

By: Mark Whisenhunt
Introduced: May 4, 2026
Public Hearing: May 18, 2026
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 26-05**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE EXTRACTION OF APPROXIMATELY 280,000-360,000 CUBIC YARDS OF EARTH MATERIAL FOR UP TO 10 YEARS WITHIN A 22.08-ACRE PARCEL LOCATED AT 20254 WEST SUSITNA PARKWAY, TAX ID #16N04W03A009.

WHEREAS, Rick Antonio, on behalf of Ficklin Gravel Products, LLC submitted a conditional use permit application to extract earth material at 20254 West Susitna Parkway, Tax ID #16N04W03A009; and

WHEREAS, it is the intent of the Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, it is the purpose of MSB Chapter 17.30 to allow resource extraction activities while promoting the public health, safety, and general welfare of the Borough through the regulation of land uses to reduce the adverse impacts of land uses and development between and among property owners; and

WHEREAS, it is further the purpose of MSB 17.30 to promote orderly and compatible development; and

WHEREAS, MSB 17.30.020(E) requires a conditional use permit for the annual extraction of more than 2,000 cubic yards of earth materials; and

WHEREAS, the applicant proposes the removal of approximately 280,000-360,000 cubic yards of earth material for up to 10 years from the date of permit issuance; and

WHEREAS, the total area of earth material extraction activity will occur on approximately 17 acres within the 22.08-acre parcel; and

WHEREAS, according to the application material, a batch plant is not proposed at this site; and

WHEREAS, according to the application material, extraction activities on the subject parcel are anticipated to conclude by the end of the 2036 operational season; and

WHEREAS, an Alaska State Department of Revenue mining license is not required for this operation because Alaska law was amended in 2012, and rock, sand, and gravel quarries are now exempt from the requirement; and

WHEREAS, an Alaska State Department of Natural Resources (ADNR) mining permit is not required for this application because the extraction activities will not occur on state land; and

WHEREAS, according to the application materials, a reclamation plan has been developed as required by the Alaska State Department of Natural Resources (ADNR), pursuant to A.S. 27.19; and

WHEREAS, the application material indicates the site is developed to contain storm water runoff. As such, detailed storm water pollution prevention plan (SWPPP) is not required; and

WHEREAS, according to the application material, the applicant filed a Letter of Intent to the Alaska State Department of Natural Resources Commissioner's office, citing the operations exemption from state reclamation requirements; and

WHEREAS, according to the application material, the proposed operation on the subject parcel is exempt from State of Alaska requirements for a notice of intent for a construction general permit, a multi-sector general permit, a storm water pollution prevention plan, and other associated permits or plans required by the Department of Environmental Conservation (DEC) pursuant to the Alaska Pollutant Discharge Elimination System (APDES); and

WHEREAS, according to the application material, the site does not discharge stormwater into the waters of the U.S., including jurisdictional wetlands. Therefore, obtaining Alaska Pollutant Discharge Elimination System (APDES) coverage for site operation is unnecessary; and

WHEREAS, according to the application material, a United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act is not required for this application as the applicant is not proposing any extraction activity to take place

within any identified wetlands, lakes, streams, or other water bodies; and

WHEREAS, the subject property is located within the boundary of the Big Lake Community Council area; and

WHEREAS, Big Lake Comprehensive Plan does not specifically address natural resource development or sand and gravel extraction activities; and

WHEREAS, the Economic Development Strategic Plan Strategy 1G in part, states: Promote the sustainable development of Mat-Su's natural resources for economic development. The MSB should support sustainable natural resource development and the natural resource industries with an emphasis on meeting local needs and local value-added product manufacturing, as well as ensuring compatibility with other parts of the local economy. Indeed, natural resource development is a high priority for the Borough Assembly. The main natural resources in Mat-Su, in addition to agricultural land, include coal, gravel, timber, some gold mining, and some metallic mineral potential; and

