



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Kenai Peninsula Borough Planning Commission Meeting Packet

JULY 16, 2018
7:30 p.m.

**KENAI PENINSULA BOROUGH
ASSEMBLY CHAMBERS
144 NORTH BINKLEY ST.
SOLDOTNA, ALASKA 99669**

***1. Time Extension Request**

a. Nakacheba Subdivision

KPB File 2009-133

**[McClintock Land Associates / Tyonek
Native Association]**

Location: Beluga

AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request
 - a. Nakacheba
 KPB File 2009-133 [McClintock / Tyonek Native Association]
 Location: Beluga, across Cook Inlet

STAFF REPORT

PC Meeting: 7/16/18

2009

This subdivision was conditionally approved by the KPB Plat Committee on September 14, which was valid through September 14, 2010.

2010

On August 5, the surveyor submitted a time extension request to extend preliminary approval stating that economic conditions made it prohibitive to proceed with the final plat at that time. That request was approved on September 13, extending preliminary approval to September 13, 2011.

2015

On March 26, another time extension request was submitted by the owner due to unfavorable economic conditions. That request was approved on April 27, extending preliminary plat approval to April 27, 2016.

2016

On May 24, the owners requested a two-year time extension stating again that economic conditions were unfavorable for them to move forward on the project. Since preliminary plat approval expired, staff could only recommend a one-year time extension. The Commission approved the request on June 27, extending preliminary plat approval to June 27, 2017.

2017

On April 24, the owner requested an additional time extension stating again that economic conditions were unfavorable to proceed with a final plat at this time. The Commission approved the request on May 22, extending preliminary plat approval to May 22, 2018.

2018

On June 21, the owner requested a one-year time extension stating again that economic conditions are not suitable to proceed with a final plat at this time.

The proposed subdivision creates more than 800 lots. Staff suggests the owner discuss a phased development with the surveyor. It may be economically viable to develop the property in phases instead of finalizing the entire subdivision at once.

There have been no known changes adjoining the plat that would affect it.

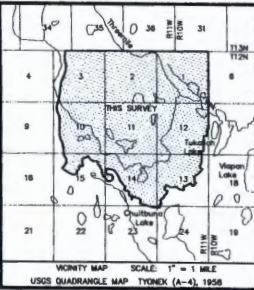
Approval of the requested time extension will extend preliminary approval to 2019, which is 10 years after the initial preliminary plat approval. **The owner and surveyor are put on notice** that staff may recommend any additional time extension requests revert the subdivision to the new subdivision code (KPB 20.25, 20.30, and 20.60).

STAFF RECOMMENDATIONS: Extend preliminary plat approval for one year, through July 16, 2019, subject to the following:

1. Current utility reviews submitted with the final plat.
2. The plat must comply with any subsequent changes to KPB Title 20 up to February 10, 2014.

NOTE: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the borough clerk within 15 days of date of notice of the decision; using the proper forms; and, be accompanied by the \$300 filing and records preparation fee.

END OF STAFF REPORT



ACREAGE SUMMARY

ANCSA SECTION 14(C) (3)	
RIGHTS-OF-WAY	270.886 AC.
TRACT C	24.237 AC.
TRACT D	24.246 AC.
TRACT E	18.116 AC.
TRACT F	142.719 AC.
TRACT G	489.408 AC.
TRACT H	26.228 AC.
TRACT I	132.387 AC.
TRACT J	181.880 AC.
SUBTOTAL =	1280.000 AC.
LOTS 823 @ 1.5 AC./LOT	1234.500 AC.
ADDITIONAL TRACTS	2050.625 AC.
TOTAL =	4565.125 AC.

- NOTES:**
- Color photography was taken on May 17, 2008 at a scale of 1"=83.3' by GPS Aerial Services, Inc., Anchorage, Alaska.
 - The map was compiled by McClintock Land Associates on September 20, 2008 to meet ASPRS Class 3 map accuracy standards for 1"=100' plot scale and 2' contours.
 - Proposed land use is residential.
 - Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
 - Front 10 ft. of the building setback adjacent to rights-of-way is site or utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of the utility to use the easement.
 - All lots in this subdivision are 1,000 acres; A Block and B Block are 100 ft. wide; all other roads, including cut-to-back, are 60 ft. wide.
 - Wastewater Disposal: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer _____ License # _____ Date _____

SCALE IN FEET

0 500 1000 1500

KPB 2009-133

PRELIMINARY PLAT OF NAKACHEBA

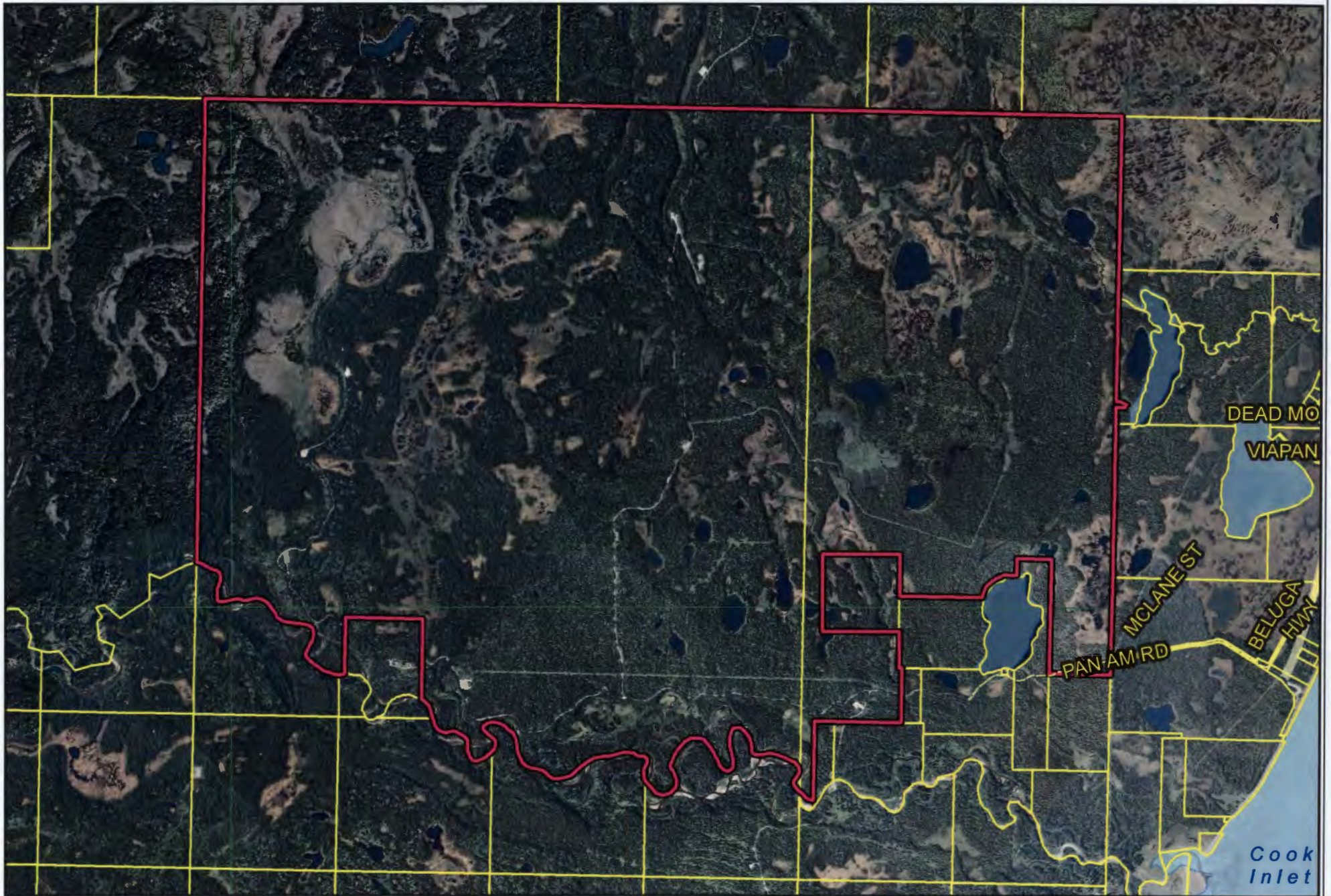
BLKTS WITH TRACTS A AND B3
TOWNSHIP 12 NORTH, RANGE 11 WEST,
SEWARD RIVER MERIDIAN, ALASKA
CONTAINING LANDS NOW OPEN TO USE
ANCHORAGE RECORDING DISTRICT

OWNER: TYONEK MARINE CORPORATION
1000 "C" STREET, SUITE 210
ANCHORAGE, ALASKA 99501-5119
(907) 273-9707

PREPARED BY: MCCLINTOCK LAND ASSOCIATES
1844 NORTH CABLE WHEEL LOOP ROAD
EAGLE RIDGE, ALASKA 99577
(907) 489-1489

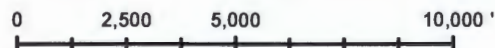
PLAT 17-007 CHG. NO. 1 DATE 07-17-08 DWG. PLOT-178 FS NO. 1/A
CADD NUMBER CHG. NO. 1 DATE 06-28-08 DWG. PLOT-178 SHEET 1 OF 2

- LEGEND**
- ✦ FOUND MONUMENTS
 - ⊕ PRIMARY MONUMENTS - PROPOSED
 - ⬢ BLOCK NUMBERS
 - ▨ SLOPES GREATER THAN 20%
 - ▧ LOW LYING WET AREAS
 - ▨ ANCSA SECTION 14(C)(3) TRACTS
 - EXISTING ROADS AND TRAILS



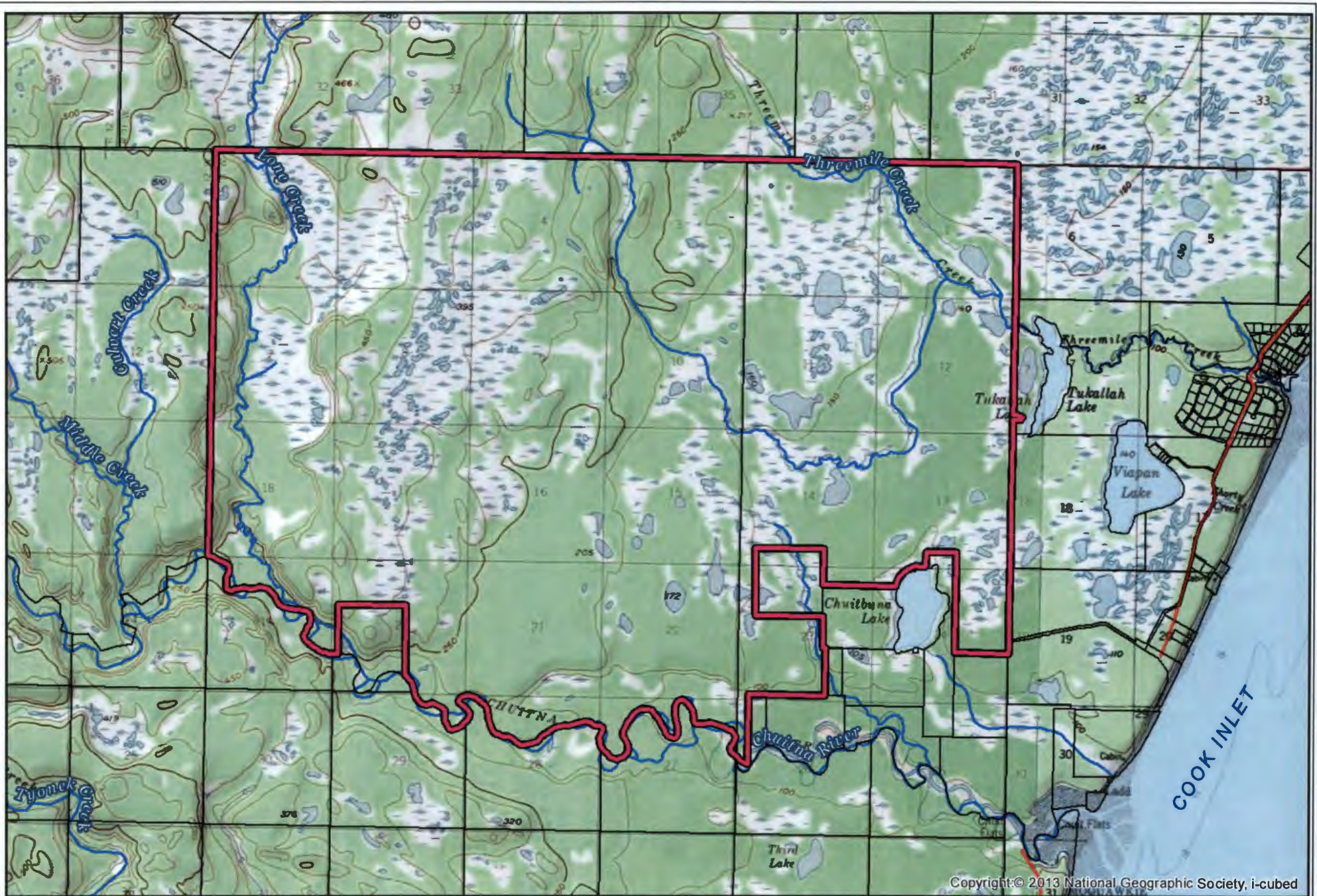
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Aerial View



 **PRELIMINARY PLAT**

JReif, KPB
Date: 6/21/2018

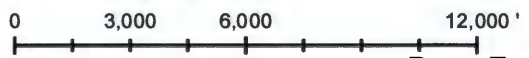


Copyright © 2013 National Geographic Society, i-cubed



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Topographic View



 **PRELIMINARY PLAT**

ESolomon, KPB
Date: 5/24/2016

Kenai Peninsula Borough Planning Department
144 North Binkley Street
Soldotna, Alaska 99669
Phone: (907) 714-2200
Fax: (907) 714-2378

TIME EXTENSION REQUEST FORM

- [] Name of Subdivision: Nakacheba Subdivision
- [] Location of Subdivision: Six miles north of Tyonek
- [] KPB Number: 2009-133
- [] Date of Planning Commission Approval(s)

- [] Reason for time extension request.
Tyonek Native Corporation requests an extension for another year as economic conditions are not favorable to proceed with a final plat at this time.

Date: 06/15/2018

Signature of Surveyor/Property Owner: *Connie Bowring*
(Original Signature(s) Required)

***3. Plats Granted Administrative Approval**



Planning Department

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Charlie Pierce
Borough Mayor

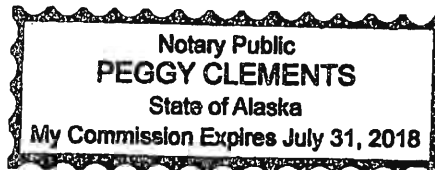
ADMINISTRATIVE APPROVAL

Subdivision: Aleyeska Subdivision 2018 Replat
KPB File 2017-141
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on May 14, 2018. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on July 3, 2018.

Max J. Best
Planning Director



State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 3rd day of July 2018 by Max J. Best.

Notary Public for the State of Alaska

My commission expires: 7-31-2018

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



Planning Department

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Charlie Pierce
Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: Hope Lake Subdivision 2017 Addition
KPB File 2017-137
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on October 9, 2017. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on July 2, 2018.

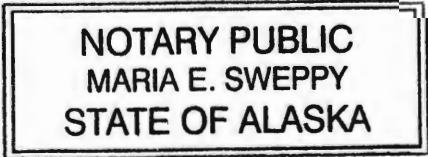
Scott A. Huff
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 2 day of July 2018 by Scott A. Huff.

Notary Public for the State of Alaska

My commission expires: 1-16-19



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



Planning Department

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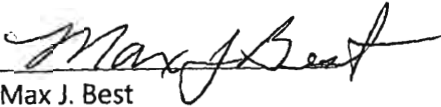
Charlie Pierce
Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: Parsons Lake Shores Subdivision Armstrong Replat
KPB File 2017-177
Kenai Recording District


The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on January 8, 2018. Approval for the plat is valid for two years from the date of approval.

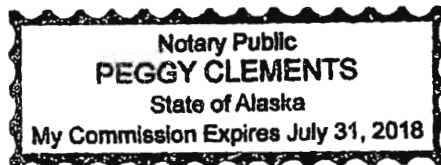
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on June 21, 2018.


Max J. Best
Planning Director

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 21st day of June 2018 by Scott A. Huff u Max J. Best


Notary Public for the State of Alaska



My commission expires: 7-31-2018

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: Skyline Ridge
KPB File 2018-052
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on June 11, 2018. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on March 1, 2018.

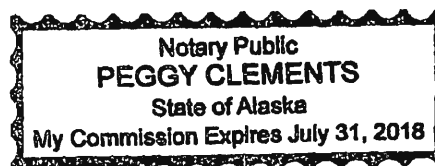
Scott A. Huff
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 6th day of July 2018 by Scott A. Huff.

Notary Public for the State of Alaska

My commission expires: 7-31-2018



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: Whitcomb Subdivision Addition Number 6
KPB File 2018-025
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on April 9, 2018. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on June 27, 2018.

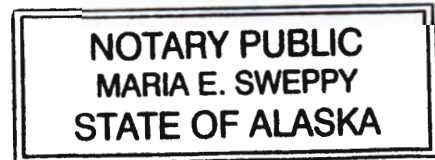
Scott A. Huff
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 27 day of June 2018 by Scott A. Huff.

Notary Public for the State of Alaska

My commission expires: 1-16-19



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.

F. PUBLIC HEARINGS

- 1. Public hearing on a Retail Marijuana Store License application to provide comments to the State of Alaska. Applicant: K Beach Reef. Parcel Number: 055-331-15. Property Description: Lot 5-A, Hawkins Subdivision, according Plat 79-177, Kenai Recording District. Location: 42106 Kalifornsky Beach Rd, Soldotna**

AGENDA ITEM F. PUBLIC HEARING

1. State application for a marijuana establishment license; Kalifornsky Area

STAFF REPORT

PC MEETING: July 16, 2018

Applicant: K Beach Reef

Landowner: Ryan K Hall

Parcel ID#: 055-331-15

Legal Description: Lot 5-A, Hawkins Subdivision, according Plat 79-177, Kenai Recording District.

Location: 42106 Kalifornsky Beach Rd, Soldotna

BACKGROUND INFORMATION: On January 09, 2018 the applicant notified the borough that he/she had submitted an application to the state for a Retail Marijuana Store license. On January 18, 2018 the applicant supplied the borough with a signed acknowledgement form and a site plan on Thursday, January 18, 2018 of the proposed Retail Marijuana Store on the above described parcel. The Alcohol and Marijuana Control Office notified the borough that the application was complete on June 22, 2018. Staff has reviewed the completed license that has been submitted to the state and the site plan submitted to the borough and has found the following concerning the standards contained in KPB 7.30.020:

1. The Borough finance department has been notified of the complete application and they report that the applicant is in compliance with the borough tax regulations.
2. Borough planning department staff has evaluated the application and has determined that the proposed facility will be located greater than 1,000 feet from any school.
3. Borough planning department staff has evaluated the application and has determined that the proposed facility will be located greater than 500 feet from all recreation or youth centers, and all buildings in which religious services are regularly conducted, and all correctional facilities.
4. The proposed facility is not located within a local option zoning district.
5. The proposed facility is located where there is sufficient ingress and egress for traffic to the parcel.
 - The parcel has direct access to a state maintained road and will not be accessing a borough right-of-way.
 - The signed acknowledgement form indicates that there will not be any parking in borough rights-of-way.
 - The site plan indicates a clear route for delivery vehicles which allows vehicles to turn safely.
 - On-site parking and loading areas are designated at a location that would preclude vehicles from backing out into the roadway.
6. The signed acknowledgement form indicates that the proposed facility will not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 a.m.

KPB 7.30.020(E) allows the recommendation of additional conditions on a license to meet the following standards:

- protection against damage to adjacent properties,
- protection against offsite odors,
- protection against noise,
- protection against visual impacts,
- protection against road damage,

- protection against criminal activity, and
- protection of public safety.

The Alaska Marijuana Control Board will impose a condition a local government recommends unless the board finds the recommended condition is arbitrary, capricious, and unreasonable (3 ACC 306.060b). If the Planning Commission recommends additional conditions, additional findings must be adopted to support the conditions.

PUBLIC NOTICE: Public notice of the application was mailed on June 22, 2018 to the 9 landowners of the parcels within 300 feet of the subject parcel. Public notice of the application was published in the July 5, 2018 & Thursday, July 12, 2018 issues of the Peninsula Clarion.

KPB AGENCY REVIEW: Application information was provided to pertinent KPB staff and other agencies on June 22, 2018.

ATTACHMENTS

- State marijuana establishment application with associated submitted documents
- Site Plan
- Acknowledgement form
- Aerial map
- Area land use map with 500' & 1,000' parcel radius

STAFF RECOMMENDATION

Staff recommends that the planning commission forward this application to the assembly with the findings contained in this staff report and with the recommendation that the following conditions be placed on the state license pursuant to 3 AAC 306.060(b):

1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough.
2. There shall be no parking in borough rights-of-way generated by the marijuana establishment.
3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020(A).
4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 a.m.

END OF STAFF REPORT



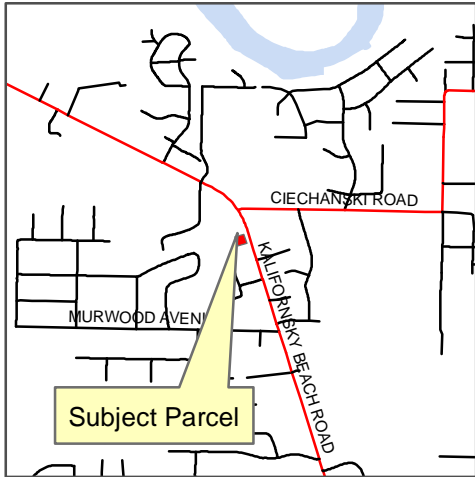
KPB Parcel Viewer




Printed: Jan 18, 2018

Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Assembly Meeting, August 7, 2018
Recommendation on State Application for Marijuana Establishment License

KPB Parcel ID: 055-331-15
Applicant: K Beach Reef



LEGEND

 Subject Property

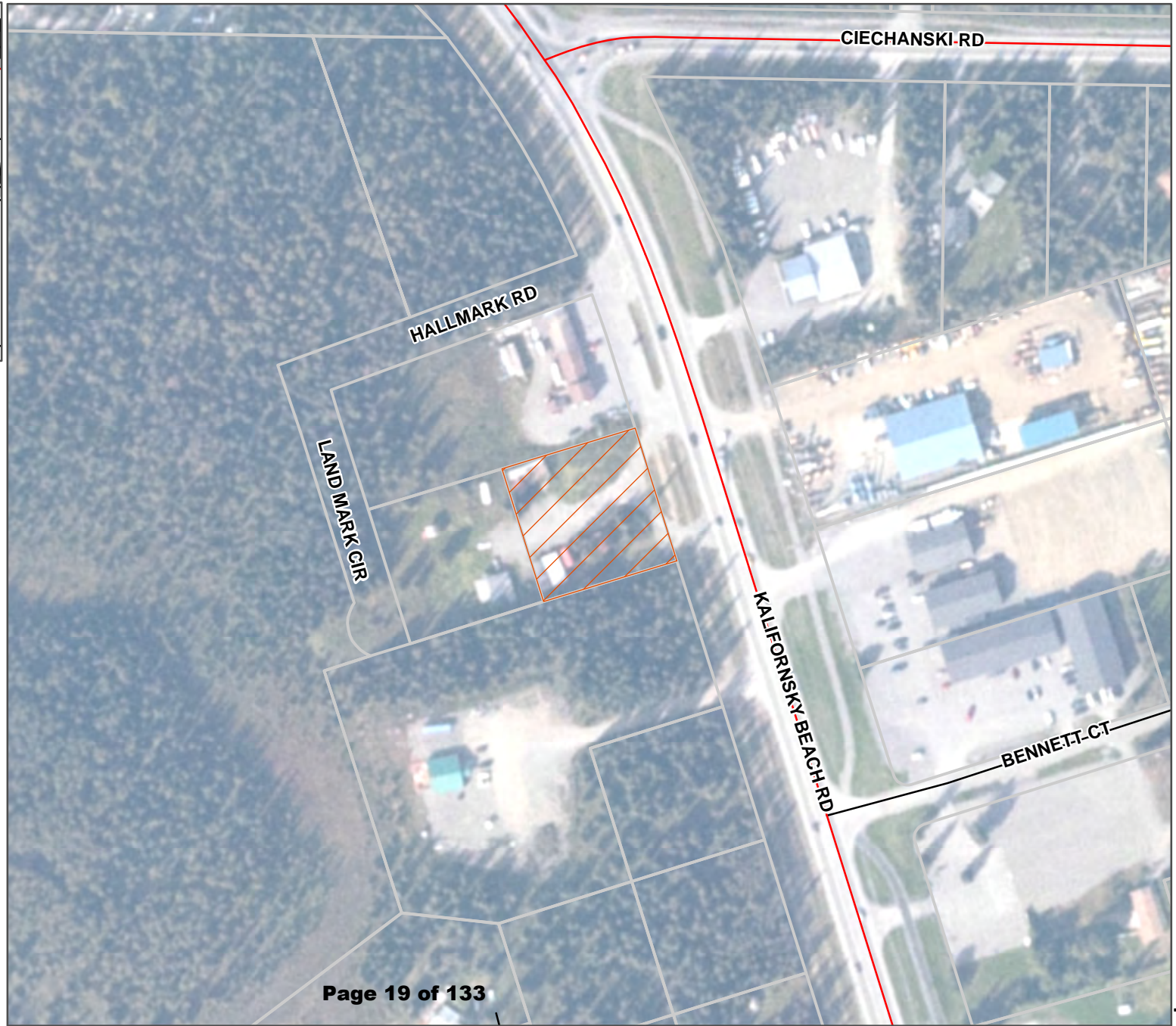
Radius shown depicts the radius from the parcel boundaries. KPB 7.30 states that the distance must be measured by the shortest pedestrian route. If there were relevant facilities within the 500-foot or 1,000-foot radius, the shortest pedestrian path would be shown and measured.

0 125 250 Feet



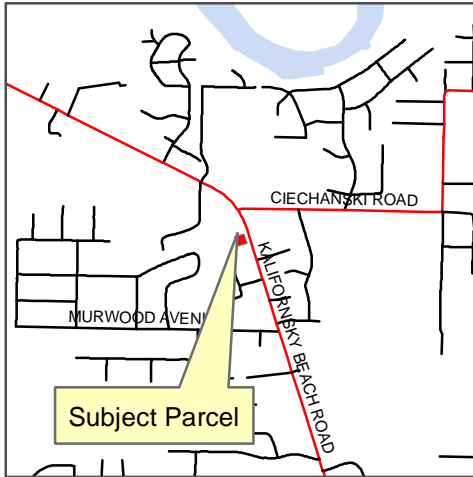
Date: 6/22/2018

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**Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
 Assembly Meeting, August 7, 2018
 Recommendation on State Application for Marijuana Establishment License**

**KPB Parcel ID: 055-331-15
 Applicant: K Beach Reef**



LEGEND

- 1000-foot Parcel Radius
- 500-foot Parcel Radius
- Subject Property
- Parcel owned by religious organization
- Vacant
- Residential
- Commercial
- Institutional
- Industrial
- Accessory Building

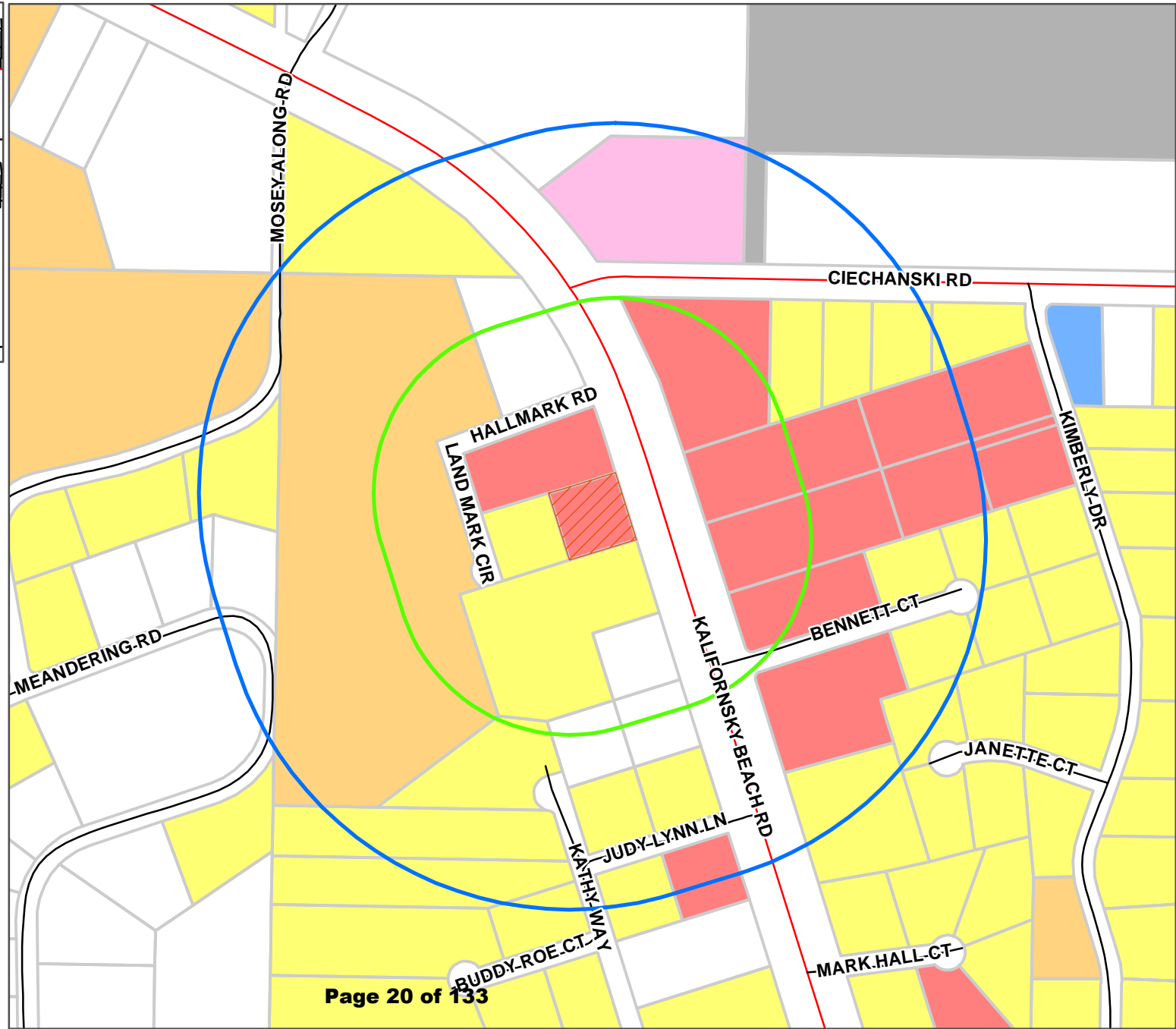
Radius shown depicts the radius from the parcel boundaries. KPB 7.30 states that the distance must be measured by the shortest pedestrian route. If there were relevant facilities within the 500-foot or 1,000-foot radius, the shortest pedestrian path would be shown and measured.

0 250 500 Feet



Date: 6/22/2018

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THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

June 22, 2018

Kenai Peninsula Borough
Attn: Johni Blankenship
VIA Email: jblankenship@kpb.us
CC: micheleturner@kpb.us
kring@kpb.us

License Number:	15916
License Type:	Retail Marijuana Store
Licensee:	RYAN K HALL
Doing Business As:	K BEACH REEF
Physical Address:	42106 K Beach Rd. Soldotna, AK 99669
Designated Licensee:	RYAN K HALL
Phone Number:	907-252-0172
Email Address:	ryankhall@yahoo.com

New Application

AMCO has received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under 3 AAC 306.025(d)(2).

To protest the approval of this application(s) pursuant to 3 AAC 306.060, you must furnish the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a new license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local government protests an application on the grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our June 15-16, 2018 meeting.

Sincerely,

Erika McConnell

Erika McConnell, Director
amco.localgovernmentonly@alaska.gov



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	RYAN K HALL	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K BEACH REEF		
Physical Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK
		Zip Code:	99669
Designated Licensee:	RYAN K HALL		
Email Address:	ryankhall@yahoo.com		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>M5-00 Application Certs. Pg. 1-3 M5-01 Operating Plan Pgs. 12,13,15 M5-02 Premises Diagram Pgs. 1,2,3,4 Ariel Diagram of Property lpg. Kenai Peninsula Tax Forms for P.O.P. lpgs. 13 pages total not including Cover Sheet</p>
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Received by AMCO 6.5.18



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

500 W 7TH AVENUE, SUITE 1000
Anchorage, AK 99501
marijuana.licensing@alaska.gov
http://www.commerce.alaska.gov/web/amco
Phone: 907.269.0360



THE STATE
of ALASKA
GOVERNOR BILL WALKER

Department of Environmental
Conservation

DIVISION OF ENVIRONMENTAL HEALTH
FOOD SAFETY & SANITATION PROGRAM

43335 Kaitormsky Beach Rd Suite 11
Soldotna, Alaska 99669
Main: 907.262.3413
Fax: 907.262.2294
www.dec.alaska.gov/eh/food
melanie.hollon@alaska.gov

What is this form?

This cover sheet must be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	RYAN K HALL	License Number:	15916		
License Type:	Retail Marijuana Store				
Doing Business As:	K BEACH REEF				
Physical Address:	42108 K Beach Rd.				
City:	Soldotna	State:	AK	Zip Code:	99669
Designated Licensee:	RYAN K HALL				
Email Address:	ryankhall@yahoo.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>Food Permit Application</p> <p>- DEC Letter For Food Permit</p>
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Received by AMCO 1.18.18

Received by AMCO 1.18.18

January 18th, 2018

Ryan Hall
K-Beach Reef
Po Box 3765
Soldotna, Alaska 99669

Subject: DEC Food Establishment Permit Not Required

Ryan Hall,

Thank you for your recent application for a permit from the Department of Environmental Conservation's Food Safety and Sanitation program. This letter is to inform you that the marijuana establishment you have described in your application does not require a permit under the Alaska Food Code (18 AAC 31) since your plan is to sell only prepackaged, non-potentially hazardous food (18 AAC 31.012(c)(1)).

Non-potentially hazardous foods are foods that do not support the growth of dangerous bacteria because of their water activity, pH, or a combination of the two. A good method to determine whether a food is non-potentially hazardous is whether it requires refrigeration to keep it safe or preserve it. If it does not require refrigeration, it is most likely non-potentially hazardous. If you are unsure about the safety of a product and whether it requires temperature control be sure to contact the Food Safety and Sanitation program for more information.

Please be aware that if you change the type of food that you sell at your establishment to include foods that are potentially hazardous, you will be required to submit a plan of your operations and apply for a food establishment permit.

Sincerely,

Melanie Hollon
Environmental Health Officer III



Application for Food Establishment Permit

Alaska Department of Environmental Conservation
Division of Environmental Health
Food Safety and Sanitation Program



Permit ID:

Section 1- GENERAL INFORMATION (All applicants complete entire section - please print).

Purpose (check one) [] New [] Information Change [x] Extensive Remodel [] Change of owner/operator [] Reactivate

Owner/Business Information section containing fields for Name of Entity or Owner Responsible for Food Service, Business/Corporate Mailing Address, Business/Corporate Phone, and Type of Entity.

Establishment Information section containing fields for Establishment Name, Establishment Mailing Address, Establishment Physical Address, and SEATING options.

TYPE OF OPERATION Please describe the type of facility you plan to open below (i.e. restaurant, bar, grocery store, etc.)
Marijuana Retail Store

SECTION 2 - NEW OR EXTENSIVELY REMODELED FACILITIES

a. A plan review will be required if your facility has never been permitted by the Alaska's Food Safety and Sanitation Program; has not had an active permit in the last five years; will be extensively remodeled; or is a new construction.

SECTION 3 - COMPLETE FOR ALL FOOD ESTABLISHMENTS (Check all that apply)

FOOD SERVICE ESTABLISHMENTS section with multiple-choice questions regarding menu requirements, food preparation methods, and service style.

Questions f and g regarding food establishment type (kiosk/mobile unit) and commissary support.

FOOD PROCESSORS

Questions a, b, and c regarding food labels, distribution, and processing methods.

Question d regarding HACCP Plan requirements.

Question e regarding product coding system and recall procedures.

MOBILE RETAIL VENDOR SELLING SEAFOOD

Questions a, b, c, and d regarding product lists, suppliers, and commissary support for mobile vendors.

MACHINES VENDING POTENTIALLY HAZARDOUS FOODS

Question a regarding labeling for vending machines.

SECTION 4 - Food Managers Certification/Alaska Safe Food Worker Card

Questions a and b regarding food manager certification and worker cards.

I declare, under penalty of unsworn falsification, that this application (including any accompanying statements) has been examined by me and to the best of my knowledge and belief is true, correct, and complete.

Signature and Title fields for the applicant, Ryan K Hall, Owner.



ALASKA ALCOHOL AND MARIJUANA CONTROL OFFICE
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Alaska Marijuana Control Board

Form MJ-00: Application Certifications

What is this form?

This application certifications form is required for all marijuana establishment license applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306.

This form must be completed and submitted to AMCO's main office by each proposed licensee (as defined in 3 AAC 306.020(b)(2)) before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Ryan K Hall	License Number:	15916		
License Type:	Retail Marijuana Store				
Doing Business As:	K Beach Reef				
Premises Address:	42106 K Beach Rd.				
City:	Soldotna	State:	Ak	ZIP:	99669

Section 2 – Individual Information

Enter information for the individual licensee or affiliate.

Name:	Ryan K Hall
Title:	Owner

Section 3 – Other Licenses

Ownership and financial interest in other licenses:

Yes No

Do you currently have or plan to have an ownership interest in, or a direct or indirect financial interest in another marijuana establishment license?

If "Yes", which license numbers (for existing licenses) and license types do you own or plan to own?

#11649, Standard Marijuana Cultivation Facility

Received by AMCO 6.5.18



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Alaska Marijuana Control Board

Form MJ-00: Application Certifications

Section 4 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

- I certify that I have not been convicted of a felony in any state or the United States, including a suspended imposition of sentence, for which less than five years have elapsed from the time of the conviction to the date of this application.
- I certify that I am not currently on felony probation or felony parole.
- I certify that I have not been found guilty of selling alcohol without a license in violation of AS 04.11.010.
- I certify that I have not been found guilty of selling alcohol to an individual under 21 years of age in violation of 04.16.051 or AS 04.16.052.
- I certify that I have not been convicted of a misdemeanor crime involving a controlled substance, violence against a person, use of a weapon, or dishonesty within the five years preceding this application.
- I certify that I have not been convicted of a class A misdemeanor relating to selling, furnishing, or distributing marijuana or operating an establishment where marijuana is consumed within the two years preceding this application.
- I certify that my proposed premises is not within 500 feet of a school ground, recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility, as set forth in 3 AAC 306.010(a).
- I certify that my proposed premises is not located in a liquor licensed premises.
- I certify that I meet the residency requirement under AS 43.23 for a permanent fund dividend in the calendar year in which I am initiating this application.
- I certify that all proposed licensees (as defined in 3 AAC 306.020(b)(2)) and affiliates (as defined in 3 AAC 306.990(a)(1)) have been listed on my online marijuana establishment license application. Additionally, if applicable, all proposed licensees have been listed on my application with the Division of Corporations.
- I certify that I understand that providing a false statement on this form, the online application, or any other form provided by AMCO is grounds for denial of my application.

Received by AMCO 6.5.18



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Alaska Marijuana Control Board
Form MJ-00: Application Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify and understand that I must operate in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

I certify and understand that I must operate in compliance with each applicable public health, fire, safety, and tax code and ordinance of this state and the local government in which my premises is located.

Read each line below, and then sign your initials in the box to the right of only the applicable statement:

Initials

Only initial next to the following statement if this form is accompanying an application for a marijuana testing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility.

Only initial next to the following statement if this form is accompanying an application for a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a marijuana testing facility license.

All marijuana establishment license applicants:

As an applicant for a marijuana establishment license, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that the online application and this form, including all accompanying schedules and statements, is true, correct, and complete.

R. Hall

Signature of licensee

Lauri M. Lingafelt

Notary Public in and for the State of Alaska



Ryan K Hall

Printed name of licensee

My commission expires: *11/30/18*

Subscribed and sworn to before me this 5 day of 2018 June, 2018.



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Alaska Marijuana Control Board
Cover Sheet for Marijuana Establishment Applications

What is this form?

This cover sheet must be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the licensee application.

Licensee:	RYAN K HALL	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K BEACH REEF		
Physical Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK
		Zip Code:	99669
Designated Licensee:	RYAN K HALL		
Email Address:	ryankhall@yahoo.com		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<i>MJ-01 Operating Plan</i>
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Alaska Marijuana Control Board
Form MJ-01: Marijuana Establishment Operating Plan

What is this form?

An operating plan is required for all marijuana establishment license applications. Applicants should review **Title 17.38 of Alaska Statutes and Chapter 306 of the Alaska Administrative Code**. This form will be used to document how an applicant intends to meet the requirements of those statutes and regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020(c).

What must be covered in an operating plan?

Applicants must identify how the proposed premises will comply with applicable statutes and regulations regarding the following:

- Security
- Inventory tracking of all marijuana and marijuana product on the premises
- Employee qualification and training
- Waste disposal
- Transportation and delivery of marijuana and marijuana products
- Signage and advertising
- Control plan for persons under the age of 21

Applicants must also complete the corresponding operating plan supplemental forms (Form MJ-03, Form MJ-04, Form MJ-05, or Form MJ-06) to meet the additional operating plan requirements for each license type.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Ryan K Hall	License Number:	15916
License Type:	Marijuana Retail Store		
Doing Business As:	K Beach Reef		
Premises Address:	42106 K Beach Rd.		
City:	Soldotna	State:	ALASKA ZIP: 99669
Mailing Address:	Po Box 3765		
City:	Soldotna	State:	ALASKA ZIP: 99689
Primary Contact:	Ryan K Hall		
Main Phone:	907-252-0172	Cell Phone:	907-252-0172
Email:	ryankhall@yahoo.com		



Alaska Marijuana Control Board
Form MJ-01: Marijuana Establishment Operating Plan

Section 2 – Security

Review the requirements under 3 AAC 306.710 – 3 AAC 306.720 and 3 AAC 306.755, and identify how the proposed premises will meet the listed requirements.

Describe how the proposed premises will comply with each of the following:

Restricted Access Areas (3 AAC 306.710):

Describe how you will prevent unescorted members of the public from entering restricted access areas:

K Beach Reef will restrict access to any part of the licensed premises where marijuana or a marijuana product is processed, stored, or stocked by having a physical barricade delineating where the restricted access begins and the (public) licensed area ends. K Beach Reef's entrances to a restricted access areas will be marked by a signs that says "Restricted access area. Visitors must be escorted." Our marijuana establishment will limit the number of visitors to not more than five visitors for each licensee, employee, or agent of K Beach Reef who is actively engaged in supervising those visitors.

Describe your processes for admitting visitors into and escorting them through restricted access areas:

When a visitor arrives at our licensed retail store and requires access to our restricted access areas, we will utilize a sign in sheet to record the event. Our sign in sheet will require the guest to provide a valid government issued photo ID, the guest to print their name, time of entry, date and signature. The employee, agent or representative of K Beach Reef will then issue a temporary visitor badge to the visitor to be worn while in the restricted access areas. This visitor will be escorted at all times while visiting and is not to be left unattended. When the visitor has finished their visit, they will be escorted back out of the restricted access area, return their visitor badge to the escort and document their departure on the sign in sheet.



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Form MJ-01: Marijuana Establishment Operating Plan

Describe your recordkeeping of visitors who are escorted into restricted access areas:

When a visitor arrives at K Beach Reef retail store and requires access to our restricted access areas, we will utilize a sign in sheet to record the event. Our sign in sheet will require the guest to provide a valid government issued photo ID, the guest to print their name, time of entry, date and signature. The sign in sheet will also require the guest to sign out when leaving. This sign in sheet will be stored onsite and can be verified as accurate by accessing our surveillance records.

Provide a copy of a sample identification badge to be displayed by each licensee, employee, or agent while on the premises:

K BEACH REEF

Employee # 0001
 DOB: 10/08/1987
 Date Issued: 01/01/17
 Expires: 01/01/18
 License# 11649



sample photo

Employee Name



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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Security Alarm Systems and Lock Standards (3 AAC 306.715):

Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

K Beach Reef will have flood lighting affixed to the exterior of the building illuminating the entire perimeter. The lights will be operated via photocells and set to turn on after dark. The surveillance cameras will also have infrared capabilities.

An alarm system is required for all license types. Describe the security alarm system for the proposed premises:

A security system will be in place and hooked up to all exterior doors and windows. This system will sound an audible alarm when triggered. This system will also have the capability to be monitored 24/7 enabling the licensee to be notified and the local law enforcement.

The alarm system must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe how the security alarm system meets this requirement:

The alarm system will be manually activated by K Beach Reef's employee, agent or representative when closing the store at the end of the business day. This security system will be in place and hooked up to all exterior doors and windows. This system will sound an audible alarm when triggered. This system will also have the capability to be monitored 24/7 enabling the licensee to be notified and the local law enforcement.



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Form MJ-01: Marijuana Establishment Operating Plan

Describe your policies and procedures for preventing diversion of marijuana or marijuana product:

Inventory and cash will be counted by at least two employees, with any discrepancies investigated immediately. A schedule will be established and strictly followed for inventory counting. All product transfers or sales will be accompanied or verified by at least two employees when the licensee is not available. A surveillance system throughout the entire building will be used to monitor employees. Through the use of the METRC system, all marijuana will be adjusted, tracked and recorded at the end of the business day to ensure product inventory is accurate to sales and has not been diverted.

Describe your policies and procedures for preventing loitering:

We will have a no loitering policy in effect all of the time. Employees, agents and representatives will be on alert for anyone loitering and will encourage loiterers to move along. If the staff at K Beach Reef is unable to effectively rid the loiterer from the premises then alternative methods will be utilized, such as contacting local law enforcement.

Describe your policies and procedures regarding the use of any additional security device, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm to enhance security of the proposed premises:

The alarm system will be manually activated by K Beach Reef's employee, agent or representative when closing the store at the end of the business day. This security system will be in place and hooked up to all exterior doors and windows and also offer motion detection. This system will sound an audible alarm when triggered. This system will also have the capability to be monitored 24/7 enabling the licensee to be notified and the local law enforcement. This system has the ability to be activated inside of the premises during operating hours via a panic button which will notify local law enforcement.



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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when any automatic or electronic notification system alerts a local law enforcement agency of an unauthorized breach of security:

Employees, agents or representatives of K Beach Reef will meet in the office in the event of an alarm to assess the situation if the security system company calls. In the event of an actual breach of security and employees are in the building, if possible, they will seek safety by closing the store for business, exiting the premises and notify local law enforcement,

Video Surveillance (3 AAC 306.720):

All licensed marijuana establishments must meet minimum standards for surveillance equipment. Applicants should be able to answer "Yes" to all items below.

Video surveillance and camera recording system covers the following areas of the premises:	Yes	No
Each restricted access area and each entrance to a restricted access area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Both the interior and exterior of each entrance to the facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each point of sale area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each video surveillance recording:	Yes	No
Is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clearly and accurately displays the time and date	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is archived in a format that does not permit alteration of the recorded image, so that the images can readily be authenticated	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

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Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

Cameras will be mounted at the premises to ensure 100% coverage of the interior and exterior of the building. The cameras will be mounted at an appropriate height to ensure good visibility of any person.

Describe the locked and secure area where video surveillance recording equipment and records will be housed and stored and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the board:

The video surveillance equipment will be housed and stored downstairs in a private utility room. This room will be locked and only accessed when necessary by authorized personnel. This area will not be part of the day-to-day operations for the business, thus protecting it from being tampered with even further.

Location of Surveillance Equipment and Video Surveillance Records:

Yes No

Surveillance room or area is clearly defined on the premises diagram

Surveillance recording equipment and video surveillance records are housed in a designated, locked, and secure area or in a lock box, cabinet, closet or other secure area

Surveillance recording equipment access is limited to a marijuana establishment licensee or authorized employee, and to law enforcement personnel including an agent of the board

Video surveillance records are stored off-site



Alaska Marijuana Control Board

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Business Records (3 AAC 306.755):

All licensed marijuana establishments must maintain, in a format that is readily understood by a reasonably prudent business person, certain business records. Applicants should be able to answer "Yes" to all items below.

Business Records Maintained and Kept on the Licensed Premises:

Yes No

All books and records necessary to fully account for each business transaction conducted under its license for the current year and three preceding calendar years; records for the last six months are maintained on the marijuana establishment's licensed premises; older records may be archived on or off-premises

A current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment

The business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises

Records related to advertising and marketing

A current diagram of the licensed premises including each restricted access area

A log recording the name, and date and time of entry of each visitor permitted into a restricted access area

All records normally retained for tax purposes

Accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a consumer, to another marijuana establishment, or destroyed

Transportation records for marijuana and marijuana product as required under 3 AAC 306.750(f)



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records.

Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

All records and data that is required to be maintained will stored in a locked, fire rated container until it is appropriate to archive offsite. Employee lists, handler cards, vendor lists, marketing and advertising records and logs will also be backed up to an external hard drive that will be maintained and updated weekly and stored offsite. All inventory tracking and activity records will be backed up electronically and a printed copy will be filed daily. Daily activity logs, visitor logs and transportation logs will be input into the onsite computer system and have a hard copy printed and filed onsite. The METRC system offers an extensive online record of business activities and will also be utilized for preserving and maintaining records.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 3 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730, and identify how the proposed establishment will meet the listed requirements.

All licensed marijuana establishments must use a marijuana inventory tracking system capable of sharing information with the system the board implements to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a product, to a completed sale of marijuana or marijuana product, or disposal of the harvest batch of marijuana or production lot of marijuana product.

Applicants should be able to answer "Yes" to all items below.

Marijuana Tracking and Weighing:	Yes	No
A marijuana inventory tracking system, capable of sharing information with the system the board implements to ensure tracking for the reasons listed above, will be used	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All marijuana delivered to a marijuana establishment will be weighed on a scale certified in compliance with 3 AAC 306.745	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Describe the marijuana tracking system that you plan to use and how you will ensure that it is capable of sharing information with the system the board implements:

We will be using the Franwell Marijuana Enforcement and Tracking Reporting and compliance inventory tracking system. We will have internet onsite and make sure we are capable of sharing our information. This METRC program is capable of being updated perpetually and shared instantaneously with AMCO.



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Form MJ-01: Marijuana Establishment Operating Plan

Section 4 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700, and identify how the proposed establishment will meet the listed requirements.

A marijuana establishment and each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

Applicants should be able to answer "Yes" to all items below.

Marijuana Handler Permit:	Yes	No
Each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at the marijuana establishment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person's marijuana handler permit card in that person's immediate possession (or a valid copy on file on the premises of a retail marijuana store, marijuana cultivation facility, or marijuana product manufacturing facility) when on the licensed premises	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that person's marijuana handler permit card is valid and has not expired	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Describe how your establishment will meet the requirements for employee qualifications and training:

All employees will be required to obtain a marijuana handler card before they can be employed. Employees will undergo metrc training. The staff at K Beach Reef will also be in compliance with the DEC and training required for handling consumables.



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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 5 – Waste Disposal

Review the requirements under 3 AAC 306.740, and identify how the proposed establishment will meet the listed requirements.

Applicants should be able to answer "Yes" to the statement below.

Marijuana Waste Disposal:	Yes	No
The marijuana establishment shall give the board at least 3 days notice in the marijuana inventory tracking system required under 3 AAC 306.730 before making the waste unusable and disposing of it	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Describe how you will store, manage, and dispose of any solid or liquid waste, including wastewater generated during marijuana cultivation, production, process, testing, or retail sales, in compliance with applicable federal, state, and local laws and regulations:

The solid waste that is produced will be ground up and thoroughly mixed with our used growing medium, coco coir at a 50/50 ratio. This solid waste will be weighed and tracked and stored in containers until it can be discarded. This waste is not hazardous and is biodegradable. We will use the marijuana inventory tracking system required to give the board notice not later than three days before making the waste unusable and disposing of it at the Borough landfill, along with submitting an email to AMCO enforcement notifying them of the waste disposal; and keep a record of the final destination of marijuana waste made unusable. Our retail store will have the appropriate washing stations to ensure the Alaska DEC is satisfied with our operations.

Describe what material or materials you will mix with the ground marijuana waste to make it unusable:

The solid waste that is produced will be ground and thoroughly mixed with our used growing medium, coco coir at at least a 50/50 ratio. Wastewater will be added to enhance mixability and to help promote degradation of the plant waste. This mixed material may be delivered to a permitted solid waste facility, incinerator, or other facility with approval of any applicable local government entity i.e the Kenai Peninsula Landfill. In the event an outdated or expired product must be disposed of, K Beach Reef will render the product useless by grinding the product into a used water/coco mixture with at least the same amount of material as what's being wasted. The proper notification steps in METRC and an enforcement email will be circulated to the appropriate offices before discarding the material waste.



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Form MJ-01: Marijuana Establishment Operating Plan

Marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves the marijuana establishment. Describe the process or processes that you will use to make the marijuana plant waste unusable:

The solid waste that is produced will be ground up and thoroughly mixed with our used growing medium, coco coir at a 50/50 ratio. This solid waste will be weighed and tracked and stored in containers until it can be discarded. This waste is not hazardous and is biodegradable. We will use the marijuana inventory tracking system required to give the board notice not later than three days before making the waste unusable and disposing of it at the Borough landfill, along with submitting an email to AMCO enforcement notifying them of the waste disposal; and keep a record of the final destination of marijuana waste made unusable.



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Alaska Marijuana Control Board
Form MJ-01: Marijuana Establishment Operating Plan

Section 6 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750, and identify how the proposed establishment will meet the listed requirements.

Applicants should be able to answer "Yes" to all items below.

Marijuana Transportation:	Yes	No
The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>
During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment:

Our marijuana retail store will only transport products to other licensed retail stores and will not be transporting marijuana products to any other license types. These types of transfers will happen periodically as we build relationships with other retailers and conduct good legal dealings that are beneficial to each retail licensee.

We will be responsible for preparing, packaging, and securing the marijuana or marijuana product during shipment, for recording the transfer in the marijuana inventory tracking system, and for preparing the transport manifest. We will use the marijuana inventory tracking system to record the type, amount and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle. A complete printed transport manifest on a form prescribed by the board will be kept with the marijuana or marijuana product at all times.

Through the use of the METRC system we will batch our marijuana, assign tracking numbers and custom prepare our clients orders. During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport.

Describe the type of locked, safe, and secure storage compartments that will be used in any vehicles transporting marijuana or marijuana product:

The shipping container for our product will be made of a hard, composite material that is lockable, similar to a what a firearm is transported in, a fastened tote, or larger cooler-like vessel. During transport, our marijuana will be in a sealed package or container and in a locked, safe, and secure storage compartment in the vehicle transporting our marijuana. The sealed package will not be opened during transport. The vehicle transporting our marijuana will travel directly from the K Beach Reef to the receiving marijuana establishment, and may not make unnecessary stops in between except to deliver or pick up marijuana or a marijuana product at another licensed marijuana establishment.



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marijuana.licensing@alaska.gov
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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 7 – Signage and Advertising

Describe any signs that you intend to post on your establishment with your business name, including quantity and dimensions:

Because a retail marijuana store may have not more than three signs visible to the general public that identify the retail marijuana store by its business name, K Beach Reef is choosing to use just one. Because a sign may be placed in the retail marijuana store's window or attached to the outside of the licensed premises, we are choosing to attach to the exterior front of the building. The size of our sign will not exceed 4,800 square inches, will be illuminated and display our business logo, which includes the business name.

If you are not applying for a retail marijuana store license, you do not need to complete the rest of Section 7, including Page 17.

Restriction on advertising of marijuana and marijuana products (3 AAC 306.360):

All licensed retail marijuana stores must meet minimum standards for signage and advertising.

Applicants should be able to answer "Agree" to all items below.

No advertisement for marijuana or marijuana product will contain any statement or illustration that:	Agree	Disagree
is false or misleading	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Promotes excessive consumption	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Represents that the use of marijuana has curative or therapeutic effects	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Depicts a person under the age of 21 consuming marijuana	<input checked="" type="checkbox"/>	<input type="checkbox"/>
includes an object or character, including a toy, a cartoon character, or any other depiction designed to appeal to a child or other person under the age of 21, that promotes consumption of marijuana	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

No advertisement for marijuana or marijuana product will be placed:

Agree Disagree

- Within one thousand feet of the perimeter of any child-centered facility, including a school, childcare facility, or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under the age of 21
- On or in a public transit vehicle or public transit shelter
- On or in a publicly owned or operated property
- Within 1000 feet of a substance abuse or treatment facility
- On a campus for post-secondary education

Signage and Promotional Materials:

Agree Disagree

- I understand and agree to follow the limitations for signs under 3 AAC 306.360(a)
- The retail marijuana store will not use giveaway coupons as promotional materials, or conduct promotional activities such as games or competitions to encourage sale of marijuana or marijuana products
- All advertising for marijuana or any marijuana product will contain the warnings required under 3 AAC 306.360(a)



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Alaska Marijuana Control Board


Form MJ-01: Marijuana Establishment Operating Plan

Section 8 - Control Plan for Persons Under the Age of 21

Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

K Beach Reef will ensure that a valid photographic ID card is produced by each and every person that is on the licensed premises by enforcing policy. Our policy will state that every person who enters the marijuana retail space carries on their person a valid, government issued, photographic ID that clearly represents the card holder and their age. If a person is found without their valid ID, or the ID has expired they will be refused service and asked to leave the store. This policy will be effective during all business hours and will have a "no-exception" rule that states that "All persons, customer or not, must provide a valid ID every time they are on licensed premises." Employees, agents and representatives that are operating the retail store will be responsible for enforcing this policy as people enter the store. The retail space will be completely under surveillance and this process will be recorded, offering the managers oversight that the policy is being enforced.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.



Signature of licensee

Ryan K Hall

Printed name

Subscribed and sworn to before me this 9th day of January, 2018.




 Notary Public in and for the State of Alaska.

My commission expires: 9.20.19



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

(Additional Space as Needed):



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1000
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

This cover sheet must be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	RYAN K HALL	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K BEACH REEF		
Physical Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK
		Zip Code:	99669
Designated Licensee:	RYAN K HALL		
Email Address:	ryankhall@yahoo.com		

Section 2 - Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	Form MJ-02 Premises Diagram Page 1 Establishment Info Page 2 Main Floor Diagram Page 3 Basement Level Diagram Page 4 Loft Level Diagram
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Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Marijuana Control Board
Form MJ-02: Premises Diagram

Anchorage, AK 99501
 marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

What is this form?

A detailed diagram of the proposed licensed premises is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(8). Your diagram must show all entrances and boundaries of the premises, restricted access areas, and storage areas, and dimensions. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex. For those applying for a limited marijuana cultivation license, the proposed area(s) for cultivation must be clearly delineated.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

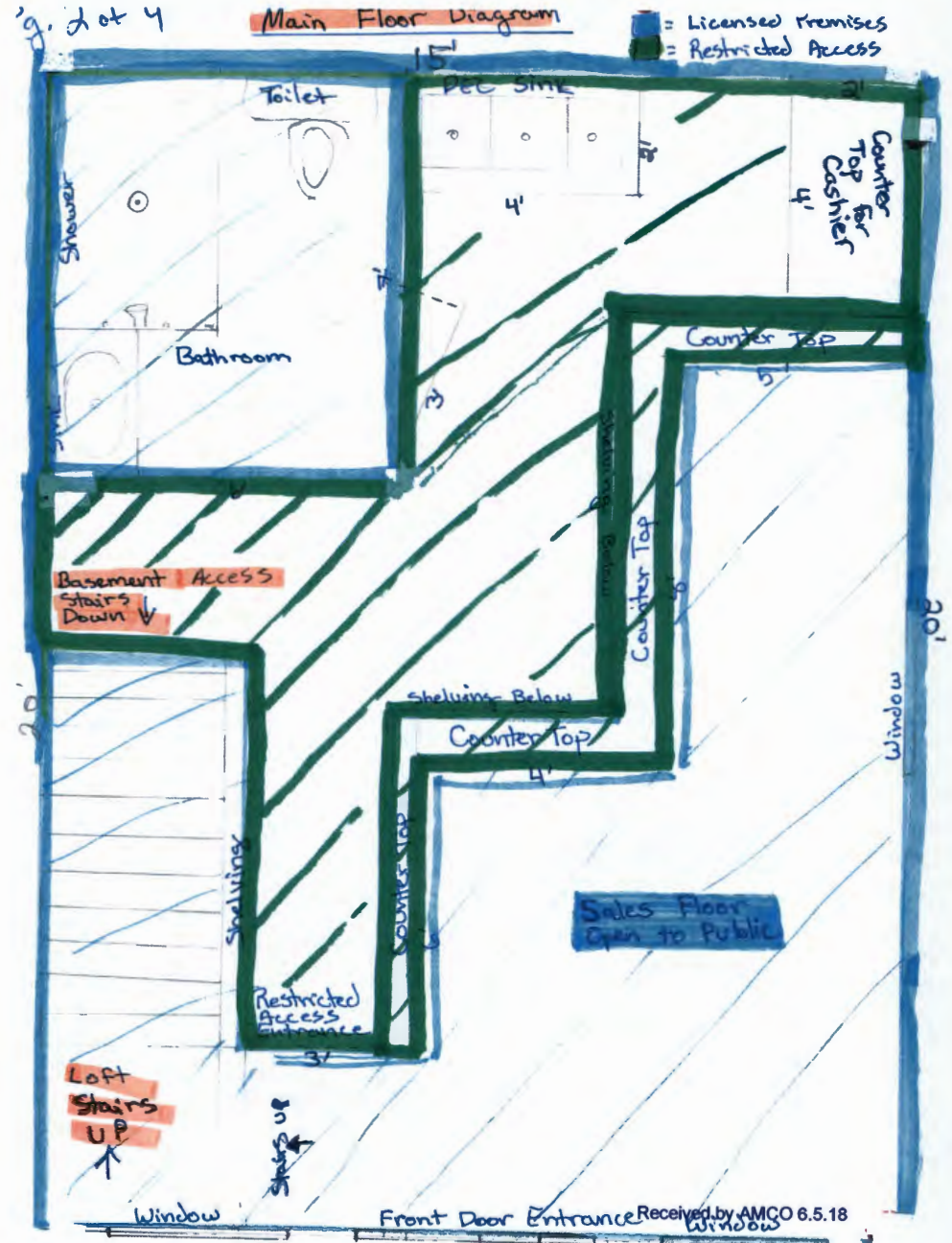
Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Ryan K Hall	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K Beach Reef		
Premises Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK
		ZIP:	99669



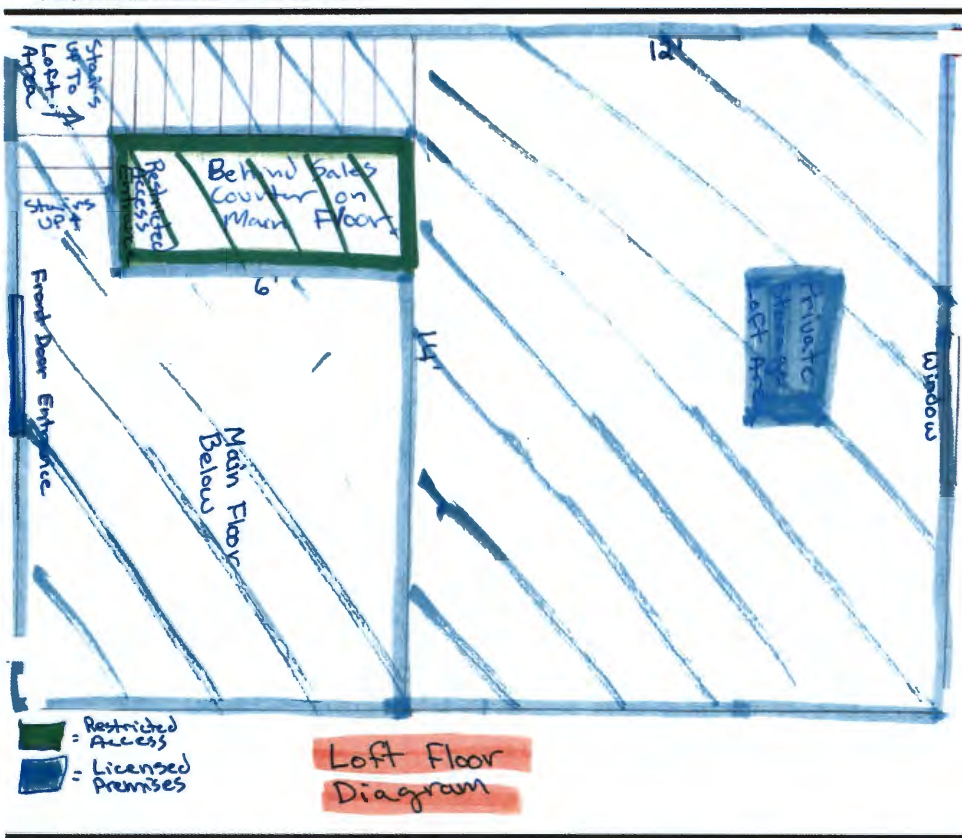


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Alaska Marijuana Control Board
Form MJ-02: Premises Diagram

Section 2 - Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances, walls, partitions, counters, windows, areas of ingress and egress, restricted access areas, and storage areas. Include dimensions in your drawing. Use additional copies of this form or attached additional documents as needed.



[Form MJ-02] (rev 06/20/2016)

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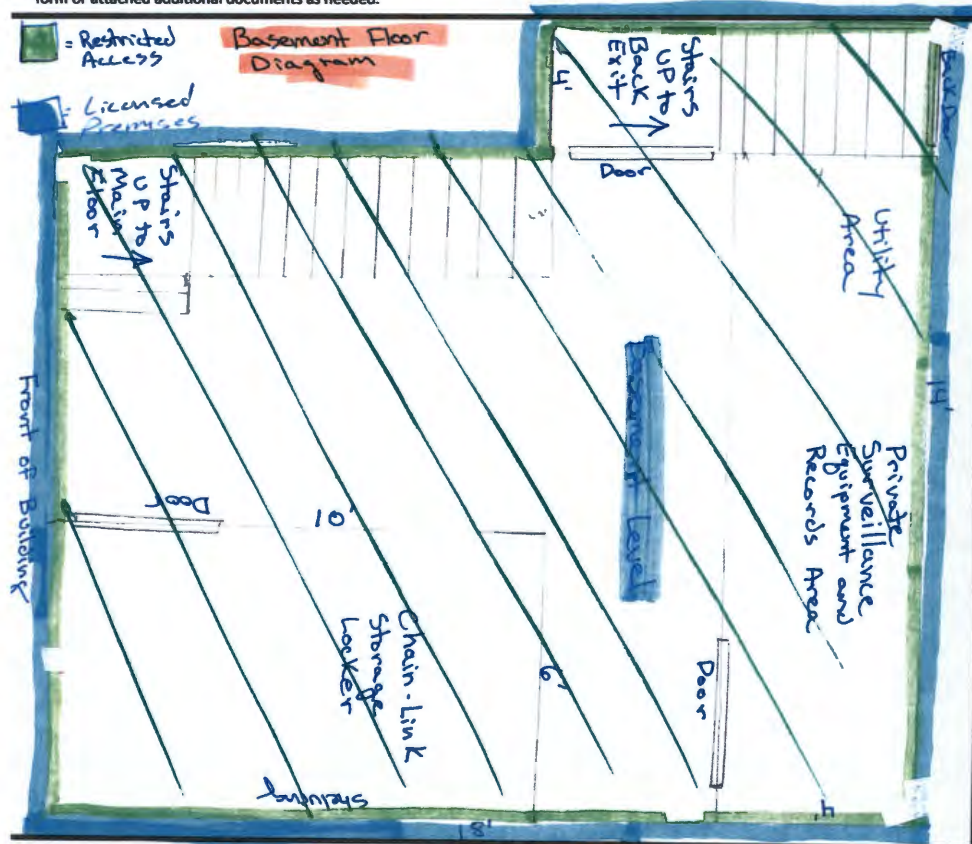


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Alaska Marijuana Control Board
Form MJ-02: Premises Diagram

Section 2 - Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances, walls, partitions, counters, windows, areas of ingress and egress, restricted access areas, and storage areas. Include dimensions in your drawing. Use additional copies of this form or attached additional documents as needed.



[Form MJ-02] (rev 06/20/2016)

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Legend
 ... 42106 K Beach Rd Property Line



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

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 Phone: 907.269.0350

What is this form?

This cover sheet must be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	RYAN K HALL	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K BEACH REEF		
Physical Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK
		Zip Code:	99689
Designated Licensee:	RYAN K HALL		
Email Address:	ryankhall@yahoo.com		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	MS-03 Retail Marijuana Store
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Received by AMCO 01.10.18



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

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 marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

What is this form?

This operating plan supplemental form is required for all applicants seeking a retail marijuana store license and must accompany the Marijuana Establishment Operating Plan (Form MJ-01), per 3 AAC 306.020(b)(11). Applicants should review Chapter 306: Article 3 of the Alaska Administrative Code. This form will be used to document how an applicant intends to meet the requirements of those regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020 and 3 AAC 306.315(2).

What additional information is required for retail stores?

Applicants must identify how the proposed establishment will comply with applicable regulations regarding the following:

- Prohibitions
- On-site consumption
- Displays and sales
- Exit packaging and labeling
- Security

This form must be submitted to AMCO's main office before any retail marijuana store license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Ryan K Hall	License Number:	15916		
License Type:	Retail Marijuana Store				
Doing Business As:	K Beach Reef				
Premises Address:	42106 K Beach Rd				
City:	Soldotna	State:	ALASKA	ZIP:	99669



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

Anchorage, AK 99501
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Section 2 – Prohibitions

Applicants should review 3 AAC 306.310 and be able to answer "Agree" to all items below.

The retail marijuana store will not:

Agree Disagree

- Sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product in a quantity exceeding the limit set out in 3 AAC 306.355
- Sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product over the internet
- Offer or deliver to a consumer, as a marketing promotion or for any other reason, free marijuana or marijuana product, including a sample
- Offer or deliver to a consumer, as a marketing promotion or for any other reason, alcoholic beverages, free or for compensation
- Allow a person to consume marijuana or a marijuana product on the licensed premises, except as provided in 3 AAC 306.305(a)(4)

Describe how you will ensure that the retail marijuana store will not sell, give, distribute, or deliver marijuana or marijuana product to a person who is under the influence of an alcoholic beverage, inhalant, or controlled substance:

K Beach Reef will ensure that our retail marijuana store will not sell, give, distribute, or deliver marijuana or marijuana product to a person who is under the influence of an alcoholic beverage, inhalant, or controlled substance by physically evaluating the customer during our mandatory ID check. During this mandatory ID check the employee, agent or representative of K Beach Reef will be looking for signs of intoxication such as swaying, slurred speech, blood-shot watery eyes, an odor of alcohol or irritability. Because K Beach Reef will reserve the right to refuse service to anyone, we will be diligent in exercising this right if found necessary. By taking the initial step of mandatory ID checks we are confident that we will not serve anyone under the influence.



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

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Section 3 – On-site Consumption

Yes No

Do you plan to request approval of the board with your initial application to permit consumption of marijuana or marijuana product in a designated area on the proposed premises?

If "Yes", describe how you ensure that only marijuana or marijuana products that were purchased at your proposed premises are being consumed, per 3 AAC 306.305(a)(4):

Section 4 – Displays and Sales

Describe how marijuana and marijuana products at the retail marijuana store will be displayed and sold:

At K Beach Reef our products will be displayed through the use of monitor screens, menus, photos, and handheld product containers. The monitor screens we use will be a visual aid for the consumer utilizing testing results, cultivator info, product photos and industry related products to convey necessary information. The screens will not be used for entertainment. The menus we use will offer a list of products at your fingertips for the consumer who wants to educate themselves. Our handheld product containers will be small, portable, locked containers that are clear, illuminated and ported for seeing and smelling the product without touching it. We plan to offer our products "delistyle" by weighing and selling orders as they are purchased. This method will ensure that each sale is catered to the customer and product freshness and proper weight is achieved.



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Form MJ-03: Retail Marijuana Store

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Section 5 – Edt Packaging and Labeling

Review the requirements under 3 AAC 306.345, and identify how the proposed establishment will meet the listed requirements.

Describe how the retail marijuana store will ensure that marijuana and marijuana products sold on its licensed premises will meet the packaging and labeling requirements set forth in 3 AAC 306.345(a):

K Beach Reefs marijuana or a marijuana products will packaged in opaque, resealable, child-resistant packaging when the purchaser leaves the retail section of the licensed premises; Our packaging will be designed or constructed to be significantly difficult for children under five years of age to open, but not normally difficult for adults to use properly. Our containers or packaging for any edible marijuana product will not have any printed images, including cartoon characters, that specifically target individuals under 21 years of age. Our labeling will have the name and license number of the marijuana product manufacturing facility where the marijuana product was prepared and a list of warnings including "Marijuana has intoxicating effects and may be habit forming and addictive"; "Marijuana impairs concentration, coordination, and judgment. Do not operate a vehicle or machinery under its influence"; "There are health risks associated with consumption of marijuana"; "For use only by adults twenty-one and older. Keep out of the reach of children." "Marijuana should not be used by women who are pregnant or breast feeding."

Provide a sample label that the retail marijuana store will use to meet the labeling requirements under 3 AAC 306.645(b):

Sample only

Marijuana has intoxicating effects and may be habit forming. Marijuana can impair concentration, coordination and judgment. Do not operate a vehicle or machinery under its influence. There may be health risks associated with consumption of marijuana. For use only by adults twenty-one and older, keep out of reach of children. Marijuana should not be used by women who are pregnant or breastfeeding.

Grown by K-Beach Reef #11649
 .25g Bud/Flower
 Strain: White Widow Extreme
 THC: 20.06%
 Purchased at Fat Tops #1



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

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Section 6 – Security

Identification Requirement to Prevent Sale to Person Under 21 (3 AAC 306.350):

Describe the retail marijuana store's procedures for ensuring a form of valid photographic identification has been produced before selling marijuana or marijuana product to a person, per 3 AAC 306.350(a):

K Beach Reef will ensure that a valid photographic ID card is produced by each and every person that is on the licensed premises by enforcing policy. Our policy will state that every person who enters the marijuana retail space carries on their person a valid, government issued, photographic ID that clearly represents the card holder and their age. If a person is found without their valid ID, or the ID has expired they will be refused service and asked to leave the store. This policy will be effective during all business hours and will have a "no-exception" rule that states that "All persons, customer or not, must provide a valid ID every time they are on licensed premises." Employees, agents and representatives that are operating the retail store will be responsible for enforcing this policy as people enter the store. The retail space will be completely under surveillance and this process will be recorded, offering the managers oversight that the policy is being enforced.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Signature of licensee

Ryan K Hall

Printed name

Subscribed and sworn to before me this 9th day of January, 2018.



Notary Public in and for the State of Alaska.

My commission expires: 9-20-19



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

Anchorage, AK 99501
 marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

(Additional Space as Needed):



Alaska Marijuana Control Board
Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
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 Phone: 907.269.0350



Alaska Marijuana Control Board
Form MJ-07: Public Notice Posting Affidavit

Anchorage, AK 99501
 marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

What is this form?

This cover sheet must be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	RYAN K HALL	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K BEACH REEF		
Physical Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK Zip Code: 99669
Designated Licensee:	RYAN K HALL		
Email Address:	ryankhall@yahoo.com		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	MJ-07 Public Notice Affidavit
-----------------	-------------------------------

OFFICE USE ONLY			
Received Date:	Payment Submitted Y/N:	Transaction #:	

What is this form?

A public notice posting affidavit is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(10). As soon as practical after initiating a marijuana establishment license application, an applicant must give notice of the application to the public by posting a true copy of the application for ten (10) days at the location of the proposed licensed premises and one other conspicuous location in the area of the proposed premises, per 3 AAC 306.025(b)(1).

This form must be completed and submitted to AMCO's main office before any new or transfer license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Ryan K Hall	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K Beach Reef		
Premises Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK ZIP: 99669

Section 2 – Certification

I certify that I have met the public notice requirement set forth under 3 AAC 306.025(b)(1) by posting a copy of my application for the following 10-day period at the location of the proposed licensed premises and at the following conspicuous location in the area of the proposed premises:

Start Date: 11/25/17 End Date: 12/11/17

Other conspicuous location: Save-U-More Grocery, K Beach Rd. Soldotna Ak 99669

I declare under penalty of perjury falsification that this form, including all accompanying schedules and statements, is true, correct, and complete.

