MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION AGENDA

Edna DeVries, Mayor

PLANNING COMMISSION
Doug Glenn, District 1
Richard Allen, District 2
Patricia Chesbro, District 3, Vice-Chair
Mike Rubeo, District 4
Bill Kendig, District 5
Stafford Glashan, District 6, Chair
Curt Scoggin, District 7

Michael Brown, Borough Manager

PLANNING & LAND USE DEPARTMENT
Alex Strawn, Planning & Land Use Director
Kim Sollien, Planning Services Manager
Jason Ortiz, Development Services Manager
Fred Wagner, Platting Officer
Karol Riese, Planning Clerk

Assembly Chambers of the
Dorothy Swanda Jones Building
350 E. Dahlia Avenue, Palmer

August 1, 2022
REGULAR MEETING
6:00 p.m.

Ways to participate in the meeting:

IN PERSON

IN WRITING: You can submit written comments to the Planning Commission Clerk at msb.planning.commission@matsugov.us. Comments must be submitted the Friday before the meeting.

TELEPHONIC TESTIMONY:
(We are having intermittent technical difficulties with our software; if you would like to submit comments, please submit comments to the email address above by the Friday before the meeting.)

- Dial 1-855-290-3803; you will hear "joining conference" when you are admitted to the meeting.
- You will be automatically muted and able to listen to the meeting.
- When the Chair announces audience participation or a public hearing you would like to speak to, press *3; you will hear, "Your hand has been raised." (There may be a delay, please be patient with the system.)
- When it is your turn to testify, you will hear, "Your line has been unmuted."
- State your name for the record, spell your last name and provide your testimony.

Ways to observe the meeting:
FACEBOOK LIVE at www.facebook.com/MatSuBorough
Questions or comments will **not** be answered; please call the number above if you have a comment or concern.

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

A. MINUTES
Regular Meeting Minutes: 07/18/2022

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 22-25 A resolution of the Matanuska-Susitna Borough Planning Commission recommending approval of an ordinance repealing MSB 17.05 – Essential Service Utilities. Public Hearing: August 15 (Staff: Alex Strawn, Planning and Land Use Director)

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

A. Capital Improvement Program (CIP) New Process (Staff: Kelsey Anderson, Planner II)

VII. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)

VIII. LAND USE CLASSIFICATIONS

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS ***(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)***.

Resolution 22-22 A conditional use permit in accordance with MSB 17.60 – Conditional Uses, for a marijuana cultivation facility located at 23161 W. Ayrshire Avenue; Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian. (Applicant: Branden Bartlett dba Denali Farms, and his attorney, Jana Weltzin; Staff: Peggy Horton, Planner II)

Resolution 22-24 A conditional use permit in accordance with MSB 17.30 – Conditional Use Permit for Earth Materials Extraction Activities, for the extraction of 42,000 cubic yards of earth material from two extraction sites totaling four acres within four parcels, which total 8.35 acres; Tax ID #8101B01L002, 8102B01L003, 8102B02L001, and 8102B02L002; located within the Township 18 North, Range 1 East, Section 31, Seward Meridian. (Applicant: John Sommer of AK Frontier Rental, LLC; Staff: Peggy Horton, Planner II)

X. PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 22-19 A resolution of the Matanuska-Susitna Borough Planning Commission recommending the Matanuska-Susitna Borough Assembly move to repeal MSB 17.10 – Overlay Districts. (Staff: Kelsey Anderson, Planner II)

Resolution 22-23 A resolution of the Matanuska-Susitna Borough Planning Commission recommending the Matanuska-Susitna Borough Assembly move to repeal MSB 17.06 – Electrical Generating and Delivery Facility, in its entirety. (Staff: Alex Strawn, Planning and Land Use Director)

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

Resolution 22-27 A resolution of the Matanuska-Susitna Borough Planning Commission recommending denial of the Beverly Lake Lake Management Plan.

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS:

A. Upcoming Planning Commission Agenda Items

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (*Mandatory Midnight*)

Disabled persons needing reasonable accommodation to participate at a Planning Commission Meeting should contact the Borough ADA Coordinator at 861-8432 at least one week in advance of the meeting.

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MATANUSKA-SUSITNA BOROUGH **REGULAR MEETING**
PLANNING COMMISSION MINUTES **July 18, 2022**

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on July 18, 2022, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair Stafford Glashan.