WHEREAS, the Economic Development Strategic Plan Action 1G-3, in part, states: Work with the gravel mining industry to balance the need for the sector's growth with other economic development considerations, as well as environmental and resource protection. The MSB is developing gravel regulations and guidelines to provide for continued commercial gravel operations while addressing

community and other economic development concerns regarding buffers from roadways, water protection, and reclamation. These regulations should balance the concerns of gravel mining businesses with the need to protect the environment and visual beauty of the Borough; and

WHEREAS, according to the application material, topsoil, gravel, and screened gravel will be extracted from the subject parcel; and

WHEREAS, three residential parcels 5 acres in size abut most of the subject parcel's northern lot line; and

WHEREAS, West Susitna Parkway and a vacant parcel 1.03 acres in size abuts the northeastern portion of the subject property; and

WHEREAS, a section line easement exists along most of the eastern lot line on the subject parcel; and

WHEREAS, a vacant parcel 22.94 acres in size abuts a majority of the subject parcel's eastern lot line; and

WHEREAS, the subject parcel's southern lot line abuts a vacant parcel 360 acres in size that is owned by the Matanuska-Susitna Borough; and

WHEREAS, three residential parcels abut the subject parcel's western lot line, the smallest being 4.06 acres in size; and

WHEREAS, parcels within a half-mile of the subject parcel range in size from .34 to 360 acres; and

WHEREAS, surrounding land uses within a half mile of the subject parcel vary from vacant, residential, and commercial; and

WHEREAS, according to the application material, a combination of visual screening methods has been incorporated into the operating plan on the subject parcel such as the use of natural topography, and the retention of vegetative buffers measuring at least 50 feet in width; and

WHEREAS, according to the application material, water trucks will be used as needed during operations as a dust control measure; and

WHEREAS, according to the application material, the applicant is not proposing to mine below or within four feet of the seasonal high-water table; and

WHEREAS, according to the application material, test holes and monitoring tubes will be used to verify the absence of groundwater; and

WHEREAS, according to the application material, slopes will be left at 2:1 (H:V) which meets the standards of MSB 17.28.067(D) that requires a maximum 50 percent (2:1) slope or the natural stabilized angle of repose of the existing earth material; and

WHEREAS, according to the application material, operations will occur seasonally, seven days a week, between the hours of 7:00 a.m. and 7:00 p.m.; and

WHEREAS, according to the application material, the proposed peak hour of operations will be approximately 2:00 p.m. to 3:00 p.m.; with an estimated 24 trucks per hour to serve local projects; and

WHEREAS, according to the application material, non-peak hour operations will generate approximately 8-10 truckloads of gravel; and

WHEREAS, according to the application material, the operation will not use asphalt or concrete plants; and

WHEREAS, according to the application material, the extraction operation will employ an excavator, loaders, and a mobile screening plant for daily use. Additional dozers, loaders, and excavators will be available for increased workloads; and

WHEREAS, according to ADEC's website tracking tool, the proposed use is not within the "drinking water protection area" for a public water system; and

WHEREAS, according to the application material, the disturbed areas will be reclaimed with 4" of compacted topsoil and seeded with a certified seed mix suitable for Alaska conditions and free of noxious weeds or other undesirable species; and

WHEREAS, according to the application material, the pit will be reclaimed in stages, and slopes will be stabilized during extraction; and

WHEREAS, according to the application material, during extraction, the bottom of the pit will be graded to a -0.5% slope to the north; this slope will be maintained after reclamation; and

WHEREAS, according to the application material, upon reclamation, the site will be unpaved, covered in topsoil, and seeded; and

WHEREAS, all site plans and site development requirements have been provided; and

WHEREAS, according to the application material, the proposed operation incorporates a combination of visual screening methods, such as natural topography, vegetative buffer retention, and the phasing design, which uses the working face to screen the operation from neighboring uses; and

WHEREAS, according to the application material, the operation will extract earth material from the bottom of the cut slope, also known as the working face, working from south to north in the middle of the subject properties. This will allow the slope to mitigate noise and provide visual buffering to adjacent properties; and

