

Appendix C

Permitting Procedures

APPENDIX C PERMITTING PROCEDURES

PERMIT MATRIX, GUIDELINES, AND STANDARDS

The permit matrix, guidelines, and standards of Appendix C are designed to interpret the statutory responsibilities of the permitting agencies while bringing consistency and predictability to the permitting process. DNR, ADF&G, KPB, ADEC, US COE, USFS, and US FWS and other regulatory agencies should refer to the accompanying permit matrix, guidelines, and standards when adjudicating permit applications. The public and permit applicants may also use the permit matrix to determine what the requirements are for a specific use or structure, permitted construction methods, materials that can be used, and the size restrictions that are placed on some structures.

The guidelines are not regulations, but they are based on current local ordinances and agency permitting policies. Permitting agencies may authorize deviations to the stated requirements of the Permit Matrix if habitat, public safety, and the river's water quality is protected. The revisions must be in the overall public interest, meet the underlying requirements of the permit guidelines, and minimize impacts to adjacent property owners.

It is the intent that the agencies, in applying the standards of this Matrix to subsequent permitting decisions, will act in a fair, equitable way in approving permits of a similar type, that their decisions will be based on the best available professional judgment and information, that they will attempt to follow the recommendations of this Matrix and their standard regulatory authorities in a consistent, predictable fashion; and that they will exercise discretionary judgment, varying from these standards stated where reasonable and appropriate.

In the review of permit applications the agencies shall consider (but are not limited to) the following factors: overall utility of project, ease and costs of installation, and availability of material -- consistent with the need to protect habitat, ensure public safety, and avoid inappropriate recreational effects.

USING THE MATRIX AND GUIDELINES

The matrix is broken into specific habitat types and is cross referenced with seventy one different activities. The habitat type appears at the top of each page and the structures or uses appear in the first column on the left side of the page. The matrix is read from left to the right, the applicability and compatibility of each activity rated, and the numbers that refer to the special guidelines for the proposed activity are listed.

The guidelines are located on the pages following the matrix. The first eighteen permit guidelines apply to all projects and the remaining 139 guidelines are "special guidelines" that are applied to specific activities.

High and Low Value Wetlands

The permitting matrix also identifies activities and uses that are conditionally compatible or not compatible in the wetlands adjacent to and within the Plan Boundary of the Kenai River. High (HI) value wetlands are wetlands adjacent to the Kenai River, its tributaries, or other areas within the Plan Boundary that provide functions critical to the river's resources, water quality, and habitats, and/or are hydrologically connected to the river or its tributaries through surface or, especially, subsurface flow during the low water winter months. It is probable that all of the wetlands that are depicted in the Plan Boundary area are high (HI) value wetlands. Low (LO) value wetlands are all those, that based on best available information and professional judgment, do not perform critical functions of the type described. It may be determined through the permitting process that low value (LO) wetlands occur on a case by case basis within the area of the Plan Boundary.

It is intended that these definitions of high and low value wetlands will be changed as a result of the HGM wetlands assessment process now underway. It will be important to translate the functions of the slope and riverine wetlands that are identified for the representative wetlands in the HGM process into wetland values, but through a separate analytic process. It is further intended that the wetlands portion of this Plan as well as Appendix C will be modified through that process, with an appendix (or some similar structure) adopted as a component relating solely to wetlands.

Until the adoption of the amendment, the aforementioned definitions will be used to describe the terms high (HI) and low (LO) wetlands in the Permit Matrix. When the wetlands component is adopted, it shall guide and provide the basis for, at least in large part, the permitting of wetlands within the Plan Boundary of this Plan.

Jurisdictional Comments Key

Each habitat type in the matrix has one column for jurisdictional comments, or who will issue permits or authorizations for each activity listed. Letters of the alphabet are used in place of agency names. The translations of the letters are listed below.

- A = Alaska Department of Natural Resources
- B = Alaska Department of Fish and Game
- C = Alaska Department of Environmental Conservation
- D = Kenai Peninsula Borough
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PERMIT MATRIX

ACTIVITY	RIVER REACH 0 to 11.5 HABITAT TYPE Estuarine Wetlands				RIVER REACH AND HABITAT TYPE Mainstream Kenai and Tributaries (below OHW)				RIVER REACH Entire River Including Tributaries HABITAT TYPE Contiguous Wetlands				RIVER REACH Entire River HABITAT TYPE Riparian including the 100 yr floodplain				RIVER REACH Snow River HABITAT TYPE Alluvial Flats				
	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS	
(1) FLOATING DOCK	X						13,22,23,26 43,49,53,54 55,56,63,69 76,80,81,92 94,124	A, B, C, D, E, K, S	X					X				X			E, G
(2) PILE SUPPORTED DOCKS	X				X			A, B, C, D, E, K, S	X					X				X			E, G
(2.1) REMOVABLE PILE SUPPORTED DOCKS	X						22,23,26, 40(a),43,48 53,34,55,56 63,69,76,80, 81,88,92,94, 96,99,124	A, B, C, D, E, K, S	X					X				X			E, G

