

Teri Camery

From: Jan Van Dort [jvandort@gci.net]
Sent: Tuesday, January 02, 2007 4:02 PM
To: Teri Camery
Cc: Dale Pernula
Subject: Thursday, December 28, 2006 (4).pdf
Attachments: Thursday, December 28, 2006 (4).pdf

Here is the modification information.

ATTACHMENT 3

JAN VAN DORT, Lawyer
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Juneau, Alaska 99801
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December 27, 2006

Mr. Garth Zimbelman
Regulatory Specialist, Department of the Army
U.S. Army Engineer District, Alaska; Juneau Field Office
8800 Glacier Highway, Ste. 106
Juneau, Alaska 99801-8079

Re: Lemon Creek; POA-1983-20-N

Dear Mr. Zimbelman:

At a second meeting with ADNR habitat biologists which occurred late December 15 and which followed an earlier meeting with other biologists, review coordinators, etc., an extraction plan superior to the one originally proposed was developed. We believe this plan is sound environmentally, is consistent with the rights of the property owner and meets the needs and concerns of the community.

Location. The location is unchanged from the original application.

Quantity. The quantity to be removed is unchanged and remains at a maximum of 200,000 cubic yards of sand and gravel.

Method and Route of Transporting Material. This is unchanged.

Equipment Used. This is unchanged.

Access Road Location and Dimensions. This has changed. If trucks enter the stream channel before March 15, 2007, up to five steel culverts four feet in diameter and up to 40 feet long will be installed at the entry point at the end of Ralph's Way, covered with material removed from the channel and armored with rip-rap or large shot rock to provide access to the work area. After May 15, 2007, the stream will be routed away from the entry point and the structure will be removed prior to June 1, 2007. Thereafter, it is intended that the entry point will be dry during time periods in which work will occur and culverts will no longer be needed. If, however, flow does occur at the entry point and it is necessary to maintain that flow to protect incubating eggs, the culverts will be included when the structure is re-installed. All materials used in building the structure will be stored above the ordinary high water line when not in use. A drawing showing the location and dimensions of the structure with culverts is submitted herewith.

Timing. The timing is changed. Extraction could occur at anytime except between March 15 and May 15 when all in-stream activity is prohibited. Areas where

flow was occurring could only be rendered dry between May 15 and June 1, which is after fry have out-migrated and before adult fish have returned to spawn.

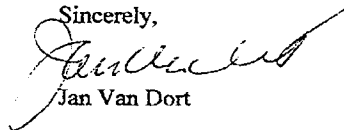
Mining Method. The original application proposed removing all of the material in a single operation. At the first meeting on December 15, there was a general preference expressed for spreading the removal over a longer period of time and establishing four "mining units," one of which would be available each year during the low-flow period beginning in January and ending in April. Approximately 50,000 cubic yards of material could be removed from each unit.

At the second meeting, a somewhat different approach was developed. Mining would begin by removing materials from exposed bars and the ground below them which do not contain fish eggs. This will create new low areas within the channel. At the conclusion of this activity and after fry have emerged, the main flow of the stream will be routed through these areas. This will create new dry areas where spawning would not occur and which would be available for removal of material. This process would continue until 200,000 cubic yards of sand and gravel are removed from the site. At that point, ADNR habitat biologists would complete a re-evaluation of the endeavor to determine whether it could continue. Berms may not be necessary but could be desirable to block leaks and aid in controlling the flow from one newly-created low area to another. Accordingly, the modified proposal eliminates the long berm originally planned and replaces it with a series of much smaller parallel berms which connect the new low areas and facilitate flow from one to another. At the conclusion of all mining, woody debris presently in the channel would be collected at several places to create "hard points" which would promote the formation of bars. The amount of wood re-placed in the channel would not exceed 100 cubic yards. Anything unused would be removed to a location above OHW. Drawings showing the areas where mining would occur on alternate years, the location of the parallel connecting berms, and typical sections of each are also submitted herewith.

This alternate approach has two principal advantages over the "mining unit" method: (1) It does not involve the sacrifice of any fish eggs. (2) It results in smaller berms and therefore a smaller "discharge".

