

E. NEW BUSINESS

- 2. Conditional Land Use Permit – Materials Extraction & Processing
PC Resolution 2023-15
Applicant: Colaska Inc. – QAP
Landowner: AK Railroad Corporation
Location: 30986 Seward Highway; KPB Parcel ID: 125-141-01
Crown Point Area**

Conditional Land Use Permit for a Material Site STAFF REPORT

PC MEETING: June 12, 2023

Applicant: Colaska INC - QAP
Landowner: Alaska Railroad Corporation
Parcel Number: 125-141-01
Legal Description: T 4N R 1W SEC 13 & 24 SEWARD MERIDIAN SW 0007391 USS 7391 LOT 2
Location: 30986 Seward Hwy, Moose Pass, Alaska 99631

BACKGROUND INFORMATION: The applicant wishes to obtain a Conditional Land Use Permit for material extraction and processing, on a portion of the parcel listed above.

The submitted site plan proposes a material haul route that will utilize the existing access to the subject parcel and then travel South following the Railroad's maintenance road. Once the maintenance road reaches the Lawing Airport runway, the haul route will shift East and connect to Lawing Airport access road that runs on the East side of the runway. At the Southern end of the runway the haul road merges with the existing access and exits onto Rock Ptarmigan Road, a Borough maintained facility. From here, the route turns West and makes its way to the Seward Highway, a State maintained facility.

Note: Due to conflicting operations at the Lawing Airport, the proposed haul route is unavailable and QAP is in the process of finding alternative routes.

The site plan and application propose the following buffers:

North: 50-foot native vegetation and a 6-foot berm on the interior limits.
South: 50-foot native vegetation and a 6-foot berm on the interior limits.
East: 50-foot native vegetation and a 6-foot berm on the interior limits.
West: 50-foot native vegetation and a 6-foot berm on the interior limits.

The subject property is bordered on the Northside by parcels owned by the Bureau of Land Management and the Alaska Department of Natural Resources. On the Eastside of the property is land owned by the Alaska Department of Natural Resources. To the South is a privately owned and occupied lot and to the West is the Rights of Way for the Alaska Railroad Corporation.

The site plan completed by McLane Consulting Inc., claims that the depth of ground water is unknown, but is believed to be deeper than the proposed excavation depth of 10 feet. Well Logs from adjacent wells state that water was encountered around 15 feet below the surface, but the same wells harvest ground water from a depth of 40 – 60 feet. Test holes were dug to a depth of 7 feet with no water recorded. Monitoring wells were not installed for this site. Plan notes state that there are no wet lands or surface waters within the property boundaries.

A central area will be maintained for sorting, crushing and processing of material. This area is greater than 300 feet from all property lines. The applicant is requesting a variance from the specified Hours of Operation for which rock crushing can be performed. Kenai Peninsula Borough 21.29.050(A)(11) Hours of Operation states, "Rock crushing equipment shall not be operated between 10:00pm and 6:00am." The applicant would like to perform this task between the hours of 8:00pm and 8:00am from May 15th to September 15th in accordance with Alaska Department of Transportation's required hours of operation.

Native vegetation will provide surface water protection by way of phytoremediation, according to the McLane report. The site plan also indicates that there are no wells located within 100 or 300 feet from the proposed use area.

Plan notes state that reclamation will include recontouring using strippings and overburden to a condition that allows for establishment of natural vegetation. Graded slopes will not exceed 2:1 and will be seeded.

The applicant estimates using the material site for approximately 3 years and the annual quantity to be extracted will be about 60,000 cubic yards. This amount of material will make the site ineligible for a Small Operation Exemption pursuant to AS 27.19.050 and therefore bonding will be required. The amount of bond will be according to AS 27.19.040 unless the State of Alaska waives these requirements. In the case of a waiver the Kenai Peninsula Borough would require the applicant to post bond to cover the anticipated reclamation cost and will be in the amount to be determined by the planning director as stated in KPB 21.29.050.

PUBLIC NOTICE: Public notice of the application was mailed on May 26, 2023 to the 77 landowners or leaseholders of the parcels within 1/2 mile of the subject parcel. Public notice was also sent to the postmaster covering the Moose Pass area and requested that the notice be placed in the nearest Post Office.

KPB AGENCY REVIEW: Application information was provided to pertinent KPB staff and other agencies on May 18, 2023.

ATTACHMENTS

- Conditional Land Use Permit - application and associated documents
- Aerial map
- Area Land Use map
- Ownership map
- Liar map

FINDINGS OF FACT

1. KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough.
2. KPB 21.29 governs material site activity within the rural district of the Kenai Peninsula Borough.
3. On May 18, 2023 the applicant, Colaska INC - QAP, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 125-141-01, which is located within the rural district.
4. KPB 21.29 provides that a conditional land use permit is required for material extraction that disturbs more than 2.5 cumulative acres or processes material.
5. The proposed cumulative disturbed area within the parcel is approximately 14.4 acres.
6. To meet material site standard 21.29.040(A)(1), the proposed activity must protect against lowering of water sources serving other properties by complying with required permit conditions KPB 21.29.050(A)(4), Water Source Separation; KPB 21.29.050(A)(5), Excavation in The Water Table; KPB 21.29.050(A)(6), Waterbodies.
7. The application indicates that the seasonal high-water table is unknown, but well logs from adjacent parcels indicate ground water at a depth greater than 15 feet.
8. The applicants intended depth of excavation will be 10 feet.
9. If water is encountered the applicant is required to maintain a 2-foot vertical separation from the seasonal high-water table.

10. The applicant is required not to dewater either by pumping, ditching or some other form of drainage.
11. The site plan indicates that there are no wells located within 100 or 300 feet of the proposed excavation area.
12. The application states that work is not anticipated to be completed in the water table.
13. The site plan states that there are no wetlands or surface waters within the proposed excavation area.
14. To meet material site standard 21.29.040(A)(2), the proposed activity must be conducted in a manner to protect against physical damage to adjacent properties by complying with the required permit conditions of KPB 21.29.050 (A)(1), Parcel Boundaries; KPB 21.29.050(A)(2), Buffer Zone; KPB 21.29.050(A)(7), Fuel Storage.
15. The site plan indicates the property boundaries were flagged at visible intervals when the excavation perimeter was within 300 feet of the parcel boundary.
16. The site plan and application propose the following buffers:
 - North: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - South: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - East: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - West: 50-foot native vegetation and a 6-foot berm on the interior limits.These buffers shall not overlap an easement.
17. The applicant is required to store fuel containers larger than 50 gallons in impermeable berms and basins capable of retaining 110 percent of storage capacity. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
18. To meet material site standard 21.29.040(A)(3), the proposed activity must be conducted in a manner which minimizes the off-site movement of dust by complying with required permit condition KPB 21.29.050(10), Dust Control.
19. The applicant is required to provide dust control by the use of water and calcium chloride.
20. The submitted site plan proposes a material haul route that will utilize the existing access to the subject parcel and then travel South following the Railroad's maintenance road. Once the maintenance road reaches the Lawing Airport runway, the haul route will shift East and connect to Lawing Airport access road that runs on the East side of the runway. At the Southern end of the runway the haul road merges with the existing access and exits onto Rock Ptarmigan Road, a Borough maintained facility. From here, the route turns West and makes its way to the Seward Highway, a State maintained facility.
Note: Due to conflicting operations at the Lawing Airport, the proposed haul route is unavailable and QAP is in the process of finding alternative routes. All routes will comply with Kenai Peninsula Borough 21.29.30(A)(8)(d), Points of ingress and egress.
21. To meet material site standard 21.29.040(A)(4), the proposed activity must be conducted in a manner which minimizes noise disturbance to other properties by complying with required permit conditions KPB 21.29.050(2), Buffer Zone; KPB 21.29.050(3), Processing; and KPB 21.29.050(11), Hours of Operation.
22. The site plan and application propose the following buffers:
 - North: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - South: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - East: 50-foot native vegetation and a 6-foot berm on the interior limits.

West: 50-foot native vegetation and a 6-foot berm on the interior limits.
These buffers shall not overlap an easement.

