

# STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF HABITAT MANAGEMENT AND PERMITTING  
JUNEAU AREA OFFICE

400 WILLOUGHBY AVENUE, 4<sup>th</sup> FLOOR  
PO BOX 111050  
JUNEAU, ALASKA 99801-1050  
PHONE: (907) 465-4105  
FAX: (907) 465-4759

## FISH HABITAT PERMIT FH06-I-0043

ISSUED: June 30, 2006

Mr. Reuben Yost  
Department of Transportation and Public Facilities  
6860 Glacier Highway  
PO Box 112506  
Juneau, AK 99811-2506

RE: Katzehin River Bridge  
Katzehin River (Stream #115-34-10700)  
Sec. 10, T. 31 S., R. 60 E., C.R.M. (Skagway A-1 NW)  
59.202 N.; 135.291° W.

Dear Mr. Yost:

Pursuant to AS 41.14.870(b), the Alaska Department of Natural Resources (DNR) Office of Habitat Management and Permitting (OHMP) has reviewed your proposal to construct a permanent bridge across the Katzehin River as part of the Juneau Access Improvements Project. The 2,500-foot bridge will have 144-foot spans supported by 19 piers. Each pier consists of three 4-foot diameter steel piles placed in line with the river flow. The north abutment will extend 100 feet beyond ordinary high water (OHW) to leave the stream bank intact, avoid impacts to riparian vegetation, and to provide passage for wildlife. Approximately 2.6 acres of the floodplain will be filled for the approach at the south abutment.

The following measures will be implemented to minimize impacts to fishery resources and habitat:

- Work below ordinary high water (OHW) will be prohibited from March 15 to June 15 to protect out-migrating salmon.
- No fill will be placed below ordinary high water other than for the approach at the south abutment.
- Equipment will not be operated below ordinary high water except on exposed bars during low-flow periods or during winter.
- Pile driving will be done with a vibratory hammer to the extent practicable.

### **Anadromous Fish Act and Coastal Consistency Requirements**

The Katzehin River (Stream #115-34-10700) has been specified as being important for the spawning, rearing, or migration of anadromous fish pursuant to AS 41.14.870(a). Coho, chum and

*“Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans.”*

pink salmon, as well as Dolly Varden char migrate through the area to spawn upstream from mid-July through November. Pink salmon spawn near the river mouth. During mid-March through mid-June salmon fry and smolts migrate out to sea through the project area. Your project was found consistent with the Standards of the Alaska Coastal Management Program (ACMP) under State I.D. number AK 0603-07J.

*In accordance with AS 41.14.870(d) and 11 AAC 110, your project is approved according to the project description and the terms of this permit.*

The integrity of the bridge must be maintained for the life of the structure in accordance with the terms and conditions of this permit so that free passage of fish downstream is assured. Any obstruction to the free passage of fish must be restored to the satisfaction of OHMP.

You are responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved project. For any activity that significantly deviates from the approved plan, you shall notify OHMP and obtain written approval in the form of a permit amendment before beginning the activity. Any action that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is the responsibility of the OHMP. Therefore, it is recommended you consult OHMP immediately when a deviation from the approved plan is being considered.

This letter constitutes a permit issued under the authority of AS 41.14.870. This permit must be retained on site during construction. Please be advised that this determination applies only to activities regulated by OHMP; other divisions with ADNR also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure other permits; state, federal, or local. You are still required to comply with all other applicable laws.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The department reserves the right to require mitigation measures to correct disruption to fish created by the project which was a direct result of failure to comply with this permit or any applicable law.

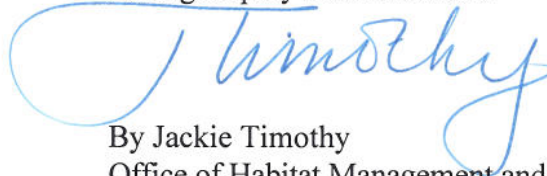
You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330-630.

If you have any questions, please contact Carl Schrader at (907) 465-4287 or email [carl\\_schrader@dnr.state.ak.us](mailto:carl_schrader@dnr.state.ak.us).

Sincerely,

Edmund J. Fogels  
Acting Deputy Commissioner



By Jackie Timothy  
Office of Habitat Management and Permitting  
Department of Natural Resources

Email cc:

Al Ott, OHMP, Fairbanks  
Carl Schrader, OHMP, Juneau  
Joe Donohue, OPMP, Juneau  
Brian Glynn, ADF&G-SF, Douglas  
Randy Ericksen, ADF&G-SF, Haines  
Randy Bachman, ADF&G-CF, Haines  
Mark Fink, ADF&G, Anchorage  
John Leeds, USACE, Juneau  
Susan Walker, NMFS, Juneau