



City and Borough of Wrangell  
Port Commission  
AGENDA

Thursday, June 02, 2022  
6:00 PM

Location: Borough Assembly Chambers  
City Hall

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF MINUTES (*MOTION* - Move to approve the Minutes, as presented)**

a. 05/05/2022 Port Commission Minutes

**4. AMENDMENTS TO THE AGENDA**

**5. CORRESPONDENCE**

**6. PERSONS TO BE HEARD**

**7. HARBORMASTER'S REPORT**

a. Harbormaster Report June 2022

b. Insurance Discussion

**8. COMMISSIONER REPORTS**

**9. UNFINISHED BUSINESS**

**10. NEW BUSINESS**

a. Ben Curtis and Shirley Wimberly request to purchase tide lands parcel 02-013-107 that they are currently Leasing from the city.

**11. NEXT AGENDA ITEMS**

**12. ADJOURN**

## Minutes of the Regular Wrangell Port Commission Meeting

Held May 05<sup>th</sup>, 2022

Vice Chairman John Yeager called the Regular Port Commission meeting to order at 6:06p.m. April 07<sup>th</sup>, 2022, via Borough Assembly Chambers

PRESENT: Yeager, Buness, Roppel

ABSENT: Martin, Morrison

Harbormaster Steve Miller was also in attendance.

### APPROVAL OF MINUTES

- a. Approval minutes from meeting April 7<sup>th</sup>, 2022

***M/S: Roppel/Buness to approve the minutes, as presented. Motion approved unanimously.***

### AMENDMENTS TO THE AGENDA -

Add item to New Business

10d. Budget

### CORRESPONDENCE/PERSONS TO BE HEARD -

Persons To Be Heard – Doug Hergert

Mr. Hergert had a few questions regarding the vessel insurance discussion. Mr. Hergert asked if any decisions have been made for vessel insurance. Mr. Yeager responded that the Harbormaster was just introducing the idea, there will be several more discussions and a public hearing with the approval of the assembly before anything is finalized. Mr. Hergert stated that it is near impossible for wooden boats or older boats to qualify for insurance. Mr. Hergert suggested implementing an annual fee of \$100 to \$200 per year for an insurance pool instead of a per foot fee. Mr. Yeager ended the discussion stating he would need a lot more information and discussions before he felt comfortable making any decisions.

### HARBORMASTER'S REPORT

Miller was excited to announce that new hire Blaine Wilson will be starting permanently the end of May. A 24ft vessel sank due to a garden hose being left on in the vessel. The vessel was raised quickly by friends of the owner. Public works is handing the repairs to the approach of Heritage Harbor's boat launch ramp. Miller reported that the Port saw its first cruise ship of the season, although it was a surprise since the docking was unscheduled. The Harbor Master explained his trip with the City Manager out to Meyers Chuck to add 4x10 material with rubber bumpers to the airplane float to protect it.

### COMMISSIONER REPORTS

Buness mentioned that she noticed how busy the Marine Service Center was. Roppel stated that all his questions were answered. Yeager said he was out at Meyers Chuck and thought that the new float looked great and very well built. He is also glad that Blaine is on board for joining the Harbor Department Team.

#### UNFINISHED BUSINESS- Insurance Discussion

Roppel said that based on the letters received there is going to be a lot of public input with a lot of objections to the proposed vessel insurance. Roppel also said that we still need to do something but we don't need to rush into. Buness said the goal is not to penalize the good guys and the Port Commission should pounder the amount that would annually be needed for the "Insurance Pool". Yeager stated that he would like the full commission's opinion on the matter. He feels like if he paid a little extra on his annual stall fee that he would feel like he was contributing to help the issue at hand but at least its not another "fee". Yeager would like more public input and commission input before any decision is made. Miller ended the conversation with stating that he believes the fee could be low enough to not be a burden to vessel owners. The proposed vessel insurance is not a money grab nut to protect what the harbor already has.

#### NEW BUSINESS –

**10a** Approval of the Modification to Wrangell Marine Service Center Leased Mill Dock, Lot 5, Swapping Lot 5 for Lot 8, Extending the Terms and updating the Monthly Lease amount for Metal Head Marine LLC

***M/S: Roppel/Buness motion as presented. Motion approved unanimously.***

Buness said she thinks its appropriate to move Metal Head Marine based on the work he does and the Forest Service boat located at the Nolan Center. Miller said that building 5 is heated and will allow the Harbor to store things that can't freeze like the Harbor sand truck. Metal Head Marine's plan is to build a bigger building which would be an asset to the Marine Service Center.