23. The applicant indicates that material processing will take place on the property. Any equipment used for processing, screening and sorting of materials will be operated at least 300 feet from all property lines. The applicant is requesting a variance from the required Hours of Operation for which rock crushing can be performed. The applicant would like to perform this task between the hours of 8:00pm and 8:00am from May 15th to September 15th in accordance with Alaska Department of Transportation's required hours of operation.
24. To meet material site standard 21.29.040(A)(5), the proposed activity must be conducted in a manner which minimizes visual impacts by complying with the permit condition KPB 21.29.050(2), Buffer Zone.
25. The site plan and application propose the following buffers:
 - North: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - South: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - East: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - West: 50-foot native vegetation and a 6-foot berm on the interior limits.These buffers shall not overlap an easement.
26. To meet material site standard 21.29.040(A)(6), the proposed activity must be conducted in a manner which provides for alternate post-mining land uses by complying with the permit condition KPB 21.29.050(12).
27. The applicant has submitted a reclamation plan consistent with KPB 21.29.050(12)(a).
28. The bonding requirement of KPB 21.29.050(12)(b) will apply to this material site, because extraction is expected to be around 60,000 cubic yards of material. The amount of bond will be according to AS 27.19.040 unless the State of Alaska waives these requirements. In the case of a waiver the Kenai Peninsula Borough (KPB) would require the applicant to post bond to cover the anticipated reclamation costs and will be in the amount to be determined by the planning director as stated in KPB 21.29.050.
29. A public hearing of the Planning Commission was held on June 12, 2023 and notice of the meeting was published, posted, and mailed in accordance with KPB 21.25.060 and KPB 21.11.

STAFF RECOMMENDATION

In reviewing the application staff has determined that the six standards contained in KPB 21.29.040 will be met and recommends that the Planning Commission approve the conditional land use permit with listed conditions, and adopt the findings of fact subject to the following:

1. Filing of the PC Resolution in the appropriate recording district after the deadline to appeal the Planning Commission's approval has expired (15 days from the date of the notice of decision) unless there are no parties with appeal rights.
2. The Planning Department is responsible for filing the Planning Commission resolution.
3. The applicant will provide the recording fee for the resolution to the Planning Department.
4. Driveway, roadway and entry permits must be acquired from either the state or borough as appropriate prior to the issuance of the material site permit.

PERMIT CONDITIONS

1. The permittee shall cause the boundaries of the subject parcel to be staked at sequentially visible intervals where parcel boundaries are within 300 feet of the excavation perimeter.
2. The permittee shall maintain the following buffers around the excavation perimeter or parcel

boundaries as shown in the approved site plan:

- North: 50-foot native vegetation and a 6-foot berm on the interior limits.
- South: 50-foot native vegetation and a 6-foot berm on the interior limits.
- East: 50-foot native vegetation and a 6-foot berm on the interior limits.
- West: 50-foot native vegetation and a 6-foot berm on the interior limits.

These buffers shall not overlap an easement.

3. The permittee shall maintain a 2:1 slope between the buffer zone and pit floor on all inactive site walls. Material from the area designated for the 2:1 slope may be removed if suitable, stabilizing material is replaced within 30 days from the time of removal.
4. The permittee shall not allow buffers to cause surface water diversion which negatively impacts adjacent properties or water bodies.
5. The permittee shall operate all equipment which conditions or processes material at least 300 feet from the parcel boundaries.
6. The permittee shall not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
7. The permittee shall maintain a 2-foot vertical separation from the seasonal high-water table.
8. The permittee shall not dewater either by pumping, ditching or any other form of draining unless an exemption is granted by the planning commission.
9. The permittee shall maintain an undisturbed buffer, and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including riparian wetlands and mapped floodplains.
10. The permittee shall ensure that fuel storage containers larger than 50 gallons shall be contained in impermeable berms and basins capable of retaining 110 percent of storage capacity to minimize the potential for uncontained spills or leaks. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
11. The permittee shall conduct operations in a manner so as not to damage borough roads as required by KPB 14.40.175, and will be subject to the remedies set forth in KPB 14.40 for violation of this condition.
12. The permittee shall notify the planning department of any further subdivision or return to acreage of this parcel. The planning director may issue a written exemption from the permit amendment requirement if it is determined that the subdivision is consistent with the use of the parcel as a material site and all original permit conditions can be met.
13. The permittee shall provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
14. The permittee shall not operate rock crushing equipment between the hours of 10:00 pm and 06:00 am. A variance has requested to allow rock crushing between the hours of 8:00pm and 8:00am from May 15th to September 15th in accordance with Alaska Department of Transportation's required hours of operation.
15. The permittee shall update their reclamation plan to include all provisions listed in the State of Alaska Department of Natural Resources reclamation plan. If there are any conflicts between the reclamation plans, the more site-specific provision shall control.
16. The permittee shall reclaim the site as described in the reclamation plan for this parcel and approved by the planning commission.
17. The permittee shall post a bond to cover the anticipated reclamation costs in an amount determined by AS 27.19.040 unless the State of Alaska waives their requirements. In the case of a waiver the Kenai Peninsula Borough would require the applicant to post bond in the amount to be determined by the planning director and as stated in KPB 21.29.050.
18. The permittee is responsible for complying with all other federal, state and local laws applicable to the material site operation, and abiding by related permits. These laws and permits include, but are not limited to, the borough's flood plain, coastal zone, and habitat protection regulations, those state laws applicable to material sites individually, reclamation, storm water pollution and other applicable Environmental Protection Agency (EPA) regulations, clean water act and any other U.S. Army Corp of Engineer permits, any EPA air quality regulations, EPA and ADEC water quality regulations, EPA hazardous material regulations, U.S. Dept. of Labor Mine Safety and Health Administration (MSHA) regulations (including but not limited to noise and safety standards), and Federal Bureau of Alcohol, Tobacco and Firearm regulations regarding using and storing

- explosives.
19. The permittee shall post notice of intent on parcel corners or access, whichever is more visible if the permittee does not intend to begin operations for at least 12 months after being granted a conditional land use permit. Sign dimensions shall be no more than 15" by 15" and must contain the following information: the phrase "Permitted Material Site" along with the permittee's business name and a contact phone number.
 20. The permittee shall operate in accordance with the application and site plan as approved by the planning commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a permit modification is required in accordance with KPB 21.29.090.
 21. This conditional land use permit is subject to annual review by the planning department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.25.090, the planning commission may revoke a permit issued pursuant to this chapter if the permittee fails to comply with the provisions of this chapter or the conditions of the permit. The planning director shall provide at least 30 days written notice to the permittee of a revocation hearing before the planning commission.
 22. Once effective, this conditional land use permit is valid for five years. A written request for permit extension must be made to the planning department at least 30 days prior to permit expiration, in accordance with KPB 21.29.070.

NOTE: Any 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, Chapter 21.20.250. A "party of record" is any party or person aggrieved by the decision where the decision has or could have an adverse effect on value, use, or enjoyment of real property owned by them who appeared before the planning commission with either oral or written presentation. Petition signers are not considered parties of record unless separate oral or written testimony is provided (KPB Code 21.20.210.A.5b1). 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 \$300 filing and records preparation fee. (KPB Code 21.25.100)

END OF STAFF REPORT

KPB 21.29

Conditional Land Use Permit Application

For a new or modified Sand, Gravel or Material Site

I. APPLICANT INFORMATION New Modification

Applicant Colaska Inc. dba QAP POC: Daryl Belanger Landowner Alaska Railroad Corp POC: Kristen Gratrix
Address 240 W 68th Avenue Address PO Box 107500
City, State, Zip Anchorage, Alaska 99518 City, State, Zip Anchorage, Alaska 99510
Telephone 907-522-2211 Cell 907-350-8467 Telephone 907-265-2465 Cell _____
Email dbelanger@colaska.com Email GratrixK@akrr.com

II. PARCEL INFORMATION

KPB Tax Parcel ID# 12514101 Legal Description T4N R1W S13 & 24 Seward Meridian
SW0007391 USS 7391 Lot 2

If permit is not for entire parcel, describe specific location within parcel to be material site, e.g.: "N1/2 SW1/4 NE1/4 – 10 acres", or "5 acres in center of parcel".
Northeast 14.4 acres


III. APPLICATION INFORMATION "Check" boxes below to indicate items included.

- \$1,000.00 permit processing fee payable to: Kenai Peninsula Borough. (Include Parcel # on check comment line.)
- Site Plan, to scale, prepared by a professional surveyor (licensed and registered in Alaska) showing, where applicable:
 - parcel boundaries
 - location of boundary stakes within 300 ft. of excavation area (to be in place at time of application)
 - proposed buffers, or requested buffer waiver(s)
 - proposed extraction area(s), and acreage to be mined
 - proposed location of processing area(s)
 - all encumbrances, including easements
 - points of ingress and egress
 - anticipated haul routes
 - location/depth of testholes, and depth to groundwater, if encountered
 - location of all wells within 300 ft. of parcel boundary
 - location of water bodies on parcel, including riparian wetlands
 - surface water protection measures
 - north arrow and diagram scale
 - preparer's name, date and seal
- Site Plan Worksheet (attached)
- Reclamation Plan (attached) and bond, if required. Bond requirement does not apply to material sites exempt from bonding requirements pursuant to AS 27.19.050

Please Note: If a variance from the conditions of KPB 21.29 is requested, a variance application must be attached. (A variance is NOT the same thing as a waiver.)

