



**Meeting Agenda
Planning Commission**

Monday, June 10, 2024

7:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

All items marked with an asterisk () are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner so requests in which case the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.*

If you wish to comment on a consent agenda item or a regular agenda item other than a public hearing, please advise the recording secretary before the meeting begins, and she will inform the Chairman of your wish to comment.

1. Time Extension Request - None
2. Planning Commission Resolutions - None
3. Plats Granted Administrative Approval

[KPB-6107](#) a. ASLS No. 2021-37 North Fork Micro AG Sub; KPB File 2022-158
b. Forest Hills Lookout Boulder Heights Addition; KPB File 2019-117

Attachments: [C3. Admin Approvals](#)

4. Plats Granted Final Approval (KPB 20.10.040)

[KPB-6108](#) a. Section Line Easement Vacation Plat Associated with Lot 1 Forest Hills Lookout Subdivision Amended KN 86-204 & NE ¼ NE ¼ Section 35 T05N R10W; KPB File 2019-121
b. Tagala Subdivision 2024 Replat; KPB File 2024-020

Attachments: [C4. Final Approvals](#)

5. Plat Amendment Request - None
6. Commissioner Excused Absences - None
7. Minutes

[KPB-6109](#) May 28, 2024 Planning Commission Meeting

Attachments: [C7. 052824 PC Minutes](#)

D. OLD BUSINESS - None

E. NEW BUSINESS

1. [KPB-6110](#) Conditional Use Permit; Planning Commission Resolution 2024-08
Request: To install a privacy fence within the 50' HPD of the Kenai River
Location: 35860 Luau Street
Kalifornsky Area

Attachments: [E1. CUP Moulton Fence Packet](#)

2. [KPB-6111](#) Resolution 2024-XX: Authorizing the acquisition of real property located in Kachemak Selo, Alaska for school purposes.

Attachments: [E2. RES K-Selo Acquisition Packet](#)
[E2. RES K-Sel Acquisition Desk Packet](#)

3. [KPB-6112](#) Ordinance 2024-11: Amending KPB Chapter 21.29 relating to consolidated material extraction within material site permits.

Attachments: [E3. ORD 2024-11 KPB 21.29 Amendment](#)
[E3. ORD 2024-11 Desk Packet](#)

F. PLAT COMMITTEE REPORT

Plat Committee will review 5 plats

G. OTHER

H. PUBLIC COMMENT/PRESENTATION

(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NO ACTION REQUIRED

[KPB-6138](#) Advisory Planning Commission Meeting Minutes

Attachments: [Misc Info Desk Packet](#)

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, June 24, 2024 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m. Remote participation will be available through Zoom, or other audio or video means, whenever technically feasible.

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: planning@kpb.us

website: <http://www.kpb.us/planning-dept/planning-home>

A 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. 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 filing and records preparation fees. Vacations of right-of-ways, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly.

Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.

C. CONSENT AGENDA

- *3. Plats Granted Administrative Approval**
 - a. ASLS No. 2021-37 North Fork Micro AG Subdivision
KPB File 2022-158**
 - b. Forest Hills Lookout Boulder Heights Addition
KPB File 2019-117**



Planning Department

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

Peter A. Micciche
Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: ASLS No 2021-37 North Fork Micro AG Subdivision
KPB File 2022-158
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on November 14, 2022. Approval for the plat is valid for two years from the date of approval.

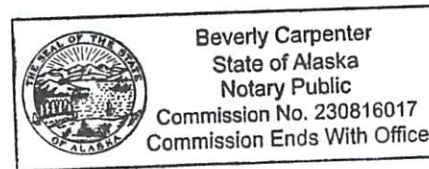
The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, May 15, 2024.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 15 day of May 2024 by
Vince Piagentini.

Notary Public for the State of Alaska



My commission expires: with office

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

Peter A. Micciche
Borough Mayor

ADMINISTRATIVE APPROVAL

Subdivision: Forest Hills Lookout Boulder Heights Addition
KPB File 2019-117
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on November 12, 2019. 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 Wednesday, May 22, 2024.

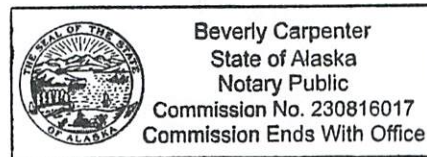
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 22 day of May 2024 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



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.

C. CONSENT AGENDA

***4. Plats Granted Final Approval**

- a. Section Line Easement Vacation Plat Associated with Lot 1 Forest Hills Lookout Subdivision Amended KN 86-204 & NE ¼ NE ¼ Section 35 T05N R10W; KPB File 2019-121**

- b. Tagala Subdivision 2024 Replat; KPB File 2024-020**



Planning Department

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

Peter A. Micciche
Borough Mayor

FINAL APPROVAL OF PLAT SUBMITTED UNDER 20.10.080

Subdivision: Section Line Easement Vacation Plat associated with Lot 1 Forest Hills Lookout
Subdivision Amended KN 86-204 and NE 1/4 NE 1/4 Section 35 T 5N R 10W
KPB File 2019-121
Kenai Recording District

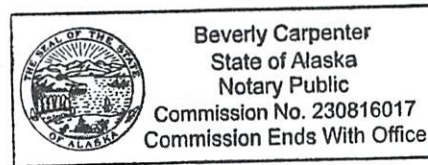
The Kenai Peninsula Borough Planning Department has reviewed the above referenced subdivision plat in accordance with 20.10.080 Borough Code of Ordinances. The final plat meets the conditions of the preliminary approval and complies with KPB Title 20; therefore, final approval has been granted by the undersigned on Wednesday, May 22, 2024.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 22 day of May 2024 by
Vince Piagentini.

Notary Public for the State of Alaska



My commission expires: with office

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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Peter A. Micciche
Borough Mayor

FINAL APPROVAL OF PLAT SUBMITTED UNDER 20.10.040

Subdivision: Tagala Subdivision 2024 Replat
KPB File 2024-020
Kenai Recording District

The Kenai Peninsula Borough Planning Department has reviewed the above referenced subdivision plat in accordance with 20.10.040 Borough Code of Ordinances. The final plat meets the conditions of the preliminary approval and complies with KPB Title 20; therefore, final approval has been granted by the undersigned on Wednesday, May 15, 2024.

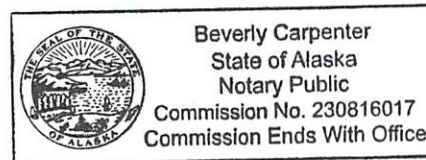
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 15 day of May 2024 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



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.

C. CONSENT AGENDA

***7. Minutes**

a. May 28, 2024 Planning Commission Meeting

Kenai Peninsula Borough Planning Commission

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

May 28, 2024
7:30 P.M.
UNAPPROVED MINUTES

AGENDA ITEM A. CALL TO ORDER

Chair Brantley called the meeting to order at 7:30 p.m.

AGENDA ITEM B. ROLL CALL

Commissioners Present

Jeremy Brantley, Ridgeway/Sterling District
Jeffery Epperheimer, Nikiski District
Pamela Gillham, Kalifornsky/Kasilof District
Dawson Slaughter, South Peninsula District
Virginia Morgan, Cooper Landing/Hope/Eastern Peninsula District
Diane Fikes, City of Kenai
Troy Staggs, City of Seward
Charlene Tautfest, City of Soldotna
Franco Venuti, City of Homer

With 9 members of a 9-member seated commission in attendance, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Vince Piagentini, Platting Manager
Chris Van Slyke, Platting Specialist
Rhea Leavitt, Addressing Officer
Jennifer Robertson, LMD Administrative Assistant
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. CONSENT & REGULAR AGENDAS

***7. Minutes**

- a. April 22, 2024 Planning Commission meeting minutes

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record. He then asked if anyone wished to speak to any of the items on the consent agenda. Seeing and hearing no one wishing to comment, Chair Brantley brought it back to the commission for a motion.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Staggs to approve the consent and regular agendas.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - UTILITY EASEMENT ALTERATION
 Vacates an approximate 3,000 foot utility easement granted by South Bend Bluff Estates
 Plat KN 2002-42.**

KPB File No.	2023-112V
Planning Commission Meeting:	May 13, 2024
Applicant / Owner:	Daniel R. Presley & Jennifer Roberts
Surveyor:	James Hall / McLane Consulting, Inc
General Location:	Winridge Avenue Near Ciechanski Road / Kalifornsky Area

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Staggs moved, seconded by Commissioner Gillham to adopt Planning Commission Resolution 2024-07 approving the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, based on staff recommendations and subject to the two conditions set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**Item #2 - RIGHT OF WAY VACATION
 Clark Subdivision & Fritz Creek Acres Huyck 2024 Replat**

KPB File No.	2024-036V
Planning Commission Meeting:	May 13, 2024
Applicant / Owner:	Andrea L. Huyck & Adrian J. Dixon
Surveyor:	Katherine A. Kirsis - Seabright Survey & Design
General Location:	East End Road, Fritz Creek Valley Drive
Legal Description:	A replat of Fritz Creek Valley Drive Right-of-Way, Lot 1 Clark Sub. & Tract D Fritz Creek Acres Addn. Tracts D & E, Located in the SW1/4 Sec. 28 & the SE1/4 Sec. 29, T5S, R12W, SM, KPB 3 rd Judicial District, Alaska

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Staggs moved, seconded by Commissioner Epperheimer to grant the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, based on staff recommendations and subject to the five conditions set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**ITEM #3 - RIGHT OF WAY VACATION
Reeder Lake Subdivision 2024 Addition**

KPB File No.	2024-039V
Planning Commission Meeting:	May 13, 2024
Applicant / Owner:	Lee Q. Wiley
Surveyor:	Jerry Johnson – Johnson Surveying
General Location:	Sterling Highway, Clam Gulch area
Legal Description:	A replat of Lots 1, 2, and 5 Reeder Lake Subdivision, KN 73-21, including a vacation of Circe Lane ROW. Located in the NW ¼ Sec 22, T2N, R12W, SM, Clam Gulch, Alaska, Kenai Recording District.

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Staggs to granting the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, based on staff recommendations and subject to the four conditions set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**ITEM #4 – STREET NAMING RESOLUTION 2024-03
RENAMING A PUBLIC RIGHT-OF-WAY IN THE FUNNY RIVER COMMUNITY
FROM SALIX COURT TO BAILEY COURT**

Staff report given by Addressing Officer Rhea Leavitt.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Staggs moved, seconded by Commissioner Epperheimer to adopt Street Naming Resolution 2024-03 renaming a public right-of-way in the Funny River community, ESN 302 from Salix Court to Bailey Court.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**ITEM #4 – STREET NAMING RESOLUTION 2024-03
RENAMING A PUBLIC RIGHT-OF-WAY IN THE FUNNY RIVER COMMUNITY
FROM RILL WAY TO CORKY WAY**

Staff report given by Addressing Officer Rhea Leavitt.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Epperhemier moved, seconded by Commissioner Staggs to adopt Street Naming Resolution 2024-03 renaming a public right-of-way in the Funny River community, ESN 302 from Rill Way to Corky Way.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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AGENDA ITEM F. PLAT COMMITTEE REPORT

Commissioner Gillham report that the committee reviewed and granted preliminary approval to 11 plats.

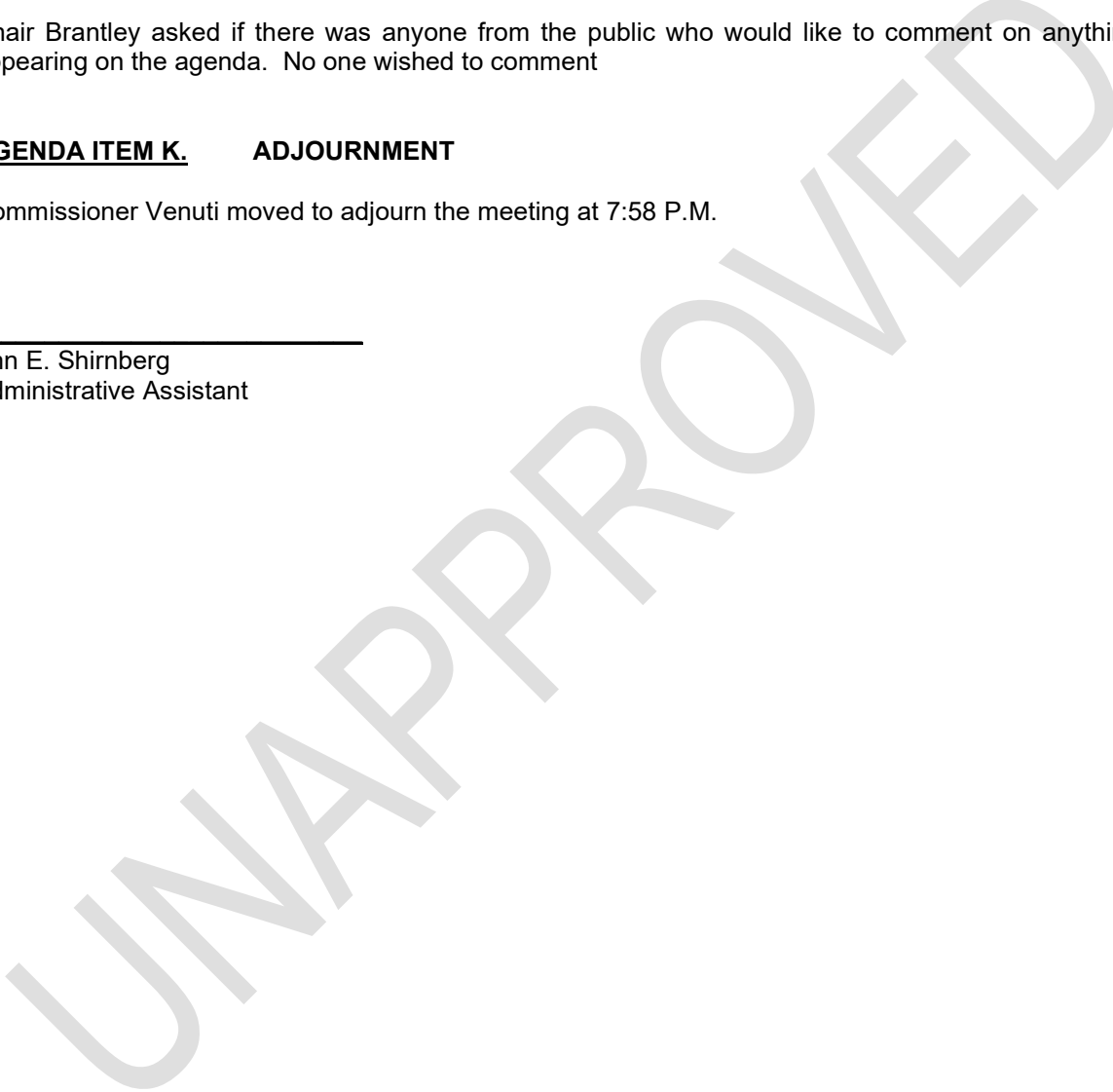
AGENDA ITEM H. PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Brantley asked if there was anyone from the public who would like to comment on anything not appearing on the agenda. No one wished to comment

AGENDA ITEM K. ADJOURNMENT

Commissioner Venuti moved to adjourn the meeting at 7:58 P.M.

Ann E. Shirnberg
Administrative Assistant



E. NEW BUSINESS

- 1. Conditional Use Permit; Planning Commission Resolution 2024-08
Request: To install a privacy fence within the 50' HPD of the Kenai River
Location: 35860 Luau Street
Kalifornsky Area**

Multi-Agency Permit Application



514 Funny River Road, Soldotna, AK 99669 • (907) 714-2460 • KenaiRivCenter@kpb.us

Applicant Information: (must be a landowner)

Name: Travis Moulton
 Mailing: 14322 Sheridan Ave
Urbandale, IA 50323
 Phone: 515-494-1056
 Email: travis@precisiondsm.com

Agent Information: (if applicable)

Name: Kent Tompkins DBA: J&B Construction
 Mailing: PO Box 795
Sterling, AK 99672
 Phone: 907-953-1555
 Email: j_bconstruction@msn.com

Project Location:

KPB Parcel ID: 05537033
 Physical Address: 35860 Luau St
Soldotna, AK 99669
 Subdivision: Jake Estate No 2
 Lot: 4A Block: 2 Addition/No.: 2

Waterbody Information:

Waterbody: Kenai River
 Riverbank: (looking downstream) Left Right
 River Mile: _____

KPB Permit Fees: (select one)

- \$50 - KPB Habitat/Floodplain Permit \$300 - KPB Conditional Use/Floodway Permit

Project Information: New **OR** Extension/Amendment to RC# _____

Please select all activities that apply to your project:

- | | | |
|--|--|--|
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Fish & Wildlife Management | <input type="checkbox"/> Road Construction |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Floating Dock | <input type="checkbox"/> Structure (Accessory) |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Fuel Storage Green Infrastructure | <input type="checkbox"/> Structure (Residential) |
| <input type="checkbox"/> Coir Logs | <input type="checkbox"/> In-Stream Structures (Weir) | <input type="checkbox"/> Spruce Tree Revetment |
| <input type="checkbox"/> Culvert | <input type="checkbox"/> Oil & Gas | <input type="checkbox"/> Stream Crossing |
| <input type="checkbox"/> ELP Structures | <input type="checkbox"/> On-Site Utilities | <input type="checkbox"/> Utility Line/Easement |
| <input type="checkbox"/> Equipment Stream Crossing | <input type="checkbox"/> Prior-Existing Structure | <input type="checkbox"/> Veg Mat |
| <input type="checkbox"/> Excavation, Dredging, and/or Fill | <input type="checkbox"/> Revegetation | <input type="checkbox"/> Vegetation Removal |
| <input checked="" type="checkbox"/> Fence Installation | <input type="checkbox"/> Root Wads | <input type="checkbox"/> Water Withdrawal |
| | | <input type="checkbox"/> Other: _____ |

Project Description: Provide a detailed description of your project; attach additional pages if necessary.

Installing 2 - 96 foot long each runs of privacy fence on each side of the property'
 The fences will be perpendicular to the Kenai river (see drawing)
 The front 56 feet of fence on each side will be a break-away design to allow water to pass through in the event of a high water/flood

Cost-Share: Is this project funded by the Cost-Share Program? Yes No

KPB Tax Credit Program: The Borough provides a tax credit as partial reimbursement for new habitat protection and restoration projects within 150 feet of anadromous streams. If you would like to pre-qualify for this credit, please provide your estimated project cost(s) below. Do not include grants or other funding assistance:

Elevated Light Penetrating Structures \$ _____
 Habitat Restoration & Protection \$ _____
 Green Infrastructure \$ _____
 Other Activities \$ _____

Project Questions

1. Start date: 6/12/2024 End date: 6/31/2024 Estimated Days of Construction: 5

2. Is any portion of the work already complete? If yes, please describe: Yes No

Ordinary High Water (OHW) and Mean High Water (MHW):

3. Is the project located within 50 feet of OHW or MHW a waterbody? Yes No

4. Does any portion of the project extend below the OHW or MHW of the waterbody? Yes No

5. Does any portion of the project cantilever or extend over the MHW of the waterbody? Yes No

6. Will anything be placed below OHW or MHW of the waterbody? Yes No

Regulatory Floodplains:

7. Is the property where the project is taking place near or within a regulatory floodplain? Yes No

a. Is this project within or adjacent to a regulatory floodway? Yes No

b. Is this project within or adjacent to a coastal high hazard zone? Yes No

c. For new buildings and/or additions, list all project costs (labor, materials, etc.): \$ _____

Excavation, Dredging, and Fill:

8. Will material be excavated or dredged from the site? Yes No

a. Type of material(s): sub soil (sand) top soil- from post holes only

b. Area to be dredged below OHW or MHW:

Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____

c. Area to be excavated above OHW or MHW:

Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____

d. Location materials will be deposited: back in hole or trailer to be removed

9. Will any material (including soils, debris, and/or overburden) be used as fill? Yes No

a. Type of material(s): soils removed from post hole will be placed back in hole

b. Is this fill permanent or temporary? Perm Temp

c. Area to be filled above OHW or MHW:

Length: _____ (ft), Width: _____ (ft), Depth: _____ (ft), Total Cubic Yards: _____

d. Area to be filled below OHW or MHW:

Length: _____ (ft), Width: _____ (ft), Depth: _____ (ft), Total Cubic Yards: _____

Motorized Equipment:

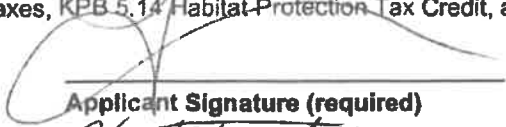
10. Will you be using motorized equipment for this project? If yes, please list all equipment: Yes No
Skidloader with auger

a. Will you be crossing a stream or waterbody? Yes No

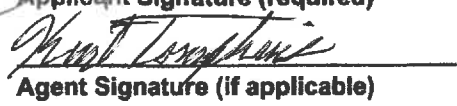
b. How long will equipment be used below OHW or MHW? 1 day

Signature & Certification:

This application is hereby made requesting permit(s) to authorize the work described in this application form. I certify the information in this application is complete and accurate to the best of my knowledge and that my site plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the project and that the project will be constructed to the standards in KPB 5.12 Real Property and Personal Property Taxes, KPB 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regulations.


Applicant Signature (required)

5-9-24
Date


Agent Signature (if applicable)

5-16-24
Date

Project Drawings: Side View

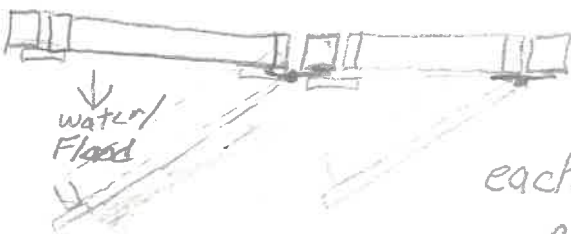
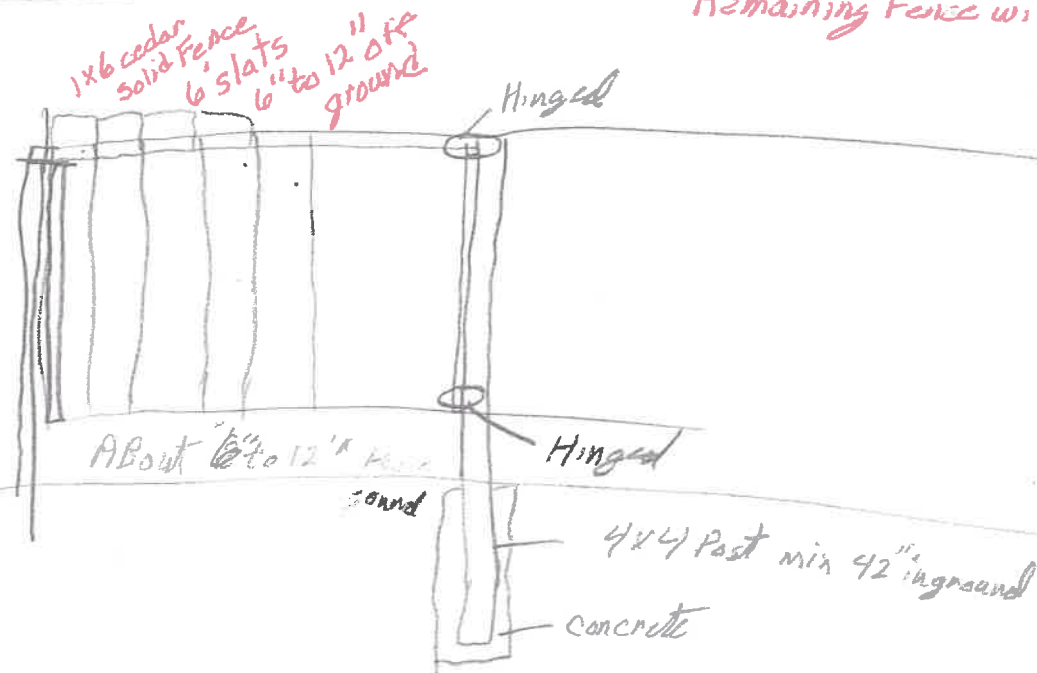
Drawings do not have to be to scale, but must show the following:

- Property boundaries
- Floodplain zone(s)
- OHW or MHW line
- Dimensions for all structures
- 50-foot Habitat Protection District
- Length, width, height

Travis Moulton
~~35~~ 35860 Luau St
 Fence Permit

2- Runs of 96' Fence
 First 56' in Flood Zone will
 Be Hinged to meet Flood code

Remaining Fence will Be Fixed



each 8' section will open with water
 Pressure when Needed will Be closed
 Manually After Flood water Recedes

Project Drawings: Top View

Drawings do not have to be to scale, but must show the following:

- Property boundaries
- Floodplain zone(s)
- OHW or MHW line
- Dimensions for all structures
- 50-foot Habitat Protection District
- Length, width, height



North

Travis Moulton Fence Layout

101
Division
Any
by
sst

*Fence Permit
Travis Moulton
35868 Luau St
Lot 4A*

PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of

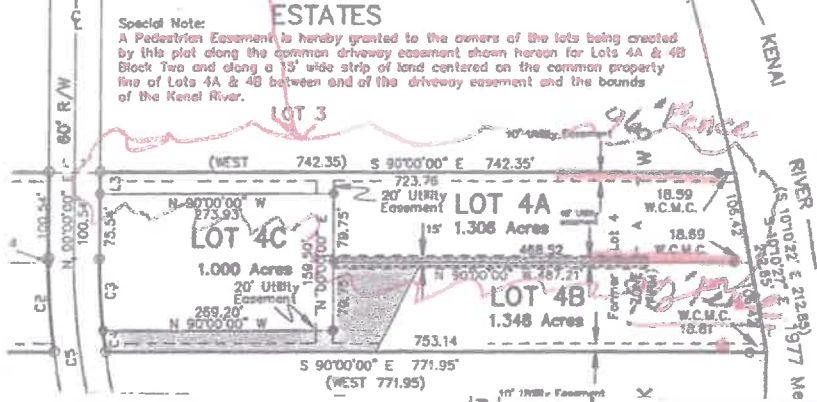
Feb. 25 1991.

KENAI PENINSULA BOROUGH by

Richard P. Torgue
Authorized Official

Block	SE Area	DELTA
421	007.929	103.757
100.01	0432.00	0728.98
84.08	0313.48	0527.37
35.21	0725.47	0150.10
713.72	0729.16	758.21

LINE	DIRECTION	DISTANCE
L1	N 90°00'00" E	60.00'
L2	S 90°00'00" E	33.00'
L3	North	25.00'



Total length: 96.86 ft

New Fence

Total length: 96.88 ft

New Fence

WASTEWATER DISPOSAL:

Soil conditions in this subdivision have been found unsuitable for conventional onsite wastewater disposal treatment and disposal systems. Plans for an approved alternate wastewater disposal system for use on lots in this subdivision are available from the Alaska Department of Environmental Conservation. Any other type of 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.

Subject to any noted restrictions, the Alaska Department of Environmental Conservation approves this subdivision for platting.

Name and Title of Alaska Department of Environmental Conservation Approving Official: *Robinson* **EG III** Date: **6-4-91**

*Fence Permit
Travis Moulton
35868 Luau St
Lot 4A*

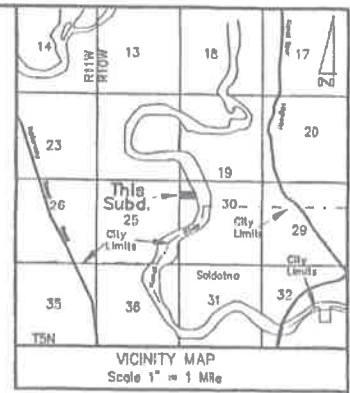
PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of

Feb. 25 1991.

KENAI PENINSULA BOROUGH by

Richard T. Torga
Authorized Official



LEGEND

- ⊗ Found G.L.O. Monument
- ⊕ Found 3 1/4" slum, capped manumnt
- Found 1/2" rebar at property corner
- ⊙ Set 1/2" X 24" rebar with McLane & Assoc. cap attached
- () Record Data K.R.D. 7B-4
- ▭ Indicates common driveway easements for the use of Lot 4A & Lot 4B Block Two only.

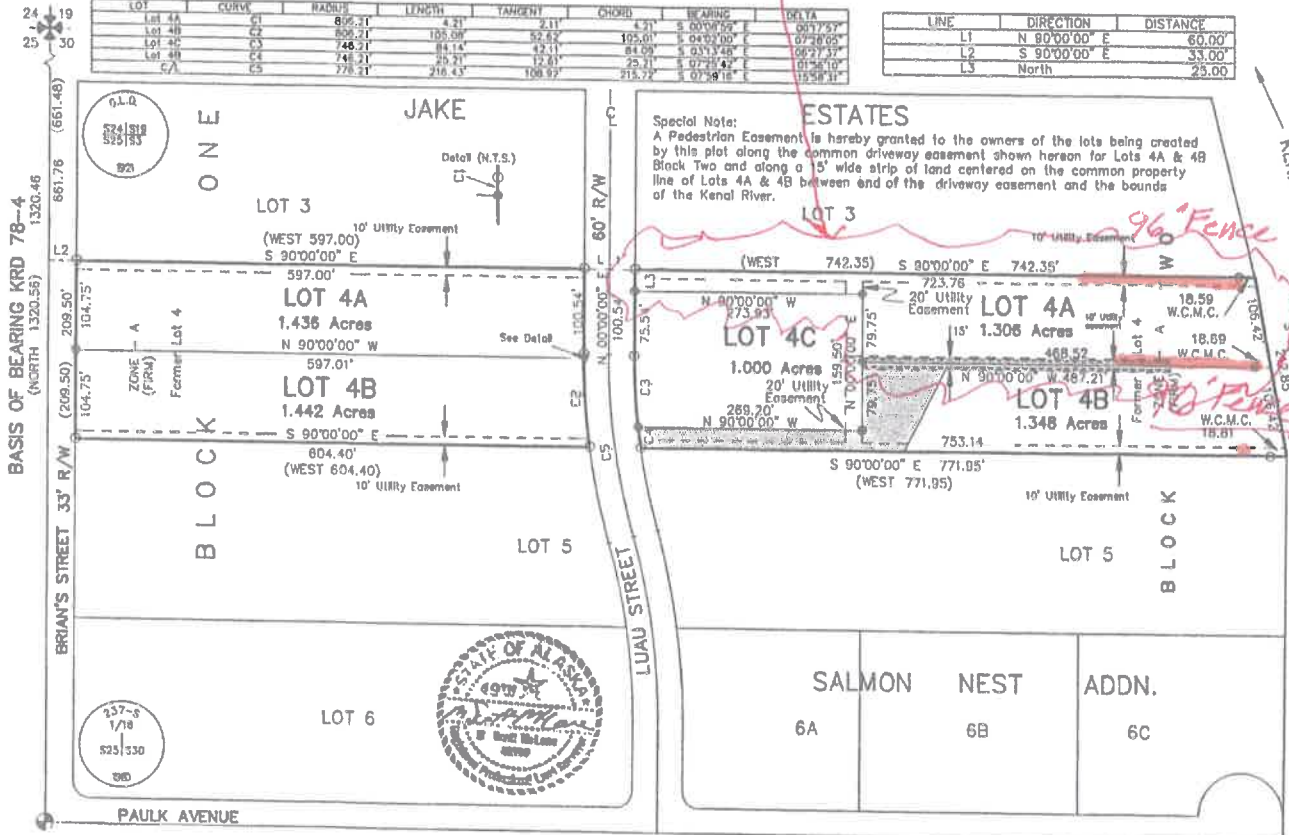
NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
- 2) BUILDING SET BACK-A building set back of 20 ft. is required from all atreet rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 3) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation.
- 4) The natural meanders of ordinary high water for the Kenai River form the true bounds of lots 4A and 4B Block Two. The meander line shown hereon is for survey computations only.
- 5) Lots within this subdivision may be located within a designated flood hazards area: If such is the case, development must comply with Title 21, Chapter 5 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
- 6) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- 7) No structures permitted within panhandle portion of flag lots (Lot 4A and Lot 4B, Block Two).
- 8) The front 10' of Building Setback is also a utility easement, as is the entire setback within 5' of the side lot lines.

LOT	CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
Lot 4A	C1	816.21	4.21	2.11	4.21	S 00°00'00" E	007°55'
Lot 4B	C2	806.21	105.08	52.62	195.01	S 04°03'00" E	07°30'00"
Lot 4B	C3	746.21	84.14	42.11	84.09	S 01°14'48" E	06°27'37"
Lot 4B	C4	746.21	25.21	12.61	25.21	S 07°25'42" E	01°28'10"
C5		778.21	216.43	108.97	216.22	S 07°58'18" E	15°58'11"

LINE	DIRECTION	DISTANCE
L1	N 80°00'00" E	60.00'
L2	S 90°00'00" E	33.00'
L3	North	25.00'

ESTATES
Special Note: A Pedestrian Easement is hereby granted to the owners of the lots being created by this plat along the common driveway easement shown hereon for Lots 4A & 4B Block Two and along a 15' wide strip of land centered on the common property line of Lots 4A & 4B between end of the driveway easement and the bounds of the Kenai River.