**10b** Approval of the Modifications to the Wrangell Marine Service Center Leased Lots

***M/S: Roppel/Buness motion as presented. Motion approved unanimously.***

Roppel asked if modifying the rates has been discussed in the past and if all the venders are aware. Miller said that this has been discussed before and this will make the lease rate the same for everyone. Letters went out to the vendors with their new rates.

**10c** Restrooms

Yeager said that there is a lot of talk about restrooms down at City Dock for tourism. He wants the Port Commission to recognize that this is an issue and make awareness that the Port Commission is willing to help with this issue. Miller said that money is being allocated to redo the bathroom that is located in the Elks parking lot. Miller has also reached out to Samson about potentially swapping property to build a bathroom on front street. Roppel

asked who is in charge of this project and Miller said that ultimately it will be Public Works. Bunes stated that we should look to put up signs directing people to the bathrooms that we do have now.

#### **10d Budget**

Miller touched base on the proposed 2023 Port and Harbor Budget. Roppel asked if Miller was satisfied with the upcoming grants that are available. Miller said the City will have to wait until they officially own the Mill Property before they can submit for any grants. Miller stated that the Port Commission has until May 31<sup>st</sup> to add any input for the proposed budget.

#### NEXT AGENDA ITEMS –

The next Regular meeting June, 2nd 2022

Regular meeting adjourned at 7:33pm

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## Harbormasters Report

June 2022

**Harbors:** We are starting to see a high number of independent travelers coming and utilizing our transient space. Seems like we are off to a good start. Fuel prices may start to become an issue but we are staying optimistic.

Blaine Wilson started his first day May 25<sup>th</sup> and we are keeping him moving with maintenance projects that have needed attention. With the added man power I am hopeful to get more of the work done in the harbors.

Security cameras will be moving forward. We have contracted with the engineering firm RESPEC out of Juneau. This engineering firm has many years of experience with security camera systems. This firm was involved with security cameras at the State Capital building as well as Sitka harbors systems.

**Port:** The barge ramp is officially open for business. We received our first barge Sunday May 22<sup>nd</sup>. It performed better than it has in 10 years. Both Samson and AML freight companies are happy to be back working in the Samson yard.

We also have had a hand full of cruise ships dock at the Wrangell city dock and summer floats. The vessels have no been full to capacity but at least they are coming. Talking with the vessel crews it does sound like they could be to 80% capacity by the middle of next month. This has given us the opportunity to get security personnel up to speed and ready for more tourists.

**Marine Service Center:** The Service center remains busy at least until the middle of June. We shut down for a day to have the machine inspected by Kendrick Equipment. The MTI inspection program that we belong to helps ensure that our 150-ton Travel lift is in good safe working order. The overall condition of the machine is in good shape with only minor repairs found during this year's inspection.

**CITY & BOROUGH OF WRANGELL, ALASKA  
PORT COMMISSION AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	June 2, 2022
	<u>Agenda Section</u>	<b>10</b>

Ben Curtis and Shirley Wimberly request to purchase tide lands parcel 02-013-107 that they are currently Leasing from the city.

SUBMITTED BY:  
  
Steve Miller, Port & Harbor Director

FISCAL NOTE:

<b>Expenditure Required: \$10,000 Total</b>		
FY 20: \$	FY 21: \$	FY22:
<b>Amount Budgeted:</b>		
FY22 \$0		
<b>Account Number(s):</b>		
<b>Account Name(s):</b>		
Professional/Contractual Services		
<b>Unencumbered Balance(s) (prior to expenditure)</b>		

Reviews/Approvals/Recommendations

<input type="checkbox"/>	Commission, Board or Committee
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS: 1. Letter 2. Aerial view of property 3.POA-2020-00447

**RECOMMENDATION MOTION:**  
**Move to Approve** Ben Curtis and Shirley Wimberly request to purchase tidelands parcel #02-013-107 as stated in submittal letter.

**SUMMARY STATEMENT:**  
 Ben Curtis and Shirley Wimberly are the property owner just upland from the tidelands they are interested in and are currently leasing the tideland.