Signature of Licensee: Ryan K Hall
 Signature of Notary Public: Kate Ring
 Notary Public - State of Alaska



My commission expires: 9.20.19

Printed name of licensee: Ryan K Hall
 Subscribed and sworn to before me this 9th day of January, 2018.



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1800
Anchorage, AK 99501
marijuana.licensing@alaska.gov
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Alaska Marijuana Control Board

Form MJ-08: Local Government Notice Affidavit

Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

What is this form?

This cover sheet must be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	RYAN K HALL	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K BEACH REEF		
Physical Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK
		Zip Code:	99669
Designated Licensee:	RYAN K HALL		
Email Address:	ryankhall@yahoo.com		

Section 2 - Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	MJ-08 Local Government Notice
-----------------	-------------------------------

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Received Date:	Payment Submitted Y/N:	Transaction #:
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What is this form?

A local government notice affidavit is required for all marijuana establishment license applications with a proposed premises that is located within a local government, per 3 AAC 306.025(b)(3). As soon as practical after initiating a marijuana establishment license application, an applicant must give notice of the application to the public by submitting a copy of the application to the local government and any community council in the area of the proposed licensed premises.

This form must be completed and submitted to AMCO's main office before any new or transfer license application will be considered complete.

Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Ryan K Hall	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K Beach Reef		
Premises Address:	42106 K Beach Rd		
City:	Soldotna	State:	AK
		ZIP:	99669

Section 2 - Certification

I certify that I have met the local government notice requirement set forth under 3 AAC 306.025(b)(3) by submitting a copy of my application to the following local government official and community council (if applicable):

Local Government: Kenai Peninsula Borough Name of Official: Johni Blankenship
 Title of Official: Borough Clerk Date Submitted: 18 1-9-18
 Community Council: _____ Date Submitted: _____
 (Municipality of Anchorage and Matanuska-Susitna Borough only)

I declare under penalty of unsworn falsification that this form, including all accompanying schedules and statements, is true, correct, and complete.

Signature of licensee: Ryan K Hall
 Signature of Notary Public: Katie Ring
 OFFICIAL SEAL
 Katie Ring
 Notary Public - State of Alaska
 My commission expires: 9-20-19

Printed name of licensee: _____
 Subscribed and sworn to before me this 9th day of January, 2018.



Alaska Marijuana Control Board
Cover Sheet for Marijuana Establishment Applications

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 Phone: 907.269.0350

What is this form?

This cover sheet must be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	RYAN K HALL	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K BEACH REEF		
Physical Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK Zip Code: 99669
Designated Licensee:	RYAN K HALL		
Email Address:	ryankhall@yahoo.com		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	MJ-09 Statement of Financial Interest
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Received by AMCO 01.10.18



Alaska Marijuana Control Board
Form MJ-09: Statement of Financial Interest

Anchorage, AK 99501
 marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

What is this form?

A statement of financial interest completed by each proposed licensee (as defined in 3 AAC 306.020(b)(2)) and affiliate (as defined in 3 AAC 306.990(a)(1)) is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(4). A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each proposed licensee or affiliate before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Ryan K Hall	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K Beach Reef		
Premises Address:	42106 K Beach Rd		
City:	Soldotna	State:	AK ZIP: 99669

Section 2 – Individual Information

Enter information for the individual licensee or affiliate.

Name:	Ryan K Hall
Title:	Owner
SSN:	[REDACTED]
Date of Birth:	[REDACTED]

Received by AMCO 01.10.18



Alaska Marijuana Control Board

Form MJ-09: Statement of Financial Interest

Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Department of Commerce, Community, & Economic Development Alcohol & Marijuana Control Office

License #15916
Initiating License Application
11/22/2017 10:33:30 PM

License Number: 15916

License Status: New

License Type: Retail Marijuana Store

Doing Business As: K BEACH REEF

Business License Number: 1045715

Designated Licensee: RYAN K HALL

Email Address: ryankhall@yahoo.com

Local Government: Kenai Peninsula Borough

Community Council:

Latitude, Longitude: 60.507470, -151.169371

Physical Address: 42106 K Beach Rd.
Soldotna, AK 99689
UNITED STATES

Section 3 - Certifications

I certify that no person other than a proposed licensee listed on my marijuana establishment license application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which a marijuana establishment license is being applied for.

I further certify that any ownership change shall be reported to the board as required under 3 AAC 306.040.

I understand that my fingerprints will be used to check the criminal history records of the Federal Bureau of Investigation (FBI), and that I have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

I declare under penalty of unsworn falsification that this form, including all accompanying schedules and statements, is true, correct, and complete.


Signature of licensee

Ryan K Hall

Printed name of licensee




Notary Public in and for the State of Alaska

My commission expires: 9-20-19

Subscribed and sworn to before me this 9th day of January, 2018.

Licensee #1

Type: Individual

Name: RYAN K HALL

Phone Number: 907-252-0172

Email Address: ryankhall@yahoo.com

Mailing Address: po box 3765
Soldotna, AK 99669
UNITED STATES

Note: No entity officials entered for this license.

Note: No affiliates entered for this license.



Kenai Peninsula Borough, Alaska
Assessing Department

[Go Back](#) [Property Search](#) [Print Report](#) [Property Taxes](#)

Property Owner: HALL, RYAN K PO BOX 3765 SOLDOTNA AK 99669-3765	Property ID 05533115
Change of Address Owner(s)	Address 42106 KALIFORNISKY BEACH RD
	Transfer Date 12/2/2016
	Document / Book Page 20160105880
	Acreage 0.5200
	Tax Authority Group 58 - CENTRAL EMERGENCY SERVICES

Description
T 5N R 11W SEC 23 Seward Meridian KN 0790177 HAWKINS SUB LOT 5A BLK 3

Year	2018	2017	2016	2015	2014	2013	2012	2011	2010
Blsson	Main Roll Certification	Main Roll Certification	Main Roll Certification	Main Roll Certification	Main Roll Certification	Main Roll Certification	Main Roll Certification	Main Roll Certification	Main Roll Certification
Land Aed	\$72,000	\$72,000	\$72,000	\$72,000	\$72,000	\$72,000	\$72,000	\$72,000	\$72,000
Imp Aed	\$295,500	\$295,500	\$234,300	\$243,300	\$242,300	\$213,000	\$207,400	\$196,700	\$204,000
Total Aed	\$406,200	\$367,500	\$306,300	\$315,300	\$314,300	\$285,000	\$279,400	\$268,700	\$276,000

BB1	BB2	BB3	BB4	BB5
-----	-----	-----	-----	-----

Type	CABIN
Occupancy	Single Family
Roof Structure	Gable
Roof Cover	Metal
Heating	Space Heater
Stories	1.0
Bathrooms	1
1	Exterior Wall
1	Interior Wall
1	Interior Flooring
8	Exterior Wall (200)
8	Exterior Wall (800)
	Log Deck
	Roofed Porch
	Base Allowance
	Wood Siding
	None

Scale 5:1

Lot

Address	42106 KALIFORNISKY BEACH RD
Type	CABIN
Grade	Asp
Year Built	2002
Value	187,300

Sketch Legend

Code	Description	Year	Building	Length	Width	Units	Unit Type	Value
DRIVE	Gravel Driveway	3000	RD1	0	0	1	IT	\$1,500
SRL	Residential Sewer Water Landscaping	3000	RD1	0	0	1	IT	\$9,500
DRIVE	Gravel Driveway	3000	RD0	0	0	1	IT	\$1,500
SRL	Residential Sewer Water Landscaping	3000	RD4	0	0	1	IT	\$6,000
EPF			RD1	10	10	100	SF	\$400
ADON	Dwelling Addition	1979	RD1	0	0	0		\$8,200
FOURBLDG	General Purpose Bldg Wood Pole Frame	1979	RD1	40	21	820	SF	\$4,800

Copyright © Kenai Peninsula Borough Assessing Department

Kenai Peninsula Borough
Property Tax Division

Kenai Peninsula Borough - Property Tax Division
PO Box 3040, Soldotna, Alaska 99669
Phone: (907) 714-2304
Fax: (907) 714-2376

Account Detail

[Search Results](#) [View Assessment](#) [Map It](#) [Print this Page](#)

PIN	Property Type	Last Update
05533115	Real Property	6/5/2018 3:01:04 PM
Mailing Address: HALL RYAN K PO BOX 3765 SOLDOTNA , AK 99669-3765		Location: 42106 KALIFORNISKY BEACH RD
TAG 58 - CENTRAL EMERGENCY SERVICES		Change of Address
Legal Description		
T 5N R 11W SEC 23 Seward Meridian KN 0790177 HAWKINS SUB LOT 5A BLK 3		

Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Amount Due
2017	\$3,127.44	\$3,127.44	\$0.00	\$0.00	\$0.00
2016	\$2,643.38	\$2,643.38	\$0.00	\$0.00	\$0.00
2015	\$2,698.98	\$2,698.98	\$0.00	\$0.00	\$0.00
2014	\$2,690.42	\$2,690.42	\$0.00	\$0.00	\$0.00
2013	\$2,442.46	\$2,442.46	\$0.00	\$0.00	\$0.00
2012	\$2,394.46	\$2,394.46	\$0.00	\$0.00	\$0.00
2011	\$2,249.02	\$2,249.02	\$0.00	\$0.00	\$0.00
2010	\$2,314.30	\$2,314.30	\$0.00	\$0.00	\$0.00
2009	\$1,970.90	\$1,970.90	\$0.00	\$0.00	\$0.00
2008	\$1,885.16	\$1,885.16	\$0.00	\$0.00	\$0.00
2007	\$2,037.92	\$2,037.92	\$0.00	\$0.00	\$0.00
Total					\$0.00

This site is best viewed using Google Chrome, Mozilla Firefox OR Internet Explorer 10

The Kenai Peninsula Borough Finance Department makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. If you have any questions, please contact us at (907) 714-2304 or taxquestions@borough.kenai.ak.us



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

What is this form?

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Section 1 - Establishment Information

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Licensee:	RYAN K HALL	License Number:	15916
License Type:	Retail Marijuana Store		
Doing Business As:	K BEACH REEF		
Physical Address:	42106 K Beach Rd.		
City:	Soldotna	State:	AK
		Zip Code:	99669
Designated Licensee:	RYAN K HALL		
Email Address:	ryankhall@yahoo.com		

Section 2 - Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	Publisher's Affidavit
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Received by AMCO 01.10.18



PO Box 3009, Kenai, AK 99611 - (907) 283-7551 - Fax (907) 283-3299

PUBLISHER'S AFFIDAVIT

UNITED STATES OF AMERICA, }
STATE OF ALASKA } SS:

Elizabeth A. Urlicksen being first duly sworn, on oath deposes and says:

That I am and was at all times here in this affidavit mentions, Supervisor of Legals of the Gatehouse/Peninsula Clarion, a newspaper of general circulation and published at Kenai, Alaska, that the advertisement, a printed copy of which is hereto annexed was published in said paper on the dates listed below:



Account No. 1000729763

K BEACH REEF
P.O. BOX 3765 SOLDOTNA AK 99669 US

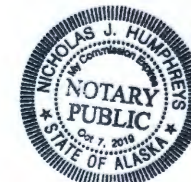
Ad # 8204724

Pub Date	Edition	Section	Page
12/07/2017	KEN PENINSULA CLARION	LEGAL NOTICES	B 3
12/14/2017	KEN PENINSULA CLARION	LEGAL NOTICES	B 3
12/21/2017	KEN PENINSULA CLARION	LEGAL NOTICES	B 3

X [Signature]
SUBSCRIBED AND SWORN to me before
this 28th day of December.

[Signature]
NOTARY PUBLIC in favor for the State of Alaska.

My commission expires October 7, 2019



Received by AMCO 01.10.18



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2160 • FAX: (907) 714-2388

Toll-free within the Borough: 1-800-478-4441 Ext. 2160

Email: assemblyclerk@kpb.us

JOHNI BLANKENSHIP, MMC
BOROUGH CLERK

MARIJUANA LICENSE LOCAL REVIEW STANDARDS ACKNOWLEDGEMENT FORM

Please review the statements below and acknowledge your understanding of the conditions and intent to comply by your signature below.

There shall be no parking in borough rights-of-way generated by the marijuana establishment.

If I have a retail marijuana license, I will not conduct any business on, or allow any consumer to access, the premises, between the hours of 2:00 a.m. and 8:00 a.m. each day.

I must stay current in obligations owed to the Kenai Peninsula Borough or my license may be subject to a protest by the KPB Assembly.

It is my responsibility to abide by all federal, state, and local laws applicable to my marijuana establishment.

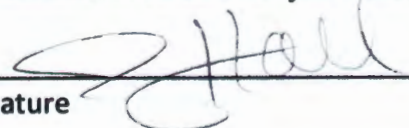
I understand Kenai Peninsula Borough staff will enter my property for purposes of evaluating ongoing compliance with KPB 7.30 and any conditions placed on the license by the State of Alaska Marijuana Control Board.

I have received, read and understand the additional review standards and conditions set out in KPB 7.30.

K Beach Reef

42106 K Beach Rd Soldotna; T 5N R 11W SEC 23 Seward Meridian KN 0790177 HAWKINS
SUB LOT 5A BLK 3

Application for Retail Marijuana Store (License Number: 15916)

Signature 

Date 1/18/18

Please return completed form along with site development plan to the KPB Clerk's Office within the next two (2) weeks. The KPB has 60 days to review your application after receipt from AMCO.



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

«OWNER»
«ATTENTION»
«ADDRESS»
«CITYSTATEZIP»

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that the Kenai Peninsula Borough has been notified of an application for a Retail Marijuana Store license in the Kalifornsky Area. The Borough will hold a public hearing prior to providing comments to the State on this application. This notice is being sent to landowners located within a 300-foot radius of the subject property. All members of the public are invited to comment. The application under consideration is described as follows:

Applicant: K Beach Reef

Please turn over for map.

Landowner: Ryan K Hall

Parcel Number: 055-331-15

Property Description: Lot 5-A, Hawkins Subdivision, according Plat 79-177, Kenai Recording District.

Location: 42106 Kalifornsky Beach Rd, Soldotna

Proposed Land Use: The applicant wishes to obtain a license from the Alaska Marijuana Control Board for a Retail Marijuana Store on the parcel listed above.

Applicable Code: State marijuana applications are reviewed by the borough in accordance with KPB 7.20 and 7.30. Copies of these ordinances are available from the Clerk's Office or on the KPB website at: kpb.us. State regulations (3 AAC 306) allow local jurisdictions to protest the issuance of marijuana licenses and recommend conditions to be placed upon licenses.

Public Hearing: A hearing will be held by the Kenai Peninsula Borough Planning Commission to consider the application on **Monday, July 16, 2018**, commencing at 7:30 p.m., or as soon thereafter as business permits. The meeting will be held in the assembly chambers of the borough administration building located at 144 N. Binkley Street, Soldotna, Alaska.

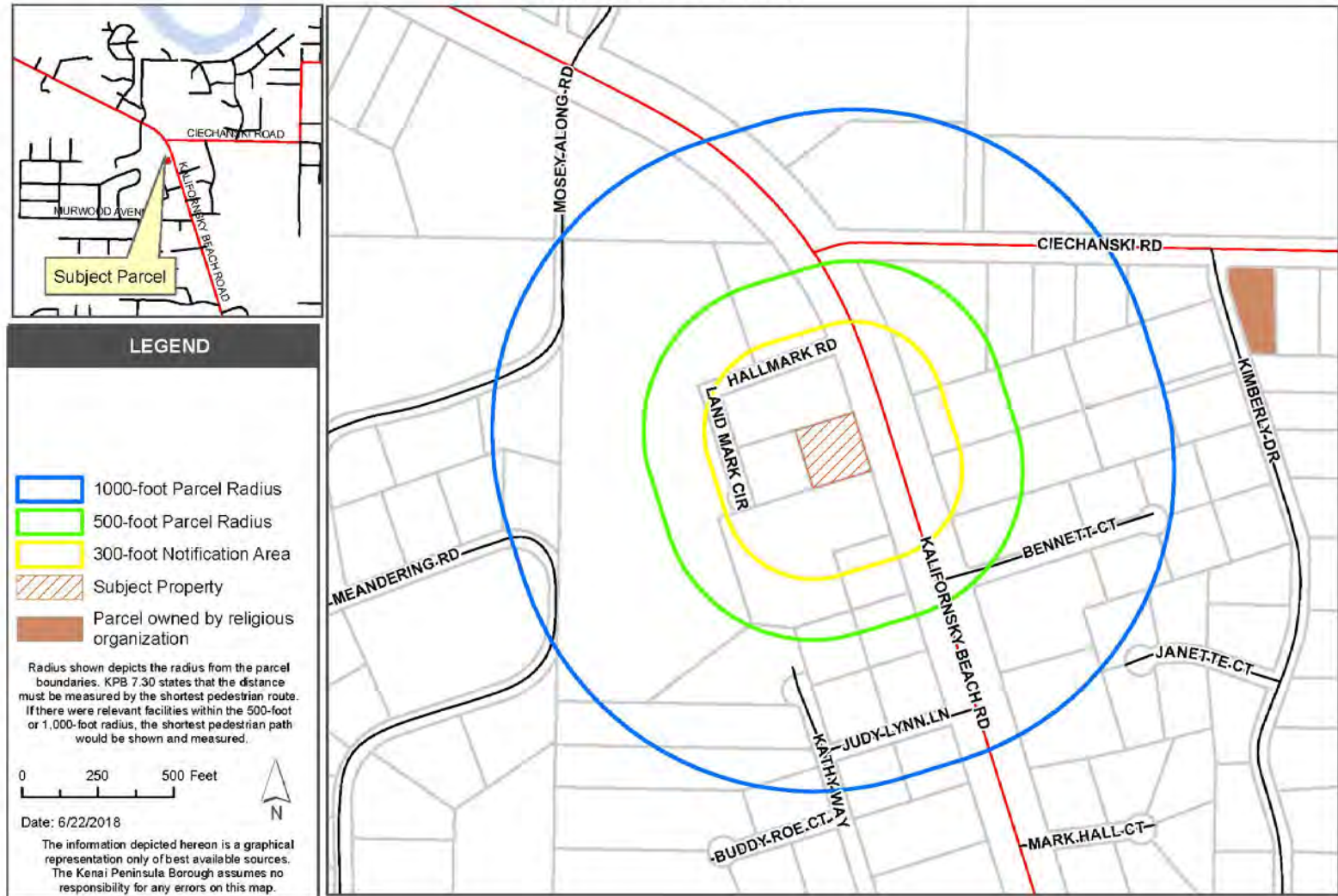
Public Comment: Those wishing to comment may come to the above meeting to give testimony or may submit a written statement addressed to: Planning Commission Chairman, 144 N. Binkley, Soldotna, Alaska 99669. A statement addressed to the chairman may also be emailed to: bwall@kpb.us, or faxed to (907) 714-2378. Please provide written statements by Friday, July 13, 2018.

For additional information about this application, please call the planning department at (907) 714-2206, or 1-800-478-4441 (toll free within the Kenai Peninsula Borough).

Bruce Wall, AICP
Planner

**Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
 Assembly Meeting, August 7, 2018
 Recommendation on State Application for Marijuana Establishment License**

**KPB Parcel ID: 055-331-15
 Applicant: K Beach Reef**



F. PUBLIC HEARINGS

- 2. Resolution 2018-24. Public hearing on a conditional land use permit application for material extraction on a parcel in the K-Beach area. Applicant / Landowner: Peninsula Paving, LLC. Parcel #055-072-72. Legal Description: Northwest ¼ Northwest ¼, Section 25, Township 5 North, Range 11 West, Seward Meridian, excluding Ravenwood Subdivision Addition No. 5. Location: Ravenwood Street N, approximately ½ mile south of Ciechanski Road.**

AGENDA ITEM F. PUBLIC HEARING

2. Conditional Land Use Permit for a Material Site; K-Beach Area

STAFF REPORT

PC MEETING: July 16, 2018

Applicant: Peninsula Paving, LLC

Landowner: Peninsula Paving, LLC

Parcel Number: 055-072-72

Legal Description: Northwest ¼ Northwest ¼, Section 25, Township 5 North, Range 11 West, Seward Meridian, excluding Ravenwood Subdivision Addition No. 5.

Location: Ravenwood Street N, approximately ½ mile south of Ciechanski Road.

BACKGROUND INFORMATION: The applicant wishes to obtain a permit for sand, gravel, and peat extraction on a portion of the parcel listed above.

The submitted site plan indicates that the material site haul route will be Ravenwood Street to Ciechanski Road. The first ½ mile of Ravenwood Street from Ciechanski Road is Borough maintained. The site plan and application proposes the following buffers:

- North: 6-foot high berm.
- South: 6-foot high berm.
- East: A buffer waiver is requested.
- West: 6-foot high berm.

The application indicates that the depth to groundwater is greater than 35 feet and that the depth of the proposed excavation is 30 feet. The groundwater depth was determined by excavation on parcels immediately north and east. The site plan indicates that the processing area is 300 feet from all property lines. The site plan indicates that there is one well located within 300 feet of the parcel boundaries but not within 100 feet of the parcel boundaries.

The application states that reclamation will be completed annually before the growing season ends (September). Seeding will be applied as necessary each season to areas that achieve final grade in order to minimize erosion and dust. The applicant estimates a life span of 20 years for the site with an approximate annual quantity of 50,000 cubic yards.

A buffer waiver is requested along the eastern property line. The parcel to the immediate east is being utilized as an approved material site. The proposed buffers along the other property lines are consistent with the buffers that were approved for the material site to the east.

PUBLIC NOTICE: Public notice of the application was mailed on June 26, 2018 to the 184 landowners or leaseholders of the parcels within one-half mile of the subject parcel. Public notice was sent to the postmasters in Soldotna and Kenai requesting that it be posted at their Post Offices. Public notice of the application was published in the July 5, 2018 & July 12, 2018 issues of the Peninsula Clarion.

KPB AGENCY REVIEW: Application information was provided to pertinent KPB staff and other agencies on July 3, 2018.

ATTACHMENTS

- Conditional Land Use Permit application and associated documents
- Aerial map
- Area land use map

- Ownership map
- Contour map

FINDINGS OF FACT

1. KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough.
2. KPB 21.29 governs material site activity within the rural district of the Kenai Peninsula Borough.
3. On June 10, 2018 the applicant, Peninsula Paving, LLC, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 055-072-72, which is located within the rural district.
4. KPB 21.29 provides that a conditional land use permit is required for material extraction that disturbs more than 2.5 cumulative acres.
5. The proposed disturbed area is approximately 31.1 acres.
6. The parcel to the immediate east is being utilized as an approved material site. No buffer is necessary for this adjacent use.
7. A public hearing of the Planning Commission was held on July 16, 2018 and notice of the meeting was published, posted, and mailed in accordance with KPB 21.25.060 and KPB 21.11.
8. The proposed extraction meets material site standard 21.29.040(A1); "Protects against the lowering of water sources serving other properties", as evidenced by:
 - A. Permit condition number 6 requires that the permittee not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
 - B. The submitted site plan shows two wells located within 300 feet of the property but neither is within 100 feet of the property boundary.
 - C. Permit condition number 7 requires that the permittee maintain a 2-foot vertical separation from the seasonal high water table.
 - D. The application indicates that the depth to groundwater is greater than 35 feet and that the depth of the proposed excavation is 30 feet.
 - E. Permit condition number 8 requires that the permittee not dewater either by pumping, ditching or any other form of draining.
9. The proposed extraction meets material site standard 21.29.040(A2); "Protects against physical damage to other properties". There is no evidence in the record to indicate that physical damage will occur to any other properties as a result of the operations of a material site at this location.
10. The proposed extraction meets material site standard 21.29.040(A3); "Minimizes off-site movement of dust", as evidenced by:
 - A. Permit condition number 13 requires that the permittee provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
11. The proposed extraction meets material site standard 21.29.040(A4); "Minimizes noise disturbance to other properties" as evidenced by:
 - A. Permit condition number 2 requires that the permittee maintain the following buffers that will reduce the noise disturbance to other properties:
 - North: 6-foot high berm.
 - South: 6-foot high berm.
 - East: None.
 - West: 6-foot high berm.
 - B. The submitted site plan indicates, and permit condition number 5 requires that the processing area be located greater than 300 feet from the property boundaries.
12. The proposed extraction meets material site standard 21.29.040(A5); "Minimizes visual impacts" as evidenced by permit condition number 2 that requires that the permittee maintain the following buffers that will reduce the visual impacts to other properties:

North: 6-foot high berm.
South: 6-foot high berm.
East: None.
West: 6-foot high berm.

13. The proposed extraction meets material site standard 21.29.040(A6); "Provides for alternate post-mining land uses" as evidenced by:
 - A. The submitted application contains a reclamation plan as required by KPB 21.29.060.
 - B. The applicant has submitted a reclamation plan that omits KPB 21.29.060(C3), which requires the placement of a minimum of four inches of topsoil with a minimum organic content of 5% and precludes the use of sticks and branches over 3 inches in diameter from being used in the reclamation topsoil. These measures are generally applicable to this type of excavation project. The inclusion of the requirements contained in KPB 21.29.060(C3) is necessary to meet this material site standard.
 - C. Permit condition number 15 requires that the permittee reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.

STAFF RECOMMENDATION

In reviewing the application staff has determined that the six standards contained in KPB 21.29.040 will be met and recommends that the Planning Commission approve buffer waiver along the east property line, approve the conditional land use permit with listed conditions, and adopt the findings of fact subject to the following:

1. Filing of the PC Resolution in the appropriate recording district after the deadline to appeal the Planning Commission's approval has expired (15 days from the date of the notice of decision) unless there are no parties with appeal rights.
2. The Planning Department is responsible for filing the Planning Commission resolution.
3. The applicant will provide the recording fee for the resolution to the Planning Department.
4. Driveway permits must be acquired from either the state or borough as appropriate prior to the issuance of the material site permit.

PERMIT CONDITIONS

1. The permittee shall cause the boundaries of the subject parcel to be staked at sequentially visible intervals where parcel boundaries are within 300 feet of the excavation perimeter.
2. The permittee shall maintain the following buffers around the excavation perimeter or parcel boundaries as shown in the approved site plan:
 - North: 6-foot high berm.
 - South: 6-foot high berm.
 - East: None.
 - West: 6-foot high berm.These buffers shall not overlap an easement.
3. The permittee shall maintain a 2:1 slope between the buffer zone and pit floor on all inactive site walls. Material from the area designated for the 2:1 slope may be removed if suitable, stabilizing material is replaced within 30 days from the time of removal.
4. The permittee shall not allow buffers to cause surface water diversion which negatively impacts adjacent properties or water bodies.
5. The permittee shall operate all equipment which conditions or processes material at least 300 feet from the parcel boundaries.
6. The permittee shall not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
7. The permittee shall maintain a 2-foot vertical separation from the seasonal high water table.

8. The permittee shall not dewater either by pumping, ditching or any other form of draining.
9. The permittee shall maintain an undisturbed buffer, and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including riparian wetlands and mapped floodplains.
10. The permittee shall ensure that fuel storage containers larger than 50 gallons shall be contained in impermeable berms and basins capable of retaining 110 percent of storage capacity to minimize the potential for uncontained spills or leaks. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
11. The permittee shall conduct operations in a manner so as not to damage borough roads as required by KPB 14.40.175, and will be subject to the remedies set forth in KPB 14.40 for violation of this condition.
12. The permittee shall notify the planning department of any further subdivision or return to acreage of this property. Any further subdivision or return to acreage may require the permittee to amend this permit.
13. The permittee shall provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
14. The permittee shall not operate rock crushing equipment between the hours of 10:00 p.m. and 6:00 a.m.
15. The permittee shall reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.
16. The permittee is responsible for complying with all other federal, state and local laws applicable to the material site operation, and abiding by related permits. These laws and permits include, but are not limited to, the borough's flood plain, coastal zone, and habitat protection regulations, those state laws applicable to material sites individually, reclamation, storm water pollution and other applicable Environmental Protection Agency (EPA) regulations, clean water act and any other U.S. Army Corp of Engineer permits, any EPA air quality regulations, EPA and ADEC water quality regulations, EPA hazardous material regulations, U.S. Dept. of Labor Mine Safety and Health Administration (MSHA) regulations (including but not limited to noise and safety standards), and Federal Bureau of Alcohol, Tobacco and Firearm regulations regarding using and storing explosives.
17. The permittee shall post notice of intent on parcel corners or access, whichever is more visible if the permittee does not intend to begin operations for at least 12 months after being granted a conditional land use permit. Sign dimensions shall be no more than 15" by 15" and must contain the following information: the phrase "Permitted Material Site" along with the permittee's business name and a contact phone number.
18. The permittee shall operate in accordance with the application and site plan as approved by the planning commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a permit modification is required in accordance with KPB 21.29.090.
19. This conditional land use permit is subject to review by the planning department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.50, a permit may be revoked for failure to comply with the terms of the permit or the applicable provisions of KPB Title 21. The borough clerk shall issue notice to the permittee of the revocation hearing at least 20 days but not more than 30 days prior to the hearing.
20. Once effective, this conditional land use permit is valid for five years. A written request for permit extension must be made to the planning department at least 30 days prior to permit expiration, in accordance with KPB 21.29.070.

NOTE: Any party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. A "party of record" is any party or person aggrieved by the decision where the decision has or could have an adverse effect on value, use, or enjoyment of real property owned by them who appeared before the planning commission with either oral or written presentation. Petition signers are not considered parties of record unless separate oral or written testimony is

provided (KPB Code 21.20.210.A.5b1). An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the \$300 filing and records preparation fee. (KPB Code 21.25.100)

END OF STAFF REPORT

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2018-24
KENAI RECORDING DISTRICT**

A resolution granting a conditional land use permit to operate a sand, gravel, or material site for a parcel described as Northwest ¼ Northwest ¼, Section 25, Township 5 North, Range 11 West, Seward Meridian, excluding Ravenwood Subdivision Addition No. 5.

- WHEREAS,** KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough; and
- WHEREAS,** KPB 21.25.040 provides that a permit is required for a sand, gravel or material site; and
- WHEREAS,** on June 10, 2018 the applicant, Peninsula Paving, LLC, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 055-072-72, which is located within the rural district; and
- WHEREAS,** public notice of the application was mailed on June 26, 2018 to the 184 landowners or leaseholders of the parcels within one-half mile of the subject parcel pursuant to KPB 21.25.060; and
- WHEREAS,** public notice of the application was published in the July 5, 2018 & July 12, 2018 issues of the Peninsula Clarion; and
- WHEREAS,** a public hearing of the Planning Commission was held on July 16, 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Planning Commission makes the following findings of fact pursuant to KPB 21.25 and 21.29:

Findings of Fact

1. KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough.
2. KPB 21.29 governs material site activity within the rural district of the Kenai Peninsula Borough.
3. On June 10, 2018 the applicant, Peninsula Paving, LLC, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 055-072-72, which is located within the rural district.
4. KPB 21.29 provides that a conditional land use permit is required for material extraction that disturbs more than 2.5 cumulative acres.
5. The proposed disturbed area is approximately 31.1 acres.
6. The parcel to the immediate east is being utilized as an approved material site. No buffer is necessary for this adjacent use.
7. A public hearing of the Planning Commission was held on July 16, 2018 and notice of the meeting was published, posted, and mailed in accordance with KPB 21.25.060 and KPB 21.11.
8. The proposed extraction meets material site standard 21.29.040(A1); "Protects against the lowering of water sources serving other properties", as evidenced by:
 - A. Permit condition number 6 requires that the permittee not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
 - B. The submitted site plan shows two wells located within 300 feet of the property but neither is within 100 feet of the property boundary.

- C. Permit condition number 7 requires that the permittee maintain a 2-foot vertical separation from the seasonal high water table.
 - D. The application indicates that the depth to groundwater is greater than 35 feet and that the depth of the proposed excavation is 30 feet.
 - E. Permit condition number 8 requires that the permittee not dewater either by pumping, ditching or any other form of draining.
9. The proposed extraction meets material site standard 21.29.040(A2); "Protects against physical damage to other properties". There is no evidence in the record to indicate that physical damage will occur to any other properties as a result of the operations of a material site at this location.
 10. The proposed extraction meets material site standard 21.29.040(A3); "Minimizes off-site movement of dust", as evidenced by:
 - A. Permit condition number 13 requires that the permittee provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
 11. The proposed extraction meets material site standard 21.29.040(A4); "Minimizes noise disturbance to other properties" as evidenced by:
 - A. Permit condition number 2 requires that the permittee maintain the following buffers that will reduce the noise disturbance to other properties:
 - North: 6-foot high berm.
 - South: 6-foot high berm.
 - East: None.
 - West: 6-foot high berm.
 - B. The submitted site plan indicates, and permit condition number 5 requires that the processing area be located greater than 300 feet from the property boundaries.
 12. The proposed extraction meets material site standard 21.29.040(A5); "Minimizes visual impacts" as evidenced by permit condition number 2 that requires that the permittee maintain the following buffers that will reduce the visual impacts to other properties:
 - North: 6-foot high berm.
 - South: 6-foot high berm.
 - East: None.
 - West: 6-foot high berm.
 13. The proposed extraction meets material site standard 21.29.040(A6); "Provides for alternate post-mining land uses" as evidenced by:
 - A. The submitted application contains a reclamation plan as required by KPB 21.29.060.
 - B. The applicant has submitted a reclamation plan that omits KPB 21.29.060(C3), which requires the placement of a minimum of four inches of topsoil with a minimum organic content of 5% and precludes the use of sticks and branches over 3 inches in diameter from being used in the reclamation topsoil. These measures are generally applicable to this type of excavation project. The inclusion of the requirements contained in KPB 21.29.060(C3) is necessary to meet this material site standard.
 - C. Permit condition number 15 requires that the permittee reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.

PERMIT CONDITIONS

1. The permittee shall cause the boundaries of the subject parcel to be staked at sequentially visible intervals where parcel boundaries are within 300 feet of the excavation perimeter.
2. The permittee shall maintain the following buffers around the excavation perimeter or parcel boundaries as shown in the approved site plan:
 - North: 6-foot high berm.
 - South: 6-foot high berm.
 - East: None.
 - West: 6-foot high berm.
 These buffers shall not overlap an easement.
3. The permittee shall maintain a 2:1 slope between the buffer zone and pit floor on all inactive site

- walls. Material from the area designated for the 2:1 slope may be removed if suitable, stabilizing material is replaced within 30 days from the time of removal.
4. The permittee shall not allow buffers to cause surface water diversion which negatively impacts adjacent properties or water bodies.
 5. The permittee shall operate all equipment which conditions or processes material at least 300 feet from the parcel boundaries.
 6. The permittee shall not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
 7. The permittee shall maintain a 2-foot vertical separation from the seasonal high water table.
 8. The permittee shall not dewater either by pumping, ditching or any other form of draining.
 9. The permittee shall maintain an undisturbed buffer, and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including riparian wetlands and mapped floodplains.
 10. The permittee shall ensure that fuel storage containers larger than 50 gallons shall be contained in impermeable berms and basins capable of retaining 110 percent of storage capacity to minimize the potential for uncontained spills or leaks. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
 11. The permittee shall conduct operations in a manner so as not to damage borough roads as required by KPB 14.40.175, and will be subject to the remedies set forth in KPB 14.40 for violation of this condition.
 12. The permittee shall notify the planning department of any further subdivision or return to acreage of this property. Any further subdivision or return to acreage may require the permittee to amend this permit.
 13. The permittee shall provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
 14. The permittee shall not operate rock crushing equipment between the hours of 10:00 p.m. and 6:00 a.m.
 15. The permittee shall reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.
 16. The permittee is responsible for complying with all other federal, state and local laws applicable to the material site operation, and abiding by related permits. These laws and permits include, but are not limited to, the borough's flood plain, coastal zone, and habitat protection regulations, those state laws applicable to material sites individually, reclamation, storm water pollution and other applicable Environmental Protection Agency (EPA) regulations, clean water act and any other U.S. Army Corp of Engineer permits, any EPA air quality regulations, EPA and ADEC water quality regulations, EPA hazardous material regulations, U.S. Dept. of Labor Mine Safety and Health Administration (MSHA) regulations (including but not limited to noise and safety standards), and Federal Bureau of Alcohol, Tobacco and Firearm regulations regarding using and storing explosives.
 17. The permittee shall post notice of intent on parcel corners or access, whichever is more visible if the permittee does not intend to begin operations for at least 12 months after being granted a conditional land use permit. Sign dimensions shall be no more than 15" by 15" and must contain the following information: the phrase "Permitted Material Site" along with the permittee's business name and a contact phone number.
 18. The permittee shall operate in accordance with the application and site plan as approved by the planning commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a permit modification is required in accordance with KPB 21.29.090.
 19. This conditional land use permit is subject to review by the planning department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.50, a permit may be revoked for failure to comply with the terms of the permit or the applicable provisions of KPB Title 21. The borough clerk shall issue notice to the permittee of the revocation hearing at least 20 days but not more than 30 days prior to the hearing.

20. Once effective, this conditional land use permit is valid for five years. A written request for permit extension must be made to the planning department at least 30 days prior to permit expiration, in accordance with KPB 21.29.070.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS _____ DAY OF _____, 2018.

Blair J. Martin, Chairperson
Planning Commission

ATTEST:

Patti Hartley
Administrative Assistant

PLEASE RETURN
Kenai Peninsula Borough
Planning Department
144 North Binkley St.
Soldotna, AK 99669

KPB 21.29

Conditional Land Use Permit Application

For a Sand, Gravel or Material Site

I. APPLICANT INFORMATION

Applicant Peninsula Paving, LLC Attn: Josh Updike Landowner same
Address PO Box 2746 Address _____
City, State, Zip Soldotna AK 99669 City, State, Zip _____
Telephone 907-398-4192 Cell _____ Telephone _____ Cell _____
Email pavingalaska@hotmail.com Email _____

II. PARCEL INFORMATION

KPB Tax Parcel ID# 05507272 Legal Description _____
T5N R11W Section 25 S.M., NW1/4 NW1/4 excluding Ravenwood Sub Addn No 5
If permit is not for entire parcel, describe specific location within parcel to be material site, e.g.: "N1/2 SW1/4 NE1/4 – 10 acres", or "5 acres in center of parcel".

III. APPLICATION INFORMATION "Check" boxes below to indicate items included.

- \$300.00 permit processing fee payable to: Kenai Peninsula Borough. (Include Parcel # on check comment line.)
- Site Plan, to scale, prepared by a professional surveyor (licensed and registered in Alaska) showing, where applicable:
 - parcel boundaries
 - location of boundary stakes within 300 ft. of excavation area (to be in place at time of application)
 - proposed buffers, or requested buffer waiver(s)
 - proposed extraction area(s), and acreage to be mined
 - proposed location of processing area(s)
 - all encumbrances, including easements
 - points of ingress and egress
 - anticipated haul routes
 - location/depth of testholes, and depth to groundwater, if encountered
 - location of all wells within 300 ft. of parcel boundary
 - location of water bodies on parcel, including riparian wetlands
 - surface water protection measures
 - north arrow and diagram scale
 - preparer's name, date and seal
- Site Plan Worksheet (attached)
- Reclamation Plan (attached) and bond, if required. Bond requirement does not apply to material sites exempt from bonding requirements pursuant to AS 27.19.050

Please Note: If a variance from the conditions of KPB 21.29 is requested, a variance application must be attached. (A variance is NOT the same thing as a waiver.)

IV. CERTIFICATION STATEMENT

The information contained on this form and attachments are true and complete to the best of my knowledge. I grant permission for borough staff to enter onto the property for the purpose of processing the permit application.

[Signature] 10/18 _____
Applicant Date Landowner (required if not applicant) Date

Site Plan Worksheet for Conditional Land Use Permit Application

Use additional space provided on next page, if necessary. Indicate item # next to comments.

Applicant Peninsula Paving, LLC Owner Peninsula Paving, LLC

KPB Tax Parcel ID # 05507272 Parcel Acreage 32.14

1. Cumulative acres to be disturbed (excavation plus stockpiles, berms, etc.) 31.1 acres
2. Material to be mined (check all that apply): gravel sand peat other(list) _____
3. Equipment to be used (check all that apply): excavation processing other _____
4. Proposed buffers as required by KPB 21.29.050.A.2 (check all types and directions that apply):

- | | |
|---|--|
| <input type="checkbox"/> 50 ft. of natural or improved vegetation | <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W |
| <input checked="" type="checkbox"/> minimum 6 ft. earthen berm | <input checked="" type="checkbox"/> N <input checked="" type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W |
| <input type="checkbox"/> minimum 6 ft. fence | <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W |
| <input checked="" type="checkbox"/> other <u>waiver requested</u> | <input type="checkbox"/> N <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W |

5. Proposed depth of excavation: 30' ft. Depth to groundwater: >35 ft.
6. How was groundwater depth determined? Excavation on parcels immediately north & east
7. A permit modification to enter the water table will be requested in the future: ___ Yes X No
8. Approx. annual quantity of material, including overburden, to be mined: 50,000 cubic yards
9. Is parcel intended for subdivision? ___ Yes X No
10. Expected life span of site? 20 years
11. If site is to be developed in phases, describe: the excavation acreage, anticipated life span, and reclamation date for each phase: (use additional space on page 4 if necessary)

see page 4

12. Voluntary permit conditions proposed (additional buffers, dust control, limited hours of operation, etc.)

- A. _____
- B. _____
- C. _____

Material Site Reclamation Plan for Conditional Land Use Permit Application

1. All disturbed land shall be reclaimed upon exhausting the material on-site, so as to leave the land in a stable condition.
2. All revegetation shall be done with a “non-invasive” plant species.
3. Total acreage to be reclaimed each year: 5-10 acres
4. List equipment (type and quantity) to be used in reclamation:

Loader & dozer

5. Describe time schedule of reclamation measures:

Reclamation will be completed annually before the growing season ends (September). Seeding will be applied as necessary each season to areas that achieve final grade in order to minimize erosion and dust.

6. The following measures must be considered in preparing and implementing the reclamation plan, although not all will be applicable to every plan – “**check**” all that apply to your plan.

Topsoil that is not promptly redistributed to an area being reclaimed will be separated and stockpiled for future use. This material will be protected from erosion and contamination by acidic or toxic materials and preserved in a condition suitable for later use.

The area will be backfilled, graded and recontoured using strippings, overburden, and topsoil to a condition that allows for the reestablishment of renewable resources on the site within a reasonable period of time. It will be stabilized to a condition that will allow sufficient moisture for revegetation.

Sufficient quantities of stockpiled or imported topsoil will be spread over the reclaimed area to a depth of four inches to promote natural plant growth that can reasonably be expected to revegetate the area within five years. The applicant may use the existing natural organic blanket representative of the project area if the soil is found to have an organic content of 5% or more and meets the specification of Class B topsoil requirements as set by Alaska Test Method (ATM) T-6. The material shall be reasonably free from roots, clods, sticks, and branches greater than 3 inches in diameter. Areas having slopes greater than 2:1 require special consideration and design for stabilization by a licensed engineer.

Exploration trenches or pits will be backfilled. Brush piles and unwanted vegetation shall be removed from the site, buried or burned. Topsoil and other organics will be spread on the backfilled surface to inhibit erosion and promote natural revegetation.

Peat and topsoil mine operations shall ensure a minimum of two inches of suitable growing medium is left or replaced on the site upon completion of the reclamation activity (unless otherwise authorized).

Ponding will be used as a reclamation method. (Requires approval by the planning commission.)

ADDITIONAL APPLICATION COMMENTS

(Please indicate the page and item # for which you are making additional comments.)

Page 2 Item 11.

Site access with be in the northwest corner to Ravenwood St. right-of-way. This material site will be developed in phases on an "as-needed" extraction basis. A central 7.20 acre processing area, 300' from all property lines, will be maintained.

Development will begin in the Phase I area in the northwestern corner and proceed in a clockwise direction.

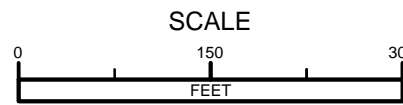
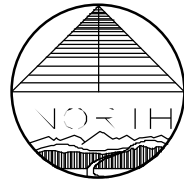
Phase I is 8.7 acres extraction with an additional 0.8 acres buffer area. Phase II area is 8.1 acres extraction with 0.3 acres buffer area. Phase III is 6.9 acres with 0.4 acre buffer area. Phase IV is 5.3 acres with 0.6 acre buffer area.

Proposed buffers are 6' high berms on the north, west and south. A buffer waiver is requested along the east boundary that adjoins a permitted material site.

CONDITIONAL LAND USE PERMIT

PID 05507272

OWNER/APPLICANT:
 PENINSULA PAVING LLC
 PO BOX 2746
 SOLDOTNA, ALASKA 99669

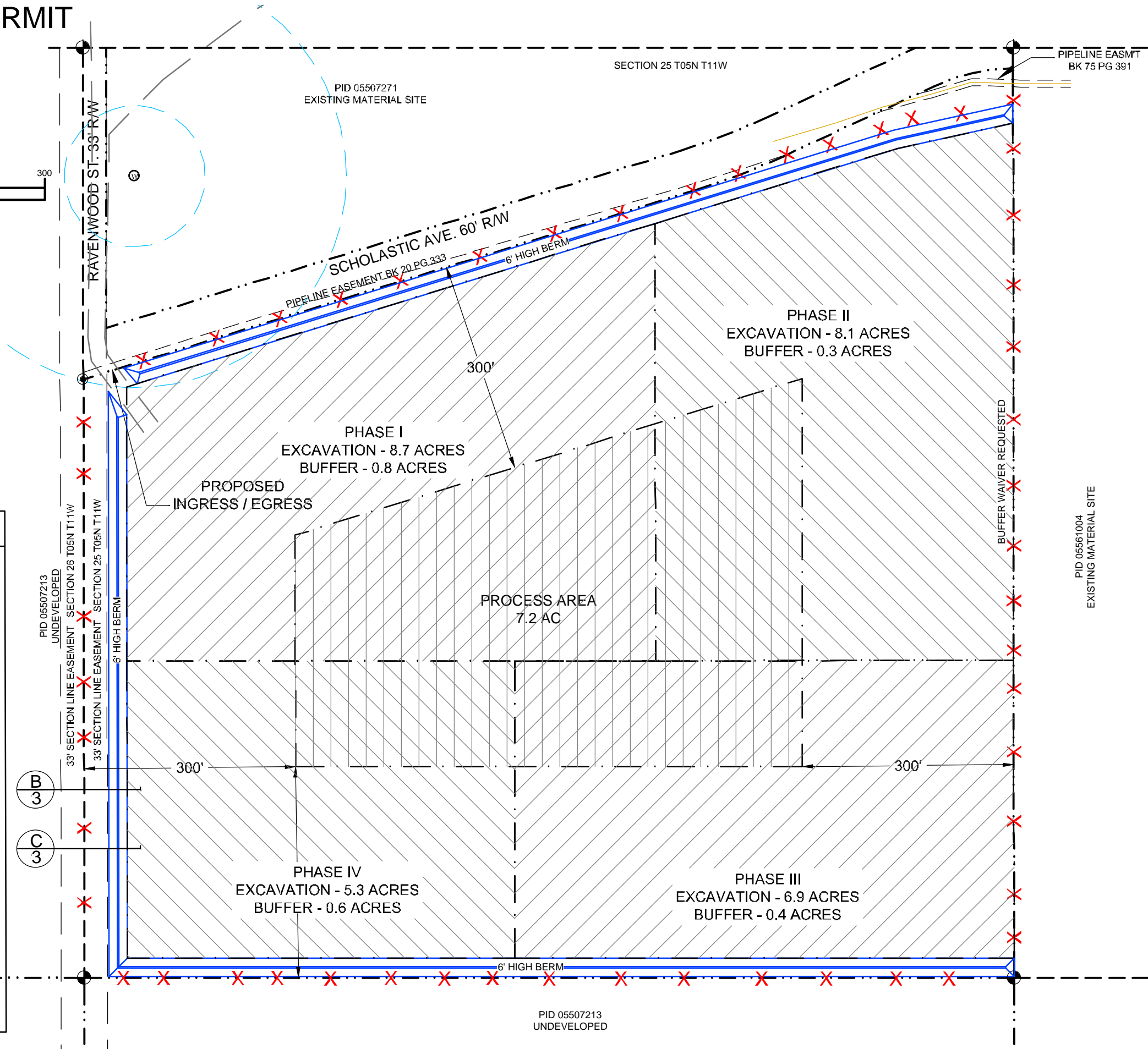


LEGEND

- RECORD MONUMENT
- PROPERTY CORNERS
- PROPOSED INGRESS/EGRESS
- WELL SETBACK
- INTERVISIBLE FLAGGING
- APPROX. TESTHOLE LOCATION

CLUP DEVELOPMENT NOTES

1. THIS PERMIT APPLICATION IS KPB PARCEL 05507272; T5N R11W SECTION 25 SEWARD MERIDIAN, NW $\frac{1}{4}$ NW $\frac{1}{4}$ EXCLUDING RAVENWOOD SUB ADDN NO. 5.
2. THIS PARCEL IS UNDEVELOPED AND IS ACTIVELY BEING CLEARED AND STRIPPED FOR FUTURE DEVELOPMENT.
3. THE PROPOSED INGRESS/EGRESS IS TO RAVENWOOD STREET AND/OR SECTION LINE EASEMENT, AS SHOWN.
4. THE PREFERRED BUFFERS ARE A 6' HIGH BERM ON THE NORTH, WEST AND SOUTH BOUNDARIES. A BUFFER WAIVER IS REQUESTED FOR THE EAST PROPERTY LINE; ADJOINING A PERMITTING MATERIAL SITE.
5. THERE IS ONE WELL WITHIN 300' OF THE EXCAVATION AREA ARE SHOWN HEREON. EXCAVATION BELOW WATER TABLE IS NOT PROPOSED.
6. THERE ARE NO MAPPED WETLANDS OR SURFACE WATERS.
7. GROUNDWATER IS ESTIMATED AT APPROXIMATELY 35' BELOW EXISTING GROUND. THIS ESTIMATE IS FROM TOPOGRAPHIC SURVEY AT BOTTOM OF EXCAVATION IN ADJACENT MATERIAL SITES TO NORTH AND EAST.
8. THE RECLAIMED AREA WILL BE GRADED AND RECONTOURED USING STRIPPINGS, OVERBURDEN AND TOPSOIL TO A CONDITION THAT ALLOWS FOR RE-ESTABLISHMENT OF NATURAL VEGETATION AND SLOPES STEEPER THAN 2:1 WILL BE SEEDS.
9. PROPOSED MATERIAL EXTRACTION INCLUDING STRIPPING WILL BE DONE IN INCREMENTALLY BEGINNING AT THE NORTHERN LIMITS, AS SHOWN, AND PROCEEDING SOUTHERLY AS MARKET FOR MATERIAL SALES JUSTIFIES. CENTRAL AREA WILL BE MAINTAINED AS A PROCESSING AND STAGING AREA.
10. THE PROPERTY LINES, SECTION LINE AND UTILITY EASEMENT HAS BEEN FLAGGED AT VISIBLE INTERVALS AS SHOWN HEREON.



REV	DATE	DESCRIPTION	BY	GMD
2	6/12/2018	REVISED BUFFERS		GMD
1	6/8/2018	CLUP APPLICATION EXHIBIT		GMD

PENINSULA PAVING
 RAVENWOOD MATERIAL SITE
 CONDITIONAL LAND USE PERMIT
 FIELD WORK DATE: 5/21/2018
 FIELD BOOK NO.: 18-01
 JOB NO.: 194016



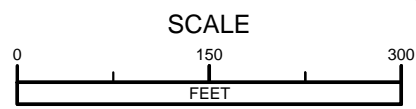
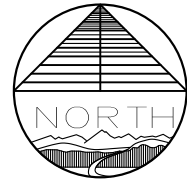
McLANE Consulting Inc
 ENGINEERING - TESTING
 SURVEYING - MAPPING
 P.O. BOX 468
 SOLDOTNA, AK, 99669
 VOICE: (907) 283-4218
 FAX: (907) 283-3265
 WWW.MCLANECG.COM

DRAWN BY: BGB/GMD
 CHECKED BY: GMD
 HORZ. SCALE: 1" = 150'
 VERT. SCALE: n/a
 SHEET: **P1**

CONDITIONAL LAND USE PERMIT

PID 05507272

OWNER/APPLICANT:
 PENINSULA PAVING LLC
 PO BOX 2746
 SOLDOTNA, ALASKA 99669



LEGEND	
	RECORD MONUMENT
	PROPERTY CORNERS
	PROPOSED INGRESS/EGRESS
	WELL SETBACK
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REV	DATE	DESCRIPTION	BY	GMD
2	6/12/2018	REVISED BUFFERS		GMD
1	6/8/2018	CLUP APPLICATION EXHIBIT		GMD

PENINSULA PAVING
 RAVENWOOD MATERIAL SITE
 CONDITIONAL LAND USE PERMIT

FIELD WORK DATE: 5/21/2018
 FIELD BOOK NO. 18-01
 JOB NO. 194016



McLANE
 Consulting Inc

ENGINEERING - TESTING
 SURVEYING - MAPPING
 P.O. BOX 468
 SOLDOTNA, AK. 99669
 VOICE: (907) 283-4218
 FAX: (907) 283-3265
 WWW.MCLANECG.COM

DRAWN BY:	BGB/GMD
CHECKED BY:	GMD
HORIZ. SCALE:	1" = 150'
VERT. SCALE:	n/a
SHEET:	P1.1

CONDITIONAL LAND USE PERMIT
PID 05507272



REV	DATE	DESCRIPTION	BY
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1	6/8/2018	CLIP APPLICATION EXHIBIT	GMD

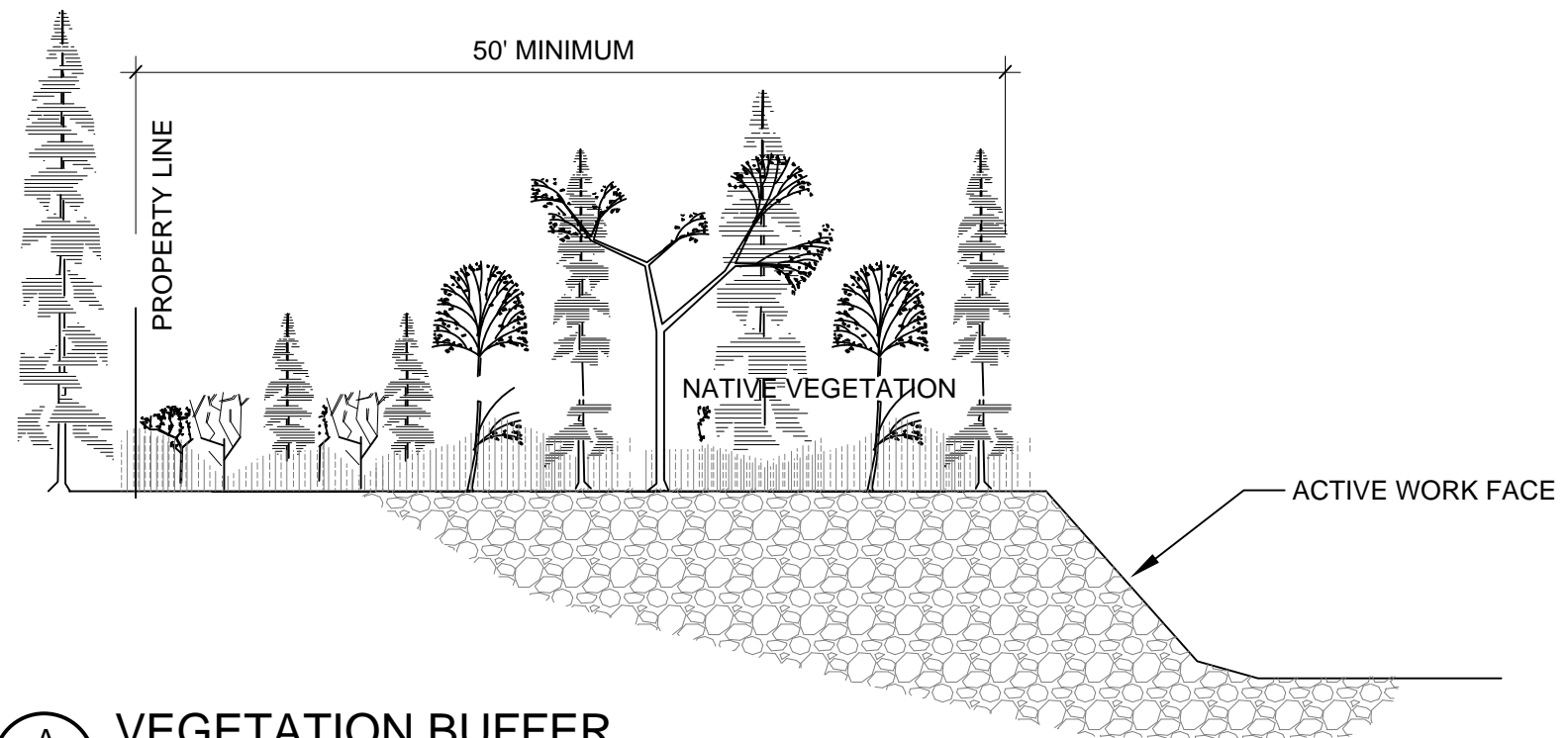
JOB NO. 18-016
FIELD BOOK NO. 18-01
FIELD WORK DATE: 5/21/2018

**PENINSULA PAVING
RAVENWOOD MATERIAL SITE
CONDITIONAL LAND USE PERMIT**

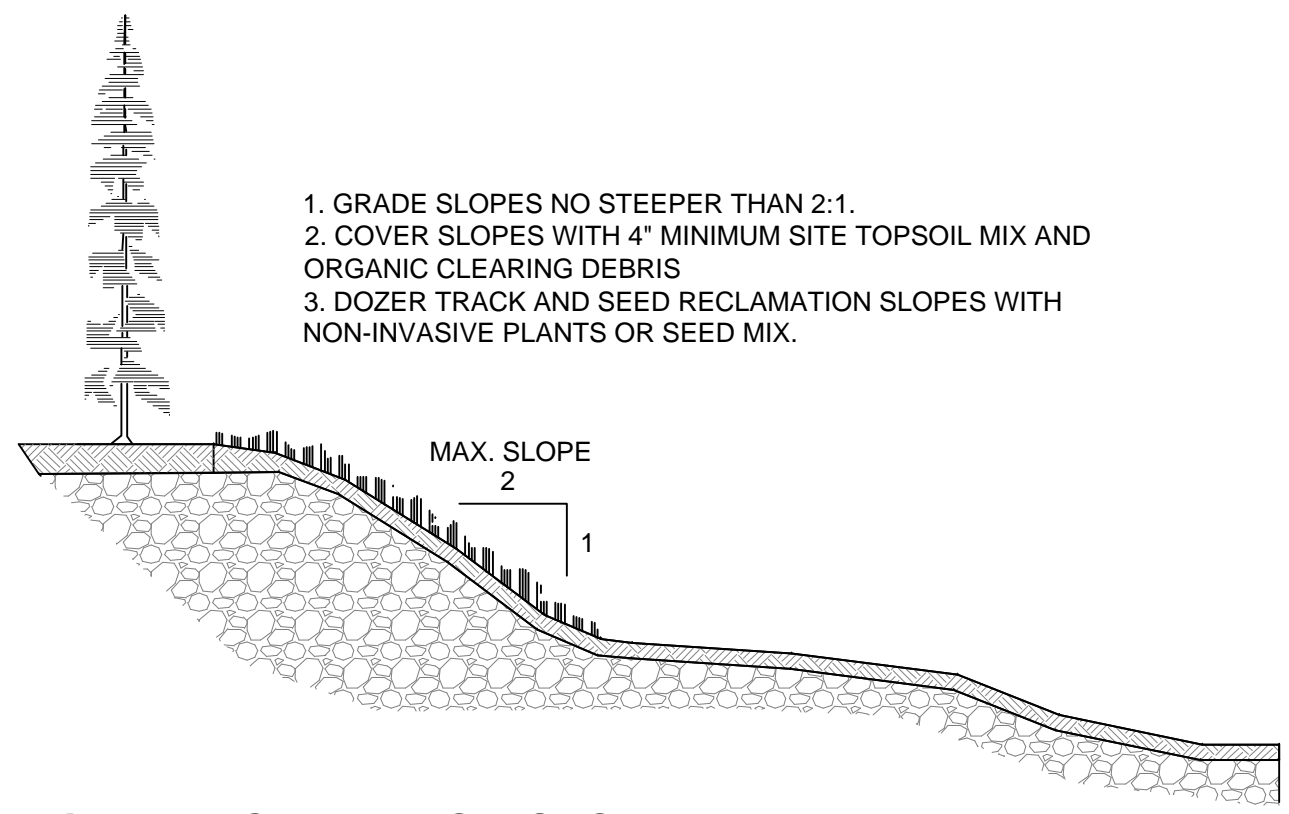


ENGINEERING - TESTING
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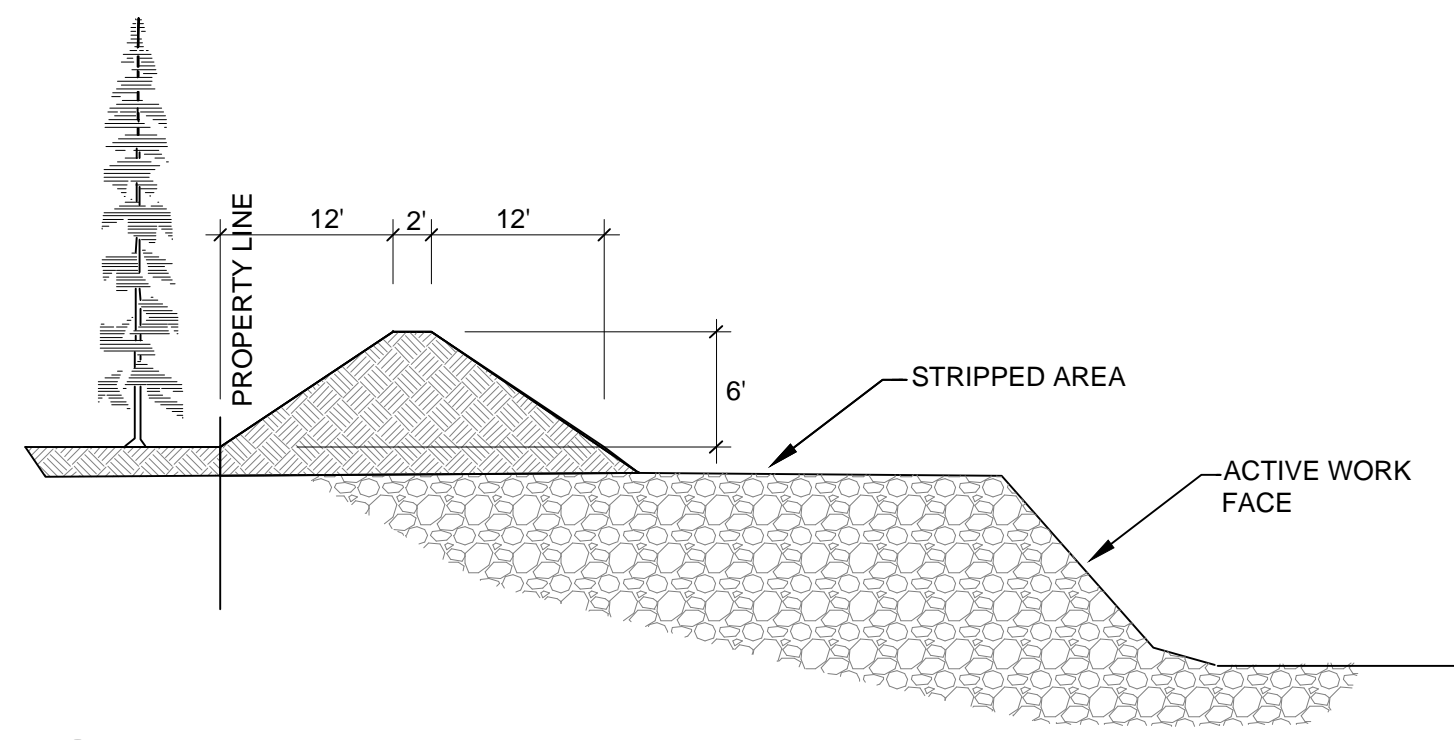
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SHEET: **P2**



A
3 VEGETATION BUFFER
SCALE: 1" = 10 FT.



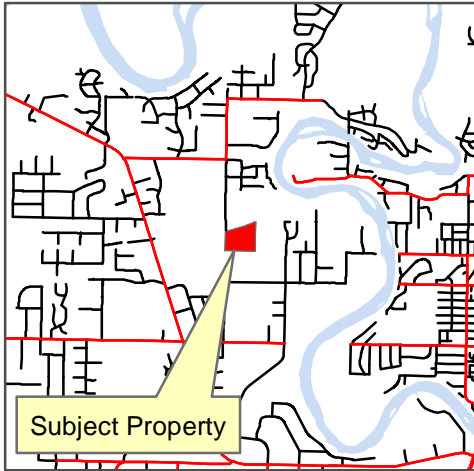
B
3 RECLAMATION SLOPE
SCALE: 1" = 10 FT.




C
3 EARTHEN BERM BUFFER
SCALE: 1" = 10 FT.

Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 055-072-72
Applicant: Peninsula Paving, LLC



LEGEND

 Subject Parcel

0 250 500 Feet



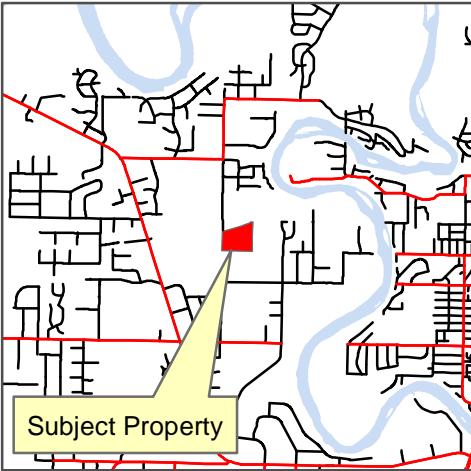
Date: 6/25/2018

The information depicted hereon is a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.










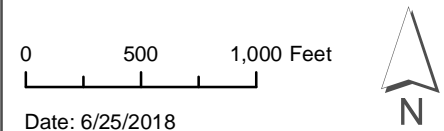
Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
 Conditional Land Use Permit for a Material Site

Parcel Number: 055-072-72
 Applicant: Peninsula Paving, LLC

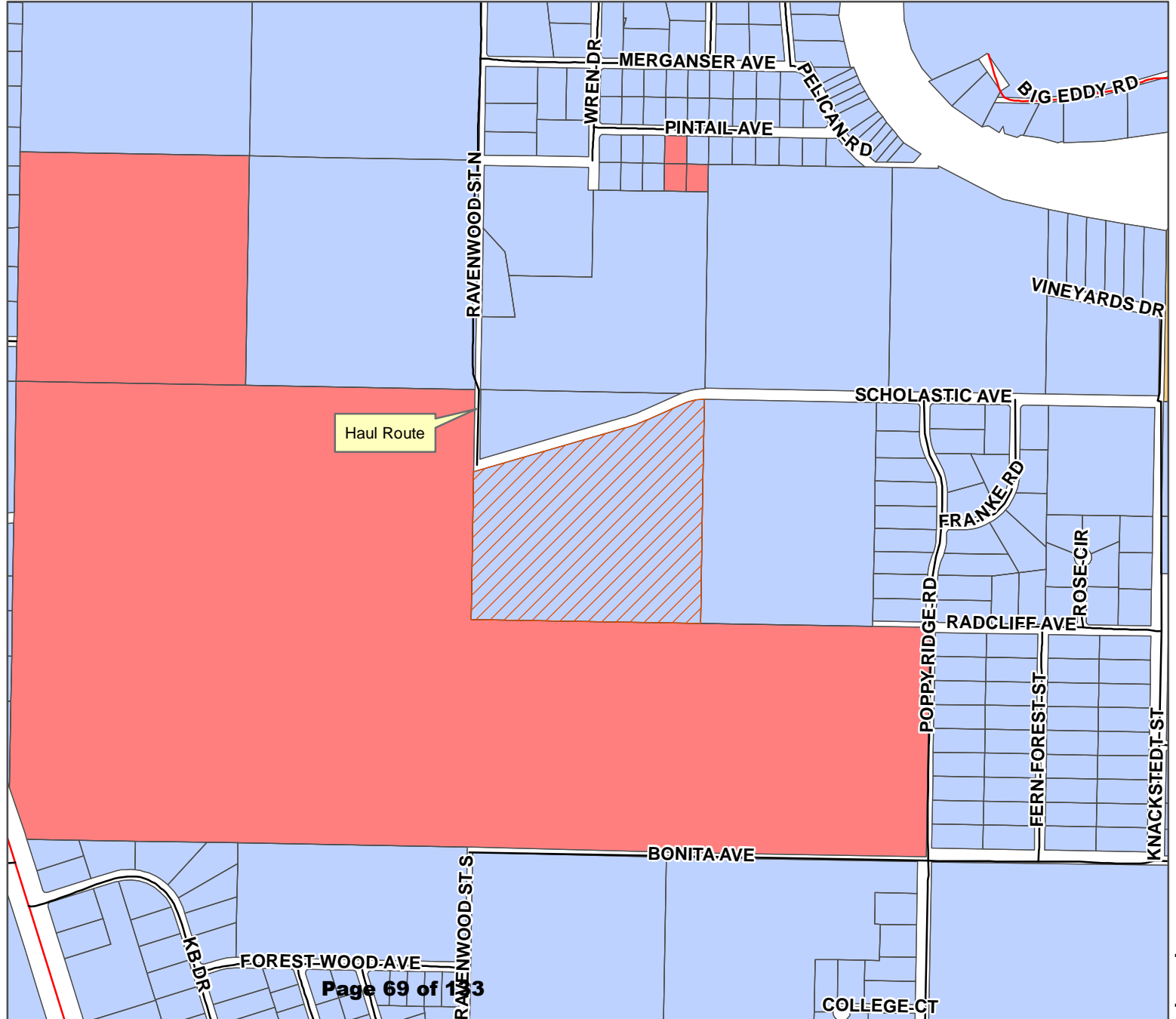


LEGEND

-  Subject Parcel
- OWNERSHIP**
-  Private
-  Native Allotment
-  Federal
-  State
-  Borough
-  Native

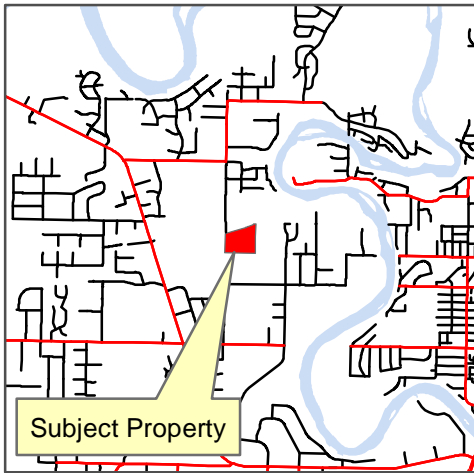


Date: 6/25/2018
 The information depicted hereon is a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 055-072-72
Applicant: Peninsula Paving, LLC



LEGEND

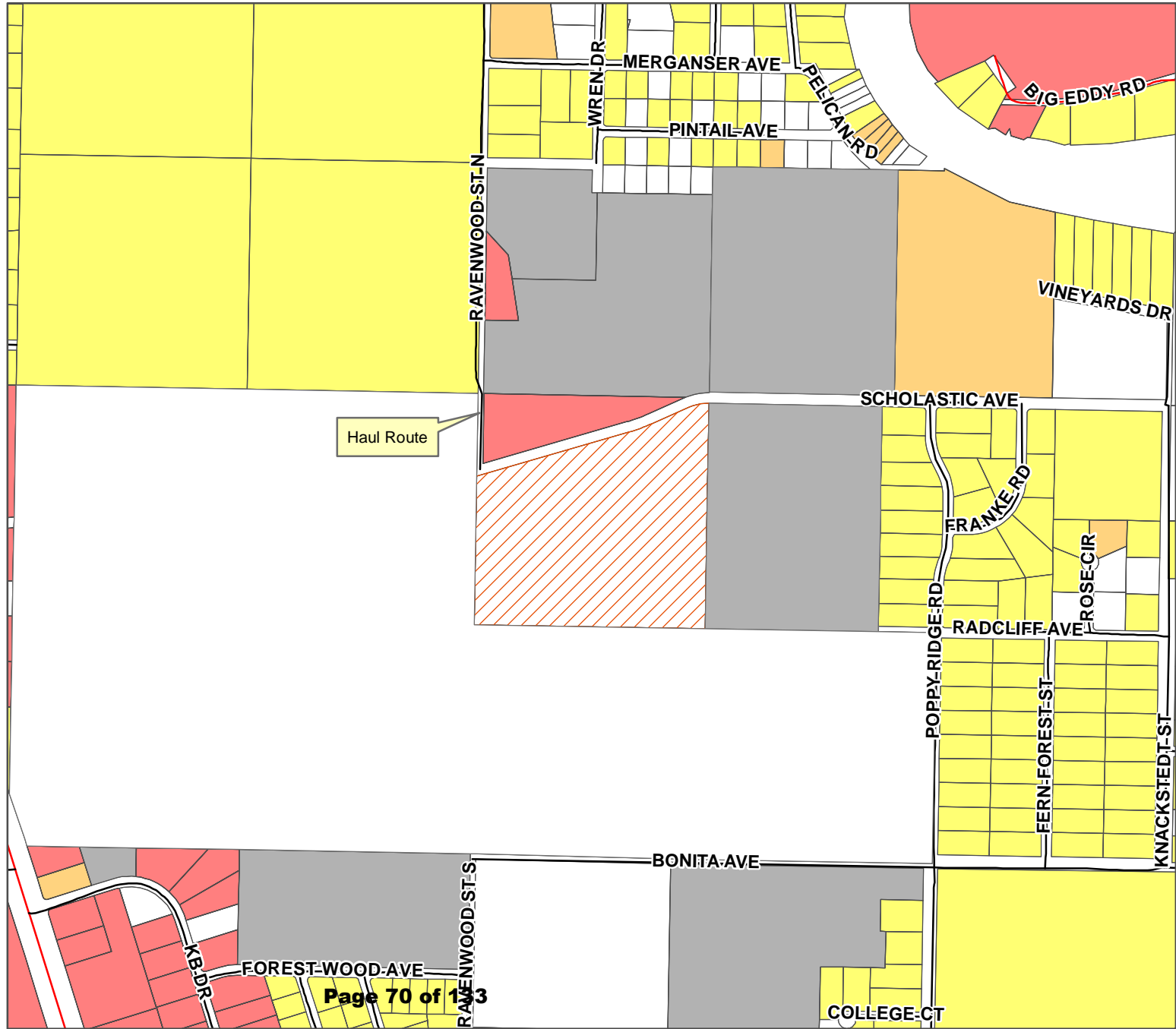
- Subject Parcel
- Vacant
- Residential
- Commercial
- Institutional
- Industrial
- Accessory Building

0 500 1,000 Feet



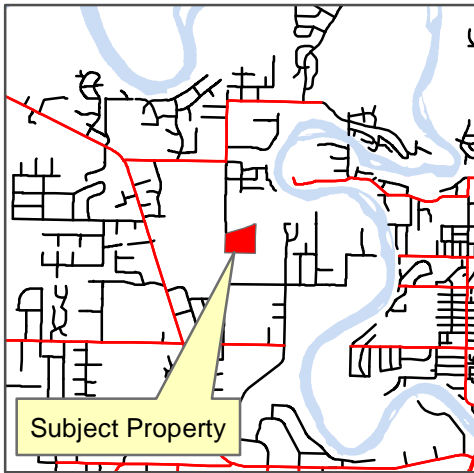
Date: 6/25/2018

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Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 055-072-72
Applicant: Peninsula Paving, LLC



Subject Property

LEGEND

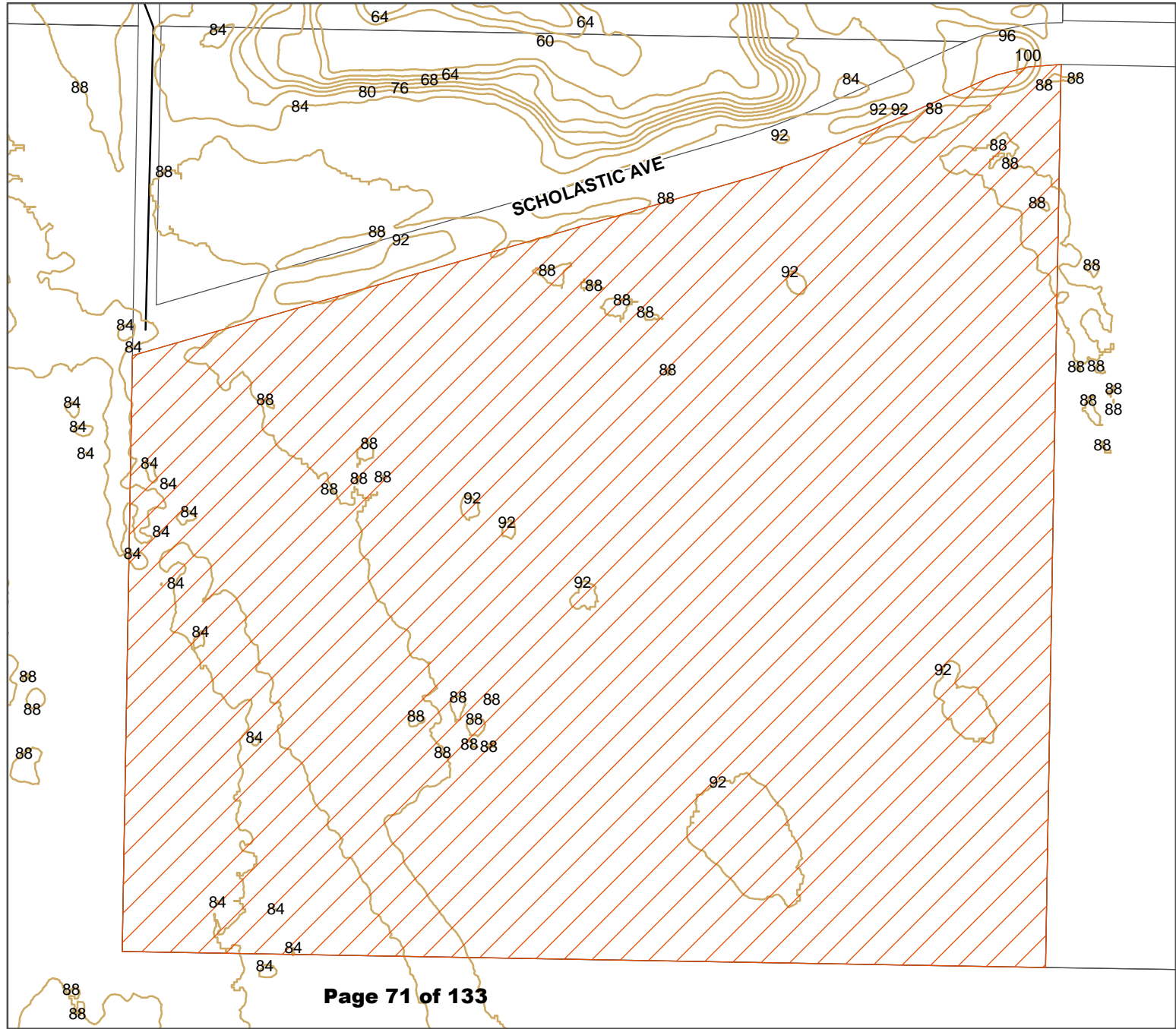
-  Subject Parcel
-  4' Contours

0 125 250 Feet



Date: 6/25/2018

The information depicted hereon is a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Wall, Bruce

From: Rokos, Jay M (DNR) <jay.rokos@alaska.gov>
Sent: Friday, July 6, 2018 2:00 PM
To: Wall, Bruce
Subject: Re: KPB CLUP material site application - Parcel 055-075-72
Attachments: Reclamation Plan.pdf

Bruce,

Thank you for the opportunity to comment on the subject public notice. Per AS 27.19, a mining operation must have Reclamation Plan approval with the State of Alaska prior to operations. This requirement is for all land ownerships.