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

Planning Commission members present and establishing a quorum:
Mr. Doug Glenn, Assembly District #1
Mr. Richard Allen, Assembly District #2*
Ms. Patricia Chesbro, Assembly District #3, Vice-Chair
Mr. Bill Kendig, Assembly District #5
Mr. Stafford Glashan, Assembly District #6, Chair
Mr. Curt Scoggin, Assembly District #7

Planning Commission members absent and excused were:
Mr. Michael Rubeo, Assembly District #4

Staff in attendance:
Mr. Jason Ortiz, Development Services Manager
Ms. Kelsey Anderson, Planner II
Ms. Kim Sollien, Planning Services Manager
Ms. Maija DiSalvo, Planning Division Administrative Assistant
Ms. Karol Riese, Planning Depart. Administrative Specialist/Planning Commission Clerk

*Indicates that the individual attended telephonically.

II. APPROVAL OF AGENDA

Chair Glashan inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mr. Jason Ortiz.

IV. CONSENT AGENDA

A. Minutes Regular Meeting Minutes: 06/06/2022

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

Resolution 22-22 A conditional use permit in accordance with MSB 17.60 – Conditional Uses, for a marijuana cultivation facility located at 23161 W. Ayrshire Avenue; Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian. Public Hearing: August 1, 2022 (Applicant: Branden Bartlett dba

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Denali Farms, and his attorney, Jana Weltzin; Staff: Peggy Horton, Planner II)

Resolution 22-24 A conditional use permit in accordance with MSB 17.30 – Conditional Use Permit for Earth Materials Extraction Activities, for the extraction of 42,000 cubic yards of earth material from two extraction sites totaling four acres within four parcels, which total 8.35 acres; Tax ID #8101B01L002, 8102B01L003, 8102B02L001, and 8102B02L002; located within the Township 18 North, Range 1 East, Section 31, Seward Meridian. Public Hearing: August 1, 2022 (Applicant: John Sommer of AK Frontier Rental, LLC; Staff: Mark Whisenhunt, Planner II)

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 22-19 A resolution of the Matanuska-Susitna Borough Planning Commission recommending the Matanuska-Susitna Borough Assembly move to repeal MSB 17.10 – Overlay Districts. Public Hearing: August 1, 2022 (Staff: Kelsey Anderson, Planner II)

Resolution 22-23 A resolution of the Matanuska-Susitna Borough Planning Commission recommending the Matanuska-Susitna Borough Assembly move to repeal MSB 17.06 – Electrical Generating and Delivery Facility, in its entirety. Public Hearing: August 1, 2022 (Staff: Alex Strawn, Planning and Land Use Director)

GENERAL CONSENT: The consent agenda was approved without objection.

V. COMMITTEE REPORTS
(There were no committee reports.)

VI. AGENCY/STAFF REPORTS
(There were no Agency/Staff Reports.)

VII. LAND USE CLASSIFICATIONS
(There were no land use classifications.)

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)
(There were no persons to be heard.)

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS

X. PUBLIC HEARING LEGISLATIVE MATTERS

Resolution 22-20 A resolution of the Matanuska-Susitna Borough Planning Commission recommending the Matanuska-Susitna Borough Assembly adopt the Beverly Lake Lake Management Plan and an ordinance amending MSB

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17.59 – Lake Management Plan Implementation (Staff: Kelsey Anderson, Planner II).

Chair Glashan read the resolution title into the record.

Ms. Anderson provided a staff report.

Commissioners questioned staff regarding:
Voting just Beverly Lake Residents; grandfathering for personal watercraft; public access; and range choice voting.

Chair Glashan opened the public hearing.

The following persons spoke regarding Planning Commission Resolution 22-20:
Shelly Tillett, Carol Tillett, Leslie Tillett, Patricia Link, Brenda Davis, Diane Berry, Brittany Elvsaas, Patricia Fisher, Theresa Dickey, Craig Mauzy, Craig Odom, Jacob Smith, Jennifer Smith, Rick Travis, Ed Jenkin, Cally Leader, Olga Losik, Paul Losik, Maria Kalbach Patty Schranz, and Wendy Stevens.