The tidelands in question is up in the mud at low tide and of no interest to the Harbor Department. This is a simple request in my opinion and does not hinder harbor operations nor does it hinder boat traffic.

I recommend granting Ben Curtis and Shirley Wimberly their request to purchase tidelands parcel #02-013-107.

Carol, Steve and Kim -

Benn (Rolland B Curtis) and I would like to purchase the tidelands that we are currently leasing at our primary residence at 1448 Peninsula St., Wrangell.

I have attached the P&Z map showing the parcel # 02-013-107. It has been previously surveyed and Mikey Howell has recently marked the property lines, including the tideland borders.

Brett Woodbury is scheduled to do some rock work for us around the house and he will be doing a lot of cleaning up and filling in of the tidelands. We already have the Corps Permit, also attached, for the work and also to add some pilings and a dock. We have until 2/28/2026 to complete the work, and are getting it going soon.

Because of the amount of work and improvements we are planning, we would really prefer to own the tidelands rather than just lease them.

Thank you for your consideration. If you would like more information, please do not hesitate to contact me.

Sincerely,  
Shirley B. Wimberley  
907-305-0338



The screenshot displays a web-based GIS application interface. At the top, a green navigation bar contains the text "Details" and icons for "Basemaps", "Bookmarks", "Layers", and "Print". On the left side, there is a vertical toolbar with icons for zooming in (+), zooming out (-), home, and search. The main area is an aerial satellite map showing several land parcels outlined in black. One parcel, labeled "02-013-107", is highlighted with a cyan border. A white popup window with a green header is open over this parcel, displaying the following information:

Parcel Number: 02-013-107	
Parcel	02-013-107
Last Name	CURTIS
First Name	BEN
Business	
Block	84B
Lot	6
Plat	94-6
Street Address	1448 PENINSULA ST
Mill Rate	12.75

Other visible parcel numbers on the map include 02-013-103, 02-013-105, 02-013-205, 02-013-201, 02-014-325, 02-014-323, 02-014-331, 02-014-329, 02-014-200, and 02-014-300. A scale bar is visible in the bottom left corner, and the "POWERED BY esri" logo is in the bottom right corner.



Item a.

**DEPARTMENT OF THE ARMY**  
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
REGULATORY DIVISION  
P.O. BOX 6898  
JBER, AK 99506-0898

March 5, 2021

Regulatory Division  
POA-2020-00447

Mr. Rolland B. Curtis  
Post Office Box 140  
Wrangell, Alaska 99929

Dear Mr. Curtis,

Enclosed is the signed Department of the Army (DA) permit, file number POA-2020-00447, Zimovia Strait, which authorizes the construction of a stacked rock wall and backfill, as well as the construction of a dock and level pad. The project site is located at Latitude 56.4652° N., Longitude 132.3849° W.; 1448 Peninsula Boulevard, in Wrangell, Alaska. Also enclosed is a Notice of Authorization which should be posted in a prominent location near the authorized work.

If changes to the plans or location of the work are necessary for any reason, plans must be submitted to us immediately. Federal law requires approval of any changes before construction begins.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Please contact me via email at: [Roberta.K.Budnik@usace.army.mil](mailto:Roberta.K.Budnik@usace.army.mil), by mail at the address above, by phone at (907) 753-2785, or toll free from within Alaska at (800) 478-2712, if you have questions or to request a hard copy of this letter and enclosures. For more information about the Regulatory Program, please visit our website at: [www.poa.usace.army.mil/Missions/Regulatory](http://www.poa.usace.army.mil/Missions/Regulatory).

Sincerely,

Roberta K. Budnik  
Project Manager

Enclosures

cc:  
Mr. Brett Woodbury, Agent  
Mr. Rolland Curtis, Applicant  
ADEC

[brettwoodbury@gmail.com](mailto:brettwoodbury@gmail.com)  
[benncurtis@ymail.com](mailto:benncurtis@ymail.com)  
[dec-401cert@alaska.gov](mailto:dec-401cert@alaska.gov)

## DEPARTMENT OF THE ARMY PERMIT

**Permittee:** Mr. Rolland B. Curtis

**Permit No.:** POA-2020-00447, Zimovia Strait

**Issuing Office:** U.S. Army Engineer District, Alaska

**NOTE:** The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** Discharge up to 4,520 cubic yards (CY) of fill material into 0.04-acre below the High Tide Line (HTL) of Zimovia Strait in order to create a stacked rock wall (237 CY) and fill behind the wall to level the ground with the top of the wall, as well as create a level pad in front of the wall (4,247 CY). Additionally, six 13-inch diameter galvanized steel pile will be installed along the face of the rock wall to support a 10-foot wide by 130-foot long dock. The pad in front of the rock wall will provide a level area for the dock to rest at low tides. Piles will be driving from the constructed fill pad at low tide when the area is completely dewatered.

