



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Fish and Game

HABITAT Section
Southcentral Region Office

514 Funny River Road
Soldotna, Alaska 99669-8255
Main: 907.714.2475
Fax: 907.260.5992

FISH HABITAT PERMIT FH20-V-0186

ISSUED: October 1, 2020
EXPIRES: December 31, 2021

Alaska Railroad Corporation
Brian O'Dowd
327 W. Ship Creek Ave.
Anchorage, AK 99501

RE: Bank Stabilization
Upper Placer River – Above Anadromous Reach
Section 23, T 7N, R 2E, S.M.
Location: 60.6838° N, 149.0483° W

Dear Mr. O'Dowd:

Pursuant to the fishway act at AS 16.05.841, the Alaska Department of Fish and Game (ADF&G), Habitat Section, has reviewed your proposal to conduct rockfall mitigation on the slope above the Placer River at the referenced location.

Project Description

Critical line stabilization activities, including excavating and blasting rock from a cliff face and reconstructing a retaining wall, will occur on the Alaska Railroad track at the referenced location. The line stabilization effort is critically needed, as the slope in this location has become unstable and threatens to slough away towards the Placer River. A significant slough could completely block the track at this location and constrict the river channel below. Displaced rock and excavated material attributable to this project is expected to be collected in the existing railroad ditch and railbed above ordinary high water.

Fishway Act

The Placer River (AWC No. 247-60-10200) downstream of the project location has been documented as providing migration habitat for coho salmon. The Placer River at the project location

may support species of resident fish. Your project as proposed has the potential to obstruct the efficient passage and movement of fish.

In accordance with AS 16.05.841, project approval is hereby given subject to the project description, the following stipulations, and the permit terms:

1. Any displaced rock attributable to this project shall be removed from the stream channel. You must restore any obstruction to free fish passage to the satisfaction of ADF&G.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.05.841 and must be retained on site during project activities. Please be advised that this determination applies only to Habitat Section regulated activities; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure other state, federal, or local permits. You are still required to comply with all other applicable laws.

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 the Habitat Section 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 a Habitat Section responsibility. Therefore, it is recommended you consult the Habitat Section immediately when a deviation from the approved plan is being considered.

For the purpose of inspecting or monitoring compliance with any condition of this permit, you shall give an authorized representative of the state free and unobstructed access, at safe and reasonable times, to the project site. You shall furnish whatever assistance and information as the authorized representative reasonably requires for monitoring and inspection purposes.

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. You shall mitigate any adverse effect upon fish or wildlife, their habitats, or any restriction or interference with public use that the commissioner determines was a direct result of your 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.

Please direct questions about this permit to Habitat Biologist Brian Blossom at (907) 714-2481 or e-mail at brian.blossom@alaska.gov.

Sincerely,

Doug Vincent-Lang
Commissioner

Brian Blossom

By: Brian Blossom
Kenai Peninsula Area Manager
Habitat Section

cc: KRC File

By email only:

AWT Seward
ADF&G Anchorage

From: [Blossom, Brian D \(DFG\)](#)
To: [Brian O'Dowd](#)
Cc: [Blake Adolfae](#); [Gabriel Thomas](#); [Riley Bronga](#); [Donald Richardson](#); [Munter, Tony P \(DFG\)](#)
Subject: RE: 10793 (119432): MP 52.14 Rockfall Mitigation - Fish Habitat Permit FH20-V-0186
Date: Friday, May 7, 2021 9:49:01 AM
Attachments: [image001.png](#)

Brian,

Thank you for the update. We will consider this e-mail as a time extension request and extend the expiration date on your permit to Dec. 31, 2022. Does the additional year work for you?

