CWA 401 Water Quality Certification Request

version 2.14

(Submission #: HQ9-MV0S-NQ2TC, version 1)

Details

Site: Skyline Heights Estates Kachemak Landing Airpark

Submission ID HQ9-MV0S-NQ2TC

Form Input

Form Instructions

Form Instructions

Instructions for filling out the 401 Prefiling Meeting Request Form are located on the Alaska DEC website at the link below.
401 Prefiling Meeting Request Form Instructions

Agents: For Delegation of Authority to act on behalf of the applicant in processing the application, use the following form, have signed, and upload with application.

- Delegation of Authority - 401 Application

Contact Information (1 of 2)

Required Contacts

The following **Contact Roles are *REQUIRED***. Please select the appropriate role(s) for each contact and complete the contact details. Multiple role(s) may be assigned to each unique individual.

- **Applicant** (Responsible Party)
- **Billing Contact**

Contact Role(s)
Applicant
Owner
Billing Contact

Contact

Prefix
NONE PROVIDED

First Name	Last Name
Kristina	Haynes

Title
Owner

Organization Name
Kachemak Landing LLC

Phone Type	Number	Extension
Business	907-433-9935	

Email
hayneshomesllc@gmail.com

Mailing Address

PO Box 3337

Homer, AK 99603

Contact Information (2 of 2)

Required Contacts

The following **Contact Roles are *REQUIRED***. Please select the appropriate role(s) for each contact and complete the contact details. Multiple role(s) may be assigned to each unique individual.

- **Applicant** (Responsible Party)
- **Billing Contact**

Contact Role(s)
Application Preparer
Consultant

Contact

Prefix
NONE PROVIDED

First Name	Last Name
Shannon	Cefalu

Title
Biologist

Organization Name
Bishop Engineering LLC

Phone Type	Number	Extension
Mobile	360-317-3975	

Email
scefalu@bishop-engineering.com

Mailing Address

PO Box 2501

Homer, AK 99603

Project / Facility Site Info

Identify the applicable federal license or permit

A copy of the federal permit or license application is required to be submitted with the request for the water quality certification. (18 AAC 15.130, 18 AAC 15.180)

Federal Agency
Army Corps of Engineers (USACE)

Permit License Number (ex. USACE: POA-XXXX-XXXX; FERC: FERC-xxxx-xxxx; EPA: AK#######)
POA-2024-00448

Project Name or Title
Skyline Heights Estates Kachemak Landing Airpark

Primary Receiving Waterbody Name
NONE PROVIDED

Estimated Project Dates (+/- 30 days)

Project Estimated Start Date	Project Estimated End/Completion Date
03/01/2025	10/15/2025

Approximate date(s) when any Discharge(s) may commence (+/- 30 days)

Description	Discharge Estimated Start Date	Discharge Estimated End Date
Sediment transport, turbidity, noise, and airborn dust	03/01/2025	10/15/2025

Project Description (Nature of Activity, include all features)
The project consists of the construction of 4,400 feet of new Kenai Peninsula Borough road, reconstruction of 550 feet of existing Kenai Peninsula Borough road, and widening of up to 4,600 feet of existing Kenai Peninsula Borough road. The widening and placement of granular structural section cap on a 3,000 foot long partially constructed airstrip, and the conversion of 2,000 feet of partially constructed airstrip into a taxiway/shared driveway. The improvement and installation of culverts for adequate stormwater conveyance. The future construction of residences and associated driveways, building pads and ancillary buildings.

Project Purpose (Describe the reason(s) for discharge)
The project purpose is to provide residential parcels with direct access to an airstrip. The parcels have been planned to all have suitable
areas to construct the building pads for residence and airplane hangar, with driveways, and on-site wastewater disposal systems.

Is any portion of the work already complete?
Yes

Please describe the completed work
The airstrip fill embankment and cut is estimated to be 80% complete based on fill and cut volumes and the square foot area footprint. Roadways along Barred Moore Avenue and Aviation Way rights-of-way contain discontinuous embankments of various depths. We estimate these roadway embankments to be 20% completed based on fill volume and footprint. Some stormwater culverts have been installed but many are substandard and a few do not function properly. The percent completion for these components is estimated to be 25%.

