

**COOPER LANDING ADVISORY PLANNING COMMISSION
REGULAR MEETING
LOCATION: ZOOM TELECONFERENCE
WEDNESDAY, JANUARY 05, 2022
6:00 PM
UNAPPROVED MINUTES**

1. CALL TO ORDER – 6:01 pm
2. ROLL CALL – J. Cadieux, K. Recken, H. Harrison, L. Johnson, C. Degernes, D. Story attending. Y. Galbraith excused.
 - a. Others attending:
 - i. Ann and Brad Hanson, Rhonda Lynn, Cindy Ecklund, David and Chris Nees, Bryan Atkins, Virginia Morgan, Tommy Gossard, Brad Melocik, Bruce Skolnick, Michael Deegan, Cheryle James, Heather Pearson, Gyda Sears, Melissa Brennan, Katie Feichtinger, Alice Rademacher, Nancy Carver, Sean Baski, Michael Link, Marcus Mueller, Rhonda Lynn, Jerry Fox, Candy FitzPatrick, KDLL News, Tom Lessard, Theodore Cocos, Kristine Route, Bruce Jaffa, Bob XXXX, Courtney XXXX, Mark XXXX, The Sorensens
3. APPROVAL OF AGENDA – L. Johnson moves to approve with addition of laydown budget item, C. Degernes seconds. All approve.
4. APPROVAL OF MINUTES for December 08, 2021 – L. Johnson moves to approve as written. C. Degernes seconds. H. Harrison did not attend. All approve.
5. CORRESPONDENCE
 - a. Notice of Decision 2021-153 Towle Subdivision Replat- approved
6. PUBLIC COMMENT/PRESENTATION WITHOUT PREVIOUS NOTICE
 - a. None
7. REPORT FROM BOROUGH
 - a. DOT&PF Sterling Hwy MP 45-60 Project report and questions/answers. Sean Baski or Jonathan Tymick, PE, Project Manager, AKDOTP&F.
 - i. Phase 1B will be on the February CLAPC agenda.
8. OLD BUSINESS
 - a. Unit 395: Marcus Mueller, Kenai Peninsula Borough (KPB) Land Manager: Planning a Scope of Work

- i. Seeking community feedback/ideas on what can be incorporated into a professional contract scope to lead the investigation of how best to utilize Unit 395:
 1. Unit 395 Overview
 - a. 1000 acre parcel colloquially referred to as “Juneau Bench”
 - b. This parcel was part of municipal entitlement lands [granted to the Kenai Peninsula Borough from the State of Alaska out of National Forest Community Grant Lands under Section 6(a) of the Alaska Statehood Act.]
 - c. Title obtained 2019?
 2. Scope of Work and Request for Proposals to include hiring a planning consultant to develop a land use plan. This scope of work would also include:
 - a. Review existing plans including the Cooper Landing Land Use Plan, USFS Land Use Plan etc. and gather pertinent land information regarding resources, recreational features, waterways, sound buffers, green space and wildlife passage, etc.
 - i. Includes work from MP 45-60 project.
 - b. Facilitate a public engagement process to gather public input and report on the types of products the planning process would develop.
 - i. Presentations and work sessions
 - c. Develop a set of maps, narratives, figures to identify important features, proposed features, document recommendations and alternatives etc.
 - d. Provide cost estimates for major elements of plan.
 - e. Submit reviews for public governance approval process.
 - f. [See supporting document “Updated Unit 395 Planning Scope of Work Summary Draft” for additional components.]
 - ii. Number of APC Work sessions (3 or 4 total), Presentations (2 kick off and 2 draft plan), & other meetings (2 APC general attendance)
 - iii. Discipline/emphasis to include such as community planning, transportation planning, geology, recreation planning, utilities planning, etc.
 - iv. Resources and features important to inventory & map
 - v. Products to deliver such as plans, reports, studies, maps, recommendations
 - vi. Other ideas, emphasis, and expectations
- b. C. Degernes asked whether the USFS would be involved in the process. She said she is interested in the USFS’s plan for the forest roads and access since their plan would help shape the community’s view.

- i. M. Mueller said, yes, they will be a part of it.
 - ii. C. Degernes said she would like the CLAPC to be included in those conversations rather than the agencies working this out between each other without local, public input. J Cadieux seconded that opinion.
- c. J. Cadieux said she wants access and connectivity to the forest roads mapped and designed.
- d. D. Story asked what the elapsed timeline for this scope of work would look like.
 - i. M. Mueller said it is slated for around 6 months to start in spring 2022 and go into the fall.
 - ii. H. Harrison asked about the elapsed timeline whether it includes the consultant process, interagency cooperation, and community input. K. Recken also asked for further clarification on whether this 6 months would include the time the planners would need to complete the planning after the public process.
 - 1. M. Mueller said it was initially thought of as 6 months for the project from the initial public process through completion.
- e. J. Cadieux asked whether the input that is gathered will be ranked in order of importance and how that will be assessed.
 - i. M. Mueller said that the consultant/planner would largely be responsible for determining this through their assessment and management alternatives.
- f. C. Degernes said that six months does not sound like enough time to complete such a project especially given the timing of spring/summer months when many in Cooper Landing are busy.
 - i. M. Mueller said that he gets that sense as well.
- g. Public Questions and Statements
 - i. Cindy Ecklund asked whether the request for proposals (RFP) that is going out will be similar to the document shared by M. Mueller during this meeting. [Updated Unit 395 Planning Scope of Work Summary Draft]
 - 1. M. Mueller said, yes and that the document is an excerpt summary.
 - 2. C. Ecklund asked whether now is the time for the CLAPC to submit comments for inclusion in the RFP.
 - 3. M Mueller responded yes. He later indicated folks could submit comment after this meeting but he would like all comment within the coming two weeks.
 - ii. H. Pearson asked if M. Mueller could share where he is at in the process for Unit 395 and reminded all attendees of the community's desire to disallow access to this unit from the new highway alignment.

