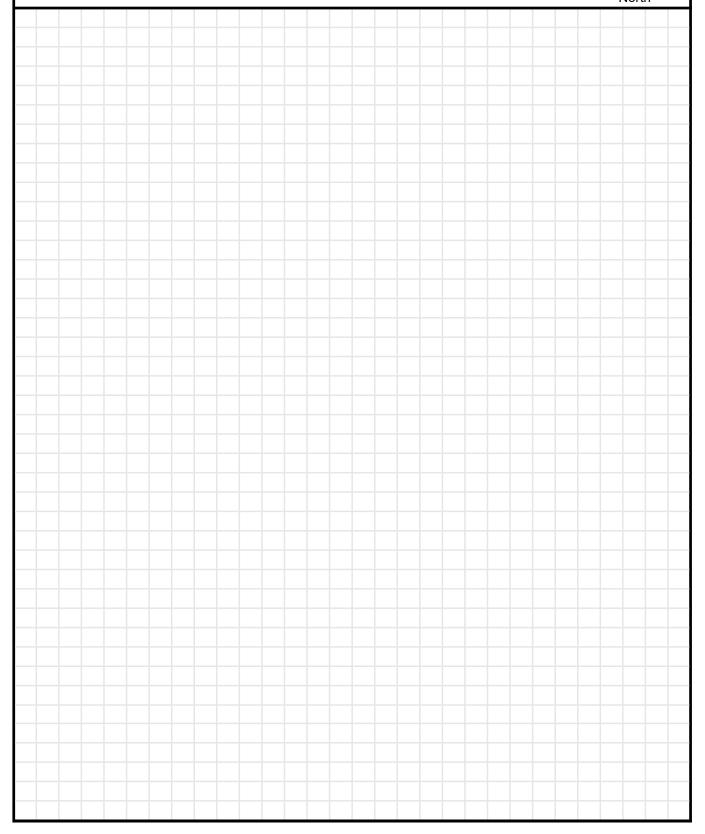
Project Drawings: Top View

Drawings do not have to be to scale, but must show the following:

- Property boundaries
- OHW or MHW line
- 50-foot Habitat Protection District
- Floodplain zone(s)
- Dimensions for <u>all</u> structures
 - Length, width, height