IV. CERTIFICATION STATEMENT

The information contained on this form and attachments are true and complete to the best of my knowledge. I grant permission for borough staff to enter onto the property for the purpose of processing the permit application.

 5/17/2023 _____
Applicant Date Landowner (required if not applicant) Date

Site Plan Worksheet for Conditional Land Use Permit Application

Use additional space provided on next page, if necessary. Indicate item # next to comments.

Applicant Colaska Inc. dba QAP Owner Alaska Railroad Corporation

KPB Tax Parcel ID # 12514101 Parcel Acreage 80.9

1. Cumulative acres to be disturbed (excavation plus stockpiles, berms, etc.) 14.4 acres
2. Material to be mined (check all that apply): gravel sand peat other(list) _____
3. Equipment to be used (check all that apply): excavation processing other _____
4. Proposed buffers as required by KPB 21.29.050.A.2 (check all types and directions that apply):

- | | | | | | | | | | | | | | | | | | |
|--|--|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <input checked="" type="checkbox"/> 50 ft. of natural or improved vegetation
<input checked="" type="checkbox"/> minimum 6 ft. earthen berm
<input type="checkbox"/> minimum 6 ft. fence
<input type="checkbox"/> other _____ | <table border="0" style="width: 100%;"> <tr> <td><input checked="" type="checkbox"/> N</td> <td><input checked="" type="checkbox"/> S</td> <td><input checked="" type="checkbox"/> E</td> <td><input checked="" type="checkbox"/> W</td> </tr> <tr> <td><input checked="" type="checkbox"/> N</td> <td><input checked="" type="checkbox"/> S</td> <td><input checked="" type="checkbox"/> E</td> <td><input checked="" type="checkbox"/> W</td> </tr> <tr> <td><input type="checkbox"/> N</td> <td><input type="checkbox"/> S</td> <td><input type="checkbox"/> E</td> <td><input type="checkbox"/> W</td> </tr> <tr> <td><input type="checkbox"/> N</td> <td><input type="checkbox"/> S</td> <td><input type="checkbox"/> E</td> <td><input type="checkbox"/> W</td> </tr> </table> | <input checked="" type="checkbox"/> N | <input checked="" type="checkbox"/> S | <input checked="" type="checkbox"/> E | <input checked="" type="checkbox"/> W | <input checked="" type="checkbox"/> N | <input checked="" type="checkbox"/> S | <input checked="" type="checkbox"/> E | <input checked="" type="checkbox"/> W | <input type="checkbox"/> N | <input type="checkbox"/> S | <input type="checkbox"/> E | <input type="checkbox"/> W | <input type="checkbox"/> N | <input type="checkbox"/> S | <input type="checkbox"/> E | <input type="checkbox"/> W |
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5. Proposed depth of excavation: 7 - 10' ft. Depth to groundwater: >15' ft.
6. How was groundwater depth determined? Groundwater & wells on adjacent properties. Testholes to 7'.
7. A permit modification to enter the water table will be requested in the future: ___ Yes X No
8. Approx. annual quantity of material, including overburden, to be mined: 60,000 cubic yards
9. Is parcel intended for subdivision? ___ Yes X No
10. Expected life span of site? 3 years
11. If site is to be developed in phases, describe: the excavation acreage, anticipated life span, and reclamation date for each phase: (use additional space on page 4 if necessary)
See attached Mining & Reclamation Plan prepared by QAP and submitted to ARRC & ADNR. It includes mining, reclamation, schedule and hours of operation.

Operation hours variance requested for May 15th to September 15th in accordance with DOT hours of construction requirements of 8pm to 8am (night shift).

12. Voluntary permit conditions proposed (additional buffers, dust control, limited hours of operation, etc.)
 - A. _____
 - B. _____
 - C. _____

Material Site Reclamation Plan for Conditional Land Use Permit Application

1. All disturbed land shall be reclaimed upon exhausting the material on-site, so as to leave the land in a stable condition.
2. All revegetation shall be done with a "non-invasive" plant species.
3. Total acreage to be reclaimed each year: 2-12 acres
4. List equipment (type and quantity) to be used in reclamation:

Hitachi Excavator x2, Cat dozer x2, Loader x2,

5. Describe time schedule of reclamation measures:

Upon completion of material extraction, site will be reclaimed by spreading and grading berms across disturbed areas to promote drainage and vegetation. This may be altered if ARRC chooses to utilize the site for other use.

See attached Mining and Reclamation Plan for more information.

6. The following measures must be considered in preparing and implementing the reclamation plan, although not all will be applicable to every plan – **"check" all that apply to your plan.**

Topsoil that is not promptly redistributed to an area being reclaimed will be separated and stockpiled for future use. This material will be protected from erosion and contamination by acidic or toxic materials and preserved in a condition suitable for later use.

The area will be backfilled, graded and recontoured using strippings, overburden, and topsoil to a condition that allows for the reestablishment of renewable resources on the site within a reasonable period of time. It will be stabilized to a condition that will allow sufficient moisture for revegetation.

Sufficient quantities of stockpiled or imported topsoil will be spread over the reclaimed area to a depth of four inches to promote natural plant growth that can reasonably be expected to revegetate the area within five years. The applicant may use the existing natural organic blanket representative of the project area if the soil is found to have an organic content of 5% or more and meets the specification of Class B topsoil requirements as set by Alaska Test Method (ATM) T-6. The material shall be reasonably free from roots, clods, sticks, and branches greater than 3 inches in diameter. Areas having slopes greater than 2:1 require special consideration and design for stabilization by a licensed engineer.

Exploration trenches or pits will be backfilled. Brush piles and unwanted vegetation shall be removed from the site, buried or burned. Topsoil and other organics will be spread on the backfilled surface to inhibit erosion and promote natural revegetation.

Peat and topsoil mine operations shall ensure a minimum of two inches of suitable growing medium is left or replaced on the site upon completion of the reclamation activity (unless otherwise authorized).

Ponding will be used as a reclamation method. (Requires approval by the planning commission.)

ADDITIONAL APPLICATION COMMENTS

(Please indicate the page and item # for which you are making additional comments.)

Kindly see attached Mining/Reclamation Pan for ARRC Material Source dated May 1, 2023

Haul route will be south along the railroad corridor to join the haul road constructed from Lawing Material Site to Rock Ptarmigan Road in order to utilize a ARRC approved location to cross the railroad track to the Seward Highway.



General Contractors
240 West 68th Avenue
Anchorage, Alaska 99518
(907) 522-2211 Office
(907) 344-5798 Fax

May 1, 2023

RE: Mining/Reclamation Plan for AKRR Material Source
State of AK DOT – Seward Hwy MP 17-22.5 Rehabilitation Project
Project No. 0311032/Z536100000

To Whom It May Concern:

The attached Mining/Reclamation Plan is for a gravel material source on AKRR Parcel 12514101 in support of the Seward Hwy MP 17-22.5 Rehabilitation project. The following documents are included:

- Mining/Reclamation Plan Narrative
- Mining/Reclamation Equipment List
- Schedule of Mining Events

If you have any questions regarding this plan, please contact the undersigned.

