

Ward, Tamera

Subject: FW: <EXTERNAL-SENDER>Kpac association 18 grievances 2023-36

forwarded message:

From: Kpac Association <kpacassociation@yahoo.com>
Date: September 6, 2023 at 9:58:07 AM AKDT
To: G_Notify_AssemblyClerk <G_Notify_AssemblyClerk@kpb.us>
Subject: <EXTERNAL-SENDER>Kpac association 18 grievances 2023-36

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.

Please forward to all assembly members.

Attached is a list of our 18 grievances with the ordinance. I'm hoping this informational meeting being scheduled is for the public and more importantly the industry, to bring you information, rather than the assembly to try to explain and sell this piece of legislation to the public. If I learned anything from last night's assembly meeting, it is that the public, the industry, and the planning commission, DOES NOT want discretion in code!!!

I will make myself available to the assembly publicly to explain in detail why each grievance has merit. I think it is important I do so, to the fullest extent, so the assembly understands the cause and effect of each piece of code. Understandably, some of the grievances on the list are there because of inconsistencies between the substitute and the sectional analysis or typo's in either. Thus, proving the rush these documents were constructed to present to the public. I appreciate the additional meetings to scrutinize the documents and the process.

The list is in order of importance as best as it can be, however, all listed are extremely important to the industry. For example, #12 may be more important to one operator than # 5 is to another operator. This list may be modified as our members have time to decipher this legislation.

Thank you all for your time invested in this.
Ed Martin III
President
Kenai Peninsula Aggregate and Contractors Association
(907)252-2554

1. The Kachemak Bay Estuarine Research Reserve should be struck from any involvement in material sites. They are not a government agency, their science is flawed and not tested by another source. Extreme bad form to have them in code, this is discriminating to the public at large.
2. 21.29.040 Standards. This whole section has no standards. Nothing is measurable, thus opens discretion. Mitigation of groundwater flow paths for juvenile salmon is unproven and capricious to say the least. There is no possible way to install a material site in an area without changing the "Character" of the surrounding area.
3. 21.29.050 (B) Discretionary Conditions should be deleted entirely. The planning commission does not want or need Discretionary Conditions. They need strict measurable standards.
4. 21.29.120 (D) needs better definition. It reads as if the PEU is restricted to its current working area. It should read PEU permitted boundaries.
5. View should be deleted from Special impacts zone. View needs to be defined as the ability to view the operation from a public roadway directly adjoining the parcel boundaries. Not from a private property or residence, or deleted from entire ordinance.
6. They are requiring us to mitigate dust without giving us any access to water. A well will not do, to fill a water truck before it dries out and becomes dusty again. If we are to take on dust control, we need the tools to do the job. A 100'x100'x4' pond should do.
7. Qualified Professional must be defined in code.
8. Reclamation needs to be defined as all disturbed areas unless a post mining use is applied. Then it should be reduced to finishing slopes to a 2:1 and seeding them. Leaving the floor of the site for other post mining uses.
9. The processing waiver of 60 days for a counter permit should be changed to 30 days per year.
10. 21.29.065 should be deleted. If strict measurable standards are used and met, there will be no confusion. If the situation changes for the application, the applicant should not have to wait for the government to exercise the applicant's right to the use of the resources.
11. 21.29.070 If the permit is currently not in violation, it should be approved by the administration. The two-year probation period should be deleted. Additional discretionary conditions should also be deleted. The standards must be strict and measurable.
12. Annual reports and reporting two years after closeout of a Type III material site is overreaching.
13. The mention of health, safety, and general welfare should be struck from the ordinance substitute. There have been no studies to show that any of the codes written affects the aforementioned.
14. 21.29.015 No excavation within 32' of a lot line needs to be changed back to 10'. There is no evidence for this restriction other than "more must be better". This is in sectional analysis, but not substitute, so there is a discrepancy.
15. The mention of an engineer or hydrologist making reports for the application or maintenance of permits is wasteful spending on our part if the Planning Director and Code compliance officer do not have the same credentials. How can we rely on them to decipher such a report if they do not have equal education? The state does not require an engineer to do site plans for mining. Operators have the education to construct site plans. We are professionals in our field.

