



## Meeting Agenda Planning Commission

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Monday, February 12, 2024

7:30 PM

Betty J. Glick Assembly Chambers

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**Zoom Meeting ID: 907 714 2200**

The hearing procedure for the Planning Commission public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

### **A. CALL TO ORDER**

### **B. ROLL CALL**

## C. APPROVAL OF CONSENT AND REGULAR AGENDA

*All items marked with an asterisk (\*) are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner so requests in which case the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.*

*If you wish to comment on a consent agenda item or a regular agenda item other than a public hearing, please advise the recording secretary before the meeting begins, and she will inform the Chairman of your wish to comment.*

1. Time Extension Request - None
2. Planning Commission Resolutions - None
3. Plats Granted Administrative Approval

[KPB-5785](#) a. McNamara Acres at Moose Hill; KPB File 2023-009R1

Attachments: [C3. Admin Approval](#)

4. Plats Granted Final Approval (KPB 20.10.040)

[KPB-5786](#) a. Soldotna Junction Subdivision 2023 Replat; KPB File 2023-043

Attachments: [C4. Final Approvals](#)

5. Plat Amendment Request - None
6. Commissioner Excused Absences - None
7. Minutes

[KPB-5782](#) January 22, 2024 PC Meeting Minutes

Attachments: [C7. 012224 PC Minutes](#)

## D. OLD BUSINESS - None

## E. NEW BUSINESS

**Public Hearing: Quasi-Judicial Matters (Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)**

1. [KPB-5783](#) Conditional Use Permit: PC Resolution 2024-03  
Applicant: City of Soldotna  
Request: Repair and replace a portion of a wastewater treatment line and a manhole with the 50-foot HPD of the Kenai River  
City of Soldotna  
  
*Attachments:* [E1. CUP City of Soldotna Packet](#)  
[E1. CUP - City of Soldotna Desk Packet](#)

### **Public Hearing: Legislative Matters**

2. [KPB-5784](#) Ordinance 2024-03: Authorizing the sale of certain parcels of Borough owned land by outcry auction followed by a secondary online auction.  
  
*Attachments:* [E2. Land Sale Ordinance Packet](#)

### **F. PLAT COMMITTEE REPORT**

The Plat Committee will review 5 plats

### **G. OTHER**

### **H. PUBLIC COMMENT/PRESENTATION**

*(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)*

### **I. DIRECTOR'S COMMENTS**

### **J. COMMISSIONER COMMENTS**

### **K. ADJOURNMENT**

#### **MISCELLANEOUS INFORMATIONAL ITEMS NO ACTION REQUIRED**

- [KPB-5794](#) Advisory Planning Commission Meeting Minutes  
  
*Attachments:* [Misc Info APC Minutes](#)

#### **NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held Monday, February 26, 2024 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

**CONTACT INFORMATION**  
**KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: [planning@kpb.us](mailto:planning@kpb.us)

website: <http://www.kpb.us/planning-dept/planning-home>

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees. Vacations of right-of-ways, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly.

Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.

## **C. CONSENT AGENDA**

- \*3. Plats Granted Administrative Approval**
  - a. McNamara Acres at Moose Hill; KPB File 2023-009R1**



# Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Peter A. Micciche  
Borough Mayor

## ADMINISTRATIVE APPROVAL

Subdivision: McNamara Acres at Moose Hill  
KPB File 2023-009R1  
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on September 11, 2023. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, January 31, 2024.

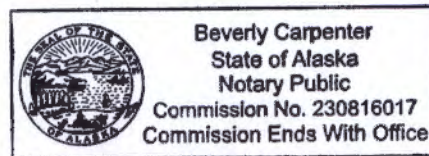
Vince Piagentini  
Platting Manager

State of Alaska  
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 31 day of January 2024 by  
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.

## **C. CONSENT AGENDA**

- \*4. Plats Granted Final Approval**
  - a. Soldotna Junction Subdivision 2023 Replat  
KPB File 2023-043**



# Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Peter A. Micciche  
Borough Mayor

## FINAL APPROVAL OF PLAT SUBMITTED UNDER 20.10.040

Subdivision: Soldotna Junction Subdivision 2023 Replat  
KPB File 2023-043  
Kenai Recording District

The Kenai Peninsula Borough Planning Department has reviewed the above referenced subdivision plat in accordance with 20.10.040 Borough Code of Ordinances. The final plat meets the conditions of the preliminary approval and complies with KPB Title 20; therefore, final approval has been granted by the undersigned on Thursday, January 25, 2024.

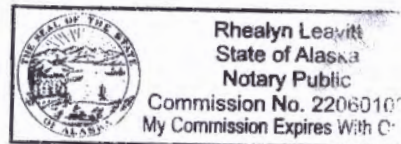
Vince Piagentini  
Platting Manager

State of Alaska  
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 25 day of January 2024 by  
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be **filed with the** appropriate district recorder within ten business days by the surveyor or the Planning Department.



## **C. CONSENT AGENDA**

**\*7. Minutes**

**a. January 22, 2024 Planning Commission Meeting**

# Kenai Peninsula Borough Planning Commission

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Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

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January 22, 2024  
7:30 P.M.  
UNAPPROVED MINUTES

**AGENDA ITEM A.      CALL TO ORDER**

Chair Brantley called the meeting to order at 7:30 p.m.

**AGENDA ITEM B.      ROLL CALL**

*Commissioners Present*

Jeremy Brantley, Ridgeway/Sterling District  
Jeffery Epperheimer, Nikiski District  
Pamela Gillham, Kalifornsky/Kasilof District  
Virginia Morgan, Cooper Landing/Hope District  
Dawson Slaughter, South Peninsula District  
Charlene Tautfest, City of Soldotna  
Franco Venuti, City of Homer  
Diane Fikes, City of Kenai  
Troy Staggs, City of Seward

With 9 members of a 9-member seated commission in attendance, a quorum was present.

*Staff Present*

Samantha Lopez, Acting Planning Director  
Walker Steinhage, Borough Deputy Attorney  
Vince Piagentini, Platting Manager  
Marcus Mueller, Land Management Officer  
Morgan Aldridge, Resource Planner  
Jennifer Robertson, LMD Administrative Assistant  
Ann Shirnberg, Planning Administrative Assistant

**AGENDA ITEM C.      CONSENT & REGULAR AGENDAS**

**\*7.      Minutes**

- a. January 8, 2024 Planning Commission meeting minutes.

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record. He then asked if anyone wished to speak to any of the items on the consent agenda. Seeing and hearing no one wishing to comment, Chair Brantley brought it back to the commission for a motion.

**MOTION:** Commissioner Staggs moved, seconded by Commissioner Epperheimer to approve the consent and regular agendas.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**AGENDA ITEM E. NEW BUSINESS**

Chair Brantley asked Ms. Shirnberg to read the public hearing procedures into the record.

**ITEM #1 - RIGHT OF WAY VACATION  
VACATE THE EASTERNMOST APPROXIMATELY 30-FOOT PORTION OF  
GLACIER AVENUE WEST RIGHT-OF-WAY**

<b>KPB File No.</b>	2024-KPB 002V
<b>Planning Commission Meeting:</b>	January 22, 2024
<b>Applicant / Owner:</b>	Chris & Simone Owens / Sterling Alaska
<b>Surveyor:</b>	None
<b>General Location:</b>	Sterling Area
<b>Legal Description:</b>	Glacier Road between Lot 1A Jimmee Lake Sub #2 KN 2017-79 and W1/2 NW1/4 NE1/4 Sec 14 T5N R9W SM AK

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley open the item for public comment.

Chris Owens; P.O. Box 972, Sterling, AK 99672: Mr. Owens is the applicant and requested that the commission approve his petition.

Michael Lund; P.O. Box 1214, Sterling, AK 99672: Mr. Lund is a neighboring landowner and spoke in support of approving this vacation.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Epperheimer moved, seconded by Commissioner Staggs to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, based on staff recommendations and subject to the four conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**ITEM #2 - RIGHT OF WAY VACATION  
VACATE OUTSIDE WAY RIGHT-OF-WAY AND ASSOCIATED UTILITY EASEMENTS  
LOCATED BETWEEN LOT 4 BLOCK 18 ORIGINAL TOWNSITE OF KENAI KN-2970 AND  
LOT 5A BLOCK 18 KENAI TOWNSITE OILERS ADDITION KN93-11**

<b>KPB File No.</b>	2024-004V
<b>Planning Commission Meeting:</b>	January 22, 2024
<b>Applicant / Owner:</b>	Peninsula Oilers Baseball Club Inc. / Kenai, Alaska
<b>Surveyor:</b>	Mark Aimonetti / Edge Survey and Design, LLC
<b>General Location:</b>	Cook Ave & Main St in Kenai Alaska
<b>Legal Description:</b>	Outside Way between Lot 4 Blk 18 Original Townsite of Kenai and Lot 5A Blk 18 Kenai Townsite Oilers Addition

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley open the item for public comment.

Jason Young; P.O .Box 59, Kasilof, AK 99610: Mr. Young was the on this project and made himself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Staggs moved, seconded by Commissioner Gillham to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, based on staff recommendations and subject to the four conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**ITEM #3 - UTILITY EASEMENT ALTERATION  
VACATE PLATTED UTILITY EASEMENTS ON SOUTH LINE OF LOT 4-B, NORTH LINE OF LOT 4-C,  
SOUTHEAST CORNER OF LOT 4-C AND SOUTHEAST CORNER OF LOT 4-D**

<b>KPB File No.</b>	2024-003V
<b>Planning Commission Meeting:</b>	January 22, 2024
<b>Applicant / Owner:</b>	Bruce & Jaemi Jose of Soldotna Alaska
<b>Surveyor:</b>	Mark Aimonetti / Edge Survey and Design, LLC
<b>General Location:</b>	Tundra Rose Circle in Kalifornsky area

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley open the item for public comment.

Jason Young; P.O .Box 59, Kasilof, AK 99610: Mr. Young was the on this project and made himself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Staggs moved, seconded by Commissioner Gillham to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, based on staff recommendations, citing findings 1-5 in the staff report, and subject to the two conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**ITEM #4 – CONDITIONAL USE PERMIT  
FOR THE CONSTRUCTION AND REPLACING A CULVERT & ADDING FILL TO THE ROADWAY  
WITHIN THE 50-FOO HABITAT PROTECTION DISTRICT OF TYONEK CREEK**

<b>Planning Commission Resolution</b>	2024-02
<b>Planning Commission Meeting:</b>	January 22, 2024
<b>Applicant / Owner:</b>	Tyonek Tribal Council
<b>KPB Tax Parcel ID:</b>	211-153-08
<b>General Location:</b>	Tyonek Area

<b>Legal Description:</b>	T 11N R 11W SEC 14 SM AN PORTION NW1/4 SEC 14 LYING SOUTH OF AREA KNOWN AS TYONEK CHIP MILL & CAMP FACILITY EXCLUDING USS 194 TRACT A
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Staff report given by Resource Planner Morgan Aldridge.

Chair Brantley open the item for public comment.

Irene Turletes; 582 East 36<sup>th</sup> Avenue, Suite 500, Anchorage, AK: Ms. Turletes works for HDR and she is attending to represent the applicant the Tyonek Tribal Council. She made herself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Staggs moved, seconded by Commissioner Gillham to adopt Planning Commission Resolution 2024-02, granting a conditional use permit pursuant to KPB 21.18 for the culvert replacement and placement of fill within the 50-foot Habitat Protection District of Tyonek Creek.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**ITEM #5 – STREET NAMING RESOLUTION 2024-01  
RENAMING BARBARA DRIVE, A JUMP STREET (ESN 451)**

<b>Street Naming Resolution</b>	2024-01
<b>Planning Commission Meeting:</b>	January 22, 2024
<b>Petitioner</b>	Kenai Peninsula Borough
<b>Existing ROW Name</b>	Barbara Drive
<b>Proposed New Names</b>	N. Barbara Drive & S. Barbara Drive
<b>Total Number of Lots</b>	23
<b>E911 Addresses</b>	17
<b>Community</b>	Ninilchik

Staff report given by Acting Planning Director Samantha Lopez.

Chair Brantley open the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Epperheimer to adopt Street Naming Resolution 2024-01, renaming a certain right-of-way within Section 26 & 27, Township 01 South, Range 14 West, to N. Barbara Drive & S. Barbara Drive.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**ITEM #6 – ORDINANCE 2024-01  
AUTHORIZING A NEGOTIATED LEASE WITH TRAYLOR BRO., INC.**

Staff report given by Land Management Agent Aaron Hughes.

Chair Brantley open the item for public comment.

Alex Altman; Traylor Brothers; P.O. Box 910, Cooper Landing, AK 99572; Mr. Altman made himself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Morgan moved, seconded by Commissioner Staggs to forward to the Assembly a recommendation to adopt Ordinance 2024-01, authorizing a negotiated lease with Traylor Bros., Inc. for a temporary craft worker housing site in support of the Sterling Highway MP 45-60 Construction Project near Cooper Landing.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 9	Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Staggs, Tautfest, Venuti
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**AGENDA ITEM F. PLAT COMMITTEE REPORT**

Commissioner Gillham report that the committee reviewed and granted preliminary approval to three plats.

**AGENDA ITEM H. PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

Chair Brantley asked if there was anyone from the public who would like to comment on anything not appearing on the agenda. No one wished to comment

**AGENDA ITEM K. ADJOURNMENT**

Commissioner Venuti moved to adjourn the meeting at 8:24 P.M.

\_\_\_\_\_  
Ann E. Shirnberg  
Administrative Assistant

## **E. NEW BUSINESS**

**1. Conditional Use Permit: PC Resolution 2024-03**

**Applicant: City of Soldotna**

**Request: Repair and replace a portion of a wastewater treatment line and a manhole with the 50-foot Habitat Protection District of the Kenai River  
City of Soldotna**

January 3, 2024

Samantha Lopez  
Kenai River Center Manager  
514 Funny River Road  
Soldotna, AK 99669

**Re: Kenai River Center Multi-Agency Permit Application**  
**Project: Soldotna Wastewater Treatment Facility Outfall Rehabilitation**

Dear Ms. Lopez:

The City of Soldotna is requesting authorization to repair a damaged section of the Soldotna wastewater treatment facility (WWTF) outfall pipe at river mile 20 of the Kenai River. The proposed project is located in Soldotna, Alaska (Section 31, Township 5 North, Range 10 West, Seward Meridian; USGS Quadrangle Map Kenai B-3 NW; Latitude 60.482595, Longitude -151.091130). Solstice Alaska Consulting, Inc. (SolsticeAK) is assisting with permitting the project, and CRW Engineering Group is assisting with design and engineering.

**Project Description**

The City of Soldotna is proposing to repair a portion of the existing WWTF outfall pipe, replace another portion of the outfall pipe with a new HDPE pipe, and replace one of four existing manholes. This section of the outfall pipe is damaged and in need of repairs in order to allow the continued use of the WWTF.

The proposed action would:

- Install a temporary cofferdam to enable construction within the Kenai River
- Replace a damaged section of outfall pipe with a new HDPE section of outfall pipe
- Replace a damaged manhole
- Repair a damaged section of outfall pipe using a “sliplining” method

**Impact Summary**

The proposed project would occur within the Kenai River, an anadromous stream according to the Alaska Department of Fish and Game (ADF&G). The project also requires dredging and the placement of 272 cubic yards (cy) of fill below ordinary high water (OHW), and excavation and the placement of 43 cy of fill above OHW. Additionally, the project would clear vegetation within the 50-foot Habitat Protection District of the Kenai River. See the attached project description for details.

**Permits Required**

An ADF&G Fish Habitat Permit and a Kenai Peninsula Borough Conditional Use Permit would be required. The City of Soldotna anticipates that the proposed project would fall under Nationwide Permit #58 (Utility Line Activities for Water and Other Substances), and a pre-construction notification (PCN; attached) is being submitted to the U.S. Army Corps of Engineers concurrent with this application.





If you have any questions or require additional information, please contact me, Robin Reich, at [robin@solsticeak.com](mailto:robin@solsticeak.com) or at 907-929-5960.

Sincerely,

A handwritten signature in blue ink that reads "Robin Reich". The signature is written in a cursive style with a large initial "R".

Robin Reich  
President, Solstice Alaska Consulting, Inc.

Enclosed: Kenai River Center Multi-Agency Permit Application; USACE PCN  
Copies: J. Ryan Moyers



# Multi-Agency Permit Application



514 Funny River Road, Soldotna, AK 99669 • (907) 714-2460 • KenaiRivCenter@kpb.us

**Applicant Information:** (must be a landowner)

Name: Michael Allen (City of Soldotna)  
 Mailing: 328 Porcupine Court  
Soldotna Alaska 99669  
 Phone: 907 714 1205  
 Email: mallen@soldotna.org

**Agent Information:** (if applicable)

Name: Robin Reich (Solstice Alaska Consulting, Inc.)  
 Mailing: 2607 Fairbanks St., Suite B  
Anchorage AK 99503  
 Phone: 907 929 5960  
 Email: robin@solsticeak.com

**Project Location:**

KPB Parcel ID: \_\_\_\_\_  
 Physical Address: Between 347 Porcupine Ct and 351 Porcupine Ct  
Soldotna Alaska 99669  
 Subdivision: \_\_\_\_\_  
 Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Addition/No.: \_\_\_\_\_

**Waterbody Information:**

Waterbody: Kenai River  
 Riverbank: (*looking downstream*)  Left  Right  
 River Mile: 20

**State of Alaska Permit Fees:**

\$100 - ADNR State Parks Permit

**KPB Permit Fees:** (select one)

\$50 - KPB Habitat/Floodplain Permit  
 \$300 - KPB Conditional Use/Floodway Permit

**Project Information:**  New **OR**  Extension/Amendment to **RC#** \_\_\_\_\_

Please select all activities that apply to your project:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Bank Stabilization                           | <input type="checkbox"/> Fish & Wildlife Management          | <input type="checkbox"/> Road Construction                                     |
| <input type="checkbox"/> Boat Launch                                  | <input type="checkbox"/> Floating Dock                       | <input type="checkbox"/> Structure (Accessory)                                 |
| <input type="checkbox"/> Bridge                                       | <input type="checkbox"/> Fuel Storage Green Infrastructure   | <input type="checkbox"/> Structure (Residential)                               |
| <input type="checkbox"/> Coir Logs                                    | <input type="checkbox"/> In-Stream Structures (Weir)         | <input type="checkbox"/> Spruce Tree Revetment                                 |
| <input type="checkbox"/> Culvert                                      | <input type="checkbox"/> Oil & Gas                           | <input type="checkbox"/> Stream Crossing                                       |
| <input type="checkbox"/> ELP Structures                               | <input type="checkbox"/> On-Site Utilities                   | <input checked="" type="checkbox"/> Utility Line/Easement                      |
| <input checked="" type="checkbox"/> Equipment Stream Crossing         | <input checked="" type="checkbox"/> Prior-Existing Structure | <input type="checkbox"/> Veg Mat   |
| <input checked="" type="checkbox"/> Excavation, Dredging, and/or Fill | <input type="checkbox"/> Revegetation                        | <input checked="" type="checkbox"/> Vegetation Removal                         |
| <input type="checkbox"/> Fence Installation                           | <input type="checkbox"/> Root Wads                           | <input checked="" type="checkbox"/> Water Withdrawal                           |
|   |  | <input checked="" type="checkbox"/> Other: <u>Wastewater Treatment Outfall</u> |

**Project Description:** Provide a detailed description of your project; attach additional pages if necessary.

Please see attached project description

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**Cost-Share:** Is this project funded by the Cost-Share Program?  Yes  No

**KPB Tax Credit Program:** The Borough provides a tax credit as partial reimbursement for new habitat protection and restoration projects within 150 feet of anadromous streams. If you would like to pre-qualify for this credit, please provide your estimated project cost(s) below. Do not include grants or other funding assistance:

**Elevated Light Penetrating Structures** \$ \_\_\_\_\_  
**Habitat Restoration & Protection** \$ \_\_\_\_\_  
**Green Infrastructure** \$ \_\_\_\_\_  
**Other Activities** \$ \_\_\_\_\_

**Project Questions:**

1. Start date: Spring 2024 End date: Summer 2024 Estimated Days of Construction: 21  
2. Is any portion of the work already complete? If yes, please describe:  Yes  No

**Ordinary High Water (OHW) and Mean High Water (MHW):**

3. Is the project located within 50 feet of OHW or MHW a waterbody?  Yes  No  
4. Does any portion of the project extend below the OHW or MHW of the waterbody?  Yes  No  
5. Does any portion of the project cantilever or extend over the MHW of the waterbody?  Yes  No  
6. Will anything be placed below OHW or MHW of the waterbody?  Yes  No

**Regulatory Floodplains:**

7. Is the property where the project is taking place near or within a regulatory floodplain?  Yes  No  
a. Is this project within or adjacent to a regulatory floodway?  Yes  No  
b. Is this project within or adjacent to a coastal high hazard zone?  Yes  No  
c. For new buildings and/or additions, list all project costs (labor, materials, etc.): \$ \_\_\_\_\_

**Excavation, Dredging, and Fill:**

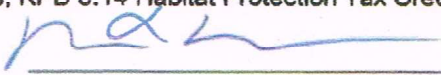

8. Will material be excavated or dredged from the site?  Yes  No  
a. Type of material(s): Soil  
b. Area to be dredged below OHW or MHW:  
Length: 152 (ft) Width: 14.2 (ft) Depth: variable (ft) Total Cubic Yards: 284  
c. Area to be excavated above OHW or MHW:  
Length: 18.8 (ft) Width: 18.8 (ft) Depth: variable (ft) Total Cubic Yards: 45  
d. Location materials will be deposited: Pipe bedding and back fill  
9. Will any material (including soils, debris, and/or overburden) be used as fill?  Yes  No  
a. Type of material(s): \_\_\_\_\_  
b. Is this fill permanent or temporary?  Perm  Temp  
c. Area to be filled above OHW or MHW:  
Length: 18.8 (ft), Width: 18.8 (ft), Depth: variable (ft), Total Cubic Yards: 43  
d. Area to be filled below OHW or MHW:  
Length: 152 (ft), Width: 14.2 (ft), Depth: variable (ft), Total Cubic Yards: 272

**Motorized Equipment:**

10. Will you be using motorized equipment for this project? If yes, please list all equipment:  Yes  No  
Excavator, small boat, barge  
a. Will you be crossing a stream or waterbody?  Yes  No  
b. How long will equipment be used below OHW or MHW? Duration of construction

**Signature & Certification:**

This application is hereby made requesting permit(s) to authorize the work described in this application form. I certify the information in this application is complete and accurate to the best of my knowledge and that my site plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the project and that the project will be constructed to the standards in KPB 5.12 Real Property and Personal Property Taxes, KPB 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regulations.

  
Applicant Signature (required)  
  
Agent Signature (if applicable)

1/3/2024  
Date  
1.3.24  
Date

**Kenai River Center Multi-Agency Permit Application**  
**Soldotna Wastewater Treatment Facility Outfall Rehabilitation**  
**Project Description**  
**January 2024**

The proposed project would:

- Remove damaged pieces of the existing wastewater treatment facility (WWTF) outfall pipe
- Slipline a section of the damaged WWTF pipe
- Replace a section of the damaged WWTF pipe with a new outfall pipe
- Replace a damaged manhole
- Involve vegetation clearing and grubbing

## **Overview**

The City of Soldotna proposes to repair a damaged section of the Soldotna wastewater treatment facility (WWTF) outfall pipe in Soldotna, Alaska (Township 5N, Range 10W, Section 31, Seward Meridian; U.S. Geological Survey [USGS] Quadrangle Kenai B-3 NW; Latitude 60.4826°N, Longitude -151.0910°. The lower section of the outfall pipe and a manhole were installed in 1972 and are damaged and in a state of disrepair. No blasting or pile driving is proposed with this project.

## **Location**

Soldotna is located on the Kenai Peninsula, 150 highway miles south of Anchorage (Alaska Division of Community and Regional Affairs 2023). The community is located about 10 miles from Cook Inlet and is bordered by the Kenai River to the south and west. The WWTF outfall pipe runs southwest from the Soldotna WWTF along a 50-foot-wide right of way to the Kenai River.

## **Purpose and Need**

The purpose of the Soldotna WWTF Outfall Rehabilitation project is to repair the damaged WWTF outfall pipe and manhole. The project is needed because the corrugated metal and concrete outfall pipe, installed in 1972, partially collapsed in spring 2023. The collapsed pipe, which leads from a manhole (manhole #4001) on the river bank to the Kenai River, has caused water to back up and overflow from the manhole. An effluent sensor inaccurately measures the amount of effluent discharged into the Kenai River due to the collapsed pipe and associated overflow. Accurate effluent measurements are needed for the WWTF to meet Alaska Department of Environmental Conservation (ADEC) wastewater outfall permitting requirements. The WWTF serves approximately 4,000 people, a majority of Soldotna's population (City of Soldotna 2023). Repairs to the outfall pipe and manhole #4001 are needed to allow the continued use of the City's WWTF and to ensure that treated water discharged into the Kenai River is accurately measured.

To minimize impacts to anadromous fish species, and to avoid construction during the busy Kenai River fishing season, work for the proposed project would occur during the early spring when water levels are low and the river bed is exposed near the banks of the river. Construction activities would take place for approximately three weeks in early spring, 2024.

## Construction Methods and Equipment

The proposed action would replace the portion of the outfall pipe that runs from manhole #4001 to the headwall, repair the portion of the outfall pipe above manhole #4001, and replace manhole #4001 (Figure 1). During construction, a cofferdam and bypass line would be used to move wastewater around the area. The project would occur within wetlands and waters of the United States (U.S.), and the City of Soldotna anticipates that the proposed project would fall under Nationwide Permit #58 (Utility Line Activities for Water and Other Substances) authorization.

### Cofferdam and Bypass Line

A 6-inch-diameter high-density polyethylene (HDPE) temporary bypass line would be installed for the duration of project construction, running approximately 575 feet from the WWTF ultraviolet (UV) disinfection basin to the Kenai River (Figure 1). The temporary line would be removed upon construction completion. Temporary asphalt ramps would be placed over the temporary bypass line where it crosses Porcupine Court to protect the line from vehicle traffic.

A cofferdam would be installed around the existing outfall pipe during project construction, and would consist of one of three options:

- A polypropylene and polyethylene tube would be filled with approximately 290,000 gallons of water to form the sides of the cofferdam. This water would be sourced from the temporary bypass line or the Kenai River, and released back into the river after construction is complete.
- Approximately 700 supersacks filled with earth or gravel would make up the cofferdam walls, and the cofferdam would be lined with an impermeable membrane.
- A preconstructed steel framework with flexible waterproof membrane walls would be installed around the work area. The walls would be freestanding and would not require pile installation.

The cofferdam would have a perimeter of approximately 80 feet by 200 feet (Figure 1). The cofferdam would be dewatered using a pipe with a mesh screen on the intake. A screen with a maximum mesh size of 0.04 inches (1.0 millimeters) and a maximum velocity of 0.1 feet per second would be used in accordance with Alaska Department of Fish and Game (ADF&G) recommendations for water withdrawals in water with fry and juvenile stage whitefish and salmon (McLean 1998). Installation of the cofferdam may require the use of a small boat. Any boat used for the proposed project would adhere to the Alaska State Parks Kenai River boat and motor regulations.