Thank you,

Daryl Belanger
QAP Project Engineer
907-350-8467

Mining/Reclamation Plan Narrative

Mining/Reclamation Equipment List

Mining/Reclamation Equipment (As Needed)	
Description	Quantity
Hitachi 470 Excavator	1
Hitachi 800 Excavator	1
Cat D8 Dozer	1
CAT D10 Dozer	1
Metso Screen Deck	1
Light Plants	4
Volvo L220 or CAT 988G Loader	1
Truck Scales	1

Schedule of Mining Events

Schedule of Mining Events	
Event	Timeframe
Continue to explore mining area	Spring 2023 (March)
Mine & Stabilize material site, 2023 (-60,000CY)	May 2023 to October 2023
Mine/reclaim material site, 2024 (remaining 33,175CY)	March 2024 to October 2024

Anticipated Shift Schedule			
Work Period	Start Time	End Time	
Spring Start Until May 15 th	8:00 am	8:00 pm	Shift occurring during daytime hours
May 15 th to September 15 th	8:00 pm	8:00 am	Shift occurring during nighttime hours
September 16 th to Winter Shutdown	8:00 am	8:00 pm	Shift occurring during daytime hours

May 17, 2023

Mr. Daryl Belanger
Colaska Inc. dba QAP
240 W 68th Avenue
Anchorage, Alaska 99518

Ref: Non-objection to Mine - Alaska Railroad Corporation (ARRC) Crown Point, Alaska

Dear Mr. Belanger:

Subject to the conditions noted below, the Alaska Railroad Corporation has no objection to your request to mine gravel at the Crown Point ARRC Reserve. This non-objection is conditioned upon and subject to the execution of the pending gravel extraction agreement, ARRC Contract No. 20912 ("Extraction Agreement"). All mining operations shall be strictly in compliance with the terms and conditions contained in the pending Extraction Agreement. Please note that this letter of non-objection does not constitute permission to begin mining operations, which permission shall be granted by means of the Extraction Agreement and shall be effective upon execution of that document.

If you have any questions regarding the above, please feel free to contact me directly at (907)265-2465 or GratrixK@akrr.com.

Sincerely,

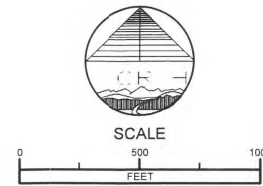


Kristen Gratrix
Manager, Real Estate Contracts

CONDITIONAL LAND USE PERMIT FOR MATERIAL SITE

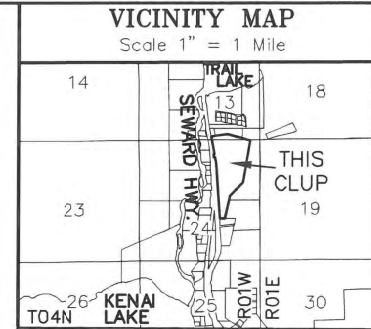
APPLICANT:
COLASKA INC. DBA QAP
240 W. 68TH AVE
ANCHORAGE AK, 99518

PROPERTY OWNER:
ALASKA RAILROAD CORPORATION
PO BOX 107500
ANCHORAGE AK, 99510



LEGEND	
	PROPERTY LINE
	BUFFER LIMITS - VEGETATION 14.4 ACRES
	BUFFER LIMITS - BERM
	PROPERTY CORNERS
	INTERVISIBLE FLAGGING
	EXCAVATION AREA 12.1 ACRES
	PROCESSING AREA 5.2 ACRES

CLUP DEVELOPMENT NOTES	
1.	THIS PERMIT APPLICATION IS FOR KPB PARCEL 12514101, LOT 2 US SURVEY 7391 SITUATED IN TOWNSHIP 4 NORTH, RANGE 1 WEST, SECTION 13 & 24 SEWARD MERIDIAN.
2.	THIS PARCEL IS OWNED BY ALASKA RAILROAD CORPORATION AND UNDER A USE AGREEMENT WITH COLASKA INC. dba QAP.
3.	THIS SITE IS BEING PERMITTED AS AN EXTRACTION, PROCESSING, STORAGE, AND LAYDOWN FACILITY TO BE UTILIZED DURING AN ALASKA DOT SEWARD HIGHWAY PROJECT.
4.	THE PROPOSED AREA OF THE PROPERTY IS UNDEVELOPED AND COVERED IN HEAVY NATIVE VEGETATION.
5.	PROPOSED INGRESS/EGRESS IS SOUTH ALONG THE EAST SIDE OF THE RAILROAD RIGHT-OF-WAY TO ADNR PROPERTY. CONTINUING SOUTH IMMEDIATELY EAST OF LAWING RUNWAY TO KPB ROCK PTARMIGAN ROAD. THIS HAUL ROUTE IS APPROVED BY ARRC AND ADNR. IT IS BEING UTILIZED BY THE ADNR LAWING MATERIAL SITE. SAID ROUTE LIMITS TRUCK TRAFFIC TO AN ARRC APPROVED RAILROAD CROSSING LOCATION.
6.	THE PREFERRED BUFFERS ARE 50' (OR GREATER) NATIVE VEGETATION ON ALL SIDES WITH A 6' BERM ON THE INTERIOR LIMITS.
7.	THERE ARE NO WELLS LOCATED WITHIN 100' OR 300' OF THE CLUP USE AREA. EXCAVATION BELOW WATER TABLE IS NOT PROPOSED.
8.	THERE ARE NO WETLANDS OR SURFACE WATERS.
9.	NATIVE VEGETATION WILL PROVIDE SURFACE WATER PROTECTION OF ANY SITE RUN-OFF BY WAY OF PHYTOREMEDIATION.
10.	TEST HOLES FOUND SUITABLE GRAVELS BEGINNING AT 2' DEPTH. PROPOSED DEPTH OF EXCAVATION DOES NOT EXCEED 10' DEPTH.
11.	GROUNDWATER DEPTH IS NOT KNOWN; IT EXCEEDS THE 10' PROPOSED EXCAVATION DEPTH. ADJACENT WELLS HARVEST GROUNDWATER FROM 40'-65' DEPTH (INFORMATION FROM ADNR WELTS RECORDS). MONITOR WELLS HAVE NOT BEEN INSTALLED.
12.	RECLAMATION WILL INCLUDE RECONTOURING USING STRIPPINGS AND OVERBURDEN TO A CONDITION THAT ALLOWS FOR ESTABLISHMENT OF NATURAL VEGETATION. GRADE SLOPES NOT TO EXCEED 2:1 AND SEED.
13.	A CENTRAL PROCESSING AREA WILL BE MAINTAINED. THIS PROCESS AREA IS GREATER THAN 300' FROM ALL PROPERTY LINES.
14.	THE PROPERTY CORNERS WERE LOCATED AND THE PARCEL BOUNDARY HAS BEEN FLAGGED AT VISIBLE INTERVALS AT LOCATIONS WITHIN 300' OF THE PROPOSED EXTRACTION AREA, AS SHOWN ON THE EXHIBIT.



REV	DATE	DESCRIPTION

BY: _____
DATE: _____
DESCRIPTION: _____
JOB NO. 234016
FIELD BOOK NO. 22-02
FIELD WORK DATE: 5/4/2023
CLIENT REVIEW: _____



ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 488
SOLDOTNA, AK 99569
VOICE: (907) 283-4218
FAX: (907) 283-2285
WWW.MCLANECO.COM