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(3) CANTILEVERED DOCKS	X					13,22,44,48 54,36,63,124	A, B, C, D, E, K, S	X					X					X		E, G
(4) LADDERS/ STAIRS	X					26,48,53,56, 63, 124	A, B, C, E, D, K, S, G	X							26, 33, 40, 43,44,48,56, 63, 124	D, K, S, G	X			
(4.1) WALKWAYS			24, 26, 33, 43,44,48,56 63,88,94,97	A, B, D, E, K, S	X					24,26,33,43, 44,48,56,63, 88, 94, 97, 124	A, B, D, E, K, S			24,26,33,43, 44,48,56,63 88, 94, 97, 124	D, K, S	X				
(5) DOLPHINS	X				X		A, B, E	X					X				X			
(6) PRIVATE RAMPS		X		B, D, E, K	X		A, B, D, E, K, S		X			D, E, K, S		X		D, E, K, S	X			E, G

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(7) PUBLIC RAMPS			24, 34, 38, 49, 57, 58, 59, 60, 62, 65, 78, 87	B, E, D, K		24, 28, 38, 57, 58, 59, 60, 65, 74, 78, 79, 87, 126	A, B, E, D, K, S, G	X			D, E, K, S	X			D, E, K, S	X				E, G
(8) SUBSURFACE UTILITY LINES			1, 2, 21, 29, 30, 32	E, K, D		57, 58, 65, 126, 54, 60, 79, 87, 89	A, B, E, K, S, G	HI	LO: 1, 2, 11, 21, 29, 30, 37		D, E, K, S, G			1, 2, 11, 21, 30, 93, 126	D, S, K			29, 57, 59, 65, 93, 126		E, G
(9) OVERHEAD UTILITY LINES			1, 2, 11, 21, 29, 37, 119	E, D, K		38, 57, 68, 108, 110, 126, 54, 60, 65, 78, 87	A, B, E, K, S, G	HI	LO: 1, 2, 11, 21, 29, 37		D, E, K, S, G			1, 2, 11, 21, 59, 126	D, K, S, G			29, 54, 57, 59, 65, 68, 93, 109, 110, 126		E, G
(10) TRAMWAYS	X				X		H	X				X			H	X				
(11) GROINS	X				X		A, B, D, E	X				X				X				E, G

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(12) JETTIES	X					X	A, B, D, E	X					X					X		E,G
(13) MOORING BUOYS	X					X	A, B, D, E	X					X				X			
(14) GRAVEL REMOVAL		X		A, B, D, E, K, S		X	A, B, E, D, K, S		HI	LO: 38, 60, 65, 74, 79, 86, 87, 89, 90, 126	A, D, E			X		A,D, K, S		X		E,G
(15) DIVERSION CHANNELS			49	A, D, E, K		X	A, B, D, E		HI	LO: 1, 2, 3, 21, 128	D, E		X			D, K, S		X		E,G
(16) NAVIGATION CHANNELS		X		D, E, K		X	A, B, D, E		X		D, E		X			D, E, K, S		X		E,G

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(17) PRIVATE BRIDGES/ APPROACHES		X		D, E, K		X		A, B, D, E, K, S	HI	LO: 1, 2, 3, 11, 21, 28, 37	D, E			1, 2, 3, 11, 21, 28, 37, 57	D, K, S			54, 57, 59, 75, 91, 93, 126	E, G	
(18) PUBLIC BRIDGES APPROACHES		X		D, E, K			54, 57, 58, 60, 65, 74, 75, 78, 79, 86, 87, 88, 89, 91, 93	A, B, D, E, K, S, G	HI	LO: 1, 2, 3, 11, 21, 28, 37 G	A, D, E			1, 2, 3, 11, 21, 28, 37, 57	D, K, S			54, 57, 59, 75, 91, 93, 126	E, G	
(19) CANALS		X		D, E, K		X		A, B, D, E, K, S	HI LO		A, D, E	X			X		X		E, G	
(20) BOAT SLIPS		X		A, B, D, E, K		X		A, B, D, E, K, S	HI LO		A, D, E		X		A, B, D, K		X		E, G	
(21) PUBLIC BOAT HARBOR			45	B, D, E, K			40, 45, 138	A, B, D, E, K, S	HI LO		A, D, E			45	D, K		X		E, G	

