



Northwest Arctic Borough, Planning Department  
Title 9 Conditional Use Permit No.: 112-03-21  
Ipnachiaq Electric Company

**Title 9 Conditional Use Permit No.: 112-03-21**

**Date of Issue: June 15, 2021**

**Permit Expires: December 31, 2022**

**APPROVED**

**Permit Issued By:**

Northwest Arctic Borough  
Planning Department  
ATTN: John Chase  
PO Box 1110  
Kotzebue, AK 99752  
Tel 907.442.8212 / 800.478.1110 extension 112  
Fax 907.442.3740  
[jchase@nwabor.org](mailto:jchase@nwabor.org)

**Permittee:**

Ipnachiaq Electric Company  
ATTN: Daisy Weinard  
PO Box 36021  
Deering, AK 99736  
Tel 907.363.2157 / Fax 907.363.2307  
[ipnachiaqec@msn.com](mailto:ipnachiaqec@msn.com)

**Permittee Contact Information:**

Daisy Weinard, General Manager  
PO Box 36021  
Deering, AK 99736  
Tel 907.363.2157 / Fax 907.363.2307  
[ipnachiaqec@msn.com](mailto:ipnachiaqec@msn.com)





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**Project Description:**

The Ipnachiaq Electric Company (IPNATCHIAQ) is proposing to upgrade their electric distribution system within the community of Deering ('Energy facilities' is a Conditional Use in the Village District). The project will consist of replacing nine (9) existing power poles and upgrading existing hardware to accommodate harsh salt conditions prevalent in Deering. This is the final distribution system upgrade for the community. IPNATCHIAQ anticipates these electrical upgrades to begin June 2021 and be completed by June 2022.

Specific details of the project are contained in the permit application (21-02-112) submitted by IPNATCHIAQ to the Borough Planning Department. This application is incorporated into the Borough's administrative record. Project Activities are summarized below.

**Project Location:**

The project site is located at 8 North, 19 West, Section 19, Kateel River Meridian, USGS Quad Map Candle D-5. The site is within the community of Deering in the Village Zone.



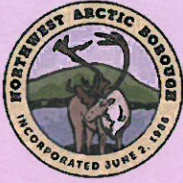
**Figure 1. Power poles in Deering. Red X is the old pole locations. Green X is the new pole locations**

**Energy Facilities:**

The Deering Phase 3 Primary Distribution Upgrade consists of the following scope of work:

The contractor, Current River Electric, will retire all old electrical poles along the beach. A 3-phase primary distribution will be installed on the west end of Deering tying back into the





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system to the Wind Turbine. The contractor will replace nine (9) existing poles that are currently eroding next to the beach.

Three (3) current transformers will be replaced with new single-phase stainless-steel transformers. Four (4) sectionalizing cabinets will be installed at the Water and Sewer Vacuum Station for the Sewer Services and grid to the wind turbine providing a long-term maintenance free unit that will better withstand the marine environment from saltwater spray. Approximately 1,500 to 1,700 feet of new distribution line will be installed.

The contractor shall determine the best-case plan and final route that will most benefit Deering.

**Permit Authorization and Documentation:**

IPNATCHIAQ submitted a Title 9 Land Use Permit application (21-02-112) for the following Use: 'Energy Facilities' is a Conditional Use in the Village District.

The Title 9 application was received on May 27, 2021. On May 27, 2021 the Borough Planning Department deemed the application was complete. The 20-day public review started on May 27, 2021. There was one question from Commissioner Billy Lee, asking about the existing easement for electric utilities. Commissioner Lee was worried about the loss of property due to the easement right-of-way. Because a conditional use permit will only be issued for uses within the existing utility easement, property owners will not experience any loss of property due to the issuance of a conditional use permit.

Permit fees totaled \$500 for the project. IPNATCHIAQ requested a waiver of fees because the project will benefit the residents of Deering. The Title 9 Administrator did not grant the waiver of fees.

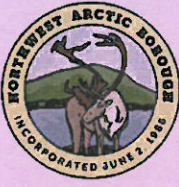
Pursuant to Northwest Arctic Borough Code (NABC) 09.12.020, the **Planning Commission** has the authority to permit:

- Energy Facilities (Conditional Use in the Village District)

**Permit Terms and Conditions:**

1. The Ipnachiaq Electric Company (IPNATCHIAQ) shall comply with the terms of the permission/permits agreements granted by the federal government, State of Alaska, NANA Regional Corporation, Northwest Arctic Borough and/or local governments.
2. IPNATCHIAQ shall comply with any and all applicable local, borough, state and federal laws. Failure to abide by any part of this permit, or violations of any pertinent borough ordinances or state or federal law or regulation, will be considered grounds for revocation of the permit or denial of future permit requests and may result in issuance of fines or





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other penalties. This provision applies to all persons working under the authority of this permit.

