



# Donald E. Gilman River Center

514 Funny River Road, Soldotna, Alaska 99669 • (907) 714-2460 • (907) 260-5992 Fax



*A Division of the Planning Department*

Charlie Pierce  
Borough Mayor

## INITIAL FLOODPLAIN DEVELOPMENT PERMIT

7/16/2021

Sharon Keating  
8151 7th Ave., SW  
Seattle, WA 98106

RC Number: 12812

Issued: 7/16/2021

Expires: 12/31/2022

Dear Applicant:

Pursuant to KPB Chapter 21.06, Floodplain Management, this is the floodplain development permit for your proposed project. Please review the entire document, as you are responsible for meeting all terms and conditions contained herein, and all development must remain in compliance with these regulations as long as they are located in the regulatory floodplain. **There will be additional documentation required after your project is complete; see "Required Documentation" below. This documentation must be submitted prior to the expiration date shown above for your project to be in compliance.**

### Project Location

KPB Parcel ID: 05748784  
Legal Description: T 5N R 10W SEC 19 SEWARD MERIDIAN KN 0970046 POACHER'S  
COVE MOORE ADDN AMENDED LOT 177B

### Floodplain Determination

Map Panel: 020012-2045C  
Effective Date: 12/6/1999  
Flood Zone(s): A4,C  
Base Flood Elevation: 32.1

### Project Description

Applicant proposes to remove prior existing trailer and shed and replace with a new, two-story residential structure measuring 17 by 37 feet.

### Permit Conditions

The proposed project and associated activities must comply with the following conditions in addition to all standards detailed in KPB Chapter 21.06. Development that occurs in the regulatory floodplain that

does not comply with these conditions or the provisions of KPB 21.06 is prohibited and constitutes a violation subject to enforcement under KPB 21.50. Each day a violation continues is a separate violation. In addition, this permit is only valid if all other federal, state and local permits are secured and if the project remains in full compliance with the regulations of those agencies.

1. Project activities may not result in an increase in Base Flood Elevation (BFE) above, within or below the project limits and they may not alter the course of a waterway. If your project causes a rise in BFE or alters the waterway such that other properties are affected, you may be held liable for any damage. In addition, you must consider any adverse effects that your development may have on your neighbors in terms of increased run-off or changes in local drainage during heavy rain events. This is especially important when bringing in large amounts of fill or building a structure with a large footprint on a small lot; you must have a strategy for run-off and drainage. The issuance of this permit does not relieve the applicant of any civil liability for how their development may affect their neighbors.
2. You are not permitted to conduct work in the regulatory floodway. Any work in the regulatory floodway requires the submission and review of a floodway analysis meeting FEMA-mandated guidelines, completed by a licensed and registered engineer, demonstrating that your project will not increase the base flood elevation or alter the conveyance of the waterway. If your project activities extend into the regulatory floodway, you will be in violation of this permit.
3. The first habitable floor of any new or substantially-improved residential structure must be elevated to or above the Flood Protection Elevation (FPE). KPB Floodplain Management strongly recommends elevating the first habitable floor to two feet above FPE.
4. Basements and crawlspaces that are below grade on all sides are prohibited in the regulatory floodplain. Fully enclosed areas that are not entirely below grade but which are below the Flood Protection Elevation (FPE) are also prohibited unless they are designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a professional engineer or architect, licensed and registered in the State of Alaska, or must meet or exceed the following criteria:
  - a. A minimum of two openings, having a total net area of not less than one square inch for every square foot of enclosed area must be provided, one on each of at least two walls;
  - b. The bottom of these openings must be no higher than one foot above grade;
  - c. Openings may be equipped with screens, louvers, or other coverings or devices provided they permit the automatic entry and exit of floodwaters, and;
  - d. Enclosed areas below FPE cannot be finished for use as human habitation and may only be used for parking vehicles, limited storage, and access to the building. Open areas below the FPE must remain clear of unanchored objects.
5. If the completed structure includes an enclosed space below the FPE, the property owner must sign and record a Non-Conversion Agreement with the property title. This Agreement commits to keeping the enclosed area in compliance with the above requirements. Documentation that this Agreement

has been recorded must be submitted to the Floodplain Administrator before the final Floodplain Development Permit can be issued.