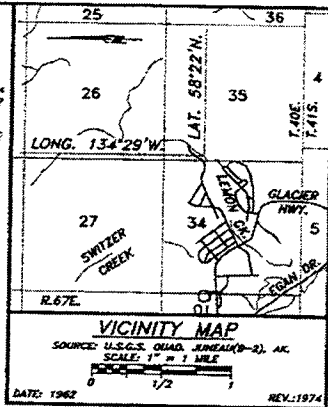
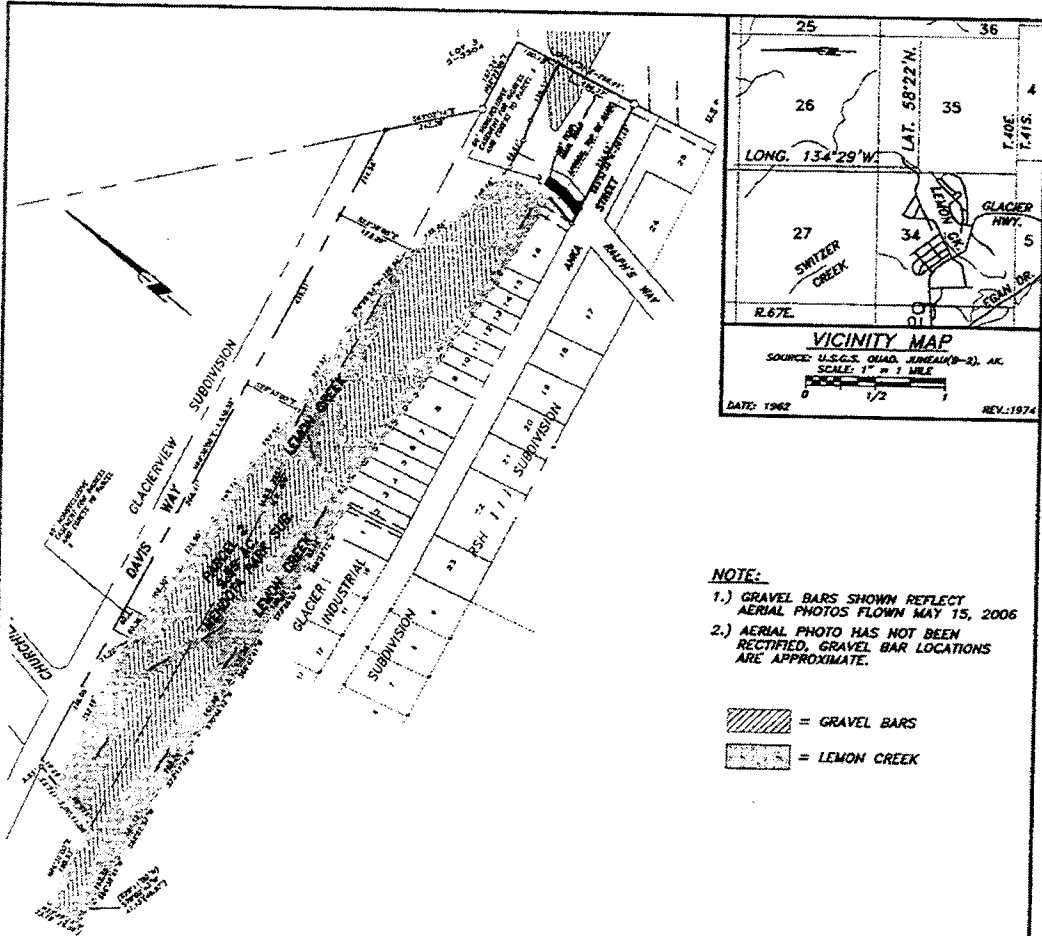
Kindly consider this letter and the new drawings prepared by R&M Engineering to be a modification to the original application.

Sincerely,



Jan Van Dort

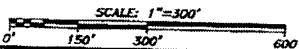
cc: Ralph Horecny



NOTE:
 1.) GRAVEL BARS SHOWN REFLECT AERIAL PHOTOS FLOWN MAY 15, 2006
 2.) AERIAL PHOTO HAS NOT BEEN RECTIFIED, GRAVEL BAR LOCATIONS ARE APPROXIMATE.

= GRAVEL BARS
 = LEMON CREEK

SITE LOCATION MAP



GASTINEAU CHANNEL TIDAL DATA-1999

HIGHEST OBSERVED.....	24.26
MHHW.....	16.28'
MHW.....	15.34'
MSL.....	8.58'
MTL.....	8.46'
MLW.....	1.59'
MLLW.....	0.00'
LOWEST OBSERVED.....	-5.46'