WHEREAS, according to the application material, a combination of visual screening methods has been incorporated into the operating plan on the subject parcel such as the use of natural topography, constructed berms, and the retention of vegetative buffers measuring at least 50 feet in width; and

WHEREAS, access to the subject parcel is made from West Susitna Parkway, via an existing driveway for which the applicant is working with the public works department and the permit center to obtain a commercial driveway permit; and

WHEREAS, based on the application material, the operation will shut down during winter months and closure will be determined by frozen ground conditions, borough roadway weight restriction limits, and the needs of ongoing road construction projects; and

WHEREAS, West Susitna Parkway is classified as a Major Collector roadway; and

WHEREAS, according to the application material, the total area of earth material extraction activity will occur on approximately 17 acres within the 22.08-acre parcel; and

WHEREAS, according to the application material, semi-permanent structures and/or equipment will not be constructed or placed within setbacks or section line easements; and

WHEREAS, the closest residential structure is approximately 225 feet from the subject property's western lot line; and

WHEREAS, maps are included in the record identifying surrounding property ownership, existing land uses, wetlands, and waterbodies within one-quarter mile of the proposed site; and

WHEREAS, according to the application material, earth material extraction activities will not take place within one-quarter mile of any identified wetlands or waterbodies; and

WHEREAS, according to the application material, the proposed operation will not generate traffic of more than 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles per day; and

WHEREAS, according to the application material, the operator may utilize muffler wraps, muffler silencers, or other add-on equipment to reduce heavy equipment noise impacts on adjacent residential uses and to remain within limits defined by the code; and

WHEREAS, according to the Rutgers Noise Technical Assistance Center, heavy trucks produce approximately 90 decibels (dB) when operating, which is considered "very loud"; and

WHEREAS, according to Rutgers Noise Technical Assistance Center, a quiet to noisy home produces sound around 30-60 decibels (dB), which falls in the "faint" and "moderate" categories; and

WHEREAS, earth material extraction activities are a commercial use that can cause excessive noise, dust, and heavy truck traffic; and

WHEREAS, noise levels exceeding the levels in MSB 17.28.060 and 17.61.080 are prohibited; and

WHEREAS, according to the application material, no site lighting is proposed; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.30 and MSB 17.28; and

WHEREAS, the Planning Commission conducted a public hearing on May 18, 2026, on this matter.

NOW, THEREFORE, BE IT RESOLVED, the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 26-05:

1. All the requirements to demonstrate compliance with state and federal laws have been met (MSB 17.30.055(A)).
2. The proposed use is consistent with the applicable comprehensive plans (MSB 17.30.060(A)(1)).
3. The proposed use will not detract from the value, spirit, character, and integrity of the surrounding area (MSB 17.30.060(A)(2)).
4. The applicant has met all the requirements of this chapter (MSB 17.30.060(A)(3)).
5. The proposed use will not be harmful to the public health, safety, convenience, and welfare (MSB 17.30.060(A)(4)).
6. Sufficient setbacks, lot area, buffers, or other safeguards are being provided (MSB 17.30.060(A)(5)).

7. The surrounding property ownership, existing land uses, wetlands, and water bodies within the notification area have been identified (MSB 17.28.060(A)(1)).
8. Phases of proposed mining activities, description of the topography and vegetation, and approximate time sequence for the duration of the mining activity have been identified. No permanent, semi-permanent, or portable equipment is expected to be located within the required setbacks (MSB 17.28.060(A)(2)).
9. The proposed traffic route and traffic volumes have been identified. Traffic generated from the use will not exceed 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles a day (MSB 17.28.060(A)(3)).
10. The operation will make use of earthen berms, vegetation, and below-grade excavation to provide visual screening measures (MSB 17.28.060(A)(4)).
11. Noise mitigation measures, including retaining vegetative buffers and constructing earthen berms, will ensure that sounds generated during earth material extraction activities will not exceed the levels specified in MSB 17.28.060(A)(5)(a). Noise levels exceeding the levels in 17.28.060(A)(5)(a) are prohibited.

