

## **E. NEW BUSINESS**

### **5. Conditional Land Use Permit; PC Resolution 2026-12**

**Applicant; M&M Gravel**

**Legal Description: T07N R12W SEC 35 Seward Meridian  
KN E1/2 NE1/4 NW1/4**

**Parcel ID: 01516017**

**Nikiski Area**

# Material Site Permit Application

## Kenai Peninsula Borough

### Planning Department

144 N. Binkley Street  
 Soldotna, Alaska 99669  
 planning@kpb.us

Phone: (907) 714-2200  
 Fax: (907) 714-2378

Fees Received: \$ <u>1,000</u>
<input type="checkbox"/> Cash
<input checked="" type="checkbox"/> Check # <u>40191</u>
CREDIT CARDS NOT ACCEPTED FOR APPLICATION FEES

**APPLICANT & LANDOWNER:**

Applicant: <u>M &amp; M Gravel LLC</u>	Landowner: <u>M &amp; M Gravel LLC</u>
Phone: <u>907-283-7556</u>	Phone: <u>907-283-7556</u>
Email: <u>dlunt@glmenergyllc.com</u>	Email: <u>dlunt@glmenergyllc.com</u>
Mailing: <u>420 N Willow Street</u>	Mailing: <u>420 N Willow Street</u>
<u>Kenai, Alaska 99611</u>	<u>Kenai, Alaska 99611</u>

**PARCEL:**

KPB Parcel ID(s): 01516017 Parcel Size: 20 acres  
 Legal Description: T7N R12W Sec35 Seward Meridian KN E1/2 NE1/4 NW1/4

**MATERIAL SITE PERMIT:**

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Renewal	<input type="checkbox"/> Modification	KPB Material Site Number: _____
Permit Type:	Acreage:	Permit Fees:	
<input type="checkbox"/> Registration	0 – 1 acres	None	
<input type="checkbox"/> Counter Permit	0 – 5 acres	\$250	
<input checked="" type="checkbox"/> Conditional Land Use Permit	5+ acres	\$1000	

**ENDORSEMENTS:**

- Type I Earth Materials Extraction (*excavation disturbing 5+ cumulative acres*)
- Type II Conditioning or Processing (*earth materials conditioning or processing*)
- Type III Extraction Within Water Table (*excavation within 2 feet of the seasonal high-water table*)
- Type IV Consolidated Material Extraction (*quarries of any size*)

**PERMIT QUESTIONS:**

1. Brief project description. Include plans for phase development, etc. Attach additional pages if necessary.  
Project includes material extraction, sorting and sort and processing including the potential operation of a rock crusher and/or asphalt plant. Use-based development will begin at the northern limits and proceed southerly as necessary. Exhausted areas of the site may be utilized for waste excavation.
2. Material(s) to be mined: (*select all that apply*)  
 Gravel  Sand  Peat  Consolidated  Other: \_\_\_\_\_
3. Cumulative acres to be disturbed (excavation, stockpiles, berms, etc.): 19.5 acres
4. Approximate annual quantity of material (including overburden) to be mined: 45,000 cubic yards
5. Expected life span of the material site: 20 years
6. Will material site activities take place on the entire parcel? If not, please describe:  Yes  No

7. Haul route with ingress and egress: Robert Walker Avenue west to Kenai Spur Highway
- 
8. Buffer plan: *(check all that apply)*
- |   |                                       |                                       |                                       |                                       |
|---|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Minimum 6-foot earthen berm | <input checked="" type="checkbox"/> N | <input checked="" type="checkbox"/> S | <input checked="" type="checkbox"/> E | <input checked="" type="checkbox"/> W |
| <input type="checkbox"/> Minimum 6-foot, sight-obscured fence   | <input type="checkbox"/> N            | <input type="checkbox"/> S            | <input type="checkbox"/> E            | <input type="checkbox"/> W            |
| <input type="checkbox"/> Other Buffer: <i>(describe below)</i>  | <input type="checkbox"/> N            | <input type="checkbox"/> S            | <input type="checkbox"/> E            | <input type="checkbox"/> W            |
- 
- Waiver Request: *(describe below)*       N    S    E    W
- 
8. Will you implement any noise suppression methods? If yes, please describe:       Yes    No
- 
9. Principle residential structures present within the Special Impacts Zone (SIZ):
- a. Within 500 ft? *(only applies to Counter Permits)*       Yes    No
- b. Within 1000 ft? *(only applies to CLUP applications)*       Yes    No
10. Are there any public campgrounds within 1000 feet of the material site activities?       Yes    No
11. Depth of excavation:      23      ft
12. Groundwater determination and methods:
- a. Groundwater elevation:      >25      ft
- b. Determined by: *(check all that apply)*
- Monitoring well(s)\*      Total: \_\_\_\_\_      *\*CLUPs require 1 monitoring well per 10 acres*
- Test Hole(s)      Total: 2
- Civil Engineer per KPB 21.29.030(A)(7)(a)
13. Surface and ground water protection measures: Excavation will not enter the groundwater. There are no adjacent wetlands or sensitive habitat. All onsite runoff will be directed and contained within the material site.
- 
14. Type II Endorsement – Processing (skip if not applicable)
- a. Are you requesting a setback exception?       Yes    No
- b. Are you requesting an exception to the hours of operation?       Yes    No
- c. Are you requesting a seasonal, project-based waiver to the hours of operation?       Yes    No
- d. If yes to any of the above, please justify request: Requesting a reduced setback to the west.  
Adjacent westerly property is an undeveloped industrial property owned by AKLNG.
- 
15. Type III Endorsement - Water Table Excavation (skip if not applicable)
- a. Describe the extent and depth of material extraction below the seasonal-high water table:
- \_\_\_\_\_
- 
- b. Public Water Systems within ½ mile property line: \_\_\_\_\_
- c. Private wells within ½ mile of property line: \_\_\_\_\_
- d. Existing regulated potential sources of contamination within ½ mile: \_\_\_\_\_
- 
16. Voluntary Permit Conditions (skip if not applicable):
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**ATTACHMENTS**

**Required for originals, modifications, and renewals:**

- Permit Fee.** Applies to originals, renewals, and modifications for Counter Permits and CLUP's.
- Reclamation Plan.** Includes reclamation site plan and bond consistent with KPB 21.29.060.

**Required for originals and modifications:**

- Site Plan/Map.** Scaled plan(s) prepared in accordance with KPB 21.29.030(A).
- Type III Endorsement Report.** Includes all reports required under KPB 21.29.057(A) and (B).
- Supporting Documentation for Waiver/Exception Request(s)**

- |   |                                     |
|---|-------------------------------------|
| <input checked="" type="checkbox"/> <b>Documentation for State and Federal Compliance:</b>        | Not Applicable:                     |
| <input type="checkbox"/> <b>Temporary Water Use Authorization (ADNR)</b>                          | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> <b>Mining Permit (ADNR)</b>                                   | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> <b>Reclamation Plan (ADNR)</b>                                | <input type="checkbox"/>            |
| <input type="checkbox"/> <b>Notice of Intent and Storm Water Pollution Prevention Plan (ADEC)</b> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> <b>Section 404 of the Clean Water Act (USACE)</b>                        | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> <b>Driveway Permit from KPB or ADOT</b>                       | <input type="checkbox"/>            |
| <input type="checkbox"/> <b>Other:</b> _____  |                                     |
| _____   |                                     |
| _____   |                                     |

**CERTIFICATION & OPERATOR STATEMENT:**

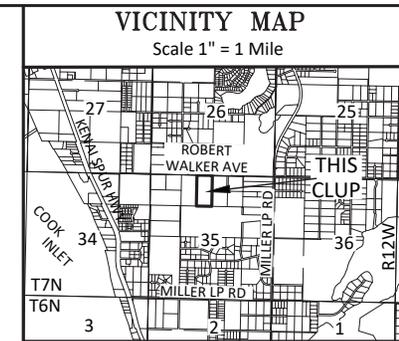
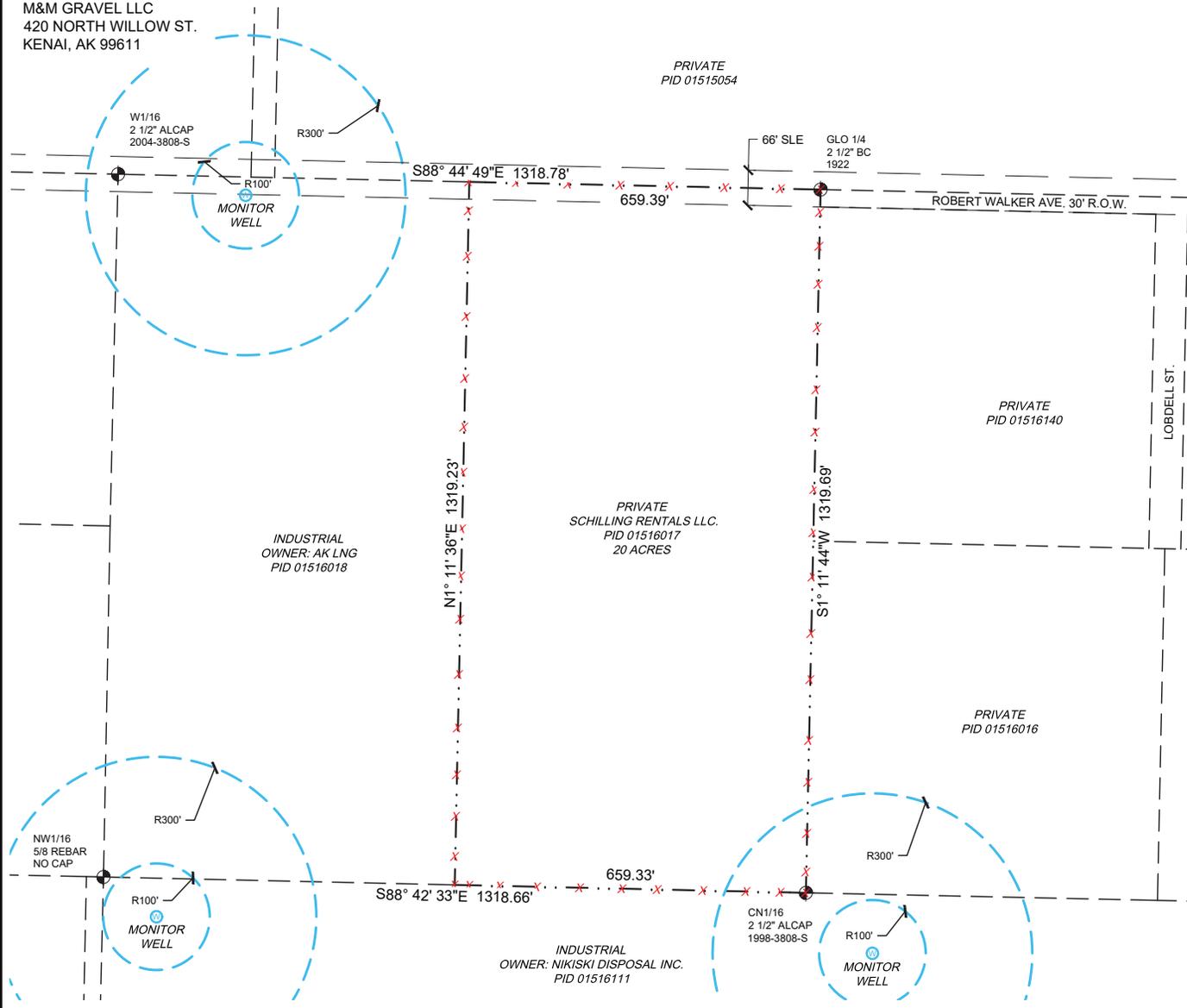
As the site operator, I certify that the conditions of KPB 21.29.045 have been satisfied, and this material site is in compliance with all state and federal permitting requirements. I understand that failure to maintain compliance with other agencies is a violation of the borough permit and is subject to enforcement under KPB 21.50. By signing below, I certify that the information contained on this form and the attachments are true and complete to the best of my knowledge.