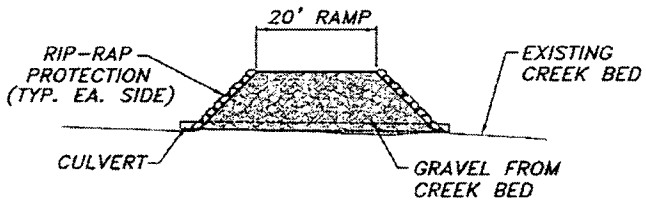
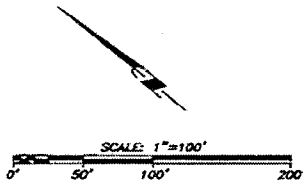
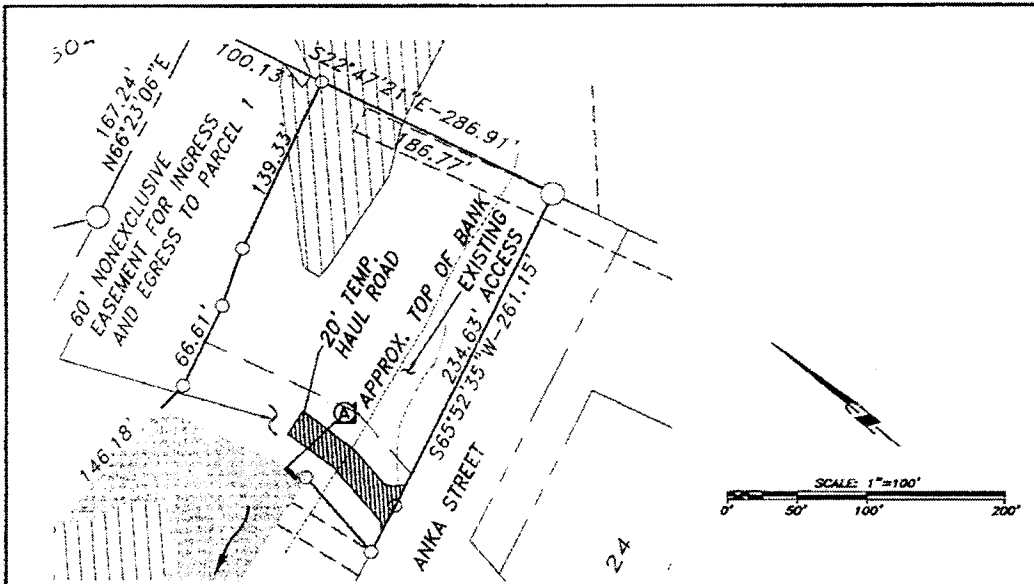
LEMON CREEK CHANNEL EXCAVATION

IN: LEMON CREEK AREA
 AT: JUNEAU, ALASKA
 APPLICANT: RSH COMPANY
 P.O. BOX 211474
 AUKU BAY, ALASKA 99821

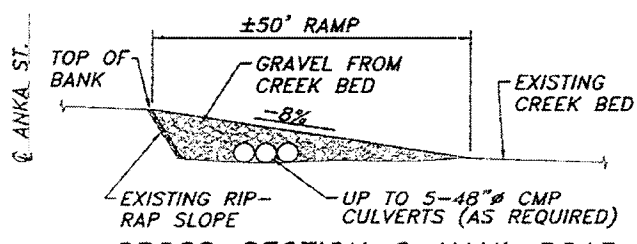
DATE: DEC., 2006 SHEET 1 OF 5
 R&M PROJ.: 061786

