

DESK PACKET ITEMS

(Items received after the publishing of the meeting packet on 6/7/22)

E. NEW BUSINESS

- 10. ROW Acquisition Seward Hwy. MP 25.5 to 36 Trial River to Sterling WYE
Rehabilitation; KPB File 2022-063
State of AK DOT&PF / State of Alaska
Location: MP 25.5 to 36 Sterling Highway
Moose Pass Area / Moose Pass APC**

Moose Pass Advisory Planning Commission June 9th, 2022 Regular Meeting, Resolution:

The following resolution was passed with unanimous approval for inclusion into the package to inform the Kenai Peninsula Platting Commission and the Kenai Peninsula Planning Commission regarding the decision to approve the ROW “takes” for a DOT project in the Moose Pass Area, KPB 2022-063:

Resolution to Request Postponement of Vote on Right of Way “Takes” KPB 2022-063

Whereas the Kenai Peninsula Borough has not provided adequate time to completely review the provided information.

Whereas the maps provide were inaccurate, illegible, and lacking a complete legend.

Whereas the Moose Pass Advisory Commission and community members were not provided technical assistance to interpret maps designed to be understood by professionals.

Therefore, The Moose Pass Advisory Planning Commission request that this vote be postponed until the July 11th Kenai Peninsula Borough Planning Commission Meeting, and that the necessary technical assistance is provided, to allow the Advisory Planning Commission and the public time to review information and provide meaningful comment.

Quinton, Madeleine

From: Planning Dept,
Sent: Friday, June 10, 2022 8:57 AM
To: Quinton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>Moose Pass right-of-way acquisitions MP 25.5 to MP 36 Comments

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215

KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669



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From: Nathan Bawtinheimer <nathanbawtinheimer@gmail.com>
Sent: Friday, June 10, 2022 8:36 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Moose Pass right-of-way acquisitions MP 25.5 to MP 36 Comments

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Greetings KPB planning committee,

My family and myself are very concerned about the proposed right-of-way acquisitions in Moose Pass. My property sits at my 28 on the West side of the highway. The proposed right-of-way acquisition would remove all privacy I have at my cabin and significantly increase road noise. This would potentially reduce my property value and increase erosion potential. My cabin sits at the top of a steep hill just above where tree cutting would occur. It would also increase sedimentation of the two streams that border my property with potential impacts on fish and bird populations in Trail Lake. It will also affect the drinking water quality of residents downstream from me. This project will also make parking access to my property non-existent.

If the goal of this project is truly to improve drainage, fixing the existing ditches and culverts would probably be effective. The ditches and culverts have not been maintained in decades. The pavement on this stretch of road does need to be fixed. I believe the existing roadway could be repaired with far less impact on the citizens of Moose Pass and the environment.

Sincerely,
Nathan and Claire Bawtinheimer

34169 Seward Hwy
Moose Pass, AK 99631
(907) 491-1015

Quinton, Madeleine

From: Planning Dept,
Sent: Friday, June 10, 2022 8:58 AM
To: Quinton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER> Notice of Subdivision/Replat Moose Pass

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215

KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to public upon request.

From: jane burrill <burrilljane@gmail.com>
Sent: Thursday, June 9, 2022 3:01 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER> Notice of Subdivision/Replat Moose Pass

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To Whom It May Concern:

We live at 35105 Seward Highway in Moose Pass and recently received the Notice of Subdivision/Replat (KPB File No.2022-063). Besides this property being our home, it's also the site of our business, the Moose Drop-In Trading Post, more commonly known as The Fudge Shop in Moose Pass.

We are not happy with the proposed plan, mainly because our water well is within the area you're planning to take. It's 40 feet from the center line of the road, but it appears to be in danger. If you continue with your plan, we will expect you to provide a new source of potable water acceptable to us prior to taking our well.

