

Quainton, Madeleine

From: Planning Dept,
Sent: Friday, July 15, 2022 6:39 AM
To: Quainton, Madeleine
Subject: FW: <EXTERNAL-SENDER>Moose pass road plans

Madeleine

From: Kari Anderson <alaskazephyr@gmail.com>
Sent: Thursday, July 14, 2022 11:09 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Moose pass road plans

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To whom it may concern-

Please, please listen to the residents of Moose Pass who do not want their property altered or removed by proposed road construction. These changes should not be forced on this community.

I have read that if DOT would alter under 10% of this proposed project, it would not significantly affect the community. Please consider changes to this project before moving it forward.

If the Borough is looking to spend funds on a road construction project, I would love to see improvements to the Lowell point road (south of Seward).

Thank you. Sincerely- Kari Anderson
KPB resident

July 8, 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: ecklundc@gmail.com

Chris.bentz@alaska.gov

Dot.commissioner@alaska.gov

In reference to an undated letter I received

re: "NOTICE OF SUBDIVISION/REPLAT" with a rescheduled public hearing July 18 in Soldotna.

From: Nancy E. Erickson, 35083 Seward Highway, Moose Pass
Lot 3 Block 4 Moose Pass Townsite
907-491-1639

Overview:

This project encompasses MP 25.5 to 36 and proposes to acquire an excessive amount of ROW from the majority of property owners along this corridor in order to remove vegetation, restructure driveways, install massive ditches and in many cases, destroy wells, septic, private property and businesses - essentially destroying the central core of the historical settlement of Moose Pass. I will be focusing my comments on property along the 35mph zone.

DOT has stated repeatedly-quote: "To minimize the impacts on individual properties and the look and feel of Moose Pass, the project design has incorporated community feedback gathered from several years of public meetings, events, and other outreach." I disagree. This project has changed dramatically since its inception as a resurfacing project for which the last public involvement was in 2020. I attended the majority of those public meetings in 2015-2017 and not once did anyone bring up acquiring my property or anyone else's. Discussions at that time focused on whether to widen the highway through Moose Pass and how to slow traffic. Then suddenly I get an undated form letter at the end of May from the borough stating my property is one of many on the ROW acquisition list, with no prior public input. Initial requests to DOT for help in understanding the new plat drawings has had little response, however we did have a very beneficial meeting with the DOT Commissioner and his staff July 12. They basically say first they want this plat revision approved, and THEN they will send in the appraisers and we can talk. That's not the way to do business.

DOT now wants an additional 10 ft. of my front yard up to about 10 ft. from my house to install a bigger ditch. This includes all my vegetation, my well and my septic leach field. I was told by DOT that it would be determined whether my well and septic would need to be relocated. My lot is 100 ft. wide, the width required between a well and septic. There is no option to relocate. Most of the homes on the west side of the highway get their water from off the mountain because wells are few and far between. I know of two of my neighbors who drilled 200ft and no water. My house was built in the 1930s as a mining cabin known as the Loucher/Tolsen cabin and eligible for the National Historic Register and thus under Section

106 Review. Removing the vegetation that holds this soil together could cause soils to erode, damaging my foundation, my water table and the historic integrity of my property.

I was told by DOT that ditches are inconsistent through this corridor. Then why does this proposed project skip over many properties, for example not including some lots to the south of mine; then taking my and my neighbors' properties, including the fudge store parking lot, skipping over five lots and taking the whole front yard of Lot 10, an historic property known as the Lyle Saxton House, including the arctic entry? That doesn't sound consistent to me.

I have heard DOT state that safety is its main priority. Removing and/or re-aligning existing driveways does not give property owners a safe avenue to enter and exist their properties. Removing vegetation along the 35/45mph corridor through Moose Pass will cause traffic to speed up, not slow down. Speeding traffic has been a safety hazard forever!

