| ADDENDU | UM TO THE CONTRACT DOCUMENTS | Page Number | No. of Pages 35 |
|--|--|--|--------------------|
| Addendum | No. Three | Date Addendum Issued | : April 19, 2019 |
| Support Service Procurement 550 West 7th | of Natural Resources vices Division | Previous Addenda Issue One and Two | ed |
| Project: Project No.: | Kodiak Habitat Enhancement Project Lake Catherine Area : ITB 10-005-19 | Date and Hour of Quote April 25, 2019 at 2:00 l | |

NOTICE TO BIDDERS

Bidder must acknowledge receipt of this addendum prior to the hour and date set for the quotes being due by one of the following methods:

- (a) By acknowledging receipt of this addendum on the quote submitted.
- (b) By telegram or telefacsimile which includes a reference to the project and addendum number.

The bid documents require acknowledgment individually of all addenda to the drawings and/or specifications. This is a mandatory requirement and any quote received without acknowledgment of receipt of addenda may be classified as not being a responsive bid. If, by virtue of this addendum it is desired to modify a quote already submitted, such modification may be made by telegram or telefacsimile provided such a telegram or telefacsimile makes reference to this addendum and is received prior to the opening hour and date specified above.

Bid Documents:

The following changes are being made to the ITB:

- 1. Lake Catherine drawings, Sheet C-115, replace in its entirety with the attached Sheet C-115 Rev 1.
- 2. ADF&G Fish Habitat Permit, the ADNR Water Use Permit, SHPO approval, and COE approval are being provided with this Addendum.

Following are questions that have been asked by potential bidders. Answers are shown in *bold italicized* text directly after the question.

Bid Schedule A:

- 1. Has the ADF&G Fish Habitat Permit been obtained by the Owner? Only the application is supplied in the bidding documents. If it has not been obtained, please provide a date when the Owner thinks it will be. *The Permit has been obtained. See attached.*
- 2. Has the ACOE Wetland Permit 404 been obtained by the Owner? Only the application is supplied in the bidding documents. If it has not been obtained, please provide a date when the Owner thinks it will be. *The permit has been obtained. See attached.*
- 3. Has the ADNR Water Use Permit 404 been obtained by the Owner? Only the application is supplied in the bidding documents. If it has not been obtained, please provide a date when the Owner thinks it will be. *The Permit has been obtained. See attached.*
- 4. What stipulations do you anticipate to be included in the above three permits? We have been notified that the bridge removal may conflict with a nearby weir in operation from mid May to mid September. It is recommended to wait until mid September to remove the debris bridge. We do not believe there will be additional stipulations in the COE permit that would restrict further than current laws and/or regulations.
- 5. Sheet C-101 of the plans, note 6 states the supersacks shall be waterproof. Is normal supersack material sufficient as long as it meets the lifting standard in the same note, and a water proof sheeting is placed over

- the top of the supersacks? Please see the plan detail referenced on Sheet C-101. The objective is to create a waterproof barrier to prevent water seepage into the area of construction.
- 6. Sheet C-109, Note 5 Will the Temporary Backup Utility Service for the sewer main need to be installed during the entire construction duration while the sewer main is exposed? Yes, the temporary utility service needs to be installed while the main sewer main is exposed.
- 7. Sheet C-110, Note 5 Will the Temporary Backup Utility Service for the water main need to be installed during the entire construction duration while the water main is exposed? Yes, the temporary utility service needs to be installed while the main water main is exposed.
- 8. Section 606 Guardrail Is the intent to reuse the existing end terminals? I don't believe they'd meet current standards. The Contractor shall replace all existing guardrail in the project area. See revised plan sheet C-115 attached to this addendum.
- 9. Section 606 Guardrail Is the intent to reuse the existing W-Beam Rail and Posts? They've been damaged and are rusty in areas. *The Contractor shall replace all existing guardrail in the project area. See revised plan sheet C-115 attached to this addendum*.
- 10. Section 611 Riprap Is it the intent to fill the voids of the reused riprap with salvaged soils and cover them with topsoil as well? If so, is this work subsidiary to the Riprap pay item as well? This work is incidental to the pay item.
- 11. Section 620 Topsoil Is the 4" layer of topsoil placed beneath the vegetative mat subsidiary to the vegetative mat, or is it paid for at the SY price for 620(1)? *This work is incidental to the pay item*.
- 12. Section 626 Sanitary Sewer System 626-1.01 If the sewer main is in need of replacement or repair due to existing conditions, is this work subsidiary to the insulation pay item 626(1)? If the existing sewer main requires repair or replacement unrelated to construction activities, this would be handled as a change order due to unforeseen site conditions. The sewer main is relatively new and we do not anticipate this will be required.
- 13. Section 626 Sanitary Sewer System If the sewer main is in direct conflict with the new culverts, will the re-routing costs be subsidiary to the insulation pay item 626(1)? Reroute costs would be handled as a change order due to unforeseen site conditions. The sewer main was located using manholes during the design and we do not anticipate this will be required.
- 14. Section 627 Water System 627-1.01 & 2.01 If the water main is in need of replacement or repair due to existing conditions, is this work subsidiary to the insulation pay item 627(1)? If the existing water main requires repair or replacement unrelated to construction activities, this would be handled as a change order due to unforeseen site conditions.
- 15. Section 627 Water System If the water main is in direct conflict with the new culverts, will the re-routing costs be subsidiary to the insulation pay item 627(1)? Reroute costs would be handled as a change order due to unforeseen site conditions. The water main was located by potholing during the design and we do not anticipate this will be required.
- 16. Section 690(4) Vegetative Mat Will the Engineer be present during each of the deep watering sessions throughout the first and second growing seasons? *Yes*
- 17. Section 703-2.04 (Aggregate for Asphalt) Is it acceptable to utilize aggregate meeting a degradation value of 20? *Yes*

Bid Schedule B & C:

18. Is the intent to work in the dry for the Weir Removal & Bridge Removal work? I.e. will diversions and dewatering be required to perform this work? *The weir and bridge removal work may be performed in the wet. A diversion is not required.*

Additional Questions:

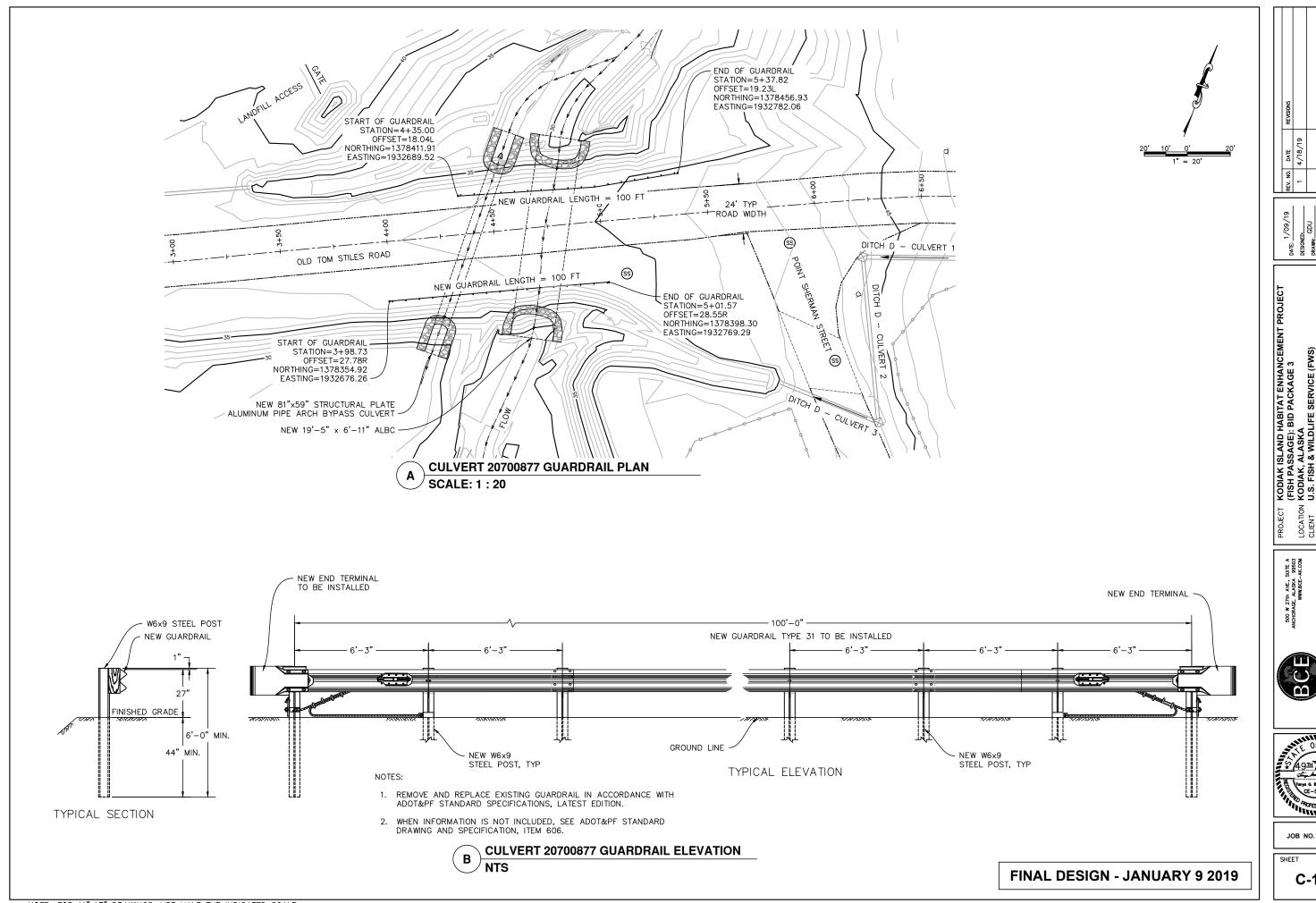
- 19. Has a SHPO Permit been acquired for this project? Yes. See attached.
- 20. When Ditches are realigned, is this work subsidiary? *This work is incidental to the pay item*.
- 21. Section 606 Guardrail I got some more info from our Guardrail Sub. The existing end treatments are a NCHRP 230 (BCT) Breakaway Cable Terminal and they have not been used since 1998, parts are not available, and likely are supported underground in a steel drum full of concrete. The existing guardrail will have to get new spacing blocks, new hardware, and some of the rail is bent up and needing replacement. It's likely some of the steel posts will need replacement as well depending on if they were bent on original installation. We suggest replacing the entire system with new rail, steel posts, composite block outs, and

NCHRP 350 End Terminals for the oncoming traffic ends and beaver tails for trailing ends. *The Contractor shall replace all existing guardrail in the project area. See revised plan sheet C-115 attached to this addendum.*

There are no further changes to the ITB at this time.

| Bidders are required to acknowledge the or by FAX prior to the | quotes being due. |
|--|-------------------|
| ************************************** | |
| Name/Title | Date |
| | |

END OF ADDENDUM



NOTE: FOR 11"x17" DRAWINGS, USE HALF THE INDICATED SCALE.





JOB NO. 1598.17



Department of Fish and Game

DIVISION OF HABITAT Southcentral Region Office

> 333 Raspberry Road Anchorage, Alaska Main: 907.267.2342 Fax: 907.267.2499

FISH HABITAT PERMIT FH19-II-0067

ISSUED: March 12, 2019 **EXPIRES:** Life of Structure

Kodiak Soil and Water Conservation District Attn: Ms. Kari Linkenhoker 301 Research Court, Room 245 Kodiak, AK 99615

Dear Ms. Linkenhoker:

Re: Culvert Replacement

Unnamed Stream (Water Body No. 259-21-10120-2006)

Section 10, T 28 S, R 20 W, SM Coordinates: 57.765 N, 152.502 W ADF&G Culvert No. 20700877

Pursuant to the anadromous fish act at AS 16.05.871 (b), the Alaska Department of Fish and Game (ADF&G) Division of Habitat has reviewed your proposal to replace a culvert located in an unnamed tributary to Buskin River. The culvert is located under Tom Stiles Road.