NOTARY'S ACKNOWLEDGEMENT

FOR: *Sue Ann Kinney*
Subscribed and sworn before me this 29th day of May 1991, 1991
My commission expires 5-1-92
Sue Ann Kinney
Notary Public for the State of Alaska

NOTARY'S ACKNOWLEDGEMENT

FOR: *Keiso + Marcella Masuda*
Subscribed and sworn before me this 31st day of May, 1991
My commission expires 1-15-95
Robin E. Ward
Notary Public for the State of Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION

I hereby certify that I am the owner of the real property shown and described hereon and that I hereby adopt this plan of subdivision and by my free consent grant all easements to the use shown.
Sue Ann Kinney
Sue Ann Kinney

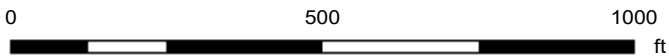
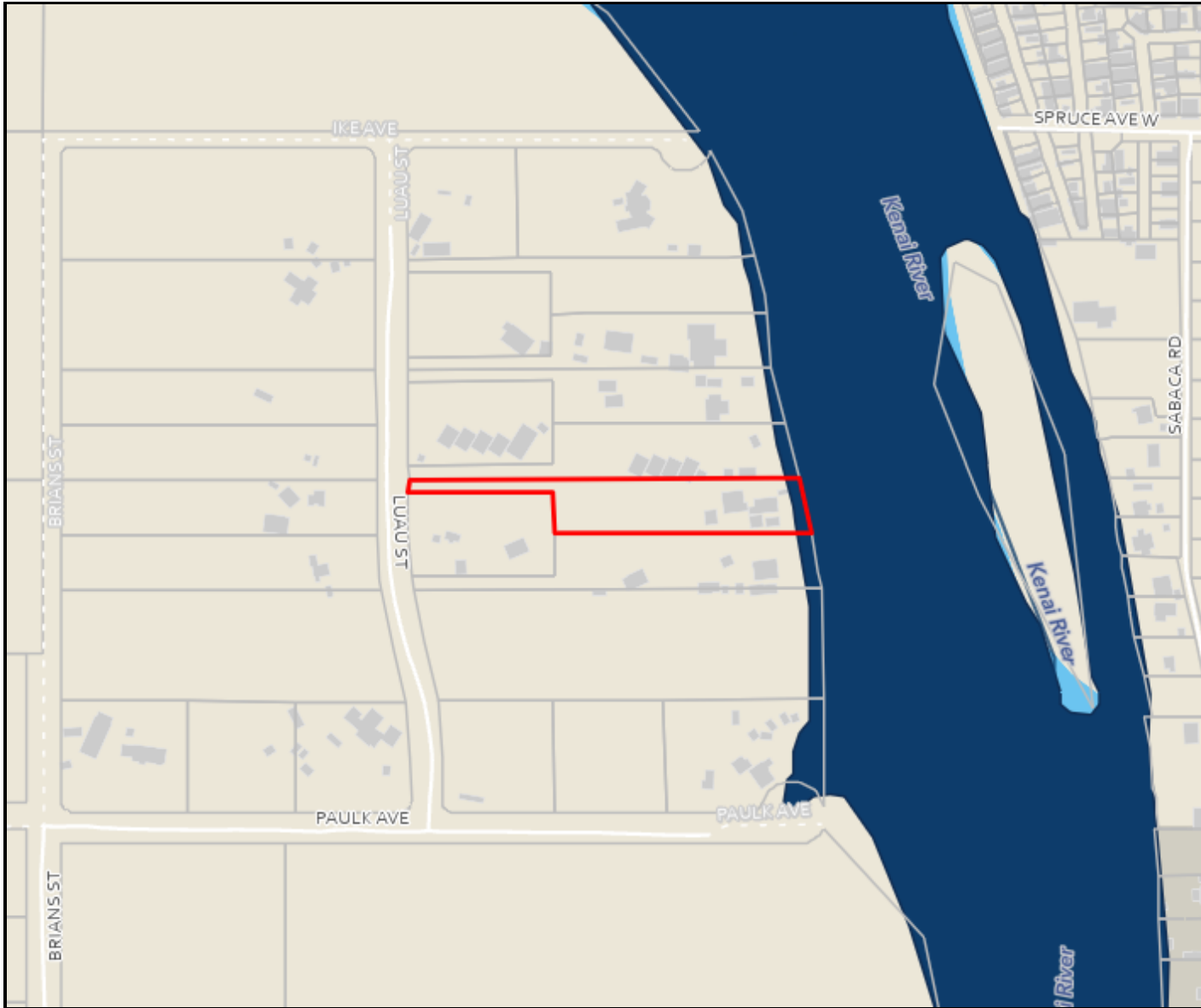
CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we have an equity interest as beneficiaries on a Deed of Trust of the real property shown and described hereon and that we hereby acknowledge this plan of subdivision.
Keiso Masuda + Marcella T. Masuda
Keiso Masuda Marcella T. Masuda

91-32
RECORDED 3D
KENAI REC. DIST
DATE June 29 1991
TIME 10:15 A.
REGISTERED BY McLANE & ASSOC.
ADDRESS P.O. BOX 468
SOLDOTNA, AK. 99589

JAKE ESTATE SUBDIVISION NO. 2
(A RE-SUBDIVISION OF LOT 4 BLOCK 1 & LOT 4 BLOCK 2 JAKE ESTATE SUBDIVISION)

Sue Ann Kinney
5211 122nd St. NE
Everett, WA. 98208
6.525 Ac. M/A. SITUATED IN THE NW1/4 NW1/4 SEC. 30, T5N, R10W, S.M. AK., THE KENAI PENINSULA BOROUGH AND KENAI RECORDING DISTRICT.
Surveyed by:
McLane and Associates
Box 468 Soldotna, AK 99589
Project No. 902025 Book No. 90-21 Dwg. No. 902026
Drawn by mjb Scale 1" = 100' K.P.B. File No. 91-017
Checked by msm



Fence

Project Area

KPB Parcel(s):
05537033

Project Description:

Vicinity: Kalifornsky



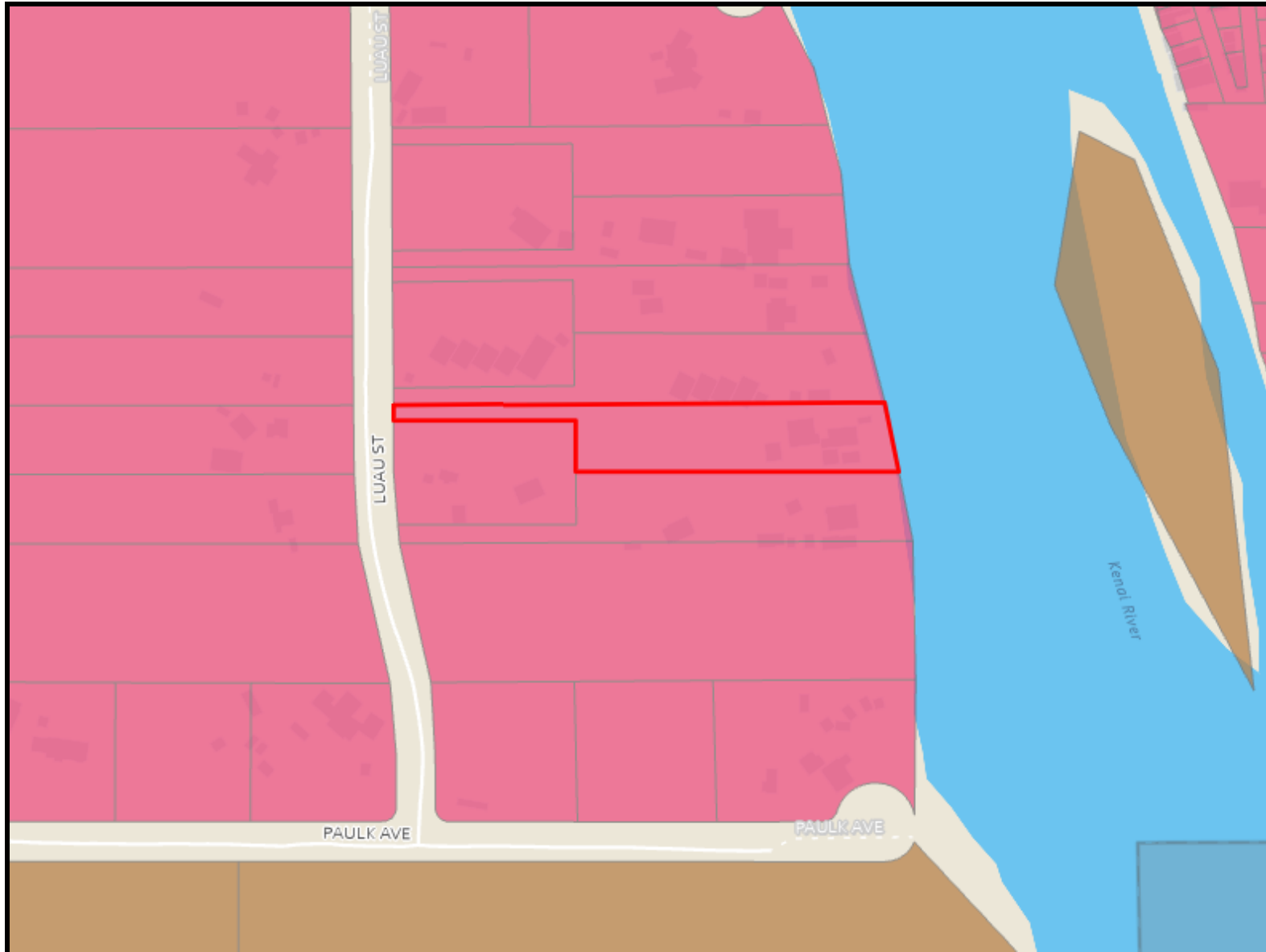
Map created by Aldridge, Morgan
Tuesday, May 21, 2024

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.



Ownership Map

Fence



Project Area

KPB Parcel(s):

05537033

Parcel Ownership Type

Parcel Ownership

Private

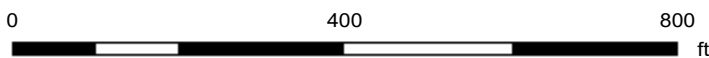
State

Habitat

KPB 2118 - KPB 2118 Districts



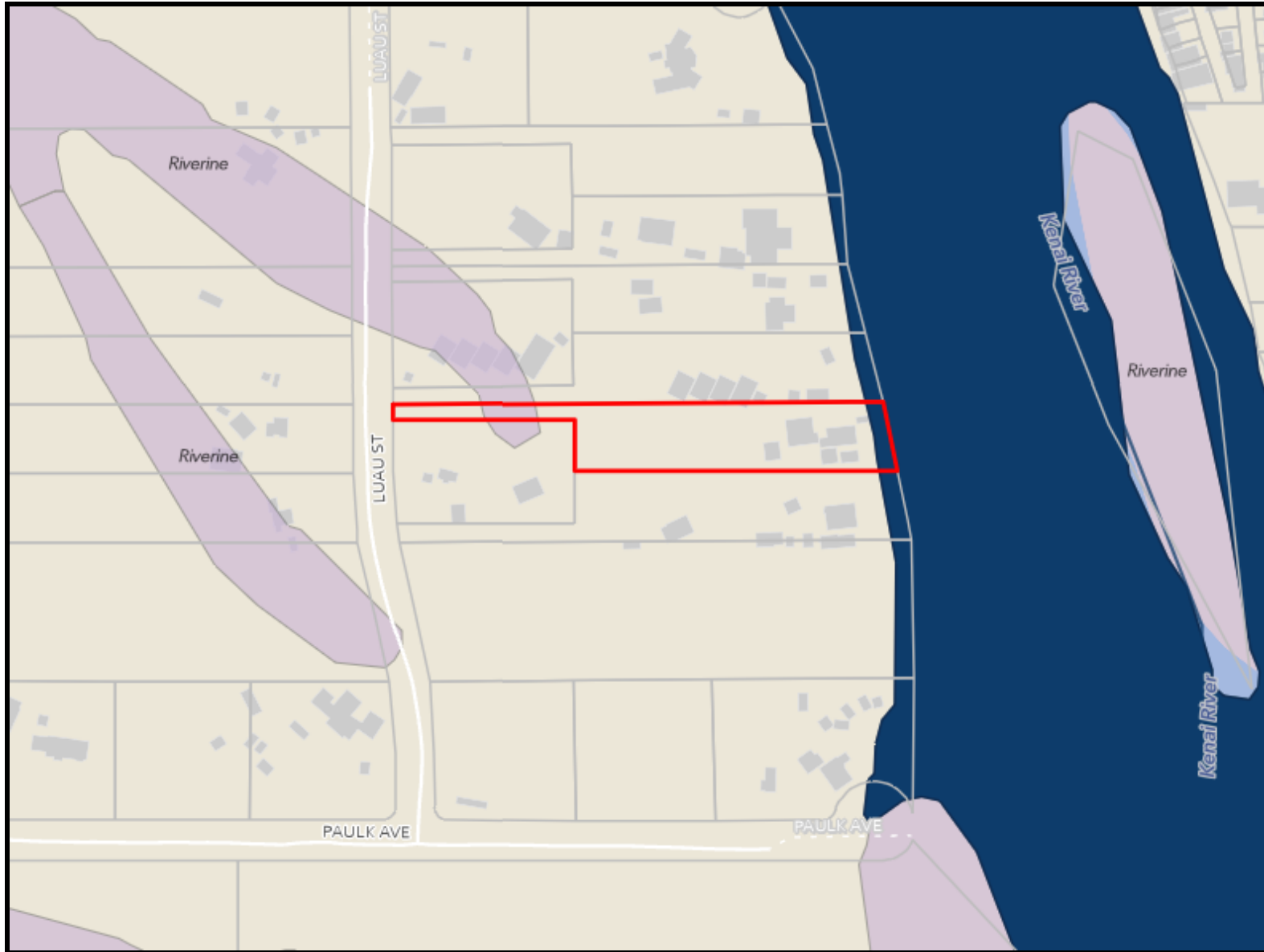
Map created by Aldridge, Morga
Tuesday, May 21, 2024





Wetlands Map

Fence



Project Area

KPB Parcel(s):

05537033

Tax Parcels



Habitat

KPB 2118 - KPB 2118 Districts



KPB 2118 - KPB 2118 Anadromous Streams

- Exempt
- Managed
- Unregulated
- others

KPB 2118 - KPB 2118 Anadromous Lakes and Areas

- Exempt
- Managed
- Unregulated
- n/a

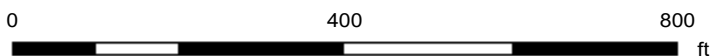
Landcover Features

KWF Wetlands Assessment

- DISTURB
- Depression
- Discharge Slope

Map created by Aldridge, Morga

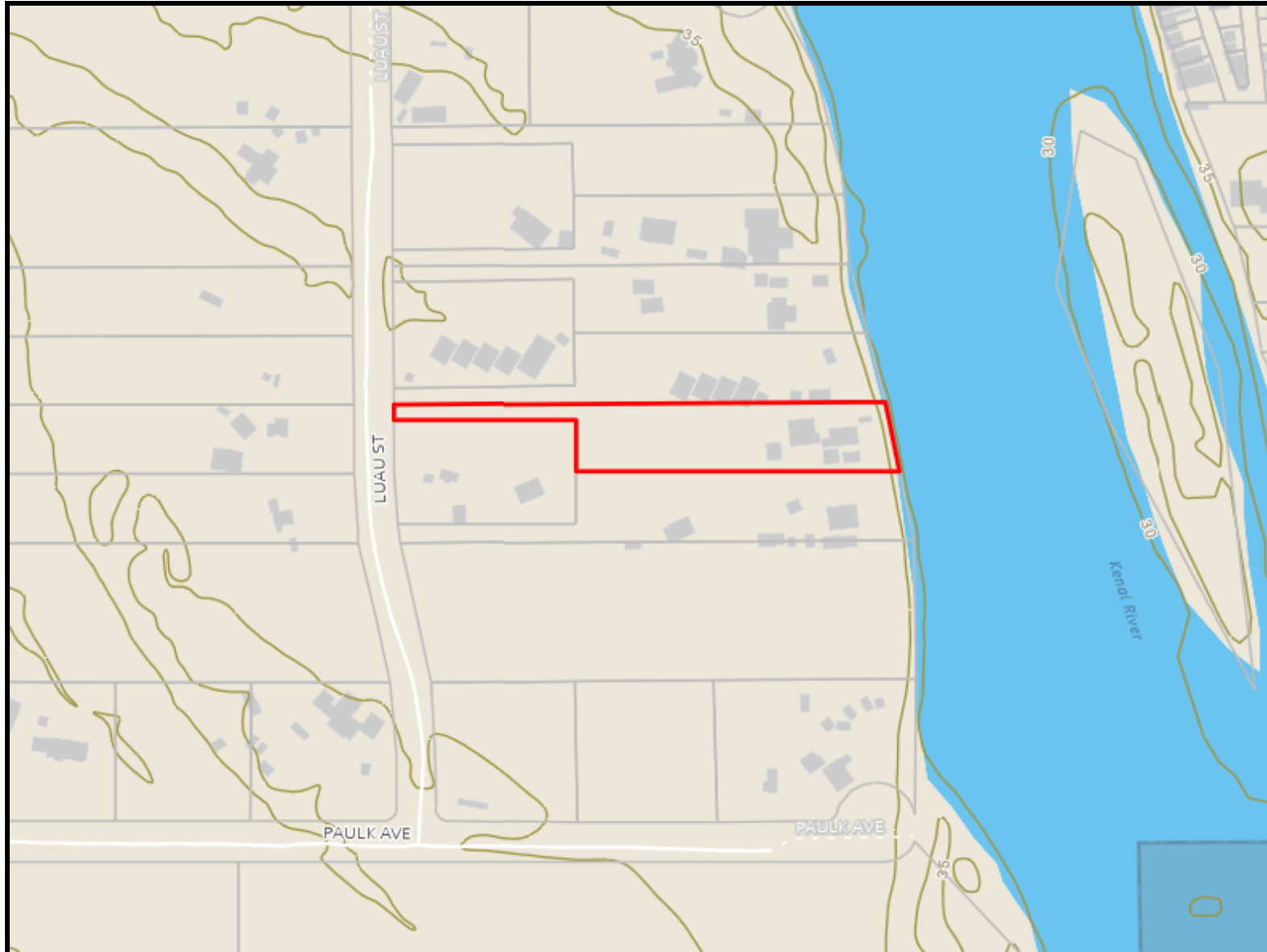
Tuesday, May 21, 2024





Terrain Map

Fence



Project Area

KPB Parcel(s):

05537033

Tax Parcels

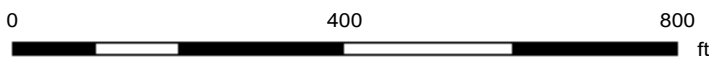


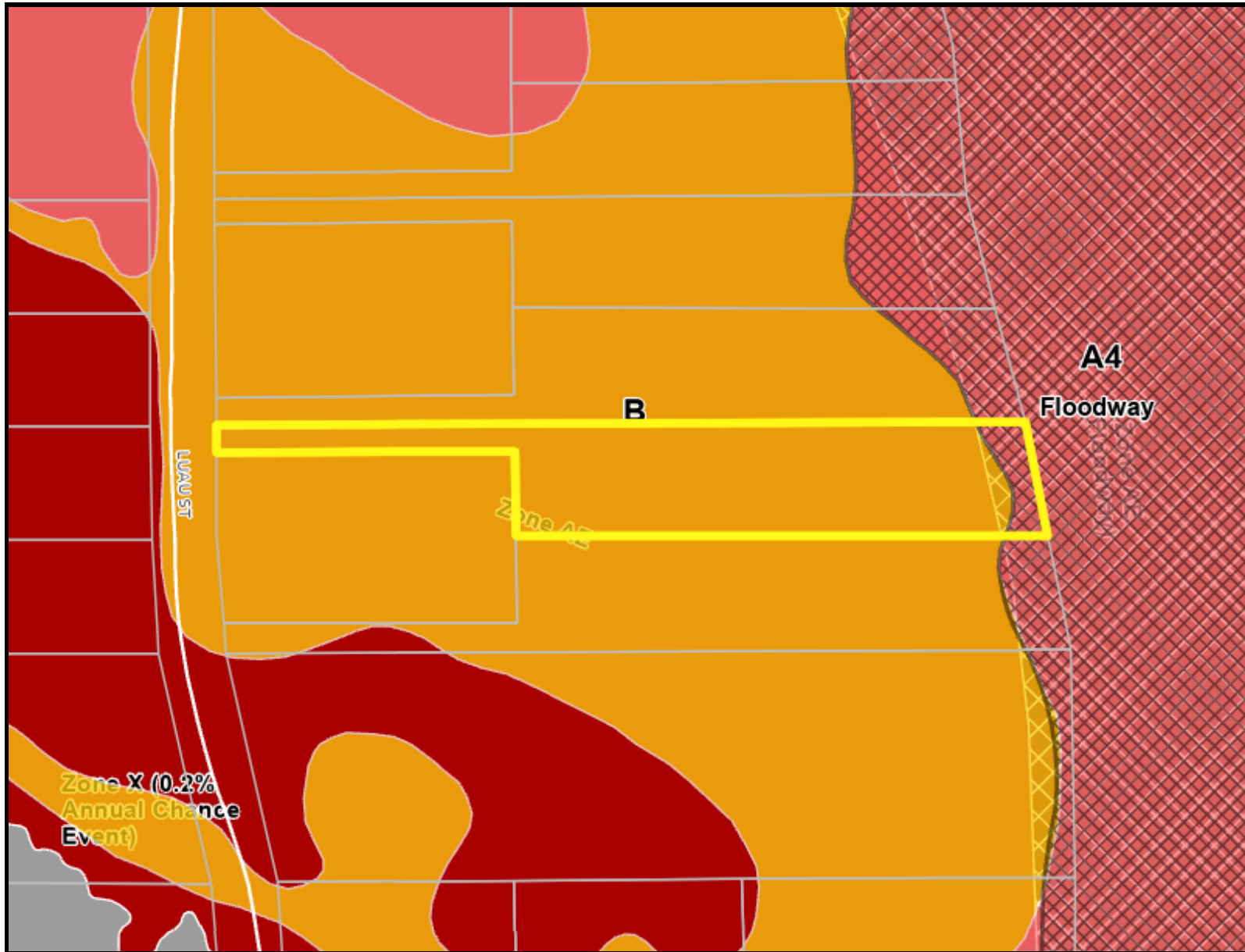
Habitat

KPB 2118 - KPB 2118 Districts



Map created by Aldridge, Morga
Tuesday, May 21, 2024





KPB Parcel ID(s):

05537033

Selected Parcel Boundary or Boundaries



Tax Parcels



Regulatory Floodplain

Regulatory Floodway

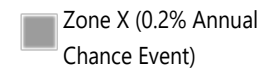


Floodplain



FEMA Proposed Floodzone 2022

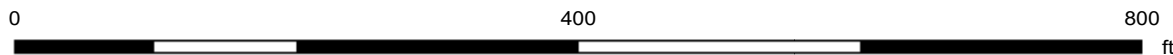
DBO.FEMAprposed_2022



Community Flood Insurance Rate Map (FIRM) Panel(s):

0200122045C

For a detailed description of the mapped floodplain areas, please see the letter accompanying this map.



From: [Hindman, Julie](#)
To: [Aldridge, Morgan](#)
Cc: [Lopez, Samantha](#)
Subject: KRC 13472 - CUP
Date: Wednesday, May 29, 2024 10:18:00 AM
Attachments: [05537033 Floodplain Determination.pdf](#)
[image001.png](#)

Morgan,

I have reviewed the project as proposed. The fence is proposed to be open along the bottom to allow water to move underneath. The portions within the mapped floodway (please see attached floodplain determination map) will require the hinged portions allow them to open to not restrict water movement during a flood event.

I have compared the current mapped floodway to the preliminary floodway on the new FIRM maps and find that the floodway along the property boundary does not have a significant change.

The project as described is permissible under KPB 21.06.

Thank you,

Julie Hindman

Planner – Floodplain Administrator
Donald E. Gilman River Center
KPB Planning Department
907-714-2463

KENAI PENINSULA BOROUGH
514 Funny River Road
Soldotna, Alaska 99669



**Conditional Use Permit
Anadromous Waters Habitat Protection District
Staff Report**

PC Res No.	2024-08
Planning Commission Meeting:	June 10, 2024
Applicant	Travis Moulton
Mailing Address	14322 Sheridan Ave Urbandale, IA 50323
Legal Description	T 5N R 10W SEC 30 SM KN 0910032 JAKE ESTATE SUB NO 2 LOT 4A BLK 2
Physical Address	35860 Luau St
KPB Parcel Number	05537033

Project Description

A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of fence within the 50-foot Habitat Protection District of the Kenai River, as established in KPB 21.18.040.

Background Information

Applicant would like to install a 96 foot fence along the sides of the parcel for privacy. This would be 50 foot of fencing within the 50 foot setback of the Kenai River and then another 5 feet of fencing within the FEMA mapped floodplain. The fence will be cedar planking, about 12 inches off the ground. It will be hinged on 8 foot sections within the floodplain in order to comply with break away regulations for flood events. These sections will easily swing open with any pressure.

Project Details within the 50-foot Habitat Protection District

1. Cedar plank fencing 50 foot deep constructed perpendicular to the water
2. 4x4 wooden support posts driven every 8 foot section of fence into poured concrete footing

Findings of fact pursuant to KPB 21.18.081 Conditional Use Permit

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(2), construction of a fence may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.

5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. Pursuant to KPB 21.06.050, the bottom 12 inches of fence will be open to allow for the unobstructed passage of water.
7. Pursuant to KPB 21.06.050, sections of the fence will be break away by touch in order to allow for the flow of water during any flood event or animal passage.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:

"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
10. The River Center found the application complete and scheduled a public hearing for June 10, 2024.
11. Agency review was distributed on May 30, 2024. No comments or objections have been received from resource agencies to date.
12. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on May 24, 2024. A total of 19 mailings were sent.
13. Pursuant to KPB 21.11.020, public notice was published in the Peninsula Clarion on May 29, 2024 and June 5, 2024.
14. The applicant is currently in compliance with Borough permits and ordinances.

Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Kenai River.
2. The fence must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).

- 11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
- 12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

General Standards

Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

- 1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Finding 4 and Conditions 1-5, 11, 12 appear to support this standard.**
- 2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Findings 1-8, 11-13 and Condition 11 appear to support this standard.**
- 3. The development of the use or structure shall not physically damage the adjoining property; **Finding 7 appears to support this standard.**
- 4. The proposed use or structure is water-dependent; **Findings 1-4, 8 appear to support this standard.**
- 5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Finding 13 and Condition 11 appear to support this standard.**

Attachments

Multi-Agency Application
Floodplain Authorization
Draft Resolution 2024-08

Recommendation

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2024-08.

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 the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2024-08

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR THE CONSTRUCTION OF A FENCE WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT OF THE KENAI RIVER.

- WHEREAS,** Chapter 21.18 provides for the approval of Conditional Use Permits for certain activities within the habitat protection district; and
- WHEREAS,** KPB 21.18.081 provides that a conditional use permit is required for construction not meeting the standards of KPB 21.18.071; and
- WHEREAS,** KPB 21.18.091 provides for mitigation measures by the planning department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and
- WHEREAS,** public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in Section 21.11.030; and
- WHEREAS,** public notice was published in the Peninsula Clarion on May 29, 2024 and June 5, 2024 as provided in Section 21.11.020; and
- WHEREAS,** public testimony was received at the June 10, 2024 meeting of the Kenai Peninsula Borough Planning Commission;

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

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

Section 1. Project Details Within the 50-foot Habitat Protection District

1. Cedar plank fencing 50 foot deep constructed perpendicular to the water
2. 4x4 wooden support posts driven every 8 foot section of fence into poured concrete footing

Section 2. Findings of fact pursuant to KPB 21.18.081

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(2), construction of a fence may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.

5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. Pursuant to KPB 21.06.050, the bottom 12 inches of fence will be open to allow for the unobstructed passage of water.
7. Pursuant to KPB 21.06.050, sections of the fence will be break away by touch in order to allow for the flow of water during any flood event or animal passage.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:

"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
10. The River Center found the application complete and scheduled a public hearing for June 10, 2024.
11. Agency review was distributed on May 30, 2024. No comments or objections have been received from resource agencies to date.
12. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on May 24, 2024. A total of 19 mailings were sent.
13. Pursuant to KPB 21.11.020, public notice was published in the Peninsula Clarion on May 29, 2024 and June 5, 2024.
14. The applicant is currently in compliance with Borough permits and ordinances.

Section 3. Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Kenai River.
2. The fence must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the

Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).

10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Finding 4 and Conditions 1-5, 11, 12 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Findings 1-8, 11-13 and Condition 11 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Finding 7 appear to support this standard.**
4. The proposed use or structure is water-dependent; **Findings 1-4, 8 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Finding 13 and Condition 11 appear to support this standard.**

THIS CONDITIONAL USE PERMIT EFFECTIVE ON _____ DAY OF _____, 2024.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg
Administrative Assistant

Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.



Donald E. Gilman River Center

514 Funny River Road, Soldotna, Alaska 99669 • (907) 714-2460 • (907) 260-5992 Fax

A Division of the Planning Department

Peter A. Micciche
Borough Mayor

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

The Kenai Peninsula Borough received an application for a Conditional Use Permit under KPB 21.18.081 for a project within the 50-foot Habitat Protection District (HPD) of the Kenai River. This project has been scheduled for a public hearing before the Kenai Peninsula Borough Planning Commission.

Why are you receiving this notice?

Per code, property owners within 300 feet of the proposed project must receive notice of the public hearing. This project is located at 35860 Luau St, Soldotna, Alaska, Parcel ID 05537033. Our records indicate that you are a property owner within 300 feet of that parcel.

Project Description:

Landowner is applying to install a privacy fence within the 50-foot HPD of the Kenai River.

How can you look at the application?

The meeting packet will be posted the week prior to the meeting. Once it has been posted it can be viewed at <https://kpb.legistar.com/Calendar> or by scanning this QR code with your phone:



How do you attend the Planning Commission meeting?

When: Monday, June 10, 2024 at 7:30 p.m.
Where: This meeting will only be held electronically via Zoom.
Zoom: Meeting ID 907 714 2200
<https://us06web.zoom.us/j/9077142200>
1-888-788-0099 or 1-877-853-5247

How do I comment on the project?

You can provide verbal comment at the meeting (see information above). You may also submit written comments. **Written comments must be received by 1:00 pm Friday, June 7, 2024.**

Mail comments to:
Donald E. Gilman River Center
514 Funny River Road
Soldotna, Alaska 99669

Email comments to:
KenaiRivCenter@kpb.us

For additional information, please contact Morgan Aldridge at maldridge@kpb.us or (907) 714-2465.

E. NEW BUSINESS

- 2. Resolution 2024-XX: Authorizing the acquisition of real property located in Kachemak Selo, Alaska for school purposes.**

MEMORANDUM

TO: Brent Johnson, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Peter A. Micciche, Mayor
Brandi Harbaugh, Finance Director
Elizabeth Hardie, Grant Administrator
John Hedges, Purchasing and Contracting Director
Robert Ruffner, Planning Director

FROM: Aaron Hughes, Land Management Officer

DATE: May ____, 2024

RE: Resolution 2024-XX Authorizing the Acquisition of Real Property Located in Kachemak Selo, Alaska for Future School Purposes (Mayor)

The Kenai Peninsula Borough School District (“KPBSD”) provides educational instruction to students within the Kachemak Selo attendance area. The existing school facilities in Kachemak Selo consist of residential structures currently under lease by KPBSD. These leased structures are deficient for school purposes, with one existing facility having been decommissioned due to safety concerns.

The Kenai Peninsula Borough (“KPB”) has been awarded \$10,867,503 in Department of Education and Early Development (“DEED”) funding for the Kachemak Selo School Project.

In 2014, a school site selection committee recommended an alternate school site that was later deemed not viable due to geotechnical findings. The parcel proposed for acquisition currently houses the existing decommissioned leased facility.

KPB has no conveyed or selected lands within the Kachemak Selo community that would satisfy the needs of the project. Acquisition of the proposed parcel will provide KPB a land holding within the community of Kachemak Selo for siting of a future school, providing a location necessary to develop options suitable to address current and future needs.

The acquisition of a proposed parcel is an important step towards satisfying the educational needs of the community. The Resolution authorizes the acquisition at a total price of \$160,000.00 to include title / closing costs, and due diligence fees.

Your consideration of the Resolution is appreciated.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	_____
Amount:	_____
By:	_____ Date: _____

Introduced by: Mayor
Hearing: 2024
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2024-**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY
LOCATED IN KACHEMAK SELO, ALASKA FOR SCHOOL PURPOSES**

- WHEREAS**, the Kenai Peninsula Borough School District (“KPBSD”) currently delivers education instruction in the community of Kachemak Selo in private residential structures leased by KPBSD; and
- WHEREAS**, the leased structures are deficient for school purposes; and
- WHEREAS**, the State of Alaska Department of Education and Early Development (“DEED”) mandates education by “Attendance Areas” determined by DEED; and
- WHEREAS**, the community of Kachemak Selo is in the DEED Kachemak Attendance Area; and
- WHEREAS**, unlike other communities within the Kenai Peninsula Borough (“KPB”), Kachemak Selo is not served by public roads, public docks or public airports capable of supporting public facilities; and
- WHEREAS**, Kachemak Selo is within one mile of the communities of Razdolna and Vosnesenka, which are served by publicly maintained roads; and
- WHEREAS**, Kachemak Selo is accessed privately through Razdolna and Vosnenka by way of steep trails, beginning from the end of East End Road along a narrow switchback and along the coastal beach to a crossing at Swift Creek to the isolated public road rights-of-way platted through the Kachemak Selo Subdivision; and
- WHEREAS**, a school site selection committee (“SSSC”) for the Kachemak Attendance Area recommended a school site location in Kachemak Selo through a memo dated May 8, 2014; and
- WHEREAS**, the site identified by the SSSC was deemed not viable due to poor geotechnical findings; and
- WHEREAS**, the subject site is the location of the residential structures that were used for school purposes but have since been decommissioned; and
- WHEREAS**, KPB has been awarded \$10,867,503 in DEED funding for the Kachemak Selo School Project; and

WHEREAS, KPB Funding Ordinance 2018-19-25 appropriated \$10,010,000 from DEED for the Kachemak Selo School Project; and

WHEREAS, Resolution 2023-076, which established KPB’s State Capital Project Priorities for 2024, includes the Kachemak Selo Community Center project, which recommends converting the \$10,867,503 in DEED funding to a Department of Commerce, Community and Economic Development (“DCCED”) Grant to be used for a community center to provide for the dual purposes of community needs and use as an education facility to address the academic needs of the community; and

WHEREAS, Resolution 2024-008 requested that the Alaska State Legislature transfer the grant awarded to KPB for construction of a school facility in Kachemak-Selo from DEED to DCCED in order to better address current development needs; and

WHEREAS, the acquisition of the subject property could serve a capital project as either a DEED school site or DCCED community center; and

WHEREAS, by letter dated March 5, 2024, the independent appraisal requirement under the DEED Grant Terms has been formally waived by DEED due to the lack of comparable market transactions necessary to determine an accurate appraisal value; and

WHEREAS, the KPBSD Board of Education, at its regular meeting of _____, 2024, recommended/adopted _____; and

WHEREAS, the Kenai Peninsula Borough Planning Commission, at its regular meeting of _____, 2024, recommended _____;

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

SECTION 1. That the Assembly finds that purchasing the following-described real property pursuant to KPB 17.10.040 is in the best interest of KPB:

LOT THIRTY-SIX (36), KACHEMAK SELO, ACCORDING TO PLAT NO. 2002-43, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA (PARCEL NO. 185-212-36)

SECTION 2. That the terms and conditions substantially in the form of the purchase agreement accompanying this Resolution are hereby approved.

SECTION 3. That the purchase price shall be \$150,000.00, subject to the terms of the purchase agreement, plus title and closing costs, and due diligence fees not to exceed \$10,000.00.

SECTION 4. That this acquisition is for the purposes of siting a school or community center that can be used for academic instruction by KPBSD.

SECTION 5. That the above-described land is classified under KPB 17.10.080 as “Institutional”.

SECTION 6. That the Mayor is authorized to execute any and all documents necessary to purchase the real property described in Section 1 in accordance with the terms and conditions contained in this Resolution.

SECTION 7. That the Mayor is authorized to execute a purchase agreement substantially in the form of the accompanying purchase agreement, consistent with applicable provisions of KPB Chapter 17.10.

SECTION 7. That previously appropriated funding, not to exceed \$160,000, is available in the Capital Project Fund account 400.71065.KSELO.48610, for the acquisition of the real property listed in Section 1.

SECTION 8. That this Resolution shall take effect immediately upon adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
THIS ___ DAY OF _____, 2024.**

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk



Kachemak Selo Land Acquisition

PURCHASE AGREEMENT

This Purchase Agreement (“Agreement”) is made by and between NIKITA Z. KUZMIN AND OLEMPIADA KUZMIN, as sellers, whose address is PO Box 1542, Delta Junction, Alaska 99737, (jointly, "Sellers") and the KENAI PENINSULA BOROUGH, an Alaska municipal corporation, as buyer, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 (“Borough” or "KPB") (together, “the Parties”).

WHEREAS, Sellers are the owners of that real property located in the Homer Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

LOT THIRTY-SIX (36), KACHEMAK SELO, ACCORDING TO PLAT NO. 2002-43, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA. (PARCEL NO. 185-212-36) (“the Property”); and

WHEREAS, the Borough has offered to buy, and Sellers are willing to sell the Property as evidenced by this Agreement;

NOW THEREFORE, in consideration of the conditional promises herein contained, Sellers hereby agree to sell to the Borough, and the Borough hereby agrees to buy from Sellers, the Property on the terms and conditions as set forth below:

1. PURCHASE PRICE

The purchase price of the Property is One Hundred Fifty Thousand Dollars and NO cents (\$150,000.00), subject to independent appraisal, completed as-built survey, and satisfactory inspection. The purchase price must be paid by the Borough at time of closing. The purchase of the property and appropriation of funding for the purchase are subject to approval by the KPB Assembly.

The above purchase price is contingent on the satisfactory removal of the building improvements from the property prior to the close of escrow. In the event the improvements are not removed prior to closing the purchase price will be reduced to One Hundred thousand Dollars (\$100,000.00). In the event the improvements are not removed prior to closing, all personal property contained within or related to the improvements will be conveyed by bill of sale at the time of closing free of any claims or encumbrances.

2. EXPIRATION OF OFFER

Sellers must sign and return this Agreement to the Borough on or before **September 4, 2023**; otherwise, this offer shall terminate.

NK OK

Kenai Peninsula Borough, Alaska

N. Kuzmin / KPB – Purchase Agreement

3. TITLE

Title must be delivered at time of closing by statutory warranty deed, which must be issued to the Borough. Sellers warrant and covenant that at the time of closing there will be no liens or judgments recorded against Sellers in the same recording district in which the Property subject to this Agreement is situated. Title must be clear of liens and encumbrances except title is subject to reservations, easements, rights-of-way, covenants, conditions and restrictions of record as agreed to by buyer.

4. ESCROW AND CLOSING COSTS

Except as described in this Section, in addition to the purchase price, the Borough agrees to pay for buyer-related closing costs in connection with this Agreement, including appraisal and inspection fees. Sellers agree to pay for seller-related closing costs, including the ALTA owner's policy of title insurance and as-built survey. Property taxes for the current year, if any, will be prorated to the date of closing. Sellers are responsible for realtor's commission, if any; all unpaid taxes for prior years, if any; and all unpaid outstanding assessments, if any. All costs will be paid in full at the time of closing.