Alternative:

I already have a ditch in front of my house, as do many others. They haven't been maintained in years. In fact I can't remember the last time mine was cleaned out by DOT maintenance. The agency admits they've had limited maintenance funds. Then how will they maintain a bigger ditch? An alternative would be to use their existing ROW, maintain existing ditches, replace worn out culverts under driveways and leave my historic property in tact.

DOT gave poor soil and crumbly rock as the reason for such excessive ditches. Not removing our existing old growth trees and vegetation would help hold that soil together. Also, that's all we have to deter the traffic noise that is literally in our front yard.

Dispute points taken from Alaska Dept. of Transportation & Public Facilities Programmatic Categorical Exclusion Document dated 2017, containing a check list of project impacts:

Page 3, *Right-of-Way Impacts. Estimated number of partial parcels required – 25.* Inaccurate. That number currently stands at 74+.

Page 4: *Will the project or activity have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations? Answer No.* Inaccurate. Many of us along this 35mph zone are retired (low income). Lack of vegetation buffer between us and the highway could cause health and definitely environmental issues due to traffic noise and no barriers to keep a vehicle from ending up in our front yard or worse, causing injury or death.

Page 6 4. Date "*Finding of Effect*" Letters sent October 25, 2016 Attach copies to this Form a. State "*Finding of Effect*" No Historic Properties Adversely Affected. Very inaccurate. My property is listed in the Historical Properties Survey dated Feb. 1993 – AHRS SEW-00583 the Loucher/Tolsen Cabin; as are the Hilo House SEW-00584, the Lyle Saxton House SEW-580 and the Moose Pass Inn SEW-592. These properties are eligible for the National Historic Register-thus eligible for a Section 106 review. Taking front yard, vegetation and possibly my well and septic is Adversely Affected. I have requested consulting status of DOT.

Page 16: O. Water Quality Impacts N/A YES NO

1. *Project would involve a public or private drinking water source. Answer was NO.* My water well would be located in the enlarged ROW and I was told by DOT that it would be determined whether it would be permitted or have to be re-located. Other property owners face similar situations.

Closing

Yes, our highway needs resurfacing, our ditches need to be maintained and culverts replaced. I am retired and all I have is my property. If turning my front yard into a massive ditch causes an impact to my house foundation or my water supply, I'm screwed. I am asking the KPB Plat Committee/Planning Commission to deny this plat as is and DOT return to the table with a less invasive way of accomplishing this task. If DOT would modify JUST 8% of the project design, they could avoid damaging our homes, private properties, businesses and business access...and maintain our history, culture, community, and scenic by-way.

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 and unnecessary. Don't allow DOT to destroy our scenic landscape, our identity, our history and the quality of life we enjoy in our homes for a ditch.

Quainton, Madeleine

From: Planning Dept,
Sent: Tuesday, July 12, 2022 12:29 PM
To: Quainton, Madeleine; Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>ROW acquisitions/ L33A Toklat Way

Thank You,

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

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-----Original Message-----

From: Mary Carolyn Walker <imakeupme@gmail.com>
Sent: Tuesday, July 12, 2022 12:25 PM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>ROW acquisitions/ L33A Toklat Way

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From land owner of L33A Toklat Way Moose Pass:
Michael J Goltra requests you vote NO. Please adjust current plans to not allow further ROW acquisitions of civilian land.
Thank you
Michael J Goltra Jr
907-519-8744
Sent from my iPhone

Hindman, Julie

From: Planning Dept,
Sent: Friday, July 15, 2022 10:59 AM
To: Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>Vote NO on DOT Moose Pass Project

-----Original Message-----

From: Joanna Johnson <josyta@aol.com>
Sent: Friday, July 15, 2022 10:51 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Vote NO on DOT Moose Pass Project

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Good afternoon,

My family lives in Seward and we have been home owners here for the last 9 years. I am writing you in regard to the DOT project in Moose Pass that will have a negative effect our neighbors to the north. I would highly encourage you to vote NO on this project until DOT has modified the project to not impact local residents and business owners as it currently stands. Moose pass is an important part of our community and is more than just a road south to Seward. As it is currently planned, this project will rip through businesses and personal property (including but not limited to driveways, gardens, homes etc...). It is poor planning on DOT's part and it must be stopped until an appropriate modification can be agreed upon. DOT has no regard for the residents and businesses that play such an important role in our community as a whole. Furthermore, they have mentioned the need to increase drainage ditch sizes when they aren't maintaining the current ditches. How will larger unmaintained ditches help with road conditions? There was little to no community notice or input on this project and it's completely unacceptable.