DRAWN BY: BGB/GMD
CHECKED BY: JAH
HORIZ. SCALE: 1" = 500'
VERT. SCALE: N/A

SHEET: P1 of 3

CONDITIONAL LAND USE PERMIT FOR MATERIAL SITE

APPLICANT:
 COLASKA INC. DBA QAP
 240 W. 68TH AVE
 ANCHORAGE AK, 99518

PROPERTY OWNER:
 ALASKA RAILROAD CORPORATION
 PO BOX 107500
 ANCHORAGE AK, 99510



REV	DATE	DESCRIPTION	BY
1	5/10/2023	CLIENT REVIEW	GMD

JOB NO. 234016
 FIELD BOOK NO. 23-02
 FIELD WORK DATE 04/2023
QAP - ARRC
PID 12514101
CONDITIONAL LAND USE PERMIT



Consulting Inc

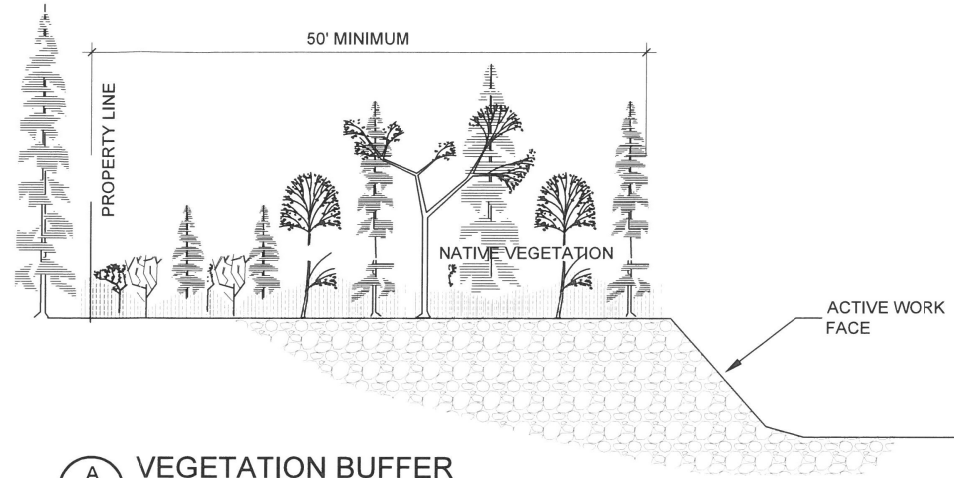
ENGINEERING - TESTING
 SURVEYING - MAPPING
 P.O. BOX 488
 SOLDOTNA, AK 99669
 VOICE: (907) 283-4218
 FAX: (907) 283-3265
 WWW.MCLANECG.COM

DRAWN BY: BGB/GMD
 CHECKED BY: JAH
 HORZ SCALE: NTS
 VERT SCALE: N/A
 SHEET:

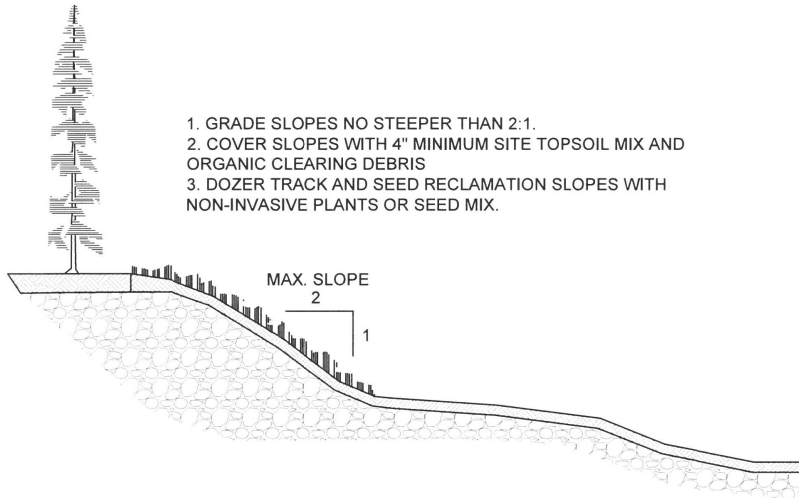
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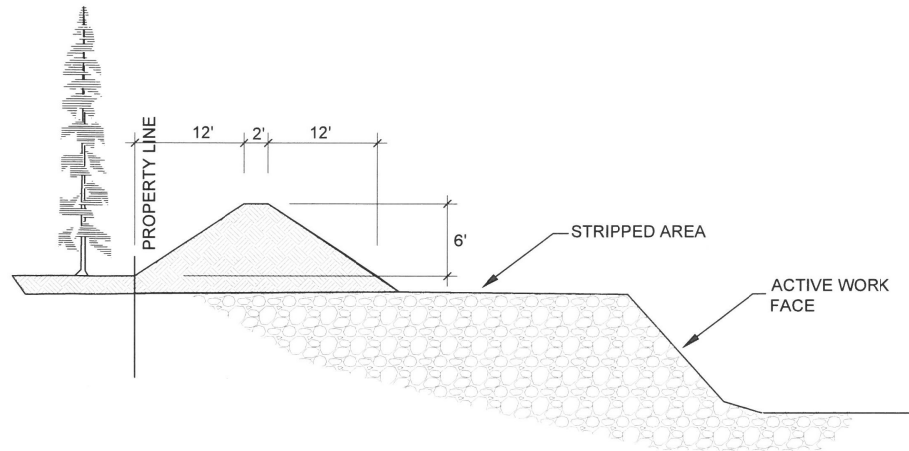


A
3 VEGETATION BUFFER
SCALE: 1" = 10 FT.



1. GRADE SLOPES NO STEEPER THAN 2:1.
2. COVER SLOPES WITH 4" MINIMUM SITE TOPSOIL MIX AND ORGANIC CLEARING DEBRIS
3. DOZER TRACK AND SEED RECLAMATION SLOPES WITH NON-INVASIVE PLANTS OR SEED MIX.

B
3 RECLAMATION SLOPE
SCALE: 1" = 10 FT.



C
3 EARTHEN BERM BUFFER
SCALE: 1" = 10 FT.

REV	DATE	DESCRIPTION	BY

FIELD BOOK NO. 23-02
JOB NO. 234016
FIELD WORK DATE: 5/4/2023
CLIENT REVIEW



ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLOTOINA, AK, 99569
VOICE: (907) 283-4218
FAX: (907) 383-3265
WWW.MCLANECG.COM

DRAWN BY: 3GB/GMD
CHECKED BY: JAH
HORZ. SCALE: NTS
VERT. SCALE: N/A
SHEET: P3 of 3

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2023-15
SEWARD RECORDING DISTRICT**

A resolution granting approval of a conditional land use permit to operate a sand, gravel, or material site for a parcel T 4N R 1W SEC 13 & 24 SEWARD MERIDIAN SW 0007391 USS 7391 LOT 2, Seward Recording District., Third Judicial District, State of Alaska.

- WHEREAS,** KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough; and
- WHEREAS,** KPB 21.29 provides that a conditional land use permit is required for material extraction which disturbs more than 2.5 cumulative acres; and
- WHEREAS,** on May 18, 2023 the applicant, Colaska Inc - QAP, submitted to the Borough Planning Department a conditional land use permit application for a portion of KPB Parcel 125-141-01, which is located within the rural district; and
- WHEREAS,** public notice of the application was mailed on or before May 26, 2023 to the 77 landowners or leaseholders within ½ mile of the subject parcel pursuant to KPB 21.25.060; and
- WHEREAS,** public notice was sent to the postmaster in the Moose Pass area requesting that it be posted at the local Post Office; and
- WHEREAS,** public notice of the application was published in the May 31, 2023 and June 7, 2023 issues of the Seward Journal; and
- WHEREAS,** a public hearing was held at the June 12, 2023 meeting of the Kenai Peninsula Borough Planning Commission;

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

SECTION 1. That the Planning Commission makes the following findings of fact pursuant to KPB 21.25 and 21.29:

FINDINGS OF FACT

1. KPB 21.25 allows for land in the rural district to be used as a sand, gravel or material site once a permit has been obtained from the Kenai Peninsula Borough.
2. KPB 21.29 governs material site activity within the rural district of the Kenai Peninsula Borough.
3. On May 18, 2023 the applicant, Colaska INC - QAP, submitted a conditional land use permit application to the Borough Planning Department for KPB Parcel 125-141-01, which is located within the rural district.
4. KPB 21.29 provides that a conditional land use permit is required for material extraction that

disturbs more than 2.5 cumulative acres or processes material.