5. CLOSING

Unless otherwise agreed to in writing, closing will occur within 90 days, or as specifically agreed to by both Parties. At closing, the Borough will pay the balance of the purchase price. Both Parties will execute all documents required to complete the Agreement and, if applicable, establish an escrow account.

6. POSSESSION

Possession will be delivered to the Borough at time of recording unless otherwise agreed to in writing by all Parties.

7. KENAI PENINSULA BOROUGH ASSEMBLY APPROVAL

Purchase of the Property by the Borough is subject to authorization by the KPB Assembly and appropriation of funds. If the KPB Assembly fails to authorize the purchase of the subject land and appropriate funds, this Agreement will terminate without penalty.

8. DISCLOSURES

Sellers hereby agree to provide property disclosures including any and all information regarding known defects, deficiencies, legal matters, environmental issues or hazards, that may be personally known by the Sellers in writing. If said disclosures present a matter unsatisfactory to the Borough, the Borough may terminate this Agreement without penalty.

9. CONTINGENT ON INSPECTION

This offer and Agreement are contingent upon the completion of a property inspection satisfactory to the Borough for its use and at the Borough's expense. Sellers must, upon reasonable notice, provide access to the Property for inspection purposes to the Borough and its

NK OK

Kenai Peninsula Borough, Alaska

N. Kuzmin / KPB – Purchase Agreement

representatives. Any invasive inspection procedures require Sellers' express permission and must be promptly repaired or replaced by the Borough in a workman-like manner. The Borough will have 60 days from the execution of this Agreement to complete inspections and determine its satisfaction unless otherwise provided in writing.

10. HAZARDOUS MATERIAL

Sellers covenant to the best of Sellers' knowledge, that as of the date of this Agreement, except as specifically identified herein, the Property is free of all contamination from petroleum products or any hazardous substance or hazardous waste, as defined by applicable state or federal law, and there are no underground storage tanks or associated piping on the Property. Seller agrees that no hazardous substances or wastes will be located on or stored on the Property, or any adjacent property owned or leased by the Seller, owner or contractors, nor will any such substance be owned, stored, used, or disposed of on the Property or any adjacent property by Sellers, their agents, employees, contractors, or invitees, prior to the Borough's ownership, possession, or control of the Property.

11. ENVIRONMENTAL CONTINGENCY

If during the course of the Borough's due diligence inspection of the Property pursuant to Section 9, the Borough discovers the presence of environmental hazards on or released from the Property in any quantity or concentration exceeding the limits allowed by applicable law, or that are deemed undesirable by the Borough, the Borough will have the right to give notice to Sellers, accompanied by a copy or copies of the Third-Party Report(s) disclosing and confirming the presence of such hazardous materials. The notice and accompanying Third-Party Report must be given no later than 60 days from receipt of said report. The notice under this section must state:

- (i) that the Borough is terminating this Agreement due to the presence of such hazardous materials on or adversely affecting the Property; OR
- (ii) provide Sellers 30 days from notice to provide a mitigation plan outlining steps taken by seller to remedy said hazards to the Borough's satisfaction at Sellers' expense.

Following the notice and report described in this Section, the Parties may negotiate other resolutions as may be agreeable to the Parties in writing to be included as a part of this Agreement. In the event the Parties cannot agree in writing on a resolution to remedy any environmental concerns within 90 days of the notice, this Agreement will automatically terminate.

It is expressly understood that, by execution of this Agreement, Sellers hereby indemnify the Borough for any and all CERCLA-related claims, liabilities or matters, unless otherwise provided for in this Agreement. Said indemnification will survive closing and termination of this Agreement. Upon successful close of escrow said indemnification will continue for a period

NK OK

Kenai Peninsula Borough, Alaska

N. Kuzmin / KPB – Purchase Agreement

Page 3 of 5

of not less than 12 months, from the date of closing unless otherwise provided for in this Agreement.

If this Agreement is terminated pursuant to any report detailing environmental conditions that may or may not exist on the Property, such report(s) will remain confidential and proprietary. The report(s) will be marked as confidential and will not be released to a private individual, entity, or non-profit without express agreement of the Parties hereto. Notwithstanding, the report will be released pursuant to a valid court order and may be released to the State of Alaska upon request.

12. ENTIRE AGREEMENT

This Agreement and the documents referred to herein contain the entire agreement of the Parties with respect to the subject matter hereof. Any changes, additions or deletions hereto must be made in writing and signed by both the Borough and Sellers or their respective successors in interest. Provisions of this Agreement, unless inapplicable on their face, will be covenants constituting terms and conditions of the sale, and will continue in full force and effect until the purchase price is paid in full or this Agreement is earlier terminated.

13. BREACH REMEDY

Prior to closing of the sale, in the event that the Borough or Sellers fail to make any payment required, or fail to submit or execute any and all documents and papers necessary for closing and transfer of title within the time period specified in this Agreement, the Sellers or the Borough may terminate this Agreement.

14. MISCELLANEOUS

- A. Time. Time is of the essence in performance of this Agreement.
- B. Cancellation. This Agreement, while in good standing, may be canceled in whole or in part, at any time, upon mutual written agreement by Sellers and the KPB Mayor. This Agreement is subject to cancellation in whole or in part if improperly issued through error in procedure or with respect to material facts. The Borough may cancel this Agreement without penalty in the event additional contracts required of this project are not secured.
- C. Notice. Any notice or demand, which under the terms of this Agreement or under any statute must be given or made by the Parties thereto, must be in writing, and be given or made by registered or certified mail, addressed to the other party at the address shown on the contract. However, either party may designate in writing such other address to which such notice of demand may thereafter be so given, made or mailed. A notice given hereunder will be deemed received when deposited in a U.S. general or branch post office by the addressor.
- D. Interpretation. This Agreement will be deemed to have been jointly drafted by the Parties. It will be construed according to the fair intent of the language as a whole, not for or against either Party. The interpretation and enforcement of this Agreement will be governed by the laws of the State of Alaska. Any lawsuit

NK OK

Kenai Peninsula Borough, Alaska

brought arising from this Agreement must be filed in the superior court of the Third Judicial District, State of Alaska, located in the City of Homer, Alaska. The titles of sections in this Agreement are not to be construed as limitations of definitions but are for identification purposes only.

- E. Condition of Property. Sellers will deliver the Property in its as-is condition.
- F. Confidentiality. This Agreement will be considered proprietary to the Parties until closing occurs. Following closing, this Agreement may be considered a public record.
- G. Counterparts. This Agreement may be executed in counterpart, and may be executed by way of copy, facsimile or verified electronic signature in compliance with AS 09.80, and if so, each of which will be deemed an original but all of which together will constitute one and the same instrument

This Agreement has been executed by the Parties on the day and year first above written.

KENAI PENINSULA BOROUGH:

SELLERS:

Peter A. Micciche, Mayor



8/18/2023

Nikita Z. Kuzmin



9/5/2023

Olempiada Kuzmin

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Michele Turner, CMC
Borough Clerk

A. Walker Steinhage
Deputy Borough Attorney

DESK PACKET

(MATERIALS SUBMITTED AFTER MEETING PACKET PUBLICATION)

E. NEW BUSINESS

- 2. Resolution 2024-XX: Authorizing the acquisition of real property located in Kachemak Selo, Alaska for school purposes.**

Kenai Peninsula Borough

Planning Department – Land Management Division

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

THRU: Peter A. Micciche, Mayor *PM*
Brandi Harbaugh, Finance Director *BH*
Elizabeth Hardie, Grant Administrator *EH*
John Hedges, Purchasing and Contracting Director *JH*
Robert Ruffner, Planning Director *RR*

FROM: Aaron Hughes, Land Management Officer *AH*

DATE: June 6, 2024

RE: Resolution 2024-____, Authorizing the Acquisition of Real Property Located in Kachemak Selo, Alaska for Future School Purposes (Mayor)

The Kenai Peninsula Borough School District (“KPBSD”) provides educational instruction to students within the Kachemak Selo attendance area. The existing school facilities in Kachemak Selo consist of residential structures currently under lease by KPBSD. These leased structures are deficient for school purposes, with one existing facility having been decommissioned due to safety concerns.

The Kenai Peninsula Borough (“KPB”) has been awarded \$10,010,000 in Department of Education and Early Development (“DEED”) funding for the Kachemak Selo School Project.

In 2014, a school site selection committee recommended an alternate school site that was later deemed not viable due to geotechnical findings. The parcel proposed for acquisition currently houses the existing decommissioned leased facility.

KPB does not own lands within the Kachemak Selo community that would satisfy the needs of the project. Acquisition of the proposed parcel will provide KPB land in Kachemak Selo to develop options suitable to address current and future needs for siting of a future school.

The acquisition of a proposed parcel is an important step towards satisfying the educational needs of the community. The Resolution authorizes the acquisition at a total price of \$160,000.00 to include title / closing costs, and due diligence fees.

Your consideration of the Resolution is appreciated.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.: <u>400.71065.KSELO.48610</u>	
Amount : <u>\$160,000.00</u>	
By: <u><i>CJ</i></u>	Date: <u>6/6/2024</u>

Introduced by: Mayor
Hearing: 06/18/2024
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2024-**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY
LOCATED IN KACHEMAK SELO, ALASKA FOR SCHOOL PURPOSES**

WHEREAS, the Kenai Peninsula Borough School District (“KPBSD”) currently delivers education instruction in the community of Kachemak Selo in private residential structures leased by KPBSD; and

WHEREAS, the leased structures are deficient for school purposes; and

WHEREAS, the State of Alaska Department of Education and Early Development (“DEED”) mandates education by “Attendance Areas” determined by DEED; and

WHEREAS, the community of Kachemak Selo is in the DEED Kachemak Attendance Area; and

WHEREAS, unlike other communities within the Kenai Peninsula Borough (“KPB”), Kachemak Selo is not served by public roads, public docks or public airports capable of supporting public facilities; and

WHEREAS, Kachemak Selo is within one mile of the communities of Razdolna and Vosnesenka, which are served by publicly maintained roads; and

WHEREAS, Kachemak Selo is accessed privately through Razdolna and Vosnenka by way of steep trails, beginning from the end of East End Road along a narrow switchback and along the coastal beach to a crossing at Swift Creek to the isolated public road rights-of-way platted through the Kachemak Selo Subdivision; and

WHEREAS, a school site selection committee (“SSSC”) for the Kachemak Attendance Area recommended a school site location in Kachemak Selo through a memo dated May 8, 2014; and

WHEREAS, the site identified by the SSSC was deemed not viable due to poor geotechnical findings; and

WHEREAS, the subject site is the location of the residential structures that were used for school purposes but have since been decommissioned; and

WHEREAS, KPB has been awarded \$10,010,000 in DEED funding for the Kachemak Selo School Project; and

WHEREAS, KPB Funding Ordinance 2018-19-25 appropriated \$10,010,000 from DEED for the Kachemak Selo School Project; and

WHEREAS, Resolution 2023-076, which established KPB’s State Capital Project Priorities for 2024, includes the Kachemak Selo Community Center project, which recommends converting the \$10,867,503 in DEED funding to a Department of Commerce, Community and Economic Development (“DCCED”) Grant to be used for a community center to provide for the dual purposes of community needs and use as an education facility to address the academic needs of the community; and

WHEREAS, Resolution 2024-008 requested that the Alaska State Legislature transfer the grant awarded to KPB for construction of a school facility in Kachemak-Selo from DEED to DCCED in order to better address current development needs; and

WHEREAS, the acquisition of the subject property could serve a capital project as either a DEED school site or DCCED community center; and

WHEREAS, by letter dated March 5, 2024, the independent appraisal requirement under the DEED Grant Terms has been formally waived by DEED due to the lack of comparable market transactions necessary to determine an accurate appraisal value; and

WHEREAS, the KPBSD Board of Education, at its regular meeting of June 3, 2024, recommended approval of this resolution; and

WHEREAS, the Kenai Peninsula Borough Planning Commission, at its regular meeting of June 10, 2024, recommended _____;

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

SECTION 1. That the Assembly finds that purchasing the following-described real property pursuant to KPB 17.10.040 is in the best interest of KPB:

LOT THIRTY-SIX (36), KACHEMAK SELO, ACCORDING TO PLAT NO. 2002-43, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA (PARCEL NO. 185-212-36)

SECTION 2. That the terms and conditions substantially in the form of the purchase agreement accompanying this Resolution are hereby approved.

SECTION 3. That the purchase price is \$150,000.00, subject to the terms of the purchase agreement, plus title and closing costs, and due diligence fees not to exceed \$10,000.00.

SECTION 4. That this acquisition is for the purposes of siting a school or community center that can be used for academic instruction by KPBSD.

SECTION 5. That the above-described land is classified under KPB 17.10.080 as “Institutional”.

SECTION 6. That the Mayor is authorized to execute any and all documents necessary to purchase the real property described in Section 1 in accordance with the terms and conditions contained in this Resolution.

SECTION 7. That previously appropriated funds, not to exceed \$160,000, are available in the Capital Project Fund account 400.71065.KSELO.48610, for the acquisition of the real property listed in Section 1.

SECTION 8. That this Resolution is effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
THIS ___ DAY OF _____, 2024.**

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

PURCHASE AGREEMENT

This Purchase Agreement (“Agreement”) is made by and between NIKITA Z. KUZMIN AND OLEMPIADA KUZMIN, as sellers, whose address is PO Box 1542, Delta Junction, Alaska 99737, (jointly, "Sellers") and the KENAI PENINSULA BOROUGH, an Alaska municipal corporation, as buyer, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 (“Borough” or "KPB") (together, “the Parties”).

WHEREAS, Sellers are the owners of that real property located in the Homer Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

LOT THIRTY-SIX (36), KACHEMAK SELO, ACCORDING TO PLAT NO. 2002-43, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA. (PARCEL NO. 185-212-36) (“the Property”); and

WHEREAS, the Borough has offered to buy, and Sellers are willing to sell the Property as evidenced by this Agreement;

NOW THEREFORE, in consideration of the conditional promises herein contained, Sellers hereby agree to sell to the Borough, and the Borough hereby agrees to buy from Sellers, the Property on the terms and conditions as set forth below:

1. PURCHASE PRICE

The purchase price of the Property is One Hundred Fifty Thousand Dollars and NO cents (\$150,000.00), subject to independent appraisal, completed as-built survey, and satisfactory inspection. The purchase price must be paid by the Borough at time of closing. The purchase of the property and appropriation of funding for the purchase are subject to approval by the KPB Assembly.

The above purchase price is contingent on the satisfactory removal of the building improvements from the property prior to the close of escrow. In the event the improvements are not removed prior to closing the purchase price will be reduced to One Hundred thousand Dollars (\$100,000.00). In the event the improvements are not removed prior to closing, all personal property contained within or related to the improvements will be conveyed by bill of sale at the time of closing free of any claims or encumbrances.

2. EXPIRATION OF OFFER

Sellers must sign and return this Agreement to the Borough on or before **September 4, 2023;** otherwise, this offer shall terminate.

Kenai Peninsula Borough, Alaska

N. Kuzmin / KPB – Purchase Agreement

3. TITLE

Title must be delivered at time of closing by statutory warranty deed, which must be issued to the Borough. Sellers warrant and covenant that at the time of closing there will be no liens or judgments recorded against Sellers in the same recording district in which the Property subject to this Agreement is situated. Title must be clear of liens and encumbrances except title is subject to reservations, easements, rights-of-way, covenants, conditions and restrictions of record as agreed to by buyer.

4. ESCROW AND CLOSING COSTS

Except as described in this Section, in addition to the purchase price, the Borough agrees to pay for buyer-related closing costs in connection with this Agreement, including appraisal and inspection fees. Sellers agree to pay for seller-related closing costs, including the ALTA owner's policy of title insurance and as-built survey. Property taxes for the current year, if any, will be prorated to the date of closing. Sellers are responsible for realtor's commission, if any; all unpaid taxes for prior years, if any; and all unpaid outstanding assessments, if any. All costs will be paid in full at the time of closing.

5. CLOSING

Unless otherwise agreed to in writing, closing will occur within 90 days, or as specifically agreed to by both Parties. At closing, the Borough will pay the balance of the purchase price. Both Parties will execute all documents required to complete the Agreement and, if applicable, establish an escrow account.

6. POSSESSION

Possession will be delivered to the Borough at time of recording unless otherwise agreed to in writing by all Parties.

7. KENAI PENINSULA BOROUGH ASSEMBLY APPROVAL

Purchase of the Property by the Borough is subject to authorization by the KPB Assembly and appropriation of funds. If the KPB Assembly fails to authorize the purchase of the subject land and appropriate funds, this Agreement will terminate without penalty.

8. DISCLOSURES

Sellers hereby agree to provide property disclosures including any and all information regarding known defects, deficiencies, legal matters, environmental issues or hazards, that may be personally known by the Sellers in writing. If said disclosures present a matter unsatisfactory to the Borough, the Borough may terminate this Agreement without penalty.

9. CONTINGENT ON INSPECTION

This offer and Agreement are contingent upon the completion of a property inspection satisfactory to the Borough for its use and at the Borough's expense. Sellers must, upon reasonable notice, provide access to the Property for inspection purposes to the Borough and its

NK OK

Kenai Peninsula Borough, Alaska

N. Kuzmin / KPB – Purchase Agreement

representatives. Any invasive inspection procedures require Sellers' express permission and must be promptly repaired or replaced by the Borough in a workman-like manner. The Borough will have 60 days from the execution of this Agreement to complete inspections and determine its satisfaction unless otherwise provided in writing.

10. HAZARDOUS MATERIAL

Sellers covenant to the best of Sellers' knowledge, that as of the date of this Agreement, except as specifically identified herein, the Property is free of all contamination from petroleum products or any hazardous substance or hazardous waste, as defined by applicable state or federal law, and there are no underground storage tanks or associated piping on the Property. Seller agrees that no hazardous substances or wastes will be located on or stored on the Property, or any adjacent property owned or leased by the Seller, owner or contractors, nor will any such substance be owned, stored, used, or disposed of on the Property or any adjacent property by Sellers, their agents, employees, contractors, or invitees, prior to the Borough's ownership, possession, or control of the Property.

11. ENVIRONMENTAL CONTINGENCY

If during the course of the Borough's due diligence inspection of the Property pursuant to Section 9, the Borough discovers the presence of environmental hazards on or released from the Property in any quantity or concentration exceeding the limits allowed by applicable law, or that are deemed undesirable by the Borough, the Borough will have the right to give notice to Sellers, accompanied by a copy or copies of the Third-Party Report(s) disclosing and confirming the presence of such hazardous materials. The notice and accompanying Third-Party Report must be given no later than 60 days from receipt of said report. The notice under this section must state:

- (i) that the Borough is terminating this Agreement due to the presence of such hazardous materials on or adversely affecting the Property; OR
- (ii) provide Sellers 30 days from notice to provide a mitigation plan outlining steps taken by seller to remedy said hazards to the Borough's satisfaction at Sellers' expense.

Following the notice and report described in this Section, the Parties may negotiate other resolutions as may be agreeable to the Parties in writing to be included as a part of this Agreement. In the event the Parties cannot agree in writing on a resolution to remedy any environmental concerns within 90 days of the notice, this Agreement will automatically terminate.

It is expressly understood that, by execution of this Agreement, Sellers hereby indemnify the Borough for any and all CERCLA-related claims, liabilities or matters, unless otherwise provided for in this Agreement. Said indemnification will survive closing and termination of this Agreement. Upon successful close of escrow said indemnification will continue for a period

NK OK

Kenai Peninsula Borough, Alaska

N. Kuzmin / KPB – Purchase Agreement

Page 3 of 5

of not less than 12 months, from the date of closing unless otherwise provided for in this Agreement.

If this Agreement is terminated pursuant to any report detailing environmental conditions that may or may not exist on the Property, such report(s) will remain confidential and proprietary. The report(s) will be marked as confidential and will not be released to a private individual, entity, or non-profit without express agreement of the Parties hereto. Notwithstanding, the report will be released pursuant to a valid court order and may be released to the State of Alaska upon request.

12. ENTIRE AGREEMENT

This Agreement and the documents referred to herein contain the entire agreement of the Parties with respect to the subject matter hereof. Any changes, additions or deletions hereto must be made in writing and signed by both the Borough and Sellers or their respective successors in interest. Provisions of this Agreement, unless inapplicable on their face, will be covenants constituting terms and conditions of the sale, and will continue in full force and effect until the purchase price is paid in full or this Agreement is earlier terminated.

13. BREACH REMEDY

Prior to closing of the sale, in the event that the Borough or Sellers fail to make any payment required, or fail to submit or execute any and all documents and papers necessary for closing and transfer of title within the time period specified in this Agreement, the Sellers or the Borough may terminate this Agreement.

14. MISCELLANEOUS

- A. Time. Time is of the essence in performance of this Agreement.
- B. Cancellation. This Agreement, while in good standing, may be canceled in whole or in part, at any time, upon mutual written agreement by Sellers and the KPB Mayor. This Agreement is subject to cancellation in whole or in part if improperly issued through error in procedure or with respect to material facts. The Borough may cancel this Agreement without penalty in the event additional contracts required of this project are not secured.
- C. Notice. Any notice or demand, which under the terms of this Agreement or under any statute must be given or made by the Parties thereto, must be in writing, and be given or made by registered or certified mail, addressed to the other party at the address shown on the contract. However, either party may designate in writing such other address to which such notice of demand may thereafter be so given, made or mailed. A notice given hereunder will be deemed received when deposited in a U.S. general or branch post office by the addressor.
- D. Interpretation. This Agreement will be deemed to have been jointly drafted by the Parties. It will be construed according to the fair intent of the language as a whole, not for or against either Party. The interpretation and enforcement of this Agreement will be governed by the laws of the State of Alaska. Any lawsuit

NK OK

Kenai Peninsula Borough, Alaska

brought arising from this Agreement must be filed in the superior court of the Third Judicial District, State of Alaska, located in the City of Homer, Alaska. The titles of sections in this Agreement are not to be construed as limitations of definitions but are for identification purposes only.

- E. Condition of Property. Sellers will deliver the Property in its as-is condition.
- F. Confidentiality. This Agreement will be considered proprietary to the Parties until closing occurs. Following closing, this Agreement may be considered a public record.
- G. Counterparts. This Agreement may be executed in counterpart, and may be executed by way of copy, facsimile or verified electronic signature in compliance with AS 09.80, and if so, each of which will be deemed an original but all of which together will constitute one and the same instrument

This Agreement has been executed by the Parties on the day and year first above written.

KENAI PENINSULA BOROUGH:

SELLERS:

Peter A. Micciche, Mayor



8/18/2023

Nikita Z. Kuzmin



9/5/2023

Olempiada Kuzmin

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Michele Turner, CMC
Borough Clerk

A. Walker Steinhage
Deputy Borough Attorney



Agenda Item Details

Meeting	Jun 03, 2024 - Board of Education Meeting
Category	13. Action Items
Subject	B. Acquisition of Real Property for Educational Purposes for a School in the Village of Kachemak-Selo
Type	Action
Recommended Action	Move to support the Borough Assembly in the approval of the real property acquisition of LOT THIRTY-SIX (36), KACHEMAK SELO, ACCORDING TO PLAT NO. 2002-43, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA (PARCEL NO. 185-212-36) located in Kachemak-Selo, Alaska for School Purposes.

Goals

Background Information: The Kenai Peninsula Borough School District currently delivers education instruction in the community of Kachemak-Selo and needs a new school in the Kachemak attendance area. KPB Ordinance 2018-19-25 appropriated \$10,010,000 from Department of Education and Early Development (DEED) for the Kachemak Selo School Project and this property acquisition has been approved by the DEED with an appraisal waiver. LOT THIRTY-SIX (36), KACHEMAK SELO, ACCORDING TO PLAT NO. 2002-43, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA (PARCEL NO. 185-212-36) is the site of the middle / high school, and considering geotechnical results, make it the proper location for the New Kachemak-Selo K-12 school.

[1_K-Selo School Land Acquisition MEMO.pdf \(65 KB\)](#)

[2_K-Selo School Land Acquisition RESO Deed Funded.pdf \(21 KB\)](#)

[FWD_ Complete with DocuSign_ N. Kuzmin PA_ws8.15.23.docx Purchase Agreement.pdf \(236 KB\)](#)

[Map.pdf \(371 KB\)](#)

Motion & Voting

Move to support the Borough Assembly in the approval of the real property acquisition of LOT THIRTY-SIX (36), KACHEMAK SELO, ACCORDING TO PLAT NO. 2002-43, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA (PARCEL NO. 185-212-36) located in Kachemak-Selo, Alaska for School Purposes.

Motion by Matt Morse, second by Penny Vadla.

Final Resolution: Motion Carried

Yes: Tim Daugharty, Zen Kelly, Virginia Morgan, Matt Morse, Patti Truesdell, Penny Vadla, Kelley Cizek, Dianne MacRae

Not Present at Vote: Jason Tauriainen

Introduced by:	Mayor
Date:	01/08/19
Hearing:	01/22/19
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2018-19-25**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$10,010,000 FROM THE
STATE OF ALASKA DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT
FOR THE KACHEMAK SELO NEW K-12 SCHOOL CONSTRUCTION PROJECT**

- WHEREAS,** the borough requested funding for the Kachemak Selo New K-12 School Construction Project (“Project”) through the Alaska Department of Education & Early Development (“DEED”), School Construction Grant Fund for fiscal year 2016/2017; and
- WHEREAS,** the State of Alaska 29th Legislature passed Senate Bill 138 during the 2016 Fourth Special Session, appropriating \$10,867,503 to DEED for the Project; and
- WHEREAS,** DEED reduced the grant award to \$10,010,000 based upon student population projections; and
- WHEREAS,** the DEED grant requires a 35 percent match of \$5,390,000 through cash, in-kind or a combined contribution; and
- WHEREAS,** borough ordinance 2018-19-02 approved and appropriated the DEED grant subject to voters’ approval of the ballot proposition in ordinance 2018-21; and
- WHEREAS,** the borough proposition asking approval to issue not to exceed \$5,450,000 of general obligation bonds to pay the local required match portion failed at the regular election on October 2, 2018; and
- WHEREAS,** the DEED grant agreement must be signed prior to requesting a performance period extension of seven years, which will allow the borough time to secure the required 35 percent match; and
- WHEREAS,** assembly approval is required for the mayor to sign the DEED grant agreement and to appropriate the grant funds; and
- WHEREAS,** it is in the best interests of the borough to accept these funds and seek funds for the local match;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:


SECTION 1. That the mayor is authorized to accept the \$10,010,000 grant from the Alaska Department of Education & Early Development, School Construction Grant Fund.

SECTION 2. That the grant funds in the amount of \$10,010,000 are hereby appropriated to account no. 400.71065.KSELO.49999 – Project Account.

SECTION 3. That the mayor is authorized to execute a project grant agreement and any other documents deemed necessary to accept and expend the grant in accordance with the grant requirements, and to fulfill the intents and purposes of this ordinance.

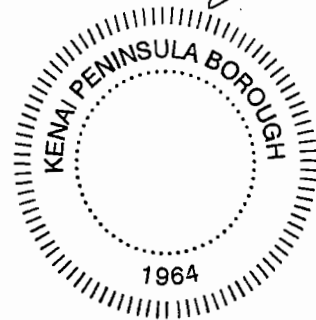
SECTION 4. This ordinance shall become effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 22ND DAY OF JANUARY, 2019.


Wayne H. Ogle, Assembly President

ATTEST:


Jonni Blankenship, MMC, Borough Clerk



Yes: Bagley, Blakeley, Carpenter, Cooper, Dunne, Fischer, Hibbert, Smalley, Ogle
No: None
Absent: None

Introduced by: Mayor
Date: 11/07/23
Action: Adopted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2023-076**

**A RESOLUTION ESTABLISHING THE KENAI PENINSULA BOROUGH’S STATE
CAPITAL PROJECT PRIORITIES FOR THE YEAR 2024**

WHEREAS, the State of Alaska’s Thirty-Third Legislature, First Regular Session, will consider adoption of the State’s operating and capital budget during the session convening January 17, 2024; and

WHEREAS, the Assembly finds it is in the best interest of the Kenai Peninsula Borough (“Borough”) to establish priorities for capital projects which can be submitted to the State for possible funding;


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

SECTION 1. That the Borough priorities for capital projects for the year 2024, as shown in the document entitled, “Kenai Peninsula Borough State Funding Priorities – 2024,” on file in the Clerk’s Office, are hereby adopted.

SECTION 2. That a copy of this resolution and accompanying priority list shall be provided to Governor Dunleavy and all legislators representing the Kenai Peninsula Borough.

SECTION 3. That this resolution is effective immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF NOVEMBER, 2023.


Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk



Yes: Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson

No: None

Absent: None

Introduced by:	Mayor, Assembly
Date:	02/27/24
Action:	Adopted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2024-008**

A RESOLUTION REQUESTING THE STATE LEGISLATURE TRANSFER A GRANT AWARDED TO THE KENAI PENINSULA BOROUGH FOR CONSTRUCTION OF A SCHOOL FACILITY IN KACHEMAK-SELO FROM THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT TO THE DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT

WHEREAS, the process to build a new school facility for the Kachemak-Selo community began in 2012 when Kachemak-Selo residents submitted a petition to KPBSD Board of Education requesting improved school facilities; and

WHEREAS, in 2016, following the enactment of Senate Bill 138, the Kenai Peninsula Borough (KPB) was awarded a grant by the State of Alaska (State) through the Department of Education and Early Development (DEED) for the planning, design, construction and equipping of a new K-12 school facility in Kachemak-Selo under AS 14.11.005; and

WHEREAS, the State initially approved an eligible amount of \$16,719,236 including a State grant of \$10,867,503 and a required local match of \$5,851,733 pursuant to AS 14.11.008; and

WHEREAS, DEED reduced the grant award to \$10,010,000 due to student population projections; and

WHEREAS, pursuant to AS 14.11.008, DEED requires a 35 percent match of \$5,390,000 through cash, in-kind or a combined contribution; and

WHEREAS, Ordinance 2018-19-02 approved and appropriated the DEED grant subject to voters' approval of the ballot proposition in Ordinance 2018-21 seeking voter approval to issue \$5,450,000 of general obligation bonds to pay the required local match;

WHEREAS, the ballot proposition to pay the local required match failed at the regular election on October 2, 2018; and

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

SECTION 1. That the Assembly requests the Alaska State Legislature transfer grant GR-17-001 (Kachemak Selo New K-12 School Construction) from the Department of Education and Early Development (DEED) to the Department of Commerce, Community & Economic Development (DCCED).

SECTION 2. The Mayor is hereby authorized to execute all documents and make all agreements deemed necessary to effectuate the intent of this resolution.

SECTION 3. That the Clerk will provide a copy of this resolution to the State Legislature.

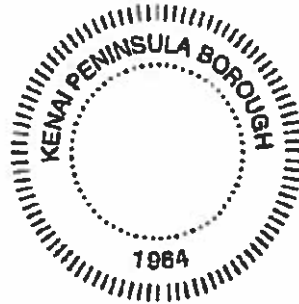
SECTION 4. This resolution shall become effective immediately.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 27TH DAY FEBRUARY 2024.

Brent Johnson
Brent Johnson, Assembly President

ATTEST:

Michele Turner
Michele Turner, CMC, Borough Clerk



Yes: Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson
No: None
Absent: None

KENAI PENINSULA BOROUGH

State Funding Priorities 2024



Brent Johnson
Assembly President

Peter A. Micciche
Borough Mayor

Compiled and Produced by:

Kenai Peninsula Borough Clerk's Office
144 North Binkley Street
Soldotna, Alaska 99669
(907) 714-2160 Tel
(907) 714-2388 Fax

See this document on the web: <http://www.kpb.us>
using the Assembly/Clerk link ~ Legislative Priorities

Table of Contents

KENAI PENINSULA BOROUGH CAPITAL PRIORITIES

Administrative Letter to the Legislature..... 1

The following are the Ranking Capital Priorities of the Kenai Peninsula Borough:

- 1. Seward / Sterling Hwy Corridor Critical Communications Upgrades 2
- 2. Emergency Services 4
- 3. Substandard Road Improvements..... 5

OTHER BOROUGH CAPITAL PRIORITIES

- Kachemak Selo Community Center 6
- Maintenance Shop Expansion 7
- Solid Waste Transfer Site Improvements..... 8

ROADS

- Kasilof River Drift Boat Take-Out Access Road Improvements and Paving..... 9
- Rainbow Drive and Kosta Road Improvements..... 10
- Bridges and Culverts..... 11

SERVICE AREAS

- Bear Creek Fire Service Area (Fire Station Asphalt Surfacing) 12
- Bear Creek Fire Service Area (Fire Station Living Quarters) 14
- Central Emergency Service Area (Fire Station Replacement) 16
- Kachemak Emergency Service Area (Station #1 & #2 Renovations) 18
- Western Emergency Service Area (Station 3 Renovations) 20
- Western Emergency Service Area (Ambulance Replacement) 22

UNINCORPORATED COMMUNITIES

- Anchor Point (Senior Housing) 24
- Cooper Landing (Building Maintenance and Repairs) 26
- Diamond Ridge (Recreation Site Facility Improvements) 28
- Fox River (Caribou Lake Trail Access Mats) 30
- Fritz Creek (Ski Trail Grooming Equipment) 32
- Funny River (Community Center Upgrade to Emergency Center) 34
- Funny River (Community Center Outside Toilets) 36
- Hope (Public Parking Lot) 38
- Hope (Safety Path)..... 40
- Kasilof (Yukon Road)..... 42
- Lowell Point (Caines Head State Recreation Parking Lot Expansion)..... 44
- Lowell Point (Emergency Shelter Improvements)..... 46
- Moose Pass (Community Hall Parking Lot Drainage) 48
- Moose Pass (Clean Water and Renewable Power Study) 50
- Ninilchik (Kitchen Remodel and Expansion) 52
- Ninilchik (Alice Avenue over Ninilchik River) 54
- Sterling (Senior Center and Septic System) 56
- Sterling (Community Center Furnishings and Equipment) 58



Kenai Peninsula Borough

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

November 7, 2023

Dear State Legislators:

This document contains the Kenai Peninsula Borough's funding priorities for the 2024 legislative session. The booklet contains priorities for the borough, the school district, our service areas, and unincorporated communities. Schools and roads continue to be of paramount concern and are a recurring theme throughout our requests for state funding.

Each of the projects listed within this publication represents the needs of our communities as identified through the public process. The Borough Assembly, School Board, Service Area Boards, and Community Councils have conducted numerous public hearings and have taken into consideration all of the comments received in developing this list.

We hope you can fund projects both within your district and also those that will benefit the Kenai Peninsula Borough as a whole. We applaud your efforts and pledge our support to make this process productive and successful.

Respectfully,


Peter A. Micciche
Borough Mayor


Brent Johnson
Assembly President



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Seward/Sterling Highway Corridor Critical Communications Upgrades

Funding Recipient: Kenai Peninsula Borough

Project Name: Seward/Sterling Hwy Corridor Critical Communications Upgrades

Project Priority
Ranking:

1

Detailed Project Description and Justification:

The Kenai Peninsula Borough is requesting funding in the amount of \$5,900,000 to provide infrastructure along the Sterling and Seward Highway and surrounding areas to improve emergency communications.

Background & Justification

There are several sections of the Seward Highway within the Kenai Peninsula Borough where communications infrastructure is nonexistent. Much of the highway from the Hope Cutoff to Turnagain arm lacks coverage for cellular service or any other form of radio communication. This section of the Seward highway sees tens of thousands of travelers monthly, with thousands of visitors from out of state, or from other areas in Alaska.

The Kenai Peninsula Borough provides critical services to its residents and to thousands of Alaskans, US and international visitors every year. These services require reliable communications, for first responders and those agencies who directly support them.

The lack of connectivity along a heavily utilized highway corridor poses a real risk to public safety, where an accident may turn from serious to life threatening simply due to the lack of communications infrastructure.

Quantifying delay in emergency response is a multifaceted problem. If a motorist has to drive 20 minutes to get cell service to dial 911, that delay could drastically impact outcomes. Furthermore, after arriving on scene, if a first responder has to drive 20 minutes to ask for resources, or to call in a helicopter, these delays are compounded. Each step we take to reduce time to report or time to respond to changing conditions can have significant and lasting impact on public safety, both for the public and for first responders.