Description of current activity site conditions
The activity site is currently partially developed and includes a rough graded fill embankment for the airstrip, several cut and fill graded taxiways, and cut and fill graded local roads with stormwater drainage improvements. Most of these developed regions are currently either incomplete or of substandard quality. Improvements are required to make the airstrip, roadways, and stormwater drainage system fully functional.

Relevant Site Data, Photographs that Represent Current Site Conditions, or other Relevant Documentation
KachemakLanding_Wetland Report & Appendices.pdf - 01/14/2025 11:15 AM
Comment
NONE PROVIDED

Is this a linear project? (i.e., utility line, road, etc.)
No

Project Address
Various
Homer, AK 99603

Visit the link below to help with conversion between DMS and Latitude/Longitude
DSM - Lat/Long converter

Project Location
59.6720,-151.6569

Visit the following link if you need to convert the lat/long to get the **PLSS information**
Converter for Section, Township, and Range

PLSS Location (Public Land Survey System)

State Tax Parcel ID	Borough/Municipality	Meridian	Section	Township	Range
17331069	Kenai Peninsula Borough	Seward	9	6S	14W
17331071	Kenai Peninsula Borough	Seward	9	6S	14W
17331072	Kenai Peninsula Borough	Seward	9	6S	14W
17331075	Kenai Peninsula Borough	Seward	9	6S	14W
17331077	Kenai Peninsula Borough	Seward	9	6S	14W
17331078	Kenai Peninsula Borough	Seward	9	6S	14W
17331081	Kenai Peninsula Borough	Seward	9	6S	14W
17331082	Kenai Peninsula Borough	Seward	9	6S	14W
17331070	Kenai Peninsula Borough	Seward	9	6S	14W
17331074	Kenai Peninsula Borough	Seward	9	6S	14W
17331073	Kenai Peninsula Borough	Seward	9	6S	14W
17331076	Kenai Peninsula Borough	Seward	9	6S	14W
17331080	Kenai Peninsula Borough	Seward	9	6S	14W
17331079	Kenai Peninsula Borough	Seward	9	6S	14W
17331084	Kenai Peninsula Borough	Seward	9	6S	14W
17331083	Kenai Peninsula Borough	Seward	9	6S	14W
17331085	Kenai Peninsula Borough	Seward	9	6S	14W
17331086	Kenai Peninsula Borough	Seward	9	6S	14W
17331087	Kenai Peninsula Borough	Seward	9	6S	14W
17331088	Kenai Peninsula Borough	Seward	10	6S	14W
17331042	Kenai Peninsula Borough	Seward	10	6S	14W
17331089	Kenai Peninsula Borough	Seward	10	6S	14W
17331090	Kenai Peninsula Borough	Seward	10	6S	14W
17331045	Kenai Peninsula Borough	Seward	10	6S	14W
17331046	Kenai Peninsula Borough	Seward	10	6S	14W
17331047	Kenai Peninsula Borough	Seward	10	6S	14W
17331091	Kenai Peninsula Borough	Seward	10	6S	14W

Directions to Site
Sterling Highway south toward Homer. Turn left at MP 167.1 on to Diamond Ridge Road. Travel approximately 1400 feet and turn right on to Cirrus Road. The end of Cirrus Road, approximately 600 feet from Diamond Ridge Road, will place you at the northwesterly corner of the subject subdivision.

Federal Agency Contact (1 of 1)

Have you been working with anyone in the Federal Agency?
Yes

Federal Contact Role
USACE

Federal Agency Contact

First Name	Last Name
Carolyn	Farmer

Title
NONE PROVIDED

Organization Name
US Army Corp of Engineers Alaska District

Phone Type	Number	Extension
Business	561-785-5634	

Email
Carolyn.H.Farmer@usace.army.mil

Dredge Material to be Discharged

Is dredging involved?
No

Tier Analysis

A tier analysis is comprised of a layered approach to determine the need for testing the dredge material to aid in generating physical, chemical, toxicity and bioaccumulation information, but not more information than is necessary to make factual determinations.
The tier analysis is a series of tiers (I – IV) or levels of intensity (and cost) of investigation. It is necessary to proceed through the tiers only until information is sufficient to make factual determinations, no further testing is required.