### **Sliplining**

The 93-foot portion of the existing pipe that runs between manhole #4001 and manhole #4002 would be repaired using a sliplining method. The sliplining process would involve cleaning the pipe, and then inserting a new 18-inch-diameter HDPE pipe into the existing pipe and grouting the annular space between the pipes at either end. The sliplining pipe and equipment would be transported to the site via one of two site access options described below. The sliplining pipe would be inserted from the lower end of the pipe at manhole #4001, and run up to manhole #4002. Staging for the sliplining process would occur above the proposed project, within the 50-foot right of way between Porcupine Court and existing manhole #4002, and within the dewatered cofferdam (Figure 1).

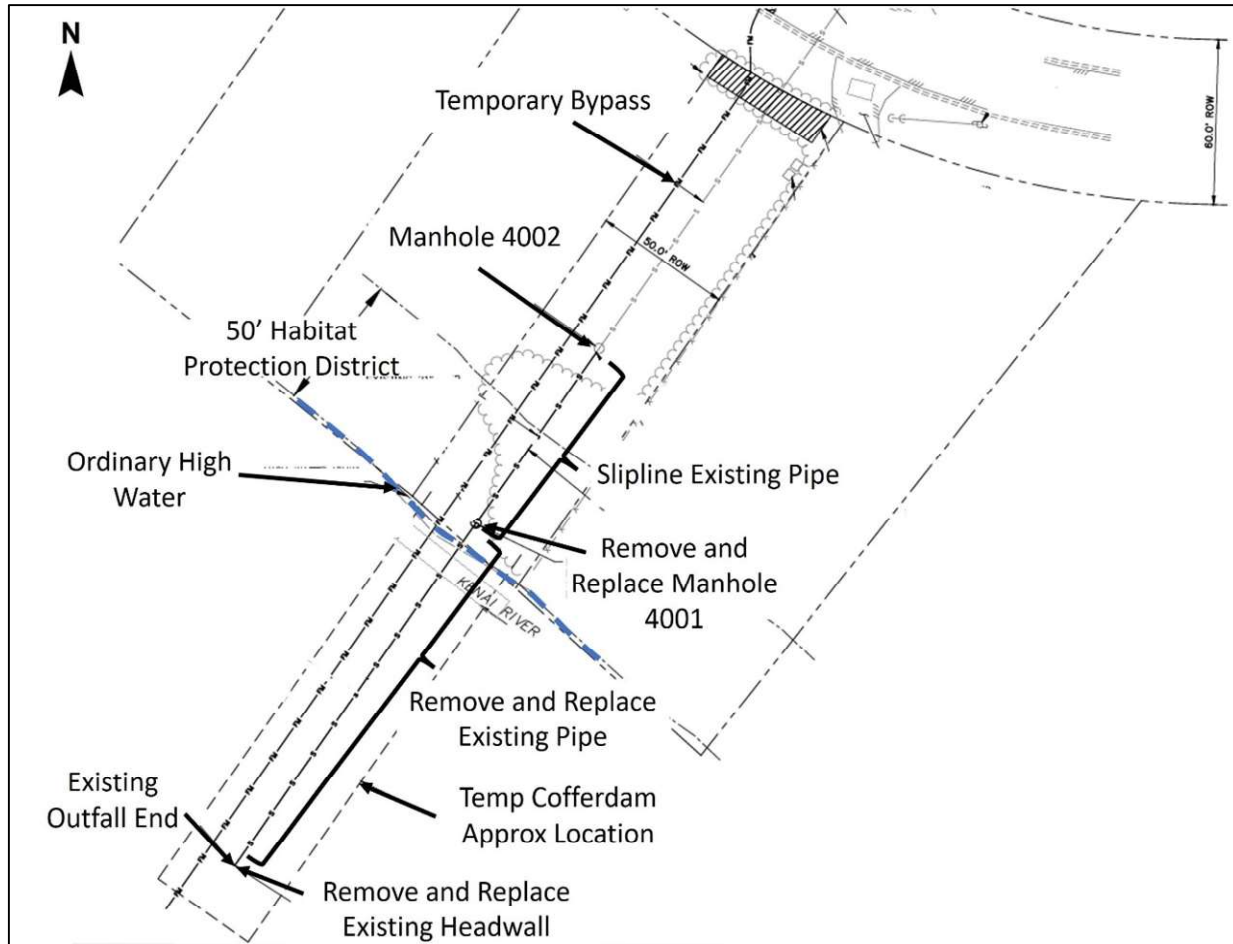
### **Outfall Pipe and Manhole Replacement**

Approximately 152 feet of the existing 21-inch-diameter pipe between manhole #4001 and the outfall within the Kenai River would be replaced with a new 18-inch-diameter HDPE pipe. An excavator would be used to remove the damaged portion of pipe, excavating approximately 284 cubic yards (cy) (2,160 square feet [sf]) of river bed to create a 14.2-foot-wide trench. The new outfall pipe would be secured to the river bed with 18-inch-long concrete anchors and a new headwall, similar to the existing design. The new outfall pipe would require approximately 272 cy (2,160 sf) of fill below ordinary high water (OHW) (Table 1).

Replacement of the manhole would involve excavation around the existing manhole, removal of the manhole, and installation of a new 48-inch Type A sewer manhole. The manhole replacement, along with approximately seven feet of the outfall pipe, would require approximately 45 cy (354 sf) of excavation and placement of 43 cy (354 sf) of fill above OHW (Table 1).

Excavation and placement of fill for the new outfall pipe would occur above and below OHW of the Kenai River. Excavation and placement of fill for the replacement of the manhole would occur above OHW. A portion of the project would occur within the Kenai Peninsula Borough 50-foot habitat protection area and within the Kenai River floodplain (Figure 1).

**Figure 1. Soldotna WWTF Outfall Rehabilitation Project Site Overview**



**Table 1. Soldotna WWTF Outfall Rehabilitation Project Excavation and Fill Quantities**

Action	Surface Area (ft <sup>2</sup> )	Volume (CY)
Above OHW		
Excavation above OHW	354	45
Fill above OHW	354	43
Below OHW		
Dredging below OHW	2,160	284
Fill below OHW	2,160	272

**Site Access Options**

There are three site access options for the proposed project:

- A barge would support construction activities by transporting an excavator and materials to the project site.
- A crane or winch, positioned near Porcupine Court within the outfall pipe easement, would be used to place the excavator and materials at the project site. The crane would remain upland of the project site, and would not be driven below OHW.

- A small boat launched from the Centennial Park Campground boat launch (approximately 3,000 feet downriver from the project site) or from the Swiftwater boat launch (approximately 2.5 miles upriver from the project site) would be used during placement of the cofferdam to maneuver the dam into place.

## Wetlands

According to the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapper, the proposed project would impact riverine habitat (R1UBV) along the Kenai River (USFWS 2023). Approximately 2,514 sf (315 cy) of fill placed for this project would occur above and below OHW. Fill would be placed above OHW during replacement of the manhole and for a small portion of the new outfall pipe (Table 1; Drawings: Sheet 5). The area above OHW is not mapped on the NWI mapper, but it appears to be made up of freshwater forested/shrub wetland or freshwater emergent wetland, similar to wetlands mapped in the vicinity of the project site. The proposed project involves replacing a previously permitted structure.

## Fish Habitat

The Kenai River is an anadromous stream listed in the ADF&G Anadromous Waters Catalog (AWC# 244-30-10010). All five species of Pacific salmon are found in the Kenai River (CHp, COp, COr, Ks, Kr Ps, Sp)<sup>1</sup> along with Dolly Varden, Pacific lamprey, eulachon, steelhead trout, and whitefish (ADF&G 2023). In-water work would impact fish and fish habitat through localized turbidity and the temporary placement of a cofferdam. An ADF&G Fish Habitat Permit would be required for impacts to the Kenai River during construction.

Due to the urgent need for repairs, construction would occur as soon as approvals are obtained and may result in unavoidable short-term impacts to fish. To minimize impacts to salmon, installation and removal of the outfall pipe would occur as much as possible between May 15 and July 15<sup>2</sup>. A screen would be used during dewatering of the cofferdam to protect anadromous fish that may be present.

To meet the purpose and need of this project, complete avoidance of floodplains, wetlands, and fish habitat is not possible. To minimize the impacts to these resources, the following measures would be implemented:

- Construction limits will be staked and clearly demarcated
- No stockpiles will be placed within wetland areas
- Water quality will be protected during construction through best management practices
- Natural vegetation will be retained wherever possible.
- The project uses the minimum amount of excavation and fill needed to conduct repairs to the WWTF outfall pipe.

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<sup>1</sup> CH=chum, CO=coho, K=Chinook, P=pink, S=sockeye; p=present, r=rearing, s=spawning

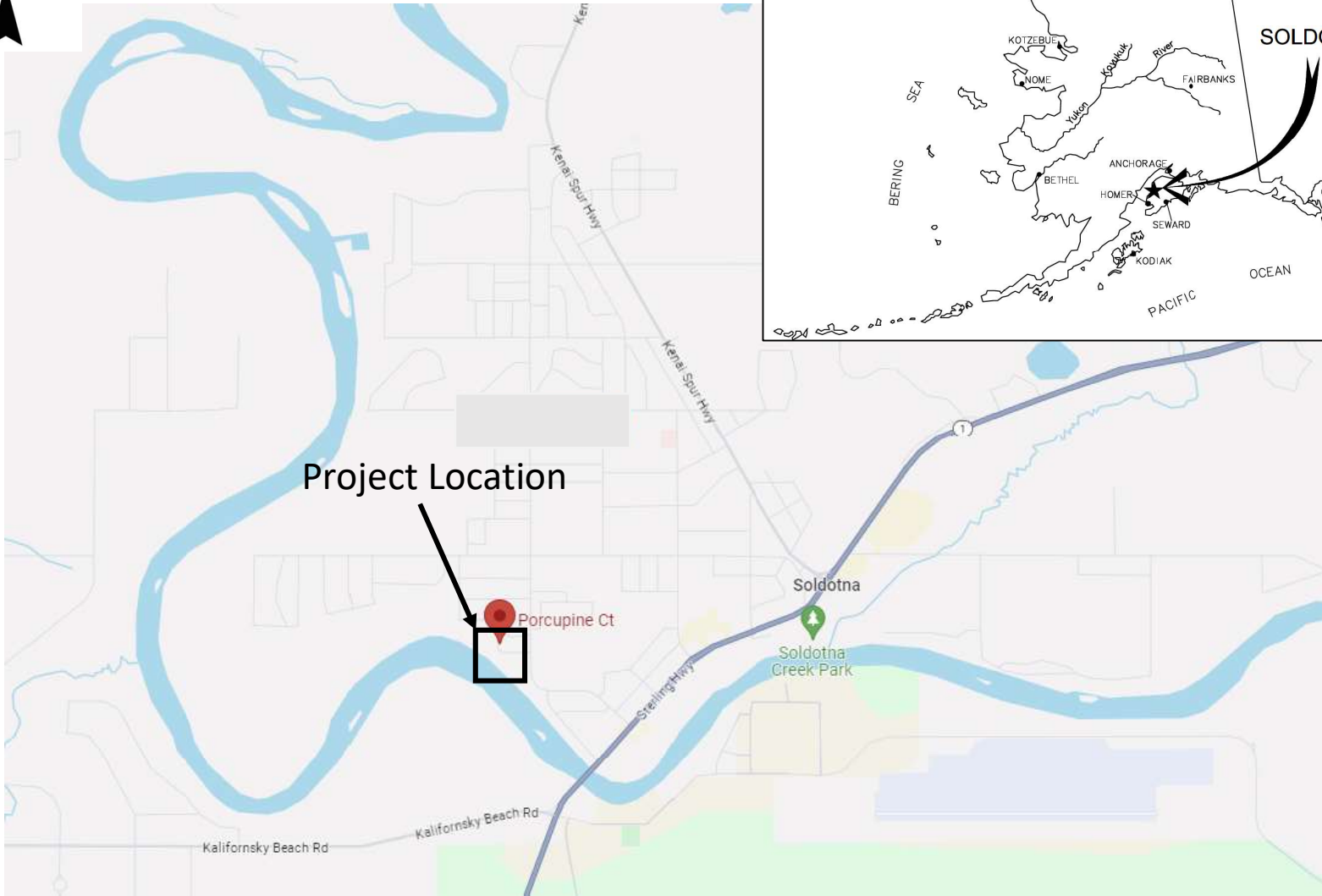
<sup>2</sup> Based on personal communication with Kaitlynn Cafferty, Habitat Biologist, ADF&G, on October 26, 2023.



## References

- Alaska Department of Fish and Game. 2023. Alaska Fish Resource Mapper. Accessed at <https://experience.arcgis.com/experience/1a4eb07b42ff4ebb8c71ba45adaedf0c/> on June 16, 2023.
- Alaska Division of Community and Regional Affairs. 2023. Soldotna. Accessed at <https://dced.maps.arcgis.com/apps/MapJournal/index.html?appid=1e993e279a224ea5b8ffe8134bc87ea9> on December 19, 2023.
- City of Soldotna. 2023. Wastewater Treatment Facility. Accessed at <https://www.soldotna.org/departments/utilities/waste-water-treatment> on June 16, 2023.
- McLean, R.F. 1998. Water Intake Structures: An Alternative to Traditional Screened-Box Enclosures for the Protection of Fish. Technical Report No. 97-8. Alaska Department of Fish and Game. Accessed at [https://www.adfg.alaska.gov/static/license/uselicense/pdfs/97\\_08.pdf](https://www.adfg.alaska.gov/static/license/uselicense/pdfs/97_08.pdf) on August 14, 2023.
- United States Fish and Wildlife Service. 2023. National Wetlands Inventory. Accessed at <https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper> on October 31, 2023.

# Project Drawings



Project Location

Porcupine Ct

Soldotna

Soldotna Creek Park

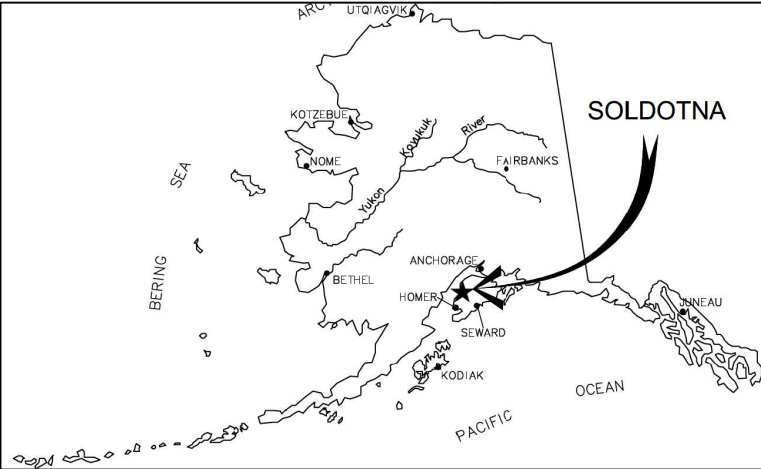
Kalifornsky Beach Rd

Kalifornsky Beach Rd

Stirling Hwy

Kenai Spur Hwy

Ken

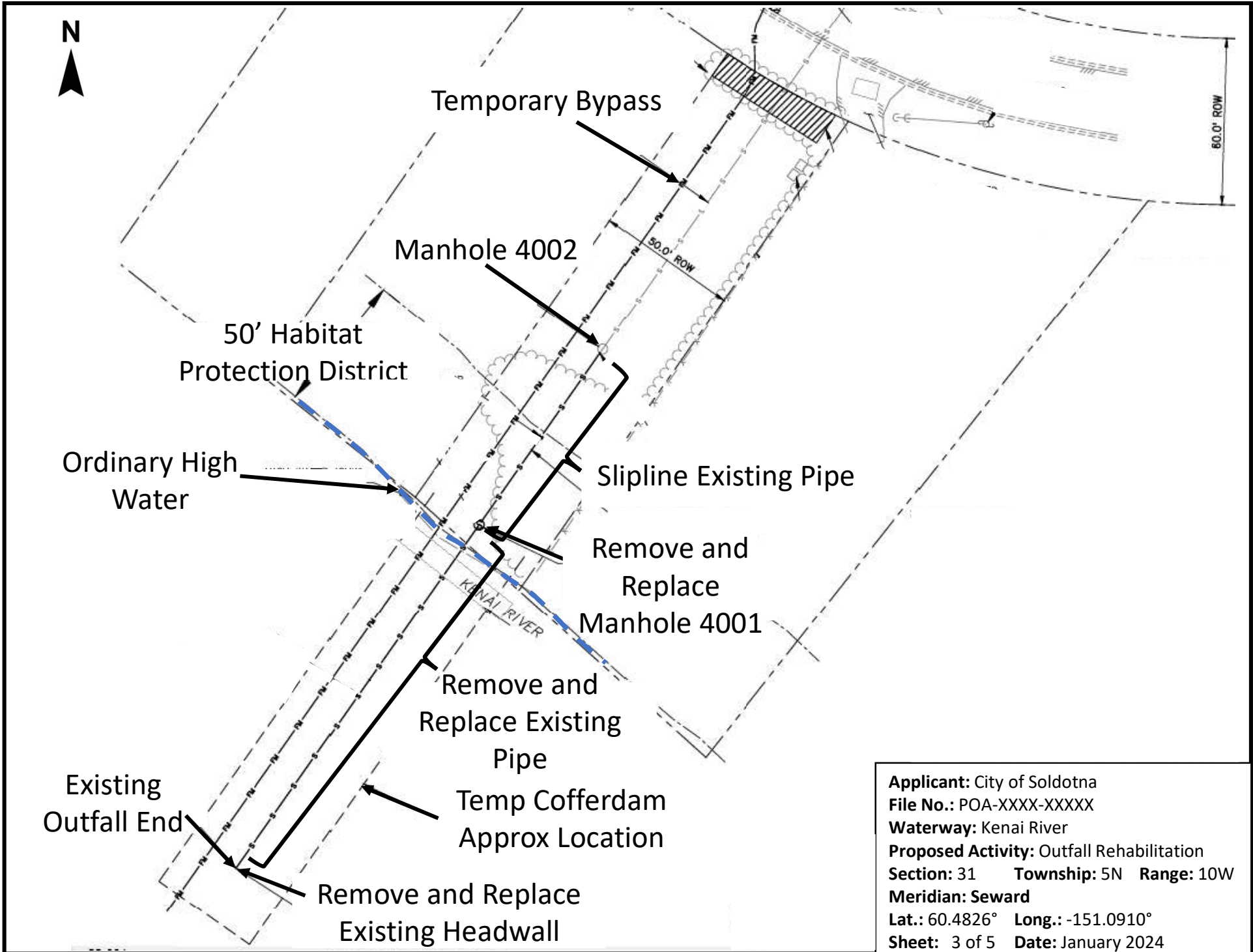


SOLDOTNA

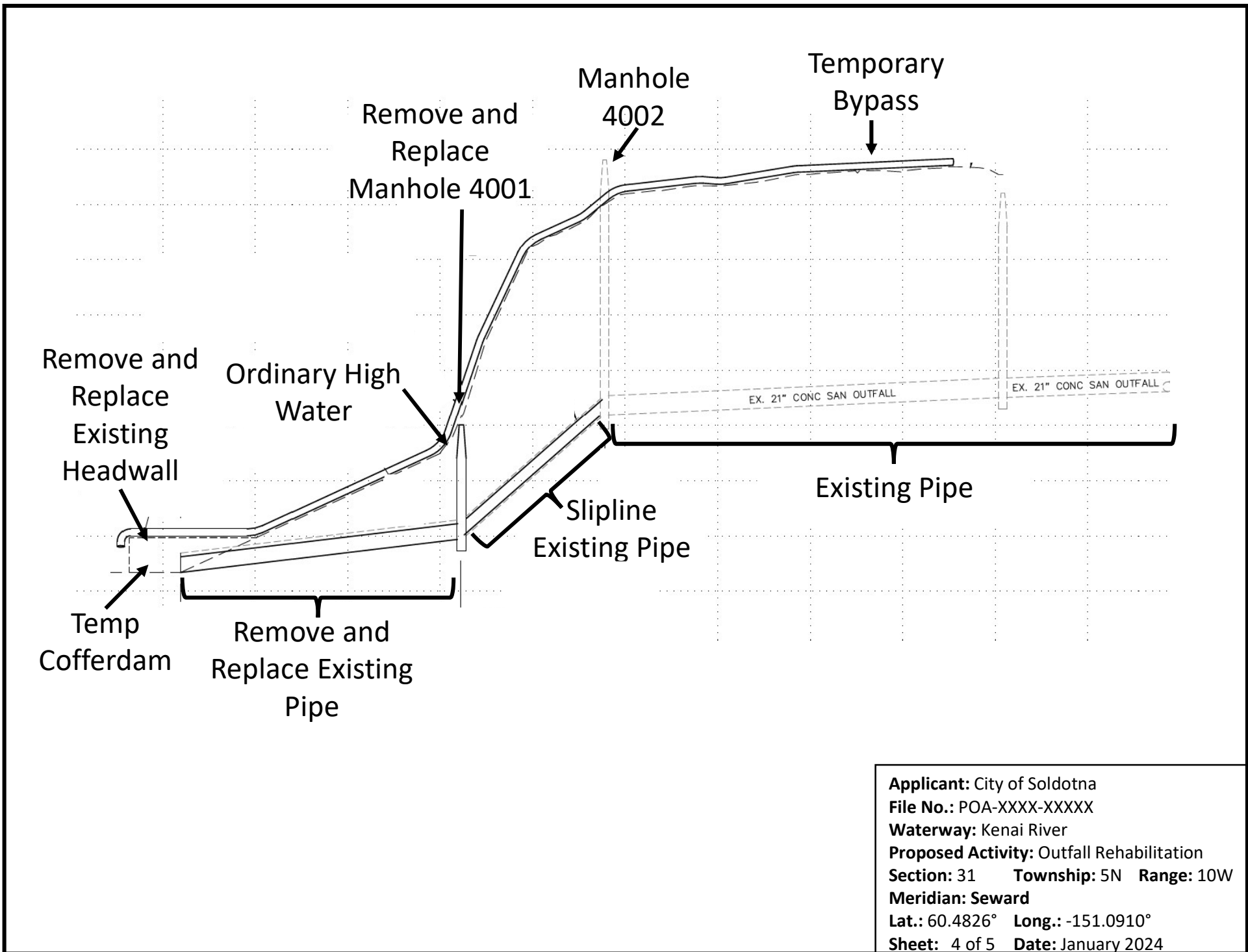
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**Waterway:** Kenai River  
**Proposed Activity:** Outfall Rehabilitation  
**Section:** 31    **Township:** 5N    **Range:** 10W  
**Meridian:** Seward  
**Lat.:** 60.4826°    **Long.:** -151.0910°  
**Sheet:** 1 of 5    **Date:** January 2024



**Applicant:** City of Soldotna  
**File No.:** POA-XXXX-XXXX  
**Waterway:** Kenai River  
**Proposed Activity:** Outfall Rehabilitation  
**Section:** 31    **Township:** 5N    **Range:** 10W  
**Meridian:** Seward  
**Lat.:** 60.4826°    **Long.:** -151.0910°  
**Sheet:** 2 of 5    **Date:** January 2024

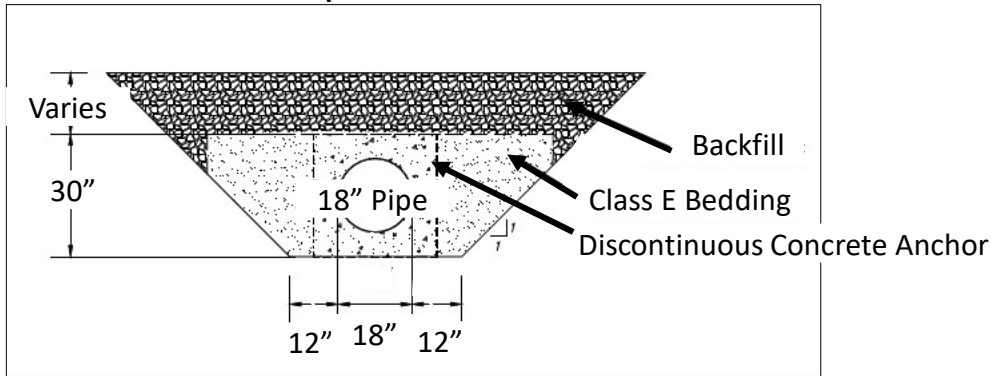


**Applicant:** City of Soldotna  
**File No.:** POA-XXXX-XXXX  
**Waterway:** Kenai River  
**Proposed Activity:** Outfall Rehabilitation  
**Section:** 31    **Township:** 5N    **Range:** 10W  
**Meridian:** Seward  
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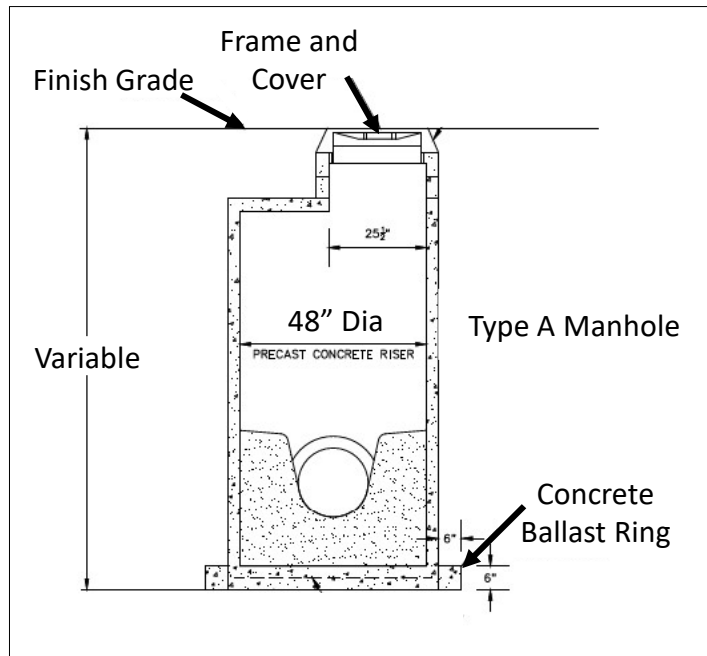


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**File No.:** POA-XXXX-XXXXX  
**Waterway:** Kenai River  
**Proposed Activity:** Outfall Rehabilitation  
**Section:** 31    **Township:** 5N    **Range:** 10W  
**Meridian:** Seward  
**Lat.:** 60.4826°    **Long.:** -151.0910°  
**Sheet:** 4 of 5    **Date:** January 2024

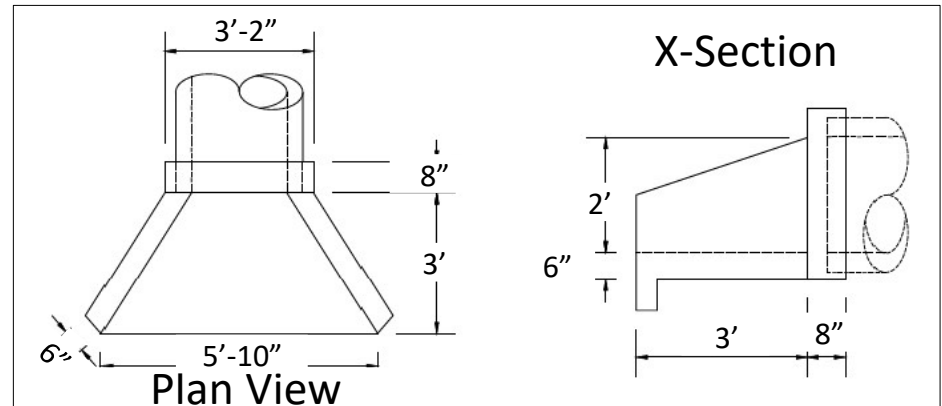
### New Pipe Trench Detail



### New Manhole 4001 Detail



### New Headwall Detail



**Applicant:** City of Soldotna  
**File No.:** POA-XXXX-XXXXX  
**Waterway:** Kenai River  
**Proposed Activity:** Outfall Rehabilitation  
**Section:** 31 **Township:** 5N **Range:** 10W  
**Meridian:** Seward  
**Lat.:** 60.4826° **Long.:** -151.0910°  
**Sheet:** 5 of 5 **Date:** January 2024