Traditionally, KPB has leaned on industry to provide communications and networking between Borough facilities. Because telecommunications infrastructure expansion has historically been facilitated through FCC subsidies, KPB worked with industry partners offering services tariffed with the Regulatory Commission of Alaska. These partners approached service delivery as public utilities, and were generally collaborative in serving KPB's needs, which often don't align with telecommunications market dynamics. (Most KPB locations are remote from population centers, and our service needs are disparate from residential subscribers). In recent years, as telecommunications companies have moved towards unregulated variants of their services, KPB's communications needs appear to be further afield from industry offerings.

The broader Kenai Peninsula Borough service area is a varied landscape of service availability, with some areas well provisioned and others completely devoid of service. The Kenai Peninsula Borough is well positioned to expand communications infrastructure availability in many areas where commercial interest is lacking.

Methodology

The Kenai Peninsula Borough is seeking funding to construct tower and telecommunications infrastructure at 6 locations throughout the borough, with the intention to increase resiliency and performance in communications to first responders as well as borough support operations. While these locations may not be of prime interest to telecommunications providers, those providers would almost certainly have a tangential interest in the resource, were it available.

KPB completed a study of communication coverage throughout the Kenai Peninsula Borough in 2020. With an eye on reducing time to report and respond, we will refine these recommendations and identify the most impactful infrastructure investment possible. All expenditures are anticipated to be completed by the end of the construction season of 2027.

Communications Infrastructure Projects:**Turnagain Pass Communications Platform - \$2,500,000**

Construct tower along the Seward Highway between the Hope Cutoff and Turnagain Arm with a focus on improving communications in the Turnagain Pass area. Installation would support multiple municipal or commercial partners, with a primary goal of reducing time to report and time to respond during emergency response. This project reflects the high probable cost for construction, along with the need for on-site power generation due to a lack of available power in the area. Ongoing maintenance and operating costs will be funded through a combination of leased space revenue and local support.

Kenai Central High School Auditorium multi-carrier rooftop - \$700,000

Construct carrier agnostic infrastructure atop KCHS auditorium (power, conduit, mounting, comm/rack space), as well as KPB dedicated backhaul to Central Peninsula Hospital in Soldotna.

Central Peninsula Hospital multi-carrier rooftop - \$650,000

Construct carrier agnostic infrastructure atop Central Peninsula Hospital River Tower (power, conduit, mounting, comm/rack space), as well as KPB dedicated backhaul to Kenai Central High School Auditorium in Kenai.

Central Peninsula Tower Location – Poppy Lane - \$850,000

Construct 125 - 180 foot, multi-carrier tower at KPB Poppy Lane facility, establishing dedicated backhaul from KPB Poppy Lane facility to KPB Binkley Administrative office. This location may also provide resilient communications to adjacent school facilities.

Nikiski Area Tower Location – Nikiski Fire Station 2 (or surrounding area) - \$850,000

Construct 125 - 180 foot, multi-carrier tower at NFSA Station 2, establishing dedicated backhaul between multiple NFSA facilities. KPB has several properties in this area which may also provide resilient communications to multiple school facilities in the Nikiski area.

Homer Area Tower Location – Kachemak Emergency Services Diamond Ridge station - \$850,000

Construct 125 - 180 foot, multi-carrier tower at KESA Station 2, establishing dedicated backhaul from this facility to Homer proper.

Funding Requested:	\$	5,900,000	Election District:	Senate:	C, D, S
Total Project Cost:	\$	6,400,000		House:	5, 6, 7, 8, 37
Local Match (if any):	\$	500,000			

CONTACT INFORMATION

Name, Title:	John Hedges, Purchasing and Contracting Director	Phone:	(907) 262-2037
Address:	47140 E. Poppy Lane	Fax:	(907) 714-2373
City, State Zip:	Soldotna, AK 99669	E-mail:	jhedges@kpb.us



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Fire and Emergency Medical Service Areas

Funding Recipient: Kenai Peninsula Borough

Project Name: Fire and Emergency Medical Funding Request

Project Priority
Ranking:

2

Detailed Project Description and Justification:

The Kenai Peninsula Borough is requesting funding in the amount of \$16,140,000 for emergency services, capital purchases and improvements area wide.

Background

The Kenai Peninsula Borough supports six fire and medical service areas in various locations across the Kenai Peninsula Borough. These service areas provide emergency fire, rescue, and medical services to a local population base of approximately 41,000 taxpayers, plus tens of thousands of other Alaskans and outside tourists, that is often dispersed over a large rural area and in remote or difficult to access locations. In addition to the 5 established services areas multiple volunteer organizations exist that provide support for the service areas themselves and regions that are not supported by a local tax base. Support across those organizational lines is common practice and funding constraints often complicates the delivery of critical services.

Justification

Due to the complicated nature of area wide EMS coverage in the Kenai Peninsula Borough shifting capital needs and funding limitations are common place. The Borough's role in ensuring adequate coverage over its vast rural area is critical to the health and life safety needs of the taxpayers. Flexible funding resources to address capital infrastructure and equipment needs, benefits all Kenai Peninsula taxpayers and Alaska residents that work and play on the Kenai Peninsula.

The service areas are funded by local property taxes to address the needs of the residents. Due to seasonal tourism associated with the dipnet fishery, cruise ship tourists and various others state-created demands, the demand on these service areas increase at peak times often quadrupling the local EMS service demand. As a result, the property owners of the Kenai Peninsula Borough are left with carrying the burden of those services and providing capital support in the form of facilities and equipment.

The volunteer organizations depend largely on private donations and support from the established service areas resulting in very limited resources, often in areas that demand wide spread coverage and a large influx of recreational visitors from Alaska and beyond.

Escalation, limited work force, increases in tourism, increases in outdoor recreation, and public resource access has led to a direct increase in demand on local fire, rescue and EMS services. Due to these steadily increasing services the resources necessary to continue to improve and replace capital equipment and infrastructure has been tapped for operational demands. The result is a strain on the available capital equipment and infrastructure improvements necessary to maintain the current quality of services.

The Kenai Peninsula Borough's population is an aging demographic and with that comes a higher demand for EMS services. Local and state tax exemptions for the benefit of the senior population also impacts our local property tax base and limits available resources for the necessary EMS services.

Methodology

Should funding be made available the Kenai Peninsula Borough Administration, in consideration of the requests from its EMS service areas and agencies, will prioritize and allocate resources area wide. Once allocations have been distributed competitive purchasing, design development practices, and competitive construction bidding governed by Borough code will ensure the most effective use of the funding. The needs driving the requested funding will ensure that the projects and procurements area expedited in the most effective way possible.

If funding is provided the Kenai Peninsula Borough will disperse funding to each service area based on their requested capital needs and the level of highest priority.

Funding Requested:	\$	16,140,000	Election District:	Senate:	C, D, S
Total Project Cost:	\$	18,590,000		House:	5, 6, 7, 8, 37
Local Match (if any):	\$	2,450,000			

CONTACT INFORMATION

Name, Title:	John Hedges, Purchasing and Contracting Director	Phone:	(907) 262-2037
Address:	47140 E. Poppy Lane	Fax:	(907) 714-2373
City, State Zip:	Soldotna, AK 99669	E-mail:	jhedges@kpb.us



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Kenai Peninsula Borough Road Service Area

Funding Recipient: Kenai Peninsula Borough – Road Service Area

Project Name: Kenai Peninsula Borough – Substandard Road Improvements

Project Priority
Ranking:

3

Detailed Project Description and Justification:

The Kenai Peninsula Borough is seeking \$10,000,000 to Improve roads currently maintained by the Kenai Peninsula Borough Roads Service Area (KPB RSA).

Background

The Kenai Peninsula Borough (KPB) - Road Service Area (RSA) provides for year-round maintenance of over 650 miles of Roads in the Kenai Peninsula Borough. Roughly, 98% of the Roads in the system are gravel surfaces. The majority of the roads in the system were adopted by the Kenai Peninsula Borough from the State of Alaska. The remaining were either adopted into the program by the property owners through a road maintenance application process, or constructed to current RSA standards then adopted in to the road maintenance program. Many roads throughout the borough did not meet RSA Standard Specifications when originally adopted but were “grandfathered” in to the services area based on a history of prior use. **To this day, the majority of the prioritized RSA projects are substandard residuals from the 1986 KPB state road adoption.**

Ordered priority is defined through use of the established RSA “Tier List”, that is generated by the department through operational assessments. Priority is outlined within the RSA’s tier list and further communicated annually in the KPB budget document, within the “Capital Improvements Project Detail” section under “Department 33950 - Road Service Area Capital Projects Fund” heading (Fund 434). The document displays project priorities along an estimated 5-year timeline, with progression of ordered projects moving up as some are funded each fiscal cycle. Within the “Fund 434” document, “unfunded capital projects”, beyond the estimated 5-year timeline are grouped and represented at the end of the document. The defined projects represent a much larger obligation than represented by this funding request. The total estimated cost of the current Capital improvement project Tier list is in excess of \$30 million over the next 10 years. Utilization of potential funds would follow the ordered project progression priority through the completion of as many projects as could be accomplished through their use.

Justification

On an annual basis, the KPB RSA spends approximately \$1.9 million on capital improvements with a focus on bringing all the roads under service area maintenance up to the most current RSA Standard Specifications. Projects are prioritized based on public safety, maintenance cost reduction, and quality improvements. The impacts of these improvements are area wide and serve to improve quality of life while lowering the cost of maintenance to the taxpayer for years to come. Funds will provide for the resolution of long-standing needs associated with many KPB roads; a number of which predate the road service authority of the KPB. With support, the rate at which the defined needs can be addressed will be expedited beyond the ability of the limited internal RSA funding sources available.

The service area is funded by local property taxes to address the needs of the residents. Due to seasonal tourism associated with the dipnet fishery, cruise ship tourists and various others state-created demands, the demand on these service areas increase at peak times often quadrupling the local demand. As a result, the property owners of the Kenai Peninsula Borough are left with carrying the burden of those services and providing capital support to maintain and improve local roads.

Methodology

If funding is made available The KPB and the RSA will immediately seek professional design services to prepare bid ready documents for construction. Projects will include in part, safety improvements, road embankment upgrades, drainage improvements, pavement rehabilitation, road realignments etc. The RSA has an established standard specification for road improvements that will help to expedite the design efforts and allow projects to be on the street for construction as early as 2024.

Funding Requested:	\$	10,000,000
Total Project Cost:	\$	56,000,000
Local Match (if any):	\$	9,500,000

Election District:	Senate:	C, D, S
	House:	5, 6, 7, 8, 37

CONTACT INFORMATION

Name, Title:	Scott Griebel, RSA Director
Address:	47140 E. Poppy Lane
City, State Zip:	Soldotna, AK 99669

Phone:	(907) 262-4427
Fax:	(907) 262-6090
E-mail:	sgriebel@kpb.us



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Kachemak Selo Community Center

Funding Recipient: Kenai Peninsula Borough

Project Name: Kachemak Selo Community Center

Project Priority
Ranking:

Detailed Project Description and Justification:

KPB is requesting the \$10,867,503 to build a community center that will function as the main center for all community functions to include community meetings, community athletic functions, and academic activities.

Background

Kachemak Selo does not currently have a functioning community center that meets all of the needs of the community. It is an economically depressed community and is in need of a new school system, and community center. The buildings that are used by the community are in poor condition with a broad range of deficiencies making them unfit for renovations, community meetings, activities, or an educational environment. Currently the three buildings total approximately 5,400 square feet of space. In addition to the poor facilities, the village of Kachemak Selo is isolated from the road system and the main access is a steep switchback trail that is generally only drivable with all-terrain vehicles. Due to the beach and tides, access by water is also difficult.

The Kenai Peninsula Borough (KPB) entered into DEED grant agreement for the total amount of \$15,400,000. The current agreement required a 35% match by KPB. If there were a community center in the community, the needs of the community at large would be met, funding from both State and Federal sources could be utilized, and the academic needs of the community could also be addressed.

Justification

The remote village of Kachemak Selo needs a community center that provides for community needs that include but are not limited to education, community gatherings, emergency shelter, arts and cultural programs. Conversion of the funds to a DCCED grant would allow KPB to move forward designing and constructing a community center in Kachemak Selo that would be used as an educational center for the school as well as other activities and needs for the community. This approach allows for a value analysis of the construction that will bring the project costs into an acceptable range. The program needs of a community center and an education facility are compatible. A dual-purpose facility is a more efficient use of funds. As indicated in the State Statutes for School Facility Planning and Construction, it addresses multiple community needs through one expenditure.

The limited road access available to Kachemak Selo further increases the complications and cost with the construction project. Feasibility of road access has not been comprehensively evaluated. Further investigation of soils and existing topography need further investigation to improve access for the community, reduce costs associated with living in the community and reduce KPB costs to maintain and provide services to the community.

Methodology

A team of design professionals would be used to value engineer the project with best practices from the construction industry to develop a project with an efficient footprint and construction methodology that captures our available funding threshold and meets the intent of the project goals.

Funding Requested:	\$	10,867,503	Election District:	Senate:	C
Total Project Cost:	\$	13,667,503		House:	6
Local Match (if any):	\$	2,800,000			

CONTACT INFORMATION

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Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Kenai Peninsula Borough Maintenance Shop

Funding Recipient: Kenai Peninsula Borough

Project Name: Kenai Peninsula Borough Maintenance Shop

Project Priority
Ranking:

Detailed Project Description and Justification:

The Kenai Peninsula Borough is requesting funding in the amount of \$4,000,000 for the Replacement of the Borough Maintenance Shop.

Background

The Kenai Peninsula Borough as part of their in-kind match to educational funding for the Kenai Peninsula School District operates an existing maintenance shop that services all Borough and School District rolling stock along with other minor equipment and mechanical needs. In addition to School District and general government use, in recent years agreements have been made to include local fire and emergency service equipment maintenance in the existing facility.

In 2022 an Educational Bond was passed by the voters that included a replacement and expansion of the existing School district related shop spaces to address short falls in capacity with the existing infrastructure.

Justification

In 2022 an educational bond was passed by the voters that included a replacement and expansion of the existing School district related shop spaces to address short falls in capacity with the existing infrastructure.

Due to unanticipated high construction cost escalation and project budget overruns the maintenance shops scope is being deprioritized due to the needs for more directly related educational infrastructure projects. In clear terms, projects that directly benefit students are of the highest priority.

The Maintenance shop replacement project will improve quality of service not only to the interests of the school district but general government and service areas for years to come. Is intent also addresses safety concerns with EMS equipment operations that currently require Mechanics to work alone at times. The consolidated service needs will also increase efficiencies in cost by allowing for overlapping uses with equipment, tools and facilities.

Methodology

Should funding be made available the Kenai Peninsula Borough will complete the design effort for the project and target a 2025 construction project with an invitation to bid being released in the early winter of 2024. Substantial completion would be anticipated to take place in the second quarter of 2025.

Funding Requested:	\$	4,000,000	Election District:	Senate:	C, D, S
Total Project Cost:	\$	5,000,000		House:	5, 6, 7, 8, 37
Local Match (if any):	\$	1,000,000			

CONTACT INFORMATION

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Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Solid Waste Transfer Site Improvements

Funding Recipient: Kenai Peninsula Borough

Project Name: Solid Waste Department – Transfer Site Improvements

Project Priority
Ranking:

Detailed Project Description and Justification:

The Kenai Peninsula Borough is seeking \$1,900,000 to improve transfer facilities in various location across the Borough.

Background

The Kenai Peninsula Borough (KPB) Solid Waste Department is responsible for developing and implementing programs for disposal of all solid waste generated within the Borough in an economically feasible and environmentally responsible manner. Transfer sites for collection of waste at various locations around the Borough allow for the public to dispose of their waste close to their residence so that Solid Waste can have it hauled to the landfill for final disposal or through other methods for items such as recyclables.

The transfer station in Hope is currently located on land owned by the Department of Natural Resources (DNR). They have requested that the transfer site on their land be relocated to vacate their property. A new site has been selected on KPB owned land within Hope to complete the relocation project.

The transfer stations in Ninilchik and McNeil Canyon are undersized for their current usage. Both could be expanded to allow for placement of additional dumpsters on site to better service the public. The McNeil Canyon site is lacking Z-wall infrastructure present at several other transfer sites that allow for placement of dumpsters and ease of disposal for the public. There has been significant residential construction in the McNeil Canyon area to the east of Homer that has caused increased use of the site.

Other transfer sites could use funding for repairing fencing infrastructure, expanding Z-walls, increasing security and surveillance, or purchasing new dumpsters for recycling and waste disposal. These improvements would all provide a benefit to Borough residents by improving the level of service we provide to the public.

Transfer site infrastructure is difficult to size and maintain for the variability we see in waste volumes throughout the year. We see variations in population from residents that leave during the winter, but mainly from tourism and recreation on the Kenai Peninsula. This includes residents from Alaska traveling to our Borough to enjoy the area, people flying in for vacations and the cruise ship industry that all create additional strain on our infrastructure. Our peak months in May, June and July, we can haul more than double the amount of waste from transfer sites than we handle in February. Dumpsters will fill up and need to be hauled daily and this fluctuation is difficult to handle with current limited infrastructure.

Justification

KPB Solid Waste is committed to providing solid waste programs for disposal across the peninsula. Costs for this relocation have been developed from past transfer site construction project and will pay for site improvements for placement of dumpsters, public parking, site safety and site security. The most recent transfer facility was constructed by the Borough in 2021 for a cost of \$568,187.50. This cost excludes design and Borough project administration costs.

Methodology

Should funding be made available, the Kenai Peninsula Borough would immediately begin a design project to properly design the sites for public access, commercial hauling, drainage, security and safety. After design is completed, the project would be bid for construction as soon as feasible.

Funding Requested:	\$	1,900,000	Election District:	Senate:	C, D, S
Total Project Cost:	\$	2,100,000		House:	5, 6, 7, 8, 37
Local Match (if any):	\$	200,000			

CONTACT INFORMATION

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Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Kenai Peninsula Borough Roads Service Area

Funding Recipient: Kenai Peninsula Borough

Project Name: Kasilof River Drift Boat Take-Out – Access Road Improvements and Paving

Project Priority
Ranking:

Detailed Project Description and Justification:

The Kenai Peninsula Borough is seeking \$1,961,820 for road improvements and paving at the site of the new proposed Kasilof River Drift Boat take-out project.

Background

The Kasilof River State Recreation Site boat launch, located at mile 109.4 on the Sterling Highway, provides a put-in and ramp, but there is no public takeout available on the lower portion of the river. The Division has received comments from the public since the late 1980s regarding the lack of a public retrieval on the river. Concerns intensified in 2007 when a popular private boat retrieval site announced that they would be closing the following year.

The Division of Parks and Outdoor Recreation (DPOR) has received capital improvement funds to develop a public drift boat take-out on the lower Kasilof River in an effort to address increasing demand for this type of facility on the popular drift-only fishing portion of the river. Phase 1 of the project was completed in 2015 and included the acquisition of two adjoining parcels, property investigation, site planning, and preliminary permitting. In preparation for the development of the site, Phase 2 was completed in 2017 to remove unnecessary debris and undesirable facilities. Phase 3 will be a construction contract to develop the site in preparation to open for public use, with design currently in progress and construction beginning in 2024.

The location selected for the new launch is centered in an existing rural subdivision in the Kasilof area. Local residents have expressed concerns about impact to the existing roads and the existing road's ability to support the increase in traffic. The State project funds secured by the Division of Parks are targeted specifically toward the development of the property and include no provisions associated with road access infrastructure to support the site. In response to the concern the Kenai Peninsula Borough Road Service Area is anticipating a need for a capital improvement project to mitigate local traffic impacts, higher maintenance costs, and to make sure the roads will meet the needs of the increase in use.

Justification

The location selected for the new launch is centered in an existing rural subdivision in the Kasilof area. Local residents have expressed concerns about impact to the existing roads and the existing road's ability to support the increase in traffic. In response to the concern, the Kenai Peninsula Borough Road Service Area is anticipating a need for a capital improvement project to mitigate local traffic impacts, reduce higher maintenance costs, and to ensure the roads will meet the needs of the increase in use.

Methodology

If the funding is made available the Kenai Peninsula Borough will immediately begin a design effort to produce bid ready documents that meet the Road Service area standard for paved roads. Upon completion of that design and in coordination with the opening of the new drift boat take-out project, the Borough and its Road Service Area will complete a construction effort to improve and pave the roads in the affected area.

Funding Requested:	\$	\$1,961,820	Election District:	Senate:	C, D, S
Total Project Cost:	\$	\$1,961,820		House:	5, 6, 7, 8, 37
Local Match (if any):	\$				

CONTACT INFORMATION

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Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Rainbow Drive and Kosta Road Improvements

Funding Recipient: Kenai Peninsula Borough

Project Name: Road Service Area – Rainbow Drive and Kosta Road Improvement

Project Priority
Ranking:

Detailed Project Description and Justification:

The Kenai Peninsula Borough is seeking \$1,400,000 to bring Rainbow Dr and Kosta Rd up to Road Service Area (RSA) standards for adoption into the RSA Maintenance program.

Background

The Kenai Peninsula Borough (KPB) - Road Service Area (RSA) provides for year-round maintenance of over 650 miles of Roads area wide. Roughly, 98% of the Roads in the system are gravel surfaces. The majority of the roads in the system were adopted by the Kenai Peninsula Borough from the State of Alaska. The remaining were either adopted into the program by the property owners through a road maintenance application process, or constructed to current RSA standards then adopted in to the road maintenance program. Many roads throughout the borough did not meet RSA Standard Specifications when originally adopted but were “grandfathered” in to the services area based on a history of prior use. To this day, the majority of the prioritized RSA projects are substandard residuals from the 1986 KPB State Road Adoption.

In recent years The Alaska Department of Transportation and the Kenai Peninsula Road Services area have been engaged in negotiations for the exchange of public Right of Way management and Road Maintenance responsibilities. A list of roads and Right of Ways (ROW) that, for various reasons, can better be serviced by one entity or the other has been developed and both parties area close to a mutually beneficial agreement.

Justification

Unrelated to these negotiations, the AKDOT has discontinued service on two right of ways, Rainbow Dr in the Mackey Lake area just east of Soldotna and Kosta Rd located adjacent to Holt-Lamplight road in the Nikiski area. The AKDOT has historically maintained these ROW’s since prior to the 1986 KPB State Road Adoption event. The discontinued service has left the property owners along these ROW’s without any road maintenance for the upcoming 2023/2024 winter season.

As part of the ongoing negotiations with the KPB/RSA, the AKDOT has proposed that the KPB/RSA take on maintenance and right of way management for Rainbow Dr and Kosta Rd.

The roads suggested do not currently meet Borough Road Service Area Standards and Kosta Rd lacks any platted right of way or recorded public access easement. If the roads in question could be brought up to Road Service Area Standards the KPB and the RSA would take no exception adding them to the management and maintenance list. In assessment of the existing conditions the total cost of those improvements is estimated at \$1,400,000.

Methodology

If funding is made available the KPB and the RSA will immediately begin work on road improvement design efforts along with procurement of the necessary ROW recorded public access, construction, and maintenance easements across private lands. It is anticipated that this would begin in the summer of 2024 and be completed by the end of the construction season in 2025.

Funding Requested:	\$	1,400,000	Election District:	Senate:	C, D, S
Total Project Cost:	\$	1,400,000		House:	5, 6, 7, 8, 37
Local Match (if any):	\$				

CONTACT INFORMATION

Name, Title:	Scott Griebel, RSA Director	Phone:	(907) 262-4427
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Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Kenai Peninsula Borough Bridges and Culverts

Funding Recipient: Kenai Peninsula Borough

Project Name: Road Service Area – Bridges and Culverts

Project Priority
Ranking:

Detailed Project Description and Justification:

The Kenai Peninsula Borough and the Kenai Peninsula Road Service Area is seeking \$10,000,000 in project funds to address multiple Bridge and Large Culvert water crossings.

Background

The Kenai Peninsula Borough Road Service Area provides for year-round maintenance of over 650 miles of Roads in the Kenai Peninsula Borough. Included in this road infrastructure are 17 stream and river crossings. Most crossings are supported by aged bridge and culvert conditions that were adopted by the Borough when the service area was formed in 1982 and later consolidated in 1992.

Justification

The stream and river crossings listed below are supported by either aged and/or inadequate bridges that provide access to federal, state, municipal, and private lands that support, among other uses, residential housing, businesses, resource access, and recreational activities. These lands are populated by numerous communities and rural housing properties owned by the taxpayers of the Kenai Peninsula Borough. Safe and dependable access across these waterways is critical in maintaining the current quality of life standards and economic prosperity of the Kenai Peninsula Borough.

Local EMS service areas area wide have expressed concerns about the state of existing bridges. Concerns about bridge capacity could or does limit emergency response.

In addition to Road Service Area needs, all of the listed bridges cross anadromous streams and rivers that support all five species of pacific salmon, among other anadromous species of fish. Improvements to many of these water crossings will provide improvements to and/or protection of fish passage, that is critical to the health of these fisheries.

Identified Road Service Area Bridges:

Running Water Ave (Crooked Cr #1873), Chakok Rd (NF Anchor R #979), Lee Roy Ave (Henry Creek), Dorothy Dr (NF Anchor R #1834), Bruno Rd (Glacier Cr #1820), Que Sera Dr (Grouse Cr #1821), Forest Rd (Lost Cr #1838 & Sometimes Cr), Lowell Pt Rd (Spruce Cr #1783), Nautical Rd (Salmon Cr t #2355), Old Exit Glacier Rd (North2 #1294), Bronze Ave (Unnamed Cr), Brody Ln (Ninilchik R #1877), Cottonwood Ln (NF Anchor R #1701), North Road Extension (Leaf Cr #2309 & Otter Cr), Tall Tree Rd (Stariski Cr #2293).

Methodology

The KPB RSA has internally allocated funding to support a comprehensive engineering assessment study, in order fully outline our existing bridge needs borough-wide. The outcome produced will be an ordered priority focus to comprehensively target the improvement needs of all KPB bridges, beginning with the most critical. Additional RSA funding (currently appropriated) will provide for engineered design solutions for the needs defined through the study. The result will be bid ready designed construction projects to address the prioritized bridge needs throughout the KPB. Funds provided through this request will support the bid construction phase for the designed repair/replacement projects prepared via the KPB RSA's internally funded definition/design process.

Habitat promoting engineering solutions such as fish pass culverts or Beam type bridges will be installed in place of existing infrastructure where possible. The size and type of the infrastructure to be installed will be based on site conditions, size of waterway, area growth variables and structure longevity. As part of the project scope river and stream bank stabilization/rehabilitation, best management practices, will be applied within and adjacent to the project foot print to protect the asset and to limit impacts to the waterway associated with the crossing.

Funding Requested:	\$	10,000,000	Election District:	Senate:	C, D, S
Total Project Cost:	\$	17,400,000		House:	5, 6, 7, 8, 37
Local Match (if any):	\$	1,500,000			

CONTACT INFORMATION

Name, Title:	Scott Griebel, RSA Director	Phone:	(907) 262-4427
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City, State Zip:	Soldotna, AK 99669	E-mail:	sgriebel@kpb.us



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

SERVICE AREA: Bear Creek Fire Service Area

Funding Recipient: Bear Creek Fire Service Area

Project Name: Bear Creek Fire Station Asphalt Surfacing

Project Priority
Ranking:

1

Detailed Project Description and Justification:

Bear Creek Fire Station – Parking lot and site paving \$450,000

Background

The Bear Creek Fire Service Area was established in 1977, covering approximately 15 square miles. Bear Creek is staffed by 3 permanent employees and 26 volunteers, who provide rapid emergency Fire, EMS, and Rescue response services to a population of 1,757 tax paying citizens, as well as the thousands of tourists who travel to the Greater Seward Area during the summer months. In addition to emergency response within the service area, the Bear Creek Fire Service responds to emergencies in the neighboring City of Seward and northern communities along the Seward Highway.

Justification

The Bear Creek Fire Station located at 13105 Seward Highway, Seward, Alaska 99664 is needing to have the parking/working areas adjacent of the facility surfaced with asphalt. When the station was originally built, the area was completed with gravel due to lack of funding.

The existing gravel parking lot creates operational impacts and drives higher maintenance costs, further impacting the service areas already limited resources.

If funded, we intend to utilize the existing architectural drawings previously completed by Architects Alaska. The area indicated in the drawings would be the areas surfaced. The total approximate area is 29,000 square feet and it is anticipated that the site will require the import of D1 gravel to fine-grade and then follow with asphalt. Additional services would include surveying, compacting, and parking lot striping.

Methodology

Upon receiving available funding and invitation to bid will be released for the procurement of paving and construction services resulting in the completion of the paved parking lot and site access as the design intended. The Project is anticipated to take 45 days from notice to proceed to completion.

Funding Requested:	\$	450,000
Total Project Cost:	\$	450,000
Local Match (if any):	\$	0

Election District:	Senate:	D
	House:	8

CONTACT INFORMATION

Name, Title:	Richard Brackin, Fire Chief
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City, State Zip:	Seward, AK 99664

Phone:	(907) 224-9210
Fax:	(907) 224-3344
E-mail:	rbrackin@kpb.us

Funding Plan:

Total Project Cost:	\$ 450,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 450,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 450,000	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

Current operational demands do not allow for resources to be allocated to the requested improvements.

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur:

This project is anticipated to take 45 days from NTP to completion.

Has this project gone through a public review process at the local level? Yes: No:
Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A board meeting was held on 10/17/2023 with all present voting and one being absent.

Who will own the project or facility? Kenai Peninsula Borough

Entity responsible for providing ongoing operation and maintenance of this project? Bear Creek Fire Service Area

How will operations and maintenance be funded after the project is complete?

Maintenance will be funded through the department's annual budget process as part of the Kenai Peninsula Borough.

Please select a project type (chose only one): Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

Service Area: Bear Creek Fire Service Area

Funding Recipient: Bear Creek Fire Service Area

Project Name: Bear Creek Fire Station Living Quarters

Project Priority
Ranking:

2

Detailed Project Description and Justification:

Bear Creek Fire Station – Living Quarters \$700,000

Background

The Bear Creek Fire Service Area was established in 1977, covering approximately 15 square miles and is located at 13105 Seward Highway, Seward, Alaska 99664. The station is staffed by 3 permanent employees and 26 volunteers, who provide rapid emergency Fire, EMS, and Rescue response services to a population of 1,757 tax paying citizens, as well as the thousands of tourists who travel to the Greater Seward Area during the summer months. In addition to emergency response within the service area, the Bear Creek Fire Service responds to emergencies in the neighboring City of Seward and northern communities along the Seward Highway.

Justification

The Bear Creek Fire Station was built in 2014. During the build, the second floor living area and wellness center was left unfinished due to insufficient funding. Since that time the demand on the Fire Service Area and its facilities has increased. The seasonal surges of service needs, driven by tourism, fishing, industrial and commercial traffic and operations, is a major driver of the need for improvements.

The increase in demand for services has moved forward the need for finishing the living quarters and fitness facility. Due to the size of the service area and its limited tax base the annual budget cannot support the funds needed to complete the necessary station improvements. This lack of resources is holding back the ability to provide adequate services at peak demand and the service areas ability to provide timely 24hr response times.

Methodology

If funded, the Bear Creek Fire Service Area intends to utilize the existing architectural drawings previously completed by Architects Alaska and issue an Invitation to Bid for construction services as soon as funds are available. The project completion is estimated at 180 days from notice to proceed for construction.

Funding Requested:	\$	700,000
Total Project Cost:	\$	700,000
Local Match (if any):	\$	0

Election District:	Senate:	D
	House:	8

CONTACT INFORMATION

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Address:	PO Box 1565	Fax:	(907) 224-3344
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Funding Plan:

Total Project Cost:	\$ 700,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 700,000	How much is being requested from this year's capital budget.
Pending Requests	\$	Amount requested from other sources not yet received.
Project Deficit:	\$ 700,000	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

Current operational demands do not allow for resources to be allocated to the requested improvements.

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur: If funded, the Bear Creek Fire Service Area intends to utilize the existing architectural drawings previously completed by Architects Alaska and issue an Invitation to Bid for construction services as soon as funds are available. The project completion is estimated at 180 days from notice to proceed for construction.

Has this project gone through a public review process at the local level? Yes: No:
 Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A community meeting was held on September 21 at 5:30 PM at the Bear Creek Fire Station and was attended by the public, and Kenai Peninsula Borough representatives.

The community meeting was advertised in newspaper, Facebook, and Borough website.

Who will own the project or facility? Kenai Peninsula Borough

Entity responsible for providing ongoing operation and maintenance of this project? Bear Creek Fire Service Area

How will operations and maintenance be funded after the project is complete?
 Maintenance will be funded through the Bear Creek Fire Service Area annual budget process as part of the Kenai Peninsula Borough.

- Please select a project type** (choose only one):
- Planning and Research
 - Maintenance and Repairs
 - Remodel, Reconstruction and Upgrades
 - New Construction and Land Acquisition
 - Equipment and Materials
 - Information System and Technology
 - Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

SERVICE AREA: Central Emergency Service Area

Funding Recipient: Kenai Peninsula Borough

Project Name: Soldotna Fire Station Replacement

Project Priority
Ranking:

1

Detailed Project Description and Justification:

At the General Election on October 4, 2022, Central Emergency Service Area, through voter approval secured a General Obligation Bond in the amount of \$16,500,000.00 for the capital construction and replacement for the Soldotna Fire Station #1. Through the schematic design phase, construction and FFE are estimated to be \$22,364,703.16 for the completion of the project, leaving the Fire Service Area with a project deficit of \$5,866,502.26.

The Central Emergency Service Area has funded site selection, acquisition, pre-development, schematic designs, and geotechnical site analysis for construction of a new fire station. The selected property is adjacent to the existing Kenai Peninsula Borough Office of Emergency Management and the Emergency 9-1-1 Communications center. There is ample frontage to support an apron serving up to six drive-thru apparatus bays while also accommodating necessary parking and return vehicle access.

Central Emergency Service (CES) Soldotna District Fire Station #1 needs to be replaced. It is the primary fire station for the City of Soldotna and headquarters to five CES substations that serve the unincorporated communities of Ridgeway, Sterling, Kalifornsky, Kasilof and Funny River. Meeting the service area needs for ~32,000 local residents, summer influx of visitors to state and national forests as well as providing emergency response services on the Kenai and Kasilof Rivers. It is the busiest fire station on the Kenai Peninsula, providing ~2,800 responses annually. Additionally, CES supports wildland fire operations to the Alaska Division of Forestry and provides auto-aid to the City of Kenai. The Soldotna District Fire Station is the primary fire station within 10 minutes for over 14,000 people, and part of a tiered response for 25,000 residents of the entire emergency service area.

The current CES Soldotna District Fire Station #1 was originally built in 1957 with phased in additions funded by the City of Soldotna, added to meet response demands in 1961, 1971 and 1981. The current station and staging area have far exceeded useful life and operational capacity, with issues such as significant structural deficiencies, insufficient ADA compliance, minimal sleeping quarters per gender regulations, no fleet maintenance bays, and no secured property storage for water or snow rescue vehicles.

Funding Requested:	\$	5,866,502
Total Project Cost:	\$	22,364,703
Local Match (if any):	\$	16,498,200

Election District:	Senate:	D
	House:	7, 8

CONTACT INFORMATION

Name, Title: Roy Browning, Fire Chief
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City, State Zip: Soldotna, AK. 99669

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E-mail: rbrowning@kpb.us

Funding Plan:

Total Project Cost:	\$ 22,364,703	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 16,498,200	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 5,866,502	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 5,866,502	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

General Obligation Bonds of the Service Area of \$16,498,200.90

If this project is funded this year, will you be requesting state funding again?Yes: No:

Please describe the project time-line and when the expenditures will occur: March 2024: Bid Awarded for construction. Ground Breaking April-May 2024-The state capital award will be used for construction, furnishings, building equipment and administrative costs. Completion of the project is estimated July 2025.

Has this project gone through a public review process at the local level?Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

In the October 4, 2022 General Election, the qualified voters of the Central Emergency Service Area passed a bond proposition for approval of capital construction and improvements related to the Soldotna Fire Station replacement. The voters approved overwhelmingly to issuance of \$16,500,000.00 of General Obligation Bonds of the Central Emergency Service Area to pay the costs of the replacement of the Central Emergency Services Fire Station # 1.

