

Quinton, Madeleine

Subject: FW: Public Comment Lease Cooper Landing - Davis Block

From: Phillip Miller <pjmillerak@gmail.com>

Date: March 4, 2024 at 6:29:28 PM AKST

To: "Mueller, Marcus" <MMueller@kpb.us>

Subject: <EXTERNAL-SENDER>Public Comment Lease Cooper Landing - Davis Block

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.

Greetings Mr. Mueller,

Will you please include these public comments in the appropriate place for land lease application by Davis Block.

I strongly support the proposed lease of existing identified industrial KPB lands for a use of a concrete plant.

The increase of traffic on this state road will be no more than what is already rolling through the community on the Sterling Hwy and Bean Creek Road.

Additional Snug Harbor Road was years ago to support an industrial project. The Power Plant and Cooper Lake Tunnel Diversion. It appears lease and is in line with usual and customary use for over 50 years.

As a community Cooper Landing should not be putting up any additional snafu's to the progress of the ByPass project.

Sincerely,
Phillip Miller
19233 Sterling Hwy
Cooper Landing, AK

DISCLOSURE: This email and any attachments are intended for a specific recipient. This email was created with two thumbs and apple artificial spelling intelligence. Any one who knows me well, knows I cannot spell. If something funny or stupid comes your way I have every expectation that you are going to laugh and and share this email.

Quinton, Madeleine

Subject: FW: <EXTERNAL-SENDER>Snug Harbor Concrete Plant Lease

From: Turner, Michele <MicheleTurner@kpb.us>
Sent: Tuesday, March 12, 2024 2:32 PM
To: Quinton, Madeleine <mquinton@kpb.us>
Subject: FW: <EXTERNAL-SENDER>Snug Harbor Concrete Plant Lease

Public comment regarding Ordinance 2024-04

Michele Turner, CMC
Borough Clerk
Kenai Peninsula Borough
(907) 714-2162 direct

From: CLCC Officers <officers@cooperlandingcommunityclub.com>
Sent: Tuesday, March 12, 2024 2:12 PM
To: G_Notify_AssemblyClerk <G_Notify_AssemblyClerk@kpb.us>
Subject: <EXTERNAL-SENDER>Snug Harbor Concrete Plant Lease

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.

Members of the Assembly and Representatives,
I am attaching a letter from the Cooper Landing Community Club endorsed and voted on by citizens of Cooper Landing concerning the proposed lease between Davis Block and the Borough off Snug Harbor Road. As a community we would like to see this bypass project done as quickly as possible, but we do not think the placement of this plant is in the best interest and safety of the residents, visitors, and material and concrete truck drivers. We believe there are better options that would provide easier access and allow the flow of traffic to continue without hindering this residential neighborhood. Please take note of our request. We are also including letters and comments submitted to the CLCC concerning this matter.
Thank you for your time,
Melissa Brennan
President, Cooper Landing Community Club



March 12, 2024

Members of the Assembly,

The Cooper Landing Community Club is the non-profit, quasi-governmental organization for our unincorporated town. Cooper Landing Community Club helps to serve the needs of the Cooper Landing area as well as acts as a voice for the community. The recent decision to lease out the materials sight and organic dump area off Snug Harbor Road for a concrete plant to Davis Block has created an overwhelming negative response in our community. On Monday March 11,2024 the Cooper Landing Community Club held a special meeting and community members voted asking the Community Club to oppose the leasing of this site.

We would ask the Assembly that you would delay the vote and allow time for further options to be presented to the community as a whole. There are other areas within Cooper Landing that are owned by the Borough and that are currently unclassified that would be more desirable locations for a concrete plant. These sites would not only decrease the traffic and speeding in residential neighborhoods, but they would allow easier access to the Juneau Creek Bridge site without having to go through residential areas of town and further impacting our already damaged roads.

The lack of notice that residents were given is of notable concern. While it is understood that the contract was not awarded officially to Davis Block until January, residents of Cooper Landing only first heard of the proposed site on February 14 with a special meeting being held just a week later. Previously the Borough and Davis Block had been looking at this area for months before without any Community knowledge or input.

Many of the issues this plant's location stirs up are related to issues the Borough has deferred to the State. The State has previously stated they have no plans to fix our currently aging, pothole ridden roads, nor do they plan on increasing Trooper presence within Cooper Landing. This project will add more stress to the condition of the roads as well as to the traffic. Turning on and off of Snug Harbor in the summer is already a tricky situation. When July hits and the traffic doubles with travelers heading to the Kenai to dipnet, motorists face long waits and tight turning radiuses to enter and exit Snug Harbor Road. The response time for Troopers to respond to any accidents in the area is normally over an hour. Cooper Landing Emergency Services, our main responder in the area, is located at this intersection. Their ability to easily move in and out of the area as needed will be hindered with increased traffic. Between the



State and the Borough there are no plans in place beyond the placing of signs that will help mitigate traffic concerns at this intersection. Residents, tourists, and concrete trucks will be met with continued delays and potential accidents. With this plant being part of a State project that threatens to further destroy the already crumbling condition of our roads as well as create more difficult traffic conditions, It seems unwise for the Borough to be playing such an integral part while neglecting the main issues and concerns of our town.

While the location of the Natural Dump may seem close to the Juneau Creek Bridge site, the aforementioned traffic and 25 mph speed limits will actually add additional time to trucks both leaving and going back to the concrete plant site. An area such as Dave's Creek or Tract C would allow room for trucks to enter and exit the site safely and easily from the highway without having long delays. The time to and from these locations is actually less than it is from the proposed Snug Harbor site. The ability for doubles hauling material to a concrete plant to turn would be easier than the very narrow, tight turn from the Sterling Highway onto Snug Harbor. These locations would also allow for a safer route for motorists and truck drivers alike, allowing plenty of room for trucks to turn safely into oncoming traffic. It would also allow trucks to maintain a higher speed and would allow a quicker delivery to the Juneau Creek bridge. While we appreciate that the owners of Davis Block have assured us their drivers will maintain the 25 mph speed limit on Snug Harbor, it is unrealistic that the loaded trucks coming down from the Natural Dump will not gain more speed. The frequent use of engine brakes that would need to be used would be a nuisance to the area as well as add further wear and tear to the trucks themselves.

The lack of restrictions and regulations included in the lease is another area we would like to see the Assembly address and amend. To have no constraints on hours of operation, days of operation and potential number of trucks per day is unprecedented. There is also no guarantee this lease would not lead to a permanent operation.

The swift turn around and passing of this lease did not allow the Area Planning Commissions to have the full knowledge of the issues that impact the placement of this plant or have time for community input. We feel the knowledge that people have gained since first hearing of this plant one month ago would change the votes if they were done today. We strongly urge you to please consider the issues stated above and delay the final approval of the currently proposed lease until additional sites can be truly evaluated and looked at.

Thank you for your consideration,
The Cooper Landing Community Club



Cooper Landing Community Club
18511 Bean Creek Road
PO Box 508
Cooper Landing, AK 99572



907-595-2169



officers@cooperlandingcommunityclub.com



www.cooperlandingcommunityclub.com

Melissa Brennan
President Cooper Landing Community Club
officers@cooperlandingcommunityclub.com

**Letters and Comments Submitted for the
March 11, 2024 Cooper Landing Community
Club Special Meeting concerning the
proposed Concrete Plant Lease off Snug
Harbor Road**

Letter from Michael & Linda Gephardt March 4, 2024

To Whom it May Concern:

As Mike and I cannot be at the meeting, we wish to let it be known that we do not support this plant on Snug Harbor Road and object to any lease, contract, or permanent facility. I do not remember seeing any agenda item at any meeting that referenced this idea.

Mike and I are full-time residents of Cooper Landing and have lived on Snug Harbor Road for 40 years. Our concern is three fold:

First the amount of traffic on the roadway from residences, Camp K, Senior Housing, and recreational users is already a significant amount and overly fast. The high volume of traffic already consists of motor homes, school buses, post office traffic, CLES, and cars on Snug Harbor. Additional heavy truck traffic would impact the roadbed and asphalt. Our residence is situated between a 90-degree corner on a hill on the north side, and a large 45-degree corner on the south side. The 90-degree corner has limited visibility and the south hill has a steep slope. Trucks already increase their speed drastically, above and beyond the speed limit, to get up on the south hill. There are four residences beyond us, two of which have blind entrances to the road, and very little shoulders and/or driveway access. Increased truck traffic puts these residents and ourselves in unnecessary risk just coming and going from our homes.

Secondly: You have other options where the trucks only impact the Sterling Highway corridor. The highway is easily accessible, drastically more so than Snug Harbor Road, and any upkeep would be much less burdensome on the State.

Thirdly: Just about everyone in the Cooper Landing area uses the Environmental Dump on Snug Harbor Road. The Environmental Dump is an eco-friendly site that allows for disposal of biodegradable materials. With the ongoing bridge expansion project, from Quartz Creek, they hauled mud, rocks, trees, etc., there are already numerous vehicles and trucks into it on a daily basis. Additional trucks into this area hauling concrete in and out make it dangerous for the general Cooper Landing resident trying to haul materials.

While progress is a natural course for any town, any disturbance of the tranquility of the town should not be taken lightly. The residents of Cooper Landing and Snug Harbor Road deserve to have their community and roadways safe and quiet. A concrete plant and the subsequent commerce will seriously affect the desired lifestyle that Snug Harbor Road currently affords its residents.

We apologize if this was discussed at a meeting, and we missed it. Had we been aware of the proposal, we definitely would have come and spoken against it.

Sincerely,

Michael & Linda Gephardt

37764 Snug Harbor Road

Letter from Ken Green and Kate Thomas March 4, 2024

Copies to KPB Mayor, Peter Micciche, KPB Assembly, Cindy Eklund, and Representative Ben Carpenter, Cooper Landing Community Club.

Greetings from Cooper Landing,

You may be aware of growing worries in CL concerning a Davis Block contract with the Kenai Peninsula Borough for a cement batch operation located on Snug Harbor Road at the present Organic Dump site.

There are community concerns that can normally be expected with construction, however, these concerns surpass predictable "Not in My Backyard" complaints. We would be grateful if you looked at our list and took these worries into consideration. It is notable that the presently chosen site may be poor not only for CL residents but also for Davis Block and the KPB.

Thank You,

Ken Green and Kate Thomas

19350 Rusty's Way – POBox 776 – CL, 99572 - 1 (907) 595-1643.

Kenai Peninsula Borough Contract with Davis Block for a Cement Batch Operation on Snug Harbour Road in Cooper Landing 99572

Objections to the proposed location at the CL Clean-fill Site

1) Truck traffic congestion at the Post Office and the Emergency Services are both located at the conjunction of Snug Harbour Road with the main Sterling Highway and the Bridge across the Kenai River/Lake. This is a bottleneck for traffic in the best of times. With summer motorhome, regular semi-truck and smaller vehicle traffic and the explosion of vehicular use during peak tourist and fishing seasons,

the turnoff onto the Sterling Highway will be greatly impacted negatively with significant safety and delay concerns.