Thank you for your time and consideration and again, please vote NO on this project. SAVE MOOSE PASS!

Sincerely,
Joanna and Zach Johnson
420 First Ave-2583
Seward, AK 99664

Hindman, Julie

From: Planning Dept,
Sent: Friday, July 15, 2022 9:27 AM
To: Hindman, Julie
Subject: FW: <EXTERNAL-SENDER>Moose Pass road work

From: K S <katiesela@gmail.com>
Sent: Friday, July 15, 2022 9:26 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Moose Pass road work

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Hello,

I was born and raised in Seward, Alaska and since 2004 I've lived in and out of the state but now mostly reside in Palmer.

DOT has been making some very drastic changes to Alaska roads that we all know are mostly unnecessary. Adding more lanes makes people go faster, meaning just as many crashes or collisions with wildlife. Adding a silly wire fence in the median of the Glenn hwy for crashes is only creating a barrier for wildlife and especially moose crossings in one of the densely populated moose areas for the valley.

The MAJOR cut around Crown Point is unbearable for me each time I drive home to Seward. The damage that has been done will never be reversed.

Slow speeds rather than make roads larger scale, the tourists are only around for a couple of months and then they're gone.

Long term is preservation.

Thank you,
Katie Sela

July 14, 2022
John & Kathy Smart
PO Box-243 / 29998 Toklat Way
Moose Pass, Alaska 99631
Mile Post 34.5

Dear Moose Pass Area Planning Commission & the Kenai Peninsula Borough Planning Committee,

As you are well aware of by now we feel the Alaska DOT Project Named "Seward Highway MP 25.5 to 36 Rehabilitation Project" as its currently being offered for approval will take away private property from our residents, damage the historic charm of our community and do irrevocable damage to the Moose Pass we know today and the Moose Pass of tomorrow.

We hope that you'll listen intensely to all of our testimonies and review our letters that are sent to you.

We believe there is enough physical evidence to create more than enough doubt that this project needs to be taken back by DOT and reworked with the residents of Moose Pass.

We arrived at our conclusions by reviewing these four main categories listed below, there are others but these are the main ones.

Social and Cultural Impacts

Economic Impacts

Water Quality Impacts

Impacts to Historic Properties

The "Preserve & Protect Moose Pass" Team strongly feel the DOT missed the mark in understanding their effects upon our community.

We the residents of Moose Pass are confident that by working together with DOT we will end up with a far less intrusive and damaging project.

The revised project will keep focus on our way of life, minimal to zero loss of any private property, and maintain our historic community, and its very likely it can be done cheaper also!!!

A few facts to add to the testimony.

Lack of maintenance of our current ditches, culverts and drainage in general for a number of years is the major component for the condition of our road as it sits today. That's been admitted to by multiple local and state government agency's.

Ask yourselves (as we already are)...”What step changes will need to be taken that assures this new project (*however its revised and executed*) will improve the state’s ability or interest in maintaining a higher standard of maintenance after spending a proposed estimated +/- \$50 million of our tax payer dollars?

The project as currently designed **WILL** impact Moose Pass residents basic human needs and rights such as drinking water, wells and septic systems.

