

DESK PACKET

(MATERIALS SUBMITTED AFTER MEETING PACKET PUBLICATION)

E. NEW BUSINESS

- 3. Ordinance 2024-11: Amending KPB Chapter 21.29 relating to consolidated material extraction within material site permits.**

Kenai Peninsula Borough

Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

Thru: Peter A. Micciche, Mayor *PM*

FROM: Robert Ruffner, Planning Director *RR*

DATE: June 6, 2024

SUBJECT: **Administrative Amendment #1 to Ordinance 2024-11**, Amending KPB Chapter 21.29 Relating to Consolidated Material Extraction within Material Site Permits (Mayor, Johnson, Ribbens, Ecklund)

[Please note the bold underlined language is new and the strikeout bold language in brackets is to be deleted.]

➤ Amend KPB 21.29.010, as follows:

21.29.010. Applicability—Prohibitions.

....

C. Earth material within 300 linear feet from riparian wetlands and the seasonal high-water level of naturally-occurring open water bodies, such as a lake, pond, river, perennial stream, or ocean, is prohibited. This prohibition does not apply to man-made water bodies or isolated ponds of less than one acre on private property or the construction of waterbodies within the permitted area. **This prohibition likewise does not apply to tidewater material harvesting operations from saltwater sources conducted under a Type IV Endorsement;**

....

Your consideration of this amendment is appreciated.

Kenai Peninsula Borough

Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

Thru: Peter A. Micciche, Mayor *PM*

FROM: Robert Ruffner, Planning Director *RR*

DATE: June 6, 2024

SUBJECT: **Administrative Amendment #2 to Ordinance 2024-11**, Amending KPB Chapter 21.29 Relating to Consolidated Material Extraction within Material Site Permits (Mayor, Johnson, Ribbens, Ecklund)

[Please note the bold underlined language is new and the strikeout bold language in brackets is to be deleted.]

➤ Amend KPB 21.29.050, as follows:

21.29.050. Permit conditions applicable to all permits.

- A. The planning commission may require additional conditions for Type IV Endorsement sites. The planning commission or planning director, as applicable, must impose the following mandatory conditions prior to approval of a permit under this chapter.

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2. *Water source separation.*

....

- c. All permits will be issued with a condition which prohibits any material extraction within 100 linear feet of any water source as defined in KPB 21.29.130 existing prior to original permit issuance [;]. This subsection may not be construed to limit tidewater material harvesting operations from saltwater sources conducted under a Type IV Endorsement;

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- e. Site-specific water source separation conditions will be established for CLUPS with Type IV endorsements[.], including for tidewater material harvesting operations from saltwater sources;

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Re: Administrative Amendment #2 to O2024-11

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- 10.** ***Fuel storage. Double-walled fuel storage tanks are allowed for secondary containment.***

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Your consideration of this amendment is appreciated.