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(22) RIPRAP		X		E, D, K		X		A, B, D, E, K, S	X				X						128	E, G
(23) BULKHEADS		X		E, D, K		X		A, B, D, E, K, S	X				X						128	E, G
(24) GABIONS		X		E, D, K		X		A, B, D, E, K, S	X				X						128	E, G
(25) OTHER BANK PROTECTION/ RESTORATION			49	E, B, D, K			40, 65, 72, 73, 74, 75, 77, 84, 86, 126	A, B, D, E, K, S, G	X				X						128	E, G
(26) ROADS - PUBLIC			49	E, B, D, K	X				HI	LO: 1, 2, 3, 4, 11, 21, 25, 28, 37, 57	D, E, K, S, G				1, 2, 3, 11, 21, 28, 37, 57, 78, 108, 126, 128	D, K, S, G			1, 2, 3, 4, 6, 11, 21, 25, 28, 78	E, G

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(27) ROADS - PRIVATE			49	A, B, D, E, K	X				HI	LO: 1, 2, 3, 4, 11, 21, 25, 28, 37, 57	D, E, K, S, G			1, 2, 3, 11, 21, 28, 37, 57, 78, 108, 126, 128	D, K, S, G			1, 2, 3, 4, 6, 11, 21, 25, 28, 78	E, G	
(28) DRIVEWAYS		X		E, B, D, K	X				HI	LO: 1, 2, 3, 4, 6, 11, 21, 25, 28, 37	D, E, K, S, G			1, 21, 28, 37, 126	D, K, S, G		X		E, G	
(29) HOUSEPADS		X		D, E, K	X				HI	LO: 1, 2, 3, 4, 6, 8, 9, 11, 21, 28	D, E, K, S			1, 8, 9, 21, 28, 37, 126	D, K, S		X		E, G	
(30) STORAGE YARDS		X		D, E, K	X				HI LO		D, E, K, S		X		D, K, S		X		E, G	
(31) TRAILS			1, 2, 5, 10, 21, 29, 30, 32	E, D, B, K						HI: 5 LO: 1, 2, 3, 4, 21, 25, 32, 34, 37, 46	D, E, K, S, G			32, 64 G	D, K, S			57, 65, 126	E, G	

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(32) CAMPGROUNDS RV PARKS		X		C, D, E, K	X				HI	LO: 6, 8, 9, 103, 104, 105, 106, 132, 133, 134, 135	D, E, K, S			8, 9, 27, 103, 104, 105, 106, 126, 132, 133, 134, 135	D, K, S		X			E, G
(33) SMALL LOT RECREATIONAL SUBDIVISIONS		X		C, D, E, K	X				HI LO		C, D, E, K, S	X			D, K, S		X			E, G
(34) SUBDIVISIONS			49, 120	C, D, K	X				HI	LO: 6, 7, 8, 9, 107	D, E, K, S			7, 8, 9, 107, 126	D, K, S		X			E, G
(35) SANITARY FACILITIES AND REST AREAS			1, 2, 8, 9, 21, 29, 30, 32, 47	C, D, E, K		X			HI HI	LO: 8, 9	C, D, E, K, S, G			1, 2, 8, 9, 21, 30, 32, 47, 126	C, D, K, S	X				C, E, G
(36) VIEWING PLATFORMS			5, 29, 35, 51	D, E, K	X					HI & LO: 5	D, E, K, S, G			32, 131	D, K, S, G			21, 57, 65, 87, 126		E, G

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(37) TURNOUTS		X		C, D, E, K	X				HI	LO: 1, 2, 3, 9, 11, 21, 25, 28	D, E, K, S, G			21, 32, 37, 126	D, K, S, G			21, 57, 65, 87, 126	E, G	
(38) UNDEVELOPED WALK-IN & BOAT- IN CAMPSITES			131	E, D, K	X				HI	LO: 6, 8, 9, 103, 105, 106	D, E, K, S, G			8, 9, 105, 131	D, K, S, G			131	E, G	
(39) SIGNS		X		K	X					HI LO	K, S			X	K, S		X		G	
(40) ATV USE			10	H		X		A, B, K, S	HI	LO: 10	K, S			10	K, S		X	52	G	
(41) WATER RIGHT ALLOCATIONS			40	A			39, 40	A, B		HI & LO: 40	A			131	A		X		G	

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(42) WATER DEPENDENT/ RELATED/IN- DUSTRY AND COMMERCIAL ACTIVITIES			49	E, D, K	X		112	D, E		HI	LO: 40	D, E, K, S, G			40	D, K, S, G			40	E, G
(43) OTHER INDUSTRIAL USES		X		E, D, K	X					HI	LO: 40	D, E, K, S, G	X			D, K, S, G	X			E, G
(44) OTHER COMMERCIAL ACTIVITIES		X		E, D, K			71	A		HI	LO: 40	D, E, K, S, G	X			D, K, S, G			40	E, G
(45) HOTEL/MOTEL RESTAURANT FLOATHOUSES			40, 138	C, D, E, K	X			A, C, K, S		HI	LO: 40	D, E, K, S	X			D, K, S	X			E, G