6. All electrical, heating, ventilation, plumbing, and air-conditioning equipment, as well as other service facilities, must be elevated to or above the Flood Protection Elevation (FPE) or designed by a registered professional engineer so as to prevent water from entering or accumulating within the components during flooding conditions.
7. Any new sanitary sewage system or well must be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters. Tanks must have structural components capable of resisting the effects of buoyancy. Any well casing top must be at or above Flood Protection Elevation (FPE) with a water tight seal. If below FPE, a dome type cap with conduit seal for the wire must be used to ensure a water tight seal. Onsite septic, holding tanks, and water wells must be approved by the Alaska Department of Environmental Conservation (ADEC):

Alaska Department of Environmental Conservation  
43335 Kalifornsky Beach Rd. - Suite 11  
Soldotna, AK 99669-9792  
(907) 262-5210/FAX (907) 262-2294

8. All new construction and substantial improvements must be constructed using methods and practices that minimize flood damage and with materials and utility equipment that are resistant to flood damage. All structures in the regulatory floodplain must also be adequately anchored to resist floatation and lateral movement.

### **Required Additional Documentation**

This permit constitutes authorization to proceed with the development activities described above. Your project is not in full compliance with KPB floodplain development regulations, however, until you have submitted the following documentation to confirm that your project was built as permitted and your final Floodplain Development Permit is issued. **All required documentation must be submitted prior to the expiration of this permit.** After construction is complete, you must submit:

- a. An Elevation Certificate for each enclosed structure, and
- b. If there are any enclosed spaces below the BFE, documentation confirming that you have signed and recorded with the Borough Clerk a Non-Conversion Agreement acknowledging that enclosed spaces below the BFE will never be finished for human habitation and will only be used for storage, parking and/or access.

### **Advisories**

Federal regulation 44 CFR §59 states that this floodplain development permit is valid until the expiration date above, provided that work on this project begins within 180 days of the issue date. If work does not begin within 180 days, this permit will expire at the end of that period and you will be required to resubmit your application.

KPB Chapter 21.06 states that all proposed construction or development in the flood hazard areas of the Kenai Peninsula requires that a floodplain development permit be secured prior to beginning any work. "Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials. This also includes "substantial improvement" of existing structures, which is defined as improvements that total in value more than 50% of the structures pre-improvement value. Structures that are substantially improved or that suffer substantial damage (damage in excess of 50% of the structure's pre-damage value) must be brought into full compliance with current floodplain development regulations, regardless of when they were originally constructed.

All encroachments in the regulatory floodway, including fill, new construction, substantial improvements, and other development are prohibited unless certification by an engineer or architect, licensed and registered in the State of Alaska, is provided demonstrating, through hydrologic and hydraulic analyses, that these encroachments will not result in any increase in flood levels during the occurrence of the base flood discharge. This certification is known as a conveyance calculation or a "no-rise" certification and must be submitted and verified before a floodplain development permit will be issued.

The permittee named above is responsible for the actions of the contractors, agents, and any 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.

Compliance with the conditions and stipulations of all other necessary local, state and federal permits is required. The permittee is solely responsible for obtaining all necessary local, state, and federal permits before beginning work.

Flood information used to issue this permit is based on the regulatory Flood Insurance Rate Maps (FIRMs) for the Kenai Peninsula Borough. This permit does not imply the referenced project areas will or will not be free from flooding or damage. Larger floods can and will occur on rare occasions. This information does not create liability on the part of the Borough, its officers or employees, or the Federal Insurance Administration, for any damage that results from reliance on this information.

Please contact me with any questions or modifications to the permitted project activities at 907-714-2468 or [slopez@kpb.us](mailto:slopez@kpb.us).

Sincerely,

A handwritten signature in black ink that reads "Samantha Lopez". The signature is stylized with a large, sweeping initial 'S' and a long, horizontal flourish extending to the right.

Samantha Lopez, CFM  
River Center Manager