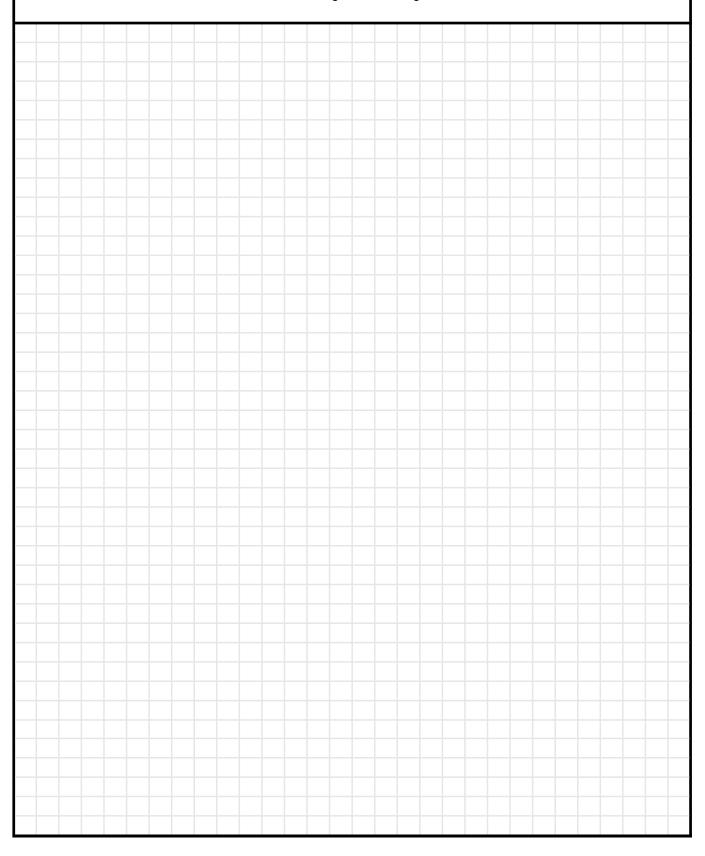
North

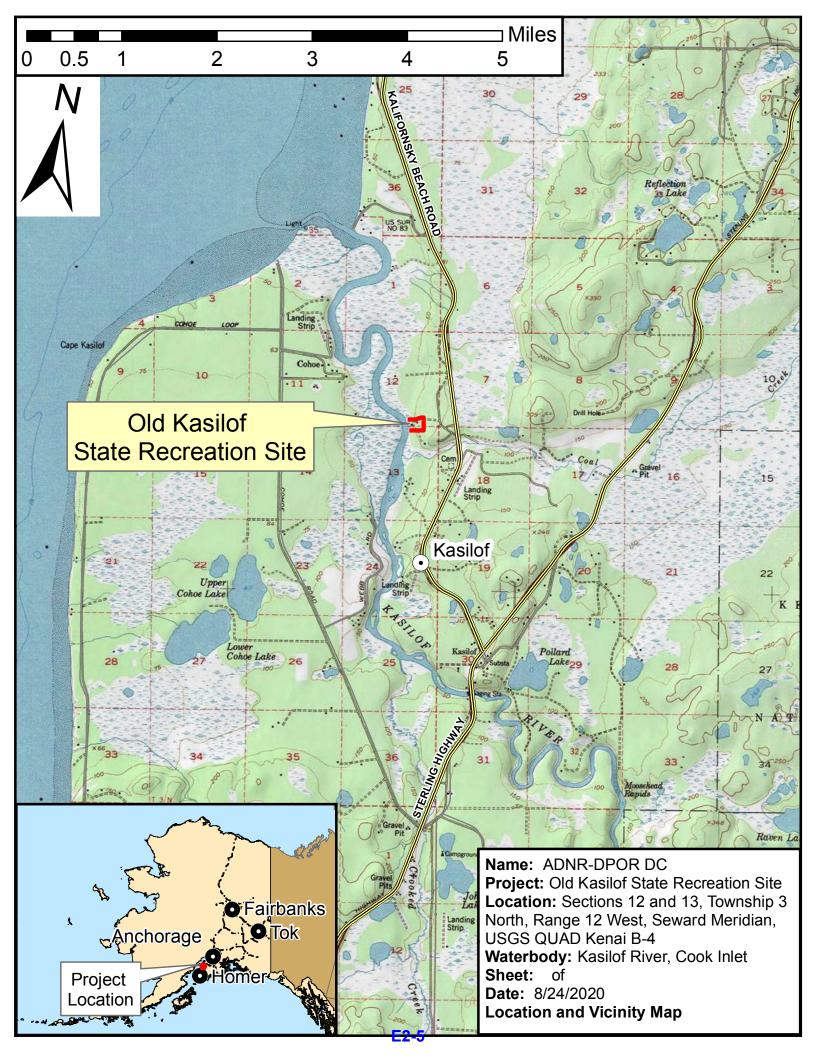


Project Drawings: Side View

Drawings do not have to be to scale, but must show the following:

- Property boundaries
- Floodplain zone(s)
- OHW or MHW line
- Dimensions for <u>all</u> structures
- 50-foot Habitat Protection District
- Length, width, height





Old Kasilof Landing State Recreation Site Boat Retrieval Quantities

Above OHW/MHW

	Material	Area	Volume
Excavation	In-Situ	459 S.F.	25.5 C.Y.
Fill	Concrete	200 S.F.	14.8 C.Y.
	Gravel	459 S.F.	24.3 C.Y.
	Retrieval	212 S.F.	N/A

(Temporary)

Below OHW/MHW

	Material	Area	Volume
Excavation	N/A	N/A	N/A
Fill	Concrete	N/A	N/A
	Gravel	N/A	N/A
	Retrieval	302 S.F.	N/A

(Temporary)

Boat Retrieval Details

	Above OWH/MHW	Below OHW/MHW	Total
Length	20.3 Ft	50.4 Ft.	70.6 Ft.
Width	6 Ft	6 Ft	6 Ft
Surface Area	212 S.F.	312 S.F.	424 S.F.

STATE OF ALASKA - DEPARTMENT OF NATURAL RESOURCES **DRIFT BOAT RETRIEVAL SYSTEM**KASILOF, ALASKA

Aesign Alaska childeds · Engineers · Surveyors

ENERAL 6010 GENERAL**I**NFORMAT**I**ON CIVIL C100

EXISTING CONDITIONS SITE PLAN RAMP PROFILE STRUCTURAL

S001 GENERAL STRUCTURAL NOTES
S002 SPECIAL INSPECTIONS

S100 BOAT RETRIEVAL STRUCTURE PLAN AND DETAILS S101 BOAT RETRIEVAL STRUCTURE DETAILS S102 BOAT RETRIEVAL STRUCTURE DETAILS

SEE DISCIPLIBES FOR PRECIPIC ENTROLS SEE DISCIPLIBES FOR PRECIPIC ENTROLS SEED LOCATION PROCEST THE HORITH SEED LOCATION PROCESS FROM NAME ROOM NAME

PROJECT TEAM

OWNERS REPRESENTATIVE
STATE OF ALASKA DNR
POINT OF CONTACT. RANGELL SORIANO
ATWOOD BUILDING SUITE 1340
550 WEST 71H AVE
ANCHORAGE, AK 98501
907 209-8937
rangell soriano@alaska.gov

DESIGNERS REPRESENTATIVE DESIGN ALASKA POINT OF CONTACT: JOHN ROWE 611 COLLEGE ROAD FAIRBANKS, AK 99701 907 452-1241 johnr@designalaska.com

DRIFT BOAT RETRIEVAL

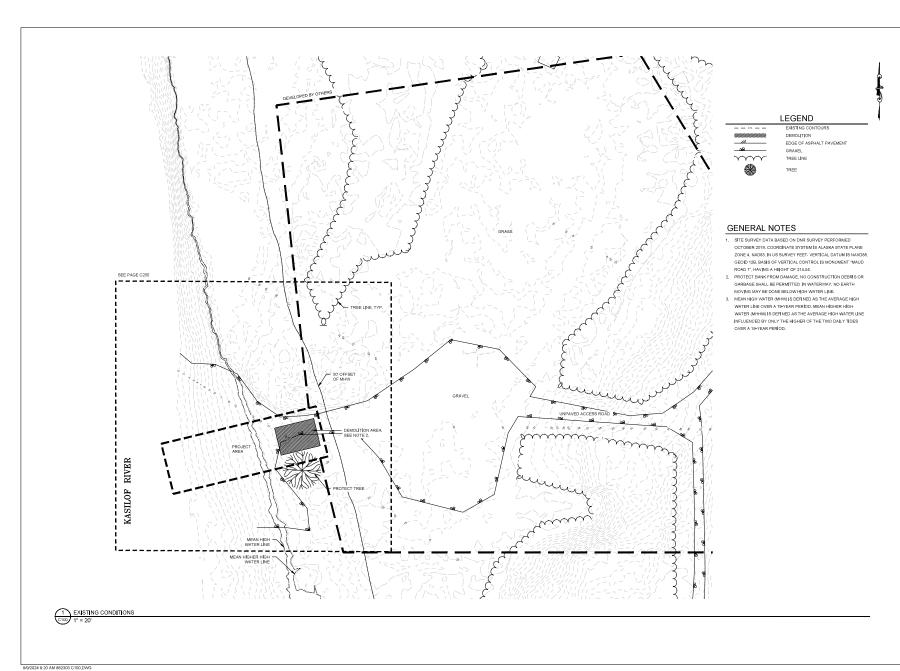
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GENERAL INFORMATION