5. The proposed cumulative disturbed area within the parcel is approximately 14.4 acres.
6. To meet material site standard 21.29.040(A)(1), the proposed activity must protect against lowering of water sources serving other properties by complying with required permit conditions KPB 21.29.050(A)(4), Water Source Separation; KPB 21.29.050(A)(5), Excavation in The Water Table; KPB 21.29.050(A)(6), Waterbodies.
7. The application indicates that the seasonal high-water table is unknown, but well logs from adjacent parcels indicate ground water at a depth greater than 15 feet.
8. The applicants intended depth of excavation will be 10 feet.
9. If water is encountered the applicant is required to maintain a 2-foot vertical separation from the seasonal high-water table.
10. The applicant is required not to dewater either by pumping, ditching or some other form of drainage.
11. The site plan indicates that there are no wells located within 100 or 300 feet of the proposed excavation area.
12. The application states that work is not anticipated to be completed in the water table.
13. The site plan states that there are no wetlands or surface waters within the proposed excavation area.
14. To meet material site standard 21.29.040(A)(2), the proposed activity must be conducted in a manner to protect against physical damage to adjacent properties by complying with the required permit conditions of KPB 21.29.050 (A)(1), Parcel Boundaries; KPB 21.29.050(A)(2), Buffer Zone; KPB 21.29.050(A)(7), Fuel Storage.
15. The site plan indicates the property boundaries were flagged at visible intervals when the excavation perimeter was within 300 feet of the parcel boundary.
16. The site plan and application propose the following buffers:
 - North: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - South: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - East: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - West: 50-foot native vegetation and a 6-foot berm on the interior limits.These buffers shall not overlap an easement.
17. The applicant is required to store fuel containers larger than 50 gallons in impermeable berms and basins capable of retaining 110 percent of storage capacity. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
18. To meet material site standard 21.29.040(A)(3), the proposed activity must be conducted in a manner which minimizes the off-site movement of dust by complying with required permit condition KPB 21.29.050(10), Dust Control.
19. The applicant is required to provide dust control by the use of water and calcium chloride.
20. The submitted site plan proposes a material haul route that will utilize the existing access to the subject parcel and then travel South following the Railroad's maintenance road. Once the

maintenance road reaches the Lawing Airport runway, the haul route will shift East and connect to Lawing Airport access road that runs on the East side of the runway. At the Southern end of the runway the haul road merges with the existing access and exits onto Rock Ptarmigan Road, a Borough maintained facility. From here, the route turns West and makes its way to the Seward Highway, a State maintained facility.

Note: Due to conflicting operations at the Lawing Airport, the proposed haul route is unavailable and QAP is in the process of finding alternative routes. All routes will comply with Kenai Peninsula Borough 21.29.30(A)(8)(d), Points of ingress and egress.

21. To meet material site standard 21.29.040(A)(4), the proposed activity must be conducted in a manner which minimizes noise disturbance to other properties by complying with required permit conditions KPB 21.29.050(2), Buffer Zone; KPB 21.29.050(3), Processing; and KPB 21.29.050(11), Hours of Operation.
22. The site plan and application propose the following buffers:
 - North: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - South: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - East: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - West: 50-foot native vegetation and a 6-foot berm on the interior limits.These buffers shall not overlap an easement.
23. The applicant indicates that material processing will take place on the property. Any equipment used for processing, screening and sorting of materials will be operated at least 300 feet from all property lines. The applicant is requesting a variance from the required Hours of Operation for which rock crushing can be performed. The applicant would like to perform this task between the hours of 8:00pm and 8:00am from May 15th to September 15th in accordance with Alaska Department of Transportation's required hours of operation.
24. To meet material site standard 21.29.040(A)(5), the proposed activity must be conducted in a manner which minimizes visual impacts by complying with the permit condition KPB 21.29.050(2), Buffer Zone.
25. The site plan and application propose the following buffers:
 - North: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - South: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - East: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - West: 50-foot native vegetation and a 6-foot berm on the interior limits.These buffers shall not overlap an easement.
26. To meet material site standard 21.29.040(A)(6), the proposed activity must be conducted in a manner which provides for alternate post-mining land uses by complying with the permit condition KPB 21.29.050(12).
27. The applicant has submitted a reclamation plan consistent with KPB 21.29.050(12)(a).
28. The bonding requirement of KPB 21.29.050(12)(b) will apply to this material site, because extraction is expected to be around 60,000 cubic yards of material. The amount of bond will be according to AS 27.19.040 unless the State of Alaska waives these requirements. In the case of a waiver the Kenai Peninsula Borough (KPB) would require the applicant to post bond to cover the anticipated reclamation costs and will be in the amount to be determined by the planning director as stated in KPB 21.29.050.
29. A public hearing of the Planning Commission was held on June 12, 2023 and notice of the meeting was published, posted, and mailed in accordance with KPB 21.25.060 and KPB 21.11.

SECTION 2. That based on the above findings, the Planning Commission concludes as a matter of law that the application has met all the requirements of KPB 21.25 and KPB 21.29, and through imposition of the conditions under KPB 21.29.050, the Planning Commission concludes as a matter of law that the application meets the six standards found in KPB 21.29.040:

CONCLUSIONS OF LAW

1. Material site standard 21.29.040(A)(1) is met because even though the seasonal high-water table is unknown, well logs from adjacent parcels indicate ground water at a depth greater than 15 feet. The applicant's intended depth of excavation is 10 feet below the existing grade, as set forth in Finding 7 and 8.
2. Material site standard 21.29.040(A)(2) is met because the permittee shall maintain a 50-foot buffer of native vegetation and shall not allow buffers to cause surface water diversion too negatively impact adjacent properties.
Material site standard 21.29.040(A)(2) is further met because the permittee shall maintain a 2:1 slope between the buffer zone and pit floor on all inactive site walls.
3. Material site standard 21.29.040(A)(3) is met because the permittee will use water and calcium chloride on the driveways throughout the excavation area to minimize the movement of off-site dust.
4. Material site standard 21.29.040(A)(4) is met because site plan indicates the following noise buffers:
North: 50-foot native vegetation
South: 50-foot native vegetation
East: 50-foot native vegetation
West: 50-foot native vegetation
Material site standard 21.29.040(A)(4) is further met, because any equipment used for conditioning, processing and crushing materials will be operated at least 300 feet from all parcel boundaries.
5. Material site standard 21.29.040(A)(5) is met because the site plan indicates the following visual screening buffers:
North: 50-foot native vegetation
South: 50-foot native vegetation
East: 50-foot native vegetation
West: 50-foot native vegetation
6. Material site standard 21.29.040(A)(6) is met because the applicant has submitted a reclamation plan consistent with KPB 21.29.050(12)(a).

SECTION 3. That the land use and operations are described and shall be conducted as follows:

1. A portion of KPB Tax Parcel Number 125-141-01. The disturbed area within the parcel is approximately 14.4 acres;
2. Legal Description: **T 4N R 1W SEC 13 & 24 SEWARD MERIDIAN SW 0007391 USS 7391 LOT 2**, Seward Recording District., Third Judicial District, State of Alaska.
3. The applicant, Colaska Inc - QAP, proposes to:
 - a. Extract gravel and sand from the subject parcel;
 - b. Process materials on the subject parcel;
 - c. Reclaim the site to a stable condition upon depletion of material.

PERMIT CONDITIONS

1. The permittee shall cause the boundaries of the subject parcel to be staked at sequentially visible intervals where parcel boundaries are within 300 feet of the excavation perimeter.