There being no one else to be heard, Chair Glashan closed the public hearing and discussion moved to the Planning Commission.

Chair Glashan invited staff to respond to questions and statements from the audience.

Ms. Anderson responded regarding watercraft/ATV/snowmachines

Other questions from the Planning Commissioners:
How many voted no plan – 46%; Planes on the lake – the MSB does not have the ability to regulate float planes; and Was the process followed – Yes.

RECESS: 7:30 Recess – 7:40 Reconvened

MOTION: Commissioner Chesbro moved to approve Planning Commission Resolution 22-20. The motion was seconded. by Commissioner Scoggin

Discussion ensued

VOTE: The main motion failed with a 2-4 vote.
Yes: Commissioner Chesbro, Commissioner Glashan
No: Commissioner Glenn, Commisioner Allen, Commissioner Kendig; Commissioner Scoggin

XI. CORRESPONDENCE AND INFORMATION

(There was no correspondence and information.)

XII. UNFINISHED BUSINESS

(There was no unfinished business.)

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XIII. NEW BUSINESS - *(There was no new business.)*

XIV. COMMISSION BUSINESS

A. Upcoming Planning Commission Agenda Items (*Staff: Alex Strawn*)
(Commission Business was presented, and no comments were noted.)

XV. DIRECTOR AND COMMISSIONER COMMENTS

Mr. Ortiz:	No exparte contact; speaking into the microphones; kudos to Kelsey
Commissioner Chesbro:	Thank you Kelsey – appreciate the work that you did
Commissioner Kendig:	Appreciate your work. These are emotional issues. I have no doubt that staff put in a lot of work. Thank you Kelsey
Commissioner Glashan:	That was not a fun one – hate to see neighbors not getting along.

XVI. ADJOURNMENT

The regular meeting adjourned at 7:50 p.m.

_____
STAFFORD GLASHAN, Planning Commission Chair

ATTEST:

_____
KAROL RIESE, Planning Commission Clerk

Minutes approved: _____

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INTRODUCTION FOR PUBLIC HEARING

LEGISLATIVE

Resolution No. PC 22-25

Repeal MSB 17 .05 - Essential Service Utilities

(Pages 9 - 16)

INTRODUCTION FOR PUBLIC HEARING

CHAPTER 17.05: ESSENTIAL SERVICE UTILITIES

Section

17.05.010 Purpose

17.05.020 Applicability

17.05.030 Type I essential service utility

17.05.040 Type II essential service utility

17.05.050 Definitions

17.05.010 PURPOSE.

(A) The purpose of this chapter is to provide for public participation in the decision affecting the installation of essential service utilities in such a manner that they enhance the health, safety and general welfare of borough residents and properties while minimizing negative impacts. This chapter recognizes the importance and benefits of essential services, while ensuring that all feasible mitigation measures are taken to protect the scenic qualities of the Matanuska Susitna Borough. Essential services should be installed in cognizance of existing and projected demands for such services.

(Ord. 07-076, § 2 (part), 2007)

17.05.020 APPLICABILITY.

(A) This chapter applies to all areas of the borough except within the city boundaries of Houston, Palmer, Wasilla, and the Port MacKenzie special use district boundary. This chapter applies to municipal utilities that extend beyond city boundaries and the port district boundary into unincorporated borough lands.

(Ord. 22-062, § 2, 2022; Ord. 07-076, § 2 (part), 2007)

17.05.030 TYPE I ESSENTIAL SERVICE UTILITY.

(A) All proposed Type I essential service utilities, when installed or extended in any public way or borough-owned land, shall require a permit issued by the borough in accordance with MSB 11.30.030.

(Ord. 07-076, § 2 (part), 2007)

17.05.040 TYPE II ESSENTIAL SERVICE UTILITY.

(A) All proposed Type II essential service utilities shall require a public involvement program in accordance with a public participation plan as submitted by the utility in all areas of the borough excluding the cities of Houston, Palmer, Wasilla, and the Port MacKenzie special use district boundary.