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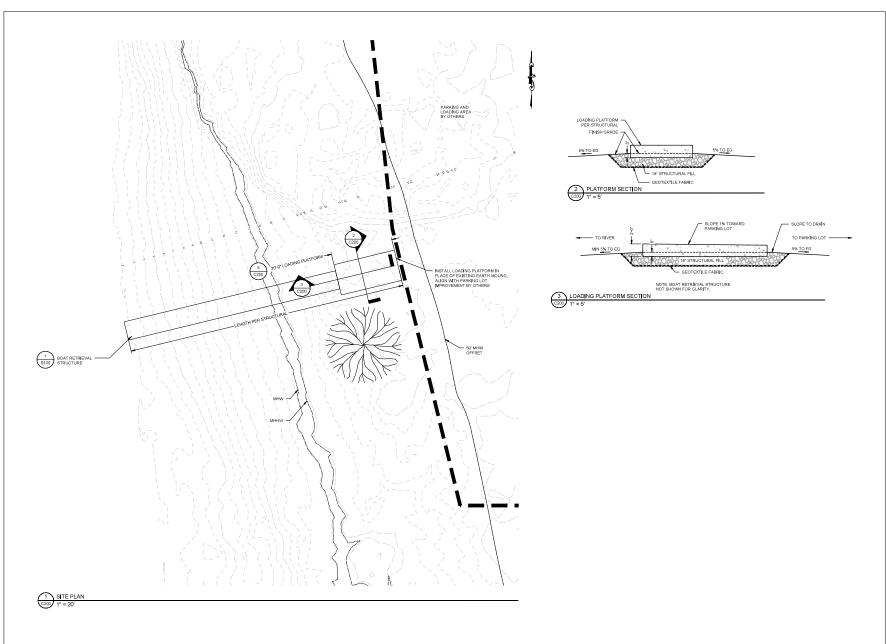
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Old College Road Fairbanks AK 99701



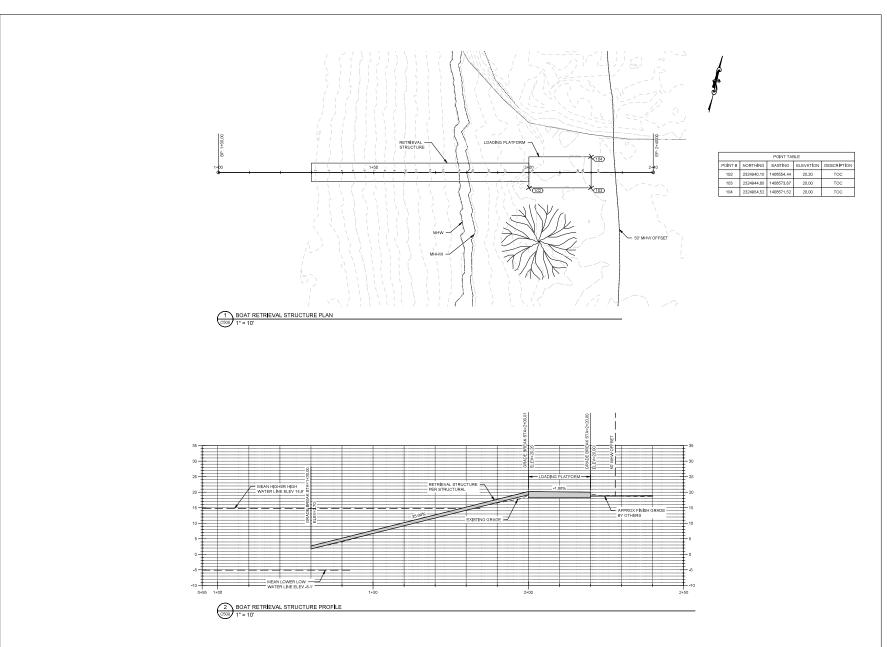
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SITE PLAN

C200

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DRIFT BOAT RETRIEVAL SYSTEM

BOAT RETRIEVAL STRUCTURE PROFILE

C500

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GENERAL STRUCTURAL NOTES 2021 JBC (INTERNATIONAL BUILDING CODE) STATE OF ALASKA 800 LBS BL CONCRETE 1. GENERAL A ALL OSTIN-PIACE CONCRETE SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH (FO) OF B. CONCRETE SHALL MEET ALL REQUIREMENTS OF ACI 201 SPECIFICATION FOR STRUCTURAL CONCRETE SHALLENGE. C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CONOREST EDDES TO BE CHAMPERED 34", UND C. ALL PERMANENT Y SAPOSED CO D. PROVIDE SIEEVES FOR ALL UTILITY OPENINGS. ELEMENT MERCHANS SHOWN ON DRAWNING SHAPLA SUPERCEDE THOSE SHOWN ON GENERAL NOTES. ELEMENT MERCHAN SHOWN ON DRAWNING SHAPLA SUPERCEDE THOSE SHOWN ON GENERAL NOTES. A REINFORCING BARS SHALL CONFORM TO ASTM ARIS GRADE 60. A REINFORCING BARS SHALL CONFORM TO ASTM ARIS GRADE 60. BUILDING COLE REQUIREMENTS OF MERVINGED DOWN THE ADDITIONAL SHOWN ON THE COLE REQUIREMENTS OF MERVINGED SHOWN ON THE COLE RESULTS OF MERVINGED SHOWN ON THE COLE RESULTS OF MERVINGED SHOWN ON THE COLE ASTM AND ASTM AND

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 THE CONTRACTOR MAY NOT USE SUBSTITUTES FOR THE POST-INSTALLED ANCHORS WITHOUT PRIOR
 APPROVAL OF THE DIANNERS
 SED EXAMINATION FOR ANCHOR TYPE. SIZE. AND BUBBEDMENT DEPTHS, INSTALL ANCHORS AS OUTLINED IN
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 CLEANING DUMING OR TITELED MICE TENDERS.

IRAL STEEL STRUCTURAL STEEL WIDE FLANGE MEMBERS SHALL BE ASTM A572 - GRADE 50 (Fy = 50 KSI) OR A992 (Fy

- RECTANGULAR HOLLOW STRUCTURAL SECTIONS (HSS) SHALL CONFORM TO ASTM A500 GRADE C

- SOURGERECT/ANGULAR HOLLOW STRUCTURAL SECTIONS (HSS) SHALL CONFORM TO ASTM ASD GRADE CY 17-50 KSI). SATIM ASD TYPE AS SIGN.