- iii. Michael Link asked for clarification regarding the NEPA process to examine the impacts from a road bypass/improvements included in the Record of Decision.
 - 1. M. Mueller said that the highway project ROD is better answered by DOT (S. Baski) but in February 2021 the USFS and DOT discussed ramps designed as an alternative to an underpass or bridge for the Chunkwood Road access. They are designed as one way on / one way off ramps and this highlights the need for a professional planning consultant.
 - 2. S. Baski shared his screen to show the area in question. The USFS “Chunkwood Road” has two different crossings of the existing alignment. The first crossing is along the section of Chunkwood Road locally known as ‘W. Juneau Bench Rd.’ and crosses via a two-way underpass. The second crossing is along the eastern section of Chunkwood Rd. and new alignment access to this crossing was requested by USFS (after suggestion from KPB) to maintain access for project work, fire, etc. S. Baski said that it is not “easy” access, because you would need to get around guardrails and elevation changes. The ramps to be built are intended to allow for USFS, emergency, and service vehicles but are not intended for regular traffic. He said there were also a number of elevation/drainage/etc. related issues with access provided by more traditional underpass.
 - 3. J. Cadieux asked for the background on the request and decision regarding this request since it was not more publicly known.
 - a. S. Baski said that the DOT was asked to provide access by the USFS and that the option to do so was included in the ROD to provide the opportunity for this access if both the USFS and FHA approved of it. He said that it is not public access but that what happens after the highway project is complete would be ultimately determined by the landholder, the KPB.
 - 4. K. Recken asked how it turned into discussion with the KPB for access to Unit 395 or if the KPB has not had that discussion.
 - a. S. Baski said that ultimately Unit 395 is concurrent with USFS use. Federal agencies agreed to indirect access but behind guardrails etc.
 - b. M. Mueller said that the KPB did request a ramp alternative. He explained that the KPB did not have controlling interest in those lands at the time of the

ROD but gained title to the land through the municipal entitlement land selection and transfer of title was completed.

5. D. Story asked for S. Baski to screen share the plans of the ramp configuration again to explain the configuration and whether there were two ramps in each direction of travel.
 - a. S. Baski showed the plans and explained that there would, indeed, be two ramps on each side/four ramps total, one off and one on for each direction of travel.
6. Bryan Atkins asked how we got to the point of KPB access and planning for development of this area.
 - a. M. Mueller said that there are two issues that go into answering this.
 - i. The status of the access ramps from the KPB's perspective centers at the February 2021 letter requesting access. [This letter was shared with the CLAPC at the December 8, 2021 Regular Meeting and can be found in that meeting's supporting documents]
 - ii. In terms of a planning process the Cooper Landing Land Use plan does not give enough guidance on what the plans are for Unit 395.
7. M. Link asked if the KPB is asking for access.
 - a. S. Baski said that it is not a formal request for an approach road which for controlled access roadways would typically require more information from the requester such as use numbers, engineering designs etc.
 - b. M. Link also asked if the location of the USFS road request access is the exact same location that the KPB requested?
 - i. S. Baski said that is correct.
 - c. S. Baski stated that it seems like the anticipated use of Unit 395 could have been better anticipated since it could create a radically different environmental impact than the stated use approved in the Environmental Impact Statement.
8. C. James asked what the plan is for Unit 395.
 - a. M. Mueller said he anticipates that some areas may be deemed appropriate for residential while others may not, similar for recreation, resource etc. Commercial use has not been emphasized.