2) The effect of heavy truck traffic on the road surface of Snug Harbour Road would be negative and significant also considering that the construction of the Juneau Creek Bridge is apparently projected for a long period of usage (5 years or more). Heavy equipment and trucks would be moving in both directions on SH Rd.

2

3) The disruption to neighborhood residences and fish guiding businesses would be significant with access on an off Snug Harbour more difficult and more prone to accidents. Residents and businesses are located with driveways on SH Rd.

4) The conditions for walkers, joggers, bicyclers, dog walkers and weekend campers who flock to Cooper Lake and spots along Kenai Lake would deteriorate and become more dangerous due to constant heavy truck usage. This road is used extensively in the summer months. Although there is an adjoining walking/bike path, heavy construction vehicles would pose risks to all users.

5) There are numerous very dangerous curves with steep embankments on the lakeside of SH Rd. These curves are located as the road gains steepness and elevation as the road approaches the CL Senior Center. The curves tend to force vehicles into the center of the road by normal centrifugal force and can easily cause imbalance if taken too rapidly. At present, pickup trucks and SUV must be careful taking these curves. The road was recently improved, but the curves are a major concern.

6) The steep hill leading up to these curves at the end of the SH Rd. neighborhoods past the Catholic Church turnoff would also be very inconvenient to heavy equipment, both going up and dangerous coming down for laden trucks. Extra caution is necessary for every trip. The hill going down from the Catholic Church with a sharp curve at its end before approaching the hill going up is also a concern. There are 2 residential houses at the base of these hills and 4 as the road climbs up the steeper slope. All are located just off the road on the lakeside on steep embankments with the road above them. There is little to stop a truck that may swerve off the road accidentally.

7) Better locations seem to be available that would be less disruptive, safer, and more convenient for Cooper Landing residents and visitors, and for the truck and equipment drivers of a cement batch operation. These locations are on flatter land, nearer the highway with plenty of space and easy access for cement and materials trucks. These locations are on sites of lower elevation and closer to the water table. The present site of the Snug Harbour clean fill is at a greater height above the lake surface which it would seem would make drilling for water a more uncertain and expensive of an endeavor.

The two sites that we are aware of are significantly less "cramped" for construction operations. They are -

a) The already large, cleared construction area near the CL Brewery and the Sunrise Inn Restaurant is located directly off and next to the main highway on flat spacious cleared ground. The elevation is roughly the same as Kenai Lake which should make drilling a well for water less risky and less costly, and more certain of success. The bordering wide stretch of Sterling Highway has total visibility which would make access to all parts of a cement operation easier, safer, and more convenient for the contractors.

3

b) The large gravel pit past Dan's Creek Chugach substation (towards Anchorage) is also large, flat, conveniently located, near the Creek and at the same elevation – also making water availability more certain and less expensive. The spaciousness and long stretch of widened Sterling Highway that it borders would make access convenient and safe.

Thank you for your consideration of these important concerns. The long duration of the projected Juneau Creek bridge project makes these worries quite significant to the residents of Cooper Landing and for the less disruption of traffic flow for the entire Kenai Peninsula which as we know, has to pass through the Cooper Landing bottleneck and is the reason for the building of the Cooper Landing Bypass and Bridge projects.

Thank You,

March 4, 2024.

Ken Green and Kate Thomas

POBox 776 Cooper Landing 99572

Letter from Philip Miller March 4, 2024

Greetings,

I strongly support the proposed lease of existing identified industrial KPB lands for a use of a concrete plant.

The increase of traffic on this state road will be no more than what is already rolling through the community on the Sterling Hwy and Bean Creek Road.

Additional Snug Harbor Road was years ago to support an industrial project. The Power Plant and Cooper Lake Tunnel Diversion. It appears lease is in line with usual and customary use for over 50 years.

As a community we should not be putting up any additional snafu's to the progress of the ByPass project.

Sincerely,
Phillip Miller
19233 Sterling Hwy
Cooper Landing, AK

Letter from Tom Wanat March 5, 2024

The proposal to put a cement batch plant 2 miles up Snug Harbor Rd was obviously made without any consideration to the residents along this roadway. This became apparent when Mr Davis from Davis Block Co admitted during his testimony at the recent KPB planning meeting that he didn't even consider any of the other (more suitable!) areas that have been mentioned during residents' testimonies. What's expeditious for him isn't what's in the interest of the CL Community.

I've been a property owner since 2003 and speeding along Snug Harbor has been an issue since my time in CL. The 2016 road project only exacerbated the speeding problem. I realize that a 25mph speed limit is posted but certainly not enforced. We visited options to control speeds but came up empty. Now we're faced with HEAVY, fully loaded cement trucks barreling down the road as well as supply trucks periodically delivering raw materials.

My property at 37592 is located on a downhill inside blind curve. I have 5 grandchildren who play on the property at times. I and nearby neighbors are frequently taking our boats out or backing them back in to our properties. The prospect of fast moving heavy trucks traveling through greatly concerns me.

Along with the speeding traffic, I anticipate an increase in noise and airborne pollution which will likely be significant. Further traffic congestion impacting the CL Emergency Services and the intersection with the Sterling Hwy will also negatively impact the community.

Please review your disposition for this batch plant location. It seems as though an alternate location less obtrusive to the residents would make more sense.

Thank you,

Tom Wanat
37592 Snug Harbor Rd

Letter from Timothy Davis March 7, 2024

Dear Community Members,

My name is Timothy Davis. My wife and I own property on Bean Creek Road. I am writing to express two concerns with the proposed plant on Snug Harbor Rd.

I have had experience with similar plants. When the Old Seward/Rabbit Creek overpass was constructed in South Anchorage, I lived yards from a rock crushing plant that supplied graded material for the project. Two issues were the dust and the noise.

The dust was so bad that we could literally feel the grit of fine particulates between our teeth. The noise was so annoying that any outdoor activity on our property was greatly inconvenienced. If these are issues with the proposed plant, how is Davis Block going to mitigate them?

Thanks for your consideration,

Timothy Davis
907-717-9161

Letter from Jackie Feichtinger March 7, 2024

I have many concerns about the cement plant. I have family living on Snug Harbor road year round and they are concerned about big trucks back and forth on the road. The road was finally worked on and now that truck traffic will have negative effects on the road and the people who live there including seniors from the senior center . The dust will affect the environment and cause harm to people who live and walk on the road. The other thing to consider is where the road exits at the highway juncture . That exit area is already extremely dangerous especially during the summer and could cause horrible accidents. There must be another site that is in a better place. The people who live in Cooper Landing care about their town and don't want the cement plant there the speed also is 35 mph thank you for your consideration in this matter

Comment from Howard Romig March 7, 2024

I don't know if there has been any discussion about the use of engine brakes but prohibiting their use on Snug Harbor road would be beneficial to the neighborhood.

Thanks

Howard Romig

Letter from Anne and Brad Hanson March 10, 2024

To whom it may concern:

We are Cooper Landing home owners, and are very concerned with the proposed placement of the concrete batch plant on Snug Harbor Road.

Living in Illinois, part of the year, we have seen how roads with major truck traffic have broken roads, roads that are not funded or repaired in a timely manner, & continue to be patched, piecemeal, over many years. (An example is I-57, which has only been patched, since it was built in 1960. This 4 lane highway, constantly, has 1 lane shut down, while pot holes are filled.) Will this happen to Snug Harbor? To the Sterling Highway? What assurances do we have that the roads will be repaired immediately?). Additionally, we have seen the problems that occur with over congestion on minor roads. And we have seen how communities have been split over problems that could not be resolved. We applaud Cooper Landing for trying to resolve this issue to the satisfaction of the community.

We oppose the site on Snug Harbor Rd for a concrete batch plant & have the following concerns, we feel need to be addressed.

Concerns:

1. Heavy truck traffic on Snug Harbor Road, that was not built or paved for heavy trucks. Over a 4-5 year period the road will become rutted & pitted (look at the Sterling Highway, though town, already!) Will the road be repaired during this time period? Will the road be repaired, immediately, once the plant is shut down? Will the road be repaved or just patched? What assurances do we have that this will occur in a timely manner?

2. Major traffic congestion on Snug Harbor Road, turning onto the Sterling Highway. We are all aware how difficult it is to turn onto the highway, during fishing season. It is not unusual to have to wait for several minutes, after going to the post office. A truck turning onto the highway will have an even more difficult turn, as it will have to wait until there is not traffic in either direction, because it will have to make a wide turn, particularly when turning right.
3. Once the by pass is completed, will the plant be shut down or continue to be used for other projects? What assurances do we have that this will not be a permanent plant?
4. How will this impact CLES getting onto the highway in an emergency?
5. How will this impact local use of the post office?
6. What is the benefit, (monetary or otherwise), for the community?
7. How will the noise & dust from the plant affect residents along Snug Harbor? (Particularly those living in the senior center.)

Cooper Landing has always been a wonderful community, with a diverse socio-economic population, an active senior community, & community members that readily volunteer. The community club, the library, the softball tournament, the chamber, CLES, are just a few examples that are run & funded by volunteers. This makes Cooper Landing a rare community, that is always moving forward together. Our hope is that this problem can be resolved to the benefit of the community, so that we continue to be a unified community.

If there is a vote, we would vote to move the plant to a site that is not impactful on a residential street, in a residential neighborhood in the heart of Cooper Landing.

Sincerely,

Ann & Brad Hanson
35360 Just Bears Court

Letter from Sharon Saunders March 11, 2024

I would like to start by asking these questions to the Borough:

1.
Exactly where is the location of this lease for a cement plant.?
2.
Where would the materials come from to use at the cement plant?
3.
What roads will be used to get material to and from the plant.
4.
What is the time frame of this lease?
5.
Has the impact of the heavy trucking caused by such a plant on our roads and our Bridge over the Kenai River/Lake been studied.
Please respond that you have received this letter and will pass along to the proper channels. (Mayor and Borough)
Comments : (Please copy these comments to pass along to the Borough)

1. The purpose of the new bi pass road in Cooper Landing is to prevent heavy fuel truck from passing over the Kenai River, to lessen the chances of a accident or spill into our River.
2. The proposed cement plant if located up Snug Harbor Road in the area of our Organic Waste Dump Site, would impact a residential Roadway and our Kenai River Bridge at the Lake/ River crossing.
3. Our Roads are in need of repair now and have been for the past few years, this kind of use will impact their integrity.
4. I feel that this decision needs to be reminded and reconsidered to be on the same side of the Lake and River as the new bi Pass road will be and closer to where or incoming traffic shares a double lane or passing land as is in the location of the area of the fuse dump station past Sunrise on the main Highway allowing large trucks to turn in and out safely and would not have to cross over the Bridge.
5. My vote is to start over and change this location , I am NOT in favor of having this located in Cooper Landing up Snug Harbor Road.