All work will be performed in accordance with the attached plan, sheets [1-3], dated [November 24, 2020].

**Project Location:** Latitude 56.4652° N., Longitude 132.3849° W.; 1448 Peninsula Boulevard, in Wrangell, Alaska.

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on **February 28, 2026**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States (U.S).
2. You must install and maintain, at your expense, any safety lights and signals prescribed by the United States Coast Guard (USCG), through regulations or otherwise, on your authorized facilities. The USCG may be reached at the following address and telephone number: Commander (dpw), 17th Coast Guard District, Post Office Box 25517, Juneau, Alaska 99802; or by telephone at (907) 463-2272.
3. The permittee understands and agrees that, if future operations by the U.S. require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S.. No claim shall be made against the U.S. on account of any such removal or alteration.
4. All work, including fill placement and dock construction, must be completed during low tidal stages while the work area is dewatered.
5. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (attached) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

**Further Information:**

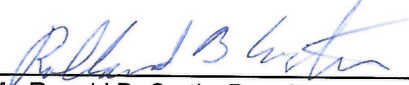
1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the U.S. in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
  - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
  - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

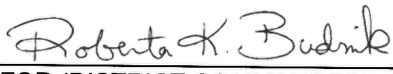
6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
 \_\_\_\_\_  
 Mr. Ronald B. Curtis, Permittee

62-16-2021  
 (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
 \_\_\_\_\_  
 FOR (DISTRICT COMMANDER)  
 Colonel Damon A. Delarosa  
 Roberta K. Budnik, Project Manager  
 South Branch, Regulatory Division

03/05/2021  
 (DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE)

\_\_\_\_\_  
(DATE)



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Environmental  
Conservation

DIVISION OF WATER  
Wastewater Discharge Authorization Program

555 Cordova Street  
Anchorage, Alaska 99501-2617  
Main: 907.269.6285  
Fax: 907.334.2415  
[www.dec.alaska.gov/water/wastewater](http://www.dec.alaska.gov/water/wastewater)

December 28, 2020

Mr. Benn Curtis  
1448 Peninsula Blvd  
Wrangell, Alaska 99929

Re: Curtis Floating Dock  
POA-2020-00447, Zimovia Strait

Dear Mr. Curtis:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation (DEC) is issuing the enclosed Certificate of Reasonable Assurance for placement of dredged and/or fill material in waters of the U.S., including wetlands and streams, associated with the restoration of a pile supported floating and associated residential development in Wrangell, Alaska.

DEC regulations provide that any person who disagrees with this decision may request an informal review by the Division Director in accordance with 18 AAC 15.185 or an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340. An informal review request must be delivered to the Director, Division of Water, 555 Cordova Street, Anchorage, AK 99501, within 20 days of the permit decision. Visit <http://dec.alaska.gov/commish/review-guidance/> for information on Administrative Appeals of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department of Environmental Conservation, PO Box 111800, Juneau, AK 99811-1800; Location: 410 Willoughby Avenue, Suite 303, Juneau within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

By copy of this letter we are advising the U.S. Army Corps of Engineers of our actions and enclosing a copy of the certification for their use.

Sincerely,

James Rypkema  
Program Manager, Storm Water and Wetlands

Enclosure: 401 Certificate of Reasonable Assurance

cc: (with encl.)  
Roberta Budnik, USACE, Anchorage  
George Woodbury, Woodbury Enterprise

Kate Kanouse, ADF&G/Habitat, Anchorage  
Juneau USFWS Field Office  
Region 10 EPA, AK Operations

**STATE OF ALASKA**  
**DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Water Quality Certification**

In accordance with Section 401 of the Federal Clean Water Act (CWA) and the Alaska Water Quality Standards (18 AAC 70), a water quality certification is issued to Mr. Been Curtis at 1448 Peninsula Blvd, Wrangell, Alaska 99929 for placement of dredged and/or fill material in waters of the U.S. including wetlands and streams in association with the restoration of a pile supported floating and associated residential development in Wrangell, Alaska.