Our second concern is our parking lot--your plan takes away the bulk of our parking lot. This will negatively affect our business. Campers and small tour buses will not fit in what will remain of our parking lot if you take it. That will cut into our income. Customers will have to back out into the main road, creating a huge safety hazard and putting lots of lives at risk. The entire width of the parking lot and road access are used by our customers. If you take the bulk of our parking lot as your plan suggests, our own vehicle will not fit where we usually park it.

We're also worried your proposed plan will take out our little workshop where we create hand-crafted items to sell. We can't afford to lose this workshop or to move it. We're not sure it would survive a move. We had thought about adding

onto that workshop--we're appalled to imagine the time and money we would have wasted if we had done so and if you go through with your plan.

These are our concerns with the proposed plan. We're quite disappointed that government wants to take our property instead of working within your boundaries. We didn't buy this small piece of heaven so it could be made smaller. We bought this property so we could be self-employed as shopkeepers, but your proposed plan puts our livelihood in jeopardy. Your plan takes our water, our customers' parking lot, and possibly a workshop where we create some of our goods to sell. That makes this place far from heaven.

Sincerely,

--

Jane and Rodney Burrill
Moose Drop-In Trading Post
PO Box 164
Moose Pass, AK 99631
907 288 2453

Quinton, Madeleine

From: Deborah Green <dgkiw@outlook.com>
Sent: Friday, June 10, 2022 11:04 AM
To: Planning Dept,; jendboyle@gmail.com
Subject: <EXTERNAL-SENDER>Moose Pass improvements

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I am writing to express my concern about the State of Alaska Department of Transportation's request for a re-plat in the Moose Pass area. I believe this request will be voted on by the Board on June 13th.

The plan includes modifications to the current ditches which would require the State's acquisition of significant portions of residents' property to extend the current easement.

I am concerned about the impact of this plan which would involve the wells and septic systems on some properties, affect access to some already difficult driveway entrances, and remove noise and dust buffering trees. In addition, I have doubts that the plan will adequately address the drainage issues in light of the fact that there has been little to no effort by the State to maintain the current ditch system. In five years, after spending tens of millions of dollars I fear we will be facing the same issues.

In addition, according to DOT's own documents, community input has not been solicited since 2021. Current residents, with acute awareness of current conditions, deserve to be involved in this planning process.

The proposal as written does contain some useful and desirable improvements, including re-paving the highway, traffic slowing measures and replacement of poorly functioning culverts.

I ask that for the above reasons you deny the State's re-platting request and encourage DOT to seek community input from Moose Pass residents about necessary and desirable improvements and maintenance along the roadway.

Deborah Green
35123 Seward Highway
PO Box 114
Moose Pass AK
907 444 1412

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Quainton, Madeleine

From: Planning Dept,
Sent: Friday, June 10, 2022 11:17 AM
To: Quainton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER> KPB File 2022-063 letter-deadline June 10
Attachments: My letter.docx; my front yard.jpg; culvert.jpg; ditch in front of house.jpg

Thank You,

Ann Shirnberg
Administrative Assistant
Planning Department
(907) 714-2215

KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to public upon request.

From: Nancy Erickson <nancyericksonak@gmail.com>
Sent: Friday, June 10, 2022 11:16 AM
To: Planning Dept, <planning@kpb.us>; chris.bentz@alaska.gov; Kirsten Valentine <kirsten.Valentine@alaska.gov>; Cindy Ecklund <ecklundc@gmail.com>
Subject: <EXTERNAL-SENDER> KPB File 2022-063 letter-deadline June 10

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Attached is my letter and three photos in response to the "taking" of 10 feet more of my property for utilization for a ditch. Please read carefully.

Thank you
Nancy Erickson
491-1639



Virus-free. www.avg.com

June 10, 2022

RE: KPB File 2022-063, plat finalizing a series of right-of-way acquisitions along the Seward Highway right-of-way from Moose Pass MP 25.5 to 36.

Email: planning@kpb.us

Cc: chris.bentz@alaska.gov

Cc: Kirsten.valentine@alaska.gov

Cc: ecklundc@gmail.com

In reference to an undated letter I received May 28

re: "NOTICE OF SUBDIVISION/REPLAT" with a public hearing June 13 in Soldotna.