(B) Within 20 calendar days of receipt of the proposed public participation plan, the director shall provide the applicant with written acknowledgement of receipt of the plan, along with any recommendations concerning the proposed process. The public involvement program, at a minimum, must contain the following:

(1) *Minimum requirements.*

(a) the utility's public involvement program must comply with established state and federal guidelines governing the utility including adequate public notice, public process, public meetings, or public hearings;

(b) if no established state or federal guidelines apply to the proposed action, the utility shall follow its own utility board adopted guidelines for public notification and involvement;

(c) if there are no established state, federal or utility board adopted guidelines, the public involvement program will consist of the minimum requirements outlined in subsection (B)(2) of this section, Public Involvement; and

(d) if a state, federal or utility board adopted public involvement program is used, they must at least meet or exceed the minimum guidelines in subsection (B)(2) of this section, Public Involvement.

(2) *Public involvement.*

(a) a minimum of one public meeting will be held by the utility and shall be held in an area central to the area impacted by proposed action;

(b) a minimum of one formal public hearing will be held by the utility later in the process to allow for formal public testimony. The public hearing will be held in an area central to the area impacted by proposed action; and

(c) notice of the public meeting and public hearing to occur a minimum of 15 days in advance of the public meeting or public hearing. The public notice will include:

(i) three notices in a newspaper of general circulation within the borough;

(ii) public postings in local areas such as libraries, public buildings, schools, stores, laundromats, lodges, on the utility's website, and on the Matanuska-Susitna Borough's website, etc.;

(iii) public service announcements on local radio stations starting 15 days before the public meeting; and

(iv) mailings, as appropriate, including notification of all affected community councils.

(C) Implementation of the public involvement program shall commence within 120 days from the issuance date of written acknowledgement.

(D) Upon completion of the public involvement program elements, the applicant shall create and submit to the director a decisional document that describes how the public involvement program was implemented, the nature of public comment, the chosen course of action, timeline for construction, and the public's appeal process. Copies of all written public comments and an audio record, if available, shall be included in the decisional document.

(Ord. 22-062, § 2, 2022; Ord. 07-076, § 2 (part), 2007)

17.05.050 DEFINITIONS.

• "Type I essential service utility" means any above or below ground structures or facilities used for utility distribution including:

(1) "Electricity distribution" means medium voltage (less than 50KV) power lines, low voltage electrical substations and pole-mounted transformers; and low voltage (less than 1,000V) distribution wiring to provide service to individual customers; and

(2) "Service pipeline" means a distribution line that transports gas, oil, water, or sewage from a common source of supply to the meter set assembly or distribution endpoint to provide service to individual customers.

• "Type II essential service utility" means any aboveground or below ground structures or facilities used for utility transmission including:

(1) "Electricity transmission" means high-voltage (50KV or higher) power lines, high-voltage electrical substations and pole-mounted transformers, and high-voltage distribution or transmission wiring; and

(2) "Transmission pipeline" means pipelines installed for the purpose of transmitting gas, oil, water, or sewage from a source or sources of supply to one or more distribution centers, to one or more large volume customers, or a pipeline installed to interconnect sources of supply. In typical cases, transmission lines differ from distribution lines in that they operate at higher pressures, are longer, and the distance between connections is greater.

(Ord. 07-076, § 2 (part), 2007)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 22-___

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING MSB 17.05 ESSENTIAL SERVICE UTILITIES.

AGENDA OF: October 4, 2022

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY MICHAEL BROWN, BOROUGH MANAGER: _____

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Community Development Director		
	Planning Director		
	Public Works Director		
	Finance Director		
	Borough Attorney		
	Borough Clerk		

ATTACHMENT(S): Fiscal Note: YES ____ NO ___X__
Ordinance Serial No. 22-___ (pp)

SUMMARY STATEMENT:
MSB 17.05 was originally adopted in 2007 with the stated purpose of providing for public participation in the installation of essential service utilities in such a manner that they enhance the health, safety and general welfare of borough residents and properties while minimizing negative impacts. However, while the ordinance required a public process, it did not include any standards for approval, so did not fulfill its intended purpose.

Essential Service Utilities are necessary for the safe, reliable, and resilient transmission of power and fuel. Requiring a public involvement process increases the cost of installing essential

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service utilities at a time where there is very high energy costs and international instability.

RECOMMENDATION OF ADMINISTRATION:
Consider adoption of an ordinance repealing MSB 17.05 in its entirety.

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CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 22-___

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING MSB 17.05 ESSENTIAL SERVICE UTILITIES IN ITS ENTIRETY.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Repeal of section. MSB 17.05 is hereby repealed in its entirety.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2022.