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F. GENERAL

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THE STATE THE METHON ON REDISENCE OF CONSTRUCTION. THE CONTRACTOR SHALL BE REPROSEDE
FOR AND PROVIDE ALL MESAURES MICESSARY TO PROTECT THE STRUCTURE CURING CONSTRUCTION.
SUCH MESAURES SHALL INCLUDE BUT NOT BE LIMITED TO REACHIG, SHORING FOR LOADS DUE TO
CONSTRUCTION EXPINENT ET. THE STRUCTURAL ENGINEER SHALL NOT BE RESPONSIBLE FOR THE
BUT OF THE STATE OF THE STATE OF THE STATE OF THE SHAPE OF THE SHAPE



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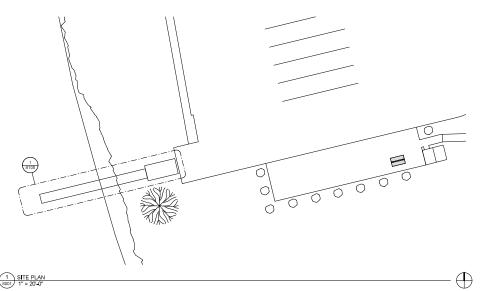
DRIFT BOAT RETRIEVAL SYSTEM

09 AUG 2024 COMM, NUMBER 862303 DESIGNED BY TAA DRAWNBY TAA SCALE

GENERAL STRUCTURAL NOTES

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S001



		SPECIAL INSPI	ECT I ONS		
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CONTINUOUS: SPECIAL INSPECT	TION BY THE SPECIAL	INSPECTOR WHO IS PRESE	NT WHEN AND WH	ERE THE WORK	TO BE INSPECTED IS BEING PERFORMED.
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SYSTEM or MATERIAL	IBC CODE	CODE or STANDARD		JENCY	REMARKS
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		CONCRE			
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		DIVISION #05 - STRU	CTURAL STEEL		
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		PRIOR TO BOLTIN	IG/WELDING		
MANUFACTURER'S CERTIFICATIONS AVAILABLE FOR FASTENER MATERIALS		AISC 360-16: TABLE N5.6-1	x		
FASTENERS MARKED IN ACCORDANCE WITH ASTM REQUIREMENTS		AISC 308-16: TABLE NS.6-1 RCSC SPECIFICATION FOR STRUCTURAL JOINTS FIGURE C-2-1		х	
CORRECT BOLTING PROCEDURE AND FASTENERS SELECTED FOR JOINT DETAIL		AISC 360-16: TABLE N5.6-1		х	GRADE, TYPE, BOLT LENGTH, IF THREADS ARE TO BE EXCLUDED FROM SHEAR PLANE
CONNECTING ELEMENTS, INCLUDING THE APPROPRIATE FAYING SURFACE CONDITION AND HOLE PREPARATION, IF SPECIFIED, MEET APPLICABLE REQUIREMENTS		AISC 360-16: TABLE N5.6-1		х	
PRE-INSTALLATION VERIFICATION IESTING BY INSTALLATION PRESONNEL OBSERVED AND DOCUMENTED FOR FASTENER ASSEMBLIES AND METHODS USED		AJSC 360-16: TABLE N5.6-1		х	
PROTECTED STORAGE PROVIDED FOR BOLTS, NUTS, WASHERS, AND OTHER FASTENER COMPONENTS	1705.2.1	AISC 360-16: TABLE N5.6-1		x	
WELDER QUALIFICATION RECORDS AND CONTINUITY RECORDS		AJSC 360-16: TABLE N5.4-1		х	
WPS AVAILABLE		A[SC 360-16; TABLE N5.4-1	x		
MANUFACTURER CERTIFICATIONS FOR WELDING CONSUMABLES AVAILABLE		AJSC 360-16: TABLE N5.4-1		x	
MATERIAL IDENTIFICATION		AISC 360-16: TABLE N5.4-1		x	TYPE/GRADE
WELDER IDENTIFICATION SYSTEM		AISC 380-16: TABLE N5.4-1		х	THE FABRICATOR OR ERECTOR SHALL MAINTAIN A SYSTEM BY WHICH A WELDER WHO HAS WELDED A JOINT OR MEMBER CAN BE IDENTIFIED
FIT-UP OF FILLET AND GROOVE WELDS		AISC 360-16: TABLE N5.4-1		х	JOINT PREPARATIONS, DIMENSIONS, CLEANLINESS, TACKING, BACKING TYPE AND FIT

		SPECIAL INSPECTION	IS, CONTINUED			
NSPECTION						
SYSTEM OR MATERIAL	IBC CODE	CODE OR STANDARD	FREQUENCY		REMARKS	
	REFERENCE	REFERENCE	CONTINUOUS	PERIODIC		
		DIVISION #05 - STRUCTURA		JED		
		DURING BOLTING	3/WELDING			
FASTENER ASSEMBLIES PLACED IN ALL HOLES AND WASHERS AND NUTS ARE POSITIONED AS REQUIRED AND FASTENER COMPONENT NOT TURNED BY THE WIRENCH THAT IS PREVENTING ROTATION		AISC 360-16: TABLE N5.6-2		x		
JOINT BROUGHT TO SNUG-TIGHT CONDITION PRIOR TO THE PRETENSIONING OPERATION		RCSC SPECIFICATION FOR STRUCTURAL JOINTS BOLTS SECTION 9 AISC 306-16: TABLE NS.6-2 AISC 360: SECT. NS.6a		x	ALL CONNECTIONS INSPECTED AND VERIFIED SNUG	
FASTENIERS ARE PRETENSIONED IN ACCORDANCE WITH THE RCSC SPECIFICATION, PROGRESSING SYSTEMATICALLY FROM THE MOST RIGID POINT TOWARD THE FREE EDGES	1705.2.1	AISC 360-16: TABLE N5.6-2		x		
CONTROL AND HANDLING OF WELDING CONSUMABLES		AJSC 360-16: TABLE N5.4-2		x	ITEMS INCLUDE: PACKAGING AND EXPOSURE CONTROL	
NO WELDING OVER CRACKED TACK WELDS		AJSC 360-16: TABLE N5.4-2		x		
WPS FOLLOWED PLAN FOR ENVIRONMENTAL CONDITIONS		AISC 360-16: TABLE N5.4-2		х	WIND SPEED WITHIN LIMITS, PRECIPITATION AND TEMPERATURE	
		AFTER BOLTING	WELDING			
DOCUMENT ACCEPTANCE OR REJECTION OF BOLTED CONNECTIONS OR WELDED JOINT OR MEMBER		AJSC 360-16: TABLE N5.6-3, TABLE N5.4-3	x			
WELDS CLEANED	1705.2.1	AISC 360-16: TABLE N5.4-3		x		
SIZE, LENGTH, AND LOCATION OF WELDS		ALSC 360-16: TABLE N5.4-3	x			
WELDS MEET VISUAL ACCEPTANCE CRITERIA		AISC 360-16: N5.4, TABLE N5.4-3	х			
		DIVISION #05 - OTH	HER METALS		1	
		ALUMINI				
SINGLE PASS FILLET WELDS				x		



