



Title 9 Major Use Permit No.: 110-03-19
Date of Issue: May 31, 2019
Permit Expires: December 30, 2020

Permit Issued By:

Northwest Arctic Borough
Planning Department
c/o John Chase
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Kotzebue, AK 99752
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Permittee:

Native Village of Shungnak
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Permittee Contact Information:

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Project Description:

The Native Village of Shungnak (SHUNGNAC) submitted a Title 9 application to construct a small road and a road extension for a new housing project in the community of Shungnak ('Placement of fill in a wetland, less than one acre' is a Minor Use and 'Roads' is a Major Use in the Village District). The project involves the construction of Aaquk Street and Ivan Street and associated gravel extraction activities. The material needed for this project comes from a local material source. The proposed start date is June 2019 and will be completed by September 2019.

Specific details of the project are contained in the Title 9 application (19-02-110) and documents submitted by SHUNGNAC to the Borough Planning Department. These documents are incorporated into the Borough's administrative record. Project Activities are summarized below.

This major use permit, which is for road construction only, complements the Northwest Inupiat Housing Authority's Minor Use Permit #121-03-18 (for housing construction on pilings), which was approved in June 2018.



Project Location:

The road construction site is located within Township 17 North, Range 8 East, Section 9, Kateel River Meridian, in the community of Shungnak.

This location is currently undeveloped.

The project is located in the Village District.

Road Construction:

Geotextile fabric will be placed on the surface of the ground and gravel will be placed on top of the fabric. The road segments will be approximately 23 feet wide at the base and 15-20 feet at the surface.

- Ivan Street extension will be 50 feet long
- Aaquk Street will be 100 feet long

No utilities will be installed in the roads as part of this project. Approximate locations of these road segments are shown drawn on the aerial photo below.

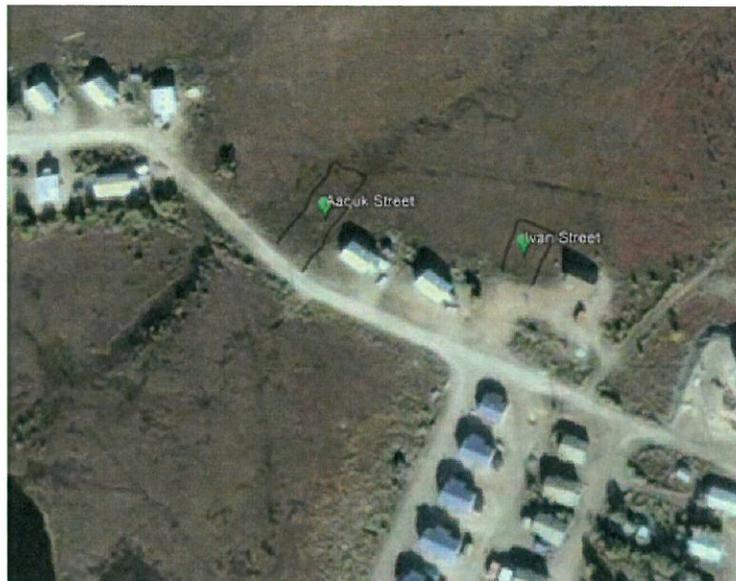


Figure 1. Aaquk and Ivan Street locations

Gravel Extraction:

SHUNGNAK will be extracting approximately 150 cubic yards of material for this road construction project. The material source is a NANA-owned gravel pit located near the airport runway.

Site Plan



Gravel will be mined from the NANA owned pit. The location of the mining is 66°53'11.37"N and 157°10'5.00"W (Google Earth); the pit is northwest of the road to the dump. The pit is estimated to have enough material remaining for this project. Overburden has been removed by previous projects. Remaining material to be mined for this project is in the northeast corner of the pit. Gravel will be mined by excavator and placed in a 10-yard dump truck. The truck will transport gravel to the project site. 15 loads are anticipated (150 cubic yards).

Reclamation Plan

Final reclamation will stabilize and contour the mining area approved under this plan. The final grading and slopes are intended to reintegrate the site and achieve long-term stabilization:

- Reclaim high walls to stable slopes
- Minimize erosion and ponded surface water in the central area of the existing pit
- Re-establish the natural vegetation
- Stabilize the site for future use

To reduce erosion and stabilize the site, SHUNGNAK will ensure that the final grade matches the natural slope as closely as possible. This Plan will not generate high walls, but any final walls will be sloped and will not exceed a 2.5:1 (length-to-height) gradient.

Permit Authorization and Documentation:

SHUNGNAK submitted a Title 9 Land Use Permit application (19-02-110) for the following Uses: 'Placement of fill in a wetland less than one acre' is a Minor Use and 'Roads' is a Major Uses in the Village District.

The Title 9 application was received on April 26, 2019. On May 2, 2019 the Borough Planning Department deemed the application was complete. Permit fees due totaled \$200. The applicant requested a waiver for permit fees because the project will benefit the community of Shungnak by supporting the construction of single-family homes. The Planning Director granted the waiver of fees.

The Planning Director has the authority to permit 'Placement of fill in a wetland less than one acre' in a Village Zone by Minor Use Permit, pursuant to NABC 9.12.020.

The Planning Director has the authority to permit 'Roads' as a Major Use in the Village District, pursuant to NABC 9.12.020. A Major Use Permit requires a 20-day public comment period, which started May 7. There were no public comments.

Permit Terms and Conditions:

1. The Native Village of Shungnak (SHUNGNAK) shall comply with the terms of the permission, permits and/or agreements granted by the federal government, State of Alaska, NANA Regional Corporation, Northwest Arctic Borough and other applicable agencies.