Project Description

You propose to replace the existing 8-foot diameter culvert with a 19-foot 5-inch wide, 6-foot 11-inch high aluminum arch culvert. The new 94.7-foot long culvert will be installed on a 1.18% slope (Sheets C-102 through C-104). The culvert will be backfilled to a depth of about 3 feet with class II riprap and material of similar gradation to the native streambed material designed to remain stable at high flows. A meandering 7-foot wide low-flow channel and rock spurs will be constructed in the streambed material inside the culvert (Sheets C-105 and C-106). To reduce scour, class II riprap and material of similar gradation to the native streambed material will be placed about 26 feet upstream of the culvert inlet and about 58 feet downstream of the culvert outlet. The rip rap mix for the culvert backfill and the scour protection apron will include sufficient fines to seal the voids and reduce sub-surface flow.

The work area will be isolated from the unnamed stream by installing a temporary coffer dam and diverting the creek through an 81-inch wide, 59-inch high aluminum arch culvert during construction (Sheet C-101). The culvert and bypass channel will be left in place to provide permanent flood relief. Fish will be removed from the work area and returned to the unnamed stream in accordance with a valid Aquatic Resource Permit. If groundwater is present in the work area during the culvert replacement, water will be pumped from the worksite. Pumped water will be discharged into upland vegetation to filter sediment.

The streambanks upstream and downstream of the new culvert will be reconstructed with compacted salvaged native material and vegetative mats (Sheets C-107 and C-113). All remaining areas disturbed will be stabilized upon completion of the project with topsoil and native seed.

Anadromous Fish Act

Water Body No. 259-21-10120-2006 has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The water body provides habitat for coho and sockeye salmon, as well as Dolly Varden.

In accordance with AS 16.05.871(d), your project is approved subject to the project description, the following stipulations and the permit terms.

- 1. No fuel shall be stored, no vehicles shall be fueled or serviced, and vehicles leaking fuel, hydraulic fluids, or other pollutants shall not be operated below the ordinary high water line of the unnamed tributary.
- 2. In-water work in the flowing channel of the unnamed stream is prohibited July 31 October 31 unless otherwise authorized by the Division of Habitat.
- 3. Work areas shall be isolated from the flowing waters of the unnamed stream at all times during construction. The stream reach downstream of the culvert installation shall be supplied with a constant flow of clean water sufficient to support the aquatic life in the stream and maintain fish passage.
- 4. The new culvert shall be designed, installed, and maintained to accommodate the efficient passage and movement of fish, both upstream and downstream, for the life of the project.
- 5. If pumping water from the unnamed tributary unnamed stream is required during the project for dewatering or diversion, a properly sized and screened structure must surround the water intake structure. The screen mesh shall not exceed 0.1 inches (2.4 millimeter) and the water velocity at the screen surface shall not exceed 0.5 feet per second. The intake screen shall be periodically inspected during operations to ensure that the screening has not collapsed between the water intake and screen surface, that there are no openings in the mesh or gaps between the mesh and frame of the intake structure greater than 0.1 inches, and that the screen has not become blocked by debris.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.05.871 and must be retained on site during project activities. Please be advised that this determination applies only to activities regulated by the Division of Habitat; other agencies also may have jurisdiction under their respective authorities. 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.

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 provision 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, we recommend you consult the Division of Habitat immediately before considering any deviation from the approved plan.

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

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. You shall mitigate any adverse effect upon fish or wildlife, their habitats, or any restriction or interference with public use that the commissioner determines was a direct result of your failure to comply with this permit or any applicable law.

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.

You may appeal this permit decision relating to AS 16.05.871 in accordance with the provisions of AS 44.62.330-630.

Please direct questions about this permit to Habitat Biologist Will Frost at 267-2813 or emailed to william.frost@alaska.gov.

Sincerely,

Doug Vincent-Lang

Commissioner

By Ron Benkert

Southcentral Regional Supervisor

lon Benkons

Enclosures: Sheets C-101 through C-107, and C-113

Email cc:

A. Ott, ADF&G-HAB

T. Polum, ADF&G-SF

K. Schaberg, ADF&G-CF

N. Svoboda, ADF&G-WC

ARP Coordinator, ADF&G-SF

G. O'Doherty, ADF&G-SF

C. Larson, ADNR DMLW

H. Brooks, ADNR DMLW

AWT, Kodiak

J. Rypkema, ADEC

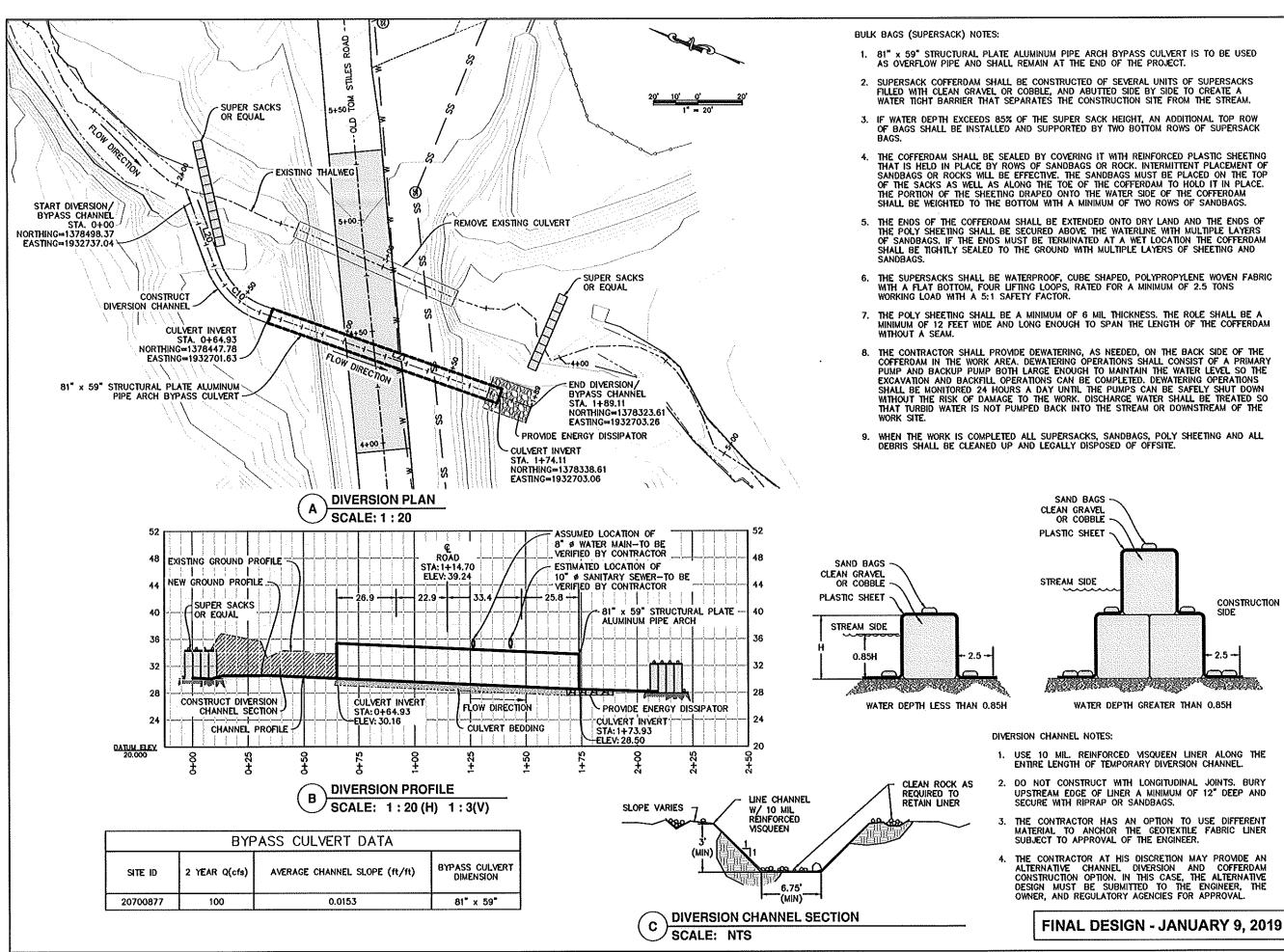
USACE, Regulatory

H. Hanson, USFWS

E. Ammann, NOAA

M. Slife, KIB

C. Lynch, Kodiak Construction Services



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ND HABITAT ENHANCEMENT PROJECT GEJ: BID PACKAGE 3 SKA ALDLIFE SERVICE (FWS)

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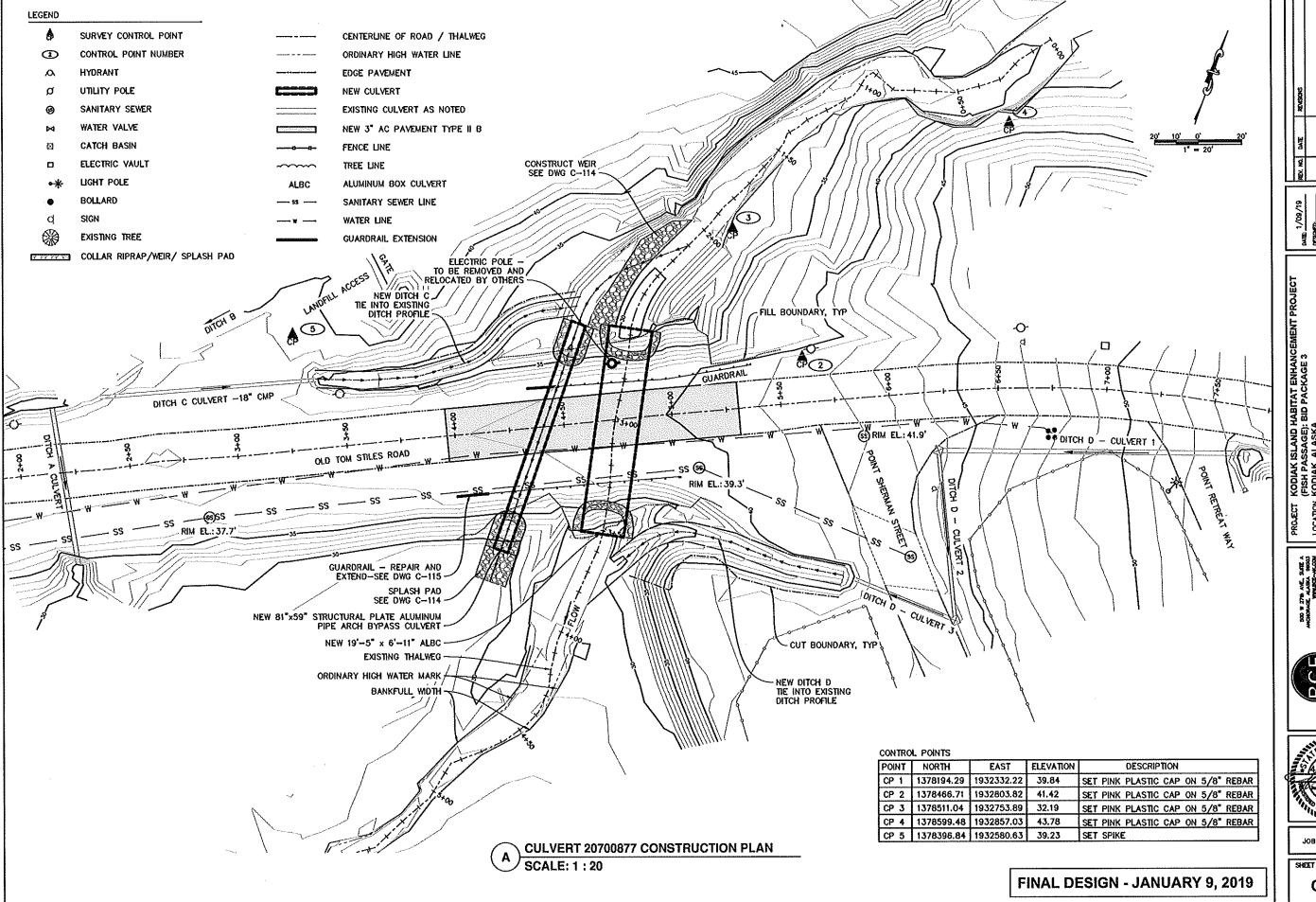
MCHCRARE, ALABA 88303
WINEDCARCOL
PHONE (807) 272-3284
FAX (807) 272-3214