_____
EDNA DeVRIES, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

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AGENCY & STAFF REPORTS

Capital Improvement Program

Presentation

(Pages 17 - 20)

AGENCY & STAFF REPORTS

CAPITAL IMPROVEMENT PROGRAM (CIP)

The goal of the 2022 update for the CIP is to develop an actionable list of infrastructure projects based on community nominations and comprehensive plan priorities. To accomplish this goal, the Planning Department has updated both the internal and external processes of the CIP.

Staff developed five criteria that all projects must meet to move onto the second phase of scoring by a CIP committee. In 2021, the CIP projects totaled 131. Of those, only 17 fell within the Borough powers to complete. By introducing criteria that require projects to fall within Borough powers, and support borough plans, we can begin to develop a list that the borough can potentially implement.

A valid CIP project will meet all five criteria:

1. Project must fall within current Borough powers as laid out by MSB Code, Title 1.10 Borough Powers, excluding service areas.
2. Project cannot be considered routine maintenance or equipment replacement.
3. Project must have a useful life of 5 years or more.
4. Project must have a single acquisition cost of $20,000 or more.
5. Project must align with a goal or objective of an existing Assembly-adopted plan.

Beginning in April 2022, MSB residents will be able to submit nominations to the CIP on a rolling basis. Projects evaluation begins annually on August 1. Internally, Planning staff will work to produce a prioritized list of capital infrastructure projects that come directly from the 16 Assembly-adopted comprehensive plans, the Core Area Plan, and the Borough-wide Comprehensive Plan. Plan projects and public nominations will be scored against the same criteria.

Finalizing the CIP

1. The public will rank their top nominations of the valid, scored projects beginning September 1 of each year.
2. The CIP will consist of the scored and prioritized plan priorities and public nominations.
3. The Manager will present the CIP to the Planning Commission no later than October 15 of each year.
4. The Manager will present the CIP to the Assembly no later than December 1 of each year.

Here is a link to the CIP project page: https://cip.matsugov.us/
Here is a link to the CIP online nomination form: https://capital-improvement-program-msb.hub.arcgis.com/feedback/surveys/30ce542c454d4744b36610467c9fd3b5/explore

Planning staff are also working on videos and educational materials to help communities better understand these changes. Those videos will be uploaded to the CIP website when they are finished, and shared on social media!

If you have any questions regarding the Capital Improvement Program, please contact Kelsey Anderson, 907-861-8525 or kelsey.anderson@matsugov.us

April 6, 2022

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PUBLIC HEARING QUASI-JUDICIAL

Resolution No. PC 22-22

Branden Bartlett dba Denali Farms

(Pages 21 - 148)

PUBLIC HEARING

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822
www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

File Number:	M10235
Applicant:	Branden Bartlett & Jana Weltzin for Denali Farms
Property Owner:	Peggy Rotan
Request:	Planning Commission Resolution 22-22 Conditional Use Permit for the operation of a Marijuana Cultivation Facility in accordance with MSB 17.60 – Conditional Uses
Location:	23161 West Ayrshire Avenue, Tax ID# 4136B03L004, within Township 16 North, Range 4 West, Section 32, Seward Meridian
Reviewed By:	Jason Ortiz, Development Services Manager J.O.
Staff:	Peggy Horton, Planner II
Staff Recommendation:	Approval with conditions

EXECUTIVE SUMMARY

Branden Bartlett and Attorney Jana Weltzin for Denali Farms submitted a conditional use permit application for the operation of a marijuana cultivation facility. The proposed use consists of a 5,000 square foot metal-sided building within which 3,801 square feet will be used for cultivation. The Alcohol and Marijuana Control Office (AMCO) approved the facility in October 2021, with delegation. MSB 17.60.030 requires a conditional use permit for the operation of marijuana cultivation facilities. Unless this type of use is maintained under and in accordance with a lawfully issued permit, a marijuana cultivation facility is declared to be a public nuisance. Operation of such a land use without a permit is prohibited.