Thank you, Sharon Saunders

Sharon Saunders
Cooper Landing Resident
928-706-8901

sharon@sellsalaska.com
GRI REALTOR
Realty ONE Group Aurora
sharonsellsalaska.com

Letter from Nick Vanderhoff March 11, 2024

I have a few things to say about the proposed concrete batch plant on Snug Harbor Road in Cooper Landing. And I know the announcement in the Crier says that the site for the plant is set, but the assembly has not voted and the mayor has to sign off on approval before this is a done deal.

Obviously, the batch plant is beneficial for the bypass project and future development in our area. However, it doesn't necessarily have to be located in or near residential areas of the community. There are other sites adjacent to the highway that should be considered for this plant. One being the gravel pit located near the Dave's Creek sub-station. And another the tract near the transfer site being leased by QAP (I think). I imagine there are other unclassified borough sites away from residential areas that would also be suitable.

Cooper Landing residents are aware of the construction traffic conditions on Bean Creek Road which will probably continue throughout the development of the bypass. However, once completed those issues should go away. The batch plant lease for five years with continuing one year extensions is a development that will be here to stay.

When I drive to Soldotna the scenery along the highway from basically Sterling on isn't very nice to look at. Cooper Landing is a gem of a community. And the more recent development of businesses such as Grizzly Ridge, Cooper Landing Brewing, and the future Three Bears add to the pleasing look of the community. Although the batch plant on Snug Harbor Road is away from existing housing, the heavy truck traffic to and from the facility will have a negative impact on all the residents from: the post office, CLES, private homes, senior housing, campfire camp, and recreation seekers to and from the Cooper Lake area.

Thanks for your consideration.

Respectfully,
Nick Vanderhoff

From: [Sharon Saunders](#)
To: [Turner, Michele](#); [Mayor Peter Micciche](#)
Cc: [Sharon Saunders](#)
Subject: <EXTERNAL-SENDER>Cooper Landing proposed Cement Plant Location
Date: Tuesday, March 12, 2024 6:56:32 PM

Dear Mayor and Clerk Michele Turner,

Below is my letter I addressed at the meeting of the Cooper Landing Community Club last evening on the subject of the proposed cement plant lease for the Bi Pass project.

Questions :

1. Exactly what is the proposed location for this cement plant?
2. Where would the materials come from to be used by this plant, and over what roads?
3. What is the time frame of this lease? Beginning and end.?
4. Has the impact of the trucking over the roads and our Bridges studied?

Concerns:

1. The purpose of the new BiPass road in Cooper Landing is to divert heavy trucks transporting fuel over our existing two lane road and two bridges , and to lessen the chances of an accident or a spill into the Kenai River/Lake.
2. The Community has heard that a lease has been given to build a cement plant up Snug Harbor Road in the area of our Organic Waste Dump site. To get to this site from Kenai, the trucks would have to travel over the two lane roads along the Kenai river through Cooper Landing. Beginning in the early Spring months the traffic with the tourist and fishing businesses is non stop. The fishing and tourism is how the town survives. We feel that this use of the roads will impact the safety and the integrity of these roads. These are residential roads with all of the residents driveways needing to come and go off of Sterling Hwy and Snug Harbor Roads. It is very busy and each person coming or going to our local Post Office on Snug Harbor Rd. already has to wait for a traffic beak to get back to their homes and businesses. Imagine with trucks coming and going daily making the tight turns that are on these roads will impact the safety and integrity of the roads.
3. Sterling Hwy is in need of repair and this over use will definitely delay traffic when they have to patch these spots. Those of us who live here and drive these roads daily know the fragility of these roads.
4. Our town is a quiet and beautiful setting, our Real Estate values will definitely be impacted by such a plant operating, the sound and dust will spread over the lake and reverberate off of the steep mountains. Any property being sold would have to disclose that an operating cement plant is within our town. This is a detriment. We know it is necessary for the bi pass project and would ask you to find another area where a residential area would not be impacted. The area around Daves Creek has land that is flat and has water and would not be in a neighborhood.

5. Our votes from our Community meeting shows that the Residents of Cooper Landing are asking for this project to be stopped long enough to find another more suitable place for a cement plant.

6. My vote is a NO to have this plant be located on Snug Harbor Road. The Majority of the votes at our meeting reflect a NO. One vote was a Yea.

Please consider carefully these issues in your decision.

Thank you,

Sharon Saunders, Resident of Cooper Landing

Sharon Saunders

GRI REALTOR

928-706-8901

sharon@sellsalaska.com

Realty ONE Group Aurora

Alaska

www.sharonsellsalaska.com

Quinton, Madeleine

Subject: FW: <EXTERNAL-SENDER>Re: Concerns Re: Concrete Plant on Snug Harbor Rd.

From: Ann Hanson <annfhanson@gmail.com>

Sent: Thursday, March 14, 2024 4:35 PM

To: G_Notify_AssemblyClerk <G_Notify_AssemblyClerk@kpb.us>

Subject: <EXTERNAL-SENDER>Re: Concerns Re: Concrete Plant on Snug Harbor Rd.

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.

On Mar 14, 2024, at 10:43 AM, Ann Hanson <annfhanson@gmail.com> wrote:

To the Assembly:

Before voting to accept the Snug Harbor site for the concrete batch plan, I would like to point out a major drawback. That is the ease with which a truck can turn onto the Sterling Highway from Snug Harbor Road.

A single truck making a 180' turn needs a turning radius between 19ft & 40ft. The Sterling Highway has 2 lanes that are 12ft. each, for a total of 24ft. The trucks will have to use both lanes to complete the turn & even then the turn is on the short end of the turning radius. Not only will the trucks have to use both lanes, to complete the turn, it is most likely they will have to use part of the opposite shoulder.

Further, the right turn is less than 180', so a truck needs more space to complete the turn. This is a difficult turn & these calculations were made for a single truck, not a double truck. The radius of the turn increases as the length of the truck increases. (Also note there are guard rails along that stretch of the Sterling Highway.)

In order for the trucks to make these turns, there will need to be 3 flaggers, (2 on the highway & one on Snug Harbor), so they can utilize the entire highway or road. The cost of a flagger at the minimum of \$30/hr for 10 hrs. for 5 days/wk is \$5000/wk or \$20,000/mn.

Not only will the cost of flaggers cost more than a million dollars in flaggers, but the traffic congestion at the entrance & exit of Snug Harbor Rd. when flaggers are involved, will be a nightmare. It will take very little stoppage to create traffic back ups past the bridge, as well as the entrance to the boat launch.

I would urge you to visit this intersection, to see in person, the impracticality of trucks entering & leaving Snug Harbor Rd. Why would you use a site that will add millions of dollars to the project & cause major traffic back ups, when there are alternative sites.

Please consider the impracticality of the Snug Harbor site, the additional costs, the traffic congestion, & safety.

A no vote would give time to address these issues & find an alternative site.

Sincerely,

Ann Hanson
35360 Just Bears Court
Cooper Landing

Quinton, Madeleine

Subject: FW: <EXTERNAL-SENDER>Re: Comments on Concrete Batch Plant

From: Ann Hanson <annfhanson@gmail.com>

Sent: Thursday, March 14, 2024 4:36 PM

To: G_Notify_AssemblyClerk <G_Notify_AssemblyClerk@kpb.us>

Subject: <EXTERNAL-SENDER>Re: Comments on Concrete Batch Plant

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.

On Mar 12, 2024, at 11:54 AM, Ann Hanson <annfhanson@gmail.com> wrote:

To the Assembly:

We are Cooper Landing home owners & have followed the discussion regarding placing the concrete plant on Snug Harbor Road. We have also written several comment letters. On Monday, March 11, there was a Community Club Meeting, where we discussed further action, that we as Community members, could & should take. It was overwhelmingly voted on to ask the Burroughs Assembly to table the vote, so that the many questions could be addressed.

As we reflected on the discussion, & learned that the truck would be tandem trucks, not just a single truck, my trepidation increased, as to the ability of a double truck to make a right turn from Snug Harbor onto the Sterling Highway. As a former driver's education teacher, there is not enough room for a truck this size to make the turn without going into ongoing lanes of traffic, both at the start of the turn & the completion of the back end of the truck. With the current guard rails that are in place, I even question whether this could be done without scraping the guard rails or hitting them.

I do not think the Assembly has ever seen Snug Harbor Road, the curves & hills, the turns that will be required of the truckers & the proposed site. I would respectfully request that the Assembly visit the intended proposed site & also have a trucker drive the intended route, with a double truck. If this is done, I have no doubt that the Assembly will realize that it is not a feasible site for the plant, because of the inability of the trucks to traverse the road safely & noiselessly & finally making turns onto the Sterling Highway.

Sincerely,

Ann & Brad Hanson
35360 Just Bears Court

Quinton, Madeleine

Subject: FW: <EXTERNAL-SENDER>Clarification on SOA services

From: "Schaefer, Jill C (GOV)" <jill.schaefer@alaska.gov>

Date: March 14, 2024 at 6:20:13 PM EDT

To: Mayor Peter Micciche <pmicciche@kpb.us>

Subject: <EXTERNAL-SENDER>Clarification on SOA services

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.

Good afternoon Mayor Micciche,

I know this is a KPB issue and don't want to overstep in any way however I feel like I need to clarify some of the statements made by the Cooper Landing Community Club presented in the letter sent to you regarding the Snug Harbor site for a possible concrete mixing plant.

The club stated "The State has previously stated they have no plans to fix our currently aging, pothole ridden roads, nor do they plan on increasing Trooper presence within Cooper Landing." and that is inaccurate.

In a very productive community meeting held in January of this year, representatives from DOT and DPS listened and addressed concerns from the community members in Cooper Landing. The majority of concerns focused on having more of a trooper presence in Cooper Landing, especially in the summer months, and concerns surrounding road maintenance along with the behavior of some of the contractors working on the project. Capt. Zweifel, along with other local troopers offered to not only have more of a focused presence in Cooper Landing but offered the compromise of working with the CLCC to find donated office space the on-duty trooper can work out of so the presence is not only felt but responding time would be quicker.

As for DOT maintaining the roads, they will continue to do so throughout the bypass project and after the project is done. I do not have the exact details of the maintenance they plan to do this summer but can obtain them if anyone is interested.

Again, I don't want to overstep and support the communities efforts in engaging however just wanted to make sure the KPB is aware of the efforts of the state.

I appreciate your time, Mayor Micciche.

Sincerely,

Jill C. Schaefer

Kenai Peninsula Director

Office of Governor Mike Dunleavy

Cell: 907-741-1124

Office: 907-420-3999

PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be considered a public record under the law.

Quinton, Madeleine

Subject: FW: <EXTERNAL-SENDER>Petition from Cooper Landing Community Members Rejecting Concrete Plant Site Location

-----Original Message-----

From: Karen Button <karenbutton@riseup.net>

Sent: Saturday, March 16, 2024 7:59 AM

To: Mayor Peter Micciche <pmicciche@kpb.us>; Turner, Michele <MicheleTurner@kpb.us>;

Hibbert, Brent <bhibbert@kpb.us>; Tunseth, Ryan <rtunseth@kpb.us>; Ribbens, Peter

<pribbens@kpb.us>; Cox, Tyson <tysoncox@kpb.us>; Elam, Bill <belam@kpb.us>; Ecklund,

Cindy <CEcklund@kpb.us>; Johnson, Brent <bjohnson@kpb.us>; Cooper, Kelly

<kcooper@kpb.us>; Tupper, Mike <MTupper@kpb.us>

Cc: Ruffner, Robert <RRuffner@kpb.us>

Subject: <EXTERNAL-SENDER>Petition from Cooper Landing Community Members Rejecting Concrete Plant Site Location

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.

