

Kenai Peninsula Borough

Planning Department

MEMORANDUM

TO: Blair Martin, Planning Commission Chair
Kenai Peninsula Borough Planning Commissioners

THRU: Melanie Aeschliman, Planning Director

FROM: Bryan Taylor, Planner

DATE: June 14, 2021

RE: USFWS Environmental Assessment – Jims' Landing Access Improvements

At its June 9, 2021, meeting, the Cooper Landing APC unanimously voted to request that the Planning Commission forward the recommendation below to the USFWS with regard to the proposed Jims' Landing Access Improvements. Details of the APC's discussion can be found in the attached unapproved minutes.

- The Cooper Landing APC recommends that Alternative C be selected along with Overflow Parking Option 1.

To meet the APC's request, the Planning Commission can simply make a motion to request that staff forward the above APC recommendation to USFWS. Alternatively, the Planning Commission could move to make its own recommendation based upon review of the plans and the APC's recommendation.

Taylor, Bryan

From: Cooper Landing Advisory Planning Commission <cooperlandingapc@gmail.com>
Sent: Wednesday, June 9, 2021 9:38 PM
To: jaeger06@hotmail.com; David Story; brandonandheather@live.com; jette.cadieux@gmail.com; Kathy Recken; Laura Johnson; Fletcher, Sandra; Taylor, Bryan; ygalbraith@gmail.com; Mueller, Marcus; Planning Dept.; Virginia Morgan; jonathan.tymick@alaska.gov
Subject: <EXTERNAL-SENDER>2021 06 09 CLAPC Unapproved Minutes
Attachments: 20210609 CLAPC Minutes UNAPP.docx; 2021Jun09Cadieuxcomments.docx; Letter_Cooper Landing Advisory Planning Commission.pdf; 1_Land__Sale_MEMO.pdf; 2_Land_Sale_ORDINANCE.pdf; draft_PCresolution2021-17.pdf; 3_Land_Sale_MAPS.pdf; 20210407 CLAPC Minutes APPRV.docx

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Commissioners,

Here are the Unapproved Minutes from our June 9th Regular Meeting and the supporting documents excepting the Jim's Landing Draft Environmental Assessment and the KPB Land Classification Packet due to file sizes. Let me know if you need either of these documents. Sandra or Bryan, please let me know if you can post them.

Please note that the CLAPC voted by roll call vote as follows:

- Draft Changes of Advisory Planning Commission Code KPB 21.02
 - General support but request for clarification regarding Section 2 Item C and how an APC's recommendation could be "signed" if those recommendations were submitted via email etc.
- Jim's Landing Improvement Project:
 - Recommended that the KPB Planning Commission approve Alternative C with Overflow Parking Option 1.
- Land classification along Bean Creek Rd:
 - Recommend that the parcels are classified as residential and if the parcels are sold by the borough they should be zoned within a local option zoning to allow for residential use. If these criteria cannot be met the parcels should not be sold.
- Juneau Creek Bridge Naming
 - Moved to draft a letter recommending that the KPB Planning Commission pass along the CLAPC's recommendations to the Legislature. These recommendations are that the bridge
 - not be named after a person
 - that the Kenaitze Tribe be involved in deciding the name of the bridge
 - that geological or geographical names may be sufficient alternatives in absence of other alternatives.

I have also attached the Approved Minutes from the April 7th Regular Meeting.
Please let me know if you have questions or need more information.

Cheers,
David

**COOPER LANDING ADVISORY PLANNING COMMISSION
REGULAR MEETING
LOCATION: ZOOM TELECONFERENCE
WEDNESDAY, JUNE 09, 2021
6:00 PM
UNAPPROVED MINUTES**