From: Nancy E. Erickson, 35083 Seward Highway, Moose Pass

Lot 3 Block 4 Moose Pass Townsite

907-491-1639

3 photos attached

Overview:

This project encompasses MP 25.5 to 36, but I am focusing my comments on the core of Moose Pass

Moose Pass townsite is an historic, quaint area composed of a handful of residents, many of us hugging the west side of the Seward Highway. Many of our homes have been here long before there was a highway or ditches. Residents take pride in the upkeep of their homes and grounds. We covet the old trees and shrubs that buffer the noise of cars, trucks and buses that fail to abide by the 35 mph speed limit through our little town.

Issue:

Upon receiving the letter that stated my property was involved, I contacted Kirsten Valentine, a DOT employee working on the Seward Highway MP 25.5 to 36 project to find out why DOT wants 10 feet of my front yard I was told that drainage through this corridor is a problem and ditching is inconsistent. In addition to DOT's current ROW of 21.4 ft, (determined by subtracting 10ft from the 31.4ft I was told to measure-see below) they want 10 additional feet to enlarge the ditch that is already in front of my house. That would leave approximately 10 Ft of yard in front of my house. I'm not alone. Almost every property owner within these 10 miles is affected in some way.

Why this is unreasonable and excessive:

A ditch already exists but has not been maintained, which DOT admitted at our local planning meeting in Moose Pass June 9. I have a hand-painted sign at the end of my driveway that says "Keep us alive. Drive 35," and a few years back-two years in a row- DOT maintenance said I had to remove my sign so they could dredge the ditch. Never happened. I've had this property for 20+ years and can't remember the last time it was dredged. (see photos) Use the existing ditch and put in bigger culverts under our driveways at a much cheaper cost than taking our wells, septic and dwellings, which would cost thousands to replace. You don't need 31.4 feet for a ditch. (That's what DOT told me to measure from the edge of the pavement to "eyeball" where the easement would fall. See photos.)

This “take” as it’s called, would involve my well, waterline and septic leach field. Ben Ikerd a few houses down would lose his arctic entry and his whole front yard. The fudge store next door to my house would lose half their parking lot and could not accommodate motorhomes. DOT wants 10 feet of Estes Bros. actual store.

It would also involve my three trees and shrubs that help immensely buffer the traffic noise. Much of the vegetation along the highway would be removed, according to engineer drawings. In addition to esthetics, removing any obstacles along any highway causes traffic to drive even faster! Speeding is a huge problem through the Moose Pass 35mph zone. There are many instances of drivers losing control through town and running into yards and taking out porches. In one instance, I witnessed a speeding motorist hit the ditch, flying past three houses and leaping over three driveways before coming to a stop. Take away the buffer that trees serve and that driver would have been in our yards.

And down goes my property value. What once was a manicured front yard with trees, shrubs and raspberry bushes would be a huge ditch full of weeds that DOT would again, not maintain.

Closing

I first experienced the drive from the wye to Seward in 1977 and was awestruck by its beauty. I had just arrived in Alaska, so hadn’t experienced much of the state. But 45 years later, I still feel it’s the most beautiful drive in Alaska. DOT’s request is excessive. Please don’t destroy our scenic landscape, our identity, our history and the quality of life we enjoy in our homes for a ditch.

There has been no communication from DOT or KPB on this issue until a few days ago, giving us little time to have our letters to KPB by 1 pm June 10. I request the vote for June 13 be postponed until next month’s KPB APC meeting to give property owners affected by this more time to assess the situation.

Photos:

Culvert

This is what is visible of the 12” culvert under my driveway. There would be no problem if 24” culverts were installed and existing ditches cleaned periodically.

Ditch:

This currently is the ditch in front of my house.