HISTORY

The subject parcel is located within the northern portion of the Point MacKenzie Community Council boundaries. The Matanuska-Susitna Borough owned land obtained through municipal

entitlement and then divided that land into Carpenter Lake Addition 1 in 1993, creating the subject 35-acre parcel. According to Borough assessment data, the land has been in agricultural use since 1994, when a 5,000 square foot grain storage building was constructed. The Point MacKenzie Comprehensive Plan, dated July 19, 2011, notes that agriculture is part of the local economy and many people earn a living through agriculture.

LAND USE

Existing Land Use:
The proposed use and surrounding gravel pad lay at the southeast corner of the property. The southern three-quarters of this 35-acre lot is chiefly forested and level ground. The northern one-quarter is forested and contains terrain that slopes down into an oval depression. The south side of the existing 5,000 square foot building was shifted to the west in 2018 to meet the setback standards for a cultivation facility. The applicants obtained a Borough approved driveway permit for the existing driveway onto West Ayrshire Avenue.

Surrounding Land Uses:
South of the subject parcel is a 640-acre undeveloped parcel owned by a native corporation. To the east and west are privately owned agricultural and residential use parcels, ranging in size from 14 to 40 acres. North of the subject property are two to seven-acre lakefront residential use lots and a 19-acre undeveloped parcel owned by the Borough.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification
On May 25, 2022 staff mailed a total of 23 notices to all property owners within a 600-foot radius of the property, all of Carpenter Lake Addition 1 subdivision property owners, and to the Point MacKenzie Community Council. The Frontiersman published the public notice in their May 25, 2022 issue. On May 15, 2022 staff posted the application material on the Borough website for public review and emailed a request for comments along with the application material to Borough Departments, outside agencies, and the Point MacKenzie Community Council. Staff received two objections from the public and no comments from the Community Council.

Section 17.60.100 General Standards
(A) A conditional use may be approved only if it meets with the requirements of this section in addition to any other standards required by this chapter:
(B) In granting a conditional use permit, the planning commission must make the following findings:

> *(1) the conditional use will preserve or not detract from the value, character, and integrity of the surrounding area;*

Findings of Fact:

1. The proposed use will be wholly contained within a 5,000 square foot metal-sided building.
2. According to Borough assessment data, the land has been in agricultural use since 1994, when a 5,000 square foot grain storage building was constructed on the property.
3. The Point MacKenzie Comprehensive Plan, dated July 19, 2011, notes that agriculture is part of the local economy and many people earn a living through agriculture.

4. The applicants obtained a Borough approved driveway permit for the existing driveway onto West Ayrshire Avenue, a road classified as a Minor Collector.
5. The closest residential structure is approximately 925 feet west of the proposed use.
6. According to the application material, the proposed use is set back approximately 337 feet from the West Ayrshire Avenue right-of-way to the south, 102 feet from the east property line, 890 feet from the west property line, and 1,260 feet from the north property line and West Carpenter Lake Road right-of-way.
7. South of the subject parcel is a 640-acre undeveloped parcel owned by a native corporation. To the east and west are privately owned agricultural and residential use parcels, ranging in size from 14 to 40 acres. North of the subject property are two to seven-acre lakefront residential use lots and a 19-acre undeveloped parcel owned by the Borough.
8. The subject property is 35 acres, majority of which is forested land, with a cleared area in the southeast corner containing the commercial use structure.
9. According to the application material, the proposed use has policies and procedures in place to prevent loitering.
10. According to the application material, the facility will not be open to the public.
11. According to the application material, the operation will not have any signs posted with their business name or logo at the facility.
12. According to the application material, exterior lights shall be downward directed and shielded to mitigate any unwanted light pollution.
13. According to the application material, the proposed use has a security plan in place, which includes education of employees on security protocols.
14. According to the security plan, a combination of video surveillance, lighting, commercial grade locks, and a security alarm system with door sensors, will be used to secure the site and monitor all activities at the facility.
15. There is no outdoor industrial equipment or any processes that generate noise associated with the proposed use.
16. According to the application material, multiple commercial-grade, activated carbon filters will be used with air circulation systems to eliminate odors in the exhausted air.

Conclusion of Law: Based on the above findings, and with conditions, the proposed use will not detract from the value, character, and integrity of the surrounding area (MSB 17.60.100(B)(1)).

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(2) that granting the conditional use permit will not be harmful to the public health, safety, convenience, and welfare;

Findings of Fact:

1. The closest school (Redington High School) is approximately 62,000 feet (11.7 miles) away from the proposed use.
2. According to the application material, the facility will not be open to the public.
3. Consumption of marijuana is prohibited at the site.