- **Tier I - Site Evaluation and History**. The initial tier (Tier I) uses readily available, existing information (including all previous testing). For certain dredge materials with readily apparent potential for environmental impact (or lack thereof), information collected in Tier I may be sufficient for making factual determinations.
- **Tier II - Chemical Testing** is concerned solely with sediment and water chemistry.
- **Tier III - Biological Testing (bioassay and/or bioaccumulation testing)** is concerned with well-defined, nationally accepte toxicity and bioaccumulation testing procedures.
- **Tier IV - Special Studies** allows for case-specific laboratory and field testing, and is intended to for use in unusual circumstances.

For more information regarding a Tier analysis, see below references

- EPA Inland Testing Manual
- USACE Seattle District Civil Works DMMP User Manual

Fill Material to be Discharged

Will Fill Material be Discharged?
Yes

For fill material, identify the material source
East Road Services 160 pit, Homer KPB APN#16910187

Types of material being discharged and the amount of each type (cubic yards)

Type	Cubic Yards
Granular Fill	22,110

Surface area in (acres or linear feet) of wetlands or other waters filled

Surface Area	Units
7.405	Acres

Discharge Location Information (1 of 3)

Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters

Discharge Location ID (001, 002, 003, - increment by one)
001

NOTE: if you have a receiving water that is Wetlands, just enter the generic term "Wetlands". Do not enter "Wetlands of Tanana River", for example.

Please select 'Other' if your waterbody is not in the list below.
You can start typing the name of the waterbody to filter the list.

Receiving Waterbody / Wetlands Name
Diamond Creek

Discharge Location
59.67254660695841,-151.65429344177264

Discharge Location Information (2 of 3)

Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters

Discharge Location ID (001, 002, 003, - increment by one)
002

NOTE: if you have a receiving water that is Wetlands, just enter the generic term "Wetlands". Do not enter "Wetlands of Tanana River", for example.

Please select 'Other' if your waterbody is not in the list below.
You can start typing the name of the waterbody to filter the list.

Receiving Waterbody / Wetlands Name
Wetlands

Discharge Location
59.67200341505733,-151.6643356323245

Discharge Location Information (3 of 3)

Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters

Discharge Location ID (001, 002, 003, - increment by one)
003

NOTE: if you have a receiving water that is Wetlands, just enter the generic term "Wetlands". Do not enter "Wetlands of Tanana River", for example.

Please select 'Other' if your waterbody is not in the list below.
You can start typing the name of the waterbody to filter the list.

Receiving Waterbody / Wetlands Name
Diamond Creek

Discharge Location
59.67265206684155,-151.64811363220244

Other Pollutant Sources

Contaminated Site Information

Determine if your project is **within 1,500 feet** of a known Alaska DEC Contaminated Site. See the *Alaska DEC Contaminated Web Map* below. This will help you to identify if any potential pollutants/parameters of concern may be present on your project site., see DEC's website:

- **Contaminated Sites Web Map**
- **Contaminated Sites Database Search website**

Is the project within 1,500 feet of a known contaminated site?
No

Parameters of Concern that may be present in discharge

Parameter(s) of Concern

Identify the parameters of concern that may be present in your discharge from the dredge and/or fill material.

Note, **TURBIDITY** and **SEDIMENT** are routine parameters associated with dredge and/or fill activities.

Consider if other parameters may be present from past activities in the area such as contamianted site data, impaired waters or other relevant water quality data, or other parameters of concern identified during the application process.

Parameter(s)
Turbidity
Sediment
Other: Concerns are: sediment transport and subsequent turbidity to streams and ultimately Kachemak Bay from road and building pad fills. The project will also create noise and airborne dust from earth moving equipment.