A state issued water quality certification is required under Section 401 because the proposed activity will be authorized by a U.S. Army Corps of Engineers permit (POA-2020-00447) and a discharge of pollutants to waters of the U.S. located in the State of Alaska may result from the proposed activity. Public notice of the application for this certification was given as required by 18 AAC 15.180 in the Department's Public Notice POA-2020-00447 posted from December 1 to December 16, 2020.

**Project Description and Location**

The applicant's stated purpose is to restore a piling supported floating dock and contain the property with a rock fill contained by a stacked rock wall. This will make it possible to secure the upland and manage the property. The applicant proposes placement of approximately 4,500 cubic yards (CY) of material into 0.4 acres of intertidal WOUS, including 0.01 acre of wetlands, to construct the rock wall and restore the dock. ~~The dock will be 10 feet wide by 130 feet long. The dock is supported by six 13-~~ inch galvanized steel pilings that are spaced approximately 20 feet apart. The pilings would be driven into the dry toe of the existing fill or driven during low tide. The rock will be hauled to the sight in end dump trucks and spread with an excavator and compacted with a roller.

The proposed activity is located within Section 25, T. 62 S., R. 83 E., Copper River Meridian; Latitude 56.4652° N., Longitude -132.3849° W., in Wrangell, Alaska.

**Antidegradation Analysis Finding**

Pursuant to the Department's Antidegradation Policy and Implementation Methods at 18 AAC 70.015-.016, DEC finds that the project would comply with the requirements for Tiers 1 and 2 regarding water quality impacts to receiving water immediately surrounding the dredge or fill material. The use of appropriate best management practices and erosion and sediment control measures would adequately protect the existing water uses and the level of water quality necessary to protect existing uses. Any potential water quality degradation is expected to be temporary and limited and necessary to accommodate important social and/or economic development in the area.

**Conditions Necessary to Ensure Compliance with Water Quality Standards or other Appropriate Water Quality Requirements of State Law**

The Department of Environmental Conservation (DEC) reviewed the application and certifies that there is reasonable assurance that the proposed activity, as well as any discharge which may result will comply with water quality requirements of the applicable provisions of Section 401 of the CWA and the Alaska Water Quality Standards, 18 AAC 70, provided that the following additional measures are adhered to.

Pursuant to 18 AAC 70.020(a) and the Toxics and Other Deleterious Organic and Inorganic Substances in 18 AAC 70.020(b), the following conditions are designed to reduce pollutants from construction activity to ensure compliance with the applicable water quality standards.

***Pollutants/Toxics***

1. Fuel storage and handling activities for equipment must be sited and conducted so there is no petroleum contamination of the ground, subsurface, or surface waterbodies.



2. During construction, spill response equipment and supplies such as sorbent pads shall be available and used immediately to contain and cleanup oil, fuel, hydraulic fluid, antifreeze, or other pollutant spills. Any spill amount must be reported in accordance with Discharge Notification and Reporting Requirements (AS 46.03.755 and 18 AAC 75 Article 3). The applicant must contact by telephone the DEC Area Response Team for Southeast Alaska (907) 465-5340 during work hours or 1-800-478-9300 after hours. Also, the applicant must contact by telephone the National Response Center at 1-800-424-8802.
3. Construction equipment shall not be operated below the ordinary high-water mark if equipment is leaking fuel, oil, hydraulic fluid, or any other hazardous material. Equipment shall be inspected and recorded in a log daily for leaks. If leaks are found, the equipment shall not be used and pulled from service until the leak is repaired.
4. Fill material (including dredge material) must be clean sand, gravel or rock, free from petroleum products and toxic contaminants in toxic amounts.

### ***Turbidity***

5. Runoff discharged to surface water (including wetlands) from a construction site disturbing one or more acres must be covered under Alaska's General Permit for Storm Water Discharges from Large and Small Construction Activities in Alaska (AKR100000). This permit requires a Storm Water Pollution Prevention Plan (SWPPP). For projects that disturb more than five acres, this SWPPP must also be submitted to DEC (Teri Buck, 907-334-2281, [Teri.Buck@alaska.gov](mailto:Teri.Buck@alaska.gov)) prior to construction.