At the Central Emergency Service Area Advisory Board meeting on October 19, 2023, which was advertised on the Kenai Peninsula Borough website, and available for public comment, the Board approved the 2023 Legislative State Capital Improvement Project request of \$5,866,502.26 for funding needed to complete the approved CES Soldotna Fire Station #1 replacement project.

Advertisement for the project and voter approval were carried out in local print media (Peninsula Clarion) as required by KPB Ordinance. CES Service Area Board meetings specific to this project were held annually from 2012 to October 2023, and during several Kenai Peninsula Borough Assembly meetings, where public comments were taken on this project and bond proposal. These meetings were public, and advertised and were held in the communities of Soldotna, Sterling, Kasilof, Funny River and Kalifornsky Beach.

Who will own the project or facility? Kenai Peninsula Borough**Entity responsible for providing ongoing operation and maintenance of this project?** Central Emergency Service Area**How will operations and maintenance be funded after the project is complete?**

Central Emergency Services, Operating Budget, Kenai Peninsula Borough

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

SERVICE AREA: Kachemak Emergency Service Area

Funding Recipient:	Kenai Peninsula Borough		
Project Name:	Station #1 & Station #2 Renovations and Additions	Project Priority Ranking:	1

Detailed Project Description and Justification:

Kachemak Emergency Service Area requesting \$1,650,000.00 for renovations and additions to Station #1 and Station #2

Background

Kachemak Emergency Service Area (KESA) covers 214 square miles from the head of Kachemak Bay and Caribou Lake to Anchor Point. KESA in order to respond effectively, operates two stations one at Mile-12 East End Road for East side coverage and one on Diamond Ridge Road for West side coverage. KESA also responds through automatic aid mutual agreements to Homer and Western Emergency Service Areas for all fire calls. KESA has had a steady increase in call volume over the past 5 years at approximately 30%.

Justification

In recent years our volunteer base has decreased which has resulted in a change of operational strategy from all volunteer to a combination department.

In the KESA area a population increase has increased demand on services. This increase in population has pushed building averages to approximately 54 improvements on parcels each year with most of those being new homes.

In order to maintain a quick response time, KESA is changing its fire/EMS personnel from 40 hours a week to 56 hour a week to provide 24/7 coverage.

KESA Stations were originally constructed to support a volunteer program and did not include offices, official training rooms or sleeping quarters. As a temporary solution, KESA personnel constructed two bedrooms at Station 1 next to our training room so we can begin our 24-hour coverage on the East side of our Service Area.

In response to these needs KESA is looking to improve both Station #1 and Station #2 facilities to include sleeping quarters, offices, training room and storage space.

Methodology

Should the funding be made available KESA will begin a design development project to develop bid ready construction documents for the improvements to Station #1 as the first priority and immediately followed by improvements to Station #2. The goal of both efforts will be to complete all work by the end of 2025.

Funding Requested:	\$	1,650,000	Election District:	Senate:	C
Total Project Cost:	\$	1,700,000		House:	6
Local Match (if any):	\$	50,000.00			

CONTACT INFORMATION

Name, Title:	Robert Ciccirella, Chief	Phone:	(907) 235-9811
Address:	53048 Ashwood Ave	Fax:	(907) 235-8034
City, State Zip:	Homer, Alaska 99603	E-mail:	bciccirella@kpb.us

Funding Plan:

Total Project Cost:	\$ 1,650,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 50,000	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 1,650,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

\$50,000 from KESA Capital Project fund balance transfer

If this project is funded this year, will you be requesting state funding again?

Yes: No:

Please describe the project time-line and when the expenditures will occur: Should the funding be made available KESA will begin a design development project to develop bid ready construction documents for the improvements to Station #1 as the first priority and immediately followed by improvements to Station #2. The goal of both efforts will be to complete all work by the end of 2025.

Has this project gone through a public review process at the local level?

Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

Project was discussed during KESA Board Meetings attended by members of the public and was voted on as a number 1 priority on October 8, 2015.

Who will own the project or facility? Kenai Peninsula Borough

Entity responsible for providing ongoing operation and maintenance of this project? Kachemak Emergency Service Area

How will operations and maintenance be funded after the project is complete?

Through the Kachemak Emergency Service Area Operating Budget funded via mill levy.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

SERVICE AREA: Western Emergency Service Area

Funding Recipient: Kenai Peninsula Borough

Project Name: Expansion and Renovation of WES Station 3 – Anchor Point

Project Priority
Ranking:

1

Detailed Project Description and Justification:

The Kenai Peninsula Borough is seeking \$3,800,000 to expand and renovate the Fire Station (WES station 3) in Anchor Point, Alaska.

Background

The Western Emergency Service Area was formed in 2020 when two Rural Fire Departments; Anchor Point Fire and Emergency Services and Ninilchik Emergency Services combined into one department and is the sole provider of fire and Advanced Life Support for the communities of Anchor Point, Nikolaevsk, Happy Valley, Ninilchik and Clam Gulch. With this combination, the area which we serve jumped to an overall size of 826 square miles of the western Kenai Peninsula of Alaska. The area has one major travel artery, the Sterling Highway that connects several communities and cities to the major metropolitan area of Anchorage. 45 miles of this highway runs through our service area. The department provides full fire protection and Advanced Life Support medical services to all of the residents as well as visitors. The area has one major travel artery, the Sterling Highway, that connects several communities and cities to the major metropolitan area of Anchorage. 45 miles of this highway runs through our service area. This access to the lower Kenai Peninsula creates an influx of recreational tourism, commercial and sport fishing related visitors, along with other commercial and industrial activities from Alaska and beyond. This increase in service demand can often quadruple at peak times placing the burden support services on local property taxpayers.

Due to the expansion of the fire service area, the addition of career staff who are on duty 24 hours a day 7 days a week, and the addition of services the existing station has outgrown the use as it was originally designed some 30 years ago. Additionally, the station does not meet current NFPA standards for station design per NFPA 1500, 1, and 72 and is past the point of possible retrofit without significant expansion and renovation.

Western Emergency Services prioritizes its Capital improvement projects through the use of a tier list that is generated by the department through their operational assessment. The list is then evaluated by the Fire Service Area Board and a recommendation is made for yearly priority projects, the project list is extended out to 5 years and is sent to the Borough administration for inclusion in the annual budget at the wishes of the assembly.

Justification

Western Emergency Services is committed to the capital improvement of its protection area and to the safety of its personnel. The service area is funded by a 2.95 mil rate and through various competitive grants and ambulance billing with an estimated total budget of \$2,500,000.00 annually. The service area has identified several deficiencies with the current fire station (WES Station 3) in Anchor Point. The expansion and renovation (addition of 6,400 sq.ft.) of this station will allow for safer working conditions for the employees by allowing for the needed space for equipment storage, a medical clean room, equipment cleaning room, decontamination area, bunker gear storage, sleeping/cooking/dining facilities, office spaces, a multi-use training and conference room which will double as a community meeting space, a dedicated ambulance parking garage, and additional fire apparatus parking stalls. The improvements would additionally include vehicle exhaust recovery systems in the vehicle bays to assist with the removal of carcinogens. The total estimated cost of the expansion and renovation of the station is estimated at \$3,800,000. The land the existing fire station is located on is already owned by the Kenai Peninsula Borough and the adjacent properties have already been purchased by the Kenai Peninsula Borough.

Methodology

Should funding be made available the Kenai Peninsula Borough would immediately launch a Design/Construction project through a competitive bid process. The station would be expanded and renovated or constructed to meet all applicable NFPA standards at the time of construction. The facility if expanded or renovated constructed would have an estimated minimum useful life of 30+ years.

Funding Requested:	\$	3,800,000
Total Project Cost:	\$	3,800,000
Local Match (if any):	\$	0

Election District:	Senate:	C
	House:	6

CONTACT INFORMATION

Name, Title:	John Hedges, Purchasing and Contracting Director
Address:	47140 E Poppy Lane
City, State Zip:	Soldotna, AK 99669

Phone:	(907) 262-2037
Fax:	
E-mail:	jhedges@kpb.us

Funding Plan:

Total Project Cost:	\$ 3,800,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 3,800,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

Current operational demands do not allow for resources to be allocated to the requested necessary improvements.

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur:

Should funding be made available Design work would begin in the late summer of 2024 and Construction taking place as soon as weather permits in the spring of 2025 resulting in a project completion prior to the end of 2025.

Has this project gone through a public review process at the local level? Yes: No:
 Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

Western Emergency Service Area Board meeting, October 18, 2023

Who will own the project or facility? Kenai Peninsula Borough

Entity responsible for providing ongoing operation and maintenance of this project? Western Emergency Services

How will operations and maintenance be funded after the project is complete?

Western Emergency Services, Operating Budget, Kenai Peninsula Borough

Please select a project type (chosed only one): Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

SERVICE AREA: Western Emergency Service Area

Funding Recipient: Kenai Peninsula Borough

Project Name: WES Ambulance Replacement

Project Priority
Ranking:

2

Detailed Project Description and Justification:

The Western Emergency Service Area is seeking \$1,125,000 to replace 3 ambulances.

Background

The Western Emergency Service area was formed in 2020 when two Rural Fire Departments; Anchor Point Fire and Emergency Services and Ninilchik Emergency Services combined into one department and is the sole provider of fire and Advanced Life Support for the communities of Anchor Point, Nikolaevsk, Happy Valley, Ninilchik and Clam Gulch. With this combination, the area which we serve jumped to an overall size of 826 square miles of the western Kenai Peninsula of Alaska. The area has one major travel artery, the Sterling Highway that connects several communities and cities to the major metropolitan area of Anchorage. 45 miles of this highway runs through our service area. This access to the lower Kenai Peninsula creates an influx of recreational tourism, commercial and sport fishing related visitors, along with other commercial and industrial activities from Alaska and beyond. This increase in service demand can often quadruple at peak times placing the burden on local property taxpayers.

The department consists of 10 ten career staff and approximately 35 volunteer firefighters and EMTs. The department provides full fire protection and Advanced Life Support medical services to all of the residents as well as visitors.

Justification

Western Emergency Services is seeking financial support to replace three of our aging ambulances that are currently in active service. These new vehicles are intended to replace our three oldest ambulances, which have served for 16, 22, and 23 years. The replacement ambulances will play a pivotal role in the transportation of individuals experiencing medical emergencies or those injured in accidents, ensuring that our community receives the highest standard of care and timely response.

Western Emergency Services presently operates a fleet of six ambulances, with three of them being built in 2010 and in fair condition. Unfortunately, the remaining three ambulances, which are from the years 2000, 2001, and 2008 are in poor condition and require immediate replacement. Our objective is to maintain a fleet of five operational ambulances distributed across our three fire stations. Regrettably, we have consistently faced the challenge of having at least two ambulances out of service on any given day due to the recurring mechanical issues affecting all six units, which highlights the urgent need for an upgrade.

Advancements in ambulance design and technology have led to a significant enhancement of safety features that were not widely available in 2010. In addition, modern ambulances boast enhanced structural integrity, providing better protection in the event of a collision or rollover. These innovations in ambulance safety features demonstrate a compelling need to upgrade our fleet and provide the highest level of care and protection for our patients and dedicated emergency medical professionals.

Methodology

Should funds be made available Western Emergency Services and the Kenai Peninsula Borough Purchasing and Contracting Department will immediately begin the process of procurement and manufacturing the ambulances. Based on recent apparatus purchases in other local service areas an estimated delivery date of roughly 20 months after funding is received is anticipated.

Funding Requested:	\$	1,125,000
Total Project Cost:	\$	1,125,000
Local Match (if any):	\$	0

Election District:	Senate:	C
	House:	6

CONTACT INFORMATION

Name, Title:	John Hedges, Purchasing and Contracting Director
Address:	47140 E Poppy Lane
City, State Zip:	Soldotna, AK 99669

Phone:	(907) 262-2037
Fax:	
E-mail:	jhedges@kpb.us

Funding Plan:

Total Project Cost:	\$ 1,125,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 1,125,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur: Should funds be made available Western Emergency Services and the Kenai Peninsula Borough Purchasing and Contracting Department will immediately begin the process of procurement and manufacturing the ambulances. Based on recent apparatus purchases in other local service areas an estimated delivery date of roughly 20 months after funding is received is anticipated.

Has this project gone through a public review process at the local level? Yes: No:
 Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

Western Emergency Service Area Board meeting, October 18, 2023

Who will own the project or facility? Kenai Peninsula Borough

Entity responsible for providing ongoing operation and maintenance of this project? Western Emergency Services

How will operations and maintenance be funded after the project is complete?

Western Emergency Services, Operating Budget, Kenai Peninsula Borough

Please select a project type (choose only one):

- Planning and Research
- Maintenance and Repairs
- Remodel, Reconstruction and Upgrades
- New Construction and Land Acquisition
- Equipment and Materials
- Information System and Technology
- Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Anchor Point

Funding Recipient: Anchor Point Senior Citizens Inc. (APSCI)

Project Name: Senior Housing

Project Priority
Ranking:

1

Detailed Project Description and Justification:

The Anchor Point Senior Center and community of Anchor Point are in dire need of affordable housing. Many come to Anchor Point with a dream of living in rural Alaska and making a life for themselves and taking pride in living independently. The value of such a lifestyle comes by way of hard work. As individuals get older their needs change. When unable to provide for certain amenities, they choose or learn to do without. These seniors are aging themselves into isolation.

The Anchor Point Senior Center constantly receives phone calls inquiring about senior housing. Often those calling can no longer maintain their homes, are living alone, or physically can no longer manage living where they are. If we were able to build a dozen apartments, they could be filled immediately. The need is real.

The Senior Housing Project has one goal:

- Create more affordable housing for seniors in Anchor Point
- Build a 4 plex housing unit with double occupancy on APSCI property.
- Finish and fill these 4 additional apartments over the next 2 years.
- The project will utilize the blueprints and design of our current 4 plex (built in 2008)
- APSCI owns 7 acres of land on which the Senior Center, Senior Apartments, Senior Gardens, and Helping Hands outreach sites are located, along with three vacant lots at the value of \$84,100.
- All property is owned free and clear with zero liens.
- APSCI is located off the Sterling Highway on the borough-maintained road of Milo Fritz Avenue
- Natural gas was installed on the property in 2021.
- APSCI is on city water known as Anchor Point Safe Water.
- Electricity is provided by HEA to all buildings.
- Driveways and parking lots to existing buildings are in place and would be added on to
- The goal is to replicate the existing apartments as many times as the property will allow
- Let's start with a new 4 plex and grow the possibilities.

The Anchor Point Senior Center has secured \$25,000 in savings and is currently speaking to the Rasputin Foundation regarding grant funds estimated around \$100,000. Currently the foundation is not funding grants but plans to start again nearing the end of 2023 through the Spring of 2024.

Funding Requested:	\$	1,650,000
Total Project Cost:	\$	1,800,000
Local Match (if any):	\$	109,100

Election District:	Senate:	C
	House:	6

CONTACT INFORMATION

Name, Title: Cynthia Burns, APSCI Executive Director

Phone: (907) 299-6600

Address: PO Box 438

Fax:

City, State Zip: Anchor Point, AK 99556

E-mail: apsci@acsalaska.net

Funding Plan:

Total Project Cost:	\$ 1,800,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 109,100	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 1,650,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 100,000	Amount requested from other sources not yet received.
Project Deficit:	\$	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

\$25,000 devoted to future housing by APSCI

If this project is funded this year, will you be requesting state funding again?

Yes: No: **Please describe the project time-line and when the expenditures will occur:**

Should the project be funded,
Architects would secure the plans.
The project would go out to bid for 3 months.
Building would begin within the year of accepted proposal.
Total timeline would strive to fall within two years of contracted hire

Has this project gone through a public review process at the local level?

Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A borough sponsored community meeting was held at Chapman Elementary School on September 27, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Anchor Point Senior Citizens Inc.

Entity responsible for providing ongoing operation and maintenance of this project? Anchor Point Senior Citizens Inc.

How will operations and maintenance be funded after the project is complete?

Rent will be an immediate source of revenue to help sustain the longevity of the apartments
Already in place APSCI programs incur revenues to be of assistance, when needed, to maintain new apartments.
Already in place hire maintenance employee will be available to aid in fixing any apartment issues that may arise.
Additional apartments would easily fit into the daily routine and annual programs of the Anchor Point Senior Center

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Cooper Landing

Funding Recipient: Cooper Landing Emergency Services

Project Name: Building Maintenance and Repairs

Project Priority
Ranking:

1

Detailed Project Description and Justification:

Project Description:

Building #1 – Covered awning for vehicle storage.

Building #1 – New water heater.

Building #2 and #3 New metal siding. Window and door trim.

Project Justification:

Building #1 Covered awning: We currently do not have a properly covered roof to protect vehicles and apparatus from weather. We house our most used ambulance and fire truck in the indoor bays, but additional outdoor space would cover our admin vehicle and our hopefully soon to be acquired snow machine and water rescue boat. Otherwise, we have no available additional covered storage. The proposed awning would be 16' by 60'. The east side of building #1 is the best place to build such an awning.

Building #1 New water heater: Building #1 is equipped with shower and laundry facility that is currently served by an outdated 20-gallon water heater. This heater is woefully inadequate to support the shower and laundry. These amenities serve out of town volunteers who stay here to help respond to emergencies. Showers and laundry are a necessity after many calls in which our volunteers may be exposed to smoke, chemicals, or contagious pathogens. We request the installation of a commercially rated electric 80-gallon water heater and the miscellaneous re-piping necessary to install a larger water heater.

Building #2 and #3 New metal siding: Our aging buildings have outdated wood siding that is very weathered and even rotting in some places. More efficient metal siding that will withstand our weather and last indefinitely without seasonal maintenance would be advantageous to our department. Replacing it with metal siding will free up volunteer hours for other maintenance issues and training time. In the past our volunteers have replaced some siding as needed and painted to keep the siding in good condition, but it has reached the end of its life span. These buildings must be kept in good condition for the proper storage and protection of our apparatus and equipment. New siding, window and door trim will fix this ongoing problem once and for all.

Funding Requested:	\$	92,748
Total Project Cost:	\$	92,748
Local Match (if any):	\$	

Election District:	Senate:	D
	House:	8

CONTACT INFORMATION

Name, Title:	Mitchel Dickinson, CLES Board of Directors Treasurer
Address:	PO Box 644
City, State Zip:	Cooper Landing, AK 99572

Phone:	(907) 202-1795
Fax:	
E-mail:	mitchel_dickinson@live.com

Funding Plan:

Total Project Cost:	\$	92,748	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$	0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$	92,748	How much is being requested from this year's capital budget.
Pending Requests	\$	0	Amount requested from other sources not yet received.
Project Deficit:	\$	0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

If this project is funded this year, will you be requesting state funding again?

Yes: No:

Please describe the project time-line and when the expenditures will occur:

This project could begin as quickly as funding is available and completed within 90 days.

Has this project gone through a public review process at the local level?

Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A borough sponsored community meeting was held at Copper Landing Elementary School on September 23, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Cooper Landing Emergency Services (CLES)

Entity responsible for providing ongoing operation and maintenance of this project? Cooper Landing Emergency Services (CLES)

How will operations and maintenance be funded after the project is complete?

Through annual normal general fund.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Diamond Ridge

Funding Recipient: Homer Cycling Club

Project Name: Facility Improvements at Diamond Creek State Recreation Site

Project Priority
Ranking:

1

Detailed Project Description and Justification:

At Diamond Creek State Recreation Site (DCSRS), Homer Cycling Club (HCC) has built, and currently maintains, 5 miles of multi-use trails on Division of Parks and Outdoor Recreation (DPOR) managed land. These trails are used year-round for mountain biking, fat biking, hiking, running, snowshoeing, and XC skiing. There is also a popular trail to access the beach on the property, of which there are few public options on the southern Kenai Peninsula. As well, mountain biking and hiking opportunities on the north shore of Kachemak Bay are limited. Many families, locals and visitors alike, do not have the resources to travel across the bay to enjoy the trails within Kachemak Bay State Park. The DCSRS provides an easily accessible opportunity for families of all abilities to enjoy the outdoor experiences the area has to offer.

Development in the surrounding area has increased significantly over the past few years. Predictably, this growth has resulted in more visitors to DCSRS and greater use of the facilities. While the increase in the number of users is an encouraging trend for economic growth and overall public health, it has added stress on the existing infrastructure. The access road has degraded enough to be detrimental to emergency vehicle response times. The parking area is ambiguous, resulting in parking behavior that is destructive to it and the road. The increased traffic on the trails, coupled with these past two wet years, has exposed problem areas which will need ditching, bridging, and hardening. The outhouse presently installed will be inadequate to meet the growing usage, and a serviceable, concrete vaulted toilet is ultimately needed for public health reasons.

It is expected that the popularity of this trail system will continue to grow in the coming years, and it is imperative that the infrastructure be upgraded to prepare for larger numbers of visitors to the DCSRS. State Parks, at the local level, lack the resources to execute these upgrades, and so it falls upon community organizations to do so.

Homer Cycling Club is working towards the following upgrades to the facility to occur in two phases.

PHASE 1

1. Upgrade and develop the trailhead parking to match the planned footprint for DCSRS. This will create intuitive parking and increase availability from 5 spots to 25 spots. Estimated cost of \$90,000
2. Perform maintenance work to the access road, grading and clearing ditches. Estimated cost of \$10,000
3. Upgrade existing trails by widening the corridor, opening sight lines, ditching, bridging and hardening tread where needed. Estimated cost of \$10,000

PHASE 2

4. Upgrade the existing outhouse to a serviceable, concrete vaulted toilet to meet DPOR specs, to be undertaken as funds are available. Estimated cost \$225,000

As a small community non-profit, Homer Cycling Club has limited resources to invest in these larger capital projects, but what we lack in funds, we make up for with volunteer effort. \$3,094.64 Kenai Peninsula Borough Community Assistance Program funds, \$3,094.64 matching capital from Homer Cycling Club, anticipated 300 volunteer hours. More funds will be solicited locally should this project receive CIP funding.

Funding Requested:	\$	310,000
Total Project Cost:	\$	335,000
Local Match (if any):	\$	15,000

Election District:	Senate:	C
	House:	6

CONTACT INFORMATION

Name, Title:	Derek Reynolds, President	Phone:	(907) 299-7746
Address:	4658 Tamara Street	Fax:	
City, State Zip:	Homer, AK 99603	E-mail:	derekvinsonreynolds@gmail.com

Funding Plan:

Total Project Cost:	\$	335,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$	15,000	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$	310,000	How much is being requested from this year's capital budget.
Pending Requests	\$	10,000	Amount requested from other sources not yet received.
Project Deficit:	\$		Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

\$3,094.64 Kenai Peninsula Borough Community Assistance Program funds, \$3,094.64 matching capital from Homer Cycling Club, anticipated 300 volunteer hours. More funds will be solicited locally should this project receive CIP funding.

If this project is funded this year, will you be requesting state funding again?Yes: No: **Please describe the project time-line and when the expenditures will occur:**

Expenditures on Phase 1 will occur as soon as the ground thaws in Spring of 2024 and continue throughout 2024. Execution of Phase 2 will occur after completion of Phase 1 once funding is secured.

Has this project gone through a public review process at the local level?Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

A borough sponsored community meeting was held at McNeil Canyon Elementary School on September 30, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Alaska Department of Outdoor Recreation (State Parks)**Entity responsible for providing ongoing operation and maintenance of this project?** Homer Cycling Club**How will operations and maintenance be funded after the project is complete?**

HCC assumes responsibility for maintenance of these facilities. Funds for maintenance will be generated through the establishment of a rental yurt which will be listed as part of the State Parks cabin/yurt rental system. The yurt is already in place and is awaiting final approval to changes in the existing Memorandum of Understanding from State Parks management.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Fox River

Funding Recipient: Snomads Inc.

Project Name: CLT Trail Access Mats for Wetlands

Project Priority
Ranking:

1

Detailed Project Description and Justification:

Snomads Inc. intend is in the process of rehabilitation of the severely degraded Caribou Lake Trail, known locally as the Boardwalk Trail, primarily benefitting the residents of the Fox River area. Snomads intends to continue and expand its operations on the Boardwalk (BW) Trail by rehabilitating, maintaining, marking (this proposal), and grooming. The rehabilitation of the BW Trail will need to be broken up into several phases. Segment 1, or the first 1.9 miles of trail, located on upland soils is in process but several miles of wetland trail will remain. Snomads is requesting a Capital Purchase of Synthetic Access Mats to line the wetland trail bed.

The combination of larger sized ATVs and a recent rapid increase in recreational users are causing an emergency, both for the safety of people and the land. Here we are proposing a rehabilitation of the Wetlands portions of the trail, in consultation and partnership with DNR, ADF&G, HSWCD, and others where a more complex solution sets are required. Off Road Recreational Vehicle users (ORRV) users currently avoid the next several segments of the trail, diverting instead onto the wetlands that subsequently results in severe wetland damage and altered/degraded hydrology. These wetland trail segments are avoided by most hikers and fat tire bikers altogether.

A technical solution is required with the use of Synthetic Access Mats and Snomads intends to install these Mats within the wetland segments of the trail and will be installed with both volunteer and contract labor. This capital investment will provide coverage for 2,160 feet of hardened trail surface through these wetlands, which is used extensively by the remote parcel landowners in and around Caribou Lake, local citizens of the several Fox River villages, and Alaskans throughout the State. There will be no ongoing cost to KPB or the State of Alaska after this material is purchased for these next segments of the Caribou Lake Trail.

Funding Requested:	\$	132,300
Total Project Cost:	\$	147,000
Local Match (if any):	\$	14,700

Election District:	Senate:	C
	House:	6

CONTACT INFORMATION

Name, Title:	Doug Inglis, Snomads Vice President
Address:	PO Box 3646
City, State Zip:	Homer AK 99603

Phone:	(907) 756-3381
Fax:	
E-mail:	doug.inglis64@gmail.com

Funding Plan:

Total Project Cost:	\$	132,300	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$	14,700	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$	147,00	How much is being requested from this year's capital budget.
Pending Requests	\$	0	Amount requested from other sources not yet received.
Project Deficit:	\$	0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

Secured Funding from Snomads Gaming and Savings Accounts for Matching Funds. Snomads has secured discounted pricing from the vendor (See Attached Quote). Material purchase is \$135,000.00 FOB from a Seattle dock and Snomads will primarily use the matching funds for Material Shipping from Seattle to Homer.

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur:

Expenditures will be in two phases, with phase 1 being material purchasing, made within 2 weeks of award. The material will take 3 months to produce, and another two weeks to ship to Seattle, then another two weeks to get to Seward. Phase 2 shipping expenditures will be 3.5 months after phase 1 spending. We anticipate material being in Homer AK by May or June 2024.

Has this project gone through a public review process at the local level? Yes: No:
 Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A borough sponsored community meeting was held at McNeil Canyon Elementary School on September 30, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Snomads Inc.

Entity responsible for providing ongoing operation and maintenance of this project? Snomads Inc.

How will operations and maintenance be funded after the project is complete?

Snomads will role the maintenance costs and activities into our existing Trail Management and Maintenance Activities, which are extensive within the Caribou Hills South Recreational Trail System.

Please select a project type (chosed only one):

- Planning and Research
- Maintenance and Repairs
- Remodel, Reconstruction and Upgrades
- New Construction and Land Acquisition
- Equipment and Materials
- Information System and Technology
- Other:

Recipients Federal Tax ID: 92-0143312



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Fritz Creek

Funding Recipient: Kachemak Nordic Ski Club

Project Name: Ski Trail Grooming Equipment

Project Priority
Ranking:

1

Detailed Project Description and Justification:

The Kachemak Nordic Ski Club (KNSC) maintains over 26 km of ski trails near the McNeil Elementary School. Trails are used for skate and classic cross-country skiing in the winter; and hiking, biking, birding and wildflower viewing in the summer. While volunteers provide all of the labor for grooming and other management activities, KNSC must raise funds through donations, membership, and grants to pay for non-labor costs—e.g. all-terrain vehicles (ATVs) and snowmachine capital costs, fuel, repairs, signage, power, outhouses, and insurance and other administrative costs.

We request funding for a new Polaris ATV to replace an existing high-mileage ATV that is no longer cost-effective to repair by our skilled volunteers or local vendors. A tracked ATV serves important functions both in the winter for towing snow grooming equipment and in the summer for maintaining vegetation.

The CIP request is for \$16,715 based on the attached quote from Homer Saw & Cycle. This amount includes a charitable discount from Homer Saw for \$1,000 and a discount from the manufacturer Polaris for \$2,000.

The McNeil trail system has spectacular scenery and is used extensively by local residents, Alaskans from around the state, and tourists from Outside.

KNSC volunteers will maintain the ATV. There will be no ongoing cost to the KPB or State after the equipment is purchased.

Funding Requested:	\$	16,715
Total Project Cost:	\$	19,715
Local Match (if any):	\$	3,000

Election District:	Senate:	C
	House:	6

CONTACT INFORMATION

Name, Title: Peter Crimp, Treasurer, Kachemak Nordic Ski Club

Address: PO Box 44

City, State Zip: Homer, AK 99603

Phone: (907) 440-6709

Fax:

E-mail: Treasurer.knsc@gmail.com

Funding Plan:

Total Project Cost:	\$	19,715	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$	3,000	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$	16,715	How much is being requested from this year's capital budget.
Pending Requests	\$	0	Amount requested from other sources not yet received.
Project Deficit:	\$	0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

\$1,000 – Discount from Homer Saw & Cycle
 \$2,000 – Discount from manufacturer Polaris

If this project is funded this year, will you be requesting state funding again?

Yes: No: **Please describe the project time-line and when the expenditures will occur:**

We would plan on purchasing the ATV in Spring to Summer, 2024.

Has this project gone through a public review process at the local level?

Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

A borough sponsored community meeting was held at McNeil Canyon Elementary School on September 30, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Kachemak Nordic Ski Club (KNSC)

Entity responsible for providing ongoing operation and maintenance of this project? Kachemak Nordic Ski Club (KNSC)

How will operations and maintenance be funded after the project is complete?

O&M will be provided by skilled KNSC volunteers and, as necessary, professionally by a local shop using KNSC funds budgeted for this purpose.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Funny River

Funding Recipient: Funny River Community Association (FRCA)

Project Name: Community Center Upgrade to an Emergency Center

Project Priority
Ranking:

1

Detailed Project Description and Justification:

The Funny River Community would like to upgrade the Funny River Community Center to qualify as an Emergency Center for the local residents and for outside emergency response personnel.

The 2014 Funny River fire demonstrated the need for an emergency shelter when a large number of our residents were evacuated in the face of a rapidly-expanding wildfire. Families and individuals in the Funny River area were displaced and needed some place to stay for the duration of the evacuation. Funny River area is in a forested terrain, with only one road in and out of the Funny River Community and with one narrow outdated bridge (Funny River). The threat of wildfire will be ongoing in the future and will affect a growing number of people living here in the Funny River Community. Present population full-time residents' number around 1100 and expands at least to 10,000 during the summer fishing months. In 2023, in the early spring, the Funny River road washed out at mile 8. The local community volunteers opened up the Funny River Community Center to help people that were displaced and needed food or shelter. Currently all toilets in the community center are located indoors and are not accessible when the center is locked.

We are requesting funding for capital improvements to the Funny River Community Center to make it an official emergency shelter facility as recommended by Central Emergency Services and the RED Cross.

Funny River Community Center capital improvements wish list:

- 1) Add additional showers & improve the current septic and sewer system
- 2) Redo the interior ceiling on 40% of the building
- 3) RV electrical stands outside for emergency purposes
- 4) Additional washer and dryers
- 5) Expand outside pavilion
- 6) Purchase a new 20'x30' outside tent
- 7) Additional outside storage building or insulated Conex containers
- 8) Emergency response supplies, bedding, cots, blankets,
- 9) Improve & expand outside water supplies and drainage
- 10) Outside: two pit toilets or 2 outside serviceable outhouses
- 11) Expand recreational area for Ball Park, Soccer, Playground

If the improvements were done, the Funny River Community Center could accommodate people and emergency response personnel better during a local emergency and to have a better facility for the growing community.

Funny River and community members will contribute an estimated 500 hours of volunteer labor towards this project.

Funding Requested:	\$	225,000
Total Project Cost:	\$	240,000
Local Match (if any):	\$	15,000

Election District:	Senate:	D
	House:	08

CONTACT INFORMATION

Name, Title:	William Poon, Treasurer FRCA & FRCCA
Address:	35850 Pioneer Access Rd
City, State Zip:	Soldotna, AK 99669

Phone:	(907) 262-0879
Fax:	(907) 262-1739
E-mail:	frca35850@gmail.com

Funding Plan:

Total Project Cost:	\$ 240,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 15,000	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 225,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

Volunteer labor for construction and remodeling - \$15,000 (estimated at 500 hours x \$30.00/hour)

If this project is funded this year, will you be requesting state funding again?Yes: No: **Please describe the project time-line and when the expenditures will occur:**

Once the project is funded, the project time-line would take about a year to complete. So if funding was issued by January 1 of 2024 then the project should be done by no later than December 31, 2024.

Has this project gone through a public review process at the local level?Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

A borough sponsored community meeting was held at Funny River Community Center on September 29, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Funny River Community Association**Entity responsible for providing ongoing operation and maintenance of this project?** Funny River Community Association**How will operations and maintenance be funded after the project is complete?**

Funny River Community Association operational budget and competitive grants.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Funny River

Funding Recipient: Funny River Community Association (FRCA)

Project Name: Community Center Upgrade to an Emergency Center

Project Priority
Ranking:

2

Detailed Project Description and Justification:

The Funny River Community Center is needing outside toilets.

The 2014 Funny River fire demonstrated the need for an emergency shelter when a large number of our residents were evacuated in the face of a rapidly-expanding wildfire. Families and individuals in the Funny River area were displaced and needed some place to stay for the duration of the evacuation. Funny River area is in a forested terrain, with only one road in and out of the Funny River Community and with one narrow outdated bridge (Funny River). The threat of wildfire will be ongoing in the future and will affect a growing number of people living here in the Funny River Community. Present population full-time residents number around 1100 and expands at least to 10,000 during the summer fishing months. In 2023, in the early spring, the Funny River road washed out at mile 8. The local community volunteers opened up the Funny River Community Center to help people that were displaced and needed food or shelter. Currently all toilets in the community center are located indoors and are not accessible when the center is locked. So there are no outside toilets now. We had several incidents the past few years where little kids and adults pooped or peed in their pants because there was no outside restroom and the community center was locked.

Installing either 2 pit toilets and/or portable toilets is needed on the playground area outside the community center.

If the improvements were done, the Funny River Community Center could accommodate people and emergency response personnel better during a local emergency and to have a better facility for the growing community.

Funny River and community members will contribute an estimated 40 hours of volunteer labor towards this project.

Funding Requested:	\$	10,000
Total Project Cost:	\$	11,200
Local Match (if any):	\$	1,200

Election District:	Senate:	D
	House:	8

CONTACT INFORMATION

Name, Title:	William Poon, Treasurer FRCA & FRCCA
Address:	35850 Pioneer Access Rd
City, State Zip:	Soldotna, AK 99669

Phone:	(907) 262-0879
Fax:	(907) 262-1739
E-mail:	frca35850@gmail.com

Funding Plan:

Total Project Cost:	\$	11,200	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$	1,200	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$	10,000	How much is being requested from this year's capital budget.
Pending Requests	\$	0	Amount requested from other sources not yet received.
Project Deficit:	\$	0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

Volunteer labor for construction and remodeling - \$1,200 (estimated at 40 hours x \$30.00/hour)

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur:

Once the project is funded, the project time-line would take about a year to complete. So if funding was issued by January 1 of 2024 then the project should be done by no later than December 31, 2024.

Has this project gone through a public review process at the local level? Yes: No:
 Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A borough sponsored community meeting was held at Funny River Community Center on September 29, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Funny River Community Association

Entity responsible for providing ongoing operation and maintenance of this project? Funny River Community Association

How will operations and maintenance be funded after the project is complete?

Funny River Community Association operational budget and competitive grants.

Please select a project type (chosed only one): Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Hope

Funding Recipient: Hope, Inc.

Project Name: Public Parking Lot

Project Priority
Ranking:

1

Detailed Project Description and Justification:

Project: Acquire and develop a piece of property for the purpose of providing off street parking for visitors (tourists, fishing families, concert goers, etc.) with safe access to downtown Hope and Resurrection Creek.

KPB Parcel 03529014 and/or a portion of KPB Parcel 03529024 are the desired locations for this project through a long-term lease or acquisition of the parcel(s).