# Project Plan Set



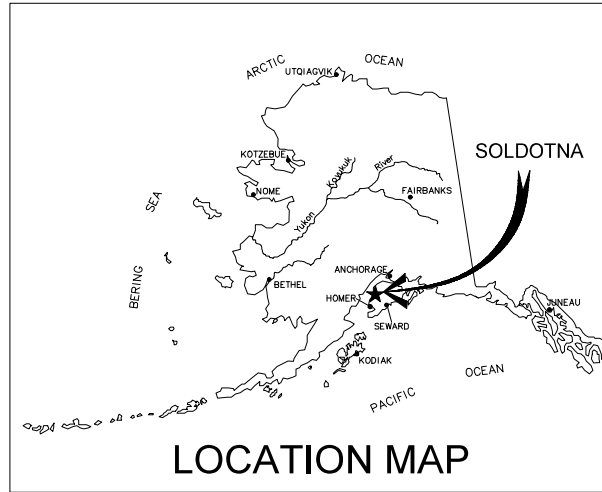


# CITY OF SOLDOTNA

## SOLDOTNA WWTF OUTFALL REHABILITATION



SOLDOTNA  
City of Soldotna, Alaska



SHEET INDEX	
SHEET NO.	SUBJECT
1	COVER AND SHEET INDEX
2	GENERAL NOTES, LEGEND, AND ABBREVIATIONS
3	SURVEY CONTROL
4	SITE PLAN
5	PLAN AND PROFILE OF OUTFALL
6	TRENCH DETAILS
7	BYPASS DETAILS



NOT FOR CONSTRUCTION

PROJECT NO.	CITY GRID	WATER GRID	SEWER GRID

CITY OF SOLDOTNA  
SOLDOTNA WWTF OUTFALL REHABILITATION  
COVER AND SHEET INDEX  
DATE: DECEMBER 2023

NO.	DATE	BY	DESCRIPTION	REVISION

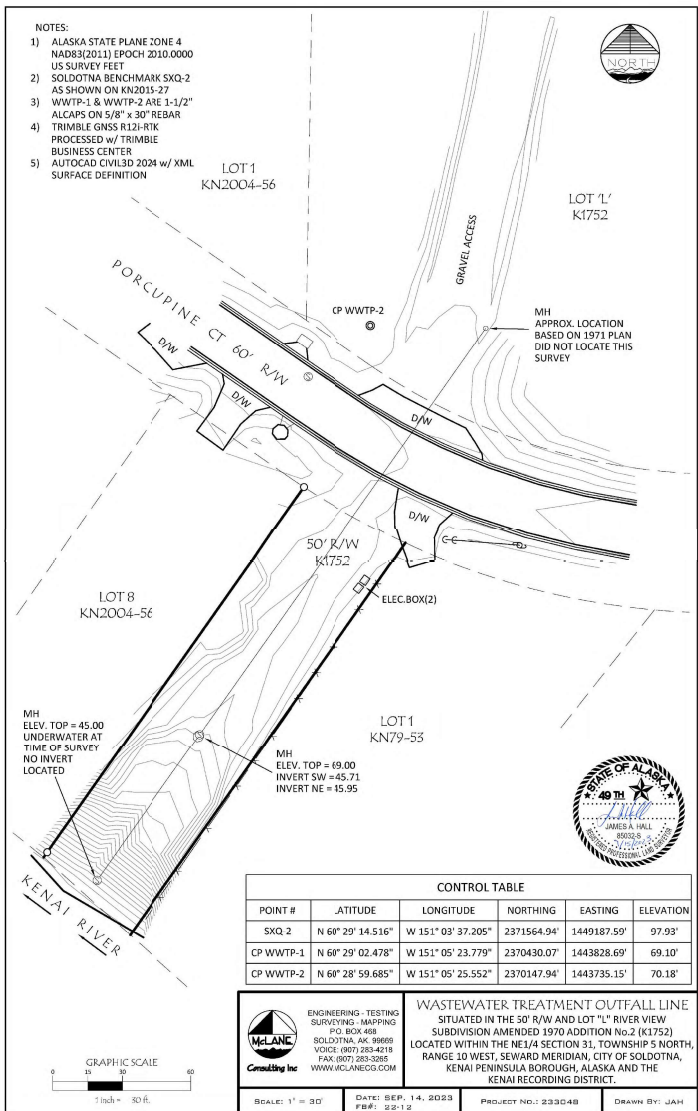
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DRAWN BY	
CHECKED BY	
APPROVED BY	

SHEET NO. **1**

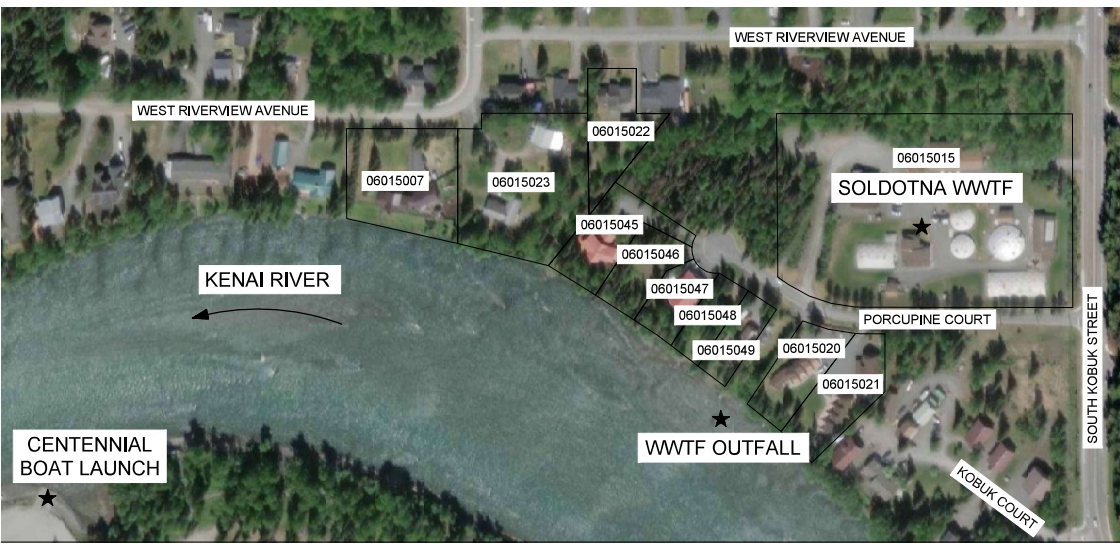
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File: J:\Vestdotna\22001-05 Soldotna WWTP Outfall Rehabilitation\05\_CADD\01\_Working\_S4\1\05\_General\22001-05\_Survey\_Control.dwg PLOT DATE: 12/07/2023 2:22 PM



### VICINITY MAP



Parcel ID	Address	Owner Name
06015015	215 S KOBUK ST	City of Soldotna
06015020	347 PORCUPINE CT	IBW LLC
06015007	415 W RIVERVIEW AVE	Gary & Cheri Odens
06015047	359 PORCUPINE CT	Gloria Adkins-Lindhartsen
06015046	363 PORCUPINE CT	Mavis Blazy
06015021	343 PORCUPINE CT	IBW LLC
06015045	367 PORCUPINE CT	Eldon Paul Mulder
06015022	375 W RIVERVIEW AVE	Bruce & Karen Vadla
06015049	351 PORCUPINE CT	Guy & Judith Hayes
06015048	355 PORCUPINE CT	Guy & Judith Hayes
06015023	399 W RIVERVIEW AVE	Bruce & Karen Vadla



NOT FOR CONSTRUCTION

PROJECT NO.	CITY GRID	WATER GRID	SEWER GRID

CITY OF SOLDOTNA  
**SOLDOTNA WWTF OUTFALL  
 REHABILITATION**  
 SURVEY CONTROL

STATUS: \_\_\_\_\_ DATE: DECEMBER 2023

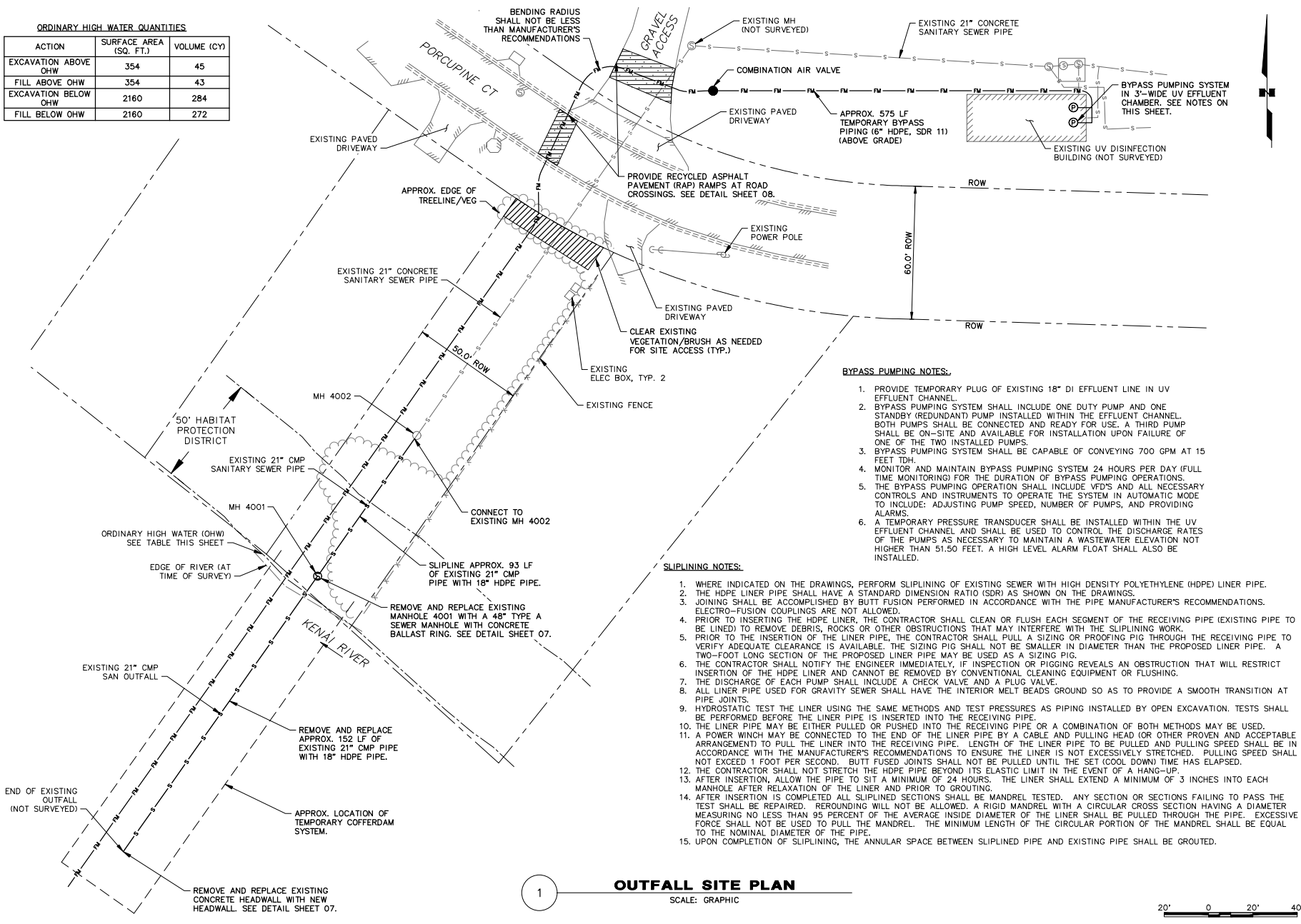
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 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_

SHEET NO. **3**

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ORDINARY HIGH WATER QUANTITIES		
ACTION	SURFACE AREA (SQ. FT.)	VOLUME (CY)
EXCAVATION ABOVE OHW	354	45
FILL ABOVE OHW	354	43
EXCAVATION BELOW OHW	2160	284
FILL BELOW OHW	2160	272





**CRW**  
ENGINEERING GROUP  
INC. LICENSE NO. 001,000  
PHYSICAL ADDRESS:  
10000 N. 100TH AVE., SUITE 100  
DENVER, CO 80231

NOT FOR CONSTRUCTION

PROJECT NO.	CITY GRID	WATER GRID	SEWER GRID

CITY OF SOLDOTNA  
**SOLDOTNA WWTF OUTFALL  
REHABILITATION**  
SITE PLAN

DATE: DECEMBER 2023

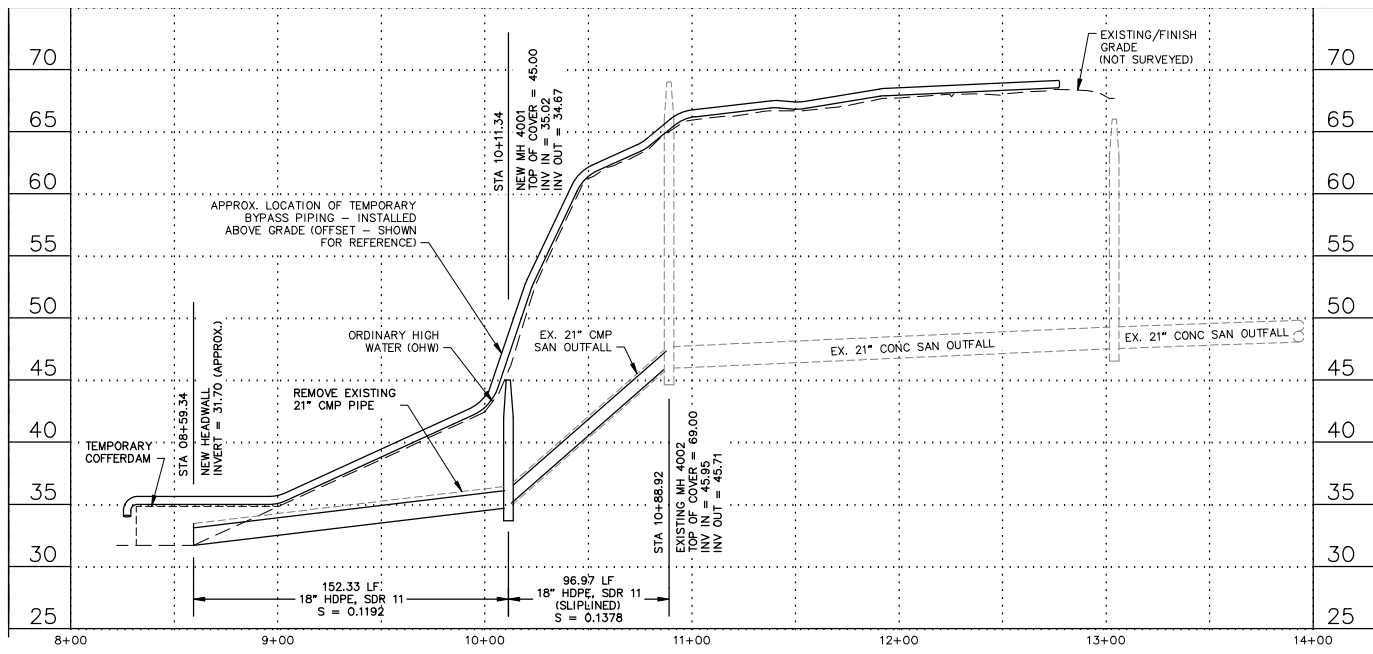
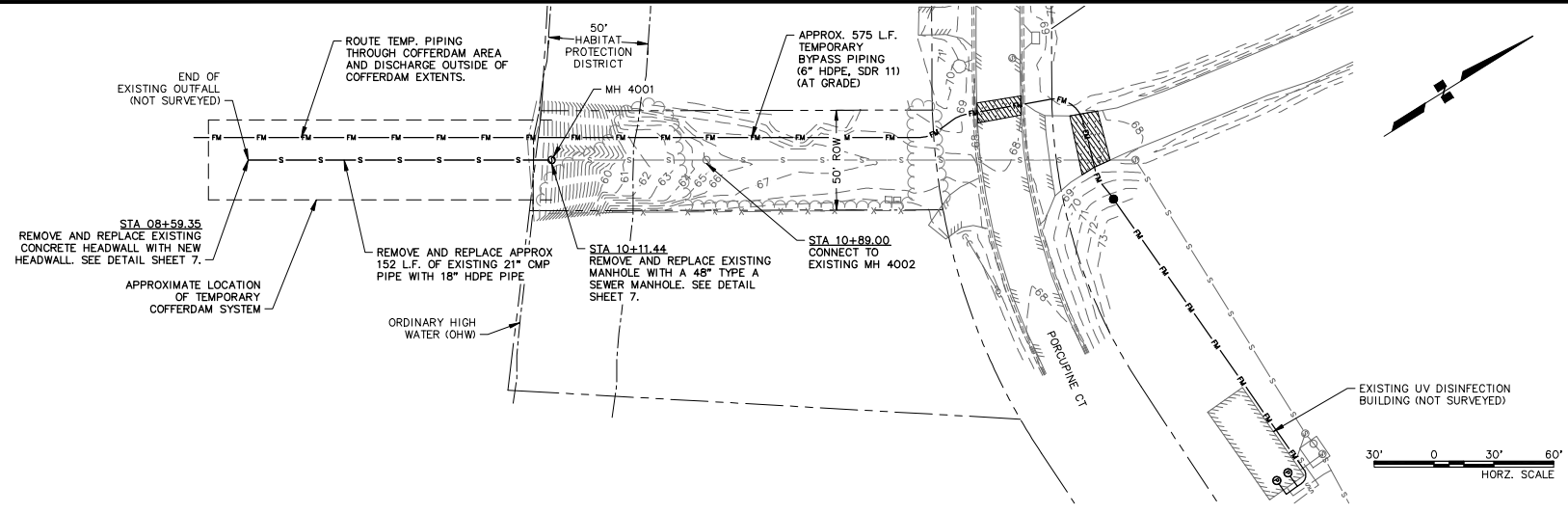
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SHEET NO. **4**

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1

**OUTFALL PLAN & PROFILE**



NOT FOR CONSTRUCTION

PROJECT NO.	CITY GRID	WATER GRID	SEWER GRID

CITY OF SOLDOTNA  
**SOLDOTNA WWTF OUTFALL  
 REHABILITATION**  
 PLAN AND PROFILE OF OUTFALL

REV	DATE	DESCRIPTION	REVISION

SCALE HOR. 1"=30' VER. 1"=5'	DESIGNED BY	CHECKED BY	APPROVED BY
SHEET NO.	5		

STATUS: \_\_\_\_\_ DATE: DECEMBER 2023

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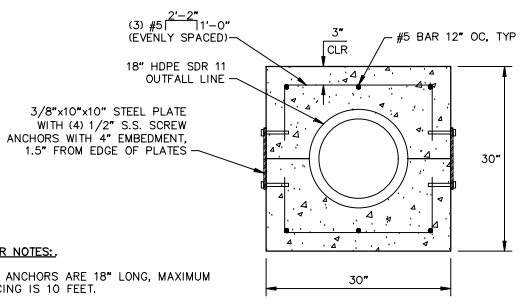
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CITY OF SOLDOTNA  
SOLDOTNA WWTF OUTFALL  
REHABILITATION  
TRENCH DETAILS

DATE: DECEMBER 2023  
STATUS: \_\_\_\_\_

NO.	DATE	DESCRIPTION	BY	REVISION

**6**

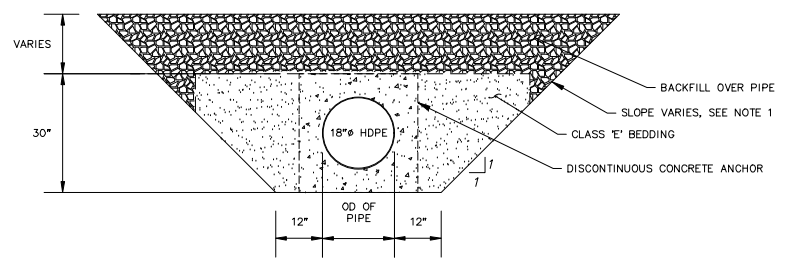


**PIPE ANCHOR NOTES:**

1. PIPE ANCHORS ARE 18" LONG, MAXIMUM SPACING IS 10 FEET.

**1 CONCRETE PIPE ANCHOR DETAIL**

SCALE: NTS

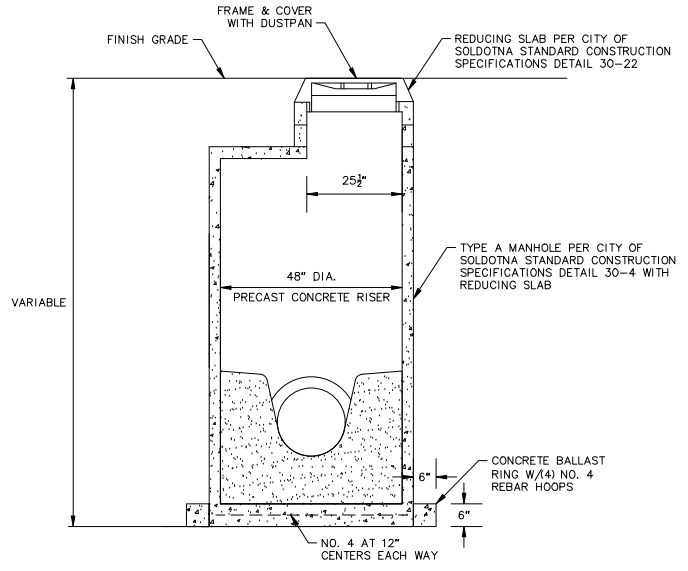


**TRENCH NOTES:**

1. TRENCH WALL SLOPES WILL VARY WITH SOIL STRENGTH AND CHARACTER. SLOPES SHALL CONFORM TO OSHA SAFETY STANDARDS.
2. COMPACT TRENCH BACKFILL TO A MINIMUM OF 95% MAXIMUM DENSITY.

**3 TYPICAL TRENCH DETAIL**

SCALE: NTS

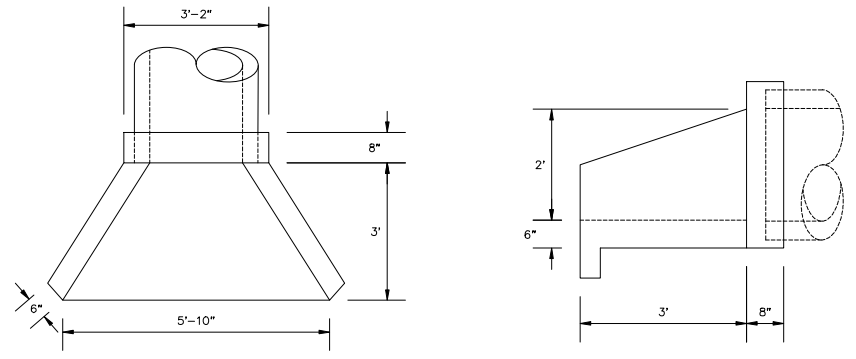


**MANHOLE NOTES:**

1. ALL MANHOLE SECTIONS SHALL CONFORM TO ASTM C-478-69.

**2 STANDARD M.H. TYPE A WITH REDUCING SLAB AND CONCRETE BALLAST RING**

SCALE: NTS

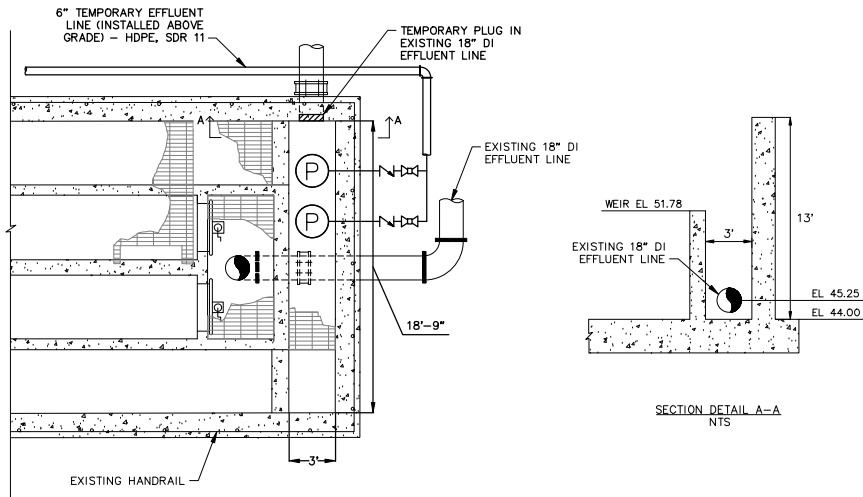


**HEADWALL NOTES:**

1. CONCRETE WILL BE CLASS II CONCRETE WITH DESIGN STRENGTH OF 4500 PSI AT 28 DAYS. UNIT IS OF MONOLITHIC CONSTRUCTION INCLUDING WALLS AND FLOOR.
2. REINFORCEMENT WILL BE GRADE 60 REINFORCED. NO. 4 STEEL REBAR TO CONFORM TO ASTM A615 ON REQUIRED CENTERS OR EQUAL. BAR BENDING AND PLACEMENT SHALL WITH THE LATEST ACI STANDARDS.
3. PRECAST CONCRETE HEADWALL SHALL BE PARK USA HWBS OR EQUAL.

**4 CONCRETE HEADWALL DETAIL**

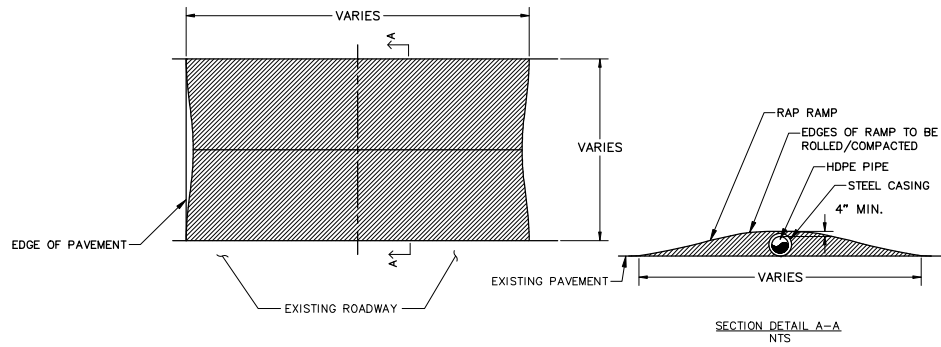
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**BYPASS PUMPING NOTES:**

1. TEMPORARILY PLUG EXISTING 18" DI EFFLUENT LINE IN UV EFFLUENT CHANNEL.
2. BYPASS PUMPING SYSTEM SHALL INCLUDE ONE DUTY PUMP AND ONE STANDBY (REDUNDANT) PUMP INSTALLED WITHIN THE EFFLUENT CHANNEL. BOTH PUMPS SHALL BE CONNECTED AND READY FOR USE. A THIRD PUMP SHALL BE ON-SITE AND AVAILABLE FOR INSTALLATION UPON FAILURE OF ONE OF THE TWO INSTALLED PUMPS.
3. BYPASS PUMPING SYSTEM SHALL BE CAPABLE OF CONVEYING 700 GPM AT 15 FEET TDH.
4. THE BYPASS PUMPING OPERATION SHALL INCLUDE VFD'S AND ALL NECESSARY CONTROLS AND INSTRUMENTS TO OPERATE THE SYSTEM IN AUTOMATIC MODE TO INCLUDE: ADJUSTING PUMP SPEED, NUMBER OF PUMPS, AND PROVIDING ALARMS.
5. A TEMPORARY PRESSURE TRANSDUCER SHALL BE INSTALLED WITHIN THE UV EFFLUENT CHANNEL AND SHALL BE USED TO CONTROL THE DISCHARGE RATES OF THE PUMPS AS NECESSARY TO MAINTAIN A WASTEWATER ELEVATION NOT HIGHER THAN 51.50 FEET. A HIGH LEVEL ALARM FLOAT SHALL ALSO BE INSTALLED.