### ***Erosion and Sediment Control***

6. Excavated or fill material, including overburden, shall be placed so that it is stable, meaning after placement the material does not show signs of excessive erosion. Indicators of excess erosion include gullyng, head cutting, caving, block slippage, material sloughing, etc. The material must be contained with siltation best management practices (BMPs) to preclude reentry into any waters of the U.S., which includes wetlands.
7. Include the following BMPs to handle storm water and total storm water volume discharges as they apply to the site:
  - a. Divert storm water from off-site around the site so that it does not flow onto the project site and cause erosion of exposed soils;
  - b. Slow down or contain storm water that may collect and concentrate within a site and cause erosion of exposed soils.
  - c. Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.
8. All work areas, material access routes, and surrounding wetlands involved in the construction project shall be clearly delineated and marked in such a way that equipment operators do not operate outside of the market areas.
9. Natural drainage pattern shall be maintained, to the extent practicable, without introducing ponding or drying.

Date: December 28, 2020



James Kypkema, Program Manager  
Storm Water and Wetlands

**SELF-CERTIFICATION STATEMENT OF COMPLIANCE**

**Permit Number: POA-2020-00447**

Permittee's Name & Address (please print or type): Mr. Rolland B. Curtis, P.O. Box 140, Wrangell, AK 99929

Telephone Number: 907-306-0339

Location of the Work: 1448 Peninsula Blvd., Wrangell, AK

Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

**PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES \_\_\_\_\_ NO \_\_\_\_\_**  
**TO SCHEDULE AN INSPECTION PLEASE CONTACT \_\_\_\_\_**  
**AT \_\_\_\_\_**

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks, dredging, etc.): \_\_\_\_\_

Acreage or Square Feet of Impacts to Waters of the United States: \_\_\_\_\_

Describe Mitigation completed (if applicable): \_\_\_\_\_

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Full Name of Permittee (printed or typed)

\_\_\_\_\_  
Date

# POA-2020-00447

Project Location

**Legend**

■ POA-2020-00447

POA-2020-00447, Zimovia Strait, Mr. Ronald Curtis  
 Rock wall, fill, and dock  
 Lat. 56.4652 N., Long. 132.3849 W.  
 Sheet 1 of 3, November 24, 2020

