



Title 9 Major Use Permit No: 113-03-22
NANA Construction
Deering Multipurpose Community Office Facility
Date of Issue: October 10, 2022
Permit Expires: December 31, 2024

Permit Issued By:

Northwest Arctic Borough
Planning Department
c/o Gem Belamour
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Kotzebue, AK 99752
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Permittee:

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Permittee Contact Information:

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Project Description:

NANA Construction (NANA) plans to construct the NANA Regional Corporation Deering Village Office Building in Deering, Alaska ('Public Facility' is a Major Use in a Village Zone). The project will replace office space NANA Regional Corporation rents in the Tribal Office Building. The NANA building will house two offices for NANA as well as a kitchen, and a large gathering room. Primary use for this building is to provide a safe and open office space for NANA employees living in the community of Deering to conduct NANA business and shareholder relations in the community. The space in the building will be made available for community gatherings if desired. The project will start in June 2022 and be finished by July 2022.

Specific details of the project are contained in the permit application (22-02-113) submitted by NANA Construction to the Borough Planning Department. This application is incorporated into the Borough's administrative record. Project Activities are summarized below.



Project Location:

The Deering Multipurpose Community Office Facility site is located on private land in Township 8 North, Range 19 West, Section 20 of Kateel River Meridian.

The project is located in the Village District.

Placement of Fill:

The project will replace an existing NANA Regional Office in Deering. No wetland fill is needed for this project.

This permit application did not include gravel extraction or reclamation plans. This use permit does not provide for gravel extraction and reclamation for the construction of this project, rather its scope is the placement, design and land use activities associated with multipurpose community office facility construction – a separate Borough Permit Application and Title 9 Permit will be required for gravel extraction.

Community Office Construction:

NANA Construction, a NANA Regional Corporation subsidiary, will construct three modules mounted on skids at the NANA Construction fabrication facility in Big Lake destined for Deering, AK. Each module will be put together in Deering to comprise of a 24ft x 60ft NANA Office Building. Each module will be transported to Seward, AK and loaded on a barge owned and operated by DRAKE Construction and shipped to Deering Summer of 2022. Tentative ship date is end of May from Seward. 230 cubic yards of gravel material provided by Drake will then be placed at the install location using heavy equipment shipped on the barge. Drake Construction will then offload the modules which are built on skids and towed from the beach landing to the install location indicated in the attached drawing. Once in place and tacked together, Drake Construction and Current Electric will perform the vacuum sewer and electric power tie-ins respectively. Anticipated start to finish of construction will be 6 weeks.

Permit Authorization and Documentation:

NANA Regional Corporation submitted a Title 9 Zoning Permit Application (22-02-113) to construct a community building in a Village Zone on March 23, 2022. On April 6, 2022, the Borough Planning Department deemed the application was complete.

Permit fees due totaled to \$250.00.

The Planning Director has the authority to permit Public Facility in a Village Zone by Major Use Permit, pursuant to NABC 9.12.



A Major Use Permit requires a 20-day public review comment period. The public comment period started on August 31, 2022 and ended on September 27, 2022. There were no public comments.

Proposed Permit Terms and Conditions:

1. NANA Regional Corporation (NANA) shall comply with the terms of the permission/permits agreements granted by the federal government, State of Alaska, and/or local governments.
2. NANA 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 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. Uses are encouraged which provide local employment in the community of Deering.
5. NANA is subject to all penalties and civil actions pursuant to section 9.08.240 for violation of the permit conditions and stipulations prescribed herein.
6. Uses permitted shall cease upon the discovery of archaeological, prehistoric, historic or cultural resources during the construction activities, and NANA shall immediately contact both the Planning Director at the NAB Planning Department and Alaska State Historic Preservation Office to determine the conditions to continue.
7. NANA shall notify the Borough within seven (7) calendar days of any damage to the tundra due to project activities that are inconsistent with state and federal permits and in excess of those identified in or different from those noted in the Borough Title 9 permit application and/or accepted as part of the permit update process associated with this permit. This includes, but is not limited to, the scraping of vegetation and spill of oil or other chemicals.

For oil spills or other chemical spills, the permittee shall notify the Borough (both the Planning Department Director and local emergency planning committee staff contact) of any spill that must be reported under any State of Alaska or federal law or regulation.

8. 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.



9. The permittee shall ensure fire safety and emergency access necessary for fire and emergency apparatus and police protection.
10. 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.
11. 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.
12. 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.

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.
 5. Public Utilities. All new or replacement public utilities such as gas, electric and telephone systems shall be designed or constructed to eliminate disruptions due to flooding and associated hazards.
 6. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure, including associated utility and sanitary facilities, shall have the lowest floor elevated to or above 4 feet above grade to ensure an elevation that is reasonably safe from flooding and shall be:
 - i. Flood-proofed so that below the base level the structure is watertight with walls substantially impermeable to the passage of water.
 - ii. Certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section, and such certifications shall be provided to the planning department in conjunction with required permit documentation.
 - iii. Fully enclosed areas below the lowest floor in nonresidential elevated structures that are subject to flooding shall be designed to allow for the entry and exit of floodwaters or are otherwise prohibited.
13. 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.
14. 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.
15. NANA shall immediately notify the borough (at least within 24 hours) of any change in the project plans and seek modification of the permit. NANA shall suspend uses until



approval is given by the Planning Director/Title 9 Administrator. If the proposed action(s) constitutes an emergency, NANA 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.

16. 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 may inspect the properties up to 5-years after the permit expires for compliance checking and inspections.
17. 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. A description of the final placement of fill including photographs,
 - c. Final building design that is certified by a registered professional engineer or architect that the design and methods of construction are in accordance with NABC 9.25.020.O. Flood prevention provisions and such certifications shall be provided with any additional required permit documentation.
 - d. Other matters as reasonably required by the Administrator/NAB Planning Director.
18. This permit will expire December 31, 2024, unless revoked by the Title 9 Administrator and/or NANA.



Permit Approval

NORTHWEST ARCTIC BOROUGH



Clay Nordlum
Planning Director/Title 9 Administrator

October 10, 2022

Date

CC: Native Village of Deering, the City of Deering, NANA, Maniilaq Association, AVEC, OTZ Telephone

Posted at: www.nwabor.org