My front yard:

Note the two markers. The marker on the right indicates DOT’s current ROW. The left marker is 31.4 ft (the distance DOT told me to measure to determine where the edge of the new easement would fall) from the edge of the pavement that includes the additional 10ft DOT wants from me. DOT has plenty of room to improve the ditch within that first 21.4 ft.







Quainton, Madeleine

From: milligans north <milligansnorth@gmail.com>
Sent: Friday, June 10, 2022 11:57 AM
To: Planning Dept,
Subject: <EXTERNAL-SENDER>Subdivision/Replat Comment

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Please reply to confirm that this was received prior to 1 p.m. on June 10th. Thank you.

To the Kenai Peninsula Borough Planning Commission:

As the owners of parcel #12522013, located at approximately mile 29 of the Seward Highway, we are writing to urge that the proposed plat for the Milepost 25.5 to 36 Project be rejected.

The proposed plat should be rejected because the design plan is an egregious use of public funds, it is unnecessarily intrusive to property owners, and because it causes irreparable damage to the community of Moose Pass.

The proposed plat is an egregious use of public funds. The goals of this project to “extend the surface life of the highway” and “improve drainage” are directly connected, as explained by Chris Bentz at the Moose Pass Planning Commission meeting on Thursday, June 9, approximately 7 p.m. via Zoom. Apparently the the poor drainage is causing runoff which then negatively impacts the surface life of the highway. The scope of this project to improve drainage is the egregious use of funds: a \$67.2 million project which could be reduced significantly if only DOT would maintain the drainage ditches. The ditches along the corridor within the 35 mph zone have not been dredged in at least the last five years, probably longer, according to the ditch crew member I spoke with on June 10th. Residents along the highway have no recollection of the ditches being dredged even beyond that, so naturally years and years of gravel build up will cause poor drainage! Good stewards of public funds should utilize the least expensive alternatives first.

The proposed plat is also unnecessarily intrusive to property owners along the highway. The goals of this project could and should be met without wrecking havoc on our homes and businesses. The proposed plat will require significant relocation of water wells and septic systems. Water wells are a difficult issue here in the mountains. The assumption that a well can just be drilled somewhere else on a particular piece of property is at best naive. Additionally, given the small lot size of many property owners, it will not be a simple solution to move septic systems...our plot, for example, has it's septic system in literally the only place legally possible based on the location of our well. So what is the option; buy us out and force us to move? To move where? Seward is facing the same housing shortage it has been dealing with for the last 20 years. We are the public, too! A project such as this “for the good of the public” cannot ignore us! Additionally, removing entire tree lines which provide a shield from the already intrusive traffic noise and requiring entire restructuring of driveways and landscaping will reduce both the quality of life and the attraction of tourists for those of us who offer lodging as a business.

The proposed plat for this project will do irreparable damage to the community of Moose Pass. Our attraction as a quaint mountain town with services for tourists will be negatively impacted far beyond the scope of this project. Homeowners will be forced out, which will also force the closure of small business and tourist offerings.

Some will say that this project is necessary to improve the road surface and safety measures for traffic. This reasoning is insufficient, as the road surface can be repaired and traffic calming safety measures can be implemented without the drastic takeover of private property. While we understand and are appreciative of the efforts to improve the road quality and safety of this corridor, we are also understandably concerned that the scope and footprint of this project is far beyond what is necessary.

As a resident and private property owner negatively impacted by this project, we respectfully urge that this proposed plat be rejected.

Thank you.

Mark & Wendy Milligan
35675 Seward Hwy, Moose Pass

Quinton, Madeleine

From: Jeff Estes <parnellje@gmail.com>
Sent: Friday, June 10, 2022 12:43 PM
To: Shirnberg, Ann; Planning Dept,
Subject: <EXTERNAL-SENDER> Subdivision replat for right-of-way acquisitions for DOTPF project Seward Highway mile 25.5 to mile 36

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The impact to the core of the community will change the look, feel, and character of the community as a whole which is on a declared “Scenic Byway”!