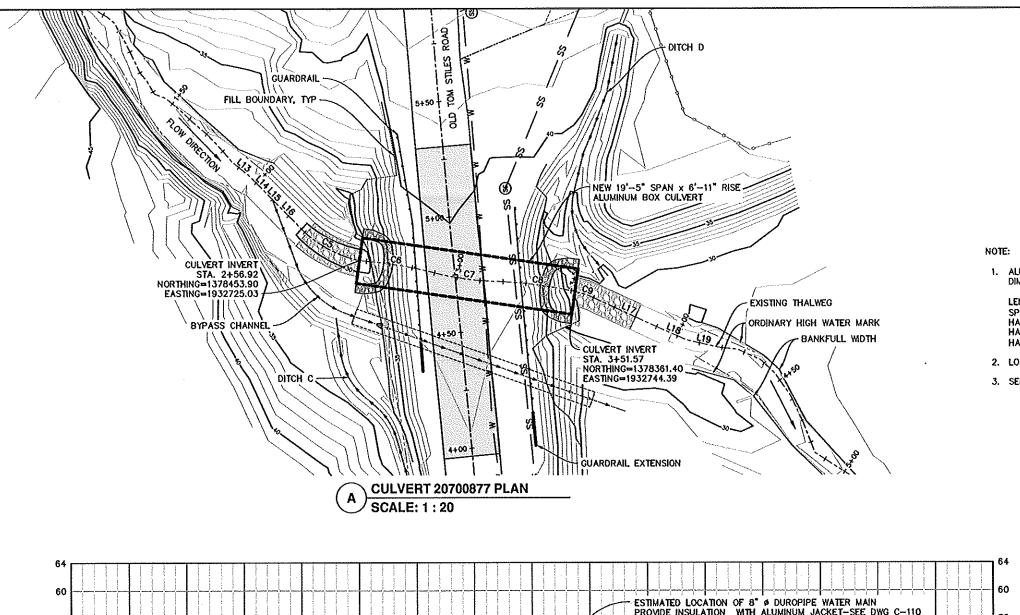


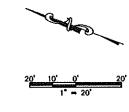
JOB NO. 1598.17

SKEET



JOB NO. 1598.17





1. ALUMINUM BOX CULVERT (ALBC) SHALL HAVE THE FOLLOWING DIMENSIONS:

LENGTH: 94.5'

SPAN: 19'-5"

HAUNCH GAGE: 2

HAUNCH RIB TYPE: TYPE VI
HAUNCH RIB SPACING: 18"

RISE: 6'-11"

CROWN GAGE: 2

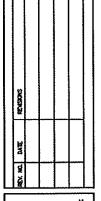
CROWN RIB TYPE: TYPE VI
CROWN RIB SPACING: 18"

- 2. LOAD RATING FOR THE CULVERT SHALL BE HS-20.
- 3. SEE LEGEND ON DWG C-102.

| 64 | | | | | | | 1 |
|-------------|--|--|--|--------------------|-----------------------------|--|----------|
| | | | | | | 8" & DUROPIPE WATER MAIN TH ALUMINUM JACKET-SEE DWG C-110 | |
| 56 | The second secon | To provide a pro | Accord to the control of the control | | ESTIMATED LOCATION OF | 10" ø SANITARY SEWER 1 ALUMINUM JACKET-SEE DWG C-109 | |
| 52 | | | <u>e</u> | | 19'-5" SPAN x 6'- | IT RISE | |
| 48 | | | ROAD STA: 2+9 ELEV: 39 | 9.01 | ALUMINUM BOX CUL | - CHANNEL BANKS | |
| 44 | | SUBSTRATE INVERT | 21.3 - 20.8 - | 29.1 / /23.4 | | EXISTING STREAM THALWED | |
| 40 START OF | STREAM IMPROVEMENT STA: 2+09.28- | CULVERT INVERT | | | SUBSTRATE INVERT | EXISTING WATER SURFACE DURING SURVEY | |
| 36 | | STA: 2+56.92 ELEV: 27.32 | | | CULVERT INVERT | END OF STREAM IMPROVEMENT STA: 4+09.27 ELEV: 27.86 | |
| 32 | <u></u> | | | | STA: 3+51.57 ELEV: 26.21 | | |
| 28 | FLOW DIRECTION | / E2230 | EUCS ECECES | T =1.18x = 17 | / | | \ |
| | START OF SUB | STRATE // 3 | | | II END OF SUBSTRA | TE FLOW DIRECTION. | |
| 24 | | | EL SUBSTRATE SHEET C-106 | ROCK SPUR MATERIAL | STA: 3+80.04 ELEV: 28,20 | | |
| EX 23 02 | 1+75 | +25 +50 | 924 | t25 150 | +75 | +25 +50 +75 | 3 |
| ÷ ÷ | <i>i</i> , | * * | ė ė | й й | ι, 4 | 4 4 4 4 | , u |
| | | | BCULVERT | 20700877 PROFILE | | | |

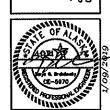
| | N | ew Str | ream |
|--------|--------|--------|----------------------|
| Number | Radius | Length | Line/Chord Direction |
| L13 | | 10.30 | S19" 38" 19.62"W |
| L14 | | 11.25 | S25* 27* 49.97*W |
| L15 | | 3.08 | S25' 27' 49.97"\ |
| L16 | | 14.32 | S25" 27' 49.97"W |
| C5 | 52.54 | 31.97 | S10" 12" 58.48"W |
| C6 | 193.09 | 31.36 | S11" 02" 22.99"E |
| C7 | 124.83 | 30.07 | S11" 54" 39.34"E |
| С8 | 190.42 | 33.23 | S12* 28' 29.08"E |
| C9 | 41.88 | 9.89 | S0" 27" 27.95"E |
| L17 | | 29.01 | S4* 42' 55.77"W |
| L18 | | 13.88 | S3° 35' 15.24"W |
| L19 | | 14.34 | S7" 12" 57.47"E |

FINAL DESIGN - JANUARY 9, 2019



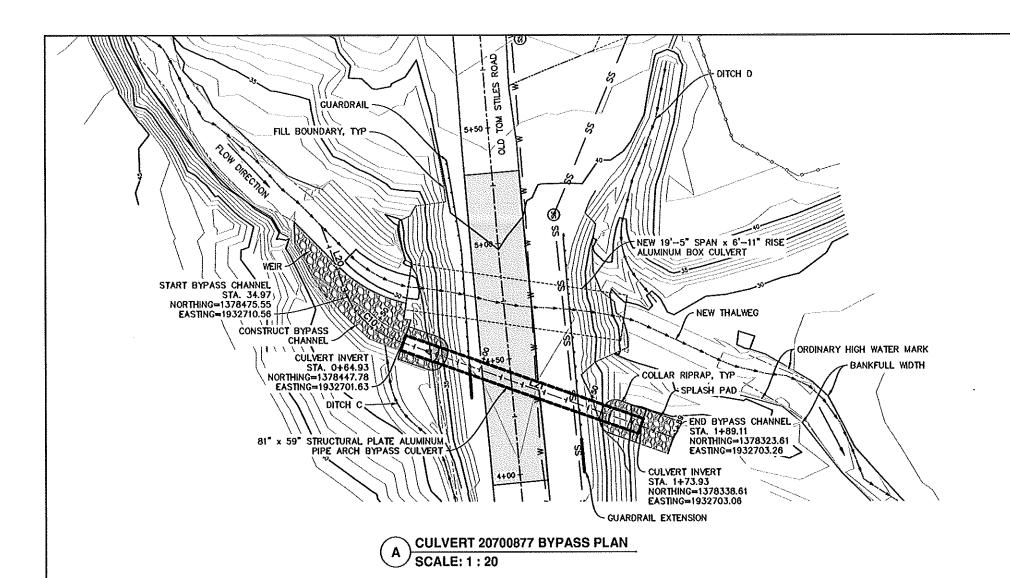
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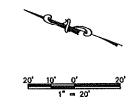




JOB NO. 1598.17

SHEET





NOTE:

1. STRUCTURAL PLATE BYPASS CULVERT SHALL HAVE THE FOLLOWING DIMENSIONS:

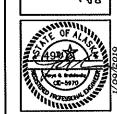
LENGTH: 109' SPAN: 81" MINIMUM GAGE: 10

RISE: 59"

FINAL DESIGN - JANUARY 9, 2019

2. LOAD RATING FOR THE CULVERT SHALL BE HS-20.

| | Вур | ass C | hannel |
|--------|--------|--------|----------------------|
| Number | Radius | Length | Line/Chord Direction |
| L20 | | 32.10 | S49' 46' 02.79"W |
| C10 | 36.38 | 29.83 | S22' 09' 52.25"W |
| L21 | | 127.19 | S0" 45" 04.72"E |



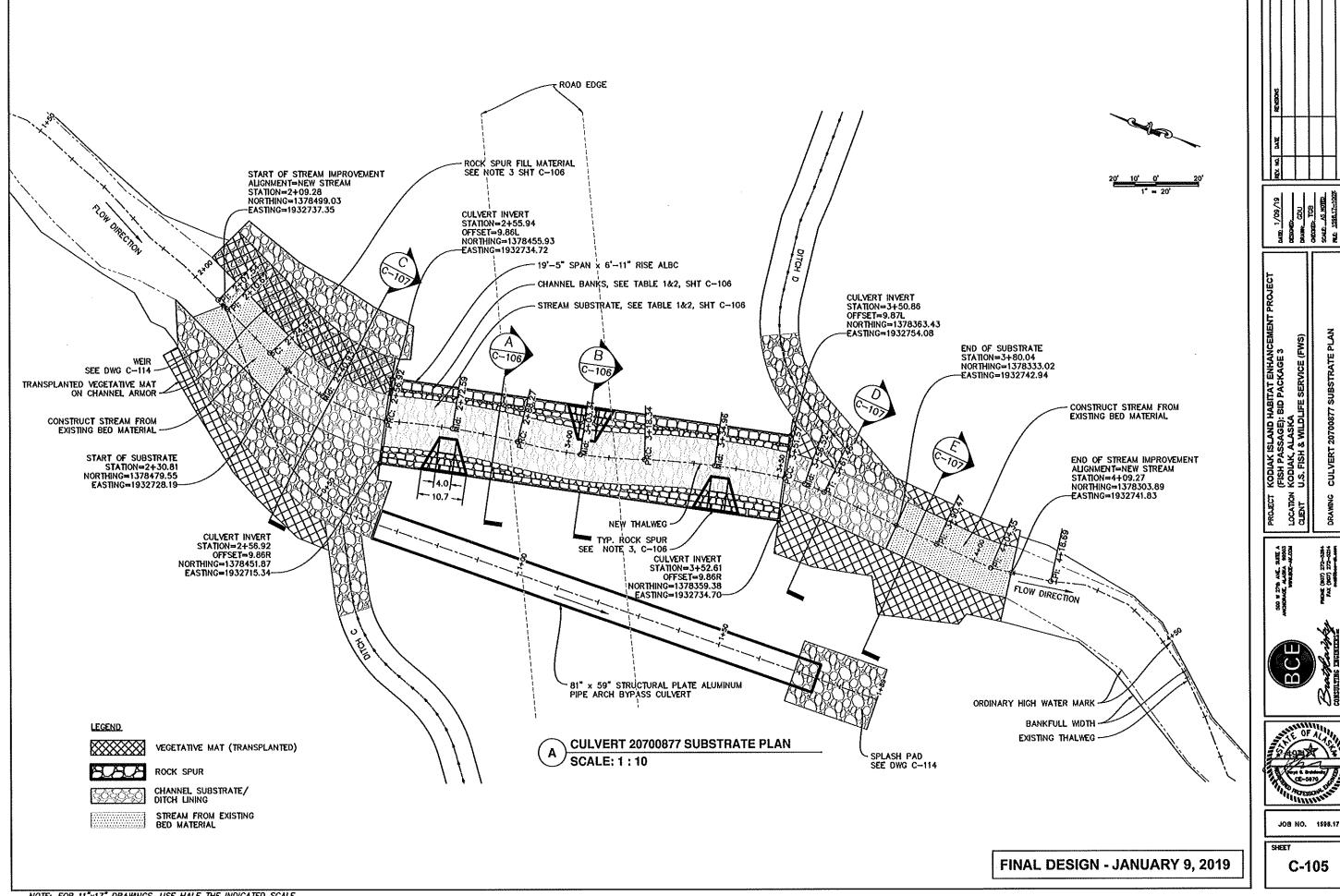
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SHEET