Justification: From May to September Hope's 2nd Avenue, "A" and Main Streets are reduced to one lane traffic due to people parking (and even overnight camping) on both sides of the streets. The only public parking available is on the town streets. The heavy congestion is a safety concern especially for pedestrians in the downtown corridors. There is concern that emergency response vehicles would not be able to pass through the streets if necessary.

Funding Requested:	\$	150,000
Total Project Cost:	\$	150,000
Local Match (if any):	\$	Volunteer labor

Election District:	Senate:	D
	House:	8

CONTACT INFORMATION

Name, Title: Scotty Smith, President & D.J. Webb, Sec/Treas

Phone: (907) 250-9101 or (907) 250-4914

Address: PO Box 101

Fax:

City, State Zip: Hope, AK 99605

E-mail: Hopeinc907@gmail.com

Funding Plan:

Total Project Cost:	\$ 150,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 150,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

Local contribution will be in the form of volunteer labor and equipment. We hope to utilize the local gravel pit to reduce the cost of transporting gravel.

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur:

Site identification and acquisition to be accomplished during winter 2023/2024 with construction beginning spring 2024 with parking lot operational by May 15, 2024.

Has this project gone through a public review process at the local level? Yes: No:
 Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A borough sponsored community meeting was held at Hope Social Hall on September 23, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Hope, Inc.

Entity responsible for providing ongoing operation and maintenance of this project? Hope, Inc.

How will operations and maintenance be funded after the project is complete?

Hope, Inc. resources through regular KPB Cap Funding, local fund raising and possible user fees.

Please select a project type (chosed only one):

- Planning and Research
- Maintenance and Repairs
- Remodel, Reconstruction and Upgrades
- New Construction and Land Acquisition
- Equipment and Materials
- Information System and Technology
- Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Hope

Funding Recipient:	Hope, Inc.		
Project Name:	Safety Path	Project Priority Ranking:	2

Detailed Project Description and Justification:

Project: Safety path to be constructed within the road right-of-way of the Hope Highway (highway) from the Solid Waste Transfer Site (transfer site) near the intersection with Mathison Drive to the Resurrection Creek Bridge (bridge) near the intersection with 2nd Avenue. There is an existing pathway along the Highway from 2nd Avenue to near the intersection with Resurrection Creek Road. This project would improve the existing path and extend it in two directions; 1) east to the transfer site and 2) west to the bridge. The path to be on the south side of the highway from the transfer site to near the intersection of Resurrection Creek Road where it would cross to the north side of the highway (near existing pedestrian crossing signs). The path would continue on the north side of the highway along the existing and newly constructed path to the bridge.

Justification: There is a community concern regarding safety of pedestrians and bicyclists along the highway due to increased summer traffic in the community. Businesses, school, and accommodations exist along the highway. There is no shoulder along the highway and pedestrians (including families with small children) walk or bike in the road. There is a lot of vehicle traffic into the late evening when visibility is reduced; it is very dangerous for people to walk on the road at any time of day. This has been a concern for the community for many years but the increased visitor traffic has made safety of our community members and visitors a top priority.

We have commitments from local contractors and trail users to volunteer to reduce construction, equipment and maintenance costs. Funding is sought to cover plans, permits, materials, equipment and construction.

Funding Requested:	\$ 500,000	Election District:	Senate:	D
Total Project Cost:	\$ 500,000		House:	8
Local Match (if any):	\$ Volunteer labor			

CONTACT INFORMATION

Name, Title:	Scotty Smith, President & D.J. Webb, Sec/Treas	Phone:	(907) 250-9101 or (907) 250-4914
Address:	PO Box 101	Fax:	
City, State Zip:	Hope, AK 99605	E-mail:	Hopeinc907@gmail.com

Funding Plan:

Total Project Cost:	\$ 500,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 500,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

Local contribution will be in the form of volunteer labor and equipment. We hope to utilize the local gravel pit to reduce the cost of transporting gravel.

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur:

Planning and permitting (if necessary) to occur during winter 2023/2024 with construction beginning spring 2024. We would like the project completed in summer of 2024.

Has this project gone through a public review process at the local level? Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A borough sponsored community meeting was held at Hope Social Hall on September 23, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? State of Alaska, Department of Transportation

Entity responsible for providing ongoing operation and maintenance of this project? Hope, Inc.

How will operations and maintenance be funded after the project is complete?

Hope, Inc. resources through regular KPB Cap Funding, local fund raising and possible user fees.

Please select a project type (chosed only one):

- Planning and Research
- Maintenance and Repairs
- Remodel, Reconstruction and Upgrades
- New Construction and Land Acquisition
- Equipment and Materials
- Information System and Technology
- Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Kasilof

Funding Recipient: Kenai Peninsula Borough

Project Name: Yukon Road Capital Project

Project Priority
Ranking:

1

Detailed Project Description and Justification:

This Capital Improvement Project is to bring Yukon Road up to Borough Standards so that it then could be maintained by the Borough. This road improvement project is past due. There are approximately 72 families that live on this road that have been battling poor road conditions for many years. There is elderly with limited abilities, disabled families, and children who need to get to school. Many times, the road is almost all but impassable and families are trying to get kids to school, to work, to town for appointments or supplies. Often people park their cars and walk or stay at other's houses because the road is muddy, potholes 2 ft deep in water or snow too deep for cars to drive. Residence have taken to raising money to pay individuals to help maintain the road to plow, filling potholes, grading the road or paying for gravel to fill potholes. These residences have been paying taxes and Borough Road service fees for many years and are not receiving any services. Borough Property taxes collect a great deal of money with the number of residences served by the road and the value of the land. Safety is a huge factor as people get stuck in all weather.

Yukon Road now services a recently developed network of at least 16 miles of trail created by Back Country Horseman's Association (BCHA), and the beginning of the Doc Pollard Horse Trail to Tustumena Lake which is used for accessing the lake by horseback, snowmachine and recreating at the Refuge Public Use Cabin the Nurses Cabin. The BCHA was granted Borough permission and access to the 800 acres of land adjacent to this road and serviced by this road. BCHA has been planning for and given land to build a parking lot for horse trailers, hikers, skiers, and bikers to park and access the trails. Driving this road towing a horse trailer is not very feasible in its current condition. It is extremely hard on the trailers, horses not to mention the drivers. The land for the trails is gorgeous with rolling hills and views of the mountains in both directions and Tustumena Lake. These trails are becoming more and more popular and a great way for people from all over the Peninsula and beyond to get out and enjoy our beautiful Kenai Peninsula. The BCHA holds an annual Fun Ride/ Fund Raiser on the new trails bringing riders from Homer and the Valley to enjoy the trails.

Phase 1 of this project will be some right of way acquisitions which are needed for this project to move forward.

Funding Requested:	\$	2,000,000
Total Project Cost:	\$	2,000,000
Local Match (if any):	\$	

Election District:	Senate:	C
	House:	6

CONTACT INFORMATION

Name, Title:	Dave Blossom
Address:	PO Box 313
City, State Zip:	Kasilof, AK 99610

Phone:	907-398-7073
Fax:	
E-mail:	cisprifv@acsalaska.net

Funding Plan:

Total Project Cost:	\$ 2,000,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 2,000,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:**If this project is funded this year, will you be requesting state funding again?**Yes: No: **Please describe the project time-line and when the expenditures will occur:**

Timeline is when the Kenai Peninsula Borough approves the funding for this project and work can begin. This project is longtime overdue and the sooner the better.

Has this project gone through a public review process at the local level?Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

A borough sponsored community meeting was held at Tustemena Elementary School on September 28, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Kenai Peninsula Borough**Entity responsible for providing ongoing operation and maintenance of this project?** Kenai Peninsula Borough**How will operations and maintenance be funded after the project is complete?**

Kenai Peninsula Borough taxes through property assessments. This road alone with the number of residences served and the value of land with much of it being river front property generates a significant amount of revenue to the Borough.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Lowell Point

Funding Recipient: Alaska State Parks

Project Name: Caines Head State Recreation Area Parking Lot Expansion

Project Priority
Ranking:

1

Detailed Project Description and Justification:

The community of Lowell Point is located approximately two miles south of Seward, Alaska. The two-mile access road is at the base of mountainside cliffs and the ocean. We are a small community of approximately 100 year-round residents. In the summer this population increases exponentially to 1,500 or more, with visitors and summer employees. While our community is close to the City of Seward, the only access road is at the base of mountain cliffs, following the oceanside. Lowell Point Road is a poorly constructed, narrow, gravel road that is often blocked with rock, snow, landslides or world class potholes.

Caines Head State Recreation Area is located within our community. In the last 10 years, the popularity of this recreation area has increased significantly, and the lack of adequate parking has become a safety hazard in our community. The beach, trails, historic military sites, camping areas and the public use cabins have become incredibly popular with local and Alaska residents and visitors to our area. During and since the COVID pandemic, users of this park have increased even more as Alaskans are becoming more active.

The inadequate parking for Alaska State Park visitors has been a problem in our community for over a decade. Lowell Point Community Council has had this issue on their regular agenda since 2015. LPCC has held many community meetings and stakeholder meetings since 2019 to try and find a solution. In the last three years, with increased visitor use, this issue has become an emergency. State Park users are ignoring No Parking signs and are parking along the road, in the road, in private driveways and on private lawns. Multiple times in the last two years, our fire department and the local ambulance service were not able to drive through this area while responding to an emergency. They had to turn around and go another way, causing life threatening delays. Multiple times last summer emergency calls to the beach were blocked by vehicles parked in the emergency access lane. In 2018, the ambulance and fire department were not able to reach a home where one of our community members was having a heart attack due to illegal parking blocking the road.

The Borough has installed new signs, LPCC has offered remote parking to users, the Borough Assembly approved Ordinance 2020-032 to allow for ticketing of illegally parked vehicles, LPCC and the community have requested assistance from Alaska State Troopers. None of this has helped the situation. Park users continue to park in and on the road, in resident's driveways and lawns. The park is increasingly popular year-round and summer use of the park is growing exponentially. The park has done an amazing job creating a destination for our visitors to recreate and play. However, this destination in our small community must have adequate parking for these visitors.

Our community's number one priority for Capital Improvement Projects is to fund the Caines Head State Recreation Area's project to expand the parking lots for their heavy use areas. Caines Head State Recreation Area Citizens Advisory Board has selected this project as their number one priority since 2022 after two community input meetings were held. Alaska State Parks is in the process of planning and engineering to create a design and a project cost.

Funding Requested:	\$	25,000
Total Project Cost:	\$	Unknown
Local Match (if any):	\$	

Election District:	Senate:	C
	House:	5

CONTACT INFORMATION

Name, Title:	Mica Van Buskirk – President
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City, State Zip:	Seward, AK 99664

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Funding Plan:

Total Project Cost:	\$	Unknown	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$	0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$	25,000	How much is being requested from this year's capital budget.
Pending Requests	\$	0	Amount requested from other sources not yet received.
Project Deficit:	\$	0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:**If this project is funded this year, will you be requesting state funding again?**Yes: No: **Please describe the project timeline and when the expenditures will occur:**

2023/2024 – Planning, Permitting and Engineering
 2024 – Approval of funding by Alaska State Legislature
 2024/2025 - Construction

Has this project gone through a public review process at the local level?Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

A borough sponsored community meeting was held at Penny Hardy Community Center on September 23, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Alaska State Parks**Entity responsible for providing ongoing operation and maintenance of this project?** Alaska State Parks**How will operations and maintenance be funded after the project is complete?**

Alaska State Parks existing budget for operations and maintenance. No large increase to this budget is expected.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Lowell Point

Funding Recipient: Lowell Point Community Council

Project Name: Lowell Point Emergency Shelter Improvements

Project Priority
Ranking:

2

Detailed Project Description and Justification:

The community of Lowell Point is located approximately two miles south of Seward, Alaska. The two-mile access road is at the base of mountainside cliffs and the ocean. We are a small community of approximately 100 year-round residents. In the summer this population increases exponentially to 1,500 or more, with visitors and summer employees. While our community is close to the City of Seward, the only access road is at the base of mountain cliffs, following the oceanside. Lowell Point Road is a poorly constructed, narrow, gravel road that is often blocked with rock, snow, landslides or world class potholes. Lowell Point is often cut off from road access. Lowell Point must have the ability to provide for ourselves.

In 2002, after several devastating structure fires, our Lowell Point Community Council established Lowell Point Volunteer Fire Department. Through fundraising and grant assistance, we purchased an acre of land, constructed a community center and a fire department, buried a 20,000-gallon water tank, purchased an emergency generator and fuel tanks, cleared land and coordinated with agencies to create a helicopter landing zone and drilled a deep well as a community water source. We also have on site portable generators, 50 cots, 100 blankets and emergency food and supplies. Lowell Point was directly impacted by the 1964 earthquake and locally generated Tsunamis. Many in the community remember those horrendous disasters and understand the need for emergency preparedness. The community has worked together to address the serious, community risks of structure fires and other very real natural disasters. We now offer Seward Fire Department and Bear Creek Fire Department Automatic Mutual Aid on structure fires. Lowell Point has tangible capabilities to offer the community.

In recent landslide and Tsunami events, we discovered several deficiencies in our shelter capabilities that we would like to improve. During Tsunami and other emergencies, we have had over 100 people sheltering at our facility. It became immediately obvious that the two bathrooms we have on site are not adequate. As a part of this request, we have designed an additional 4 bathroom/shower spaces onto our fire department building. Sheltering from a natural disaster will not only require restrooms but personal hygiene and decontamination facilities. Care for children and the elderly will also be required. The infrastructure must be in place before it is needed.

The second part of this project is to repair the roof of the fire station. The roof has been leaking due to poor design and construction. We have attempted to repair the roof in-house but we are fighting a bad design. Replacement of the roofing metal and new insulation with a better design and execution will make our fire department an enduring asset to the community. Without the repairs the insulation will continue to rot and the building will suffer structural damage.

Funding Requested:	\$	285,000
Total Project Cost:	\$	295,000
Local Match (if any):	\$	10,000

Election District:	Senate:	C
	House:	5

CONTACT INFORMATION

Name, Title: Mica Van Buskirk – President

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City, State Zip: Seward, AK 99664

Phone: (907) 491-1671

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E-mail: lpcc@arctic.net

Funding Plan:

Total Project Cost:	\$ 295,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 10,000	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 285,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 285,000	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

Lowell Point Community Council Savings

If this project is funded this year, will you be requesting state funding again?

Yes: No: **Please describe the project time-line and when the expenditures will occur:**

2023/2024 – Planning, Permitting and Engineering
 2024 – Approval of funding by Alaska State Legislature
 2024 - Construction

Has this project gone through a public review process at the local level?

Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

A borough sponsored community meeting was held at Penny Hardy Community Center on September 23, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Lowell Point Community Council

Entity responsible for providing ongoing operation and maintenance of this project? Lowell Point Community Council

How will operations and maintenance be funded after the project is complete?

Lowell Point Community Council has a limited budget from memberships, donations and the State of Alaska Community Assistance Program. There is no expected large increase to our operating budget after construction is complete. It would very likely save us money by improving the heating capacity of the fire department.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Moose Pass

Funding Recipient: Moose Pass Sportsmen's Club

Project Name: Moose Pass Community Hall Parking Lot Drainage

Project Priority
Ranking:

1

Detailed Project Description and Justification:

Project: Hire an engineering firm to design a drainage system to alleviate flooding in the parking lot. The firm will need to secure permission and permits from ADNR (adjacent property owner) to bury a pipeline and ADOT to utilize their Right of Way to get water to flow into their drainage system.

Scope: Verify ADOT elevations, locate services, hire contractor to install culvert and access ROW drainage. Dig culverts, grade, and resurface (gravel) parking lot.

The Moose Pass Community Hall parking lot is subject to continual flooding due to improper drainage. The State of Alaska paved Depot Road eliminating the ability for the parking lot to drain thus causing water to build up and flood the Library and Meeting Hall. The build up of water often 6" deep makes the Community Hall unusable for portions of the winter. The Community Hall houses the Moose Pass Library.

The past several winters volunteers have gathered with a series of pumps and have used a drain culvert to insert a sump pump into and discharged with a garden hose. The pump and hoses needed to be stored in a warm place every night and then reinstalled every day. This process extends into 6 weeks.

The project was selected as the highest priority during the public scoping session hosted by the KPB on Saturday September 23rd, 2023. The subject property is owned by the Moose Pass Sportsmen's Club and Will be managed by the Board of Directors led by Jeff Hetrick, President.

Project type: Planning, maintenance, and Repairs

Funding Requested:	\$	42,000
Total Project Cost:	\$	
Local Match (if any):	\$	

Election District:	Senate:	D
	House:	8

CONTACT INFORMATION

Name, Title:	Jeff Hetrick, President of Moose Pass Sportsmen's Club
Address:	PO Box 72
City, State Zip:	Moose Pass, Alaska 99631

Phone:	(907) 362-2378
Fax:	
E-mail:	jjh@seward.net

Funding Plan:

Total Project Cost:	\$ 42,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 42,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:**If this project is funded this year, will you be requesting state funding again?**Yes: No: **Please describe the project time-line and when the expenditures will occur:**

When the project is funded, Request for Proposals (RFP's) will go out to bid for design, permitting and then the earthwork and installation of the drainage system.

Has this project gone through a public review process at the local level?Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

A borough sponsored community meeting was held at Moose Pass Community Center on September 23, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Moose Pass Sportsmen's Club**Entity responsible for providing ongoing operation and maintenance of this project?** Moose Pass Sportsmen's Club**How will operations and maintenance be funded after the project is complete?**

Moose Pass Sportsmen's Club manages the property.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Moose Pass

Funding Recipient: Moose Pass Volunteer Fire Company

Project Name: Clean Water and Renewable Power Study

Project Priority
Ranking:

2

Detailed Project Description and Justification:

Hire a reputable firm to do a study on renovating an existing reservoir, penstock and generating plant for the purpose of providing fire suppression water and renewable power generation. Also search options for potable water sources and construction of a distribution system.

Scope:

Analyze the condition and engineering of the existing dam head, penstock and hydro-generator. Recommend alternatives in engineering, equipment and materials. Provide estimated costs and possible returns from power generation. Determine possible sources of potable water, storage and distribution systems for the Moose Pass town site. Estimate cost of development, construction and maintenance.

History:

There is a reservoir and penstock that fed a Pelton Wheel generator in Moose Pass. This provided power for several years until the control board malfunctioned and could not be fixed. One of the other functions of the system was to provide a reliable water source for the fire department. The metal penstock has deteriorated to a point that it is no longer serviceable. This has made access to water for fire suppression much more difficult.

Also, it is a challenge to find potable water sources in the area. Many of the attempts to drill wells have found water that is brackish, high in sulfur. Containing gas or other contaminants. That includes wells for the Moose Pass School and Community center. Most people in the area collect surface water in "water boxes".

Funding Requested:	\$	60,000
Total Project Cost:	\$	60,000
Local Match (if any):	\$	

Election District:	Senate:	D
	House:	8

CONTACT INFORMATION

Name, Title: Judy Ingersol, Asst. Chief Moose Pass Fire

Phone: (907) 422-7515

Address: PO Box 104

Fax:

City, State Zip: Moose Pass, AK 99631

E-mail: merrittpscooper@gmail.com

Funding Plan:

Total Project Cost:	\$ 60,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 60,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:**If this project is funded this year, will you be requesting state funding again?**Yes: No: **Please describe the project time-line and when the expenditures will occur:**

When this project is funded we will solicit bids from qualified firms and award the project by March and would expect the study to be done within 12 months from the signing of a contract.

Has this project gone through a public review process at the local level?Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

A borough sponsored community meeting was held at Penny Hardy Community Center on September 23, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Moose Pass Volunteer Fire Co. will administer the grant.**Entity responsible for providing ongoing operation and maintenance of this project?** N/A**How will operations and maintenance be funded after the project is complete?**

N/A

Please select a project type (choose only one): Planning and Research Maintenance and Repairs Remodel, Reconstruction and Upgrades New Construction and Land Acquisition Equipment and Materials Information System and Technology Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Ninilchik

Funding Recipient: Ninilchik Senior Citizens, Inc.

Project Name: Kitchen Remodel and Expansion

Project Priority
Ranking:

1

Detailed Project Description and Justification:

Ninilchik Senior Center began serving seniors in 1981 with our official non-profit status being obtained in 1987. Our center began through the grass roots effort of a few Ninilchik seniors desiring a place for seniors to go and socialize with their friends. Land was donated by one of the local seniors for a start to this desire. Monetary donations, including funds from State grants, were received, and with a lot of sweat equity, a building was constructed. That lasted for tens year at which point it was realized that the current building size was no longer adequate for the number of seniors wanting to enjoy the center. Thanks in part to a State Capital grant for materials and donated labor by area seniors, 1993 saw the building expand to what we have today.

Current situation: the existing amount of oven and counter space in our kitchen is not consistently meeting the amount of space needed to prepare and package the amount of food needed to satisfy the seniors served. As the senior population ages, their needs are changing, causing an increased demand for home delivered meals. Over the years, we have seen growth in the senior population through the aging process along with new seniors moving into the area. This growth equates to an increased demand in our meal program. The growth and changes seen in the senior population is not isolated to our area. The "Snapshot Report" provided by the Alaska Coalition on Aging for 2020/2021 states, "Alaska continues to be the fastest growing senior population per capita for the ninth consecutive year" (Source: 2020 Profile of Older American, Administration on Aging). The report further states, "Alaska's population of seniors age 60+ continues to grow and increased 56.4% between 2010 and 2021", and that, "In 2020, Alaskan's age 60+ represent 19.5% of the state's total population."

Our meal count during the first quarter of FY24 increased by 8% when compared to FY23. We have been experiencing growth in our meal program for many years now. We expect continued growth in the years to come as the projected state senior population grows. Through all of our growth, the kitchen size has remained the same (since 1993). Over the years, the stove and convection oven have been replaced. In addition, we have added an additional staff member to meet the growing demands of senior meals.

For comparison:

FY1990: Ninilchik Senior Center provided 3,450 meals

FY2004: Ninilchik Senior Center provided 6,921 meals

FY2016: Ninilchik Senior Center provided 9,632 meals

FY2022: Ninilchik Senior Center provided 13,650 meals

FY2023: Ninilchik Senior Center provided 16,451 meals

The project plan is to enlarge the physical amount of usable kitchen space by 210 square feet (from 441 sq. ft. to 651 sq. ft.). The plan is to move one wall out a few feet and remove two walls completely to enlarge the overall space. Once the expansion is complete, we will incorporate our older stove and convection oven into the floor plan (for a total of 2 stoves and 2 convection ovens) for additional cooking area. In addition, the amount of meal prep and packaging counter space will be doubled, and another double sink and additional counter area for salad bar preparation along with a separate sink for handwashing will be added. An additional kitchen hood and fire suppression system as well as stainless steel panels to go behind the additional stove and convection oven will also be installed.

Project cost breakdown:

- \$162,750 for the remodel costs which is an estimate of \$250/sq. feet (based on average remodel costs for our geographic area (Kenai Peninsula) as specified by the contractor we consulted with about the project). Remodel costs will include new flooring throughout the remodeled area, removing two walls (one is a support wall), rebuilding one wall and replacing support for the other wall, running new plumbing and electrical where needed, as well as any needed inspections. This is an estimated cost at this time. We are allowing an additional \$25,000 in the project estimate to account for increased pricing in materials since the original capital grant submission in early 2023.
- Commercial kitchen hood with fire suppression system and (3) insulated stainless steel panels to go behind the ovens: \$10,793
- (6) Stainless steel counters with enclosed base sliding, adjustable mid-shelf and 6" backsplash (\$749 each). Total \$4,494.00
- 2 compartment sink (\$482), pre-rinse faucet system (\$342), hands-free 17" x 15" mounted sink with faucet for hand washing (\$287) for a total of \$1,111
- Shipping for hoods, counters, sinks (estimated): \$5,000

Installation of above listed items along with installation of our existing appliances, stoves, and 2 convection ovens (estimate): \$7,500

Funding Requested:	\$	150,000	Election District:	Senate:	C
Total Project Cost:	\$	225,000		House:	6
Local Match (if any):	\$	52,000			

CONTACT INFORMATION

Name, Title:	Julie Otto, Executive Director	Phone:	(907) 567-3988
Address:	PO Box 39422 (mailing), 66265 Aspen Avenue (physical)	Fax:	(907) 567-3988
City, State Zip:	Ninilchik, AK 99639	E-mail:	seniors@ptialaska.net

Funding Plan:

Total Project Cost:	\$ 225,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ 51,446	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 150,000	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 23,554	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

\$51,446 has been raised so far through donated monies from senior center members. Efforts to raise funds will continue throughout the project.

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur:

Our timeline is to start the project during the fall/winter of 2024; however, that timeline is largely dependent on securing funding. We are currently in the process of obtaining written estimates from 3 different general contractors for comparison.

Has this project gone through a public review process at the local level? Yes: No:
Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A borough sponsored community meeting was held at Ninilchik Senior Center on September 29, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Ninilchik Senior Citizen's, Inc. is a non-profit organization. There are no specific owners of the corporation.

Entity responsible for providing ongoing operation and maintenance of this project? Senior Center personnel.

How will operations and maintenance be funded after the project is complete?

Senior Center operations and maintenance needs are funded through individual donations, state and borough grants, and gaming monies.

Please select a project type (choose only one):

- Planning and Research
- Maintenance and Repairs
- Remodel, Reconstruction and Upgrades
- New Construction and Land Acquisition
- Equipment and Materials
- Information System and Technology
- Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Ninilchik

Funding Recipient: Ninilchik River Estates and residents of Brody Rd. and Alice Ave.

Project Name: Alice Avenue over the Ninilchik River to Oil Well Rd.

Project Priority Ranking:	2
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Detailed Project Description and Justification:

Alice Avenue continuation from Brody Rd. along the section line easement to Oil Well Rd, to include a structure over the Ninilchik River. This includes the intersections of Foste McMann Rd., Facher Cummins Rd., Bear Paw Rd., Wild Salmon Way, and Oil Well Rd. Design and construction.

In order to get Emergency Services and deliveries Brody Rd. and Alice Ave. have to be used. Brody Rd. is over KPB grade limits at approximately 12-14 1/2%. Ninilchik River Estates, NRE, residents have been refused deliveries of oil, gas, and equipment, with no alternative of receiving products. Currently Brody Rd. Bridge #1877 has cracking on the concrete deck surface. Photos attached.

NRE has, for years, maintained and plowed from the intersection of Alice Ave. and Foste McMann Rd. to Bear Paw Rd, which is not part of NRE, to have access to Emergency Services and deliveries.

Starting in August 2018 the Garrison Ridge Road Bridge was posted with a load limit of 8 tons. Since then Emergency Services, Fuel Deliveries, Construction Equipment etc. has been forced to use the Brody Road to Alice Avenue detour to access the NRE subdivision. This detour is over 10% grade and a little more than 5 miles farther than the direct route on Garrison Ridge Road. This doesn't sound like much until you look at the substandard conditions on Alice Avenue, with winter or springtime conditions, Emergency Services and fuel deliveries may be seriously delayed. Knowing this Greg Maxwell, then President of NREPOA, put in a Petition for Emergency Assistance to the Kenai Peninsula Borough. We have been working with various agencies on this ever since.

The Garrison Ridge Rd. Bridge has design deficiencies such as the span, the elevation of the bridge above the river, the location, the angle of the river at the bridge site, and the hills at either end of the bridge are too steep to safely maintain. Approaches to the existing bridge are 16 and 18%.

Reference NRE map #86-12. This original subdivision plan shows intersections on Alice Avenue at Wild Salmon Way and Bear Paw Road. Properly designed centerline profiles for the approaches to the structure over the Ninilchik River and the intersection at Wild Salmon Way would eliminate the steep hills we have on Garrison Ridge Road. This project would also build Alice Avenue up to standard from Bear Paw Road, through intersections at Facher Cummins Road and Foste McMann Road. This direct route would save time for Emergency Services and all traffic to the subdivision and residents on Alice Avenue and Brody Rd. The structure at the river and the road would be owned and maintained by the KPB (see included maps). KPB resolution 2022-051. It was the best option for access to the subdivision in 1986 and it still is now. Grades on new construction would be under 9%.

June 4, 2020 letter from Ninilchik Emergency Services Grace Huhndorf, Assistant Chief states they no longer allow their apparatus to access NRE via Garrison Ridge Rd which will negatively impact ambulance and fire vehicle response times by 15-25 minutes. She advised swift action to be taken in regard to bridge access as lives are at stake and cannot be replaced.

May 15, 2019 letter from Dave Bear, Chief Ninilchik Emergency Services states Ambulances and fire response have to use Brody Bridge #1877. Access on Alice is not Borough maintained to Bear Paw, approx. .6 miles. Delays of emergency services are a minimum of 15 minutes. Depending on road conditions there may be no emergency access to NRE. Letters attached.

Funding Requested:	\$	1.5 - 2 Million	Election District:	Senate:	C
Total Project Cost:	\$	1.5 - 2 Million		House:	6
Local Match (if any):	\$	51,500			

CONTACT INFORMATION

Name, Title:	Arnold Mason, President NRE HOA	Phone:	(907) 953-5553
Address:	PO Box 39597	Fax:	
City, State Zip:	Ninilchik, AK 99639	E-mail:	Aemason50@gmail.com

Funding Plan:

Total Project Cost:	\$ 1.5 - 2 Million	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$ \$51,500 KPB assessed value NRE owned Tract A 2.63 acres	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$ 1.5 – 2 Million	How much is being requested from this year's capital budget.
Pending Requests	\$ 0	Amount requested from other sources not yet received.
Project Deficit:	\$ 0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

State/Federal Infrastructure Money for design and construction.

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur:

As soon and design and construction can occur.

Has this project gone through a public review process at the local level? Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A borough sponsored community meeting was held at Ninilchik Senior Center on September 29, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Kenai Peninsula Borough

Entity responsible for providing ongoing operation and maintenance of this project? Kenai Peninsula Borough Resolution 2022-051

How will operations and maintenance be funded after the project is complete?

Kenai Peninsula Borough

Please select a project type (chose only one):

- Planning and Research
- Maintenance and Repairs
- Remodel, Reconstruction and Upgrades
- New Construction and Land Acquisition
- Equipment and Materials
- Information System and Technology
- Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Sterling

Funding Recipient:	STERLING AREA SENIOR CITIZENS, INC.		
Project Name:	STERLING SENIOR CENTER & MOOSE RIVER MANOR BLDG A SEPTIC SYSTEM REPLACEMENT	Project Priority Ranking:	1

Detailed Project Description and Justification:

The first project of the septic system replacement concerns the Sterling Senior Center. The current system is approximately 25 plus years old. The main problem has been identified as a downward shift in the septic line which causes buildup and backup. The downward shift in the line is approximately 18 inches from the original position when installed. The current solution is to have the system pumped out every four weeks in order for the system to operate properly. To include having the system pumped, the Senior Center also has the system jetted with hot water to unclog and clear the line to keep this old system operational. The leach field has proved to cause additional problems with filtration and emptying the system. The financial burden incurred with this septic system is approximately \$500.00 for each pumping occurrence. The estimate the Sterling Senior Center received is around \$70,000.00 for total septic system and leach field replacement.

The second project of the septic system replacement concerns the Moose River Manor Building A. The current system is, at a minimum, 20 plus years old. The main problem has been identified by numerous side shifts within the septic line system, from the building to the leach field. The leach field is shared with the Sterling Senior Center building. This has caused numerous backups, even into tenants' apartments. The current septic system is on a rotational pumping schedule of six weeks. This has to be completed to keep the septic system properly operational for the current tenants. Previous tenants have placed unauthorized items down the system which has caused major problems with proper operation. The cost is approximately, for each pumping occurrence, \$475.00. The estimate for the Moose River Manor Building A is around \$60,000.00 for total replacement.

This complete project replacement is estimated at \$130,000. This replacement would ensure all individuals are safe from contaminants associated with the septic system. We, Sterling Area Senior Citizens, Inc. are requesting \$130,000 for your consideration as a part of the 2023 State Capital Improvement Projects. This requested financial capital would cover all expenses incurred with the septic system replacement combination.

Appreciate your careful consideration for approval of this complete project replacement.

Funding Requested:	\$	130,000	Election District:	Senate:	D
Total Project Cost:	\$	130,000		House:	8
Local Match (if any):	\$				

CONTACT INFORMATION

Name, Title:	Matthew Lundell, Executive Director	Phone:	(907) 262-6826
Address:	34453 Sterling Hwy	Fax:	(907) 262-3883
City, State Zip:	Sterling, Alaska 99672	E-mail:	sterlingseniorcenter@gmail.com

Funding Plan:

Total Project Cost:	\$	130,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$	0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$	130,000	How much is being requested from this year's capital budget.
Pending Requests	\$	0	Amount requested from other sources not yet received.
Project Deficit:	\$		Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:

If this project is funded this year, will you be requesting state funding again? Yes: No:

Please describe the project time-line and when the expenditures will occur:

Septic System replacement will occur in Spring 2024. Accurate planning and supplies will be procured in 2023. Execution stage will commence in Spring of 2024. The reason for this timeline is the pending winter season. Spring of 2024, the ground will be thawing below the surface, thus the execution phase will commence.

Has this project gone through a public review process at the local level? Yes: No:
 Is it a community or service area priority demonstrated by resolution or other official action? Yes: No:

If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?

A borough sponsored community meeting was held at Sterling Community Center on September 18, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Sterling Area Senior Citizens, Inc.

Entity responsible for providing ongoing operation and maintenance of this project? Sterling Area Senior Citizens, Inc.

How will operations and maintenance be funded after the project is complete?

Continued operations will be monitored by Sterling Senior Center staff, Johnson Engineering and Peninsula Pumping. The financial concerns for maintaining the system will be assembled through specified donations, fundraisers and capital grants.

Please select a project type (chosed only one):

- Planning and Research
- Maintenance and Repairs
- Remodel, Reconstruction and Upgrades
- New Construction and Land Acquisition
- Equipment and Materials
- Information System and Technology
- Other:



Kenai Peninsula Borough

Year 2024 State Capital Improvement Projects

COMMUNITY: Sterling

Funding Recipient: Sterling Community Center, Inc.

Project Name: Furnishings and Equipment

Project Priority
Ranking:

2

Detailed Project Description and Justification:

The description of this project is that the Sterling Community Center (SCC) needs to replace our computers, tables, chairs, table & chair holders, and gym equipment.

The justification for these items is that the existing equipment and furnishings are old, unsafe & not enough of them. The chairs and tables that we have were bought as secondhand furnishings & are over 15 years old. We use these items to rent out when we rent the facility for events. This is how the SCC makes money to pay for operations. We need some new computers, as ours were donated are outdated. We would like to open a computer lab for the community to use. The SCC also needs funds to buy recreation and exercise equipment for programs that are provided for the community. The SCC is not funded by taxes, so all our funds are from donations, fund raising events, rentals & occasional money from the state.

Funding Requested:	\$	50,000
Total Project Cost:	\$	50,000
Local Match (if any):	\$	

Election District:	Senate:	D
	House:	8

CONTACT INFORMATION

Name, Title: Melissa Daugherty, President

Phone: (907) 252-5909

Address: PO Box 15

Fax:

City, State Zip: Sterling, AK 99672

E-mail: melissadak49realestate@gmail.com

Funding Plan:

Total Project Cost:	\$	50,000	This should be the most accurate estimate of how much this project will cost.
Funding Secured:	\$	0	How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.
Funding Requested:	\$	50,000	How much is being requested from this year's capital budget.
Pending Requests	\$	0	Amount requested from other sources not yet received.
Project Deficit:	\$	0	Additional funding needed to complete the project.

Please list Secured Funding Sources and Amounts:**If this project is funded this year, will you be requesting state funding again?**Yes: No: **Please describe the project time-line and when the expenditures will occur:**

The Sterling Community Center has requested these funds from the state to purchase new tables, chairs and computers. As soon as we receive the funds we will put in the order for the items.

Has this project gone through a public review process at the local level?Yes: No:

Is it a community or service area priority demonstrated by resolution or other official action?

Yes: No: **If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?**

A borough sponsored community meeting was held at Sterling Community Center on September 18, 2023 and was attended by the public, Kenai Peninsula Borough Assembly Member and Mayor, as well as support staff.

The community meeting was advertised in local newspapers of general circulation, the Kenai Peninsula Borough's webpage and Facebook page. In addition, posters were displayed in various places throughout the community.

Who will own the project or facility? Sterling Community Center, Inc.**Entity responsible for providing ongoing operation and maintenance of this project?** Sterling Community Center, Inc.**How will operations and maintenance be funded after the project is complete?**

Maintenance will be provided by the Sterling Community Center and when new equipment is needed the SCC will provide it.