Thanks,

Brian Blossom
Kenai Peninsula Area Manager
Department of Fish and Game
Habitat Section
907-714-2481

From: Brian O'Dowd
Sent: Friday, May 7, 2021 9:33 AM
To: Blossom, Brian D (DFG)
Cc: Blake Adolfae ; Gabriel Thomas ; Riley Bronga ; Donald Richardson
Subject: 10793 (119432): MP 52.14 Rockfall Mitigation - Fish Habitat Permit FH20-V-0186

Mr. Blossom,

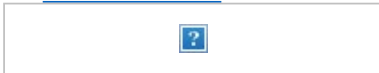
As our construction activities have yet to start due to the COVID-19 pandemic amongst other operational constraints in the area (i.e. snowfall), what is the likelihood that we can get this permit extended? I would like to have the conversation now before the permit expires on 31 December 2021 and we are in a situation where our Contractor has not completed their work.

Please let me know what you need from us and we will get it over to you as soon as practicable. Neither the scope nor the plans have changed since our last transmittal to your office.

Thanks in advance,

Brian A. O'Dowd, P.E.

Senior Project Manager - Capital Projects
907.265.2521 office | 907.223.6959 mobile
mailing: PO Box 107500, Anchorage, AK 99510-7500
physical: 327 W Ship Creek Ave, Anchorage, AK 99501
web: www.AlaskaRailroad.com



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From: Blossom, Brian D (DFG) <brian.blossom@alaska.gov>
Sent: Thursday, October 1, 2020 5:23 PM
To: Brian O'Dowd <OdowdBA@akrr.com>
Subject: RE: 10793: MP 52.14 Rockfall Mitigation and Retaining Structures - ADF&G Permit

Brian,

Fish Habitat Permit FH20-V-0186 is attached for the rock fall mitigation project above the Placer River at the location referenced in the permit. This permit authorizes the removal of any displaced rock attributable to this project that may enter the river channel and constrict fish passage. Obviously one or two rocks is not a concern, but if a blasted or fractured rock slide escapes the railway and significantly impedes the stream channel, then the rock needs to be removed by the terms of this permit.

Thank you,

Brian

Brian Blossom

Kenai Peninsula Area Manager
Department of Fish and Game
Habitat Section
907-714-2481

From: Brian O'Dowd <OdowdBA@akrr.com>

Sent: Thursday, October 1, 2020 12:56 PM

To: Blossom, Brian D (DFG) <brian.blossom@alaska.gov>

Subject: Re: 10793: MP 52.14 Rockfall Mitigation and Retaining Structures - ADF&G Permit

No worries. Thank you sir.

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From: Blossom, Brian D (DFG) <brian.blossom@alaska.gov>

Sent: Thursday, October 1, 2020 12:46:36 PM

To: Brian O'Dowd <OdowdBA@akrr.com>

Subject: RE: 10793: MP 52.14 Rockfall Mitigation and Retaining Structures - ADF&G Permit

Brian,

I apologize if I dropped the ball on this one, I think I told you we would do a quick permit in case some rock ended up sliding into the stream. I will work on it this afternoon and get it to you by Friday. I took some leave and when I came back we were blitzed with a flurry of plan reviews and projects.

Thanks for the reminder,

Brian

Brian Blossom

Kenai Peninsula Area Manager

Department of Fish and Game

Habitat Section

907-714-2481

From: Brian O'Dowd <OdowdBA@akrr.com>

Sent: Thursday, October 1, 2020 12:07 PM

To: Blossom, Brian D (DFG) <brian.blossom@alaska.gov>

Cc: Blake Adolfae <AdolfaeB@akrr.com>

Subject: RE: 10793: MP 52.14 Rockfall Mitigation and Retaining Structures - ADF&G Permit

Mr. Blossom,

Could you provide me with an update as to where we are with the permit application? I do recall that you noted that we may or may not need the permit applied for and that another permit might be more applicable.

If you need any addition information regarding this project, please let me know.

Thanks,

Brian A. O'Dowd, P.E.