The project **WILL** Impact access points potentially causing steep and inaccessible entrances to affected Moose Pass residences and businesses, especially in winter

Residents **WILL** lose privacy and old growth trees and shrubbery

That loss of greenery **WILL** lead to Increased noise pollution from the Seward Highway

A decrease in safety **WILL** occur due to highway encroachment and reduction of trees that create a natural safety barrier between properties and roads

Our local economy **WILL** be damaged forever by encroachment of the new roadway “ROW” Acquisitions and loss of parking for businesses

The current DOT Plan is not in line with stated KPB Comprehensive Plan Goals;

Goal 1: *“Diversify and Grow the KPB Economy”*

Goal 2: *“Proactively manage growth to provide economic development opportunities on the KPB while preserving what residents and visitors value about the area’s natural features”*

Objective A: *“Establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems, and support individual land use freedoms”*

Objective B: *“Develop a stronger local voice in decisions on uses of federal and state lands”*

Strategy #4: *“Support locally-driven community plans, particularly communities embedded in surrounding public lands”*

Objective D: *“Maintain quality of the borough’s natural environment, including protecting visual quality”*

Near-Term Strategy 1.a. *“Consider developing standards that help maintain visual quality along other highway corridors, including signage and vegetation buffers...”*

Objective E: *“Actively work with interested communities outside of the incorporated cites to help develop locally-driven community plans”*

Goal 3: *“Preserve and improve quality of life in the KPB through increased access to local and regional facilities, activities, programs, and services”*

Focus Area: Historic Preservation

Objective B: “Support efforts to maintain the character of historic towns, districts, and properties while encouraging commercial, tourist, and commercial development”

Goal 4: “Improve access to, from, and connectivity within the KPB. Focus Area: Transportation”

We the residents and members of **“Preserve & Protect Moose Pass”** Team feel that the DOT **HAS NOT MET** the requirements as is written in the Kenai Peninsula Comprehensive Plan which states;

that “to develop and rank projects on the Kenai without meaningful, coordinated involvement of the KPB representing its citizens (in this case we the Moose Pass residents) is untenable.”

Thank You for taking time to read this letter.

Hopefully the evidence we’ve submitted for your review will be enough to **STOP** the vote, and place this DOT Project back into recycle mode. In the recycle mode we the residents of Moose Pass will work closely with the Alaska DOT. The revised project built together will be something we can all live with, will likely spend less of our tax dollars, be less damaging to our Historic town, and our residents private property.

Sincerely yours,

John & Kathy Smart

Public Information Officer/Incident Commander

“Preserve & Protect Moose Pass”

“A Moose Pass Community Team organized to save our historic town and its residents”

Quinton, Madeleine

From: Planning Dept,
Sent: Thursday, July 14, 2022 3:38 PM
To: Quinton, Madeleine
Subject: FW: <EXTERNAL-SENDER>Seward Highway Project/Moose Pass

Madeleine

From: Charlie Stephens <ccstephens711@gmail.com>
Sent: Thursday, July 14, 2022 11:50 AM
To: Planning Dept, <planning@kpb.us>
Subject: <EXTERNAL-SENDER>Seward Highway Project/Moose Pass

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Dear Commission Members,

The Seward Highway has been a lifeline for the community of Moose Pass, Alaska for many decades. The highway has not only provided transportation to other communities, it enabled businesses in town to bring in the supplies needed to do business.

Unfortunately, the State of Alaska Department of Transportation (DOT) and Public Facility proposed highway project *Seward Highway: MP 25.5-36 Trail River to Sterling WYE Rehabilitation Project No. 0311(031)/Z546590000* would be just the opposite of a lifeline. The project would change the face of the community to such a great extent that the historic town would be reduced to just another casualty of 'progress.'

The letters written by Moose Pass residents regarding this project document in great detail the impact it will have on them. These include significant loss of property in the form of real land and buildings. Historically significant buildings such as Estes Brother's Store will be lost. Access onto the highway will become far less safe for residents and for patrons of businesses. In addition, wells and septic systems will be impacted.

The letters written by Moose Pass residents also clearly outline a better strategy for the portion of this project that runs through town. Upgrade the culverts and maintain the ditches to accomplish the better drainage desired. This will help preserve the roadway and preserve the historic community of Moose Pass.

