

DESK PACKET

(MATERIALS SUBMITTED AFTER MEETING PACKET PUBLICATION)

E. NEW BUSINESS

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

Kenai Peninsula Borough Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

Thru: Peter A. Micciche, Mayor *PM*

FROM: Robert Ruffner, Planning Director *RR*

DATE: June 6, 2024

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

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

➤ Amend KPB 21.29.010, as follows:

21.29.010. Applicability—Prohibitions.

....

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

....

Your consideration of this amendment is appreciated.

Kenai Peninsula Borough Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

Thru: Peter A. Micciche, Mayor *PM*

FROM: Robert Ruffner, Planning Director *RR*

DATE: June 6, 2024

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

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

➤ Amend KPB 21.29.050, as follows:

21.29.050. Permit conditions applicable to all permits.

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

....

2. *Water source separation.*

....

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

....

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

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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.