



Title 9 Minor Use Permit No.: 115-03-20
Date of Issue: July 30, 2020
Permit Expires: December 31, 2023

Permit Issued By:

Northwest Arctic Borough
Planning Department
c/o John Chase
PO Box 1110
Kotzebue, AK 99752
Tel 907.442.8212 / 800.478.1110 extension 112
Fax 907.442.3740
jchase@nwabor.org



Permittee:

Northwest Inupiat Housing Authority
PO Box 331
Kotzebue, Alaska 99752

Permittee Contact Information:

Northwest Inupiat Housing Authority
c/o Daniel Henry
PO Box 331
Kotzebue, AK 99752
Tel 907.521.7089
dehenry@nwaha.com

Project Description:

Northwest Inupiat Housing Authority (NIHA) plans to construct five (5) single-story four-bedroom single family units, approximately 28' x 48' in dimension, on lots selected and provided by the City of Kiana ('Other "uses"' and 'Placement of Fill in a wetland, less than one acre' are Minor Uses in a Village District). Approximately 4,000 cubic yards of fill material will also be purchased and used to make gravel pads from the Kiana Traditional Council. NIHA anticipates the project to begin September 2020 and be completed by April 2022.

Specific details of the project are contained in the permit application (20-02-115) submitted by NIHA to the Borough Planning Department. This application is incorporated into the Borough's administrative record. Project Activities are summarized below.

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 single-family housing unit construction – a separate Borough Permit Application and Title 9 Permit will be required for gravel extraction. The applicant will work with the Kiana Traditional Council to provide, deliver, and spread the fill material from their material source.



Project Location:

The project site for the residential homes construction project in **Kiana** is within Township 18 North, Range 8 West, Section 9, USGS Quad Map Selawik D-3 and Baird Mountain A-3. The property is located on Lots 16-20, Block 1, Valley View Subdivision.

The project is located in the Village District.



Figure 1. Location of 5-home construction project in Kiana

Placement of Fill:

All the lots in this proposed housing project are undeveloped. The gravel pad foundations for the five (5) lots will require approximately 4,000 cubic yards of fill, based upon an estimated area of 80 feet long by 80 feet in wide by 36"-40" in height per pad (80' x 80' x 2'). Fill will be placed into 0.75-acres of wetlands for these pads.

The gravel for this project will be provided by the Kiana Traditional Council (KTC). NIHA will enter into a service agreement with the Kiana Traditional Council to provide, haul, deliver, spread, and compact the necessary gravel fill material from the material site to the identified five (5) lots scheduled for use in the planned housing development project.

As of July 2020, KTC does not have a current Title 9 Permit for gravel extraction, but will be seeking to obtain approval at a future NAB Planning Commission meeting.

Housing Construction:

NIHA will construct the five (5) single-family units utilizing the force account method. NIHA will act as its own general contractor, providing a Project Superintendent to oversee the hiring and active administration of the local labor force (carpenters, laborers, etc.). Work will



begin with the construction of the post/pad foundation system, following with construction of the decking and exterior walls. Once the exterior walls are erected, the local crews will construction the necessary roof trusses, and begin closing the envelope of the respective units in.

Once units are fully enclosed, the local work force will begin the installation of interior walls and other related work. The electrical and mechanical (heating system) & plumbing rough-in work will begin, with selected trades working concurrently to maximize time and efficiency.

Once electrical, mechanical, and plumbing rough-in systems are completed, local work force will begin installation of insulation, and corresponding interior carpentry work, which includes installation of wall finish, painting, trimming, etc., as well as completing any exterior trim work.

NIHA will install necessary sewer service lines to the five units.

Current Approvals:

The following permits/authorizations for this project have been issued:

- US Army Corp of Engineers, DA Regional General Permit, POA-2007-00279
- Alaska State Historic Preservation Office Letter of Concurrence
- U.S. Fish and Wildlife Service, Endangered Species Act Section 7 Consultation

Permit Authorization and Documentation:

NIHA submitted a Title 9 Zoning Permit Application (20-02-115) to construct five (5) single-family homes in a Village Zone on June 8, 2020. On July 17, 2020, the Borough Planning Department deemed the application was complete.

On July 20, the Borough Planning Director approved a Minor Use Permit. The applicant requested a waiver for permit fees because the project will provide affordable housing to qualified low-income families in Kiana. The Planning Director granted the waiver of fees.

The Planning Director has the authority to permit 'other "Uses"' and 'Placement of Fill in a wetland, less than once acre' in a Village Zone by Minor Use Permit, pursuant to NABC 9.12.

Permit Terms and Conditions:

Administrative approval is hereby **GRANTED** to permit 'Other "uses"' and 'Placement of Fill in a wetland, less than once acre' as described, subject to the permit terms and conditions stated herein.

1. Northwest Inupiat Housing Authority (NIHA) shall comply with the terms of the permission, permits and/or agreements granted by the federal government, State of Alaska, Northwest Arctic Borough, NANA Regional Corporation and other applicable agencies.



Northwest Arctic Borough, Planning Department
Title 9 Minor Use Permit No.: 115-03-20
Northwest Inupiat Housing Authority
Page 4 of 6

2. NIHA 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. NIHA 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. Uses permitted shall cease upon the discovery of archaeological, prehistoric, historic or cultural resources during the construction activities, and NIHA shall immediately contact both the Planning Director at the NAB Planning Department and Alaska State Historic Preservation Office to determine the conditions to continue.
6. NIHA 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.
7. 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.
8. The permittee shall ensure fire safety and emergency access necessary for fire and emergency apparatus and police protection.
9. 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.
10. 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.
11. 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.



Northwest Arctic Borough, Planning Department
Title 9 Minor Use Permit No.: 115-03-20
Northwest Inupiat Housing Authority
Page 5 of 6

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. 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. Residential Construction. The flood hazard is very low as the village is located on a bluff above the Kobuk River. Fully enclosed areas below the lowest floor in residential elevated structures that are subject to flooding are to be designed to allow for the entry and exit of floodwaters or are otherwise prohibited.
12. 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.
13. 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.



Northwest Arctic Borough, Planning Department
Title 9 Minor Use Permit No.: 115-03-20
Northwest Inupiat Housing Authority
Page 6 of 6

14. NIHA shall immediately notify the borough (at least within 24 hours) of any change in the project plans and seek modification of the permit. NIHA shall suspend uses until approval is given by the Planning Director/Title 9 Administrator. If the proposed action(s) constitutes an emergency, NIHA 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.
15. 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.
16. 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. Final housing 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.
 - c. Other matters as reasonably required by the Administrator/NAB Planning Director.
17. This permit will expire on December 31, 2023, unless revoked by the Title 9 Administrator and/or NIHA.

Permit Approval

NORTHWEST ARCTIC BOROUGH



Martha Siikauraq Whiting,
Planning Director/Title 9 Administrator

July 30, 2020

Date

CC: City of Kiana, Kiana Traditional Council, NANA Regional Corporation, Maniilaq Association, AVEC, ANTHC
Posted at: www.nwabor.org