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	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS	NOT APPLICABLE	NOT COMPATIBLE	CONDITIONALLY COMPATIBLE (CONDITIONS)	JURISDICTION COMMENTS
(46) PARKING LOTS			40, 49	D, E, G, K	X				HI	LO: 1, 2, 3, 4, 6, 11, 25, 28	D, E, K, S, G		X		D, K, S, G		X		E, G	
(47) PESTICIDE- HERBICIDE USE		X		C, D		X		B, C, D	HI	LO: 113, 114	C, D, K, S			113, 114	C, D, K, S		X		G	
(48) FERTILIZER USE		X		C, D	X				HI	LO: 113, 114	C, D, K, S			113, 114	C, D, K, S		X		G	
(49) HUNTING/ FISHING/ TRAPPING			52	B, K			52	B		HI & LO: 52	B			52	B			52	B	
(50) AIRCRAFT APPROACHES & OVERFLIGHTS			50	H			127	A		HI & LO: 131	H			131	H			131	G	

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(51) AIRCRAFT LANDINGS ON RIVER	X					127	A	X					X				X			
(52) WASTE- WATER TREAT- MENT PLANTS			40, 49	C, E, F, D		40	C, D, F, K, S		HI	LO: 9, 66	C, D, E, F, K, S		X		C, D, F, K, S		X		C, F, G	
(53) OIL & GAS EXPLORATION STORAGE & PRODUCTION			40	A, C, E, B, D, K	X	140	A, C, D, K, S		HI	LO: 9, 12	A, C, D, E, F, K, S, G		X		A, C, D, F, K, S			140	E, G	
(54) COMMUNICATION TOWERS		X		E, D, K	X				HI	LO: 1, 2, 11, 21, 29, 37	D, E, K, S, G		X		D, K, S		X		E, G	
(55) LANDFILLS, DUMPS, HAZARDOUS WASTE DISPOSAL		X		C, F, D, K	X		A, C, D, F, K, S		HI LO		C, D, E, F, K, S		X		C, D, F, K, S		X		C, E, G	

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(56) MOBILE HOME PARKS		X		E, D, K	X				HI	LO: 6, 7, 8, 9	D, E, K, S		X		D, K, S		X		E, G	
(57) SEPTIC SYSTEMS			40, 49	C	X				HI	LO: 9	C, D, K, S			8, 9	C, D, K, S		X		C, G	
(58) DAMS/ IMPOUNDMENTS OR STRUCTURAL DIVERSIONS		X		A, E, D, K		122	A, B, D, E	X	HI	LO: 13, 40	A, D, E, K, S	X					X		E, G	
(59) HYDROPOWER PROJECTS		X		E, D, K		16	A, B, D, E, K, S		HI	LO: 13, 16, 40	D, E, K, S	X						16	E, G	
(60) WETLAND DRAINAGE AND ASSOCIATED DISCHARGE		X		D, E, K	X				HI	LO: 13, 14, 15, 21, 31, 37, 41, 42	D, E, K, S		X		D, E, K, S		X		E, G	

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(61) MINING INCLUDING PEAT MINING		X		A, D, E			31, 52, 58, 61, 67	A, B, C, D, K, S, G	HI	LO: 31, 52, 67	A, B, D, K, S, G		X			A, D, K, S			52	G
(62) RECREATIONAL GOLDFANNING	X						31, 52, 61	A, B, C	X				X				X			
(63) WASTE ASSIMILATION IN WETLANDS		X		C, D, E, K	X				HI		C, D, K, S	X					X			G
(64) STORM DRAINS		X		C, D, K, S			1, 2, 15, 30	C, D, K, S	HI	LO: 1, 15, 44	C, D, K, S			1, 2, 15, 21, 30, 126, 130	C, D, K, S		X			C, G
(65) TIMBER HARVEST	X				X			A, D, K, S	HI	LO: 137	D, K, S, G			137	D, K, S, G				137, 139	G
(65.1) LOG RAFTING	X				X			A, D, K, S	X			X				X				