To date, DNR does not have an approved Reclamation Plan for the subject parcel. DNR requests for the applicant to apply for a Reclamation Plan at the Southcentral Regional Office at 269-8503. An application is attached.

Applicant: Peninsula Paving, LLC

Landowner: Peninsula Paving, LLC

Parcel Number: 055-072-72

Legal Description: NW ¼ NW ¼ Section 25, Township 5 North, Range 11 West, Seward Meridian, excluding Ravenwood subdivision Addition No. 5

Jay Rokos
Natural Resource Technician II
Alaska Department of Natural Resources
Division of Mining, Land and Water
Southcentral Region Office
Leasing Unit
550 W. 7th Ave. Suite 900C

Phone: (907) 269-5047

Fax: (907) 269-8913

Wall, Bruce

From: Carver, Nancy
Sent: Friday, July 6, 2018 1:30 PM
To: Wall, Bruce
Subject: RE: KPB CLUP material site application - Parcel 055-075-72

No Habitat concerns

Nancy Carver
Habitat Resource Planner
907-714-2463
ncarver@kpb.us

KENAI PENINSULA BOROUGH
514 Funny River Road
Soldotna, Alaska 99669



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to the public upon request.



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

«OWNER»
«ATTENTION»
«ADDRESS»
«CITYSTATEZIP»

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a conditional land use permit application has been received for material extraction on a parcel in the **K-Beach** area. This notice is being sent to landowners located within ½ mile of the subject properties. All members of the public are invited to comment. The projects under consideration are described as follows:

Applicant: Peninsula Paving, LLC
Landowner: Peninsula Paving, LLC
Parcel Number: 055-072-72
Legal Description: Northwest ¼ Northwest ¼, Section 25, Township 5 North, Range 11 West, Seward Meridian, excluding Ravenwood Subdivision Addition No. 5.
Location: Ravenwood Street N, approximately ½ mile south of Ciechanski Road.
Proposed Land Use: The applicant wishes to obtain a permit for sand, gravel, and peat extraction on a portion of the parcel listed above.

KPB Code: Conditional land use permit applications for material extraction are reviewed in accordance with KPB Code 21.25 and 21.29. Copies of these ordinances are available from the Planning Department or at: kpb.us

Public Hearing: A hearing will be held by the Kenai Peninsula Borough Planning Commission to consider the application on **Monday, July 16, 2018**, commencing at 7:30 p.m., or as soon thereafter as business permits. The meeting will be held in the assembly chambers of the borough administration building located at 144 N Binkley St, Soldotna.

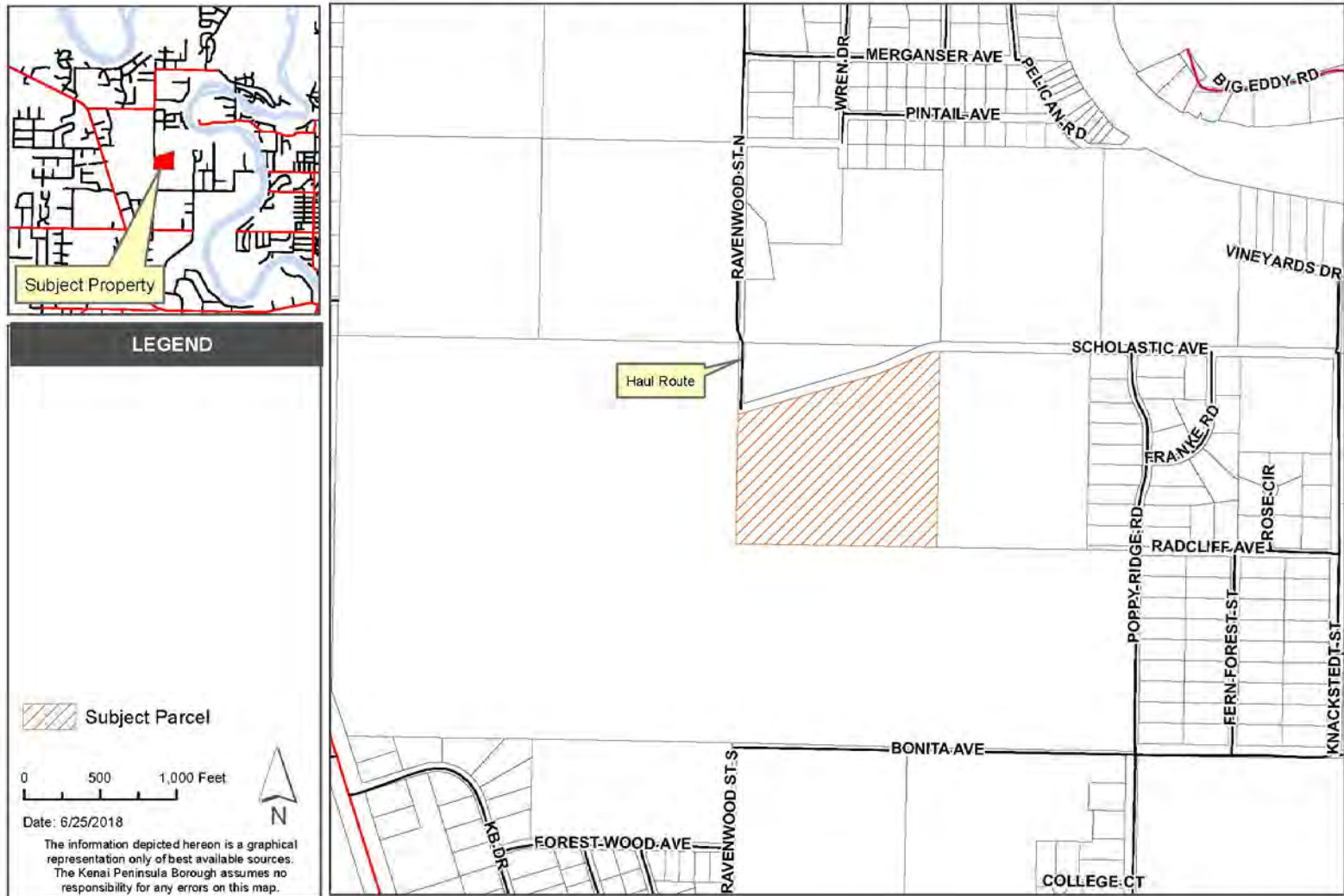
Public Comment: Those wishing to comment may come to the above meeting to give testimony or may submit a written statement addressed to: Planning Commission Chairman, 144 N Binkley St, Soldotna, AK 99669. A statement addressed to the chairman may also be emailed to: bwall@kpb.us. Please provide written statements by Friday July 13, 2018. Aggrieved persons, who participate in the public hearing, either by written or oral statement, may appeal the Planning Commission's decision within 15 days of the date of notice of the decision.

The application and staff report will be available on the Planning Commission website a week prior to the meeting. [For additional information](#) or to obtain a copy of the application materials earlier, please call the planning department at (907) 714-2206, or 1-800-478-4441 (toll free within the Borough).

Bruce Wall, AICP
Planner

Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 055-072-72
Applicant: Peninsula Paving, LLC



F. PUBLIC HEARINGS

- 3. Resolution 2018-22. Public hearing on a conditional land use permit application for material extraction on a parcel in Anchor Point. Applicant: Walter Blauvelt, DBA Axtel Enterprises. Landowner: Dale Griner. Parcel #169-190-32. Legal Description: Tract 2B-1A, Griner Subd. Four, according to Plat 2008-103, Homer Recording District. Location: Adjacent to 34614 Sterling Highway.**

AGENDA ITEM F. PUBLIC HEARING

3. Conditional Land Use Permit for a Material Site; Anchor Point Area

STAFF REPORT

PC MEETING: July 16, 2018

Applicant: Walter Blauvelt dba Axtel Enterprises
Landowner: Dale Griner
Parcel Number: 169-190-32
Legal Description: Tract 2B-1A, Griner Subd Four, according to Plat 2008-103, Homer Recording District.
Location: Adjacent to 34614 Sterling Highway.

BACKGROUND INFORMATION: The applicant wishes to obtain a permit for sand, gravel, and topsoil extraction on a portion of the parcel listed above.

The submitted site plan indicates that the material site haul route will be from the southwest corner of the property through the adjacent private property to the Sterling Highway. The site plan and application proposes the following buffers:

- North: 50-foot vegetated buffer.
- South: 50-foot vegetated buffer along the east 2400 feet. None proposed along the west 240 feet.
- East: 50-foot vegetated buffer.
- West: 50-foot vegetated buffer along the north 450 feet. None proposed along the south 840 feet.

The application indicates that the depth to groundwater is 12 feet and that the depth of the proposed excavation is 10 feet. The groundwater depth was determined by onsite observation. No water was discovered in the 10-foot test hole that was dug on the property. The site plan indicates that the processing area is 300 feet from all property lines. The site plan indicates that there are two wells located within 300 feet of the parcel boundaries but not within 100 feet of the parcel boundaries. The site plan indicates that surface water protection measures for adjacent properties will be accomplished by adhering to ADEC Best Management Practices for Material Extraction Sites.

The application states that reclamation will be based on gravel sales and that it is anticipated that one acre will be reclaimed every fall to expose spring gravel. The applicant estimates a life span of 20 years for the site with an approximate annual quantity of 10,000 cubic yards.

Phases 6 thru 11 are located east of an anadromous stream. The riparian wetland associated with that stream is depicted on the site plan and the proposed excavation on both sides of the stream are required to be 100 feet from wetlands. The east property line and the east ¼ mile of the north property line abuts the North Fork One Local Option Zoning District (LOZD). This LOZD is designated Single-Family Residential (R-1). The western portion of the subject property was operated as a material site approximately 40 years ago. The applicant has requested a buffer waiver along much of the west property line, where a driveway exists, and along the western 240 feet of the south property line. The area adjacent to these buffer waiver requests have also been used as a material site in the past and are vacant.

PUBLIC NOTICE: Public notice of the application was mailed on June 19, 2018 to the 124 landowners or leaseholders of the parcels within one-half mile of the subject parcel. Public notice was sent to the postmaster in Anchor Point requesting that it be posted at their Post Office. Public notice of the application was published in the July 5, 2018 & July 12, 2018 issues of the Homer News.

KPB AGENCY REVIEW: Application information was provided to pertinent KPB staff and other agencies

on July 3, 2018.

ATTACHMENTS

- Conditional Land Use Permit application and associated documents
- Aerial map
- Area land use map
- Ownership map
- Contour map

FINDINGS OF FACT

1. KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough.
2. KPB 21.29 governs material site activity within the rural district of the Kenai Peninsula Borough.
3. On May 24, 2018 the applicant, Walter Blauvelt, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 169-190-32, which is located within the rural district.
4. KPB 21.29 provides that a conditional land use permit is required for material extraction that disturbs more than 2.5 cumulative acres.
5. The proposed disturbed area is approximately 27.5 acres.
6. A public hearing of the Planning Commission was held on July 16, 2018 and notice of the meeting was published, posted, and mailed in accordance with KPB 21.25.060 and KPB 21.11.
7. The applicant has requested a buffer waiver along much of the west property line, where a driveway exists, and along the western 240 feet of the south property line. The area adjacent to these buffer waiver requests have also been used as a material site in the past and are vacant. No buffer is necessary for the existing adjacent use.
8. The proposed extraction meets material site standard 21.29.040(A1); "Protects against the lowering of water sources serving other properties", as evidenced by:
 - A. Permit condition number 6 requires that the permittee not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
 - B. The submitted site plan shows two wells located within 300 feet of the property but neither is within 100 feet of the property boundary.
 - C. Permit condition number 7 requires that the permittee maintain a 2-foot vertical separation from the seasonal high water table.
 - D. The application indicates that the depth to groundwater is 12 feet and that the depth of the proposed excavation is 10 feet.
 - E. Permit condition number 8 requires that the permittee not dewater either by pumping, ditching or any other form of draining.
9. The proposed extraction meets material site standard 21.29.040(A2); "Protects against physical damage to other properties". There is no evidence in the record to indicate that physical damage will occur to any other properties as a result of the operations of a material site at this location.
10. The proposed extraction meets material site standard 21.29.040(A3); "Minimizes off-site movement of dust", as evidenced by:
 - A. Permit condition number 13 requires that the permittee provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
11. The proposed extraction meets material site standard 21.29.040(A4); "Minimizes noise disturbance to other properties" as evidenced by:
 - A. Permit condition number 2 requires that the permittee maintain the following buffers that will reduce the noise disturbance to other properties:
 - North: 50-foot vegetated buffer.
 - South: 50-foot vegetated buffer along the east 2400 feet. Buffer waiver along the west 240 feet.

- East: 50-foot vegetated buffer.
 - West: 50-foot vegetated buffer along the north 450 feet. Buffer waiver along the south 840 feet.
 - B. The submitted site plan indicates, and permit condition number 5 requires that the processing area be located greater than 300 feet from the property boundaries.
- 12. The proposed extraction meets material site standard 21.29.040(A5); "Minimizes visual impacts" as evidenced by permit condition number 2 that requires that the permittee maintain the following buffers that will reduce the visual impacts to other properties:
 - North: 50-foot vegetated buffer.
 - South: 50-foot vegetated buffer along the east 2400 feet. Buffer waiver along the west 240 feet.
 - East: 50-foot vegetated buffer.
 - West: 50-foot vegetated buffer along the north 450 feet. Buffer waiver along the south 840 feet.
- 13. The proposed extraction meets material site standard 21.29.040(A6); "Provides for alternate post-mining land uses" as evidenced by:
 - A. The submitted application contains a reclamation plan as required by KPB 21.29.060.
 - B. Permit condition number 15 requires that the permittee reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.

STAFF RECOMMENDATION

In reviewing the application staff has determined that the six standards contained in KPB 21.29.040 will be met and recommends that the Planning Commission approve the buffer waiver as requested, approve the conditional land use permit with listed conditions, and adopt the findings of fact subject to the following:

1. Filing of the PC Resolution in the appropriate recording district after the deadline to appeal the Planning Commission's approval has expired (15 days from the date of the notice of decision) unless there are no parties with appeal rights.
2. The Planning Department is responsible for filing the Planning Commission resolution.
3. The applicant will provide the recording fee for the resolution to the Planning Department.
4. Driveway permits must be acquired from either the state or borough as appropriate prior to the issuance of the material site permit.

PERMIT CONDITIONS

1. The permittee shall cause the boundaries of the subject parcel to be staked at sequentially visible intervals where parcel boundaries are within 300 feet of the excavation perimeter.
2. The permittee shall maintain the following buffers around the excavation perimeter or parcel boundaries as shown in the approved site plan:
3.
 - North: 50-foot vegetated buffer.
 - South: 50-foot vegetated buffer along the east 2400 feet. Buffer waiver along the west 240 feet.
 - East: 50-foot vegetated buffer.
 - West: 50-foot vegetated buffer along the north 450 feet. Buffer waiver along the south 840 feet.
4. These buffers shall not overlap an easement.
4. The permittee shall maintain a 2:1 slope between the buffer zone and pit floor on all inactive site walls. Material from the area designated for the 2:1 slope may be removed if suitable, stabilizing material is replaced within 30 days from the time of removal.

5. The permittee shall not allow buffers to cause surface water diversion which negatively impacts adjacent properties or water bodies.
6. The permittee shall operate all equipment which conditions or processes material at least 300 feet from the parcel boundaries.
7. The permittee shall not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
8. The permittee shall maintain a 2-foot vertical separation from the seasonal high water table.
9. The permittee shall not dewater either by pumping, ditching or any other form of draining.
10. The permittee shall maintain an undisturbed buffer, and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including riparian wetlands and mapped floodplains.
11. The permittee shall ensure that fuel storage containers larger than 50 gallons shall be contained in impermeable berms and basins capable of retaining 110 percent of storage capacity to minimize the potential for uncontained spills or leaks. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
12. The permittee shall conduct operations in a manner so as not to damage borough roads as required by KPB 14.40.175, and will be subject to the remedies set forth in KPB 14.40 for violation of this condition.
13. The permittee shall notify the planning department of any further subdivision or return to acreage of this property. Any further subdivision or return to acreage may require the permittee to amend this permit.
14. The permittee shall provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
15. The permittee shall not operate rock crushing equipment between the hours of 10:00 p.m. and 6:00 a.m.
16. The permittee shall reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.
17. The permittee is responsible for complying with all other federal, state and local laws applicable to the material site operation, and abiding by related permits. These laws and permits include, but are not limited to, the borough's flood plain, coastal zone, and habitat protection regulations, those state laws applicable to material sites individually, reclamation, storm water pollution and other applicable Environmental Protection Agency (EPA) regulations, clean water act and any other U.S. Army Corp of Engineer permits, any EPA air quality regulations, EPA and ADEC water quality regulations, EPA hazardous material regulations, U.S. Dept. of Labor Mine Safety and Health Administration (MSHA) regulations (including but not limited to noise and safety standards), and Federal Bureau of Alcohol, Tobacco and Firearm regulations regarding using and storing explosives.
18. The permittee shall post notice of intent on parcel corners or access, whichever is more visible if the permittee does not intend to begin operations for at least 12 months after being granted a conditional land use permit. Sign dimensions shall be no more than 15" by 15" and must contain the following information: the phrase "Permitted Material Site" along with the permittee's business name and a contact phone number.
19. The permittee shall operate in accordance with the application and site plan as approved by the planning commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a permit modification is required in accordance with KPB 21.29.090.
20. This conditional land use permit is subject to review by the planning department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.50, a permit may be revoked for failure to comply with the terms of the permit or the applicable provisions of KPB Title 21. The borough clerk shall issue notice to the permittee of the revocation hearing at least 20 days but not more than 30 days prior to the hearing.
21. Once effective, this conditional land use permit is valid for five years. A written request for permit extension must be made to the planning department at least 30 days prior to permit expiration, in accordance with KPB 21.29.070.

NOTE: Any party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. A “party of record” is any party or person aggrieved by the decision where the decision has or could have an adverse effect on value, use, or enjoyment of real property owned by them who appeared before the planning commission with either oral or written presentation. Petition signers are not considered parties of record unless separate oral or written testimony is provided (KPB Code 21.20.210.A.5b1). An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the \$300 filing and records preparation fee. (KPB Code 21.25.100)

END OF STAFF REPORT

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2018-22
HOMER RECORDING DISTRICT**

A resolution granting a conditional land use permit to operate a sand, gravel, or material site for a parcel described as Tract 2B-1A, Griner Subd Four, according to Plat 2008-103, Homer Recording District.

- WHEREAS,** KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough; and
- WHEREAS,** KPB 21.25.040 provides that a permit is required for a sand, gravel or material site; and
- WHEREAS,** on May 24, 2018 the applicant, Walter Blauvelt, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 169-190-32, which is located within the rural district; and
- WHEREAS,** public notice of the application was mailed on June 19, 2018 to the 124 landowners or leaseholders of the parcels within one-half mile of the subject parcel pursuant to KPB 21.25.060; and
- WHEREAS,** public notice of the application was published in the July 5, 2018 & July 12, 2018 issues of the Homer News; and
- WHEREAS,** a public hearing of the Planning Commission was held on July 16, 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Planning Commission makes the following findings of fact pursuant to KPB 21.25 and 21.29:

Findings of Fact

1. KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough.
2. KPB 21.29 governs material site activity within the rural district of the Kenai Peninsula Borough.
3. On May 24, 2018 the applicant, Walter Blauvelt, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 169-190-32, which is located within the rural district.
4. KPB 21.29 provides that a conditional land use permit is required for material extraction that disturbs more than 2.5 cumulative acres.
5. The proposed disturbed area is approximately 27.5 acres.
6. A public hearing of the Planning Commission was held on July 16, 2018 and notice of the meeting was published, posted, and mailed in accordance with KPB 21.25.060 and KPB 21.11.
7. The applicant has requested a buffer waiver along much of the west property line, where a driveway exists, and along the western 240 feet of the south property line. The area adjacent to these buffer waiver requests have also been used as a material site in the past and are vacant. No buffer is necessary for the existing adjacent use.
8. The proposed extraction meets material site standard 21.29.040(A1); "Protects against the lowering of water sources serving other properties", as evidenced by:
 - A. Permit condition number 6 requires that the permittee not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
 - B. The submitted site plan shows two wells located within 300 feet of the property but neither is within 100 feet of the property boundary.

- C. Permit condition number 7 requires that the permittee maintain a 2-foot vertical separation from the seasonal high water table.
 - D. The application indicates that the depth to groundwater is 12 feet and that the depth of the proposed excavation is 10 feet.
 - E. Permit condition number 8 requires that the permittee not dewater either by pumping, ditching or any other form of draining.
9. The proposed extraction meets material site standard 21.29.040(A2); "Protects against physical damage to other properties". There is no evidence in the record to indicate that physical damage will occur to any other properties as a result of the operations of a material site at this location.
 10. The proposed extraction meets material site standard 21.29.040(A3); "Minimizes off-site movement of dust", as evidenced by:
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 11. The proposed extraction meets material site standard 21.29.040(A4); "Minimizes noise disturbance to other properties" as evidenced by:
 - A. Permit condition number 2 requires that the permittee maintain the following buffers that will reduce the noise disturbance to other properties:
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 - B. The submitted site plan indicates, and permit condition number 5 requires that the processing area be located greater than 300 feet from the property boundaries.
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 - A. The submitted application contains a reclamation plan as required by KPB 21.29.060.
 - B. Permit condition number 15 requires that the permittee reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.

PERMIT CONDITIONS

1. The permittee shall cause the boundaries of the subject parcel to be staked at sequentially visible intervals where parcel boundaries are within 300 feet of the excavation perimeter.
2. The permittee shall maintain the following buffers around the excavation perimeter or parcel boundaries as shown in the approved site plan:
 - North: 50-foot vegetated buffer.
 - South: 50-foot vegetated buffer along the east 2400 feet. Buffer waiver along the west 240 feet.
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 - West: 50-foot vegetated buffer along the north 450 feet. Buffer waiver along the south 840 feet.

These buffers shall not overlap an easement.
3. The permittee shall maintain a 2:1 slope between the buffer zone and pit floor on all inactive site

- walls. Material from the area designated for the 2:1 slope may be removed if suitable, stabilizing material is replaced within 30 days from the time of removal.
4. The permittee shall not allow buffers to cause surface water diversion which negatively impacts adjacent properties or water bodies.
 5. The permittee shall operate all equipment which conditions or processes material at least 300 feet from the parcel boundaries.
 6. The permittee shall not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
 7. The permittee shall maintain a 2-foot vertical separation from the seasonal high water table.
 8. The permittee shall not dewater either by pumping, ditching or any other form of draining.
 9. The permittee shall maintain an undisturbed buffer, and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including riparian wetlands and mapped floodplains.
 10. The permittee shall ensure that fuel storage containers larger than 50 gallons shall be contained in impermeable berms and basins capable of retaining 110 percent of storage capacity to minimize the potential for uncontained spills or leaks. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
 11. The permittee shall conduct operations in a manner so as not to damage borough roads as required by KPB 14.40.175, and will be subject to the remedies set forth in KPB 14.40 for violation of this condition.
 12. The permittee shall notify the planning department of any further subdivision or return to acreage of this property. Any further subdivision or return to acreage may require the permittee to amend this permit.
 13. The permittee shall provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
 14. The permittee shall not operate rock crushing equipment between the hours of 10:00 p.m. and 6:00 a.m.
 15. The permittee shall reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.
 16. The permittee is responsible for complying with all other federal, state and local laws applicable to the material site operation, and abiding by related permits. These laws and permits include, but are not limited to, the borough's flood plain, coastal zone, and habitat protection regulations, those state laws applicable to material sites individually, reclamation, storm water pollution and other applicable Environmental Protection Agency (EPA) regulations, clean water act and any other U.S. Army Corp of Engineer permits, any EPA air quality regulations, EPA and ADEC water quality regulations, EPA hazardous material regulations, U.S. Dept. of Labor Mine Safety and Health Administration (MSHA) regulations (including but not limited to noise and safety standards), and Federal Bureau of Alcohol, Tobacco and Firearm regulations regarding using and storing explosives.
 17. The permittee shall post notice of intent on parcel corners or access, whichever is more visible if the permittee does not intend to begin operations for at least 12 months after being granted a conditional land use permit. Sign dimensions shall be no more than 15" by 15" and must contain the following information: the phrase "Permitted Material Site" along with the permittee's business name and a contact phone number.
 18. The permittee shall operate in accordance with the application and site plan as approved by the planning commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a permit modification is required in accordance with KPB 21.29.090.
 19. This conditional land use permit is subject to review by the planning department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.50, a permit may be revoked for failure to comply with the terms of the permit or the applicable provisions of KPB Title 21. The borough clerk shall issue notice to the permittee of the revocation hearing at least 20 days but not more than 30 days prior to the hearing.

20. Once effective, this conditional land use permit is valid for five years. A written request for permit extension must be made to the planning department at least 30 days prior to permit expiration, in accordance with KPB 21.29.070.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS _____ DAY OF _____, 2018.

Blair J. Martin, Chairperson
Planning Commission

ATTEST:

Patti Hartley
Administrative Assistant

PLEASE RETURN
Kenai Peninsula Borough
Planning Department
144 North Binkley St.
Soldotna, AK 99669

KPB 21.29 Conditional Land Use Permit Application

For a Sand, Gravel or Material Site

I. APPLICANT INFORMATION DBA Axtel Enterprises
 Applicant WALTER BLAUVELT Landowner DALE GRINER
 Address PO BOX 85 Address PO BOX 101
 City, State, Zip ANCHOR PT. AK 99556 City, State, Zip ANCHOR PT AK 99556
 Telephone 235 4216 Cell 299 3391 Telephone _____ Cell 299 3325
 Email axtelent@acsalaska.net Email _____

II. PARCEL INFORMATION
 KPB Tax Parcel ID# 16919032 Legal Description T55 R 15W SEC 3 ^{SEWARD} MARIDIAN
HM 2008103 GRINER SUB FOUR TRACT 2B-1A
 If permit is not for entire parcel, describe specific location within parcel to be material site, e.g.; "N1/2 SW1/4 NE1/4 - 10 acres", or "5 acres in center of parcel" ~~1/4 SEC 3 T55 R 15W SEC 3 MARIDIAN~~
~~1/4 SEC 3 T55 R 15W SEC 3 MARIDIAN~~

III. APPLICATION INFORMATION "Check" boxes below to indicate items included.

- \$300.00 permit processing fee payable to: Kenai Peninsula Borough. (Include Parcel # on check comment line.)
- Site Plan, to scale, prepared by a professional surveyor (licensed and registered in Alaska) showing, where applicable:
 - parcel boundaries
 - location of boundary stakes within 300 ft. of excavation area (to be in place at time of application)
 - proposed buffers, or requested buffer waiver(s)
 - proposed extraction area(s), and acreage to be mined
 - proposed location of processing area(s)
 - all encumbrances, including easements
 - points of ingress and egress
 - anticipated haul routes
 - location/depth of testholes, and depth to groundwater, if encountered
 - location of all wells within 300 ft. of parcel boundary
 - location of water bodies on parcel, including riparian wetlands
 - surface water protection measures
 - north arrow and diagram scale
 - preparer's name, date and seal
- Site Plan Worksheet (attached)
- Reclamation Plan (attached) and bond, if required. Bond requirement does not apply to material sites exempt from bonding requirements pursuant to AS 27.19.050

Please Note: If a variance from the conditions of KPB 21.29 is requested, a variance application must be attached. (A variance is NOT the same thing as a waiver.)

IV. CERTIFICATION STATEMENT

The information contained on this form and attachments are true and complete to the best of my knowledge. I grant permission for borough staff to enter onto the property for the purpose of processing the permit application.

Walt Blauvelt 5-2-18 Dale Griner 5/2/18
 Applicant Date Landowner (required if not applicant) Date

Site Plan Worksheet for Conditional Land Use Permit Application

Use additional space provided on next page, if necessary. Indicate item # next to comments.

Applicant WALTER BLAUVELT Owner DALE GRINER

KPB Tax Parcel ID # 16919032 Parcel Acreage 68.54

1. Cumulative acres to be disturbed (excavation plus stockpiles, berms, etc.) 20 +/- acres
2. Material to be mined (check all that apply): gravel sand peat other(list) TOP SOIL
3. Equipment to be used (check all that apply): excavation processing other _____
4. Proposed buffers as required by KPB 21.29.050.A.2 (check all types and directions that apply):

<input type="checkbox"/> 50 ft. of natural or improved vegetation	<input checked="" type="checkbox"/> N <input checked="" type="checkbox"/> S <input checked="" type="checkbox"/> E <input checked="" type="checkbox"/> W
<input type="checkbox"/> minimum 6 ft. earthen berm	<input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W
<input type="checkbox"/> minimum 6 ft. fence	<input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W
<input type="checkbox"/> other _____	<input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W

5. Proposed depth of excavation: 10 ft. Depth to groundwater: 12 ft.
6. How was groundwater depth determined? ON SITE OBSERVATION
7. A permit modification to enter the water table will be requested in the future: ___ Yes No
8. Approx. annual quantity of material, including overburden, to be mined: 10,000 +/- cubic yards
9. Is parcel intended for subdivision? ___ Yes No
10. Expected life span of site? 20 years
11. If site is to be developed in phases, describe: the excavation acreage, anticipated life span, and reclamation date for each phase: (use additional space on page 4 if necessary)
See Map
life span per phase 1-4 years
reclamation same

12. Voluntary permit conditions proposed (additional buffers, dust control, limited hours of operation, etc.)
 - A. Haul road maintenance
 - B. Dust control
 - C. hours 8 AM - 8 PM

Material Site Reclamation Plan for Conditional Land Use Permit Application

1. All disturbed land shall be reclaimed upon exhausting the material on-site, so as to leave the land in a stable condition.
2. All revegetation shall be done with a "non-invasive" plant species.
3. Total acreage to be reclaimed each year: 1 acres
4. List equipment (type and quantity) to be used in reclamation:

EXCAVATOR, DOZER

5. Describe time schedule of reclamation measures:

Based on Gravel sales should reclaim
1 acre every fall to expose spring
gravel

6. The following measures must be considered in preparing and implementing the reclamation plan, although not all will be applicable to every plan – **"check" all that apply to your plan.**

Topsoil that is not promptly redistributed to an area being reclaimed will be separated and stockpiled for future use. This material will be protected from erosion and contamination by acidic or toxic materials and preserved in a condition suitable for later use.

The area will be backfilled, graded and recontoured using strippings, overburden, and topsoil to a condition that allows for the reestablishment of renewable resources on the site within a reasonable period of time. It will be stabilized to a condition that will allow sufficient moisture for revegetation.

Sufficient quantities of stockpiled or imported topsoil will be spread over the reclaimed area to a depth of four inches to promote natural plant growth that can reasonably be expected to revegetate the area within five years. The applicant may use the existing natural organic blanket representative of the project area if the soil is found to have an organic content of 5% or more and meets the specification of Class B topsoil requirements as set by Alaska Test Method (ATM) T-6. The material shall be reasonably free from roots, clods, sticks, and branches greater than 3 inches in diameter. Areas having slopes greater than 2:1 require special consideration and design for stabilization by a licensed engineer.

Exploration trenches or pits will be backfilled. Brush piles and unwanted vegetation shall be removed from the site, buried or burned. Topsoil and other organics will be spread on the backfilled surface to inhibit erosion and promote natural revegetation.

Peat and topsoil mine operations shall ensure a minimum of two inches of suitable growing medium is left or replaced on the site upon completion of the reclamation activity (unless otherwise authorized).

Ponding will be used as a reclamation method. (Requires approval by the planning commission.)

ADDITIONAL APPLICATION COMMENTS

(Please indicate the page and item # for which you are making additional comments.)

Page 1/2

2 20 years +/-

5 Excavation is 10 ft +/-

6 Gravel / SAND / topsoil
Excavation / loader / screen plant

8 A - ✓

B - ✓

C - ✓

d - ✓

E - ✓

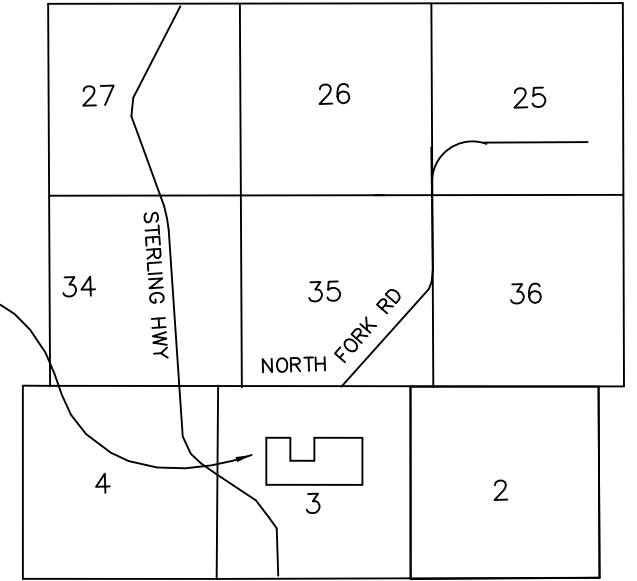
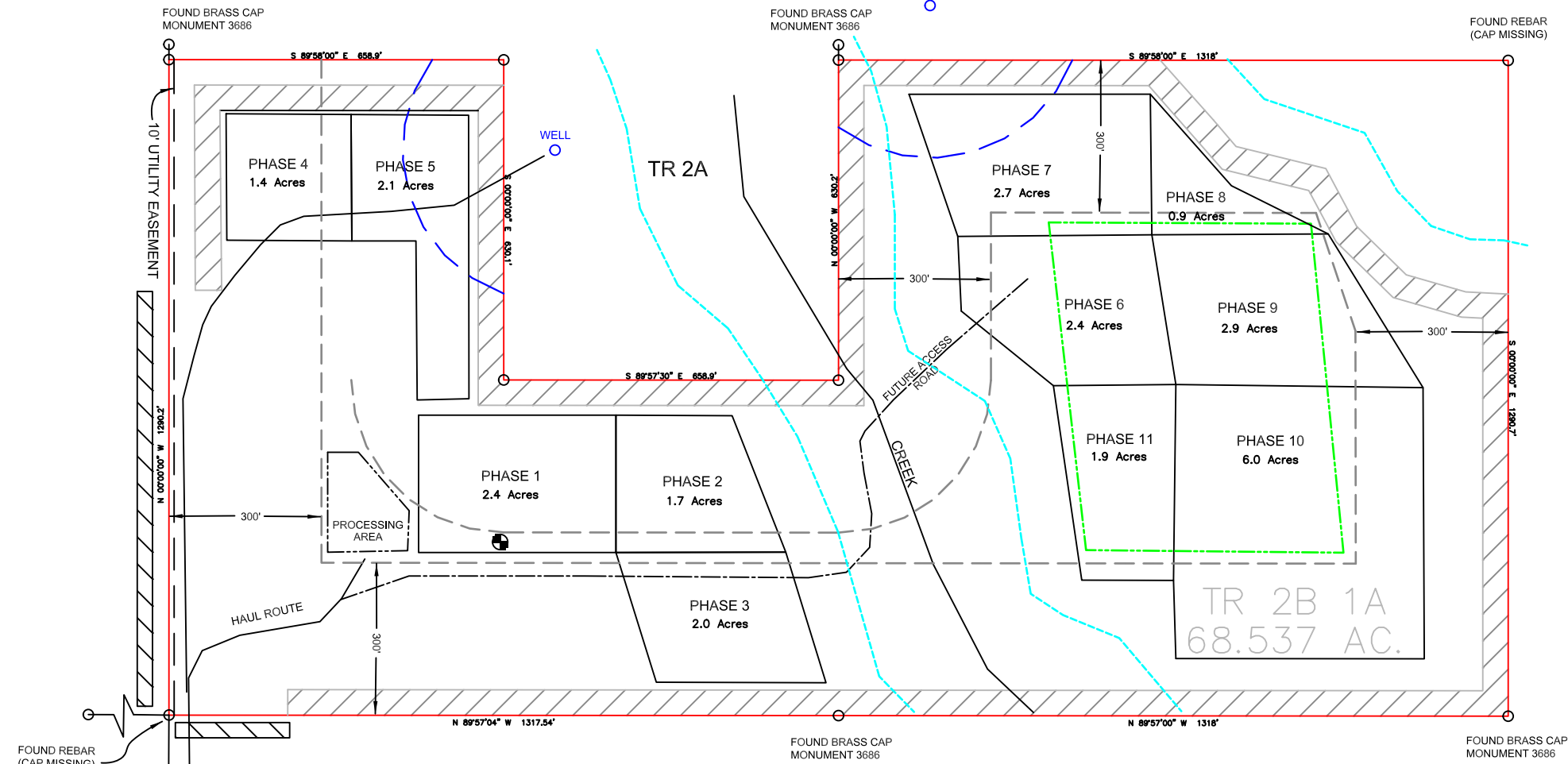
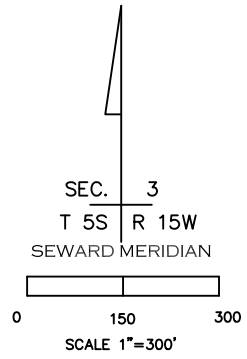
F - ✓

G - ✓

h - ✓

I - ✓

SITE PLAN SURVEY



VICINITY MAP: 1" = 1 MILE

NOTES:

1. THIS PERMIT APPLICATION IS IN KPB PARCEL # 16919032
TR 2B-1A, GRINER SUBDIVISION FOUR, SECTION 3, TOWNSHIP 5 SOUTH, RANGE 15 WEST, SEWARD MERIDIAN.
2. THIS PARCEL IS UNDEVELOPED AND PARTIALLY DISTURBED. PARCEL TO THE NORTH IS PRIVATE RESIDENTIAL. PARCEL TO THE WEST IS UNDEVELOPED. PARCEL TO THE SOUTH IS PRIVATE RESIDENTIAL.
3. PROPOSED INGRESS/EGRESS WILL BE AS SHOWN, ACROSS PRIVATE LAND TO THE STERLING HWY.
4. PROPOSED BUFFER WILL BE 50' OF NATURAL VEGETATION.
5. SURFACE WATER PROTECTION MEASURES FOR ADJACENT PROPERTIES WILL BE ACCOMPLISHED BY ADHERING TO ADEC BEST MANAGEMENT PRACTICES FOR MATERIAL EXTRACTION SITES.
6. GROUNDWATER EXCEEDS 10' BELOW EXISTING GROUND IN PROPOSED AREAS OF EXCAVATION. DUG 10' TEST HOLE TO CLAY, NO WATER ENCOUNTERED.
7. THE DISTURBED AREA WILL BE RECLAIMED AND REGRADED USING STRIPPED OVERBURDEN AND TOPSOIL.
8. PROPOSED MATERIAL EXTRACTION WILL BE DONE IN 11 PHASES, IN ORDER, CORRESPONDING TO NUMBERED EXTRACTION SITES ON DRAWING. TOTAL OF DISTURBED AREA WILL BE APPROXIMATELY 26 ACRES. ONSITE PROCESSING WILL OCCUR A MINIMUM OF 300' FROM ALL PROPERTY LINES.
9. PROPERTY CORNERS WERE LOCATED AND THE PROPERTY LINES HAVE BEEN MARKED WITH FLAGGING AND 3" PAINTED LATH WHERE NEEDED.
10. THERE ARE NO WELLS WITHIN 100' OF PARCEL. WELLS WITHIN 300' ARE SHOWN ON DRAWING.

LEGEND:

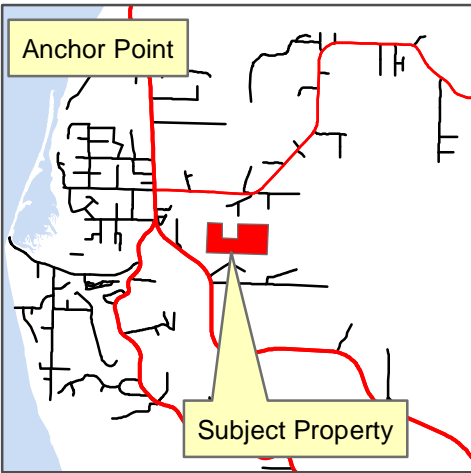
- TEST HOLE LOCATION
- FOUND BRASS CAP MONUMENT LS 3686
- FOUND REBAR
- PROPOSED 50' NATURAL VEGETATIVE BUFFER
- REQUESTED BUFFER WAIVER
- 300' WELL RADIUS
- LIMITS OF FUTURE POSSIBLE PROCESSING SITE
- 300' PROCESSING SETBACK
- FUTURE ACCESS ROAD
- RIPARIAN / WETLANDS BOUNDARY




FINELINE SURVEYS, INC.
 P.O. Box 774
 ANCHOR POINT, ALASKA 99556
 DMITRI D. KIMBRELL, RLS (907) 360 6382

Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 169-190-32
Applicant: Walter Blauvelt dba Axtel Enterprises



LEGEND

 Subject Parcel

0 250 500 Feet

Date: 6/18/2018

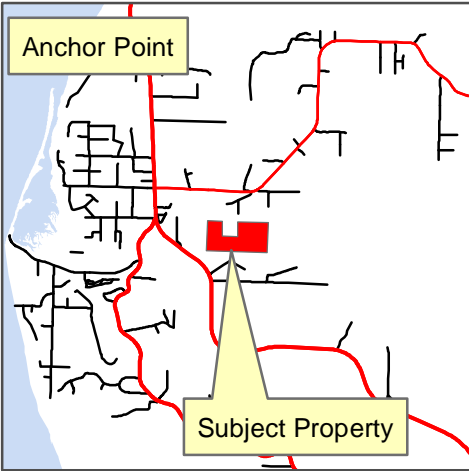


The information depicted hereon is a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.










**Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site**

**Parcel Number: 169-190-32
Applicant: Walter Blauvelt dba Axtel Enterprises**



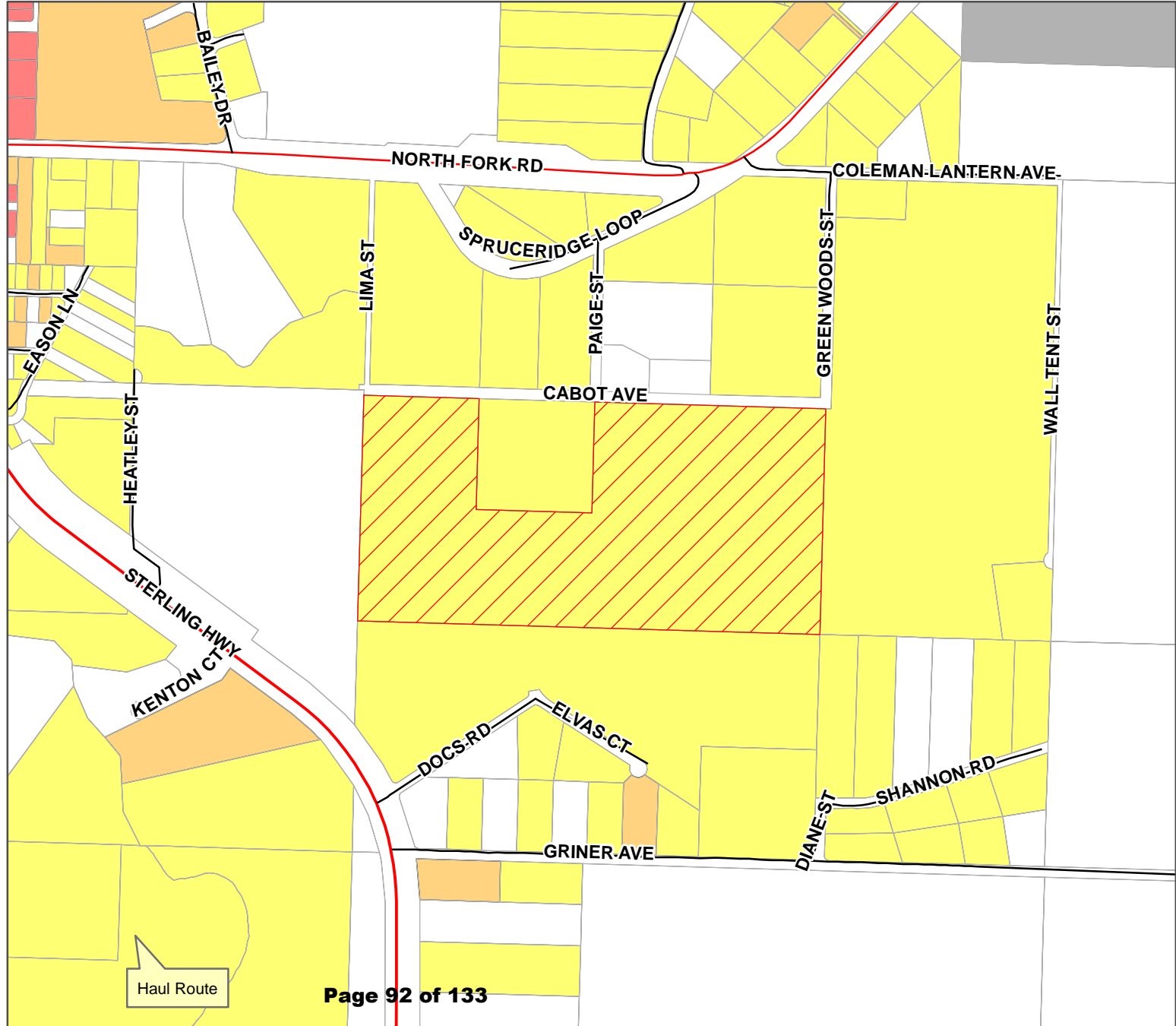
LEGEND

-  Subject Parcel
-  Vacant
-  Residential
-  Commercial
-  Institutional
-  Industrial
-  Accessory Building

0 500 1,000 Feet

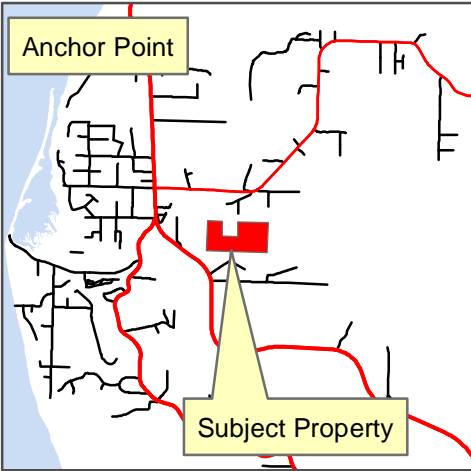
Date: 6/18/2018

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**Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site**







**Parcel Number: 169-190-32
Applicant: Walter Blauvelt dba Axtel Enterprises**



LEGEND

 Subject Parcel

OWNERSHIP

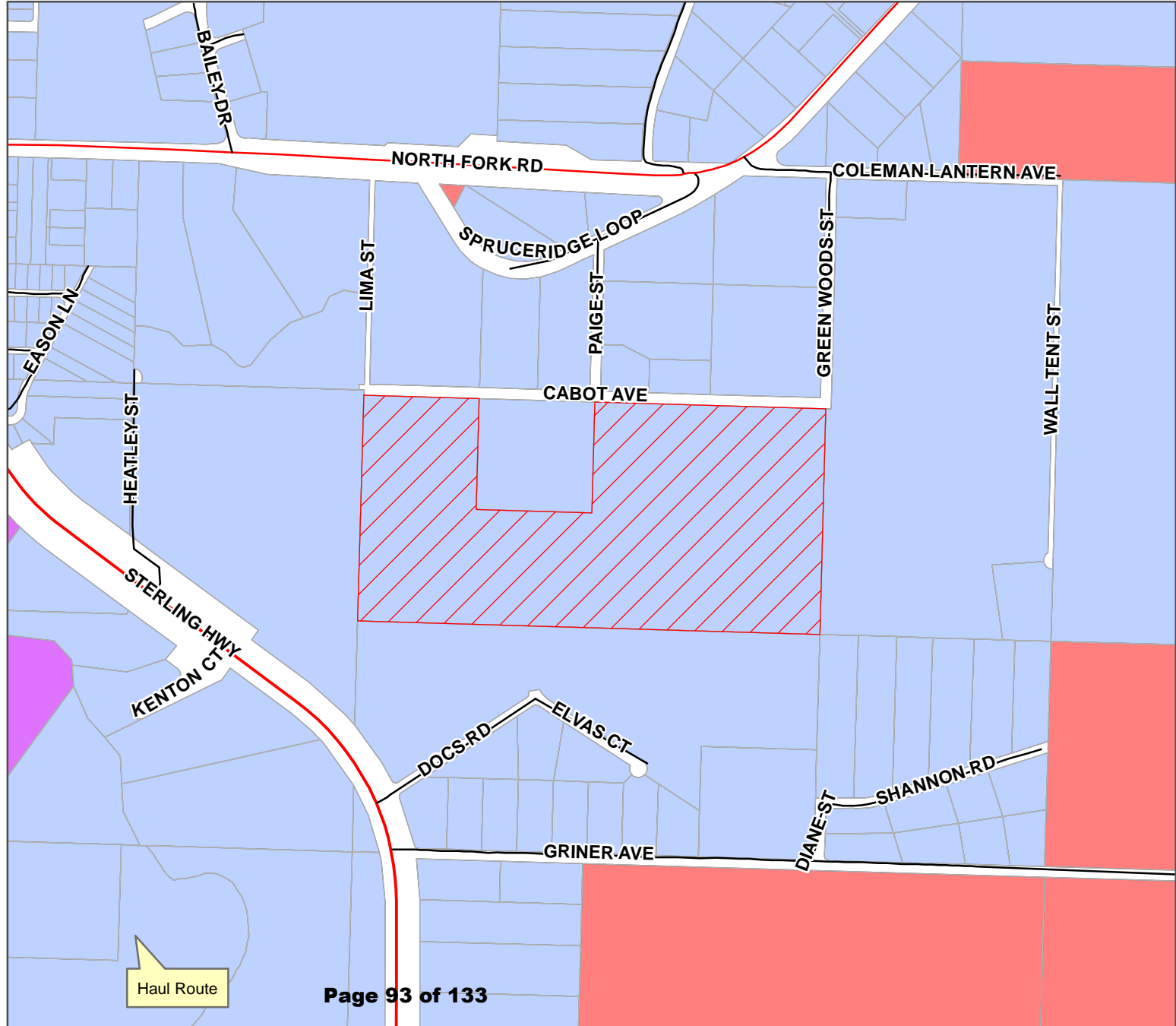
-  Private
-  Native Allotment
-  Federal
-  State
-  Borough
-  Native

0 500 1,000 Feet



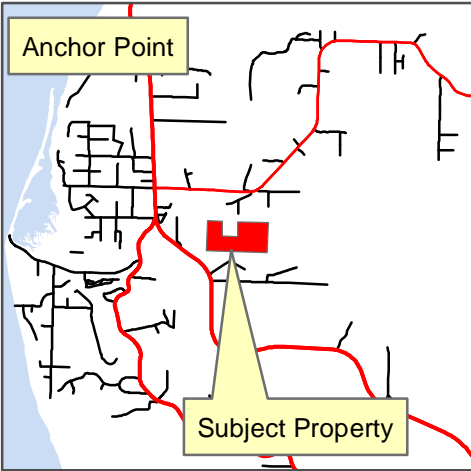
Date: 6/18/2018

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Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 169-190-32
Applicant: Walter Blauvelt dba Axtel Enterprises



LEGEND

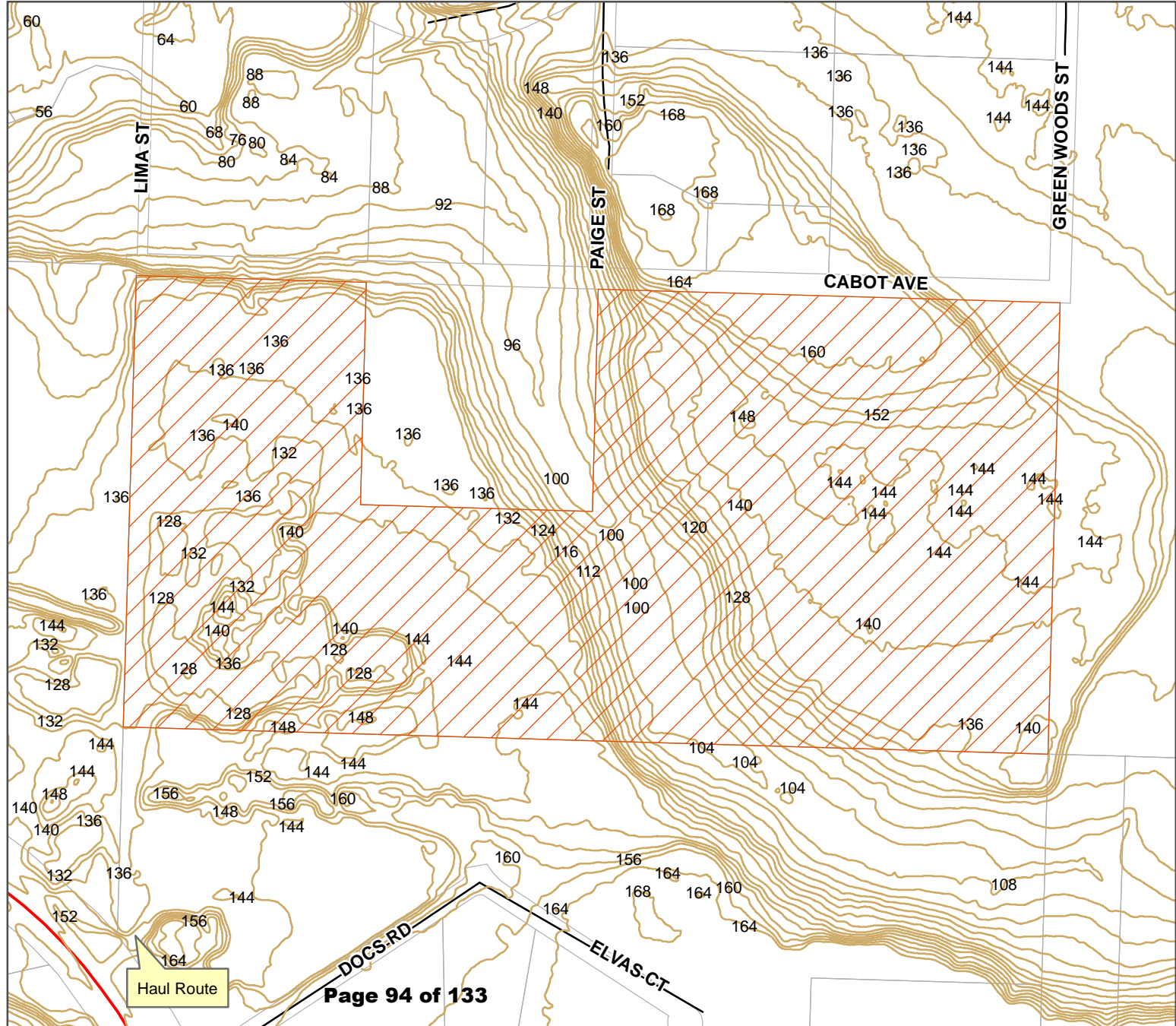
Legend and scale information:

- Subject Parcel
- 4' Contours

Scale: 0 250 500 Feet

Date: 6/18/2018

The information depicted hereon is a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Wall, Bruce

From: Rokos, Jay M (DNR) <jay.rokos@alaska.gov>
Sent: Tuesday, July 3, 2018 2:03 PM
To: Wall, Bruce
Subject: re: Notice of Public Hearing - Parcel 169-190-32
Attachments: Material-Site-Reclamation-Plan-or-Letter-of-Intent-Annual-Reclamation-Statement.pdf

Thank you for the opportunity to comment on the subject public notice. Per AS 27.19, a mining operation must have Reclamation Plan approval with the State of Alaska prior to operations. This requirement is for all land ownerships.

To date, DNR does not have an approved Reclamation Plan for the subject parcel. DNR requests for the applicant to apply for a Reclamation Plan with the Southcentral Regional Office. They may reach me at jay.rokos@alaska.gov or 269-5047. An application is attached.

Applicant: Walter Blauvelt dba Axtel Enterprises
Landowner: Dale Griner
Parcel Number: 169-190-32
Legal Description: Tract 2B-1A, Griner Subd. Four, according to Plat 2008-103, Homer Recording District
Location: Adjacent to 34614 Sterling Highway

Jay Rokos
Natural Resource Technician II
Alaska Department of Natural Resources
Division of Mining, Land and Water
Southcentral Region Office
Leasing Unit
550 W. 7th Ave. Suite 900C

Phone: (907) 269-5047
Fax: (907) 269-8913



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

«OWNER»
«ATTENTION»
«ADDRESS»
«CITYSTATEZIP»

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a conditional land use permit application has been received for material extraction on a parcel in the **Anchor Point** area. This notice is being sent to landowners located within ½ mile of the subject properties. All members of the public are invited to comment. The projects under consideration are described as follows:

Applicant: Walter Blauvelt dba Axtel Enterprises
Landowner: Dale Griner
Parcel Number: 169-190-32
Legal Description: Tract 2B-1A, Griner Subd. Four, according to Plat 2008-103, Homer Recording District.
Location: Adjacent to 34614 Sterling Highway.
Proposed Land Use: The applicant wishes to obtain a permit for sand and gravel extraction on a portion of the parcel listed above.

KPB Code: Conditional land use permit applications for material extraction are reviewed in accordance with KPB Code 21.25 and 21.29. Copies of these ordinances are available from the Planning Department or at: kpb.us

Public Hearing: A hearing will be held by the Kenai Peninsula Borough Planning Commission to consider the application on **Monday, July 16, 2018**, commencing at 7:30 p.m., or as soon thereafter as business permits. The meeting will be held in the assembly chambers of the borough administration building located at 144 N Binkley St, Soldotna.

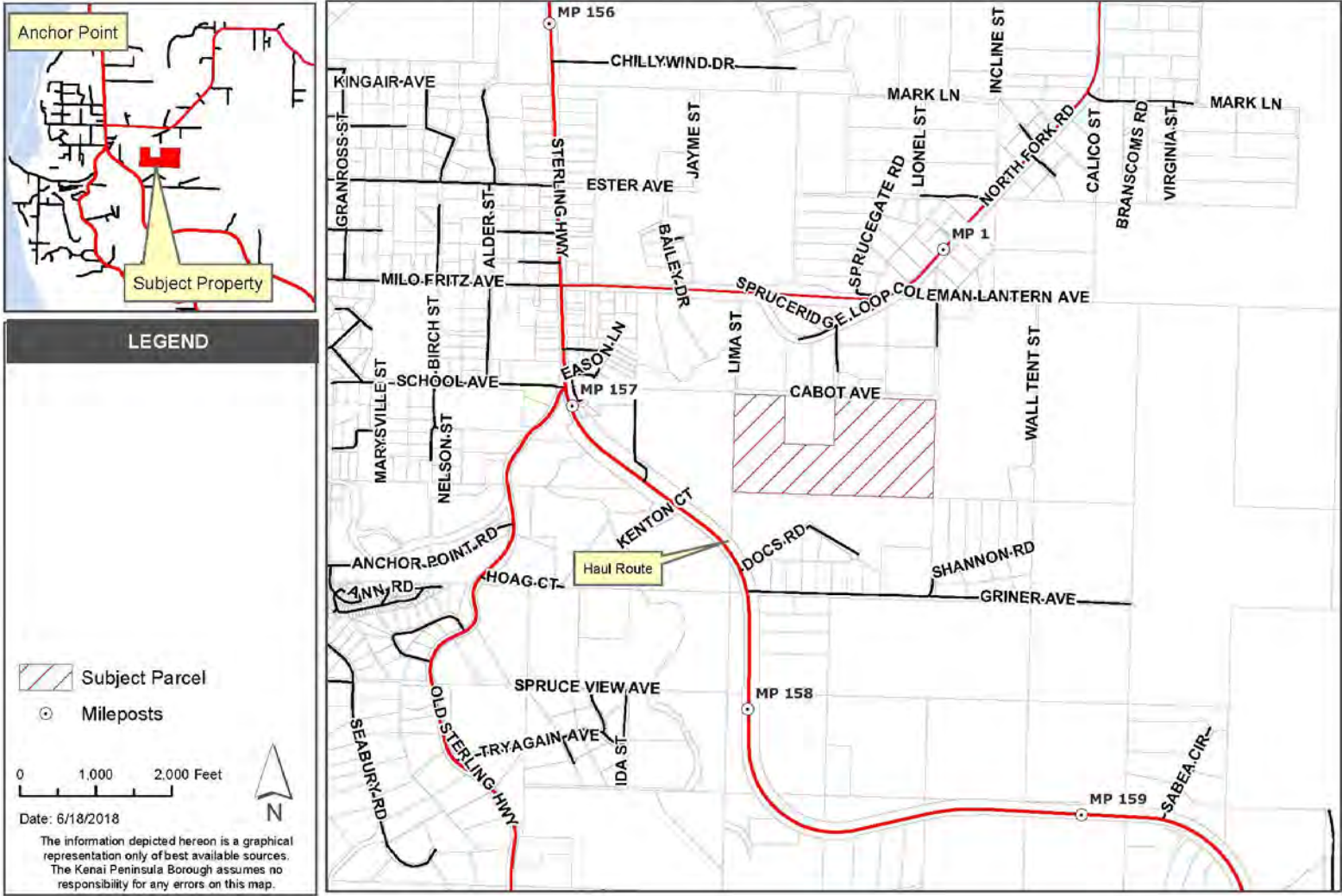
Public Comment: Those wishing to comment may come to the above meeting to give testimony or may submit a written statement addressed to: Planning Commission Chairman, 144 N Binkley St, Soldotna, AK 99669. A statement addressed to the chairman may also be emailed to: bwall@kpb.us. Please provide written statements by Friday July 13, 2018. Aggrieved persons, who participate in the public hearing, either by written or oral statement, may appeal the Planning Commission's decision within 15 days of the date of notice of the decision.

The application and staff report will be available on the Planning Commission website a week prior to the meeting. For additional information or to obtain a copy of the application materials earlier, please call the planning department at (907) 714-2206, or 1-800-478-4441 (toll free within the Borough).

Bruce Wall, AICP
Planner

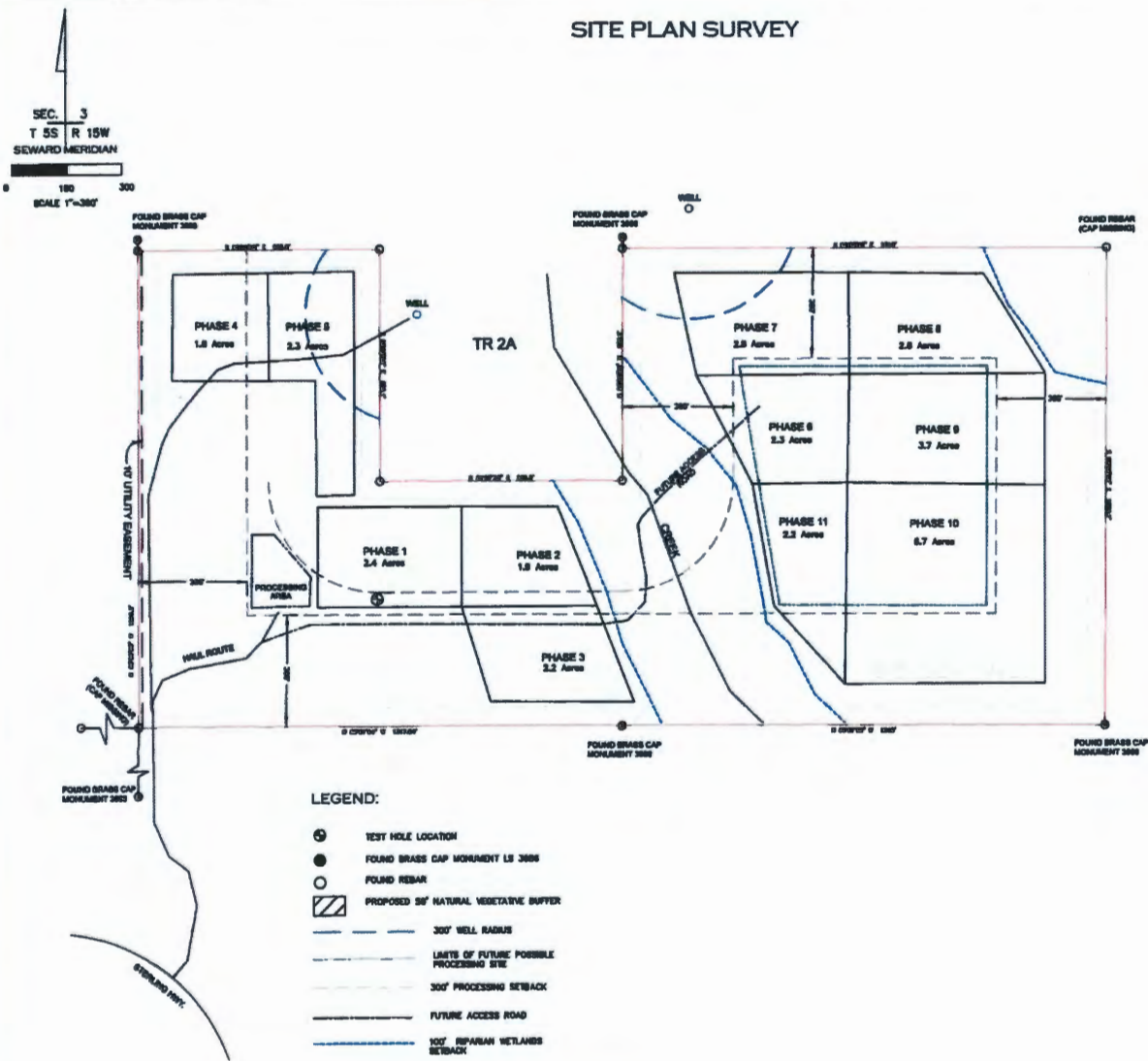
**Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site**

**Parcel Number: 169-190-32
Applicant: Walter Blauvelt dba Axtel Enterprises**

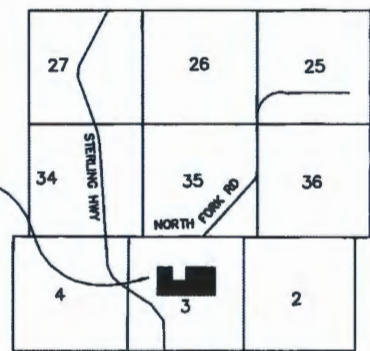


Not to Scale

SITE PLAN SURVEY



SEC. 3
T 5S R 18W
SEWARD MERIDIAN
SCALE 1"=380'



VICINITY MAP: 1"=1 MILE

NOTES:

1. THIS PERMIT APPLICATION IS IN 100% PARCEL # 10019032 TR 2B 1A, GRASS SUBDIVISION FOUR, SECTION 3, TOWNSHIP 5 SOUTH, RANGE 18 WEST, SEWARD MERIDIAN.
2. THIS PARCEL IS UNDEVELOPED AND PARTIALLY DISTURBED. PARCEL TO THE NORTH IS PRIVATE RESIDENTIAL. PARCEL TO THE WEST IS UNDEVELOPED. PARCEL TO THE SOUTH IS PRIVATE RESIDENTIAL.
3. PROPOSED BARRIERS/LOGS WILL BE AS SHOWN, ACROSS PRIVATE LAND TO THE STERLING HWY.
4. PROPOSED BUFFER WILL BE 90' OF NATURAL VEGETATION.
5. THE SITE SHALL ADHERE TO ADED BEST MANAGEMENT PRACTICES FOR MATERIAL EXTRACTION SITES.
6. GROUNDWATER EXCEEDS 10' BELOW EXISTING GROUND IN PROPOSED AREAS OF EXCAVATION. 200' 10" TEST HOLE TO CLAY, NO WATER ENCOUNTERED.
7. THE DISTURBED AREA SHALL BE RECLAIMED AND REGRADED USING STRIPPED OVERBURDEN AND TOPSOIL.
8. PROPOSED MATERIAL EXTRACTION WILL BE DONE IN 11 PHASES, IN ORDER, CORRESPONDING TO MARKED EXTRACTION SITES ON DRAWING. TOTAL OF DISTURBED AREA WILL BE APPROXIMATELY 31 ACRES. ONSITE PROCESSING WILL OCCUR A MINIMUM OF 300' FROM ALL PROPERTY LINES.
9. PROPERTY CORNERS WERE LOCATED AND THE PROPERTY LINES HAVE BEEN MARKED WITH FLAGGING AND 7" PAINTED LATH WHERE NEEDED.
10. THERE ARE NO WELLS WITHIN 100' OF PARCEL. WELLS WITHIN 300' ARE SHOWN ON DRAWING.

LEGEND:

- ⊙ TEST HOLE LOCATION
- FOUND BRASS CAP MONUMENT LS 3088
- FOUND REBAR
- ▨ PROPOSED 90' NATURAL VEGETATIVE BUFFER
- 300' WELL RADIUS
- - - LIMITS OF FUTURE POSSIBLE PROCESSING SITE
- - - 300' PROCESSING SETBACK
- FUTURE ACCESS ROAD
- 100' RIPARIAN WETLANDS SETBACK



FINELINE SURVEYS, INC.
P.O. Box 774
ANCHOR POINT, ALASKA 99556
DIMITRI D. KIMBRELL, RLS (907) 360 6382

F. PUBLIC HEARINGS

- 4. Resolution 2018-23. Public hearing on a conditional land use permit application for material extraction on a parcel in Anchor Point. Applicant / Landowner: Beachcomber, LLC. Parcel #169-010-67. Legal Description: T Tract B, McGee Tracts - Deed of Record Boundary Survey (Plat 80-104) - Deed recorded in Book 4, Page 116, Homer Recording District. Location: Adjacent to 34614 Sterling Highway.**

AGENDA ITEM F. PUBLIC HEARING

4. Conditional Land Use Permit for a Material Site; Anchor Point Area

STAFF REPORT

PC MEETING: July 16, 2018

Applicant: Beachcomber LLC

Landowner: Beachcomber LLC

Parcel Number: 169-010-67

Legal Description: Tract B, McGee Tracts - Deed of Record Boundary Survey (Plat 80-104) - Deed recorded in Book 4, Page 116, Homer Recording District.

Location: 74185 Anchor Point Road

BACKGROUND INFORMATION: The applicant wishes to obtain a permit for sand, gravel, and peat extraction on a portion of the parcel listed above.

The submitted site plan indicates that the material site haul route will be Denver Street, which is a Borough maintained road. The site plan and application proposes the following buffers:

- North: 6-foot high berm except along the east 400 feet where a 50-foot vegetated buffer is proposed.
- South: 6-foot high berm.
- East: 6-foot high berm.
- West: Greater than 50-foot vegetated buffer.

The application indicates that the depth to groundwater is 20 feet and that the depth of the proposed excavation is 18 feet. The groundwater depth was determined by a test hole on the property and exposed surface water to the north. The site plan indicates that the processing area is 300 feet from the south and east property lines. It is greater than 300 feet from the west property line. A waiver is being requested from the north property line. The site plan indicates that the proposed processing area is located 200 feet south of Parcel 169-022-08, which is undeveloped. Parcel 169-022-04 is developed and located within 300 feet of the proposed processing area; this parcel is owned by the applicant's daughter. Staff does not recommend approval of the processing distance waiver request.

The site plan indicates that there are several wells located within 300 feet of the parcel boundaries but none within 100 feet of the proposed excavation area. The site plan indicates 100-foot setback from the wetlands area located in the northeast corner of the property and that this setback will provide protection via phytoremediation of any site run-off prior to entering the surface water. The site plan also indicates that the Alaska DEC user's manual, Best Management Practices for Gravel/Rock Aggregate Extraction Projects, Protecting Surface Water and Groundwater Quality in Alaska, will be utilized as a guideline to reduce potential impacts to water quality.

The application states that reclamation will be completed annually before the growing season ends (September) and that seeding will be applied as necessary each season to areas that achieve final grade in order to minimize erosion and dust. The applicant estimates a life span of 15 years for the site with an approximate annual quantity of less than 50,000 cubic yards.

Much of the vegetation was removed from this property 20-30 years ago. The neighboring properties adjacent to the southeast corner of the proposed material site are at a higher elevation than the subject property. The proposed 6-foot high berm alone will do little to minimize the visual impact or noise disturbance to other properties. Staff recommends that a 50-foot vegetated buffer be required adjacent to the section line easement on the east property line with a 6-foot high berm inside the vegetated buffer. Staff also recommends that a 50-foot vegetated buffer be required adjacent to the Echo Drive right-of-way

and the north and west property line of the adjacent Lot 1, Block 1, Silver King Estates with a 6-foot high berm inside the vegetated buffer. Staff recommends that a 12-foot high berm be placed along the south property line where a 6-foot high berm is shown on the site plan adjacent to Lots 2 - 6, Block 1, Silver King Estates. The placement of the berm should take place prior to removing the existing vegetation in the western portion of the material site.

PUBLIC NOTICE: Public notice of the application was mailed on June 22, 2018 to the 200 landowners or leaseholders of the parcels within one-half mile of the subject parcel. Public notice was sent to the postmaster in Anchor Point requesting that it be posted at their Post Office. Public notice of the application was published in the July 5, 2018 & July 12, 2018 issues of the Homer News.

KPB AGENCY REVIEW: Application information was provided to pertinent KPB staff and other agencies on July 6, 2018.