1 **EXISTING UV DISINFECTION EFFLUENT CHANNEL PLAN & SECTION**  
SCALE: 1/4" = 1'



2 **RECYCLED ASPHALT PAVEMENT (RAP) RAMP**  
SCALE: NTS



NOT FOR CONSTRUCTION

PROJECT NO.	CITY GRID	WATER GRID	SEWER GRID

CITY OF SOLDOTNA  
**SOLDOTNA WWTF OUTFALL  
REHABILITATION**  
BYPASS DETAILS

DATE: DECEMBER 2023

STATUS: \_\_\_\_\_

REV	DATE	DESCRIPTION	REVISION	BY

SCALE	NO. OF SHEETS	DESIGNED BY	CHECKED BY	APPROVED BY

SHEET NO. **7**

File: J:\soldera\2201\00 Soldotna WWTF Outfall Rehabilitation\00 CAD\01 Work\SA\01 DWG\220100 Detail.dwg PLOT DATE: 12/18/2023 2:21 PM



Project Overview and Vicinity Map



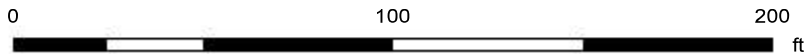
**City of Soldotna Wastewater**

 Project Area

**Vicinity**



Map created by Aldridge, Morgan



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





Project Area

Text



Points



Multipoints



Polylines



Polygons



Tax Parcels



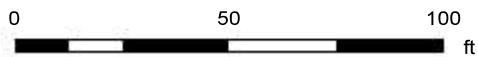
Landcover Features

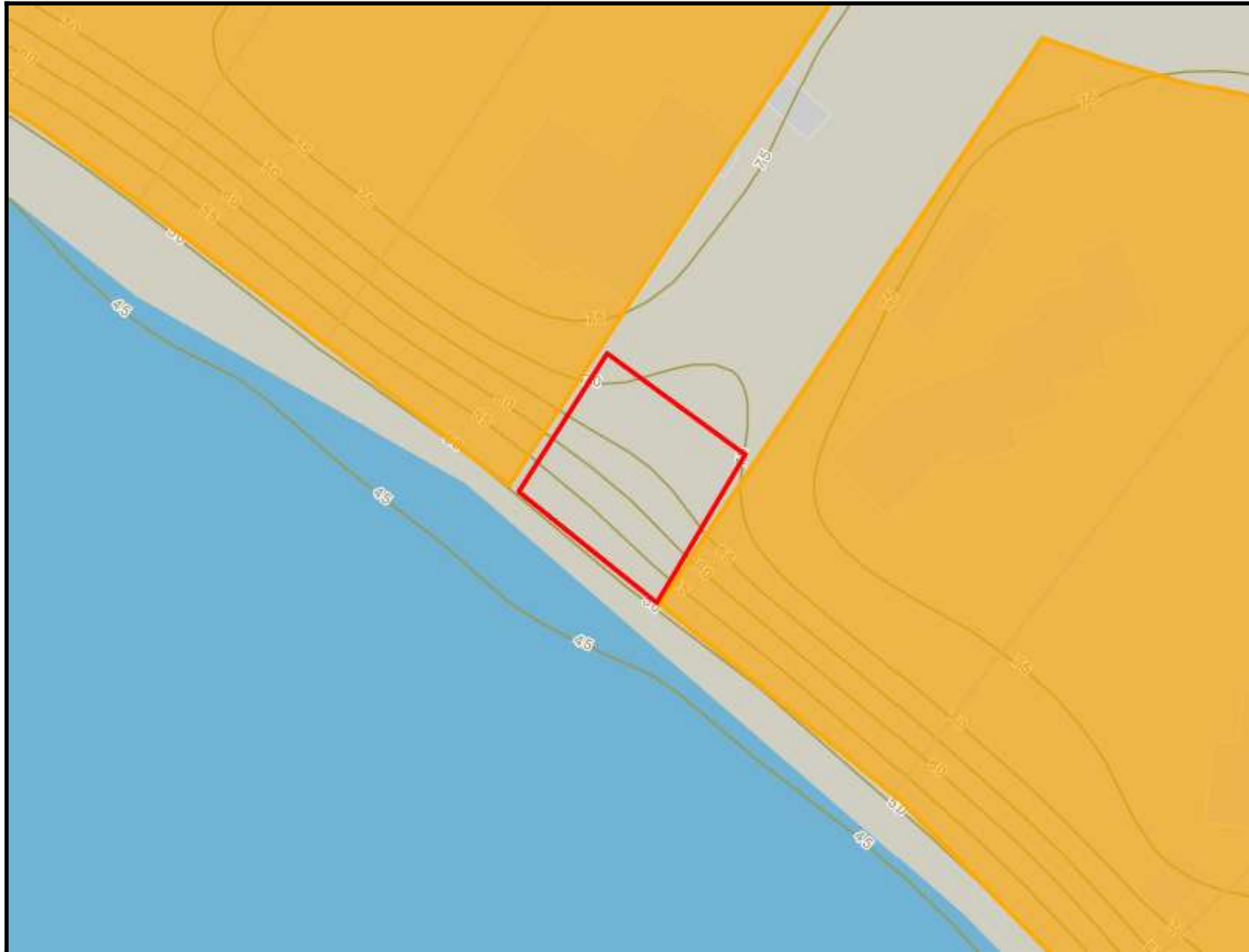
KWF Wetlands Assessment

- DISTURB
- Depression
- Discharge Slope
- Drainageway
- Floating Island
- Headwater Fen
- Kettle
- LAKE
- Lakebed
- Late Snow Plateau
- Riverine
- Tidal
- Wetland / Upland

Map created by Aldridge, Morga

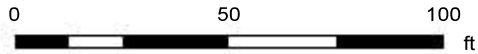
Thursday, January 25, 2024

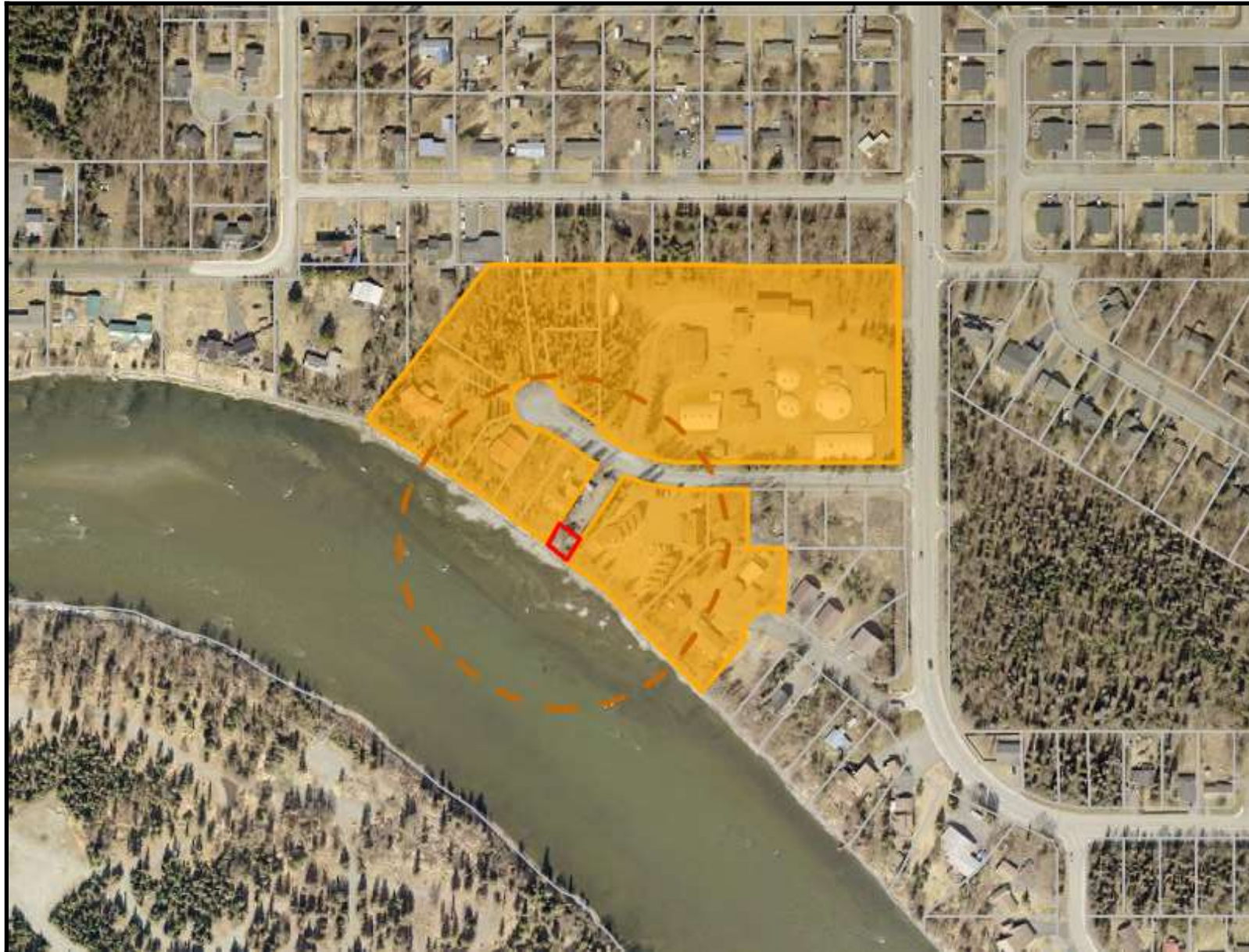




- Project Area
- Text
  -
- Points
  -
- Multipoints
  -
- Polylines
  -
- Polygons
  -
- Tax Parcels
  -

Map created by Aldridge, Morga  
Thursday, January 25, 2024





 Project Area

Text



Points



Multipoints



Polylines



Polygons

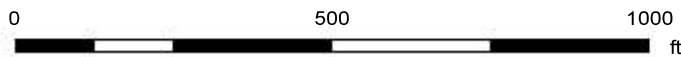


Tax Parcels



Map created by Aldridge, Morga

Thursday, January 25, 2024





# Donald E. Gilman River Center

514 Funny River Road, Soldotna, Alaska 99669 • (907) 714-2460 • (907) 260-5992 Fax

*A Division of the Planning Department*

Peter A. Micciche  
Borough Mayor

## KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

The Kenai Peninsula Borough received an application for a Conditional Use Permit under KPB 21.18.081 for a project within the 50-foot Habitat Protection District (HPD) of the Kenai River. This project has been scheduled for a public hearing before the Kenai Peninsula Borough Planning Commission.

### **Why are you receiving this notice?**

Per code, property owners within 300 feet of the proposed project must receive notice of the public hearing. This project is located on a City Right of Way on Porcupine Court within the City of Soldotna, Alaska. Our records indicate that you are a property owner within 300 feet of the project.

### **Project Description:**

The City of Soldotna is requesting to repair and replace a portion of a wastewater treatment line and a man hole within the 50-foot HPD of the Kenai River.

### **How can you look at the application?**

The meeting packet will be posted the week prior to the meeting. Once it has been posted it can be viewed at <https://kpb.legistar.com/Calendar>.

### **How do you attend the Planning Commission meeting?**

- When:** Monday, February 12, 2024 at 7:30 p.m.  
**Where:** This meeting will be held in the Betty Glick Assembly Chambers at the George Navarre Building located at 144 N Binkley St and also electronically via Zoom.  
**Zoom:** Meeting ID 907 714 2200  
<https://us06web.zoom.us/j/9077142200>  
 1-888-788-0099 or 1-877-853-5247

### **How do I comment on the project?**

You can provide verbal comment at the meeting (see information above). You may also submit written comments. **Written comments must be received by 1:00 pm Friday, February 9, 2024.**

Mail comments to:  
Donald E. Gilman River Center  
514 Funny River Road  
Soldotna, Alaska 99669

Email comments to:  
[KenaiRivCenter@kpb.us](mailto:KenaiRivCenter@kpb.us)

For additional information, please contact Morgan Aldridge at [maldridge@kpb.us](mailto:maldridge@kpb.us) or (907) 714-2465.

**Conditional Use Permit  
Anadromous Waters Habitat Protection District  
Staff Report**

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<b>KPB File No.</b>	<b>2024-03</b>
<b>Planning Commission Meeting:</b>	<b>February 12, 2024</b>
<b>Applicant</b>	<b>City of Soldotna</b>
<b>Mailing Address</b>	<b>328 Porcupine Ct Soldotna, AK 99669</b>
<b>Location Description</b>	<b>City of Soldotna right of way on Porcupine CT</b>

**Project Description**

A Conditional Use Permit is sought pursuant to KPB 21.18 for the repair and maintenance of a water line and manhole within the 50-foot Habitat Protection District of the Kenai River, as established in KPB 21.18.040.

**Background Information**

The City of Soldotna is planning to repair and partially replace a failing outfall pipe and manhole that is currently not accurately reporting effluent discharge into the Kenai River due to a partial collapse of the line and backflow of water out of the manhole.

**Project Details within the 50-foot Habitat Protection District**

1. Slip-line 40 feet of the existing pipe for repair
2. Replace 8 feet of 21 inch pipe with 18 inch pipe between the manhole and the outfall
3. Remove and replace existing manhole with new 48 inch type A sewer manhole
4. Excavate about 45 cubic yards of materials and place 43 cubic yards of fill during the manhole replacement
5. Temporary placement of approximately 20 foot total of cofferdam and 50 feet of 6 inch bypass line- to be removed upon completion of project
6. Minimal removal of vegetative material

**Findings of fact pursuant to KPB 21.18.081 Conditional Use Permit**

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(5), construction of transportation and utility infrastructure may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. The water line needs repair in order to adequately function and meet standards for wastewater outfall.

7. The man hole and water line were installed in 1972 and are damaged, necessitating repair so that the facility can continue to service the 4,000 members of the City of Soldotna.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:
 

*"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."*
10. The River Center found the application complete and scheduled a public hearing for February 12, 2024.
11. The City of Soldotna Planning Commission reviewed this project at their February 7, 2024 meeting.
12. Agency review was distributed on January 31, 2024. No comments or objections have been received from resource agencies to date.
13. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on January 24, 2024. A total of 11 mailings were sent.
14. Pursuant to KPB 21.11.020, public notice was published in the Peninsula Clarion on January 31, 2024 and February 7, 2024.
15. The applicant is currently in compliance with Borough permits and ordinances.

### **Permit Conditions**

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Kenai River.
2. The outfall pipe and manhole must be designed and installed to meet KPB floodplain requirements, however this project falls within the Soldotna City Limits, and the City does not participate in the National Flood Insurance Program, so no floodplain permit is required.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.

12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

**General Standards**

**Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:**

- 1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1, 3-4 appear to support this standard.**
- 2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Condition 11 and Findings 1-2 appear to support this standard.**
- 3. The development of the use or structure shall not physically damage the adjoining property; **Finding 8 appears to support this standard.**
- 4. The proposed use or structure is water-dependent; **Finding 9 appears to support this standard.**
- 5. Applicant’s or owner’s compliance with other borough permits and ordinance requirements; **Finding 14 appears to support this standard.**

**Attachments**

Multi-Agency Application  
Draft Resolution 2024-03

**Recommendation**

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2024-03.

**Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.**

**END OF STAFF REPORT**

**KENAI PENINSULA BOROUGH PLANNING COMMISSION**

**RESOLUTION 2024-03**

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR THE CONSTRUCTION OF UTILITY LINE WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT OF THE KENAI RIVER.**

- WHEREAS,** Chapter 21.18 provides for the approval of Conditional Use Permits for certain activities within the habitat protection district; and
- WHEREAS,** KPB 21.18.081 provides that a conditional use permit is required for construction not meeting the standards of KPB 21.18.071; and
- WHEREAS,** KPB 21.18.091 provides for mitigation measures by the planning department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and
- WHEREAS,** an application to repair and replace a water line and manhole within the 50-foot habitat protection district was received on January 4, 2024; and
- WHEREAS,** this application was reviewed by the City of Soldotna Planning Commission at their February 7, 2024 meeting and \_\_\_\_\_; and
- WHEREAS,** public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in Section 21.11.030; and
- WHEREAS,** public notice was published in the Peninsula Clarion on January 31, 2024 and February 7, 2024 as provided in Section 21.11.020; and
- WHEREAS,** a public hearing was held at the February 12, 2024 meeting of the Kenai Peninsula Borough Planning Commission;

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

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

**Section 1. Project Details Within the 50-foot Habitat Protection District**

1. Slip-line 40 feet of the existing pipe for repair
2. Replace 8 feet of 21 inch pipe with 18 inch pipe between the manhole and the outfall
3. Remove and replace existing manhole with new 48 inch type A sewer manhole
4. Excavate about 45 cubic yards of materials and place 43 cubic yards of fill during the manhole replacement
5. Temporary placement of approximately 20 foot total of cofferdam and 50 feet of 6 inch bypass line- to be removed upon completion of project
6. Minimal removal of vegetative material

**Section 2. Findings of fact pursuant to KPB 21.18.081**



1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(5), construction of public transportation and utility infrastructure may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. The water line needs repair in order to adequately function and meet standards for wastewater outfall.
7. The man hole and water line were installed in 1972 and are damaged, necessitating repair so that the facility can continue to service the 4,000 members of the City of Soldotna.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:  
*"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."*
10. The River Center found the application complete and scheduled a public hearing for February 12, 2024
11. The City of Soldotna Planning Commission reviewed this project at their February 7, 2024 meeting.
12. Agency review was distributed on January 31, 2024. No comments or objections have been received from resource agencies to date.
13. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on January 24, 2024. A total of 11 mailings were sent.
14. Pursuant to KPB 21.11.020, public notice was published in the Peninsula Clarion on January 31, 2024 and February 7, 2024.
15. The applicant is currently in compliance with Borough permits and ordinances.

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

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Kenai River.
2. The outfall pipe and manhole must be designed and installed to meet KPB floodplain requirements, however this project falls within the Soldotna City Limits, and the City does not participate in the National Flood Insurance Program, so no floodplain permit is required.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.

6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

**Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:**

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1, 3-4 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Condition 11 and Findings 1-2 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Finding 8 appears to support this standard.**
4. The proposed use or structure is water-dependent; **Finding 9 appears to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Finding 14 appears to support this standard.**

THIS CONDITIONAL USE PERMIT EFFECTIVE ON \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Jeremy Brantley, Chairperson  
Planning Commission

ATTEST:

\_\_\_\_\_  
Ann Shirnberg  
Administrative Assistant

**Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.**

# **DESK PACKET**

**(MATERIALS SUBMITTED AFTER MEETING PACKET PUBLICATION)**

## **E. NEW BUSINESS**

- 1. Conditional Use Permit: PC Resolution 2024-03**  
**Applicant: City of Soldotna**  
**Request: Repair and replace a portion of a wastewater treatment line and a manhole with the 50-foot Habitat Protection District of the Kenai River**  
**City of Soldotna**

Date: February 7, 2024  
Public Hearing: February 7, 2024  
Action: PASSED  
Vote: 7 Yes, 0 No, 0 Absent

CITY OF SOLDOTNA  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ 2024-006

GRANTING APPROVAL OF A CONDITIONAL USE PERMIT  
FOR THE REPAIR OF THE SOLDOTNA WASTEWATER TREATMENT FACILITY OUTFALL  
PIPE NEAR 328 PORCUPINE CT

WHEREAS, On January 16, 2024, Solstice Alaska Consulting, Inc. submitted an application on behalf of the City of Soldotna for a conditional use permit to allow the clearing of vegetation, excavation, demolition and installation of a new outfall pipe and manhole within the right-of-way (ROW) that connects the treatment plant with the Kenai River; and

WHEREAS, this unnamed ROW extends approximately 250 feet from the Kenai River, across Porcupine Ct, to the City treatment plant at 328 Porcupine Ct.; and

WHEREAS, within this unnamed ROW lies buried the City's treatment outfall pipe; and

WHEREAS, the existing outfall pipe was installed in 1972 and has partially collapsed, causing water to backup and flow from the manhole; and

WHEREAS, repairing the outfall pipe will ensure that a vital City service will continue to be provided; and

WHEREAS, to repair the outfall pipe, the project requires vegetation removal, excavation, demolition and new construction within 100 feet of the Kenai River and within the Kenai River Overlay District; and

WHEREAS, the proposed activities require a Kenai River Overlay district conditional use permit to ensure protection of the riparian habitat and to meet Soldotna Municipal Code; and

WHEREAS, the City of Soldotna Planning and Zoning Commission finds the following:

1. The project proposes the clearing of approximately 3,500 ft<sup>2</sup> of vegetation to facilitate the demolition and installation of a new outfall pipe and manhole. The work will extend the entire length of the Kenai Overlay District and into the Kenai River; and
2. The project requires the removal of vegetation from the portion of the Kenai River Overlay District that extends from a point 10 feet from the ordinary high water mark to 100 feet from the ordinary high water mark; and
3. The project requires excavation within the Kenai River Overlay District ; and
4. The parcel the Wastewater Treatment Facility is located on is in the Institutional zoning district. The portion of the right-of-way where the outfall pipe will be repaired is not zoned, but is in between two parcels that are in the Single-Family/Two-Family zoning district; and
5. The project is within the Kenai Peninsula Borough's 50-foot habitat protection area; and

WHEREAS, The Planning and Zoning Commission conducted a duly advertised public hearing as required by SMC 17.10.425 on February 7, 2024; and

WHEREAS, In accordance with SMC 17.10.425.C the City mailed 49 notices to property owners within 300 feet notifying them of the proposed action; and

WHEREAS, The Commission finds that this project is in harmony with the objectives and goals of the Envision 2030 Soldotna Comprehensive Plan; and

WHEREAS, The application for the proposed use meets the general standards of Section 17.10.400, Conditional Uses; and

WHEREAS, this approval is subject to the following conditions:

1. The applicant must obtain all necessary permits from the Kenai Peninsula Borough, the State of Alaska and the U.S. Army Corps of Engineers.
2. Revegetation of disturbed areas no later than July 31, 2025. The purpose of this condition is to ensure revegetation occurs, to reduce run off and erosion potential.
3. Erodible materials shall be monitored on a daily basis to ensure they are not leaving the construction site.
4. If there is potential for soil to erode, silt fencing, straw wattles, or other best management practices shall be installed immediately to protect the Kenai River.
5. Excavated fill shall be temporarily deposited on the eastern area of the excavated area in order to maximize the distance away from the riverbank.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOLDOTNA, ALASKA:

Section 1. The Commission approves the project as shown on the application materials submitted on January 16, 2024.

Section 2. The approval is based on the findings listed in this Resolution, and subject to the conditions listed in this Resolution.

Section 3. This Resolution shall become effective immediately upon its adoption.

PASSED BY THE PLANNING AND ZONING COMMISSION THIS 7<sup>TH</sup> DAY OF FEBRUARY, 2024.

  
Kaitlin Vadla, Chair

ATTEST:

  
Jennifer Hester, Associate Planner

Yes: Anderson, Burton, Murray, Smithwick-Aley, Tautfest, Turner, Vadla  
No: None  
Absent: None



*Figure 1. Proposed site for the repair of the outfall pipe from 328 Porcupine Ct.*

Solstice Alaska Consulting, Inc. and the City of Soldotna applied for a conditional use permit to repair the outfall pipe and manhole from the City wastewater treatment plant (WWTP). The outfall pipe was installed in 1972 and partially collapsed in the spring of 2023. The collapsed pipe has caused water to backup and overflow to the associated manhole. As a result of this overflow, an effluent sensor inaccurately measures the amount of effluent discharged into the Kenai River. The City needs accurate measurements of the effluent discharge in order to meet the wastewater outfall permitting requirements of the Alaska Department of Environmental Conservation (ADEC).

The work to repair the outflow pipe and manhole will fall within the 100 ft. Kenai River Overlay District (KROD). This project also extends into the Kenai River, where additional permitting from the Kenai Peninsula Borough, Alaska Department of Fish & Game, as well as the U.S. Army Corps of Engineers may be required. Permit applications have been filed.

The WWTP is located in the Institutional zoning district, while the work is being completed in an unzoned right-of-way (ROW) in between two parcels zoned Single-Family/Two-Family (SF/TF) Residential. The 50' unzoned ROW contains land within the Kenai River Overlay District (KROD).

The work within the KROD will occur within the 50'-wide ROW, and in-between 351 Porcupine Ct and 347 Porcupine Ct (Figure 1).

The work within the KROD includes:

- The clearing of vegetation
- Excavation
- The installation of a temporary cofferdam system
- Demolition of the existing manhole (man hole #4001) and demolition of the 21” corrugated metal pipe outfall line
- Installation of a new manhole and 18” high density polyethylene outfall line
- Installation of temporary piping and discharge
- Sliplining of 21” corrugated metal pipe between the new manhole #4001 and the existing manhole #4002
- Creation of a contractor staging area
- The revegetation of the area

The excavation, demolition and installation required by this project will occur both above and below the ordinary high water (OHW) mark. Above that mark, vegetation will be removed to allow for the excavation and replacement of the outfall pipe and manhole.

The permit application was forwarded from the Gilman River Center. The Soldotna Building Official, the Alaska Department of Environmental Conservation, and the Gilman River Center received a copy of this report.