C-104

| 52 | the state of the | | | The state of the s | | IMED LOCATION OF THE WATER MAIN-TO BE | The second secon | 52 |
|----------------------|--|----------------------|--------------|--|----------|---|--|----------------|
| 48 | EXISTING GROUND F | | | € ROAD STA: 1+14.70 | VERIF | FIED BY CONTRACTOR _ MATED LOCATION OF | | 48 |
| 44 | NEW GROUND PROFI | E-) | - 26.9 | 22.9 - 33.4 | | ø sanitary sewer-to fed by contractor | BE | 44 |
| . 40 | | | | | | 81" x 59" STRUC ALUMINUM PIPE A | TURAL PLATE - | 40 |
| 36 | A STATE OF THE STA | V-L | // | | 01 | SPLASH PAD | more described and the second | 36 |
| 32 | | -1.46% | | -1.53% | | SEE DWG C-114 | | 32 |
| 28 | | 2' THICK | CULVERT INVE | RT FLOW DIRE | ECTION V | | 002 0000 0000 0000 0000 0000 0000 | 28 |
| 24 | | DITCH LINING | -ELEV: 30.16 | CULVERT | BEDDING | CULVERT INVERT STA: 1+73.93 ELEV: 28.50 | | 24 |
| 0ATUM ELEV 20.000 | + 400 | SEE DWG C-114 느 유 | +75 | 8 8 | <u>양</u> | 17 - ELEV. 28.30 1 | + 52 | l 20 유 는 |

CULVERT 20700877 BYPASS PROFILE SCALE: 1:20 (H) 1:3(V)



NOTE: FOR 11"x17" DRAWINGS, USE HALF THE INDICATED SCALE.

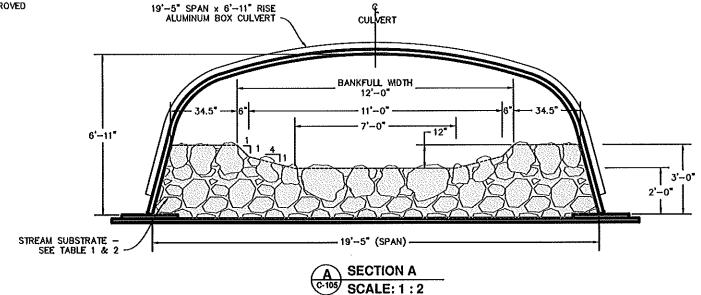
NOTES:

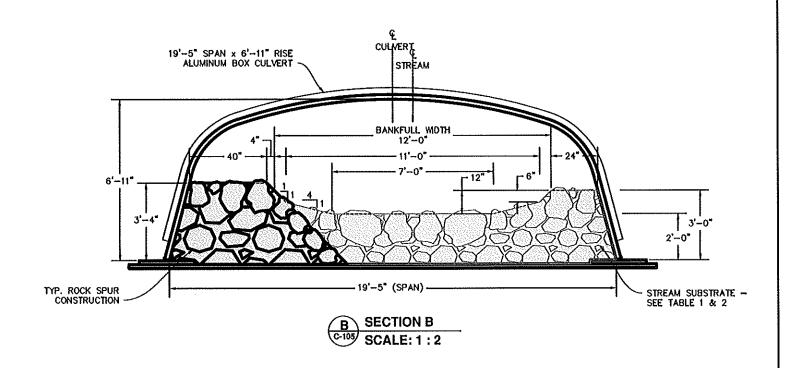
- 1. STREAM SUBSTRATE MATERIAL SHALL BE MIXED AT SITE USING 3 PARTS COARSE MATERIAL TO 1 PART FINE.
- 2. COARSE AND FINE MATERIALS SHALL FOLLOW THE GRADATION NOTED IN TABLE 1 AND 2, RESPECTIVELY.
- 3. ROCK SPUR MATERIALS SHALL BE MIXED USING 1 PART CLASS II RIPRAP, 1 PART COARSE AND 1 PART FINE MATERIAL PER TABLE 1 & 2 BELOW.
- 4. CONSTRUCT STREAM SUBSTRATE AND ROCK CLUSTERS LEAVING A NON-UNIFORM, ROUGH SURFACE. CONTRACTOR SHALL WASH FINE MATERIALS INTO COARSE MATERIALS UNTIL BED IS SEALED AND WATER POOLS ON SURFACE. ADDITIONAL FINES MAY BE REQUIRED DURING THIS PROCESS.
- 5. STREAM SHALL NOT BE RE-DIVERTED INTO CULVERT UNTIL ENGINEER HAS APPROVED BED MATERIALS ARE SUFFICIENTLY SEALED.
- 6. HAND PLACEMENT OF ROCKS WILL BE REQUIRED FOR CHANNEL CONSTRUCTION AND SHOULD BE SUPERVISED AND APPROVED BY THE ENGINEER.
- 7. EQUIPMENT SMALL ENOUGH TO FIT INTO CULVERT MAY BE USED TO FILL IN THE SUBSTRATE VOIDS.

| TABLE 1 | | | | | |
|---------------------------|-----------|--|--|--|--|
| COARSE MATERIAL (3 PARTS) | | | | | |
| SIZE | % PASSING | | | | |
| 9" | 100 | | | | |
| 7" | 80-90 | | | | |
| 4" | 45-55 | | | | |
| 3" | 25-35 | | | | |
| 2* | 10-20 | | | | |

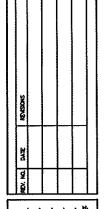
| TABLI | 2 |
|--------------|------------|
| FINE MATERIA | L (1 PART) |
| SIZE | % PASSING |
| 2* | 100 |
| 1.25* | 75-85 |
| 1" | 65→75 |
| 1/2" | 45-55 |
| # 4 | 20-30 |
| # 10 | 20 |
| # 40 | 10 |

| | STRE | AM COOR | DINATE T | ABLE |
|---------|-----------|------------|------------|---------------|
| Point # | Elevation | Northing | Easting | Description |
| 1000 | 30.22 | 1378510.75 | 1932742.93 | 1+96.30 → PI |
| 1001 | 30.22 | 1378500.59 | 1932738.09 | 2+07.54 - Pl |
| 1002 | 30.21 | 1378497.81 | 1932736.77 | 2+10.62 Pl |
| 1003 | 30.04 | 1378484.88 | 1932730.61 | 2+24.94 - PC |
| 1004 | 29.85 | 1378469.82 | 1932725.45 | 2+40.93 - Mid |
| 1005 | 29.66 | 1378453.90 | 1932725.03 | 2+56.92 - PRC |
| 1006 | 29.47 | 1378438.65 | 1932728.65 | 2+72.59 - Mid |
| 1007 | 29.29 | 1378423.16 | 1932731.03 | 2+88.27 - PRC |
| 1008 | 29.11 | 1378408.29 | 1932733.24 | 3+03.31 - Mid |
| 1009 | 28.93 | 1378393.80 | 1932737.22 | 3+18.34 - PRC |
| 1010 | 28.74 | 1378377.76 | 1932741.51 | 3+34.96 → Mid |
| 1011 | 28,54 | 1378361.40 | 1932744.39 | 3+51.57 - PCC |
| 1012 | 28.48 | 1378356.47 | 1932744.72 | 3+56.52 - Mid |
| 1013 | 28.42 | 1378351.54 | 1932744.47 | 3+61.46 - PT |
| 1014 | 28.08 | 1378322.62 | 1932742.08 | 3+90.47 PI |
| 1015 | 27.92 | 1378308.78 | 1932741.21 | 4+04.35 - Pl |
| 1016 | 27.32 | 1378294.55 | 1932743.01 | 4+18.69 - Pl |