Esteemed members of the KPB Assembly, administration, and staff,

Attached please find: Petition from Cooper Landing Community Members Rejecting Concrete Plant Site Location to be included as comments to the proposed Davis Block concrete plant on Snug Harbor Road.

Thank you,

~Karen Button

37628 Snug Harbor Road

Cooper Landing, AK 99572

15 March 2024

To: Kenai Peninsula Borough Mayor and Assembly Members

From: Cooper Landing Community Members

RE: Proposed Concrete Batch Plant

Honorable Kenai Peninsula Borough Assembly Members and Mayor Micciche,

We, the undersigned, are Cooper Landing community members united in our support of a concrete batch plant in general, but are staunchly opposed to the proposed location on Snug Harbor Road.

Snug Harbor Road is an inappropriate location; concrete trucks would be traveling through a residential neighborhood and encountering traffic that includes buses carrying senior housing residents and children from Camp K, work trucks from Chugach Electric and AK DOT&PF, food and fuel service vehicles, plus boat trailers, motorhomes and other recreational vehicles. Cooper Landing Emergency Services is on Snug Harbor Road close to the intersection of the Sterling Highway. The CLES supports a wide region of the eastern peninsula and in the summer months is very busy, requiring immediate access to the highway with emergency vehicles. The Cooper Landing post office is also on Snug Harbor Road close to the Sterling Highway intersection, with traffic in and out of the parking area daily.

Excessive speeding is already a problem on Snug Harbor Road, creating unsafe conditions for pedestrians and bicyclists. The road beyond Shackelford Creek is particularly unsafe without a separated bike path and several hidden driveways along a sloped curve. Even so, Snug Harbor is currently the safest place for pedestrians because of bypass-related traffic on Bean Creek Rd. Adding concrete trucks to this situation is untenable.

There is a simple and safe solution, re-location of the plant. Four potential sites, as identified on the KPB website, are: 1) Parcel ##11912417, owned by KPB, just east of Sunrise Inn and in use by DOT for the Bypass project; parcel #11930026, owned by DNR; parcel #11930026, owned by DNR; and the Chugach sub-station at Dave's Creek, a 40-acre parcel recently proposed for a gravel pit. These four sites are on the Sterling Highway, providing ease, safety and accessibility.

The Cooper Landing community was alerted to this proposal with one-week notice, though bypass project agencies and contractors knew of the need for concrete in July 2023. Had the community been noticed and included in planning the plant, these sites would have been identified as alternatives and Snug Harbor Road would have been rejected by the community. Instead, the community learned from KPB Land Agent A. Hughes, at a Cooper Landing Planning Advisory Commission Special Meeting in February, that, "No other Borough sites have been considered." This is neither appropriate nor fair to the Cooper Landing community for a project that will have real and negative impacts.

We specifically point out the lack of community inclusion and adequate notice, and the fact that no other site was considered in the decision process in asking the Kenai Peninsula Borough Mayor and Assembly for your help. This lack of planning is now a timing issue the community is being asked to bear the burden of. This is unacceptable.

We ask that you delay any vote on the plant until another site location is agreed upon. If permitting is required, we ask that there be an expedited process. If this is not possible, we ask that Davis Block haul concrete from their Kenai plant until a permit is established.

For the safety and continued enjoyment of our community, we request your rejection of this proposal as it stands.

Respectfully submitted:

Karen Button	37628 Snug Harbor Rd	Cooper Landing
Katie Feichtinger	37886 Snug Harbor Rd	Cooper Landing
David Lisi	19260 Sterling Hwy	Cooper Landing
AK Heavenly Lodge	34950 Blakely Ct	Cooper Landing
Cooper Landing Fish Guide LLC	19260 Sterling Hwy	Cooper Landing
Melissa Brennan	35380 Just Bears Ct	Cooper Landing
Jean Ann & Alan Nierenberg	PO Box 743	Cooper Landing
Shane Farley		Cooper Landing
Daniel Osborn	37886 Snug Harbor Rd	Cooper Landing
Gyda Sears	Bean Creek Road	Cooper Landing
Cristina Rachel Rolfe	3874 Snug Harbor Road	Cooper Landing
Ruth Nelson	18990 Bean Creek Road	Cooper Landing
Jonathan Rejino	Former Cooper Landing Emergency Services	
Fran Daly		Cooper Landing
Brad Hanson		Cooper Landing
Jennifer Harpe	35918 Russian Gap Road	Cooper Landing
Candy FitzPatrick	PO Box 877	Cooper Landing
Kathryn Recken	35219 Lake Shore Dr	Cooper Landing
John VanderHoff	19567 Rusty's Way	Cooper Landing
Kay Thomas	19350 Rusty's Way	Cooper Landing
Bryan Atkins	14865 Sterling Hwy	Cooper Landing
Rhonda Lynn		Cooper Landing
Emily Grossnicklaus		Cooper Landing
Becky Crandall		Cooper Landing
Christine Nees	PO Box 867	Cooper Landing
Shelby Lubich		Cooper Landing
Riley Shurtleff	former Chief, Cooper Landing Emergency Services	
Phil Brna		Cooper Landing
Jill Gould	PO Box 723	Cooper Landing
Sue Steger	38042 Snug Harbor Rd	Cooper Landing
Keith Freeman	20197 Sterling Hwy	Cooper Landing

Julie Seramur	PO Box 648	Cooper Landing
Dave Orr	Annual summer-long visitor from Yellowknife, NWT	
Ed Holsten	38361 Snug Harbor Road	Cooper Landing
Jason Lesmeister	38118 Snug Harbor	Cooper Landing
Ken Green	19350 Rusty's Way	Cooper Landing
Mike Stevens	35391 Just Bears Ct	Cooper Landing
Brigitte DeAngelis	PO Box 515	Cooper Landing
Angel Bond		Cooper Landing
Sherry Janek	19958 Campus Dr	Cooper Landing
Josi Lewis	35342 Ptarmigan Pl	Cooper Landing
Thomas Otto	Former Cooper Landing Resident	
Kay Wieman	19242 Holben Ln	Cooper Landing
Brandon Martinez	Annual Seasonal Guide: Kenai River Trout Anglers	
Joe DeMattia	20099 Sterling Hwy	Cooper Landing
Shelbe Hrnicek	Grew up on Snug Harbor Rd	
Alison Neeld		Cooper Landing
Cynthia Dawson	38062 Snug Harbor Rd	Cooper Landing
Heidi Wood	37668 Snug Harbor Rd	Cooper Landing
Tammie Smith-Scott		Cooper Landing
Pete Scott	19235 Holben Ln	Cooper Landing
John Almanrode	35342 Ptarmigan Pl	Cooper Landing
Austin Klopstein	18360 Bean Creek Rd	Cooper Landing
Josiah Brown	18234 Langille Mt Rd	Cooper Landing
Zachary Ellison	PO Box 546	Cooper Landing
John Thomas	35397 Just Bears Ct	Cooper Landing
Paul Johnson		Cooper Landing
Charlotte Osowiecki		Cooper Landing
William Dougherty		Cooper Landing
Joel Wieman	19242 Holben Ln	Cooper Landing
Virginia Morgan	PO Box 657	Cooper Landing
Amy Brodersen	PO Box 818	Cooper Landing
Wilson Clark Wilson		Cooper Landing
Clay Adam	18231 Sterling Hwy	Cooper Landing
Judy Gilliland	20518 Sterling Hwy	Cooper Landing
David Lenig	19385 Rusty's Way	Cooper Landing
Courtney Little	Former Resident	
Dennis Johnson	37884 Snug Harbor Rd	Cooper Landing
Mitchel Dickinson	18095 Langille Rd	Cooper Landing
Glen Parker	PO Box 512	Cooper Landing
Theresa Norris	35509 Norris St	Cooper Landing
Julie Rogers	19431 Rusty's Way	Cooper Landing
Courtney Little	Anchorage: visitor	
LA Perkerson	37926 Snug Harbor Rd	Cooper Landing
Libbie Smith		Cooper Landing
Richard Dreifuert	19387 Sterling Hwy	Cooper Landing
Jeremy Lewis	PO Box 572	Cooper Landing

Ann Hanson	35360 Just Bears Ct	Cooper Landing
Tom Wanat Jr	37592 Snug Harbor Rd	Cooper Landing
Christi Davidson	35428 Jacque Cir	Cooper Landing
Hannah Dillon	Annual Seasonal Worker from Anchorage	
John Parret	Wasilla: regular visitor	
Gregory Staser	Anchorage: regular visitor	
David Snuttjer	Annual summer visitor	
Linda Raveaux		Cooper Landing
Anne Remick	37977 Snug Harbor Rd	Cooper Landing
Edward Remick	37977 Snug Harbor Rd	Cooper Landing
Linda Johnson	37884 Snug Harbor Rd	Cooper Landing
Mary DeMattia	20099 Sterling Hwy	Cooper Landing
Bonnie Wanat	37592 Snug Harbor Rd	Cooper Landing
Thresia Raynor	Cooper Landing Creations	
Lucas Weldin	Annual Seasonal Guide: AK River Adventures	
Brian Glasheen	Anchorage: regular visitor	
David Rhode	20357 Sterling Hwy	Cooper Landing
Catherine Leaders	PO Box 523	Cooper Landing
Tsali Janek	41384 Seward Hwy	Moose Pass
Kristine Route	PO Box 872	Cooper Landing
Hollis Cook	16826 Sterling Hwy	Cooper Landing
Dawn Button	37628 Snug Harbor Rd	Cooper Landing
Cassie Acer	Annual Seasonal Worker: Gwin's Lodge	
Jim Cucullu	Anchorage: regular visitor	
Dre Cantwell-Frank	Annual Seasonal Visitor	
Shannon McKevitt	Anchorage: regular visitor	
Jason Elledge	13140 Sterling Hwy	Cooper Landing
Marcy Melville	Annual Seasonal Worker: AK Troutfitters	
Brian LeRoy	Seasonal Worker: Princess Lodge	
Craig Mullett	19434 Rusty's Way	Cooper Landing

March 16, 2024

To: Kenai Borough Assembly

From: Sandra Holsten

Subject: Cement Plant in Light Industrial classified area-Cooper Landing-Title 17.10.250 Borough Code

“But it is the only area designated light industrial site in your community plan so it’s the only place to site a cement plant. We must do this as it is crucial to the By Pass Project”. These statements are what the residents of Cooper Landing have heard from Borough Planning over and over.