Please select a project type (chosed only one):

- Planning and Research
 Maintenance and Repairs
 Remodel, Reconstruction and Upgrades
 New Construction and Land Acquisition
 Equipment and Materials
 Information System and Technology
 Other:

Introduced by:	Mayor, Assembly
Date:	02/27/24
Action:	Adopted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2024-008**

A RESOLUTION REQUESTING THE STATE LEGISLATURE TRANSFER A GRANT AWARDED TO THE KENAI PENINSULA BOROUGH FOR CONSTRUCTION OF A SCHOOL FACILITY IN KACHEMAK-SELO FROM THE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT TO THE DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT

- WHEREAS,** the process to build a new school facility for the Kachemak-Selo community began in 2012 when Kachemak-Selo residents submitted a petition to KPBSD Board of Education requesting improved school facilities; and
- WHEREAS,** in 2016, following the enactment of Senate Bill 138, the Kenai Peninsula Borough (KPB) was awarded a grant by the State of Alaska (State) through the Department of Education and Early Development (DEED) for the planning, design, construction and equipping of a new K-12 school facility in Kachemak-Selo under AS 14.11.005; and
- WHEREAS,** the State initially approved an eligible amount of \$16,719,236 including a State grant of \$10,867,503 and a required local match of \$5,851,733 pursuant to AS 14.11.008; and
- WHEREAS,** DEED reduced the grant award to \$10,010,000 due to student population projections; and
- WHEREAS,** pursuant to AS 14.11.008, DEED requires a 35 percent match of \$5,390,000 through cash, in-kind or a combined contribution; and
- WHEREAS,** Ordinance 2018-19-02 approved and appropriated the DEED grant subject to voters' approval of the ballot proposition in Ordinance 2018-21 seeking voter approval to issue \$5,450,000 of general obligation bonds to pay the required local match;
- WHEREAS,** the ballot proposition to pay the local required match failed at the regular election on October 2, 2018; and

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

SECTION 1. That the Assembly requests the Alaska State Legislature transfer grant GR-17-001 (Kachemak Selo New K-12 School Construction) from the Department of Education and Early Development (DEED) to the Department of Commerce, Community & Economic Development (DCCED).

SECTION 2. The Mayor is hereby authorized to execute all documents and make all agreements deemed necessary to effectuate the intent of this resolution.

SECTION 3. That the Clerk will provide a copy of this resolution to the State Legislature.

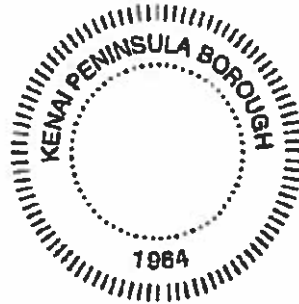
SECTION 4. This resolution shall become effective immediately.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 27TH DAY FEBRUARY 2024.

Brent Johnson
Brent Johnson, Assembly President

ATTEST:

Michele Turner
Michele Turner, CMC, Borough Clerk



Yes: Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson
No: None
Absent: None

E. NEW BUSINESS

- 3. Ordinance 2024-11: Amending KPB Chapter 21.29 relating to consolidated material extraction within material site permits.**

Kenai Peninsula Borough

Mayor's Office

MEMORANDUM

TO: Members, KPB Assembly

THRU: Peter A. Micciche, Mayor *PM*
Brent Johnson, Assembly President *BJ*
Peter Ribbens, Assembly Member *PR*
Cindy Ecklund, Assembly Member *CE*

FROM: Robert Ruffner, Planning Director *RR*

DATE: May 9, 2024

RE: Ordinance 2024-11, Amending KPB Chapter 21.29 Relating to Consolidated Material Extraction Within Material Site Permits (Mayor, Johnson, Ribbens, Ecklund)

This Ordinance will amend KPB Chapter 21.29 to recognize the operational differences between consolidated material extraction, commonly referred to as “quarries”, and traditional unconsolidated material sites, commonly referred to as “sand and gravel pits”.

This Ordinance adds a 4th Material Site CLUP Endorsement Type for consolidated material extraction and add standards and conditions applicable to a Type IV Endorsement, including but not limited to: site-specific conditions related to standards and buffer zone slope requirements, water source separation, hours of operation, and extraction within the water table. This Ordinance also address Type IV endorsements under reclamation plan requirements (KPB 21.29.060), prior existing uses (KPB 21.29.120), and includes applicable definitions under KPB 21.29.130.

Your consideration is appreciated.

Introduced by: Mayor, Johnson, Ribbens,
Ecklund
Date: 05/21/24
Hearing: 06/18/24
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2024-11**

**AN ORDINANCE AMENDING KPB CHAPTER 21.29 RELATING TO
CONSOLIDATED MATERIAL EXTRACTION WITHIN MATERIAL SITE PERMITS**

WHEREAS, KPB Chapter 21.29 recently underwent a years-long rewrite with an effective date of October 1, 2024; and

WHEREAS, Assembly members and the Administration recognized that consolidated material extraction, commonly referred to as “quarries” were not specifically addressed in the rewrite; and

WHEREAS, within the Kenai Peninsula Borough there are several consolidated material sites that operate very differently than traditional unconsolidated material sites, commonly referred to as “sand and gravel pits”; and

WHEREAS, concerns from residents near consolidated material sites came to light very near the end of a long process to rewrite KPB Chapter 21.29 and commitments were made to address these concerns; and

WHEREAS, this ordinance addresses the commitment made by the administration and the assembly with amendments to KPB Chapter 21.29 with the same effective date for the changes as Ordinance 2022-36(SUB);

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That KPB Chapter 21.29. – Material Site Permits, is hereby amended to read as follows:

CHAPTER 21.29. - MATERIAL SITE PERMITS.

21.29.015. Material extraction exempt from obtaining a permit.

....

- D. Material extraction from public or private property which is necessary for the construction of a public or private development on the same property does not require a material site extraction permit.

- E. All consolidated material extraction requires a conditional land use permit (KPB 21.29.020(B)).

21.29.020. Types of permits available.

- A. Counter permit. A counter permit is required for earth material extraction which disturbs more than one acre and less than 5 cumulative un-reclaimed acres and is limited to one counter permit per parcel. Counter permits are not available for consolidated material extraction. Material conditioning or processing, and material extraction within two feet of the seasonal high-water table is prohibited under a counter permit except, upon request from the applicant, the planning director or designee may issue a limited processing waiver for screening of materials only. This processing waiver may not exceed thirty consecutive days per year. The hours of operation under the one-time processing waiver are the same as provided for a Type II Earth Materials Conditioning or Processing Endorsement under 21.29.055. Buffer conditions for a one-time processing waiver must be established consistent with the permit application prior to commencement of processing operations. A counter permit is valid for a period of two years. Upon request from the applicant, the planning director, or designee, may grant one 12-month extension on a counter permit. Counter permits are approved by the planning director, or designees, and are not subject to notice requirements under KPB 21.25.060. The planning director’s decision to approve or deny a counter permit may be appealed to the planning commission, which must act as the hearing officer, in accordance with KPB 21.20.

- B. Conditional land use permit. A conditional land use permit (CLUP) is required for earth materials excavation, extraction, and earth materials conditioning or processing, that exceed the limitations for a counter permit in KPB 21.29.020(A) or for activities within two feet of the seasonal high-water table. A CLUP is required for consolidated material extraction. A CLUP applicant may request the following CLUP endorsements as part of a single application and fee:
....

- 2. Type II Endorsement – Earth Materials Conditioning or Processing. A Type II Endorsement is required for any operation that includes earth materials conditioning or processing activities. Processing does not include consolidated material initial fracturing. The conditions in KPB 21.29.050 and KPB 21.29.055 apply to a Type II Endorsement.
....

4. Type IV Endorsement – Consolidated Material Extraction. A Type IV Endorsement is required for operations of any size that will require extraction of consolidated material. The requirements and conditions in KPB 21.29.050 and KPB 21.29.057 apply to a Type IV Endorsement.

An applicant may request a CLUP that includes one, two, three or all four [THREE] of the above endorsements. A CLUP is valid for a period of five years. A CLUP may be renewed in accordance with KPB 21.29.070. The provisions of KPB Chapter 21.25 are applicable to material site CLUPs and the provisions of KPB 21.25 and 21.29 are to be read in harmony. If there is a conflict between the provisions of KPB 21.25 and 21.29, the provisions of KPB 21.29 are controlling.

21.29.030. Application procedure.

....

- B. In order to aid the planning commission or planning director’s decision-making process, the planning director may provide vicinity, aerial, land use, and ownership maps for each application and may include additional information.
- C. For Type IV Endorsements the CLUP application must include plans for material fracturing schedule, drilling schedule, affected person notifications, and blast overpressure mitigation plans.

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 other impacts of earth materials extraction sites through setbacks, buffer zones, street-level visual screening, and protection of anadromous waters. Prior to granting a counter permit or conditional land use permit under this chapter, the planning director or planning commission, as applicable, must make the following findings:

....

- 3. That sufficient setbacks, buffer zones, and other safeguards, including measures to mitigate blast overpressure impacts and impacts to groundwater flow paths, are being provided consistent with this chapter; and

....

21.29.050. Permit conditions applicable to all permits.

A. The planning commission may require additional conditions for Type IV Endorsement sites. The planning commission or planning director, as applicable, must impose the following mandatory conditions prior to approval of a permit under this chapter.

1. *Buffer Zone.*

a. A minimum 30-foot buffer zone must be established between the area of excavation and the parcel boundaries. The buffer zone must provide street-level, dust, and noise screening. The buffer zone may include one of the following: a six-foot earthen berm with a 2:1 slope; a minimum six-foot sight-obscured fence; or an alternative buffer proposal that the planning commission or planning director, as applicable, deems appropriate. Site-specific slope requirements will be established for CLUPs with Type IV Endorsements. There is no requirement to buffer the material site from uses which commence after the approval of the permit. Berms may not alter natural drainage features;

....

2. *Water source separation.*

....

e. Site-specific water source separation conditions will be established for CLUPs with Type IV Endorsements.

....

5. Hours of operation. Material extraction activities, including equipment operation and consolidated material drilling or fracturing, may only occur between the hours of 6:00 a.m. and 9:00 p.m. Alaska Standard Time (AKST), or as determined by the planning commission or director, as applicable, to be appropriate based upon information presented.

....

21.29.057. Type III Endorsement – Material extraction below or within two feet of the seasonal high-water table.

In accordance with KPB 21.29.020(B)(3), a Type III Endorsement is required for material extraction below or within two feet of the seasonal high-water table. Prior to a permit being issued the planning commission must impose the mandatory conditions set forth in KPB 21.29.050(A) and discretionary conditions as deemed appropriate. In accordance with KPB 21.29.050(A)(2)(b) dewatering is prohibited. The following additional application requirements and permit conditions specific to a Type III Endorsement apply:

....

- C. Conditions. In addition to the requirements of KPB 21.29.050, operating conditions for extraction within or below two feet of the seasonal high-water table are as follows:

....

- 7. The planning commission will establish site-specific conditions for material extraction in the water table for CLUPs with Type IV Endorsements as appropriate.

21.29.060. – Reclamation plan.

....

- B. The applicant may revegetate and must reclaim all disturbed land within the time period approved with the reclamation plan so as to leave the land in a stable condition wherein a 2:1 slope is maintained. Any revegetation must be done with a non-invasive plant species. Revegetation may not be required for sites with Type IV Endorsements only. Bonding must be required at \$750.00 per acre for all acreage included in the current five-year reclamation plan. In the alternative, the planning director may accept a qualified professional’s estimate for determining the amount of bonding. If the applicant is bonded with the state, the borough’s bonding requirement is waived. Compliance with reclamation plans will be enforced under KPB 21.50.
- C. The following measures must be considered in the preparation, approval and implementation of the reclamation plan, although not all will be applicable to every reclamation plan:

....

7. Mitigation provisions may be required for steep-slope Type IV Endorsement site reclamation plans.

....

21.29.120. Prior-existing uses.

....

E. PEU provisions are not applicable for Type IV Endorsement sites.

21.29.130. Definitions.

A. Unless the context requires otherwise, the following definitions apply to material site permits and activities:

....

10. Consolidated material means solid rock that must be fractured by blasting, hammering or other means for removal and handling.

....

25. Unconsolidated material means sand, gravel, clay, silt, gravel, cobble and boulders that can be produced and used without fracturing for extraction or any blasting.

....

SECTION 2. That this ordinance shall become effective on October 1, 2024.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY OF *, 2024.

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Introduced by:	Johnson, Chesley
Substitute Introduced:	09/05/23
O2022-36 (Johnson, Chesley)	See Original Ordinance for Prior History
Hearing:	09/09/23
Action:	Postponed to 09/19/23 and Added Additional Hearing on 10/10/23
Vote:	9 Yes, 0 No, 0 Absent
Date:	09/19/23
Action:	Postponed as Amended to 10/10/23
Vote:	9 Yes, 0 No, 0 Absent
Date:	10/10/23
Action:	Enacted as Amended
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2022-36
(JOHNSON, CHESLEY) SUBSTITUTE**

**AN ORDINANCE AMENDING KPB CHAPTER 21.25 AND KPB CHAPTER 21.29
REGARDING CONDITIONAL LAND USE PERMITS AND MATERIAL SITE
PERMITS, UPDATING NOTICE, APPLICABILITY, PERMIT TYPES, APPLICATION
REQUIREMENTS, STANDARDS AND PERMITS CONDITIONS**

WHEREAS, there are goals and objectives within the 2019 Kenai Peninsula Borough Comprehensive Plan to establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems and support individual land use freedoms, as well as strategy objectives to update the Borough’s existing conditional use regulations for gravel extraction and other uses to better address reoccurring land use conflicts; and

WHEREAS, material sites and material site operators are vital to the development and improvement of the borough; and

WHEREAS, the Kenai Peninsula Borough supports material sites and recognizes that without material sites there would not be economic development; and

WHEREAS, under current state law a first or second class borough must provide for planning, platting, and land use regulation on an areawide basis, except where such powers have been delegated to a city within the Borough; and

WHEREAS, land use regulation includes zoning powers; and

WHEREAS, the Borough has enacted KPB Chapter 21.04, Zoning Districts, and has established two zoning districts: the municipal district and the rural district; and

- WHEREAS,** within the rural district, KPB 21.25.040 requires a permit for the commencement of certain land uses within the rural district of the Kenai Peninsula Borough; and
- WHEREAS,** approximately 243 registered prior existing use material sites and approximately 68 conditional land use permits for material sites have been granted since 1996; and
- WHEREAS,** the assembly established a material site work group by adoption of Resolution 2018-004 (Substitute) to engage in a collaborative discussion involving the public and industry to make recommendations regarding the material site code; and
- WHEREAS,** the ordinance, Ordinance 2019-30, incorporating the final report and work group recommendations, failed enactment following public hearing and a vote during the assembly's October 24, 2019 meeting; and
- WHEREAS,** in late 2021, due to continued conflict including costly administrative and court appeals, the administration brought this land use issue back to the assembly and requested assembly action regarding the permitting process related to earth materials extraction and processing; and
- WHEREAS,** throughout this process the planning department, the material site work group, the planning commission, and the assembly have received many verbal and written public comments from Borough residents, professionals, and site operators; and
- WHEREAS,** the assembly first considered this issue by looking at the same ordinance that failed in 2019, relabeled Ordinance 2021-41; and
- WHEREAS,** Ordinance 2021-41 and a related substitute ordinance were tabled by the assembly at its February 1, 2022 to allow for consideration by the assembly as a committee of the whole, and
- WHEREAS,** the availability of three different types of conditional land use permits for material sites are designed to separate impacts of such uses and tailor applicable conditions and requirements to the associated impacts; and
- WHEREAS,** the Kenai Peninsula Borough recognizes the importance of implementing bonding, as applicable, to ensure neighboring properties and water sources are insured; and
- WHEREAS,** implementing a systematic process to determine a prior-existing use will allow the planning department to better identify the number of and types of pre-existing use sites in existence on the Kenai Peninsula and address complaints regarding nonconforming prior existing material sites; and
- WHEREAS,** requiring all prior-existing use operations to comply with reclamation plan and hours of operation requirements protects public health, safety, and general welfare; and

WHEREAS, requiring all prior-existing use operations which extract material below or within two feet of the seasonal highwater table to conduct operations in accordance with the requirements outlined in the relevant sections of code protects public health, safety, and general welfare; and

WHEREAS, buffer zones, dust control, hours of operation, and setbacks as mandatory conditions applicable to all permits, along with the discretionary conditions and conditions specific to processing or extraction with the water table, will reduce dust, noise, and attractive nuisances, thereby promoting public health, safety, and general welfare; and

WHEREAS, providing the planning director or planning commission the ability to add certain discretionary conditions recognizes the unique challenges material sites on the Kenai Peninsula present and that all conditions appropriate for one material site on one part of the Kenai Peninsula may not be appropriate for another site located on another part of the Kenai Peninsula; and

WHEREAS, Ordinance 2022-36 was postponed multiple times in 2022 and 2023 after the Assembly formed a Committee of the Whole to work through the ordinance section by section, amendment by amendment; and

WHEREAS, the Committee of the Whole first met on August 23, 2022 and subsequently 20 additional meetings; and

WHEREAS, the Committee of the Whole considered and deliberated 63 amendment documents to Ordinance 2022-36, made 107 motions, and voted on 89 separate items; and

WHEREAS, Ordinance 2022-36 and this substitute ordinance went before the Planning Commission for review; and

WHEREAS, after years of work, public input, and public deliberative process, this substitute ordinance enacts a new notice section to align with notice requirements of Title 20 of Borough code and enacts a new chapter of code related to material sites wherein it establishes a CLUP permit system containing three different endorsement types with standards and conditions applicable to each endorsement, which are intended to encourage responsible development while also protecting and promoting the public health, safety, and general welfare of all residents and visitors of the Kenai Peninsula Borough;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That KPB 21.25.050 is hereby amended as follows.

21.25.050. Permit considerations—Public hearing required.

- A. Within 30 days of receiving an application, the planning director or designee shall review the submitted application for completeness and compliance with this chapter. If it is incomplete or does not meet the requirements of this chapter, the planning director shall notify the applicant in writing. The planning director shall thereafter either return the application to the applicant or schedule the application to be considered by the planning commission at the next appropriate scheduled meeting.

...

SECTION 2. That the Kenai Peninsula Borough Code of Ordinances is hereby amended by repealing and reenacting KPB Chapter 21.25.060, Notice, which shall read as follows:

21.25.060. Notice.

- A. Except for counter permits for material sites issued under KPB 21.29.020(A) or expressly excepted elsewhere in this title, notice of any pending application required under this title will be given in accordance with this section.
- B. Required forms of notice are as follows:
1. Notice of the pending application will be published on the borough website.
 2. When available, the notice will also be posted on a public bulletin of the impacted community.
 3. At the beginning of the notice period a copy of the notice will be sent by First Class U.S. Mail to all owners and leaseholders of record of property located with a radius of one-half mile of the subject property, except for permit applications under KPB 21.29 the notice area is the parcels within a radius of 1000 feet of the subject property.
- C. The notice must contain a description of the proposed location, the type of proposed land use or a description of the action requested, as applicable, the applicant's name, where written comments may be submitted, the last deadline for submitting written comments to the planning commission, and the date, time and location of the public hearing.
- D. The failure of any person to receive any notice required under this section, where the records of the borough indicate the notice was provided in a timely and proper manner, will not affect the validity of any proceeding under this title or be basis for appeal.

SECTION 3. That the Kenai Peninsula Borough Code of Ordinances is hereby amended by repealing and reenacting KPB Chapter 21.29, Material Site Permits, which shall read as follows:

21.29.005. Intent and Purpose.

The purpose of this chapter is to provide a land use permitting process to regulate the operation, scope, and duration of earth materials extraction and processing within the borough while promoting the public health, safety, and general welfare of the Kenai Peninsula Borough, including the health of aquatic systems that support salmon. It is the further purpose of this chapter to promote compatible, orderly development.

21.29.010. Applicability—Prohibitions.

- A. This chapter applies to all private and public lands in the borough except where the use is prohibited by ordinance within a local option zoning district or exempt under KPB 21.29.015.
- B. This chapter does not apply within the incorporated cities of the Kenai Peninsula Borough.
- C. Earth material extraction within 300 linear feet from riparian wetlands and the seasonal high-water level of naturally-occurring open water bodies, such as a lake, pond, river, perennial stream, or ocean, is prohibited. This prohibition does not apply to man-made water bodies or isolated ponds of less than one acre on private property or the construction of waterbodies within the permitted area.
- D. All operations must be conducted in accordance with the current publication of the State of Alaska, Alaska DEC User’s Manual Best Management Practices for Gravel/Rock Aggregate Extraction Projects. In the event a provision of this chapter conflicts with the State of Alaska’s manual, this chapter controls.
- E. Up to 5,000 gallons of water per day may be withdrawn from a well. Proof of ADNR use authorization is required for a withdrawal of water in excess of 5,000 gallons per day from a well, as long as there is no open pond with active excavation. Open water is allowed only with an approved settling pond per KPB 21.29.055 or in conjunction with a CLUP approved pursuant to KPB 21.29.057 (Type III CLUP).

21.29.015. Material extraction exempt from obtaining a permit.

- A. Material extraction limited to one acre per parcel, that is not in a mapped flood plain or subject to 21.29.015(B), does not require a permit. There will be no excavation within 20 feet of a public right-of-way or within 10 feet of a lot line. An owner or operator exempt under this subsection must register with the borough on a form provided by the planning department and must comply with KPB 21.29.010(C). Material extraction within two feet of seasonal high-water table and all material crushing or screening activities are prohibited under this exemption.
- B. Material extraction taking place on dewatered bars within the confines of the Snow River and the streams within the Seward-Bear Creek Flood Service Area do not require a permit, however, operators subject to this exemption must provide the planning department with the information required by KPB 21.29.030(A)(1) and (6), and a current flood plain development permit prior to beginning operations.
- C. A prior existing use that is in full compliance with all provisions of KPB 21.29.120 does not require a material extraction permit.
- D. Material extraction from public or private property which is necessary for the construction of a public or private development on the same property does not require a material site extraction permit.

21.29.020. Types of permits available.

- A. Counter permit. A counter permit is required for earth material extraction which disturbs more than one acre and less than 5 cumulative un-reclaimed acres and is limited to one counter permit per parcel. Material conditioning or processing, and material extraction within two feet of the seasonal high-water table is prohibited under a counter permit except, upon request from the applicant, the planning director or designee may issue a limited processing waiver for screening of materials only. This processing waiver may not exceed thirty consecutive days per year. The hours of operation under the one-time processing waiver are the same as provided for a Type II Earth Materials Conditioning or Processing Endorsement under 21.29.055. Buffer conditions for a one-time processing waiver must be established consistent with the permit application prior to commencement of processing operations. A counter permit is valid for a period of two years. Upon request from the applicant, the planning director, or designee, may grant one 12-month extension on a counter permit. Counter permits are approved by the planning director, or designees, and are not subject to notice requirements under KPB 21.25.060. The planning director's decision to approve or deny a counter permit may be appealed to the planning commission, which must act as the hearing officer, in accordance with KPB 21.20.

- B. Conditional land use permit. A conditional land use permit (CLUP) is required for earth materials excavation, extraction, and earth materials conditioning or processing, that exceed the limitations for a counter permit in KPB 21.29.020(A) or for activities within two feet of the seasonal high-water table. A CLUP applicant may request the following CLUP endorsements as part of a single application and fee:
1. Type I Endorsement – Earth Materials Extraction. A Type I Endorsement is required for any earth materials excavation or extraction which disturbs 5 or more cumulative acres. Earth materials conditioning or processing activities and excavation or extraction within two feet of the seasonal high-water table is prohibited under this permit. The requirements and conditions in KPB 21.29.050 apply to a Type I Endorsement.
 2. Type II Endorsement – Earth Materials Conditioning or Processing. A Type II Endorsement is required for any operation that includes earth materials conditioning or processing activities. The conditions in KPB 21.29.050 and KPB 21.29.055 apply to a Type II Endorsement.
 3. Type III Endorsement – Earth Materials Extraction Within Water Table. A Type III Endorsement is required for operations of any size that excavate or extract earth materials within two feet of the seasonal high-water table. The requirements and conditions in KPB 21.29.050 and KPB 21.29.057 apply to a Type III Endorsement. If the application includes earth materials conditioning or processing activities, then the requirements and conditions in KPB 21.29.055 apply.

An applicant may request a CLUP that includes one, two or all three of the above endorsements. A CLUP is valid for a period of five years. A CLUP may be renewed in accordance with KPB 21.29.070. The provisions of KPB Chapter 21.25 are applicable to material site CLUPs and the provisions of KPB 21.25 and 21.29 are to be read in harmony. If there is a conflict between the provisions of KPB 21.25 and 21.29, the provisions of KPB 21.29 are controlling.

21.29.030. Application procedure.

- A. In order to obtain a counter permit or CLUP under this chapter, an applicant must first complete and submit to the borough planning department a permit application, along with the fee listed in the most current Kenai Peninsula Borough Schedule of Rates, Charges and Fees. The planning director may determine that certain contiguous parcels are eligible for a single permit. The application must include the following items, without which the application will be deemed incomplete:

1. Legal description of the parcel, KPB tax parcel ID number, and identification of whether the permit is for the entire parcel, or a specific location within a parcel;
2. Expected life span of the material site;
3. A buffer plan consistent with KPB 21.29.050(A)(1);
4. Reclamation plan consistent with KPB 21.29.060;
5. The depth of excavation;
6. Type of material to be extracted;
7. A site map provided by a professional surveyor licensed in the State of Alaska to include the following:
 - a. Location and elevation of test holes, and depth of groundwater, based on the seasonal high-water table. At least one test hole per ten acres of excavated area is required. The test holes must be at least two feet below the proposed lowest elevation of excavation depth. Depth of groundwater may also be established by a civil engineer licensed in the State of Alaska using professionally-accepted methods and data.
 - b. Location of all private wells of adjacent property owners within 300 feet of the proposed parcel boundary;
 - c. Identification of all encumbrances, including but not limited to, easements;
 - d. Points of ingress and egress. Driveway permits must be acquired from either the state or borough as appropriate prior to submitting the application;
 - e. Identify and label all drainage features entering and exiting the property;
 - f. Location of any water body on the parcel, including the location of any riparian wetland as determined by best available data;
 - g. North arrow;
 - h. The scale to which the site plan is drawn;
 - i. Preparer's name and date; and

- j. Field verification must include staking the boundary of the parcel at sequentially visible intervals. The planning director may grant an exemption in writing to the staking requirements if the parcel boundaries are obvious or staking is unnecessary.
8. A site plan is required by a civil engineer licensed in the State of Alaska. The site plan must include the following:
- a. Surface water protection measures, if any, for adjacent properties, including the use of diversion channels, interception ditches, on-site collection ditches, sediment ponds and traps, and silt fence;
 - b. Location of excavation, and, if the site is to be developed in phases, the life span and expected reclamation date for each phase;
 - c. Proposed buffers consistent with KPB 21.29.050(A)(1), or alternate buffer plan;
 - d. Anticipated haul routes;
 - e. Location of any processing areas on the parcel, if applicable; and
 - f. Ground water protection measures for anadromous waters, especially with regard to juvenile salmon, as identified by shallow groundwater flow paths and critical areas of aquifer connectivity, such as recharge, where this information is available.
9. A statement by the operator of the site that the requirements of KPB 21.29.045 have been satisfied.
- B. In order to aid the planning commission or planning director's decision-making process, the planning director may provide vicinity, aerial, land use, and ownership maps for each application and may include additional information.

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 other impacts of earth materials extraction sites through setbacks, buffer zones, street-level visual screening, and protection of anadromous waters. Prior to granting a counter permit or conditional land use permit under this chapter, the planning director or planning commission, as applicable, must make the following findings:
- 1. That the use is not inconsistent with the applicable comprehensive plan;

2. That the use will not be harmful to the public’s health, safety, and general welfare, or the health of anadromous;
3. That sufficient setbacks, buffer zones, and other safeguards, including measures to mitigate impacts to groundwater flow paths, are being provided consistent with this chapter; and
4. That the use provides for a reclamation plan consistent with this chapter.

21.29.045. Required compliance with State and Federal laws

A. All applicants for permits for earth materials extraction are required to demonstrate compliance with state and federal law. Prior to final approval of the permit, the applicant or agent must provide written documentation from the permitting agency of compliance with the following:

1. An Alaska Department of Natural Resources (ADNR) temporary use authorization if the applicant intends for water to leave the site. If water leaves the side, the applicant must adhere to the provisions of the ADNR temporary water use authorization;
2. Mining permit as required by ADNR if extraction activities are to take place on state land;
3. Reclamation plan as required by ADNR, pursuant to A.S. 27.19;
4. Notice of intent for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Department of Environmental Conservation (DEC) pursuant to the Alaska Pollutant Discharge Elimination System (APDES) requirements;
5. United States Army Corps of Engineers (USACE) permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity requires USACE approval; and
6. Any other applicable state or federal agency with regulatory authority of mining activities or earth materials extraction.

B. In addition to the requirements in subsection (A) of this section, all activity must be conducted in compliance with state or federal regulations governing the items listed below. Written documentation of compliance with these regulations is not required. Complaints received by the borough of violations of requirements within this section will be forwarded to the appropriate agency for enforcement, this includes but is not limited to:

1. Air quality.
 - a. EPA air quality control permit is required for asphalt plants and crushers;
 - b. ADNR burn permit is required for brush or stump burning. Combustibles must be stockpiled separate from noncombustibles, and burn permit requirements must be followed; and
 - c. ADEC dust control and air quality regulations pertaining to burning activities must be followed.
 2. Water quality. EPA or ADEC regulations controlling spills, spill reporting, storage and disposal of oil, anti-freeze and hydrocarbons.
 3. Hazardous Materials. Use and storage of hazardous materials, waste and explosives.
 - a. EPA regulations controlling use of hazardous materials must be followed; and
 - b. U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives regulations must be followed when storing or using explosives.
- C. Failure to comply with any of the requirements in subsections (A) and (B) of this section is a violation of the permit, and is subject to enforcement pursuant to KPB Chapter 21.50.

21.29.050. Permit conditions applicable to all permits.

- A. The planning commission or planning director, as applicable, must impose the following mandatory conditions prior to approval of a permit under this chapter:
1. Buffer Zone.
 - a. A minimum 30-foot buffer zone must be established between the area of excavation and the parcel boundaries. The buffer zone must provide street-level, dust, and noise screening. The buffer zone may include one of the following: a six-foot earthen berm with a 2:1 slope; a minimum six-foot foot sight-obscured fence; or an alternative buffer proposal that the planning commission or planning director, as applicable, deems appropriate. There is no requirement to buffer the material site from uses which commence after the approval of the permit. Berms may not alter natural drainage features;

- b. Where an easement exists, a buffer must not overlap the easement, unless otherwise conditioned by the planning commission or planning director, as applicable; and
- c. This requirement may be waived upon a finding by the planning director or planning commission, as applicable, that a lot line where the waiver is requested is directly adjoining another material site or industrial use.
- d. Geographic Information System (GIS), Photogrammetry, LIDAR, and other technologies may be utilized in the design of the buffer zone. Using this technology, line-of-site profile drawings may be utilized in the determination of sufficiency of the buffer zone.
- e. At its discretion the planning director or planning commission (as applicable) may waive or reduce buffer requirements when screening proves to be not necessary or not feasible.
- f. For material site parcels with boundaries which include coastal cut banks, the mandatory buffer area condition in subsection (A) above must be increased to 100 feet between the area of excavation and the coastal cut bank. The planning commission may waive this requirement in uninhabited areas or if the planning commission finds based on substantial evidence presented that the waiver of the increased buffer area will not endanger the public health, welfare and safety of the vicinity. For the purposes of this subsection, “coastal cut banks” are defined as banks of marine coasts with exposed soil surface that have occurred from natural or manmade causes whether the exposed surface extends to the high water mark or not.

2. *Water source separation.*

- a. Material extraction below or within two feet of the seasonal high-water table is prohibited unless the applicant is issued a Type III Endorsement and the requirements and conditions in KPB 21.29.057 are satisfied;
- b. Offsite excavation dewatering is prohibited;
- c. All permits will be issued with a condition which prohibits any material extraction within 100 linear feet of any water source as defined in KPB 21.29.130 existing prior to original permit issuance; and

- d. On site movement of water may be permitted pursuant to KPB 21.29.057 if: (i) the operator provides a statement under seal and supporting data from a qualified independent civil engineer licensed and active in the State of Alaska that the dewatering will not lower any known water systems; and (ii) the applicant posts a bond for liability for potential accrued damages in an amount equivalent to the cost to replace each water wells within a 300-foot radius of the site. The rebuttable presumption is that the cost per well is a minimum of \$10,000.
- 3. Roads. Operations that impact borough roads must be conducted in accordance with the requirements and remedies of KPB Chapter 14.40.
- 4. Dust control. Dust suppression is required on haul roads within the boundaries of the material site by application of water or calcium chloride.
- 5. Hours of operation. Material extraction activities, including equipment operation, may only occur between the hours of 6:00 a.m. and 9:00 p.m. Alaska Standard Time (AKST), or as determined by the planning commission or planning director, as applicable, to be appropriate based on information presented.
 - a. Project-based waiver. An applicant may request a seasonal, project-based waiver of the hours of operation requirements under this subsection. A waiver granted under this subsection is valid for up to six consecutive calendar months. To grant a waiver under this subsection, the commission must find that the waiver is necessary for a specific project, and that the waiver is not harmful to the public health, safety, and general welfare of borough residents.
- 6. Groundwater elevation. All material sites must maintain one monitoring well two feet below the proposed excavation per ten acres of excavated area.
- 7. Setback. Material site excavation areas must be 250 feet from the property boundaries of any existing public school ground, private school ground, college campus, licensed childcare facility, multi-purpose senior center, assisted living home, and licensed health care facility.
- 8. Permit boundaries. The buffers and any easements or rights-of-way abutting the proposed permit area must be staked at sequentially visible intervals. Field verification and staking will require the services of a professional land surveyor. Stakes must be in place prior to issuance of the permit.

9. Processing. Material extraction of any size that includes processing, screening, or crushing activities is prohibited unless the applicant is issued a Type II CLUP and the conditions in KPB 21.29.055 are imposed on the permit.

B. Site Specific Conditions. The planning commission or planning director, as applicable, may set conditions of approval for issuance of a counter permit or CLUP, as appropriate for the area in which the development is sited, for the following:

1. Setbacks/Buffer Area.

a. The mandatory buffer area condition in subsection (A) above may be increased, up to a maximum of 100 feet between the area of excavation and the parcel boundaries, and include a combination of appropriate buffers, if the planning commission finds, based on substantial evidence presented, that increasing the buffer area is necessary for the public health, welfare and safety of the vicinity;

i. An earthen berm with a minimum 2:1 slope may be required. The berm height will be determined by the planning commission or planning director, as applicable, and constructed above preexisting elevation around the excavation area. As the excavation area expands, the berm will move toward negatively-impacted properties in the vicinity until such limits of the permitted area are exhausted. The berm must be maintained at the predetermined height while permitted activity is occurring. This earthen berm may be in addition to other buffer zone conditions imposed upon the permit.

b. All other requirements of KPB 21.29.050(A)(1) apply; and

c. When a buffer area has been denuded less than a year prior to review of the application by the planning commission or planning director revegetation may be required.

2. Road repair. In consultation with the Road Service Area Director, repair of public right-of-way haul routes may be required of the permittee.