- Specifically Estes Brothers Store began as a homestead in 1921 and has become a popular tourist attraction with the commemorative water wheel and the historically quaint store.
- Estes Brothers gave the Bureau of Public Roads an easement for a road through the middle of the homestead (HES 220) in 1951. Following that the Borough declared that the land was two lots. (contested but unresolved)
- Apparently the wheel will no longer have a parallel pull off for occasional tourists and busses. The entire property frontages will be ditched with no regard to current nor prior use.
- Store visitors will be required to access through a standard driveway on the north which also serves a residence north of the store to an already small parking area. In addition there will be no access to the garage east of the Highway for alternate parking or large vehicle “pull off parking”. DOT has proposed that people may come to the store via Leora Avenue and circle the store through a cargo delivery area. This will severely limit our business capacity and make it difficult if not impossible to receive deliveries and customers and not at the same time as we currently have been.
- The septic tank which is east of the current right-of-way will now be in the right-of-way and some of the details and other underground facilities are incorrect.
- Channeling water in front of the store via ditch is problematic with an adjacent full below grade basement is problematic. Adding a culvert to lead the water across the street to a pit collecting water three other areas feeding a culvert to the lake invites disaster for the basement furnace which heats the store. DOTPF apparently doesn’t have the funding for manpower nor equipment to maintain ditches nor thaw these culverts. Neither does Estes Brothers have what it takes although we have put countless hours into the small surface drainage issues to protect our facilities even beyond our property frontage since DOT has not been able to maintain today’s infrastructure.
- In spite of previous talks with and presented designs the current design received a few days ago is completely different, which begs the question whether it’s changed for negotiation purposes.
- I must agree with the community in saying more time would be fair play for review of the new plans and design. The latest plans are inaccurate, Illegible, and without a complete legend they are challenging even for a retired engineer to read.
- We believe this design will not conform to the standards for a property of this type and does not respect our rights with respect to the easement given in 1951.

Generally speaking the project appears to be:

- Taking property away from Alaskan's.
- There's been a lack of maintenance of our current ditches and culverts, drainage in general for a number of years. It has been left to residents to do this work and there is a lack of faith that some new project will improve the state's ability or interest in general after this project has come through and impacted our area.
- This project is slated to impact a large number of Alaskan's basic human needs, such as drinking water wells and septic systems.
- Impact of property access which may cause steep, potentially inaccessible entrances, especially in winter.
- Many homes will lose their privacy due to cutting of trees. This will also increase already intrusive highway noise.
- Impacts to the scenscape on some local property owners will have potentially large financial implications for vacation / lodging guests
- The costs of the project if an extension of the safety path is included should be reconsidered in light of the potential costs to local residents here in our community

The community feels this project is needed with respect to:

Pavement of the roadway is very much needed and would be appreciated.

Culverts do need to be replaced

Traffic slowing measures to the posted limit will help prevent future accidents.

Jeff Estes

Brooke Estes

Quinton, Madeleine

From: JD Boyle <jdanielboyle@gmail.com>
Sent: Friday, June 10, 2022 12:52 PM
To: Planning Dept,
Subject: <EXTERNAL-SENDER>Fwd: Moose Pass Highway Project Proposal

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To whom it may concern;

I am sending this email to request that for the reasons stated herein that you postpone, rather than approve the State's re-platting request at this time and encourage DOT to seek community input from Moose Pass residents about necessary and desirable improvements and maintenance along the roadway in regard to the State of Alaska Department of Transportation's request for a re-plat in the Moose Pass area. I believe this request will be voted on by the Board on June 13th.

The plan includes modifications to the current ditches which would require the State's acquisition of significant portions of residents' property to extend the current easement.

I am concerned about the impact of this plan which would involve the wells and septic systems on some properties, affect access to some already difficult driveway entrances, and remove noise and dust buffering trees. In addition, I have doubts that the plan will adequately address the drainage issues in light of the fact that there has been little to no effort by the State to maintain the current ditch system. In five years, after spending tens of millions of dollars I fear we will be facing the same issues.