16. 21.29.100 Should be deleted or defined as to the exact cost of recordation.
17. The exemption for Seward and vicinity from this ordinance should be nullified. Equal protection of the law.
18. The Type 1 CLUP permit should be deleted. It is useless and no one will apply for a permit without processing.

From: Mary Trimble, Beachcomber LLC

RE: 2022-36

To: Assembly Members and Planning Staff

The following are my main objections to this ordinance:

- 21.29.050 Water Source Separation section e: If Beachcomber does not get its permit under the current code through the courts this section would entirely disqualify Beachcombers 27+ acres from ever becoming permitted which was the intent by Bilben and friends when they convinced an assembly member to make such an amendment. It is specifically targeting Beachcomber and is not justified. Please reconsider. We have already spent 5 years and a lot of time and energy and if this section is left in it will mean we may have to sue the borough, which we would rather not do.
- 21.29.050 B. Discretionary Conditions 7. SIZ: First “visual” should not be in there. Under counter permits – the 500’ from any principal residence seems too much and even though it is discretionary it seems unreasonable as one person with a 3-story house that could not be screened would be grounds for denial.
- Delete review by the KBNERR: Not necessary.
- Delete verbiage “Public health, safety and general welfare: Under 21.29.040 Standards: Is this a comprehensive plan or a material site ordinance? You have not defined “general welfare” which opens up for a lot of confusion and potential for misunderstandings. I do not see this ordinance as written to be easier for the Planning Commission to interpret. How do you say the use of any of these permits will “preserve the value and character of the surrounding area”? The reason you have many pit owners/operators wanting the whole thing scrapped is because of this type of language. It could be the reason that many or most applications could be denied. The reason there are neighborhoods around gravel pits either before or after the fact is that good ground is where people want to build and live! As Borough attorney, Holly Montague stated in a brief to a hearing officer in a Beachcomber appeal supporting approval of the CLUP “Given the wealth of gravel deposits in the Anchor Point area it should not be surprising that this parcel would be used for a material site”.
- 21.29.040 Standards A: Street level visual screening – is this not what buffers are for? I do not approve of any visual language. We live in Alaska! There are eyesores far worse than a material site! This ordinance is discriminatory against one industry.
- Substitute Ordinance Whereas: The first whereas says “maintain property values”. As we heard at the Sept 5 meeting 2 testifiers erroneously talked about lowering of property values in Anchor Point. As this ordinance is now proposed, the property value on our total 42ac would be the only property that would significantly decrease in value without a permit.
- 21.29.050 Permit Conditions – A. It says the following mandatory conditions “must” be imposed on all permits and then under Buffer Zone section e. GIS LiDar it says this “may” be utilized. Confusing verbiage. LiDar does not take into account vegetation so is not accurate for determining sufficiency of buffers.
- No economic study has been done or considered. People are moving to the Peninsula and along with the young people who will eventually build a home or cabin are not being represented. The cost of buying a home or building is already very high. Limiting gravel sources by restricting or denying permits will only drive up costs. The folks opposing pits already have their homes and have no or very little need for gravel. As has been acknowledged, the needs of the borough for gravel affects every taxpayer. There is a finite amount of gravel on the peninsula so eventually all of it will need to be mined.
- Any proposed ordinance must outlive Robert Ruffner, the current Assembly and current Planning Commission. Another reason to stick with the current code that is already known.
- Even though many years have been spent on this endeavor, it has many significant flaws and for that reason I do not support it. I believe this proposed ordinance will create more appeals and legal costs for the borough.

Ward, Tamera

From: Turner, Michele
Sent: Wednesday, September 6, 2023 6:27 PM
To: Ward, Tamera
Subject: Fwd: <EXTERNAL-SENDER>Borough Ordinance 2022 - 36

Follow Up Flag: Follow up
Flag Status: Completed

Please add the comments below to O2022-36

Thank you!