ATTACHMENTS

- Conditional Land Use Permit application and associated documents
- Aerial map
- Area land use map
- Ownership map
- Contour map

FINDINGS OF FACT

1. KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough.
2. KPB 21.29 governs material site activity within the rural district of the Kenai Peninsula Borough.
3. On June 4, 2018 the applicant, Beachcomber LLC, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 169-010-67, which is located within the rural district.
4. KPB 21.29 provides that a conditional land use permit is required for material extraction that disturbs more than 2.5 cumulative acres.
5. The proposed disturbed area is approximately 27.7 acres.
6. A public hearing of the Planning Commission was held on July 16, 2018 and notice of the meeting was published, posted, and mailed in accordance with KPB 21.25.060 and KPB 21.11.
7. The site plan indicates that the processing area is 300 feet from the south and east property lines and is greater than 300 feet from the west property line. A waiver was requested from the north property line. The site plan shows the proposed processing area being 200 feet south of Parcel 169-022-08, which is undeveloped. Parcel 169-022-04 is developed and located within 300 feet of the proposed processing area; this parcel is owned by the applicant's daughter. A 200-foot separation distance to the property boundaries for the processing area is not sufficient to minimize noise disturbance to other properties.
8. The proposed extraction meets material site standard 21.29.040(A1); "Protects against the lowering of water sources serving other properties", as evidenced by:
 - A. Permit condition number 6 requires that the permittee not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
 - B. The submitted site plan shows several wells located within 300 feet of the parcel boundaries but none within 100 feet of the proposed excavation area.
 - C. Permit condition number 7 requires that the permittee maintain a 2-foot vertical separation from the seasonal high water table.
 - D. The application indicates that the depth to groundwater is greater than 20 feet and that the depth of the proposed excavation is 18 feet.
 - E. Permit condition number 8 requires that the permittee not dewater either by pumping, ditching or any other form of draining.
9. The proposed extraction meets material site standard 21.29.040(A2); "Protects against physical damage to other properties". There is no evidence in the record to indicate that physical damage will occur to any other properties as a result of the operations of a material site at this location.
10. The proposed extraction meets material site standard 21.29.040(A3); "Minimizes off-site

movement of dust", as evidenced by:

- A. Permit condition number 13 requires that the permittee provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
11. The proposed extraction meets material site standard 21.29.040(A4); "Minimizes noise disturbance to other properties" as evidenced by:
- A. Permit condition number 2 requires that the permittee maintain the following buffers that will reduce the noise disturbance to other properties:
- 50-foot vegetated buffer adjacent to the section line easement on the east property line with a 6-foot high berm inside the vegetated buffer.
 - 50-foot vegetated buffer adjacent to the Echo Drive right-of-way and the north and west property line of the adjacent Lot 1, Block 1, Silver King Estates with a 6-foot high berm inside the vegetated buffer.
 - 12-foot high berm along the south property line where a 6-foot high berm is shown on the site plan adjacent to Lots 2 - 6, Block 1, Silver King Estates. The placement of the berm shall take place prior to removing the existing vegetation in the western portion of the material site.
 - Greater than 50-foot vegetated buffer west of the material site as shown on the site plan.
 - 50-foot vegetated buffer in the east 400 feet adjacent to the northern boundary of the material site as shown on the site plan.
 - 6-foot high berm along the northern property as shown on the site plan.
- B. Permit condition number 5 requires that the processing area be located greater than 300 feet from the property boundaries.
12. The proposed extraction meets material site standard 21.29.040(A5); "Minimizes visual impacts" as evidenced by permit condition number 2 that requires that the permittee maintain the following buffers that will reduce the visual impacts to other properties:
- 50-foot vegetated buffer adjacent to the section line easement on the east property line with a 6-foot high berm inside the vegetated buffer.
 - 50-foot vegetated buffer adjacent to the Echo Drive right-of-way and the north and west property line of the adjacent Lot 1, Block 1, Silver King Estates with a 6-foot high berm inside the vegetated buffer.
 - 12-foot high berm along the south property line where a 6-foot high berm is shown on the site plan adjacent to Lots 2 - 6, Block 1, Silver King Estates. The placement of the berm shall take place prior to removing the existing vegetation in the western portion of the material site.
 - Greater than 50-foot vegetated buffer west of the material site as shown on the site plan.
 - 50-foot vegetated buffer in the east 400 feet adjacent to the northern boundary of the material site as shown on the site plan.
 - 6-foot high berm along the northern property as shown on the site plan.
13. The proposed extraction meets material site standard 21.29.040(A6); "Provides for alternate post-mining land uses" as evidenced by:
- A. The submitted application contains a reclamation plan as required by KPB 21.29.060.
- B. The applicant has submitted a reclamation plan that omits KPB 21.29.060(C3), which requires the placement of a minimum of four inches of topsoil with a minimum organic content of 5% and precludes the use of sticks and branches over 3 inches in diameter from being used in the reclamation topsoil. These measures are generally applicable to this type of excavation project. The inclusion of the requirements contained in KPB 21.29.060(C3) is necessary to meet this material site standard.
- C. Permit condition number 15 requires that the permittee reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.

STAFF RECOMMENDATION

In reviewing the application staff has determined that the six standards contained in KPB 21.29.040 will be

met and recommends that the Planning Commission deny the processing distance waiver request, approve the conditional land use permit with listed conditions, and adopt the findings of fact subject to the following:

1. Filing of the PC Resolution in the appropriate recording district after the deadline to appeal the Planning Commission's approval has expired (15 days from the date of the notice of decision) unless there are no parties with appeal rights.
2. The Planning Department is responsible for filing the Planning Commission resolution.
3. The applicant will provide the recording fee for the resolution to the Planning Department.
4. Driveway permits must be acquired from either the state or borough as appropriate prior to the issuance of the material site permit.

PERMIT CONDITIONS

1. The permittee shall cause the boundaries of the subject parcel to be staked at sequentially visible intervals where parcel boundaries are within 300 feet of the excavation perimeter.
2. The permittee shall maintain the following buffers around the excavation perimeter or parcel boundaries:
 - 50-foot vegetated buffer adjacent to the section line easement on the east property line with a 6-foot high berm inside the vegetated buffer.
 - 50-foot vegetated buffer adjacent to the Echo Drive right-of-way and the north and west property line of the adjacent Lot 1, Block 1, Silver King Estates with a 6-foot high berm inside the vegetated buffer.
 - 12-foot high berm along the south property line where a 6-foot high berm is shown on the site plan adjacent to Lots 2 - 6, Block 1, Silver King Estates. The placement of the berm shall take place prior to removing the existing vegetation in the western portion of the material site.
 - Greater than 50-foot vegetated buffer west of the material site as shown on the site plan.
 - 50-foot vegetated buffer in the east 400 feet adjacent to the northern boundary of the material site as shown on the site plan.
 - 6-foot high berm along the northern property as shown on the site plan.These buffers shall not overlap an easement.
3. The permittee shall maintain a 2:1 slope between the buffer zone and pit floor on all inactive site walls. Material from the area designated for the 2:1 slope may be removed if suitable, stabilizing material is replaced within 30 days from the time of removal.
4. The permittee shall not allow buffers to cause surface water diversion which negatively impacts adjacent properties or water bodies.
5. The permittee shall operate all equipment which conditions or processes material at least 300 feet from the parcel boundaries.
6. The permittee shall not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
7. The permittee shall maintain a 2-foot vertical separation from the seasonal high water table.
8. The permittee shall not dewater either by pumping, ditching or any other form of draining.
9. The permittee shall maintain an undisturbed buffer, and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including riparian wetlands and mapped floodplains.
10. The permittee shall ensure that fuel storage containers larger than 50 gallons shall be contained in impermeable berms and basins capable of retaining 110 percent of storage capacity to minimize the potential for uncontained spills or leaks. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
11. The permittee shall conduct operations in a manner so as not to damage borough roads as required by KPB 14.40.175, and will be subject to the remedies set forth in KPB 14.40 for violation of this condition.
12. The permittee shall notify the planning department of any further subdivision or return to acreage of this property. Any further subdivision or return to acreage may require the permittee to amend this permit.

13. The permittee shall provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
14. The permittee shall not operate rock crushing equipment between the hours of 10:00 p.m. and 6:00 a.m.
15. The permittee shall reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.
16. The permittee is responsible for complying with all other federal, state and local laws applicable to the material site operation, and abiding by related permits. These laws and permits include, but are not limited to, the borough's flood plain, coastal zone, and habitat protection regulations, those state laws applicable to material sites individually, reclamation, storm water pollution and other applicable Environmental Protection Agency (EPA) regulations, clean water act and any other U.S. Army Corp of Engineer permits, any EPA air quality regulations, EPA and ADEC water quality regulations, EPA hazardous material regulations, U.S. Dept. of Labor Mine Safety and Health Administration (MSHA) regulations (including but not limited to noise and safety standards), and Federal Bureau of Alcohol, Tobacco and Firearm regulations regarding using and storing explosives.
17. The permittee shall post notice of intent on parcel corners or access, whichever is more visible if the permittee does not intend to begin operations for at least 12 months after being granted a conditional land use permit. Sign dimensions shall be no more than 15" by 15" and must contain the following information: the phrase "Permitted Material Site" along with the permittee's business name and a contact phone number.
18. The permittee shall operate in accordance with the application and site plan as approved by the planning commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a permit modification is required in accordance with KPB 21.29.090.
19. This conditional land use permit is subject to review by the planning department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.50, a permit may be revoked for failure to comply with the terms of the permit or the applicable provisions of KPB Title 21. The borough clerk shall issue notice to the permittee of the revocation hearing at least 20 days but not more than 30 days prior to the hearing.
20. Once effective, this conditional land use permit is valid for five years. A written request for permit extension must be made to the planning department at least 30 days prior to permit expiration, in accordance with KPB 21.29.070.

NOTE: Any party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. A "party of record" is any party or person aggrieved by the decision where the decision has or could have an adverse effect on value, use, or enjoyment of real property owned by them who appeared before the planning commission with either oral or written presentation. Petition signers are not considered parties of record unless separate oral or written testimony is provided (KPB Code 21.20.210.A.5b1). An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the \$300 filing and records preparation fee. (KPB Code 21.25.100)

END OF STAFF REPORT

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2018-23
HOMER RECORDING DISTRICT**

A resolution granting a conditional land use permit to operate a sand, gravel, or material site for a parcel described as Tract B, McGee Tracts - Deed of Record Boundary Survey (Plat 80-104) - Deed recorded in Book 4, Page 116, Homer Recording District.

- WHEREAS,** KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough; and
- WHEREAS,** KPB 21.25.040 provides that a permit is required for a sand, gravel or material site; and
- WHEREAS,** on June 4, 2018 the applicant, Beachcomber LLC, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 169-010-67, which is located within the rural district; and
- WHEREAS,** public notice of the application was mailed on June 22, 2018 to the 200 landowners or leaseholders of the parcels within one-half mile of the subject parcel pursuant to KPB 21.25.060; and
- WHEREAS,** public notice of the application was published in the July 5, 2018 & July 12, 2018 issues of the Homer News; and
- WHEREAS,** a public hearing of the Planning Commission was held on July 16, 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Planning Commission makes the following findings of fact pursuant to KPB 21.25 and 21.29:

Findings of Fact

1. KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough.
2. KPB 21.29 governs material site activity within the rural district of the Kenai Peninsula Borough.
3. On June 4, 2018 the applicant, Beachcomber LLC, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 169-010-67, which is located within the rural district.
4. KPB 21.29 provides that a conditional land use permit is required for material extraction that disturbs more than 2.5 cumulative acres.
5. The proposed disturbed area is approximately 27.7 acres.
6. A public hearing of the Planning Commission was held on July 16, 2018 and notice of the meeting was published, posted, and mailed in accordance with KPB 21.25.060 and KPB 21.11.
7. The site plan indicates that the processing area is 300 feet from the south and east property lines and is greater than 300 feet from the west property line. A waiver was requested from the north property line.
8. The site plan shows the proposed processing area being 200 feet south of Parcel 169-022-08, which is undeveloped. Parcel 169-022-04 is developed and located within 300 feet of the proposed processing area; this parcel is owned by the applicant's daughter.
9. A 200-foot separation distance to the property boundaries for the processing area is not sufficient to minimize noise disturbance to other properties.
10. The proposed extraction meets material site standard 21.29.040(A1); "Protects against the

lowering of water sources serving other properties”, as evidenced by:

- A. Permit condition number 6 requires that the permittee not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
 - B. The submitted site plan shows several wells located within 300 feet of the parcel boundaries but none within 100 feet of the proposed excavation area.
 - C. Permit condition number 7 requires that the permittee maintain a 2-foot vertical separation from the seasonal high water table.
 - D. The application indicates that the depth to groundwater is greater than 20 feet and that the depth of the proposed excavation is 18 feet.
 - E. Permit condition number 8 requires that the permittee not dewater either by pumping, ditching or any other form of draining.
11. The proposed extraction meets material site standard 21.29.040(A2); “Protects against physical damage to other properties”. There is no evidence in the record to indicate that physical damage will occur to any other properties as a result of the operations of a material site at this location.
12. The proposed extraction meets material site standard 21.29.040(A3); “Minimizes off-site movement of dust”, as evidenced by:
- A. Permit condition number 13 requires that the permittee provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
13. The proposed extraction meets material site standard 21.29.040(A4); “Minimizes noise disturbance to other properties” as evidenced by:
- A. Permit condition number 2 requires that the permittee maintain the following buffers that will reduce the noise disturbance to other properties:
 - 50-foot vegetated buffer adjacent to the section line easement on the east property line with a 6-foot high berm inside the vegetated buffer.
 - 50-foot vegetated buffer adjacent to the Echo Drive right-of-way and the north and west property line of the adjacent Lot 1, Block 1, Silver King Estates with a 6-foot high berm inside the vegetated buffer.
 - 12-foot high berm along the south property line where a 6-foot high berm is shown on the site plan adjacent to Lots 2 - 6, Block 1, Silver King Estates. The placement of the berm shall take place prior to removing the existing vegetation in the western portion of the material site.
 - Greater than 50-foot vegetated buffer west of the material site as shown on the site plan.
 - 50-foot vegetated buffer in the east 400 feet adjacent to the northern boundary of the material site as shown on the site plan.
 - 6-foot high berm along the northern property as shown on the site plan.
 - B. Permit condition number 5 requires that the processing area be located greater than 300 feet from the property boundaries.
14. The proposed extraction meets material site standard 21.29.040(A5); “Minimizes visual impacts” as evidenced by permit condition number 2 that requires that the permittee maintain the following buffers that will reduce the visual impacts to other properties:
- 50-foot vegetated buffer adjacent to the section line easement on the east property line with a 6-foot high berm inside the vegetated buffer.
 - 50-foot vegetated buffer adjacent to the Echo Drive right-of-way and the north and west property line of the adjacent Lot 1, Block 1, Silver King Estates with a 6-foot high berm inside the vegetated buffer.
 - 12-foot high berm along the south property line where a 6-foot high berm is shown on the site plan adjacent to Lots 2 - 6, Block 1, Silver King Estates. The placement of the berm shall take place prior to removing the existing vegetation in the western portion of the material site.
 - Greater than 50-foot vegetated buffer west of the material site as shown on the site plan.
 - 50-foot vegetated buffer in the east 400 feet adjacent to the northern boundary of the material site as shown on the site plan.
 - 6-foot high berm along the northern property as shown on the site plan.

15. The proposed extraction meets material site standard 21.29.040(A6); "Provides for alternate post-mining land uses" as evidenced by:
 - A. The submitted application contains a reclamation plan as required by KPB 21.29.060.
 - B. The applicant has submitted a reclamation plan that omits KPB 21.29.060(C3), which requires the placement of a minimum of four inches of topsoil with a minimum organic content of 5% and precludes the use of sticks and branches over 3 inches in diameter from being used in the reclamation topsoil. These measures are generally applicable to this type of excavation project. The inclusion of the requirements contained in KPB 21.29.060(C3) is necessary to meet this material site standard.
 - C. Permit condition number 15 requires that the permittee reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.

PERMIT CONDITIONS

1. The permittee shall cause the boundaries of the subject parcel to be staked at sequentially visible intervals where parcel boundaries are within 300 feet of the excavation perimeter.
2. The permittee shall maintain the following buffers around the excavation perimeter or parcel boundaries:
 - 50-foot vegetated buffer adjacent to the section line easement on the east property line with a 6-foot high berm inside the vegetated buffer.
 - 50-foot vegetated buffer adjacent to the Echo Drive right-of-way and the north and west property line of the adjacent Lot 1, Block 1, Silver King Estates with a 6-foot high berm inside the vegetated buffer.
 - 12-foot high berm along the south property line where a 6-foot high berm is shown on the site plan adjacent to Lots 2 - 6, Block 1, Silver King Estates. The placement of the berm shall take place prior to removing the existing vegetation in the western portion of the material site.
 - Greater than 50-foot vegetated buffer west of the material site as shown on the site plan.
 - 50-foot vegetated buffer in the east 400 feet adjacent to the northern boundary of the material site as shown on the site plan.
 - 6-foot high berm along the northern property as shown on the site plan.
 These buffers shall not overlap an easement.
3. The permittee shall maintain a 2:1 slope between the buffer zone and pit floor on all inactive site walls. Material from the area designated for the 2:1 slope may be removed if suitable, stabilizing material is replaced within 30 days from the time of removal.
4. The permittee shall not allow buffers to cause surface water diversion which negatively impacts adjacent properties or water bodies.
5. The permittee shall operate all equipment which conditions or processes material at least 300 feet from the parcel boundaries.
6. The permittee shall not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
7. The permittee shall maintain a 2-foot vertical separation from the seasonal high water table.
8. The permittee shall not dewater either by pumping, ditching or any other form of draining.
9. The permittee shall maintain an undisturbed buffer, and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including riparian wetlands and mapped floodplains.
10. The permittee shall ensure that fuel storage containers larger than 50 gallons shall be contained in impermeable berms and basins capable of retaining 110 percent of storage capacity to minimize the potential for uncontained spills or leaks. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
11. The permittee shall conduct operations in a manner so as not to damage borough roads as required by KPB 14.40.175, and will be subject to the remedies set forth in KPB 14.40 for violation of this condition.
12. The permittee shall notify the planning department of any further subdivision or return to acreage of this property. Any further subdivision or return to acreage may require the permittee to amend

this permit.

13. The permittee shall provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
14. The permittee shall not operate rock crushing equipment between the hours of 10:00 p.m. and 6:00 a.m.
15. The permittee shall reclaim the site as described in the reclamation plan for this parcel with the addition of the requirements contained in KPB 21.29.060(C3) and as approved by the planning commission.
16. The permittee is responsible for complying with all other federal, state and local laws applicable to the material site operation, and abiding by related permits. These laws and permits include, but are not limited to, the borough's flood plain, coastal zone, and habitat protection regulations, those state laws applicable to material sites individually, reclamation, storm water pollution and other applicable Environmental Protection Agency (EPA) regulations, clean water act and any other U.S. Army Corp of Engineer permits, any EPA air quality regulations, EPA and ADEC water quality regulations, EPA hazardous material regulations, U.S. Dept. of Labor Mine Safety and Health Administration (MSHA) regulations (including but not limited to noise and safety standards), and Federal Bureau of Alcohol, Tobacco and Firearm regulations regarding using and storing explosives.
17. The permittee shall post notice of intent on parcel corners or access, whichever is more visible if the permittee does not intend to begin operations for at least 12 months after being granted a conditional land use permit. Sign dimensions shall be no more than 15" by 15" and must contain the following information: the phrase "Permitted Material Site" along with the permittee's business name and a contact phone number.
18. The permittee shall operate in accordance with the application and site plan as approved by the planning commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a permit modification is required in accordance with KPB 21.29.090.
19. This conditional land use permit is subject to review by the planning department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.50, a permit may be revoked for failure to comply with the terms of the permit or the applicable provisions of KPB Title 21. The borough clerk shall issue notice to the permittee of the revocation hearing at least 20 days but not more than 30 days prior to the hearing.
20. Once effective, this conditional land use permit is valid for five years. A written request for permit extension must be made to the planning department at least 30 days prior to permit expiration, in accordance with KPB 21.29.070.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON
 THIS _____ DAY OF _____, 2018.

 Blair J. Martin, Chairperson
 Planning Commission

ATTEST:

 Patti Hartley
 Administrative Assistant

PLEASE RETURN
 Kenai Peninsula Borough
 Planning Department
 144 North Binkley St.
 Soldotna, AK 99669

KPB 21.29

Conditional Land Use Permit Application

For a Sand, Gravel or Material Site

I. APPLICANT INFORMATION

Applicant Beachcomber LLC ATTN: Emmitt Trimble Landowner same
Address PO Box 193 Address _____
City, State, Zip Anchor Point AK 99556 City, State, Zip _____
Telephone 907-299-1459 Cell _____ Telephone _____ Cell _____
Email emmitttrimble@gmail.com Email _____

II. PARCEL INFORMATION

KPB Tax Parcel ID# 16901067 Legal Description _____
T5S R15W Section 5 S.M., McGee Tracts Deed of Record Boundary Survey Tract B

If permit is not for entire parcel, describe specific location within parcel to be material site, e.g.; "N1/2 SW1/4 NE1/4 - 10 acres", or "5 acres in center of parcel".

Easterly 27.7 acres

III. APPLICATION INFORMATION "Check" boxes below to indicate items included.

- \$300.00 permit processing fee payable to: Kenai Peninsula Borough. (Include Parcel # on check comment line.)
- Site Plan, to scale, prepared by a professional surveyor (licensed and registered in Alaska) showing, where applicable:
 - parcel boundaries
 - location of boundary stakes within 300 ft. of excavation area (to be in place at time of application)
 - proposed buffers, or requested buffer waiver(s)
 - proposed extraction area(s), and acreage to be mined
 - proposed location of processing area(s)
 - all encumbrances, including easements
 - points of ingress and egress
 - anticipated haul routes
 - location/depth of testholes, and depth to groundwater, if encountered
 - location of all wells within 300 ft. of parcel boundary
 - location of water bodies on parcel, including riparian wetlands
 - surface water protection measures
 - north arrow and diagram scale
 - preparer's name, date and seal
- Site Plan Worksheet (attached)
- Reclamation Plan (attached) and bond, if required. Bond requirement does not apply to material sites exempt from bonding requirements pursuant to AS 27.19.050

Please Note: If a variance from the conditions of KPB 21.29 is requested, a variance application must be attached. (A variance is NOT the same thing as a waiver.)

IV. CERTIFICATION STATEMENT

The information contained on this form and attachments are true and complete to the best of my knowledge. I grant permission for borough staff to enter onto the property for the purpose of processing the permit application.

Emmitt D. Trimble Applicant Date _____ Landowner (required if not applicant) _____ Date _____

Site Plan Worksheet for Conditional Land Use Permit Application

Use additional space provided on next page, if necessary. Indicate item # next to comments.

Applicant Beachcomber LLC Owner Beachcomber LLC

KPB Tax Parcel ID # 16901067 Parcel Acreage 41.72

1. Cumulative acres to be disturbed (excavation plus stockpiles, berms, etc.) 27.7 acres
2. Material to be mined (check all that apply): gravel sand peat other(list) _____
3. Equipment to be used (check all that apply): excavation processing other _____
4. Proposed buffers as required by KPB 21.29.050.A.2 (check all types and directions that apply):

- | | |
|--|---|
| <input checked="" type="checkbox"/> 50 ft. of natural or improved vegetation | <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W |
| <input checked="" type="checkbox"/> minimum 6 ft. earthen berm | <input checked="" type="checkbox"/> N <input checked="" type="checkbox"/> S <input checked="" type="checkbox"/> E <input checked="" type="checkbox"/> W |
| <input type="checkbox"/> minimum 6 ft. fence | <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W |
| <input type="checkbox"/> other _____ | <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W |

5. Proposed depth of excavation: 18' ft. Depth to groundwater: +20' ft.
6. How was groundwater depth determined? Testhole on parcel & exposed surface water to north
7. A permit modification to enter the water table will be requested in the future: Yes No
8. Approx. annual quantity of material, including overburden, to be mined: <50,000 cubic yards
9. Is parcel intended for subdivision? Yes No
10. Expected life span of site? 15 years
11. If site is to be developed in phases, describe: the excavation acreage, anticipated life span, and reclamation date for each phase: (use additional space on page 4 if necessary)
 Kindly see page 4.

12. Voluntary permit conditions proposed (additional buffers, dust control, limited hours of operation, etc.)
 - A. _____
 - B. _____
 - C. _____

Material Site Reclamation Plan for Conditional Land Use Permit Application

1. All disturbed land shall be reclaimed upon exhausting the material on-site, so as to leave the land in a stable condition.
2. All revegetation shall be done with a "non-invasive" plant species.
3. Total acreage to be reclaimed each year: 2-5 acres
4. List equipment (type and quantity) to be used in reclamation:

Loader & dozer

5. Describe time schedule of reclamation measures:

Reclamation will be completed annually before the growing season ends (September). Seeding will be applied as necessary each season to areas that achieve final grade in order to minimize erosion and dust.

6. The following measures must be considered in preparing and implementing the reclamation plan, although not all will be applicable to every plan – "check" all that apply to your plan.

Topsoil that is not promptly redistributed to an area being reclaimed will be separated and stockpiled for future use. This material will be protected from erosion and contamination by acidic or toxic materials and preserved in a condition suitable for later use.

The area will be backfilled, graded and recontoured using strippings, overburden, and topsoil to a condition that allows for the reestablishment of renewable resources on the site within a reasonable period of time. It will be stabilized to a condition that will allow sufficient moisture for revegetation.

Sufficient quantities of stockpiled or imported topsoil will be spread over the reclaimed area to a depth of four inches to promote natural plant growth that can reasonably be expected to revegetate the area within five years. The applicant may use the existing natural organic blanket representative of the project area if the soil is found to have an organic content of 5% or more and meets the specification of Class B topsoil requirements as set by Alaska Test Method (ATM) T-6. The material shall be reasonably free from roots, clods, sticks, and branches greater than 3 inches in diameter. Areas having slopes greater than 2:1 require special consideration and design for stabilization by a licensed engineer.

Exploration trenches or pits will be backfilled. Brush piles and unwanted vegetation shall be removed from the site, buried or burned. Topsoil and other organics will be spread on the backfilled surface to inhibit erosion and promote natural revegetation.

Peat and topsoil mine operations shall ensure a minimum of two inches of suitable growing medium is left or replaced on the site upon completion of the reclamation activity (unless otherwise authorized).

Ponding will be used as a reclamation method. (Requires approval by the planning commission.)

ADDITIONAL APPLICATION COMMENTS

(Please indicate the page and item # for which you are making additional comments.)

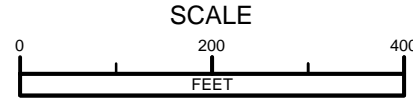
Page 2 Item 11.

This material site will be developed in Phases on an "as-needed" extraction basis. Development will begin at the Phase I area in the northeastern corner. There is an existing ingress/egress in this area to Denver Street and the associated section line easement. Phase I is 6.2 acres with an additional 0.9 acres in buffer area. A process area is proposed in Phase I and is located 300 feet from all property lines, excluding the south property line of PID 16902208. A waiver to the process area setback is being requested. The Phase II area is immediately south of the Phase I area and is 3.9 acres plus 0.6 acres buffer. Phase III area is westerly of both Phase I & Phase II areas.

Monitor wells are planned for installation deem if the site is viable for extraction below the water table at a future time.

CONDITIONAL LAND USE PERMIT FOR MATERIAL SITE

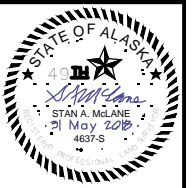
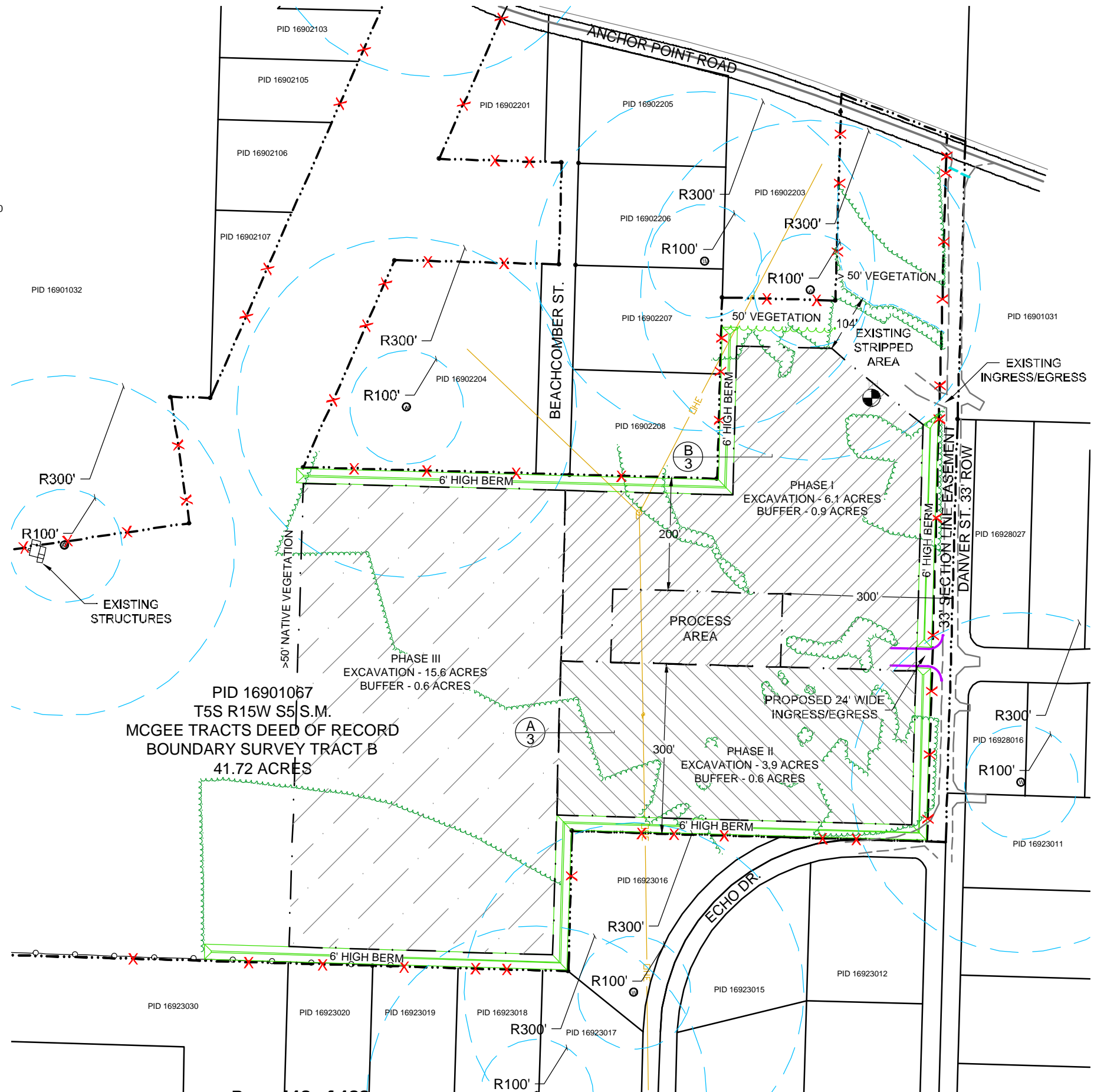
OWNER/APPLICANT:
 BEACHCOMBER LLC
 PO BOX 193
 ANCHOR POINT, ALASKA 99556



LEGEND	
	RECORD MONUMENT
	PROPERTY CORNERS
	PROPOSED INGRESS/EGRESS
	WELL SETBACK
	INTERVISIBLE FLAGGING
	EXISTING TREELINE
	PROPOSED BUFFER TREELINE
	WETLAND
	APPROX. TESTHOLE LOCATION
	EXISTING FENCELINE

CLUP DEVELOPMENT NOTES

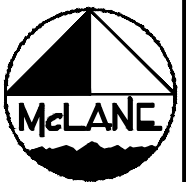
1. THIS PERMIT APPLICATION IS KPB PARCEL 16901067; T5S R15W SECTION 5 SEWARD MERIDIAN, MCGEE TRACTS DEED OF RECORD BOUNDARY SURVEY TRACT B.
2. THE EASTERLY PORTION OF THIS PARCEL IS UNDEVELOPED AND COVERED IN NATIVE VEGETATION AND GRASS FIELD.
3. THE EXISTING AND PROPOSED INGRESS/EGRESS IS TO DANVER STREET AND/OR SECTION LINE EASEMENT, AS SHOWN.
4. THE PREFERRED BUFFERS ARE A COMBINATION OF 50' (OR GREATER) NATIVE VEGETATIVE BUFFERS AND 6' HIGH BERM.
5. WELLS WITHIN 100' AND/OR 300' OF THE EXCAVATION AREA ARE SHOWN HEREON. EXCAVATION BELOW WATER TABLE MAY BE PROPOSED AT A FUTURE TIME.
6. THERE IS MAPPED WETLAND AND SURFACE WATER, AS SHOWN, IN THE NORTHEAST CORNER OF THE PARCEL. PROPOSED EXCAVATION IS A MINIMUM OF 100' FROM WATERBODIES. THIS SURFACE WATER SETBACK WILL PROVIDE PROTECTION VIA PHYTOREMEDIATION OF ANY RUN-OFF PRIOR TO ENTERING THE SURFACE WATER.
7. GROUNDWATER IS ESTIMATED AT APPROXIMATELY 20' (AVERAGE) BELOW EXISTING GROUND IN PROPOSED EXCAVATION AREAS. THIS ESTIMATE IS FROM TEST HOLE EXCAVATED BY THE OWNER OR OTHER REPRESENTATIVES.
8. THE RECLAIMED AREA WILL BE GRADED AND RECONTOURED USING STRIPPINGS, OVERBURDEN AND TOPSOIL TO A CONDITION THAT ALLOWS FOR RE-ESTABLISHMENT OF NATURAL VEGETATION AND SLOPES STEEPER THAN 2:1 WILL BE SEEDDED.
9. PROPOSED MATERIAL EXTRACTION INCLUDING STRIPPING WILL BE DONE IN INCREMENTALLY BEGINNING AT THE NORTHERN LIMITS, AS SHOWN, AND PROCEEDING SOUTHERLY AS MARKET FOR MATERIAL SALES JUSTIFIES. THE CENTRAL AREA WILL BE MAINTAINED AS A PROCESSING AND STAGING AREA.
10. PROPOSED PROCESS AREA IS SHOWN. A PROCESS WAIVER WILL BE REQUESTED FOR SEPARATION TO THE NORTH PROPERTY LINE.
11. THE PROPERTY CORNERS, WITNESS CORNERS, OR SECTION LINE EASEMENT WAS LOCATED AND THE PARCEL BOUNDARY HAS BEEN FLAGGED AT VISIBLE INTERVALS AS SHOWN HEREON.
12. ALASKA DEC USER'S MANUAL, BEST MANAGEMENT PRACTICES FOR GRAVEL/ROCK AGGREGATE EXTRACTION PROJECTS, PROTECTING SURFACE WATER AND GROUNDWATER QUALITY IN ALASKA, SEPTEMBER 2012 WILL BE UTILIZED AS A GUIDELINE TO REDUCE POTENTIAL IMPACTS TO WATER QUALITY.



REV	DATE	DESCRIPTION	BY	GMD
2	6/21/2018	NOTE 6, 7 & 12 REVISION		GMD
1	5/31/2018	CLUP APPLICATION EXHIBIT		GMD

BEACHCOMBER LLC
 ANCHOR POINT RD
 ROAD CONDITIONAL LAND USE PERMIT

FIELD WORK DATE: 5/16/2018 - 5/17/2018
 FIELD BOOK NO.: 18-01
 JOB NO.: 184018



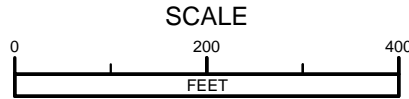
McLANE Consulting Inc

ENGINEERING - TESTING
 SURVEYING - MAPPING
 P.O. BOX 468
 SOLDOTNA, AK. 99669
 VOICE: (907) 283-4218
 FAX: (907) 283-3265
 WWW.MCLANECG.COM

DRAWN BY: BGB/GMD
 CHECKED BY: GMD
 HORZ. SCALE: 1" = 50'
 VERT. SCALE: 1" = 25'
 SHEET: P1

CONDITIONAL LAND USE PERMIT FOR MATERIAL SITE

OWNER/APPLICANT:
 BEACHCOMBER LLC
 PO BOX 193
 ANCHOR POINT, ALASKA 99556



LEGEND	
	RECORD MONUMENT
	PROPERTY CORNERS
	PROPOSED INGRESS/EGRESS
	WELL SETBACK
	INTERVISIBLE FLAGGING
	EXISTING TREELINE
	PROPOSED BUFFER TREELINE
	WETLAND
	APPROX. TESTHOLE LOCATION
	EXISTING FENCELINE

CLUP DEVELOPMENT NOTES

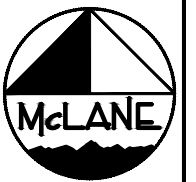
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1	5/31/2018	CLUP APPLICATION EXHIBIT		

BEACHCOMBER LLC
 ANCHOR POINT RD
 ROAD CONDITIONAL LAND USE PERMIT

FIELD WORK DATE: 5/16/2018 - 5/17/2018
 FIELD BOOK NO. 18-01
 JOB NO. 184018



McLANE Consulting Inc

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DRAWN BY: BGB/GMD
 CHECKED BY: GMD
 HORZ. SCALE: 1" = 50'
 VERT. SCALE: 1" = 25'
 SHEET: P1.1



REV	DATE	DESCRIPTION	BY
2	6/21/2018	NOTE 6, 7 & 12 REVISION	GMD
1	5/31/2018	CLIP APPLICATION EXHIBIT	GMD

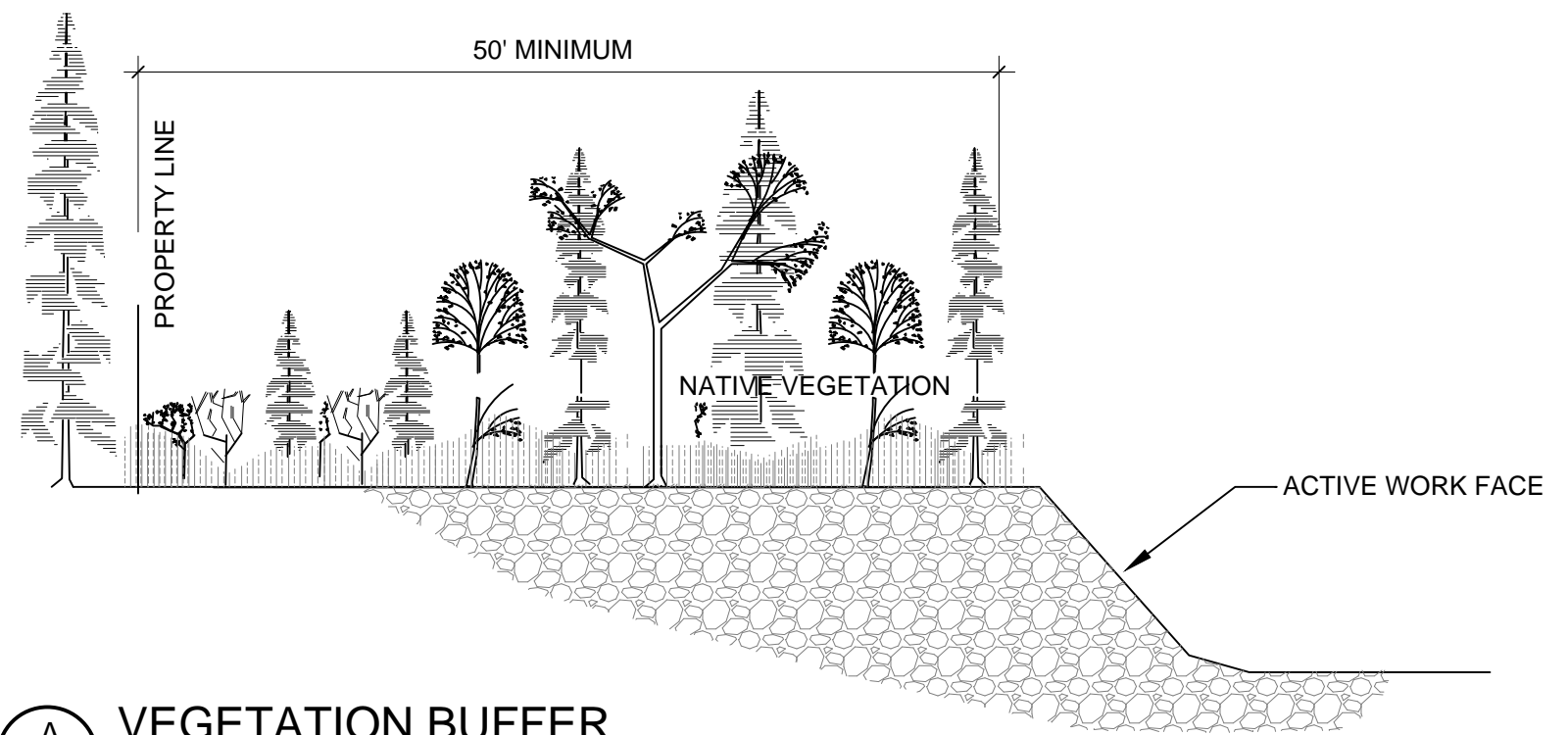
BEACHCOMBER LLC
 ANCHOR POINT RD
 ROAD CONDITIONAL LAND USE PERMIT

JOB NO. 18-01
 FIELD BOOK NO. 18-01
 FIELD WORK DATE: 5/16/2018 - 5/17/2018

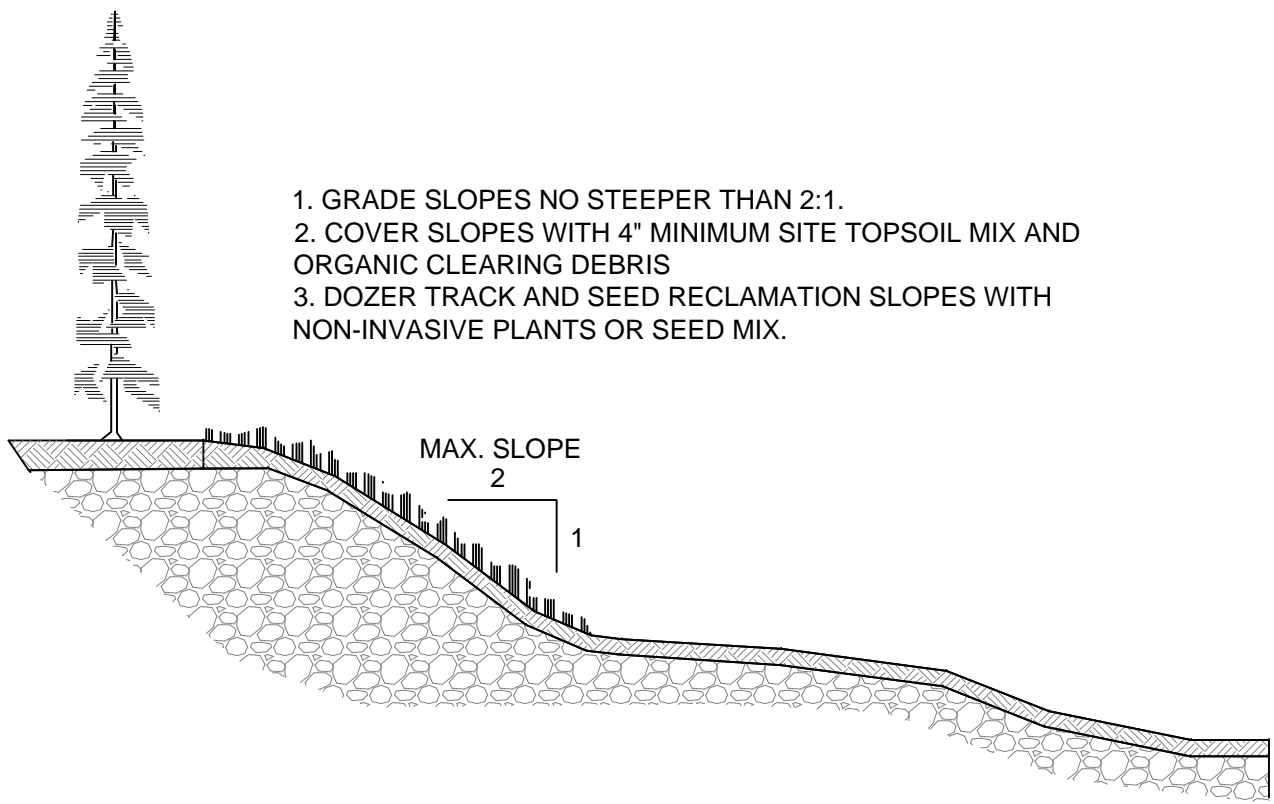


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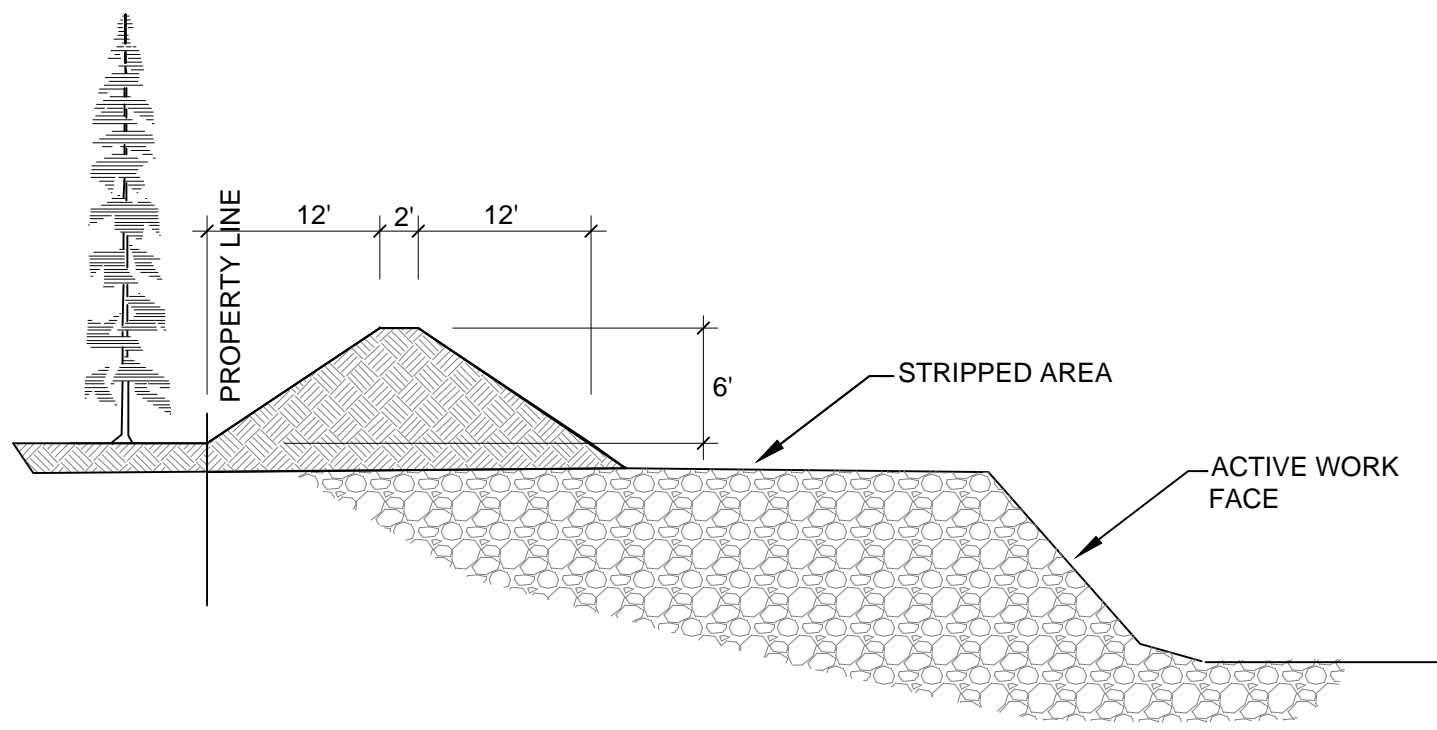
DRAWN BY: BGB/GMD
 CHECKED BY: GMD
 HORZ. SCALE: 1" = 50'
 VERT. SCALE: 1" = 25'
 SHEET: P2



A
3 VEGETATION BUFFER
 SCALE: 1" = 10 FT.



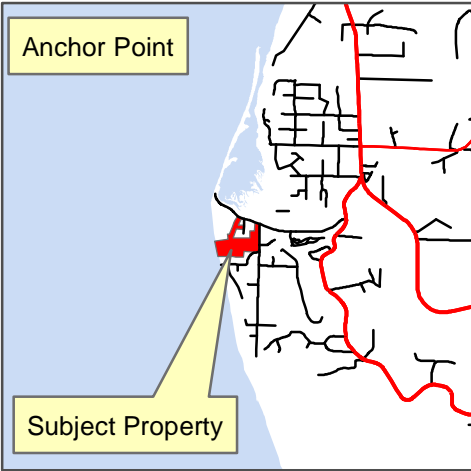
B
3 RECLAMATION SLOPE
 SCALE: 1" = 10 FT.




C
3 EARTHEN BERM BUFFER
 SCALE: 1" = 10 FT.

Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 169-010-67
Applicant: Beachcomber LLC




LEGEND

 Subject Parcel

0 250 500 Feet

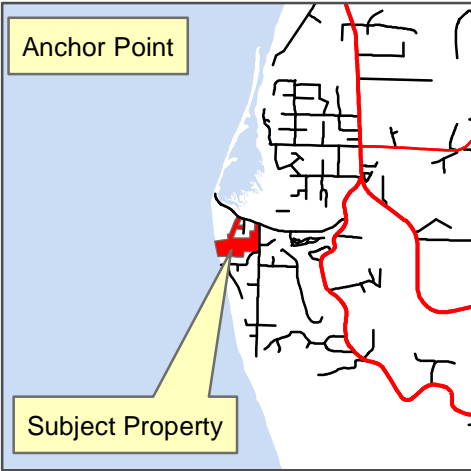
Date: 6/21/2018

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Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 169-010-67
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LEGEND

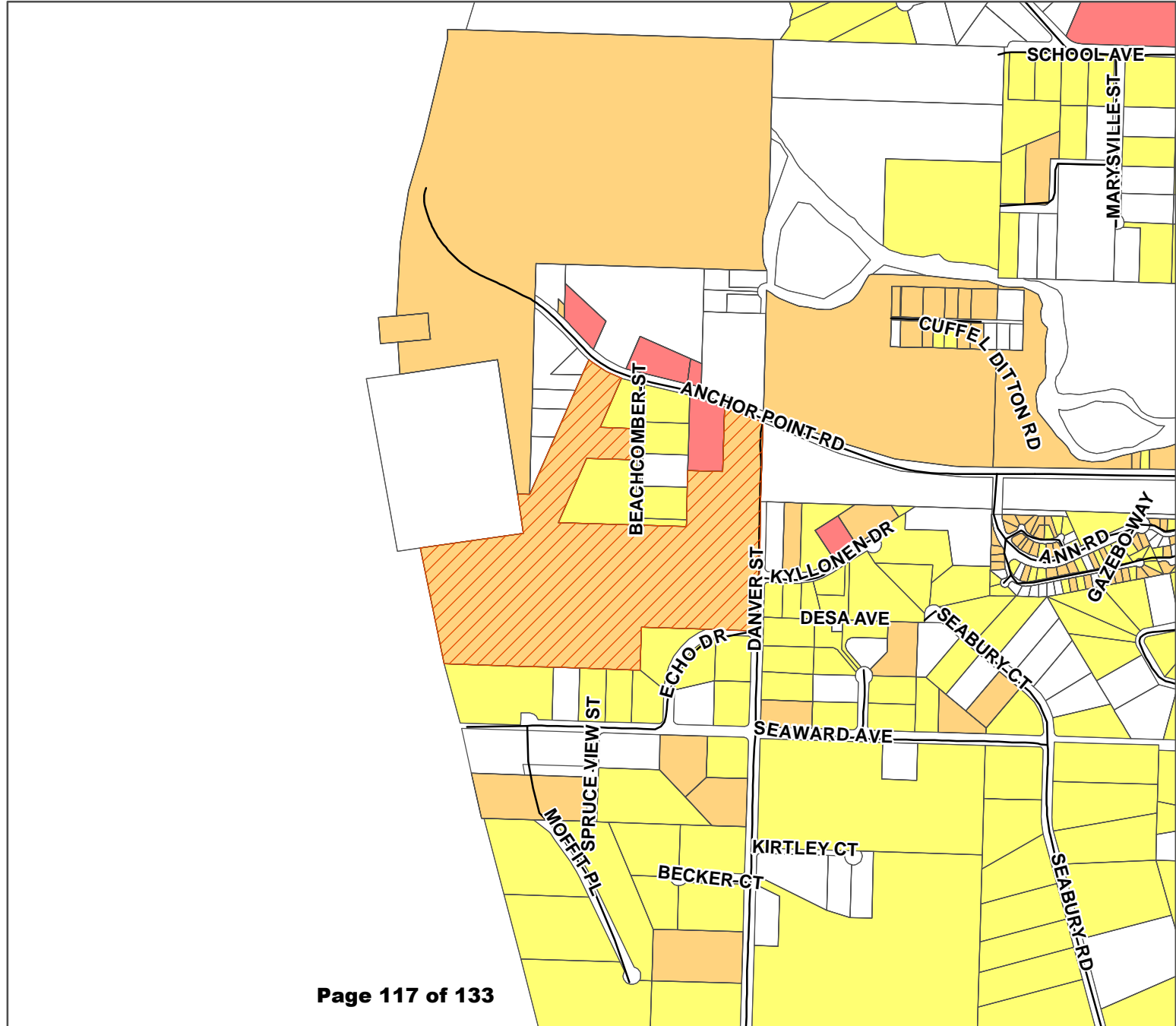
- Subject Parcel
- Vacant
- Residential
- Commercial
- Institutional
- Industrial
- Accessory Building

0 500 1,000 Feet



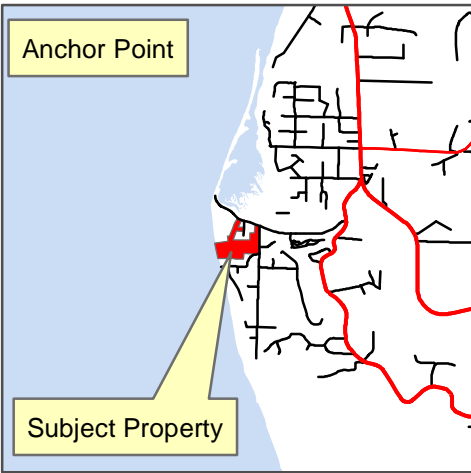
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**Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site**

**Parcel Number: 169-010-67
Applicant: Beachcomber LLC**



LEGEND

 Subject Parcel

OWNERSHIP

 Private

 Native Allotment

 Federal

 State

 Borough

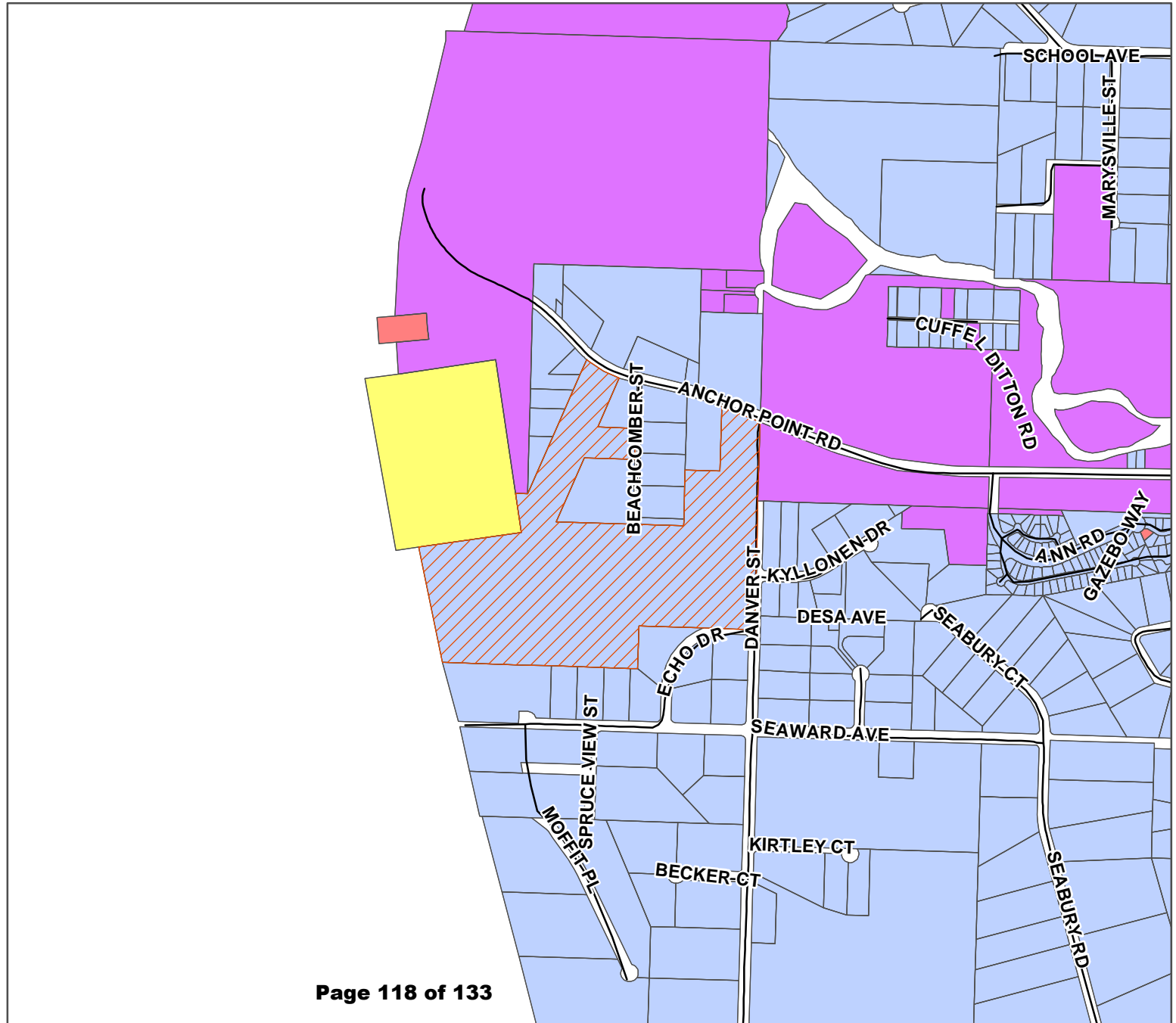
 Native

0 500 1,000 Feet



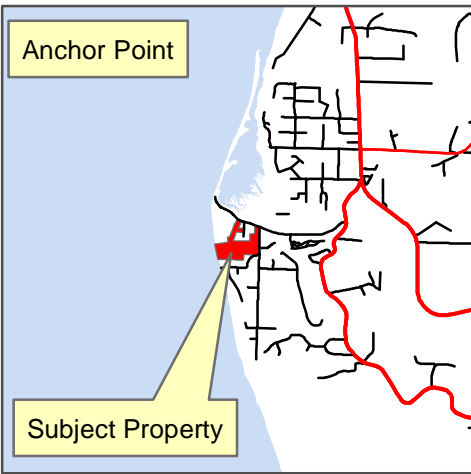
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Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 169-010-67
Applicant: Beachcomber LLC



LEGEND

— 4' Contours

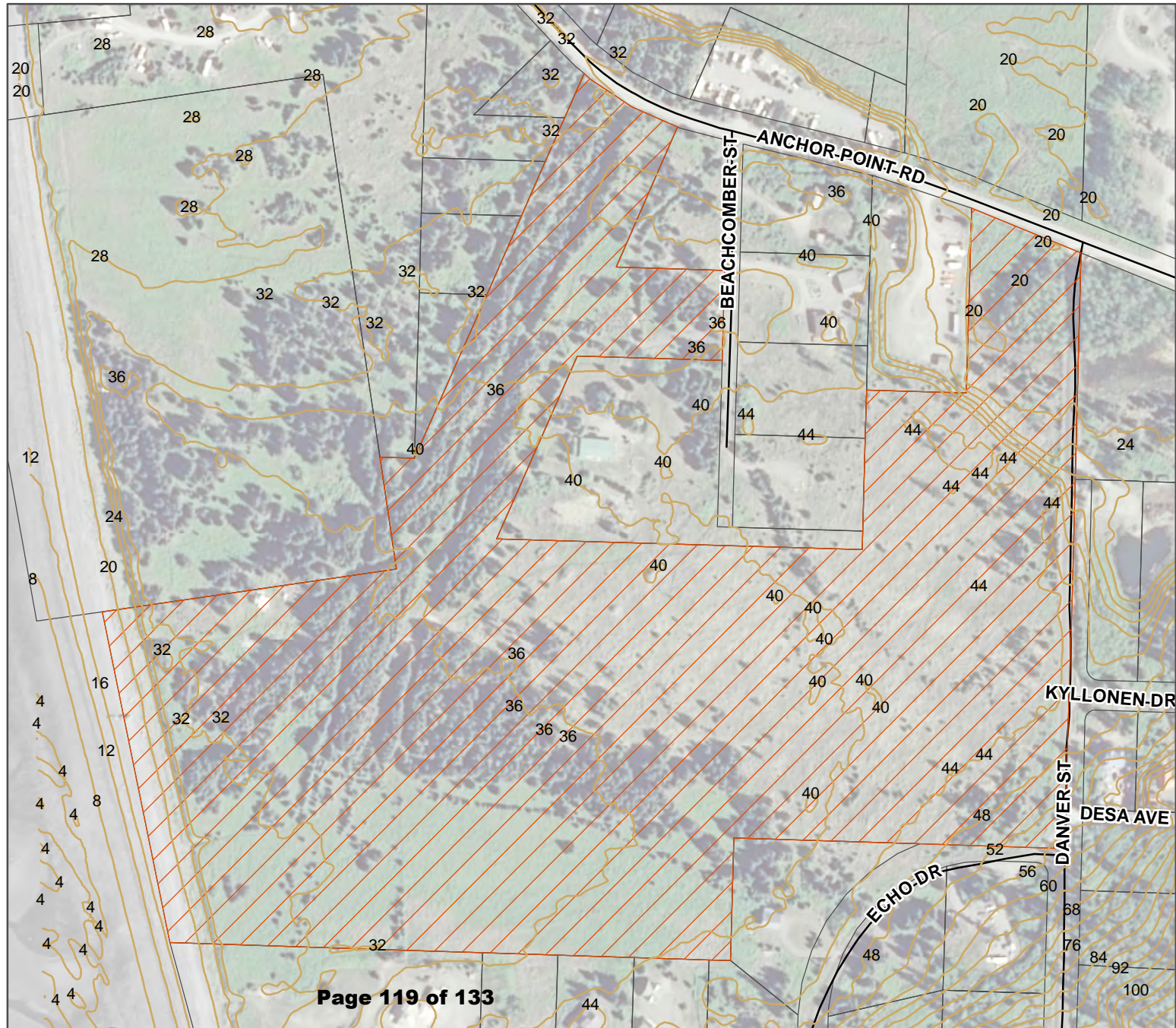
▨ Subject Parcel

0 200 400 Feet

Date: 6/21/2018

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Page 119 of 133



KENAI PENNINSULA PLANNING BOARD

144 BINKLEY STREET

SOLDOTNA, AK 99669

JUNE 26, 2018

I AND MY NEIGHBORS STRONGLY OBJECT TO THE PERMITTING OF THIS PLANNED GRAVEL PIT. THE ROADS THAT WILL BE USED BY THE THOUSANDS OF COMMERCIAL TRUCKS ARE IN DEPLORABLE CONDITION AND WITH THE PLANNED TRUCK TRAFFIC IN AND OUT OF THIS PIT THE ROADS WILL BE DESTROYED. UNLESS BEACHCOMBER LLC POSTS A BOND TO REPLACE AND MAINTAIN THE ROADS THAT THE TRUCKS WILL BE TRAVELING, THIS PERMIT SHOULD NOT BE GRANTED. THE PLANNING BOARD OWES THE RESIDENTS AND CURRENT USERS OF THESE ROADS THE PROTECTION THEY ARE ENTITLED TO FROM BEACHCOMBER LL WHO WILL DO NOTHING BUT RAPE THE LAND AND LEAVE AN UNSIGHTLY MESS AND HOLE IN THE GROUND.

IF THE COMMERCIAL TRUCKS ARE ALLOWED TO USE "THE BEACH ROAD" IT WILL CAUSE HUGE PROBLEMS WITH THE BOATS THAT TRAVEL THIS ROAD TO AND FROM THE TRACTOR LAUNCH WHICH IS A CRITICAL PART OF THE ANCHOR POINT ECONOMY.

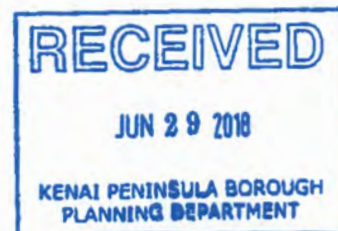
JOHN AND BARBARA GIRTON

PO BOX 869

73460 TWIN PEAKS LOOP

ANCHOR PONT, AK 99556

John R. Girton
Barbara Girton



Friday, July 6, 2018

Mr. Bruce Wall
Planner
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, Alaska 99669

Dear Mr. Wall,

We are writing to you on behalf of our small community of Anchor Point neighbors who are upset about a proposed sand, gravel, and peat extraction permit submitted by Emmitt and Mary Trimble of Beachcomber LLC/Coastal Realty. The 40+ acre property in question is located on the west side of Danver St. between Anchor River Road and Echo. We respectfully request that you reconsider your draft recommendation of approval and reject the proposed permit.

We are sorry we cannot be present at your public hearing to be held July 16, 2018 in Soldotna at 7:30 P.M. Unfortunately, Richard and I are already obligated in Washington State, but we hope that this letter can be read to those present at the meeting. The following are our key concerns:

[1] Visual enjoyment of property

Currently, the hillside view overlooking the proposed gravel pit is of a lovely green meadow, spruce and alder trees, and spectacular Cook Inlet and Alaska Range beyond. A dusty gravel pit is not what we had in mind when we purchased our lots here. Those neighbors who abut the property are naturally quite concerned about the potential loss of property value as well as the aesthetics of losing their Alaskan green space. Of course we would all be thrilled to have enough money to purchase enough acres to completely ensure our privacy and solitude. Not being in a financial position to do so, we have trusted our realtors to speak the truth about the land we consider purchasing. We trust the borough officials to protect our interest and desire to live peacefully with our neighbors. We hope that we can together find a solution that will render everyone contented. Surely there must be a suitable, alternative location that the Trimbles can find to locate their sand, gravel, and peat business that does not so negatively impact local Alaskan residents.

[2] Noise

Alaskans take pride in the beauty of their land. Some, like Richard and I, love the pastoral setting and mountain views afforded by a hillside home. Others

prefer the quiet solitude of a home nestled hidden among spruce and alder. **ALL** of us are adamantly opposed to an unpleasant drone of gravel excavators, machinery, and dump trucks next door. Several years ago when the Trimbles cleared the property, there was a constant obnoxious noise from heavy equipment, easily heard from all surrounding properties. As you review the proposed three phases of sand, gravel, and peat extraction, we implore you to consider thoughtfully the full import of your decision on our neighborhood as well as the precedent it could set for future Kenai Peninsula communities.

[3] Dust

Richard and I have built our cabin over the past four summers. We have experienced first hand the weather and winds here in Anchor Point. We can appreciate the dismay of Marie Drinkhouse, Lee and Mark Yale, Bob Baker (to name a few) when they were apprised of the proposed permit application. The Anchor Point winds would carry excavation dust, dirt, and debris straight south to their houses. All of us within at least a half mile would be negatively effected by the dust pollution created by such an operation. Today is a sunny, clear day. I hate to imagine what the air would smell, taste, look, or feel like with an excavation project underway.

We understand that there are several sand, gravel, and peat excavation permits under current consideration. Each will succeed or fail on its individual merits or problems. We hope that as you deliberate and examine the concerns, goals, and plans of all parties involved, you also include the honorable aspect of this issue. When all is said and done, it is our hope that everyone will feel good about the outcome. Perhaps someone can offer the Trimbles assistance in locating a more suitable location for the business of sand, gravel, and peat. In the end, we are neighbors and a community that wants the best for each and every citizen.

Thank you for your consideration, Mr. Wall. We look forward to hearing from you. If there is anything else we can do to plead our case, please let us know.

Respectfully,

Ann and RC Cline

Wall, Bruce

From: Rokos, Jay M (DNR) <jay.rokos@alaska.gov>
Sent: Friday, July 6, 2018 1:41 PM
To: Wall, Bruce
Subject: Re: KPB CLUP Material Site Application - Parcel 169-010-67
Attachments: Reclamation Plan.pdf

Bruce,

Thank you for the opportunity to comment on the subject public notice. Per AS 27.19, a mining operation must have Reclamation Plan approval with the State of Alaska prior to operations. This requirement is for all land ownerships.

To date, DNR does not have an approved Reclamation Plan for the subject parcel. DNR requests for the applicant to apply for a Reclamation Plan at the Southcentral Regional Office at 269-8503. An application is attached.

Applicant: Beachcomber LLC
Landowner: Beachcomber LLC
Parcel Number: 169-010-67
Legal Description: Tract B, McGee Tracts – Deed of Record Boundary Survey (Plat 80-104) – Deed recorded in Book 4, Page 116, Homer Recording District

Jay Rokos
Natural Resource Technician II
Alaska Department of Natural Resources
Division of Mining, Land and Water
Southcentral Region Office
Leasing Unit
550 W. 7th Ave. Suite 900C

Phone: (907) 269-5047
Fax: (907) 269-8913

Wall, Bruce

From: Carver, Nancy
Sent: Friday, July 6, 2018 1:30 PM
To: Wall, Bruce
Subject: RE: KPB CLUP Material Site Application - Parcel 169-010-67

No Habitat concerns

Nancy Carver
Habitat Resource Planner
907-714-2463
ncarver@kpb.us

KENAI PENINSULA BOROUGH
514 Funny River Road
Soldotna, Alaska 99669



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to the public upon request.



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

«OWNER»
«ATTENTION»
«ADDRESS»
«CITYSTATEZIP»

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a conditional land use permit application has been received for material extraction on a parcel in the **Anchor Point** area. This notice is being sent to landowners located within ½ mile of the subject properties. All members of the public are invited to comment. The projects under consideration are described as follows:

Applicant: Beachcomber LLC
Landowner: Beachcomber LLC
Parcel Number: 169-010-67
Legal Description: Tract B, McGee Tracts - Deed of Record Boundary Survey (Plat 80-104) - Deed recorded in Book 4, Page 116, Homer Recording District.
Location: 74185 Anchor Point Road
Proposed Land Use: The applicant wishes to obtain a permit for sand, gravel, and peat extraction on a portion of the parcel listed above.

KPB Code: Conditional land use permit applications for material extraction are reviewed in accordance with KPB Code 21.25 and 21.29. Copies of these ordinances are available from the Planning Department or at: kpb.us

Public Hearing: A hearing will be held by the Kenai Peninsula Borough Planning Commission to consider the application on **Monday, July 16, 2018**, commencing at 7:30 p.m., or as soon thereafter as business permits. The meeting will be held in the assembly chambers of the borough administration building located at 144 N Binkley St, Soldotna.

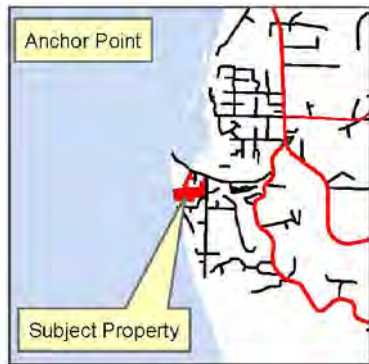
Public Comment: Those wishing to comment may come to the above meeting to give testimony or may submit a written statement addressed to: Planning Commission Chairman, 144 N Binkley St, Soldotna, AK 99669. A statement addressed to the chairman may also be emailed to: bwall@kpb.us. Please provide written statements by Friday July 13, 2018. Aggrieved persons, who participate in the public hearing, either by written or oral statement, may appeal the Planning Commission's decision within 15 days of the date of notice of the decision.

The application and staff report will be available on the Planning Commission website a week prior to the meeting. For additional information or to obtain a copy of the application materials earlier, please call the planning department at (907) 714-2206, or 1-800-478-4441 (toll free within the Borough).

Bruce Wall, AICP
Planner

Kenai Peninsula Borough Planning Commission Meeting, July 16, 2018
Conditional Land Use Permit for a Material Site

Parcel Number: 169-010-67
Applicant: Beachcomber LLC



LEGEND

Subject Parcel

0 500 1,000 Feet

Date: 6/21/2018

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**MISCELLANEOUS INFORMATIONAL ITEMS
NO ACTION REQUIRED**

- 1. Kenai Planning & Zoning Commission Minutes
- June 13, 2018**

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
JUNE 13, 2018 - 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

1. CALL TO ORDER

Commission Chair Twait called the meeting to order at 7:00 p.m.

a. Pledge of Allegiance

Commission Chair Twait led those assembled in the Pledge of the Allegiance.

b. Roll Call

Commissioners present: Chair J. Twait, Vice-Chair R. Springer, D. Fikes, K. Peterson, G. Greenberg, J. Halstead, V. Askin

Commissioners absent:

Staff/Council Liaison present: City Manager P. Ostrander, City Planner E. Appleby, Deputy City Clerk J. Kennedy, Planning Assistant W. Anderson, Council Liaison H. Knackstedt

A quorum was present.

c. Agenda Approval

Chair Twait noted the following addition to the packet:

Add to item 8.c. Resolution PZ17-30

- Soil Sample Report

MOTION:

Commissioner Askin **MOVED** to approve the agenda with the addition for Item 8(c) as noted and Commissioner Peterson **SECONDED** the motion. There were no objections; **SO ORDERED**.

d. Consent Agenda

MOTION:

Commissioner Peterson **MOVED** to approve the consent agenda and Commissioner Springer **SECONDED** the motion. There were no objections; **SO ORDERED**.

All items listed with an asterisk () are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of

these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

e. *Excused absences – None

2. ***APPROVAL OF MINUTES:** May 23, 2018

The minutes were approved by the Consent Agenda.

3. **SCHEDULED PUBLIC COMMENT:** (10 minutes) None scheduled.

4. **UNSCHEDULED PUBLIC COMMENT:** (3 minutes)

Bruce Richards, Kenai resident, expressed opposition in PZ17-30 and noted he intended to speak at the public hearing if the application was deemed complete.

5. **CONSIDERATION OF PLATS** – None.

6. **PUBLIC HEARINGS**

- a. **Resolution PZ2018-16** - Application for a Conditional Use Permit to operate a Retail Marijuana Store located on the property known as 14429 Kenai Spur Highway, Kenai, Alaska 99611; and further described as Lot 4, Block 1, Bush Lanes Subdivision. Application submitted by: Clint Pickarsky, Registered Agent for KRC LLC d/b/a Kenai River Cannabis, P.O. Box 1016, Soldotna, Alaska 99669

City Planner Appleby reviewed the staff report and noted the existing building was constructed in 1979 for a convenience store, and more recently used by Metal Magic. Appleby added that the applicant did not intend on changing the design and only intended on using 925 sq. ft. of the building for the commercial retail store. Appleby noted that the applicant was aware that this would not include a cultivation facility, and that the lot adjacent to the property was owned by the applicant so it may be used as a parking area. Appleby added that the City received two formal complaints, as provided in the packet, objecting this application and one informal phone call supporting the application.

COMMISSIONER HALSTEAD ARRIVED AT 7:08 P.M.

City Planner Appleby recommended based on the application and a review of the criteria required that the proposed Conditional Use Permit for the establishment and operation of a Commercial Marijuana Establishment consisting of a Retail Marijuana Store be approved, subject to the following conditions, as outlined in the packet:

- Further development of the property shall conform to all State and local regulations;
- A building permit will be required for the remodeling of the Commercial Marijuana Establishment as shown on the submitted floor plan;
- Prior to operation of the Commercial Marijuana Establishment, the property owner shall submit a copy of an approved Business License issued by the State of Alaska, Department of Commerce, Community, and Economic Development;
- Prior to operation of the Commercial Marijuana Establishment, the applicant shall submit a copy of the approved and fully executed license from the Alaska Alcohol & Marijuana

Control Board. The applicant shall comply with all regulations as stipulated by the State of Alaska Marijuana Control Board;

- Pursuant to Kenai Municipal Code Section 14.20.330(e), the Commercial Marijuana Establishment shall not emit an odor that is detectable by the public from outside the Commercial Marijuana Establishment;
- A Sign Permit will be required for the construction of any proposed signage;
- The hours of operation shall be from 9:00 AM to 9:00 PM, Monday through Sunday; and
- Pursuant to Kenai Municipal Code Section, 14.20.150(f) the applicant shall submit an Annual Report to the City of Kenai.