3. The Permittee is responsible for ensuring that all employees, contractors, sub-contractors, and any other persons working for the permittee and conducting activities allowed by this permit are familiar with and adhere to the conditions of this permit.
4. IPNATCHIAQ is subject to all penalties and civil actions pursuant to section 9.08.240 for violation of the permit conditions and stipulations prescribed herein.
5. During and after project activities, the permittee must conduct activities in a manner to maintain natural drainage patterns, watershed protection, and permafrost stability, to prevent runoff and erosion into water supplies and to minimize alteration of vegetation.
6. The permittee shall ensure fire safety and emergency access necessary for fire and emergency apparatus and police protection.
7. All project activities shall utilize measures to minimize noise and nuisance affecting surrounding residential properties including excessive noise, fumes, odors, glare, smoke, vibration, dust, litter, interference in any telephone, radio or television receivers, and/or significant line voltage fluctuation.
8. Any development by the project in floodplains and shoreline areas are to be constructed to minimize loss of life or property due to riverine flooding, icing, and stream bank erosion.
9. Uses permitted shall cease upon the discovery of archaeological, prehistoric, historic or cultural resources during the project activities, and IPNATCHIAQ shall immediately contact the Alaska State Historic Preservation Office and the Planning Director at the NAB to determine the conditions to continue.
10. The Borough recognizes that this area within **Deering** 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 Deering 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.O.

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



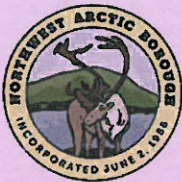


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areas of special flood hazards assume responsibility for occupying such flood hazard areas.

- b. 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.
11. 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 and caribou/moose hunting. The permittee will ensure reasonable access to subsistence users to subsistence resources.
12. Project equipment/vehicle servicing and fueling operations are prohibited within 100 feet of any surface water body, including any rivers, drainage channels, sloughs and lakes. Equipment and vehicles are to be maintained to eliminate or minimize any fuel spills and fluid leaks. Equipment and vehicles must be monitored prior to use for hydraulic leaks. If equipment is in continuous use, it shall be inspected daily for hydraulic leaks. Project equipment shall not be abandoned.
13. IPNATCHIAQ shall immediately notify the borough (at least within 24 hours) of any change in the project plans and seek modification of the permit. IPNATCHIAQ shall suspend uses until approval is given by the Planning Director/Title 9 Administrator. If the proposed action(s) constitutes an emergency, IPNATCHIAQ shall comply with 9.16.040 for emergency actions and shall make reasonable efforts to conduct modified uses in a manner that avoids or minimizes significant harm to the environment, consistent with the need to protect property and human life.
14. Access by Borough personnel and their agents. Authorized personnel and/or their agents of the Northwest Arctic Borough when on official business and displaying proper identification shall be allowed access to the sites without interference. Borough personnel and/or agents may conduct scheduled or unscheduled inspections or tests to determine compliance with this permit or respond to emergency situations. The Borough





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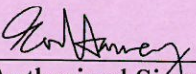
may inspect the properties up to 5-years after the permit expires for compliance checking and inspections.

15. At the completion of the project, the permittee shall file a written report with the Borough 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.
16. This permit will expire on December 31, 2022, unless revoked by the Title 9 Administrator and/or IPNATCHIAQ.

**Permit Approval**

**NORTHWEST ARCTIC BOROUGH**

Conditional Use Permit Approved by the Northwest Arctic Borough Planning Commission through Resolution PC 21-04

  
Authorized Signatory: Eva Harvey,  
Planning Director/Title 9 Administrator

Date: June 15, 2021

CC: Deering IRA Council, NANA Regional Corporation, Maniilaq Association, AVEC, ANTHC  
Posted at: [www.nwabor.org](http://www.nwabor.org)



**NORTHWEST ARCTIC BOROUGH PLANNING COMMISSION  
RESOLUTION 21-04**

**A RESOLUTION OF THE NORTHWEST ARCTIC BOROUGH PLANNING  
COMMISSION TO APPROVE IPNATCHIAQ ELECTRIC COMPANY'S  
DRAFT CONDITIONAL USE PERMIT #112-03-21,  
AND FOR RELATED PURPOSES**

**WHEREAS:** The Northwest Arctic Borough Planning Department received a Title 9 Permit Application (21-02-112) on May 27, 2021 from Ipnatchiaq Electric Company for the following Use in the Village District: Energy Facilities; and

**WHEREAS:** On May 27, 2021, the Borough Planning Department deemed the application complete with all necessary information; and

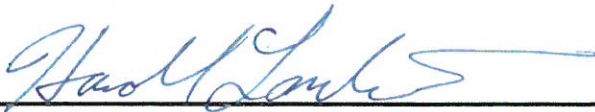
**WHEREAS:** The Borough Planning Department has published a public notice for this permit on May 27, 2021, as required in borough code 9.20.030; and

**WHEREAS:** The Northwest Arctic Borough Planning Commission has the authority to approve: Energy Facilities in the Village District by Conditional Use Permit according to borough code 9.12.020, following a public hearing as required under borough code 9.20.030E.

**NOW THEREFORE BE IT RESOLVED:** The Northwest Arctic Borough Planning Commission hereby authorizes the Planning Director/Title 9 Administrator to approve the Conditional Use Permit #112-03-21 dated May 27, 2021, as discussed during the commission meeting; and

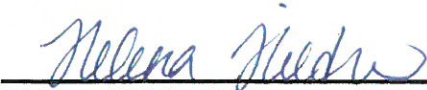
**BE IT FURTHER RESOLVED:** Conditional Use Permit #112-03-21 is contingent upon Ipnatchiaq Electric Company and its contractors conducting operations within the current utility easement.

**PASSED AND ADOPTED ON THIS 15<sup>th</sup> DAY OF JUNE 2021**



**Harold Lambert, Planning Commission Chair**

**SIGNED AND ATTESTED ON THIS 15<sup>th</sup> DAY OF JUNE 2021**



**Helena Hildreth, Borough Clerk**