	<u>12-10-2025</u>		
Applicant/Operator Signature	Date	Landowner Signature*	Date

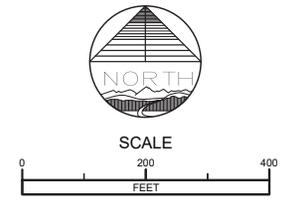
\*Required if applicant is not the landowner

# CONDITIONAL LAND USE PERMIT FOR MATERIAL SITE

APPLICANT / PROPERTY OWNER:  
 M&M GRAVEL LLC  
 420 NORTH WILLOW ST.  
 KENAI, AK 99611



## EXISTING CONDITIONS



LEGEND	
	PROPERTY LINE
	FOUND PRIMARY MONUMENT AS DESCRIBED
	INTERVISIBLE FLAGGING
	WELL
	WELL SETBACK

REV.	DATE	DESCRIPTION	BY

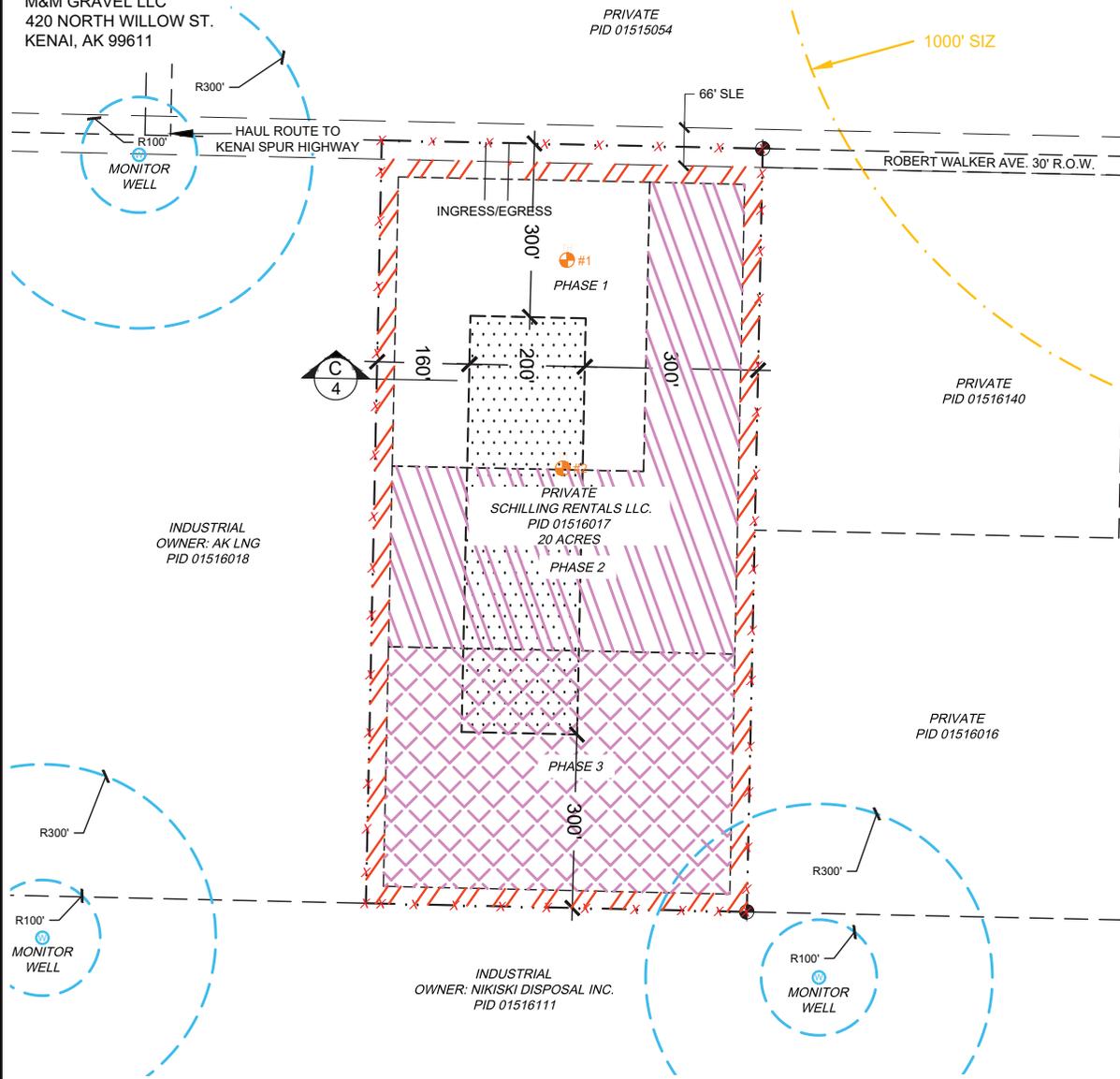
**M&M GRAVEL LLC.**  
 PID 01516017  
**CONDITIONAL LAND USE PERMIT**

ENGINEERING - TESTING  
 SURVEYING - MAPPING  
 P.O. BOX 468  
 SOLDOTNA, AK 99669  
 VOICE: (907) 283-4218  
 FAX: (907) 283-3266  
 WWW.MCLANECG.COM

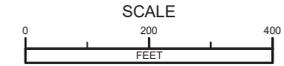
DRAWN BY: BGB/GMD  
 CHECKED BY: AHH  
 HORZ. SCALE: 1" = 200'  
 VERT. SCALE: N/A  
 SHEET: **P1**

# CONDITIONAL LAND USE PERMIT FOR MATERIAL SITE

APPLICANT / PROPERTY OWNER:  
**M&M GRAVEL LLC**  
 420 NORTH WILLOW ST.  
 KENAI, AK 99611



## DEVELOPMENT PLAN



REV	DATE	DESCRIPTION

### CLUP DEVELOPMENT NOTES

- KPB PARCEL 01516017 IS LOCATED IN TOWNSHIP 7 NORTH, RANGE 12 WEST, SECTION 35, SEWARD MERIDIAN, ALASKA. PROPERTY DESCRIPTION IS THE E½ NE¼ NW¼.
- THE PROPERTY IS UNDEVELOPED AND COVERED IN NATIVE VEGETATION.
- PROPOSED PRIMARY INGRESS/EGRESS WILL BE AT NORTH PROPERTY LINE TRAVELING WEST WITHIN THE SECTION LINE EASEMENT TO ROBERT WALKER LANE RIGHT-OF-WAY. THIS ACCESS IS CURRENTLY UNDEVELOPED.
- THE PREFERRED BUFFERS ARE NATIVE VEGETATION ON ALL SIDES TO BE REPLACED WITH 6' HIGH BERM WHEN EXCAVATION NEARS THE 50' BUFFER DELINEATION.
- PROCESSING AREA IS GREATER THAN 300' FROM THE NORTH, EAST AND WEST PROPERTY LINE. A REDUCED PROCESSING BUFFER WAIVER IS REQUESTED ALONG THE WEST JOINT PROPERTY LINE WITH AK LNG, A VACANT INDUSTRIAL OWNED PROPERTY.
- ALL WELLS WITHIN 300' OF THE PROPERTY ARE SHOWN HEREON. THERE IS NO PROPOSED EXCAVATION WITHIN 100' OF ANY EXISTING WELLS.
- THERE ARE NO RESIDENCES WITHIN SPECIAL IMPACT ZONE LIMITS.
- THERE ARE NO WETLANDS OR SURFACE WATERS.
- NATIVE VEGETATION WILL PROVIDE SURFACE WATER PROTECTION OF ANY SITE RUN-OFF BY WAY OF PHYTOREMEDIATION.
- TWO TEST HOLES WERE EXCAVATED TO A DEPTH OF 25'. GROUNDWATER WAS NOT ENCOUNTERED.
- TWO MONITOR WELLS WILL BE INSTALLED PRIOR TO MATERIAL SITE EXCAVATION.
- THE PARCEL BOUNDARY SHOWN HAS BEEN FLAGGED AT VISIBLE INTERVALS.

### LEGEND

- PROPERTY LINE
- BUFFER LIMITS
- FOUND PRIMARY MONUMENT
- INTERVISIBL FLAGGING
- WELL
- WELL SETBACK
- TESTHOLE LOCATION

### DEVELOPMENT & PHASING

- PROCESSING AREA AVAILABLE  
3.3 ACRES
- PHASE I EXTRACTION  
4.9 ACRES
- PHASE II EXTRACTION  
6.3 ACRES
- PHASE III EXTRACTION  
5.7 ACRES
- BUFFER AREA  
2.6 ACRES

BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DESCRIPTION: \_\_\_\_\_  
 REV: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DESCRIPTION: \_\_\_\_\_

M&M GRAVEL LLC.  
 PID 01516017  
 CONDITIONAL LAND USE PERMIT

FIELD WORK DATE: 7/17/2023  
 JOB NO.: 24008  
 FIELD BOOK NO.: 25-05



**McLANE Consulting Inc.**  
 ENGINEERING - TESTING  
 SURVEYING - MAPPING  
 P.O. BOX 468  
 SOLDOTNA, AK 99689  
 VOICE: (907) 283-4218  
 FAX: (907) 283-3266  
 WWW.MCLANECG.COM

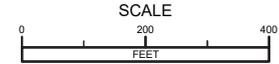
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 VERT. SCALE: N/A  
 SHEET: P2

# CONDITIONAL LAND USE PERMIT FOR MATERIAL SITE

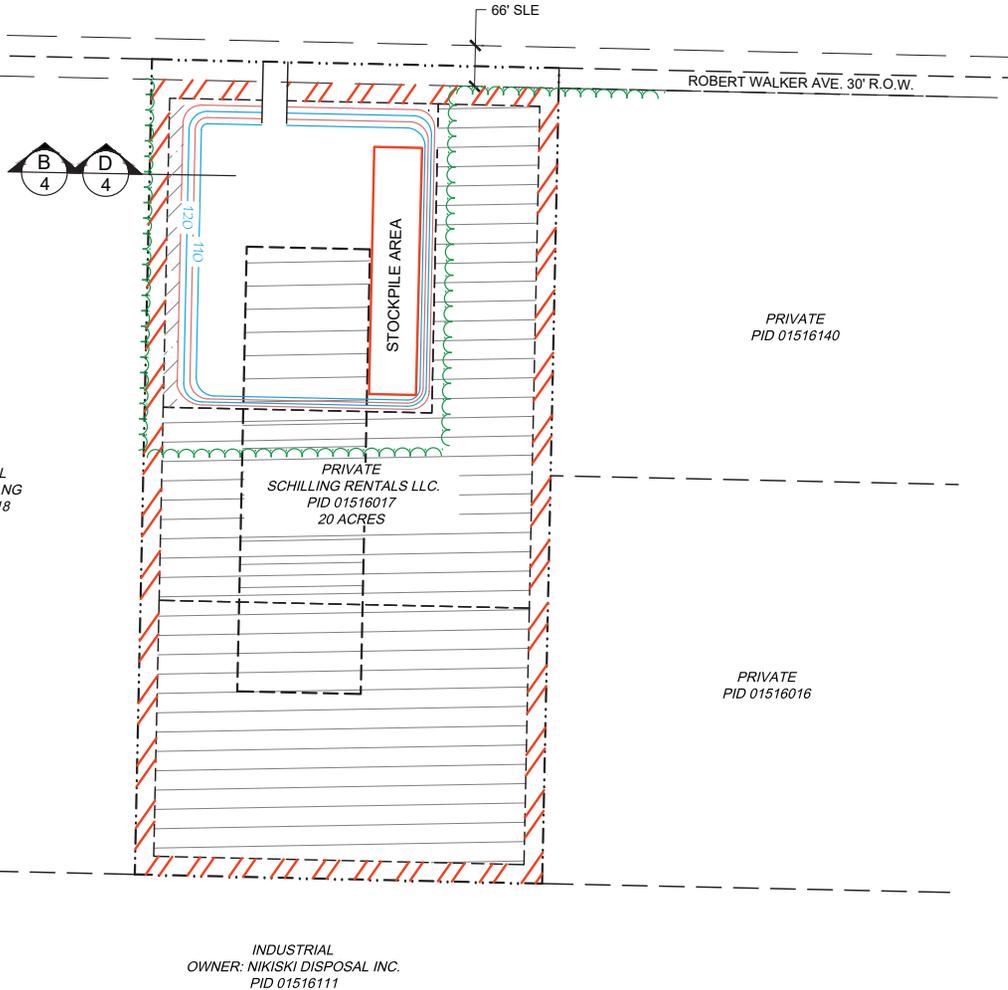
APPLICANT / PROPERTY OWNER:  
 M&M GRAVEL LLC  
 420 NORTH WILLOW ST.  
 KENAI, AK 99611