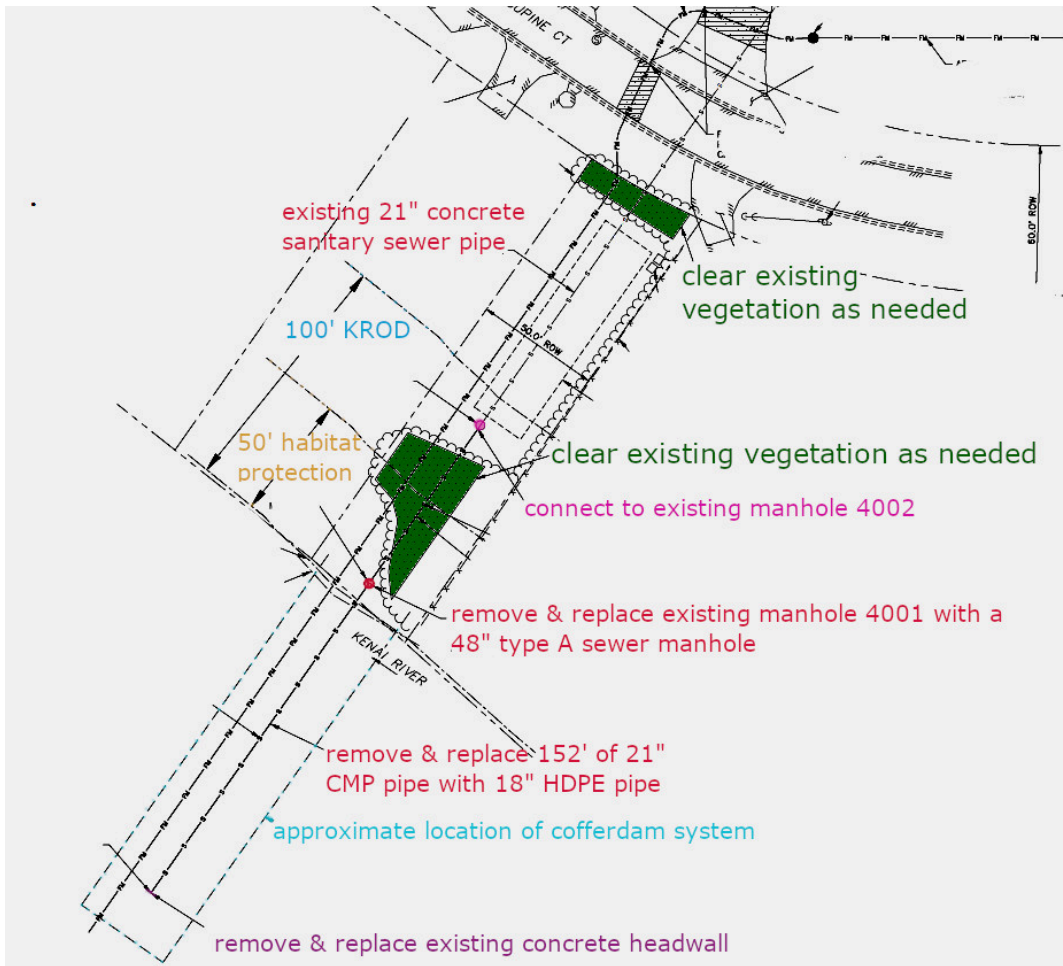
SMC 17.10.285(I) requires projects that are not exempt or that have not received an administrative permit to go through the process for a conditional use permit subject to the standards of 17.10.400, Conditional Uses, and 17.10.285, Kenai River Overlay District.

The vegetation removal, excavation, demolition and installation required in the replacement of the WWTP outfall line falls under SMC requirements for conditional use permitting.



*Figure 2. Site of collapsed pipe and associated manhole.*





**Figure 3.** Proposed area of vegetation removal, excavation, staging of equipment, demolition and installation.

**ANALYSIS**

**17.10.285 Kenai River Overlay District**

*Intent.* “The Kenai River Overlay District (KROD) is intended to provide opportunities for the development and use of land and enhancement of riparian habitat within all the zoning districts located along the Kenai River while establishing special overlay requirements to control erosion, ground or surface water contamination, or adverse alteration of riparian habitat.” SMC 17.10.285(A)

The KROD includes all lands within 100 feet of the ordinary high water (OHW) of the Kenai River or lands that are 25 feet back from the top of a cut bank, whichever is greater.

The applicant has applied for a KROD conditional use permit to allow for the repair of the WWTP outflow line. The buried outflow line extends the entire length of 100 ft. KROD and into the Kenai River. The proposed vegetation clearing will occur in the same area, and the excavation and demolition will occur at the location of manhole #4001.

The closest area that vegetation will be removed from is approximately 10-feet from OHW. The total area of removed vegetation will be approximately 3,500 ft<sup>2</sup>. The area will be revegetated after construction.

In addition to the general standards required for conditional use approval, the Soldotna Municipal Code requires the Commission to make a complete written statement of evidence and findings and require the applicant meet any conditions imposed to mitigate the potential for significant erosion, ground or surface water contamination, or adverse alteration of riparian habitat.

SMC 17.10.285 also requires that a copy of the permit application materials be sent to the Gilman River Center and the Alaska Department of Environmental Conservation for review and comments. These materials were sent on January 26, 2024. The applicant has applied for the necessary additional permitting as required by the Gilman River Center, the U.S. Army Corps of Engineers, and the Alaska Department of Environmental Conservation.



*Figure 4. Google street view of the project area.*

### **17.10.400, Conditional uses**

Eight specific standards must be met before a conditional use permit may be granted, and are addressed below.

1. *The proposed development satisfies the specific standards associated with that conditional use listed in the code, if any.*

**Staff finds this standard is met.** No specific standards are listed within the code (17.10.285(I)), except that the Commission may require conditions to mitigate the potential for significant erosion, ground or surface water contamination, or adverse alteration of the riparian habitat provided the commission makes a complete and written statement of evidence and findings to support the conditions.

The intent of the KROD is to provide opportunities for the development and use of land along the Kenai River while still controlling erosion, water contamination and alteration of riparian habitat. With the revegetation of the disturbed area, staff finds that the proposed development is also in harmony with the intent of the overlay district.

2. *The use is in harmony with the Comprehensive Plan, and surrounding land uses;*

**Staff finds this standard is met.** The proposed project is in harmony with the comprehensive plan and surrounding land uses. Specifically, the comprehensive plan states “the City will continue to expand and maintain an integrated, cost-effective system of municipal improvements and public infrastructure” and that “the City’s wastewater treatment system discharges treated effluent into the Kenai River. Although this discharge meets all permit requirements, public regulatory agency concerns are likely to continue.”

The property is also in harmony with the future land use map, which identifies this area as institutional with the connection of an unzoned right-of-way. The buried utility line within the right-of-way is in harmony with neighboring institutional and residential uses.

3. *The use meets the general standards of the zoning code, and the intent of the zoning district in which it is to be located;*

**Staff finds this standard is met.** The proposed project meets the general standards of the zoning code to include the general standards of SMC 17.10.275 (Institutional District) and SMC 17.10.285 (Kenai River Overlay District). Conditions are recommended by staff to mitigate the potential for significant erosion, ground or surface water contamination, or adverse alteration of riparian habitat.

The repair of the outflow pipe is consistent with and in harmony with the intent and general standards of the Institutional zoning district, where the originating infrastructure is located. The utility infrastructure is to be located within the right-of-way, which is not zoned.

4. *The use shall be so located and arranged on the site to avoid significant noise, glare, odor or other nuisances and dangers;*

**Staff finds this standard is met.** The excavation and repair is located within the KROD. With the exception of the manhole, all other infrastructure is buried below the surface of the ground and will not be disturbed or excavated. No noise, glare, odor or other nuisance or danger should result from the completed repair work. Additionally, Federal, State, and local agencies provide monitoring and controls of Soldotna's sewer utility to protect the public health, safety and welfare.

5. *The proposed development shall not significantly impair the value of the adjoining property;*

**Staff finds this standard is met.** The repaired outfall line will be located in the same right-of-way as it has been in since 1972. The repair will benefit neighboring property owners and the larger community by ensuring compliance with State and Federal requirements. Staff is not aware of any evidence that would suggest that the outfall line replacement would impair adjoining property values.

6. *The size and scale of the use is such that it shall be adequately served by existing public services and facilities;*

**Staff finds this standard is met.** The proposed repairs to the utility require no additional public services, and will ensure that the City's public services and related facilities can continue to serve the community.

7. *Granting of the conditional use shall not be harmful to the public safety, health, or welfare;*

**Staff finds this standard is met.** The repair to the outfall line and manhole is consistent with right-of-way uses. Rights-of-way are typically used to house many public amenities to include sewer and water, roads, sidewalks, and landscaping, and private utilities like electric, gas and communications. These uses positively contribute to the public safety, health and welfare of the community.

8. *The property where the development is to occur is current in payments owed to the City, including: property taxes, sales tax; utility billing; and assessments; or has entered into an agreement with City for repayment as is in compliance with the terms of the agreement.*

**Staff finds this standard is met.** The right-of-way is city-owned, so there are no fiscal obligations.

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## **ADDITIONAL COMMENTS**

In accordance with SMC 17.10.425, on January 29, 2024 the City mailed 49 notices to property owners within 300-feet of the proposed development notifying them of the proposed action. Staff has not received any comments as of the writing of the staff report.

No objections were received from the River Center, DEC, the City's Public Works Director, Street & Maintenance Director, Utility Manager or Building Official.

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## **STAFF RECOMMENDATION**

If approved, this Resolution would provide a conditional use permit for the removal of vegetation, the excavation of land, the staging of vehicles, the demolition of the damaged outfall line and manhole, the installation of a new outfall line, manhole and a temporary cofferdam system, and the revegetation of the area within the Kenai River Overlay District.

Staff finds that the proposed project meets the general standards of the Soldotna Municipal Code for structures in the Institutional zoning district, and meets the eight conditional use standards for activities requiring a KROD. Staff recommends approval of PZ 2024-006, subject to the following conditions:

1. The applicant must obtain all necessary permits from the Kenai Peninsula Borough, the State of Alaska and the U.S. Army Corps of Engineers.
2. Revegetation of disturbed areas no later than July 31, 2025. The purpose of this condition is to ensure revegetation occurs, to reduce run off and erosion potential.
3. Erodible materials shall be monitored on a daily basis to ensure they are not leaving the construction site.
4. If there is potential for soil to erode, silt fencing, straw wattles, or other best management practices shall be installed immediately to protect the Kenai River.
5. Excavated fill shall be temporarily deposited on the eastern area of the excavated area in order to maximize the distance away from the riverbank.

Attachments:

- Application, Site Plan & Location Map

## Soldotna WWTF Outfall Rehabilitation Project

### Response to January 8, 2024 Questions from John Czarnecki, City of Soldotna

#### Activities Occurring within the Kenai River Overlay District (KROD)

- A 93-foot portion of the existing pipe that runs between manhole #4001 and manhole #4002 would be repaired using a sliplining method. The sliplining process would involve cleaning the pipe, and then inserting a new 18-inch-diameter high-density polyethylene (HDPE) pipe into the existing pipe and grouting the annular space between the pipes. The sliplining pipe would be inserted from the lower end of the pipe at manhole #4001 and run up to manhole #4002 (Project Drawings, Sheet 4).
- The existing 21-inch-diameter pipe between manhole #4001 and the outfall within the Kenai River would be replaced with a new 18-inch-diameter HDPE pipe. Approximately eight feet of the pipe removal and replacement would occur within the KROD (Project Drawings, Sheet 4).
- The existing manhole #4001 would be replaced and would involve excavation around the existing manhole, removal of the manhole, and installation of a new 48-inch Type A sewer manhole.
- The manhole replacement, along with approximately eight feet of the existing 21-inch-diameter outfall pipe, including approximately 45 cubic yards (cy; 354 square feet [sf]) of excavation and placement of 43 cy (354 sf) of fill, would occur.
- A 6-inch-diameter HDPE temporary bypass line would be installed for the duration of project construction, running approximately 575 feet from the wastewater treatment facility (WWTF) ultraviolet (UV) disinfection basin to the Kenai River. Approximately 100 feet of this temporary bypass line would be installed within the KROD (Project Drawings, Sheet 4). Water from the temporary bypass line would not be discharged into the KROD. The temporary bypass line would be removed upon construction completion.
- Approximately ten feet of each end of a temporary cofferdam (described below) would be placed (Project Drawings, Sheet 4). A cofferdam would be installed around the existing outfall pipe during project construction and would consist of one of three options:
  - A polypropylene and polyethylene tube would be filled with approximately 290,000 gallons of water to form the sides of the cofferdam. This water would be sourced from the temporary bypass line or the Kenai River and released back into the river after construction is complete.
  - Approximately 700 supersacks filled with earth or gravel would make up the cofferdam walls, and the cofferdam would be lined with an impermeable membrane.
  - A preconstructed steel framework with flexible waterproof membrane walls would be installed around the work area. The walls would be freestanding and would not require pile installation.
- Materials would be potentially stage within a small portion of the KROD (Project Drawings, Sheet 4). Note: if materials are staged within the KROD, erosion and impacts to water quality would not be anticipated because the area is on flat ground and approximately 100 feet from the river bank.
- Vegetation would be cleared, and revegetation would occur (Project Drawings, Sheet 4).

**The following mitigation measures will be implemented and include Best Management Practices (BMPs) to protect the Kenai River Overlay District**

- *Project timing.*
  - To protect anadromous fish, in-water work would occur as much as possible between May 15 and July 15.
  - To protect migratory birds, land disturbance, and vegetation clearing would not occur between March 1 and August 31 in accordance with the U.S. Fish and Wildlife Service guidelines for nesting birds, including bald eagles, within the Southcentral region.<sup>[1]</sup>
- *Fish collection.* Fish will be collected from within the cofferdam dry area following a Fish Resource Permit to be secured by the contractor from Alaska Department of Fish and Game.
- *Construction limits.* Construction limits will be staked and clearly demarcated.
- *Fueling.* Heavy equipment fueling will not occur within 100 feet of the river.
- *Water quality BMPs.* Water quality will be protected during construction through BMPs including:
  - Temporary and permanent stabilization measures (i.e., slope tracking, seeding, and mulch) will be initiated as soon as practicable, but within at least 14 days on all portions of the site where construction has temporarily or permanently ceased.
  - Sediment prevention measures (i.e., silt fence or other means) will be placed, maintained, stabilized, and revegetated.
- *Vegetation disturbance.* Natural vegetation will be retained wherever possible, disturbed areas will be reseeded with native vegetation types, landscaping improvements will be completed, and the following BMPs will be implemented to revegetate disturbed areas.
  - All disturbed areas will be restored to preconstruction conditions.
  - Topsoil, seeding, and vegetation would be placed to rehabilitate disturbed areas.

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<sup>[1]</sup> U.S. Fish and Wildlife Service. 2023. Planning Ahead to Protect Nesting Birds. Accessed at: <https://www.fws.gov/alaska-bird-nesting-season>

## **E. NEW BUSINESS**

2. Ordinance 2024-03 Authorizing the sale of certain parcels of Borough owned land by outcry auction followed by a secondary online auction.



# Kenai Peninsula Borough

## Planning Department – Land Management Division

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### MEMORANDUM

**TO:** Brent Johnson, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *AM*  
Robert Ruffner, Planning Director *SLRR*  
Marcus A. Mueller, Land Management Officer *mam*

**FROM:** Aaron Hughes, Land Management Agent *AH*

**DATE:** January 25, 2024

**RE:** Ordinance 2024-\_\_\_\_\_, Authorizing the Sale of Certain Parcels of Kenai Peninsula Borough-Owned Land by Outcry Auction Followed by a Secondary Online Auction (Mayor)

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The Kenai Peninsula Borough (KPB) Land Management Division has identified certain parcels of land that are surplus to KPB needs. The parcels identified have been acquired through prior tax foreclosure actions or other means for a public purpose. Attached are vicinity-site maps showing the location of each parcel. Minimum sale prices, termed “auction reserves”, are proposed to be set at the estimated fair market value as determined through consultation with the KPB Assessing Department.

The live outcry auction is proposed for May 11, 2024, to be held at Soldotna High School. A sale brochure will identify the parcels and provide a brief explanation of the auction and subsequent closing process. Notice of the land sale will be published in accordance with KPB 17.10.110 and the brochure will be made available on the KPB Land Management Division’s website. The Ordinance provides a framework to reschedule the auction in the event the auction date is cancelled.

The Ordinance authorizes an outcry auction land sale of KPB land followed by a secondary online-only auction land sale of the parcels not sold in the live auction.

The Planning Commission will hold a public hearing on February 12, 2024, and will forward its recommendations to the Assembly.

Your review and consideration of the Ordinance is appreciated.

Introduced by: Mayor  
 Date: 02/06/24  
 Hearing: 02/27/24  
 Action:  
 Vote:

**KENAI PENINSULA BOROUGH  
 ORDINANCE 2024-**

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PARCELS OF KENAI PENINSULA BOROUGH-OWNED LAND BY OUTCRY AUCTION FOLLOWED BY A SECONDARY ONLINE AUCTION**

**WHEREAS,** the Kenai Peninsula Borough (“KPB”) has title to the lands listed in Section 1 of this ordinance; and

**WHEREAS,** these parcels are surplus to the needs of KPB; and

**WHEREAS,** parcels 01310252 and 05534018 were acquired by KPB for road projects that are no longer needed, and parcel 13910041 was acquired by KPB as part of the establishment of the Western Emergency Service Area (“WESA”) and is no longer needed; and

**WHEREAS,** other parcels on this list were acquired through tax foreclosure and retained for public purposes; and

**WHEREAS,** AS 29.45.460(b) specifically anticipates that tax foreclosed properties retained by KPB may later be sold; and

**WHEREAS,** the KPB Planning Commission conducted a public hearing at its regularly scheduled meeting of February 12, 2024, and recommended \_\_\_\_\_;

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

**SECTION 1.** That the parcels listed below are authorized for sale at a minimum of the reserve amounts listed.

<b>PARCEL ID</b>	<b>ACRES</b>	<b>LEGAL</b>	<b>GENERAL AREA</b>	<b>RESERVE</b>
01205042	0.17	LOT 18, BLOCK 6 OF BLOCKS 5, 6, 7, 8, 12, 13, & 14, AURORA HEIGHTS	Nikiski	\$3,600.00

		SUBDIVISION, FILED UNDER PLAT NO. K-1510, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.		
01226129	0.17	LOT 16, BLOCK 9, AURORA HEIGHTS PRELIMINARY SUBDIVISION PLAN, FILED UNDER PLAT NO. K-1320, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	\$3,600.00
01310252	0.83	THAT PORTION OF U.S. GOVERNMENT LOT 9, IN SECTION 17, TOWNSHIP 7 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, LYING EASTERLY OF THE ROADWAY EASEMENT GRANTED TO THE STATE OF ALASKA AND RECORDED JULY 28, 1971 AS BOOK 41, PAGE 25, LOCATED IN THE KENAI RECORDING DISTRICT, STATE OF ALASKA	Nikiski	\$8,500.00
01406024	0.31	LOT 12, BLOCK 2, GALEN GRAY SUBDIVISION, ACCORDING TO PLAT KN-899, LOCATED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	\$3,400.00
01507009	0.62	LOT 9, BLOCK 1, BARANOFF TERRACE SUBDIVISION, ACCORDING TO PLAT K-1556, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	\$9,400.00
01510009	0.32	LOT 4, BLOCK 4, BARANOFF TERRACE SUBDIVISION, ACCORDING TO PLAT K-1556, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	\$5,200.00

01512006	0.28	LOT 6, BLOCK 1 SPRUCEWOOD MANOR SUBDIVISION, ACCORDING TO PLAT K-1606, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	\$5,000.00
01512007	0.28	LOT 7, BLOCK 1 SPRUCEWOOD MANOR SUBDIVISION, ACCORDING TO PLAT K-1606, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	\$5,000.00
01513018	0.28	LOT 8, BLOCK 3 SPRUCEWOOD MANOR SUBDIVISION, ACCORDING TO PLAT K-1606, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	\$5,000.00
01703004	0.28	LOT 10, BLOCK 7, KENAI DEVELOPMENT CORPORATION SUBDIVISION, ACCORDING TO PAT NO. K-803, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Kenai	\$1,200.00
03904012	0.17	LOT 17, BLOCK 8, BLACK GOLD ESTATES SUBDIVISION AMENDED, ACCORDING TO PLAT NO. K-1399, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Kenai	\$5,000.00
03904015	0.17	LOT 20, BLOCK 8, BLACK GOLD ESTATES SUBDIVISION AMENDED, ACCORDING TO PLAT NO. K-1399, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Kenai	\$5,000.00

05534018	0.57	LOT 1, BLOCK 3, BELUGA BAY ESTATES SUBDIVISION, PART 2, ACCORDING TO PLAT 77-155, FILED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Kenai	\$65,000.00
06313011	0.58	LOT 18, PANORAMIC PARK SUBDIVISION, ACCORDING TO PLAT K-1189, FILED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	\$20,200.00
06544050	0.31	LOT 50, BLOCK 14, GREGORY SUBDIVISION NO. 6, ACCORDING TO PLAT NO. 74-54, FILED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	\$13,700.00
06557012	0.04	LOT 12, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	\$7,000.00
06557013	0.04	LOT 13, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	\$7,000.00
06557016	0.04	LOT 16, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	\$7,000.00
06557017	0.03	LOT 17, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	\$7,000.00
11902021	0.73	LOTS 20 AND 21, TOWLE SUBDIVISION NO. 1, SEWARD RECORDING	Cooper Landing	\$260,000.00

		DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.		
12503115	0.57	THAT CERTAIN PORTION OF LOT 26 LYING NORTHEASTERLY OF BEAR CREEK OF THE PLAT OF WOODROW ALASKA FILED JUNE 17, 1916 UNDER PLAT NO. VIII IN THE SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Seward	\$38,800.00
13504129	0.45	LOT 12, BLOCK 7, CARIBOU ISLAND SUBDIVISION, ACCORDING TO AMENDED PLAT 37, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Caribou Island	\$5,000.00
13505139	0.57	LOT 2, BLOCK 5, CARIBOU ISLAND SUBDIVISION, ACCORDING TO AMENDED PLAT 37, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Caribou Island	\$5,000.00
13910041	1.01	LOT 1, COOPER-ENGLE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NO. 97-9, RECORDS OF THE HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Ninilchik	\$100,000.00
14419006	0.59	LOT 33, BLOCK 8, CAMELOT BY THE SEA SUB, PLAT NO. SW-76, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Seward	\$15,000.00
14421041	0.46	LOT 18, BLOCK 7, CAMELOT BY THE SEA SUB, PLAT NO. SW-76, SEWARD RECORDING DISTRICT, THIRD JUDICIAL	Seward	\$13,000.00

		DISTRICT, STATE OF ALASKA.		
16929232	0.07	LOT 32, SILVER KING CAMP UNIT III, FILED UNDER PLAT NO. 85-45, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Anchor Point	\$7,700.00
19118023	0.28	THE NORTH 1/2 OF TRACT C, FRANK RABY 1971 ADDITION, ACCORDING TO PLAT 72-60, SELDOVIA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Seldovia	\$15,700.00

**SECTION 2.** That the parcels listed below were obtained by KPB through prior tax foreclosure actions and retained for public purpose. In accordance with provisions of AS 29.45.460, the assembly finds that a public need no longer exists for these parcels.

<b>PARCEL ID</b>	<b>ACRES</b>	<b>ABBREVIATED LEGAL</b>	<b>GENERAL AREA</b>	<b>PRIOR OWNER</b>
01205042	0.17	LOT 18, BLOCK 6 OF BLOCKS 5, 6, 7, 8, 12, 13, & 14, AURORA HEIGHTS SUBDIVISION, FILED UNDER PLAT NO. K-1510, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	Victor Vidlar
01226129	0.17	LOT 16, BLOCK 9, AURORA HEIGHTS PRELIMINARY SUBDIVISION PLAN, FILED UNDER PLAT NO. K-1320, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	Bethany R. Purcell
01406024	0.31	LOT 12, BLOCK 2, GALEN GRAY SUBDIVISION, ACCORDING TO PLAT KN-899, LOCATED IN	Nikiski	Counsellors Investment Co.

		THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.		
01507009	0.62	LOT 9, BLOCK 1, BARANOFF TERRACE SUBDIVISION, ACCORDING TO PLAT K-1556, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	Charmain R. Hendrickson
01510009	0.32	LOT 4, BLOCK 4, BARANOFF TERRACE SUBDIVISION, ACCORDING TO PLAT K-1556, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	Roy Metler
01512006	0.28	LOT 6, BLOCK 1 SPRUCEWOOD MANOR SUBDIVISION, ACCORDING TO PLAT K-1606, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	Roy Metler
01512007	0.28	LOT 7, BLOCK 1 SPRUCEWOOD MANOR SUBDIVISION, ACCORDING TO PLAT K-1606, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Nikiski	M & H Enterprises Inc.
01513018	0.28	LOT 8, BLOCK 3 SPRUCEWOOD MANOR SUBDIVISION, ACCORDING TO PLAT K-1606, KENAI RECORDING DISTRICT, THIRD JUDICIAL	Nikiski	Bethany R. Hanley



		DISTRICT, STATE OF ALASKA.		
01703004	0.28	LOT 10, BLOCK 7, KENAI DEVELOPMENT CORPORATION SUBDIVISION, ACCORDING TO PAT NO. K-803, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Kenai	Paul Anderson
03904012	0.17	LOT 17, BLOCK 8, BLACK GOLD ESTATES SUBDIVISION AMENDED, ACCORDING TO PLAT NO. K-1399, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Kenai	Charles Castien
03904015	0.17	LOT 20, BLOCK 8, BLACK GOLD ESTATES SUBDIVISION AMENDED, ACCORDING TO PLAT NO. K-1399, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Kenai	Charles Castien
06313011	0.58	LOT 18, PANORAMIC PARK SUBDIVISION, ACCORDING TO PLAT K-1189, FILED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	Phillis Reinders
06544050	0.31	LOT 50, BLOCK 14, GREGORY SUBDIVISION NO. 6, ACCORDING TO PLAT NO. 74-54, FILED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL	Sterling	Bradley J. and Mary H. Locke

		DISTRICT, STATE OF ALASKA.		
06557012	0.04	LOT 12, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	Estate of Siewert O. Warren
06557013	0.04	LOT 13, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	Estate of Warren O. Siewert
06557016	0.04	LOT 16, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	Ted and Cheryl A. Miller
06557017	0.04	LOT 17, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Sterling	Ted and Cheryl A. Miller
11902021	0.73	LOTS 20 AND 21, TOWLE SUBDIVISION NO. 1, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Cooper Landing	Dorothy and Charles Graves
12503115	0.57	THAT CERTAIN PORTION OF LOT 26 LYING NORTHEASTERLY OF BEAR CREEK OF THE PLAT OF WOODROW ALASKA FILED JUNE 17, 1916 UNDER PLAT NO. VIII IN THE SEWARD RECORDING DISTRICT, THIRD	Seward	Big Five Corporation

		JUDICIAL DISTRICT, STATE OF ALASKA.		
13504129	0.45	LOT 12, BLOCK 7, CARIBOU ISLAND SUBDIVISION, ACCORDING TO AMENDED PLAT 37, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Caribou Island	Richard and Wendy Schenker
13505139	0.57	LOT 2, BLOCK 5, CARIBOU ISLAND SUBDIVISION, ACCORDING TO AMENDED PLAT 37, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Caribou Island	The Estate of William L. Melchert
14419006	0.59	LOT 33, BLOCK 8, CAMELOT BY THE SEA SUB, PLAT NO. SW-76, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Seward	Anne Thorne and Kim Baughman
14421041	0.46	LOT 18, BLOCK 7, CAMELOT BY THE SEA SUB, PLAT NO. SW-76, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Seward	Gail Y. Faro
16929232	0.07	LOT 32, SILVER KING CAMP UNIT III, FILED UNDER PLAT NO. 85- 45, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Anchor Point	Earnest Flagg
19118023	0.28	THE NORTH 1/2 OF TRACT C, FRANK RABY 1971 ADDITION, ACCORDING TO PLAT 72-60, SELDOVIA RECORDING DISTRICT, THIRD JUDICIAL	Seldovia	Adam Cleghorn

		DISTRICT, STATE OF ALASKA.		
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**SECTION 3.** That the parcel below, having been acquired by WESA, has been identified as being surplus to the needs of WESA. All net sale proceeds resulting from the sale of the parcel shall be deposited into WESA account 209.37225.