The problem is the legal definition of “light industrial” used in this process. From Tittle 17.10.250 of the KPB Code reads as follows: “Light Industrial means lands suitable for industrial uses that generally do not have offensive characteristics and can be conducted primarily inside closed buildings. Such uses may include warehousing, storage inside enclosed areas and light manufacturing not inside buildings.” A cement plant does not in any stretch of the imagination meet those criteria. Incidentally, this and the following definition are also the definitions used in the Borough Assembly approved Cooper Landing Land Classification Plan.

The definition of heavy industrial further eliminates the proposed cement plant as an appropriate business in the current organic dump in Cooper Landing. The Borough’s legal definition of “heavy industrial” separates light from heavy industrial very clearly. Again, from Title 17: “Heavy Industrial means lands suitable for processing chemicals or manufacturing from or extraction of raw materials, stockyards, fish processing plants, distilleries, or uses that may discharge water, create hydrocarbons, excessive noise, odors, danger of explosions or waste material, making them incompatible with most other land uses. Lands should not be located in or immediately adjacent to residential development parcels; parcels should be reasonable appropriate to accommodate the activities together with sufficient buffers zones for the activity associated with this class of use. Appropriate access shall be available or feasible without going through residential areas. The lands shall be in a location that is reasonable convenient to conduct the activity.

In my many years working with Borough staff I am very surprised at this critical oversight. It is proving to be quite a disservice to the community and to the proposed lessee. In the seven months the Borough had to process this lease application it seems this error would have been identified. It also seem that had advocates truly “considered other places” as we have repeatedly been told, they would have realized this classification does not lend itself to a cement plant.

The lease as proposed lacks any kind of “normal” conditions to protect the community and I was going to request hours and days of operation and safety measures including flaggers be added to the lease. But, given the precedent this lease represents, the entire process needs to start over. I therefore urge the Assembly to ask the Borough Staff to work with the contractor and our community and the State to consider the several better and far safer locations that have been identified by the community. It seems the By Pass project planning and managers on a \$800 MILLION (likely Billion dollar project) should have considered the need for cement processing before it would become a crisis. Surely, the huge

cleared leveled areas on the project, Dave's Creek, the currently large staging area on the Sterling Highway and acres and acres of unclassified Borough and State lands would be better options. Lastly, in the many years I served on the KPB Planning Commission and the local APC I was confronted with accusations that our community plan was overly protective rendering exploitative uses difficult. In hindsight, that plan which has created a sought after location for has resulted in Borough area property sales bringing considerable funding to the strained Borough budget. And while the By Pass benefits the Kenai Peninsula and not Cooper Landing, the major mitigation for the by pass has basically gone to other communities. Specifically, funding for the Iditarod Trail and wetland mitigation in other communities.

Fundamentally, the controversy over this lessee is a result of the one week time frame the community had to process it. Now the Borough pleads "crisis" because of the need to get the aggregate delivered and the plant set up. I am reminded of the old adage:
"If you are leaping a ravine, the moment of takeoff is a bad time to be considering alternative strategies"

Sincerely

Sandra Holsten
Cooper Landing, Alaska

Quinton, Madeleine

Subject: FW: <EXTERNAL-SENDER>CLAPC zoom only meeting Feb 21 2024 ordinance 2024-04

From: David Nees <davidneesak@gmail.com>

Sent: Monday, March 18, 2024 7:13 PM

To: G_Notify_AssemblyClerk <G_Notify_AssemblyClerk@kpb.us>

Subject: <EXTERNAL-SENDER>CLAPC zoom only meeting Feb 21 2024 ordinance 2024-04

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.

Honorable Assembly members,

The CLAPC meeting that approved ordinance 2024-04 may have not met the noticing and quorum requirements for such APC meetings.

Since the minutes and zoom recording are not available online it is impossible to verify what occurred.

Code 21.02.110

Requires 4 members to be present for a quorum,(present in ore COVID times would mean in person.)

Is their vote approving lease if meeting was not noticed nor attended in person?

COOPER LANDING ADVISORY PLANNING COMMISSION
SPECIAL MEETING
LOCATION: ZOOM-ONLY TELECONFERENCE
WEDNESDAY, FEB 21, 2024
6:00 PM
TENTATIVE AGENDA

A Special Meeting will available for **online or telephone participation**. To join the meeting from a computer, visit <https://us06web.zoom.us/j/2045581076>. To attend the Zoom meeting by **telephone**, call toll free **888 788 0099** or **877-853-5247** and use the Meeting ID **204 558 1076**.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. NEW BUSINESS
 - a. AN ORDINANCE AUTHORIZING A NEGOTIATED LEASE WITH DAVIS BLOCK AND CONCRETE COMPANY FOR CONCRETE BATCH PLANT OPERATIONS IN SUPPORT OF THE STERLING HIGHWAY MP 45-60 CONSTRUCTION PROJECT NEAR COOPER LANDING
(As the title implies, the proposed lease is for approximately 1 acre of land within the existing Snug Harbor Materials site for concrete batch plant operations in support of the Juneau Creek Bridge project. The lease provides for expanded concrete sales to the local community as well, for the duration of the lease. The lease terms include a \$3,500 annual lease payment for an initial 5 year term, with a 3% annual escalation clause and 2, 1 year renewal provisions. Additional compensation will be in the form of a developed on the site water well, an improved pad in the leased location, and maintenance of the slash disposal pile located at the materials site through the term of the agreement.)
5. PUBLIC COMMENT
6. COMMISSIONER COMMENTS
7. ADJOURNMENT

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/email-cooper-landing-apc>
- Send USPS mail to: Kenai Peninsula Borough Planning Department, Attn: CLAPC 144 N Binkley, Soldotna, AK 99669

Quinton, Madeleine

Subject: FW: <EXTERNAL-SENDER>

From: Rhonda Lynn <inspiredfelt@gmail.com>

Sent: Monday, March 18, 2024 10:35 PM

To: Turner, Michele <MicheleTurner@kpb.us>

Cc: Hibbert, Brent <bhibbert@kpb.us>; Tunseth, Ryan <rtunseth@kpb.us>; Ribbens, Peter <pribbens@kpb.us>; Cox, Tyson <tysoncox@kpb.us>; Elam, Bill <belam@kpb.us>; Ecklund, Cindy <CEcklund@kpb.us>; Johnson, Brent <bjohnson@kpb.us>; Cooper, Kelly <kcooper@kpb.us>; Tupper, Mike <MTupper@kpb.us>; Mayor's Department <MayorDepartmental@kpb.us>; Mayor Peter Micciche <pmicciche@kpb.us>

Subject: <EXTERNAL-SENDER>

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 Mayor Micciche and Assembly Members and Borough Clerk. My name is Rhonda Lynn and I am a long-time, year-round resident of Cooper Landing. I am writing to urge you to NOT authorize a Negotiated Lease with Davis Block and Concrete Company for Concrete Batch Plant Operations in Support of the Sterling Highway MP 45-60 Construction Project Near Cooper Landing.

We all know the value and significance of Kenai Lake, Kenai River and the salmon that return to these waters year after year. According to the EPA's guideline for Concrete Batching, these sites can cause noise, air and water pollution. Even if Davis Block and Concrete Company follows each and every objective in the EPA's Stormwater Best Management Practice: Concrete Washout publication to prevent pollutants making its way into Kenai Lake, can they guarantee that these important waters will not be impacted even the slightest? Are we willing to risk the water, fish, businesses, economy, and Alaskan families that rely on it?

Please explain item 19.6 of the lease with Davis Block and Concrete Company, which states "Amending the Environmental Liability Baseline to Delete Contamination Caused or Assumed by Davis Block, or to which Davis Block Materially Contributed."

Also, Davis Block will be "***manufacturing from or extraction of raw materials***" (*aggregate*), which, as stated in KPB's Land Classification Definitions Borough Code of Ordinances, Title 17, would qualify this activity as Heavy Industrial. It is not appropriate and would be a classification violation to allow this activity to occur at this property which is classified Light Industrial.

I implore you to put this lease on hold until a Heavy Industrial or unclassified location can be found *and* we can be guaranteed that it will not impact our important waters that we must protect.

Thank you for your time and consideration,
Rhonda Lynn

Attachments:

EPA Stormwater Best Management Practice: Concrete Washout
[Stormwater Best Management Practices: Concrete Washout \(epa.gov\)](#)

KPB Land Classification Definitions Borough Code of Ordinances, Title 17
[R2013-080 Land Classification Definitions](#)

Kenai Peninsula Borough Land Classification Definitions Borough Code of Ordinances, Title 17

"Agriculture" means activities that result in products for human or animal use. Agriculture activities may include raising crops, animals, or grazing animals. Agriculture does not include human habitation.

"Commercial" means lands suitable for development or location of service oriented facilities such as stores, offices, medical clinics, restaurants, lodges, vehicular service stations, hotels, and camper parks. Lands must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, near public utilities and be in proximity to residential areas.

"Government" means lands that may be or are required for use by a federal, state or local governmental entity. Such uses include existing and future school sites; sites for service area facilities; or, any governmental use determined to be beneficial to the public.

"Heavy Industrial" means lands suitable for processing chemicals or manufacturing from or extraction of raw materials, stockyards, fish processing plants, distilleries, or uses that may discharge water, create hydrocarbons, excessive noise, odors, danger of explosions, or waste material, making them incompatible with most other land uses. Lands should not be located in or immediately adjacent to residential development; parcels should be of sizes reasonably appropriate to accommodate the activities together with sufficient buffers zones for the activity associated with this class of use. Appropriate access shall be available or feasible without going through residential areas. The lands shall be in a location that is reasonably convenient to conduct the activity.

"Institutional" means lands which may be of value for the location of churches, private schools, clubs, associations, nonprofit organizations, or cemeteries.

"Light Industrial" means lands suitable for industrial uses that generally do not have offensive characteristics and can be conducted primarily inside closed buildings. Such uses may include warehousing, storage inside enclosed areas, and light manufacturing not inside buildings.

"Preservation" means lands needed for stabilization or maintenance of natural features, historic value, known nesting areas of migratory birds or required to maintain the integrity of certain types of easements or as buffers, green belts, water sheds or other reservations to preserve natural resources and aesthetic qualities. Soils may be of such a nature as to not be usable for construction of buildings.

"Recreational" means land located in an area where the potential for recreational use exists. This may include both indoor and outdoor uses such as gun ranges, archery ranges, camping, golf courses, snow machine trails, cross country trails, skiing, boating, fishing or which may provide access to those activities. Recreational does not include use of lands for amusement parks. Site conditions for any authorized use must be appropriate and suited for such uses. Recreational lands disposed of to private parties must allow public use unless specifically waived by ordinance. If recreational lands are for sale or lease then restrictions may be imposed for appropriate uses given conditions and surrounding use. Not all activities are suitable for all sites.

"Residential" means lands suitable for development for single family or multifamily settlement of a permanent nature. Residential parcels may be located adjacent to existing communities or are determined to be necessary for future community development. Residential parcels must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, have legal access and feasible physical access, suitable terrain and appropriate with the given surrounding uses.

"Rural" means lands which are located in a remote area. This classification will have no restrictions.