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2. SHUNGNAK shall comply with any and all applicable local, Borough, state and federal laws. The Borough reserves the right to conduct periodic inspections of the permitted operations as well as work with the permittee to observe operations and/or trips for permit compliance.
3. Road construction activities are required to be sited, designed, constructed and operated in a manner that does not substantially interfere with the use of a site that is important for significant cultural uses or essential for transportation to subsistence use areas.
4. All project activities shall utilize measures to avoid or minimize disrupting wildlife and bird migration, or subsistence activities including fishing, trapping, waterfowl hunting, egg gathering, berry picking and caribou hunting. The applicant will ensure reasonable access to subsistence users to subsistence resources.
5. All vehicles shall be operated in a manner such that the vegetative mat of the tundra is not disturbed. Vehicles shall not be abandoned. Vehicles must avoid areas where species that are sensitive to noise or movement are concentrated.
6. All trash and human waste generated at the sites must be properly disposed in accordance with Northwest Arctic Borough Ordinance 9.25.020 M., establishing standards of disposal of refuse, human body waste, and chemicals. All remedial activities shall comply with any and all other applicable state and federal laws, including all applicable hazardous waste and disposal requirements, all waste disposal and landfill requirements, and all open burning and air quality standards.
7. The applicant must conduct activities in a manner to maintain natural drainage pattern, water shed protection, and permafrost stability; to prevent runoff and erosion into water supplies; to minimize alteration of vegetation; and to conserve natural features and the general environment of the area.
8. The Borough recognizes that this area within **Shungnak** is periodically subject to flooding that may result in the loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the health, safety and general welfare of Shungnak residents. The Borough has adopted the necessary regulations of the Federal Emergency Management Agency (FEMA) to enable its communities and residents to participate in the National Flood Insurance Program (NFIP). See NABC 9.25.020.

To promote the public health, safety and general welfare by minimizing flood damage and loss and promoting access to disaster relief, the following conditions must be met:

- a. Encourage protection of land uses vulnerable to floods, including public facilities and utilities that serve such uses, against flood damage at the time of initial construction or substantial improvement.



Ensure that those persons who occupy areas of special flood hazards assume responsibility for occupying such flood hazard areas.

- b. Because the proposed land use is located in a flood area, all new construction and substantial improvements shall meet the following general standards, as applicable:
 1. Anchoring. All new construction and substantial improvements shall be designed, modified, constructed and adequately anchored to prevent flotation, collapse or lateral movement of the structure; all manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement.
 2. Construction Materials and Methods. All new construction and substantial improvements shall be constructed with materials and utilize equipment resistant to flood damage and use methods and practices that minimize flood damage, including waterproofing, watertight construction, use of substantially impermeable materials and other construction techniques.
 3. Mechanical and Electrical Utilities. Electrical, heating, ventilation, plumbing, and other service facilities shall be designed, constructed and/or otherwise elevated or located to prevent water from entering or accumulating within the components during flooding.
 4. Water and Sewer Utilities. All new and replacement water supply and sewage systems shall be designed and constructed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters. Sewage lift station electrical panels shall be elevated above flood areas.
9. Uses permitted shall cease upon the discovery of archaeological, prehistoric, historic or cultural resources during the project activities, and SHUNGNAC shall immediately contact both the Planning Director at the NAB Planning Department and State of Alaska State Historic Preservation Office to determine the conditions to continue.
10. All fuel/oil/hazardous substance storage, including waste oil, must meet all applicable state and federal containment laws. Any project fuel storage at the road construction site shall meet all applicable state and federal containment laws to prevent fuel spills and protect against fire danger. If a spill occurs, it must be reported immediately to the Alaska Department of Environmental Conservation and BOTH the NAB Planning and Public Services Departments (at least within 24 hours). Appropriate spill kits and absorbent pads must be stored at the road construction site. Fuel/oil drums or other storage containers shall not be abandoned.
11. Project equipment servicing and fueling operations are prohibited within 100 feet of any surface water body, including any rivers, drainage channels, sloughs and lakes. Equipment must be monitored daily for hydraulic leaks. Project equipment shall not be abandoned.



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12. SHUNGNAK shall immediately notify the Borough (at least within 24 hours) of any change in the plans and seek modification of the permit.
13. SHUNGNAK is subject to all penalties and civil actions pursuant to section 9.08.240 for violation of the permit conditions and stipulations prescribed herein.
14. Annually by December 31st, the permittee shall file a written report with the NAB Planning Department describing the following:
 - a. A complete report of any fuel or other hazardous substances discharges and clean-up activities completed,
 - b. Other matters as reasonably required by the Administrator/NAB Planning Director.
15. At the conclusion of each season the Borough Planning Department shall evaluate the effectiveness of the permit conditions. The Title 9 Administrator shall be authorized to adopt corrective measures for ineffective or inadequate permit conditions.
16. SHUNGNAK and/or land owners shall allow the NAB and/or their representatives access to the permitted sites and properties, during the term of this permit or within 5 years after permit expiration, to conduct scheduled or unscheduled inspections to determine compliance with this permit or respond to emergency situations.
17. This permit will expire December 31, 2020, unless revoked by the Title 9 Administrator and/or SHUNGNAK.

Permit Approval

NORTHWEST ARCTIC BOROUGH

Siikauraq Whiting,
Planning Director/Title 9 Administrator

May 31, 2019

Date

CC: City of Shungnak, NANA Regional Corporation, Maniilaq Association, AVEC, OTZ Telephone, ANTHC, McClintock Land Associates, Inc.

Posted at: www.nwabor.org