MOTION:

Commissioner Peterson **MOVED** to approve Resolution No. PZ2018-16 with staff recommendations and Commissioner Askin **SECONDED** the motion.

Chair Twait opened the floor for public testimony; there being no one wishing to be heard, public comment was closed.

VOTE:

YEA: Springer, Peterson, Fikes, Askin, Greenberg, Twait, Halstead
NAY:

MOTION PASSED UNANIMOUSLY.

Chairman Twait noted there was a 15-day appeal period.

7. **UNFINISHED BUSINESS** – None.

8. **NEW BUSINESS:**

- a. **Discuss and Recommendation** - Airport Reserve Land Lease Application for property located at 209 N. Willow Street, Kenai, Alaska 99611; further described as a portion of Tract A, General Aviation Apron No. 2, submitted by SOAR International Ministries, Incorporated

City Planner Appleby reported that SOAR International Ministries, Incorporated (SOAR) submitted a lease application to develop a hangar, office, and parking on the undeveloped portion of Tract A, General Aviation Apron No. 2 within the Airport Reserve. She noted the proposed lease term is 45 years to start in September 2018 and SOAR would build on the portion of the lot that was currently treed, and would need to be subdivided prior to construction. She added that SOAR was current on rent payments of the three lots it currently leases within the Airport Reserve from the City.

Appleby noted that Airport Manager Mary Bondurant reviewed the lease application and agreed it was consistent with the Airport Land Use Plan, Airport Layout Plan, Federal Aviation Administration regulations, Airport Master Plan, Airport Improvement Program grant assurances, and Airport operations. She added the Airport Commission would also review the lease application at their July 12 meeting.

MOTION:

Commissioner Peterson **MOVED** to recommend approval to Council of the Airport Reserve Land Lease Application by SOAR and Commissioner Halstead **SECONDED** the motion.

VOTE:

YEA: Halstead, Peterson, Fikes, Askin, Greenberg, Twait, Springer
NAY:

MOTION PASSED UNANIMOUSLY.

b. Resolution PZ2018-03 - Application for a Conditional Use Permit to operate an approximately 498 square-foot Marijuana Cultivation Facility, Limited, within an existing approximately 1,252 square foot attached garage; located on the property known as 1817 Sunset Blvd., Kenai, AK 99611, and further described as G. L. 5, Section 26, Township 6 North, Range 12 West. Application submitted by: Jennifer Huffman, d/b/a Grateful Buds LLC, 40095 Lamont St., Kenai, Alaska 99611

City Planner Appleby noted that on February 28, 2018, the Planning and Zoning Commission passed Resolution PZ2018-03 for a Conditional Use Permit to operate an approximately 500 square foot Marijuana Cultivation Facility, Limited, within an existing approximately 1,252 square-foot attached garage. Appleby noted the detached garage would not be constructed and an addition to the resolution would be the requirement that an approved business license issued by the State of Alaska be submitted. Appleby clarified that the changes were to correct clerical errors in the resolution so that the permit accurately reflected the intended use and would include the requirement that the City of Kenai receive a copy of the business license.

MOTION:

Commissioner Springer **MOVED** to amend something previously adopted by replacing with the substitute resolution PZ2018-03 and Commissioner Greenberg **SECONDED** the motion.

VOTE:

YEA: Peterson, Fikes, Askin, Greenberg, Twait, Springer, Halstead
NAY:

MOTION PASSED UNANIMOUSLY.

c. Resolution PZ17-30 - Conduct Completeness Review of the updated application submitted by Dr. Lavern Davidhizar for a Conditional Use Permit for Extraction of Natural Resources pursuant to Kenai Municipal Code 14.20.152 AND schedule the application for a Public Hearing on June 27, 2018. Said application affects property located at 4905 Silver Salmon Dr., and further described as a portion of Government Lots 1 and 9, and a portion of the NE ¼ of Section 7, Township 5 North, Range 10 West lying West of Spur Highway and East of the Kenai River (Kenai Borough Parcel No. 04937136)

City Planner Appleby clarified the purpose of this item was to review the materials submitted for completeness, not debate the permit request. Appleby reviewed the staff report and provided the application history. She noted the laydown material fulfilled the previous request of the Planning and Zoning Commission for additional soil surveys.

Commissioners agreed the application was complete and expressed support in a public hearing as recommended by staff.

MOTION:

Commissioner Greenberg **MOVED** to deem the Conditional Use Permit application by Dr. Davidhizar complete and schedule a public hearing on June 27; Commissioner Askin **SECONDED** the motion.

VOTE:

YEA: Fikes, Askin, Greenberg, Twait, Springer, Halstead, Peterson

NAY:

MOTION PASSED.

9. **PENDING ITEMS:** None.

10. **REPORTS:**

a. **City Council** – Council Member Knackstedt reviewed the action agenda from the June 6 City Council Meeting; noted the FY2019 budget was approved.

b. **Borough Planning** – Commissioner Fikes reported that the Commission met on June 11; noted four plats were approved, one was a final approval, three were preliminary; there were two limited marijuana cultivation facility applications, one was in the Ninilchik area and one was in the Kasilof area, both were recommended to the Assembly for approval; and there was one conditional land use permit for material site modification that was approved.

c. **Administration** – City Planner Appleby noted that there would likely be a series of work sessions upcoming to discuss the Kenai Zoning Code and Land Use Table for marijuana in addition to possibly modifying the Kenai Sign Code, clarifying it was not sufficient and could use revamping. Appleby also reported on the following:

- The lease map for available parcels within the airport reserve was now available online;
- She attended the Kenai Peninsula Borough Alaska L&G Work Committee meeting for Council Member Glendening and a motion was made for the Mayor to request that Alaska Gasline Development Corporation investigate some additional water sources;
- She attended a conference for the FAA and gained useful information regarding airport land leases and sales; and
- The City is preparing for the upcoming Dipnet Season and she recommended everyone download the Dip Kenai app.

City Manager Ostrander clarified that the May 14 deadline for Resolution PZ17-30 was originally established to get this meeting's review scheduled. He noted that the applicants were allowed to submit materials up until the meeting date and clarified that the decision at the public hearing on June 27 would be based on the materials provided at this meeting. Additional information from

the applicant would not be forthcoming.

11. ADDITIONAL PUBLIC COMMENT

Kenai Resident, John Hammelman spoke in opposition of the Resolution No. PZ17-30. He noted some of the supporting materials in the application packet were deceptive, specifically on page 102 of the packet, Wetlands Investigation. He noted that it was only one of 52 pages available with clearer and more detailed views, if requested. Mr. Hammelman further noted on page 109 of the packet, the cover letter by the Alaska Consulting and Environmental Engineering on behalf of property owner, Travis Hall, requested Alaska Department of Environmental Conservation (ADEC) plan approval of the proposed wastewater system. He clarified that he contacted ADEC to find out if it was approved but there was no information available about it or even the fees that would be associated with it. Mr. Hammelman added he then contacted the Waste Water Division and they were unable to find that it was ever processed. He clarified that page 109 was simply a cover letter requesting approval and it means nothing. His final point regarded his contact with the Conservation Fund of Alaska and their interest in purchasing the wetlands down below. He noted they would pay fair market value, even with the current pad in place; if any additional work were done there though, the Conservation Fund would no longer be interested. Mr. Hammelman advised the City to contact the Conservation Fund as well as the Nature Conservancy.

12. INFORMATIONAL ITEMS – None.

13. NEXT MEETING ATTENDANCE NOTIFICATION: June 27, 2018

City Planner Appleby noted an upcoming site visit on Tuesday, June 19 at 6:00 p.m. to the neighborhood and proposed gravel extraction site as in Dr. Davidhizar's application.

14. COMMISSION COMMENTS & QUESTIONS

Commissioner Fikes thanked the City Manager for clarification on policy and procedures moving forward with the application.

15. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:51 p.m.

Minutes prepared and submitted by:

Jacquelyn Kennedy
Deputy City Clerk

**Kenai Peninsula Borough
Planning Commission
Desk Packet**



**JULY 16, 2018
7:30 p.m.**

Wall, Bruce

From: Noyes, Karyn
Sent: Monday, July 9, 2018 2:45 PM
To: Wall, Bruce
Subject: RE: KPB CLUP material site application - Parcel 055-075-72

Bruce,

I have reviewed the proposed Conditional Land Use Permit application for a Material Site located in the K- Beach Area, indicated by the parcel listed below.

Legal Description

T 5N R 11W SEC 25 SEWARD MERIDIAN KN NW1/4 NW1/4 EXC RAVENWOOD SUB ADDN NO 5

KPB Parcel ID

05507572

Although the State of Alaska has allowed the Coastal program to lapse, the Kenai Peninsula Borough has the coastal program set in Ordinance. This project is consistent with the Kenai Peninsula Borough's Coastal Management Plan. Please feel free to contact me if you have any questions.

Sincerely,

Karyn Noyes
Resource Planner
Ph: (907) 714-2468

KENAI PENINSULA BOROUGH
514 Funny River Road
Soldotna, Alaska 99669



Wall, Bruce

From: Carver, Nancy
Sent: Friday, July 6, 2018 1:30 PM
To: Wall, Bruce
Subject: RE: KPB CLUP material site application - Parcel 055-075-72

No Habitat concerns

Nancy Carver
Habitat Resource Planner
907-714-2463
ncarver@kpb.us

KENAI PENINSULA BOROUGH

**514 Funny River Road
Soldotna, Alaska 99669**



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to the public upon request.

Wall, Bruce

From: Palmer, Charley (DEC) <charley.palmer@alaska.gov>
Sent: Thursday, July 12, 2018 1:57 PM
To: Wall, Bruce
Cc: DEC.TWUA@alaska.gov; Forgue, Scott A (DEC); Forgue, Geraldine E (DEC)
Subject: FW: KPB CLUP material site application - Parcel 055-075-72
Attachments: 055-072-72_2018-06-25_Notice.pdf; 055-075-72_2018-07-03_Staff_report.pdf; 055-072-72_2018-06-25_Contour_Map.pdf; 055-072-72_2018-06-25_Land_Use_Map.pdf; 055-072-72_2018-06-25_Ownership_Map.pdf; 055-072-72_2018-06-12_Application.pdf; 055-072-72_2018-06-12_Site_Plan.pdf; 055-072-72_2018-06-25_Aerial_Map.pdf; DEC_PWS_Map.jpg

Bruce,

Thank you for the opportunity to comment with respect to public water system (PWS) sources. Given the location(s) provided, the activities associated with this conditional land use permit (CLUP) are near an active registered PWS source (see attached "DEC_PWS_Map.jpg" and summary table below). We ask that the applicant adhere to the recommendations and requirements, where applicable, found in the "[Alaska DEC User's Manual: Best Management Practices for Gravel/Rock Aggregate Extraction Projects](#)" (Revised September 2012).

PWSID: [AK2249232](#)

Water System Name: AMVETS POST #4

Water System Type: GW (Groundwater)

Water System Classification: NC (Transient, Non-Community water system)

Water System Activity Status: A (Active)

State Assigned Source ID: WL001

Source Name: WELL #1

Source Facility ID: 50017

Source Type: WL (Well)

Source Activity Status: A (Active)

Regards,

--

Charley Palmer, *Hydrologist*

Alaska DEC Drinking Water Protection

907-269-0292

Details Add Edit Basemap Analysis

Save Share Print Directions Measure Bookmarks Ravenwood Street, Kanai, AK X Q

About Content Legend

Legend

DEC Active Public Water System (PWS) Source Locations

- Community Water System (C)
- Non-Transient Non-Community Water System (NTNC)
- Non-Community Water System (NC)

DEC-PWS Drinking Water Protection Areas

Zone A (GW-Several Months Time of Travel or SW 1000 ft buffer)

Zone B (GW-2 Yr Time of Travel or SW-1 mile buffer)

Zone C Surface Water (Watershed Boundary)

Zone E Ground Water Surface Water Influence (1000 ft buffer)

Zone F Ground Water Surface Water Influence (1 mile buffer)

Zone G Ground Water Surface Water Influence (Watershed Boundary)

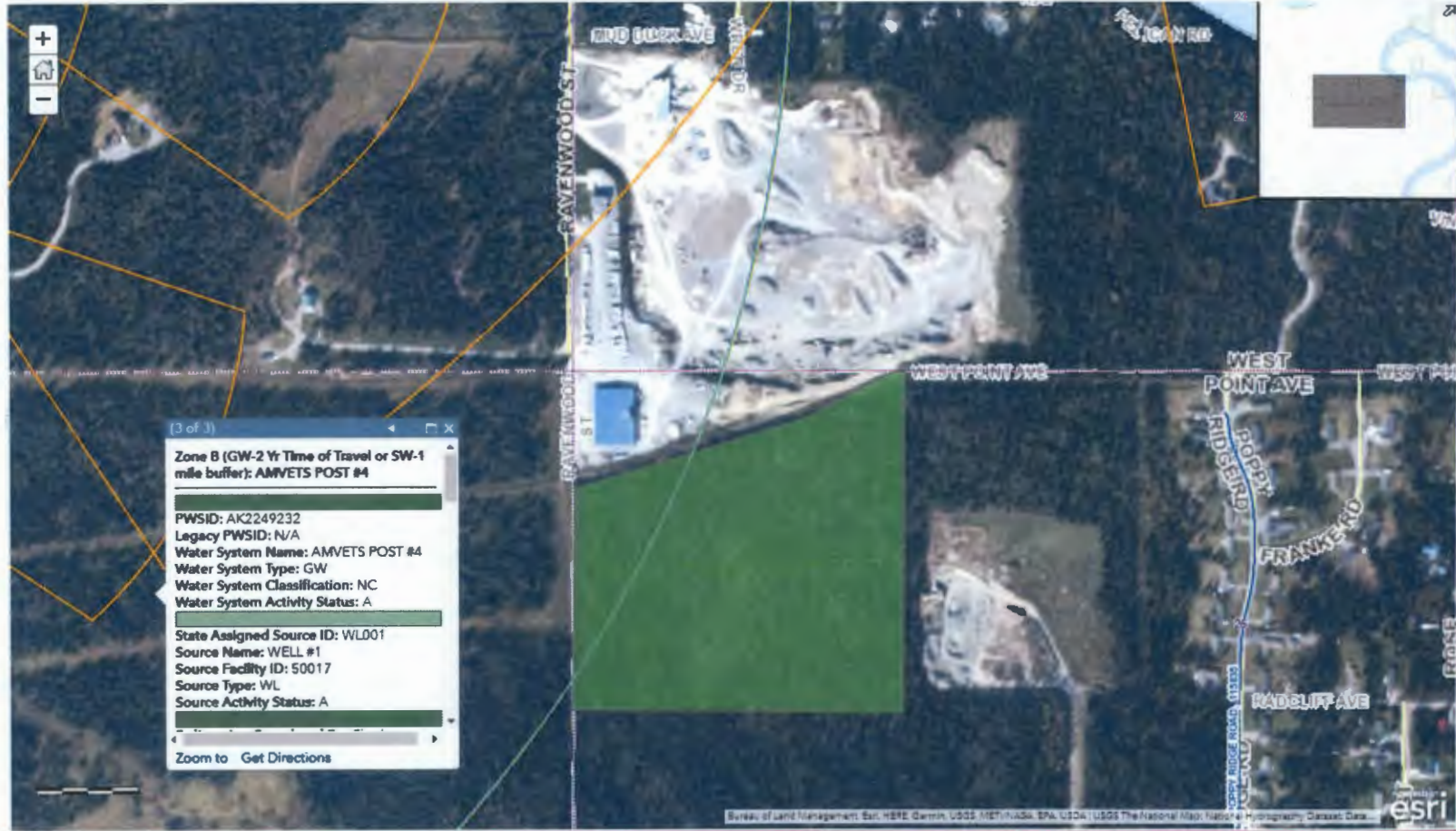
Provisional Protection Areas

KPB Imagery 2016

2016 Imagery

Image

- Red: Band_1
- Green: Band_2
- Blue: Band_3



Wall, Bruce

From: Noyes, Karyn
Sent: Wednesday, July 11, 2018 3:06 PM
To: Wall, Bruce
Subject: RE: KPB CLUP Material Site Application - Parcel 169-190-32

Bruce,

I have reviewed the proposed Conditional Land Use Permit application for a Material Site located in the Anchor Point Area, indicated by the parcel listed below.

Legal Description

T 5S R 15W SEC 3 SEWARD MERIDIAN HM 2008103 GRINER SUB FOUR TRACT 2B-1A

KPB Parcel ID

16919032

Although the State of Alaska has allowed the Coastal program to lapse, the Kenai Peninsula Borough has the coastal program set in Ordinance.

This project is consistent with the Kenai Peninsula Borough's Coastal Management Plan. Please feel free to contact me if you have any questions.

Sincerely,

Karyn Noyes
Resource Planner
Ph: (907) 714-2468

KENAI PENINSULA BOROUGH

514 Funny River Road
Soldotna, Alaska 99669



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to the public upon request.

Wall, Bruce

From: Noyes, Karyn
Sent: Thursday, July 12, 2018 12:58 PM
To: Wall, Bruce
Cc: Carver, Nancy; Dearlove, Tom
Subject: RE: KPB CLUP Material Site Application - Parcel 169-190-32

Bruce,

The anadromous stream that flows through this parcel is subject to KPB 21.18 Anadromous Waters Habitat Protection. The existing road and culvert appear to have been constructed prior to the enactment of the ordinance for this stream. The road is therefore considered a prior existing structure and use is allowed to continue but may not be increased, expanded or intensified.

Improvements to the road, culvert or bridge, indicated on the site plan as the future access road, are likely necessary to handle the increased use by vehicles associated with material site extraction. A Conditional Use Permit would be required from the KPB Planning Commission to make improvements to the road to access phases 6 – 11 under KPB 21.18.081.

Sincerely,

Karyn Noyes

Resource Planner

Ph: (907) 714-2468

KENAI PENINSULA BOROUGH

514 Funny River Road

Soldotna, Alaska 99669



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to the public upon request.

Wall, Bruce

From: Palmer, Charley (DEC) <charley.palmer@alaska.gov>
Sent: Thursday, July 12, 2018 1:49 PM
To: Wall, Bruce
Cc: DEC.TWUA@alaska.gov
Subject: FW: KPB CLUP Material Site Application - Parcel 169-190-32
Attachments: 169-190-32_2018-07-03_Notice.pdf; 169-190-32_2018-07-03_Staff_report.pdf; 169-190-32_2018-06-18_Contour_Map.pdf; 169-190-32_2018-06-18_Land_Use_Map.pdf; 169-190-32_2018-06-18_Ownership_Map.pdf; 169-190-32_2018-05-24_Application.pdf; 169-190-32_2018-06-18_Aerial_Map.pdf; 169-190-32_2018-06-22_Site_Plan.pdf; DEC_PWS_Map.jpg

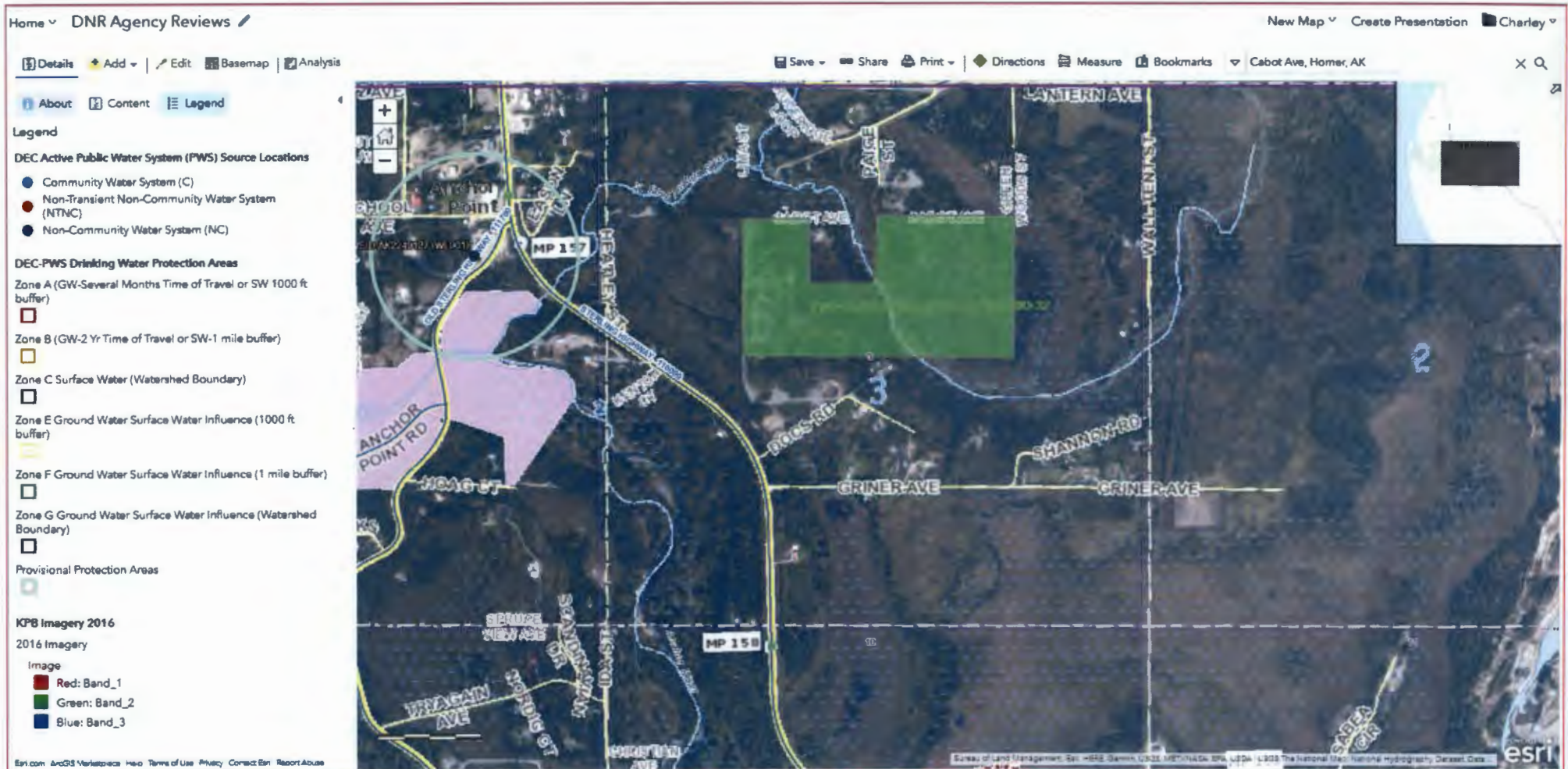
Bruce,

Thank you for the opportunity to comment with respect to public water system (PWS) sources. Given the location(s) provided, the activities associated with this conditional land use permit (CLUP) are not near an active registered PWS source (see attached "DEC_PWS_Map.jpg").

Regards,

--

Charley Palmer, *Hydrologist*
Alaska DEC Drinking Water Protection
907-269-0292



P.O. Box Box 261
Anchor Point, AK 99556

July 13, 2018

RE: Parcel Number 169-190-32 Material Excavation

Kenai Peninsula Borough Planning Commission:

I am taking this opportunity to advise the planning commission of the fact that our property had been subdivided into three parcels (Parcel Numbers 169-101-73, 169-101-74, 169-101-75) prior to receiving the notice of intent for material extraction on Parcel Number 169-190-32.

Site Plan Survey Notes 4: My concern is the 50 foot natural vegetation buffer be entirely on Parcel 169-190-32 and NOT include any portion of the easement/right for Cabot Avenue separating 169-101-74 and 169-101-75 from the proposed excavation site.

Site Plan Survey Notes 10: There is a definite possibility of a well on Parcel 169-101-75 which could be close to the 100 foot restriction. (Phase 8)

Thank you for your consideration in this matter.

Sincerely,

Sharon Thompson

Kenai Peninsula Borough Planning Commission

144 N. Binkley Street, Soldotna, Alaska 99669, (907) 714-2206

RE: Conditional land use permit application for materials extraction

Applicant: Walter Blauvelt dba Axtel Enterprises

Landowner: Dale Griner

Parcel Number 169-190-32

Submitted by: Jane & DeWaine Tollefsrud

Owners of Property and Yurt

72250 Shannon Road

Anchor Pt., Alaska

(Legal Description: T 5S R 15W SEC 3 SEWARD MERIDIAN HM 0770016/ BEAVER LODGE ESTATES SUB LOT 1 BKL 1)

dwjrecon@gmail.com

July 12, 2018

To Whom It May Concern:

Alaska has been my primary home since 1974, when I bought land with a spectacular view in Homer. Over the years, my husband and I built a sweet home and raised our daughter there. Five years ago, we sold our Homer property, downsized, and put up a yurt on 4 lovely acres in Anchor Point, which overlooks a wildlife corridor and has a stunning view of Mt. Redoubt.

Our retirement property is now being threatened by a proposal to quarry the land that we overlook.

The current permit application for materials extraction stretches across our entire view. It proposes a plan that, for the next 20 years will cause noise disturbance, and ultimately end with destroying our view and property value.

Although sometimes it is required to build a 6' high berm or fence "... in locations where the vegetation is not of sufficient height or density to provide visual and noise screening of the proposed use..." it is a laughable suggestion in this particular case, as our property is a minimum of 40' higher than the proposed quarry. We would absolutely be looking down, directly, into a large, ugly pit.

In **CHAPTER 21.29. MATERIAL SITE PERMITS, 21.29.040**, Standards for sand, gravel or material sites, it states in **21.29.020(A)**: "These material site regulations are intended to protect against... damage to adjacent properties, dust, noise, and visual impacts."

(A)(4): "minimizes noise disturbance to other properties;" and (A)(5): "minimizes visual impacts"

In **21.29.050. Permit conditions, 21.29.050(A)(2)(c)**, it states: "...The vegetation and fence shall be of sufficient height and density to provide visual and noise screening of the proposed use as deemed appropriate by the planning commission or planning director."

An additional concern is that the soil and vegetation in this region is fragile and sparse.

In the Reclamation plan requirements of **21.29.050(B)**, it states, “The applicant shall revegetate with a non-invasive plant species and reclaim all disturbed land upon exhausting the material on-site.”

21.29.050 (C)(3) says, “Sufficient quantities of stockpiled or imported topsoil will be spread over the reclaimed area to a depth of four inches to promote natural plant growth that can reasonably be expected to revegetate the area within five years.”

It is not realistic to think, after the land has been excavated, that it could be returned to its present state in 5 years, if ever.

Let’s also address the stream that winds through the proposed site. Although there are minimum buffers included in the proposal, the removal of the trees in the area could not avoid negatively impacting the stream.

In Section 2 of Permit Conditions **21.29.050 (2)(d)**, it states, “Buffers shall not cause surface water diversion which negatively impacts adjacent properties or water bodies,” which includes erosion.

Phases 6-11 of this proposed project would eliminate the last stand of the area’s oldest trees. In addition, there is no mention of what kind of bridge would be needed to cross over the stream—certainly hauling truckloads of rock would need a substantial river crossing. How could this not impact our little stream?

Although the existing road and culvert have been “grandfathered” in before the KPB 21.18 Anadromous Waters Habitat Protection ordinance, it would still have the restriction of not being “increased, expanded or intensified.” Certainly, this road and bridge would need to be increased, expanded and intensified to allow material extraction from Phases 6-11.

Our little creek encircles the entire area containing Phases 6-11 in the proposal. In the event that the entire “island” of trees that are surrounded by the creek be stripped for materials excavation, it seems highly unlikely that the creek could remain undisturbed.

I am unfamiliar with the specifics of regulations protecting our waterways, but I do understand that **Permit conditions 21.29.030 (12)** requires compliance with, (and not limited to) “... Environmental Protection Agency (EPA) regulations, clean water act and any other U.S. Army Corp of Engineer permits, any EPA air quality regulations, EPA and ADEC water quality regulations...” Certainly, destruction of the vegetation, and then hauling it over the stream will strain the local ecosystem.

Perhaps it is time we reassess our regulations. Gone are the days of old where residents were too isolated to impact their neighbors. Perhaps past permits were easily attained because nobody cared.

Times have changed. There are now many other people and properties that require consideration. The outdated regulations for material extraction permits do not take into consideration surrounding properties that are of a higher elevation than the proposed quarries. Noise, view, and property values are all at stake here.

In 2006, the Assembly of the Kenai Peninsula Borough (**KPB: ORDINANCE 2006-01 (MARTIN) SUBSTITUTE: AN ORDINANCE REPEALING KPB CHAPTER 21.26 AND ENACTING KPB CHAPTER 21.29, MATERIAL SITE PERMITS**) revised its Material Site Permits based in part on these considerations:

“WHEREAS, Goal 6.5, Objective 1, Implementation Action A, is to continue to periodically review and update existing regulations to reflect changing conditions and policies in the borough; and

WHEREAS, the planning department receives comments expressing concerns about dust, noise, and aesthetics which are minimally addressed by the current code; and

WHEREAS, certain additional conditions placed on material site permits would facilitate a reduction in the negative secondary impacts of material sites, e.g. dust, noise, and unsightliness...”

Today, you have before you two excavation proposals to consider. Many people are expressing the shared fear of potential personal and financial losses. It is my hope that the Planning Commission will listen seriously to our concerns.

Lastly, barring denial of the permit, I would like to offer a possible compromise. This particular proposal has two distinct portions, Phases 1-5 on west side of the creek, and Phases 6-11 on east side. Perhaps the Planning Commission might consider granting a revised materials extraction- one limited to only the west side of the creek, the portion adjacent to the existing quarry. (Please note: Phase one contains the only test hole drilled.)

This would eliminate all concerns about crossing the stream, the destruction of the best stand of trees, and reduce the noise and visual impacts significantly. This would still allow the petitioner to work 10 acres of land over the next 10 years. Not ideal on either side, but perhaps acceptable by both.

We want to thank the Planning Commission for your time and consideration and will keep our fingers crossed that someday our daughter will not only inherit our land, but the accompanying view that makes it so special.

Respectfully submitted,
Jane & DeWaine Tollefsrud

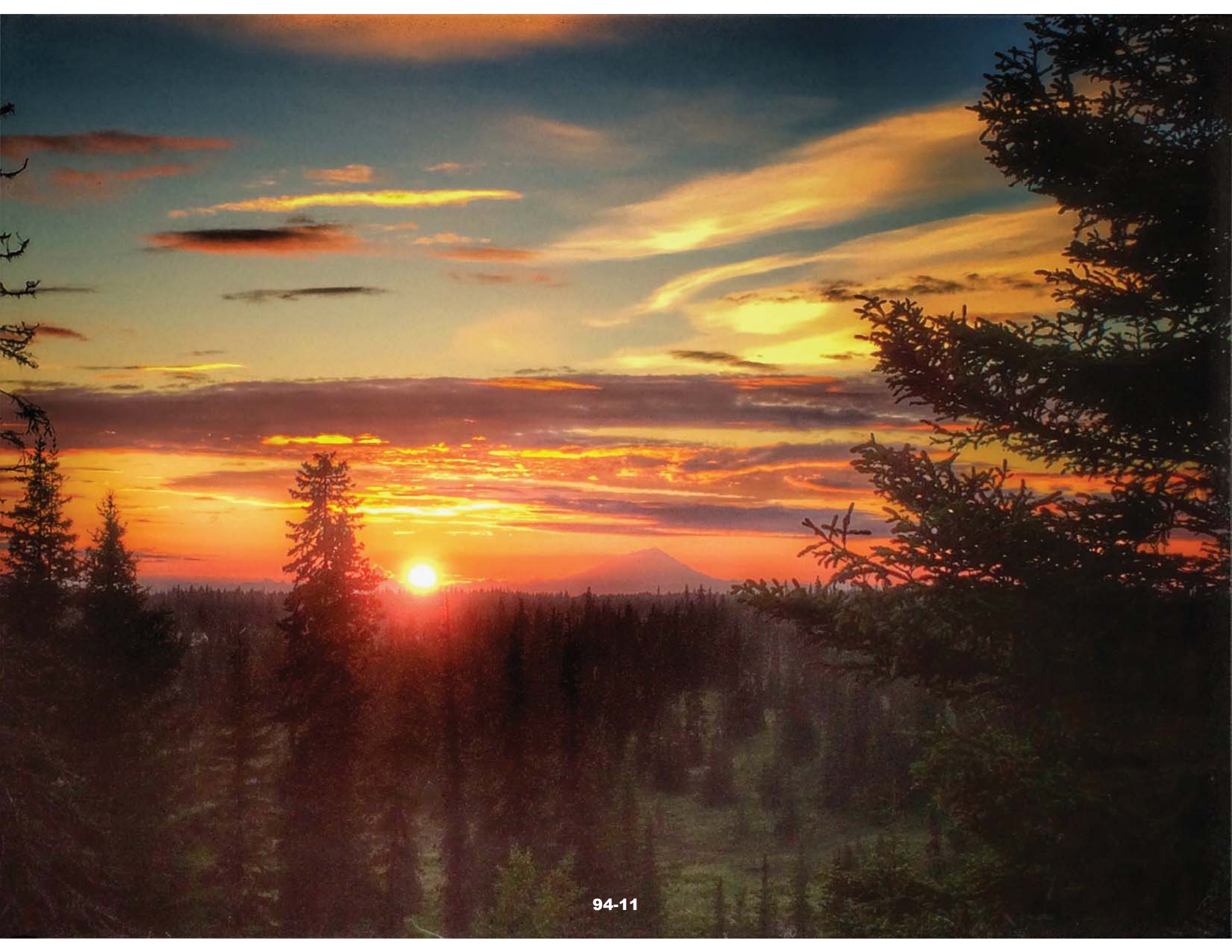
4 Photo files included with this submission:

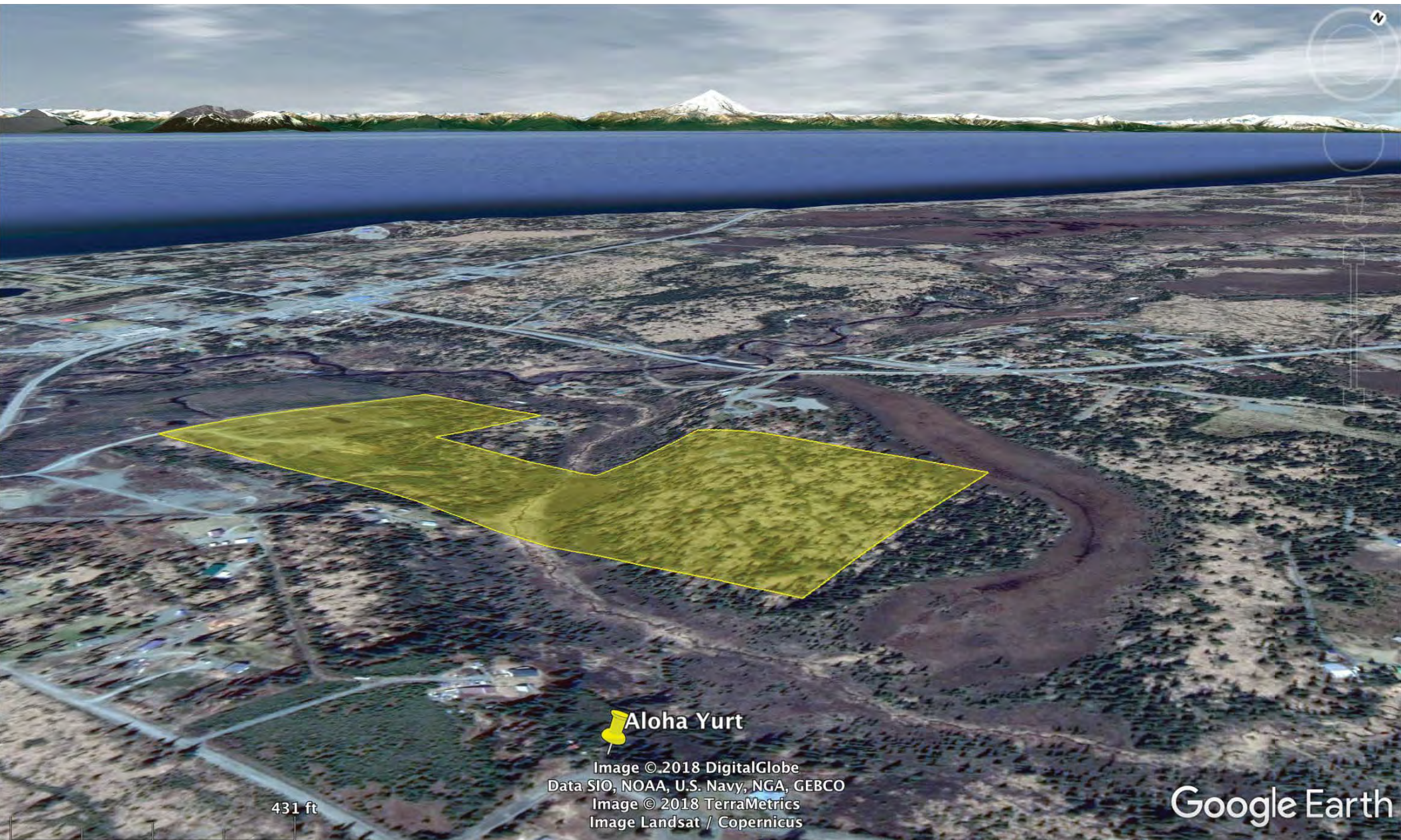
- 1) View from our deck
- 2) Looking at Mt. Redoubt (daytime to see trees) from our deck
- 3) Redoubt in full summer sunset glory (@ 11pm) from our deck
- 4) Google map of area proposed as the quarry, directly in line with our view of Redoubt. Note that Phases 6-11 (east/right side of pix) propose to cut down the “last stand” of trees in the area.





94-10






 Aloha Yurt

Image © 2018 DigitalGlobe
Data SIO, NOAA, U.S. Navy, NGA, GEBCO
Image © 2018 TerraMetrics
Image Landsat / Copernicus

431 ft

Google Earth

13 July 2018

Kenai Peninsula Planning Commission
144 Binkley Street
Soldotna, AK 99669

To Whom It May Concern:

Thank you for the opportunity to comment on the purposed conditional land use permit for parcel 169-190-32 (applicant Walter Blauvelt dba Axtel Enterprises).

I am the current owner of Sleepy Bear Cabins LLC located at 34053 North Fork Road, Anchor Point, AK 99556. It has been my pleasure to own and operate Sleepy Bear cabins for almost four years. In addition to the above-mentioned property being my place of business, it is also my home. Regarding the requested gravel pit permit, I have the following concern and proposal:

1. Noise

- a. **Issue:** Those of us who live here are well aware of how excessively sound carries in our area. Although the echoes are even worse when the vegetation dies out for the winter, we do endure this issue in the summer as well. My property sits off North Fork Road. Therefore, we already endure the noise of semis, dump trucks, and other heavy equipment hauling gravel, soil, logs, etc. Often, the trucks Jake brake across our section of North Fork Road until they reach the Sterling Hwy, drive at speeds above the speed limit of 45mph, and run from as early as 6am to 1 / 2am. Since we do not have noise ordinances in or area, we continue to endure this problem. We do not have an ocean or mountain view at our business so one of the key selling points to our guests is the peace and quiet. Having the excessive noise from both in front of us and behind us will be detrimental to my business and therefore my financial stability. If I may be so bold as to speak on behalf of all the residents living next to or near the proposed gravel pit, this noise issue will also impact our quality of life. Having to endure the constant, daily sounds of heavy equipment is more than just a small annoyance; it is noise pollution.
- b. **Potential Solution Proposals:** The application appears to abide by the regulations currently in place. However, in an effort to further mitigate the noise pollution, I request, in addition to the proposed 50-foot natural vegetation buffer, the following:
 - i. The applicant places a 12-foot berm inside of the vegetation buffer around the entire property (except where access to the property would be impeded such as in front of the access road), to include the requested buffer waiver sections.
 - ii. Currently, the application states hours of operation will be 8am-8pm. I propose the applicant voluntarily reduce the hours of operation to 9am-7pm. This would include digging, processing, and hauling.

When I moved back home to Alaska four years ago and chose Anchor Point as my new permanent home, I did so to live back in a rural community where nature and the wild of Alaska are out my front door. I am not one to impede another's ability to prosper and do as they wish with their land. However, I do find I am put in a position to speak up when it impedes myself and others from doing the same.

Thank you for taking the time to read and carefully / thoughtfully consider my comments and proposals.

Sincerely,

Teresa Cosman
Sleepy Bear Cabins LLC
907-235-5625
Sleepybear@alaska.net

Wall, Bruce

From: Jill Randall <jillran7@outlook.com>
Sent: Monday, July 16, 2018 2:47 PM
To: Wall, Bruce
Subject: Concerning Gravel Pit Application on Parcel #169-190-32 34614 Sterling Highway

Concerning Gravel Pit Application on Parcel #169-190-32 34614 Sterling Highway

Eric Randall would object, 34585 Sterling Hwy.

Our water is from a spring 10 ft. down the bluff. The practice both in this area and out the North Fork is to dig below water table and make ponds or lakes exposing water table to spoiling during these gravel operations. If they say water table is 10 ft. down, is that from the top of a rise or from a hollow. My water should be tested for a base line, the altitude of the top of the 10 ft. should be established and the 10 ft depth should start from that height over the whole project. Policing of deep holes should be much greater than has been in the past. I am currently in New York State caring for my 97 year old mother and did not receive timely notification. I would like to request more time to object. This property is Wet Lands.

Eric Randall

Thelma Jill Randall

34585 Sterling Hwy.

P.O. Box 149 Anchor Pt. Ak 99556

817-559-2838

817-408-6748

Sent from [Mail](#) for Windows 10

Wall, Bruce

From: duanec@acsalaska.net
Sent: Monday, July 16, 2018 11:46 AM
To: Wall, Bruce
Subject: proposed gravel pit in anchor point

parcel # 169-190-32

My concerns are:

protecting our extremely valuable water and protection for our local option zone.

It is imperative that the gravel operator avoid exposing the shallow, unconfined water table, as it is the single source of quality water for our entire area.

It is very unfortunate and short-sighted that the code does not provide any setback protection for local option zones. We put much effort in creating these zones in order to protect the value of our properties, as well as our wells. I ask that the gravel operator be a good neighbor and respect our wishes (the zone) and volunteer a 300' setback from common boundaries with our local option zone.

Another concern we have is noise. We would request that the hours of operation be limited to Monday through Saturday, 7am to 6pm.

Thank you

Duane Christensen



Kachemak Bay Conservation Society

3734 Ben Wallers Ln, Homer, AK 99603

907 235.8214

kbayconservation@gmail.com

Filed Electronically
: bwall@kpb.us.

June 16, 2018

Kenai Peninsula Planning Department
144 N. Binkley St.
Soldotna AK. 99669

Dear Planning Commission,

Kachemak Bay Conservation Society (KBCS) is a nonprofit grassroots organization with over 80 members who live and work in the area of Kachemak Bay at the southern end of the Kenai Peninsula. For over 35 years KBCS has come together to work for protection of the environment of the Kachemak Bay region and encourage sustainable use and stewardship of local natural resources through advocacy, education, information, and collaboration. Please accept the following comments on behalf of the members of KBCS.

The proposed Resolutions 2018-22 & 2018 13, before you this evening have major ramifications to the health of the Anchor River Drainage and fishing industry that depends on the Anchor River. The fact that the proposed Resolution 2018- 22 spans the North Fork of the Anchor is appalling. The question of water quality ramifications has certainly not been answered nor has a ground water flow been considered. The effects of these two developments is not understood nor considered at this point.

Fort the above reasons it is prudent, and paramount that these Resolutions, 2018-23 & 2018-22 be rejected or postponed.

With the Borough looking at new Gravel Pit Extraction Regulations in the near future it would be prudent to put off any decision until such time as this is accomplished and a better understanding of the effects these pits could have on the surrounding ecosystem is understood.

The Kachemak Bay Conservation Society (KBCS) which represents all it's members on this issue strongly states that more thought has to go into these two resolutions and hopes that NO Action will be taken to move these forward at tonights meeting.

Sincerely,
Roberta Highland
President, Kachemak Bay Conservation Society

July 10, 2018

Borough Planning Commission,

I would like to tell you of my concern for the gravel pit permit being sought by Beach Comber LLC, of Anchor Point.

The gravel pit will potentially cover 40 acres and it located near the state park and tractor launch, and the bluff, south of the tractor launch. This area is both park and residential, with gravel roads and nice homes. These homes are expensive and have their own wells and septic systems. Vacation homes make up some of these residences and these people come to relax and enjoy the quiet and beauty of Cook Inlet and the beach.

I chose to move to Anchor Point for my retirement years; I sold everything I owned in Homer and now have invested that money in a new home. Two weeks ago the news of the gravel pit was delivered by mail. If that pit happens, my land values will decrease, and no one would want to buy my property as it is within 500 ft. of the gravel pit.

My concerns lie with the noise, dust, disruption of beautiful property, what happens to the salmon who return to this area, ground water and private wells and the danger of the dump trucks on Danver, River Road and the Old Sterling Highway. The bridge over the Anchor River is not capable of handling more than 11 tons.

Those at the borough have stated that "these permits are never withheld"....really? Do the adjoining residents not have a say about what happens in their neighborhood? Why does a new landowner have his/her desires met over those who have been there for sometime and paid considerable tax dollars to the borough. Will the borough pay the home owners for the lost value of their property due to this gravel pit?

A dramatic change like this in our neighborhood would be heart breaking and also ruin the ambiance of the state park. The parcel of land that this pit could be developed on is beautiful and is a lovely habitat for wildlife, or could become awesome home lots. A gravel pit is not appropriate for this neighborhood.

Upon issuing this permit, who is liable for the dust, noise, disruption of view, increased traffic, possible loss of water for private wells, decline of salmon and disruption of wildlife. Who will make sure that the 5,000/yr. dump truck-loads don't cross the old bridge and that speed violations don't happen on the Old Sterling highway? Who will monitor that this pit doesn't operate 24/7 so that there is no relief for those living near it?

In 2018 why do we have to beg for quality of life in our neighborhoods? There are plenty of gravel pits up and down the Sterling Highway. I don't think there is a need for this pit and I think families and lifestyle should come first.

Respectfully,

G. George Krier

George Krier
PO Box 1165
35031 Moffit Ln.
Anchor Point, Alaska

July 10, 2018

Planning Commission Chairman
144 North Binkley Street
Soldotna, AK 99669

Re: Beachcomber LLC Application for Conditional Land Use Permit
for material extraction of sand, gravel, and peat on
a portion of Tract B, McGee Tracts

Location : Anchor Point, AK

Parcel #: 169-010-67

To Whom it May Concern,

My partner and I live at 1/2 mile south Danver Street, Anchor Point – approximately 1/4 mile south of the proposed site for extraction of sand, gravel by Beachcomber LLC. Other than Danver Street traffic, this is a quiet neighborhood and has been since we moved here in 1990.

We are opposed to a business that will create noise, dust, and more traffic on Danver Street, which is well known to have great deal of truck traffic as it is. Danver Street is notorious for people who like to speed and ignore stop signs at the corner of Echo Drive, Kyllonen Drive, Desa Avenue, and Seaward Avenue and cut the corner at Danver and Anchor Point Road.

One issue that wasn't mentioned in the Public Hearing Notice is the use and condition of Anchor Point Road. Anchor Point Road is notorious for the lack of maintenance by the State of Alaska. It is a narrow road that has no bike trails, no shoulders, is full of cracks and holes that get filled but never fixed. Add to that in the summer, traffic consists of motor homes driving in and out of four campgrounds, pickups hauling boats and trailers to and from the Cook Inlet boat launch, people driving four wheelers, people walking on the edge of a road that has no shoulders or walking trails, bicyclists sometimes 20 at a time riding in single file in either lane, trucks delivering water, fuel oil, wood etc., not to mention the locals who use it every day – we don't need more traffic on Anchor Point Road, especially trucks hauling sand and gravel to add to the chaos.

Finally, we are opposed to a business in our neighborhood that will likely lower our property values.

Thank you for your consideration.



Mike Wartburg



Sharon Fromong

Co-Owners 35236 Danver Street, Anchor Point, AK
(907) 235-2626



Wall, Bruce

From: Mark Yale <markyale2001@yahoo.com>
Sent: Tuesday, July 10, 2018 6:56 PM
To: Wall, Bruce; susan@reevesamodio.com
Cc: R. O. Baker II; mariedrinkhouse@yahoo.com
Subject: Re: Property Line to the house
Attachments: property line 2.jpg; property line.jpg

On Tuesday, July 10, 2018 06:50:05 PM AKDT, Mark Yale <markyale2001@yahoo.com> wrote:

Bruce,

Per our conversation of today of, how close the proposed Gravel Pit Property line is to out back deck on the back sided of our home, please find attached two photographs showing the line is only 5 yards from our home!

The map reflects a 6 foot berm and you stated that the engineer is recommending at least a 12 foot berm. Both of which are going to be insufficient!

Please forward these photos to all commission personnel to convey how unconsciousable this proposal is to all three of properties on the south border.

Respectfully Submitted,

Mark and Lee Yale





Wall, Bruce

From: Hans <catchalaska@alaska.net>
Sent: Wednesday, July 11, 2018 4:47 PM
To: Wall, Bruce
Subject: Anchor Point Road CLUP

Hi Bruce,

I am attaching two pictures taken from my deck, and overlooking the property which would become a gravel pit if the CLUP for Beachcomber LLC (Emmit Trimble) is granted. As is true with all properties (of which there are many) located at higher elevations than the proposed pit, it is not possible for the applicant to meet Standard #5 — Minimize visual impacts. Because of the unique topography of the area surrounding the proposed site and the way sound is transmitted within the bowl, Standard #4 — Minimize noise disturbance to other properties is also not attainable. In light of the inability of the applicant to meet these two standards, as well as a multitude of other legitimate concerns, this CLUP needs to be denied.

The parcel is located in the very heart of a residential/recreational gem and development of a gravel mine upon it would adversely affect the quality of life for residents, drastically lower property values in the surrounding area, and in all likelihood impact tourism (the lifeblood of Anchor Point) when visitors to the area find camping next to the noise and dust generated by a gravel mine is unacceptable.

Hans Bilben
35039 Danver St
Anchor Point



124-8



Philip J. Brna
5601 E. 98th Avenue
Anchorage, AK 99507
(907) 346-2131

July 11, 2018

Planning Commission Chairman
Kenai Peninsula Borough
144 N. Binkley St.
Soldotna, AK 99669
Via email to bwall@kpb.us

RE: Comments on Conditional Land Use Permit for Material Site; Beachcomber LLC; 169-010-67

I am providing comments on the referenced Land Use Permit application.

1. I am opposed to development of a material site and approval of a land use permit at this location. I request that the KPB deny the permit.
2. I am the owner of the residential parcel (PID 169-022-08), which is immediately to the north of the proposed processing area and which is almost completely surrounded by the proposed material site.
3. I purchased this property in 2001 and installed an access road and pad. My intent is to build a recreational cabin at this location. I own another cabin in the Clark Peterson subdivision near the Steelhead Campground and adjacent to the Anchor River. This cabin has experienced flooding in recent years and my wife and I have been investigating building another cabin on our property at PID 169-022-08.
4. Approval of the proposed material site application will preclude me from building another cabin because of noise and dust related disturbances. Additionally, a material site will significantly diminish my property value and will impact my ability to sell this property. Development of a material site at this location effectively constitutes a taking of my property value.
5. This is a residential and recreational area and it is inappropriate for the KPB to allow development of a material site at this location. A material site will significantly impact property values and use and enjoyment of residential and recreational property, including the Anchor River Recreational Unit, a part of the State Park System. A material site will conflict with existing residential and recreational use of the area.

6. There is considerable recreational use of the Anchor Point Road and Danver Street by people, including children, walking, running, walking dogs, bicycle tours, and riding bikes in the summer. Use of these roads by gravel trucks is a disaster waiting to happen.
7. I am concerned that this project could affect ground water input to the Anchor River and its estuary but these affects cannot be quantified without better groundwater data.

If the KPB approves this material site application over the objections of local people, the permit conditions must be adequate for protection of residential and recreational use of adjacent properties. I therefore recommend:

1. There be no onsite processing of gravel, especially crushing. This would mitigate many concerns related to noise and dust.
2. There must be a minimum of a 6 foot high vegetated berm and a separate 50 foot vegetated buffer along the entire northern boundary of the property.
3. The requested waiver from the 300 foot setback of the processing area from the northern boundary should not be approved.
4. There shall be no equipment operations between the hours of 6 p.m. and 8 a.m.
5. If the KPB approves this material site application property taxes of all adjacent properties should be reduced.

Philip J. Brna

Wall, Bruce

From: Coowe Walker <cmwalker9@alaska.edu>
Sent: Wednesday, July 11, 2018 4:55 PM
To: Wall, Bruce
Subject: Fwd: Anchor River estuary, salmon and new potential gravel operations
Attachments: T-1T-31-13 Estuary habitat use by juvenile chinook and coho salmon in a Kenai Lowlands (Anchor) River_Final Report9-20-16.pdf; Hoem-Neher et al. 2013 Estuarine environ as rearing habs TAFS.pdf

Hello Bruce,

I am sharing information from my perspective as an ecologist regarding the potential new gravel operations on the parcels to the east of the Anchor River estuary. I have been studying this estuary (as well as other estuaries in the Kachemak Bay region) since 2009. I am attaching a couple of documents - a final report and a peer reviewed journal article that reflect data on juvenile salmon use specifically in the Anchor River estuary. A few salient points are:

- 1) There are thousands of juvenile salmon (Coho and Chinook salmon primarily), as well as other species (Steelhead, Dolly Varden, Starry Flounders, sculpins, sticklebacks) rearing in the Anchor River estuary;
- 2) Juvenile fish rearing in the Anchor estuary exhibit many different life history patterns, and preliminary data indicates that these patterns reflect genetic diversity in the salmon populations of the estuary.
- 3) Juvenile salmon move broadly throughout the estuary, using tidal channels, pools, as well as river habitats,
- 4) Juvenile salmon are present in the Anchor River estuary year round.
- 5) Conductivity measurements taken in the estuary indicate that groundwater flows are supporting juvenile salmon habitats

I am very concerned that the proposed gravel operations could impact groundwater flows that support salmon habitat, and also create dust that could settle on the surface and adversely affect salmon. The estuary of the Anchor River is relatively small, but is an extremely important component of the Anchor River watershed. All salmon use the estuary as habitat at least twice in their lives, as adults returning from the ocean, and as juveniles transitioning to the ocean. As I pointed out earlier, we know that some juveniles rear in the estuary for prolonged periods, and that these may represent genetically distinct fish. There is no other 'alternative' estuary habitat for the fish of the Anchor River to use. In my opinion, it would be better to have more understanding of the potential consequences before any of the proposed operations proceed.

Unfortunately, I won't be able to attend the public meeting. Please let me know if I can provide any more information.

Thanks,
Coowe

Coowe Walker
Reserve Manager
Program Watershed Ecologist
2181 Kachemak Drive
Homer, Alaska
(907) 235-4792

This article was downloaded by: [Coowe Walker]

On: 23 September 2013, At: 10:23

Publisher: Taylor & Francis

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



Transactions of the American Fisheries Society

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/utaf20>

Estuarine Environments as Rearing Habitats for Juvenile Coho Salmon in Contrasting South-Central Alaska Watersheds

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^e National Oceanic and Atmospheric Administration, Kasitsna Bay Laboratory, 2181 Kachemak Drive, Homer, Alaska, 99603, USA

^f U.S. Geological Survey, Missouri Cooperative Fish and Wildlife Research Unit, Department of Fisheries and Wildlife Sciences, University of Missouri, 303H Anheuser-Busch Natural Resources Building, Columbia, Missouri, 65211, USA

To cite this article: Tammy D. Hoem Neher, Amanda E. Rosenberger, Christian E. Zimmerman, Coowe M. Walker & Steven J. Baird (2013) Estuarine Environments as Rearing Habitats for Juvenile Coho Salmon in Contrasting South-Central Alaska Watersheds, Transactions of the American Fisheries Society, 142:6, 1481-1494

To link to this article: <http://dx.doi.org/10.1080/00028487.2013.815660>

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ARTICLE

Estuarine Environments as Rearing Habitats for Juvenile Coho Salmon in Contrasting South-Central Alaska Watersheds

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Coowe M. Walker and Steven J. Baird

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Abstract

For Pacific salmon, estuaries are typically considered transitional staging areas between freshwater and marine environments, but their potential as rearing habitat has only recently been recognized. The objectives of this study were two-fold: (1) to determine if Coho Salmon *Oncorhynchus kisutch* were rearing in estuarine habitats, and (2) to characterize and compare the body length, age, condition, and duration and timing of estuarine occupancy of juvenile Coho Salmon between the two contrasting estuaries. We examined use of estuary habitats with analysis of microchemistry and microstructure of sagittal otoliths in two watersheds of south-central Alaska. Juvenile Coho Salmon were classified as estuary residents or nonresidents (recent estuary immigrants) based on otolith Sr : Ca ratios and counts of daily growth increments on otoliths. The estuaries differed in water source (glacial versus snowmelt hydrographs) and in relative estuarine and watershed area. Juvenile Coho Salmon with evidence of estuary rearing were greater in body length and condition than individuals lacking evidence of estuarine rearing. Coho Salmon captured in the glacial estuary had greater variability in body length and condition, and younger age-classes predominated the catch compared with the nearby snowmelt-fed, smaller estuary. Estuary-rearing fish in the glacial estuary arrived later and remained longer (39 versus 24 d of summer growth) during the summer than did fish using the snowmelt estuary. Finally, we observed definitive patterns of overwintering in estuarine and near shore environments in both estuaries. Evidence of estuary rearing and overwintering with differences in fish traits among contrasting estuary types refute the notion that estuaries function as only staging or transitional habitats in the early life history of Coho Salmon.

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²Present address: U.S. Geological Survey, Missouri Cooperative Fish and Wildlife Research Unit, Department of Fisheries and Wildlife Sciences, University of Missouri, 303H Anheuser-Busch Natural Resources Building, Columbia, Missouri 65211, USA.

Received December 5, 2012; accepted June 10, 2013

Pacific salmon exhibit multiple life histories in response to variability in selection pressures and habitat conditions (Healey 1994, Groot and Margolis 1991). Early marine entry and presmolt growth just prior to entry is a time of severe selective pressure due to the physiological and environmental changes experienced by salmon smolts (Williams 1996; Thorpe et al. 1998; Beamish et al. 2004). This life stage has been linked to an optimal out-migration survival period that corresponds to a period when ocean conditions provide suitable temperatures and abundant resources for growing and feeding (Gargett 1997; Johnsson et al. 1997; Beamish et al. 2008). The period and duration of optimal out-migration timing may change from year to year depending on precipitation levels, wind patterns, and solar energy inputs (Gargett 1997; Beamish et al. 2008). Fish size, body condition, and timing of marine entry are instrumental for optimal timing and to ensure coincidence with both the quantity and quality of available prey and the ability of the individual to use it (Beamish and Mahnken 2001; Hobday and Boehlert 2001).

Estuaries play an important role as transitional habitats prior to the ocean entry phase of salmon smolt. The mixing zone of freshwater and saltwater environments buffers against osmoregulatory and physiological stress in smolts (Healey 1982; McMahon and Holtby 1992; Miller and Sadro 2003; Beamish et al. 2004; Bottom et al. 2005a). Estuaries, however, also have potential to serve as important salmon rearing habitats; Chinook Salmon *Oncorhynchus tshawytscha*, in particular, have increased survival rates (Magnusson and Hilborn 2003) and life history variability (Bottom et al. 2005a; Campbell 2010; Volk et al. 2010) with estuarine habitat use. Factors expected to impact individual fish survival include the duration of estuary occupancy, timing of early marine entry, and environmental conditions that affect body condition (Healey 1982; Bohlin et al. 1993; Beamish et al. 2004). Given their importance for rearing, we anticipated that strong spatial and temporal variability in environmental conditions within estuaries may play a key role in trait expression of individuals subject to overall conditions within these habitats.

Estuaries fed by different freshwater hydrologic regimes may provide contrasting rearing environments for resident biota (Saltveit et al. 2001). Freshwater influx into northern estuaries is expected to be particularly high during snowmelt periods; however, within Alaska, many estuarine habitats are fed by glacial river systems. For these systems, peak freshwater discharge occurs in midsummer rather than early spring, yielding cold, sediment-laden discharge during the warmest months. Differences between glacial and snowmelt-fed estuaries may therefore contribute to variability in the timing and duration of estuarine use for juvenile salmon.

Previous investigations into estuary ecology of juvenile Coho Salmon *O. kisutch* are limited, but indicate that the transition from fresh to salt water life stages is complicated and may differ by age or life stage (McMahon and Holtby 1992). For example, young-of-year fish undertake seasonal migrations within the up-

per estuarine ecotone and freshwater river channels and sloughs, and residency between these areas is estimated to be as long as 8 months (Miller and Sadro 2003; Koski 2009). Fingerling (age-1 and -2) Coho Salmon were present in estuaries for only 2 months (McMahon and Holtby 1992), and individuals within these populations were reported to have short estuary residence times (up to 17 d; Chittenden et al. 2008). Understanding some of the environmental conditions that lead to the differences in use by young salmon may provide insight into critical rearing habitats for conservation and management.

Direct and unbiased documentation of estuarine habitat use by juvenile salmon is difficult, given a limited suite of tracking and marking techniques applicable to small fish. The use of otolith microchemistry in combination with examination of microstructure (incremental growth layers) can be used to determine ontogenetic patterns of habitat occupancy when water chemistry contrasts strongly between habitats (Neilson et al. 1985; Campana 1999; Kennedy et al. 2002; Réveillac et al. 2008). The salinity of the surrounding environment, in particular, has been linked to ratios of strontium to calcium (Sr : Ca) deposited in otoliths, a useful feature for measuring life history patterns in diadromous fishes (Zimmerman 2005). In tandem with microchemical analysis, microstructural analysis of incremental growth patterns and age of fish can allow discernment of habitat transitions through time (Campana and Neilson 1985; Neilson et al. 1985; Volk et al. 2010). It can be difficult, however, to determine and validate daily incremental growth patterns, particularly during periods of low growth (Campana and Neilson 1985). In that case, seasonal growth patterns may provide sufficient resolution to determine history, particularly in the case of estuarine or marine versus freshwater habitat use.

In this study, we investigated and compared the ecology and life history patterns of juvenile Coho Salmon captured within two contrasting estuary environments. Our first question was two-fold: (1) were juvenile Coho Salmon rearing within estuary systems, and (2) did fish rearing within estuaries show trait differences (condition, dates of entry, and weights) from those that did not? Using otolith microanalyses, we determined the timing and duration of use and correspondence with fish traits of different ages of juvenile salmon captured within estuary channels. We hypothesized that fish using estuaries, having a longer time for osmoregulatory adjustment and thereby benefiting from these environments, would exhibit greater lengths and body condition than those without evidence of estuary residence. The second question of our work was, did patterns of estuary use by juvenile Coho Salmon, including timing and duration of occupancy, differ between two estuaries with contrasting freshwater environments? We hypothesized that differences in freshwater discharge regimes (i.e., a glacial-fed versus snowmelt-fed estuary) that result in differences in thermal regimes and available habitats may be factors that drive use of differing estuary systems. This would suggest that physical processes are important drivers of ontogenetic variability in use of estuarine environments and therefore life history expression in juvenile salmon.

STUDY SITE

The large tidal range (>8 m depth) of Kachemak Bay and Cook Inlet (NOAA 2012) in south-central Alaska can create extensive estuarine ecotones with diverse habitat conditions, particularly in glacial rivers with heavy silt deposition zones. Our study compared environmental conditions and fish collected from similar channel habitat types sampled within two contrasting estuaries of the Anchor and the Fox rivers, located approximately 29 km apart, (Figure 1). Juvenile salmon were captured within channels located in the intertidal zone of each estuary, bordered by mud flats and vegetation. Channels were chosen to maximize habitat similarity between the estuaries (i.e., similar connectivity to the main-stem river, locations within the intertidal zones respective of the estuary size, channel shape, and channel length).

The Anchor River delta is a snowmelt and spring-fed, bar-built estuary that abruptly transitions into the marine environ-

ment of southern Cook Inlet; its estuary length is about 0.8 km (measured from the high-water tide line to its confluence with the Cook Inlet). The Fox River delta is a glacially fed estuary that transitions through a large delta, approximately 6 km long, into Kachemak Bay. The Fox River watershed is located in a smaller, more constrained valley and lacks freshwater back-channel areas in the lower river, whereas the Anchor River has numerous side-channel areas in the lower river. Compared with the Anchor River estuary, the Fox River estuary has more gradual, extended ecotones between the marine environments of Cook Inlet and freshwater environments of the Fox River.

METHODS

Habitat characteristics.—We sampled fish and recorded environmental data in tidal channels spaced within the intertidal zone of each estuary. Habitats upstream of these channels are

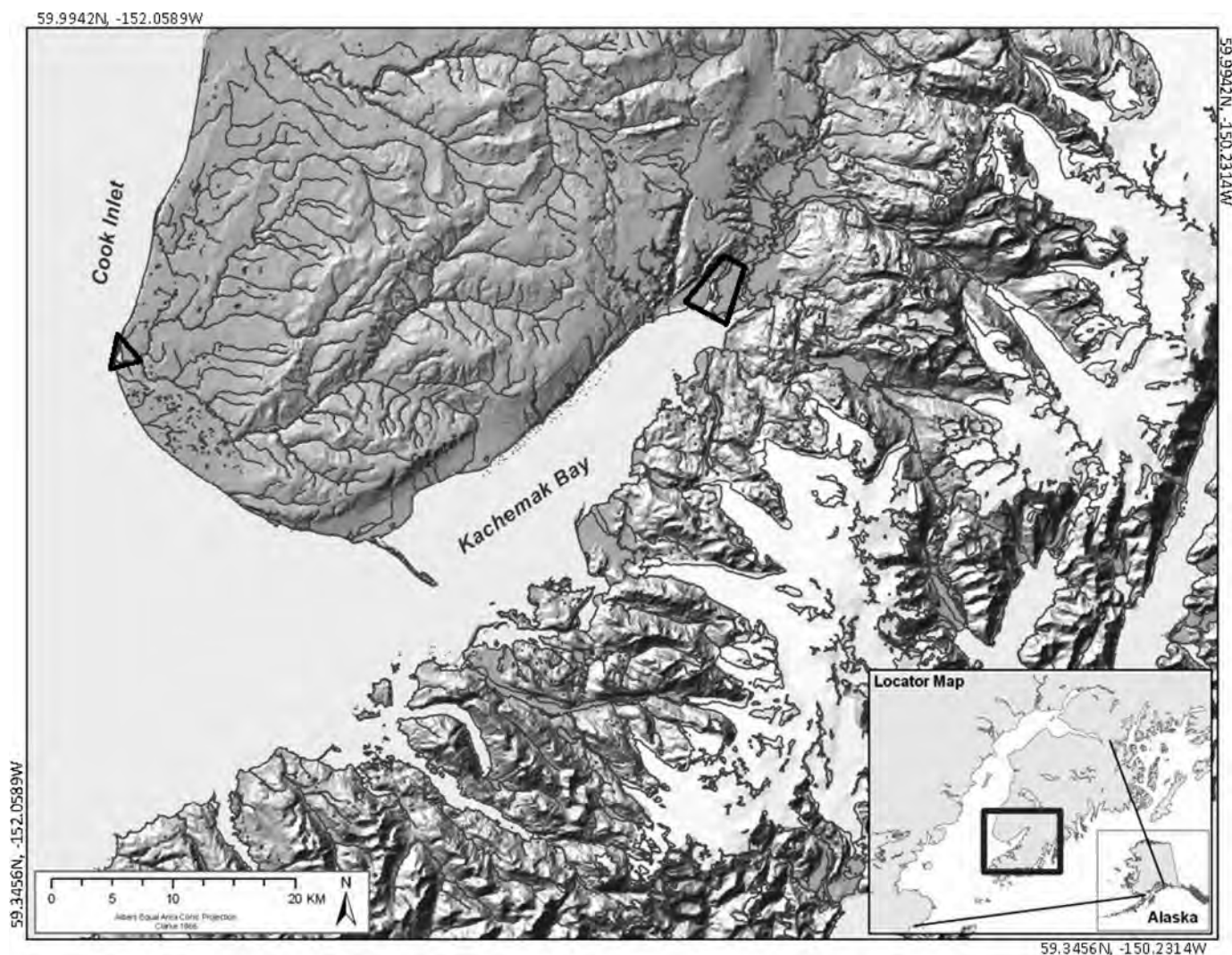


FIGURE 1. The study area on the lower Kenai Peninsula, Alaska, where age-0 to age-2 Coho Salmon were sampled from the Anchor River (triangle) and Fox River (trapezoid) estuaries.

not tidally influenced and therefore were not considered estuary habitats for this study. Four channels were sampled in the Fox River estuary and two channels were sampled in the Anchor River estuary, twice monthly from April through September for a total of 10 sampling events in the Anchor River and 11 sampling events in the Fox River. Sampling occurred during moderate tide levels in both estuaries because some channels could not be sampled at high tide. Sample events in each estuary usually occurred within 7 d of one another, often within the same week. Temperature and depth were measured and recorded using Solinst TM 3001 level loggers (Solinst Canada Ltd., Ontario, Canada) calibrated with a Solinst TM 3000 barologger set onsite. Level loggers were set at 15-min recording intervals and placed in 5 × 25 cm plastic PVC housings attached to steel fence posts driven approximately 25 cm into the substrate. Fence posts were located five meters upstream from the channel mouth in each of the six channels sampled, and one logger was placed along the margin of each river channel. In addition, measurements were taken for each sampling event at a cross-section downstream of the fence posts for each sampling event. Thalweg depth, conductivity (direct and standardized for temperature), salinity (measured as salt concentration), and temperature (with probe at the surface, mid water column, and channel bottom) were measured using a YSI model 30.

Habitat data were summarized for analyses as follows: continuous water level data as 7-d mean, minimum, and maximum depths for each estuary channel and the main-stem river. Continuous temperature data were summarized as daily averages summed for accumulated thermal units by week and month. Point measurements of salinity collected at each sampling event were combined and expressed as monthly mean, minimum, and maximum recordings.

Fish capture.—Juvenile Coho Salmon were captured in tidal channels of the intertidal zones of Fox and Anchor river estuaries within 25-m reaches using three depletion passes with a pole-seine (2.2 × 6.1 m, 0.31 cm mesh) twice per month from late April through September 2011. Prior to fish sampling, each unit was closed with blocking nets (2.2 × 6.1 m, 0.31 cm mesh) secured along the sides and bottom with stakes to prevent fish escape. Fish from each pass were placed in separate, 19-L aerated tubs filled with water from the channel. All fish captured were identified to species and counted. Fifty juvenile Coho Salmon captured from each of three passes of the seine (total, 150 fish/site per each event) were anesthetized in tricaine methanesulfonate (MS-222) at 70 mg/L of water (Bailey et al. 1998; Chittenden et al. 2008) and measured for FL (mm). If more than 150 Coho Salmon were captured at each site, samples were indiscriminately selected by gently stirring the incarcerated fish and removing samples with a hand dip net. Age-classes of Coho Salmon were apparent by length; therefore, three juvenile cohorts (≤10% of the catch) at each were indiscriminately collected at each site: small (age 0, <50 mm FL), medium (age 1, 50–85 mm FL), and large (age 2, >85 mm FL) and sacrificed via overdose of MS-222 at

140 mg/L, labeled, placed on ice, returned to the laboratory, and frozen.

Fish condition.—We used dry weight and Fulton's condition factor measured from the frozen specimens for metrics of condition (Jonas et al. 1996; Pope and Kruse 2007). Fulton's condition, $K = (W/L^3)100,000$, was calculated using laboratory measures of fish length (FL; mm) and whole fish weight (W; g). Dry weights were determined from dissected samples with all tissue other than stomachs and otoliths returned to the sample prior to drying. Coho Salmon samples were placed in a drying oven at 65–70°C for 3 d, weighed, and returned to the oven for 24 h, and then re-weighed. Samples were considered dried when minimal change was detected between consecutive daily weights (Jonas et al. 1996).

Estuary residence time.—We used analysis of otolith microchemistry combined with microstructural analysis to determine if juvenile Coho Salmon were rearing in the saline environments of estuaries. Sagittal otoliths were removed from both sides of the cranial cavity of fish prior to condition analyses, rinsed, and stored in plastic vials. Otoliths were mounted in thermoplastic cement on sections of cover slips and glued to standard microscope slides (Donohoe and Zimmerman 2010). Otoliths were mounted sulcus down, and the sagittal plane was ground with 2,000-grit sand paper to expose a clean, flat surface. The sample was reheated, turned over to expose the sulcus, and ground to expose the nucleus (Zimmerman 2005; Donohoe and Zimmerman 2010). The sample was labeled and aged via winter counts, and the cover slip was cut to remove the mounted sample. The sample was then glued in a 2.54-cm-diameter circle centered on a petrographic slide for analysis. Once the slide was filled, it was washed, rinsed with deionized water, and allowed to air dry prior to processing.

We used the Laser-ablation Inductively Couple Plasma Mass Spectrometer (Agilent mass spectrometer 7500ce fitted with a CS lens stack combined with a New Wave UP213 laser, LA-ICPMS) housed at the Advanced Instrumentation Laboratory of the University of Alaska Fairbanks to complete the microchemical analyses. Transects were ablated from the primordia perpendicular to the growth increments into the mounting medium beyond the distal edge of one otolith from each fish. Count data were collected for the elements strontium (⁸⁸Sr) and calcium (⁴³Ca). Calcium (⁴³Ca) was used as an internal standard and background-subtracted counts of Sr were adjusted to Ca and calibrated to glass standard reference material (NIST 610, National Institute of Standards and Testing). Calibration standards were run for 10 samples or less, depending on the number of samples on the slides, and one sample duplicate (both sagittal otoliths from one fish) was run for the entire batch. Laser speed was set at 5 μm/s with a 25-μm spot diameter on a single pass transect set to 80% power. The elemental count/s output of the LA-ICPMS was then converted to concentration and sampling distance using the elemental weights for each constituent and the laser settings, respectively. Strontium : calcium (Sr : Ca) ratios were then calculated for each of the distance

measures. Otoliths were photographed under $4\times$, $10\times$, $20\times$, and $40\times$ magnification using a Leica DM1000 compound light microscope fitted with a Leica DFC425 digital camera housed at the Alaska Science Center (Anchorage, Alaska). Images were taken using a 1,000- μm stage standard at all magnifications to calibrate otolith measurements, and the images were digitally processed to enhance clarity of incremental growth patterns. ImageJ software (version 1.46 h, <http://imagej.nih.gov>) was used to process digital images and to overlay distance-ratio graphs on the image, calibrated to the laser distance.

Estuarine residence time was determined by counting incremental growth marks on otoliths from juvenile salmon captured in the estuary (Miller and Simenstad 1997; Neilson et al. 1985). We defined residence time as the daily growth within the saline reaches of the estuary. Residence time was calculated as the number of incremental growth bands following the point of estuarine entry determined by the Sr : Ca inflection point with the distance-matched ratio graph overlaid on the otolith digital image. The inflection point, or estuary signature, was defined as an abrupt increase in Sr : Ca, as visually determined as the consecutive ratio increase of >0.3 per reading; levels remaining at >1.0 followed the freshwater mean ratios (Figure 2). Inflection points often correspond with dark banding, identified by some researchers as an estuary growth check (Lind-Null and Larsen 2011). These growth checks, though not always easily identifiable or consistent among individuals, corresponded to inflection points and provided additional support in identifying the points of estuary entry. All fish were categorized according to the presence or absence of an estuarine salinity signature (inflection point followed by growth), and incremental growth counts were completed to determine duration of estuary use on those with estuary signatures. Duration of estuarine rearing was determined by using a digital image of the otolith taken at $20\times$ magnification overlaid with the distance-matched (μm) Sr : Ca graph. Inflection points were digitally marked on the image and were considered the point of estuarine entry. Growth increments were counted along two different radii from the distal edge of the otolith to the inflection point to determine days of residence (Figure 2). If counts differed between readings, a third count was made, and the median of the three counts was used. One group of salmon overwintered in estuarine/marine environments, therefore comparisons were made using summer season (April-September) residence times calculated as the date of capture less the incremental growth count (days) to the first discernible daily growth increment. The growth increment-time relationship was validated by marking a sample of four fish with alizarin complexone (Zimmerman 2005), holding them in a small net pen in an estuary channel for 6 d, sacrificing the fish, and counting the increments past the Alizarin mark on prepared otoliths. The results from this test verified that incremental growth rings indeed represented a 24-h period, all fish showing six increments corresponding to the 6 d held in captive nets in the estuary.