"Utility/Transportation" (not including oil and gas and electricity generation or production facilities) means lands which may be of value for airports, port and harbor facilities, power lines, pipelines, utility services, rights-of-way, easements and related activities but does not include general and production facilities for oil and gas and electricity.

"Waste Handling" means land with suitable characteristics and location for the express purpose of providing facilities to handle solid waste, recyclable materials, transfer stations, junked or wrecked vehicles, demolition refuse, septic and sewage waste and industrial waste. Disposal or use of any tract so classified will be subject to determination of the tract being suitable for a particular proposed activity.

"Resource Development" means land containing resources of sufficient volume and quality and located so that on-going development or production of those resources would yield an overall net economic return. Lands so classified may be sold or leased subject to appropriate restrictions concerning operations or future reclamation. Lands so classified may be retained by the KPB and resources on those lands may be sold or permitted for use.

"Resource Management" means land having resources which may be extracted as an interim use in a manner which will not create a negative impact on the most appropriate use of the land. This classification is not exclusive and may overlap any other classification thereby allowing other non-conflicting uses. Resources on these lands may be sold or permitted for use.

"Grazing Lands" means those lands which in their natural state have the physical and climatic features that make them primarily useful for the pasturing of domestic livestock. This classification is not exclusive and may overlap any other classification thereby allowing other nonconflicting uses.

Minimum Measure

Construction Site Stormwater Runoff Control

Subcategory

Good Housekeeping/Materials Management

Description of Concrete Washout at Construction Sites

Concrete and its ingredients

Concrete is a mixture of cement, water, and aggregate material. Portland cement is made by heating a mixture of limestone and clay containing oxides of calcium, aluminum, silicon and other metals in a kiln and then pulverizing the resulting clinker. The fine aggregate particles are usually sand. Coarse aggregate is generally gravel or crushed stone. When cement is mixed with water, a chemical reaction called hydration occurs, which produces glue that binds the aggregates together to make concrete.

Concrete washout

After concrete is poured at a construction site, the chutes of ready mixed concrete trucks and hoppers of concrete pump trucks must be washed out to remove the remaining concrete before it hardens. Equipment such as wheelbarrows and hand tools also need to be washed down. At the end of each work day, the drums of concrete trucks must be washed out. This is customarily done at the ready mixed batch plants, which are usually off-site facilities, however large or rural construction projects may have on-site batch plants. Cementitious (having the properties of cement) washwater and solids also come from using such construction materials as mortar, plaster, stucco, and grout.

Environmental and Human Health Impacts

Concrete washout water (or washwater) is a slurry containing toxic metals. It's also caustic and corrosive, having a pH near 12. In comparison, Drano liquid drain cleaner has a pH of 13.5. Caustic washwater can harm fish gills and eyes and interfere with reproduction. The safe pH ranges for aquatic life habitats are 6.5 – 9 for freshwater and 6.5 – 8.5 for saltwater.

Construction workers should handle wet concrete and washout water with care because it may cause skin irritation and eye damage. If the washwater is dumped on the ground (Fig. 1), it can run off the construction site to adjoining roads and enter roadside storm drains, which discharge to surface waters such as rivers, lakes, or estuaries. The red arrow in Figure 2 points to a ready mixed truck chute that's being washed out into a roll-off bin, which isn't watertight. Leaking washwater, shown in the foreground, will likely follow similar



Figure 1. Chute washwater being dumped on the ground



Figure 2. Chute washwater leaking from a roll-off bin being used as a washout container

paths to nearby surface waters. Rainfall may cause concrete washout containers that are uncovered to overflow and also transport the washwater to surface waters. Rainwater polluted with concrete washwater can percolate down through the soil and alter the soil chemistry, inhibit plant growth, and contaminate the groundwater. Its high pH can increase the toxicity of other substances in the surface waters and soils. Figures 1 and 2 illustrate the need for better washout management practices.

Best Management Practice Objectives

The best management practice objectives for concrete washout are to (a) collect and retain all the concrete washout water and solids in leak proof containers, so that this caustic material does not reach the soil surface and then migrate to surface waters or into the ground water, and (b) recycle 100 percent of the collected concrete washout water and solids. Another

Stormwater Best Management Practice: Concrete Washout

objective is to support the diversion of recyclable materials from landfills. Table 1 shows how concrete washout materials can be recycled and reused.

Table 1 – Recycling concrete washout materials

Uses of Recycled Materials	Concrete Washout Materials					
	Washwater	Cement fines ^a	Fine aggregate	Coarse aggregate	Hardened concrete	Unused wet concrete
Reused to washout additional mixer truck chutes or drums	X					
Reused as a ready mixed concrete ingredient	X	X ^b	X	X		
Reused as an ingredient of precast concrete products, e.g., highway barriers, retaining wall blocks, riprap	X	X	X	X		X
Reused as crushed concrete products, e.g., road base or fill		X	X	X	X	
Reused to pave the yards of ready mixed concrete plants						X
Returned back to a surface water, e.g., river, lake, or estuary	X ^c					

a. Fine particles of cementitious material (e.g., Portland cement, slag cement, fly ash, silica fume)

b. Recyclable, if allowed by the concrete quality specifications

c. Treated to reduce the pH and remove metals, so it can be delivered to a municipal wastewater treatment plant, where it is treated further and then returned to a natural surface water

Washwater recycling, treatment, disposal

Washwater from concrete truck chutes, hand mixers, or other equipment can be passed through a system of weirs or filters to remove solids and then be reused to wash down more chutes and equipment at the construction site or as an ingredient for making additional concrete. A three chamber washout filter is shown in Figure 3. The first stage collects the coarse aggregate. The middle stage filters out the small grit and sand. The third stage has an array of tablets that filter out fines and reduces the pH. The filtered washwater is then discharged through a filter sock. An alternative is to pump the washout water out of the washout container (Fig 4) and treat the washwater off site to remove metals and reduce its pH, so it can be delivered to a publicly owned treatment works (POTW), also known as a municipal wastewater treatment plant, which provides additional treatment allowing the washwater to be discharged to a surface water. The POTW should be



Figure 3. Concrete washout filter

contacted to inquire about any pretreatment requirements, i.e., the National Pretreatment Standards for Prohibited Dischargers (40CFR 403.5) before discharging the washwater to the POTW. The washwater can also be retained in the washout container and allowed to evaporate, leaving only the hardened cementitious solids to be recycled.

Solids recycling

The course aggregate materials that are washed off concrete truck chutes into a washout container can be either separated by a screen and placed in aggregate bins to be reused at the construction site or returned to the ready mixed plant and washed into a reclaimer (Fig. 5). When washed out into a reclaimer, the fine and course aggregates are separated out and placed in different piles or bins to be reused in making fresh concrete. Reclaimers with settling tanks separate cement fines from the washwater, and these fines can also be used in new concrete unless prohibited by the user's concrete quality specifications.



Figure 4. Vacuuming washwater out of a washout container for treatment and reuse



Figure 5. Ready mixed truck washing out into a reclaimer

Hardened concrete recycling

When the washwater in a construction site concrete washout container has been removed or allowed to evaporate, the hardened concrete that remains can be crushed (Fig. 6) and reused as a construction material. It makes an excellent aggregate for road base and can be used as fill at the



Figure 6. Crushed concrete stockpile and crusher

construction site or delivered to a recycler. Concrete recyclers can be found at municipal solid waste disposal facilities, private recycling plants, or large construction sites.

Wet concrete recycling

Builders often order a little more ready mixed concrete than they actually need, so it is common for concrete trucks to have wet concrete remaining in their drum after a delivery. This unused concrete can be returned to the ready mixed plant and either (1) used to pour precast concrete products (e.g., highway barriers, retaining wall blocks, riprap), (2) used to pave the ready mixed plant's yard, (3) washed into a reclaimer, or (4) dumped on an impervious surface and allowed to harden, so it can be crushed and recycled as aggregate. Unused wet concrete should not be dumped on bare ground to harden at construction sites because this can contribute to ground water and surface water contamination.

Washout Containers

Different types of washout containers are available for collecting, retaining, and recycling the washwater and solids from washing down mixed truck chutes and pump truck hoppers at construction sites.

Chute washout box

A chute washout box is mounted on the back of the ready mixed truck. If the truck has three chutes, the following procedure is used to perform the washout from the top down: (1) after the pour is completed, the driver attaches the extension chute to the washout box, (2) the driver then rotates the main chute over the extension chute (Fig. 7) and washes down the hopper first then the main chute, (3) finally the driver washes down the flop down chute and last the extension chute hanging on the box. All washwater and solids are captured in the box.



Figure 7. Chute washout box

Chute washout bucket and pump

After delivering ready mixed concrete and scraping the last of the customer's concrete down the chute, the driver hangs a washout bucket shown in Figure 8 (see red arrow) on the end of the truck's chute and secures the hose to insure no leaks. The

driver then washes down the chute into the bucket to remove any cementitious material before it hardens. After washing out the chute, the driver pumps (yellow arrow points to the pump) the washwater, sand, and other fine solids from the bucket up into the truck's drum to be returned to the ready mixed plant, where it can be washed into a reclaimer. A removable screen at the bottom of the washout bucket prevents course aggregate from entering the pump. This course aggregate can also be returned to the plant and added to the coarse aggregate pile to be reused. All the materials are recycled.



Figure 8. Chute washout bucket and pump

Hay bale and plastic washout pit

A washout pit made with hay bales and a plastic lining is shown in Figure 9. Such pits can be dug into the ground or built above grade. The plastic lining should be free of tears or holes that would allow the washwater to escape (Fig. 10). After the pit is used to wash down the chutes of multiple ready mixed trucks and the washwater has evaporated or has been vacuumed off, the remaining hardened solids can be broken up and removed from the pit. This process may damage the hay bales and plastic lining. If damage occurs, the pit will need to be repaired and relined with new plastic. When the hardened solids are removed, they may be bound up with the plastic lining and have to be sent to a landfill, rather than recycled. Recyclers usually accept only unmixed material. If the pit is going to be emptied and repaired more than a few times, the hay bales and plastic will be generating additional solid waste. Ready mixed concrete



Figure 9. Hay bale and plastic washout pit



Figure 10. Leaking washout pit that has not been well maintained

Stormwater Best Management Practice: Concrete Washout

trucks can use hay bale washout pits, but concrete pump trucks have a low hanging hopper in the back that may prevent their being washed out into bale-lined pits.

Vinyl washout container



Figure 11. Vinyl washout pit with filter bag

The vinyl washout container (Fig. 11) is portable, reusable, and easier to install than a hay bale washout pit.

The biodegradable filter bag (Fig. 12) assists in

extracting the concrete solids and prolongs the life of the vinyl container. When the bag is lifted, the water is filtered out and the remaining concrete solids and the bag can be disposed of together in a landfill, or the hardened concrete can be delivered to a recycler. After the solids have been removed several times and the container is full of washwater, the washwater can be allowed to evaporate, so the container can be reused. The washwater can be removed more quickly by placing another filter bag in the container and spreading water gelling granules evenly across the water. In about five minutes, the water in the filter bag will turn into a gel that can be removed with the bag. Then the gel and filter bag can be disposed of together.