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DRIFT BOAT RETRIEVAL SYSTEM

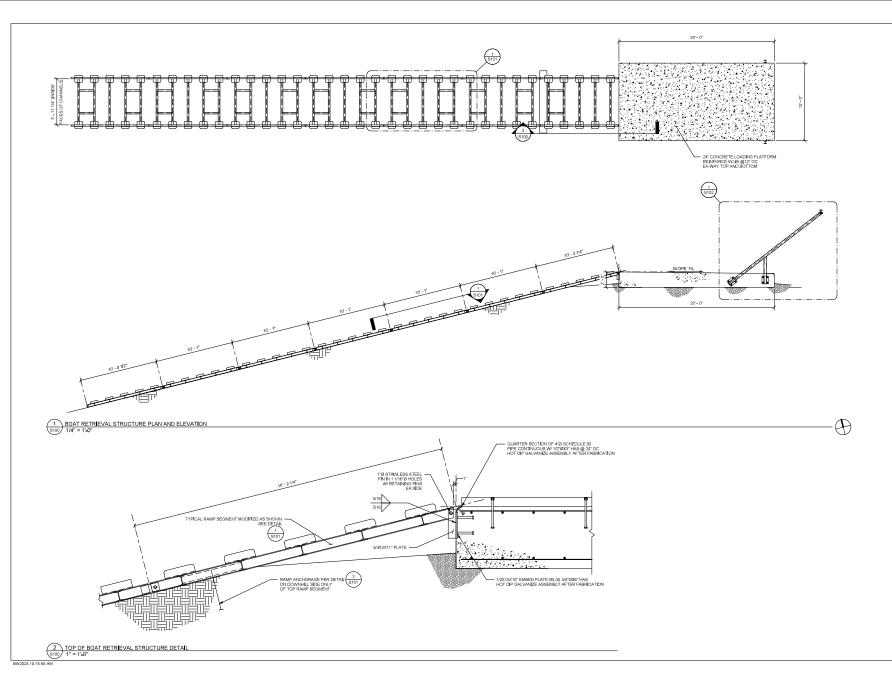
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SPECIAL INSPECTIONS

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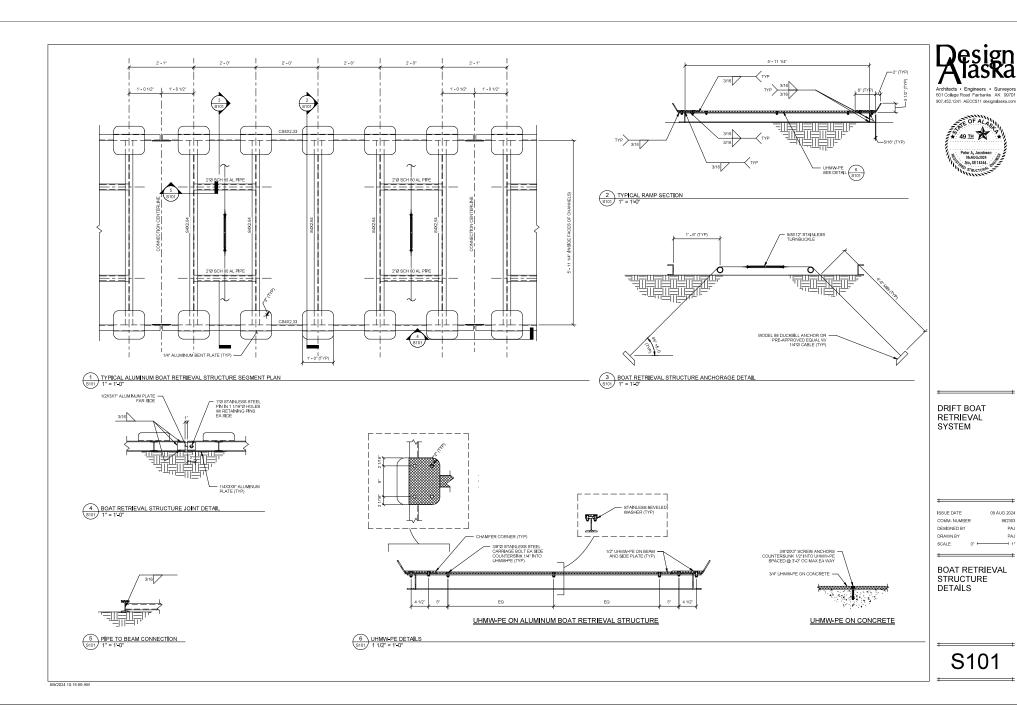