In addition, according to DOT's own documents, community input has not been solicited since 2021. Current residents, with acute awareness of current conditions, deserve to be involved in this planning process.

The proposal as written does contain some useful and desirable improvements, including repaving the highway, traffic slowing measures and replacement of poorly functioning culverts.

Sincerely,

Joseph D. Boyle
34815 [Seward Highway](#)
PO Box 121
Moose Pass AK. 99631
907-382-0466

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--



JD Boyle

[907-382-0466](tel:907-382-0466)

jdanielboyle@gmail.com

P.O. Box 121, Moose Pass, AK 99631



Quinton, Madeleine

From: Jennifer Boyle <jendboyle@gmail.com>
Sent: Friday, June 10, 2022 12:57 PM
To: Planning Dept,
Subject: <EXTERNAL-SENDER> KPB File No. 2022-063 Moose Pass Subdivision/Replat

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Dear Kenai Peninsula Borough Planning Committee,

My name is Jennifer Boyle, and I live at 34815 Seward Highway in Moose Pass.

I am writing to express my concern about the State of Alaska Department of Transportation's request for a replat in the Moose Pass area, KPB File No. 2022-063. I believe this request will be voted on by the Board on June 13th. I stand with the Moose Pass Advisory Planning Commission in requesting a postponement so that our community can have sufficient time to review all document regarding these changes.

According to DOT's own documents, community input has not been solicited since 2021. Current residents, with acute awareness of current conditions, deserve to be involved in this planning process. Many residents did not even receive information regarding this proposal by mail and only found out because of word of mouth on Thursday, June 9. There has not been sufficient time to review this current proposal by the residents that will be impacted.

As written, the plan includes modifications to the current ditches which would require the State's acquisition of significant portions of residents' property to extend the current easement.

I am concerned about the impact of this plan which would involve the wells and septic systems on some properties, affect access to some already difficult driveway entrances, and remove noise and dust buffering trees. In addition, I have doubts that the plan will adequately address the drainage issues in light of the fact that there has been little to no effort by the State to maintain the current ditch system. In five years, after spending tens of millions of dollars I fear we will be facing the same issues.

The proposal as written does contain some useful and desirable improvements, including re-paving the highway, traffic slowing measures and replacement of poorly functioning culverts.

I ask that for the above reasons you postpone the State's re-platting request and encourage DOT to seek community input from Moose Pass residents about necessary and desirable improvements and maintenance along the roadway.

Thank you for your consideration,
Jennifer Boyle

Sent from my iPhone

Quinton, Madeleine

From: Smarts <smarts@gci.net>
Sent: Friday, June 10, 2022 1:03 PM
To: Planning Dept,
Cc: Bruce@Jaffaconstruction.com; John Smart; chris.bentz@alaska.gov; kirsten.valentine@alaska.gov; Cindy Ecklund; konrad.jackson@akleg.gov Jackson; Senator.Peter.Micciche@akleg.gov; Pierce, Charlie; Rhoades, Aaron; Chaffee, Rachel; dot.commissioner@alaska.gov; Hibbert, Brent; jjh@seward.net
Subject: <EXTERNAL-SENDER>Public Comments Ref: Right of Way (ROW) Acquisition's Seward Highway DOT Project MP 25.5 - MP 36

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Dear All,

My wife Kathy and I (John) respectfully submit our comments regarding the ROW Personal Property (Community Residents) Acquisition's Plot map. These Plot maps are associated with AK DOT Seward Highway Project MP 25.5 - MP 36

We live off Seward Highway MP 34.5...
29998 Toklat Way, Moose Pass
Parcel# 12526014

Kathy and I do not support the current acquisition plots or the newly DRAFT road design as drawn. We do not agree with the scope of this project as planned and is currently being designed either.

We (and all affected in our Community of Moose Pass) respectfully request that the Monday 13 June 2022 Vote to adopt said Plots as drawn be POSTPONED till July when KPB APC next meets.