POA-2020-00447

Sunset Blvd

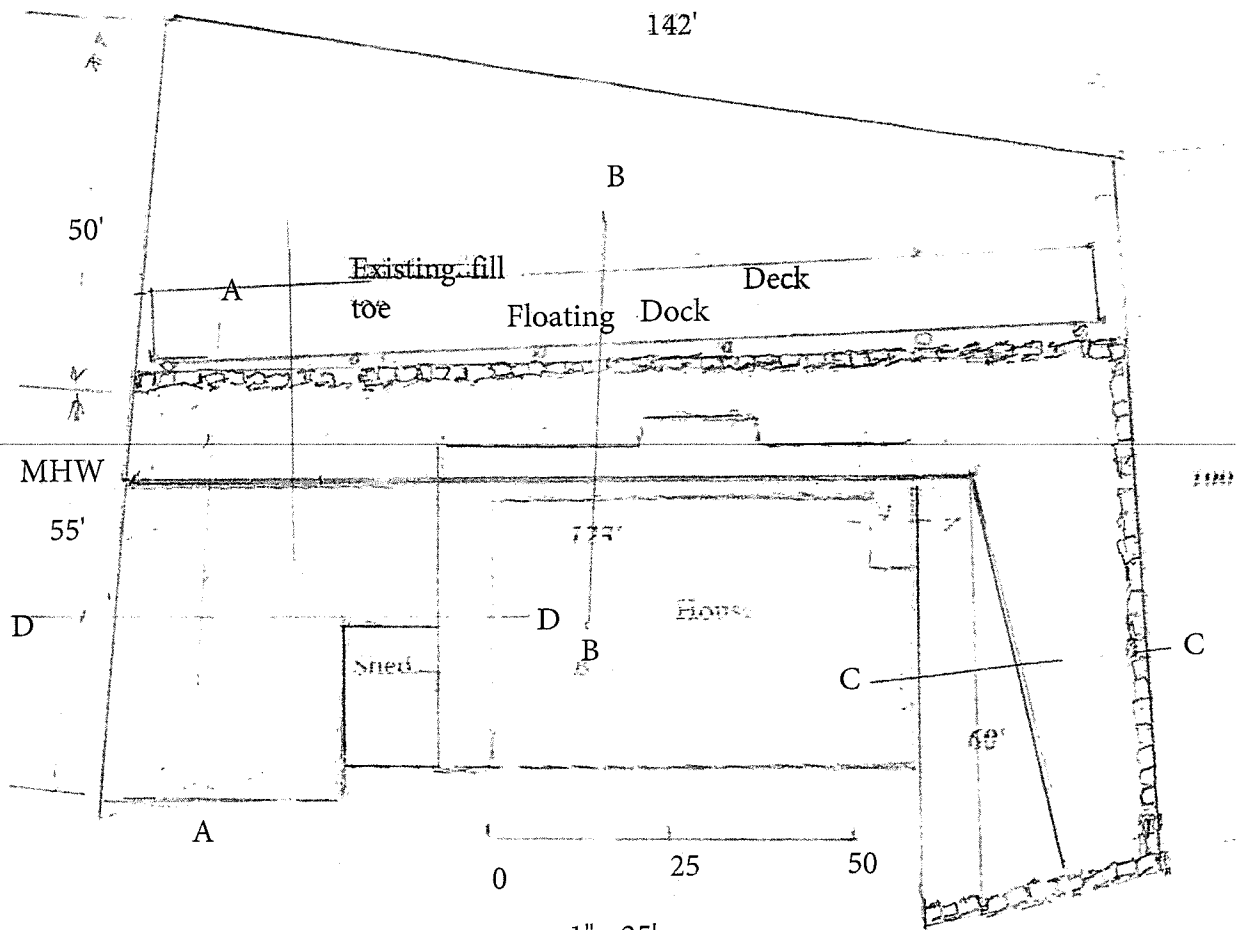
Peninsula St

Ocean View Dr

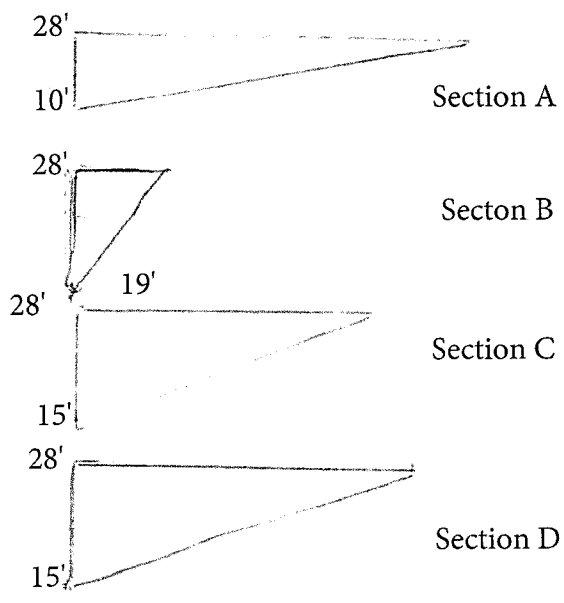
300 ft

# Google Earth

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Image © 2020 CNES / Airbus



Elavation



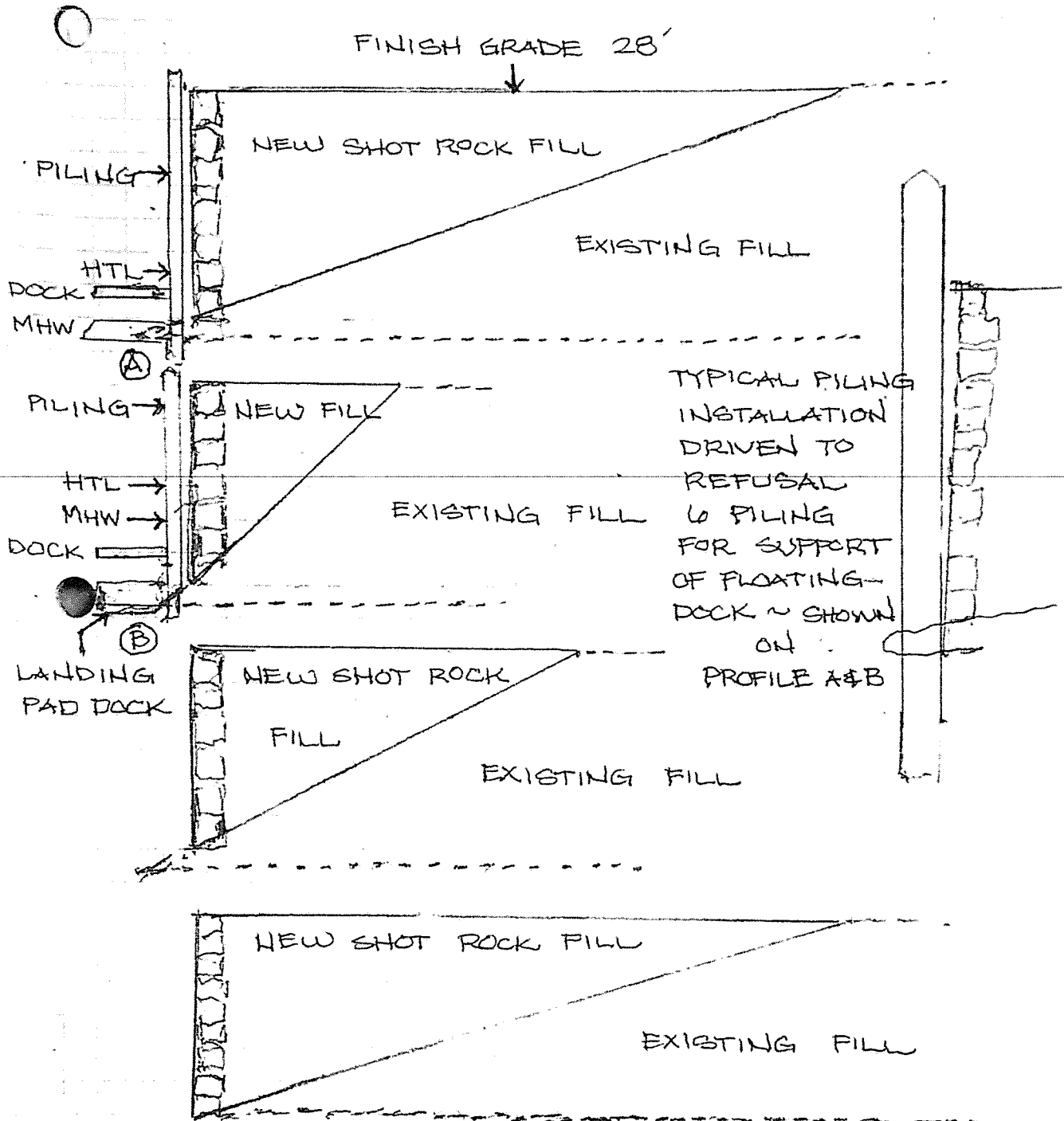
POA-2020-00447, Zimovia Strait, Mr. Ronald Curtis  
Rock wall, fill, and dock  
Lat. 56.4652 N., Long. 132.3849 W.  
Sheet 2 of 3, November 24, 2020

POA-2020-00447, Zimovia Strait, Mr. Ronald Curtis


Rock wall, fill, and dock

Lat. 56.4652 N., Long. 132.3849 W.

Sheet 3 of 3, November 24, 2020



PROFILES FOR BENW CURTIS FILL  
POA - 2020 - 00447 - ZIMOVIA ST.  
AGENT GEORGE WOODBURY  
11 / 24 / 2020

 **This notice of authorization must be conspicuously displayed at the site of work.**

**United States Army Corps of Engineers  
ZIMOVIA STRAIT**

**A permit to:** Place 4520 CY fill in 0.04-ac below HTL of Zimovia Strait for a rock wall & level the ground with the top of the wall, & create a pad in front of the wall. 6, 13" steel piles will be installed along the wall to support a 10' x 130' dock.

**at:** Latitude 56.4652° N., Longitude 132.3849° W.

**has been issued to:** Mr. Rolland B. Curtis

**on:** March 5, 2021 **and expires:** February 28, 2026

**Address of Permittee:** Post Office Box 140, Wrangell, Alaska 99929

**Permit Number:**

**POA-2020-00447**

*Roberta K. Budnik*  
**FOR: District Commander  
Roberta K. Budnik  
Project Manager  
REGULATORY DIVISION**