FINAL DESIGN - JANUARY 9, 2018



DANK. (DO) CESTONED. COUNTY CO

KAGE 3

VICE (FWS)
S SECTIONS

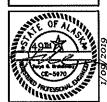
(FISH PASSAGE): BID PACKA ION KODIAK, ALASKA U.S. FISH & WILDLIFE SERVIC

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FAX (907) 272---624

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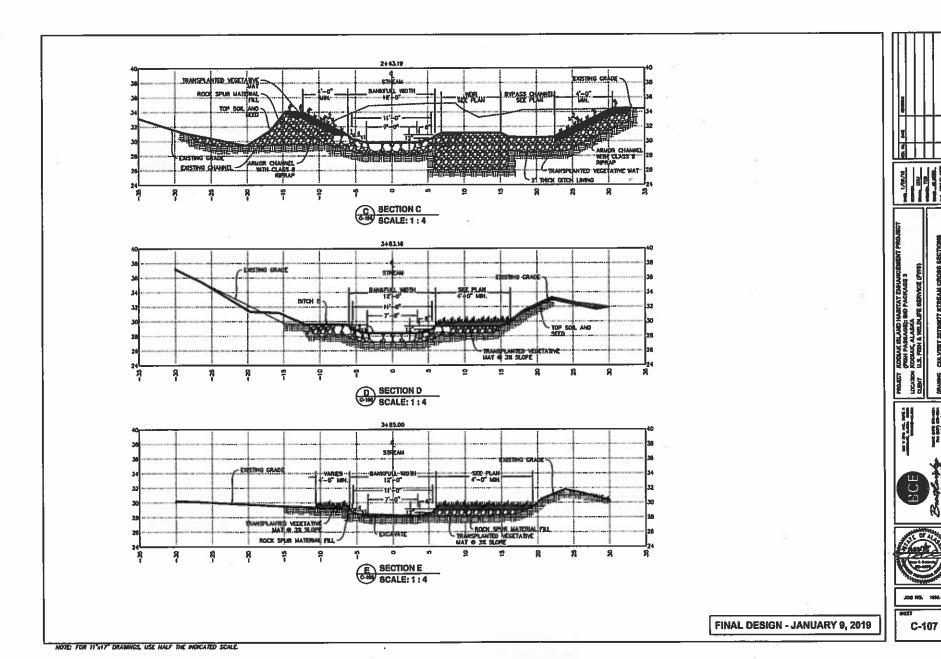
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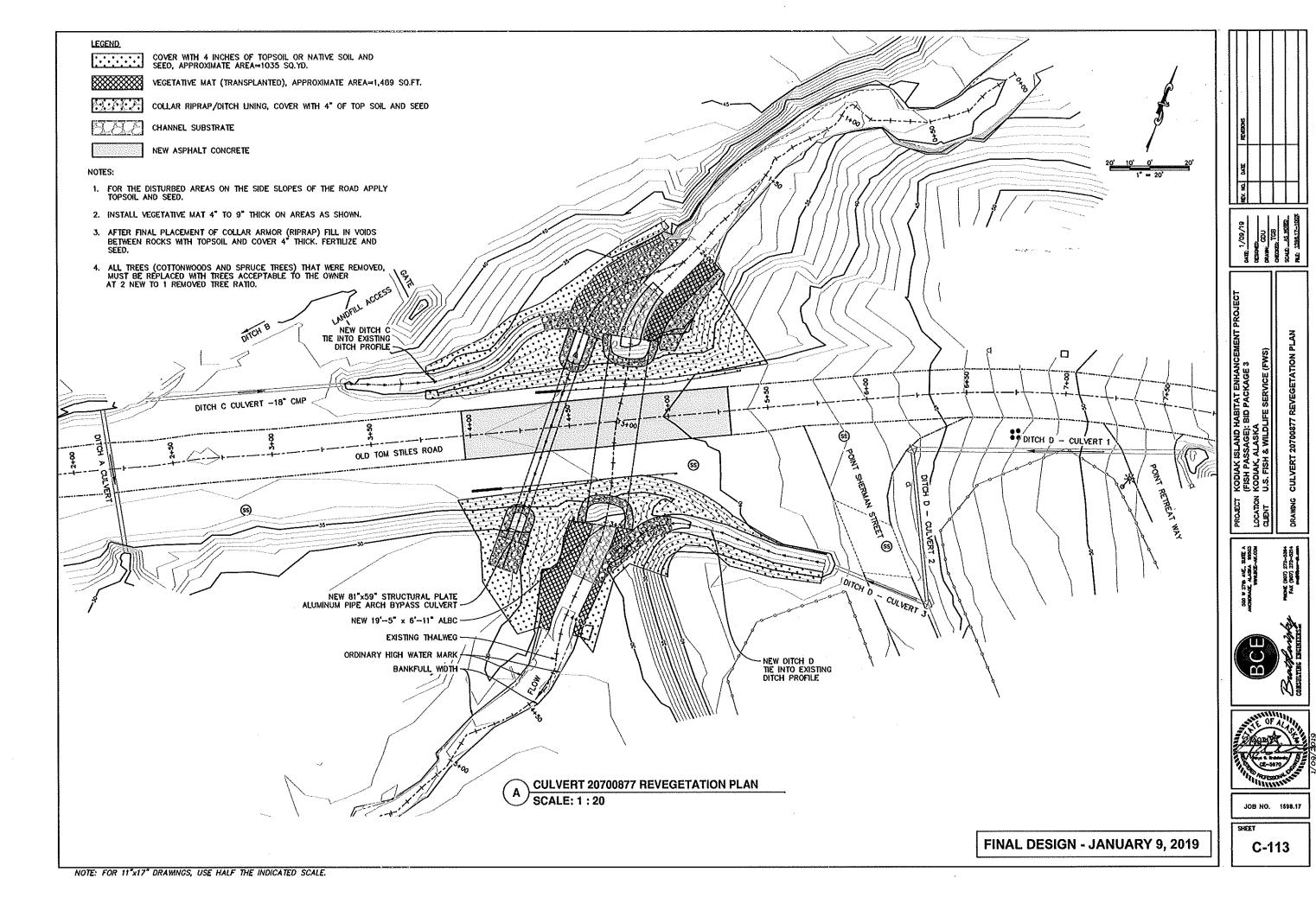
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JOB NO. 1598.17

SHEET







Department of Fish and Game

DIVISION OF HABITAT Southcentral Region Office

> 333 Raspberry Road Anchorage, Alaska Main: 907.267.2342 Fax: 907.267.2499

FISH HABITAT PERMIT FH19-II-0068

ISSUED: March 12, 2019 **EXPIRES:** December 31, 2021

Kodiak Soil and Water Conservation District Attn: Ms. Kari Linkenhoker 301 Research Court, Room 245 Kodiak, AK 99615

Dear Ms. Linkenhoker:

Re: Debris Removal

Unnamed Tributary (Water Body No. 259-21-10120-2006)

Section 10, T 28 S, R 20 W, SM Location: 57.7650 N, 152.5028 W Location: 57.7579 N, 152.5103 W

Pursuant to the anadromous fish act at AS 16.05.871 (b), the Alaska Department of Fish and Game (ADF&G) Division of Habitat has reviewed your proposal to remove an abandoned weir and bridge and restore the streambanks near the outlet of Lake Catherine.

Project Description

You propose to remove a wood weir from an unnamed stream. The weir is located directly downstream from the outlet of Lake Catherine (C-200). A tracked excavator will access the site from an abandoned road after clearing brush for about 250feet. The debris will be removed from the stream channel and placed in an approved upland location. Once the weir is removed, the disturbed streambanks will be reconstructed with compacted salvaged native material and vegetative mats. All remaining disturbed areas will be stabilized with topsoil and native seed, and removed trees will be replaced (Sheets C-201 through C-203).

An abandoned wood deck bridge located about 780 feet upstream of the Buskin River will be removed. A tracked excavator will access the site from an abandoned road. The bridge deck and five steel piles supporting the bridge will be removed from the stream using best management practices to prevent materials from entering the unnamed stream (Figure 1). The wood abutments will remain in place. Miscellaneous anthropogenic debris will be removed 100 feet upstream or downstream of the project area.

Anadromous Fish Act

Water Body No. 259-21-10120-2006 has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The water body provides habitat for coho and sockeye salmon, as well as Dolly Varden.

In accordance with AS 16.05.871(d), your project is approved subject to the project description, the following stipulations and the permit terms.

- 1. No fuel shall be stored, no vehicles shall be fueled or serviced, and vehicles leaking fuel, hydraulic fluids, or other pollutants shall not be operated below the ordinary high water line of the unnamed stream.
- 2. The restored channel shall be designed and maintained to accommodate the efficient passage and movement of fish, both upstream and downstream.
- 3. All bridge components and debris shall be completely removed from the natural streambed.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.05.871 and must be retained on site during project activities. Please be advised that this determination applies only to activities regulated by the Division of Habitat; other agencies also may have jurisdiction under their respective authorities. 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.

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 provision 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, we recommend you consult the Division of Habitat immediately before considering any deviation from the approved plan.

You shall give an authorized representative of the state free and unobstructed access to the permit site, at safe and reasonable times, for the purpose of inspecting or monitoring compliance with any provision of this permit. You shall furnish whatever assistance and information the authorized representative reasonably requires for monitoring and inspection purposes. 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. You shall mitigate any adverse effect upon fish or wildlife, their habitats, or any restriction or interference with public use that the commissioner determines was a direct result of your failure to comply with this permit or any applicable law.

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.

You may appeal this permit decision relating to AS 16.05.871 in accordance with the provisions of AS 44.62.330-630.

Please direct questions about this permit to Habitat Biologist Will Frost at 267-2813 or emailed to william.frost@alaska.gov.

Sincerely,

Doug Vincent-Lang

Commissioner

By Ron Benkert

Southcentral Regional Supervisor

in Benkon

Enclosures: Sheets C-200 through C-203, and Figure 1

Email cc:

A. Ott, ADF&G-HAB

T. Polum, ADF&G-SF

K. Schaberg, ADF&G-CF

N. Svoboda, ADF&G-WC

ARP Coordinator, ADF&G-SF

G. O'Doherty, ADF&G-SF

C. Larson, ADNR DMLW

H. Brooks, ADNR DMLW

J. Rypkema, ADEC

AWT, Kodiak

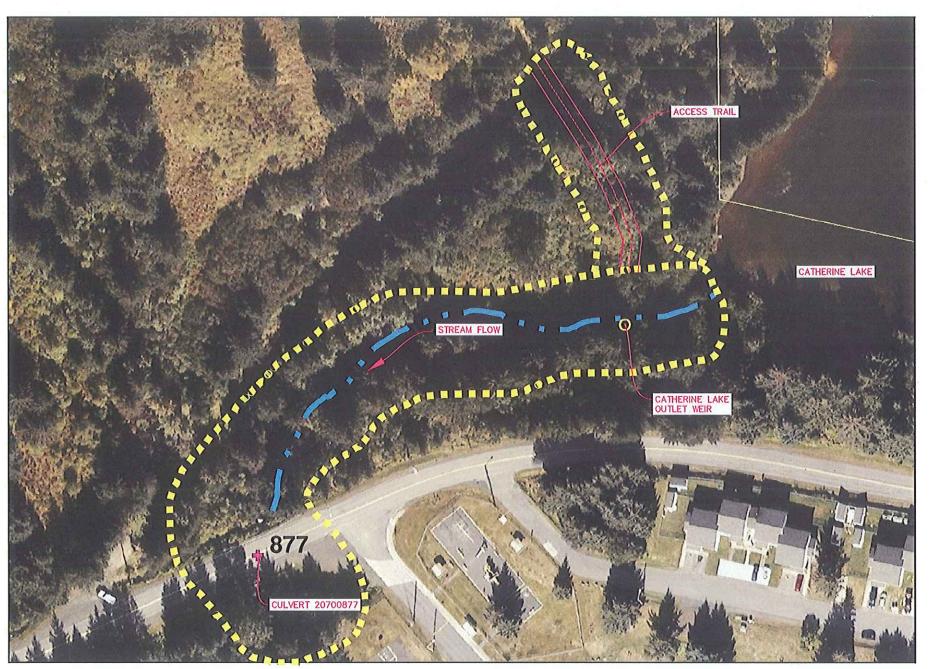
USACE, Regulatory

H. Hanson, USFWS

E. Ammann, NOAA

M. Slife, KIB

C. Lynch, Kodiak Construction Services



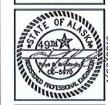
NOTES:

- THE CONTRACTOR IS RESPONSIBLE FOR CLEARING THE TRAIL FOR PROJECT ACCESS.
- REMOVE MINIMUM VEGETATION AS REQUIRED FOR ACCESS.