PARCEL ID	ACRES	ABBREVIATED LEGAL	GENERAL AREA
13910041	1.01	LOT 1, COOPER-ENGLE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NO. 97-9, RECORDS OF THE HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.	Ninilchik

**SECTION 4.** That the assembly makes an exception to KPB 17.10.090 requiring classification prior to disposal. This exception is based on the following findings of fact pursuant to KPB 17.10.230:

1. Special circumstances or conditions exist.
  - a. KPB 17.10.080(A) states classification of property is for review, plan implementation and management purposes. The classification system designates the most appropriate uses for land and thereby guides KPB management of such lands and implementation action to provide for the identified uses. This ordinance serves to set the management plan for the identified properties.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this chapter.
  - a. The preservation of a substantial property right is not applicable to this case; the considerations under this ordinance as to the management of the land are substantially similar to classification thereby being a practical manner of complying with the intent of classification.
3. The granting of the exception will not be detrimental to the public or injurious to other property in the area.

- a. The parcels are deemed surplus and appropriate to return to market.

**SECTION 5.** That the method of disposal will be by outcry public auction pursuant to KPB 17.10.100(B) followed by an online land sale auction. The date of the outcry public auction sale will be May 11, 2024. The auction will be held at Soldotna High School or other such advertised location. A secondary online-only land sale auction will be conducted for those parcels not sold as part of the outcry auction. The secondary auction is to run a minimum of two weeks beginning not later than August 12, 2024.

**SECTION 6.** That the Mayor is authorized to remove any or all of the proposed land sale offerings for any reason, including real estate market conditions, at any time prior to the date of the initial auction and/or secondary online-only land sale auction.

**SECTION 7.** That in the event the administration is unable to proceed with the outcry auction on the designated date, the administration will reschedule the outcry auction and subsequent secondary online land sale auction 45 to 90 days later than the date designated in this ordinance. In the event the dates designated in Section 2 are cancelled and an alternative date is rescheduled, then such sale date and location must be re-advertised for at least 30 days prior to the sale, consistent with the original advertisement.

**SECTION 8.** That all parcels must be conveyed by quitclaim deed. Title insurance in the form of a lender's policy of title insurance must be obtained for all KPB-financed sales. All title insurance and closing fees are at the buyer's expense. Title insurance must show the condition of title and no unsatisfied judgments or liens against the buyer at the time of closing, the latter of which must also be verified by the buyer prior to closing. In the event a title report showing an acceptable condition of title cannot be obtained by seller, then either the buyer or KPB may elect to terminate the purchase agreement, in which case all monies on deposit will be refunded to the buyer. For KPB-financed sales, buyers must execute a release authorizing KPB to obtain a credit report on the said buyers.

**SECTION 9.** That upon successful sale at auction, buyer/bidder will enter into an agreement to acquire subject parcel, a down payment of 10 percent of the sale price, or \$1,500.00, whichever is greater, must be deposited with KPB or its designee and the applicable terms and provisions of KPB 17.10.120 and KPB 17.10.130 will apply, except that KPB will retain the down payment, up to \$1,000, if the prospective buyer breaches a term of the sale.

**SECTION 10.** That auction records will contain first and second position bid amounts for each property. In the event the first position buyer is unable to perform, the property will be offered for sale to the second position bidder for the amount of the second position bid, provided that the second position bid amount is in excess of the established reserve. If the second position bidder is not interested or unable to perform, and the second position bid is in excess of the established reserve, the second position bid amount will become the stated reserve price in the subsequent

secondary online-only auction. Auction records for the secondary online-only auction will contain first and second position bid amounts for each property. In the event the first position buyer is unable to perform, the property will be offered for sale to the second position bidder for the amount of the second position bid, provided that the second position bid amount is in excess of the established reserve. If the second position bidder is not interested or unable to perform, the parcel will be returned to KPB’s land bank.

**SECTION 11.** That the Assembly authorizes the use of seller financing as a payment option for purchasers for those lands authorized for sale under this ordinance. Terms of the seller financing will be in accord with KPB 17.10.120.

**SECTION 12.** That the Mayor is authorized to sign any documents necessary to effectuate this ordinance.

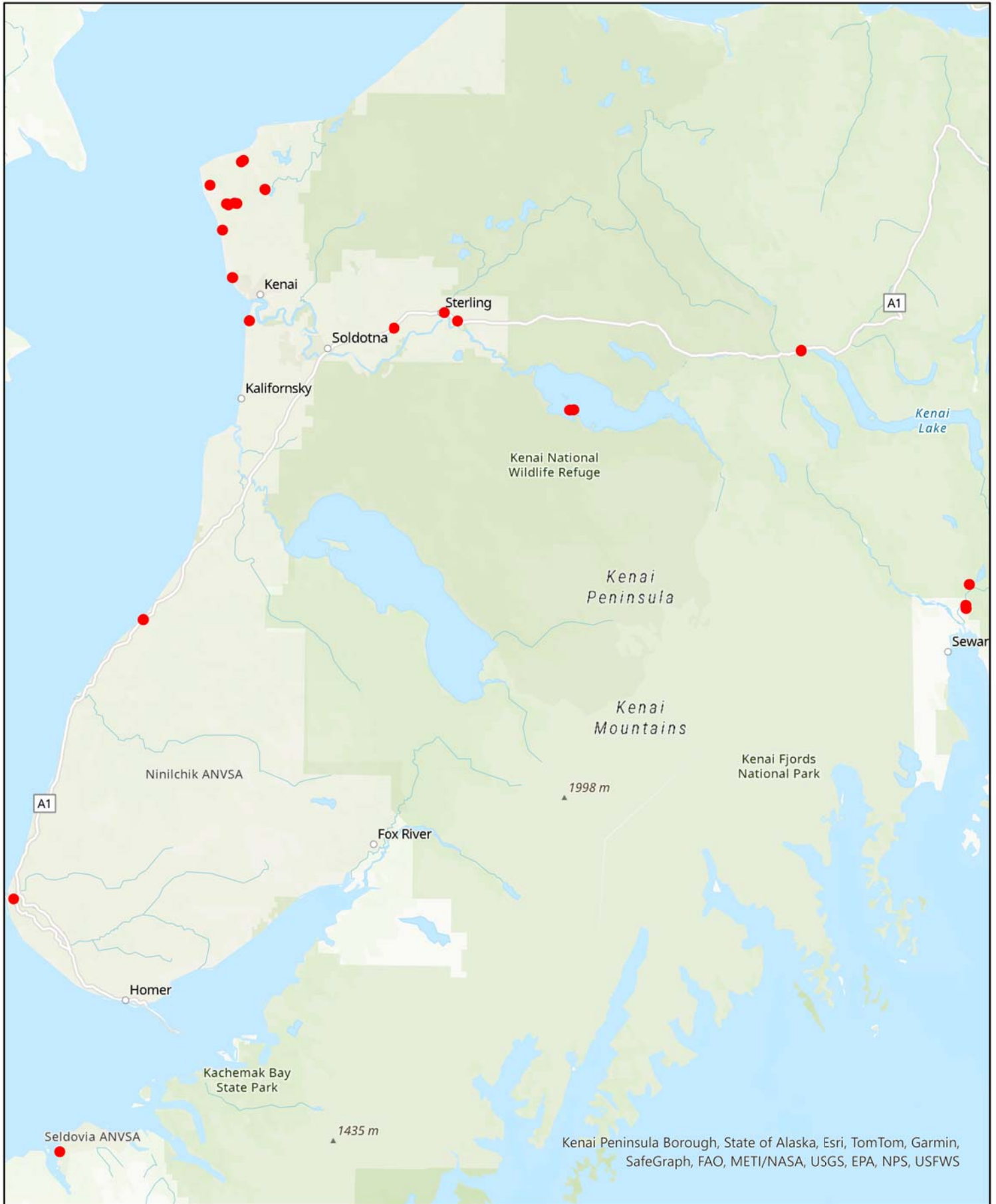
**SECTION 13.** That this ordinance shall become effective immediately upon enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2024.**

\_\_\_\_\_  
Brent Johnson, Assembly President

ATTEST:

\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk



## 2024 Spring Land Sale Vicinity Map



## MINIMUM BID: \$3,600.00

Acres: 0.17

**Legal Description:** LOT 18, BLOCK 6 OF BLOCKS 5, 6, 7, 8, 12, 13, & 14, AURORA HEIGHTS SUBDIVISION, FILED UNDER PLAT NO. K-1510, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

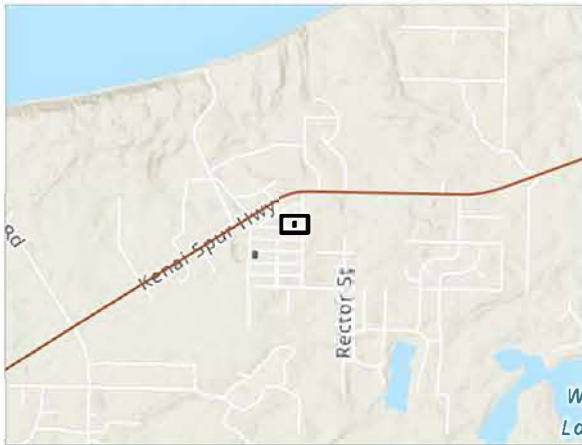
**Topography:** Level lot recently cleared with smaller diameter birch and aspen.

**Special Features:** Platted lot with developed access to the Kenai Spur Highway in close proximity to schools and other amenities in Nikiski.

**Disclosures:** The property was conveyed to the borough by Clerks Deed in 2002 as the result of a Tax Foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Kenai Spur Highway, Marhenke Street and Christie Avenue, a platted road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Gas and Electric utility are available in the area.







## MINIMUM BID: \$3,600.00

Acres: 0.17

**Legal Description:** LOT 16, BLOCK 9, AURORA HEIGHTS PRELIMINARY SUBDIVISION PLAN, FILED UNDER PLAT NO. K-1320, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

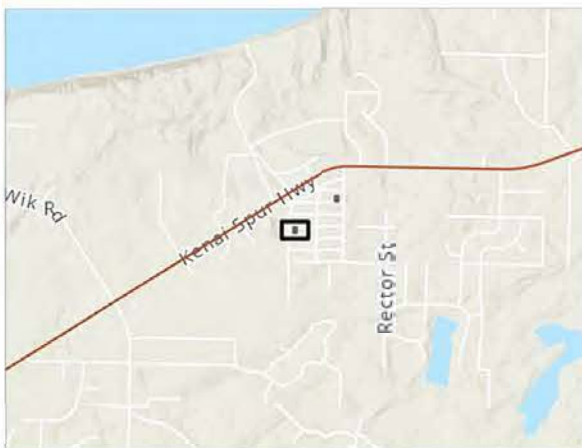
**Topography:** Level lot with smaller diameter birch and aspen.

**Special Features:** Platted lot with developed access to the Kenai Spur Highway in close proximity to schools and other amenities in Nikiski.

**Disclosures:** The property was conveyed to the borough by Clerks Deed in 2005 as the result of a Tax Foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Kenai Spur Highway, Marhenke Street and Marlene Avenue, a platted road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Gas and Electric utility are available in the area.





## MINIMUM BID: \$8,500.00

Acres: 0.83

**Legal Description:** THAT PORTION OF U.S. GOVERNMENT LOT 9, IN SECTION 17, TOWNSHIP 7 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, LYING EASTERLY OF THE ROADWAY EASEMENT GRANTED TO THE STATE OF ALASKA AND RECORDED JULY 28, 1971 AS BOOK 41, PAGE 25, LOCATED IN THE KENAI RECORDING DIS

**Topography:** Mostly level lot with a slight grade to the North East towards Marie Lake with smaller diameter spruce, birch and aspen.

**Special Features:** Triangular shaped lot fronting Holt Lamplight Road. Potential views of Marie Lake.

**Disclosures:** The property was acquired by the borough in 1984 by Statutory Warranty Deed. KPB has no historical knowledge of the property or its prior use. A developed utility corridor exists across the NE corner of the parcel. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Kenai Spur Highway, Miller loop road and Holt Lamplight Road, a paved platted road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Gas and Electric utility are available in the area.





## MINIMUM BID: \$3,400.00

Acres: 0.31

**Legal Description:** LOT 12, BLOCK 2, GALEN GRAY SUBDIVISION, ACCORDING TO PLAT KN-899, LOCATED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

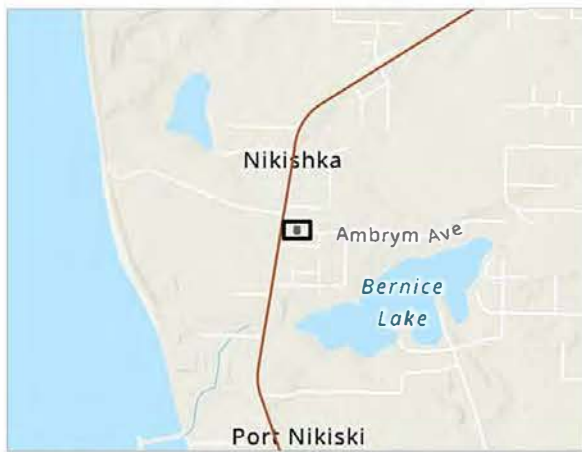
**Topography:** Level lot with a mix of small to medium diameter spruce.

**Special Features:** Platted lot located South of Nikiski and North of Bernice Lake. Property is located within close proximity to the Kenai Spur Highway.

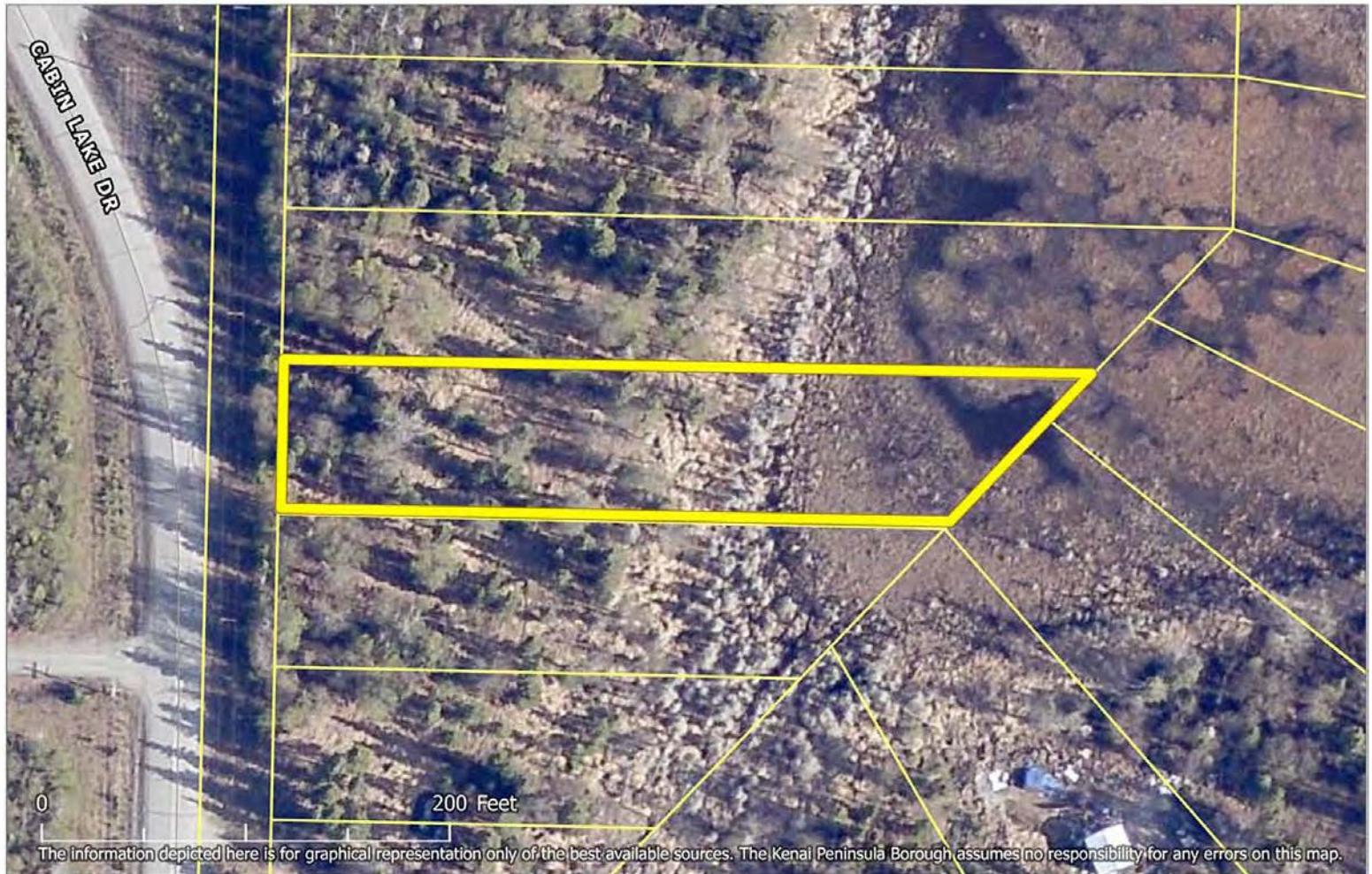
**Disclosures:** The property was acquired by the borough in 1994 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. According to KPB aerial imagery a potential undocumented driveway may exist across the SE corner of the lot. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Kenai Spur Highway, Beaver Avenue and Miller loop road and Tikopia Street, a developed platted road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Gas and Electric utilities are available in the area.



(Oblique View)



## MINIMUM BID: \$9,400.00

Acres: 0.62

**Legal Description:** LOT 9, BLOCK 1, BARANOFF TERRACE SUBDIVISION, ACCORDING TO PLAT K-1556, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA .

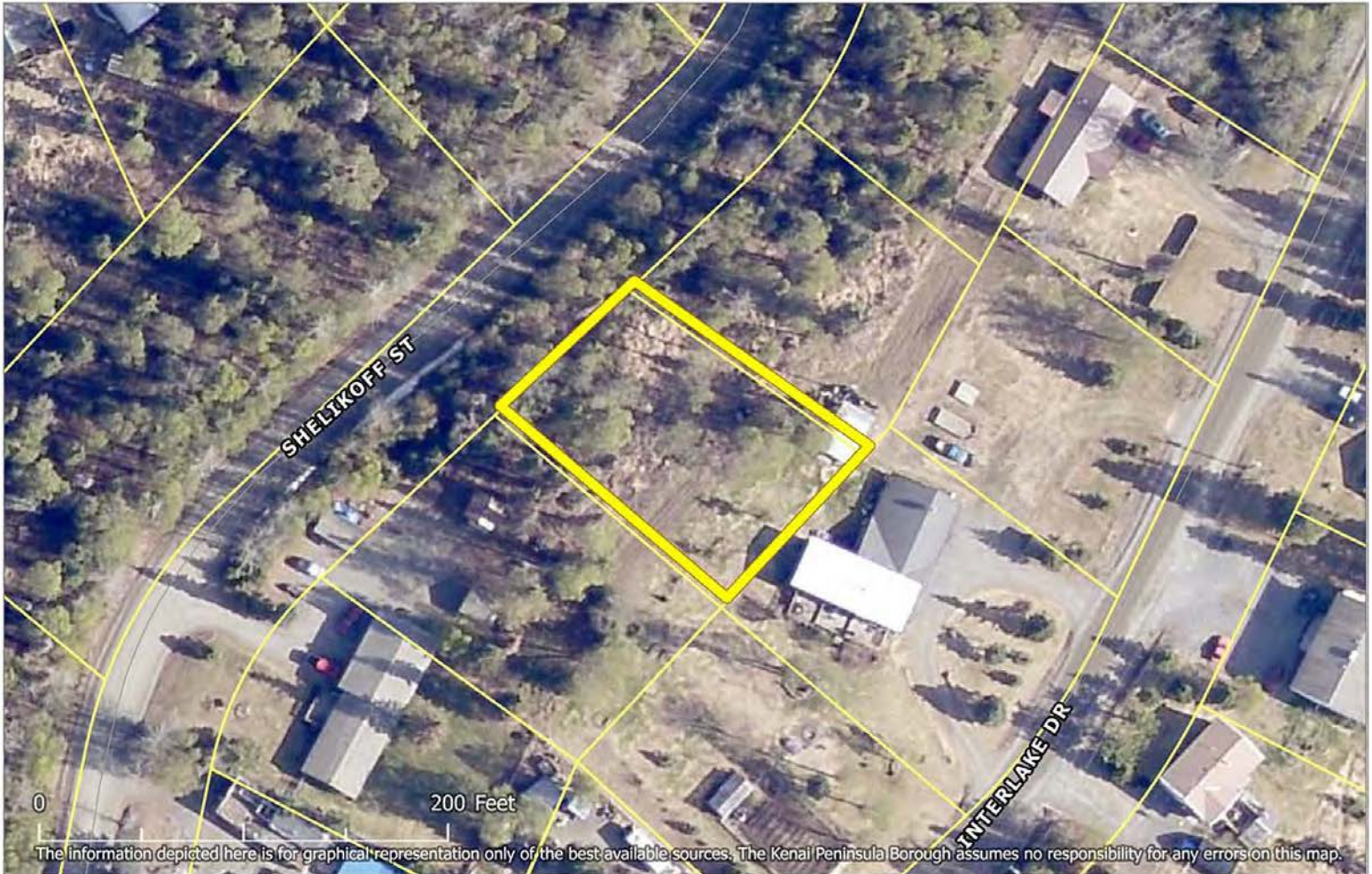
**Topography:** Mostly level on the West half of the lot with a slight bluff overlooking a riparian area to the East. A mixed stand of spruce and birch exist on the westerly portion of the lot.

**Special Features:** Platted residential lot with paved access located South of Nikiski near Cabin Lake.

**Disclosures:** The property was acquired by the borough in 1996 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. According to KPB aerial imagery a riparian area exists on the easterly portion of the lot. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Kenai Spur Highway, Miller Loop Road and Cabin Lake Drive, a platted, developed road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.



## MINIMUM BID: \$5,200.00

Acres: 0.32

**Legal Description:** LOT 4, BLOCK 4, BARANOFF TERRACE SUBDIVISION, ACCORDING TO PLAT K-1556, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA .

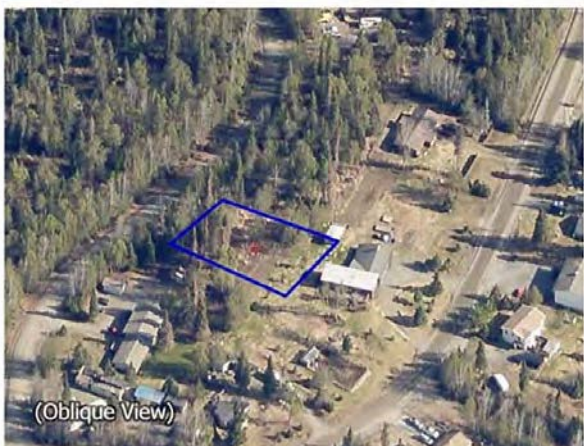
**Topography:** Level lot with a mixed stand of spruce and birch along the West side of the parcel.

**Special Features:** Platted residential lot with developed access located South of Nikiski near Cabin Lake.

**Disclosures:** The property was acquired by the borough in 2016 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. According to KPB aerial imagery prior clearing may have taken place along the east property boundary. Aerial imagery indicates a potential encroachment may exist along the easterly property boundary. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to c

**Access:** Potential access may be by way of the Miller Loop Road, to Shelikoff Street, a platted developed road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.





## MINIMUM BID: \$5,000.00

Acres: 0.28

**Legal Description:** LOT 6, BLOCK 1 SPRUCEWOOD MANOR SUBDIVISION, ACCORDING TO PLAT K-1606, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level lot with a mixed stand of spruce and birch.

**Special Features:** Platted residential lot located South of Nikiski and East of Cabin Lake.

**Disclosures:** The property was acquired by the borough in 2013 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Miller Loop Road to Blueberry Avenue, a platted developed road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale. **Utilities:** Electric and gas utilities are available in the area.





## MINIMUM BID: \$5,000.00

Acres: 0.28

**Legal Description:** LOT 7, BLOCK 1 SPRUCEWOOD MANOR SUBDIVISION, ACCORDING TO PLAT K-1606, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level lot with a mixed stand of spruce and birch.

**Special Features:** Platted residential lot located South of Nikiski and East of Cabin Lake.

**Disclosures:** The property was acquired by the borough in 2013 by Clerks Deed resulting from a tax foreclosure action. KPBB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Miller Loop Road to Blueberry Avenue, a platted developed road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.





## MINIMUM BID: \$5,000.00

Acres: 0.28

**Legal Description:** LOT 8, BLOCK 3 SPRUCEWOOD MANOR SUBDIVISION, ACCORDING TO PLAT K-1606, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level lot with a mixed stand of spruce and birch .

**Special Features:** Platted residential lot located South of Nikiski and East of Cabin Lake.

**Disclosures:** The property was acquired by the borough in 2005 by Clerks Deed resulting from a tax foreclosure action. KPБ has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Miller Loop Road to Blueberry Avenue, a platted developed road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.



(Oblique View)





## MINIMUM BID: \$1,200.00

Acres: 0.28

**Legal Description:** LOT 10, BLOCK 7, KENAI DEVELOPMENT CORPORATION SUBDIVISION, ACCORDING TO PAT NO. K-803, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level lot with a mixed stand of spruce and birch.

**Special Features:** Platted residential lot located North of Kenai with a developed platted access and within close proximity to the Kenai Spur Highway.

**Disclosures:** The property was acquired by the borough in 2000 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Kenai Spur Highway to Commerce Drive and Fleet Street, a platted undeveloped road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.





## MINIMUM BID: \$5,000.00

Acres: 0.17

**Legal Description:** LOT 17, BLOCK 8, BLACK GOLD ESTATES SUBDIVISION AMENDED, ACCORDING TO PLAT NO. K-1399, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA .

**Topography:** Level lot with a mixed stand of spruce and birch.

**Special Features:** Platted residential lot located North of Kenai with platted access and within close proximity to the Kenai Spur Highway.

**Disclosures:** The property was acquired by the borough in 2017 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. Property is located within the City of Kenai and subject to city zoning and development requirements, restrictions, and permitting. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Kenai Spur Highway to Alpine Drive, and Windflower Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are in the area.





## MINIMUM BID: \$5,000.00

Acres: 0.17

**Legal Description:** LOT 20, BLOCK 8, BLACK GOLD ESTATES SUBDIVISION AMENDED, ACCORDING TO PLAT NO. K-1399, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA .

**Topography:** Level lot with a mixed stand of spruce and birch.

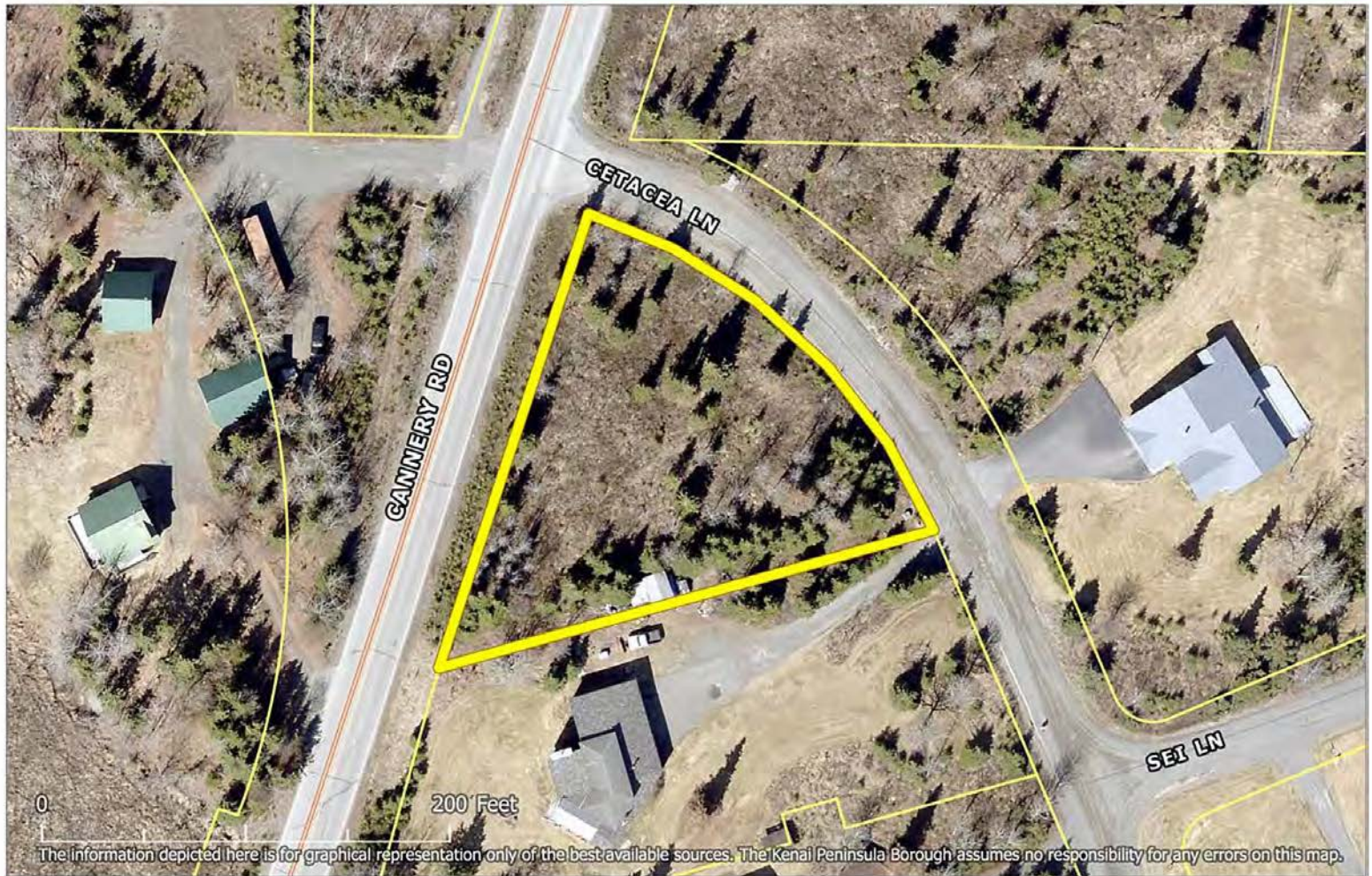
**Special Features:** Platted residential lot located North of Kenai with platted access and within close proximity to the Kenai Spur Highway.

**Disclosures:** The property was acquired by the borough in 2017 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. Property is located within the City of Kenai and subject to city zoning and development requirements, restrictions and permitting. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Kenai Spur Highway to Alpine Drive, and Windflower Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are in the area.





## MINIMUM BID: \$65,000.00

Acres: 0.57

**Legal Description:** LOT 1, BLOCK 3, BELUGA BAY ESTATES SUBDIVISION, PART 2, ACCORDING TO PLAT 77-155, FILED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

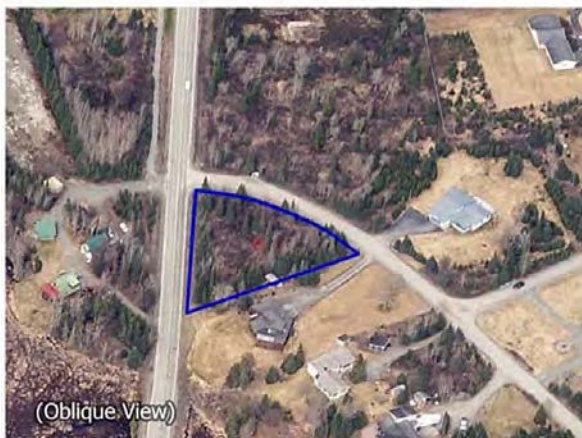
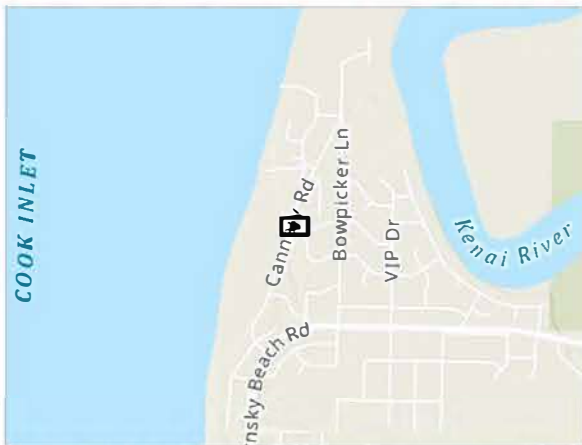
**Topography:** A level platted lot with a mixed stand of birch and smaller diameter spruce and birch.

**Special Features:** Platted residential lot located North of West of Soldotna off of K-Beach Road. Parcel is within close proximity of public beach access with possible views of Cook Inlet and the Alaska Range.

**Disclosures:** The property was acquired by the borough in 1982 by Warranty Deed. KPB has no historical knowledge of the property or its prior use. The property is subject to recorded Covenants Conditions and Restrictions as well as a recorded utility easement. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Cannery Road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.





## MINIMUM BID: \$20,200.00

Acres: 0.58

**Legal Description:** LOT 18, PANORAMIC PARK SUBDIVISION, ACCORDING TO PLAT K-1189, FILED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

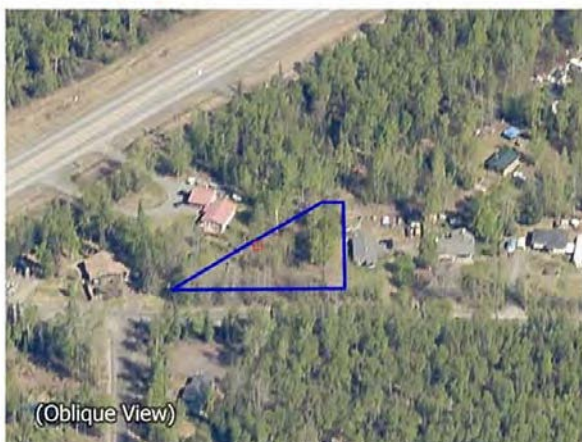
**Topography:** Level, partially cleared lot with a small spruce stand along the easterly property boundary.

**Special Features:** Residential lot located with developed platted access, located East Soldotna with easy access to the Sterling Highway.

**Disclosures:** The property was acquired by the borough in 1996 by Clerks Deed as the result of a borough tax foreclosure action. Aerial imagery indicates the possibility of encroachments along the northwesterly boundary. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Sterling Highway and Panoramic Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.



(Oblique View)



## MINIMUM BID: \$13,700.00

Acres: 0.31

**Legal Description:** LOT 50, BLOCK 14, GREGORY SUBDIVISION NO. 6, ACCORDING TO PLAT NO. 74-54, FILED IN THE KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level lot with a dense stand of spruce and smaller diameter birch.

**Special Features:** Platted residential lot in the Sterling area within close proximity to the Sterling Highway.

**Disclosures:** The property was acquired by the borough in 2016 by Clerks Deed as the result of a borough tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Sterling Highway and June Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.





## MINIMUM BID: \$7,000.00

Acres: 0.04

**Legal Description:** LOT 12, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level lot with smaller diameter spruce and birch.

**Special Features:** Platted RV lot in the Sterling area within close proximity to the Sterling Highway, Moose River and public Kenai River access.

**Disclosures:** The property was acquired by the borough in 2018 by Clerks Deed as the result of a borough tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs. Property is subject to Land Use Restrictions, recorded as Book 285, Page 971, Kenai Recording District.

**Access:** Potential access may be by way of the Sterling Highway and Moose River Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.





## MINIMUM BID: \$7,000.00

Acres: 0.04

**Legal Description:** LOT 13, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level lot with smaller diameter spruce and birch.

**Special Features:** Platted RV lot in the Sterling area within close proximity to the Sterling Highway, Moose River and public Kenai River access.

**Disclosures:** The property was acquired by the borough in 2018 by Clerks Deed as the result of a borough tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs. Property is subject to Land Use Restrictions, recorded as Book 285, Page 971, Kenai Recording District.

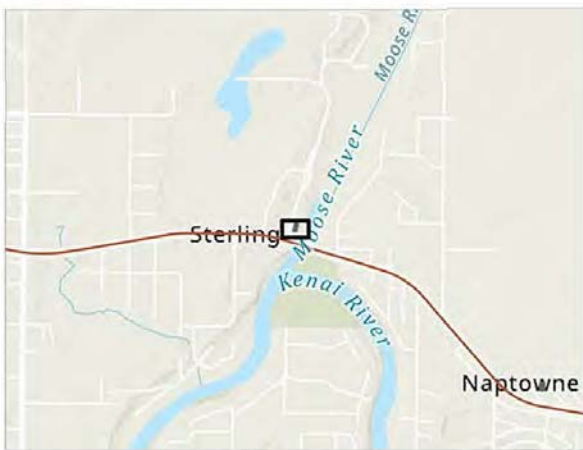
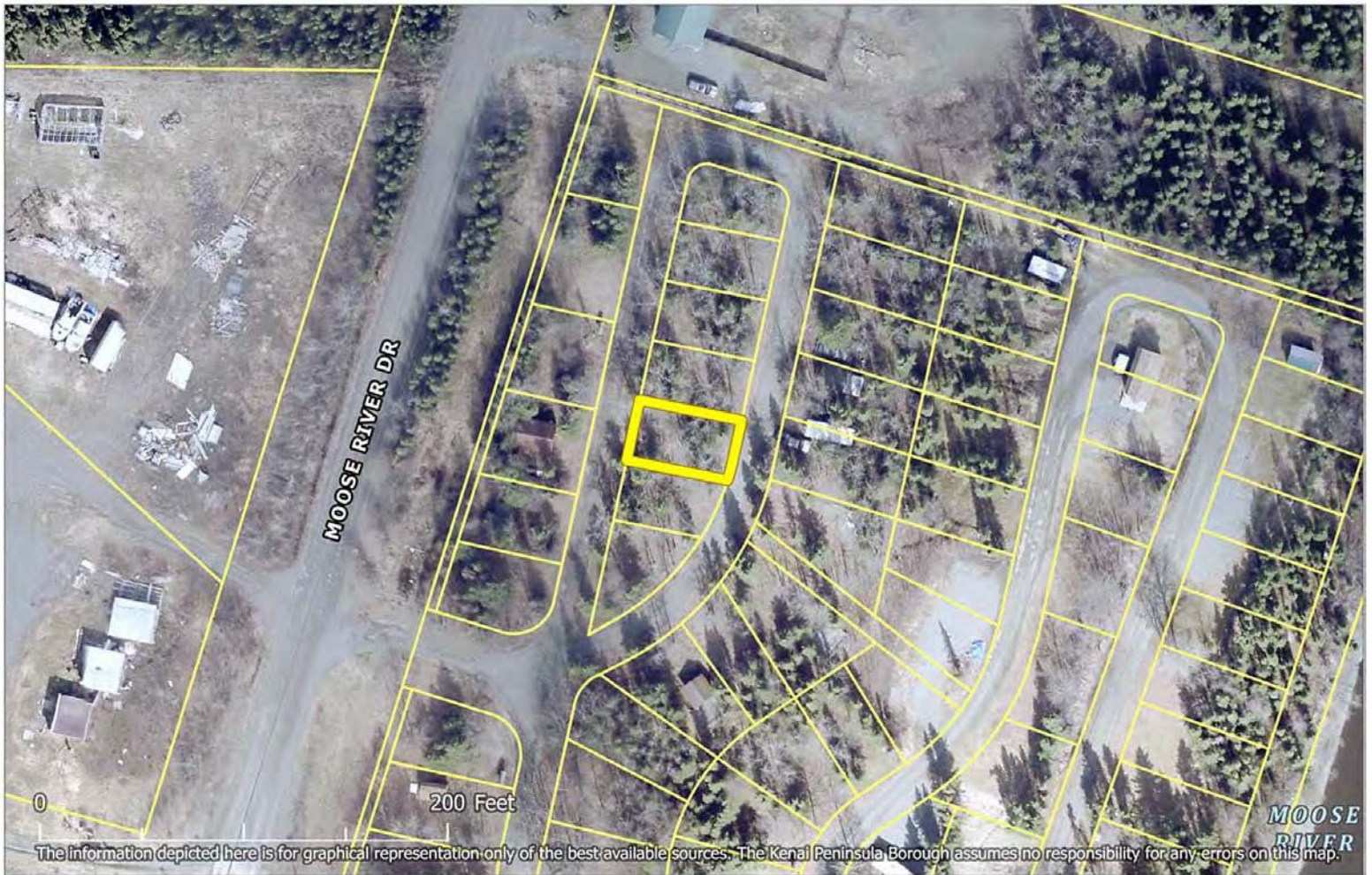
**Access:** Potential access may be by way of the Sterling Highway and Moose River Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.



(Oblique View)





## MINIMUM BID: \$7,000.00

Acres: 0.04

**Legal Description:** LOT 16, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level lot with smaller diameter spruce and birch.

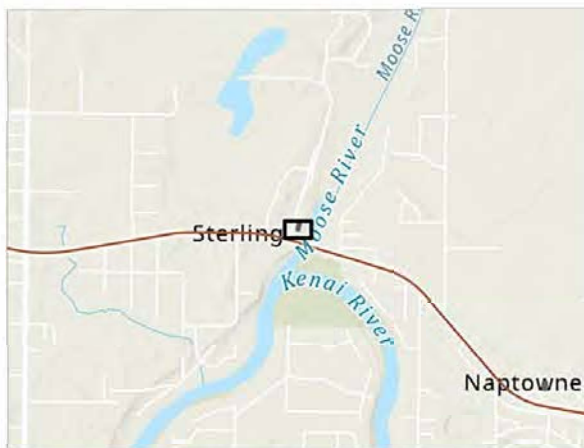
**Special Features:** Platted RV lot in the Sterling area within close proximity to the Sterling Highway, Moose River and public Kenai River access.

**Disclosures:** The property was acquired by the borough in 2001 by Clerks Deed as the result of a borough tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs. Property is subject to Land Use Restrictions, recorded as Book 285, Page 971, Kenai Recording District.

**Access:** Potential access may be by way of the Sterling Highway and Moose River Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.





## MINIMUM BID: \$7,000.00

Acres: 0.03

**Legal Description:** LOT 17, THE GREAT ALASKA FISH CAMP, PLAT NO. 82-81, KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level lot with smaller diameter spruce and birch.

**Special Features:** Platted RV lot in the Sterling area within close proximity to the Sterling Highway, Moose River and public Kenai River access.

**Disclosures:** The property was acquired by the borough in 2001 by Clerks Deed as the result of a borough tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs. Property is subject to Land Use Restrictions, recorded as Book 285, Page 971, Kenai Recording District.

**Access:** Potential access may be by way of the Sterling Highway and Moose River Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric and gas utilities are available in the area.



## MINIMUM BID: \$260,000.00

Acres: 0.73

**Legal Description:** LOTS 20 AND 21, TOWLE SUBDIVISION NO. 1, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Slightly sloping lot with a mixed stand of spruce and birch.

**Special Features:** Located in the community of Cooper Landing with approximately 149 feet of river frontage, just off the Sterling Highway.

**Disclosures:** The property was acquired by the borough in 1975 by Clerks Deed as the result of a borough tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have recently been located as part of an as-built survey necessary to address prior encroachment issues. A portion of the property lies within the Habitat Protection District and flood zone. The encroachment issues have been resolved. A portion of the property may have been cleared and improved as a result of the prior encroachment. It is the responsibility of all interested buyers to conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Sterling Highway. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric utility is available in the area.





## MINIMUM BID: \$38,800.00

Acres: 0.57

**Legal Description:** THAT CERTAIN PORTION OF LOT 26 LYING NORTHEASTERLY OF BEAR CREEK OF THE PLAT OF WOODROW ALASKA FILED JUNE 17, 1916 UNDER PLAT NO. VIII IN THE SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

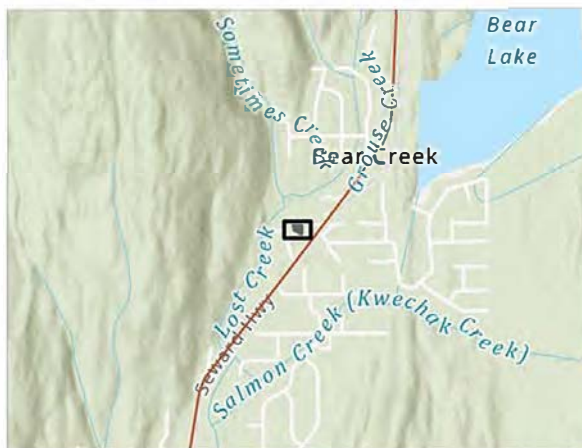
**Topography:** Level lot adjacent to Bear Creek.

**Special Features:** Bear Creek frontage property within close proximity to the city of Seward.

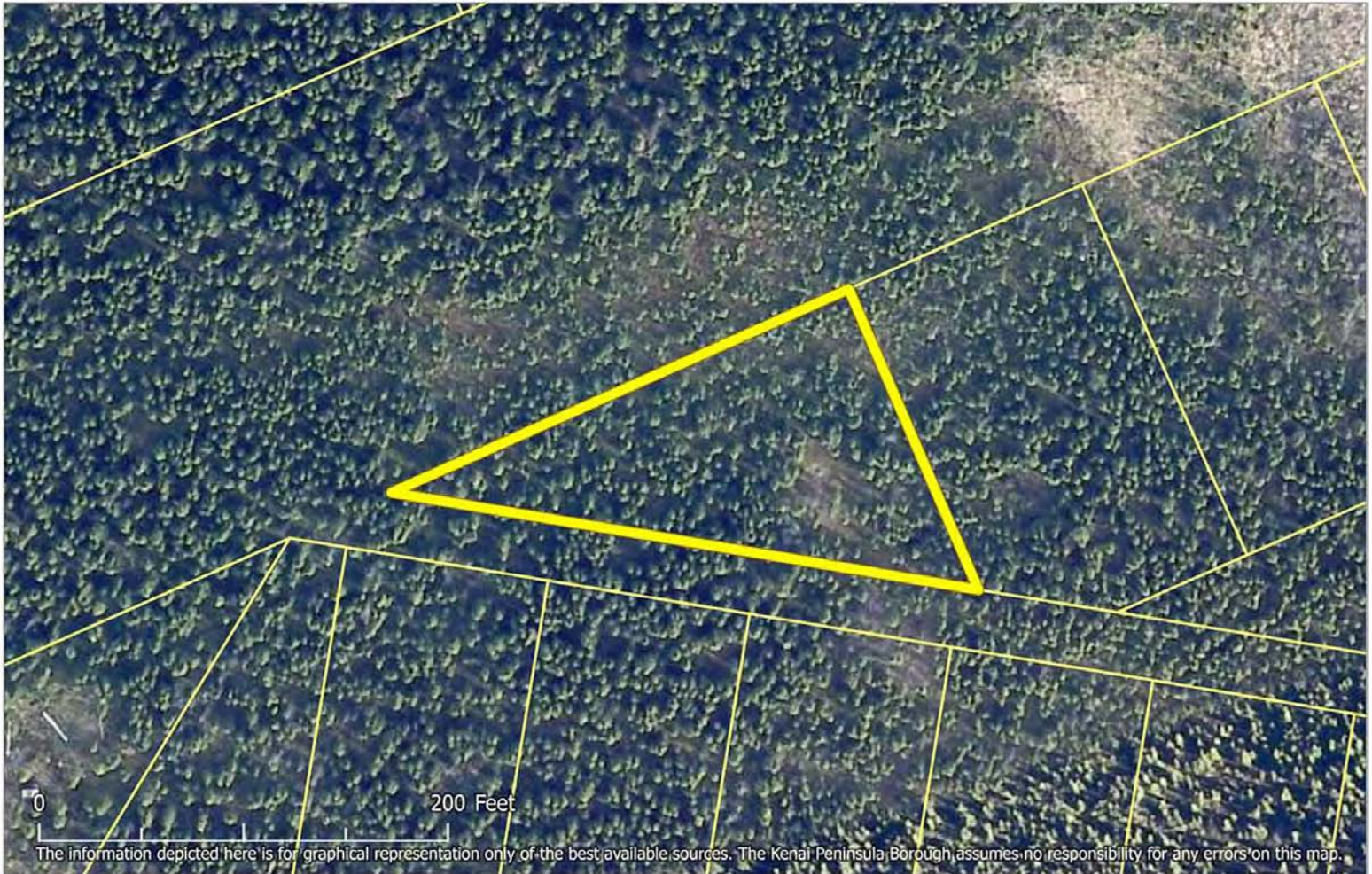
**Disclosures:** The property was acquired by the borough in 1975 by Clerks Deed as the result of a borough tax foreclosure action and later conveyed to the borough by Quitclaim Deed in 1982. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. Bear Creek fronts the entire SW property boundary. A portion of the property lies within an established flood zone. It is the responsibility of all interested buyers to identify property corners and conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Seward Highway and Peace Avenue a platted road. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric utility is available in the area.



(Oblique View)



(Oblique View)

## MINIMUM BID: \$5,000.00

Acres: 0.45

**Legal Description:** LOT 12, BLOCK 7, CARIBOU ISLAND SUBDIVISION, ACCORDING TO AMENDED PLAT 37, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Slightly sloping lot with a mix of spruce and birch.

**Special Features:** Caribou Island interior lot with platted access to Skilak Lake.

**Disclosures:** The property was acquired by the borough in 1996 by Clerks Deed as the result of a borough tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. This is a remote property with limited access. It is the responsibility of all interested buyers to identify property corners and conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Sterling Highway to Skilak Loop Road which provides access to a public launch. Access to Caribou Island is limited to boat, plane, or snowmachine in the winter when ice conditions permit. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** No public utilities are available.



## MINIMUM BID: \$5,000.00

Acres: 0.57

**Legal Description:** LOT 2, BLOCK 5, CARIBOU ISLAND SUBDIVISION, ACCORDING TO AMENDED PLAT 37, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Slightly sloping lot with a mix of spruce and birch.

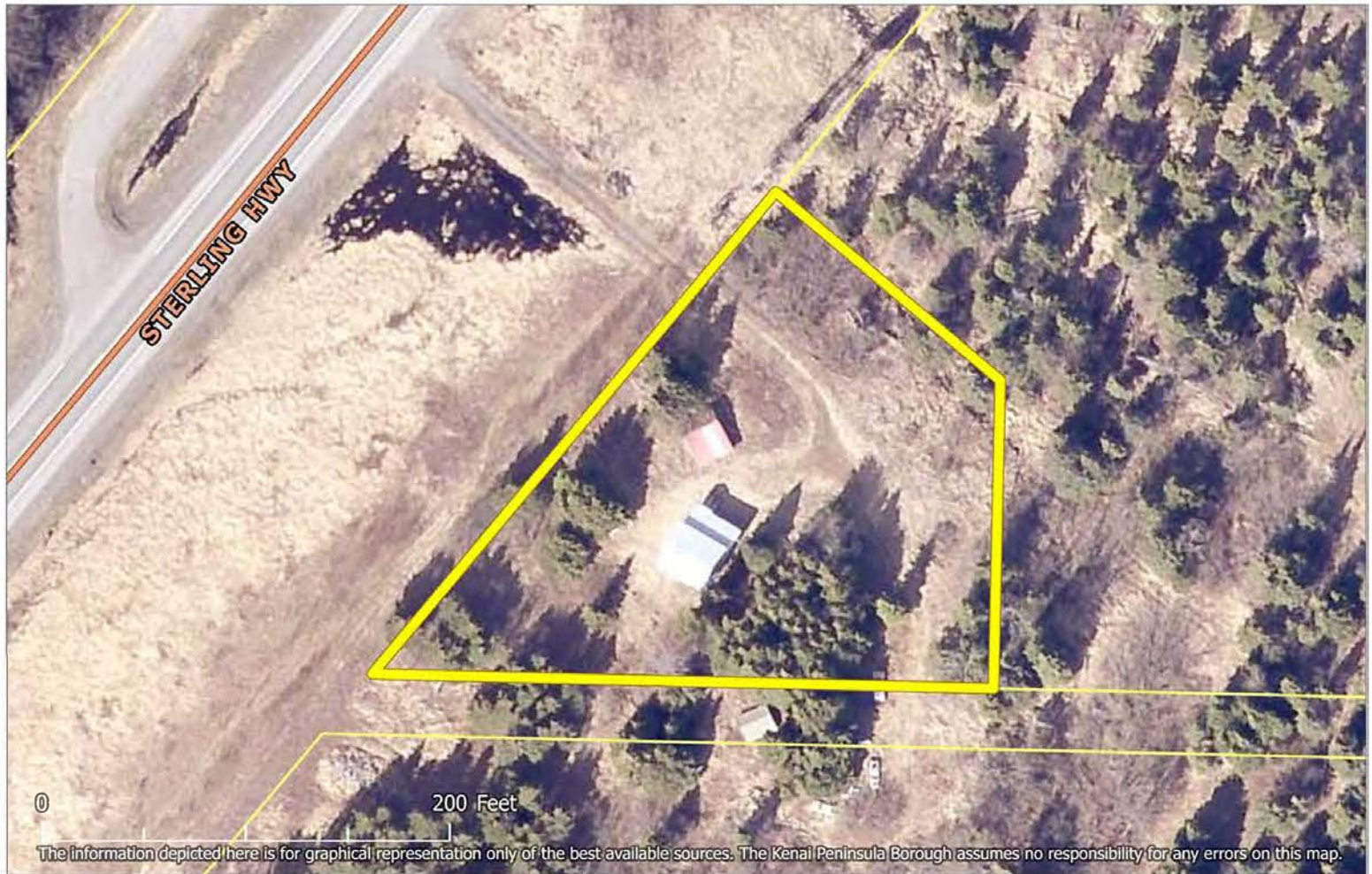
**Special Features:** Caribou Island interior lot with platted access to Skilak Lake.

**Disclosures:** The property was acquired by the borough in 2016 by Clerks Deed as the result of a borough tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property corners have not been located. This is a remote property with limited access. It is the responsibility of all interested buyers to identify property corners and conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of the Sterling Highway to Skilak Loop Road which provides access to a public launch. Access to the Caribou Island is limited to boat, plane, or snowmachine in the winter when ice conditions permit. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** No public utilities are available.