We request this POSTPONEMENT based on the below comments;

- 1) The late request for public comment and deadline of today.
- 2) The inconsistent communication with the affected residents (some residents received a letter many others did not. All letters delivered (late) placed the residents on a short fuse for reply)
- 3) The Plot maps are missing legends for reference.
- 4) The Plot maps are difficult to read almost illegible honestly and for we the layman user of the plots (were not all Civil Engineers) are VERY difficult to understand.
- 5) The entire premise of the project is to replace the road surface, install larger culverts and increase the size/depth of existing ditches and or add ditches as required for better drainage. This is all in the hope to lower maintenance costs.
A) In our humble opinion the entire proposed project has been planned and now being designed based on a falsehood of lower maintenance costs via better drainage.

B) This opinion is based on FACT though because we are currently not getting the required maintenance the road needs and haven't been for many, many, years.

C) How do we know that fact? Because the residents on the main Moose Pass roadway haven't had their drains cleaned out in at least (5) years, and it's been admitted to in as recent as last evening's APC meeting!

It's no wonder our road surface from Tern Lake "Y" to the Trail River Bridge is in such terrible shape and has been for many years prior to the 5 years of Zero to little maintenance. It's almost literally held together by crack & seal operations.

D) Now the DOT wants to finish the design work to receive approval of funding to then start acquisitions of our Community Members yards, septic systems, store fronts, nightly rental income, their mature trees and shrubbery and move this flawed plan into the EXECUTE stage!!!

E) EXECUTE is the operative word here. This flawed plan built on the illusion of lower road maintenance costs will be completely placed upon our residents' shoulders who will BEAR the entire brunt of the damage to their lives, loss of personal property, our income, and the health and beauty of our community.

YOU WILL BE BY PROXY "EXECUTING" our community as you "EXECUTE" this flawed plan in your words to 'save road maintenance costs'. Is it worth it, we/I do not think so.

All that will happen is our community will lose all mentioned in "E" above and guess what future road maintenance still won't take place as planned and all the BLOOD dollars you will have spent (which by the way come from us The People who fund all Federal, State, and Local Governments) will be in vain. A vicious terrible cycle and all at the cost of our Moose Pass Community!!

PLEASE do not approve this design, PLEASE POSTPONE the vote, PLEASE DO NOT uproot and DISRUPT our quaint Alaskan roadside village (which by the way has been here in place before a road was placed thru it!!!)

We're asking for our Local, State, and Federal Representative's to act upon this FLAWED Plan and offer assistance to our Moose Pass Community to STOP this Project NOW.

We're going to work with all of you as nicely as we can.....but I can assure WE WILL NOT JUST STAND BY and be ran over...WE WILL NOT GIVE UP VOICING OUR CONCERNS.

We're NOT GOING AWAY.

Respectfully,

John & Kathy Smart

June 4, 2022



Kenai Peninsula Borough Planning Department
144 N. Brinkley Street
Soldotna, Alaska 99669

To whom it may concern,

I have recently been given Notice of a Subdivision/Replat which was received May 6th 2022, proposing to replat my property in Moose Pass, AK.

T 5N R 1W SEC 17 Seward Meridian SW 0770002 TOKLAT ESTATES SUB TRACT A

This preliminary proposal is not a simple utility easement and would completely eliminate my ability to use the lot. This also does not appear to be a re-plating for a new subdivision and is a widening of Seward Highway, a State Highway, which will reduce Tract A by approximately 70%.

This appears to be a Right of Way Acquisition as described in the Municipal Code of Ordinances, which would require either my approval and/or require the administration compensate me for the use of my property as an easement.

I am the sole individual owner of this lot. If this plat is approved, it essentially is condemnation without compensation. It has always been my intention to gift the property to my daughter who has expressed interest in building in Moose Pass.

I strenuously oppose this proposal for the reasons stated and have my legal counsel awaiting your response.

Sincerely yours,

A handwritten signature in blue ink that reads "Walter Hanni".

WALTER HANNI

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ANCHORAGE, AK 99502

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