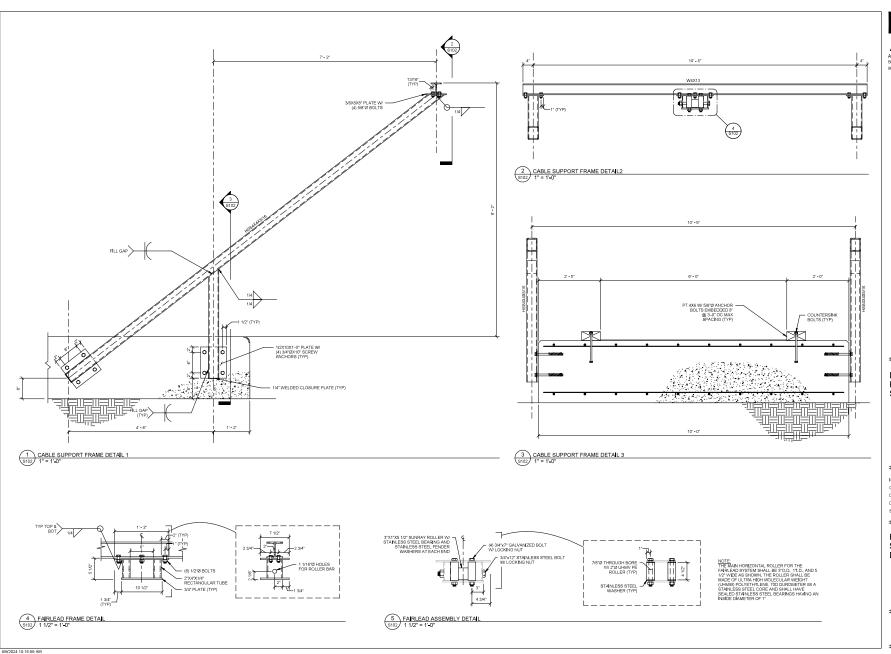
DRIFT BOAT RETRIEVAL SYSTEM

ISSUE DATE 09 AUG 2024
COMM. NUMBER 862203
DESIGNED BY PAJ
DRAWN BY PAJ
SCALE 0° 11

BOAT RETRIEVAL STRUCTURE PLAN AND DETAILS

S100





Design Alaska

601 College Road Fairbanks AK 9



DRIFT BOAT RETRIEVAL SYSTEM

ISSUE DATE 09 AUG 2024
COMM. NUMBER 862303
DESIGNED BY PAJ
DRAWN BY PAJ
SCALE 0° 11*

BOAT RETRIEVAL STRUCTURE DETAILS

S102



DNR Old Kasilof SRS

Project Area

KPB Parcel(s):

13354004, 13332039

Project Description:

Vicinity: Kalifornsky



Map created by Aldridge, Morgan Tuesday, October 29, 2024

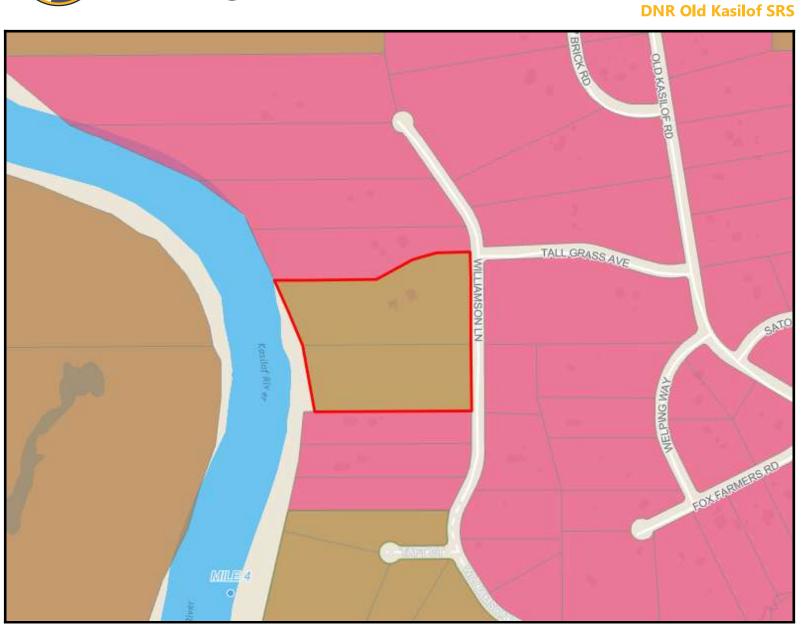
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

1500

3000



Ownership Map



Project Area **KPB Parcel(s):**

13354004, 13332039

Parcel and PLSS Parcel Ownership Type Borough Federal Native Native Allotment Municipal Private State

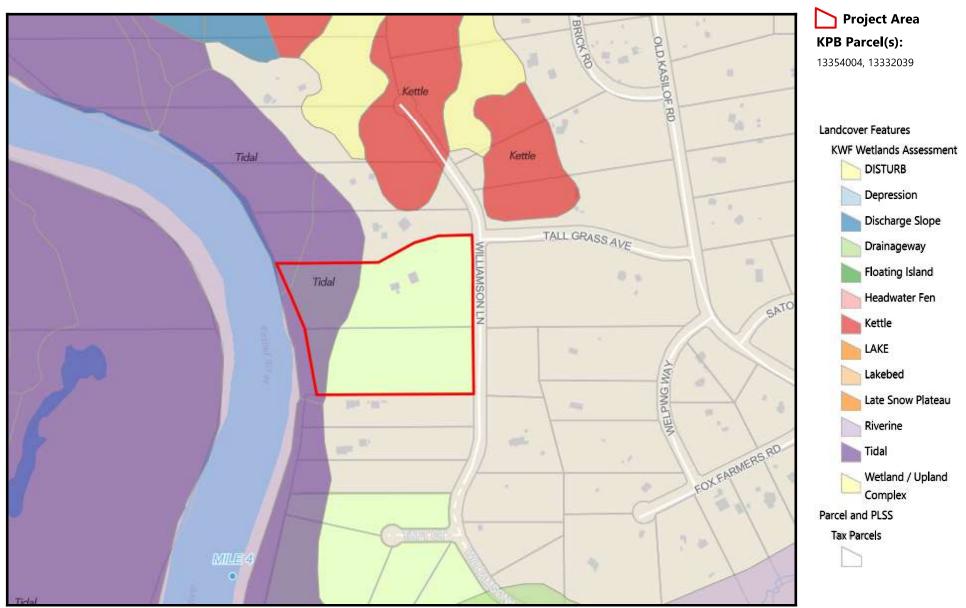
Map created by Aldridge, Morga Tuesday, October 29, 2024

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Wetlands Map

DNR Old Kasilof SRS



Map created by Aldridge, Morga Tuesday, October 29, 2024

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Conditional Use Permit Anadromous Waters Habitat Protection District Staff Report

PC Res No. 2024-18

Planning Commission Meeting: December 16, 2024

Applicant State of Alaska, Department of Natural Resources

Mailing Address 550 W 7th Ave Suite 1340

Anchorage, AK 99501

Legal Description COAL CREEK COUNTRY ESTATES TRUJILLO ADDN LOT

4B & COAL CREEK COUNTRY ESTATES SUB ADDN NO 6

TRACT A

Physical Address 26035 & 25951 Williamson Ln

KPB Parcel Number 13332039 & 13354004

Project Description

A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of a concrete staging pad and temporary boat retrieval within the 50-foot Habitat Protection District of the Kasilof River.