PRIVATE  
 PID 01515054

# 5-YEAR RECLAMATION PLAN



REV	DATE	DESCRIPTION	BY



### RECLAMATION NOTES

1. THIS RECLAMATION EXHIBIT IS FOR THE ENTIRE PERMIT AREA.
2. THE PREFERRED EARTHEN BERM BUFFERS ARE SHOWN. BUFFERS WILL BE LEFT IN PLACE FOR THE LIFE OF THE MATERIAL SITE.
3. WASTE EXCAVATION MAY BE PLACED IN THE EXHAUSTED AREA OF THE MATERIAL SITE BEGINNING AT THE NORTHWEST LIMITS AND PROCEEDING SOUTH.
4. RECLAMATION AREAS WILL BE GRADED AND CONTOURED. COVER SLOPES WITH 2" MINIMUM SILTY TOPSOIL MIX TO A CONDITION THAT ALLOWS FOR RE-ESTABLISHMENT OF NATURAL VEGETATION. SLOPES STEEPER THAN 2:1 WILL BE SEEDED.
5. THE FLOOR OF THE MATERIAL SITE WILL REMAIN A GRADED GRAVEL PAD.
6. GRADED MATERIAL STOCKPILES MAY REMAIN IN-PLACE IN THE GRAVEL FLOOR OF THE MATERIAL SITE.

### LEGEND

- PROPERTY LINE
- BUFFER LIMITS
- FOUND PRIMARY MONUMENT
- INTERVISIBLE FLAGGING
- TREELINE
- PROPOSED RECLAMATION CONTOURS
- PROPOSED BUFFER AREAS

### DEVELOPMENT & PHASING

- TOTAL PERMIT AREA  
19.5 ACRES
- PROPOSED RECLAMATION  
0.5 ACRES
- REMAINING MATERIAL SITE  
14.6 ACRES

M&M GRAVEL LLC.  
 PID 01516017  
 CONDITIONAL LAND USE PERMIT

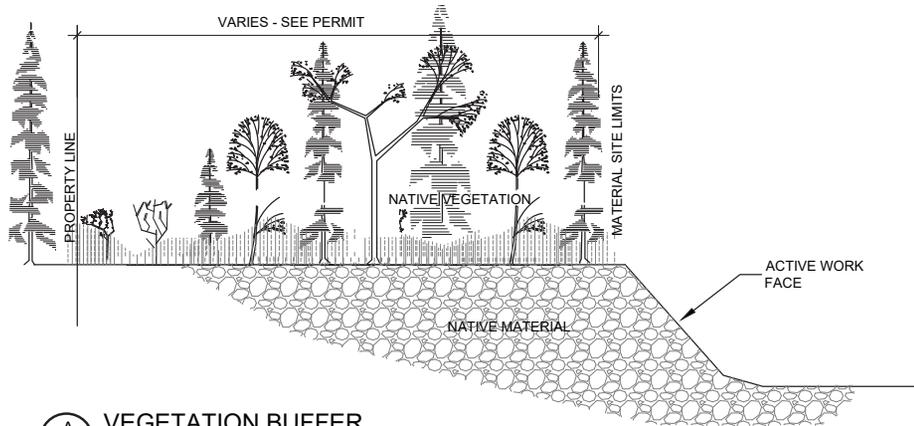


ENGINEERING - TESTING  
 SURVEYING - MAPPING  
 P.O. BOX 468  
 SOLDOTNA, AK 99589  
 VOICE: (907) 283-4218  
 FAX: (907) 283-3266  
 WWW.MCLANECG.COM

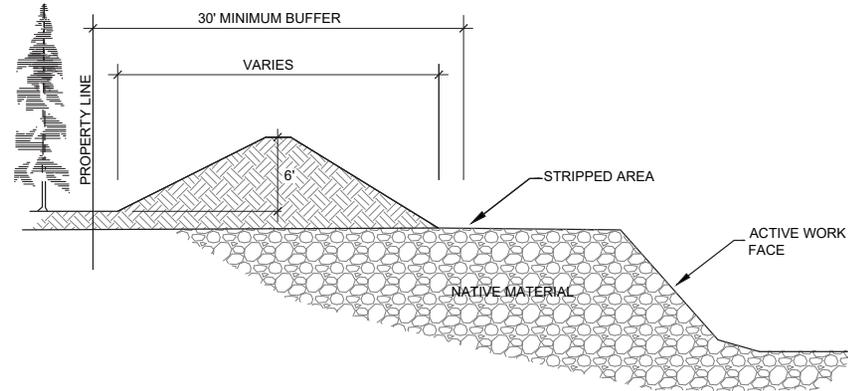
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 CHECKED BY: GMD  
 HORZ. SCALE: 1" = 200'  
 VERT. SCALE: N/A  
 SHEET: P3

# CONDITIONAL LAND USE PERMIT FOR MATERIAL SITE

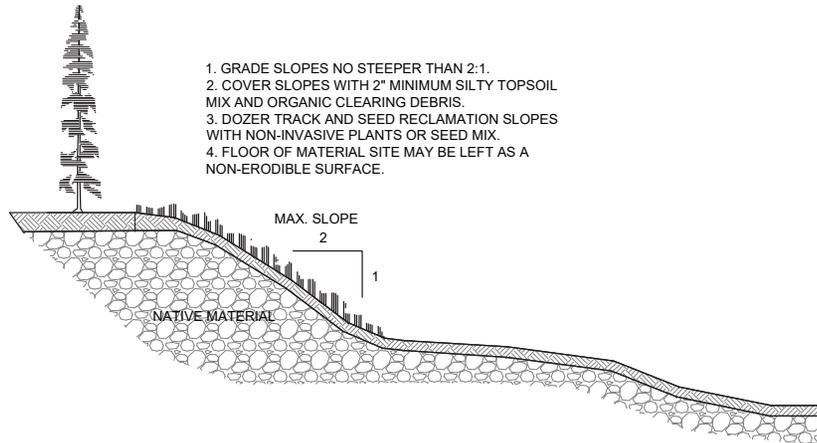
APPLICANT / PROPERTY OWNER:  
 M&M GRAVEL LLC  
 420 NORTH WILLOW ST.  
 KENAI, AK 99611



**A** VEGETATION BUFFER  
 4 SCALE: 1" = 10 FT.

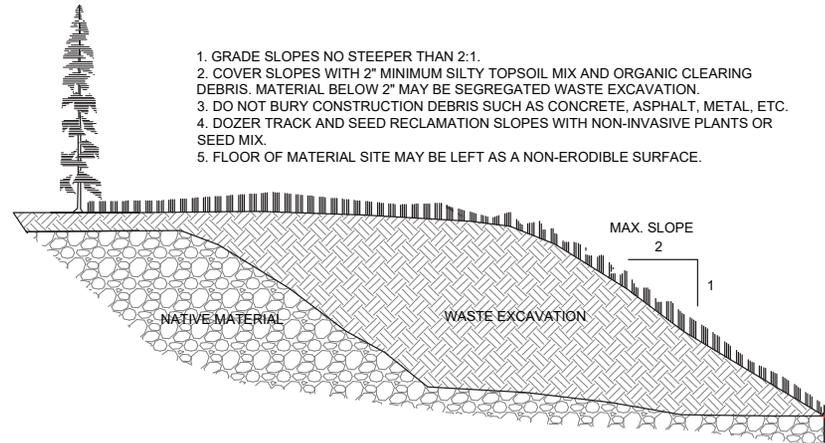


**C** EARTHEN BERM BUFFER  
 4 SCALE: 1" = 10 FT.



1. GRADE SLOPES NO STEEPER THAN 2:1.
2. COVER SLOPES WITH 2" MINIMUM SILTY TOPSOIL MIX AND ORGANIC CLEARING DEBRIS.
3. DOZER TRACK AND SEED RECLAMATION SLOPES WITH NON-INVASIVE PLANTS OR SEED MIX.
4. FLOOR OF MATERIAL SITE MAY BE LEFT AS A NON-ERODIBLE SURFACE.

**B** RECLAMATION SLOPE  
 4 SCALE: 1" = 10 FT.



1. GRADE SLOPES NO STEEPER THAN 2:1.
2. COVER SLOPES WITH 2" MINIMUM SILTY TOPSOIL MIX AND ORGANIC CLEARING DEBRIS. MATERIAL BELOW 2" MAY BE SEGREGATED WASTE EXCAVATION.
3. DO NOT BURY CONSTRUCTION DEBRIS SUCH AS CONCRETE, ASPHALT, METAL, ETC.
4. DOZER TRACK AND SEED RECLAMATION SLOPES WITH NON-INVASIVE PLANTS OR SEED MIX.
5. FLOOR OF MATERIAL SITE MAY BE LEFT AS A NON-ERODIBLE SURFACE.

**D** RECLAMATION SLOPE - WASTE EXCAVATION  
 4 SCALE: 1" = 10 FT.



REV.	DATE	DESCRIPTION	BY
1	12/17/2025	SUBMITTAL ISSUE	GMD

M&M GRAVEL LLC.  
 PID 01516017  
 CONDITIONAL LAND USE PERMIT  
 FIELD BOOK NO. 25-02  
 JOB NO. 254008  
 FIELD WORK DATE: 7/17/2023



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

DRAWN BY: BGG/GMD  
 CHECKED BY: GMD  
 HORZ. SCALE: 1" = 10'  
 VERT. SCALE: N/A  
 SHEET:

# Material Site Reclamation Plan

## Kenai Peninsula Borough

### Planning Department

144 N. Binkley Street  
Soldotna, Alaska 99669  
planning@kpb.us

Phone: (907) 714-2200  
Fax: (907) 714-2378

*This form is required for all material site operations exceeding one acre that do not have an approved reclamation plan on file with the State of Alaska. Reclamation plans approved by the State of Alaska may be provided in lieu of this form.*

#### **MATERIAL SITE INFORMATION:**

KPB Material Site Number: \_\_\_\_\_ Years for Plan: 2026 - 2031  
Material Site Type: (select one) Reclamation Plan: (select one)  
 Counter Permit  Original  
 Conditional Land Use Permit  Renewal  
 Prior-Existing Use  Modification

#### **APPLICANT & LANDOWNER INFORMATION:**

Applicant:	<u>M &amp; M Gravel LLC</u>	Landowner:	<u>M &amp; M Gravel LLC</u>
Phone:	<u>907-283-7556</u>	Phone:	<u>907-283-7556</u>
Email:	<u>dlunt@glmenergyllc.com</u>	Email:	<u>dlunt@glmenergyllc.com</u>
Mailing:	<u>420 N Willow Street</u> <u>Kenai Alaska 99611</u>	Mailing:	<u>420 N Willow Street</u> <u>Kenai Alaska 99611</u>

#### **MINING & RECLAMATION OPERATIONS:**

##### **Mining Operations:**

- a. Do you intend to remove more than 50,000 cubic yards in any given year?  Yes  No
- b. Will you be mining consolidated materials (aka, quarry)?  Yes  No
- c. Existing acreage of mined area that has not been reclaimed: + 0 acres
- d. Acreage that will be mined or disturbed during this time period: + 4.9 acres
- e. Total acreage to be bonded during this time period: (add c & d) = 4.9 acres

##### **Reclamation Operations:**

- a. Total acreage that will be reclaimed during this time period: 0.5 acres
- b. Time schedule of reclamation measures: Annually between June & September beginning after 4 acres are disturbed
- c. The following measures must be considered in the preparation, approval and implementation of the reclamation plan. Select the boxes below to confirm which measures will occur as a part of your reclamation activities:
- Topsoil that is not promptly redistributed to an area being reclaimed will be separated and stockpiled for future use. This material will be protected from erosion and contamination by acidic or toxic metals and preserved in a condition suitable for later use.
- 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. Area will be revegetated using non-invasive plant species.
- Stockpiled topsoil will be spread over the reclaimed area to promote natural plant growth that can revegetate the area within five years.