If known, describe respective concentrations, persistence, and potential impacts to the receiving water and data on parameters that may alter the effects of the discharge to the receiving water
Impacts shall be non persistent and will subside after construction is completed. During construction impacts shall be mitigated by a Storm Water Pollution Prevention Plan (SWPPP) utilizing best management practices (BMPs).

Impaired Waters

An ***impaired waterbody*** are those listed as a **Category 4 [304(b)] or Category 5 [303(d)]** in the current EPA approved

Alaska's Integrated Water Quality Monitoring and Assessment Report.

For the most recently *Approved Integrated Water Quality Monitoring And Assessment Report (Integrated Report)*, see DEC's website:

- **Integrated Water Quality Monitoring And Assessment Report** https://dec.alaska.gov/water/water-quality/integrated-report

Does a discharge of any parameter identified above occur to an impaired waterbody?
No

If determined necessary and requested by the Department, submit sufficient and credible baseline water quality information for the receiving water which meets the requirements of 18 AAC 70.016(a)(6)(A-C).

Avoidance & Minimization BMPs and Mitigation Measures

Describe how impacts are being avoided and minimized on the project site. Include best management practices (BMPs) for sediment and erosion controls that will be implemented to minimize environmental impacts, and any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge.

Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge
The project will include best management practices as specified by a Storm Water Pollution Protection Plan to control sediment transport via stormwater, to minimize dust, and to prevent erosion. First, the road and building pad fill material will not have significant fines that can easily erode from the site. Secondly, fiber rolls will be used to trap fines from being transported from any steep fill slopes into the adjacent streams. Where possible, existing vegetation will be left undisturbed to act as a vegetated barrier. Inspections will be conducted routinely by a trained AK-CESCL individual, and BMP's shall be maintained and adjusted as necessary.

Avoidance Measures
Project design exhibits have been developed for each parcel and indicate required locations of driveways, shared driveways and preferred building site sizing and orientations. Impacts to wetlands have been tabulated for each parcel and these exhibits and impact limits will be part of the permit. The design exhibits focus development within uplands as much as feasible.

Minimization Measures
Individual parcel area and fill volume impacts to wetlands shall be limited to those necessary for reasonable development of driveways, building pads and septic systems.
Easements shall be provided to construct shared driveways from public roads and airplane taxiways to the airstrip for adjacent properties where feasible.
Engineered geotextiles shall be used to reduce the public roadway and driveway structural section depth and thus reduce the footprint area.
A homeowner association shall be created that will enforce the CC&Rs and review the development on each parcel to ensure that development does not impact the wetland more than allowed. Electric, gas, and telecom service trenches shall be installed within the driveway footprint wherever possible through wetlands to limit further wetland impacts from separate utility trenching.

Mitigation Measures
The proposed development plan and impact limits shall preserve 36.037 acres of wetlands from future development.

Social / Economic Importance

Social or Economic Importance

(18 AAC 70.016(c)(5): Provide information that demonstrates the accommodation of important social or economic development. The applicant shall complete either a social OR economic importance analysis (or both) for each affected community in the area where the receiving water for the proposed discharge is located.

Social Importance Analysis
Infrastructure improvements
Recreational opportunities

Economic Importance Analysis
Tax base impacts
Access to a transportation network

Describe Social and/or Economic Importance of the project
Infrastructure Improvements: Development and improvement is set to occur along Cirrostratus Ave, Aviation Way, and the west section of Barred Moore Ave. Work would involve construction, reconstruction, and widening of public roads for access to the subdivision parcels. This will provide reliable access to lots that are currently only accessible via discontinuous roadway embankments and heavily weather damaged dirt roads.

Access to transportation network: Reconstruction, widening, and final capping of the partially constructed airstrip on site shall provide functionality to the airstrip, granting the subdivision access to aerial transportation networks in line with Federal Aviation Administration regulations.

Tax Base Impacts: Improvements to the public roadways, installation of utilities, improvement and installation of culverts, and the completion of a functioning airstrip shall increase the value of the parcels within the subdivision.
With the current property acquisition value of $2,000,000 and an estimated future market value of $6,300,000 across 42 subdivided lots, the tax base increase for the subdivision is projected to be $24,800 per year for the Kenai Peninsula Borough.