The safety concerns with this project hit closest to home for me. While growing up in Moose Pass I lost two close friends to a bicycle-motor vehicle accident. At the time the speed limit through town was 55. Soon after the death of my friends the speed limit through town was changed to 35. A few years later a bike path was added. These two changes would have saved the lives of my friends had they been implemented at an earlier date. Despite these safety upgrades the highway still presents a potential for great risk for pedestrians and residents. More than once speeding cars have left the roadway and caused property damage in town. The final project plan needs to take into

account ways to slow down the traffic through town. A permanent 'your speed is' sign needs to be placed at the north and south ends of town. These signs are effective and do not require a large investment.

At a time when other states are looking to resurrect communities or neighborhoods by rerouting highways that destroyed them decades before, let's not go backwards here in Alaska by disregarding the importance of a historic community for the sake of a highway project.

Sincerely,
Charlie Stephens

From: Rachel Jean Howatson
To: [Planning Dept.](#)
Subject: <EXTERNAL-SENDER>Moose pass DOT project
Date: Wednesday, July 13, 2022 1:49:20 PM

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Kenai Peninsula Borough Planning Commission,

We are relatively new to this new to this neighborhood but have fallen in love with Moose Pass. The historic buildings, water wheel, community hall and library are important gathering places at the heart of this town. We are concerned that the scope of this project could erode our small town feeling and the end result could be more highway than anything else. We have seen wider roads cause higher speeds in neighboring towns and that is also a safety issue.

We do not yet know how our personal property could be affected and finally received a vague letter last week. Our garden and barn will likely have to move but our well is of larger concern. Approving this plan before establishing how many people will lose access to water, and hearing their other property concerns isn't logical. We support a well maintained road and appreciate the efforts to update and resurface but please consider more community input before approval of this project.

Rachel Sullivan
41411 Seward Highway

July 12, 2022

Kenai Peninsula Borough Plat Committee

144 N. Binkley Street

Soldotna, AK 99669

Via email: planning@kpb.us

cc: AK-DOT Commissioner - dot.commissioner@alaska.gov

cc: KPB Mayor Charlie Pierce - cpierce@kpb.us

cc: KPB Community and Fiscal Projects Manager Rachel Chaffee - rchaffee@kpb.us

cc: KPB Administrative Assistant Pam Wastell - pwastell@kpb.us

Dear Committee Members,

I am writing today in strong opposition to the State of Alaska Department of Transportation (Alaska DOT) and Public Facility proposed highway project *Seward Highway: MP 25.5-36 Trail River to Sterling WYE Rehabilitation Project No. 0311(031)/Z546590000* for highway improvements through Moose Pass, Alaska. I am writing on behalf of myself, Kathy Ryan, a property owner, and my father, Robert Condit, a property owner and the longest living resident of Moose Pass, Alaska.

First, let me give you a little background about myself. I am a third generation Moose Pass resident who grew up watching my dad rise at 4am in the winters to plow and maintain the roads through Moose Pass. My grandparents moved to Moose Pass in 1940 and have owned land in downtown Moose Pass since 1943. My dad has owned land adjacent to the highway since 1961. In addition, my mom's family opened the Estes Bros. Grocery store in 1934. Unlike many areas of the state and the country, many residents have lived in Moose Pass for generations. That means that the land has historical value that cannot be properly "compensated" for under the Alaska DOT proposal. My family worked to build the original roads and railroads through the town of Moose Pass. The current Alaska DOT proposal would force our family to give up approximately 2 acres of land, some of which has been in our family for over 60 years.

Alaskans have always valued their independence and their rights. It is part of the fabric of what makes Alaska unique, and I am asking you to protect property rights of individuals over a plan that does not prioritize the needs of the community and area residents. I would ask you to consider whether taking property rights from someone who has owned a piece of land for the last 60 years aligns with the values of the State of Alaska and the Kenai Peninsula Borough? I believe that everyone understands the need to improve the existing road, but there are better ways to meet the needs of the road improvements and the community.