Figure 12. Extracting the concrete solids or gelled washwater

Metal washout container

The metal roll-off bin (Fig. 13) is designed to securely contain concrete washwater and solids and is portable and reusable. It also has a ramp that allows concrete pump trucks to wash out their hoppers (Fig. 14). Roll-off providers offer recycling services, such as, picking up the roll-off bins after the washwater has evaporated and the solids have hardened, replacing them with empty washout bins, and delivering the hardened concrete to a recycler (Fig. 15), rather than a landfill. Some providers will vacuum off the washwater, treat it to remove metals and reduce the pH, deliver it to a wastewater treatment plant for additional treatment and



Figure 13. Mixer truck being washed out into a roll-off bin

subsequent discharge to a surface water. Everything is recycled or treated sufficiently to be returned to a natural surface water.



Figure 14. Pump truck using the ramp to wash out into a roll-off bin



Figure 15. Delivering hardened Concrete to a recycler

Another metal, portable, washout container, which has a rain cover to prevent overflowing, is shown in Figure 16. It is accompanied by an onsite washwater treatment unit, which reduces the pH and uses a forced weir tank system to remove the coarse aggregate, fine aggregate, and cement fines. The washwater can then be reused at the construction site to wash out other mixer truck chutes and equipment. The solids are allowed to harden together and can be taken to a concrete recycler (Fig. 17) to be crushed and used as road base or aggregate for making precast products, such as retaining wall blocks. All materials are recycled.



Figure 16. Washout container with a rain cover and onsite washwater treatment



Figure 17. Delivering hardened concrete to a recycler

Siting Washout Facilities

Concrete washout facilities, such as washout pits and vinyl or metal washout containers, should be placed in locations that provide convenient access to concrete trucks, preferably near the area where concrete is being poured. However they

should not be placed within 50 feet of storm drains, open ditches, or waterbodies. Appropriate gravel or rock should cover approaches to concrete washout facilities when they are located on undeveloped property. On large sites with extensive concrete work, washouts should be placed at multiple locations for ease of use by ready mixed truck drivers. If the washout facility is not within view from the pour location, signage will be needed to direct the truck drivers.

Operating and Inspecting Washout Facilities

Concrete washout facilities should be inspected daily and after heavy rains to check for leaks, identify any plastic linings and sidewalls have been damaged by construction activities, and determine whether they have been filled to over 75 percent capacity. When the washout container is filled to over 75 percent of its capacity, the washwater should be vacuumed off or allowed to evaporate to avoid overflows. Then when the remaining cementitious solids have hardened, they should be removed and recycled. Damages to the container should be repaired promptly. Before heavy rains, the washout container's liquid level should be lowered or the container should be covered to avoid an overflow during the rain storm.

Educating Concrete Subcontractors

The construction site superintendent should make ready mixed truck drivers aware of washout facility locations and be watchful for improper dumping of cementitious material. In addition, concrete washout requirements should be included in contracts with concrete delivery companies.

Reference

NRMCA 2009. Environmental Management in the Ready Mixed Concrete Industry, 2PEMRM, 1st edition. By Gary M. Mullins. Silver Springs, MD: National Ready Mixed Concrete Association.

Websites and Videos

Construction Materials Recycling Association
www.concreterecycling.org

National Ready Mixed Concrete Association
www.nrmca.org

National Ready Mixed Concrete Research and Education Foundation
www.rmc-foundation.org

Additional information and videos on concrete washout containers and systems can be found by a web search for "concrete washout."

Photograph Credits

Figures 1, 2. *Mark Jenkins, Concrete Washout Systems, Inc.*

Figure 3. *Mark Shaw, Ultra Tech International, Inc.*

Figure 4. *Mark Jenkins, Concrete Washout Systems, Inc.*

Figure 5. *Christopher Crouch, CCI Consulting*

Figure 6. *William Turley, Construction Materials Recycling Association*

Figure 7. *Brad Burke, Innovative Concrete Solutions, LLC*

Figure 8. *Ron Lankester, Enviroguard*

Figures 9, 10. *Mark Jenkins, Concrete Washout Systems, Inc.*

Figures 11, 12. *Tom Card, RTC Supply*

Figures 13, 14, 15. *Mark Jenkins, Concrete Washout Systems, Inc.*

Figures 16, 17. *Rick Abney Sr., Waste Crete Systems, LLP*

Disclaimer

Please note that EPA has provided external links because they provide additional information that may be useful or interesting. EPA cannot attest to the accuracy of non-EPA information provided by these third-party websites and does not endorse any non-government organizations or their products or services.

From: David Nees <davidneesak@gmail.com>
Sent: Monday, March 18, 2024 8:58 AM
To: G_Notify_AssemblyClerk
Subject: <EXTERNAL-SENDER>Ordinance 2024-04

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.

Honorable Assembly members,

The proposed lease of borough land on Snug Harbor road to David Block needs to follow the laws you are sworn to uphold.

In looking to the future it is often best to see what was intended by those who went before you.

I have been researching the history and development of the land use classification plan for Cooper landing to find out the intent of the light industrial classification on Snug Harbor Road by the various CLAPCs over the past 30 years.

. On May 12,1992 the community voted on the recommendations made by the members of the CLAPC.

All items that were approved by the voters were incorporated into the Cooper Landing Community Plan which was submitted to KPB Assembly.

In 1992 the KPB Assembly incorporated the CLAPC community land use (classification) plan for Cooper Landing into the 1992 borough land use plan.

A minor Modification of the plan was submitted, without community vote in 1996 and this was also incorporated into the KPB Borough land use (classification) plan in 1996, and all of the subsequent updates to the KPB land use plans adopted by various Assemblies in 2008, 2016 and 2019.

The land use plan continued to adopt the 1996 CL Community Plan.

Of Immediate and pertinent interest to you the Assembly, is what was meant by "light industrial" in 1992 and 1996 and now?

In the 1992 the Cooper Landing community voted on item on 18 which created a

Light Industrial Subdivision
it was authorized (52 for and 13 against)

"on 80 acres of borough land. located near the powerline and quartz creek substation (located on Snug Harbor road)
Lot size 2+ acres , limited to businesses that do not have offensive characteristics and do not need to be near a main highway."

In the 1996 version of the CLAPC Land use plan was a modification by the members of the board to the language for "light Industrial", it further was defined and clarified what was light industrial and this definition was accepted by the 1996 KPB Borough Assembly, which incorporated it into the KPB Land use Classification Plan.

On page 35 of the 1996 CL Land Use plan the CLAPC board included a definition page the language that the Assembly adopted for light industrial.for Cooper Landing was defined as;

"Light Industrial means lands suitable for industrial uses that generally do not have offensive characteristics and can be conducted primarily inside closed buildings.
Such uses may include warehousing, storage, and light manufacturing not inside buildings"

(Good examples of such light industrial use can be seen driving the Sterling highway from Cooper to Soldotna, where you go by a truss plant and 2 shed manufacturing businesses.)

In your own borough local option zoning code chapter 21.44.230 the definition between "Industrial heavy" and "Industrial light" is as follows:

"Industrial Heavy means the manufacture of materials or products predominantly from extracted or raw materials..."

"Industrial Light means a use engaged in the manufacture predominately from previously prepared materials, of FINISHED products or parts. including processing, fabrication, assembly, treatment packaging, incidental storage sales, and distribution of such products, but EXCLUDING basic industrial processing."
(Capitals added for emphasis)

Cooper Landing for the most part is un zoned, however the borough zoned this area on Snug Harbor in 1992 as light industrial and you the Assembly need to follow the lead of those who previously voted to accept the usage definition in the 1996 CLAPC land use plan.

To pass ordinance 2024-04 is an action to to not conform to this long standing definition of light industrial that the Borough Planning and previous Assemblies put into law, it allows basic industrial processing to occur heavy industrial.

A concrete batch plant is heavy industrial use and cannot by a reasonable individual be made to fit the definitions in use for last 32 years.

It clearly is basic industrial processing which is a Heavy Industrial use.

I cannot understand how the Planning department chose to ignore an established definition, it is their job to know what "Light Industrial" means, it is not the Assemblies job to know that definition, but it is there job to call into question when it is not used correctly.

It is a shame the current CLAPC failed our community when it did not address this "Heavy Industrial" use in a "Light Industrial" area.

That said, the concrete has to be available to the GC, for the bridge project. this year.

The GC who could mix it themselves, but is allowing some of the construction dollars to flow into the borough through a good KPB local business Davis Block.

So if the site the Planning dept chose is unsuitable, another must be selected ASAP.

The quickest way to solve this dilemma is for the Assembly to not award the lease on snug harbor and modify the January Unit 395 master [plan.to](#) include a temporary use for this purpose.

Please consider awarding the Davis Block contract with the leased area to be located in an area adjacent to the man camp currently leased inside Unit 395, something the CLAPC would agree to because it conforms to the Master Plan for Cooper landing.

If you need any links or documents I can provide them.

David Nees
19275 Holben
Cooper Landing
9072449103

Quinton, Madeleine

Subject: FW: <EXTERNAL-SENDER>Comment Re: Assembly Vote

-----Original Message-----

From: Ann Hanson <annfhanson@gmail.com>

Sent: Friday, March 22, 2024 3:32 PM

To: clerk@kpb.us; G_Notify_AssemblyClerk <G_Notify_AssemblyClerk@kpb.us>

Subject: <EXTERNAL-SENDER>Comment Re: Assembly Vote

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.