FINAL DESIGN - JANUARY 9, 2019

| REVISIONS | | |
|---------------|---|--|
| DATE | 1 | |
| REV. NO. DATE | | |



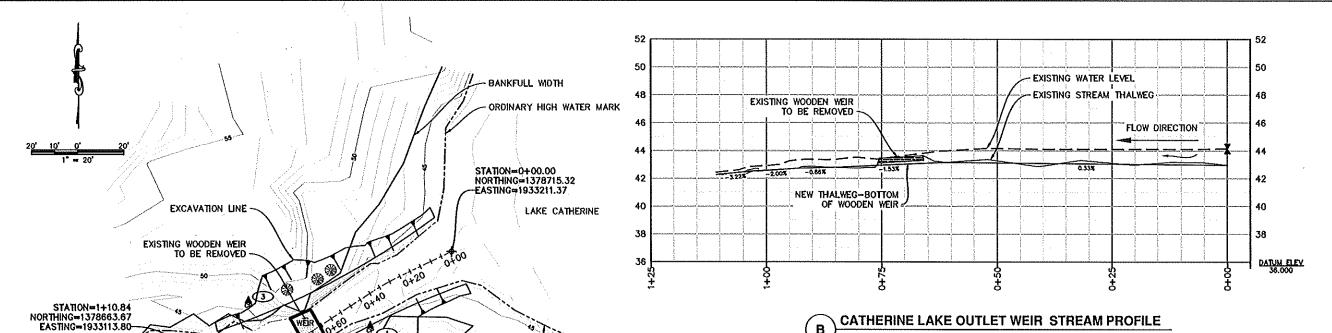


JOB NO. 1598.17

SHEET

C-200

PROJECT LOCATION MAP
SCALE: 1:5



- ORDINARY HIGH WATER MARK

BANKFULL WIDTH

SCALE: 1: 10 (H) 1:3 (V)

CONTROL POINTS

| POINT | NORTH | EAST | ELEVATION | DESCRIPTION |
|-------|------------|------------|-----------|------------------------------------|
| CP 1 | 1378682.29 | 1933175.86 | 45.15 | SET PINK PLASTIC CAP ON 5/8" REBAR |
| CP 3 | 1378693.01 | 1933123.08 | 45.98 | SET PINK PLASTIC CAP ON 5/8" REBAR |
| CP 4 | 1378540.14 | 1933148.72 | 60.59 | SET PINK PLASTIC CAP ON 5/8" REBAR |

WEIR MEASUREMENT TABLE

| LOCATION | TOP CHANNEL WIDTH | TOE CHANNEL WIDTH |
|-----------------|-------------------|-------------------|
| WEIR UPSTREAM | 15' | 11' |
| WEIR DOWNSTREAM | 16' | 13' |

GENERAL NOTES:

- THE WORK INCLUDES REMOVAL AND LEGAL DISPOSAL OF THE EXISTING WOODEN WEIR AND DEBRIS IN THE STREAM.
- 2. WIDEN THE STREAM SIDE SLOPES AS SHOWN ON THE PLAN AND CROSS SECTIONS (DWG C-202 &
- 3. ALL DISTURBED OR EXCAVATED SIDE SLOPES WILL BE SEEDED IN ACCORDANCE WITH THE SPECIFICATIONS.
- 4. LEAVE THE STREAM BED AS-IS AFTER REMOVAL OF WOODEN WEIR.

FINAL DESIGN - JANUARY 9, 2019

| LOCATION | TOP CHANNEL WIDTH | TOE CHANNEL WIDTH |
|-----------------|-------------------|-------------------|
| WEIR UPSTREAM | 15' | 11' |
| WEIR DOWNSTREAM | 16' | 13' |

SURVEY NOTES

1. THIS DRAWING IS BASED ON A FIELD SURVEY PERFORMED BY EDGE SURVEY AND DESIGN, LLC ON

(1)

SCALE: 1:20

CATHERINE LAKE OUTLET WEIR STREAM PLAN

- 2. THE BASIS OF HORIZONTAL CONTROL IS CONTROL POINT 1 (SEE COORDINATE TABLE)
- 3. COORDINATES SHOWN HEREON ARE ALASKA STATE PLANE ZONE 5, NAD83, U.S. SURVEY FEET.
- 4. DISTANCES SHOWN ARE ALASKA STATE PLANE ZONE 5, NAD83, U.S. SURVEY FEET DISTANCES.
- 5. ELEVATIONS SHOWN HEREON ARE BASED ON AN OPUS DERIVED NAVDBB ORTHOMETRIC HEIGHT, GEOID 12B, ON CONTROL POINT 1..

LEGEND

EXCAVATION LINE

SURVEY CONTROL POINT

3 CONTROL POINT NUMBER

_____ THALWEG

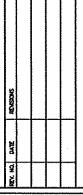
---- ORDINARY HIGH WATER LINE

TREE LINE

TRASH •

TREES - ASSUMED LOCATION, TO BE VERIFIED BY THE CONTRACTOR

NOTE: FOR 11"x17" DRAWINGS, USE HALF THE INDICATED SCALE.



| <u> </u> | | | <u>_</u> | | | _ |
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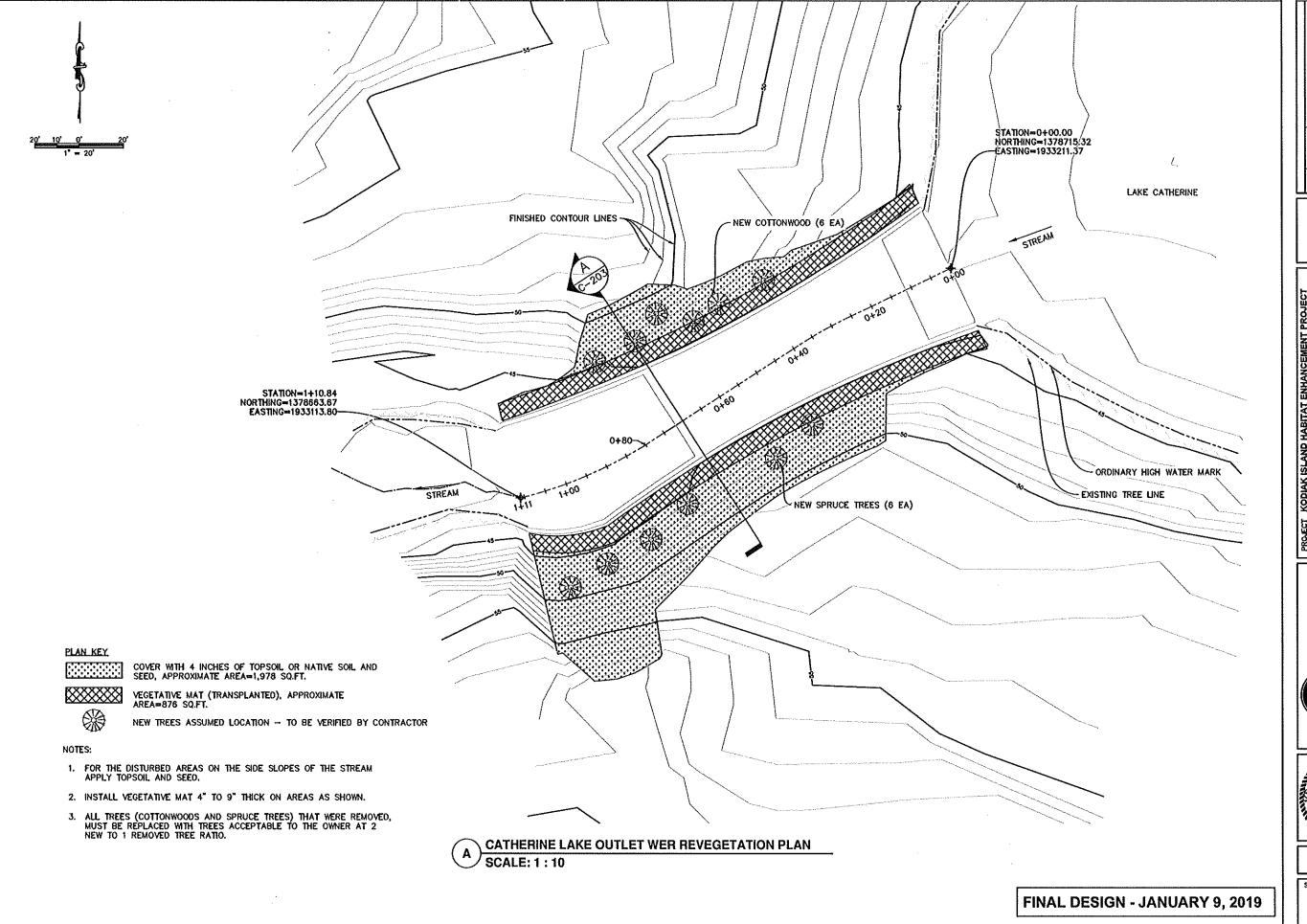
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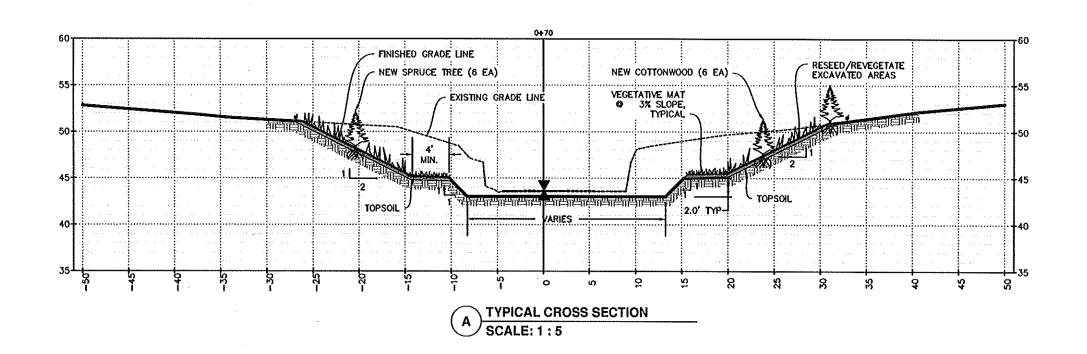


NOTE: FOR 11"x17" DRAWINGS, USE HALF THE INDICATED SCALE.



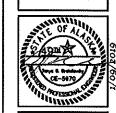


JOB NO. 1598.17



300 W 275 AVE, SUTE A ANCHORACE, ALASKA 19503 WWILDGE-ALCOM





JOB NO. 1598.17





ALASKA DEPARTMENT OF NATURAL RESOURCES Division of Mining, Land, and Water

Water Resources Section

550 West 7th Avenue, Suite 1020, Anchorage, AK 99501-3562

TEMPORARY WATER USE AUTHORIZATION TWUA A2019-11

Pursuant to AS 46.15, as amended and the rules and regulations promulgated thereunder, permission is hereby granted to the Kodiak Soil and Water Conservation District (authorization holder), 301 Research Ct, Room 245 Kodiak, AK 99615, and its contractors, to divert the entire stream flows and dewater the work sites (as needed) that are described below from May 1 to August 30th of each authorized year. Water use is associated with the Kodiak Island Habitat Enhancement Project to install fish passage improvements at three locations on Battery Creek, one location on an Unnamed Tributary to Battery Creek, two locations on a separate Unnamed Tributary to Battery Creek, one at the Unnamed Tributary to Lake Louise as it crosses Old Tom Stiles Road and the removal of a culvert and construction of a new stream channel (without a culvert) along the Unnamed Tributary to Genivieve (aka Boy Scout) Lake. Any dewatering needed will be discharged to vegetated uplands.

SOURCES OF WATER:

- 1. Battery Creek and worksites in Section 9 of Township 28 South, Range 20 West, Seward Meridian. There are four culverts being installed on Battery Creek (culvert 20703248, 20703256, 20703259A and 20703259B).
- 2. Unnamed Tributary #1 to Battery Creek & worksite for culvert 20703253 in Section 9 of Township 28 South, Range 20 West, Seward Meridian.
- 3. Unnamed Tributary #2 to Battery Creek & worksites for culverts 20703254 and 20703255 in Section 9 of Township 28 South, Range 20 West, Seward Meridian.
- 4. Unnamed Tributary to Genivieve (aka Boy Scout) Lake and worksite for culvert 20703471 in Section 11 of Township 28 South, Range 20 West, Seward Meridian.
- 5. Unnamed Tributary to Lake Louise and worksite for culvert 2070877 in Section 10, Township 28 South, Range 20 West, Seward Meridian.

STRUCTURES TO BE CONSTRUCTED AND USED:

As described in the application materials received on January 17, 2019 and March 5, 2019:

Unless otherwise stated, a temporary coffer dam will be constructed at each location to isolate the work areas. Pump(s) with a 6" intake or less, up to a 1,000 gpm output, pipe/hose and appropriate sediment trapping method will be used. Disturbed areas will be stabilized with topsoil and native seed, and the streambanks upstream and downstream of the new culverts will be reconstructed with native material and vegetative mats. Perimeter controls (silt fence, fiber roll or similar material) will be used to prevent disturbed sediment from entering water bodies.

