



KENAI PENINSULA BOROUGH

Coastal Management Program

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**JOHN J. WILLIAMS
BOROUGH MAYOR**

September 21, 2007

Mr. Tom Atkinson, Project Review Supervisor
State of Alaska Department of Natural Resources
Office of Project Management and Permitting
Alaska Coastal Management Program
550 West 7th Avenue, Suite 705
Anchorage, Alaska 99501

Subject: Wal-mart Kenai Supercenter, AK 0708-13AA

Dear Mr. Atkinson:

The Kenai Peninsula Borough Coastal District has reviewed the subject project for consistency with Kenai Peninsula Borough Coastal Zone Management policies and proposes that the project be found consistent. The site of the project is within the Baron Park Subdivision, 2005 replat, Kenai Peninsula Borough tax parcel No. 043-361-02, in the City of Kenai.

Project Description

The applicant proposes to fill 1.49 acres of wetlands with approximately 14,000 cubic yards of graded sand and gravel to construct a 240,200 square foot (approx. 5.5 acre) Wal-Mart Supercenter with 761,000 square feet (approx. 17.5 acres) of paved parking, access, circulation, pedestrian amenities and future outlots.

Because currently no city storm water system exists in the proposed project proximity the applicant proposes to provide on-site storm water treatment by constructing two detention basins and a bioswale/detention area capable of detaining a 100-year storm event. This system will be built to perform the same hydrologic functions as the existing 1.49 wetland acres. The basins/bioswale/detention area would include:

1. Primary treatment of surface storm water runoff
2. Snow melt capture before it infiltrates through the bioswale
3. Runoff infiltration into underlying soil
4. Native material being grown in the area

During larger runoff events, surplus runoff will overflow through the bioswale/detention area into a spillway and onto the adjacent pervious area. The approximate distances from the northeast and south bioswale/detention area spillways to the unnamed anadromous creek to the east are approximately 260 feet and 215 feet, respectively. No culvert will convey water to the nearby wetland and anadromous creek.

Any unstable fills in wetlands and other waters of the U.S will be stabilized and protected against erosion by using appropriate erosion controls such as matting, seeding, or other effective methods. Such erosion control will remain in place until all exposed side slopes are permanently stabilized.

To compensate for unavoidable impacts to wetlands and movement of wildlife species along the existing stream corridor, Wal-Mart will purchase Kenai Peninsula Borough Parcel # 049-010-62 (5.44 acres) for compensatory mitigation. This parcel is within the same riparian corridor and anadromous fish stream channel that is adjacent to the proposed project site. The proposed mitigation site, containing both uplands and wetlands, will be held by the City of Kenai or a conservation organization approved by the U. S. Corps of Engineers (USACE), which will protect and maintain the function and the value of the corridor and stream channel.

Scope of the Project Review

The scope of this project excludes water quality issues that are addressed through the Alaska Department of Environmental Conservation 401 Certification process. All other aspects of the project description are subject to review.

Findings

Kenai Peninsula Borough Coastal District policy 2.4, Dredging and Filling, provides that projects requiring dredging or filling in wetlands be located, designed, constructed and maintained to:

- a. avoid significant loss to important fish and wildlife habitat;
- b. avoid significant interference with life history of fish and wildlife;
- c. limit areas of direct disturbance;
- d. minimize the amount of waterborne sediment traveling away from the construction site;
- e. maintain circulation and drainage patterns in the area of the fill.

When completed this project will result in the fill of 1.49 acres of wetland. Wetlands, particularly those holding substantial quantities of water and nutrients adjacent to important fish and wildlife habitat, are carefully protected under this policy. The wetland in the scope of this project, while valuable, does not serve as a significant holding area and does not support such habitat. The applicant's provision of bioswales and water detention areas will restrain the rapid run-off of storm water and provide an opportunity for surface water to seep into the subsurface drainage system. The applicant's plan for erosion control and Best Management Practices during construction will restrain sediment from leaving the site.

Kenai Peninsula Borough Coastal District policy 2.6, Mitigation, requires that all land and water use activities shall be planned and conducted to mitigate potential adverse impacts to fish and wildlife and habitat and provides sequential steps for mitigation. In this case, due to the lack of suitable alternative sites and other logistical reasons, the loss of wetland could not be avoided. The applicant seeks to mitigate the loss through the use of on site water retention devices and the purchase of Kenai Peninsula Borough tax parcel No. 049-010-62 (5.44 acres) to be maintained in undisturbed condition by the City of Kenai or an approved conservation organization.

Beyond direct mitigation the applicant will remove snow that is likely to contain contaminants from automobiles to locations away from wetlands and place it water detention areas. The applicant has redesigned its tire store location to an area away from the wetland.

Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Williams", written in a cursive style.

Gary Williams
Kenai Peninsula Borough
Coastal District Coordinator