Background Information

Alaska State Parks acquired this property and has been working to do the needed repairs to make this area usable by the public. Last spring the Planning Commission approved a Conditional Use Permit at this location for fish cleaning tables and the expansion of a turnaround area. This project intends to further those efforts by updating the existing boat retrieval system, which is currently a marshed/graveled area that has been used as an unofficial retrieval location.

Alaska State Parks is proposing to install a boat retrieval system at the Old Kasilof Landing SRS, including the construction of a concrete staging pad above MHW as well as a boat retrieval structure extending below MHW. The concrete staging pad will be located at the top of the boat retrieval system, and will remove approximately 25.5 cubic yards of materials. The pad will consist of 200 square feet of concrete and 459 square feet of gravel. The retrieval structure will be constructed primarily of UHMW (plastic) and aluminum. It will be removed seasonally, and anchored using duckbill anchors to secure it to the riverbed when in use.

Project Details within the 50-foot Habitat Protection District

- Installation of a concrete loading pad at the top of the boat retrieval system
- 2. Installation of a temporary, seasonal boat retrieval system

Findings of fact pursuant to KPB 21.18.081 Conditional Use Permit

- 1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21 18 040
- 2. Pursuant to KPB 21.18.081(B)(4), construction of public owned facilities, parks, campgrounds and their related uses and structures may be approved as a conditional structure/use within the habitat protection district.

- 3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
- 4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
- 5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
- 6. The boat retrieval ramp will be seasonal and removed during the winter.
- The concrete pad will minimize detrimental impacts to the HPD that would be caused by heavy
 vehicular and foot traffic by preventing erosion and surface runoff that would occur if no pad were
 installed.
- 8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
- 9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:
 - "...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
- 10. The River Center found the application complete and scheduled a public hearing for December 16. 2024.
- 11. Agency review was distributed on December 3, 2024. No comments or objections have been received from resource agencies to date.
- 12. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on November 27, 2024. A total of 17 mailings were sent.
- 13. Pursuant to KPB 01.08.180(B)(1)(3), public notice was posted.
- 14. The applicant is currently in compliance with Borough permits and ordinances.

Permit Conditions

- 1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Kasilof River.
- 2. The boat retrieval system and pad must be designed and installed to meet KPB floodplain requirements.
- 3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
- 4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
- 5. Storage or use of fuel is prohibited within 50-feet of any open water.
- 6. The River Center shall be notified at least 3 days prior to the start of the project.
- 7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
- 8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
- 9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years

- from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
- 10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
- 11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
- 12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

General Standards

Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

- The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; Conditions 1 - 3 and Findings 6 - 7 appear to support this standard.
- Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; Findings 1 - 4, 8 - 13 appear to support this standard.
- 3. The development of the use or structure shall not physically damage the adjoining property; Findings 7 and 8 appear to support this standard.
- 4. The proposed use or structure is water-dependent; **Findings 4, 7 and 9 appear to support this standard.**
- 5. Applicant's or owner's compliance with other borough permits and ordinance requirements; Conditions 11, 12 and Finding 14 appear to support this standard.

Attachments

- 1. Multi-Agency Application
- 2. Draft Resolution 2024-18
- 3. Floodplain Memo

Recommendation

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2024-18.

Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2024-18

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR THE CONSTRUCTION OF A CONCRETE PAD WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT OF THE KASILOF RIVER.

- **WHEREAS,** Chapter 21.18 provides for the approval of Conditional Use Permits for certain activities within the habitat protection district; and
- **WHEREAS,** KPB 21.18.081 provides that a conditional use permit is required for construction not meeting the standards of KPB 21.18.071; and
- WHEREAS, KPB 21.18.091 provides for mitigation measures by the planning department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and
- **WHEREAS,** public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in Section 21.11.030; and
- WHEREAS, public notice was posted as provided in Section 1.08.180 (B) (1) (3); and
- **WHEREAS,** public testimony was received at the December 16, 2024 meeting of the Kenai Peninsula Borough Planning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

Section 1. Project Details Within the 50-foot Habitat Protection District

- 1. Installation of a concrete loading pad at the top of the boat retrieval system
- 2. Installation of a temporary, seasonal boat retrieval system

Section 2. Findings of fact pursuant to KPB 21.18.081

- 1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
- 2. Pursuant to KPB 21.18.081(B)(4), construction of public owned facilities, parks, campgrounds and their related uses and structures may be approved as a conditional structure/use within the habitat protection district.
- 3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
- 4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.

- 5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
- 6. The boat retrieval ramp will be seasonal and removed during the winter.
- 7. The concrete pad will minimize detrimental impacts to the HPD that would be caused by heavy vehicular and foot traffic by preventing erosion and surface runoff that would occur if no pad were installed.
- 8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
- 9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:
 - "...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
- 10. The River Center found the application complete and scheduled a public hearing for December 16, 2024.
- 11. Agency review was distributed on December 3, 2024. No comments or objections have been received from resource agencies to date.
- 12. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on November 27, 2024. A total of 17 mailings were sent.
- 13. Pursuant to KPB 01.08.180(B) (1) (3), public notice was posted.
- 14. The applicant is currently in compliance with Borough permits and ordinances.