Project Manager - Capital Projects

907.265.2521 office | 907.223.6959 mobile

mailing: PO Box 107500, Anchorage, AK 99510-7500

physical: 327 W Ship Creek Ave, Anchorage, AK 99501

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From: Brian O'Dowd

Sent: Tuesday, September 1, 2020 2:03 PM

To: 'Blossom, Brian D (DFG)' <brian.blossom@alaska.gov>

Cc: Blake Adolfae <AdolfaeB@akrr.com>

Subject: RE: 10793: MP 52.14 Rockfall Mitigation and Retaining Structures - ADF&G Permit

Mr. Blossom,

Attached is the page referenced below from the Plan Set, as well as another page from the same depicting the problem area from an oblique view.

Thanks,

Brian A. O'Dowd, P.E.

Project Manager - Capital Projects

907.265.2521 office | 907.223.6959 mobile

mailing: PO Box 107500, Anchorage, AK 99510-7500

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From: Brian O'Dowd

Sent: Tuesday, September 1, 2020 1:43 PM

To: 'Blossom, Brian D (DFG)' <brian.blossom@alaska.gov>

Cc: Blake Adolfae <AdolfaeB@akrr.com>

Subject: RE: 10793: MP 52.14 Rockfall Mitigation and Retaining Structures - ADF&G Permit

Brian,

You are correct, the railroad is between the cliff face and the river. The best image that I have is on page 11 of PDF plan set that I sent you. As the tunnels are historic, and would be costly to either repair or day light, we will be utilizing controlled blasting measures to complete the work. Essentially we are going to eliminate, as much as practicable, fly rock from leaving the site. The rail bed, and the surrounding ground, will provide ample capacity for the rock that is to be removed from the cliff face. As such, the likelihood of materials being displaced into waters of the US should be negligible.

However, it might be in our best interest to obtain a permit should an unintended discharge of material occur. That being said, what is the time line for your group to review and issue a permit for this work? Ideally we would be looking at advertising the work and beginning the work here shortly as our passenger season is coming to an end. Should we not obtain a permit and an unintended discharge were to occur, how would that be handled?

Thanks,

Brian A. O'Dowd, P.E.

Project Manager - Capital Projects

907.265.2521 office | 907.223.6959 mobile

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Brian

From: Blossom, Brian D (DFG) <brian.blossom@alaska.gov>

Sent: Friday, August 28, 2020 1:43 PM

To: Brian O'Dowd <OdowdBA@akrr.com>

Subject: RE: 10793: MP 52.14 Rockfall Mitigation and Retaining Structures - ADF&G Permit

Brian,

Imagery for this area is not great, it appears to me that the railroad is between the cliff face and the river? I'm assuming then that blasting will occur quite a bit above the river? If you expect some rock could slide into the river

from the blasting we may want to do a permit to ensure any debris from the blasting gets cleaned up and out of the river. If all rock will be captured on the railroad and in the ditch, then I am inclined to say no permit required.

Thanks,

Brian

Brian Blossom
Kenai Peninsula Area Manager
Department of Fish and Game
Habitat Section
907-714-2481

From: Brian O'Dowd <OdowdBA@akrr.com>

Sent: Thursday, August 27, 2020 11:47 AM

To: Blossom, Brian D (DFG) <brian.blossom@alaska.gov>

Cc: Blake Adolfae <AdolfaeB@akrr.com>; Gabriel Thomas <ThomasG@akrr.com>; patrick.whitesell <patrick.whitesell@mbakerintl.com>

Subject: 10793: MP 52.14 Rockfall Mitigation and Retaining Structures - ADF&G Permit

Mr. Blossom,

Please find attached an application for a Title 16 permit including the attachments referenced therein.

If you have any questions, or need any additional information, please not hesitate to ask.

Thanks,

Brian A. O'Dowd, P.E.

Project Manager - Capital Projects

907.265.2521 office | 907.223.6959 mobile

mailing: PO Box 107500, Anchorage, AK 99510-7500

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