1. CALL TO ORDER – 6:01pm
2. ROLL CALL – H. Harrison, K. Recken, Y Galbraith, C. Degernes, L. Johnson, D. Story present
3. APPROVAL OF AGENDA – C. Degernes moves to approve, K. Recken seconds. All approve.
4. APPROVAL OF MINUTES for April 07, 2021 – Y. Galbraith moves to approve, K. Recken seconds. All approve.
5. CORRESPONDENCE
 - a. PND Engineers
6. PUBLIC COMMENT/PRESENTATION WITHOUT PREVIOUS NOTICE
 - a. Lorraine Temple
 - i. Proposals for wildlife management proposals are due. Cooper Landing Safe Trails submitted a proposal. Public input can be submitted until July 19th. L. Temple will make methods for comment available in the supporting documents as well as in the Cooper Landing Crier and the Cooper Landing Announcements Facebook page. It is also advised to make public testimony at the hearings.
 1. Comment period for Proposal WP22-15 (referring to the 1000' setback of traps from trail, roads, and campgrounds) is open until July 19th. You can see the complete proposal at www.doi.gov/subsistence/proposals/current Comments can be sent to subsistence@fws.gov or faxed to 907-786-3898 or mailed to the address on the website.
 - ii. She also said that she does not support naming the Juneau Creek Bridge after a person or politician and prefers a name that would honor the native peoples of the area.
7. REPORT FROM BOROUGH
 - a. Bryan Taylor
 - i. If you are making any comments this evening it would be best to summarize them and send them with the unapproved minutes.

- ii. Marcus Mueller cannot make it tonight but B. Taylor will do best to answer questions and will pass along information.
- b. DOT&PF Sterling Hwy MP 45-60 Project report and questions/answers. Jonathan Tymick Project Manager, AKDOTP&F.
 - i. Sean Holland is no longer with the department. He has moved to some other opportunities. J. Tymick will be taking over as the project manager.
 - ii. Not as much construction is anticipated this year but there will still be improvements made to the pioneer roads, the Tract C area and the Phase 1A part of the project. There is also a great deal of archeological data collection going on this summer.
 - 1. Y. Galbraith asked about the Juneau Bridge development.
 - a. J. Tymick said that the bridge construction is now being pushed for completion in 2026.
 - b. The bridge design is at 30% and is anticipated to be at 75% this fall.
 - c. Met with Horsemen's Club and Snowmobile Club regarding Resurrection Pass Trailhead design. The trailhead will not be maintained in the winter and its maintenance will be conducted by the USFS not DOT.

8. OLD BUSINESS – none.

9. NEW BUSINESS

- a. Draft changes of Advisory Planning Commission code
 - i. (KPB 21.02)
 - 1. J. Cadieux submitted comment read into record to reflect:
 - a. I support the proposed changes except where clarification may be needed. See below:
 - 1. Section 2, Item C, last sentence:

“Recommendations shall be signed by the APC chairperson or his/her designee.”

 - a. If items are submitted via email, how is the APC chairperson or designee (often the secretary of the APC submits minutes to the Borough Planner) to “sign” these?
 - 2. B. Taylor responded that he will follow up with the legal department to determine whether the recommendations coming from a certain email or digital signature or some other mechanism can be sufficient as a signature.
 - 2. K. Recken asked about Section 2d.

3. B. Taylor said that it is not a new duty but it is being moved to a more appropriate section of the code. In terms of how to determine whether they are up to date it can be revisited every 10 years or at regular intervals. In terms of scope, B. Taylor is encouraging drafting plans of scope that are very general to allow comprehensive planning.
- ii. (KPB 21.11) Public notification procedure
 - 1.
- b. Draft Environmental Assessment for Jim's Landing Improvement Project
 - i. J. Cadieux's comments read into record:
 1. I support the preferred alternative. I have the following questions and comments:
 - a. Does the plan look ahead to a day when there may be less water in the river due to fewer glaciers feeding the Kenai Watershed or is planning of this nature not yet necessary?
 - b. Considerations made in Alternative C:
 - i. Allow better access for all the non-fishing uses of the area including birding and wildlife viewing.
 - ii. How was the decision made to select the site of the viewing platform? Was that site chosen for its birding/wildlife viewing opportunities vs. other locations within the project area?
 - iii. Alt C provides somewhat for future connection to a Sterling Highway bike/ped pathway whereas the other alts do not.
 - iv. The parking for vehicles with boat trailers...
 - v. How does it make it possible to do a pull-through without running into problems of turning radius or does it not allow pull-through? If not, why not have pull-through parking for trailers?
 2. Off-site parking options:
 - a. Option 1 keeps the site more compact for wildlife passage around the Jim's Landing complex instead of through it or would wildlife use these graveled areas to pass through just like we do?
 - b. How does Option 1 vs Option 2 impact flood plain and wetland function? Which is better?
 - c. Would Option 2 walkway and bridge afford viewing opportunities of fish/birds/wildlife?