3. Ingress and egress. The planning commission or planning director may suggest the points of ingress and egress for the material site. The permittee is not required to construct haul routes outside the parcel boundaries of the material site. Driveway authorization must be acquired, from either the state through an “Approval to Construct” or the borough road service area, as appropriate, prior to issuance of a material site permit when accessing a public right-of-way.
4. Surface and ground water protection. Use of surface and ground water protection measures as specified in KPB 21.29.030(A)(8)(a).
5. Street-level screening. Street-level visual screening, noise mitigation, and lighting restrictions as appropriate for the surrounding area and in accordance with the standards set forth in KPB 21.29.040.
6. Noise suppression. At the discretion of the planning commission or planning director, as applicable, multi-frequency (white noise) back-up alarms may be required on all equipment and vehicles that have existing state or federal back-up alarm requirements as a condition to help meet the noise impact standard in accordance with and in consideration of existing uses in the vicinity.
7. Special Impacts Zone (SIZ)
 - a. The screening of adverse, noise, dust, or other impacts protects public health, safety, and general welfare. General welfare is further served through imposition of this zone. The distance restrictions balance the right to quiet enjoyment of one’s property against development rights. Residents within this zone may request screening methods that are objective, measurable, and within the overall regulatory limits set by this chapter by providing substantial evidence to support the request.
 - b. For counter permits, noise, dust, or other impacts that cannot be screened as set forth in Subsection 7(a) within 500 horizontal feet of an existing principle residential structure may be grounds for denial. For Type 1, 2, and 3 Endorsements, noise, dust, or other impacts that cannot be screened as set forth in Subsection 7(a) within 1000 horizontal feet of an existing principle residential structure may be grounds for denial. The distances specified in this subsection will be measured from any outer wall of a principle residential structure to the nearest boundary of the proposed material site permitted area.
8. Public campgrounds. From the last Monday of May through the first Monday of September each year, for operations within 1,000 feet of a

campsite within a public campground, the following limitations to operations may be applied:

- (a) hours of operation limited to 9:00 am to 6:00 pm;
- (b) no excavation, processing, or hauling activity allowed over the Memorial Day and preceding weekend, Independence Day, or Labor Day and preceding weekend; or
- (c) if a proposed haul route conflicts with a public campground entrance road, then the planning commission or planning director, as applicable, may designate the haul route to be used, with exceptions allowed for local delivery.

The 1,000-foot distance will be measured from any campsite of the public campground to the outer boundary of the permitted area for which an applicant has requested a counter permit or conditional land use permit under this chapter.

21.29.055. Type II Endorsement – Earth Materials processing

In accordance with KPB 21.29.020(B)(2), a Type II Endorsement is required for earth materials conditioning or processing activities. Prior to issuing a permit under this subsection, the planning commission must impose the mandatory conditions in KPB 21.29.050(A) and discretionary conditions as the planning commission deems appropriate. In addition, the following requirements and permit conditions specific to Type II CLUP apply:

- A. *Setback.* Equipment which conditions or crushes material must be operated at least 300 feet from the parcel boundaries. At its discretion, the planning commission may waive the 300-foot processing distance requirement, or allow a lesser distance in consideration of and in accordance with existing uses of the properties in the vicinity at the time of approval of the permit.
- B. *Hours of operation.*
 - 1. Earth materials crushing equipment and blasting may only be operated between 8:00 a.m. and 7:00 p.m. AKST, or as determined by the planning commission.
 - 2. The planning commission may grant exceptions to increase the hours of operation and processing in the event of an emergency or a good-cause finding that the increased hours of operation serve a public purpose and are not harmful to the public health, safety, and general welfare of borough residents. Such an exception may not exceed 120 days.

3. Seasonal, project-based waiver. An applicant may request a seasonal, project-based waiver of the hours of operation requirements under this section. A waiver granted under this subsection is valid for six consecutive calendar months. To grant a waiver under this subsection, the commission must find that the waiver is necessary for a specific project, and that the waiver is not harmful to the public health, safety, and general welfare of borough residents.
- C. Onsite retention of settling pond water is allowed, including for the washing of materials, provided that the settling pond is not created by channeling or redirecting natural water bodies or natural drainage. Notwithstanding, if a settling pond is within two feet of the seasonal high water table, then a Type III Endorsement is required.

21.29.057. Type III Endorsement - Material extraction below or within two feet of the seasonal high-water table.

In accordance with KPB 21.29.020(B)(3), a Type III Endorsement is required for material extraction of material below or within two feet of the seasonal high water table. Prior to a permit being issued the planning commission must impose the mandatory conditions set forth in KPB 21.29.050(A) and discretionary conditions as deemed appropriate. In accordance with KPB 21.29.050(A)(2)(b) dewatering is prohibited. The following additional application requirements and permit conditions specific to a Type III Endorsement apply:

- A. Prior to application for a Type III Endorsement, the following requirements must be met:
1. Installation of a sufficient number of monitoring wells and test pits, as recommended by a qualified professional, to adequately determine groundwater flow direction, hydraulic gradient, water table and seasonal high-water table elevation. Monitoring well and test pit locations must provide the qualified professional with adequate information to characterize the entire property that will be permitted for material extraction. Well casing elevations must be surveyed to a vertical accuracy of 0.01 feet by a registered land surveyor and tied to NAVD 1988.
 2. Determination of seasonal high-water table elevation, groundwater flow direction, hydraulic gradient, and water table elevation for the site must be measured under the supervision of a qualified professional.

3. A written report must be completed by a qualified professional that makes a determination about the potential adverse effects to groundwater and surface water body elevation, groundwater and surface water quality, surrounding water users and adjacent properties. The determination must be based on available data, interpretations of the data and knowledge of groundwater processes.
 4. The report must be submitted with the CLUP application and must:
 - a. Identify existing public water system sources, as identified by the state, that are located within one-half mile of the boundary of the property on which the activity will take place;
 - b. Identify actual or presumed private drinking water wells located within one-half mile of the boundary of the property on which the activity will take place and include a copy of the available well logs;
 - c. Identify existing regulated potential sources of contamination within at least one-half mile of the boundary of the property on which the activity will take place;
 - d. Contain maps at appropriate scales presenting the results of the well search, the setbacks required by subsection (C)(7) of this section, and illustrating wetlands and water bodies; at least one map must show identified potential sources of contamination;
 - e. Include the water table elevation monitoring data, monitoring well logs and records of any test pits, and a discussion of the seasonal high-water table determination; and
 - f. Evaluate subsurface hydrologic conditions and identify potential adverse effects that may occur as a result of material extraction. The evaluation of the hydrologic conditions must include identifying confining layers and ground water flow paths.
- B. In addition to the application requirements for a Type I Endorsement, the application for a Type III Endorsement must include:
1. A description of the proposed extent and depth of material extraction beneath the seasonal high-water table.
 2. A written report that meets the requirements of subsection (A)(4) of this section, a monitoring plan, and a spill prevention, control, and countermeasures plan as required by this section.

C. Conditions. In addition to the requirements of KPB 21.29.050, operating conditions for extraction within or below two feet of the seasonal high-water table are as follows:

1. Implement a monitoring plan that meets the requirements of this chapter. If existing wells will provide sufficient data, no additional wells are required.
2. Implement the spill prevention, control and countermeasures plan in accordance with Environmental Protection Agency's requirements for above ground storage tank operations regardless of the quantity of petroleum products on site.
3. Groundwater flow direction, hydraulic gradient, and groundwater table elevation for the subject parcel must be measured at least monthly during active extraction. Monitoring wells must be maintained or replaced with equivalent monitoring wells.
4. Water elevation monitoring data must be retained for two years following completion of reclamation activities and must be provided to the planning director upon request.
5. Operations must not breach or extract material from a confined aquifer or a confining layer beneath a perched aquifer.
 - a. If evidence suggests a confined aquifer or confining layer has been breached, or if groundwater or surface water elevation changes rapidly or beyond natural variation, the director must be notified within 24 hours.
 - i. A hydrologic assessment, conducted by a qualified professional, to determine the affected area and the nature and degree of effects and a description of potential repair or mitigation options must be submitted to the director within 14 calendar days of notification; and
 - ii. Repair or mitigation sufficient to address identified effects must be initiated as soon as practical, not to exceed 45 calendar days from the date the assessment is received by the director.
6. Operations must maintain the following setbacks:
 - a. 500 feet from the nearest down-gradient drinking water source;
 - b. 350 feet from the nearest cross-gradient drinking water source;

- c. 200 feet from the nearest up-gradient drinking water source; and
- d. Minimum separation distances do not apply to drinking water sources constructed after a permit to extract material below the water table has been issued.

21.29.060. – Reclamation plan.

- A. All material site permit applications require an overall reclamation plan. A site plan for reclamation must be required including a scaled drawing with finished contours. A five-year reclamation plan must be submitted with a permit renewal request.
- B. The applicant may revegetate and must reclaim all disturbed land within the time period approved with the reclamation plan so as to leave the land in a stable condition wherein a 2:1 slope is maintained. Any revegetation must be done with a non-invasive plant species. Bonding must be required at \$750.00 per acre for all acreage included in the current five-year reclamation plan. In the alternative, the planning director may accept a qualified professional’s estimate for determining the amount of bonding. If the applicant is bonded with the state, the borough’s bonding requirement is waived. Compliance with reclamation plans will be enforced under KPB 21.50.
- C. The following measures must be considered in the preparation, approval and implementation of the reclamation plan, although not all will be applicable to every reclamation plan:
 - 1. The area will be backfilled, graded and re-contoured using strippings, overburden, and topsoil so that it will be stabilized to a condition that will allow for revegetation under KPB 21.29.060(B).
 - 2. The topsoil used for reclamation must 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 an independent, professional civil engineer licensed and active in the State of Alaska.
 - 3. Exploration trenches or pits will be backfilled. Brush piles and unwanted vegetation must 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.
 - 4. Topsoil mine operations must ensure a minimum of four inches of suitable growing medium is left or replaced on the site upon completion of the reclamation activity (unless otherwise authorized).

- 5. Ponding may be used as a reclamation method as approved by the planning commission.
 - 6. The area will be reclaimed in a manner that is not harmful to public health, safety, and general welfare.
- D. The five-year reclamation plan must describe the total acreage to be reclaimed relative to the total excavation plan. The five-year reclamation plan must also identify any drainage features which enter or exit the property.
- E. Close-out. Reclamation plans and requirements survive expiration, termination, or revocation of a permit granted under this chapter. In order to close-out a permit, the planning director must be provided adequate proof that reclamation has been conducted in accordance with the reclamation plan. If a permit expires, terminates, or is revoked prior to permit close-out, the remedies under KPB 21.50 apply and the planning director may hold applicable fines and remedies in abeyance upon a finding that reclamation is actively ongoing.

21.29.063. Decision.

The planning commission or planning director, as applicable, will approve permit applications whereby standards under KPB 21.29.040 have been met through implementation of conditions set forth in KPB 21.29.050, KPB 21.29.055, and KPB 21.29.057 or will deny applications when the application does not meet the standards in KPB 21.29.040. The decision will include written findings detailing how the conditions under KPB 21.29.050, KPB 21.29.055, and KPB 21.29.057 meet, or do not meet the standards set forth in KPB 21.29.040 and evidence to support those findings. The decision must be distributed to the parties of record before the planning commission, with notice of right to appeal.

21.29.065. Effect of permit denial.

- A. Absent new evidence or a material change in circumstances that even with due diligence the applicant could not have presented with the original application, no reapplication concerning the same counter permit application may be filed within one calendar year of the date of the planning director's final denial action.
- B. Absent new evidence or a material change in circumstances that even with due diligence the applicant could not have presented with the original application, no reapplication concerning the same CLUP may be filed within three calendar years of the date of the final denial action.
- C. For the purposes of this section, the applicant bears the burden of proof of demonstrating that new evidence or a material change of circumstances exist and that even with due diligence the applicant could not have presented the information with the original application.

21.29.070. Permit renewal, modification and revocation.

- A. Conditional land use permittees must submit a renewal application every five years after the permit is issued. A renewal application must be submitted at least 90 days prior to expiration of the CLUP.
- B. The planning director may administratively approve a renewal application that meets the following requirements: (i) the permittee is in compliance with all permit conditions and no modification to operations or conditions are proposed; and (ii) the borough did not issue a notice of violation under the permit during the calendar year preceding the renewal application. If the renewal application does not satisfy the foregoing requirements or if the planning director determines a review by the planning commission is warranted, then the planning commission will hear the renewal application.
- C. In the event the renewal application is heard by the planning commission, the planning commission must hold a public hearing on the renewal application. If the applicant is complying with all permit conditions and requirements and is not in violation of borough code, then the renewal must be granted by the planning commission. Notwithstanding the foregoing, if the commission determines, after public hearing, that discretionary conditions are appropriate on renewal then the commission may modify the CLUP by imposing conditions as deemed appropriate under the circumstances. Permit renewal applications will be denied if the permittee is in violation of the original permit requirements and conditions or borough code. The permittee will be given ninety days to correct any violations. If the violations are corrected, the permit will be renewed. A renewal application heard by the planning commission must be processed in accordance with the notice requirements of KPB 21.25.060.
- D. A permittee may request a modification of a CLUP or counter permit, as needed. A modification application will be processed pursuant to KPB 21.29.030 through KPB 21.29.050 with public notice given as provided by KPB 21.25.060. A permit modification is required if the permittee's operations are no longer consistent with the original permit application.
- E. The fee for a permit renewal or modification is the same as an original permit application in the amount listed in the most current Kenai Peninsula Borough Schedule of Rates, Charges and Fees.
- F. Failure to submit a permit renewal will result in the expiration of the permit. The borough may issue a permit termination document upon expiration pursuant to KPB 21.29.080. Once a permit has expired, a new permit application approval process is required in order to operate the material site.
- G. Permits may be revoked pursuant to KPB 21.50.

21.29.080. Permit Close-out.

When a permit expires, is revoked, or a permittee requests close-out of their permit, a review of permit conditions and site inspections will be conducted by the planning department to ensure code compliance and verify site reclamation prior to close-out. When the planning director determines that a site qualifies for close-out, a permit close-out document will be issued to the permittee to terminate the permit and associated requirements. Reclamation plans and requirements survive permit expiration and revocation. The planning director is only authorized to close-out a permit following reclamation. A permit close-out determination shall release any bonding associated with the permit.

21.29.100. Recordation.

All permits, permit extensions, modified permits, prior existing uses, and terminations will be recorded. Failure to record a material site document does not affect the validity of the documents. The borough will use funds from the application fee to pay the permit recording fees.

21.29.110. Violations.

Violations of this chapter are governed by KPB 21.50 and this chapter.

21.29.115. Permit transfers.

A permit issued under this chapter is transferrable. The planning director will issue a conditional letter of approval upon receipt of a written permit transfer request containing the legal description of the parcel, former owner name, new owner name, and a copy of the approved permit or the legal PEU status and after a site visit. A conditional approval will not be issued if a permittee is in violation of the original permit requirements, conditions, or borough code. A transferring permittee will be given ninety days to correct violations. If the permittee fails to correct the violations within ninety days, the planning director will issue a denial letter. If a permittee is not in violation or if violations are cured within 90 days' notice, the planning director will issue a final letter of approval upon receipt of a recorded conveyance instrument listing the new owner. The requesting party may appeal a denial letter to the planning commission. Permit transfer approvals are not subject to administrative appeal.

21.29.120. Prior-existing uses.

A. *Recognized status.* A prior existing use (PEU) is a use that existed prior to May 21, 1996, and still in effect as of October 1, 2024. A PEU is recognized and is allowed to continue operation subject to the requirements of this section. A permitted material site is not considered a prior existing use.

- B. Classification. The planning department will review PEUs to determine the established use by classifying a PEU based upon the use types set forth in KPB 21.29.020, and provide a written description of the existing operations and classification determination. The PEU classification determination is only for the use that was established prior to October 1, 2024. The classification determination runs with the land and applies to the entire parcel or lot. The PEU classification determination must state whether or not the PEU is within the water table. The planning director's decision will also set forth the reclamation plan as required by subsection (D) below. The planning director's decision may be appealed by the applicant to the planning commission within 15 days of distribution of the decision. If a parcel is subdivided, the PEU may not be expanded to any lot, tract, or parcel where material extraction or processing had not previously occurred or was not lawfully established in accordance with this section.
- C. Discontinuance. Any PEU which has ceased by discontinuance for an uninterrupted period of five years must thereafter conform to the permit requirements of this chapter. Lack of intent to cease use or abandon the use does not suspend the five-year time period. If a prior-existing use is discontinued or abandoned, it may not be recommenced. Any activity such as extraction, excavation, processing, or reclamation is considered valid and a continuance of site use. The planning director will determine in writing whether a PEU has ceased by discontinuance. The planning director's decision may be appealed to the planning commission within 15 days of distribution of the decision.
- D. In accordance with 21.29.015, on or before January 1, 2026, all legal PEU extraction operations must comply with KPB 21.29.060 (reclamation plan) and applicable hours of operation requirements under this chapter. The planning director may waive or modify any or all of the reclamation plan requirements set forth in KPB 21.29.060 as appropriate.

21.29.130. Definitions.

- A. Unless the context requires otherwise, the following definitions apply to material site permits and activities:
1. Abandon means to cease or discontinue a use without intent to resume, but excluding short-term interruptions to use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility or during normal periods of vacation or seasonal closure. An "intent to resume" can be shown through continuous operation of a portion of the facility, maintenance of utilities, or outside proof of continuance, e.g., bills of lading or delivery records. Abandonment also means the cessation of use, regardless of voluntariness, for a specified period of time.

2. *Aggrieved Party* means a party of record adversely impacted by the decision of the hearing officer who participated before the hearing officer either by written or oral presentation.
3. *Aquifer* means a subsurface formation that contains sufficient water-saturated permeable material to yield economical quantities of water to wells and springs.
4. *Aquifer-confining layer* means that layer of relatively impermeable soil below an aquifer, typically clay, which confines water.
5. *Assisted-living home* means a residential facility to which AS 47.33 applies, as described in AS 47.33.010.
6. *Camp* or *camping* means to use a vehicle, tent, or shelter, or to arrange bedding, or both, with the intent to stay overnight.
7. *Campsite* means any space designated for camping within a public campground.
8. *Commercial* means any provision of services, sale of goods, or use operated for production of income whether or not income is derived, including sales, barter, rental, or trade of goods and services.
9. *Conditioning or processing material* means a value-added process including batch plants, asphalt plants, screening, blasting, washing, the use of mechanical hammers, and crushing by use of machinery. It does not include stripping and segregation with excavation equipment.
10. *Earthen berm* means a berm constructed of aggregate or soil not to contain slash or brush that maintains a 2:1 slop. The berm is to be constructed above the preexisting elevation.
11. *Exhausted* means that all material of a commercial quality in a sand, gravel, or material site has been removed.
12. *Groundwater* means, in the broadest sense, all subsurface water, more commonly that part of the subsurface water in the saturated zone.
13. *Inactive site walls* mean a wall with a slope steeper than 1.5:1 where there has been no exaction activity for 180 consecutive days.
14. *Isolated pond* means no surface water inlet or outlet is present at any time of the year.

15. Person includes any individual, firm, partnership, association, corporation, cooperative, or state or local government.
16. Public campground means an area, developed and maintained by a public entity, that is open to the public and contains one or more campsites.
17. Qualified professional means a licensed professional engineer, hydrologist, hydrogeologist, or other similarly-licensed professional.
18. Quarter or Quarterly means January through March, April through June, July through September, or October through December;
19. Reclamation means the process of restoring land that has been mined to a natural or economically-usable state in order to meet a variety of goals ranging from the restoration of productive ecosystems to the creation of industrial and municipal resources.
20. Sand, gravel or material site means an area used for extracting, quarrying, or conditioning gravel or substances from the ground that are not subject to permits through the state location (mining claim) system (e.g., gold, silver, and other metals), nor energy minerals including but not limited to coal, oil, and gas.
21. Seasonal high groundwater table means the highest level to which the groundwater rises on an annual basis.
22. Stable condition means the rehabilitation, where feasible, of the physical environment of the site to a condition that allows for the reestablishment of renewable resources on the site within a reasonable period of time by natural processes.
23. Surface water means water on the earth's surface exposed to the atmosphere such as rivers, lakes, and creeks.
24. Topsoil means material suitable for vegetative growth.
25. Vicinity means 1,000 linear feet from permitted boundary.
26. Waterbody means any lake, pond, stream, riparian wetland, or groundwater into which stormwater runoff is directed.
27. Water source means a well, spring or other similar source that provides water for human consumptive use.

SECTION 4. That this ordinance shall become effective on October 1, 2024.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 10TH DAY OF OCTOBER, 2023.

Brent Johnson

Brent Johnson, Assembly President

ATTEST:

Michele Turner

Michele Turner, CMC, Borough Clerk



09/05/23 Vote on motion to postpone to 09/19/23 and add additional hearing on 10/10/23:

Yes: Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Ribbens, Tupper, Johnson
No: None
Absent: None

09/19/23 Vote on motion to postpone to 10/10/23:

Yes: Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Ribbens, Tupper, Johnson
No: None
Absent: None

10/10/23 Vote on motion to enact as amended:

Yes: Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Ribbens, Tupper, Johnson
No: None
Absent: None

DESK PACKET

(MATERIALS SUBMITTED AFTER MEETING PACKET PUBLICATION)

E. NEW BUSINESS

- 3. Ordinance 2024-11: Amending KPB Chapter 21.29 relating to consolidated material extraction within material site permits.**

Kenai Peninsula Borough Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

Thru: Peter A. Micciche, Mayor *PM*

FROM: Robert Ruffner, Planning Director *RR*

DATE: June 6, 2024

SUBJECT: **Administrative Amendment #1 to Ordinance 2024-11**, Amending KPB Chapter 21.29 Relating to Consolidated Material Extraction within Material Site Permits (Mayor, Johnson, Ribbens, Ecklund)

[Please note the bold underlined language is new and the strikethrough bold language in brackets is to be deleted.]

➤ Amend KPB 21.29.010, as follows:

21.29.010. Applicability—Prohibitions.

....

C. Earth material within 300 linear feet from riparian wetlands and the seasonal high-water level of naturally-occurring open water bodies, such as a lake, pond, river, perennial stream, or ocean, is prohibited. This prohibition does not apply to man-made water bodies or isolated ponds of less than one acre on private property or the construction of waterbodies within the permitted area. **This prohibition likewise does not apply to tidewater material harvesting operations from saltwater sources conducted under a Type IV Endorsement;**

....

Your consideration of this amendment is appreciated.

Kenai Peninsula Borough Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

Thru: Peter A. Micciche, Mayor *PM*

FROM: Robert Ruffner, Planning Director *RR*

DATE: June 6, 2024

SUBJECT: **Administrative Amendment #2 to Ordinance 2024-11**, Amending KPB Chapter 21.29 Relating to Consolidated Material Extraction within Material Site Permits (Mayor, Johnson, Ribbens, Ecklund)

[Please note the bold underlined language is new and the strikeout bold language in brackets is to be deleted.]

➤ Amend KPB 21.29.050, as follows:

21.29.050. Permit conditions applicable to all permits.

A. The planning commission may require additional conditions for Type IV Endorsement sites. The planning commission or planning director, as applicable, must impose the following mandatory conditions prior to approval of a permit under this chapter.

....

2. *Water source separation.*

....

c. All permits will be issued with a condition which prohibits any material extraction within 100 linear feet of any water source as defined in KPB 21.29.130 existing prior to original permit issuance [;]. This subsection may not be construed to limit tidewater material harvesting operations from saltwater sources conducted under a Type IV Endorsement;

....

e. Site-specific water source separation conditions will be established for CLUPS with Type IV endorsements[-], including for tidewater material harvesting operations from saltwater sources;

Page 2 of 2

June 6, 2024

Re: Administrative Amendment #2 to O2024-11

....

10. Fuel storage. Double-walled fuel storage tanks are allowed for secondary containment.

....

Your consideration of this amendment is appreciated.

DESK PACKET

(MATERIALS SUBMITTED AFTER MEETING PACKET PUBLICATION)

MISC. INFORMATION

APC Meeting Minutes

- **Cooper Landing APC 0605224 Unapproved Minutes**
- **Funny River APC 060524 Unapproved Minutes**
- **Nikiski APC 060624 Unapproved Minutes**

From: [David Story](#)
To: [Ruth D'Amico](#); [Cindy Ecklund](#); [Baski, Sean M \(DOT\)](#); [Mueller, Marcus](#); [Virginia Morgan](#); [ygalbraith@gmail.com](#); [Planning Dept.](#); [Laura Johnson](#); [brandonandheather@live.com](#); [Kathy Recken](#); [Fletcher, Sandra](#); [Janette Cadieux](#); [Shaun Combs](#); [Hughes, Aaron](#); [officers@cooperlandingcommunityclub.com](#); [Aldridge, Morgan](#); [APC - Chris Degernes](#); [Ruffner, Robert](#)
Subject: <EXTERNAL-SENDER>20240605 CLAPC Unapproved Minutes
Date: Thursday, June 6, 2024 7:34:12 AM
Attachments: [20240508 CLAPC MINUTES APPRV.pdf](#)
[CLAPC_SBB Grant Activity Memo.pdf](#)
[20240605 CLAPC Minutes UNAPP.pdf](#)

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Hello,
Please find attached the Unapproved Minutes for the June 5, 2024 CLAPC Regular Meeting and the Approved Minutes for the
Please note:

- The CLAPC voted to approve the Preliminary Plat KPB 2024-053 – Quartz Creek Subdivision, Wilkes Addition pending no further conflicts are identified by the KPB Staff Report.
- The Safe Streets For All Presentation is to be made available by R&M to the KPB to include in the meeting's support documents.

I have attached the letter from Marcus Mueller as a supporting document. All other documents are already present on the CLAPC website.

Cheers
David

--
David Story
Cooper Landing Advisory Planning Commission
Secretary

Please direct all electronic communications to:
<https://www.kpb.us/planning-dept/planning-commissions/cooper-landing-apc>

Please direct all mail to:
Kenai Peninsula Borough Planning Department
Attn: Cooper Landing APC
144 N Binkley St.
Soldotna, AK 99669

**COOPER LANDING ADVISORY PLANNING COMMISSION
REGULAR MEETING
LOCATION: COOPER LANDING LIBRARY AND ZOOM TELECONFERENCE
WEDNESDAY, JUNE 5, 2024
6:00 PM
UNAPPROVED MINUTES**

The June 5, 2024 meeting was both physically open to the public at the **Cooper Landing Library** at 18511 Bean Creek Road, Cooper Landing, AK and available for online or telephone participation.

1. CALL TO ORDER - 6:00 pm
2. ROLL CALL
 - a. Y. Galbraith, H. Harrison, K. Recken, L. Johnson, D. Story present. J. Cadieux, C. Degernes excused.
 - b. In-person attendees: Shaun Combs - AKDOT&PF
 - c. Virtual attendees: Beth McKibben – Senior Planner R&M Consultants; Van Le - R&M Consultants; Joni Wilm – Michael Baker International; Morgan Aldridge - KPB
3. APPROVAL OF AGENDA - D. Story moved to amend the agenda to include the letter from M. Mueller in Borough Business Reports. L. Johnson seconds. All approve the agenda as amended by roll call vote.
4. APPROVAL OF MINUTES for May 8, 2024 Regular Meeting
 - a. J. Cadieux submitted edits to the May 8 minutes by letter to:
 - i. add Joe Rolfzen, KUNA Engineering as an attendee.
 - ii. Include the City of Seward in Section 7,a,1 addressing the KPB Mitigation Plan.
 - b. L. Johnson moves to approve the minutes as amended. Y. Galbraith seconds. K. Recken approves. H. Harrison approves. D. Story abstains – not present for May meeting.
5. BOROUGH BUSINESS
 - a. REPORTS: PLANNING
 1. M. Mueller wrote a memo to be read into record by the APC. [see support documents] His letter explained that the KPB applied for \$8.5 million in USFS Community Wildfire Defense Grant Funds to treat 170 acres in the Snug Harbor Road area. The KPB recently learned that this proposal was not funded but that there is another round of funding the KPB will be applying for. The KPB is interested in learning of community priorities to address beetle kill and forest health that can be targeted in this application for funding. The letter also addressed the slash disposal site on Snug Harbor and encouraged responsible use of the site.
 - b. PLATTING
 1. NEW PLATS:

- a. Preliminary Plat KPB 2024-053 – Quartz Creek Subdivision, Wilkes Addition
 - i. Y. Galbraith moves to approve the plat as presented today pending no further conflicts are determined through the KPB Staff Report. L. Johnson seconds. All approve by roll call vote.

2. ANY NOTICE OF DECISION ON PLATS - none.

6. OLD BUSINESS – none.

7. NEW BUSINESS – none.

8. PUBLIC COMMENT/PRESENTATION

a. Beth McKibben – R&M Consultants - “Safe Streets and Roads for All” Comprehensive Safety Action Plan [presentation slides to be made available in support documents]

- i SS4A is a discretionary grant program funded through the Bipartisan Infrastructure Law (BIL through the USDOT). The program aims to reduce transportation-related fatalities and serious injuries.
- ii KPB had 238 fatal or serious injury crashes (both motorist and non-motorist) in the 5 year period 2017-2022.
- iii An action plan to inform programs will be in place by summer of 2025 and there will be follow up meetings in the community in September of 2025 and January of 2026.
- iv Cooper Landing concerns heard and survey responses were shared in the presentation.
- v Categories of Interest from the Workshops
 - 1 Active Transportation
 - 2 Speeding
 - 3 Intersection design and geometry
 - 4 Specific concerns at specific corridors/road segments
 - 5 Maintenance
- vi Survey open until 5pm June 7. <https://kpb-ss4a-comprehensive-safety-plan-kpb.hub.arcgis.com>

9. COMMISSIONER COMMENTS

a. None.

10. ADJOURNMENT

a. L. Johnson moves to adjourn. Y. Galbraith seconds. All approve by roll call vote.

For more information or to submit comments please contact:

Contact the Cooper Landing APC at:

- For email visit: <https://www.kpb.us/planning-dept/planning-commissions/cooper-landing-apc>
On the far right-hand side of the page is a box titled, “Commissioner Information”. Scroll to the bottom of the box and select, “Contact the Cooper Landing APC”.
- Send USPS mail to: Kenai Peninsula Borough Planning Department, Attn: CLAPC 144 N Binkley, Soldotna, AK 99669



June 5, 2024

Cooper Landing APC

VIA Email

This letter is to provide a brief update on Spruce Bark Beetle/ Forest Fuels efforts and plans by the KPB Land Management Division.

In October KPB applied for \$8.5 million in USFS Community Wildfire Defense Grant Funds. The scope of the proposal included 170 acres of treatments in the Snug Harbor Road area. In May we learned that KPB's proposal was not funded in this 2nd round of program funding. A 3rd round funding opportunity is anticipated by the end of summer, and KPB will be working on forming a new proposal. In doing so, it would be good to know if the community has particular priorities that we should focus on related to beetle kill and forest fire prevention.

On a related note, the slash disposal area on snug harbor is getting good use and we are anticipating that the need for disposal will remain high as people address vegetation on their properties. Materials coming into the site that are other than tree limbs are problematic, particularly metal, concrete, plastic, dirty material and other things that don't burn and don't belong. Davis Block is helping us by pushing up the pile to maintain space. We are also looking at how we can improve management of the site to optimize its functions in community slash disposal. We will be able to make some investments into the site thanks to a grant from the State of Alaska Division of Forestry for community slash disposal.

Regards

Marcus Mueller
Land Management Agent
mmueller@kpb.us
907.714.2204

**FUNNY RIVER ADVISORY PLANNING COMMISSION
REGULAR MEETING
LOCATION: COMMUNITY CENTER AND ZOOM TELECONFERENCE
WEDNESDAY, JUNE 5, 2024
7:00 PM
MINUTES**

1. CALL TO ORDER

Chair Glenda called the meeting to Order at 7:11.

2. ROLL CALL

Members Jim Harpering (via Phone), Mike Masters, Joireen Cohen, and Glenda Radvansky were present.

3. APPROVAL OF AGENDA

*Mike moved to approve the proposed Agenda. Joireen Seconded.
Glenda moved to add the plat submitted to the APC today, Plat KPB 2024-058 under Agenda item 5.b Platting. Mike Seconded. Motion to Amend Passed Unanimously.
Mike amended his motion to Approve the Amended Agenda. Jim Seconded. Motion Passed Unanimously.*

4. APPROVAL OF MINUTES for September 6, 2023

*Glenda briefly reviewed the minutes from the September meeting.
Joireen moved to approve the minutes. Jim Seconded. Motion Passed Unanimously.*

5. BOROUGH BUSINESS

a. REPORTS

i. PLANNER REPORT HERE

Morgan apologized for the late plat submittal and indicated that there have been no applicants to the vacant seats on the APC.

b. PLATTING

i. Plat KPB 2024-058

During discussion of the plat, the issue was raised about access to Tract 1. Since the Tract has access to platted right-of-way, no formal objection was submitted. Mike motioned to submit the comment "The APC has no objection to the plat as submitted." Glenda Seconded. Motion Passed Unanimously.

6. OLD BUSINESS

a. Comprehensive Plan Update

Glenda summarized her meeting with Director Ruffner and went through the proposed edits to the Draft Funny River Comprehensive Plan (FRCP). The primary sticking point with the Borough appeared to be clarifying the intent of the document. The intent of the APC and the final decision is that the document will be an amendment to the Borough Comprehensive Plan (KPBCP) and that the community will use it as a tool to implement improvements to our community. She explained that once the edits were finalized, the document would be submitted to the Assembly with an Ordinance to add the document to the KPBCP as an attachment. Once submitted to the Assembly, at the first hearing they will refer it to the

Planning Commission for sign-off. Once the Planning Commission signs off, the Assembly will adopt the Ordinance and the FRCP will be official. Glenda made a motion to approve the suggested edits to the Draft FRCP and that the APC authorize her to work with the Borough to finalize the language. She is authorized to make minor language changes but agreed that any changes to the intent of the document will be brought back to the entire APC for discussion at the next meeting. Mike Seconded. Motion Passed Unanimously

7. NEW BUSINESS

- a. Welcome Joireen
- b. Kevin's Resignation and Secretary Election

Glenda shared Kevin's official resignation since is the first meeting with a quorum since Kevin resigned. The group decided to wait to fill the Secretary position until there were more members. Until then, Glenda will continue to perform the secretarial functions.

8. PUBLIC COMMENT/PRESENTATION

There were no public comments.

9. COMMISSIONER COMMENTS

Glenda shared that Director Ruffner had mentioned that he was considering putting together a Steering Committee composed of APC Chairs and Borough staff to review and propose changes to the existing code regarding APCs to provide better clarity regarding APC functions and responsibilities. Glenda will share information regarding the Steering Committee with the remainder of the APC as information becomes available.

10. ADJOURNMENT

Just after 8:00pm Joireen moved to Adjourn the Meeting. Mike Seconded. Motion Passed Unanimously.

Minutes respectfully submitted on 6/6/2024 by Chair Glenda Radvansky in the absence of an elected Secretary.

NIKISKI ADVISORY PLANNING COMMISSION

Regular Meeting Agenda

June 6, 2024 at 6:30 pm

1. CALL TO ORDER: 6:33 PM

2. ROLL CALL: Sue Covich, Stacy Olivia, Kelly Brewer, Tom Coursen, Len Niesen, Jason Ross

Guests: Nina Ross

3. APPROVAL OF AGENDA: Jason motioned to approve. Stacy 2nd the motion. All Approved.

4. APPROVAL OF MINUTES: Stacy motioned to approve. Sue 2nd the motion. All approved

5. BOROUGH BUSINESS

a. PRESENTATION

i. Beth McKibben, R&M Consultants: Project Manager, Van Le. (Firm from Anchorage)

Beth stated KPB Federal grant received of 5 million/ over 5 years to improve safety on roads

ii. Info on KPB Comprehensive Safety Action Plan: Take the survey for action plan-at <http://kpb-ss4a-comprehensive-safety-plan-kpb.hub>, arcgis.com

b. REPORTS

i. Planner: None

ii. Assembly Member/Other: None

c. PLATTING

i. KPB 2022-118V, Charles and Barbara Scott Subdivision, Galankin Street, Right of Way Vacation.

- Vacates an approximate 254 foot by 33-foot portion of Galankin Street.

Stacy Approved. Tom 2nd: Approved. Jason not approving-concern over owners in subdivision having access to their parcels (Will the rededication include a total 60 foot for KPB Road Maintenance?)

6. OLD BUSINESS

a. Nikiski Comprehensive Plan

i. Results of community-wide Community Council meeting: Went over local suggestions for survey-Commissioners will look over questions and consider the new ideas for survey next month

ii. Revise survey: Goal of Nikiski APC: Survey Final Draft to be complete by August-submit to KPB

7. NEW BUSINESS: None

8. PUBLIC COMMENT/PRESENTATION: None

9. COMMISSIONER COMMENTS:

Stacy announced Nikiski Peninsula Recreation 50-year Anniversary August 3.

Jason announced Nikiski Community Council Meeting Fire Station 1 June 10

10. ADJOURNMENT: 7:50 PM

Next Regular Meeting: Thursday July 18, 2024 at 6:30 PM