Description of Social or Economic Importance, if needed
POA-2024-00448_KLA Alternatives Analysis.docx - 01/21/2025 03:41 PM
Comment
NONE PROVIDED

List of Other Permits or Certificates

*Would include but is not restricted to zoning, building, and flood plain permits.

Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received.

Agency	Type of Approval*	Identification Number	Date Applied	Date Approved	Date Denied
Federal Aviation Administration	Registration	09AN Kachemak Landing	*NONE PROVIDED*	01/25/2024	*NONE PROVIDED*
Kenai Peninsula Borough	Road Construction Permit	TBD	*NONE PROVIDED*	*NONE PROVIDED*	*NONE PROVIDED*
Alaska Department of Environmental Conservation	Notice of Intent	TBD	*NONE PROVIDED*	*NONE PROVIDED*	*NONE PROVIDED*
Army Corp of Engineers	Preliminary Jurisdictional Determination	POA-2024-00448	08/01/2024	*NONE PROVIDED*	*NONE PROVIDED*
Alaska Department of Environmental Conservation	Permit	TBD	*NONE PROVIDED*	*NONE PROVIDED*	*NONE PROVIDED*

Other Agency or Local Contacts (1 of 2)

Contact Role
OTHER_REG_CNTCT

Other Agency and or Local Contacts

First Name	Last Name
Scott	Griebel

Title
Roads Director

Organization Name
Kenai Peninsula Borough

Phone Type	Number	Extension
Business	907-262-4427	

Email
roads@kpb.us

Other Agency or Local Contacts (2 of 2)

Contact Role
OTHER_REG_CNTCT

Other Agency and or Local Contacts

First Name	Last Name
Dr. Venus	Rivera Larson

Title
Airspace Specialist

Organization Name
Federal Aviation Administration

Phone Type	Number	Extension
Business	907-271-3813	

Email
venus.larson@faa.gov

Attachments

Copy of Federal Application (USACE, EPA, or FERC, etc.)
POA-2024-00448_KLA Additional Line 25 Addresses.pdf - 01/14/2025 11:15 AM
POA-2024-00448_KLA_Form4345_20250117_complete.pdf - 01/17/2025 03:15 PM
Comment
NONE PROVIDED

Figures and/or Drawings/Plan Sets. To include a map or diagram of the proposed activity site, including the proposed activity boundaries in relation to local streets, roads, and highways.
2023129 Wetland Impacts Revised Jan 21 2025.pdf - 01/21/2025 03:33 PM
Comment
NONE PROVIDED

Document Attachments
POA-2024-00448_Impact Mitigation CDM Calcs.docx - 01/21/2025 03:42 PM
POA-2024-00448_KLA CC&R Draft For Permit Review.doc - 01/21/2025 03:43 PM
Comment
Wetland protection clause in the KLA CC&R form is highlighted in green.

Delegation of Authority for Submission of Application
delegation-of-authority-401-Signed.pdf - 01/14/2025 11:15 AM
Comment
NONE PROVIDED

As per 18 AAC 15.030 signing of applications, all permit or approval applications must be signed as follows:
1) in the case of corporations, by a principal executive officer of at least the level of vice president or his duly authorized representative, if the representative is responsible for the overall management of the project or operation;
2) in the case of a partnership, by a general partner;
3) in the case of a sole proprietorship, by the proprietor; and
4) in the case of a municipal, state, federal or other public facility, by either a principal executive officer, ranking elected official, or

other duly authorized employee.
The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Agreements and Signature(s)

As per 18 AAC 15.030 signing of applications, all permit or approval applications must be signed as follows:
1) in the case of corporations, by a principal executive officer of at least the level of vice president or his duly authorized representative, if the representative is responsible for the overall management of the project or operation;
2) in the case of a partnership, by a general partner;
3) in the case of a sole proprietorship, by the proprietor; and
4) in the case of a municipal, state, federal or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Signed By Shannon Cefalu on 01/21/2025 at 3:51 PM