

Introduced by: Mayor  
Date: 06/07/22  
Action: Adopted  
Vote: 5 Yes, 1 No, 3 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2022-038**

**A RESOLUTION CLASSIFYING AND RECLASSIFYING CERTAIN BOROUGH  
MANAGED LAND IN THE MOOSE PASS AREA**

- WHEREAS,** a recreational classification and updated land use plan was a condition to receive patent to the certain municipal entitlement land under Final Decision ADL 201306 lands from the State of Alaska; and
- WHEREAS,** on August 9, 2016, KPB Resolution 2016-045 classified certain municipal entitlement lands in the Moose Pass / Crown Point area as recreational; and
- WHEREAS,** on March 24, 2022 the Kenai Peninsula Borough received Land Classification Order No. SC-99-02A15 from the state and has satisfied the conditions for title conveyance; and
- WHEREAS,** the Alaska Electric and Energy Cooperative, Inc. (dba Kenai Hydro, LLC) has submitted a petition for classification/reclassification of portions of certain parcels as utility / transportation to support the Grant Lake Hydroelectric Project, FERC Project No. 13212; and
- WHEREAS,** the proposed project is to be located at the south end of Grant Lake and south of Grant Creek and would generate about 18,600 megawatt-hours of energy annually; and
- WHEREAS,** areas outside of the utility / transportation corridors within each parcel will remain classified as recreational; and
- WHEREAS,** pursuant to KPB 17.10.080, Borough land classification provides direction for the management of Borough-owned land; and
- WHEREAS,** KPB Land Management is working with Kenai Hydro, LLC to prepare easements and other surface use authorizations related to the project construction within the areas proposed for classification; and
- WHEREAS,** public notice was published and notification sent to land owners and/or leaseholders of record within a one-half mile radius of the land proposed for classification, and to applicable departments, agencies, the Moose Pass Advisory Planning Commission and interested parties; and

**WHEREAS,** the Moose Pass Advisory Planning Commission at its regularly scheduled meeting of May 5, 2022 failed to recommend approval; and

**WHEREAS,** the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of May 23, 2022 recommended approval;

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

**SECTION 1.** That based on the findings of fact, analysis, and conclusions contained in the staff report of May 23, 2022, the following described borough land shall be classified as follows:

<b>DESCRIPTION OF BOROUGH LAND PROPOSED FOR CLASSIFICATION</b>						
<b>ASSESSOR'S PARCEL NO.</b>	<b>GENERAL LOCATION</b>	<b>LEGAL DESCRIPTION</b>	<b>ACRES+/-</b>	<b>CURRENT CLASSIFICATION</b>	<b>PROPOSED CLASSIFICATION</b>	<b>ZONING</b>
12532101	Moose Pass	A portion of Govt Lot 11, Section 6, Township 4 North, Range 1 East, Seward Meridian	3±	Recreational	Utility / Transportation	Rural District
12532102	Moose Pass	A portion Govt Lot 3, Section 07, Township 04 North, Range 01 East, Seward Meridian	3±	Recreational	Utility / Transportation	Rural District
12532315	Moose Pass	A portion of Govt Lot 2, Section 12, Township 04 North, Range 01 West, Seward Meridian	3±	Recreational	Utility / Transportation	Rural District
12532318	Moose Pass	A portion of Govt Lot 5, Section 12, Township 04 North, Range 01 West, Seward Meridian	4±	N/A	Utility / Transportation	Rural District
12532330	Moose Pass	A portion of Govt Lot 3, Section 1, Township 04 North, Range 01 West, Seward Meridian	0.32±	Recreational	Utility / Transportation	Rural District

**SECTION 2.** That this resolution shall be effective immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF JUNE 2022.**

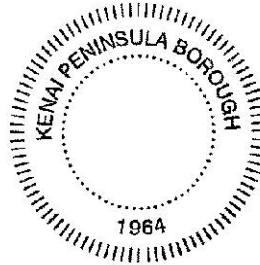
*Brent Johnson*

Brent Johnson, Assembly President

ATTEST:

*John Blankenship*

John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Elam, Hibbert, Tupper, Johnson

No: Ecklund

Absent: Chesley, Cox, Derkevorkian