Begin forwarded message:

From: "K, E, & E Martin" <keeconstructionllc@yahoo.com>
Date: September 6, 2023 at 10:04:35 AM AKDT
To: "Turner, Michele" <MicheleTurner@kpb.us>, Mayor Peter Micciche <pmicciche@kpb.us>, "Kelley, Sean" <skelley@kpb.us>
Subject: <EXTERNAL-SENDER>Borough Ordinance 2022 - 36
Reply-To: "K, E, & E Martin" <keeconstructionllc@yahoo.com>

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.

Michele, please add our comments to the public record on Ordinance 2022-36 Dated 9/7/2023 as it was emailed to all of the Assembly yesterday, prior to last nights meeting.

To All, NO Amendments needed! Vote it down.

First this ordinance is an abomination, it's an attack on Private property rights using unauthorized powers to spot ZONE one industry ,with overly restrictive regulation, It disregards individual liberties , opportunism grounded in Free Enterprise, works to create less competition by unequal application across the borough, It disregards the Estoppel Doctrine protecting PEU ownership.

It takes jurisdiction over water usage & access, only in both the Federal & State powers!
The real world result of passing this Ordinance is forcing Property / Business owners to sue to get justice from takings of rights.

The most Visual hideousness is it's actual portion addressing Visual restriction which attempt to divide us Citizens by what looks good to one but not to another!

This ordinance should go down in flames!

Edward & Kathleen Martin
907-252-7857 , 907-252-8163

KEE Construction, LLC

To KPB Assembly and Mayor Micciche

September 9, 2023

Let me introduce myself. My name is Grace Merkes. My husband and I homesteaded in Sterling in the early 1960's. I have been serving in the public sector most of my adult life, first as a Board member of the Sterling Volunteer Fire Dep. (now CES) then on the KPB Planning Commission for at least 5 years, elected member of the Kenai Borough Assembly for about 17 years. We owned a gravel pit in Sterling for over 25 yrs. but sold to our son.

My purpose for this letter is to be an advocate for implementing a cohesive, sustainable, sensible Land Use Plan (may have to call it ZONONG). Goal should be rules that balance multiple interests in land use such as: the right to use land as you choose; the right to not be excessively impacted by neighbors who exercise that freedom; and the shared value in protecting the underlying health of borough residents, natural resources and property values. Must have an appropriate balance between all stakeholders.

At this time, I oppose the Substitute Ordinance 2022-36 (Gravel Operators Ordinance) for the following reasons.

Here are some points I want to make regarding the past 25 yrs. regarding Land Use;

- Gravel pits, crushing plants & hauling gravel have been one of the most complained about problems in the KPB for as long as I have been involved in politics of the borough. Other complaints by residents' have been about noise from airplanes, motorized vehicle trails and junk cars & yards, dog teams, animal control & hazardous waste.
- About every 10 years the KPB has approved a KPB Comprehensive Plan which includes many pages of land use issues
- Most populated areas have their own Comp Plans such as Homer, Soldotna, Seward, Seldovia, Kenai, Kachemak City, Redoubt Bay, and I believe Cooper Landing & Moose Pass also have one.
- The **2005 KPB Comprehensive Plan** states; "expand Borough Land Use management".
- The **2010 KPB Comprehensive Plan** states there has been lack of implementation of Land Use Management, little has been done because of limited resources available to the KPB staff.
- **2010 Phone Polls** showed that 40% borough residents are "mostly Positive" to land Use Regulations.
- However; when asked about the "**Current** Level of Land use Regulations" it said 35% too much and 10% too little. The 2010 Comp Plan suggests most residents would support regulations that affect protection of water quality in wells, preservation of the health of salmon, but do not support more intrusive rules that interfere with private property rights. The polls also suggest that regulations need to provide clear benefits for support.

- The **2010 KPB Comp Plan** recommended that there should be “some growth guided by a few good rules” for land use such as;
 1. Adopt limited specific areas and uses (Regional Land Use); Example, residential, commercial, industrial, set -backs, height limits, buffer areas, lot sizes (This would protect property values).

I tried to find the **2020 Updated Plan** but it was not on the KPB web site.