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(66) AGRICULTURE & HORTICULTURE	X				X					HI	LO: 17, 18, 19	H		X		H		X		G
(67) LIVESTOCK RAISING & GRAZING		X		D, K		X				HI	LO: 17, 18, 19	H		X		H		X		G
(68) MAINTENANCE ACTIVITIES			111	D, E, K			95, 111, 125	A, B, D, E, K, S			HI & LO: 111	D, E, K, S			111	D, K, S			111	E, G
(69) LAND CLEARING FOR RECREATIONAL & COMMERCIAL PURPOSES, ETC		X		A, C, D, K	X					HI	LO	A, C, D, K, S		X		A, C, D, K, S		X		G
(70) SCIENTIFIC EDUCATIONAL ACTIVITIES			131	H			131	G, A			HI & LO: 131	G, H			131	G, H			57, 65, 126	G

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(71) WILDLIFE VIEWING & PHOTOGRAPHY			131	H			131	G, H			HI & LO: 131	G, H			131	G, H			57, 65, 126	G

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PERMIT GUIDELINES LIST

A. General Guidelines

The following general guidelines should be employed by all allowable activities, as noted on Appendix C.

1. Projects shall be located, designed and maintained so that natural water circulation patterns are not interrupted unless the changes are an integral part of the project purpose.
2. Projects shall be evaluated in consideration of the overall number, density and proximity of similar structures.
3. New development, when compatible with resource values, shall be located near existing development, before committing undeveloped areas to development.
4. Activities shall conform with all applicable local, state and federal regulations.
5. Activities shall not adversely impact adjacent HIGHER value wetland area.
6. Activities shall not be allowed if they are contrary to the public interest.
7. Projects shall be sited so as to avoid spawning and rearing areas.
8. Demonstration or experimental projects may be allowed as determined to be appropriate by ADNR and the appropriate resource agencies.
9. Any discharge of dredged or fill material, or point source water discharge shall be free from toxic pollutants.
10. Any project or activity shall be properly maintained in accordance with existing regulations.
11. All temporary fills shall be removed in their entirety.
12. Heavy equipment working in HIGHER value wetlands shall be placed on mats.
13. Only those projects which have a reasonable chance of success shall be permitted.
14. Mitigation will be required for all unavoidable impacts.

15. The fill or alteration of contiguous or hydrologically connected wetlands will be opposed.
16. The minimum instream flow necessary to maintain fish and wildlife production at its full potential will be maintained in the Kenai River and its tributaries.
17. On public lands, vegetated riparian buffer will be maintained at a width adequate to remove at least 95% of silt, turbidity, and other organic and inorganic pollutants from surface runoff based upon the best available information.
18. Permitting agencies may authorize revisions to stated requirements if habitat, public safety, the river water quality is protected. The revisions must be in the overall public interest, meet the underlying requirements of the permit guidelines, and not impact adjacent property owners.

B. Special Guidelines

The following special guidelines shall be employed, as noted on Permit Matrix.

1. Appropriate erosion control measures shall be taken where erosion is a problem.
2. Surface disturbance including disturbance to wetland areas shall be minimized.
3. All slopes shall be stabilized.
4. Construction equipment shall be limited to the project site only.
5. Structures shall be pile supported.
6. Total fill shall not exceed 10% of the wetland property. Variances may be authorized as appropriate for septic system installation.
7. Minimum lot size shall be 40,000 square feet; 20,000 square feet of which shall be suitable soils as defined by ADEC.
8. Setback for septic systems shall be 100 feet from any water body including ditches.
9. Activities shall conform with ADEC regulations concerning waste disposal sites.

10. Winter use (between November 1 and March 15) of ATVs may be allowed on public lands unless otherwise prohibited. This does not effect ATV use on private property or on designated ATV trails and access routes.
11. Fill in excess of that needed for structural integrity of the project shall not be placed.
12. A containment berm shall be constructed which will contain 100% of the largest tank capacity within the containment berm, plus an additional 12 inches of free board sidewall distance.
13. Docks and other structures will not infringe on important recreational areas of the river, sensitive habitats, and cannot interfere with another's property. No structure will be permitted that is an impediment to fish movement.
14. Ditches shall not physically connect to any natural body of water.
15. Settling ponds and grease separators shall be used to maintain water quality. A strict maintenance schedule shall be planned and undertaken.
16. Hydroelectric facilities shall be permitted in waters which do not provide anadromous fish habitat, or on reaches upstream from such habitat, only where water quality and quantity, including normal distribution of streamflow, can be maintained and where no significant individual or cumulative impacts will occur.
17. Fencing shall be used to prohibit livestock from entering a natural stream course.
18. An offstream water source shall be used.
19. ADNR grazing guidelines shall be followed.
20. No water table alterations shall be permitted.
21. Ensure that disturbed soil areas are revegetated within the next growing season. Natural revegetation is acceptable if the site is suitable and will revegetate itself within the next growing season.
22. The storage of petroleum products on a dock is not permitted, except for the act of fueling.
23. Styrofoam or other floatable, non-toxic material may be used for floating docks providing the floatation materials are contained in some manner to protect the material from breaking up and being released into the Kenai River.