Battery Creek

- 1. Culvert 20703248: The creek will be diverted through a 120'x4'x3' lined channel and 36" diameter culvert during the installation of a new 63'x15'9"x8' aluminum arch culvert. Riprap and other material will be placed ~15' upstream and downstream of the new culvert. After the new culvert is installed, the existing ditch downstream will be backfilled and the stream placed back into the historic channel.
- 2. Culvert 20703256: The creek will be diverted through the existing 24" diameter culvert during the installation of a new 47'x84" aluminum culvert. ~240' of the downstream channel will be

- reconfigured to merge with the new culvert. After the new culvert is installed, the stream will be rerouted to the new culvert and the existing culvert will be removed.
- 3. Culvert #20703259A & 20703259B: A new 47'x48" culvert will be constructed ~50' downstream of the existing culvert at 20703259B during times of no flow. Following construction of 20703259B, the stream at 20703259A will be diverted to this culvert and the existing 18" diameter culvert (20703259A) will be removed and replaced with a new 54'x48" diameter aluminum culvert at the same location. Riprap and other material will be placed upstream and downstream of the new culverts. Following the completion of 20703259A, the diversion will be removed and the stream allowed to flow naturally back through 20703259A.

Unnamed Tributary #1 to Battery Creek

Culvert 20703253: The stream will be diverted through a 28'x2.5'x2.5' lined channel and temporary 18" diameter culvert during the installation of a new 50'x72" diameter aluminum culvert. Riprap and other material will be placed ~10' upstream and ~12' downstream of the new culvert. Following installation, the existing 48" culvert will be removed and the ditch reconfigured to provide fish passage into a wetland.

Unnamed Tributary #2 to Battery Creek

- 1. Culvert 20703254: The stream will be diverted through a 30'x3'x3' lined channel and the existing culvert during the installation of a new 63'x15'9"x8' aluminum box culvert. Riprap and other material will be placed upstream and downstream of the new culvert. After the new culvert is installed, the existing ditch and culvert will be backfilled and the stream redirected into the historic stream channel.
- 2. Culvert 20703255: The stream will remain in the existing culvert during the installation of a new 54'x13'3"x6'9" aluminum box culvert. Riprap and other material will be placed upstream and downstream of the new culvert. After the new culvert is installed, the stream will be rerouted to the new culvert and the existing channel and culvert will be backfilled.

Unnamed Tributary to Genivieve (aka Boy Scout) Lake (culvert 20703471)

The stream will remain in the existing culvert during the installation of a new stream channel and bank improvements adjacent to the current culvert. A pump around will be used to keep the work area dry. The existing 18" diameter culvert will be removed and backfilled after the stream is rerouted to the new channel. A temporary sediment filter will be installed downstream of the new channel.

Unnamed Tributary to Lake Louise at Old Tom Stiles Road (culvert 2070877)

The stream will be diverted through a 65'x7'x5' lined channel and 81"x59" aluminum culvert located ~38' west of the existing culvert. A new 94.7'x19.'5"x6'11" aluminum arch culvert will be installed. Riprap and other material will be placed ~26' upstream of the new culvert and ~58' downstream. The bypass channel and diversion culvert will stay in place for flood relief.

Changes in the natural state of water are to be made as stated herein and for the purposes indicated.

The authorization holder shall comply with the following conditions:

CONDITIONS:

- 1. This authorization does not authorize the authorization holder to enter upon any lands until proper rights-of-way, easements or permission documents from the appropriate landowner have been obtained.
- 2. Follow acceptable engineering standards in exercising the privilege granted herein.
- 3. Comply with all applicable laws, and any rules and/or regulations issued thereunder.
- 4. Except for claims or losses arising from negligence of the State, defend and indemnify the State, the State's agents and the State's employees against and hold each of them harmless from any and

all claims, demands, suits, loss, liability and expense, including attorney fees, for injury to or death of persons and damages to or loss of property arising out of or connected with the exercise of the privileges covered by this authorization.

- 5. Notify the Water Resources Section upon change of address.
- 6. The authorization holder is responsible for obtaining and complying with other permits/approvals (state, federal, or local) that may be required prior to beginning activities pursuant to this authorization including, but not limited to, fish habitat permits from the Alaska Department of Fish and Game (ADF&G), Habitat Division and any adjacent landowner or agency.
- 7. The authorization holder shall allow an authorized representative of the Water Resources Section to inspect at reasonable times any facilities, equipment, practices or operators regulated or required under this authorization.
- 8. Failure to respond to a request for additional information during the term of the authorization may result in the termination of this authorization.
- 9. This authorization, or a copy thereof, shall be kept at the site of the authorized project described herein. The authorization holder is responsible for the actions of contractors, agents or other persons who perform work to accomplish the approved project and shall ensure that workers are familiar with the requirements and conditions of this authorization. For any activity that significantly deviates from the approved project during its siting, construction or operation, the authorization holder is required to contact the Water Resources Section and obtain approval before beginning the activity.
- 10. The Water Resources Section may modify this authorization to include different limitations, expand monitoring requirements, evaluate impacts or require restoration at the site.
- 11. Any false statements or representations in any application, record, report, plan or other document filed or required to be maintained under this authorization may result in the termination of this authorization.
- 12. Pursuant to 11 AAC 93.220(f), this authorization may be suspended or terminated by the Department of Natural Resources to protect the water rights of other persons or the public interest.
- 13. Operations shall not cause or contribute to the spread of preexisting or authorization holder caused contaminate plumes. Operations shall be conducted in such a way as to prevent any petroleum products or other hazardous substances from contaminating surface or ground water. Pumps and equipment will not be fueled or serviced within 100 feet of a pond, lake, stream or river unless they are situated within a catch basin designed to contain any spills. Vehicles will not be fueled or serviced within 100 feet of a pond, lake, stream or river. In case of accidental spills, absorbent pads shall be readily available at the water collection point. All spills must be reported to the Alaska Department of Environmental Conservation (ADEC) and the Alaska Department of Natural Resources. Authorization holder shall cooperate with lawful prohibitions, restrictions, instructions or work plan requirements issued by ADEC for authorization holder's projects.
- 14. All equipment used at or adjacent to water bodies must be clean and free from contamination and invasive species (terrestrial and aquatic) at all times to prevent the introduction of contamination and invasive species to the water body.
- 15. Except as described in the application materials: if banks, shores or beds are inadvertently disturbed, excavated, compacted or filled by activities attributable to this project, they shall be immediately stabilized to prevent erosion and resultant sedimentation of water body which could occur both

during and after operations. The Water Resources Section is to be notified immediately if the above occurs. Additional corrective action may be required by ADNR and the land manager/owner.

16. The authorization holder shall inspect the intake screen for damage (torn screen, crushed screen, screen separated from intake ends, etc.) after each use and prior to each deployment. Any damage observed must be repaired prior to use of the structure. The structure must always conform to the original design specifications while in use.

17. Water discharge (including runoff) shall not be discharged at a rate or location resulting in sedimentation, erosion, hazards within adjacent or nearby properties, road rights-of-way, storm sewer systems or other disruptions to the bed or banks of water bodies.

18. Any water intake structure in fish bearing waters (including a screened enclosure, well-point, sump or infiltration gallery) must be designed, operated and maintained to prevent fish entrapment, entrainment or injury, unless specifically exempted by the Alaska Department of Fish and Game, Habitat Division.

19. Except as described in the application materials, issuance of this authorization does not give the authorization holder the right to block or dam a water course.

20. Deviations from the project description submitted with the application which affect water amounts, operation, diversions or point of discharge must be approved by DNR in writing prior to implementation.

21. The placement of equipment shall not unnecessarily hinder public access.

22. Only water use is being authorized with this authorization. No ground disturbance, clearing, mulching, mowing, rutting or other land use can occur in conjunction with the activities in this authorization without the express approval of the land manager/owner.

23. Per 11 AAC 05.260(e), an annual administrative service fee shall be assessed on this authorization.

This Temporary Water Use Authorization is issued pursuant to 11 AAC 93.220. No water right or priority is established by a temporary water use authorization issued pursuant to 11 AAC 93.220. Water so used is subject to appropriation by others (11 AAC 93.210 (b)).

Pursuant to 11 AAC 93.210 (b), authorized temporary water use is subject to amendment, modification or revocation by the Department of Natural Resources if the Department of Natural Resources determines that amendment, modification or revocation is necessary to supply water to lawful appropriators of record or to protect the public interest.

This authorization shall expire on July 30, 2024.

Date issued: April 17, 2019

Approved: Henzebrook

Manager, South Central Region, Water Resources Section

ALASKA DEPARTMENT OF NATURAL RESOURCES

Water Resources Section

TO: **Henry Brooks** DATE: April 16, 2019

FROM: Lesli Schick FILE NUMBER: TWUA A2019-11

The subject Temporary Water Use Authorization (TWUA) case file has been reviewed for accuracy and conformance with statutes and regulations. The following comments, recommendations, or corrections are presented.

- Location of Water Sources: 1. Battery Creek and worksites in Section 9 of Township 28 South, Range 20 West, Seward Meridian. There are four culverts being installed on Battery Creek (20703248, 20703256, 20703259A and 20703259B).
 - 2. Unnamed Tributary #1 to Battery Creek & worksite for culvert 20703253 in Section 9 of Township 28 South, Range 20 West, Seward Meridian.
 - 3. Unnamed Tributary #2 to Battery Creek & worksite for culverts 20703254 and 20703255 in Section 9 of Township 28 South, Range 20 West, Seward Meridian.
 - 4. Unnamed Tributary to Genivieve (aka Boy Scout) Lake and worksite for culvert 20703471 in Section 11 of Township 28 South, Range 20 West, Seward Meridian.
 - 5. Unnamed Tributary to Lake Louise and worksite for culvert 2070877 in Section 10, Township 28 South, Range 20 West, Seward Meridian.

Brief Project Description:

Diversion and dewatering associated with the Kodiak Island Habitat Enhancement Project to install fish passage improvements at three locations on Battery Creek, one location on an Unnamed Tributary to Battery Creek, two locations on a separate Unnamed Tributary to Battery Creek, one at the Unnamed Tributary to Lake Louise as it crosses Old Tom Stiles Road and the removal of a culvert and construction of a new stream channel (without a culvert) along the Unnamed Tributary to Genivieve (aka Boy Scout) Lake.

None. Check for duplicate water use:

Agency Review:

The applicant originally applied for the Battery Creek, Unnamed Tributaries Battery Creek and Unnamed Tributary to Boy Scout Lake. The agency review was dated February 1, 2019, with comments due by 5PM February 15, 2019. The application was updated to include the Unnamed Tributary to Lake Louise on March 5, 2019. An additional review of this source was dated April 1, 2019, with comments due by 5PM April 11, 2019. Below are the comments received for both reviews.

ADF&G: Fish Habitat Permits have been issued for this project. FH19-II-0022 Unnamed Tributary Battery Creek at Culvert #20703254, FH19-II-0023 Unnamed Tributary Battery Creek at Culvert #20703255, FH19-II-0024 Unnamed Tributary Battery Creek at Culvert #20703253, FH19-II-0025 Battery Creek Culvert #20703248, FH19-II-0026 Battery Creek Culvert #20703256, FH19-II-0027 Unnamed Tributary to Genivieve (aka Boy Scout) Lake

DEC - Drinking Water: DEC commented that the sources are not near an active registered public water system source.

DEC - Contaminated Sites: DEC commented that it has no objections, and that it is unlikely contamination will be encountered from known contaminated sites. If contamination is encountered, contact ADEC.

DEC - Water Permitting: No comments were received.

ADOT&PF: No comments were received.

City of Kodiak: No comments were received.

Kodiak Island Borough: No comments were received

USACE: No comments were received.