9. C. Ecklund asked about the dates of EIS, ROD and KPB possession of the Unit 395.
 - a. M. Mueller explained that the ROD came before the KPB ownership.
 - b. C. Ecklund asked who made the ask first for the ramps – the KPB or the USFS?
 - i. M. Mueller said the letter of request from the KPB predated and solicited the USFS to make the request for access.
 - ii. J. Cadieux said that the 1996 Cooper Landing Land Use Plan mentions Unit 395 and it acknowledges that the KPB desired the unit. She continued that the plan demonstrates community selection of the land but wanted access via the “bypass” to be disallowed. This section of the Land Use Plan was not made with specific land use designations because the land was not yet obtained in title by the KPB. This information can be found in the 1996 Cooper Landing Land Use Plan [Cooper Landing Land Use Classification Plan for Borough-owned and Borough Selected Lands (1996) https://www.kpb.us/images/KPB/PLN/Plans/Reports/1996CL_Plan.pdf Pages 20, 29, 32, 33, 35 and the appendix].
 - c. J. Cadieux thanked all who attended this evening and said the scope of what to look at for how to plan the use of this unit will be determined by this process and we really need to help the KPB plan its utilization.
 - i. She requested that attendees of tonight’s meeting please continue to attend these meetings and engage others to bring out the concerns and ideas for this process.
10. B. Atkins wants to make sure public opinion is heard.
11. J. Cadieux said that the area is nearly the size of the existing town of Cooper Landing and will have a considerable impact on the community.
12. B. Skolnick said that he commercial fishes in the summer and is often not in town and requested the planning process be pushed back to include public comment into the fall to allow for voices from people like him. He also said that he does not approve of commercial use development of Unit 395.

13. J. Cadieux said this will not be the last opportunity to comment. She also said that it is important to be a part of this process by attending the APC meetings, emailing M. Mueller and public representatives and suggested that members of the community CC the CLAPC when they email so our APC can help better represent the community.
14. M Mueller indicated he would like scoping suggestions to come to him within the next two weeks.
15. K. Recken asked folks for direction regarding the things to be included and not just opposed in the examination of Unit 395 for tonight's meeting.
16. M. Brennan said she would like to see support in the community for affordable housing.
 - a. J. Cadieux said that is a recurring topic in CLAPC meetings. KPB does not have an ordinance for affordable housing at this time.
17. B. Jaffa asked how the KPB could restrict the value of land to prevent only expensive parcels being put on the market and said if all land is bid on in a free and fair market it would seem the lots will sell high.
 - a. M. Mueller said that the borough cannot restrict the value of land but can ask the planning consultant to identify impediments to affordable housing and to investigate ways to promote it.
 - b. J. Cadieux mentioned that this often is an issue in communities like ours, Hope, Moose Pass, Seward, etc. where available land is limited. She suggested KPB needs an affordable housing ordinance to address this.
18. The Sorenson's asked if the on and off ramps are one way, will someone coming from Anchorage, stopping on the northside of the road for a view, then go back to Anchorage – wouldn't they go out and have to do a u-turn.
 - a. S. Baski said that as of now we are only talking about emergency access and there are other opportunities provided for the described uses.
 - b. He said one of the opportunities for a "U-Turn" use would be the new western intersection of the existing alignment.
19. H. Pearson asked if any alternatives were considered for the Chunkwood ramps.
 - a. M. Mueller said that an underpass and overpass were both considered as well.
 - b. S. Baski explained that those alternatives were not selected because the underpass had engineering

- issues and the overpass is an extremely expensive option for the intended limited access.
- c. S. Baski said this is a controlled access facility meaning no additional driveways or access within the right-of-way. To break that controlled access requires approval from the DOT and also the Federal Highway Administration.
20. The Sorenson's asked about the cost comparison for a bridge access to Chunkwood Road.
- a. S. Baski explained some of the cost comparison considerations that led to the choice of ramp access.
21. B. Atkins asked if the USFS access has been approved and if the USFS use is a stepping stone for KPB use.
- a. S. Baski said that it has been approved by the USFS and FHA.
 - b. M. Mueller said that the KPB does not have any plans for that use right now other than the proposed planning process to determine the appropriate use.
22. T. Gossard asked why the KPB wrote a letter requesting the ramps if there is not a plan for its use and why was it not shared with the CLAPC at the time of request.
- a. M. Mueller said the letter was requested because the ramps allowed for the most opportunity for later use and provided the greatest value to the KPB.
 - b. He said there was no reason why it could not have been shared.
23. B. Atkins said that it seems shady to not keep the community in the know when it was known that the community did not want this access.

9. NEW BUSINESS

- a. ADL 233788 Easement request by AK DOT&PF to AK DNR for Sterling Hwy MP 45-60 re-alignment.
 - i. C. Degernes makes a motion supporting the easement request. L. Johnson seconds. All approve.
- b. CLAPC FY2023 budget
 - i. H. Harrison moves to propose the budget as written. L. Johnson seconds, all approve.

10. PLAT REVIEW - none

11. INFORMATION and ANNOUNCEMENTS - none

12. COMMISSIONER'S COMMENTS

- a. K. Recken asked that the CLAPC meeting links be added to the Cooper Landing Announcements on Facebook and thanked all the community members for attending.
- b. C. Degernes thanked M. Mueller, N Carver, and S. Baski for extending their workdays to be a part of this important process and welcomed C. Ecklund.

13. ADJOURNMENT

- a. L. Johnson moves to adjourn, H. Harrison seconds, all approve. 8:11pm

For more information or to submit comments please contact:

David Story, Secretary Treasurer or Janette Cadieux, Chair, P.O. Box 694, Cooper Landing, 99572 CooperLandingAPC@gmail.com