- The topsoil used for reclamation will be reasonably free from roots, clods, sticks, and branches greater than 3 inches in diameter. All sidewalls and stock piles will be graded to a 2:1 slope.
- Any operations that remove topsoil will ensure that a minimum of 4 inches of suitable growing medium has been properly placed upon completion of the reclamation activity.
- Exploration trenches or pits will be backfilled. Brush piles and unwanted vegetation will 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.
- Any roads, airstrips, or other facilities constructed to provide access to the mining operation shall be reclaimed (unless otherwise authorized) and included in the reclamation plan.
- This material site has a Type III Endorsement to excavate within the water table, and ponding was approved by the Planning Commission as a method of reclamation.
- This material site has a Type III Endorsement to excavate peat, and ponding was approved as a method of reclamation.
- This material site has a Type IV Endorsement for quarry activities, and further mitigation provisions are attached addressing the steep-slope reclamation requirements.
- The area will be reclaimed in a manner that is not harmful to public health, safety, and general welfare.
- Please list out any other reclamation measures you plan to use that are not shown above:

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**ATTACHMENTS:**

- Reclamation Site Map.** A scaled plan is attached and shows:
  - ✓ Parcel boundary(ies)
  - ✓ Excavation area(s)
  - ✓ Stockpile area(s)
  - ✓ Reclaimed area(s)
  - ✓ North arrow
  - ✓ Wells within 300 feet of parcel boundary(ies)
  - ✓ Groundwater test holes/monitoring wells
  - ✓ Waterbodies, wetlands, and/or groundwater flow paths
  - ✓ Surface and/or ground water protection measures
  - ✓ Arrows indicating flow of surface drainage features entering and/or exiting the property
- Bond.** Proof of bonding is attached.  
*Unless otherwise approved by the Planning Director, bonding is required at \$750.00 per acre for existing un-reclaimed mined acreage plus the acreage that will be mined or disturbed during this time period. If you are bonded with the state, KPB's bonding requirement is waived.*

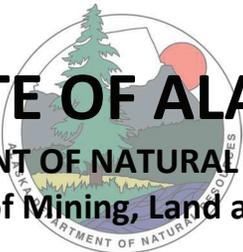
a. Is this site already bonded with the State of Alaska? (if yes, skip to certification)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
b. Total acreage to be bonded during this time period: (see "e" from "Mining Operations")	4.9	acres
c. Total Bond Amount: (acres from b x \$750 per acre)	\$	\$3,675

**CERTIFICATION:**

By signing below, I certify that the information contained on this form and the attachments are true and complete to the best of my knowledge.

	12-16-2025		
Applicant Signature	Date	Landowner Signature*	Date

\*Required if applicant is not the landowner



# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### Division of Mining, Land and Water

Northern Regional Land Office  
 3700 Airport Way  
 Fairbanks, AK 99709-4699  
 (907) 451-2740  
[nro.lands@alaska.gov](mailto:nro.lands@alaska.gov)

Southcentral Regional Land Office  
 550 West 7<sup>th</sup> Ave, Suite 900C  
 Anchorage, AK 99501-3577  
 (907) 269-8503  
[dnr.pic@alaska.gov](mailto:dnr.pic@alaska.gov)

Southeast Regional Land Office  
 P. O. Box 111020  
 Juneau, AK 99811-1020  
 (907) 465-3400  
[sero@alaska.gov](mailto:sero@alaska.gov)

Statewide TTY – 771 for Alaska Relay or 1-800-770-8973

## MATERIAL SITE RECLAMATION PLAN OR LETTER OF INTENT/ANNUAL RECLAMATION STATEMENT AS 27.19.030 – 27.19.050

In accordance with Alaska Statute 27.19, reclamation is required of all mining operations, including sand and gravel extraction. Completion of this form will meet the law's requirements for a **reclamation plan** (see below for filing requirements; due date: at least 45 days before mining is proposed to begin; requires approval by the Division of Mining, Land and Water). Completion of this form will also serve as a **letter of intent** for operations exempt from the plan requirement (due date: before mining begins). No approval is required for a letter of intent, but a miner who files a letter of intent must, before December 31, file an **annual reclamation statement** (Section 8 of this form).

Check applicable box:

- A. RECLAMATION PLAN (REQUIRED if the operation will disturb five or more acres this year, OR 50,000 cubic yards, OR if the operation has a cumulative disturbed area of five or more acres)
- B. RECLAMATION PLAN-VOLUNTARY (for an operation below the limits shown in Box A but wanting to qualify for the statewide bonding pool)

- C. LETTER OF INTENT (less than five acres to be disturbed AND less than 50,000 cubic yards AND less than five acres unreclaimed area) NOTE: A miner who files a letter of intent is also required to file an annual reclamation statement at the end of the year.

THIS RECLAMATION PLAN/LETTER OF INTENT IS FOR CALENDAR YEAR 2026  
 (If you checked either box a or b above and propose a multi-year plan, state all years covered.)

1. **MINER INFORMATION** (If there is more than one miner, attach a list of the names, addresses, and telephone numbers of all other owners, operators, or leaseholders of the mining operation)

M & M Gravel LLC

Name of miner who will serve as agent for notice purposes  
420 N Willow Street

Address (notify the department of any later change of address)

<u>Kenai</u>	<u>AK</u>	<u>99611</u>	<u>907-283-7556</u>
City	State	Zip code	Telephone
(same)			

Name of landowner (if other than miner) or public land management agency

Federal or state casefile number (if any) assigned to the site

**2. LEGAL DESCRIPTION OF PROPOSED MINING SITE**

Section 35 E1/2 NE1/4 NW1/4	7N	12W	Seward
Legal Subdivision/Section/Quarter-Section	Township	Range	Meridian

**3. DESCRIPTION OF THE MINING OPERATION** (if you checked box a or b on p. 1 of this form and are proposing a multi-year reclamation plan, attach separate sheets as needed showing acreage to be mined, volume to be mined, and existing acreage of mined area for each year covered by the plan)

- a. 4.9 Total acreage to be mined or disturbed during the year.
- b. up to 130,000 CY Estimated total volume to be mined or disturbed, including overburden.
- c. sand, gravel & peat Type of material (sand, gravel, peat, etc.).
- d. 0 Existing acreage of mined area (disturbed area that has not yet been reclaimed, but counting only acreage disturbed after October 15, 1991).

**4. DESCRIPTION OF THE RECLAMATION OPERATION**

- a. The total acreage that will be reclaimed during the year (or each year, if for a multi-year reclamation plan) is:  
0
- b. Provide a list of equipment (type and quantity) to be used during the reclamation operation.
- c. A time schedule of reclamation measures shall be included as part of the plan.

The following measures must be considered in preparing and implementing the reclamation plan. Please mark those measures appropriate to your reclamation activity:

- Topsoil that is not promptly redistributed to an area being reclaimed will be separated and stockpiled for future use. This material will be protected from erosion and contamination by acidic or toxic materials and preserved in a condition suitable for later use.
- The area will be backfilled, graded and recontoured using strippings, overburden, and topsoil to a condition that allows for the reestablishment of renewable resources on the site within a reasonable period of time. It will be stabilized to a condition that will allow sufficient moisture to be retained for natural revegetation.
- Stockpiled topsoil will be spread over the reclaimed area to promote natural plant growth that can reasonably be expected to revegetate the area within five years.
- Stream channel diversions will be relocated to a stable location in the flood plain.
- Exploration trenches or pits will be backfilled. Brush piles, vegetation, topsoil, and other organics will be spread on the backfilled surface to inhibit erosion and promote natural revegetation.
- All buildings and structures constructed, used, or improved on land owned by the State of Alaska will be removed, dismantled, or otherwise properly disposed of at the completion of the mining operation.
- Any roads, airstrips or other facilities constructed to provide access to the mining operation shall be reclaimed (unless otherwise authorized) and included in the reclamation plan.
- Peat and topsoil mine operations shall ensure a minimum of two inches of suitable growing medium is left or replaced on the site upon completion of the reclamation activity.
- If extraction occurs within a flood plain, the reclamation activity shall reestablish a stable bed and bank profile such that river currents will not be altered and erosion and deposition patterns will not change.

NOTE: If you propose to use reclamation measures other than those shown above, or if the private landowner or public land manager of the site requires you to use stricter reclamation measures than those shown above, attach a list of those measures to this plan.

**5. ALTERNATE POST-MINING LAND USE**

- The mining site is public land. The land management agency's land use plan (if any) for post-mining land use is:

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- The mining site is public land. As allowed by AS 27.19.030(b), I propose to reclaim it to the following post-mining land use:

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- The mining site is private property. The private landowner plans to use it for the following post-mining land use:  
Industrial laydown yard

---

**6. ATTACHMENTS**

- If the mining operation has additional owners, operators, or leaseholders not shown on p. 1 of this form, attach a list of their names, addresses, and telephone numbers.
- Attach a USGS map at a scale no smaller than 1:63,360 (inch to the mile) showing the general vicinity of the mining operation and the specific property to be mined. Option: If you checked Box C on the first page of this form and the mining site is adjacent to an airport or public highway, state the name of the airport or the name and milepost of the public highway.
- Attach a diagram of the mined area (this term includes the extraction site, stockpile sites, overburden disposal sites, stream diversions, settling ponds, etc.) and the mining operation as a whole (this term includes the roads you plan to build, your power lines, support facilities, etc.). Show and state the number of acres to be mined during the year. (If you checked Box A or B on the first page of this form and your plan covers more than one year, show each year's work.) Show the location corners or property boundaries of the site in relation to the reclamation work and any other areas affected by the operation.
- Attach a list of the equipment (type and quantity) to be used during the reclamation activity.
- A time schedule of events must be attached that includes dates and activities related to this reclamation plan.
- If the site is private land not owned by the miner, attach a signed, notarized statement from the landowner indicating the landowner's consent to the operation. The landowner may also use the consent statement to notify the department that the landowner plans a post-mining land use incompatible with natural revegetation and therefore believes that reclamation to the standard of AS 27.19.020 is not feasible.
- For those miners that are required to file an annual reclamation statement, attach photographs and/or videotapes dated and described as to location of the reclamation activity that was completed.
- If you propose to use reclamation measures other than those listed on this form, or if the private landowner or public land manager of the site requires you to use stricter reclamation measures, attach a list of those measures.

7. **RECLAMATION BONDING** (REQUIRED **ONLY** IF YOU CHECKED BOX A or B ON THE FIRST PAGE OF THIS FORM)

The total acreage of my mining operation that is subject to the bonding requirement for the current year is

4.9 acres (add acreages stated in Section 3(a) and 3(d) of this form).

The per-acre bond amount is \$750/acre or a total bond amount of \$ 3675

Please check the appropriate bonding method that you will apply toward this reclamation plan:

- Participation in the statewide bonding pool.
- Posting a corporate surety bond.
- Posting a personal bond accompanied by a letter of credit, certificate of deposit, or a deposit of cash or gold.
- Posting a bond or financial guarantee with another government agency that has jurisdiction over the mining operation, as allowed by a cooperative management agreement between that agency and the Division of Mining, Land and Water.
- Posting a general performance bond with a state agency that meets the requirements of 11 AAC 97.400(4).

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The above reclamation plan/letter of intent and all attachments are correct and complete to the best of my knowledge.