Appropriators of Record & A DNR Land Address A DNR Land Address A DNR Land Address Coursed within: Water Availability:

Section

A DNR Land Administration System search of the case category for Water occurred within:

| Section(s) | Township | Range | Meridian | |
|--------------|----------|---------|----------|--|
| 8, 9, 10, 11 | 28 South | 20 West | Seward | |

The search located one reservation of water (LAS 13231) and no temporary water use authorizations (see below).

| File Type | File # | Case Type | Case Subtype | Case Status | Customer Name | MTR | Sec | Source |
|-----------|--------|-------------|--------------|-------------|---------------|-----------|-------|--------------|
| LAS | 13231 | Water Right | Reservation | Application | ADF&G | S028S020W | 10,11 | Buskin River |

Battery Creek and the Unnamed Tributaries of Battery Creek are within the boundaries of LAS 13231 (the Buskin River drainage basin), but none of the sources are within one of the reaches for the river itself. TWUA A2019-11 is for culvert upgrades with temporary stream diversions and dewatering of the work site (if needed). Any dewatering will be placed onto the adjacent uplands to naturally infiltrate back into the system. No water is being removed from the hydrologic unit in LAS 13231.

Proposed Means of Diversion: Adequate, as described in the application materials:

Unless otherwise stated, a temporary coffer dam will be constructed at each location to isolate the work areas. Pump(s) with a 6" intake or less, up to a 1,000 gpm output, pipe/hose and appropriate sediment trapping method will be used. Any dewatering needed will be discharged to vegetated uplands. Disturbed areas will be stabilized with topsoil and native seed, and the streambanks upstream and downstream of the new culverts will be reconstructed with native material and vegetative mats. Perimeter controls (silt fence, fiber roll or similar material) will be used to prevent disturbed sediment from entering water bodies.

Battery Creek

- Culvert #20703248: The creek will be diverted through a 120'x4'x3' lined channel and 36" diameter culvert during the installation of a new 63'x15'9"x8' aluminum arch culvert. Riprap and other material will be placed ~15' upstream and downstream of the new culvert. After the new culvert is installed, the existing ditch downstream will be backfilled and the stream placed back into the historic channel.
- Culvert #20703256: The creek will be diverted through the existing 24" diameter culvert during the installation of a new 47'x84" aluminum culvert. ~240' of the downstream channel will be reconfigured to merge with the new culvert. After the new culvert is installed, the stream will be rerouted to the new culvert and the existing culvert will be removed.
- 3. Culvert #20703259A & 20703259B: A new 47'x48" culvert will be constructed ~50' downstream of the existing culvert at 20703259B during times of no flow. Following construction of 20703259B, the stream at 20703259A will be diverted to this culvert and the existing 18" diameter culvert (20703259A) will be removed and replaced with a new 54'x48" diameter aluminum culvert at the same location. Riprap and other material will be placed upstream and downstream of the new culverts. Following the completion of 20703259A, the diversion will be removed and the stream allowed to flow naturally back through 20703259A.

Unnamed Tributary #1 to Battery Creek

Culvert #20703253: The stream will be diverted through a 28'x2.5'x2.5' lined channel and temporary 18" diameter culvert during the installation of a new 50'x72" diameter aluminum culvert. Riprap and other material will be placed ~10' upstream and ~12' downstream of the new culvert. Following installation, the existing 48" culvert will be removed and the ditch reconfigured to provide fish passage into a wetland.

Unnamed Tributary #2 to Battery Creek

- 1. Culvert #20703254: The stream will be diverted through a 30'x3'x3' lined channel and the existing culvert during the installation of a new 63'x15'9"x8' aluminum box culvert. Riprap and other material will be placed upstream and downstream of the new culvert. After the new culvert is installed, the existing ditch and culvert will be backfilled and the stream redirected into the historic stream channel.
- Culvert #20703255: The stream will remain in the existing culvert during the installation of a new 54'x13'3"x6'9" aluminum box culvert. Riprap and other material will be placed upstream and downstream of the new culvert. After the new culvert is installed, the stream will be rerouted to the new culvert and the existing channel and culvert will be backfilled.

Unnamed Tributary to Genivieve (aka Boy Scout) Lake (20703471)

The stream will remain in the existing culvert during the installation of a new stream channel and bank improvements adjacent to the current culvert. A pump around will be used to keep the work area dry. The existing 18" diameter culvert will be removed and backfilled after the stream is rerouted to the new channel. A temporary sediment filter will be installed downstream of the new channel.

Unnamed Tributary to Lake Louise at Old Tom Stiles Road (2070877)

The stream will be diverted through a 65'x7'x5' lined channel and 81"x59" aluminum culvert located ~38' west of the existing culvert. A new 94.7'x19.'5"x6'11" aluminum arch culvert will be installed. Riprap and other material will be placed ~26' upstream of the new culvert and ~58' downstream. The bypass channel and diversion culvert will stay in place for flood relief.

Proposed Use of Water:

Beneficial. The use is for culvert upgrades to allow for the efficient passage of anadromous fish.

Effect upon access to navigable or public water:

DNR does not anticipate the issuance of this TWUA will restrict access to navigable or public water ways. A condition will be in the authorization stating that equipment cannot unnecessarily hinder public access.

Effect on fish and game:

DNR does not anticipate any impacts to fish and game. Fish Habitat Permits FH19-II-0022 (Unnamed Tributary Battery Creek at Culvert #20703254), FH19-II-0023 (Unnamed Tributary Battery Creek at Culvert #20703255), FH19-II-0024 (Unnamed Tributary Battery Creek at Culvert #20703253), FH19-II-0025 (Battery Creek Culvert #20703248), FH19-II-0026 (Battery Creek Culvert #20703256) and FH19-II-0027 (Unnamed Tributary to Genivieve (aka Boy Scout) Lake) have been issued for this project.

Contaminated Sites:

A review of the contaminated sites database did not locate any contaminated sites within a ¼ mile of the project locations. DEC commented that it has no objections, and that it is unlikely contamination will be encountered from known contaminated sites. Any authorization that results from this application will require the applicant to contact the Contaminated Sites Program if contamination is encountered and prior to further pumping operations.

Coastal Zone:

This project is located within the zone of coastal influence. The City of Kodiak and the Kodiak Island Borough received the agency notice and had an opportunity to comment.

Conclusion:

It is determined by DNR that given the documentation above, this proposed authorization is unlikely to adversely affect the water source or unduly affect the right of a prior appropriator, as defined in 11 AAC 93.970(38). It is interpreted that the proposed use of water is in the public interest. This file contains no evidence of the likelihood of harm to the public interest. Furthermore, it is inferred that the applicant has the intent and ability to complete the project.

Authorized water use does not mean actual water use. Water use varies from year to year depending on the project. DNR will continue to require monitoring, reporting and water use coordination for all these sources. A temporary water use authorization is not a water right and does not establish priority. All authorizations are temporary and are subject to appropriation by others (11 AAC 93.210(b)). The Department may suspend this authorization if necessary, to protect the public interest or the right of a prior appropriator.

Page 4 of 4

Temporary Water Use Application to Temporary Water Use Authorization

| NECESSARY ACTIONS: | | |
|--------------------|---------|---|
| Concurrence: | □Other: | _ |
| HenglBrook | 4-17-19 | |
| Signature | Date | |

A person affected by this decision may appeal it, in accordance with 11 AAC 02. Any appeal must be received within 20 calendar days after the date of issuance of this decision, as defined in 11 AAC 02.040(c) and (d), and may be mailed or delivered to the Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; faxed to 907-269-8918, or sent by electronic mail to dnr.appeals@alaska.gov. Effective July 1, 2018, under 11 AAC 02.030, appeals and requests for reconsideration filed under 11 AAC 02 must be accompanied by the fee established in 11 AAC 05.160(d)(6), currently \$250. Effective July 9. 2018, under 11 AAC 05.160 (a) and (b), this fee will be reduced to \$200.00 for each appeal or request for reconsideration. This decision takes effect immediately. If no appeal is filed by the appeal deadline, this decision becomes a final administrative order and decision of the department on the 31st calendar day after issuance. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to superior court. A copy of 11 AAC 02 may be obtained from any regional information office of the Department of Natural Resources.



DEPARTMENT OF THE ARMY

ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS REGULATORY DIVISION 44669 STERLING HIGHWAY, SUITE B SOLDOTNA, AK

April 19, 2019

Regulatory Division POA-2019-00187

Kodiak Soil and Water Conservation District Attention: Blythe Brown 301 Research Court Kodiak, Alaska 99615

Dear Ms. Brown:

This is in response to your March 20, 2019, application for a Department of the Army (DA) permit, to discharge 288-cubic yards of material into 564-square feet below the Ordinary High Water Mark of an unnamed tributary to Lake Louise, a water of the United States (U.S.), in order to replace a culvert to improve fish passage. It has been assigned file number POA-2019-00187, Unnamed tributary to Lake Louise, which should be referred to in all future correspondence with this office. The culvert ID number for this project is #20700877. The project site is located within Section 10, T. 28 S., R. 20 W., Seward Meridian; USGS Quad Map Kodiak D-2; Latitude 57.7651° N., Longitude 152.5028° W.; Kodiak Borough, near Kodiak, Alaska.

Based upon the information and the submittal of "Notice of Cooperative Agreement Award F17AC00362," we hereby verify that the reporting requirements for Nationwide Permit (NWP) No. 27, Aquatic Habitat Restoration, Enhancement, and Establishment Activities, have been met.

Please contact Andy Gray via email at Andrew.a.gray@usace.army.mil, by mail at the address above, by phone at (907) 753-2722, if you have questions. For more information about the Regulatory Program, please visit our website at: www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

Linda Speerstra

Chief, Southeast Section

CC:

Alaska Department of Environmental Conservation Alaska Department of Environmental Conservation AK DF&G-DH

AK DF&G-DH AK DNR-DMLW AK DNR-DMLW AK DNR-SHPO

EPA

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Department of Natural Resources

DIVISION OF PARKS & OUTDOOR RECREATION Office of History & Archaeology

> 550 West 7th Avenue, Suite 1310 Anchorage, AK 99501-3561 907.269-8700 http://dnr.alaska.gov/parks/oha

February 11, 2019

File No.:

3130-1R FWS / 2018-00043

SUBJECT:

Bushkin River Watershed Habitation Improvement Project, Kodiak

Edward J. DeCleva Regional Historic Preservation Officer U.S. Fish and Wildlife Service 1011 East Tudor Road Anchorage, AK 99503-6199 edward_decleva@fws.gov

Dear Mr. DeCleva:

The Alaska State Historic Preservation Office received your correspondence (dated November 20, 2018) concerning the subject project, including the report titled *Cultural Resource Report for the Bushkin Watershed Habitat Improvement Project*, on November 21, 2018. As a result of the partial government shutdown, our office requested additional time to consult with your agency about the project and received additional information on January 28, 2019.

Our office has reviewed the provided documentation pursuant Section 106 of the National Historic Preservation Act and 36 CFR 800. We concur with your determination that KOD-01258 and KOD-01259 are not eligible for listing in the National Register of Historic Places. As such, we believe a finding of no historic properties affected is appropriate for the proposed project.

As stipulated in 36 CFR 800.3, other consulting parties such as the local government and Tribes are required to be notified of the undertaking. Additional information provided by the local government, Tribes, or other consulting parties may cause our office to re-evaluate our comments and recommendations. Please note that our response does not end the 30-day review period provided to other consulting parties. Should unidentified archaeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register of Historic Places eligibility criteria (36 CFR 60.4) in consultation with our office.

Thank you for the opportunity to comment. Please contact Sarah Meitl at 907-269-8720 or sarah.meitl@alaska.gov if you have any questions or if we can be of further assistance.

Sincerely,

Judith E. Bittner

Joan M. Antrison

State Historic Preservation Officer

JEB:sjm