Section 3. Permit Conditions

- 1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Kenai River.
- 2. The boat retrieval system and pad must be designed and installed to meet KPB floodplain requirements.
- 3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
- 4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
- 5. Storage or use of fuel is prohibited within 50-feet of any open water.
- 6. The River Center shall be notified at least 3 days prior to the start of the project.
- 7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
- 8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
- 9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the

- Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
- 10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
- 11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
- 12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

- The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; Conditions 1 - 3 and Findings 6 - 7 appear to support this standard.
- Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; Findings 1 - 4, 8 - 13 appear to support this standard.
- 3. The development of the use or structure shall not physically damage the adjoining property; Findings 7 and 8 appear to support this standard.
- 4. The proposed use or structure is water-dependent; **Findings 4, 7 and 9 appear to support this standard.**
- 5. Applicant's or owner's compliance with other borough permits and ordinance requirements; Conditions 11, 12 and Finding 14 appear to support this standard.

THIS CONDITIONAL USE PERMIT E	EFFECTIVE ON	DAY OF	, 2024.
ATTEST:		Brantley, Chairperson g Commission	
			
Ann Shirnberg Administrative Assistant			

Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.						

From: <u>Hindman, Julie</u>
To: <u>Aldridge, Morgan</u>

Subject:RC 13531 - Kasilof Boat RetrievalDate:Monday, October 21, 2024 1:14:56 PM

Attachments: Floodplain Determination.pdf

image001.png

Morgan,

I have reviewed the application received by DNR for the Kasilof Boat Retrieval. This project will meet KPB Floodplain requirements and the minimal FEMA requirements. I have attached a copy of the floodplain determination for the location. A floodplain permit will be issued for this project if approved by the Planning Commission. A permit condition will be that the project must meet all other federal, state, and local requirements.

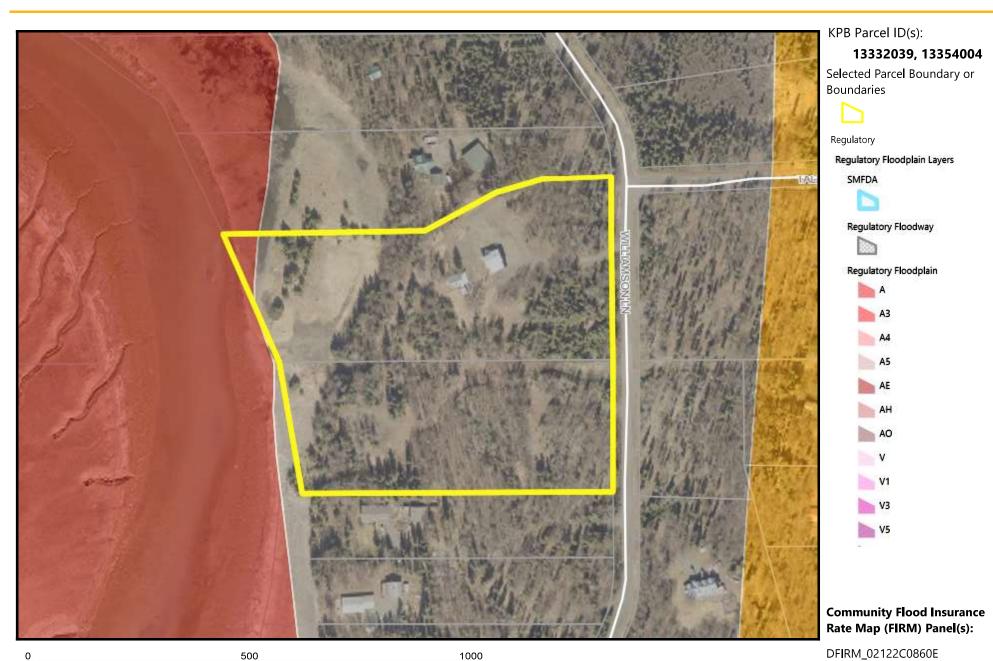
Julie Hindman

Planner – Floodplain Administrator Donald E. Gilman River Center KPB Planning Department 907-714-2463

KENAI PENINSULA BOROUGH 514 Funny River Road Soldotna, Alaska 99669



Floodplain Determination



For a detailed description of the mapped floodplain areas, please see the letter accompanying this map.



Donald E. Gilman River Center

A Division of the Planning Department

514 Funny River Road, Soldotna, AK 99669 | (P) 907-714-2460 | (F) 907-260-5992 | www.kpb.us

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

The Kenai Peninsula Borough received an application for a Conditional Use Permit under KPB 21.18.081 for a project within the 50-foot Habitat Protection District (HPD) of the Kasilof River. This project has been scheduled for a public hearing before the Kenai Peninsula Borough Planning Commission.

Why are you receiving this notice?

Per code, property owners within 300 feet of the proposed project must receive notice of the public hearing. This project is located at 25951 & 26053 Williamson Lane, Kasilof, Alaska, Parcel ID 13332039 & 13354004. Our records indicate that you are a property owner within 300 feet of that parcel.

Project Description:

The landowner on the above parcels is requesting to install a concrete loading pad and a temporary, seasonal use boat retrieval ramp within 50 foot HPD of the Kasilof River.

How can you look at the application?

The meeting packet will be posted the week prior to the meeting. Once it has been posted it can be viewed at https://kpb.legistar.com/Calendar or by scanning this QR code with your phone:



How do you attend the Planning Commission meeting?

When: Monday, December 16, 2024 at 7:30 pm or as soon thereafter as business permits
Where: This meeting will be held in the Betty J. Glick Chambers, George A. Navarre Borough

Administration Building located at 144 North Binkley Street, Soldotna.

Zoom: Meeting ID 907 714 2200

https://us06web.zoom.us/j/9077142200 1-888-788-0099 or 1-877-853-5247

Or other audio or video conferencing means whenever technically feasible

How do I comment on the project?

You can provide verbal comment at the meeting (see information above). You may also submit written comments. Written comments must be received by 1:00 pm Friday, December 13, 2024.

Mail comments to:
Donald E. Gilman River Center
514 Funny River Road
Soldotna, Alaska 99669

Email comments to: KenaiRivCenter@kpb.us

For additional information, please contact Morgan Aldridge at maldridge@kpb.us or (907) 714-2465.