  
Signature of Miner

12-16-2025  
Date

AS 27.19.030 and AS 27.19.050 require a miner either to file a reclamation plan for approval or to file a letter of intent followed by an annual reclamation statement. AS 38.05.035(a) authorizes the director to decide what information is needed to process an application for the sale or use of state land and resources. This information is made a part of the state public land records and becomes public information under AS 40.25.110 and 40.25.120 (unless the information qualifies for confidentiality under AS 38.05.035(a)(8) and confidentiality is requested, AS 43.05.230, or AS 45.48). Public information is open to inspection by you or any member of the public. A person who is the subject of the information may challenge its accuracy or completeness under AS 44.99.310, by giving a written description of the challenged information, the changes needed to correct it, and a name and address where the person can be reached. False statements made in an application for a benefit are punishable under AS 11.56.210. In submitting this form, the applicant agrees with the Department to use "electronic" means to conduct "transactions" (as those terms are used in the Uniform Electronic Transactions Act, AS 09.80.010 – AS 09.80.195) that relate to this form and that the Department need not retain the original paper form of this record: the department may retain this record as an electronic record and destroy the original. In submitting this form, the applicant certifies that he or she has not changed the original text of the form or any attached documents provided by the Division.

## **SOA DNR Material Site Reclamation Plan**

Supplemental information for:  
T7N R12W Section 35 Seward Meridian  
E1/2 NE1/4 NW1/4  
KPB Parcel ID 01516017

**Equipment to be used for reclamation.** Front end loader, mid-sized dozer, and hydro seeder.

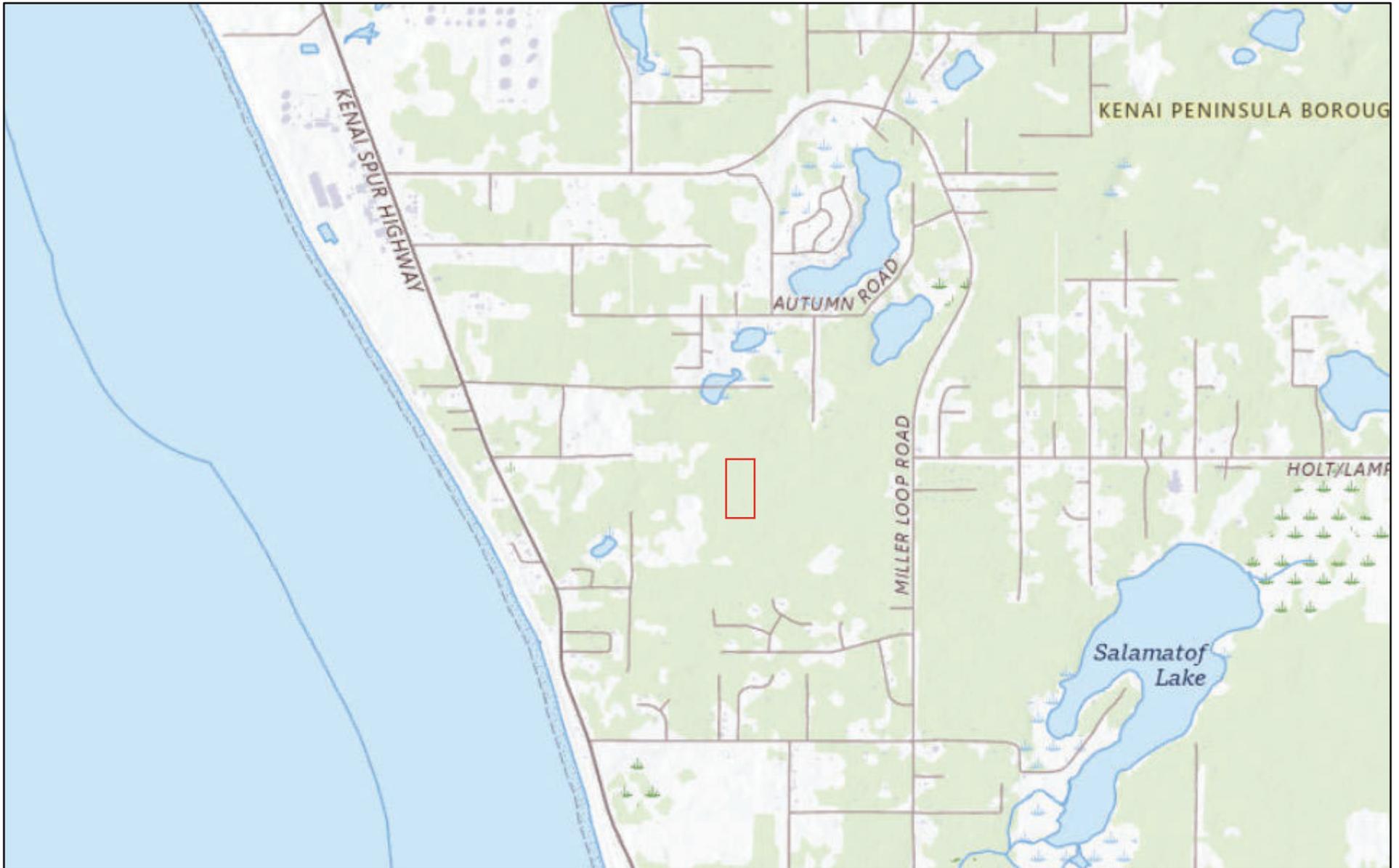
**Time schedule of events related to this reclamation plan.** This material site will be utilized on an as-needed basis for industrial and commercial development in the Nikiski area. When the material site is not in use the site will be temporarily stabilized and partially reclaimed until further use.

The material site may be partially reclaimed utilizing waste excavation to backfill the exhausted portions of the excavation site. Reclamation will begin at the northernwest excavation limits and proceed southerly.

Reclamation areas will be graded and contoured. Cover slopes with 2" minimum of silty topsoil mix to a condition that allows for re-establishment of natural vegetation. Slopes steeper than 2:1 will be seeded.

The floor of the material site will remain a graded gravel pad.

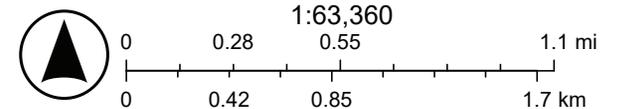
# M & M Gravel Robert Walker Avenue Material Site



11/20/2025

USGSTopo

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



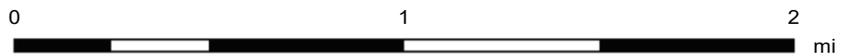
USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography



Legend

Transportation

Mileposts



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.



**MS2025-014, M&M Gravel LLC**

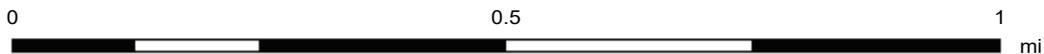
 **Project Area**

**KPB Parcel(s):**  
01516017

**Project Description:**



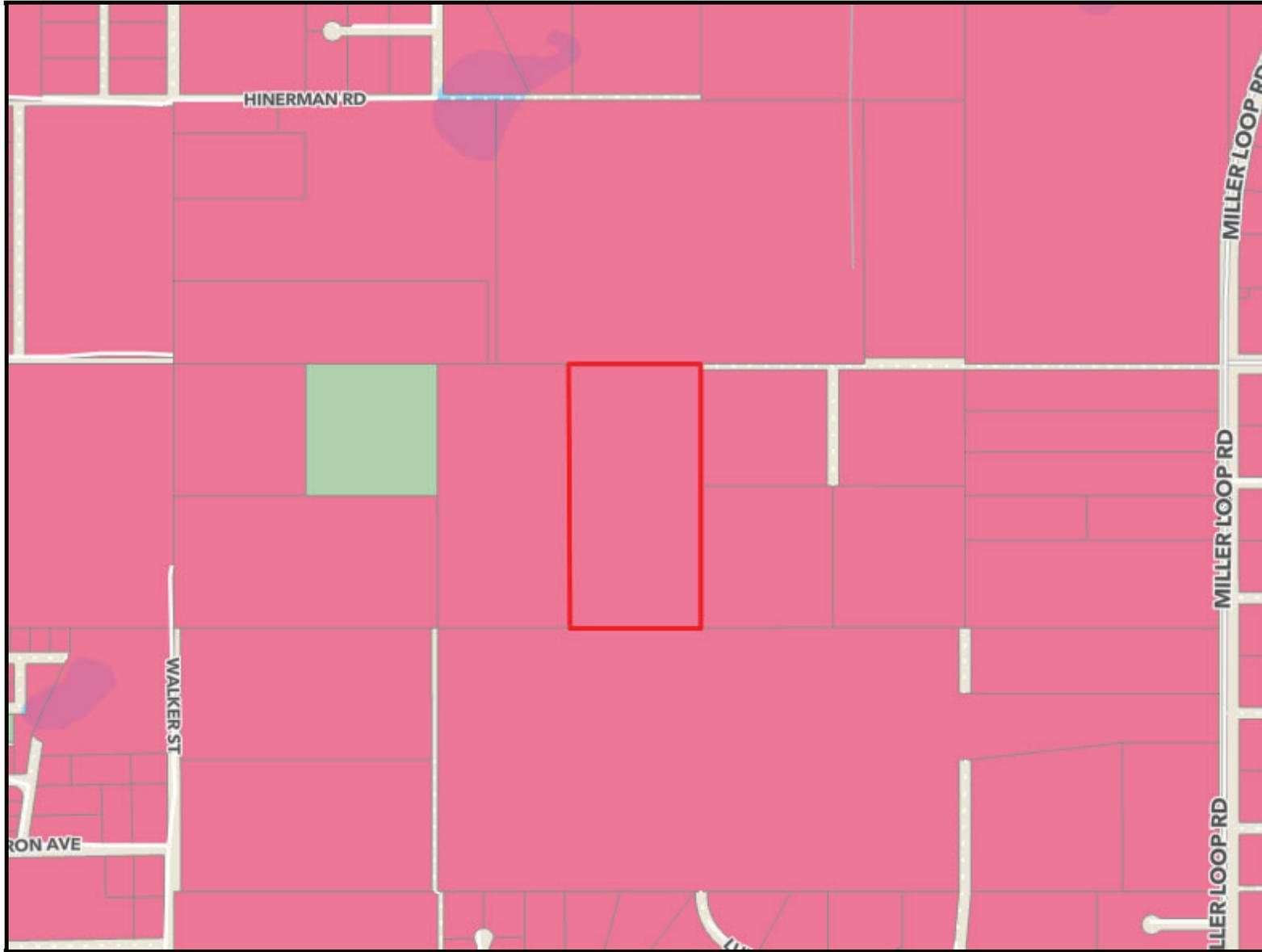
**Vicinity: Nikiski**



Map created by Raidmae, Ryan  
Tuesday, January 13, 2026

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.