ALFONSO/OWEN/Corp. Surveying, Inc. 11, 1004 4th St. Juneau, Alaska

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(A) SECTION @ HAUL ROAD

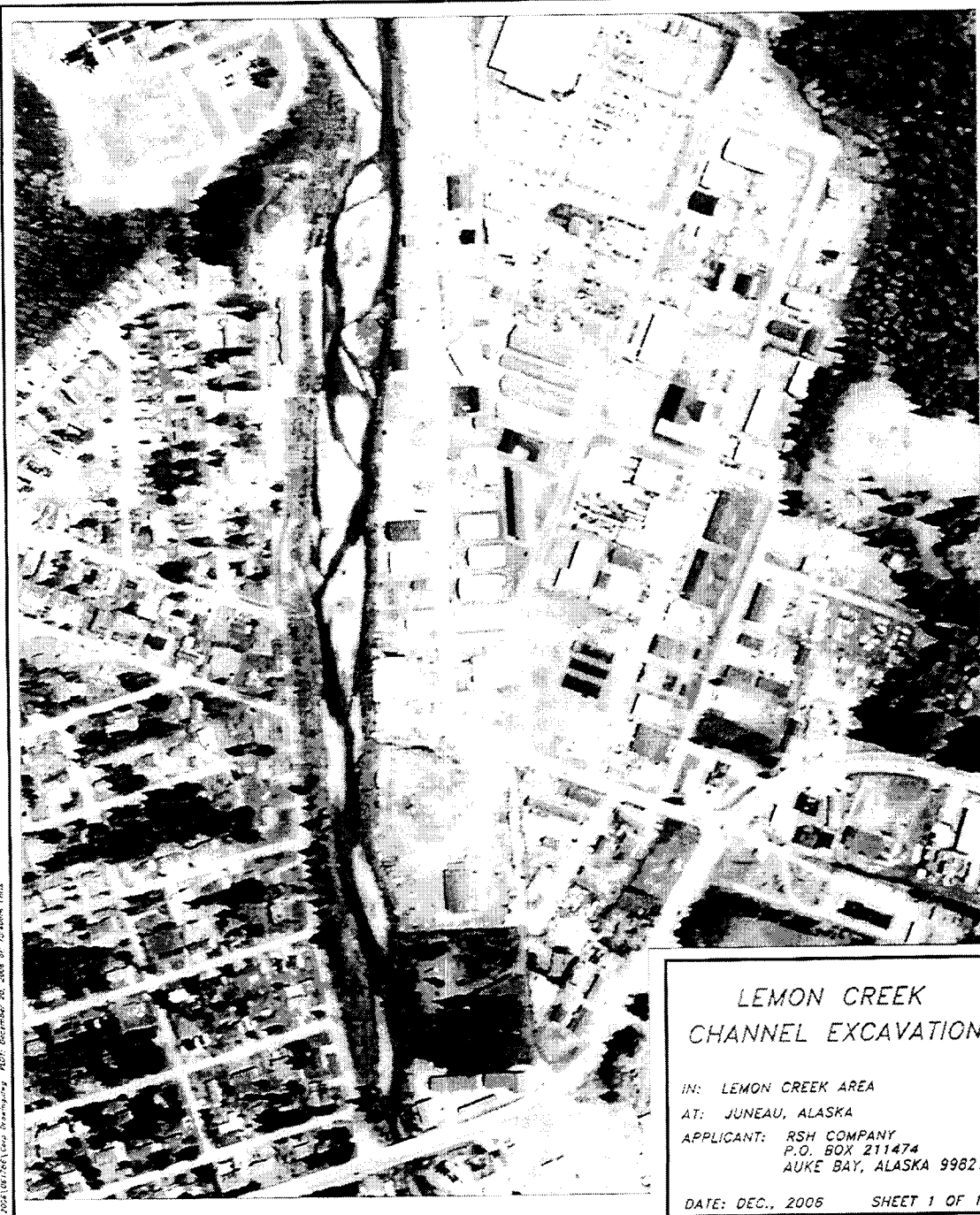


CROSS-SECTION @ HAUL ROAD

**LEMON CREEK
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DATE: DEC., 2006 SHEET 4 OF 5
 R&M PROJ.: 061786



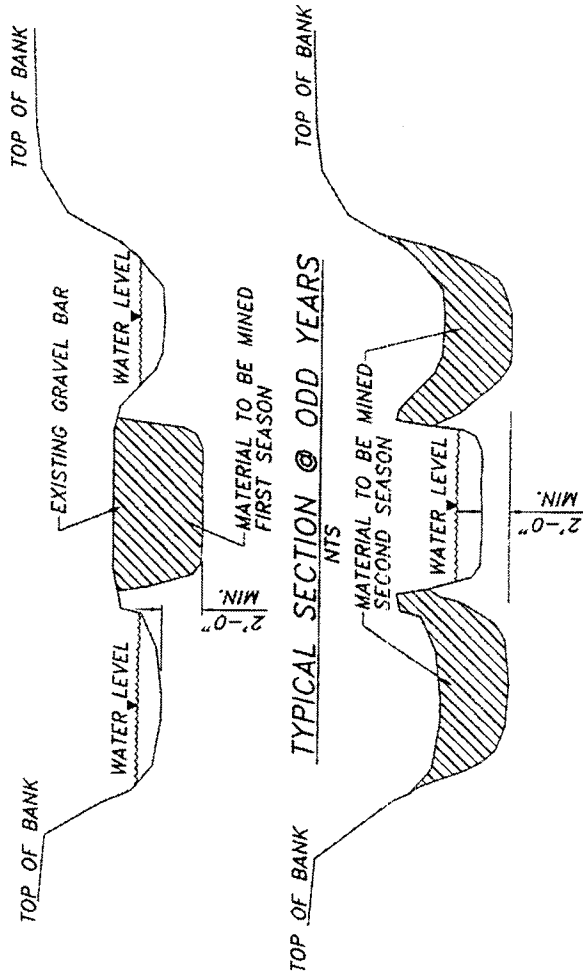
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LEMON CREEK CHANNEL EXCAVATION

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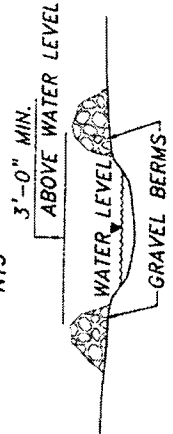
DATE: DEC., 2006 SHEET 1 OF 1
R&M PROJ.: 061786

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QUANTITY:
±1800 L.F. (TOTAL)
APPROX. 300 C.Y. REQUIRED

TYPICAL SECTION @ ODD YEARS
NTS



TRENCH SECTION
NTS

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