3. How much asphalt would be utilized and how might the run-off toxins from this material impact the river, creek, or wetlands? How does that compare with gravel surface impacts from run-off or gravel shift during flooding?
4. Cumulative Impacts:
 - a. Does the 2019 fire and loose soils/run-off impact the project area and wetland function?
 - b. How does the addition of the extra parking area, coupled with the parking already in place on both the north and south sides of the Sterling Hwy cumulatively impact hydrologic function of the lands especially in regards to compaction?
- ii. C. Degernes said it would be helpful to break it into parts like alternatives and make comments that way.
- iii. K. Recken said she does not support Alternative A and thinks Alternative B is not forward thinking enough.
- iv. C. Degernes says she supports Option 1 for the overflow parking because it will keep the users moving quickly. H. Harrison and Y. Galbraith agreed.
- v. B. Taylor asked for a clear motion and a second.
- vi. C. Degernes moves to recommend the KPB Planning Commission to approve Alternative C with overflow parking Option 1. Y. Galbraith seconds. All approve.
- c. Land Classification: Lots along Bean Creek Rd.
 - i. C. Degernes asked why the lot classification offered is only rural rather than residential.
 1. B. Taylor said he was not sure the rationale for that other than that there is no attempt to put any zoning on these.
 - ii. D. Story said that it doesn't seem like a good idea to have it only designated as Rural since the surrounding lots and areas are all designated residential and also are surrounded by our school, community center and library. Y. Galbraith agrees.
 - iii. K. Recken said the road there is bad
 - iv. C. Degernes asked why it would need to go to local option zoning to get classified as residential.
 1. B. Taylor said that because the borough is mostly just rural unrestricted district it would have to become redistricted and follow the
 2. The borough only has two zoning districts: municipal and rural. It allows local option zoning to allow landowners to adopt certain restrictions to maintain certain qualities of the area use.
 3. Looking at soils and steepness of terrain may have been part of the thinking for not making residential designation.
 - v. C. Degernes moves to recommend the parcels are classified as residential and if the parcels are sold by the borough they should

be zoned within a local option zoning to allow for residential use. If these criteria cannot be met the parcels should not be sold. L. Johnson seconds, all approve through roll call vote.

- d. Slash pile at the Organic Dump: Status report
 - i. K. Recken asked if the situation at the site is a result of a breakdown of agreement between the KPB and CLES on how the site pile burning was handled.
 - 1. B. Taylor said there was a volunteer that would push it up and then the fire department would burn it which worked OK. When the volunteer was no longer available, the KPB had a commercial contractor come in and burn it all.
 - a. One issue was the fire department wasn't always able to burn it completely.
 - 2. KPB has been working to find contractor who has more materials to dispose of to mitigate the site as a part of the disposal costs.
 - 3. K. Recken said that the KPB needs to put together a plan.
 - 4. J. Cadieux's comments were read into record.
 - 5. K. Recken said she is concerned that the site is basically unusable right now and feels it is a imminently dangerous situation that should be addressed right away.
- e. Naming of the new Juneau Creek Canyon bridge, Sterling Hwy MP 45-60 Project
 - i. J. Cadieux's comments were read into record.
 - ii. C. Degernes said she would support a historical name and recommend to consult with the Kenaitze Tribe before a decision is made in Juneau.
 - iii. K. Recken said that it has been sent to the Finance committee and that it is important that we should send our comments to the legislature. She also says that she also agrees it should not be named after a person living or dead and a name should be determined with the input of the Kenaitze Tribe.
 - iv. Y. Galbraith moves to draft a letter recommending that the KPB Planning Commission pass along the CLAPC's recommendations to the Legislature. These recommendations are that the bridge not be named after a person, that the Kenaitze Tribe be involved in deciding the name of the bridge, and that geological or geographical names may be sufficient alternatives in absence of other alternatives. D. Story seconds, all approve by roll call vote.

10. PLAT REVIEW – none.

11. INFORMATION and ANNOUNCEMENTS – none.

12. COMMISSIONER'S COMMENTS –

- a. C. Degernes thanked H. Harrison for filling in. All approve.

13. ADJOURNMENT

- a. L. Johnson moves to adjourn. C. Degernes seconds. All approve by roll call vote. 7:52pm.

For more information or to submit comments please contact:

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