2. The permittee shall maintain the following buffers around the excavation perimeter or parcel boundaries as shown in the approved site plan:
 - North: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - South: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - East: 50-foot native vegetation and a 6-foot berm on the interior limits.
 - West: 50-foot native vegetation and a 6-foot berm on the interior limits.These buffers shall not overlap an easement.
3. The permittee shall maintain a 2:1 slope between the buffer zone and pit floor on all inactive site walls. Material from the area designated for the 2:1 slope may be removed if suitable, stabilizing material is replaced within 30 days from the time of removal.
4. The permittee shall not allow buffers to cause surface water diversion which negatively impacts adjacent properties or water bodies.
5. The permittee shall operate all equipment which conditions or processes material at least 300 feet from the parcel boundaries.
6. The permittee shall not extract material within 100 horizontal feet of any water source existing prior to issuance of this permit.
7. The permittee shall maintain a 2-foot vertical separation from the seasonal high-water table.
8. The permittee shall not dewater either by pumping, ditching or any other form of draining unless an exemption is granted by the planning commission.
9. The permittee shall maintain an undisturbed buffer, and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including riparian wetlands and mapped floodplains.
10. The permittee shall ensure that fuel storage containers larger than 50 gallons shall be contained in impermeable berms and basins capable of retaining 110 percent of storage capacity to minimize the potential for uncontained spills or leaks. Fuel storage containers 50 gallons or smaller shall not be placed directly on the ground, but shall be stored on a stable impermeable surface.
11. The permittee shall conduct operations in a manner so as not to damage borough roads as required by KPB 14.40.175, and will be subject to the remedies set forth in KPB 14.40 for violation of this condition.
12. The permittee shall notify the planning department of any further subdivision or return to acreage of this parcel. The planning director may issue a written exemption from the permit amendment requirement if it is determined that the subdivision is consistent with the use of the parcel as a material site and all original permit conditions can be met.
13. The permittee shall provide dust suppression on haul roads within the boundaries of the material site by application of water or calcium chloride.
14. The permittee shall not operate rock crushing equipment between the hours of 10:00 pm and 06:00 am. A variance has requested to allow rock crushing between the hours of 8:00pm and 8:00am from May 15th to September 15th in accordance with Alaska Department of Transportation's required hours of operation.
15. The permittee shall update their reclamation plan to include all provisions listed in the State of Alaska Department of Natural Resources reclamation plan. If there are any conflicts between the reclamation plans, the more site-specific provision shall control.
16. The permittee shall reclaim the site as described in the reclamation plan for this parcel and approved by the planning commission.
17. The permittee shall post a bond to cover the anticipated reclamation costs in an amount determined by AS 27.19.040 unless the State of Alaska waives their requirements. In the case of a waiver the Kenai Peninsula Borough would require the applicant to post bond in the amount to be determined by the planning director and as stated in KPB 21.29.050.
18. The permittee is responsible for complying with all other federal, state and local laws applicable to the material site operation, and abiding by related permits. These laws and permits include, but are not limited to, the borough's flood plain, coastal zone, and habitat protection regulations, those state laws applicable to material sites individually, reclamation, storm water pollution and other applicable Environmental Protection Agency (EPA) regulations, clean water act and any other U.S. Army Corp of Engineer permits, any EPA air quality regulations, EPA and ADEC water quality regulations, EPA hazardous material regulations, U.S. Dept. of Labor Mine Safety and Health Administration (MSHA) regulations (including but not limited to noise and safety standards), and

Federal Bureau of Alcohol, Tobacco and Firearm regulations regarding using and storing explosives.

19. The permittee shall post notice of intent on parcel corners or access, whichever is more visible if the permittee does not intend to begin operations for at least 12 months after being granted a conditional land use permit. Sign dimensions shall be no more than 15" by 15" and must contain the following information: the phrase "Permitted Material Site" along with the permittee's business name and a contact phone number.
20. The permittee shall operate in accordance with the application and site plan as approved by the planning commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a permit modification is required in accordance with KPB 21.29.090.
21. This conditional land use permit is subject to annual review by the planning department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.25.090, the planning commission may revoke a permit issued pursuant to this chapter if the permittee fails to comply with the provisions of this chapter or the conditions of the permit. The planning director shall provide at least 30 days written notice to the permittee of a revocation hearing before the planning commission.
22. Once effective, this conditional land use permit is valid for five years. A written request for permit extension must be made to the planning department at least 30 days prior to permit expiration, in accordance with KPB 21.29.070.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON
THIS _____ DAY OF _____, 2022.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg
Administrative Assistant

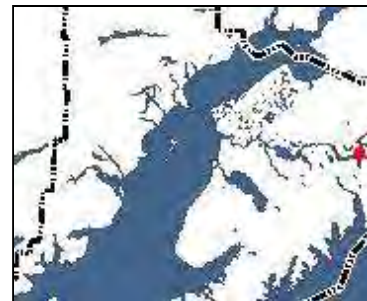
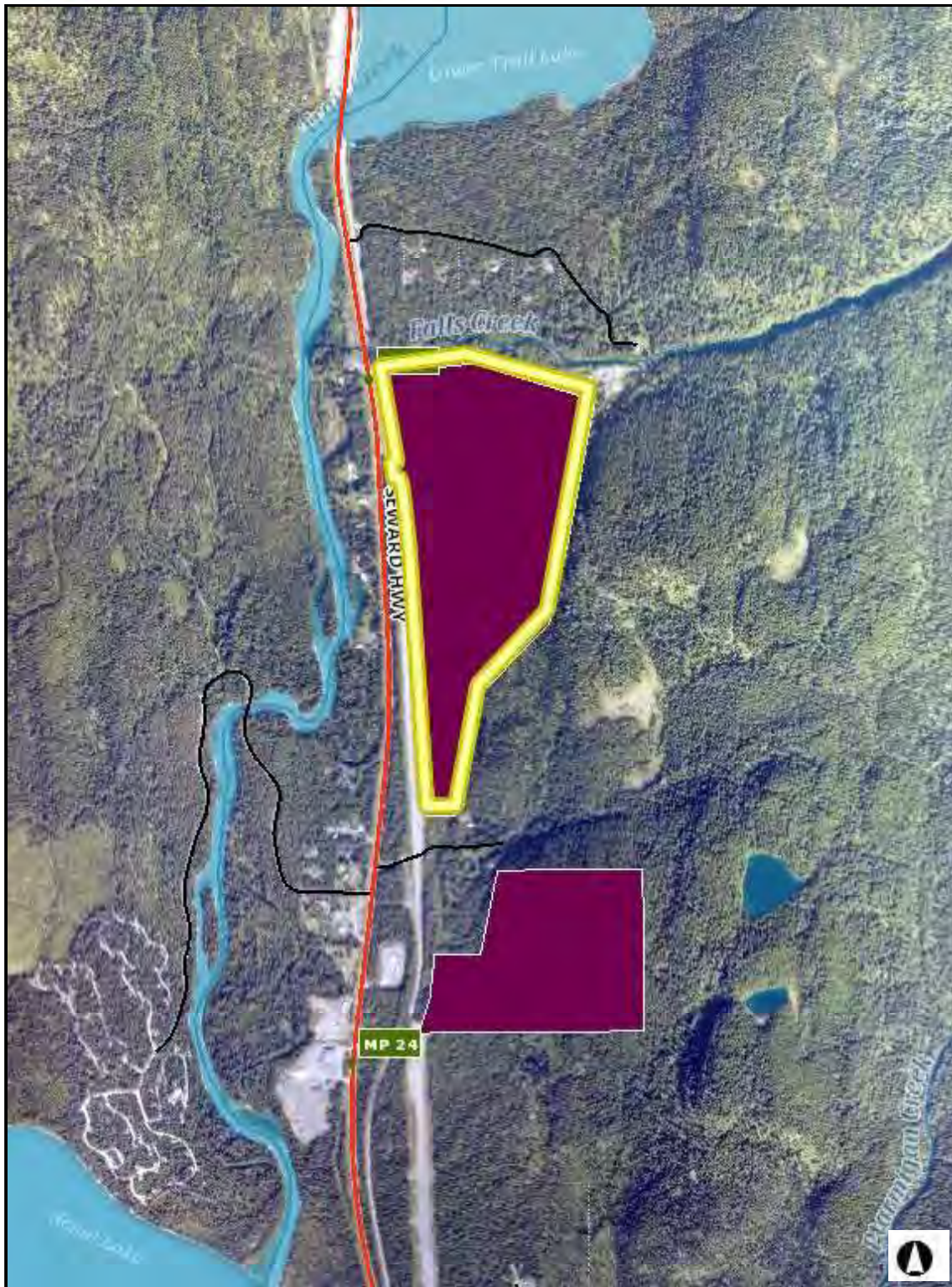
PLEASE RETURN
Kenai Peninsula Borough
Planning Department
144 North Binkley St.
Soldotna, AK 99669

Aerial Map: 125-141-01





Area Land Use Map: 125-141-01



Legend

- Mileposts
- City Limits
- Highways
- Major Roads
- Roads
 - Town Medium Volume
 - Town Low/Seasonal; Other
 - Proposed
- Material Sites
 - Conditional Land Use Permit
 - Counter Permit
 - Dewatered Bar Exemption
 - Prior Existing Use
- Image
 - Red: Red
 - Green: Green
 - Blue: Blue