Statistical analyses.—Based on our study questions, we wanted to determine whether (1) estuaries were used by Coho Salmon for rearing purposes, (2) those salmon that used estuaries for rearing differed from those that showed no evidence of estuarine rearing, (3) salmon rearing in two different estuaries show differences in traits and residence times related to environmental conditions, and (4) factors that contribute most to the variability in fish traits (e.g., presence of estuarine rearing, estuary habitat conditions, or the age of the fish) could be identified. The otolith microchemistry and microstructural analysis described above addressed whether fish were using estuaries for rearing, and we used analyses of empirical data to address the remaining objectives. When possible, confounding sources of variability, such as timing of capture, were included in these analyses, along with several potential sources of error and bias.

Because samples were a subset of the total catch and collected over the summer season, potential sources of bias and error must be addressed. Our protocol sampled evenly across age-classes for fish retained for laboratory analyses; therefore, the composition of the laboratory fish sample did not correspond to catch composition. We therefore tested (chi-square goodness of fit) for differences in age-class composition of measured fish between estuaries and in the laboratory sample versus the measured group age structure. Finding significant differences on both accounts, we ran analyses to compare length, age-class composition, and capture date based on two subsamples of the total catch: those that were caught, measured, and released (hereafter, measured group) versus those sacrificed and analyzed in the laboratory (hereafter, laboratory group). For each sampling event we inferred age-class composition of the measured group via their length-frequency histograms from length groups validated via otolith-determined ages of the laboratory group. Analyses completed with all age-classes pooled were weighted to ensure that the laboratory sample results reflected the composition of the population relative to the total catch of fish; laboratory fish data were weighted by percent composition of each age-class from the measured group of fish for each estuary. We also examined the relationship between capture date and residence time using simple linear regression for each estuary; a strong linear relationship between residence time and date of capture would indicate bias.

For the second objective, we compared those juvenile Coho Salmon that had a marine signature in their otolith, indicating estuarine rearing, with those salmon that were captured in the estuary but lacking detectible marine signature in the otolith. Those comparisons were done to determine whether fish in these groups showed differences in trait patterns (time of entry, condition, length, and weight). Two separate analyses were used: ANCOVA for all age-classes pooled, and Student's *t*-tests for individual age-classes (due to small sample lengths and disproportionate distribution of age-classes between estuaries). We tested data from the laboratory fish group captured in each estuary via ANCOVA analyses. This analysis used the independent

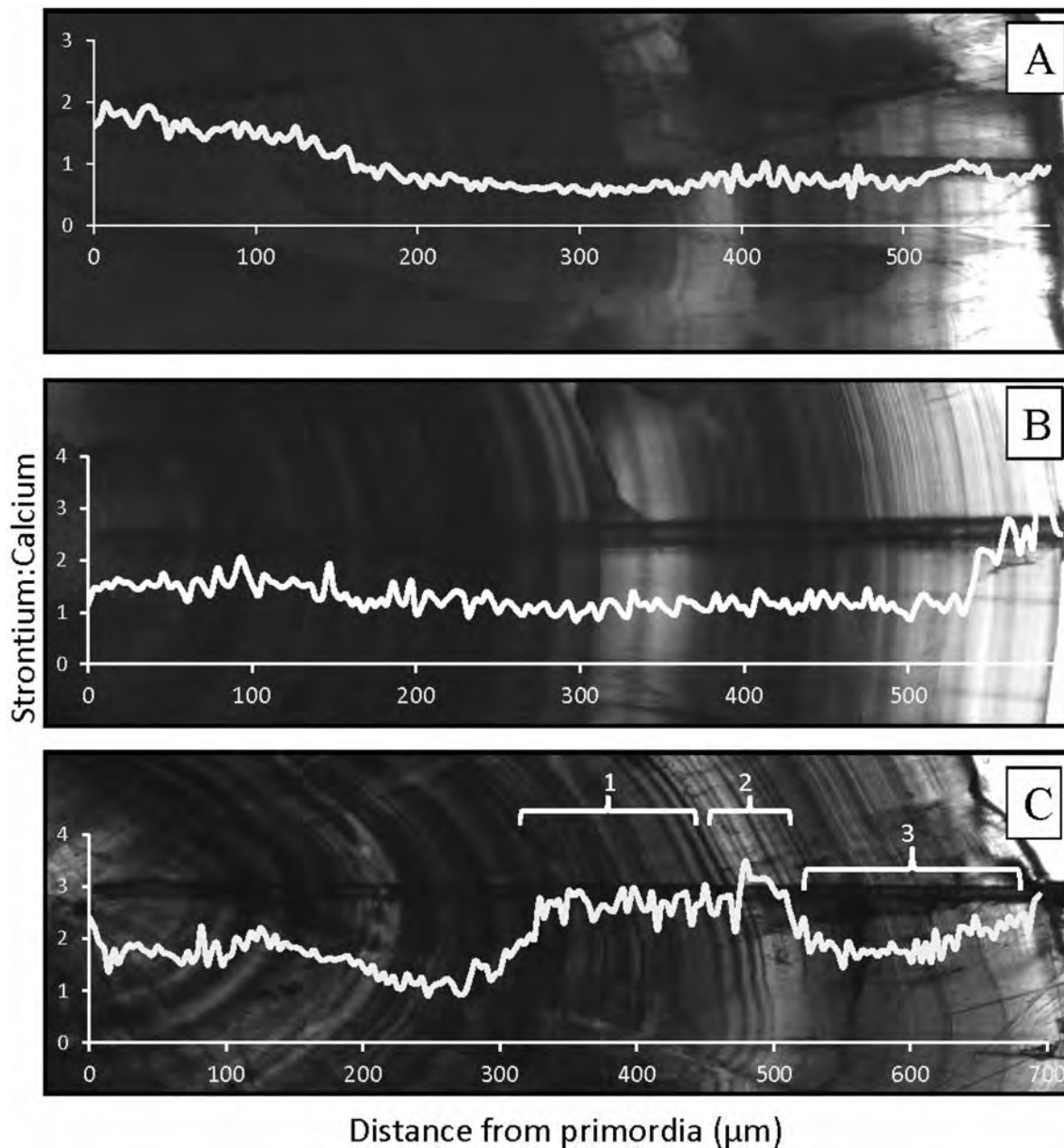


FIGURE 2. Images of otoliths of Coho Salmon from the Fox and Anchor River estuaries showing Sr : Ca ratio graphs overlaid with laser transect distances. Different estuary use patterns are depicted: (A) no estuary use, (B) summer season estuary use signature, and (C) age-2 fish with overwintering signature and variable use of salinities during the summer season, where (1) is the first summer estuary signature, (2) is the winter estuary signature, and (3) is the second summer estuary signature.

variable (condition) and dependent variable (date of capture) with estuary rearing as the covariate for fish comparison for all ages pooled (weighted bycatch). For the age-class comparisons, we compared traits (length, condition, dates of entry, and weights) between signature patterns using Student's unpaired two-sample *t*-tests for each age-class; estuaries were analyzed separately. Because, in this scenario, each variable was repeated a total of four times (for age-0 and age-1 classes by two es-

tuaries), we adjusted our alpha values accordingly (Dunn Sidak correction alpha level 0.013; Abdi 2007).

Our third objective focused on whether fish using the glacial Fox River estuary showed differential trait expression from those using the snowmelt, spring fed Anchor River estuary. Two separate analyses were performed as described above. For the between-age-class comparisons, traits were examined for differences between estuaries using Student's unpaired

two-sample *t*-tests for each age-class. To compare fish traits with all age-classes pooled, we used an ANCOVA analysis with each dependent variable (length, dry weight, condition) and capture date as the independent variable with estuary of capture as the covariate.

The final objective was to examine the influence of three potential factors (age, estuary type, and presence of an estuary signature) in explaining variability in Coho Salmon traits. We used a three-way catch-weighted ANOVA with the laboratory group data to address this question.

Data were standardized to the mean of each variable and fourth-root transformed (when necessary) to meet homogeneity assumptions for all linear tests. Data were checked for equal variance using *F*-tests for age-class comparisons. If samples had unequal variances and could not be transformed to meet this assumption, a Welch two-sample, unpaired *t*-test was used for comparison of age-class data.

RESULTS

Estuary Habitats

Temporal trends in habitat features followed trends and differences anticipated for snowmelt versus glacially fed estuaries. Minimum salinities were higher and more variable in the snowmelt-fed Anchor River estuary channels, particularly in midsummer (Student's two-sample unpaired *t*-test: *t* = 1.32, *P* < 0.001, *df* = 18; Figure 3; Table 1). Data from the stationary loggers placed in the sampling sites showed expected patterns in trends associated with each watershed type. The glacial Fox River showed seasonal increases in water depth and decreases in temperature associated with the glacial runoff, whereas the snowmelt and spring-fed Anchor River exhibited peak water depths and coolest temperatures in the early spring. The highest 7-d average estuarine water temperatures occurred in late May (13.3°C) for the Fox River and late July (15.3°C) for the Anchor River.

Fish

We captured a total of 1,743 Coho Salmon in the Anchor River and measured 532. In the Fox River we captured 4,232 individuals and measured 1,621. We sacrificed and retained 35

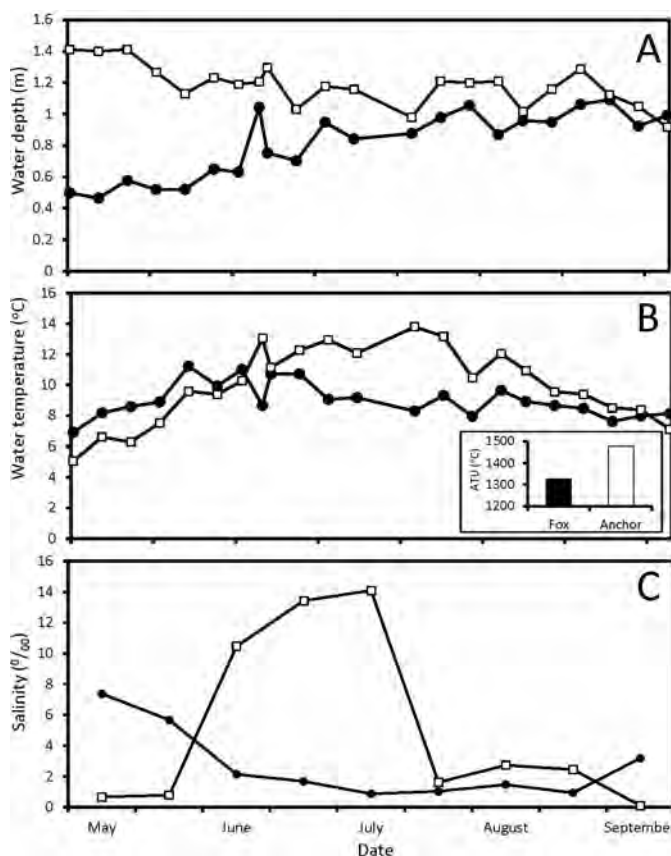


FIGURE 3. Continuous data logger results for the Fox River (black circles) and Anchor River (open squares) estuaries showing the summer-season 7-d average (A) water levels, and (B) water temperatures with an inset in accumulated thermal units (ATU). (C) Average weekly point measurements of salinity.

from the Anchor River estuary and 73 fish from the Fox River estuary for laboratory analysis.

Three age-classes of Coho Salmon were captured in both estuaries (0, 1, 2), though the relative dominance of age-classes within the measured group differed significantly between estuaries ($\chi^2 = 338.4$, *P* < 0.001, *df* = 2, Table 2; Figure 4). Fish captured in the Fox River estuary were primarily composed of younger age-classes (age-0 and age-1 fish), with less than 5% of the catch composed of age-2 fish. The Anchor River estuary

TABLE 1. Mean monthly measures of environmental conditions for the south-central Alaska's Fox and Anchor river estuary channels. Metrics were calculated for all channels combined within the Fox or Anchor estuaries. Water temperature is in accumulated thermal units (ATU).

Month	Fox River: mean (var)			Anchor River: mean (var)		
	Temperature ATU (°C)	Depth (m)	Salinity (mS/cm)	Temperature ATU (°C)	Depth m (var)	Salinity (mS/cm)
May	50.2 (17.3)	0.7 (0.1)	7.8 (4.5)	52.4 (11.4)	1.3 (0.3)	0.7 (1.2)
Jun	74.8 (5.0)	0.7 (0.4)	2.0 (2.5)	78.7 (13.2)	1.2 (0.2)	8.5 (11.1)
Jul	60.0 (10.3)	0.9 (0.4)	1.3 (2.3)	90.7 (9.3)	1.1 (0.2)	7.9 (10.8)
Aug	58.6 (4.0)	1.0 (0.3)	1.5 (1.5)	74.6 (10.6)	1.2 (0.2)	2.5 (1.1)

TABLE 2. Numbers of measured and laboratory Coho Salmon grouped by age for the Fox River and Anchor River estuaries. Counts of fish showing estuary use is denoted for the laboratory group in parentheses.

Estuary	Age 0	Age 1	Age 2	Total
Measured group composition: numbers of fish				
Fox	785	760	76	1,621
Anchor	291	133	108	532
Total	1,076	893	184	2,153
Laboratory group composition: numbers of fish				
Fox	24 (6)	45 (17)	4 (1)	73 (24)
Anchor	9 (3)	14 (11)	12 (10)	35 (24)
Total	33 (9)	59 (28)	16 (11)	108 (48)
Percent of total laboratory group with estuary signature				
Laboratory group	41	48	69	44

measured fish group was composed of over 20% age-2 fish and had a smaller proportion of age-1 fish than the Fox River (Table 2). We were restricted in retaining age-2 fish for individual analysis from the Fox River estuary due to low catch rates of this age-class in the system.

A substantial proportion of laboratory group fish displayed elevated Sr : Ca signatures, indicating growth within the saline reaches of the estuary (44%, 48 of 108 collected fish). Of these, 10 individuals overwintered in saline environments (either estuarine or near shore environments), 13 exhibited summer season use patterns of residence in saline environments followed by use of less saline environments (e.g., Figure 2A). Of the 35 Anchor River fish and 73 Fox River fish analyzed, 24 from each river exhibited evidence of estuary rearing. The Fox River fish showed a significantly lower proportion of fish with estuary signatures. Only two fish from the Fox River estuary showed estuary–marine overwintering signatures (one individual each from age-classes 1 and 2).

Disparity in patterns of capture, estuary use, and entry dates were apparent in comparisons of fish captured in the two estuaries (Table 3). The highest total capture of Coho Salmon occurred in the Anchor River estuary in late August and in late July in the Fox River (Figure 4). In both estuaries, most age-2 individuals were captured in April–June. Age-1 individuals predominated the June and early July catches, and age-0 individuals were not captured until later in June. Fish captured in the Anchor River estuary entered earlier during the sampling period and had shorter and less variable times of use than those captured in the Fox River estuary; however, these differences were not statistically significant (weighted 2-way linear model) for the pooled, catch-composition-weighted data for laboratory group with estuarine rearing: entry dates ($F = 1.71$, $P = 0.20$, $df = 46$) and residence ($F = 2.06$, $P = 0.16$, $df = 463.69$; Table 3). Only two variables were significant (Student's unpaired t -test) among comparisons made between estuaries by

TABLE 3. Mean residence times and capture dates for the laboratory group of Coho Salmon captured in the Fox and Anchor rivers in 2011.

Estuary	Age 0	Age 1	Age 2
Average summer season use (d)			
Fox	49.33	39.23	6.00
Anchor	36.33	29.72	14.80
Mean capture dates (estuary signature)			
Fox	Aug 21	Jul 31	May 28 ^a
Anchor	Aug 8	Jul 20	May 29
Mean capture date (no estuary signature)			
Fox	Jul 13	Jul 18	Jun 17
Anchor	Aug 23	Jul 13	Jul 4

^aSample size was 1.

age-class: laboratory group age-0 entry date ($t = -2.50$, $df = 30$, $P = 0.02$) and condition ($t = -1.92$, $df = 30$, $P = 0.06$).

Generally, fish captured and measured within the two estuaries differed in length, weight, and body condition; however this was only statistically significant when single age-classes were compared (Table 4). Compared with Fox River fish, the Anchor River mean FL at age was significantly (Student's unpaired t -tests) larger and less variable for each age-class in the measured group, i.e., age 0 ($t = -151.15$, $P < 0.01$, $df = 306$), age 1 ($t = -6.22$, $P < 0.01$, $df = 889$), and age 2 ($t = -3.35$, $P < 0.01$, $df = 108$; Table 5). Fish in the laboratory group followed a similar pattern as the measured group; however, these differences were statistically significant only in some comparisons made by separate age-classes (Table 5).

The age and presence or absence of an estuary signature significantly contributed to variability between traits (length, condition, dates of capture, and weights), whereas the estuary of capture did not. Fish that demonstrated more extended estuary use tended to be captured in the estuaries later than those that showed little to no estuary use (weighted 2-way linear model: $F = 5.14$, $P = 0.02$, $df = 103$; Table 5). Fish using the estuary were significantly (weighted 2-way linear models) greater in length and had higher condition when samples from both estuaries were pooled: length ($F = 5.75$, $P < 0.01$, $df = 103$) and condition ($F = 13.12$, $P < 0.01$, $df = 103$; Table 4). Finally, the evidence of estuarine rearing significantly (ANCOVA) accounted for variation in fish condition over time for both the Anchor ($F = 11.06$, $P < 0.01$) and Fox ($F = 6.42$, $P = 0.01$) river estuaries. Generally, fish in both estuaries increased in condition over time. However, fish lacking estuary signatures showed smaller sizes and lower condition when captured, and the condition increased at a greater rate over the summer season than it did among fish with an estuary signature (Figure 5).

In summary, juvenile Coho Salmon used estuaries for rearing, the greatest variability in fish traits (body condition, length, weight, capture date) being explained by the age-class and the presence or absence of estuary rearing. All fish exhibiting estuary use were significantly larger and had greater weights and

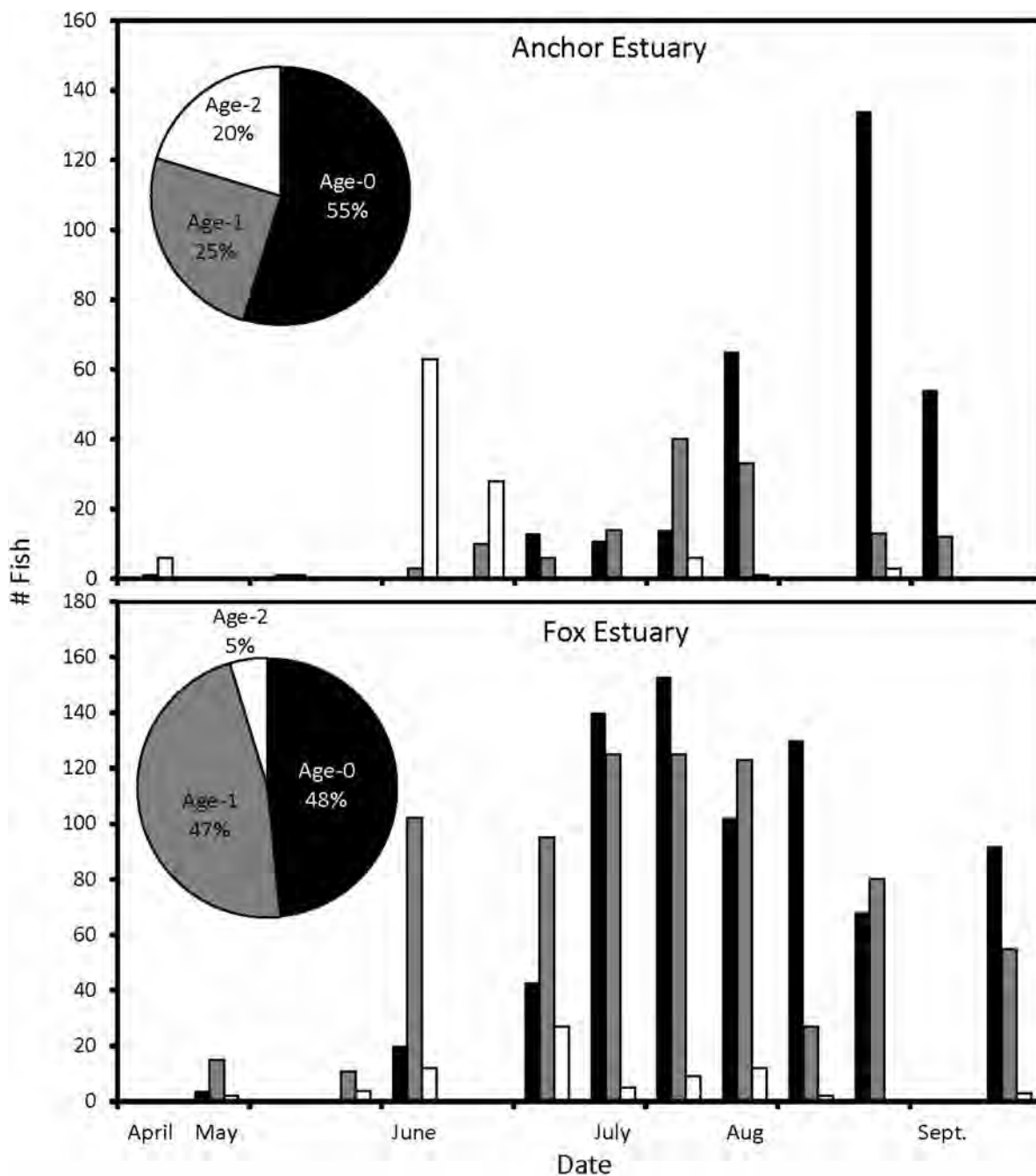


FIGURE 4. Comparison of total sample catch of Coho Salmon separated by age-class in the Fox and Anchor river estuaries. Inset pie charts illustrate age composition.

higher body condition than those lacking estuary-use signatures. Patterns of trait differences between estuaries were apparent, though not statistically significant given our limited sample sizes of estuary residents. Compared with fish in the Fox River estuary, those using the Anchor River estuary showed a higher proportion of overwintering use, and the summer composition of residents was higher in older individuals with greater body condition, length, earlier entry, and shorter times of use.

Finally, we addressed the potential for capture date to bias residence. We found a weak, though significant, positive relationship between capture date and residence days for fish from the Fox River estuary ($P < 0.01$, adjusted $r^2 = 0.18$) but not for fish from the Anchor River estuary ($P = 0.28$, adjusted $r^2 = 0.01$). This relationship could potentially be explained by the differences in behavior patterns of the fish from the two estuaries.

TABLE 4. Mean and variance of body size, weight, and condition for measured ($n = 2,153$) and laboratory ($n = 108$) groups of Coho Salmon captured in the Fox River and Anchor River estuaries.

Estuary	Age 0	Age 1	Age 2
Measured group mean size (variance)			
Fox	40.68 (73.16)	72.86 (176.75)	85.34 (166.70)
Laboratory group mean size (variance)			
Fox	41.91 (117.63)	76.11 (332.58)	90.75 (189.30)
Estuary signature	51.50 (96.30)	79.10 (214.74)	80.10 ^a
No signature	38.50 (85.01)	74.10 (411.18)	93.00 (207.33)
Anchor	48.22 (84.94)	77.90 (173.91)	99.75 (86.75)
Estuary signature	53.30 (114.33)	79.10 (137.69)	98.10 (76.98)
Laboratory group mean dry weight (variance)			
Fox	0.15 (0.02)	1.13 (0.80)	1.47 (0.42)
Estuary signature	0.30 (0.03)	1.22 (0.42)	0.96 ^a
No signature	0.09 (0.01)	1.08 (0.89)	1.60 (0.45)
Anchor	0.25 (0.02)	1.04 (0.40)	1.99 (1.05)
Estuary signature	0.32 (0.04)	1.11 (0.42)	1.91 (1.12)
No signature	0.18 (0.01)	0.70 (0.36)	2.40 (1.08)
Laboratory group Fulton's mean condition (variance)			
Fox	0.91 (0.04)	1.08 (0.02)	1.05 (0.01)
Estuary signature	1.12 (0.01)	1.12 (0.01)	1.14 ^a
No signature	0.84 (0.03)	1.06 (0.04)	1.03 (0.01)
Anchor	1.05 (0.02)	1.12 (0.01)	1.00 (0.02)
Estuary signature	1.12 (0.01)	1.15 (0.00)	1.00 (0.02)
No signature	1.02 (0.03)	0.99 (0.00)	1.02 (0.02)

^aSample size too small for variance calculations.

DISCUSSION

Fish using the estuaries in our study exhibited substantially greater estuary use times in the saline reaches of the estuary than previously reported for juvenile Coho Salmon, particularly older

cohorts (age-1 and age-2 juveniles; McMahon and Holtby 1992; Thorpe 1994; Magnusson and Hilborn 2003). Juvenile Coho Salmon in all age-classes used estuaries for extended periods of time, including overwintering in estuaries or nearshore areas,

TABLE 5. Trait comparisons between estuaries and signature groups for pooled, catch weighted data shown by age-class for Coho Salmon captured in the Fox River and Anchor River estuaries. Only tests with probability values <0.10 are reported.

Metric	Statistical significance	Pattern
Comparisons between estuaries		
Age 0		
Size	$t = 61.27, P < 0.01^a, df = 751$	Measured fish, Anchor fish larger
Entry date	$t = -2.50, P = 0.02, df = 30$	Laboratory fish, Anchor fish earlier entry date
Condition (Fulton's)	$t = -1.92, P = 0.06, df = 30$	Laboratory fish, Anchor fish higher condition
Age 1		
Size (FL)	$t = -5.95, P < 0.01^a, df = 889$	Measured fish, Anchor fish larger
Age 2		
Size (FL)	$t = -3.36, P < 0.01^a, df = 182$	Measured fish, Anchor fish larger
Comparisons between estuary signatures		
Condition (Fulton's)	$F = 13.12, P < 0.01^a, df = 103$	Fish with signature had higher, less variable condition
Dry weight	$F = 3.34, P = 0.07, df = 103$	Fish with signatures had higher, less variable dry weight
Capture date	$F = 5.14, P = 0.02, df = 103$	Fish with signatures showed later entry dates
Size (FL)	$F = 5.75, P = 0.02, df = 103$	Fish with signatures showed larger, less variable size

^aData are shown for all tests, Dunn-Sidak $\alpha = 0.013$ for significant tests.

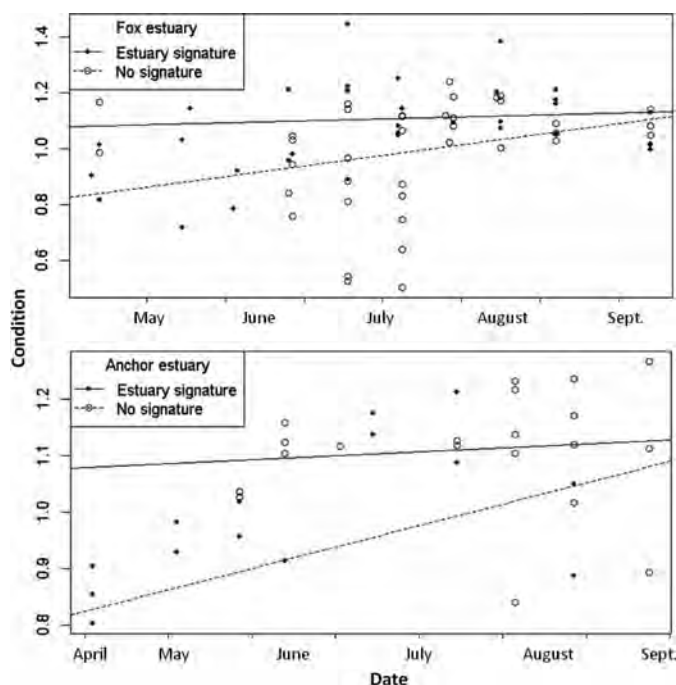


FIGURE 5. Fulton's condition factor for Coho Salmon shown by signature group and collection data from laboratory analyzed fish captured in the Fox River (upper panel) and Anchor River (lower panel) estuaries.

and these patterns of use differed between the two estuaries. The smaller, Anchor River estuary fed by snowmelt and spring water had larger, older fish that overwintered in the estuary or nearshore environments, and these fish used the estuary for shorter and earlier summer season periods prior to outmigration than did juveniles in the Fox River estuary. Fish in the larger, more complex, glacially fed Fox River estuary were composed of younger age-classes with longer summer residence times and few estuarine overwintering fish. Direct measurements of residence of older age-classes (ages 1–2) previously described were substantially shorter than those in our findings: up to 16 d (Chittenden et al. 2008) to 18 d (Miller and Sadro 2003).

Our observation of estuarine and nearshore overwintering juvenile Coho Salmon has theoretical implications regarding life history variability throughout the species range, though our observations are restricted to a central Alaska coastal population. This estuarine–marine overwintering life history pattern may be simply random movement or a response to a saturated or poor quality lower-river rearing habitat (Murphy et al. 1997) or, conversely, high estuarine habitat quality. Alternatively, it could represent exploitation of higher coastal productivity, forage, and nearshore habitat quality. All of these factors are expected to differ over the species range, even among adjacent systems within the same region. We note that incorporation of materials into the otolith matrix and our sampling regime do not allow us to distinguish between overwintering in the estuary channels themselves or the near shore environments of Kachemak Bay and Cook Inlet. The possibility exists that Coho Salmon enter nearshore

marine environments and rear by moving between a number of fjords and estuary habitats such as those that exist along the shoreline of Kachemak Bay and Cook Inlet. Further research is necessary for an understanding of the drivers and full range of overwintering areas used by these estuarine-resident juveniles.

Although we did not examine the mechanisms driving differential patterns of estuarine habitat use, we speculate that differences in timing of use among estuaries may be due to spatial variability in water turbidity, temperature regimes, and environmental factors that affect channel depths. Use of channels by juvenile salmon is often associated with water depth (Miller and Simenstad 1997; Webster et al. 2007; Hering et al. 2010), which in the glacially fed Fox River estuary increased gradually from mid-June to late August. The glacial run-off led to cooler and less variable water temperatures. Anchor River estuary channels are deepest in early spring during peak snowmelt and become most shallow and warm in mid-July and early August, cooling thereafter with fall rains. We captured most fish in late August in the Anchor River and in late July in the Fox River, suggesting a suitable combination of water temperature and channel depth to accommodate most estuary use.

Our findings also suggest variable use of estuaries by young-of-year and older age-classes of Coho Salmon. Miller and Sadro (2003) and Koski (2009) discuss the potentially important role of the “nomad” or young-of-year Coho Salmon that spend up to 8 months in the upper estuary ecotone and then return to freshwater to overwinter. Although a large proportion of young-of-year migrants exhibited summer season patterns of movement between freshwater and estuaries, we found no evidence of movement to freshwater environments to overwinter. The discrepancy here could be due to differences in the relative size and the definition of the estuary ecotones between our study and others or differences in methods. We defined the upper and middle estuary ecotones in which the sampling sites were located as the intertidal zone (point from highest to lowest tidal fluctuations) and may contain some channels with lower mean salinity levels at the upstream region of the intertidal zone. This may result in fewer fish from lower-salinity channels showing estuary use. We did examine the point measures of salinity across the tidal inundation zone and found that the most upstream channel of the Fox River estuary had generally low salinity (average, <2 mS/cm) with the exception of the spring tidal periods. However, we do not believe this biased our results because the sample size of fish was small and the relative proportion of fish with estuary signatures; i.e., fish lacking estuary signatures was similar to the overall sample (1:5 upper channel, 24:73 in the Fox River sample). Additional differences in our study may result from the variability of the tidal range (>8 m) because the Cook Inlet region is most likely very different from locations where other studies have been completed in lower latitudes. Finally, the methods we employed to determine estuarine residency were direct measures of Sr : Ca ratios (salinity of environment) and fish growth, as determined from the otoliths. Many other studies provide inference from mark–recapture work, which may be

biased to shorter periods and short-distance movements in areas where fish can be efficiently recaptured (Gowan et al. 1994).

Our study raises several interesting questions regarding the importance of the freshwater environment and watershed characteristics and their influence on exploitation of the estuarine environment—a point for future investigation. The influence of the watershed type and availability of suitable upstream rearing habitat may play a role in estuary use. Murphy et al. (1997) discuss the importance of lower-river freshwater areas in large glacial river systems for juvenile salmon rearing. We noted that the Fox River lacks the lower-river freshwater areas discussed by Murphy et al., whereas the Anchor River has ample lower-river habitats. The Anchor River estuary had a large proportion of older, larger resident fish with early entrance dates and shorter summer residence times, whereas the Fox River estuary had a smaller proportion of younger residents entering later and staying longer. This suggests that more suitable and extensive freshwater rearing habitat upstream may exist in the Anchor watershed (to allow for greater growth prior to estuary entry) and that temperature differences (cold glacier melt water versus warmer snowmelt and spring water) may contribute to patterns in growth and emergence timing. All but two of the Anchor River age-2 fish exhibited estuary overwintering during their second winter, implying an important role for the estuary, despite its small extent.

We did not determine the overall proportion of fish using the estuary during the juvenile phase in each population. It is possible that fish using the estuary for any amount of time may only contribute small numbers to the overall population within each river; it is probable that this varies from year to year. Simultaneous study of emigrating juvenile populations in the Anchor River (Gutsch 2012) noted a sudden drop in average length of Coho Salmon juveniles from approximately 100 mm to 80 mm toward mid-summer. These smaller individuals may overwinter within the estuary rather than move to the oceanic environment during a suboptimal period or body size—another possibility that warrants investigation. Regardless of the proportion of the reproductive population that these strategies compose, they contribute a unique suite of behaviors that increase trait diversity of each river's Coho Salmon population, diversity that represents adaptive potential that could contribute to population resilience to environmental change (Schindler et al. 2010).

Some interesting directions for future work include investigating the mechanisms for the differences in length, condition, residence times, and age composition found between fish using contrasting estuaries. We note that a possible nonlinear relationship between fish condition and time may exist in both estuaries (Figure 5). Though we are unable to address this question with our study sample, the possibility of influences of other estuarine environmental conditions on smolt condition (such as temperature and salinity) raises interesting questions for further investigation. A broader understanding of the importance of estuaries to different runs of salmon could be ascertained by determining the proportion of estuary residents in adult returns and how this

proportion varies over space, time, and estuarine complexity. Additionally, an understanding of the connections between the watershed, estuary, and near-shore environments during early marine rearing in Coho Salmon will facilitate strategic and knowledge-based management of these fragile and dynamic areas, thereby providing for resilient fisheries.

Prolonged use of estuary habitats (months during the summer and throughout the winter) may represent a distinct life history strategy that contributes to the overall population life history portfolio (Schindler et al. 2010). It follows, then, that pristine, functioning estuary habitats can contribute to resilience of salmon populations to environmental changes in two ways: (1) by providing a place for some individuals to increase in length and condition prior to ocean entry to improve survival, and (2) by providing for alternative life history strategies. Maximizing both the availability of supplemental habitats and life history diversity is particularly important given increasing human populations that stress land and water resource development and fishery resource use. Gaps in our understanding of environmental influences on life history expression arise from the fact that many of the highly studied salmon ecosystems in the Northeast Pacific are disturbed or substantially altered in some manner that has caused loss of variability in life history traits within populations (Miller and Simenstad 1997; Cornwell et al. 2001; Magnusson and Hilborn 2003; Bottom et al. 2005b; Healey 2009). Managers require a thorough understanding of the suite of environmental factors that influence the structure and survival of exploited fish populations to make decisions that provide the greatest benefit to all stakeholders (Bottom et al. 2009). This need stresses the importance of understanding functioning watersheds to inform management of endangered or threatened stocks.

ACKNOWLEDGMENTS

This work was completed as part of student graduate research and much appreciation is expressed to University of Alaska School of Fisheries professors Franz Mueter and Megan McPhee for their review and guidance of the dissertation work leading to this manuscript. Kachemak Bay National Estuarine Research Reserve provided staff support, facilities, and equipment for completion of this study. Research team members Angela Doroff, Ori Badajos, and Jasmine Maurer provided much appreciated assistance with equipment, data management, and editorial review. We thank volunteer assistants Janet Fink, Jason Neher, Charles Owens, and Michelle Gutsch. Additional staff and equipment support came from U.S. Fish and Wildlife Service, U.S. Geological Survey Alaska Science Center, and the University of Alaska School of Fisheries and Ocean Sciences. Portions of this work were performed at the Advanced Instrumentation Laboratory, University of Alaska Fairbanks, and we thank Karen Spaleta for her guidance in the laboratory. We especially thank Charles Simenstad for his guidance on the project and review of this manuscript and the two

anonymous reviewers for their helpful suggestions. This research was conducted in the National Estuarine Research Reserve System under an award from the Estuarine Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration. Additional funding was provided by State Wildlife Grants to KBRR, the University of Alaska Fairbanks, and Alaska Experimental Program to Stimulate Competitive Research. All work involving use and handling of animals was completed under the University of Alaska Institutional Animal Care and Use Committee approved sampling plans. Use of trade, product, or firm names is for descriptive purposes only and does not imply endorsement by the U.S. Government.

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STATE WILDLIFE GRANT (SWG)

STATE: Alaska

GRANT: T-31-13

PROJECT: P-01

WORK LOCATION: Homer

PERIOD DURATION: February 1, 2015–June 30, 2016

PROJECT REPORTING PERIOD: February 1, 2015–June 30, 2016

PROJECT TITLE: Estuary Habitat Use by Juvenile Chinook and Coho Salmon in a Kenai Lowlands (Anchor) River.

PROJECT AUTHORS: Coowe Moss Walker and Brianna Pierce

Project Objectives:

The purpose of the project: This project investigates key aspects of juvenile salmon use of estuaries in south-central, Alaska, including patterns of movement and residence in different estuary habitats.

Objective 1: Research demographic patterns of juvenile Chinook and Coho Salmon movement and residence through different reaches and channel systems in the estuary.

Objective 2: Identify characteristics (metrics) of tidal channels that potentially relate to fish occupancy, residence and feeding.

Summary of Project Accomplishments:

This project explores key aspects of juvenile salmon estuarine habitat use in a snowmelt, groundwater supported estuary of south-central Alaska. We investigated patterns of juvenile fish movement and residence in estuary habitats (objective 1), including different marsh channels and mainstem sites along a tidal gradient, through repeated fish sampling at the sites, tagging, recaptures and antenna detections. Features of those habitats that related to fish use (objective 2) were investigated through stationary loggers and point sampling. Our results revealed distinct environmental characteristics of the different habitats, with dissolved oxygen and water stratification explaining much of the variability between marsh channels and mainstem sites. Eight fish species were regularly captured in the estuary, including Chinook Salmon (*Oncorhynchus tshawytscha*), Coho Salmon (*O. kisutch*), Dolly Varden (*Salvelinus malma*), Sockeye Salmon (*O. nerka*), staghorn sculpin (*Leptocottus armatus*), starry flounder (*Platichthys steallatus*), steelhead (*O. mykiss*), and three-spine sticklebacks (*Gasterosteus aculateatus*). Fish community assemblages differed between the habitats. In 2016, juvenile Chinook Salmon characterized the middle and upper mainstem habitats; however chinook were rarely captured in 2015, likely due to the low adult return of the previous year. After excluding highly abundant young of the year sticklebacks, juvenile Coho Salmon were the most abundant species in the estuary in both 2015 and 2016, averaging at least 25% of the total catch in all of the habitats. Small, age 0 Coho Salmon continued to enter the estuary from June through November. Marsh channel habitats were utilized by juvenile Coho Salmon, and to a lesser degree by juvenile Chinook Salmon. These marsh channels were characterized by large numbers of staghorn sculpin and three-spine sticklebacks in addition to the salmon. Starry flounder and staghorn sculpin were most

characteristic of the lower mainstem site. Data from tagged, recaptured and antenna detected salmon revealed juvenile Coho Salmon residing in the estuary for nearly 11 months, and juvenile Chinook residing for nearly 1 month. Both juvenile Chinook and Coho were documented moving upstream and downstream throughout the estuary, between mainstem and marsh channel habitats. Collectively, project results demonstrate that juvenile salmon use on a broad array of habitat types within the estuary, and highlight the importance of even small estuaries to juvenile salmon growth and resilience.

Study Site:

The Anchor River is located at the southern end of Cook Inlet (Figure 1), where there is a large tidal range (> 8 m depth) that can potentially create broad ecotones of habitat conditions within estuaries. Hydrology in the Anchor River watershed is driven by snowmelt and shallow ground water. The watershed encompasses over 580 square kilometers, including 266 river kilometers accessible to anadromous fishes (Kervliet *et al.* 2013). The estuary at the mouth of the Anchor abruptly transitions into the marine environment of Cook Inlet after flowing through an expansive marsh habitat, protected from maritime storms and erosion by a gravel and sand bar that extends along the shoreline. Measured from high-water tide line to the confluence with Cook Inlet, the estuary is nearly 3 km in length (Hoem Neher *et al.* 2013b).

We established five sites within the Anchor River estuary, representing a range of conditions, including two marsh sites, one located at the lower extent of the vegetated marsh, and one located in a mid-marsh area, and three sites along the river mainstem (Figure 2).



Figure 1. Overview of the middle marsh area of the Anchor River estuary in mid-summer.



Figure 2. Aerial image of the Anchor River estuary, showing sampling locations. Sampling sites: orange stars = estuary marsh habitat; blue stars = mainstem river sampling sites along a gradient from the upper extent of saltwater influence (light blue) to the lower extent of marsh vegetation (dark blue).

Methods

We collected data in 2015 and 2016, at the five established sites. In 2015, sites were sampled approximately once per week from late-July to early-September, with additional sampling in October and November. In 2016 sites were sampled every other week beginning in late May and continuing through September. Continuous depth, temperature and salinity data were collected from stationary loggers placed in each of the marsh channel habitats (Solinst TM 3001 level loggers, Solinst Canada Ltd., Ontario, Canada), calibrated with a Solinst TM 3000 barologger set onsite. Level loggers were set at 15-min recording intervals and placed in 5 × 25 cm plastic housings attached to steel fence posts driven into the substrate. Point measurements were taken for each sampling event at all of the sites to collect data on maximum depth, flow, temperature, salinity, and dissolved oxygen, taken at three points in the water column (just below the surface, mid-water column, and just above the substrate) using a YSI model 30. Turbidity data were collected using a YSI 6600 series data sonde, with a YSI 6136 turbidity sensor (YSI Instruments Inc.)

Fish were sampled by seining; in the marsh channels, block nets (0.3 cm mesh) were placed at both ends of the 25 m reach and fish were captured in three passes with a pole seine (2.2 × 6 m, 0.3 cm mesh). At mainstem sites, a pole seine was pulled 25 m parallel to the bank in the upstream direction in 2015; and in 2016, we used a 20 ft beach seine, pulling either upstream, or across the channel (Figure 3). Fish were counted, identified to

species, weighed, measured, and returned to the channel. Salmon over 55 mm in length received a Passive Integrated Transponder (PIT) tag, and a subset of fish had their stomach contents sampled via gastric lavage. Fish were held in recovery pens in the channel prior to release.

PIT tag reading antennas were established in four sites in 2015, reduced to three sites for 2016 due to one of the sites becoming too dry (Figure 4). Each antenna array consisted of two antennas so that direction of movement could be detected. Antenna efficiency was calculated for segments of time between each sampling event by dividing the number of unique tags detected at the antenna by the number of tags known to have passed through (as determined by detection or recapture) (Table 1).

To compare fish catch samples across sites, we used log transformed catch per unit effort (CPUE), using the first pass from each sampling event.

$$CPUE = \frac{\text{\#fish per area sampled}}{\text{area sampled}}$$

*area sampled = transect length*net curved-width for mainstem sites and
transect length*average channel width for marsh channels.
average channel width = mean wetted width at 5m intervals along the transect at low tide.
CPUE was log transformed*



Figure 3. Fish were captured using pole seines in block-netted marsh channels (A), or beach seining in the mainstem (B). Salmon > 55 mm in length were PIT tagged (C); gastric lavage was used to collect stomach samples from representatives of all age classes of juvenile Coho and Chinook Salmon (D); fish recovered in protected in-stream pens (E).

To estimate the standard growth rate (SGR) of PIT tagged Coho Salmon and staghorn sculpin, we measured the length and weight of recaptured fish (excluding recaptures within ten days of tagging):

$$\text{Standard Growth Rate} = \ln(\text{recap weight}/\text{initial weight})/\text{days since tagging}$$



Figure 4. PIT tag reading antenna locations, shown as yellow bars.

Results

Channel metrics

Environmental conditions varied temporally and spatially in the different estuary habitats (Figure 5). Mainstem sites were consistently deep (~1 m), with stronger flows (> 20 cm/s), salinities near zero, and consistently high dissolved oxygen levels (> 10 mg/L). Both marsh channels had consistently low flows. Marsh channel B (closest to the river mouth), showed a marked response to extreme tide events, with higher and more variable salinities. This is likely due to each channel's connectivity to the mainstem, where a silt sill at the mouth of the channel requires the tide to reach approximately 4.5 m before the channel is inundated. The mid marsh channel, Marsh channel A, by contrast, is always connected to the mainstem. This physical feature enables Marsh channel B to maintain environmental stability during low and moderate tides. Temperatures at all sites generally increased over the course of the field season, although July rains lowered the temperature and correspondingly increased turbidity in mainstem sites, but not in the marsh channels. At times during mid-summer temperatures in mainstem sites consistently exceeded 15° C. Marsh channel sites were generally cooler (rarely exceeding 15° C), and had much lower dissolved oxygen levels, with the mid marsh channel (A) dropping below 4 mg/L in August.

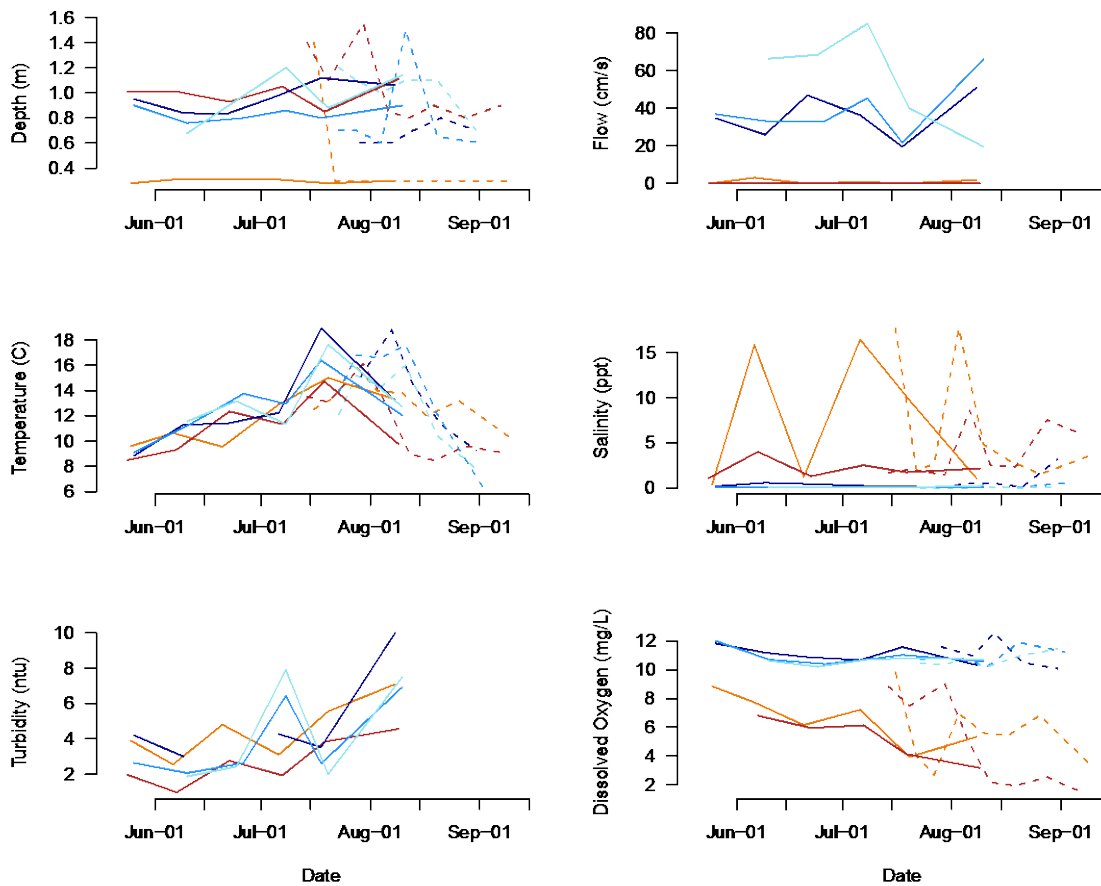


Figure 5. Point measurements of environmental variables over time at each sampling site in 2015 (dashed lines) and 2016 (solid lines). Line colors correspond to sites as indicated in Figure 2 (red = Marsh A, orange = Marsh B, purple = lower mainstem, dark blue = middle mainstem, light blue = upper mainstem). Note: Turbidity and flow were not recorded in 2015.

A Principle Components Analysis (PCA) of environmental variables for 2015 and 2016 revealed that the two marsh channels were distinct from each other, and from the mainstem sites (Figure 6). Substantial variability in the two marsh channels contrasted with the mainstem sites, where the environmental conditions were much more stable. In both years, higher dissolved oxygen levels in the mainstem, and a greater degree of water stratification in the marsh channels were primary drivers of differences in environmental conditions between the different habitats.

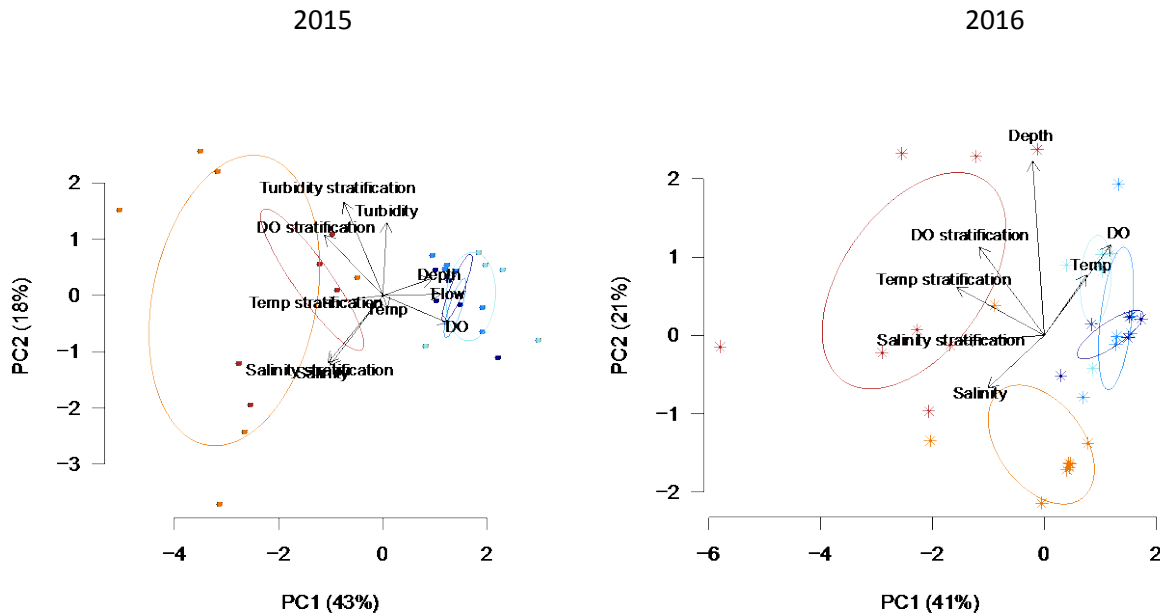


Figure 6. Principle components analysis (PCA) of environmental variables collected during each sampling event for 2015 (left) and 2016 (right). In both years, PC1 explains significantly more variability than would be expected from the null distribution ($p < 0.01$). PC2 is not significant. Points represent individual sampling events and are colored by site, corresponding to colors indicated in Figure 2. Ellipses denote the standard deviation from each site centroid. The association of environmental variables with the principle component axes is illustrated by the vector arrows, with the length of arrow proportional to the variance explained. DO = dissolved oxygen, Temp = temperature. Point readings were taken at three points in the water column (bottom, middle, and surface).

Fish

Similar to other estuaries in Alaska, the Anchor River estuary has relatively low fish diversity. Of the over 16,400 fish sampled, fifteen species were represented, nine of which were present at multiple life history stages, including large numbers of young of the year (< 20 mm) staghorn sculpin and three-spine sticklebacks (Figure 7).



Figure 7. The most abundant captured fish included three age classes of juvenile Coho Salmon (A), juvenile Chinook Salmon (B), starry flounder (C) including young of year (D) staghorn sculpin (E) including young of the year (G), and three-spine stickle backs (H) including young of the year.

Species composition varied across the sites (Figures 8 and 9). Coho Salmon were abundant in all sites, comprising on average nearly three-quarters of the total catch in the mid marsh channel (Marsh A), but only 25% in marsh channel B. In the mainstem channels, Coho were most abundant (although much less so than Chinook Salmon) in the middle mainstem site during late June. Two main pulses of Coho Salmon, one in early June and one in early August, occurred in the marsh channels, and to a lesser degree in the lower mainstem channel, and small, age 0 Coho Salmon continued to enter the estuary into November (Figure 15). Chinook Salmon comprised less than 1% of the catch in 2015, but were commonly found in mainstem sites in 2016. They were abundant early in the season at the upper mainstem site and to a lesser degree in Marsh channel A, with another pulse of juvenile Chinook Salmon at the upper mainstem site in late August. The highest abundance of Chinook Salmon (densities of 4 fish/m²), were in the middle mainstem site in early June. Staghorn sculpin were most abundant in the lower marsh channel (Marsh B), where they increased from June to July, reaching and maintaining densities of 3 fish/m² through early August. Starry flounder were most abundant in the lower mainstem site, and lower marsh channel (Marsh B), with a marked increase in abundance in early August in both marsh channel habitats, as well as the upper mainstem. Dolly Varden were only present in small numbers in the mainstem sites, and three-spine sticklebacks were only present, but in large numbers, in the marsh sites. Small numbers of Sockeye Salmon were captured in all sites, except for the lower mainstem, although they were most abundant in the marsh channels, and Steelhead were found only in the upper and rarely in the middle mainstem site.

Overall, the two marsh channel habitats generally had higher densities of fish than the mainstem sites, with the exception of the middle mainstem site, which had high densities of Chinook Salmon in early June, steadily decreasing throughout the summer. Trends in abundance appear relatively consistent between 2015 and 2016;

with the exception of Chinook Salmon, which were only present in very small numbers overall in 2015, and juvenile steelhead, which were rare in 2016.

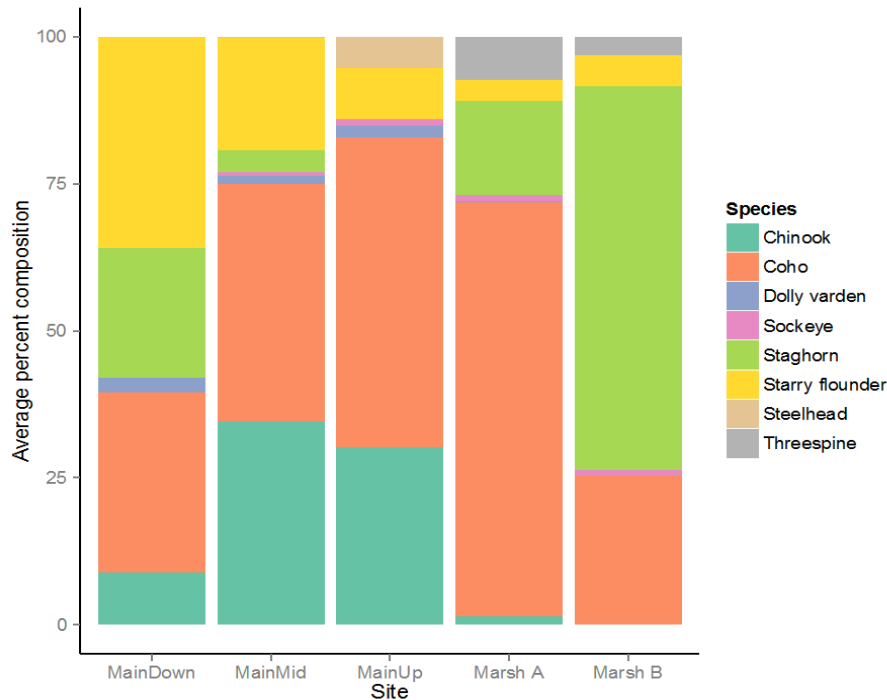


Figure 8. Average species composition at each site (2015 and 2016 data combined) based on log-transformed catch per unit effort. Staghorn = staghorn sculpin, Threespine = three-spine stickleback.

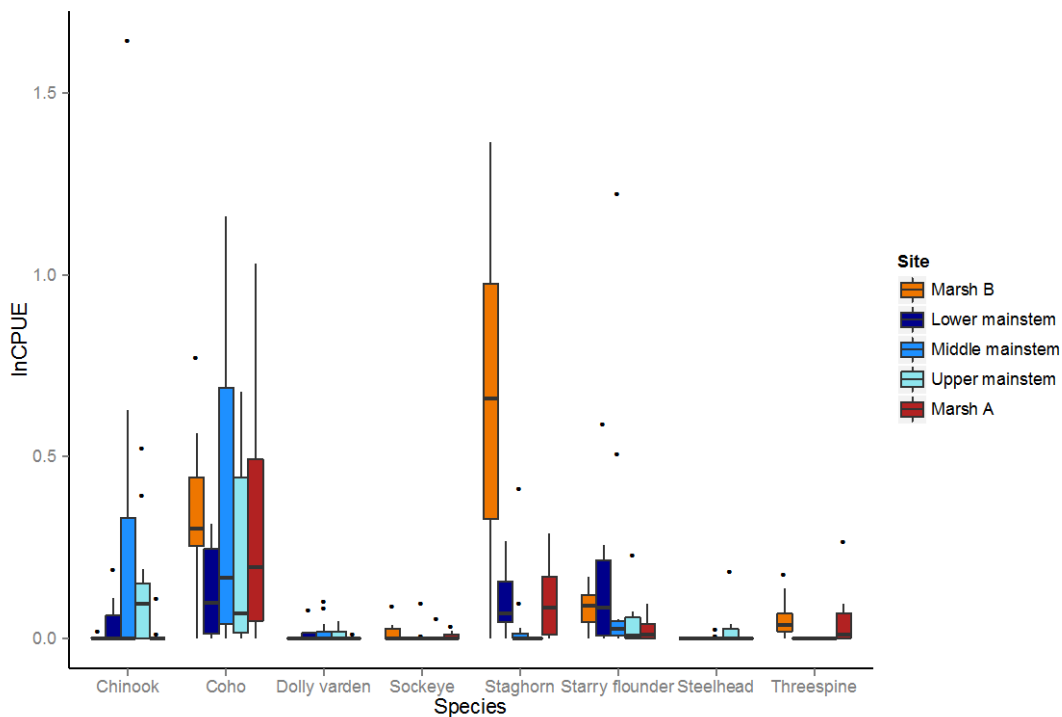


Figure 9. Boxplot of catch per unit effort of the primary fish species at each site (2015 and 2016 data combined). Staghorn = staghorn sculpin, Threespine = three-spine stickleback.

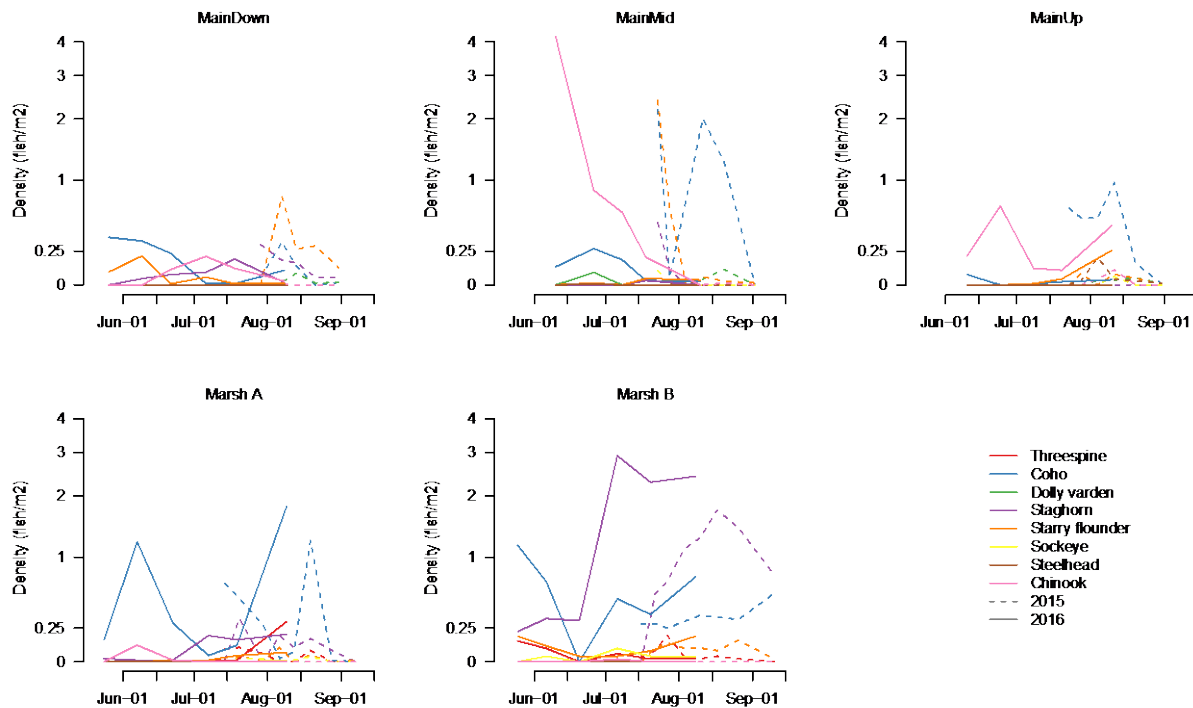


Figure 10. Catch per unit effort over time at each site for the primary fish species. Note log scale on the y-axis. Staghorn = staghorn sculpin, Threespine = three-spine stickleback. Dashed lines are 2015 data, solid lines are 2016 data.

A non-metric multidimensional scaling (NDMS) analysis of relative fish species abundance revealed distinct differences that remained fairly consistent for the two marsh habitats and the lower mainstem habitats. Newly hatched three-spine sticklebacks numerically dominated the fish community in the mid marsh site (Marsh A), staghorn sculpins dominated the lower marsh site (Marsh B), and a mix of staghorn sculpin and starry flounder typified the lower mainstem site (Figure 11). The middle and upper mainstem sites were characterized by Coho Salmon and steelhead in 2015; however Chinook Salmon were the characteristic species for these two sites in 2016 (Figure 11). The middle mainstem site exhibited the most variable fish assemblage in both years, as evidenced by the wide spread of sample points.

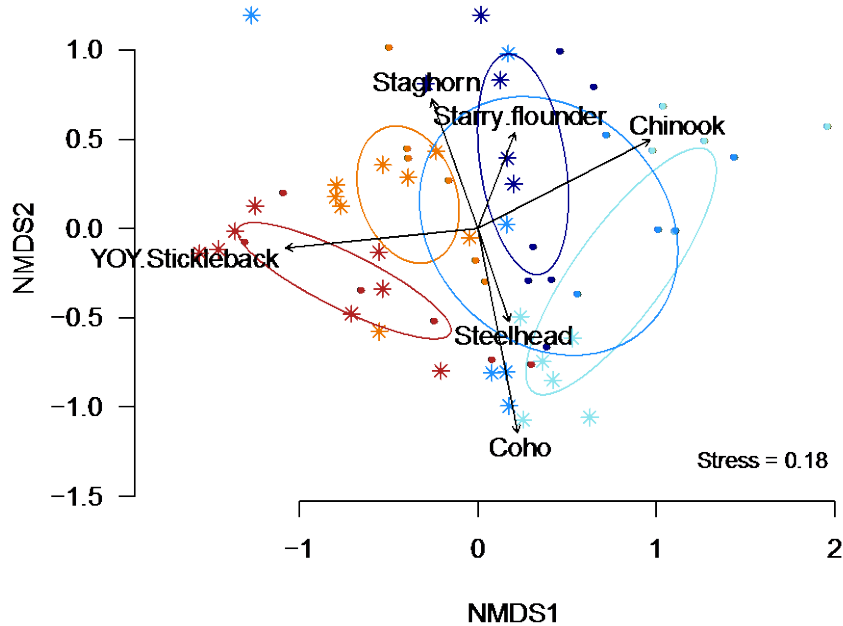


Figure 14. Two-dimensional nonmetric multidimensional scaling plot of relative species abundance for 2015 (stars) and 2016 (points) using Bray-Curtis dissimilarity. CPUE was log-transformed because the data were heavily right-skewed, and then row-standardized to compare relative species abundance across samples. Points represent samples and are colored according to site as indicated in Figure 2. Ellipses represent the dispersion of each site, and are based on the standard deviation to the site centroid. Vectors indicate the magnitude and direction of species loadings (variable weights) on the composite axes. Only those species that significantly contribute to the ordination ($p < 0.01$) are displayed. YOY = young of year sticklebacks (< 20 mm fork length), Staghorn = staghorn sculpin.

In both 2015 and 2016, three age classes of Coho Salmon were present in the estuary habitats. Length frequency distributions for 2015 and 2016 indicates that small, age 0 fish continue to enter the Anchor River estuary throughout the summer and fall (June – November) (Figures 15 and 16).

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PO Box 115526
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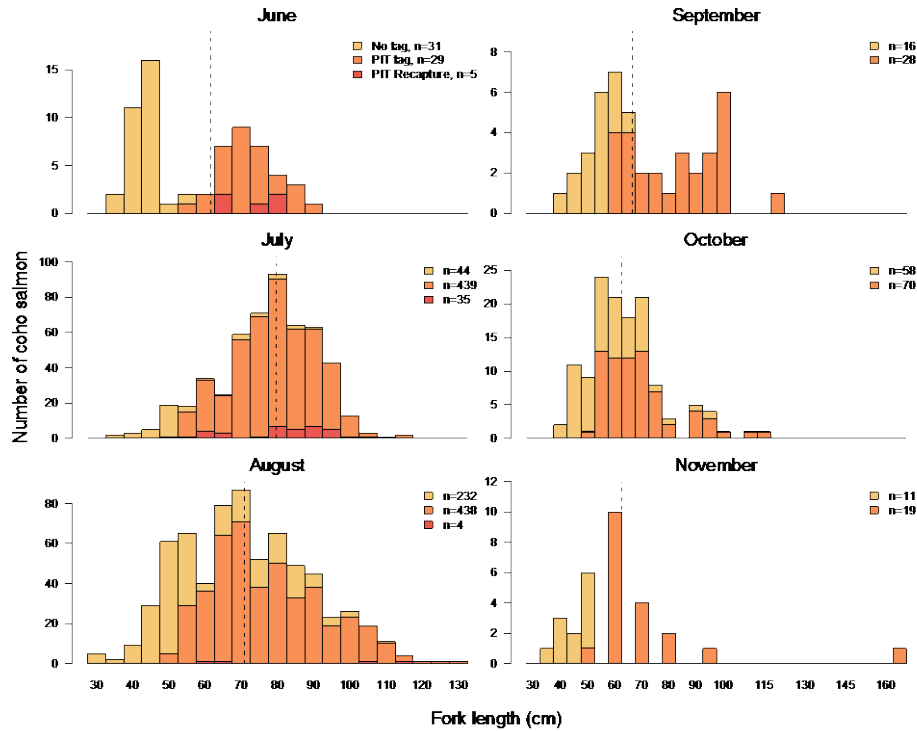


Figure 15. Length frequency histograms for Coho Salmon sampled in 2015. Bars are colored to indicate fish that were not PIT tagged (yellow), PIT tagged (orange), and PIT tagged fish that were later recaptured (pink). The vertical dashed line marks the median length.

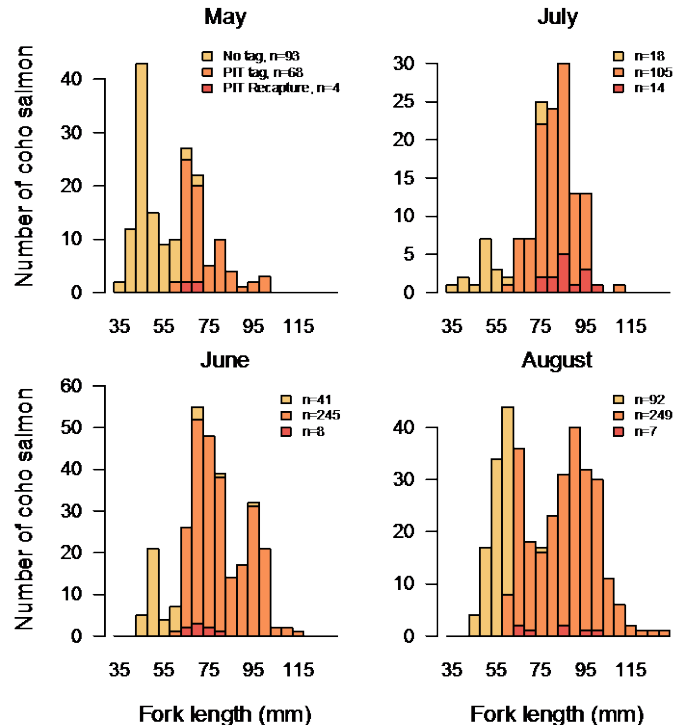


Figure 16. Length frequency histograms for Coho Salmon sampled in 2016. Bars are colored to indicate fish that were not PIT tagged (yellow), PIT tagged (orange), and PIT tagged fish that were later recaptured (pink).

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ALASKA DEPARTMENT OF FISH AND GAME
SPORT FISH DIVISION
PO Box 115526
Juneau, AK 99811-5526

Movement and residence

Unfortunately, the PIT tag detecting antenna arrays were rarely working in synchrony in 2015, and were inoperable during the winter due to severe icing and tidal movement of large pieces of wood debris. Antenna operation was re-established in April 2016, and we calculated detection efficiencies for each antenna that was consistently operational as the number of unique tags detected by the antenna divided by the number of tags known to have passed through (as determined by detection or recapture). As Table 1 shows, detection efficiencies were marginal during most periods (Connolly *et al* 2011).

Table 1. Detection efficiencies for each PIT antenna in 2016 in approximately two-week intervals corresponding to tagging events at each site.

Data range	Marsh A up	Marsh A down	Marsh B up	Marsh B down
Late May – early June	0.381 (8/21)	0.532 (25/47)	0.571 (16/28)	0.571 (8/14)
Mid June	0.097 (3/31)	0.419 (13/31)	0.533 (8/15)	0.00 (0/2)
Late June – early July	0.654 (17/26)	0.442 (19/43)	--	0.500(2/4)
Mid July	0.714 (5/7)	0.000 (0/4)	0.500 (8/16)	0.00 (0/5)
<i>Overall efficiency</i>	<i>0.388 (33/85)</i>	<i>0.456 (57/125)</i>	<i>0.542 (32/59)</i>	<i>0.400 (10/25)</i>

Over three-hundred Chinook Salmon, the majority of which were in the upper and middle mainstem sites, as well as approximately sixteen-hundred Coho Salmon, the majority of which were tagged in the marsh channels, were PIT tagged between 2015 and 2016; (Figure 17). Although recapture rates of PIT tagged fish were low, they appear to reflect the size distribution of tagged fish, indicating that recapture is not biased by fish size (Figures 15 and 16).

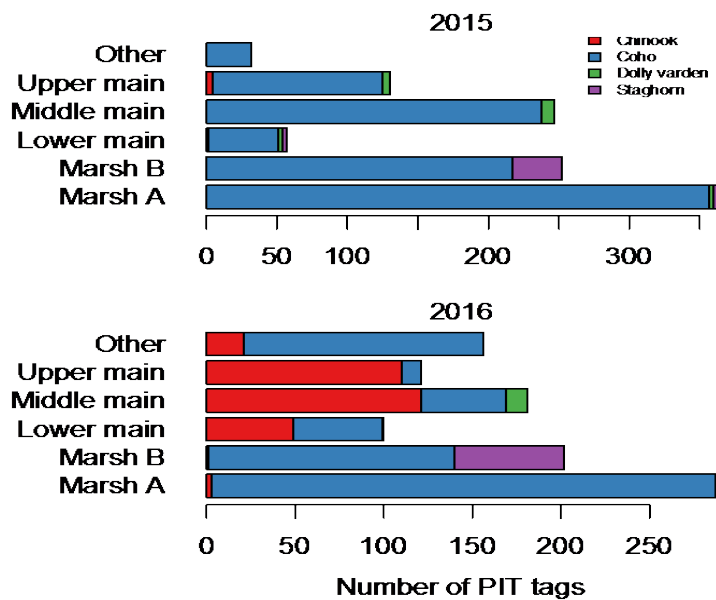


Figure 17. Distribution of PIT tags by site and species in 2015 and 2016. Data extends through 9/2/16.

Through a combination of antenna data and recaptures, we were able to detect fish movement between sites. Although fish were commonly recaptured in the same site that they were first tagged in, they were also frequently recorded in other habitats, indicating a broad range of movement, including upstream and downstream, from the mainstem into marsh channels, and from marsh channels into mainstem habitats (Figure 18).



Figure 18. (left top) A chord diagram indicating the number of recaptured Coho Salmon and their movement among sites (colored by original tagging location); and (right) generalized observed patterns of movement.

Recaptured juvenile Coho Salmon and staghorn sculpin showed an average standard growth rate (% increase in body weight per day) of 1.43% and 3.06%, respectively, over the 2016 season. In terms of length, this corresponds to approximately 0.37 mm/d for Coho Salmon and 0.91 mm/d, for staghorn sculpin (Figure 19).

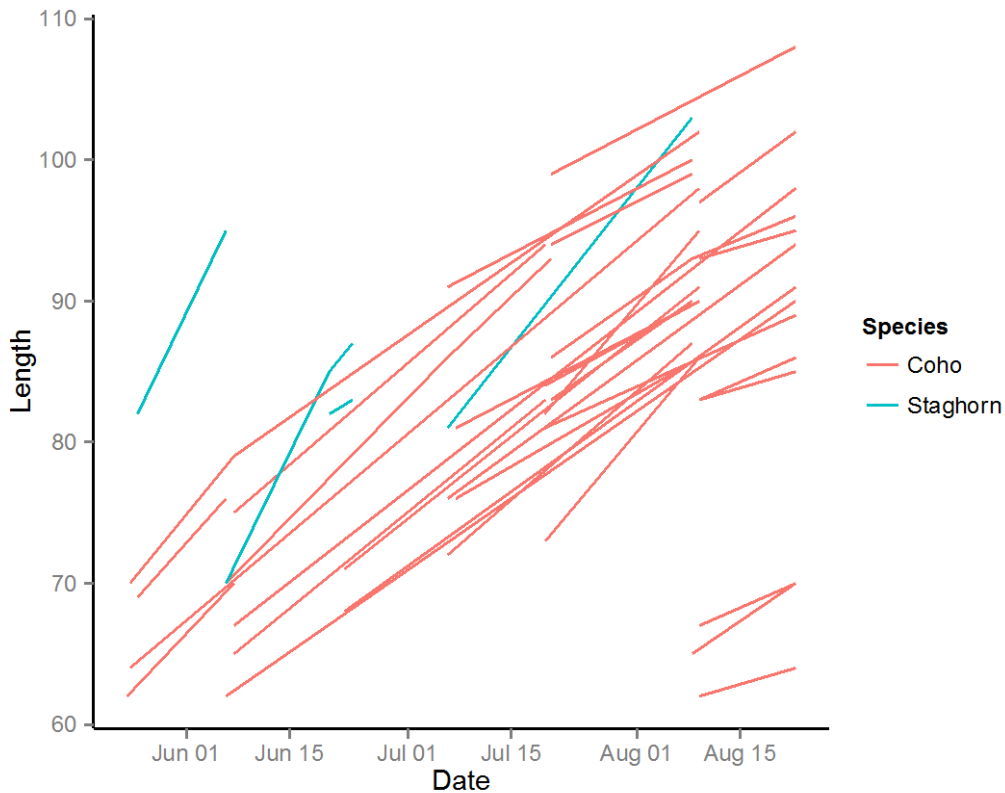


Figure 19. Growth of recaptured fish over time. Each line segment refers to an individual fish indicating its length when it was initially tagged and subsequently recaptured. Data presented here are from 2016 only, extending through 9/2/16.