So, after all this reflection of the past and the information from the KPB Comp Plans here is my opinion and support the following ideas;

1. Vote to “OPPOSE” Substitute Ordinance 2022-36
2. Continue to use the current Gravel Pit Ordinance and permitting update process.
3. Put a moratorium on issuing any new gravel pits or operations until a Regional Land Use Plan is implemented. (There are currently about 300 permitted gravel pits and I realize this will probably raise the price of a yard of gravel from existing permitted gravel pits.)
4. Hire one new employee in the Planning Dept.
5. Establish a Comprehensive Regional Land Use Plan.

Thank you for listening and would be happy to answer any questions.



Kachemak Bay National Estuarine Research Reserve
Alaska Center for Conservation Science
UNIVERSITY of ALASKA ANCHORAGE

2181 Kachemak Drive Homer, Alaska 99603 (907) 235-4799

September 11, 2023

President Brent Johnson
Kenai Peninsula Borough Assembly
144 North Binkley Street
Soldotna, Alaska 99669

Re: Proposed amendments to KPB 21.25.050 regarding Material Site Permits, Applications, Conditions, and Procedures. Specific legislation to be considered - [Ordinance 2021-41 and Ordinance 2021-41 \(Elam, Derkevorkian\) Substitute as well as proposed amendments.](#)

Dear Kenai Peninsula Borough Assembly,

On behalf of the Kachemak Bay National Estuarine Research Reserve (KBNERR), please accept this letter of clarification regarding the proposed amendment 21.25.050. Permit considerations:

“...Upon receiving an application, the planning director or designee will forward a copy of the application to the Kachemak Bay National Estuarine Research Reserve (“KBNERR”) for review and comment. KBNERR will have thirty days to provide its review and comment prior to submission of the application to the planning commission if the application is otherwise complete.”

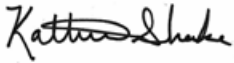
KBNERR appreciates the KPB Assembly’s effort to involve scientific information from our organization; this amendment, however, may have unintended consequences in misleading the public about the role of the Reserve. The amendment does not clearly define what is being asked of the Reserve. KBNERR does not have regulatory authority and should not appear to be directly involved in management decisions. The Reserve is a partnership between the University of Alaska Anchorage (UAA) and the National Oceanic and Atmospheric Administration (NOAA), and our mission is to enhance understanding and appreciation of Alaska’s coastal ecosystems to ensure they remain healthy and productive. We do this by providing technical and scientific data as a public service. In the case of groundwater mapping, KBNERR and partner researchers have produced spatial models of groundwater flow paths that recharge salmon streams and drinking water sources (<https://nerssciencecollaborative.org/project/Walker17>). Research staff work with partners to make data accessible to decision makers and any member of the public, as requested. We look forward to working with the KPB Planning Department to make KBNERR data available as a tool for their own review of material extraction permits.

Below is a suggested alternative wording of Amendment 21.25.050. Permit considerations:

“...Upon receiving an application, the planning director or designee will incorporate an analysis of impacts to groundwater, using the best available hydrology information for the Kenai Peninsula.”

Thank you for your consideration and the work the KPB Assembly is doing regarding best land management practices for the people, economies, fish and natural resources of the Kenai Peninsula.

Sincerely,

A handwritten signature in black ink that reads "Katherine Schake". The signature is written in a cursive style with a large initial 'K'.

Katherine Schake
Reserve Manager
Kachemak Bay National Estuarine Research Reserve
University of Alaska Anchorage
(907) 235-1593 / kschake@alaska.edu

Ward, Tamera

Subject: FW: <EXTERNAL-SENDER>Ground water protection

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

From: Dolma Family <dolma@ptialaska.net>

Sent: Thursday, September 14, 2023 3:24 PM

To: G_Notify_AssemblyClerk <G_Notify_AssemblyClerk@kpb.us>

Subject: <EXTERNAL-SENDER>Ground water protection

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.

We all need clean water. Please protect our ground water by thoughtful borough policy.

A gravel pit design that maintains the underground connection of groundwater, promotes health on the Kenai Peninsula. Gravel pit Ordinance 2022-36, Please use access that is smarter, one that protects our salmon and our health.