24. Fuel, oil and other petrochemical products shall not be stored within 100' of the river.
25. Culverts shall be installed to maintain natural surface drainage.
26. Existing river bank vegetation shall not be disturbed or altered to facilitate in the installation or removal of the floating dock, walkway, stairs, or spruce tree revetments.
27. A minimum of 50' shall be maintained between the development and the Kenai River. A buffer width of 100' is preferable for uses of significant size or having potentially significant impact to the Kenai River.
28. All fill material shall be obtained from an upland source or other approved site.
29. Winter construction activity shall be confined to the time when there is one foot or more of ground frost and a minimum of one foot of snow cover (i.e. October 15 through March 15.)
30. Pre-existing contours shall be maintained.
31. Discharged waters shall not exceed state water quality standards.
32. Avoid disturbance to important habitat areas such as (but not limited to) designated caribou calving areas or waterfowl staging areas.
33. The structure shall be pile supported only.
34. No material shall be removed from the Kenai River except that which is necessary for the placement of the boat ramp.
35. Activity in the estuarine wetland area shall occur during times which avoid disturbance to staging waterfowl.
36. Modification to estuarine wetlands shall be limited to necessary public projects and with the site disturbance confined, preferably, to the existing turnouts only.
37. Excess material excavated from the site not needed for site development allowed by these guidelines shall be disposed of at an upland site.
38. No equipment shall be operated within the flowing waters of the Kenai River.

39. Each water intake structures shall be centered and enclosed in a screened box designed to prevent fish entrapment, entrainment or injury. The effective screen opening may not exceed 0.04 inch. To reduce fish impingement on screen surfaces, water velocity at the screen/water interface may not exceed 0.1 foot per second when the pump is operating.
40. These activities shall be determined on a case-by-case basis.
- 40(a). Pile and removable pile floating docks may vary from applicable standards only if the state determines that adequate fish passage, public safety, and overall public interest is served and appropriate permits have been approved.
41. There shall be a 100' setback to any natural body of water.
42. Minimal sides slopes of 2:1.
43. The Alaska Historic Preservation Act (AS 41.35.200) prohibits the appropriation, excavation, removal, injury, or destruction of any state-owned historic, prehistoric or archeological resources of the State. Should any sites be discovered during the course of field operations, activities that may damage the site will cease and the Office of History and Archaeology in the Division of Parks and Outdoor Recreation [(907) 762-2622] and the appropriate coastal district shall be notified immediately.
44. No pilings or walkway supports shall be placed below the Ordinary High Water Line (OHWL) or in the riverbed.
45. The only site that will be considered for a proposed boat harbor is the "TAMMS" site which the city of Kenai has considered, in the past, for a public boat harbor. An individual permit review would be required for this site.
46. Minimal trail widths shall be used as determined by DNR.
47. Construction of rest areas shall be at existing car turnouts. Rest areas will also be considered at boat-in areas as well.
48. Floating docks, landings, gangways, walkways, steps and ladders, and similar structures, with at least 75 percent light penetration, must be constructed so that no part other than the supporting posts, are within 8 inches of the ground. Structures with less than 75 percent but a minimum of 25 percent light penetration must be constructed so that no parts, other than the supporting posts, are less than 18 inches off the ground.
49. Only water dependent uses should be sited adjacent to the Kenai River.

50. No overflights by aircraft below 500 feet altitude shall be allowed from April 1 through May 15; and August 15 through October 31.
51. Activities shall allow for minimal impact on wildlife resources.
52. Activities shall be allowed as provided by existing regulations.
53. The structures shall be removed seasonally.
54. Structures shall be designed to effectively secure moored vessels and avoid creating hazards to river or air navigation.
55. The total surface area of floating docks per parcel should not exceed the amounts outlined in the dock standards table located in this appendix.
56. Non-treated or pressure treated materials are preferred over surface treatment. Creosote-treated materials shall not be used in contact with the flowing waters of the Kenai River. If treated with wood preservatives, the dimensional lumber shall not be treated with products containing creosote or pentachlorophenol.
57. The project shall be permitted only if there is an overwhelming public need.
58. The project shall not be located in an important spawning or rearing area.
59. Bank disturbance (of soil and vegetation) shall be minimized.
60. Associated facilities shall not be located in the HIGHER value wetland areas.
61. Mining is not compatible within the mainstem Kenai River.
62. The project shall not extend beyond Ordinary High Water Line (OHWL).
63. Floating dock landings, gangways, walkways steps, ladders and similar structures with less than 75 percent but a minimum of 25 percent light penetration must be constructed so that no parts, other than the supporting posts, are less than 18 inches off the ground.
64. The maximum width of the structures shall be 8'. However, a lesser width is advised if trail use is not expected to be heavy.
65. The project shall be designed so there is as little maintenance as possible.
66. The activity shall comply with EPA and DEC wastewater discharge regulation.