Property rights will be infringed on not only through the acquisition of right of way, but also in the form of tree removal, noise pollution and interference with drainage and water access. Steeper driveways will be required and will no doubt result in safety issues when accessing the highway. Who will be responsible for the potential for accidents and winter safety plowing driveways?

One item that has been noted by the Alaska DOT is that the proposed highway would require less maintenance. I would ask that the Alaska DOT show the current maintenance spending on this section of the highway versus the proposed maintenance costs for the replacement highway. You are probably aware that the Moose Pass Highway Maintenance Station was shut down in late 1990s. While it was replaced by a station at Crown Point, in 2019 the Silvertip Station was also closed. These closures resulted in less maintenance on the Moose Pass section of the Seward Highway. Robert Condit was employed at the Moose Pass Station for 31 years and can provide several examples of current lack of maintenance impacting the roadway, including lack of ditch maintenance and lack of general road maintenance. The proposal by the Alaska DOT does not address the need for ongoing maintenance and instead proposes that a highway be built that won't be properly maintained.

The current highway needs to be improved, but lack of maintenance over the past several years is not the fault of property owners and unless the Alaska DOT can provide a better plan they are simply putting federal dollars toward a band aid solution with lack of ongoing maintenance. The Alaska DOT claims that they have been unable to maintain the road because of lack of access, but they currently have adequate right of way to maintain the highway, just not the funds or will to complete the maintenance. There are ditches within the current right of way that have not been maintained and the Alaska DOT is claiming they need more right of way when the reality is they are simply not using the right of way that they already have, which is more than adequate. In this proposal, the Alaska DOT proposes spending federal dollars to build a highway that the state has not demonstrated that they will invest in maintaining.

In addition to the land owned by Robert Condit, I personally own a plot of vacant land next to his property. The current proposal requires me to forfeit an unbelievable 36% of my property, equal to 1.5 acres of a 4.2 acre lot. Again, this land is adjacent to land owned by my family for 60 years, so monetary compensation is not helpful to offset our plans to build a home on a sizable lot adjacent to my generational family land. The proposal to acquire that amount of land is not reasonable and negatively impacts the entire lot in terms of road noise, ability to add a well and septic, tree cover and lot size.

The proposal also creates significant drainage issues and probability of flooding. Specifically on my lot, the Alaska DOT plans to drain an entire mountainside of snow melt and rain runoff onto the middle of my land, impacting my future plans to build a home. That rain and snow melt will then flow through the back of Robert Condit's property with the potential to cause flooding and make land unusable due to creation of additional wetland area. A second drainage area to the

south of Robert Condit's lot will add even more water to the back of Robert Condit's property creating potential flooding and unsafe conditions.

I believe that this project will negatively affect land values in the town of Moose Pass, reducing the value of future Mental Health Trust sales and reducing the tax base for the Kenai Peninsula Borough. The project, if left unchanged, will negatively impact a town that was located on Trail Lake before the State of Alaska and the Alaska DOT even existed.

The plans as currently proposed are in contradiction to the KPB Comprehensive Plan and as such should be rejected by the KPB Planning Commission. We ask for your assistance and consideration to reject these plans until they can be modified to preserve Moose Pass and the property rights of residents. If the Alaska DOT needs assistance in developing a plan that would allow them to meet the needs of Moose Pass residents and provide a quality road, the Preserve and Protect Moose Pass group is available to assist, as is retired state employee Robert Condit. He knows more about the road through Moose Pass and how to maintain it than anyone alive today. Instead of seeking his input, the Alaska DOT instead seeks to take away his property rights and negatively impact the historical town of Moose Pass where he has lived since 1940. We need your help to stand against a plan that is not workable that will result in loss of property and will negatively impact residents and character of a historical Alaskan town.

Thank you for your consideration of the importance of property rights over a plan that did not take community input into account and is not a good faith effort to solve the road improvement problem.

Thank you,

Kathy Ryan

kathy@moosepass.com