## MINIMUM BID: \$100,000.00

**Acres:** 1.01

**Legal Description:** LOT 1, COOPER-ENGLE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED UNDER PLAT NO. 97-9, RECORDS OF THE HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Slightly sloping lot with a mix of larger diameter spruce and birch.

**Special Features:** Developed residential lot with existing log home on a concrete block foundation, existing septic system, well and electric utility on the property. A developed driveway the the home and shed are also on the property. Easy access to the Sterling Highway with inlet views from the second story. A third party property inspection is available for review.

**Disclosures:** The property was acquired by the borough in 2021 by Warranty Deed resulting from a donation for the benefit of Western Emergency Services. KPB has no historical knowledge of the property or its prior use. Property corners have been located. It is the responsibility of all interested buyers to identify property corners and conduct their own due diligence to confirm the property will satisfy their future needs. Proceeds from the sale of the property will benefit Western Emergency Services. No warranty and or other representations are being provided regarding condition of the property or any improvements.

**Access:** Potential access may be by way of the Sterling Highway directly to the West property boundary It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric utility is available on the lot.



## MINIMUM BID: \$15,000.00

Acres: 0.59

**Legal Description:** LOT 33, BLOCK 8, CAMELOT BY THE SEA SUB, PLAT NO. SW-76, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Mostly level platted lot.

**Special Features:** Level platted lot in the Camelot By The Sea Subdivision just north of Seward. Property has dedicated access and is similar in size to adjacent properties within the same development.

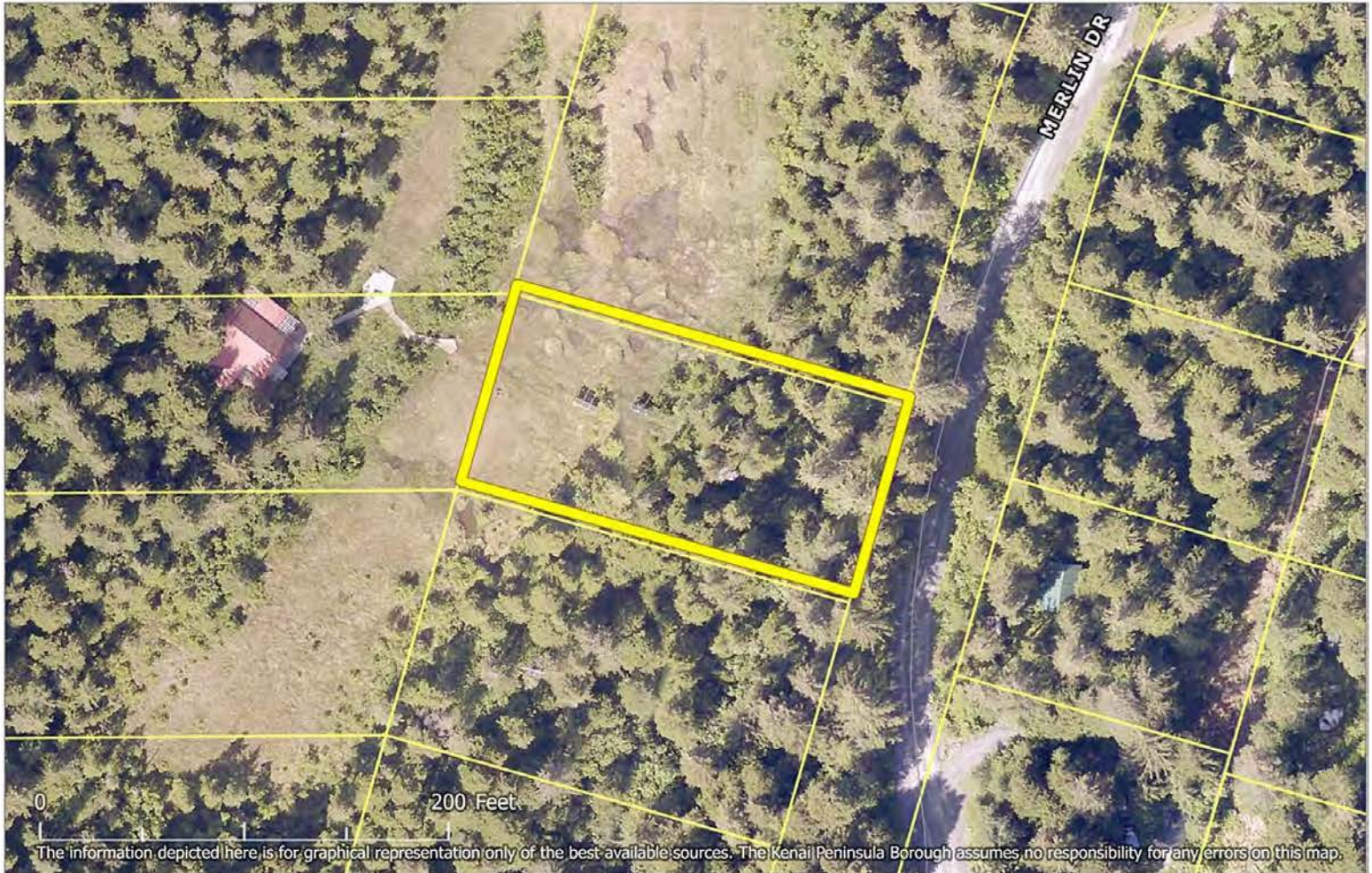
**Disclosures:** The property was acquired by the borough in 2017 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. It is the responsibility of all interested buyers to identify property corners and conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of Salmon Creek Road and Lancelot Drive, platted roads. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric utility is available in the area.







## MINIMUM BID: \$13,000.00

Acres: 0.46

**Legal Description:** LOT 18, BLOCK 7, CAMELOT BY THE SEA SUB, PLAT NO. SW-76, SEWARD RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Mostly level platted lot with a slight depression and wet area located on the West half of the property.

**Special Features:** Level platted lot in the Camelot By The Sea Subdivision just north of Seward. Property has dedicated access and is similar in size to adjacent properties within the same development.

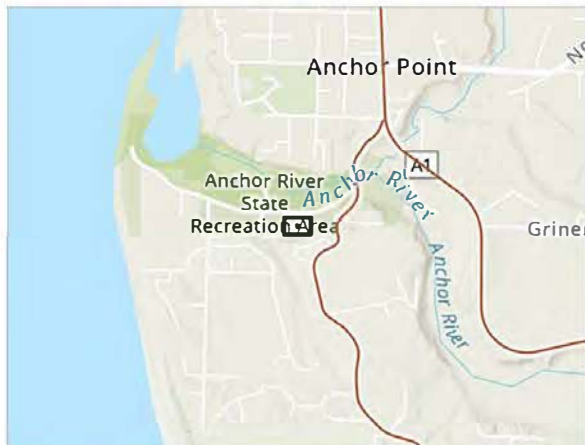
**Disclosures:** The property was acquired by the borough in 2016 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. It is the responsibility of all interested buyers to identify property corners and conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Potential access may be by way of Salmon Creek Road, King Arthur Drive and Merlin Drive, all platted roads. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric utility is available in the area.



(Oblique View)



## MINIMUM BID: \$7,700.00

Acres: 0.07

**Legal Description:** LOT 32, SILVER KING CAMP UNIT III, FILED UNDER PLAT NO. 85-45, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Level partially cleared lot.

**Special Features:** Level recreational lot, located near the Anchor Point Public Beach access.

**Disclosures:** The property was acquired by the borough in 2008 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. Property is encumbered by Covenant, Conditions and Restriction (CCR's), recorded as Book 112, Page 761 and Book 136, Page 387, Homer Recording District. It is the responsibility of all interested buyers to identify property corners, review CCR's, and conduct their own due diligence to confirm the property will satisfy their fut

**Access:** Potential access may be by way of Anchor Point Road and Ann Drive. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric utility is available in the area.





## MINIMUM BID: \$15,700.00

Acres: 0.28

**Legal Description:** THE NORTH 1/2 OF TRACT C, FRANK RABY 1971 ADDITION, ACCORDING TO PLAT 72-60, SELDOVIA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

**Topography:** Unknown

**Special Features:** Platted lot located adjacent to Seldovia.

**Disclosures:** The property was acquired by the borough in 2005 by Clerks Deed resulting from a tax foreclosure action. KPB has no historical knowledge of the property or its prior use. KPB records and aerial imagery indicate an old cabin ruin exists along the easterly boundary of the parcel. It is the responsibility of all interested buyers to identify property corners, and conduct their own due diligence to confirm the property will satisfy their future needs.

**Access:** Property is remote in nature. Access to Seldovia is by boat or plane only. Access from Seldovia to the parcel may be by Anderson Way. It is the responsibility of the buyer to identify and confirm desired access to subject parcel prior to the sale.

**Utilities:** Electric utility is available in the area.



**WESTERN EMERGENCY SERVICE AREA  
PO BOX 350  
72440 MILO FRITZ AVENUE  
ANCHOR POINT, AK 99556-0350  
REGULAR BOARD MEETING MINUTES  
WEDNESDAY EVENING, OCTOBER 12, 2022  
18:30 HOURS**

**CALL TO ORDER**

Chairman, Dawson Slaughter called the meeting to order at 18:33 hours.

**PLEDGE OF ALLEGIANCE**

All rose for the Pledge of Allegiance. Board Chair, Dawson Slaughter led the pledge of allegiance.

**ROLL CALL**

**Board Members Present:** Cherie Richter, Seat A; Dawson Slaughter, Seat B; Kathryn Lopeman, Seat C; Katherine Covey, Seat D; Janice Nofziger, Seat E

**Staff Members Present:** Jon Marsh, Chief; Rob Mathis, Deputy Chief; Cassie Parkinson, FF Tech/ Acting Secretary

**Absent:** David Bear, Assistant Chief; Robert Dash, Training Captain/56 hour; KPB Assembly President, Brent Johnson

**Visitors:** Jeran Marchbanks, Firefighter/56hour

**APPROVAL OF THE AGENDA**

**Discussion:** none

   **K Covey**    /    **K Lopeman**    moved and seconded to approve the Agenda as written.

   **5**    Yes,    **0**    No,    **0**    Absent      Motion Passed

**APPROVAL OF THE MINUTES, Regular Board Meeting, September 14, 2022.**

**Discussion:** None

   **K Covey**    /    **K Lopeman**    moved and seconded to approve the minutes of the September 14, 2022 Regular Board Meeting as written.

   **5**    Yes,    **0**    No,    **0**    Absent      Motion Passed

**PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

**Comments:**

No Public Comments.

## REPORTS

### A. Chief's Report ~ Jon Marsh, Chief: (see attached)

Key Points: Dave Matthews is planning an Open House on Halloween at Station 3. Shannon Schwendeman is planning something small at Station 1. Fire Service Instructor class is starting October 24<sup>th</sup>. National Fire Academy class (STICO) this weekend at Station 3. EMS Symposium in Anchorage October 18-22. Dave Matthews, Jolayne Soplanda and Cassie Kwell will be attending. Previous 12 Months billing collection rate is at 78%. \$264,136.02 total charges, \$148,960.32 collected with \$73,580.82 pending. Calls for assistance: 421 YTD, 34 calls since last meeting.

### B. SREMSC / KPESI Report ~ Ryon Turley:

Absent. Preparing for the Annual EMS Symposium in Anchorage. No report

## PENDING BUSINESS & FOLLOW-UP FROM LAST MEETING

### A. Positions:

Last Meeting, Board Chair Dawson Slaughter had tasked the board members to go and speak with community members to get input on how the community felt about adding positions and the expected increase in property taxes that may come from extra coverage.

Board Members spoke with people from both Ninilchik and Anchor Point communities and came back with the following:

- Community members are supportive of extra coverage.
- Most community members don't seem to know or pay attention to what their property taxes cover.
- Overall, most community members are ok with an increase in taxes for an increase in coverage.
- A small amount of community members are not supportive of potential property tax increases, no matter what the reason
- Overall, a majority of community members worry more about assessed property values than the mil rate or actual property tax paid.
- The community will support the Boards recommendations as long as the service they expect, is being provided.

There was much discussion on how to manage the needs of the service area and request additions to funding.

Key points of discussion:

Managing the service area  
Assess and request for needs of the service area  
Bare minimum requests for coverage needs  
Overtime wages vs Staffing  
Transparency and community awareness of services provided  
Staffing vs shift coverage by volunteers  
Decrease in volunteer hours and availability  
Justification for needs of the service area

There was discussion and review of requests. The Board (prior to the merger) had requested positions, those requests were put on hold due to the COVID crisis. The merger happened and the task force decided on the minimum number of positions that were needed to manage the area of expansion. These positions are covering the entire area.

In order to decrease overtime wages, improve response times, cover mandatory paid leave, and provide the expected level of service to the community we need additional positions.

The addition of 7 full time positions would only guarantee that the two staffed stations would have a full crew to cover one call at a time, per station with no backup for a third call if it were to drop.

Board members decided the appropriate number of positions to ensure the needs of the service area are met, should be 9.

Board Chair, Dawson Slaughter addressed the Board concerning this request. Mr. Slaughter recommended that the Board as a whole, needs to be in accord and agreement on this issue before it proceeds any further.

The Board unanimously agreed to support the management of the service area and provide the community with the level of service the community expects.

    **K Lopeman**     /     **K Covey**     moved and seconded to recommend Chief Marsh move forward with the request of 9 additional positions for full staffing in order to fulfill the needs of the Service Area and provide the level of service the community expects.

    **5**     Yes,     **0**     No,     **0**     Absent                      Motion Passed

**NEW BUSINESS**

**A. Property (74155 Sterling Hwy):**

Board Member, Katherine Covey introduced this topic.

This property was acquired during the merger with Ninilchik Emergency Services. It was previously utilized as a training property for NES. The property is not being utilized and the suggestion is to sell this property and utilize the funds for needs of the service area.

Chief Marsh spoke with Finance about this property. The intent with the merger was to donate this property to WES. It is ours (the service area) to do with as we please.

This property is relatively small. There is no need for it right now and the topography of the parcel makes it unusable for our needs.

More discussion on this parcel ensued.

    **K Covey**     /     **K Lopeman**     moved and seconded to proceed with listing this property for sale on behalf of Western Emergency Services.

5   Yes,   0   No,   0   Absent                      Motion Passed

**INFORMATIONAL MATERIAL**

Expense Report  
Chief's Report

**PUBLIC COMMENTS**

None

**BOARD COMMENTS**

Seat A; Vice Chair, Cherie Richter: none

Seat B; Chair, Dawson Slaughter: none

Seat C; Kathryn Lopeman: none.

Seat D; Katherine Covey: none.

Seat E; Janice Nofziger: none.

**EXECUTIVE SESSION**

None

**NOTICE OF NEXT REGULAR BOARD MEETING**

**Discussion:** The next regularly scheduled meeting is set for November 9<sup>th</sup>. Acting Secretary Cassie Parkinson and Chief Marsh will both be out of town on this day. There was discussion of rescheduling the meeting for the following Wednesday, which is November 16<sup>th</sup>.

The Board unanimously agreed to reschedule the meeting for Wednesday, November 16<sup>th</sup>, 2022. This meeting will be held at Station One in Ninilchik.

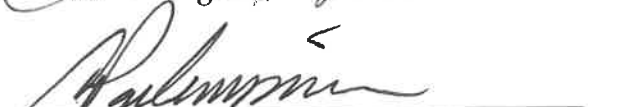
Wednesday, November 16<sup>th</sup>, 2022 will be the next scheduled meeting.

**ADJOURNMENT**

Chairman, Dawson Slaughter adjourned the meeting at 19:30.

  
Dawson Slaughter, Board Chair

\_\_\_\_\_  
11/16/2022  
Date Approved

  
Cassie Parkinson, Acting Secretary WES Board

\_\_\_\_\_  
11/16/2022  
Date Approved

# **DESK PACKET**

**(MATERIALS SUBMITTED AFTER MEETING PACKET PUBLICATION)**

## **MISC INFORMATION**

### **APC Meeting Minutes:**

- **02-07-24 Cooper Landing APC**
- **02-08-24 Nikiski APC**



**COOPER LANDING ADVISORY PLANNING COMMISSION  
REGULAR MEETING  
LOCATION: COMMUNITY HALL AND ZOOM TELECONFERENCE  
WEDNESDAY, FEBRUARY 07, 2024  
6:00 PM  
UNAPPROVED MINUTES**

1. CALL TO ORDER: 6:00 p.m.
2. ROLL CALL
  - a. J. Cadieux, L. Johnson, Y. Galbraith, C. Degernes, K. Recken, D. Story present. H. Harrison excused.
  - b. In person attendees: Kim Neis
  - c. Attending via Zoom: H. Pearson, Lorraine Temple, Samantha Lopez, Aaron Hughes, and M. Aldridge
  - d. Election of officers
    1. C. Degernes said she believed that rotating roles may help encourage more people in the community to step up and helps to keep everyone fresh.
    2. D. Story said that he is comfortable staying in the Secretary role if that helps to provide stability for someone else to consider taking on the role of Chair.
    3. J. Cadieux said that she feels it is important to have continuity in the roles through the land planning process. It is likely that this process is big enough that having each board member, not just officers, taking on supporting components of it would be valuable.
    4. Y. Galbraith said everyone in the group is capable of these positions and can learn and do this.
    5. D. Story suggested since the seats are all on offset schedules that moving forward, the change of officers could be one change at a time so that the two other officer positions provide some stability and continuity to the process.
    6. D. Story moved to elect the officers as follows: C. Degernes as Chair, J. Cadieux as Vice Chair, D. Story as secretary. Y. Galbraith seconds. All approve by roll call vote.
    7. K. Recken thanked the current officers for their service.
3. APPROVAL OF AGENDA
  - a. Y. Galbraith moved to amend the agenda to add item 9B to the Commissioners Comments: CLES Dry Hydrants. L. Johnson moved to approve the agenda as amended. Y. Galbraith seconds. All approve by roll call vote.
4. APPROVAL OF MINUTES for January 03, 2024
  - a. Y. Galbraith moves to approve the minutes as written. L. Johnson seconds. D. Story and J. Cadieux join them to approve by roll call vote. C. Degernes and K. Recken abstain as they were not present at the last meeting.
5. BOROUGH BUSINESS
  - a. REPORTS
    - i. PLANNING:

1. Explanation from S. Lopez, KPB Planning and Zoning Senior Manager, regarding timing of plat items to APCs
  - a. S. Lopez said multiple APCs have expressed confusion about the planning process and platting process timing and that the goal is to move through the items as efficiently as possible. She said that since different APCs meet on different days of the week, the aim has been to deliver the laydown information on a predictable schedule. Right now, that is on the Friday before the CLAPC meets.
  - b. J. Cadieux asked about if it is possible to know about a plat before the staff report comes out.
    1. S. Lopez explained that the timeline is set so that the Assembly or Planning Commission can deal with items when they meet twice a month but it is still challenging for the APCs to capture the information since they only meet once a month. Sometimes it will be possible to inform APCs prior to the full staff-report and other times it will not.
  - c. J. Cadieux said that she is including the email explanations of these details in the supporting documents to help community members understand how those deadlines affect things.
2. APC Meeting Requirements and Guidelines document from S Lopez
  - a. Move publication of CLAPC agenda to the Monday prior to the meeting instead of one week prior?
    1. J. Cadieux said that she understands our historical record shows that the CLAPC has published the agenda one week prior but the explanation from the KPB is that that one week prior is not actually required.
    2. D. Story asked about the possibility of using a QR code linked to the posted agenda on the CLAPC webpage and language to deal with the timing and agenda making the current agenda available to anyone with a smart phone as they read a physical posting in the community.
    3. S. Lopez said that it is not required to have the physical postings and that is something that Cooper Landing has chosen to do.
  - b. S. Lopez said that the KPB will no longer be sending email documents and instead they will be uploaded to the supporting documents link on the CLAPC page.
    1. D. Story said that there had been a loss of detail in the past when those documents were batch scanned to a single file.

1. S. Lopez clarified that the detail has been improved for some time now.
2. D. Story asked if the documents would each be individual items as they are often submitted or one large file as that can also be hard for community members to navigate to the item they are searching for.
  1. S. Lopez said it can sometimes depend on the website mechanism (Joomla). The support documents will likely remain one, collective batch

ii. LAND MANAGEMENT ITEMS

1. KPBC passed the resolution for land classification of Unit 395.
2. KPBC LM- Spring Land Sale Ordinance (attachment) please contact Aaron Hughes in LM for more information.
  - a. A. Hughes said 28 parcels that the KPBC has acquired through foreclosure actions or other means are being put for disposal. He said that many of the parcels have development challenges especially for residential purposes but one of the goals is putting them back into private hands and onto the borough tax roll.
  - b. He said they will be sold via live auction on May 11.
  - c. He said one parcel in the sale is in the Cooper Landing area. Parcel 11902021 is a .73-acre riverfront parcel. It was not identified in the 1996 Land Use Plan even though it was available then. The reserve bid is \$260,000.
  - d. C. Degernes asked if there is a minimum bid can someone still bid less than that.
    1. A. Hughes said that if the reserve is not met it will be retained in borough ownership.
  - e. C. Degernes moves to recommend the approval of the sale of Parcel 11902021. Y. Galbraith seconds. All approve by roll call vote.

b. PLATTING

- i. NEW PLATS - none
- ii. ANY NOTICE OF DECISION ON PLATS - none

6. OLD BUSINESS

- a. KPBC passed the resolution for land classification in Unit 395 that Aaron presented last meeting including the CLAPC recommendation to make it both Resource Management and Recreation Classifications. Assembly minutes not yet available but will be posted to KPBC website when available.

7. NEW BUSINESS (Switch to Work Session if needed.)

- a. D. Story moves to switch into a work session. L. Johnson seconds. All approve by roll call vote.
- b. Updating the Cooper Landing Land Use Classification Plan- Introduction

- i. Y. Galbraith asked about the status of the land classification category changes proposed by KPB.
  - 1. S. Lopez stated that there is not yet an active plan to move forward with changing the land use plan right now. The effort to change the KPB land classification is on the horizon.
  - 2. K. Recken said that she thinks that we should work on the process of this effort first. One of the steps that should be first is asking the public their thoughts.
- ii. D. Story asked about the possibility of the tool within the Parcel Viewer that was used for the land selection process.
  - 1. S. Lopez said that the GIS department is stretched pretty thin so she did not think they would be able to commit to that.
  - 2. A. Hughes said that as the KPB's changing of the classification system happens mapping might be developed as a scoping tool that is able to be more broadly used.
  - 3. S. Lopez said the CLAPC might need to "tap the brakes" a bit on their updating process.
- iii. J. Cadieux asked what the timeline might look like for when KPB Land Management might be ready to move forward with CLAPC on land classification updating.
  - 1. S. Lopez indicated it was too difficult to say and added that it may still be useful to begin the outreach process.
  - 2. A. Hughes said that one part of the process is clarifying the land ownership that exists now to ensure the inventory is as accurate as possible. He said over 70,000 acres are still being clarified and that this effort would take time.
- iv. J. Cadieux said to develop a process for this revision of the Land Use Plan will also take some time and we should be able to improve it by reviewing and learning from the previous plans.
- v. Y. Galbraith said she thought that making a plan for a work session instead of tying it to another meeting would be a good idea.
- vi. D. Story explained how the schedule of the 1996 meetings were laid out. He said the process started with an introductory meeting explaining the five areas of the plan being reviewed. He said that after the intro each meeting followed the same pattern with a regular meeting for input on the area, a work session for the relevant area, followed by a regular meeting to vote on the prior area and to take input for the next area. He said this continued for a total of 13 meetings between December and May including the last meeting which was a community wide vote on the whole plan. He said that it was not an every-week schedule and had a break but that most of the weeks in that period had a meeting.
  - 1. K. Recken said that we can adjust that to the tools that we have now versus how they did it back then to make it more efficient.
  - 2. J. Cadieux suggested that the work of that process to establish classifications would probably ease the burden of this process.
- c. Y. Galbraith suggested scheduling a public work session.

- i. Commissioners discussed options and set the work session date as March 26 at 6:00pm.
  - ii. Y Galbraith moved to return to regular CLAPC meeting agenda. L Johnson second. All approved via roll-call vote.
8. PUBLIC COMMENT/PRESENTATION
  - a. PRESENTATIONS HERE (I.E. ADOT) - none
  - b. PRESENTATIONS HERE (I.E. CHUGACH) - none
9. COMMISSIONER COMMENTS
  - a. Information sheets are available to assist community members in reporting incidents to Alaska State Troopers. Please see those in the support documents for this meeting and in various locations around town and online. YG
  - b. CLES is pursuing grants to establish 2-3 Dry Hydrants around town. There is one location near the Baptist Church and two others they are investigating. They are also interested in the community well concept and how to utilize that for emergency services if possible. YG
10. ADJOURNMENT – D. Story moves to adjourn. Y. Galbraith seconds. All approve by roll call vote.

For more information or to submit comments contact the Cooper Landing APC at:

- For email visit: <https://www.kpb.us/planning-dept/planning-commissions/cooper-landing-apc> On the far right-hand side of the page is a box titled, “Commissioner Information”. Scroll to the bottom of the box and select, “Contact the Cooper Landing APC”.
- Send USPS mail to: Kenai Peninsula Borough Planning Department, Attn: CLAPC 144 N Binkley, Soldotna, AK 99669

NIKISKI ADVISORY PLANNING COMMISSION

Regular Meeting Minutes

February 8, 2024 at 6:30 pm

Location: North Peninsula Rec Center

1. CALL TO ORDER: 6:43pm

2. ROLL CALL: Nikiski APC Members Kelly Brewer, Stacy Olivia, Jason Ross, Sue Covich, Jon Hamon-Kenai

Peninsula Borough: Ryan Raidmae, Aaron Hughes Guests: Nikiski Recreation Director Eric Eleton

3. APPROVAL OF AGENDA: Stacy moved to approve, Kelly Seconded. Unanimously approved.

4. APPROVAL OF MINUTES: Stacy moved to approve, Sue Seconded. Unanimously approved.

5. BOROUGH BUSINESS

a. REPORTS

i. Planner: Ryan introduced Aaron Hughes (KPB land sales)

ii. Assembly Member/Other: None

b. Land Management

i. KPB Spring Land Sale Auction The packet has 9 Parcels of Land in Nikiski – Aaron spoke about the land sales scheduled for May 11, 2024 Public Outcry Auction-more public information will follow

c. PLATTING

i. New Plats

a. Laydown for Shamrock Subdivision No. 3, KPB 2024-015. This subdivision will subdivide one tract into two tracts: Stacy moved to approve, Kelly Seconded. Unanimously approved.

b. Laydown for street rename T07N-R12W Section 10-SN Resolution 2024-02 to Aspen Lane: Kelly moved to approve, Sue Seconded. Unanimously approved.

6. OLD BUSINESS

a. Election of Officers: Stacy nominated Len for Chair, Sue Seconded. Unanimously approved.

Jon nominated Sue for Vice Chair, Stacy Seconded. Unanimously approved.

Stacy nominated Kelly for Secretary; Sue seconded. Unanimously approved.

b. Nikiski Comprehensive Plan

i. Create community survey: Finished with preliminary ideas for the survey

ii. Date for Community Meeting: end of April, 2024 to be determined at next meeting

7. NEW BUSINESS: None

8. PUBLIC COMMENT/PRESENTATION: None

9. COMMISSIONER COMMENTS; Jon added 3 questions to the survey

10. ADJOURNMENT: 8:09 P

Next Regular Meeting: Thursday March 21, 2024 at 6:30 PM