Discussion

Coho and Chinook Salmon have different life history types, with some individuals spending considerable portions of their life cycle (1-3 years) in freshwater and estuarine environments before migrating to open ocean. It is believed that this diversity in life histories results in high resilience of these salmon populations to environmental variability and change (Bottom *et al.* 2011). Results from this project show that distinct environmental conditions can exist even within a rather small estuary, such as the Anchor, and that juvenile salmon are present across a broad range of habitats. Juvenile Coho Salmon were present in marsh channels and mainstem habitats, with pulses of small, age 0, fish coming into the estuary throughout the summer and fall. The longest record of estuary residence from this study was a Coho Salmon that was initially tagged in mid-June of 2015 in a small channel near the upper mainstem site that went dry soon after the tagging event. Although we thought that the fish present at that site would be trapped by low river flows, it is likely that high tide events allowed the fish to escape, enter the mainstem, and eventually make its way to the mid marsh channel, where it was recaptured 327 days later (mid-June 2016). Residing nearly a year in the estuary, this fish illustrates the long term use of estuary habitats that may be a distinct life history strategy for juvenile Coho Salmon (Miller and Sadro 2003; Koski 2009, Hoem Neher *et al* 2013a). This adds to the growing recognition that estuaries may support alternative life history strategies of Coho Salmon that contribute to overall population resilience and health (Schindler 2010; Hoem Neher *et al* 2013a; Hoem Neher *et al* 2013b).

Chinook Salmon were predominantly present in mainstem sites, although there was some movement into the marsh channel sites as well. In general, Chinook Salmon had lower residence times within the estuary than Coho Salmon, with the longest record being a juvenile Chinook that was tagged in the middle mainstem site in

early July, and was detected at a PIT antenna nearly 30 days later in the mid marsh channel. Interestingly, two other species; staghorn sculpin and Dolly Varden, also exhibited long residence times within the estuary (189 days, and 231 days, respectively). Few Chinook Salmon were captured in 2015, which is likely due to the very low adult returns of the previous year. In 2014, roughly 2,500 adults returned, whereas in 2015, over 10,000 adults Chinook Salmon returned to the Anchor River, with the result that far more juvenile Chinook Salmon were rearing in the estuary in the 2016 season.

The range of environmental conditions present at the different sites in the Anchor, including fast flowing mainstem sites that are well mixed, with high dissolved oxygen levels, to marsh channel sites that have low flows, and a high degree of stratification, provide a broad suite of conditions, and juvenile salmon apparently take advantage of their ability to move between habitats, as evidenced by the observed movement patterns. Further study is needed to understand the drivers of movement. The presence of other fish species likely has some influence on juvenile salmon. For example, small staghorn sculpin were observed as prey for juvenile salmon, yet will become predators of juvenile salmon when they are larger.

The high densities, prolonged residence, movement and growth of juvenile salmon in the Anchor River estuary support the importance of even relatively small estuaries to juvenile salmon rearing. The amount of movement among estuary habitat types supports the concept of conservation for the entire estuary in order to maintain full habitat potential and resilience.

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- Connolly PJ, Jezorek IG, Martens KD, Prentice EF. 2011. Measuring the performance of two stationary interrogation systems for detecting downstream and upstream movement of PIT tagged salmonids. *North American Journal of Fisheries Management* 28(2): 402-417.
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**FEDERAL ASSISTANCE
FINAL PERFORMANCE REPORT**

ALASKA DEPARTMENT OF FISH AND GAME
SPORT FISH DIVISION
PO Box 115526
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Schindler DE, Hilborn R, Cghasco B, Boatright CP, Quinn TP, Rogers LA, Webster MS. 2010.
Population diversity and the portfolio effect in an exploited species. Nature 465: 609-612.

Final Report Status: This performance report is the final report for this project during the reporting period (February 1, 2015–June 30, 2016).

Prepared By:

Coowe Moss Walker

Watershed Ecologist, Kachemak Bay National Estaurine Research Reserve, UAA

Brianna Pierce,

MS candidate, University of Washington

Date: September 2016

Wall, Bruce

From: Noyes, Karyn
Sent: Tuesday, July 10, 2018 12:08 PM
To: Wall, Bruce
Subject: RE: KPB CLUP Material Site Application - Parcel 169-010-67

Bruce,

I have reviewed the proposed Conditional Land Use Permit application for a Material Site located in the Anchor Point Area, indicated by the parcel listed below.

Legal Description

T 5S R 15W SEC 5 SEWARD MERIDIAN HM 0800104 MCGEE TRACTS DEED OF RECORD BOUNDARY SURVEY TRACT B

KPB Parcel ID

16901067

Although the State of Alaska has allowed the Coastal program to lapse, the Kenai Peninsula Borough has the coastal program set in Ordinance.

This project is consistent with the Kenai Peninsula Borough's Coastal Management Plan. Future plans to excavate below the water table may require further evaluation to assess the impact changes in groundwater may have on the anadromous Anchor River.

Please feel free to contact me if you have any questions.

Sincerely,

Karyn Noyes

Resource Planner

Ph: (907) 714-2468

KENAI PENINSULA BOROUGH

**514 Funny River Road
Soldotna, Alaska 99669**



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to the public upon request.

From: Wall, Bruce

Sent: Friday, July 06, 2018 9:34 AM

To: Best, Max; Carver, Nancy; CEPOA-RD-KFO, POA; Chandler Long (chandler.long@alaska.gov); Charley Palmer (charley.palmer@alaska.gov); Christopher Miller (chris.miller@alaska.gov); Clark Cox (clark.cox@alaska.gov); David May (DMay@kpbsd.k12.ak.us); Dearlove, Tom; Dustin Firestine (firestine.dustin@dol.gov); Harris, Bryr; Jeff Green (jeffrey.green@alaska.gov); Kyle Graham; Malone, Patrick; Mark Fink (mark.fink@alaska.gov); Michael Walton

(michael.walton@alaska.gov); Montague, Holly; Mueller, Marcus; Ninilchik Tribe (ntc@nirilchiktribe-nsn.gov); Noyes, Karyn; Shears, Jennifer; Simpson, Danika L (DOT)

Cc: Gina Debardeleben; emmitttrimble@gmail.com

Subject: KPB CLUP Material Site Application - Parcel 169-010-67

Please see the attached public notice, staff report, application, and associated documents for a conditional land use permit application.

Thanks,

Bruce Wall, AICP

Planner

208-369-0089

KENAI PENINSULA BOROUGH
144 North Sinky Street
Soldotna, Alaska 99669



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to the public upon request.

Wall, Bruce

From: Lorri Davis <homesteadart@gmail.com>
Sent: Thursday, July 12, 2018 1:01 PM
To: Wall, Bruce
Subject: Gravel pit at Danver and beach access, Lorri Davis

My comments concerning the proposal for a gravel pit on Danver and the beach access road.

I am a resident of Anchor Point. I was shocked when I heard of a plan to operate a gravel pit in an area where it is quite obvious it is a well established *residential* and *recreation* area. It makes no sense to put one persons desire to run a business of this kind in the area where it will have an impact on all people coming to recreate and live in that area. Anchor Point is a beautiful and bountiful location for families and fisherman. It has been this way for years and a gravel pit right in the middle of it all will become a deterrent to people visiting and enjoying the area. It would adversely affect the economy of Anchor Point in many ways from small businesses, to the boat launch and campgrounds. Here are the reasons I see to not permit this gravel pit.

1. We have well established campgrounds, one that borders on this property and others close by, run privately. A gravel pit next to or near by makes no sense. The noise and dust would be a great downer to anyone trying to enjoy these areas. These businesses will suffer because of it and how can a business so opposite to fishing, wildlife, and recreation fit in this area? This would no longer be a place for recreation. It is like oil and water. They do not mix. It will change the whole perception of the entire area.
2. The beach access road or Anchor Point Rd. will not be able to handle the traffic of large boats, large RV"s and gravel trucks going back and forth. Right now, a person walking on the road is taking their lives into their own hands. The road is somewhat narrow, not to mention the bridge is basically a one lane bridge. Recently there was a gas pad proposal approved on private property just up the hill off the Old Sterling Hwy that will increase truck traffic going back and forth. I am not sure this was even considered with that proposal but I see a huge increase of big trucks on these small windy roads is a disaster waiting to happen.
3. I feel heartsick for the residents who already established homes in the area of the pit. I am sure they never thought they would wake up one day to find their backyard of vegetation, trees and wildlife are to be scoured to unearth gravel. The noise is another factor. Who doesn't enjoy the sound of trucks and machinery over the sound of the ocean and peace and quiet? Many, many of us! I think it is really irresponsible and shows lack of respect for neighbors living in Anchor Point. This will have an impact on everyone's home prices and business prices for sure.
4. The environmental impact to the area is not known but it is not a positive step forward. The Kachemak Bay Bird Festival draws lots of people, every year, from out of state, to the area. One of the areas they encourage Birders to drive to, to observe all kinds of migrating birds is Anchor Point. We all have wildlife sharing our beaches and properties. Take out many acres from this very sensitive area and it will have a direct impact to the amount of wildlife. Noise, dust and loss of habitat is not a positive thing. Personally this is a big concern of mine. I am an artist and have been working on establishing children's art academy for Anchor Point that focuses on introducing kids to the habitat and beauty of Anchor Point. I was looking to purchase a small property in the area for a studio but have now reconsidered due to lack of support for the environment coming from all the proposals that seem to want to change Anchor Point to an industrial area. Frankly, I am really discouraged about the mindset. We have a world class area of recreation known for fishing in the Anchor River and ocean and it seems we would sooner destroy it all for a few people to make financial gains. It goes counter to all groups trying their hardest through volunteer time to their own finances to preserve the river and ocean at Anchor

Point. These are not "tree huggers". They are people wanting to see the area preserved in a way that supports the beauty, wildlife and small businesses that are springing up in Anchor Point that cater to those using the area. The focus is not on gravel for everyone.

In closing, I would like to say there are other profitable things Mr. Trimble can do with that land. It takes getting creative sometimes but subdividing for small cabins or something else that fits in with the mindset when people think of Anchor Point. This would be best for EVERYONE! Gravel pits are a dime a dozen around our area. We do not need more gravel pits! Just take a look at google maps to see all the properties scoured into gravel pits along the Anchor River and other locations. We need the planning committee to understand there are lots of people living in Anchor Point trying to develop a beautiful area for this world class fishing area that draws people to the area including the winter months. I frequent the beach year round and find many others do as well. This is a beloved area and space for people around Ak including those who live out of state but especially those who in live in Anchor Point. Please do not allow this proposal to go forward.

Thank you,
Lorri Davis

72640 Norwegian Woods Road
P.O. Box 946
Anchor Point, AK 99556

Wall, Bruce

From: Palmer, Charley (DEC) <charley.palmer@alaska.gov>
Sent: Thursday, July 12, 2018 1:41 PM
To: Wall, Bruce
Cc: DEC.TWUA@alaska.gov; Forgue, Scott A (DEC); Forgue, Geraldine E (DEC)
Subject: FW: KPB CLUP Material Site Application - Parcel 169-010-67
Attachments: 169-010-67_2018-07-06_Notice.pdf; 169-010-67_2018-07-03_Staff_report.pdf; 169-010-67_2018-06-21_Site_Plan.pdf; 169-010-67_2018-06-18_Application.pdf; 169-010-67_2018-06-21_Contour_Map.pdf; 169-010-67_2018-06-21_Land_Use_Map.pdf; 169-010-67_2018-06-21_Ownership_Map.pdf; 169-010-67_2018-06-21_Aerial_Map.pdf; DEC_PWS_Map.jpg; DEC-EH_DW_Recommendations for General Construction Projects_June_2016.pdf

Bruce,

Thank you for the opportunity to comment with respect to public water system (PWS) sources. Given the location(s) provided, work associated with this CLUP application is near an active registered PWS source (see attached "DEC_PWS_Map.JPG" and summary table below). For this reason, we ask that the applicant please adhere to the attached **Recommendations for General Construction Projects**, where applicable. Also, because this project is associated with a rock/gravel extraction project, we ask that the applicant adhere to the requirements and recommendations in the "[ADEC User's Manual: Best Management Practices for Gravel/Rock Aggregate Extraction Projects](#)" (Revised September 2012).

PWSID: [AK2249882](#)

Water System Name: DIV PARKS SLIDEHOLE

Water System Type: GW (Groundwater)

Water System Classification: NC (Transient, Non-Community water system)

Water System Activity Status: A (Active)

State Assigned Source ID: WL001

Source Name: WL DIV PARKS SLIDEHOLE

Source Facility ID: 35331

Source Type: WL (Well)

Source Activity Status: A (Active)

Regards,

--

Charley Palmer, *Hydrologist*

Alaska DEC Drinking Water Protection

907-269-0292

Legend

DEC Active Public Water System (PWS) Source Locations

-  Community Water System (C)
-  Non-Transient Non-Community Water System (NTNC)
-  Non-Community Water System (NC)

DEC-PWS Drinking Water Protection Areas

Zone A (GW-Several Months Time of Travel or SW 1000 ft buffer)



Zone B (GW-2 Yr Time of Travel or SW-1 mile buffer)



Zone C Surface Water (Watershed Boundary)



Zone E Ground Water Surface Water Influence (1000 ft buffer)



Zone F Ground Water Surface Water Influence (1 mile buffer)



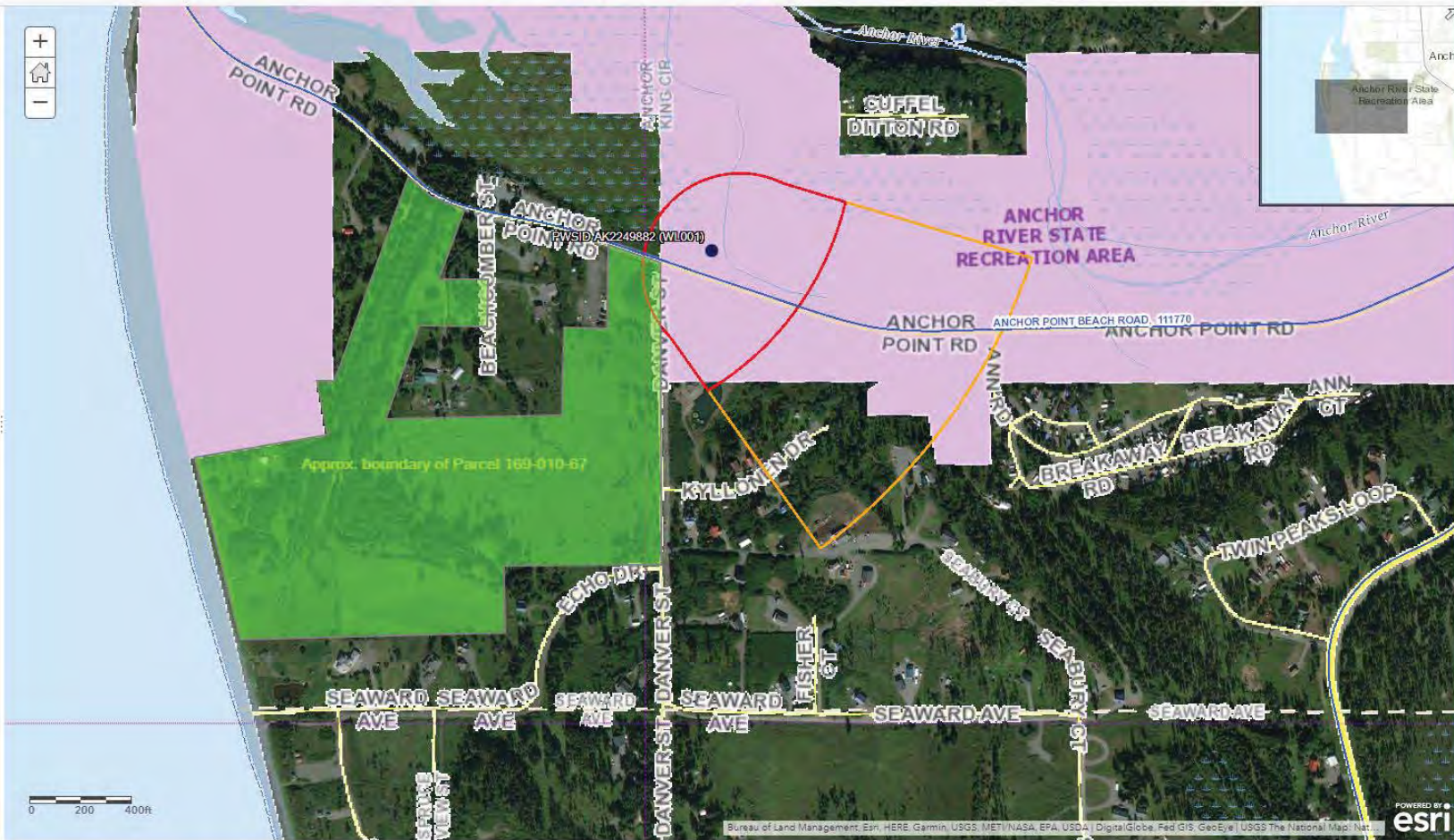
Zone G Ground Water Surface Water Influence (Watershed Boundary)



Provisional Protection Areas



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Alaska DEC/Division of Environmental Health-Drinking Water Program

Recommendations for General Construction Projects associated with, or near, a Public Water System (PWS)

1. Identify on a legible map the location of existing public water system (PWS) drinking water protection areas (DWPA) for PWS sources (e.g. springs, wells, or surface water intakes) that intersect the boundary of the proposed project/permit area. The DWPA's can be found using the interactive web map application, "Alaska DEC Drinking Water Protection Areas", located at <http://dec.alaska.gov/das/GIS/apps.htm>. Basic instructions for using this web map can be found at http://dec.alaska.gov/eh/dw/DWP/protection_areas_map.html.
2. Where the project/permit intersects a PWS DWPA, notify the PWS contact. PWS contact information can be obtained using the online application, *Drinking Water Watch*, <http://dec.alaska.gov/DWW/>, by entering the appropriate 6-digit PWS ID (e.g. 220025).
3. Within the identified DWPA, control stormwater discharge.
4. Within the identified DWPA, restrict project/permit activities that could significantly change the natural surface water drainage or groundwater gradient.
5. All data related to the project/permit, including but not limited to, water quality results (field and lab), survey data, water levels, subsurface lithologic descriptions and depth, and groundwater flow direction and gradient information, should be made available to the permitting agency upon request.
 - a. When associated with the development, construction, modification, or operation of a PWS, all water quality sampling and hydrologic data collection should be accomplished under the supervision of a qualified professional and follow a written sampling plan approved by the permitting entity.
6. Limit the amount of equipment storage, maintenance and operation, and other potential sources of contamination, within the following DWPA's:
 - a. Zone A DWPA (several-months-time-of-travel for contributing groundwater, or 1,000-foot buffer of the contributing surface water body and its immediate tributaries);
 - b. Zone E DWPA (1,000-foot buffer of the contributing surface water body and its immediate tributaries for a source using groundwater under the direct influence of surface water (GWUDISW)); or
 - c. *Provisional* DWPA (1,000-foot radius around a PWS source).
7. Implement best management practices where equipment storage, maintenance and operation, or other potential sources of contamination are located within a PWS DWPA and that will minimize the potential for contamination to enter the water source used by a PWS.
8. Immediately notify the nearby PWS of any identified potential contamination, such as spills or excess erosion.

Wall, Bruce

From: Coowe Walker <cmwalker9@alaska.edu>
Sent: Thursday, July 12, 2018 11:13 AM
To: Wall, Bruce
Cc: Bob Shavelson; Lynn Whitmore; Sue Mauger; Blackwell, Jack D (DNR); Steven Baird; Jacob Argueta Jacobs
Subject: groundwater flow paths south of the Anchor River estuary
Attachments: AnchorEstuaryFlowpaths.jpg

Good morning.

I am attaching an image showing groundwater flowpaths associated with the Beachcomber gravel site and the Anchor River. Parcels owned by Beachcomber LLC are outlined in blue, the Anchor River watershed is outlined in yellow, and groundwater flowpaths supporting the river are shown in purple. It will be very important to not disrupt the flowpaths and keep all potential gravel operations out of the Anchor River watershed, meaning no operations north or east of the yellow line.

Please let me know if you have any questions, or would like more information.

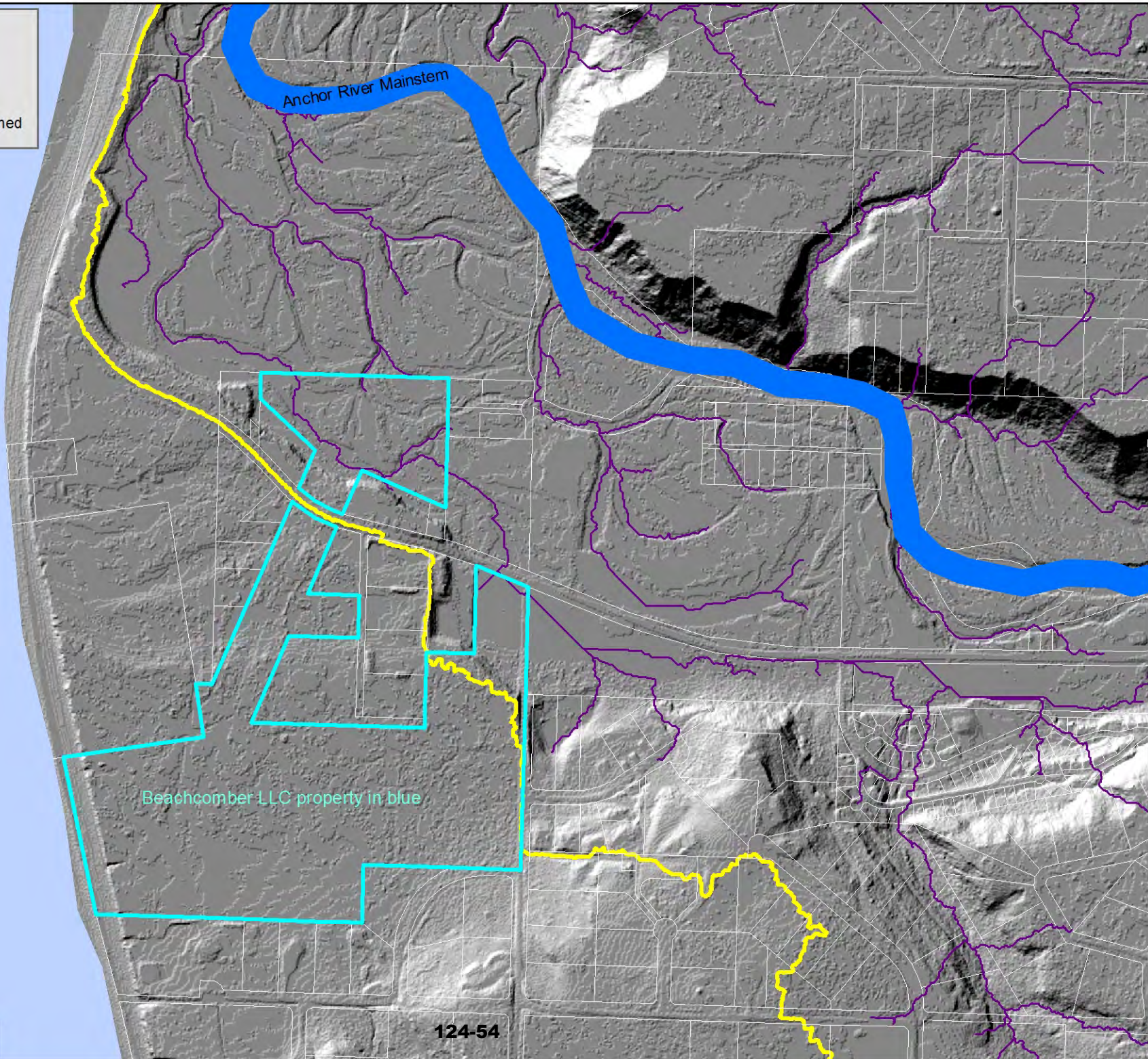
Coowe

Coowe Walker
Reserve Manager
Program Watershed Ecologist
2181 Kachemak Drive
Homer, Alaska
(907) 235-4792



Legend

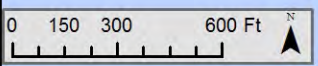
- Flow Paths
- Parcels
- Anchor River Watershed



Beachcomber LLC property in blue

Anchor River Mainstem

124-54



Thomas J Brook
PO Box 39004
Ninilchik, AK 99639



July 1, 2018

Planning Commission Chairman
Kenai Peninsula Borough
144 N. Binkley Street
Soldotna, AK 99669

To Whom It May Concern,

I am in receipt of the KPB Planning Commission Notice of Public Hearing on the proposed sand, gravel and peat extraction request by Beachcomber LLC, Parcel No 169-010-67 at 74185 Anchor Point Road.

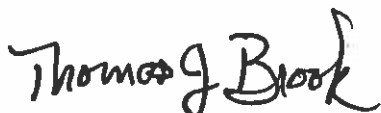
I will not be available on July 16 to attend the meeting and give oral testimony, thus this letter should serve as my input. I am **vehemently and adamantly opposed to the issuance of a permit for sand, gravel, and peat extraction on this site.** Such an endeavor will dramatically detract from the property I currently own abutting Echo Drive and Spruce View Street. This is a developing home site community and the currently existing homes and home values would be seriously devalued should a permit of this type be granted in this area. The deterrents to lot sales and existing homes would be numerous but some of the most serious would be the devaluation of property, the ugly sight of a gravel pit from the road, specifically Denver Street which I use to access Echo and Spruce View Streets, plus along Anchor Point Road, the daily noise of a "gravel pit" which, at the very least is obnoxious, and the dust generated which can have a serious impact on anyone with allergies or lung conditions aggravated by dust and dirt (pollutants) in the air, not to mention the housekeeping nightmares. There is also no way to measure the damage to the ground and surrounding ground with the gravel pit activity and you can't possibly tell me or others that this absolutely WILL NOT affect the ground water servicing our wells. I realize you think berms are meant to provide a barrier, however a 6 foot berm does nothing to alleviate or eradicate the above listed concerns. I don't think it's adequate to say that the Planning Commission approve the conditional land use permit because all six standards have been met.

There's far more at stake here than just meeting the borough's six standards. This is no longer the wild west of Alaska and because Anchor Point has not traditionally been a highly populated area does not automatically make it eligible for a gravel pit land use off Anchor Point Road.

I am shocked that this proposal is even being given consideration. This area has been growing in popularity as a housing area of development for many years now, especially view lots and beachfront (both high and low bluff) and is a highly inappropriate area to put a pit. The Planning Department should have denied this usage request before it even got to this stage. Just imagine for a moment if this were your home or your valuable property and now the view you have from any surrounding hill is this gravel pit. Would you allow this proposal in your neighborhood? I think not, so just because an application meets your technical criteria does not mean it's an appropriate or even necessary usage type. I completely understand the pressure exerted to grant this permit because the owner(s) of this land are obviously anxious to make the potential money, as gravel pits are trying to pop up seemingly everywhere in the borough as very lucrative endeavors. However, this particular one is at the expense of the homes, people and potential for land development in this immediate area. I don't think that can be ignored nor sacrificed for the lucrative potential of a gravel pit just because your criteria does not specifically prohibit this activity.

Again, I cannot stress this point enough, I do not, cannot, and will not support the application for a gravel pit as proposed. Please reconsider your inclination and recommendation to approve this permit.

Sincerely,

A handwritten signature in black ink that reads "Thomas J. Brook". The signature is written in a cursive style with a large, stylized initial "T".

Thomas J. Brook

July 6, 2018



Bruce Wall, AICP
Planner
Planning Commission Chairman
144 N Binkley Street
Soldotna, AK 99669

Re: Parcel Number 169-010-67, 74185 Anchor Point Road

I would like to pose some questions and concerns on this proposed gravel pit.

Is DEC involved in this process?

Is Beachcomber LLC required to submit a 15 year time line action plan?

Are there other places in the area where this process has been completed and the reclamation process also complete? It would be nice to see this process at various stages. Does the applicant have a history in this type of endeavor? Could we see one of their reclamations?

What are the hours of operation and the usual season of operation? Will the truck traffic be going over the old bridge?

What type of soil is left after this process? What is the reclamation process?

With the tides rising over extended periods of time and this lowering the land by 10 feet close to the inlet don't you have some concern for the long term affect?

There has to be someplace further away from the water and further away from homes that could provide these resources!

How does Fish and Game feel about this operation? Poor Anchor Point has so struggled to get tourism going in the area and this surely can't help the cause.

Does the Anchor Point Chamber of Commerce know about this?

Have you walked the property? What happens to the trees on the property?

Thank you for taking my concerns into consideration. I look forward to your thoughtful answers.. I own the property @ 34925 Echo Drive in Anchor Point.

Marie Drinkhouse
5949 S Hayfield Road
Wasilla, AK 99623
907-3540847

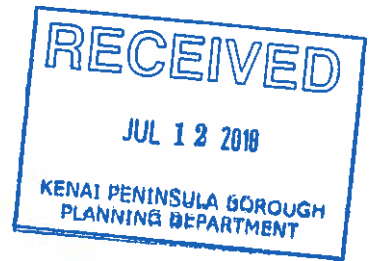
A handwritten signature in black ink that reads "Marie Drinkhouse". The signature is written in a cursive, flowing style.

Wall, Bruce

From: Marie Carlton <seaburyroad@live.com>
Sent: Sunday, July 8, 2018 11:32 PM
To: Wall, Bruce
Subject: regarding the proposed Beachcomber LLC Gravel Pit site

Dear Bruce, My husband and I live at Parcel 16936027, 73500 Seabury Rd. T5S R 15 W Sec 9 Seward Meridian HM 2001035 Meadow View Estates Tract 15A. We are responding to the public announcement document provided to us by the Kenai Peninsula Borough June, 22 2018 and wish to respond and object to the Beachcomber LLC application as stated. We have grave concerns about the proposed "Gravel Pit." We have a retirement home with a substantial investment and chose Alaska for its beauty, wildlife and solitude. The reviewed documents do not reflect an environmental impact study regarding the proposed "Gravel Pit." This proposed "Gravel Pit" will run the risk of negatively impacting wildlife and wetlands. This is a critical Moose calving area as well as Bald Eagle nesting sites. With rock crushing, dust and noise, we will lose the very reason we chose Alaska as a place to retire. This would terminate the beauty of the wildlife we value and enjoy. With children bicycling, walking to the beach the increased truck congestion may reveal disastrous results. The Anchor Road is always congested but with increased traffic, a failing, narrow road with no path to walk, the risks of a fatality increase substantially. I have witnessed current loaded rock trucks rarely adhering to the speed limit. The dust pollution will affect many areas. We don't look forward to the smell, taste and appearance of blowing dust. This not why we chose Alaska. In Alaska we love the quiet, beauty and solitude of our home and not the unpleasant drone of truck engines and rock crushers. I believe the property value of our homes will plummet. Who wants to purchase a home with a gravel pit in their backyard? We hope you will not approve the application for Beachcomber LLC. We have worked very hard to be able to retire in this beautiful area. Thank you for allowing us a voice. Rick and Marie Carlton 509-430-4304
seaburyroad@live.com

Dan and Cathy Millard
35060 Denver St
Anchor Point, AK 99556



July 9, 2018

Dear Planning Commission Chairman,

In regards to the proposed gravel pit, please address that this is in the middle of recreational and residential area. Also, the road is weak and broken already. At times it has extremely heavy traffic as well as pedestrian traffic with no shoulder or walking trails.

There is the problem of silt generated from the pit flowing to wetlands which will not be able to be controlled.

The view property in the area will need to be reassessed for the change of value, as part of the view becomes a large hole/gravel pit.

We are extremely against this proposed gravel pit. It will forever change a much loved and used recreational area as well as devalue residential property.

Kind regards,

124-59 Dan and Cathy Millard

July 9, 2018

Planning Commission Chairman
144 N. Binkley St.
Soldotna, Alaska. 99669

Re: Public Testimony Regarding Beachcomber LLC's Application for a Permit for Sand, Gravel, and Peat Extraction on A Portion of Parcel Number 169-010-67, Tract B, McGee Tracts - Deed of Record Boundary Survey (Plat 80-104), Location: 74185 Anchor Point Road

Dear Planning Commission:

We are property owners and Party of Record in the vicinity of the above proposed "Gravel Pit". Our property is located at 34860 Seabury Court, Anchor Point, Alaska 99556 (Lot 6-A Silver King Ten, Plat No. 97-41 Homer Recording District). We built our house here in 2004 and have a substantial investment in our property and home.

We are deeply concerned about the proposed "Gravel Pit" and wish to document our objection to the Beachcomber LLC's application as described in public announcement provided us by the Kenai Peninsula Borough June 22, 2018.

Environmental Impact Statement:

There is no reference to there being an Environmental Impact Statement regarding the proposed location of the "Gravel Pit". While the Borough may not deem it is required for this proposal, it is evident that the proposal will effect wildlife and birds in the area which includes the wetlands.

Moose: The specific location and surrounding area is an annual moose calving and rearing area. We know this to be a fact as having lived here for 14 years. Each year, cow moose wander throughout the proposed extraction area and across all the extraction area boundaries to give birth to young moose. This is a critical time for young moose as they are literally born in this area and are nursed and oversaw by cow moose until they are able to fend for themselves. In the 14 years we have lived here, we have personally observed more and more habitats made less available to cow moose birthing due to new home construction and other development. They are extremely sensitive to noise and human activity during this period. There's also concern that cows may abandon their young if enough pressure is brought to bear as proposed by this "Gravel Pit" application.

Birds and Small Game Animals: The specific location and surrounding area is home to numerous birds and small wild animals. From the smallest Chickadee to the largest eagle, they use this area daily and are seen throughout the proposed "Gravel Pit" site. We have personally observed Eagles abandon their nests with young in them due to too much human activity and noise. While there may not be a large number of Eagle nests immediately in the proposed site boundaries, there may be, but we know there are a number of Eagle nests in adjacent locations.

The addition of a 'Rock Crusher' in the project will exacerbate the already large impact of noise and activity many birds and wildlife can't withstand. The noise and intrusion of a 'Rock Crusher' in this critical moose calving area will do immeasurable harm to them.

The area being proposed as a “Gravel Pit” is a disastrous breach of our husbandry of Alaska’s bird and wild life. It is near to the State Park and camp ground and world renown fishing river.

If an Environmental Impact Statement isn’t demanded by the Kenai Borough regarding this application then we question the integrity of the Borough’s interest in the proposed project.

Public Safety:

The Anchor River Road (from the Anchor River Bridge/Old Sterling Highway to the end of it at the Tractor Launch is narrow and in complete disrepair. Major pavement cracks, pot holes, heaving, and other roadway hazards currently exist. During the summer heavy traffic from commercial fishing charters, tourists, and local residents battle these bad road conditions.

The roadway is extremely narrow without any significant shoulders for pedestrians, and bike riders to get away from the heavy summer traffic. There are a number of “blind” corners making even more dangerous for people walking or bike riders. While this roadway is posted with a 25 mile per hour speed limit, very few drivers observe the limit and often are traveling at least 35 miles per hour and even more.

With the proposed application, the applicant will be introducing another layer of traffic to an already problematic roadway. However, this won’t be light weight vehicles. They will be at minimum, large dump trucks filled with heavy loads of gravel and sand. In fact, there is no restrictions regarding the size of heavy trucks that can be used. If it’s in the applicant’s interests to haul using large ‘belly dump” rigs he’ll likely do so. Regular ‘dump trucks’ will soon tear up the Anchor River Road to the point it will be unusable for all of us. Lets face it, dump truck operators are on the clock and inevitably push the speed limit as it is. Already, with the limited amount of dump truck use of the Anchor River Road, we observe them driving well over the 25 mph speed limit.

Even if the Anchor River Road surfaces were brought up to standard, there would continue to be a major public safety issue due to the lack of shoulders and blind corners making pedestrian and bike traffic perilous.

No where in the proposed application are these problems addressed. For these reasons alone, we oppose the application for a ‘Gravel Pit’ in this area.

If the Borough is insistent upon granting this permit, then the applicant and/or Borough should provide a new roadway from Danver to the Old Sterling Highway, thereby, eliminating the Anchor River Road from the equation. There has been a proposal to make this connection by extending Seaward Avenue to the Old Sterling for a number of years.

At minimum, the Kenai Borough should photographically document the existing condition of the Anchor River Road prior to the applicant’s engaging in and hauling activity in order to ensure applicant’s compliance with KPB 14.40.175 and KPB 14.40 .

Property Values:

When we built our home in 2004, the area adjacent to the proposed “Gravel Pit” was little developed and there were very few homes in our area. We selected our home site understanding that Anchor Point was a tourist destination to enjoy the Anchor River fishing and the beautiful flora and fauna found here. Our home location was and remains relatively quiet and peaceful. We have a secondary view of Cook Inlet and our home’s value has increased

substantially since we built it. There was no 'talk' about a 'Gravel Pit' being made near our home. If there had been, we wouldn't have even considered building our house anywhere near it. Now, instead of an almost pristine environment with quiet and solitude, a beautiful river nearby, and almost constant opportunities for bird and wildlife viewing, we will be subject to a layer of human impact that can only subject our home's value to degradation. If this application granted we will be lucky to regain our original investment. No one will be interested in property that is near to a large 'Gravel Pit' operation.

General Comments:

1. Under discussion of groundwater as being 20' and that the depth of the proposed excavation is 18 feet, we are concerned about two issues: 1) This was apparently established by only one test hole on the proposed project site. This seems to be a very limited testing approach given that the project is over 25 acres in scope. It would seem prudent to require additional test hole at various locations throughout the project area to ensure the water table is consistent; 2) There does not appear to be any consideration related to the water table level upon the removal of all surface vegetation. It seems obvious the groundwater level will be effected by such removal. Provisions should be made to protect groundwater throughout the project and adjacent properties to the extent possible.
2. 50 foot buffer zones- We were pleased to see that the Staff have recommended these 50 foot buffer zones be required. However, we would like to see the applicant be required to create a 12 foot berm all along the East boundary of the project inside the 50 foot buffer zone if this project is going to be approved.
3. Staff have recommended that, "The permittee shall not operate rock crushing equipment between the hours of 10:00 p.m. and 6:00 a.m." It has been traditional throughout Alaska that construction activities be between the hours of 9:00 a.m. and 9:00 p.m. to give families brief periods of respite from loud noise and general neighborhood disturbances. We believe this should not only include rock crushing activities but hauling activities activities as well.
4. Regarding permit renewal at the end of five years, we believe it should be required that the public also be notified of a request for permit extension at least 30 days prior to the permit extension and a public hearing be held by the Borough to determine how the applicant has performed under the original permit if its given.

We wish to thank you for your consideration of our comments.

Sincerely,

Gary and Eileen Sheridan

PO Box 661
Anchor Point, Alaska 99556

907-235-5542
twoshar@acsalaska.net

Cc Bruce Wall, AICP
bwall@kpb.us

Wall, Bruce

From: R. O. Baker II <bobkleen@acsalaska.net>
Sent: Tuesday, July 10, 2018 5:39 PM
To: Wall, Bruce; susan@reevesamodio.com
Cc: leeyale2008@yahoo.com; markyale2001@yahoo.com
Subject: Photos taken by you 7.02.18 / 1020 ADT

Hi Bruce,

Please insure that enlarged copies of the photos, which you took from my porch, are available for viewing at the meeting scheduled for Monday, 16 July.

Yours,

Bob

Sent from [Mail](#) for Windows 10



124-64

UTC 2018:07:02 18:31:49
327 ° tru

W:151°51'42.454" N:059°45'56.696"

July 10, 2018

Borough Planning Commission,

I am writing in regard to the following agenda item: Applicant for
Conditional Use Permit: Beach Comber LLC
Parcel: 169-010-67
Tract: Tract B, McGee Subdivision

I live within 500 ft. of this proposed gravel pit and am asking that the Planning Commission look hard and long before granting this permit. The community is on the Inlet and adjacent to a state park. Those of us that live there have peace and quiet, and such beautiful scenery, that it is hard to quantify how much it means to us. I am sure those that come to the park also feel that they have rarely seen anything more beautiful.

It may be news to those on the Planning Commission that many people who are living in this area are retired and have invested in new homes and have a quiet, rural lifestyle. We have much pride in our homes and gardens and love this community. This isn't just a summer fishing place where tourists come to visit. The tourists are a part of summer life but Anchor Point is a real community that is growing.

Please ask yourself if you would like to have a 40 acre gravel pit next to your home. Please make this decision as if it was your neighborhood that was about to be invaded with heavy equipment, loud noises, dirt and dust filling the air you breathe, possible loss of water in your well and loss of animals that have been habitating in that 40 acres. How would you like 5,000 loads of gravel traveling on your road that isn't designed well enough to manage the traffic it already has. How would you like to not be able to ride your bike along the road anymore, or even take a walk, because of the large equipment, including dump trucks. Remember that in that world "time is money" and these vehicles don't go slow. How would you like to think that these trucks may not keep the rules that regulate the 11 ton limit going over the old and rickety bridge that covers the Anchor River.

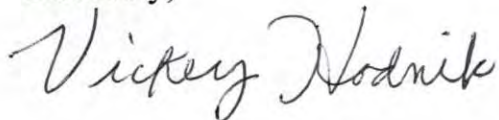
I have no objection to gravel pits that are isolated and away from public view. Gravel is important, but there seems to be adequate gravel pits in our area. I think a "certificate of need" should be required when so much raw land is dug up. There are, potentially, many repercussions that may ensue if this permit is granted to Beach Comber LLC, or if that corporation doesn't follow the requirements specified in the permit.

Is the borough prepared to reduce our personal property taxes? As you might imagine, the property values will go down and our availability to sell our homes will be lost toodue to the 40 acre gravel pit just out our front door.

I ask you once again to really think this permit over as there are many, many peoples lives that will be changed due to this project. Why should one land owner's needs be met in front of the many that have lived in the community for a long time, and have so much to lose.

Thank you for the ability to express my concerns.

Sincerely,

A handwritten signature in cursive script that reads "Vickey Hodnik". The signature is written in black ink and is positioned below the word "Sincerely,".

Vickey Hodnik
35031 Moffit Ln.
Anchor Point, Alaska

Wall, Bruce

From: AK Don H <hortons6@gmail.com>
Sent: Tuesday, July 10, 2018 5:59 PM
To: Wall, Bruce
Subject: Gravel pit on Danver st in Anchor Point

Dear Sir,

My wife and I own the lot to the south of purposed gravel pit, we bought it for recreational and maybe to build on someday.

Our only view is looking across the property in question, we have great view of Mt. Redoubt it would suck to look across a gravel pit to see it. I can give you lots of reasons not to approve the permit like noise, dust, dump truck traffic on the beach access rd and danver st both of are already pos roads, a old bridge over the river that is need of repair and isn't rated for that kind of weight anyway, environmental issues to surrounding area, ground water issues to near by wells and the Anchor River, not to mention it will drop mine and everybody else's property value to almost 0. There is no way I would build a house across the street to a gravel pit and wouldn't be able to sell if I wanted to. I'm sure that no one on this planning comision would want this in their front yard like it would be in mine.

Please do not approve this permit in no fashion it will literally ruin the little slice of Heaven/Alaska that we own!

Don and Lori Horton

Hartley, Patricia

From: Planning Dept,
Sent: Friday, July 13, 2018 10:03 AM
To: Wall, Bruce
Cc: Hartley, Patricia
Subject: FW: BeachcomberLLC Permit request

-----Original Message-----

From: Marie Herdegen [mailto:marieherdegen@icloud.com]
Sent: Friday, July 13, 2018 10:01 AM
To: Planning Dept,
Subject: BeachcomberLLC Permit request

Dear Planning Commission Chairman,
I would like to voice my opposition to Beachcomber LLC, tract number 169-010-67, 74185 Anchor Point Rd, Anchor Point, Ak 99556 request for conditional land use permit extraction. I believe this is an inappropriate use of residential property.

Marie Herdegen
69195 Karen Circle
Anchor Point, Ak 99556

Sent from my iPad

Beachomber L.L.C.

?

Concern:

- Noise
- Dust
- Traffic
- Roads

What is the plan for reclamation of the land. ? When the developer planning on selling all the plots?

What is to be used for top soil for reclaiming.

Concern Home owners

David J. Tesar
 Bonnie D. Tesar

Wall, Bruce

From: Joseph Sparkman <jay1332@att.net>
Sent: Friday, July 13, 2018 1:41 AM
To: Wall, Bruce
Subject: Proposed gravel pit on Danver street in Anchor Point

Bruce Wall, My wife and I are another couple who are very disturbed by this proposed gravel pit.

We would first ask you to put yourself in our and our fellow neighbors positions of having a mining operation in our back yard. How would you feel about this for you and your family?? Any other state I have lived in this proposal would not have a chance. This is an area of private homes, not of commercial enterprise! The key points you will consider as I understand it are: dust, noise, and visual impacts. All these are inarguably detrimental to all of us around this proposed mining operation and they can not be minimized.

The destruction of our visual enjoyment of our property can not be minimized because we are on a hill overlooking the proposed mine about 80 feet up, a 6 foot berm is not going to hide this operation. We will then have our retirement home overlooking the Anchor River, Cook Inlet and a gravel Pit! It is also obvious there is nothing they can do to minimize the dust, How?? Excavators, Loaders, rock crushers, dump trucks etc = dust and lots of noise. I hope you will consider your fellow neighbors when making this decision.

thanks for your time and consideration of this matter,

Sincerely,

Joseph and Denise Sparkman
73884 Seaward ave
Anchor Point, AK

Wall, Bruce

From: Teresa Ann <tajg1234567@gmail.com>
Sent: Thursday, July 12, 2018 11:22 PM
To: Planning Dept,
Cc: Wall, Bruce
Subject: Gravel permit hearing Monday July 16,2018

Kenai Peninsula Borough Planning Commission
144 N Binkley St Soldotna, Ak 99669

July 12, 2018

Greetings to the Planning Commission Members,

I am an Alaska resident of Anchor Point and a land owner. This letter is regarding the notice we received concerning a Conditional Land use Permit Application for sand, gravel and peat extraction on their beachfront property of 41.72 acres - proposed excavation is 25.6 acres over a 15 year period by Beachcomber LLC which is owned by Emmett and Mary Trimble of Coastal Realty Anchor Point.

The proposed area is located on Anchor Point Road right in the central recreation area of the Anchor River and the Anchor Point Beach area.

Public Hearing Monday July 16, 2018 7:30pm

A gravel pit operation in this location would negatively impact our neighborhood, our community and the Anchor Point Recreation area. 15 years is a very long time to have a gravel pit operation in our residential area and in the Anchor River, Anchor Point Beach Recreational area!

I would Hope the Commission members would drive to this area before even voting on the application and studying the surrounding map of the area.

In the KPB AK code of ordinances 21.29.040.

Standards for sand, gravel or material sites. A. These material site regulatins are intended to protect against aquifer disturbance, roade damage, physical damage to adjacent properties, dust, noise, and visual impacts. Only the conditions set forth in KPB 21.29.050 may be imposed to meet these standards:1-6.

1. Protects against the lowering of water sources serving other properties.

Concerning #1

The one test hole that was dug on the North end of the property indicates the the groundwater is 18 feet but does not indicate which way the ground water is moving. The question needs to be proved -does the ground water re- charge the Anchor River?

Also will the gravel pit affect the nearby residential water wells?

On the map made by the McLane Consulting Engineering.....

5 of the Clup Development Notes states.....

Wells within 100' and/or 300' of the excavation area are shown hereon

Excavation below the water table may be proposed at a future time.

Ground water is indicated at 18 ft and proposed excavation is 10 ft deep.

2. Protects against physical damage to other properties

Concerning #2

Lowering the area's properties value seems to me to be "physical damage".

3. Minimizes off-site movement of dust

Concerning #3

The dust will be on a gravel site and the winds in the area will be blowing dust into residents homes, campsites, rv parks.

4. Minimizes noise disturbance to other properties

Concerning #4

I am a year round resident living up the hill from this proposed gravel pit area.

The neighbor hood around the proposed gravel pit is a very quiet area where we can hear the eagles and seagulls even the ocean surf at times carries up the hill.

The Alaska State Halibut Campground is within hearing distance of where the equipment will be operating.

5. Minimizes visual impacts

Concerning #5

Many residents live above this proposed area so we all will be "visually affected".

There are many homes above this property that look out over this area towards the inlet view. A 6ft berm will not be able to cover the gravel pit from the hillside and hill top residents. The gravel pit area is surrounded immediately by residents and an RV park on the North side.

Further impact is the State Parks on the Anchor Point Road which is the only route for the trucks to haul the sand, gravel, and peat from this proposed gravel site. Campers and visitors to the Anchor River and Anchor Point Beach walk this road with their families and children walk and bike along the Anchor Point road back and forth to the beach area very close by.

6. Provides for alternate post-mining land uses

Concerning #6

Alternate land uses were not listed.

According to the Material Site PermittingCulp.....Conditional Land use permits are valid for only 5 years. This permit is requested for 15 years.

I want to state again:

A gravel pit operation in this location would negatively impact our neighborhood, our community and the Anchor Point Recreation area.

I sincerely Hope that you as members will not allow this gravel pit permit application.

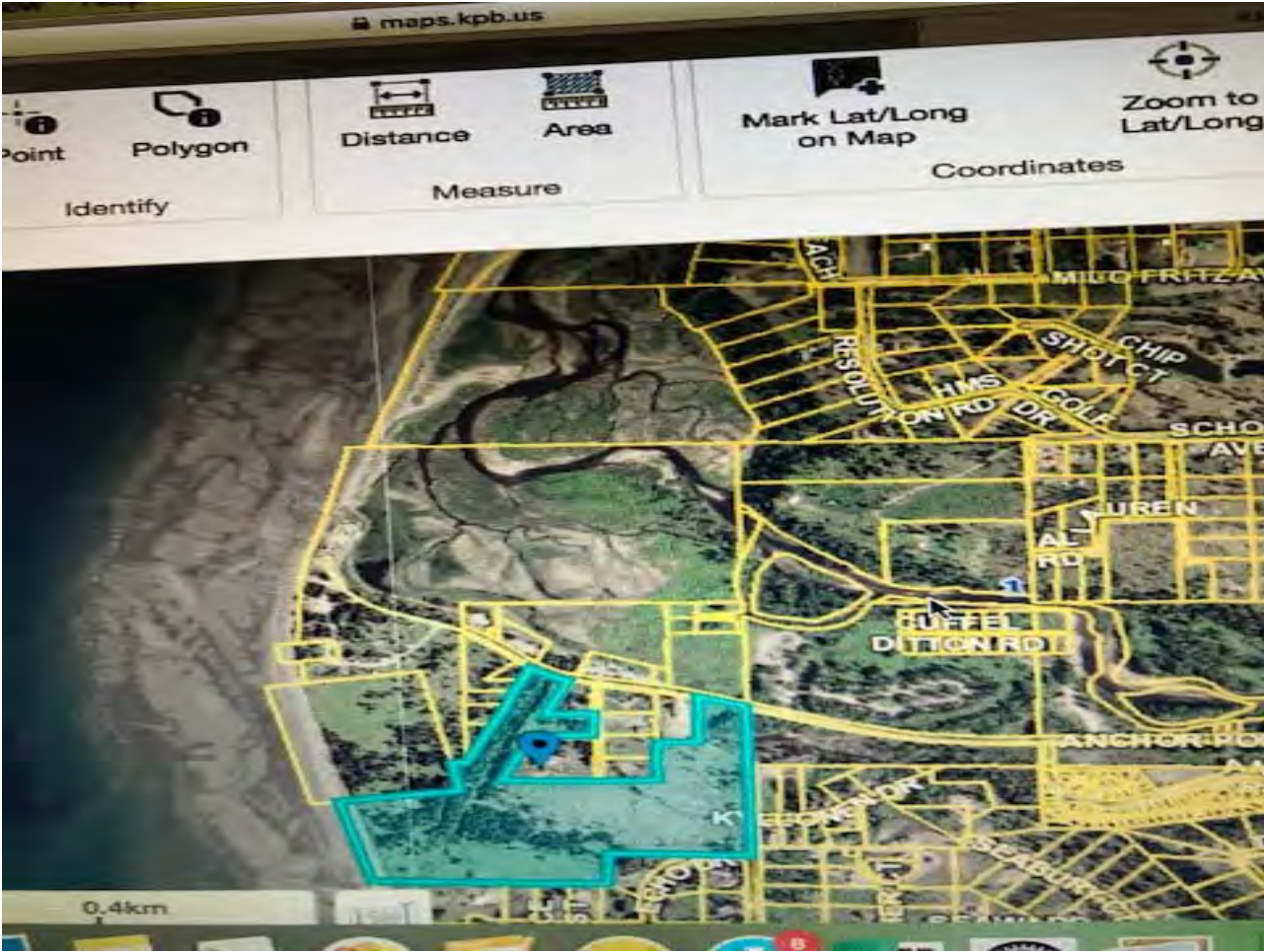
Thank you kindly for reading and listening to our concerns for our community.

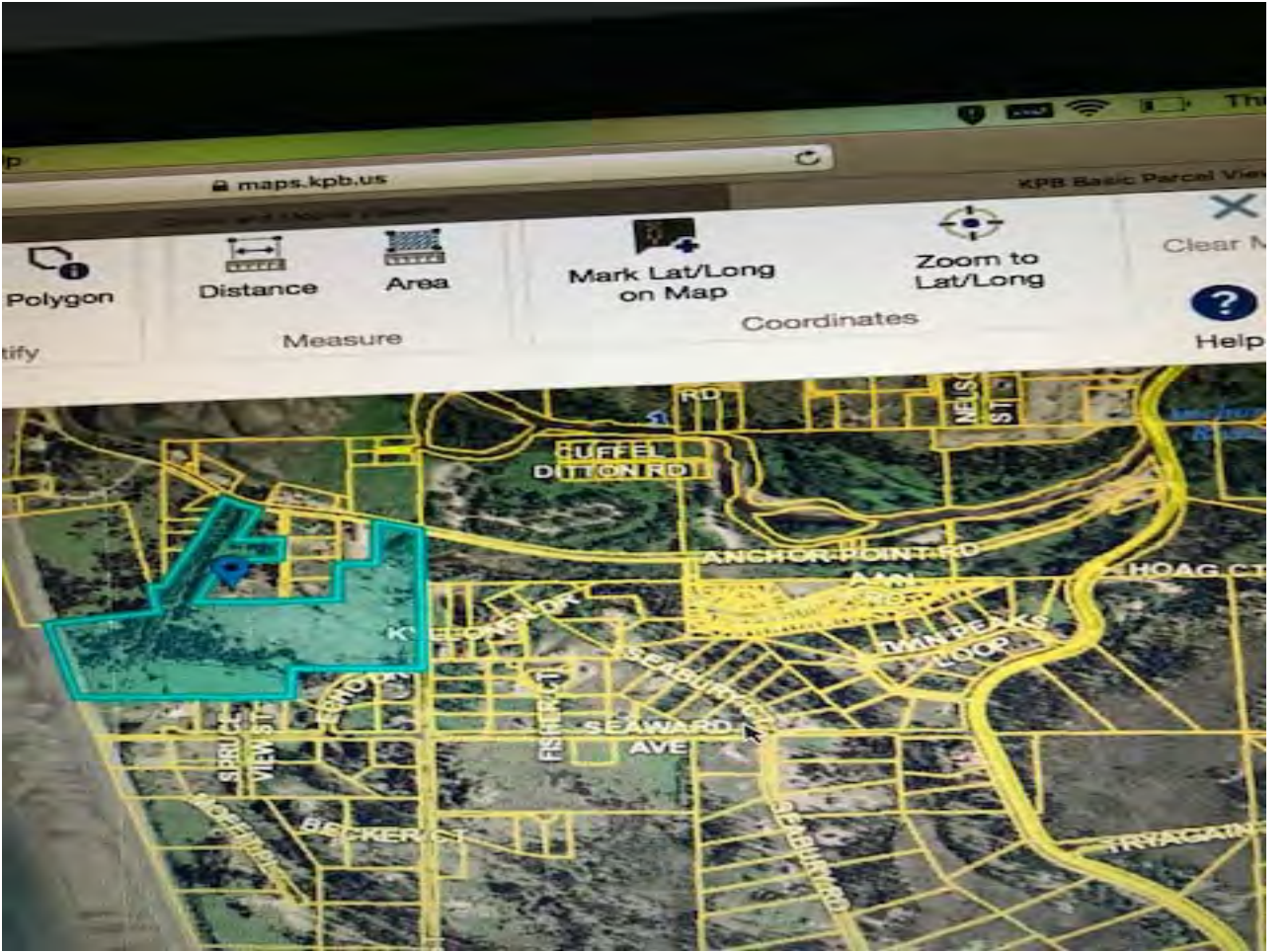
Teresa Ann Jacobson Gregory
PO Box 904
Anchor Point, Alaska 99556
907-399-0063

I am adding pictures of the area.....the highlighted area is the property proposed for the gravel pit. As you can see the Anchor River and the State recreation areas are very close.

In the second picture you can see all the residential lots in the area where our homes arethese are on a hill above the proposed gravel pit.

The bottom picture shows they have already begun to remove gravel.





This picture is on Danver Rd.



Wall, Bruce

From: shirley gruber <shirleytdx@yahoo.com>
Sent: Thursday, July 12, 2018 5:26 PM
To: Wall, Bruce
Subject: KPB CLUP Material site App AKA Beachcomber LLC GRAVEL PIT

Dear Mr. Bruce Wall

Bruce ,

Thank you for fielding and organizing all the public comments in the permitting process, for Beachcomber LLC gravel pit request. It is not an easy job, in my mind.

Therefore, I too appreciate the chance to submit my (our) concerns with regards to the material extraction...IE: Gravel pit. I see staff recommendation is to approve this permit, it appears to be a boiler plate request, but I ask you to reconsider that assessment for the following reasons.

I am aware of section 21.29.040 and .050 list regulations meant to protect the surrounding areas.

So Resolution 2018-23 Section 1 of Finding the Facts

Paragraph 10 item D states water is below 20 Ft, with intention to dig to only 18'

- Permit requester advocates he can dig down 40' for all the gravel he wants. The borough never checks. Thus my concern is to have water holes for swimming, or teenage hang outs bringing increased crime to the area.

Paragraph 10 item E, does not allow the removal of said water.

- Thus in a round about way the Borough has approved these potential water pits. Yes pumping it would bring habitat issues that would allow contaminated water to end up directly into the neighboring property and the Anchor River itself. Thus I also disagree with Nancy Carver that there is no habitat concerns, the loss of gravel will no longer cleanse the ground water that runs to and into the Anchor River, thus this brings us to damages.

Paragraph 11, Other property damage.

- Damage comes in two ways, physical and financial, it has been noted that the connecting property values will decline, while that gravel pit's value will have increased.
 - Will the loss of tax revenue from the existing home/property owners be offset by the increase tax revenue from this pit? In this case it is likely that even the Borough will have some damages (monetary) if approving this permit.

- There is a complete buffer now in one section next to Beachcomber street and a new camp ground. To tear down those trees only to replace it with a berm for visual buffer, will cause revenue damage since a treed back drop is one reason campers stay there.

Paragraph 12, Dust control:

- As noted in the permit, Danver Road is the haul out road, Danver road is gravel road so calcium chlorides or water would be sufficient, HOWEVER this borough road is not the only haul out road to be used. Danver Road is a dead end road. In order to reach the Sterling Highway, trucks must travel the Anchor Point Beach access road. This is a paved 2 lane no shoulder road. Calcium Chloride does not work on pavement and to continually wet this road would only create a muddy and slippery surface for the other road users. And this does not address the Anchor River Bridge, which cannot support the load.

Paragraph 13 and 14 Minimizing noise and visual impacts

- Other Road users will be extremely impacted with both noise, sights and added dangers from the haul trucks. The Anchor Point Road (beach access road) is a road that is loved to death. It is a highly used road, kids, bikes boats, pets, tourists, 4th of July parades, but not eligible for much financial or DOT support. Heavy commercial use on this already loved to death road will meet its end or someone on it will.
- It is the only way in and out for the families from their home and for beach goers that utilize the boat launch plus there are 5 Camp grounds on this road. And if anything bad happens, no evacuation could occur and no emergency vehicles could get in. There needs to be an alternate route to take out the gravel.
- The vegetation berms, are good, but only if you live at the flat ground level, any one who has a home that looks to the ocean also will have to watch equipment, rock crusher, gravel shaker, the full blown commercial operation.

For these reasons I don't think it passes the grade of the Code,-but each has there own interpretation, do I think it could pass, yes with a bit of fine tuning, versus a standard boiler plate permit version, as it appears now.

Lastly, yes everyone is of the nature that "not in my back yard", so it is easy to protest and complain, but hard to have a solution. Progress comes with a price, and heck who does not have a gravel drive, or pad on their lot, **I simply ask** that the commission post pone the approval until an alternate route can be established. And some of the concerns listed be fined tuned to allow the permitting, Currently there is another gravel pit on the docket, so getting gravel should not be a hardship, and if the Borough needed a reason to finish Danver Road to the south, well that time is now.

Respectfully

Shirley Gruber

73510 Twin Peaks Loop

Anchor Point.

To: Kenai Borough Planning Commission Chairman
From: Linda and Mike Patrick
34897 Fisher Ct.
Anchor Point, Ak.
Phone: 907-299-2165
Subject: Beachcomber LLC proposed surface mining project

We object to the development of the site on the following grounds:

1. At a public meeting in Anchor Point(July 11, 2018), the Owner of the said Beachcomber LLC. , did not demonstrate much knowledge of the water sources in this area. Water sources are complex, full of wells at different depths and underground springs flowing towards the inlet. In my opinion, this site requires a lot more scrutiny than some other possible inland sites. I cannot prove it will interfere with water supplies, nor can Beachcomber LLC prove that it won't. * Should we not do more than drill one hole in the ground to determine the water ecology in this area due to the close proximity to residential area, Cook Inlet, and the Anchor River.
2. How does this plan protect against damage to other properties? For example, 50,000 cubic yards of material, equates to approximately 5,000 truck loads at about 52,000 pounds each, will this not damage Danver/River Road intersection, River Road itself (which is already falling apart), and a very fragile bridge over the Anchor Point river. This pathway is not only essential to Anchor Point residents, tourists from all over the world, charter businesses, campers in the State Park, and the safety of all who use the narrow road for access to their homes, State Parks, Cook Inlet, and the farthest westerly point on the United States highway system.
3. What is the plan to minimize off-site movement of dust? Regular residential traffic on Danver Rd. stirs up dust. I cannot imagine the amount of dust that will be generated by 1000's of dump trucks, gravel processors, excavating machinery, and gravel loaders. This area is subject to a sea breeze and a land breeze cycle. Sea breezes blow the dust towards residential areas and

land breezes directs dust towards beach habitat where eagles, gulls, shore birds, and marine mammals frequent, not to mention birds and other beachcombers roam. These breezes are substantial. Exactly how is the dust going to be abated and who will monitor this? Will the dust have an effect on human inhabitants near the site? Will dust affect the salmon/trout that swim nearby to enter the river and leave the river? Will dust enter the river itself and affect the reproduction of said fish? Will the dust impact plants, birds, moose, and domestic animals. Will the quality of water in Danver Lake directly across the street from the proposed site be impacted? Will the water level in that lake be impacted? Will lakes be created similar to Danver Lake during land reclamation by Beachcomber LLC. Do these lakes serve as expanded breeding grounds for mosquitoes?

4. Noise pollution abatement plan?

Land structure around the Anchor Point area in question is like an amphitheater, I can hear dogs barking on the bluffs across the river, a rooster crow just down the hill, neighbors talking on their porches, and the surf falling on the beach. I can't imagine how loud the noise would be from a gravel mine a few hundred yards away. How pleasant will it be for people to camp at the state campground with dump trucks roaring by, dust permeating the air from the operating pit and dust blowing off the trucks themselves. And yes, there is a private RV park adjacent to the proposed gravel mine. Several residences are nearby and elevated above the site, 18 foot berms (permit indicated 6ft berms) would not impact sound transmission to elevated residences. My house is about 200 yards away and approximately 80 feet above the tract of land in question. Over the past 26 years I have witnessed over 2 dozen moose born on or adjacent to my property. Will this level of noise impact the moose population in the Anchor Point area?

5. Visual impact? What is the plan to spare the several homes that overlook this area from a higher elevation from an unobstructed view of the pit?

6. Property values? The owner of Beachcomber LLC, a real estate agent, stated this permit would improve the value of his land and in response to another question, he said it could decrease the

value of the surrounding view properties. There were approximately 50 people there at the meeting at the VFW in Anchor Point on the 11th of July. Very few of them were happy.

****** This permit should not be issued for this area because of a lack of healthy infrastructure to support it. It will create an safety hazard to all that travel the River Road and Danver Road. It will impact living organisms (humans, plants, animals) in a negative way with its noise and dust. Keep in mind that this will impact thousands of people who visit this area during the summer. And, it will destroy the property of the Alaskan people in the form of the state maintained road and bridge at a time when the state is in financial turmoil and cannot afford to fix this infrastructure.**

July 12, 2013

Planning Commission Chairman
144 N. Binkley St.
Soldotna, Alaska 99669

RE: Addendum to our written Testimony dated July 9, 2018, Regarding Beachcomber LLC's Application for a Permit for Sand, Gravel, and Peat Extraction on A Portion of Parcel Number 169-010-67, Tract B, McGee Tracts - Deed of Record Boundary Survey (Plat 80-104), Location: 74185 Anchor Point Road

Dear Planning Commission:

We attended a meeting last night with Emmitt Trimble at the Anchor Point VFS, who we found out was owner of the land, and Beachcomber LLC's. At the meeting he said, that he had not had anyone come to him about his plan for the above Gravel Pit. He also mentioned he had given his mineral rights over to some (he was not specific on who) oil and gas company, and he only planned to do a small amount of extraction at this time and as neighborhood persons attending this meeting, we should trust him. When asked why he was then asking for these permits covering the whole area, he said he was asking for this permit as there were suppose to be a changes to Kenai Peninsula Borough more stringent regulations sometime in September for Gravel Pits. He wanted to get the permits to cover so he'd have the permit before any new requirements were made.

At the meeting we were told the Planning Board made your determination as to if a party could get these permits was by satisfying the current Regulations: "21.29.040. - Standards for sand, gravel or material sites."

A. These material site regulations are intended to protect against aquifer disturbance, road damage, physical damage to adjacent properties, dust, noise, and visual impacts. Only the conditions set forth in KPB 21.29.050 may be imposed to meet these standards:

1. Protects against the lowering of water sources serving other properties: (if an oil and gas company took this property area, this might be a factor, which Mr. Emmitt has the right to sell it to.) Plus, the wetland areas, water birds, etc. would be affected by this. Water is like "gold" here to make it drinkable.

2. Protects against physical damage to other properties; our way of exit from Anchor point is from Danver and the State Road, Anchor Point Road, and the Borough Roads, of the old Sterling Highway. (The problems of the roads and physical damage is covered in our original message Under **Public Safety**. We know you aren't interested in hearing about the State road; however, Danver is very important to us. Actually, our road Seabury Court is more a trail then a road in the borough.

3. Minimize the off-date movement of dust: that is pretty hard to do and would require a lot more water, etc. to do this. We lived in an apartment near a gravel area with trucks moving a lot, and the extra dust in the house is tremendous even with care. This can cause more upper respiratory conditions.

4. Minimizes noise disturbance to other properties. In our original written testimony we address that under **General Comments, and Environmental Impact Statement**. The proposed gravel pit site is centered in a large bowl enclosed by 50 to 100 foot hill sides on two sides and most of a 3rd side on the South side. We can hear loud noises in the Park area throughout the summer so we know a large gravel operation to include a major rock crushing operation will disturb us. Heavy trucks that now infrequently use the Anchor River Road and Danver Ave. create noise levels that already create a disturbance. The increased use of heavy trucks and a rock crusher will make our peace and quiet a thing of the past. When asked, if the development of a gravel pit where it is proposed will lower all the homeowner property values at a meeting with him last night, he admitted that all our property values will be lowered due to such activity. The application proposes to operate the gravel pit from 6:00 a.m. to 10:00 p.m.

July 12, 2013

This is unacceptable to us as a private property owners. The idea that a 50 foot buffer on some of the sides of the project is ludicrous. We already know how periodic noise from heavy duty trucks and road graders negatively effect our enjoyment of our property. And thats before the applicant has even removed more trees and natural habitat in the proposed gravel pit area. What are we to do when the applicant himself admits that a gravel pit where he proposes to place it will lower all our property values? It seems this regulation is the only one that has any hope of protecting us from the noise pollution the gravel pit will create.

5. Minimizes visual impacts..even a 12 foot berm is not something to eliminate or minimize the visual impact. (Our testimony on Property Value and General Comments talks to that.)

6. Provides for alternate post-mining land uses. Selling the area to an Oil and Gas Company or another big Gravel Pit company could be done, etc. The permitting doesn't talk to that.

Sincerely,

Gary L. Sheridan
Eileen D. Sheridan
P.O. Box 661
Anchor Point, Ak 99556-0661

1-907-235-5542
CC: Bruce Wall, AICP. bwall@kpb.us

Wall, Bruce

From: Tom Alexander <pmedic1568@yahoo.com>
Sent: Friday, July 13, 2018 4:59 PM
To: Wall, Bruce
Subject: Opposition to Danver Gravel Pit Project

Dear Sir,

This letter constitutes my wife and I's objection to the placement of a gravel pit at the southwest corner of the intersection of Danver Road and Anchor Point Beach Road. We are property owners and taxpayers at 73734 Seaward Avenue, Anchor Point, Alaska 99665. In our opinion, Beachcomber, LLC has not shown, and has no intention of showing any good faith as a responsible gravel pit owner/operator at this location. The myriad concerns brought up during a recent public meeting at the Anchor Point VFW were met with very negative remarks by Beachcomber, LLC, and with no attempts at offering any solutions to any of the concerns. Our wish would be that Beachcomber, LLC NOT be granted a permit to continue with this venture. Thank you in this matter.

Sincerely,

Tom and Patty Alexander

Wall, Bruce

From: Joseph Allred <hungryegret@outlook.com>
Sent: Friday, July 13, 2018 6:32 PM
To: Wall, Bruce
Subject: Tremble gravel pit.

I hope that the borough will look at this Project critically.. while I understand the value and necessity of gravel in our lives, I also understand the not so obvious value. There is an estuary just north, homes all around. And in summer, Anchor points economic engine. All at ground zero. Water migrates thru the whole area, (into the estuary/river) as a purifying system, its value inestimable.

Also there will be an economic Loss to all who own real estate in the area. Thanks for your careful consideration.

Safety and The condition of the roads must be Factored in as well. Thanks.

Get [Outlook for Android](#)

REEVES AMODIO LLC
ATTORNEYS AT LAW



Direct Phone
(907) 222.7107

Direct Facsimile
(907) 222.7199

E-Mail
rob@reevesamodio.com

July 13, 2018

Blair Martin
Chairman
Kenai Peninsula Borough Planning Commission
144 N. Binkley Street
Soldotna, AK 99669

Re: Conditional Use Permit application for a Material Site by Beachcomber, LLC, at Parcel Number 169-010-67

Dear Mr. Martin:

Reeves Amodio, LLC, submits comments on a Conditional Use Permit application for a Material Site by Beachcomber, LLC, at Parcel Number 169-010-67, on behalf of Robert Baker II as Trustee for the R O Baker II Revocable Trust (“Baker”). Baker owns Parcel Number 169-230-19, at 74160 Seaward Avenue, Anchor Point, AK 99556 (“Baker Parcel”). The Baker Parcel is one of six residential properties bordering Parcel Number 169-010-67, 74185 Anchor Point Road, Anchor Point, AK 99556 (“Beachcomber Parcel”) to the south. Beachcomber LLC (“Beachcomber”) owns the Beachcomber Parcel.

Baker opposes Beachcomber’s application for a Conditional Use Permit for a gravel pit on the Beachcomber Parcel (“Application”).

1. A gravel pit at this location cannot be adequately regulated to protect the environment.

The Beachcomber Parcel is bounded to the west by a Cook Inlet beach where eagles regularly feed, seals and sea otters rest and swim, Boy Scouts camp, and local homeowners regularly picnic. To the north is a large undeveloped Bureau of Land Management Parcel (which itself backs up to the Anchor River State Recreation Area), and immediately across the Anchor Point Road is a world-class estuary for the Anchor River itself, which supports three anadromous salmon (king, silver, and pink salmon) plus Dolly Varden and steelhead trout.

Dewatering and drainage will impact groundwater flowing downgradient from the pit and into the Anchor River. The current Application proposes to provide a 2’ vertical buffer to groundwater, half of the 4’ vertical separation between extraction operations and

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the seasonal high water table¹ recommended by the Alaska Department of Environmental Conservation (ADEC). Increasing the risk to groundwater even further, the Application also states that Beachcomber intends to modify the permit and enter the water table in the future. This seems likely to mean that Beachcomber will be dewatering the pit, altering groundwater flow. Fish are sensitive to such alterations, including both dewatering and flooding activities.²

Beachcomber's application is misleading regarding depth to groundwater. Beachcomber drilled its well at essentially the highest point in the parcel,³ adjacent to the lowest point in the parcel.⁴ We believe that sampling at this location, due to the extreme differential from the embankment, provides insufficient data to accurately measure depth to groundwater. In fact, we question whether groundwater is at a 20' depth. Considering that most of the property is at around 40' in elevation, with the highest portion to the southeast, the groundwater is likely to be encountered at much shallower depths throughout most of Beachcomber's property.

Coastal erosion is also factor. Development of this gravel pit adjacent to the beach will exacerbate erosion. Kenai Peninsula Borough (KPB or Borough) records show that the adjacent beach is eroding at a rate of between 0.5-0.9 feet per year. Although Beachcomber is suggesting a buffer of at least 50' to the beach, over the development's lifespan that buffer is estimated to be cut down by up to 13.5'. Climate change and rising sea levels will only exacerbate this erosion. Water is likely to eventually spill into the pit and erode into other adjacent properties.

The Beachcomber Parcel itself holds numerous nesting sites, and our client observed one or more eagle nests. The noise from equipment, traffic, and the crusher, which is likely to exceed 90 dB(A),⁵ the equivalent of operating a lawnmower or a motorcycle,⁶ will harass wildlife and drive it away. Developing a gravel pit at this site will also destroy the high habitat values of the parcel.⁷ Fugitive dust also will be driven by wind from the gravel pit into the estuary, potentially adversely affecting water quality in the Anchor River. Calcium chloride and water will be used to reduce dust generated by trucks and mining operations within the pit, but it cannot be used in winter. Furthermore, calcium chloride will do nothing to address dust generated by operating

¹ SHANNON & WILSON, INC., ALASKA DEP'T OF ENVTL. CONS., BEST MANAGEMENT PRACTICES FOR GRAVEL/ROCK AGGREGATE EXTRACTION PROJECTS 12 (2012) (hereinafter "ADEC USER MANUAL").

² LAROCHE + ASSOCIATES & KENAI PEN. BOROUGH COASTAL MGMT. PROGRAM STAFF, KENAI PENINSULA BOROUGH COASTAL ZONE MANAGEMENT PLAN 119 (2008) (hereinafter "CZMP").

³ Excepting an outlier peak in the southeast corner, which is a component of the larger substantial uphill grade to the southeast.

⁴ Excepting the beach itself, below the 30' bluff.

⁵ E. R. BAUER & E. R. SPENCER, SNAPSHOT OF NOISE AND WORKER EXPOSURES IN SAND AND GRAVEL OPERATIONS 1 (2018), available at <http://www.yyccares.ca/wp-content/uploads/2018/01/sonaw.pdf> (last accessed July 13, 2018).

⁶ IAC ACOUSTICS, SOUND SEAL INC., COMPARATIVE EXAMPLES OF NOISE LEVELS 1 (2018), at <http://www.industrialnoisecontrol.com/comparative-noise-examples.htm> (last accessed July 13, 2018).

⁷ While clearing the trees will also destroy habitat, even a residential development will destroy significantly less habitat, and will ultimately provide continued space for wildlife corridors.

equipment such as the crusher and/or aggregate separator. The Coastal Zone Management Plan adopted by the Borough as a planning document states that, in siting facilities and development activities, the KPB should “[s]ite developments away from highly sensitive wildlife habitats and use area including . . . waterfowl and shorebird nesting, molting, and staging areas; . . . [and] marine mammal haul-outs”⁸

2. A gravel pit at this location will undermine recreational values.

As earlier discussed, noise and habitat destruction could drive wildlife away not only from the Beachcomber Parcel, but also from adjacent federal and state lands, including the Anchor River State Recreation Area. Anchor Point’s economy is significantly influenced by seasonal recreation, in the summer, when construction activities and the gravel pit’s operations will be heaviest. Anglers fishing on the Anchor River only 1500’ away will be negatively affected by equipment noise and fugitive dust. Similarly, campers in the Anchor River State Recreation Area campgrounds, as close as 750’ away, will be affected. With wildlife being pushed away, the opportunities to observe and photograph birds and marine mammals will also be gone.

The Anchor Point Road is the public access to the Anchor River State Recreation Area and the tractor launch permitted by Alaska State Parks. This road is extremely narrow and not designed to withstand the regular use from heavy dump trucks.⁹ Nonetheless, Beachcomber proposes to use the Anchor River Road, adding its dump trucks to the existing car, boat and motor home traffic. It is easy to foresee incidents between local residents or tourists with trucks. There is no shoulder on this road, and it is bordered by ditches. There is a legitimate safety concern.

