

KENAI PENINSULA BOROUGH

Coastal Management Program

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**JOHN J. WILLIAMS
BOROUGH MAYOR**

February 13, 2007

Mr. Joe Donohue, ACMP Project Specialist
Alaska Coastal Management Program
Office of Project Management and Permitting
PO Box 11130
Juneau, Alaska 99811-3075

Subject: EPA NPDES Small Suction Dredge General Permit AKG-3705000 Reissue

Dear Mr. Donohue:

Kenai Peninsula Borough (KPB) Coastal District staff reviewed the above referenced project for consistency with KPB Coastal Management Program Enforceable Policies. This project seeks a consistency determination for the reissuance of the subject permit for an additional 5 years. The Kenai Peninsula Borough Coastal District proposes to *object* to the Environmental Protection Agency's Consistency Certification and proposes an alternative measure that will enable the permit to achieve consistency.

Consistency Findings

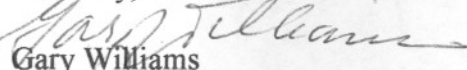
A review of the Best Management Practices within the draft permit lacks certain specifics found in the Kenai Peninsula Borough's Coastal Management Enforceable Policies. Kenai Peninsula Borough Enforceable Policy 10.2h, Mining and Extraction from Rivers and Streams, requires placer miners to construct temporary dikes around the work site to segregate the work area from active channels to avoid the entrapment of fish if the work area may be inundated by high water during the period of operation.

Proposed Alternative Measure

The permit may achieve consistency by adopting language similar in effect to Kenai Peninsula Borough Enforceable Policy 10.2h.

Thank you for the opportunity to comment.

Sincerely,



Gary Williams

Coastal District Coordinator