Project Area

KPB Parcel(s):

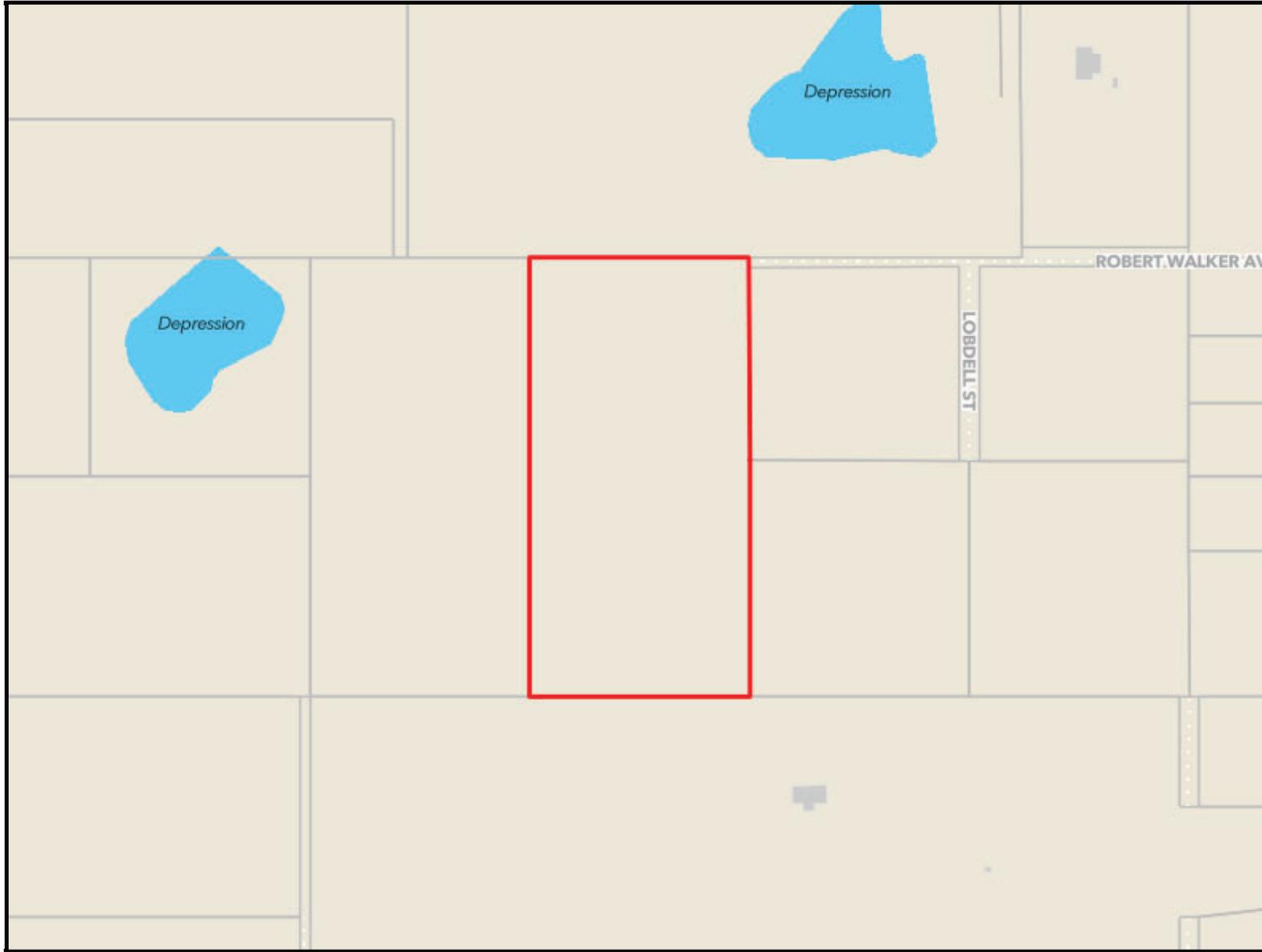
01516017

Parcel and PLSS

Parcel Ownership Type

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





 **Project Area**

**KPB Parcel(s):**

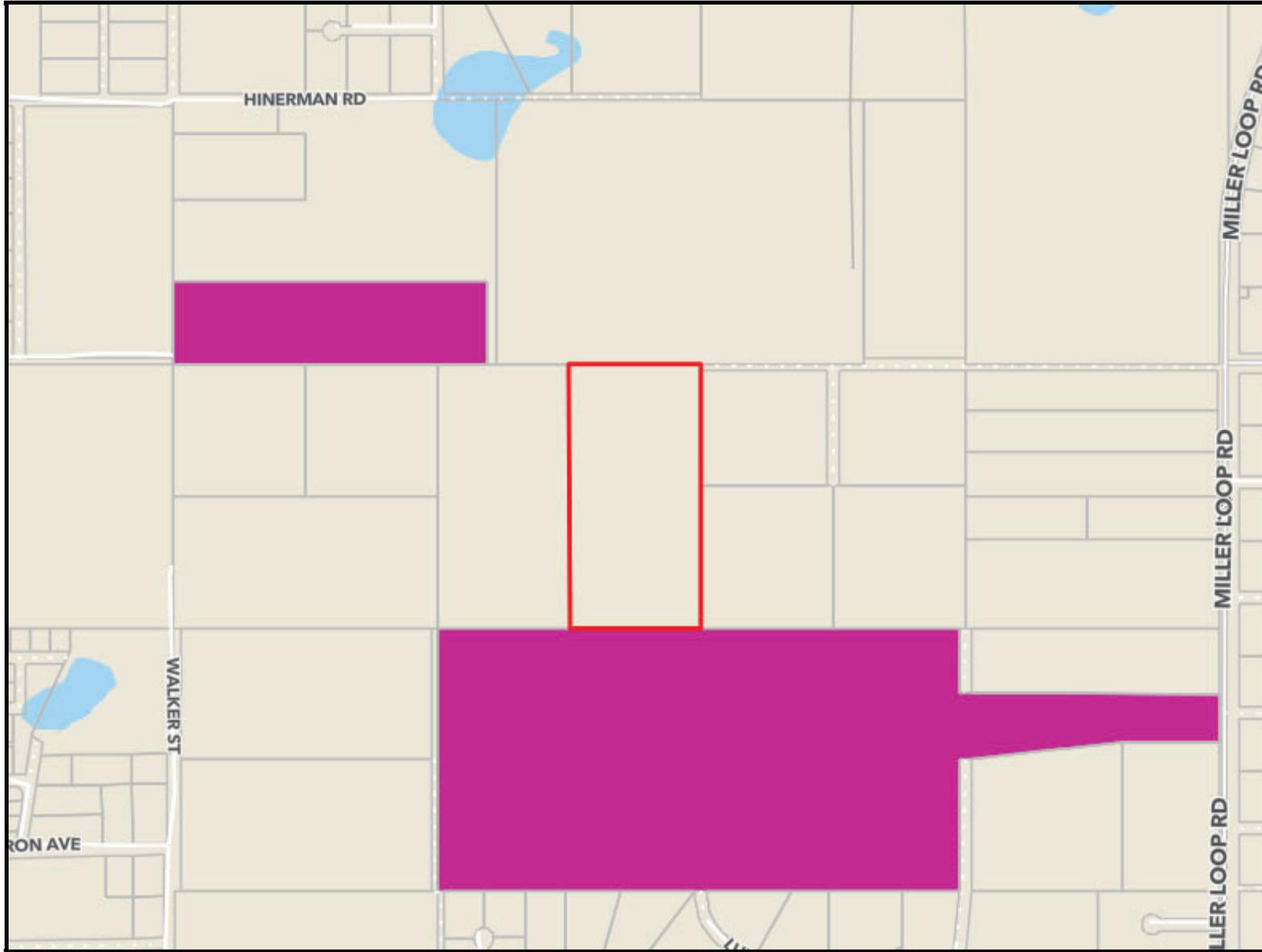
01516017

**Landcover Features**

**KWF Wetlands Assessment**

-  Disturb
-  Depression
-  Discharge Slope
-  Drainageway
-  Floating Island
-  Headwater Fen
-  Kettle
-  Lake
-  Lakebed
-  Late Snow Plateau
-  Riverine
-  Tidal
-  Wetland / Upland Complex





Project Area

**KPB Parcel(s):**

01516017

Regulatory

Material Sites

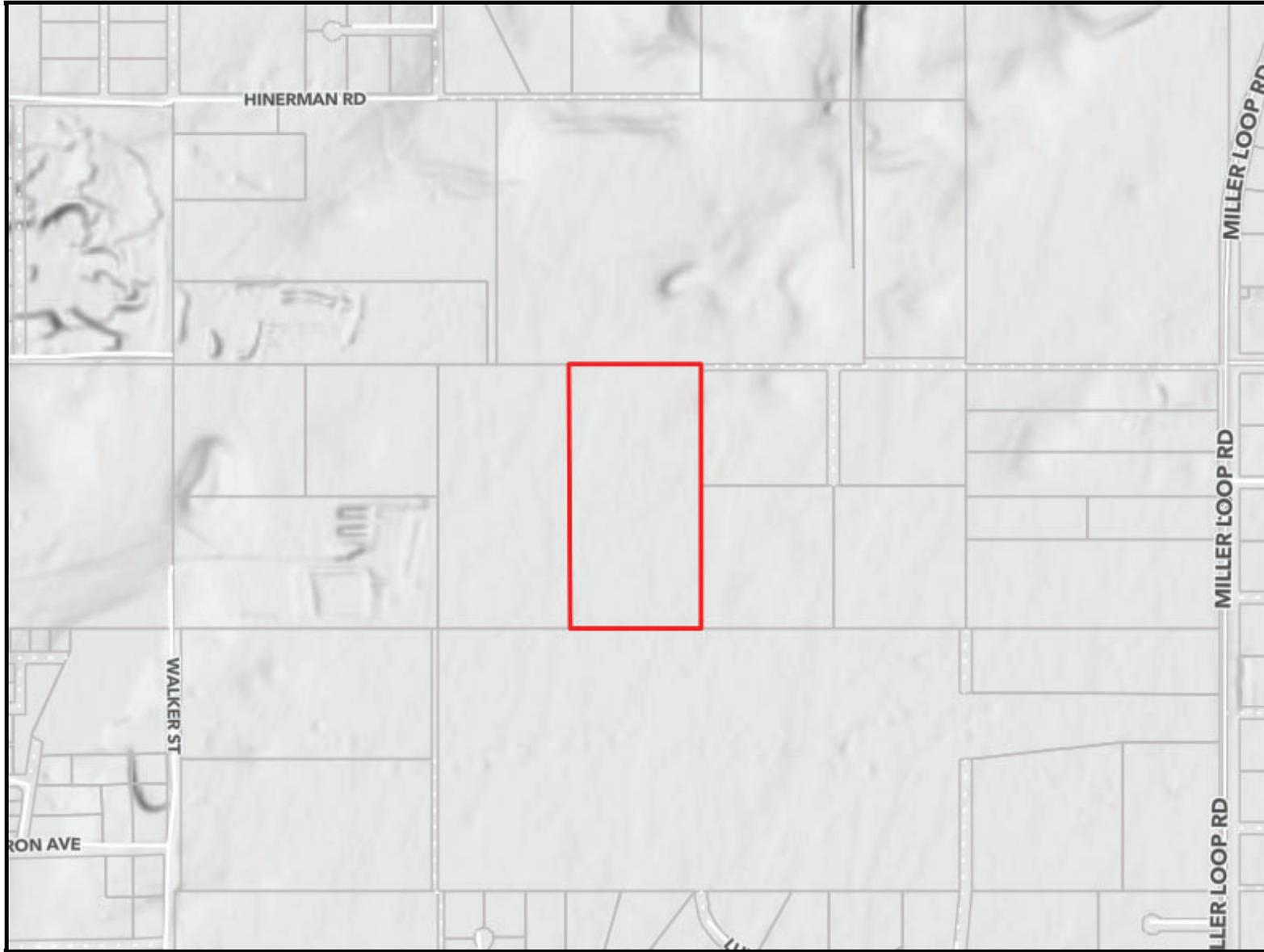
Conditional Land Use Permit

Counter Permit

Prior Existing Use

Local Option Zones





 Project Area

KPB Parcel(s):

01516017



**Material Site Conditional Land Use Permit  
Staff Report**

<b>PC Res No.</b>	2026-12
<b>Planning Commission Meeting:</b>	Monday, February 09, 2026
<b>Applicant</b>	M&M Gravel LLC
<b>Mailing Address</b>	420 N Willow Street Kenai, Alaska 99611
<b>Legal Description</b>	T 7N R 12W SEC 35 SEWARD MERIDIAN KN E1/2 NE1/4 NW1/4
<b>Physical Address</b>	NHN Robert Walker Ave
<b>KPB Parcel Number</b>	01516017

**Project Description**

The applicant, M&M Gravel LLC, has submitted an application for a Conditional Land Use Permit (CLUP) for the entire parcel listed above and is seeking Type I and II Endorsements for material extraction over 5 acres and material conditioning or processing, respectively.