Ward, Tamera

Subject: FW: <EXTERNAL-SENDER>Material sites -Tsunami Inundation Zone
Attachments: Tsunami Comments 2.docx

From: Lynn Whitmore <lkwhitmore@acsalaska.net>
Sent: Monday, September 18, 2023 12:10 PM
To: G_Notify_AssemblyClerk <G_Notify_AssemblyClerk@kpb.us>
Subject: <EXTERNAL-SENDER>Material sites -Tsunami Inundation Zone

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 Borough Clerk,

Please forward this e-mail regarding Tsunami hazard zones/material sites to the assembly members. It is a follow-up from the previous material site meeting's public and administration comments.

Thank you kindly,

Lynn Whitmore

Dear KPB Assembly Members,

This e-mail is written in response to the comments heard at the last KPB Assembly meeting that is considering new material site codes. In particular, the comment regarding the possibility of a tsunami filling up a gravel pit excavation with salt water and contaminating our nearby water wells was just picking on a single pit owner.

The Alaska Earthquake Center in partnership with the Division of Homeland Security and Emergency Management publish maps of potential Inundation. Those maps show areas on the lower Kenai Peninsula that could be inundated by a tsunami. The entire Anchor River estuary, portions of Homer, approximately ½ of the village of Nanwalek, most of the homes in Port Graham and a large portion of Seldovia Village are within the tsunami hazard zone. The potential for many private water wells to have long term salt water contamination exists. As the gentleman testifying on behalf of gravel pit owners stated “this code has to stand the test of time”. I agree completely. Just because there is no gravel pit in an inundation zone today doesn’t mean there won’t be an application for one there tomorrow.

It is extremely difficult to ignore the potential of a tsunami affecting your well that is near a gravel pit when you have already evacuated to high ground multiple times with the sirens and phone warnings screaming in your ear. Just think back to when you last felt an earthquake. Anchor Point isn’t the only place on the Peninsula affected by the constant threat of tsunami. Please consider what the science* tells us: gravel pit excavation within the tsunami hazard area would likely result in salt water intrusion into our wells for one to two years should a tsunami occur. That is a long time to recover from any disaster like earthquakes, tsunami and floods. All of which has happened to most of us who have lived here a long time. Please consider protections from the threat of losing our functional wells for a substantial period of time after a significant tsunami event.

Alaska Earthquake Center states that “Coastal Alaska communities live with the most serious tsunami risk in the United States”.

*Dr. Mark Rains, is a nationally recognized groundwater scientist who has worked with the Kachemak Bay National Estuarine Research Reserve studying groundwater on the lower Kenai Peninsula for over 20 years. Dr. Rains presented to the KPB Assembly on groundwater studies previously.

Ward, Tamera

Subject: FW: New Public Comment to Assembly Members

From: Kenai Peninsula Borough <webmaster@borough.kenai.ak.us>

Sent: Monday, September 18, 2023 2:17 PM

To: BoroughAssembly <Borough-Assembly@kpb.us>; Mayor's Department <MayorDepartmental@kpb.us>

Cc: Turner, Michele <MicheleTurner@kpb.us>

Subject: New Public Comment to Assembly Members

Your Name: Vickey Hodni

Your Email: vickey@gci.net

Subject: Ordinance Amendments and the Comprehensive Plan

Message:

9/16/23

KPB Assembly,

Our Borough Comprehensive Plan was a long and arduous procedure to look at the Borough in a very realistic way and determine what provided the income, what are the natural assets, who lives here, what are the demographics of the population, what the goals are, and should be, and how to address maintaining to keep the Kenai Peninsula a unique, prosperous, vibrant and attractive place to live. The listed economic focus areas are: 1. Oil and Gas

2. Tourism and Recreation

3. Sportsfishing

4. Commercial fishing

5. Agriculture and Mariculture

6. Mining

Please note that mining was the last industry mentioned and it was not specifically gravel mining as both coal and gold were mentioned. The comprehensive plan was explicit about how to develop tourism and how to try to make all communities, parks, rest areas etc inviting so as to appeal to all visitors. The Comprehensive Plan goes on to discuss "land use and changing,environment"

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.