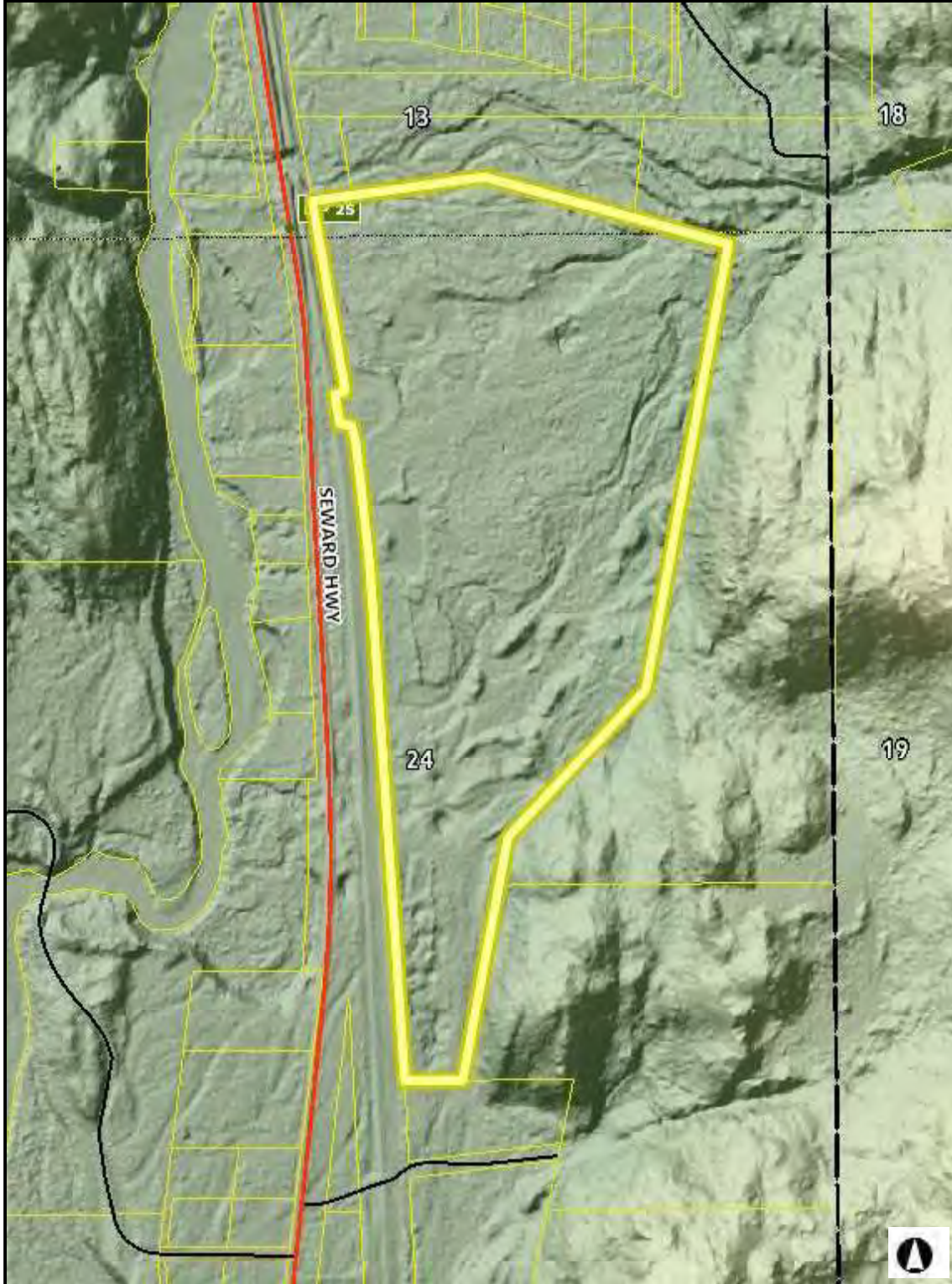
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. It is not to be used for navigation.

Notes

DATE PRINTED: 6/1/2023



Lidar Map: 125-141-01



Legend

- Mileposts
- Major Roads
- [] Township Lines
- [] Section Lines
- Parcels
- Click for LIDAR info - Seward
 - High : 2600
 - Low : 0
- Click for LIDAR elevation info
 - High : 2600
 - Low : 0
- Hillshade
 - High : 254
 - Low : 0
- Hillshade Seward
 - High : 254
 - Low : 0
- HillshadeEast
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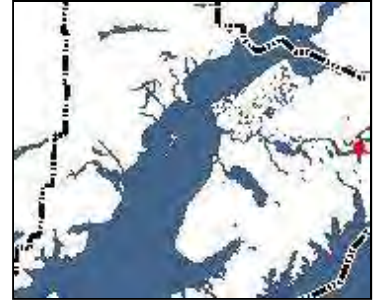
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Notes

DATE PRINTED: 6/1/2023



Ownership Map: 125-141-01



Legend

- Mileposts
- City Limits
- Highways
- Major Roads
- Roads
 - Town Medium Volume
 - Town Low/Seasonal; Other
 - Proposed
- Ownership
 - Green: Borough
 - Purple: Federal
 - Orange: Municipal
 - Yellow: Native
 - Purple: Native Allotment
 - Pink: Private
 - Brown: State
- Image
 - Red: Red
 - Green: Green
 - Blue: Blue

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. It is not to be used for navigation.

Notes

Type any notes here.

DATE PRINTED: 6/1/2023



Planning Department

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

Peter Micciche
Borough Mayor

«OWNER»
«ATTENTION»
«ADDRESS»
«CITY», «STATE» «ZIPCODE»

KENAI PENINSULA BOROUGH PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

Public notice is hereby given that a conditional land use permit application has been received for materials extraction on parcels in the Crown Point Area. This notice is being sent to landowners located within ½ mile of the subject property. All members of the public are invited to comment. The projects under consideration are described as follows:

Applicant: Colaska INC - QAP
Landowner: Alaska Railroad Corporation
Parcel Number: 125-141-01
Legal Description: T 4N R 1W SEC 13 & 24 SEWARD MERIDIAN SW 0007391 USS 7391 LOT 2
Location: 30986 Seward Hwy, Seward, Alaska 99664

Please turn over for map.

Proposed Land Use: The applicant wishes to obtain a permit for materials extraction and processing on a portion of the parcels listed above.

KPB Code: Conditional land use permit applications for materials extraction and processing are reviewed in accordance with KPB Code 21.25 and 21.29. Copies of these ordinances are available from the Planning Department or on the KPB website at: <https://www.kpb.us>

Notice Requirements: According to KPB Code 21.25.060, at the beginning of the notice period a copy of the notice shall be sent by regular mail to all owners and/or leaseholders of record of property located with a radius of one-half mile of the subject property. The notice shall contain a description of the proposed location, the type of proposed land use, the applicant's name, where written comments may be submitted, the last date for which written comments may be submitted, and the date, time and location of the public hearing.

Public Hearing: A hearing will be held by the Kenai Peninsula Borough Planning Commission to consider the application on **Monday June 12, 2023** commencing at 7:30 p.m., or as soon thereafter as business permits. The meeting will be held only on Zoom, **Meeting ID 907 714 2200**. To attend the Zoom meeting via computer, visit: <https://us06web.zoom.us/j/9077142200>. To attend by telephone call toll free **1-888-788-0099** or **1-877-853-5247**.

Public Comment: Those wishing to comment may attend the above meeting to give testimony or may submit a written statement addressed to: Planning Commission Chairman, 144 N Binkley St, Soldotna, AK 99669. A statement addressed to the chairman may also be emailed to: rraidmae@kpb.us, or faxed to (907) 262-5992. **Written statements must be provided by 1:00 pm Friday, June 9, 2023.** Persons, who participate in the public hearing, either by written or oral statement, may appeal the Planning Commission's decision within 15 days of the date of notice of the decision.

Additional Information: For additional information about this application, please call the planning department at (907) 714-2200, or 1-800-478-4441 (toll free within the Kenai Peninsula Borough). You may also go to <https://kpb.legistar.com/Calendar.aspx> one week before the hearing to view/download documentation attached to the Planning Commission Agenda.

Ryan Raidmae, KPB Planner **Ph:** (907) 714-2462



Kenai Peninsula Borough

Parcels Within 1/2 Mile of Proposed CLUP 5/22/2023 3:45