The submitted site plan indicates that the ingress and egress will be located on the northern property line, with the material haul route traveling west within the Section Line Easement to Robert Walker Lane. From there, the haul route will continue west to the Kenai Spur Highway. The haul route from the northern property line to Robert Walker Lane has not been constructed yet. Robert Walker Lane is maintained by the KPB from the Kenai Spur Highway to the property owned by James Decker, approximately one-half mile.

The subject property is bordered on the north and east sides by privately owned parcels that are undeveloped. To the south is the industrial property of Nikiski Disposal Inc. To the west is a parcel owned by Alaska LNG Project LLC.

The site plan and application propose the following buffers to the north, south, east, and west: a 50-foot native vegetated buffer, to be replaced by a 6-foot high earthen berm when excavation nears the 50-foot buffer delineation.

The site plan, completed by McLane Consulting Inc., states that groundwater is deeper than 25 feet below the existing surface, based on two (2) test holes. The application states that the proposed depth of material excavation will be 23 feet and will maintain a 2-foot separation from the seasonal high-water table. Prior to excavation, the operator will install and maintain two (2) observation wells, with one (1) well installed per 10 acres of excavated area. Plan notes state that there are no wetlands or surface waters within the property boundaries. A northern central area will be maintained as a processing area, which is at least 300 feet from the north, east, and south property lines. The applicant requests a waiver from the 300-foot processing distance on the

west side of the property, due to the adjacent property being an industrial property owned by Alaska LNG Project LLC. Native vegetation will provide surface water protection by way of phytoremediation, according to the McLane report. The site plan shows three (3) adjacent wells, with one (1) located within 300 feet of the proposed use area. All three wells are monitoring wells associated with a nearby industrial site.

Reclamation areas within the material site will be graded, contoured, and covered with at least 2 inches of silty topsoil. Slopes steeper than 2:1 will be seeded. The floor of the site will remain a graded gravel pad. Material stockpiles may be left in place for future use. Unsuitable excavation may be placed in the exhausted areas of the material site, beginning at the northwest limits and proceeding south. The applicant has supplied a State of Alaska Department of Natural Resources (DNR), Material Site Reclamation Plan. The plan states that the applicant wishes to join the statewide bonding pool and will bond 4.9 acres, for a total of \$3,675. Before excavation begins, the applicant must submit proof of bonding pool participation to the Planning Department.

The applicant estimates a life span of 20 years for the site and an annual extraction quantity of approximately 45,000 cubic yards of material.

### **Public Notice**

Public notice was mailed on or before January 21, 2026, to the 16 landowners within 1000 feet of the subject parcel, and was posted in accordance with KPB 21.25.060. There appears to be no Principal Structures within the 1,000-foot special impact zone.

### **Staff Recommendation**

After review of the application and submitted materials, it appears that the four standards contained in KPB 21.29.040 will be met by imposition of the relevant conditions in KPB Chapter 21.29, and staff recommends approval subject to those conditions. Staff has included proposed findings of fact in the draft resolution for the Planning Commission's consideration.

Whether the Planning Commission decides to approve or deny the application, staff recommends that the Planning Commission include findings of fact based upon the record to support its decision.

### **Attachments**

1. Application
2. Maps
3. Staff Report
4. Resolution
5. Public Hearing Notice
6. Notification List
7. Public Comment

**NOTE: Any party of record, as defined by KPB 21.20.210, with standing to appeal, as set forth in KPB 21.20.225, may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. 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 2026-12  
KENAI RECORDING DISTRICT**

**A resolution granting approval of a conditional land use permit to operate a sand, gravel, or material site under Type I and II Endorsements for the parcel described as T 7N R 12W SEC 35 SEWARD MERIDIAN KN E1/2 NE1/4 NW1/4, Kenai Recording District, Third Judicial District, State of Alaska.**

- WHEREAS,** KPB 21.25 allows for land in the rural district to be used as a sand, gravel, or material site once a permit has been obtained from the Kenai Peninsula Borough; and
- WHEREAS,** KPB 21.29 provides that a conditional land use permit (CLUP) is required for earth materials extraction, which includes Type I and II Endorsements for earth materials extraction over 5 acres and material conditioning or processing, respectively; and
- WHEREAS,** on December 17, 2025, permittee M&M Gravel LLC submitted to the Borough Planning Department a CLUP application on KPB Parcel 01516017, which is located within the rural district; and
- WHEREAS,** public notice of the application was mailed on January 21, 2026, to the 16 landowners or leaseholders within 1,000 feet of the subject parcel pursuant to KPB 21.25.060; and
- WHEREAS,** public notice of the project was posted in accordance with KPB 21.25.060; and
- WHEREAS,** this item was presented at the February 5, 2026 meeting of the Nikiski Advisory Planning Commission who recommended \_\_\_\_\_;
- WHEREAS,** a public hearing was held at the Monday, February 9, 2026, meeting of the Kenai Peninsula Borough Planning Commission;

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

**Section 1. That the land use and operations are described and shall be conducted on KPB Parcel Number(s) 01516017, T 7N R 12W SEC 35 SEWARD MERIDIAN KN E1/2 NE1/4 NW1/4. The total area to be disturbed under this activity is approximately 19.5 acres.**

**Section 2. Findings of Fact:**

1. KPB 21.25 allows for land in the rural district to be used as a sand, gravel, or material site once a CLUP has been obtained from the Kenai Peninsula Borough.
2. KPB 21.29 governs material site activity within the rural district of the Kenai Peninsula Borough.
3. KPB 21.29 provides that a CLUP is required for material extraction that disturbs 5 or more cumulative acres, processes material, or extracts below the water table.
4. KPB 21.29.005 states that the purpose of KPB 21.29 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 KPB, including

the health of aquatic systems that support salmon. It is the further purpose of KPB 21.29 to promote compatible, orderly development.

5. This item was presented at the February 5, 2026 meeting of the Nikiski Advisory Planning Commission who recommended \_\_\_\_\_
6. A public hearing of the Planning Commission was held on Monday, February 9, 2026, and notice of the meeting was published, posted, and mailed in accordance with KPB 21.25.060, KPB 21.11, and KPB 1.08.180(B).
7. The 2019 KPB Comprehensive Plan outlined the need to update KPB 21.29 to address recurring land use conflicts for gravel extraction. A rewrite of KPB 21.29 was adopted by the KPB Assembly in October 2023.
8. Goal 2 of the 2019 KPB Comprehensive Plan sets out the objective to proactively manage growth to provide economic development opportunities on the KPB while preserving what residents and visitors value about the area's natural features. It further sets out objectives that KPB should establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems, and support individual land use freedoms.
9. The proposed cumulative disturbed area within the parcel is approximately 19.5 acres, including the buffer areas.
10. The permittee has provided a reclamation plan that is consistent with KPB 21.29.
11. The application indicates that groundwater is greater than 25 feet below the existing grade, and the lowest depth of excavation will be approximately 23 feet below the existing grade.
12. The site plan indicates that there is one (1) monitor well located within 300 feet of the proposed excavation area that is associated with a nearby industrial site, and no wells are located within 100 feet of the proposed excavation area.
13. The permittee has proposed a 50-foot vegetated buffer on all sides of the material site. This buffer will be replaced with a 6-foot earthen berm when excavation activities near the 50-foot buffer delineation.
14. Ingress and egress to the site will be located on the northern property line, with the material haul route traveling west within the Section Line Easement to Robert Walker Lane. From there, the haul route will continue west to the Kenai Spur Highway.
15. The permittee has indicated that material processing will take place on the property. Any equipment used for conditioning or processing materials will be operated at least 300 feet from the north, east, and south parcel boundaries. The applicant requests a waiver from the 300-foot processing distance on the west property boundary. Earth materials crushing equipment and blasting may only be operated between 8:00 am and 7:00 pm AKST. Additionally, the site plan indicates processing activities will be outside the 1,000-foot Special Impact Zone.

### **Section 3. Permit Conditions**

#### **Requirements Prior to Excavation**

Prior to beginning excavation activities, the following conditions must be implemented and proof provided to the Planning Department:

1. The permittee must install and maintain one (1) observation well at least two (2) feet below the lowest level of excavation, per 10 acres of excavated area. Elevations will be established for: top of well casing, ground elevation, and groundwater in the well, if any.
2. The permittee must have the area of excavation, buffers, and any easements or rights-of-way abutting the proposed CLUP area 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.

3. Within 90 days of the issuance of the Notice of Decision and prior to excavation, the permittee must provide proof of bonding related to the reclamation plan that was submitted with the application. Failure to do so will render this permit invalid. The bond must be maintained for the life of the permit.
4. The permittee must obtain an Alaska Department of Natural Resources (ADNR) temporary use authorization if the permittee intends for water to leave the site.
5. The permittee must obtain a mining permit as required by ADNR if extraction activities are to take place on state land.
6. The permittee must submit a notice of intent for a construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Alaska Department of Environmental Conservation pursuant to the Alaska Pollutant Discharge Elimination System requirements.
7. The permittee must obtain a 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.
8. The permittee must submit an application or obtain a permit from any other applicable state or federal agency with regulatory authority over mining activities or earth materials extraction.

### **General Conditions**

9. The permittee must reclaim the site as described in the reclamation plan for this parcel.
10. The permittee must conduct all activity in compliance with state or federal regulations governing the items listed in KPB 21.29.045(B)(1-3). Complaints received by the borough of violations of requirements within this section will be forwarded to the appropriate agency for enforcement.
11. The permittee must operate in accordance with the application and site plan as approved by the Planning Commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a CLUP modification is required in accordance with KPB 21.29.070.
12. This CLUP is subject to annual review by the Planning Department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.25.090, the CLUP may be revoked pursuant to KPB 21.50 if the permittee fails to comply with the provisions of this chapter or the conditions of the permit.
13. Once effective, this CLUP is valid for five years. A renewal application must be submitted at least 90 days prior to the expiration of the CLUP.
14. At the time of CLUP renewal, every 5 years, the permittee must have all missing boundary stakes replaced before the renewal certificate can be issued. Field staking will require the services of a professional land surveyor.
15. Failure to comply with any of the conditions is a violation of the CLUP and is subject to enforcement pursuant to KPB Chapter 21.50.
16. This CLUP is not transferable unless a written transfer request is submitted to the Planning Department, an inspection is performed, and approval is issued. Note that CLUP transfers cannot be approved if the permittee is in violation of its CLUP conditions or KPB code.

### **Buffer Zone**

17. The permittee must maintain the buffers between the area of excavation and the parcel boundaries as shown in the approved site plan and application. The permittee will maintain a

minimum 50-foot vegetated buffer along all parcel boundaries, to be replaced by a 6-foot high earthen berm when the excavation nears the 50-foot buffer delineation. In any location where the vegetated buffer has been denuded, the applicant will place a 6-foot earthen berm.

18. The permittee must not allow buffers to alter natural drainage features.
19. The permittee must not allow a buffer to overlap an easement.

### **Water Source Separation**

20. The permittee must not extract material below or within two feet of the seasonal high-water table.
21. The permittee must not conduct off-site excavation dewatering.
22. The permittee must not extract material within 100 linear feet of any water source existing prior to original CLUP issuance, as defined in KPB 21.29.130.

### **Roads**

23. Operations that impact borough roads must be conducted in accordance with the requirements and remedies of KPB 14.40.

### **Dust Control**

24. The permittee must provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.

### **Hours of Operation**

25. The permittee must conduct material extraction activities, including equipment operation, between the hours of 6:00 a.m. and 9:00 p.m. Alaska Standard Time (AKST).

### **Groundwater Elevation**

26. Prior to excavation, the permittee must install and maintain at least one (1) observation well at least two (2) feet below the lowest level of excavation, one (1) well per 10 acres of excavated area. Elevations will be established for: top of well casing, ground elevation, and groundwater in the well, if any.

### **Setback**

27. 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, or licensed health care facility.

### **Permit Boundaries**

28. The permittee must have the area of excavation, buffers, and any easements or rights-of-way abutting the proposed permit area 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.