B. Develop a strong local voice in decisions on uses of federal and state lands.

C. Guide land use at the regional scale to promote economic development, improve public roads and other services and facilities and maintain environmental quality.

D. Maintain quality of the borough's natural environment, including protecting visual quality, minimizing development in hazardous areas, and developing strategies that help reduce and respond to impacts of changing environmental conditions.

The Plan goes to mention the health, safety, quality of life, maintain property values, and maintain and improve neighborhoods, communities and natural systems. Improve access to public lands and waters by working with state and federal land managers to evaluate potential new, low impact and resource intensive access points for residential recreation and subsistence use and for economic benefit. Our park on the Anchor River received \$600,000 Sate funds to improve access.....with steps, better campgrounds, camp access, wood covers, toilet improvements etc. The campgrounds on the Anchor River are busy from the moment they open until they close....doing exactly what the

Comprehensive Plan outlines.....additionally, four wheeler tours and horse back rides have become a part of the environment and these activities are being accessed by locals and tourists. Although there might be gravel near the park it doesn't mean that its impact on tourism or the plants, animals, fish or tourists would benefit from that gravel.....it goes against the Comprehensive plan.

Please note that during development of the comprehensive plan the Borough was supposed to be transferred 157,000 acres from the Statethere may be land that is full of gravel that could be sold to gravel operators. Also Title 17 allows 'negotiated sale' of gravel to operators from lands owned by the Borough. Please become familiar with these potential resources.

Our borough mayor wants no discussion about fish yet it is vital to our economy and many citations by scientists are not in favor of gravel mining close to salmon spawn or salmon fry.....it is the responsibility of the assembly to make sure you represent the voices heard in the Comprehensive Plan. If you read it you will find lots of compassion for keeping our Borough healthy and thriving and it reflects a need to respect the entire environment. If you accept the amendments that the mayor has proposed you are not following the Comprehensive Plan and totally perverting the ordinance. The material site operators are only participants in economic growth, with all other hard working people of the Borough. With the obvious bias of the mayor he needs to recuse himself from forcing his amendments to the ordinance. All Borough employees have to sign the " Summary of Conflict of Interest Law for Municipal Employees". Emmitt and Mary Trimble hosted a fund raiser for the Mayors election last yearhis comments this year provides reason to believe he is now returning the favor. A person must recuse himself because of a "possible" conflict of interest or lack of " impartiality". The mayors remarks demonstrates his bias and the Assembly needs to advise him that he should recuse himself.

I thank you for all you do for the Borough and your hard work on the ordinances. Please remain honorable.



Kachemak Bay Conservation Society
3734 Ben Walters Ln, Homer, AK 99603
907 235 8214
kbayccnservation@gmail.com

Kenai Peninsula Borough Assembly
assemblyclerk@kpb.us

Friday, September 15, 2023

Dear Members of the Kenai Peninsula Borough Assembly:

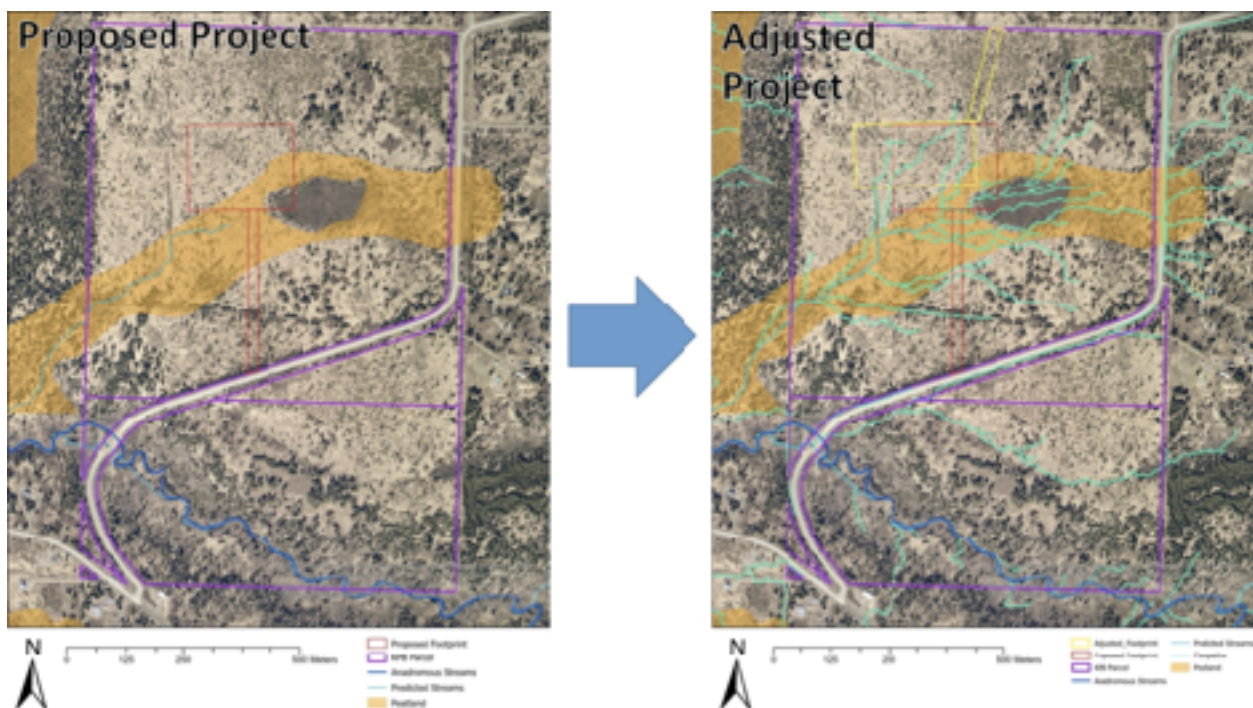
Please support for Ordinance 2022-36 and smart gravel extraction in Kenai Peninsula Borough.

We can have both the gravel and healthy ecosystems we need, if we are smart about how we get our gravel. Thank you for putting together a Material Site Permit code that seeks to achieve this balance. We urge you to pass the ordinance as-written.

It is in everyone's interest to protect groundwater systems, because they:

- Provide clean, cold, nutrient-rich water to our salmon streams
- Replenish our wells and aquifers
- Reduce the severity of wildfires and flood events by keeping our ground hydrated
- Help filter harmful toxins from our wells, streams, lakes, and oceans
- Keep our peatlands wet, thereby keeping the vast amounts of carbon stored in the peat locked in the ground, slowing global climate change

We encourage you to protect groundwater systems when permitting material sites and to use the newly available groundwater mapping tools developed by the Kachemak Bay National Estuarine Research Reserve (KBNERR) to support those decisions. The





Kachemak Bay Conservation Society
3734 Ben Walters Ln, Homer, AK 99603
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kbayconservation@gmail.com

groundwater mapping tool provides us with essential information about where groundwater is, and will allow us to be smart about gravel pit design.

In the image above, developed by KBNERR, we can see an example of how effective this tool can be. On the left, we see a proposed gravel pit and road outlined in red; on the right, we see groundwater mapped in green, and a smarter access and gravel pit footprint in yellow. The yellow outline is a design that allows for gravel extraction that maintains the underground connection of groundwater, promoting health and life on the Kenai Peninsula. When we can see where the groundwater is, we can design gravel pits that are better for salmon and people.

While there may be folks in the community who are unfamiliar with KBNERR and may be concerned about using a tool they have developed, agencies and administrations should use the best available tools and information to make the best decisions. One example of a widely used tool developed by an independent entity is the wetland mapping completed by Mike Gracz at the Kenai Watershed Forum. These important maps are used by the Army Corps of Engineers, USGS, the Kenai Peninsula Borough, Soil and Water Conservation Districts, and others. The groundwater mapping developed by KBNERR should be used in a similar way.

Please pass Ordinance 2022-36.

Sincerely,

Roberta Highland,
President, Kachemak Bay Conservation Society