- >
- > To the Assembly-
- >
- > I am very disappointed by the vote taken, Tuesday March 19, to ok the concrete batch plant in Cooper Landing.
- >
- > The Assembly is elected to find the best solution to problems, with recommendation & input from its constituents. In this case, the constituents of Cooper Landing opinions were not considered. (See petition with 127 signatures. If there were more than 2 weeks notice, we may have been able to get additional signatures, since many locals are out of state & country. Plus 27 people attended the meeting on zoom & 8-10 more in person.). The Assembly disregarded all comments & did not address several major points.
- >
- > The Assembly accepted half truths or disregarded many of the concerns residents have voiced in their testimony & comment emails.
- >
- > The Davis Block representative said "only 150 truck loads a season". That is a half truth. If you have 150 trucks they will be traversing the road to AND from the plant for a minimum of 300 trucks on the road, per season. And over the course of 5 years will be 1500 trucks on the road. That is an untenable amount of traffic on a residential street. And twice the number cited by Davis Block.
- >

- > A second point, only two of the Assembly admitted to having driven the road to the site. One of those two voted no! How can they determine the safety & problems that will be encountered by sitting in their homes 60 miles away? Would the Assembly members be willing to have 1500 trucks drive through their neighborhood? I doubt it.
- >
- > A third point that was glossed over during the response by Davis Block was the turning radius for trucks from Snug Harbor Rd to the Sterling Hwy. Yes, a single truck should be able to make a right turn, but the laws of physics say they will have to utilize both lanes of traffic to do so. (Need a minimum of 19ft.-40ft. to make the turn. A lane is 12ft. So, the truck will have to utilize both lanes to make the turn.) This is a third instance where the Assembly took at face value the testimony of Davis Block.
- >
- > I do not know why the Assembly looked favorably on this site for the concrete plant from the start. The Assembly did not consider any other testimony & had their minds made up before they even got testimony from many Cooper Landing residents. Is money the motive?
- > Failure on Davis Blocks part, to plan ahead does not constitute a crisis for the Cooper Landing residents. The Assembly completely disregarded the interests of the residents of Cooper Landing.
- >
- > In addition, I would respectfully request this letter be read into the record, at the next Assembly meet, under Old Business.
- >
- > Ann Hanson
- > 35360 Just Bears Court
- >
- > In addition, I would respectfully request this letter be read into the record at the next Assembly meeting, under Old Business.
- > Sent from my iPhone

2 April 2024

To: Kenai Peninsula Borough Mayor Micciche

From: Cooper Landing Business and Community Members

RE: Ordinance 2024-04

Mayor Micciche,

The undersigned urge you to put forward a veto of Ordinance 2024-04 until a solution can be reached for our community. As you know, this ordinance approves placement of a concrete batch plant on Snug Harbor Road at the Organic Dump and, though approved by the Cooper Landing Advisory Planning Commission (CLAPC), its location is widely opposed by the community. In a little more than a week over 100 people (one third of the population) signed a petition, submitted to the Kenai Peninsula Borough (KPB) for its March 19 meeting, asking for an alternate site. This letter garnered over 125 signatures in just two days; that is the level of objection. To be clear, there is no opposition to the plant itself; the location is the objection. We are asking for your intervention and assistance in securing an alternate site.

Reasons for Objection:

1. Lack of Inclusion

Though the KPB was aware of the need for a concrete batch plant in July 2023 and a Davis Block (the winning contractor) application cites criteria that only the organic dump on Snug Harbor would meet, the community was never contacted, engaged or communicated with. Had the community been respectfully included, the same objections now being voiced would have been heard at that time, an alternate site agreed upon and controversy avoided.

2. Improper Notice

The KPB called for a special meeting of the CLAPC in late February 2024 with five days notice, a violation of Code of Ordinances Title 17.10.110 – Notice of Disposition for which the Assembly forgave themselves retroactively in Ordinance 2024-04:

SECTION 3. That the provisions of KPB 17.10.090 and 17.10.110 governing disposition, published notice and leasing of KPB lands will not apply to this lease to Davis Block, which is short-term and project driven.

No reasoning was provided to the community for the canceled notice and why the right of the public to adequate notice was derailed.

3. No Other Site Investigated

We learned from Land Agent Aaron Hughes that no other site had been explored. In fact, the Davis Block application to the Borough includes this language:

Davis Block wishes to lease 1 acre of property from KPB in an existing gravel pit/dump site for a period of 4 years.

This language indicates that the organic dump location had already been suggested to the bidding contractor. When members of the community initiated a petition and approached Planning with four alternative sites, we were assured those sites would be investigated. However, at the March 19 Assembly meeting it was apparent there was not meaningful investigation into those sites.

4. Improper Reasoning

The CLAPC and community members who spoke with Planning were told the only possible site was the organic dump because of its land classification as “light industrial” and that it has a permanent materials site permit. Both of these reasons are unsound; we later learned, and Planning Director Ruffner confirmed at the regular 20 March CLAPC meeting, that land classification is not the same as zoning, therefore many types of activities can take place on land classifications. As for the permit, according to KPB Code of Ordinances Title 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.

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.

We were also told that obtaining a permit for another site would interfere with timing for the contractor. Later we learned the “timing” issue had to do with load allowances on the highway, an issue that is moot as April 3 is the deadline for heavy loads without a permit.

5. Land Classification Concerns / 1996 Area Plan

The Snug Harbor organic dump is classified as *light industrial*. A concrete batch plant does not fit the definition of this classification, which allows for:

...uses that generally do not have offensive characteristics and can be conducted primarily inside closed buildings. Such uses may include warehousing, storage inside enclosed areas, and light manufacturing not inside buildings.

We were told by Planning that the Resource Management overlay of *light industrial* is what allowed for the heavy industrial use. We have spoken to those involved in the 1996 Area Plan and their intention was *solely* for light industrial.

For the Borough to use an overlay of Resource Management as reasoning for approval of heavy industrial is problematic on several levels: it creates distrust between the Borough and the community; it creates an atmosphere of antipathy toward participating in a new Area Plan (as witnessed at the March 20 CLAPC meeting in which the new planning process was introduced); it is cynical of the

Borough to use a 30 year-old plan to justify the decision when the new plan is in its nascent stage; and, creates fears that the concrete plant will set a precedent in the new Area Plan, a precedent we reject.

6. Pollution

The community has stated concerns about the toxicity of concrete, and when asked about such at the March 19 assembly meeting, Davis Block representative Cory Davis stated, "There's nothing toxic associated with concrete. It's cement, which is biodegradable, sand and water and any chemicals used are all biodegradable, there's nothing hazmat about the production." Assembly members did not follow up. We do so here: from the U.S. Environmental Protection Agency's Stormwater Best Management Practice - Concrete Washout / Environmental and Human Health Impacts:

Concrete washout water (or washwater) is a slurry containing toxic metals. It's also caustic and corrosive, having a pH near 12. In comparison, Drano liquid drain cleaner has a pH of 13.5. Caustic washwater can harm fish gills and eyes and interfere with reproduction. The safe pH ranges for aquatic life habitats are 6.5 – 9 for freshwater and 6.5 – 8.5 for saltwater.

We have no assurances that washwater will not enter Kenai Lake, part of the Kenai River Special Management Area, and harm our salmon, which provide an economic and subsistence lifeblood for Cooper Landing.

7. Safety

Concrete trucks would be traveling through a residential neighborhood and encountering traffic that includes buses carrying senior housing residents and children from Camp K, work trucks from Chugach Electric and AK DOT&PF, food and fuel service vehicles, plus boat trailers, motorhomes and other recreational vehicles. Cooper Landing Emergency Services is on Snug Harbor Road close to the intersection of the Sterling Highway. The CLES supports a wide region of the eastern peninsula and in the summer months is very busy, requiring immediate access to the highway with emergency vehicles. The Cooper Landing post office is also on Snug Harbor Road close to the Sterling Highway intersection, with traffic in and out of the parking area daily.

Excessive speeding is already a problem on Snug Harbor Road, creating unsafe conditions for pedestrians and bicyclists. The road beyond Shackleford Creek is particularly unsafe without a separated bike path and several hidden driveways along a sloped curve. Even so, Snug Harbor is currently the safest place for pedestrians because of bypass-related traffic on Bean Creek Rd. Adding concrete trucks to this situation is untenable, particularly without a local Alaska State Trooper. Response time by the troopers is usually at least one hour.

8. Road Damage

Snug Harbor Road was paved within the last few years at a cost in excess of \$9 million. Repeated trips on this road by 30 ton concrete trucks will damage the roadbed, with no guarantees for repair either by Davis Block or governmental agencies.

9. Community Comments Not Heard

Many members and businesses of the Cooper Landing community have spoken out against the Snug Harbor Road location for the plant. Over 100 attached their names to a petition asking for a hold on 2024-04 until an alternate site was located. In that petition safety was one of the biggest concerns. No mention by any assembly member of the petition was made, even though it represents one-third of the population. Safety was discussed briefly, but not substantively. For example, one person testified their concern about 300 ton concrete trucks being able to stop in 30-50ft on a particular downhill corner where there are five hidden driveways. In response Assembly Chair Johnson joked about having driven trucks before and being sure that they would be able to stop.

In sum, we have felt that our time, effort, research and care in communicating to the KPB Assembly have been, in large part, disregarded.

Remedy

We suggest that the concrete plant be located on-site, with access from the east side. The Department of Transportation (DOT) will create a staging area for the bridge and an on-site concrete plant will be the least expensive and most expeditious to the contractors and timeline for the bypass project and least impactful to the community. Secondary options include Tract C, already leased to QAP and Traylor, the latter of which has subcontracted to Davis Block for the concrete, the Cooper Landing Transfer Site and Dave's Creek. All of these sites are at least 15 acres with ample space for a one-acre concrete plant.

Respectfully Submitted,

Cooper Landing Community Members and Businesses

Karen Button
Josiah Brown
Sharon Saunders
Lucas Thorp
Mitchel Dickinson
Bryant Thorp
Rhonda Lynn
Matthew Rima
Josi Lewis
Crystal Nelson
Pastor Rob Nelson

Kay Thomas
Brandon Martinez
Julie Almanrode
Jayden Drager
Cooper Landing Community Library, Thomas
Tycie Drager
John Almanrode
Elizabeth Frey
Glen Parker
Ed Holsten
Kathleen Stevenson
Emily Wilson
Lorraine Temple
Barbara Atkinson
Gary McFadden
Ann Hanson
Gyda Sears
Alaska River Adventures
Janet Konopa
Marypat Montana
Julie Rogers
Dawn Button
Thomas Wanat Jr
Alec Lamberson
Mike Stevens
Sandra Holsten
Heidi Wood
Andrea Silverman
Robert L. Baldwin, President, Friends of Cooper Landing (FOCL)
Mark Silverman
Amy Brodersen
Conita Mullet
Theresa Norris
Virginia Morgan
Alison Neeld
Michelle Donahue
Lonnie Wood
Morgan Silverman
Michael Adams
Daniel Suver
Mark McLean
Jean Ann Nierenberg
Lisa Dickinson
Kahtnu Spirit Lodging Vacation Rentals
Lisa Dickinson
Brad Hanson

Bonnie Wanat
Ella Silverman
Alaskan Angling Adventures LLC.
Alan Nierenberg
Hollis Cook
Jack Mister
Mike Fisher
Alexa Millward
Katie Feichtinger
David Suver
Kathleen James
Naomi Brodersen
Brigitte DeAngelis
Taylor Wood
John VanderHoff
Kristi Damon
Michael Harper
Richard Winkle
Laura Nugent
Pris Belanger
David Lisi
Cristina Rachel Rolfe
Andrew Mundy
Kathleen Winkle
Aaron Duchene
Julian Mason
Karen Lewis
John Freeman
Cory Route
Alaska Rivers Company Route
Stephanie Lesmeister
Julie Seramur
David Lewis
William Durrant
Erik Route
Gregory Staser
Daniel Blake
Jim Cucullu
Clint Lentfer
Sheryl Lentfer
Forest Button
Regina Jones
William Odom
Marlea Bellinger
Joe DeMattia
Aaron Dye

Gerald Fox
Linda Gephardt
Stephen Lipscomb
Michael DeAngelis
Natalya Nichols
Gloria Ireland
John Thomas
Larry Grant
Von Veeh
Janet Mitchell
Terry Robinson
William Breeden
Edward Remick
Jim Tregellas
Peter Giannulis
Margie MacNeille
Ian Blake
David Rhode
Michael Gephardt
Debra Thomas
Dennis Johnson
John Odom