67. Mining and material extraction will not be authorized below the ordinary high water line (OHWL) of the Kenai River or its tributaries.
68. The sag in a utility line shall be such that the lowest point in the line is at least 50 feet above ordinary high water line (OHWL).
69. A property owner that owns adjacent river front lots may install one dock and is subject to the dock standards listed in the appendix table and the requirements of items #80 and #81. Authorizations may be obtained to place additional extensions to the dock for each waterfront lot owned.
70. No fill for bridge approaches shall be placed in the riparian zone. Pile support approaches may be acceptable on a case-by-case basis.
71. Guiding shall be allowed as specified by ADNR.
72. Bank restoration measures shall be limited to areas where the erosion is excessive.
73. No project shall be permitted unless there is a reasonable chance of success.
74. The project shall be designed so that there is no increase in water velocity along the waters edge.
75. Plans shall be reviewed and approved by a registered engineer at the applicant's expense.
76. Adjoining property owners on the Kenai River may install a (one) dock for the purposes of accommodating the boats of all owners participating in the "joint dock". Docks may not be constructed on those lots that participate in the joint dock, and owners must agree in writing to the use of the dock. This agreement is to "run with the land". Variation to the agreement will require amendment of the initial agreement and the issuance of a new permit. The size of the initial dock must be reduced as a result of the changes in land owner participation.
77. Certain demonstration projects shall be allowed provided that field checks be done before, during and after construction which will include velocity measurements and fish surveys.
78. Roads shall be constructed perpendicular to the river and shall be built only to access ramps or other water dependent activity which requires vehicular access.
79. All construction shall occur during low water periods which is normal between October 31 and May 15.

80. In areas of the Kenai River that are influenced by tidal fluctuation, floating docks may not extend more than 25 feet beyond the mean high tide line.

In Kenai Lake and Skilak Lake, floating docks may not extend more than 40 feet beyond the ordinary high water line.

In areas of the Kenai River that are not tidally influenced, private floating docks shall not extend more than 10 feet from the water's edge at any water level or river stage below the ordinary high water line. Public floating docks shall not extend farther than 12 feet from the river bank, measured horizontally from the ordinary high water line (OHWL).

81. Permitting agencies may authorize deviation from the requirements stated herein if wildlife resource, public safety, and water quality standards are met. The revisions must be in the overall public interest, meet the underlying requirements of the permit guidelines and not impact adjacent property owners.

82. The project shall not be designed so as to reclaim land from the river.

83. Reserved.

84. All disturbed areas attributable to this project, from OHWL to 16 feet upland from the OHWL shall be revegetated to provide cover for juvenile fish and to provide additional bank protection. Revegetation shall be accomplished with woody and herbaceous plant species naturally found on site and at a stem density of at least 33 percent of the existing natural densities. All revegetation shall occur prior to June 30 of the same year that construction occurs.

85. Secondary treatment is required.

86. No material shall be removed from the Kenai River except a minimal amount which may be necessary to provide a flat base for the toe of the structure.

87. All construction work shall be completed within one construction season.

88. Riprap shall be free of loose dirt or gravel below the ordinary high water line.

89. A landowner may be required to design and construct the walkways in such a manner that sections can be removed during the season for wildlife access.

90. Organic material such as trees, brush or soil shall not be deposited in the Kenai River unless specifically authorized.

91. The structure shall not impede bank access under the bridge.

92. Barrels used in the construction of floating docks shall be cleaned and sealed to prevent the escape of hazardous material into the Kenai River.
93. Stabilization measures shall be sufficient to withstand a 100-year flood event.
94. Projects that deviate from the standards of the walkway and floating dock table may be approved on a case by case basis.
95. Removal of material shall not be done by suction dredge.
96. The installation and location of the pilings should minimize the impact on the river bed substrate.
97. The amount of walkway allowed per parcel shall not exceed the amounts outlined in the walkway/floating dock table in this chapter.
98. The maximum lot coverage or impervious surface limitation shall be 10 percent.
99. This activity shall be determined on a case by case basis, only when a floating dock is not feasible.
100. Reserved.
101. Reserved.
102. Intensive livestock operations (feedlots) shall be prohibited.
103. Gross density shall not exceed 10 sites per acre.
104. No on-site septic disposal. All sewage shall be in holding tanks for off-site disposal.
105. Permanent structures or appurtenances shall not be allowed on any individual campsite other than tent platforms, fire pits and concrete pads.
106. Individual on-site sewage disposal or water supply systems shall not be allowed for individual recreational vehicle campsites.
107. Clustering techniques shall be encouraged which reduce lot size while preserving open space. Such techniques should, however, achieve the same overall density which would result from application of the prevailing minimum lot size.