12. The proposed use satisfies the lighting standards (MSB 17.28.060(A)(6)).
13. The operation will not conduct earth material extraction activities within 100 linear feet of any wetland, stream, river, or other waterbody, and the operation will not mine below or within four feet of the seasonal high water table (MSB 17.28.060(A)(7)).

BE IT FURTHER RESOLVED, the Planning Commission finds this application does meet the standards of MSB 17.30 and MSB 17.28 and does hereby approve the conditional use permit for earth material extraction activities with the following conditions:

1. The operation shall comply with all applicable federal, state, and local regulations.
2. All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to 7:00 a.m. to 7:00 p.m., daily.
3. Operation of an earth materials crusher shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m. and shall be centrally located in phase 2 or within the southern portion of phase 1. Furthermore, an earth materials crusher is prohibited from operating within phases 3 and 4 shown on the site plan of the application material.

4. All aspects of the operation shall comply with the description detailed in the application material. An amendment to the permit shall be required prior to any alteration or expansion of the material extraction operation.
5. The property boundary of phases 2, 3, and 4 of the extraction area shall be surveyed and marked with lath at 50-foot intervals to ensure that no earth material extraction occurs beyond the boundaries of the subject parcel, prior to operating within each phase.
6. Material extraction shall be limited to the area identified in the applicant's site plan.
7. A four-foot vertical separation shall be maintained between all excavations and the seasonal high-water table.
8. Dust control shall be achieved on the subject parcel at the material extraction and vehicular access sites.
9. Neither a batch plant nor a hot mix plant shall be used at the site.
10. Per MSB 17.28(A)(4), visual screening measures shall be maintained in accordance with the application material.
11. Per MSB 17.28.060(A)(5), berms, constructed or natural, shall be installed and/or maintained at a minimum height of 10 feet on the subject property surrounding areas

- where material extraction activities will occur to mitigate or lessen noise impacts to adjacent land uses.
12. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 17.28.060(A)(5)(a) - Site Development Standards, and MSB 8.52 - Noise, Amplified Sound, and Vibration.
 13. The operation shall comply with the reclamation standards of MSB 17.28.067.
 14. Prior to operating, proof shall be provided to the Planning Department showing all applicable requirements of the Alaska Department of Natural Resources reclamation plan process have been met.
 15. If reclamation information is updated with the Alaska Department of Natural Resources, a copy of the updated information shall be provided to the MSB Development Services Division.
 16. Junk vehicles, junk vehicle parts, and trash shall be removed in accordance with MSB 8.50.
 17. Vehicles and equipment shall be staged at a designated location, and all equipment shall be inspected for leaks at the end of each day.
 18. On-site maintenance of vehicles shall be done in an area where all leaks can be contained with drip pans or other discharge prevention devices.

19. Any hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
20. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to stormwater.
21. All track-out sediments from the site shall be removed from the right-of-way daily.
22. If cultural remains are found during material extraction activities, the MSB Planning Department shall be contacted immediately so the remains can be documented.
23. The existing setback violation related to the shop structure on the subject parcel shall be abated and notice of the abatement shall be provided to the MSB Planning Department prior to operating.
24. A copy of the approved permit shall be provided to each contractor company working at the site, and a copy of the permit shall be posted on the subject property in a location and manner clearly visible to the public for the duration of the permitted activities.
25. Borough staff shall be permitted to enter any portion of the property to monitor compliance with permit requirements. Such access will at minimum be allowed on demand when activity is occurring and, with prior verbal

or written notice, and at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Permit.

26. Authorization for earth material extraction activities approved by this Conditional Use Permit shall expire on December 31, 2036.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 18th day of May, 2026.


Richard Allen, Chair

ATTEST


Lacie Olivieri, Planning Clerk

(SEAL)



YES: Fonov, Carpenter, Allen, McCabe

NO: None