3. A gravel pit at this location will destroy the residential character of the neighborhood.

Beachcomber is proposing to place a 27.7-acre industrial site in the center of a residential neighborhood. KPB records show 13 “residential” classified parcels either bordering the Beachcomber Parcel or very near to it. Without including the dozen or so parcels classified as “undeveloped” and likely destined to have houses, there are approximately 40 “residential” parcels within 1500’ of Beachcomber’s proposed pit.

There are wetlands in the parcel’s extreme northeast corner. Beachcomber’s only access route will be down Danver Street (which presently serves only residences), onto the Anchor River Road and to the Old Sterling Highway. Danver Street does not satisfy ADEC’s best management practices for access to material extraction sites because it is not a dedicated haul road and it is too narrow.¹⁰ Further, there are well over 100 residences that depend on the Anchor River Road for access. Each of those home owners and their families will be forced to compete with heavy dump trucks in trips to and from their homes, in addition to the summer seasonal traffic. Although the

⁸ CZMP, *supra* n.2, at 114.

⁹ The road suffers significantly just from the existing traffic; even after being paved, the increased seasonal recreational traffic with the tractor launch’s opening, combined with the lack of quality underlayment, causes substantial cracks, ruts, and dips in the road even today.

¹⁰ ADEC USER MANUAL, *supra* n.1 at 46.

Anchor River Road is maintained by the State, Danver Street is maintained by the Borough. The Borough will see increased road maintenance costs.

Beachcomber proposes only 6' high berms as a buffer for the adjacent residential parcels. This berm will do very little to impede noise into those homes, especially since most were built above grade with crawlspaces because of the high-water tables in the area. A house built on a 3' crawlspace places the top of the berm at a homeowner's waist height. Noise will travel directly to and through windows and doors, even on a first floor. As noted above, noise will exceed 90 dB(A). The windows on the second floors will provide a clear view of Beachcomber's industrial activities; namely, the rock crusher.

A berm will do nothing to prevent children from crossing into the industrial area. It will be an attractive nuisance. Children could play in or on the equipment, creating a public safety hazard. The Beachcomber Parcel is less than a mile from Chapman Elementary School, and children ride bicycles and ATVs to/from the school (as a play area when it is closed) and to and from the Anchor Point beach. Children using the school playground could also be affected by fugitive dust, and, perhaps more significantly, the learning environment will be disturbed by noise from the gravel pit's operation.

Recent testimony before the Materials Site Working Group documented how winds carry gravel fugitive dust from pits onto adjacent residences. One commenter in particular described how in the winter, extreme winds effectively sandblast his home, vehicles, etc. Given the proximity to Cook Inlet and the Anchor River flats, which is located within a HUD wind classification Zone III,¹¹ even a generous application of water or calcium chloride will not stop a 110 mph wind from blasting dust throughout the area.

A person's home is his family's largest financial investment. During recent testimony before the Material Site Working Group, the Borough Assessor stated that although a gravel pit nearby does not automatically reduce an assessment, any comparable sales that show a reduction in home value based on the gravel pit will cause the assessor to reduce assessments for all homes near the operation. Families do not want to live next to an industrial operation, particularly one that runs nearly continuously during the summer. Residents along Danver Street can expect their property appraisals (and assessments) to fall by approximately 36%¹² if the Planning Commission approves the Application.

While Baker recognizes Beachcomber's right to develop its property, he reasonably did not expect a 27.7-acre industrial facility adjacent to his backyard and within his view shed. Based on the development patterns off Danver Street, he reasonably expected low-density rural residential and/or recreational property development for the Beachcomber Parcel. This would

¹¹ FEDERAL EMERGENCY MANAGEMENT AGENCY, WIND ZONE COMPARISONS G-3 (2013), available at https://www.fema.gov/media-library-data/20130726-1501-20490-5921/fema_p85_apndx_g.pdf (last accessed July 13, 2018).

¹² See DIANE HITE, SUMMARY ANALYSIS: IMPACT OF OPERATIONAL GRAVEL PIT ON HOUSE VALUES, DELAWARE COUNTY, OHIO 2 (2006).

bring more neighbors, more back yards and houses. Under no circumstances is it reasonable to replace those houses with a large industrial complex.

Fundamentally, gravel pits are not pretty. While the 50' buffer the staff recommends may alleviate some of the impacts to the east, it does nothing for Baker and others on the Seaward Avenue parcels to the south. Even the proposed 12' high berm, with no buffer, will not mitigate fugitive dust or muffle sound in second story bedrooms. If it issues a permit, the Planning Commission should require both a 12' high berm and a 50' vegetated buffer around the entire Beachcomber Parcel as a permit condition under its authority in KPB 21.29.050(A)(2)(c).

The staff recommends prohibiting operation of rock crushing equipment between 10:00 p.m. and 6:00 a.m. This condition does not help residents who work nights. Baker, for example, travels to and from his work assignments at odd hours. Furthermore, the noise and dust from a rock crusher operating between 3:00 p.m. to 5:00 p.m. will interfere with after-school activities, including play and homework. Noise and dust from 5:00 p.m. to 10:00 p.m. interferes with families' evening activities (reading, watching television, or conversing with family over dinner). Certainly, 90 dB(A) of noise eliminates the possibility of enjoying any outdoors time in the backyard.

4. Anchor Point does not need an additional gravel pit.

As the Planning Commission is certainly aware, gravel pit development is rampant, and permitting such pits has been a hotly contested issue in the Anchor Point community in the past. KPB records show at least 50 parcels in the area that either qualify as a Prior Existing Use pit or have a Conditional Land Use Permit to operate a gravel pit. While the availability of low cost gravel and a few jobs in the materials industry could be important for a small community, Anchor Point is flush with gravel sites. Many of these pits are in more rural areas. There is no need to authorize a new gravel pit in a residential and recreational area close to Anchor Point's downtown core. There is much gravel already available locally.

5. The Application should be denied until the Kenai Peninsula Borough implements recommendations from the Material Site Work Group.

Earlier this year, the KPB adopted Resolution 2018-004, establishing a Material Site Work Group. The resolution discusses the fact that the last code update took place over 12 years ago and that members of the public expressed many concerns "about dust, noise, water, and negative secondary impacts of material sites." The KPB Assembly's stated intent was to collaborate with the public and industry to discuss changes to the material site code. Numerous homeowners living near existing gravel pits voiced concerns regarding their individual experiences with ruined water, flooding, noise (both from crushers and hauling), and dust. Although the Material Site Work Group took public testimony and considered reclamation, buffers, noise, dust, roads, public safety, and quality of life for home owners, it took no action and adjourned for the summer of 2018 *at industry request* due to the construction season.

Beachcomber wishes to avoid the public concerns being addressed by seeking authorization *while* the changes are being addressed. The Planning Commission should not allow

July 13, 2018

Page 6

Beachcomber to use industry's requested delay to avoid community concerns. Rather than grant the application, the Planning Commission should deny or stay the application and process it only after the Material Site Work Group's recommendations are considered and acted upon by the KPB Assembly.

If the Planning Commission is unwilling to deny or stay the Application, it should only approve Beachcomber's Phase I development: the 6.2-acre area in the northeast. At Beachcomber's proposed cumulative acreage disturbance plan over 15-year life, it would take 3.3 years to develop Phase I. This would give the Material Site Working Group and the KPB enough time to develop and implement a comprehensive regulatory scheme that addresses homeowner concerns.

CONCLUSION

For the foregoing reasons, Baker urges the Planning Commission to deny the permit. If it issues any permit, even for the limited Phase I development, the commission should require additional conditions to restrict operational times and require Beachcomber to provide a 50' or greater vegetated buffer along the southern border along with the 12' high berms.

Sincerely,

REEVES AMODIO LLC



Robert W. Corbisier

Counsel for Robert Baker, II, as Trustee

Cc: Cook Inlet Keeper
3734 Ben Walters Lane
Homer, AK 99603

13 July 2018

Kenai Peninsula Planning Commission
144 Binkley Street
Soldotna, AK 99669

To Whom It May Concern:

Thank you for the opportunity to comment on the purposed conditional land use permit for parcel 169-010-67 (applicant Beachcomber LLC).

I am the current owner of Sleepy Bear Cabins LLC located at 34053 North Fork Road, Anchor Point, AK 99556. I have the following concerns and proposals:

1. **Issue - Negative impact to the Anchor River State Recreational Area:** The Anchor Point Community and its businesses rely heavily on the recreation area. Whether directly or indirectly the residents and businesses will be negatively impacted by the noise pollution and industrial traffic the location of this gravel pit will cause. The recreational area is financially vital to the Anchor Point tourism industry. My business as well as others rely on the tourist activity that the park brings for the river, boat launch, and beach. The additional noise of the heavy equipment coming from the gravel pit will disrupt the visitors and park guests. This will drive down the number of tourists wishing to visit the recreational area and therefore Anchor Point, which will financially impact and potentially devastate our local businesses and economy.
2. **Issue - Condition of and safety issue with the Anchor Point Road:** Due to its current condition, the Anchor Point Road is currently not equipped to handle the additional industrial trucks and heavy equipment. The road does not have adequate shoulders or any sidewalks / bike paths for pedestrians and bicyclists. There is great potential not only for the road to be devastated and therefore access to the recreational area to be heavily impacted, but also an increase for accident and injury.

Proposals:

1. **Postpose a decision on this permit:** Allow more time for the Planning Commission as well as residents to further investigate and understand the overall impact to residential property, the Anchor Point Road, the state recreation area, and the Anchor Point community as a whole, and better determine additional requirement that must be met in order for the permit to be issued. the location of the property is unique and therefore poses unique issues. The application appears to abide by the regulations currently in place. However, the current regulations do not take into account the uniqueness of the surrounding properties and recreation area.
2. **If the permit is approved the following additional requirements should be considered:**
 - a. Larger vegetation buffer: The minimum buffer should be more than 50 feet
 - b. All berms should be 12 feet
 - c. The entire property should be required to have vegetation buffers and 12-foot berms (with the exception of the access point to the property)
 - d. The minimum distance from waterbodies should be more than 100 feet and digging below the water table should not be permitted

- e. The applicant should voluntarily restrict operation days and hours to include digging, processing, and hauling as to not impede the quality of life for residents and recreational area visitors (i.e. operating hours 9am-6pm, no operation on weekends, etc.)
- f. Improvements to Anchor Point road should be done to correct the before mentioned issues prior to the permit being approved. A maintenance / repair provision on the part of the applicant should be in place as well

When I moved back home to Alaska four years ago and chose Anchor Point as my new permanent home, I did so to live back in a rural community where nature and the wild of Alaska are out my front door. I am not one to impede another's ability to prosper and do as they wish with their land. However, I do find I am put in a position to speak up when it impedes myself and others from doing the same.

As a community we need to find ways to work together to resolve conflicts of interest to ensure harmony with our neighbors. What is best for one may not be what is best for the majority or the community. Open communication and cooperation are needed to ensure a healthy community. Like myself, I don't believe the majority here wish to live, work, and play in an industrial area.

Thank you for taking the time to read and carefully / thoughtfully consider my comments and proposals.

Sincerely,

Teresa Cosman
Sleepy Bear Cabins LLC
907-235-5625
Sleepybear@alaska.net

Wall, Bruce

From: David Driggers <david.driggers@gmail.com>
Sent: Friday, July 13, 2018 8:51 PM
To: Planning Dept,; Wall, Bruce
Cc: Pierce, Charlie; Representative.Paul.Seaton@akleg.gov
Subject: Beachcomber LLC Gravel Pit Anchor Point

Dear Mr. Wall,

I am writing to provide public comment on the proposed material site permit on parcel 169-010-67. As the owner of property adjacent to the proposed material site, I was disappointed that I did not receive a mailed notice from the borough. I did however attend a locally organized public meeting at the VFW at which there was nearly universal opposition to proposed material site.

My primary concerns for the permit are based around safety along Anchor Point Road. As you know, the proposed material site is in the middle of the Anchor River State Recreation Area which is heavily used during the summer months. The community has already met with Representative Seaton, Assemblyman Dunne, Mayor Pierce, and various representatives from the State of Alaska to address the safety issues along Anchor Point Road. We have heavy pedestrian and vehicle traffic on the shoulder-less Anchor Point Road during the summer months, and adding heavy traffic to the road in the form of dump trucks will just exacerbate an already dangerous situation. I have had to move off the road very quickly to avoid being hit multiple times already this year. Adding even more heavy traffic with drivers who are motivated to make quick runs is a recipe for disaster.

This is especially concerning as we've already met with representatives at all levels of the government, and explained our concerns. We have made this concern public via meetings and the press:

http://www.homertribune.com/article/1728anchor_point_petitions_for_state_help

I also thought that it was a bit ironic that as I was driving to the community meeting about the material site, I was tailgated on Anchor Point Road by a 14 yard dump truck. I would ask the planning commission to please solve the access issue (or at least investigate options) prior to issuing a material site permit.

Kind Regards,

David Driggers

Wall, Bruce

From: David Gregory <davidgregory0754@gmail.com>
Sent: Friday, July 13, 2018 12:53 PM
To: Wall, Bruce
Subject: Gravel pit application by Beachcomber llc. on Denver St.

Planning Commission Chairman

Mr Chairman,

I am David Gregory. I live on Seaward Ave where my wife and I own our home, and within 1/2 mile of the proposed sand gravel and peat operation proposed by Beachcomer LLC.

The first and foremost reason I oppose the permit for this operation is the possibility for it to alter the well water activity of wells in the area. This operation would be in the lowest possible point in the area and could cause a lowering of water level in nearby wells.

Secondly is the noise and dust created by machinery and equipment necessary to operate the operation.. Noise travels upward very well. A 6 ft berm is totally insufficient to control that noise. Nor will it control the dust created. Dust is a health hazard to many people and will travel a great distance with the prevailing winds, which quite often blow very strong in that area.

The increase of heavy truck traffic will only increase the undesirable noise and dust. It will also be destructive to the road surfaces.

David Gregory
P O Box 904
Anchor Point, AK 99556
907 399 2510



July 13, 2018

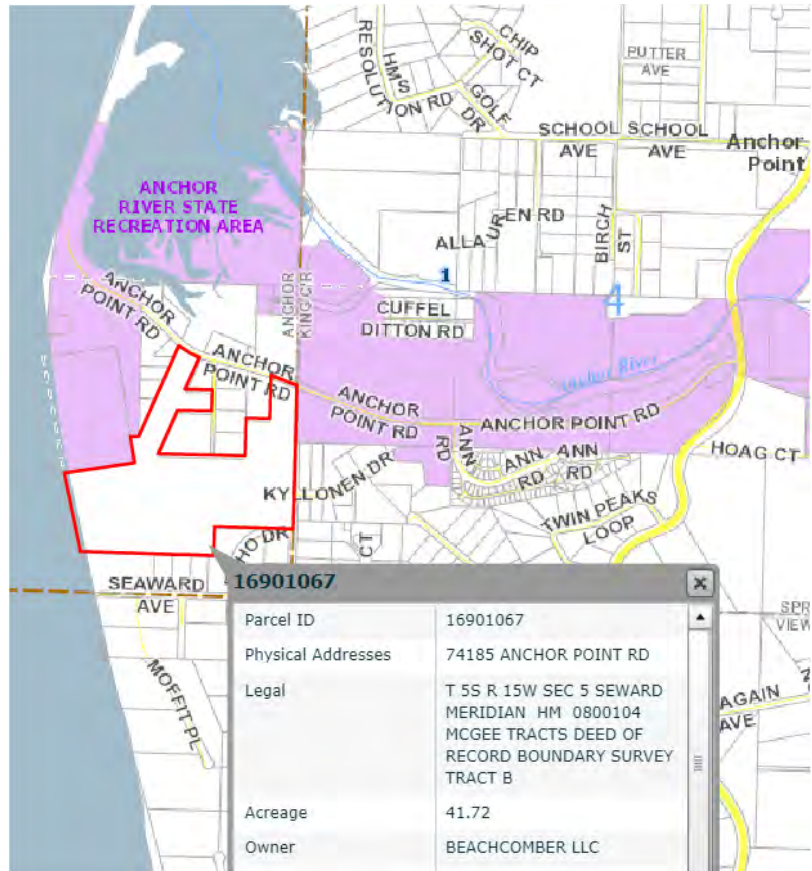
Dear Borough Planning Commission members

At its monthly meeting on July 11, the Homer Soil and Water Conservation District was asked to comment on the Notice of Public Hearing for a Conditional Land Use Permit for a material site. The site is located on parcel number 16901067 and is outlined in red in the map below. Homer Soil and Water supports responsible development of peninsula resources.

We note that the landowner who made this request was given less than a week to submit comments from the date they received the notification in the mail.

Homer Soil and Water Conservation District Board of Supervisors identified a number of questions, issues, and concerns related to the Land Use Permit application. Although the board took no further action at its meeting, it emphasizes that this location for a gravel pit is unique on the peninsula, as outlined below, and that proper vetting of this project is essential.

The LUP site presents unique challenges because of its proximity to the Cook Inlet coast and to coastal processes, including saltwater intrusion, storm surges, and tsunamis. The site is also unique because of its proximity to the mouth of the Anchor River. Finally, the site is adjacent to the Anchor River State Recreation Area (see above). Two campgrounds are very near the parcel.



The Board recommends that the Borough Planning Commission take the extra time it needs to properly consider the unique features of this site before making a final decision on the LUP application. The commission may want to seek information from entities such as the Anchor Point Chamber of Commerce, Alaska Division of Parks and Outdoor Recreation, Alaska Department of Fish and Game, and Alaska Department of Environmental Conservation (because of possible saltwater intrusion impacts to water quality in wells close to the gravel pit). Homer Soil and Water would also urge the Borough Planning Commission to take such comments into full and careful consideration during its decision making.

“To provide education and leadership in the conservation and sustainable use of soil- and water-related resources through cooperative programs that protect, restore and improve our environment.”

Thank you for this opportunity to comment, and below is the list of questions, issues, and concerns identified during our board meeting.

- What impacts to the gravel pit are likely given its vulnerability to winter storms and storm surges?
- Specifically, what design features of the proposed coastal berm have been included to prevent storm surges from eroding the berm and causing its collapse?
- Has the applicant identified increased traffic volumes and weight likely on Anchor Point Road as a result of material site operations? How will road impacts be addressed?
- What information has been gathered to determine the likelihood of saltwater intrusion into gravel pit subsoils as a result of reductions in hydraulic pressure caused by removal of gravel?
- Is the gravel pit site within the historic Anchor River floodplain and, if so, what impacts to the river system might occur if the mainstem channel migrated into the gravel pit, for example, during 100-year or larger storm events?
- What information about local rates and impacts of sea level rise have been considered during project planning?
- Is there a long-term goal to establish a harbor at this site? If so, what comprehensive, integrated planning process is now underway to evaluate the long-term use of the area?
- What data have been collected about local noise levels from proposed gravel operations, including gravel trucks, and the effects of noise on campers and residents? Will noise-generating activities be restricted to certain hours?
- Are site-specific reclamation plans available for public and agency review?
- Have the potential economic impacts to tourism been evaluated by the applicant or any other entity?
- As shown in the maps and elevation profile below, much of the site is between 30 and 40 ft above sea level. What will be the greatest depth of material excavation above sea level? What impacts will removal of this overburden have on groundwater levels and nearby water quality?



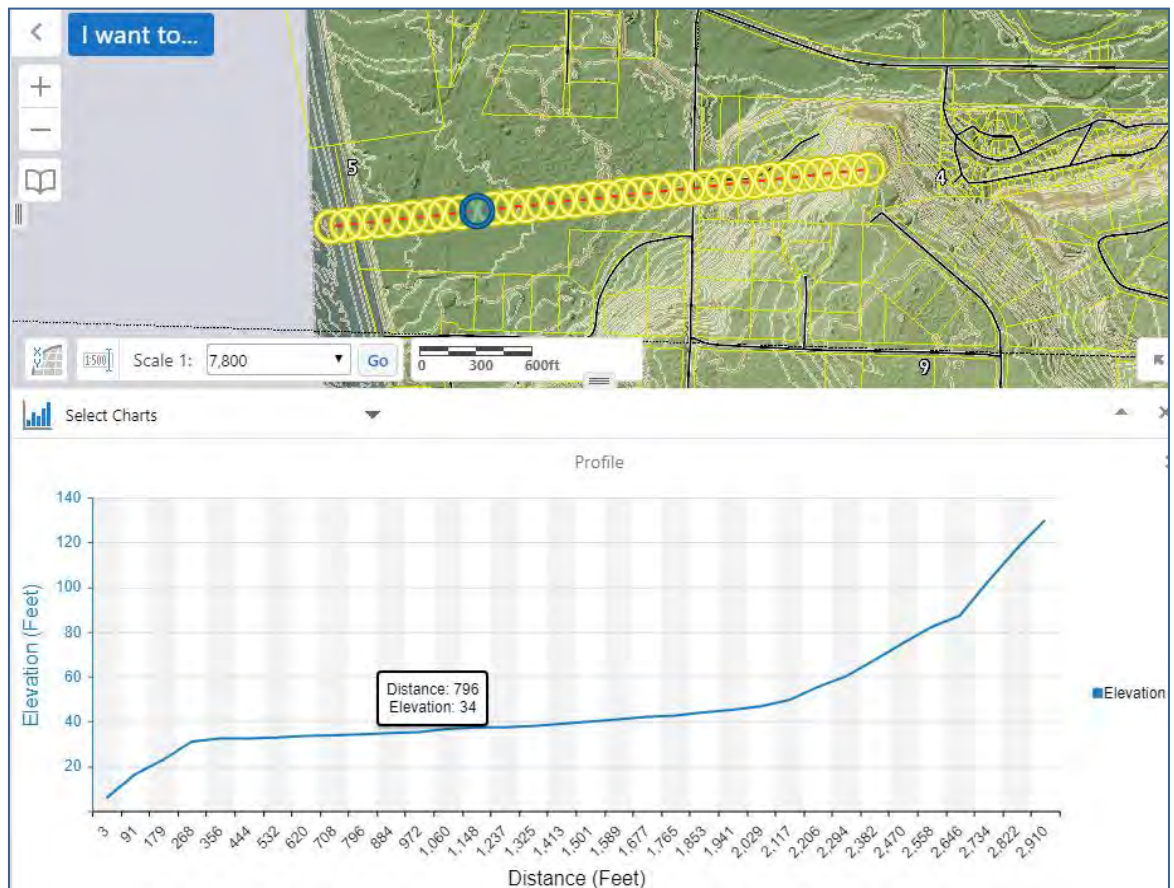
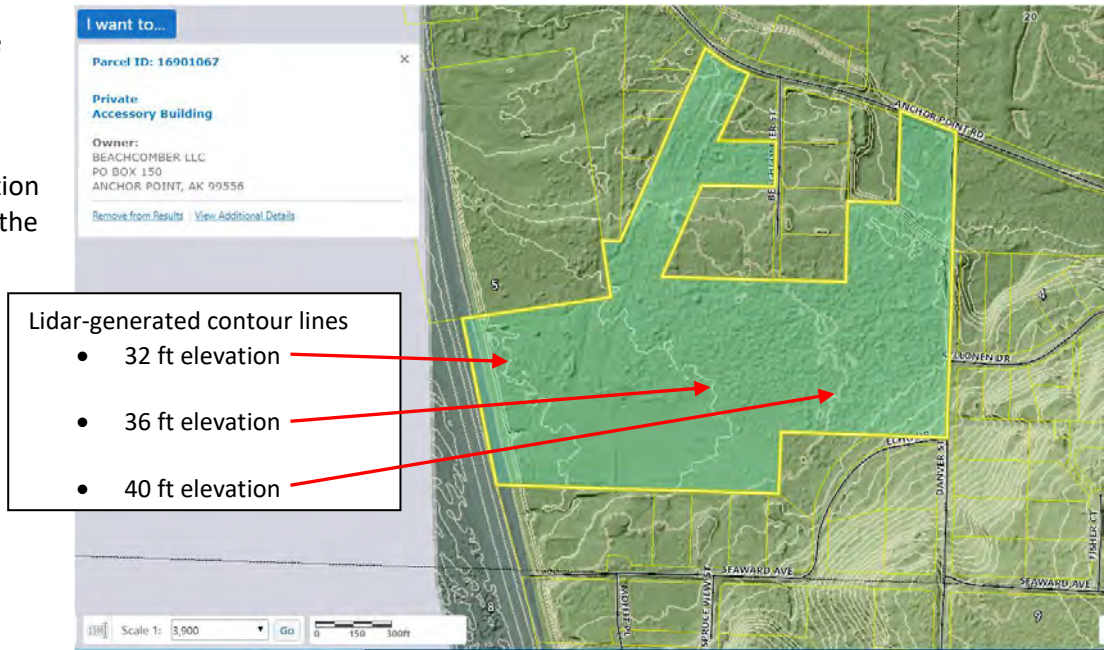
Finally, the borough maintains outstanding geographic information resources readily accessible to the public. Two of these were used to develop the maps included here: the kpb parcel viewer at <http://mapserver.borough.kenai.ak.us/kpbmapviewer/> and the terrain viewer at

<https://gis.kpb.us/map/index.html?viewer=terrain>. Other outstanding kpb gis sites include the anadromous habitat viewer at https://maps.kpb.us/gc/Html5Viewer/Index.html?viewer=P_KRCViewer (which shows recently mapped anadromous stream channel locations in blue, as on the Anchor River above) and the wetlands viewer at <http://maps.kpb.us/wetlands/>.

Providing links to these resources in public notifications, or even better, including such information in notification packets, would enable the public to provide much more informed comments.

Thank you again for this opportunity to comment.

Chris Rainwater, Chair



To: Kenai Peninsula Borough Planning Commission

From: James and Susan Reid

73820 Seward Ave.

Anchor Point, AK 99556

Phone: 299-226-3418

Subject: Beachcomber LLC proposed surface mining permit

We object to the issuance of the permit: for the following reasons:

1. Have Mary and Emmet Trimbull submitted their reclamation plan to DNR as of 7/6/2018?
2. Regarding the hours of 6: AM to 10:00 PM for the use of the machinery, we consider that time period being excessive because this is a residential area. For example Dibble Creek's hours of operation are 9:00 AM to 4:00 PM.
3. In regard to the P code 21.29.040, what is the plan to protect the water aquifer and road damage. One test hole does not seem adequate. Also the current river road is falling apart. How will that be addressed?
4. What is the seasonal high water table level? How was it determined?
5. We are concerned about this highly congested residential and recreational area in the summer. There are literally thousand of people that live and visit this area.
6. In regard to the water filtration, removal of gravel and topsoil will effect filtration properties of the surface water as is exhibited in "Danver Lake". Will it possibly contribute pollutants to the Anchor River?
7. What is the definition of waiver in regard to the North property line? Staff does not recommend approval of the processing distance waver request. Why?

Wall, Bruce

From: Bill Scott <naturesventures@gmail.com>
Sent: Friday, July 13, 2018 10:33 AM
To: Wall, Bruce
Subject: Anchor Point Road gravel pit

Dear Mr. Wall,

I am writing today to oppose the gravel pit permits being requested on Anchor Point Rd. I strongly disagree to the possibility of having a gravel pit right by the Anchor River. I believe that area should be under some kind of protection from any kind of ground disturbances.

The people of Anchor Point rely on the tourism and fisheries of this this river and gravel pits and drilling rigs put the area at risk.

A great way to kill a town is to make it ugly and kill the river.

People invest in this Anchor Point because of the fishery and it's peaceful.

I am fed up with our state and borough passing out permits that impact people's livelihoods and investments to line the pockets of the few.

Concerned AP citizens

Leah and Bill Scott
28279 Sterling Hwy
PO Box 1193
Anchor Point, AK 99556
218-380-0623
907-399-0623

Sent from my iPhone

Wall, Bruce

From: Carla Milburn <cjm2@me.com>
Sent: Saturday, July 14, 2018 3:00 AM
To: Wall, Bruce
Subject: Anchor Point Gravel Pit

I just got word that about the prospect of a gravel pit somewhere in the vicinity of Danver street in Anchor Point. I strongly object to this project due to its location in a residential and recreational area. Please carefully consider other options elsewhere for this activity!

Thank you,
Carla J. Milburn
66090 Moosewood Ct
Anchor Pt, Alaska 99556
907-235-4192

Wall, Bruce

From: L Rick Oliver <roliverb747@me.com>
Sent: Sunday, July 15, 2018 5:29 PM
To: Wall, Bruce
Cc: Hans Bilben
Subject: Denver St. Gravel mining application

Hey Bruce,

Here's a picture of me at 6' (almost) holding a board 10' tall. I'm sure you can see my concern with "minimizing" visual impact from my house with a 6' berm. I'm standing 50' inside the newly designated property line. Hope this will help.

Sincerely,

Rick Oliver



124-103

Wall, Bruce

From: L Rick Oliver <roliverb747@me.com>
Sent: Friday, July 13, 2018 9:30 AM
To: Wall, Bruce
Cc: Hans Bilben
Subject: Gravel mining of Beacomber LLC Tract B McGee Tracts Plat (80-104)
Attachments: Gravel Pit Pictures.zip

To the Planning Commission Chairman,

My name is Lawrence (Rick) Oliver and a longtime resident of Anchor Point. My property is directly adjacent to, and above, the proposed mining sight. Enclosed are pictures of the sight as it is today, as taken from my front deck, and additional pictures of the smaller parcel (adjacent to the proposed plat) from which the applicant has already removed significant material. It is my understanding that the applicant must adhere to certain standards for the removal of material from the proposed sights.

#1 of said standards addresses the lowering of water sources serving other properties. The existence of the substantial lake just below my property indicates that a major mining operation can't help but affect the water source of my property. I'm told there is significant additional information regarding this standard to be presented.

#3 addresses the "minimization of dust to off-site areas". Due to the proposed placement of the processing equipment, ANY on shore breeze will bring that dust to my home, directly across the street.

#4 addresses the noise disturbance to other properties. According to the radii shown on the application, the processing equipment is to be set much less than 300' from my front door. How can the noise and vibration from this equipment be, in any way, "minimized" in my home ?

#5 addresses (again) the "minimization" of visual impact. I'll let the pictures tell that story.

For the record, let it be known that my family and I (along with the other several hundred other people residing in this area) vehemently oppose the granting of this permit.

Sincerely,

Lawrence R. Oliver



124-105



124-106



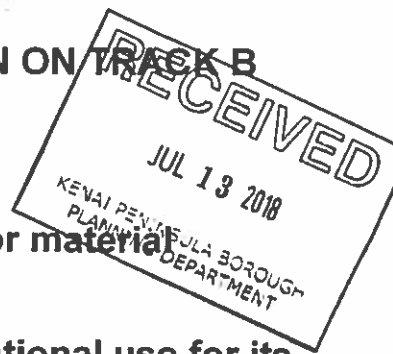
124-107



124-108

**OPPOSITION TO THE PROPOSED MATERIAL EXTRACTION ON TRACK B
MCGEE TRACTS**

APPLICANT: BEACHCOMER LLC



We, the undersigned adamantly oppose the proposed permit for material extraction in the McGee Tracts / Anchor Point area.

The community of Anchor Point is heavily dependent on recreational use for its annual revenue. There are 5 state campgrounds providing 136 campsites and 31 day use parking and a private RV park providing 58 spaces. During the season there are approximately 40 boats launched each day. The main access to these campgrounds and the boat launch is the Anchor River Beach Road.





Sharing the road with the estimated additional truck traffic will negatively impact the fragile structure of the Anchor Point Beach Road. The proposed seasonal removal of approximately 50,000 cubic yards of material equates to 5,000 truck loads, each weighing 52,000 lbs. The road surface is not such that could withstand this heavy use.

In addition the pedestrian traffic safety would be in jeopardy. The road does not have the standard 2 foot shoulder.

Printed Name	Signature	Address	Date	Comments
Goeny Culligan	[Signature]	Sea Berry Ct	7/9/18	
Larry Kelsoy	[Signature]	Twin Peaks	7-9-18	vote now
John Ferrell	[Signature]	Shoreland Lane	7-9-18	
Matt Fournier	[Signature]	Shoreland Lane	7-9-18	
Reese Yount	[Signature]	12199 S. Bristol St.	7-9-18	rediculous
Todd Baranen	[Signature]	173300 Old Sterling Hwy	7-9-18	
Bill Scott	[Signature]	128299 Steady	7/9/18	
CHARLES L COLLIER	[Signature]	PO Box 3040 KENAI, AK 99611	7/9/18	ND
Van H	[Signature]	14575/44 Holland	7-9-18	
Steve Mastre	[Signature]	PO Box 309 A.P.	7/12/18	Road can't handle it!
Teresa Cosman	[Signature]	PO Box 563 AP	7-12-18	Road infrastructure issues Environmental issues, business/economic impact to Economy & AP issues, noise
Delcena Cosman	[Signature]	PO Box 563 AP	7-12-18	environment/economic issues
Walter Martin	[Signature]	11503 Toyon Way	7-12-18	

OPPOSITION TO THE PROPOSED MATERIAL EXTRACTION ON TRACK B
MCGEE TRACTS

APPLICANT: BEACHCOMER LLC

Mik Centoria  | P.O. Box 2427 ^{Selkirk} 7/12 |
Dale Griner  | Box 101 A.P. | *If approved than this whole process is a JOKE*
Brianna Hahn  | 4625 Kenzie 17-19-18 |
Ryan Johnson  | P.O. Box 798
Anchor point, AK 7-12-18 |

Wall, Bruce

From: Gary L. Gordon <garygordon4@gmail.com>
Sent: Monday, July 9, 2018 12:55 PM
To: Wall, Bruce
Subject: Fwd: Beachcomber LLC Gravel Pit Application

>> My name is Gary L. Gordon, my wife Pamela C. Gordon and I own an assessed \$280,000 view home at 34919 Fisher Court, directly above the proposed gravel pit. We also own two more lots off Danver and High Seas Court, assessed at over \$120,000. We don't want a gravel pit in our view, nor the additional traffic on Danver, resulting in excessive noise and dust. I own and operate a commercial gravel pit here in Dillingham, AK. They are noisy and dusty even if the operator or operators of the gravel pit maintain the public roads. Applicant is not going to operate this gravel pit, nor does he have the experience or equipment to develop the pit. He intends to sell gravel to highest bidder; therefore, if a project, say Anchor Point Bridge comes out to bid, applicants representative will solicit his gravel pit as the extraction source. The contractor will most likely use it, for it is the closest source. That contractor will further develop the source, move man camp in, job trailers, offices, rock crushing plant and an asphalt plant. They will work 84 hours a week, maybe more if weather hinders paving operation. We the land owners and tax payers now get an asphalt smoke screen and an enormous amount of noise and dust blown on us from tidal winds through the summer.

>> Developing the proposed commercial gravel pit operation in heart of the only recreation site Anchor Point has, is not acceptable. There are State camping parks, boat launch facilities, private RV parks and guiding businesses, plus us the home and land owners that will be adversely affected. Locals, other Alaskans and visiting tourists all travel these wore out roads and bridge now, putting fifty or more loaded dump trucks on these roads a day is going to ruin them. Our State has no funding to repair or rebuild this infrastructure that our lives require to occupy our homes and businesses.

>> Another serious consideration is line 7 on page 2 of 4 of permit, gravel extraction into OUR water table, stated again on page 4, monitoring wells. This has a potential to be very bad for all surrounding owners and businesses.

>> I hope the federal land owners between this site and the beach have been notified, as well as the wet land issues north of this site.

>>

>> Bottom Line, This is not good for Anchor Point it's residents or businesses.

>>

>> Cordially, Gary L. Gordon

>>

>>

Wall, Bruce

From: james gorman <captainboomer@hotmail.com>
Sent: Tuesday, June 26, 2018 8:31 AM
To: Wall, Bruce
Subject: Beachcomber LLC gravel pit

Dear Chairman-

I received a letter yesterday regarding this proposed development. Although I have no objections to the extraction of the materials from this site, I do have reservations about the transport of same. The corridor, what we call the beach road, is a narrow two-lane road in serious need of an upgrade. The pavement is separating in several places and it has very narrow shoulders, making it hazardous to pedestrians when two wide vehicles travel in opposite directions. Given that there is a popular boat launch and several RV parks along this route, this is not uncommon. Boat and RV traffic is heavy at times during the summer months.

I would recommend wider shoulders along the beach road portion and repaving this corridor.

I also have a question about the route these trucks would take. Would they cross the Anchor River bridge or use the Old Sterling? If the bridge, I have concerns about its integrity and its narrow width. The Old Sterling is another road in need of an upgrade if that is the route taken.

In conclusion, my concerns are about conflicts in the corridor with the various user groups and the poor condition of the roads.

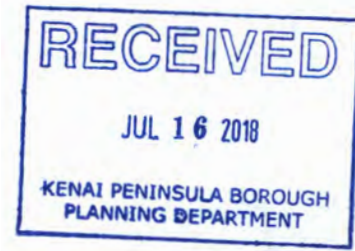
Any additional information you could forward to me on these matters would be appreciated.

Sincerely,

James Gorman
Anchor Point

Sent from my iPad

July 10, 2018



Dear planning commission,

I am writing this letter to express grave concerns and objection to the proposed Gravel Pit permit that is pending for Beachcomber LLC. here in Anchor Point. I have listened to many folks speak of the noise and the lost view that will impact their homes, but my concern goes beyond a personal level.

This gravel pit has no business being allowed with the Anchor River flowing within 200 yards of the Northside of the property. The fisheries are a resource that many enjoy and the potential for damages to our water is real and likely. The roadway that follows the anchor river is a rural, narrow, road and is in need of repair. The State and the Borough, both do not have the funding to fix this recreational road, let alone, allow heavy equipment and trucks to run the road daily.

There are many gravel pits in the Anchor Point area, several are taken good care of, but there are others that are an absolute mess and eye sore. I read the regulations and they state that ADEC and others enforce the rules. I find that interesting since the North Fork road has open, unsightly pits at this very minute. Who will tell Beachcombers LLC, to fix the roads and waterways when they violate these rules, how can we be sure that we don't end up with one of those less maintained areas?

The coastal water runs on the edge of this property, and the area is wet normally, the chances of hitting ground water and mixing the surface and ground water is huge. Surely, you do not think that this group will self-report that they have violated the water rules before it becomes a massive expensive cleanup?

I find this permit request surreal. The level of greed that this landowner demonstrates is of no benefit to the community. The fact that the borough could allow one person to effect so many taxpayers and landowners in one area, is shocking. I have heard the tale that this landowner could not sale the land and that is why he is requesting to have this permit. I did my homework and he was offered money for that land several times and each time he quoted an unreasonable amount , this information alone indicates that this individual had another plan and a one sided plan it is!

Gravel pits are not meant to be dug in river bottom areas especially along a fishery such as the Anchor River. This is a disastrous plan and will effect generations of citizens if allowed to move forward. Please consider the ramifications and reject this permit.

Respectfully

Mark and Lee Yale

74140 Seaward Ave.

Anchor Point

AK 99556



VIA EMAIL ONLY
(mbest@kpb.us)

July 16, 2018

Max Best, Planning Director
Kenai Peninsula Borough Planning Department
144 North Binkley Street
Soldotna, Alaska 99669

Re: Resolution 2018-23; Beachcomber LLC Proposed Gravel Pit & Milling Operation at the Mouth of the Anchor River (KPB Parcel No. 16901067)

Dear Mr. Best & Planning Commission Members:

Please accept these comments on the above-referenced gravel pit and milling operation proposed at the mouth of the Anchor River.

Cook Inletkeeper is a community-based nonprofit group formed by concerned Alaskans in 1995 to protect the Cook Inlet watershed and the life it sustains. Inletkeeper is intimately familiar with gravel pits and their potential impacts: over the past twenty-plus years, Inletkeeper has reviewed many dozens of gravel pit proposals, and responded to many groundwater, surface water, habitat and other concerns regarding gravel pits.

Gravel pits provide an invaluable service to our community; we all use gravel and it's literally and figuratively a foundation for our local communities. At the same time, gravel pits highlight some of the thorniest conflicts between allowable uses, because in the alluvial systems found on the Kenai Peninsula, extractable gravel resources often lie in close proximity to the lakes, streams and wetlands that support our wild salmon. And wild salmon drive our local economies, and in many ways, define what it means to be Alaskan.

The current KPB Material Sites Ordinance is woefully inadequate to protect the water and wetlands resources that support our salmon, and other local, state and federal laws and rules fall far short too. That said, the current application fails to meet even current KPB gravel pit standards.

The Material Site Ordinance is “intended to protect against aquifer disturbance...to protect[] against the lowering of water resources serving other properties.” KPB Ordinance 21.29.040(A)(1). For all Conditional Land Use Permits (CLUPS), the applicant must maintain a two-foot vertical separation from the “seasonal high water table.” KPB Ordinance 21.29.050(A)(4)(c) (emphasis added). Yet the application merely states groundwater depth was determined by “[t]esthole on parcel and exposed surface water to the north.” The application does not indicate the timing of the test hole, and whether it accurately reflects the “seasonal high water table.” As a result, the application is incomplete and should be rejected because it fails to provide the information needed to “protect against aquifer disturbance” as required by KPB Ordinance.

The complexity of our salmon systems cannot be overstated, and the interplay between surface water and groundwater near the mouth of the Anchor River is vitally important for the health of our wild salmon. The comments from the National Estuarine Research Reserve highlight the connectivity between the proposed gravel pit site and the Anchor River estuary, and reveal the importance of the estuary to salmon at various life stages. These issues take on additional importance because the application states a desire to mine into the water table at some point in the future.

While many believe the Planning Commission has its “hands tied” by the KPB Material Site Ordinance, the fact is that the Planning Commission has broad delegated authorities to investigate and make recommendations to the Assembly:

Investigation and recommendation authority. The planning commission may consider and investigate subject matter tending to the development and betterment of the borough and make recommendations as it considers advisable to any department of the borough government and to the assembly. The commission may make or have made surveys, maps or plans.

KPB Ordinance 2.40.050.

Accordingly, the Planning Commission has considerable discretion here, and due to the considerable public controversy surrounding this application, and in light of its close proximity to the mouth of one of the most recognized salmon streams on the Kenai Peninsula, we recommend the Planning Commission undertake additional investigations to answer the following questions:

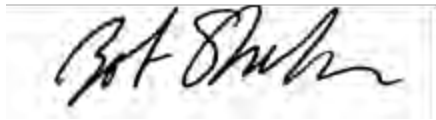
- What is the seasonal high water level?
- What is the rate and direction of groundwater flow?
- What effects will flow from the removal of peat and other vegetation with regard to surface runoff?
- How much dust and dirt will enter the Anchor River through airborne deposition from gravel extraction, milling and hauling activities under prevailing conditions?

These are but a sampling of questions which need to be answered if we hope to maintain the ecological integrity of the Anchor River. As we all know, the Anchor River is under incredible stress, and piecemeal development, warming stream temperatures, overharvest and habitat impacts are playing out the “death by a thousand cuts” problem that has plagued wild salmon systems elsewhere.

Therefore, in addition to the request to reject this application – or at least defer it for future consideration until the application is complete - we call on the Kenai Borough Assembly and the Planning Commission to put a moratorium on all gravel pit authorizations until the Material Sites Task Force has completed its work and adopted enforceable standards that will protect our public land, water and fish resources.

Thank you for your attention to this important issue, and please do not hesitate to contact me with any questions at 907.299.3277 or bob@inletkeeper.org

Yours for Cook Inlet,

A handwritten signature in black ink, appearing to read "Bob Shavelson", is enclosed in a thin black rectangular border.

Bob Shavelson
Inletkeeper

Hartley, Patricia

Subject: FW: KPB CLUP Material site App AKA Beachcomber LLC GRAVEL PIT

From: Planning Dept,
Sent: Monday, July 16, 2018 1:57 PM
To: Hartley, Patricia
Cc: Wall, Bruce
Subject: FW: KPB CLUP Material site App AKA Beachcomber LLC GRAVEL PIT

From: shirley gruber [<mailto:shirleytdx@yahoo.com>]
Sent: Monday, July 16, 2018 1:51 PM
To: Planning Dept,
Subject: KPB CLUP Material site App AKA Beachcomber LLC GRAVEL PIT

This message is for Syverine Bentz, and perhaps any other commissioner with an interest regarding the above referenced item.

Good Afternoon, Syverine

My name is Shirley Gruber, and through contact with W. Dunne, he has suggested that I reach out to you with regards to the subject gravel permit request.

Currently at this point, I am sending my comments that were already submitted, but did not see them included in the meeting packet. I guess I just want to make sure they are available and perhaps considered in the decision process. Yes, they were submitted in time...

Please note that I am not really in support of a gravel pit, but then who is, but an alternative product removal route would really ease some of the stress myself and the community are experiencing. I understand, progress brings compromise.

I wish to thank you in advance for any consideration you can give to address my concerns.

Regards

Shirley Gruber
73510 Twin Peaks Loop
Anchor Point

----- Forwarded Message -----

From: shirley gruber <shirleytdx@yahoo.com>
To: bwall@kpb.us <bwall@kpb.us>
Sent: Thursday, July 12, 2018, 5:26:14 PM AKDT
Subject: KPB CLUP Material site App AKA Beachcomber LLC GRAVEL PIT

Dear Mr. Bruce Wall

Bruce ,

Thank you for fielding and organizing all the public comments in the permitting process, for Beachcomber LLC gravel pit request. It is not an easy job, in my mind.

Therefore, I too appreciate the chance to submit my (our) concerns with regards to the material extraction...IE: Gravel pit. I see staff recommendation is to approve this permit, it appears to be a boiler plate request, but I ask you to reconsider that assessment for the following reasons.

I am aware of section 21.29.040 and .050 list regulations meant to protect the surrounding areas.

So Resolution 2018-23 Section 1 of Finding the Facts

Paragraph 10 item D states water is below 20 Ft, with intention to dig to only 18'

- Permit requester advocates he can dig down 40' for all the gravel he wants. The borough never checks. Thus my concern is to have water holes for swimming, or teenage hang outs bringing increased crime to the area.

Paragraph 10 item E, does not allow the removal of said water.

- Thus in a round about way the Borough has approved these potential water pits. Yes pumping it would bring habitat issues that would allow contaminated water to end up directly into the neighboring property and the Anchor River itself. Thus I also disagree with Nancy Carver that there is no habitat concerns, the loss of gravel will no longer cleanse the ground water that runs to and into the Anchor River, thus this brings us to damages.

Paragraph 11, Other property damage.

- Damage comes in two ways, physical and financial, it has been noted that the connecting property values will decline, while that gravel pit's value will have increased.
 - Will the loss of tax revenue from the existing home/property owners be offset by the increase tax revenue from this pit? In this case it is likely that even the Borough will have some damages (monetary) if approving this permit.
 - There is a complete buffer now in one section next to Beachcomber street and a new camp ground. To tear down those trees only to replace it with a berm for visual buffer, will cause revenue damage since a treed back drop is one reason campers stay there.

Paragraph 12, Dust control:

- As noted in the permit, Danver Road is the haul out road, Danver road is gravel road so calcium chlorides or water would be sufficient, HOWEVER this borough road is not the only haul out road to be used. Danver Road is a dead

end road. In order to reach the Sterling Highway, trucks must travel the Anchor Point Beach access road. This is a paved 2 lane no shoulder road. Calcium Chloride does not work on pavement and to continually wet this road would only create a muddy and slippery surface for the other road users. And this does not address the Anchor River Bridge, which cannot support the load.

Paragraph 13 and 14 Minimizing noise and visual impacts

- Other Road users will be extremely impacted with both noise, sights and added dangers from the haul trucks. The Anchor Point Road (beach access road) is a road that is loved to death. It is a highly used road, kids, bikes boats, pets, tourists, 4th of July parades, but not eligible for much financial or DOT support. Heavy commercial use on this already loved to death road will meet its end or someone on it will.
- It is the only way in and out for the families from their home and for beach goers that utilize the boat launch plus there are 5 Camp grounds on this road. And if anything bad happens, no evacuation could occur and no emergency vehicles could get in. There needs to be an alternate route to take out the gravel.
- The vegetation berms, are good, but only if you live at the flat ground level, any one who has a home that looks to the ocean also will have to watch equipment, rock crusher, gravel shaker, the full blown commercial operation.

For these reasons I don't think it passes the grade of the Code,-but each has there own interpretation, do I think it could pass, yes with a bit of fine tuning, versus a standard boiler plate permit version, as it appears now.

Lastly, yes everyone is of the nature that "not in my back yard", so it is easy to protest and complain, but hard to have a solution. Progress comes with a price, and heck who does not have a gravel drive, or pad on their lot, **I simply ask** that the commission post pone the approval until an alternate route can be established. And some of the concerns listed be fined tuned to allow the permitting, Currently there is another gravel pit on the docket, so getting gravel should not be a hardship, and if the Borough needed a reason to finish Danver Road to the south, well that time is now.

Respectfully

Shirley Gruber

73510 Twin Peaks Loop

Anchor Point.



Kachemak Bay Conservation Society

3734 Ben Wallers Ln, Homer, AK 99603

907 235.8214

kbayconservation@gmail.com

Filed Electronically
: bwall@kpb.us.

June 16, 2018

Kenai Peninsula Planning Department
144 N. Binkley St.
Soldotna AK. 99669

Dear Planning Commission,

Kachemak Bay Conservation Society (KBCS) is a nonprofit grassroots organization with over 80 members who live and work in the area of Kachemak Bay at the southern end of the Kenai Peninsula. For over 35 years KBCS has come together to work for protection of the environment of the Kachemak Bay region and encourage sustainable use and stewardship of local natural resources through advocacy, education, information, and collaboration. Please accept the following comments on behalf of the members of KBCS.

The proposed Resolutions 2018-22 & 2018 13, before you this evening have major ramifications to the health of the Anchor River Drainage and fishing industry that depends on the Anchor River. The fact that the proposed Resolution 2018- 22 spans the North Fork of the Anchor is appalling. The question of water quality ramifications has certainly not been answered nor has a ground water flow been considered. The effects of these two developments is not understood nor considered at this point.

Fort the above reasons it is prudent, and paramount that these Resolutions, 2018-23 & 2018-22 be rejected or postponed.

With the Borough looking at new Gravel Pit Extraction Regulations in the near future it would be prudent to put off any decision until such time as this is accomplished and a better understanding of the effects these pits could have on the surrounding ecosystem is understood.

The Kachemak Bay Conservation Society (KBCS) which represents all it's members on this issue strongly states that more thought has to go into these two resolutions and hopes that NO Action will be taken to move these forward at tonights meeting.

Sincerely,
Roberta Highland
President, Kachemak Bay Conservation Society

From: [Wall, Bruce](#)
To: [Hartley, Patricia](#)
Subject: FW: Denver Gravel Pit
Date: Monday, July 16, 2018 4:17:36 PM

From: Paul Roderick [mailto:pauls.services1970@gmail.com]
Sent: Monday, July 16, 2018 3:17 PM
To: Wall, Bruce <bwall@kpb.us>
Subject: Denver Gravel Pit

Dear Mr Wall,

It has come my attention that I must address the land valuation issue concerning a gravel pit owned by Emmitt Trimble on Denver Street in Anchor Point. A neighbor mentioned they were just sold a piece of land (of high value) and was never informed by the realtor, Coastal Realty, Mr Trimble, that he owned a gravel pit nearby. A terrible breach of ethics concerning our new community members! This is not the only neighbor expressing concern.

As any prospective land owner would have considered for this neighborhood on Denver Street, I would not have chosen to buy land at the value I purchased it at had I known it would be devalued by the installation of a gravel pit in this vicinity.

There is an older gravel pit owned by Buzz Kyllonnen that has caused much controversy in the area. The care for it has been problematic and dangerous. The pond there has high sides with little slope and no attempt to warn or protect the public of the whereabouts or dangers contained therein. Furthermore, the Beach Rd is considered a lower category highway, too narrow for heavy traffic.

It is my observation that many of the land owners with \$.25million or more homes in this area would be displeased at the prospect of a gravel crusher in their front yard. The Kenai Peninsula Borough may find themselves looking at potential lawsuits concerning this matter.

Respectfully Yours,
Paul Roderick

Hartley, Patricia

From: Christy Cupp <christycupp5@hotmail.com>
Sent: Monday, July 16, 2018 4:33 PM
To: Hartley, Patricia
Subject: Comments for tonight's meeting
Attachments: Comments for tonights meeting.docx

Good afternoon,

Please give these comments to tonight's meeting on Beachcomber LLC's proposed gravel pit. Comments are attached.

Thank you,
Christy Elmaleh

Dear Kenai Peninsula Borough Planning Committee,

I am unable to make it to tonight's meeting because of my work schedule, but I wanted to submit my comments on Beachcomber, LLC's proposed gravel pit.

I am opposed to this gravel pit.

My husband, two young children, and I own a property on Seabury. I take my dog, infant, and six year old walking past that property on a regular basis. Sadly, if this proposed gravel pit is approved, the increase in traffic will prohibit me from being able to safely take my children on a walk down that road.

I am also opposed to this gravel pit because it will lower the property values in our neighborhood.

Another reason I am opposed to this gravel pit is that it is right across the road from a state recreation campsite. Revenues that the state gathers from this campsite will be lowered, as many people prefer not to camp across for an industrialized area.

My family bought our house specifically because of the proximity to the state recreation area. We want our children to grow up in a natural, peaceful, and safe part of town.

Please join me in opposing Beachcomber LLC's request for a gravel pit. Thank you for your consideration.

Sincerely,

Christina Elmaleh

GUIDELINES

Laws and Protocols Pertaining to the Discovery of Human Remains in Alaska

The treatment of human remains following inadvertent discovery is governed by state and federal laws, land status, postmortem interval (time since death), and biological/cultural affiliation. First and foremost, the site of discovered remains should be regarded a potential “crime scene” until a person with appropriate expertise and authority determines otherwise.

State Laws:

Several State laws are applicable to the discovery of human remains in Alaska. The State Medical Examiner (SME) has jurisdiction over all human remains in the state (with rare exceptions, such as military aircraft deaths), regardless of age.

AS 12.65.5 requires immediate notification of a peace officer of the state (police, Village Public Safety Officer, or Alaska State Trooper [AST]) and the State Medical Examiner when death has “been caused by unknown or criminal means, during the commission of a crime, or by suicide, accident, or poisoning.”

In this regard, contact the Alaska State Troopers in the applicable region first. (See list of contacts on following page.) The AST has interpreted notification procedures as applicable to all remains, including ancient remains.

AS 11.46.482(a)(3), which applies to all lands in Alaska, makes the “intentional and unauthorized destruction or removal of any human remains or the intentional disturbance of a grave” a class C felony.

AS 41.35.200, which applies only to State lands, makes the disturbance of "historic, prehistoric and archeological resources" (including graves, per definition) a class A misdemeanor.

AS 18.50.250, which applies to all lands in Alaska, requires permits for the disinterment, transport, and reinterment of human remains. Guidance and permits are available from Health Analytics & Vital Records (see attached list of contacts).

Federal Laws:

On Federal lands and Federal trust lands, the unauthorized destruction or removal of archaeological human remains (i.e., more than 100 years old) is a violation of **16 USC 470ee** (Archeological Resources Protection Act). If human remains on federal or federal trust lands are determined to be Native American, their treatment and disposition are also governed by the Native American Graves and Repatriation Act (NAGPRA) of 1990 (**PL 101-601; 25 USC 3001-30013**; 104 Stat. 3048-3058; 43 CFR 10). NAGPRA also applies to Native American human remains from any lands if the remains are curated in any institution that receives federal funds.

General Guidance:

Your first contacts should be the regional Alaska State Troopers, the Alaska State Medical Examiner’s Office, local law enforcement, AST/Missing Persons Clearinghouse, the Alaska Office of History and Archaeology, and the landowner.

In many instances, the field archaeologist must make a judgement call regarding the age of the remains, his/her level of confidence in the evaluation, and whether further investigation by a specialist is warranted. While notification under State Law is required, peace officers and the SME generally regard archaeologists competent to make these type determinations and welcome input that may assist with the investigation. With regard to ancient remains (> 100 years old), the SME and AST will generally defer to the opinion of the field archaeologist and require no further criminal investigation. However, the remains and a surrounding buffer area should not be disturbed until appropriate reporting and consultation have occurred.

**CONTACT INFORMATION FOR STATE OFFICIALS INVOLVED WITH HUMAN
REMAINS ISSUES IN ALASKA**

**Denotes suggested contact person in list below.*

1.) Alaska State Troopers, Missing Persons Clearinghouse:

Phone: (907) 269-5038

Fax: (907) 337-2059

Lt. Paul Fussey

Phone: (907) 269-5682

E-mail: paul.fussey@alaska.gov

*Malia Miller

Phone: (907) 269-5038

E-mail: malia.miller@alaska.gov

*After contact by phone, send e-mail with relevant information and photos to Lt. Fussey and Malia Miller.

2.) Alaska State Medical Examiner's Office:

* Reporting Hotline (Death Hotline) to speak with on-duty investigator.

Phone: (907) 334-2356

1-888-332-3273 (Outside Anchorage)

Stephen Hoage, Operations Administration

Phone: (907) 334-2202

Fax: (907) 334-2216

e-mail: stephen.hoage@alaska.gov

Dr. Gary Zientek, Chief Medical Examiner

Phone: (907) 334-2200

Fax: (907) 334-2216

e-mail: gary.zientek@alaska.gov

3.) Alaska Office of History and Archaeology (State Historic Preservation Office):

Office Phone: (907) 269-8700

*State Archaeologist

Fax: (907) 269-8908

Email: oha.permits@alaska.gov

4.) Health Analytics & Vital Records

For burial transit permits and disinterment/transit/reinterment questions:

* Registration Help Line

Phone: (907) 465-5423

Contractor's List The consultants listed are not certified in any way by this office. It is up to the individual to make sure the consultant is qualified to do the work for which they were hired.

Following is a list of persons who have requested that their names be included in the Alaska State Historic Preservation Office cultural resources consultants list. This list does not represent a certification, endorsement, recommendation or assumption of responsibility for the work of any consultant. We do not verify that firms or their staff meet the qualification guidelines outlined by the Secretary of the Interior or the State of Alaska. The qualifications for federally funded projects can be found at http://www.nps.gov/history/local-law/arch_archs_9.htm, for state funded projects the minimum qualifications are a B.A./B.S. in history, archaeology, architectural history, or a related field. Please make sure you verify the firm/individual listed meets Section 106 review.

Lastname	First name	Company	Address	City	State	Zip	Phone	Fax	Email	Web	Archaeological	Historic Preservation	HABS/HAER Photographers	Cultural Anthropological	AHRS Research/ Lit Review	Other
Alexandrowicz	John Stephen	Archaeological Consulting Services - ACS Drive	P.O. Box 39, 13826 Pollard Drive	Lytile Creek	CA	92358	909-887-0795	909-887-0795	alexarcheo@aol.com		x	x	x	x	x	
Allen	Bonnie	JAH Architects, LLC	642 South Alaska Street, #100A	Palmer	AK	99645	907-746-7571	907-746-0061	jhtwo@mtsonline.net	www.jaharchitects.com		x				
Anders	Jake	Stephen R. Braund & Associates (SRB&A)	P.O. Box 10-1480	Anchorage	AK	99510-1480	907-786-8416	907-276-6117	jake.anders@srbak.com	www.srbak.com	x		x	x	x	TK, Subsistence, NEPA
Argo	Lindsay	Northern Land Use Research Alaska, LLC (NLUJRA Alaska) Anchorage Office	725 Christensen Dr. Suite 4	Anchorage	AK	99518	907-345-2457	907-339-2457	lja@northernlanduse.com	www.northernlanduse.com	x	x	x	x	x	
Bernier	Jobe	Nvision Architecture	1231 Gambell Street, Suite 400	Anchorage	AK	99501	907-891-3577	907-349-1325	jbernier@nvisionarch.com	www.nvisionarchitecture.com		x	x		x	Board of Directors - Alaska Association for Historic Preservation, Historic Preservation Plan Inventory Assessments and Updates
Bolly, AIA	Sean M.	NorthWind Architects, LLC	126 Seward Street	Juneau	AK	99801	907-586-6150 ext 201	907-586-6181	sean@northwindarch.com	www.northwindarch.com		x	x			
Boyle, AIA	Susan	BOLA Architecture and Planning	159 Western Ave W Ste 466	Seattle	WA	98119	206-447-4749	206-447-6462	stboyle@bolarch.com	www.bolarch.com		x	x			Historic documentation, landmark nominations, HABS/HAER, EIS,
Braund	Stephen R.	Stephen R. Braund & Associates (SRB&A)	P.O. Box 10-1480	Anchorage	AK	99510-1480	907-276-8222	907-276-6117	srb@srbak.com	www.srbak.com	x	x	x	x	x	TK, Subsistence, NEPA
Browne	Patricia	Browne Research	446 East 23rd Avenue	Anchorage	AK	99503	907-279-0280		patty69503@yahoo.com						x	
Burns, RPA	Jason	Southeastern Archaeological Research, Inc.	700 N. 9th Avenue,	Pensacola	FL	32501	850-807-2846 phone, 850-261-1609 cell	850-439-5048	jason@searchinc.com	www.searchinc.com	x	x				x-Maritime Archaeology
Cameron	Roger	Appraisal Express	1226 Spring Creek Road	Dandridge	TN	37725	865-397-2480	865-397-7590	ERCameron@aol.com				x			x-Historic Property Appraisal
Cassell, PhD	Mark S.	Territory Heritage Resource Consulting	200 West 34th Avenue, #8	Anchorage	AK	99503	907-360-2668 cell; 907-277-6587 land		mark@territoryheritage.com	www.territoryheritage.com	x			x	x	
Combs, AIA, NCARB, Architect	Sam	Combs and Combs, AIA	7480 Upper O'Malley Road	Anchorage	AK	99507	907-346-3990	907-346-3990	samcombs@gci.net							

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Lastname	First name	Company	Address	City	State	Zip	Phone	Fax	Email	Web	Archaeological	Historic Preservation	HABS/HAER Photographers	Cultural Anthropological	AHRS Research/Lit Review	Other
Conlon	Royce	PDC Engineers	1028 Aurora Drive	Fairbanks	AK	99712	907-452-1414	907-456-2707	royceconlon@pdceng.us	www.combsandcombbsala.com					x	
Corwin	Don	West Wind Woodworking	P.O. Box 2985	Kodiak	AK	99615	907-973-2021		dhamadon@hotmail.com			x				millwork as well as rehabilitation work
Costello	John	North Wind Inc.	235 East 8th Avenue, Suite 210	Anchorage	AK	99501	907-277-5488	907-277-5422	jcostello@northwind-inc.com	www.northwind-inc.com	x				x	
Durst	Charissa W.	Hardlines Design Company	4808 Indianola Avenue	Columbus	OH	43214	614-784-8733	614-784-8338	cdurst@hardlinesdesign.com	www.hardlinesdesign.com		x				
Esdale	Julie	Alaska Heritage Preservation	2170 Tribulation Trail	Fairbanks	AK	99709	907-378-9034		julieesdale@gmail.com		x				x	
Faith, MS	Rogan	Historic Walrusia	1957 Hillcrest Drive	Anchorage	AK	99517	907-274-0202	907-274-0204	Hwaltussia@gmail.net						x	
Falk, PhD	Marvin W.		885 Gold Pan Road	Fairbanks	AK	99712	907-474-3816		mwfalk@alaska.edu							
Floisand, AIA	Richard	Floisand Studio Ltd.	1941 First Avenue South, Suite 2E	Seattle	WA	98134	206-634-0136		richard@floisandstudio.com	www.floisandstudio.com						historic documentation, landmark nominations, historic restoration, EIS
Greenhagen	Paul	Westwood Professional Services	7699 Anagram Drive	Eden Prairie	MN	55344	952-937-5150	952-937-5822	paul.greenhagen@westwoodps.com	www.westwoodps.com	x					
Greiser	T. Weber	Historical Research Associates, Inc.	125 Bank Street, Fifth Floor	Missoula	MT	59802	406-721-1958 cell 406-548-2403	406-721-1984	wgreiser@hrassoc.com			x				
Grover	Margan	Bold Peak Archaeological Services	P.O. Box 670562	Chugiak	AK	99567	907-888-0510, cell 907-244-9188		boldpeak@gmail.com			x				
Hanbury	Mary Ruffin	Hanbury Preservation Consulting	P.O. Box 6049	Raleigh	NC	27628	919-828-1905	919-828-7151	maryruffin@hanburypreservation.com	www.hanburypreservation.com						x-Heritage Tourism, Preservation Planning
Harritt	Dr. Roger	RK Harritt and Associates, LLC	P.O. Box 244346	Anchorage	AK	99524-4346	907-272-7590	907-272-7560	rharrittandassociates@yahoo.com							
Hicks, MA, RPA	Brent	Historic Research Associates, Inc	1904 Third Ave., Suite 240	Seattle	WA	98101	206-343-0226, ext 17		bhicks@hrassoc.com	www.hrassoc.com						

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Lastname	First name	Company	Address	City	State	Zip	Phone	Fax	Email	Web	Archaeological	Historic Preservation	HABS/HAER Photographers	Cultural Anthropological	AHR's Research/ Lit Review	Other
Higgs, MA, RPA	Andrew	Higgs Research & Consulting	1120 Huffman Rd., Suite 24-782	Anchorage	AK	99515	907-310-6917		andy@higgsrc.com		x	x			x	
Holmes	Charles M	Holmes Cultural Resource Consulting	15140 Mesa Place	Anchorage	AK	99516	907-250-0805	907-345-1964	b.mammoth@gmail.com		x	x			x	
Hunter	Andrea	Hunter Environmental Associates, Inc.	3570 Basin Street	Fairbanks	AK	99709	907-451-5593	907-451-5593	heainc@acsalaska.net						x	
Jensen	Anne M.	UIC Science LLC	P.O. Box 936	Barrow	AK	99723	907-852-7397	907-852-5763	anne.jensen@uicscience.com		x		x		x	
Krauthofer	Tracie	Corvus Culture	2506-B Fairbanks St	Anchorage	AK	99503	907-230-2394		tracie@corvus-culture.com	www.corvus-culture.com	x	x	x		x	
Lane	Donna	Donna Lane Associates	P.O. Box 2644	Valdez	AK	99686	907-835-2786		dla@cvinet.net						x	
Lawrence, AIA	Rhoda	BOLA Architecture and Planning	159 Western Ave W Ste 486	Seattle	AK	98119	206-447-4749	206-447-6462	rlawrence@bolarch.com	www.bolarch.com		x	x			historic documentation, landmark nominations, HABS/HAER, EIS,
Lewis	Maria	MLP & Associates	446 Bliss Street	Anchorage	AK	99508	907-301-9069	907-929-2393	maria.prokop.lewis@gmail.com						x	
Lyon	Bob	Lyon Photographics	8301 Brookridge Drive	Anchorage	AK	99504	303-514-0078		bobbyon001@yahoo.com			x				
Martin	Richard	Knik Tribal Council	P.O. Box 871565 - 1744 N. Prospect Drive, Palmer, AK	Wasilla	AK	99687	907-373-7991	907-373-2178	rmartin@kniktribe.org		x	x			x	Section 106 Reviews, Field Surveys, Commissioner, Anchorage Historic Preservation Commission
Mason	Owen K	Geosarch Alaska	220 W Sky Dr	Boise	ID	83702	907-441-5588	907-336-0093	geosarch85@gmail.com		x				x	
Matheson, AIA	Janet	Janet Matheson Architect	P.O. Box 80587	Fairbanks	AK	99708	907-474-2800	907-374-2875	jmm1@acsalaska.net						x	
McMahan	J. David	McMahan Consulting	1021B Meadowbrook Rd	Ashland City	TN	37015	907-230-8880		ugruk@hotmail.com		x				X	
Meinhardt	Robert	True North Sustainable Develop Solutions, LLC	P. O. Box 874135	Wasilla	AK	99617-4135	907-941-4096		robert.meinhardt@truenorthsds.com		x	x	x		x	

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Lastname	First name	Company	Address	City	State	Zip	Phone	Fax	Email	Web	Archaeological	Historic Preservation	HABS/HAER Photographers	Cultural Anthropological	AHRS Research/ Lit Review	Other
Merrill	Bruce		3301 Madison Way	Anchorage	AK	99508-4422	907-277-0019		merrillbruce@gmail.com			x			x	
Miller	Robyn	ASRC Energy Services Alaska	3900 C Street, Suite 700	Anchorage	AK	99503	907-334-1587	907-339-5475	robyn.miller@asrcenergy.com	http://www.asrcenergy.com/	x				x	
Mobley	Charles M	Charles M. Mobley & Associates	200 West 34th Avenue, #534	Anchorage	AK	99503	907-653-1937		charlesmmobley@gmail.com	http://www.charlesmmobley.com/	x	x			x	
Mobley	Ottar	Heritage Consulting Services	200 W. 34th Ave. #705	Anchorage	AK	99503	703-678-8737		ottar.mobley@gmail.com		x				x	
Morehouse	Jana	Beyond Environmental Services Technology, LLC.	1119 Northeast Drive	Rapid City	SD	57701	605-389-1802		info@beyondenenvservices.com	www.beyondenenvservices.com	x				x	NEPA, History, GIS services
Morris	Holly	Michael L. Foster & Associates, Inc.	13135 Old Glenn Highway, Suite 200	Eagle River	AK	99577	907-696-6200	907-696-6202	hlm@mifaalaska.com	www.mifaalaska.com					x	
Morrison	Aubrey	Cultural Resource Consultants LLC - CRC	3504 East 67th Avenue	Anchorage	AK	99507	907-346-3445, mobile 206-406-5887	480-772-4185	alm@cralaska.com	http://www.cralaska.com/	x	x			x	
Odell	Molly	Alutiiq Museum	215 Mission Rd, First Floor	Kodiak	AK	99615	844-425-8844	866-335-7767	molly@alutiiqmuseum.org	alutiiqmuseum.org	x	x			x	preparing collections for curation
Painter	Diana J.	Painter Preservation	3518 N. C Street	Spokane	WA	99205	707-763-6500		diana@preservationplans.com	www.preservationplans.com						
Perry	Elizabeth	SWCA, Inc.	1130 West 6th Avenue, Suite 110	Anchorage	AK	99501	907-279-7822	907-279-7944	eperry@swca.com		x	x			x	
Pierson, RPA	Larry J.	Brian F. Smith and Associates	14010 Powey Road, Suite A	Poway	CA	92064	858-484-0915	858-679-8886	lpierson@bfsc-ca.com	www.bfsc-ca.com	x	x			x	
Pipkin	Mark	Walking Dog Archaeology	P.O. Box 244752	Anchorage	AK	99524-4752	907-227-4413	907-278-8725	walkdog@alaskan.com		x				x	
Prozeralik	Michael A.	kpb architects	425 G Street, Suite 800	Anchorage	AK	99501	907-274-7443	907-274-7407	mprozeralik@kpbarchitects.com	www.kpbarchitects.com	x					
Ramsey Ford	Dawn	HDR, Inc	2525 C Street, Suite 500	Anchorage	AK	99503	907-644-2145	907-644-2022	Dawn.Ramsey@hdrinc.com	www.hdrinc.com	x					

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Lastname	First name	Company	Address	City	State	Zip	Phone	Fax	Email	Web	Archaeological	Historic Preservation	HABS/HAER Photographers	Cultural Anthropological	AHRS Research/Lit Review	Other
Ramirez	Amy	True North Sustainable Develop Solutions, LLC	P.O. Box 874135	Wasilla	AK	99617	907-841-4086		amy.ramirez@yahoo.com		x	x	x	x	x	
Raymond-Yakoubian	Julie	Julie M. Raymond-Yakoubian	P.O. Box 1628	Nome	AK	99762	907-443-4273		julie@cybeard.com		x		x	x		
Reanier, PhD	Richard E.	Reanier & Associates, Inc.	1215 Southwest 170th Street	Seattle	WA	98166	206-242-7817	206-242-7817	reanier@eskimmo.com		x	x	x	x	x	
Reger	Douglas	Reger Archaeological Consulting	P.O. Box 2887	Soldotna	AK	99669	907-262-8447		dougr@gci.net		x				x	
Rogers	Monty	Cultural Alaska	P.O. Box 200013	Anchorage	AK	99520	907-748-1889		culturalalaska@gmail.com	www.culturalalaska.com	x		x	x	x	Section 106 & NEPA services, CR survey analysis, document prep. Additional services
Rushmore	Paul	Paleo Logics	P.O. Box 2132	Wrangell	AK	99829	907-874-2842	907-874-1144	Paleo@gci.net		x					
Sallonstall	Patrick	Alutiq Museum	215 Mission Rd. First Floor	Kodiak	AK	99615	844-425-8844	866-335-7767	patrick@alutiqmuseum.org	alutiqmuseum.org	x				x	preparing collections for curation
Seager-Boss	Fran	Krik Tribal Council	P.O. Box 871565 - 1744 N. Prospect Drive, Palmer, AK	Wasilla	AK	99687	907-373-7929	907-373-2178	fseagerboss@kniktribe.org		x	x			x	Section 106 research and nominations for listing in the National Register of Historic Places; 106 Reviews, Field Surveys, Field Investigations, excavations
Slaughter	Dale	Dale C. Slaughter Archaeologist	906 W 56 Avenue	Anchorage	AK	99518	907-562-1907	907-677-6016	archdles@ak.net		x				x	
Steffian, RPA	Amy	Alutiq Museum	215 Mission Rd. First Floor	Kodiak	AK	99615	844-425-8844	866-335-7767	amy@alutiqmuseum.org	alutiqmuseum.org	x				x	preparing collections for curation
Stern, PhD	Richard O.	Alaska Cultural Resources Consultants	P.O. Box 190592	Anchorage	AK	99519-0592	907-242-1847	907-243-0054	DStern8107@aol.com		x			x	x	
Stone	Daniel E.	Cultural Resource Evaluators	P.O. Box 111414	Anchorage	AK	99511	907-345-5783		AkCargo@aol.com		x			x	x	
Strathe	Cody	Spearfish Research	5575 Old Ridge Trail	Fairbanks	AK	99709	907-452-3828		codystrathe@gmail.com	www.spearfishresearch.com	x					
Teeter	Sean	HDR, Inc	2525 C Street, Suite 500	Anchorage	AK	99503	907-644-2150	907-644-2022	Sean.Teeter@hdrinc.com	www.hdrinc.com	x					

Contractor's List The consultants listed are not certified in any way by this office. It is up to the individual to make sure the consultant is qualified to do the work for which they were hired.

Lastname	First name	Company	Address	City	State	Zip	Phone	Fax	Email	Web	Archaeological	Historic Preservation	HABS/HAER Photographers	Cultural Anthropological	AHRS Research/ LR Review	Other
Tobey	Jennifer	ASRC Energy Services Alaska	3900 C Street, Suite 700	Anchorage	AK	99503	907-339-5481	907-339-5475	jennifer.tobey@asrcenergy.com	www.asrcenergy.com	x	x		x	x	Ethnohistory, NEPA
Veltre	Douglas W.	DWV Consulting	1319 G Street	Anchorage	AK	99501	907-277-1735	907-277-1736	veltre@gcl.net		x					
Welsh, AIA	Amanda	Welsh Whiteley Architects, LLC	327 Bawden Street	Ketchikan	AK	99901	907-225-2412	907-225-2422	amande@welshwhiteley.com	www.welshwhiteley.com		x				Historic Architect. HABS/HAER Drawings
Whitehead	John S.	John S. Whitehead	4211 Misty Morning Way, Apt. 2502	Gainesville	GA	30506	770-534-8860		L_whiteh@bellsouth.net			x				
Whiteley, AIA	Timothy	Welsh Whiteley Architects, LLC	327 Bawden Street	Ketchikan	AK	99901	907-225-2412	907-225-2422	tim@welshwhiteley.com	www.welshwhiteley.com		x				Historic Architect. HABS/HAER Drawings
Whitney	James	Circa 69	1750 Barn Swallow Way	Fairbanks	AK	99709	907-590-1720		akjwhitney@gmail.com		x					x- Preparing Collections for Curation
Wilcox	David	Golder Associates, Inc.	2247 Fox Heights Lane, Suite A	Green Bay	WI	54304	920-491-2500		dwilcox@golder.com		x					Section 108 & NEPA services, CR survey, analysis, document preparation, historic documentation
Wiley	Anastasia	SRS Corp	P.O.Box 1718	Haines	AK	99827	907-766-3513	907-766-3523	wileycoyote@srscorp.net	www.srscorp.net	x	x		x		
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Yeaser	David R.	David R. Yeaser, Archaeological Consultant	21741 Woodcliff Drive	Chugiak	AK	99567	907-688-0664	907-788-6850	dry@uaa.alaska.edu, mammothman@gcl.net	www.uaa.alaska.edu/anthropology						
O'Quinn	Lucy Flynn	DOWL HKM	4041 B Street	Anchorage	AK	99503	907-562-2000	907-563-3953	loquinn@dowl.com	www.dowlhkm.com	x	x		x		