108. The project shall be located a maximum distance from bald eagle and (where applicable) important bird nesting, feeding, and over wintering areas. The distance shall be determined on a case-by-case basis.
109. Associated structures shall not be located in the alluvial flats.
110. Associated structures shall be designed and placed so as to prevent hazards to birds and raptors.
111. The scope and dimensions of the authorized work or activity shall not be increased.
112. Other than access for commercial river guiding operations, water dependent industries shall be restricted to designated areas in the tidally influenced areas of the Kenai River.
113. Only non-persistent pesticides/herbicides and fertilizers shall be used.
114. Use of non-persistent pesticides/herbicides and fertilizers shall be not exceed manufacturer's specifications or leach into HIGHER value wetlands or the riparian buffer.
115. Reserved.
116. A complete block (plug) shall be maintained at the head of the existing canal until all canal and basin excavation and bank sloping work is completed.
117. The excavated material shall be placed inland at a sufficient distance to ensure that no material shall re-enter the water body.
118. The barrier shall remain in place until state water quality standards are reached in the canal.
119. If an overhead utility is determined to be less damaging to the estuarine wetlands habitat, it shall be considered as an option to the subsurface utility.
120. Residential subdivisions shall not be considered.
121. Limited to 0 to mile 5 on the Kenai River.
122. Only allowable for the purposes of fishery enhancement.
123. Reserved.

124. Structures shall be designed so there is minimal bank disturbance.
125. Activities below Ordinary High Water Line (OHWL) shall be restricted to low water periods which are normally between October 31 and May 15.
126. Removal of vegetation shall be limited to that which is necessary to accomplish the allowed use.
127. Aircraft operations above the Kenai River and takeoffs and landings on its surface are subject to applicable Federal Aviation Administration regulations (FARs).
128. This activity shall be allowed only when associated with another compatible activity.
129. Reserved.
130. Settling ponds shall not be located within 100' of the river.
131. No specific conditions are required for this activity.
132. A maximum of 10% of site shall be filled.
133. There shall be a 100' setback of fill from flowing water; with 200' setback from the Kenai River.
134. Riverfront trails shall be set back slightly from river bank, but not so far as to encourage creation of alternative trails by users wanting closer access.
135. Fire pits should be provided in all camping units.
136. Area as defined in Figure 30.
137. For disease or insect control purposes only.
138. May be allowed on a case-by-case basis on Kenai Lake and Skilak Lake.
139. For commercial harvest of firewood.

140. The siting of new oil and gas exploration, storage, and production facilities within one-half mile of the Kenai River are not compatible. An exception may be granted by the DNR Commissioner, with the concurrence of the ADF&G, if the lessee demonstrates that the alternate location is environmentally preferable; however, in no instance will a facility be located within a quarter of a mile of the river bank.

DOCK STANDARDS

Floating docks are the most commonly permitted structure that is placed in the Kenai River. Standards and size limitations have been developed to allow private property owner's to access to the river and to continue to maintain the public waters for the public's use. Dock standards and definitions are listed in the table and text below as well as the permitting matrix. This was done to make property owners aware of what the requirements are, permitted construction methods, materials that can be used, and the size restrictions that are placed on docks.

STRUCTURE TYPE	PROPERTY TYPE	STRUCTURE SIZE
Floating dock/Pile dock (removable)	Private and public 0-74' lineal frontage	Structure size determined during permit review
	Private and public 75'-200' lineal frontage	80 square feet
	Private and public 201' plus feet of lineal frontage	More than 80 square feet may be allowed on a case by case basis

DEFINITIONS

The term "floating dock" is used to describe that area that is used for the safe anchoring of boats within the water column of the Kenai River and its tributaries. This includes the gangway, walkway on the dock, and the extension at the end or sides of the docks that are generally parallel to the river bank.

The term "gangway" is that part of the dock structure used to link the dock to the river bank. Gangways should not be greater than 6' in width. They must be securely anchored to the river bank to maintain the position of the dock in the river.

The term "tie down" refers to guide wires that extend from the river bank to the dock in order to resist the tractive force of the current on the dock. They usually connect at the upstream corner of the outermost portion of the dock's extension to the river. Tie downs must be securely anchored to the river bank, sufficient to maintain the position of the dock in the river, in association with the anchoring provided by the gangway(s). Tie downs may be appropriate for installation when water velocities are great. If installed, they should be prominently identified for the public.