### **Fuel Storage**

29. The permittee must ensure that fuel storage containers larger than 50 gallons will be contained in impermeable berms and basins capable of retaining 110 percent of storage capacity to minimize the potential for uncontained spills or leaks. Fuel storage containers 50 gallons or smaller will not be placed directly on the ground, but will be stored on a stable impermeable surface. Double-walled fuel storage tanks are allowed for secondary containment.

### **Ingress and Egress**

30. Ingress and egress to the site will be located on the northern property line, with the material haul route traveling west within the Section Line Easement to Robert Walker Lane. From there, the haul route will continue west to the Kenai Spur Highway.

### **Surface and Groundwater Protection**

31. Surface and groundwater protection measures are not required for this site as there are no wetlands or surface waters within, or adjacent to, the property boundaries.
32. The permittee must not excavate in a way that causes off-site dewatering.

### **Public Campgrounds**

33. There are no public campgrounds within 1,000 feet of the site operations, and therefore, no added conditions apply.

### **Type II Endorsement: Processing**

34. Setback. Equipment that 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.
35. The applicant requests a waiver from the 300-foot processing distance on the west property boundary.
36. Hours of Operation. Earth materials crushing equipment and blasting may only be operated between 8:00 a.m. and 7:00 p.m. AKST.

**Section 4. Based on the above findings, the Planning Commission concludes as a matter of law that the application has met all the requirements of KPB 21.25 and KPB 21.29, and through imposition of the conditions under KPB 21.29.050, the Planning Commission concludes as a matter of law that the application meets the four standards found in KPB 21.29.040:**

### **CONCLUSIONS OF LAW**

1. That the use is not inconsistent with the applicable comprehensive plan. Findings 4, 6-7, and Conditions 4-8, 10-12, 14-16, and 19 meet this standard.
2. That the use will not be harmful to the public's health, safety, and general welfare, or the health of anadromous waterbodies. Findings 4, 10-14, and Conditions 1-2, 4, 6-7, 10-18, and 20-36 meet this standard.
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. Findings 4, 10-14, and Conditions 1-2, 4, 11-15, 17-18, 20-22, and 24-36 meet this standard.
4. That the use provides for a reclamation plan consistent with KPB 21.29. Findings 9 and Conditions 3, 4, 11-13, and 15 meet this standard.

**Section 5. Therefore, permittee, M&M Gravel LLC, is granted a conditional land use permit to operate a sand, gravel, or material site under a Type I and II Endorsements for material extraction over 5 acres and material conditioning or processing, respectively. The permittee must also reclaim the site to a stable condition upon completion of the project. The Planning Commission authorizes the issuance of a conditional land use permit pursuant to this resolution.**

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

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Jeremy Brantley, Chairperson  
Planning Commission

ATTEST:

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Ann Shirnberg  
Administrative Assistant



**KENAI PENINSULA BOROUGH PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING**

«ATTENTION»  
«OWNER»  
«MAILING\_ADDRESS»  
«MAILING\_CITY», «MAILING\_STATE» «MAILING\_ZIPCODE»

Wednesday, January 21, 2026

Public notice is hereby given that a Conditional Land Use Permit application has been received to develop a material site (gravel pit) on a property located in the Nikiski area. These applications are reviewed by the Kenai Peninsula Borough Planning Commission in accordance with KPB 21.25 and KPB 21.29. You are receiving this notice because you are a landowner within a 1,000-foot radius of the subject property, and are invited to provide comment at the public hearing below.

**Applicant:** M&M Gravel LLC  
**Landowner:** M&M Gravel LLC  
**Parcel Number(s):** 01516017  
**Legal Description:** T 7N R 12W SEC 35 SEWARD MERIDIAN KN E1/2 NE1/4 NW1/4  
**Address:** NHN Robert Walker Ave

**Public Hearing:**

**Date and Time:** Monday, February 09, 2026, at 7:30 p.m.  
**Location:** Kenai Peninsula Borough  
Betty Glick Assembly Chambers  
144 N. Binkley, Soldotna, AK 99669  
**Zoom Meeting ID:** 907 714 2200  
**Zoom Link:** <https://us06web.zoom.us/j/9077142200>  
**Telephonic:** 1-888-788-0099 or 1-877-853-5247

**Special Impact Zone:** Landowners with a primary residence within 1,000 horizontal feet of a material site are located in an area called the Special Impact Zone. Residents in this zone may request that the material site implement screening methods that are objective, measurable, and within the overall regulatory limits of KPB 21.29, by providing substantial evidence to support the request.

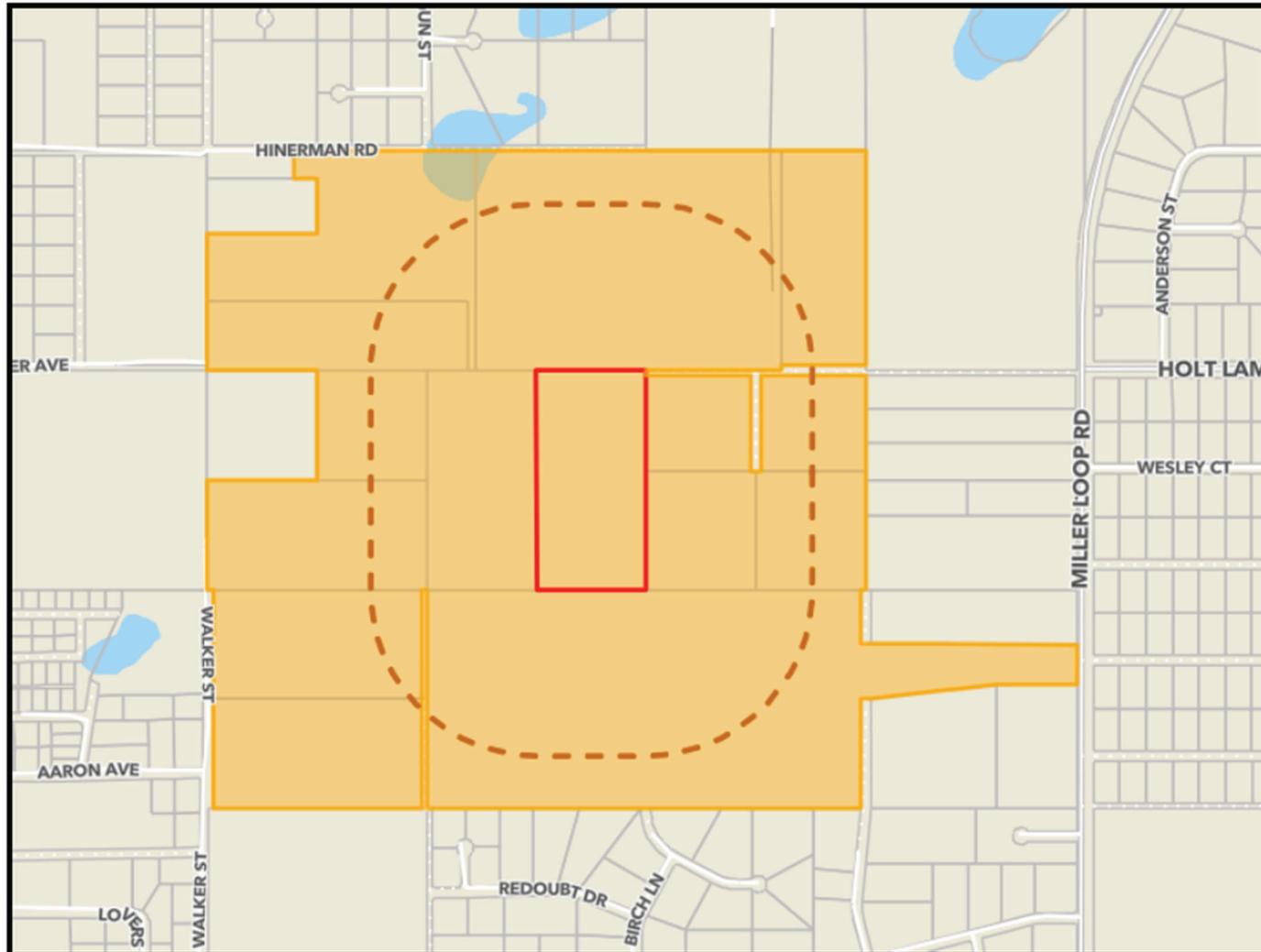
**Public Comment:** You can provide verbal comment at the hearing (see information above). You may also submit written comments by emailing them to rraidmae@kpb.us. **Written comments must be received by 1:00 p.m. on Friday, February 06, 2026.** Note that persons who participate in the public hearing, either by written or oral comment, may appeal the Planning Commission’s decision within 15 days of the date of notice of the decision.

The meeting packet will be posted the week prior to the meeting. Once it has been posted, you can view the application and additional maps at [kpb.legistar.com/Calendar](http://kpb.legistar.com/Calendar). For additional information, contact Ryan Raidmae at rraidmae@kpb.us or 907-714-2462.

Please see the attached vicinity map of the proposed activities.

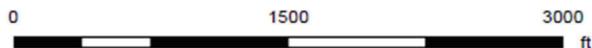
Ryan Raidmae

Planner

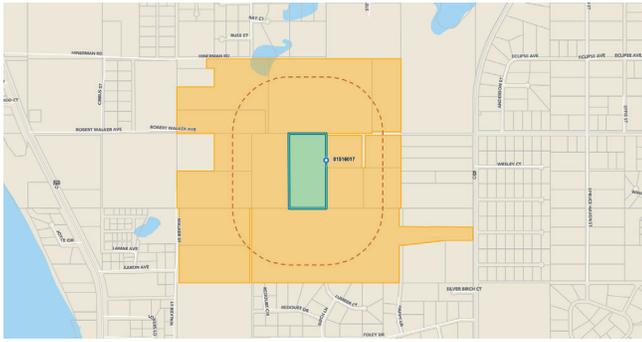


 **Project Area**  
**KPB Parcel(s):**  
01516017

Map created by Raidmae, Ryan  
Tuesday, January 13, 2026



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.



# CLUP Notification Report

Monday, January 12, 2026

Report generated for KPB Parcel(s):  
01516017



- 1000ft Buffer
- Original selection
- Parcels intersecting the buffered area.

The following list was created by applying a 1000 ft buffer to the parcel or parcels indicated above. Questions or comments can be relayed to rraidmae@kpb.us.

## All Ownership Records

PARCEL_ID	OWNER	ADDRESS	CITY	STATE	ZIP
01515018	DECKER JAMES	PO BOX 8407	NIKISKI	AK	99635
01515052	VEAL NAOMI	47113 STEVEN ST	KENAI	AK	99611
01515052	VEAL TIM	47113 STEVEN ST	KENAI	AK	99611
01515054	VEAL TIM & NANCY	47437 STEVEN ST	KENAI	AK	99611
01515055	ALASKA LNG PROJECT LLC	PO BOX 100360	ANCHORAGE	AK	99510
01516015	PADDOCK ANNA JEAN	PO BOX 182	BELLS	TX	75414
01516016	EGGENBERG ROBERTA	PO BOX 1602	DURANT	OK	74702
01516017	M & M GRAVEL LLC	420 N WILLOW ST	KENAI	AK	99611
01516018	ALASKA LNG PROJECT LLC	PO BOX 100360	ANCHORAGE	AK	99510
01516019	KENAI PENINSULA BOROUGH	144 N BINKLEY ST	SOLDOTNA	AK	99669
01516020	ALASKA LNG PROJECT LLC	PO BOX 100360	ANCHORAGE	AK	99510
01516098	ALASKA LNG PROJECT LLC	PO BOX 100360	ANCHORAGE	AK	99510
01516110	ALASKA LNG PROJECT LLC	PO BOX 100360	ANCHORAGE	AK	99510
01516111	NIKISKI DISPOSAL INC	42115 K BEACH RD STE B	SOLDOTNA	AK	99669
01516139	VEAL TIM STEVEN	47113 STEVEN ST	KENAI	AK	99611
01516140	LOBDELL BRADLEY T	3903 STILLVIEW DR	HOUSTON	TX	77068