4. The applicants obtained a Borough approved driveway permit for the existing driveway onto West Ayrshire Avenue, a road classified as a Minor Collector.
5. Persons under the age of 21 are prohibited from entering the facility.
6. According to the application material, the proposed use has a security plan in place, which includes education of employees on security protocols.
7. According to the security plan, a combination of video surveillance, lighting, commercial grade locks, and a security alarm system with door sensors, will be used to secure the site and monitor all activities at the facility.
8. There is no outdoor industrial equipment or any processes that generate noise associated with the proposed use.
9. According to the application material, after proper notification of the State of Alaska Alcohol & Marijuana Control Office, all marijuana products flagged as unusable will be mixed with other compostable and non-compostable materials and then disposed of at the local landfill/transfer site.
10. The State Fire Marshal issued Plan Review #2021Anch1614, approving the construction of the proposed use.

Conclusion of Law: Based on the above findings, and with conditions, the proposed use will not be harmful to the public health, safety, convenience and welfare (MSB 17.60.100(B)(2)).

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(3) that sufficient setback, lot area, buffers, or other safeguards are being provided to meet the conditions listed in subsections (B)(1) through (3) of this section; and

Findings of Fact:

1. The south side of the building was shifted to the west in 2018 to meet the setback standards for a cultivation facility.
2. According to the application material, the proposed use is set back approximately 337 feet from the West Ayrshire Avenue right-of-way to the south, 102 feet from the east property line, 890 feet from the west property line, and 1,260 feet from the north property line and West Carpenter Lake Road right-of-way.
3. The closest school (Redington High School) is approximately 62,000 feet (11.7 miles) away from the proposed use.
4. The subject property is 35 acres, majority of which is forested land, with a cleared area in the southeast corner containing the commercial use structure.
5. The applicants obtained a Borough approved driveway permit for the existing driveway onto West Ayrshire Avenue, a road classified as a Minor Collector.
6. The closest residential structure is approximately 925 feet west of the proposed use.
7. According to the application material, the facility will not be open to the public.
8. According to the application material, exterior lights shall be downward directed and shielded to mitigate any unwanted light pollution.

9. The State Fire Marshal issued Plan Review #2021Anch1614, approving the construction of the proposed use.
10. According to the application material, the proposed use has a security plan in place, which includes education of employees on security protocols.
11. According to the security plan, a combination of video surveillance, lighting, commercial grade locks, and a security alarm system with door sensors, will be used to secure the site and monitor all activities at the facility.

Conclusion of Law: Based on the above findings, sufficient setbacks, lot area, buffers, or other safeguards are being provided (MSB 17.60.100(B)(3)).

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(4) the conditional use fulfills all other requirements of this chapter pertaining to the conditional use in this section.

Finding of Fact:

1. The applicant provided all of the required site plans and operational information.

Conclusion of Law: The applicant has met all of the requirements of this chapter (MSB 17.60.100(B)(4)).

Section 17.60.150 General Standards for Marijuana Related Facilities

(A) In addition to the standards set forth by MSB 17.60.100, the planning commission shall weigh factors which contribute or detract from the development of a safe, convenient, and attractive community, including, but not limited to:

(1) any potential negative effect upon other properties in the area due to such factors as noise and odor.

Findings of Fact:

1. The proposed use will be wholly contained within a 5,000 square foot metal-sided building.
2. According to the application material, the proposed use will have 3,801 square feet under cultivation.
3. According to the application material, the proposed use is set back approximately 337 feet from the West Ayrshire Avenue right-of-way to the south, 102 feet from the east property line, 890 feet from the west property line, and 1,260 feet from the north property line and West Carpenter Lake Road right-of-way.
4. There is no outdoor industrial equipment or any processes that generate noise associated with the proposed use.
5. According to the application material, multiple commercial-grade, activated carbon filters will be used with air circulation systems to eliminate odors in the exhausted air.
6. According to the application material, carbon filters will be regularly checked and replaced to ensure no odor is escaping the facility.
7. Consumption of marijuana is prohibited at the site.

Conclusion of Law: Based on the above findings, the proposed use will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).

(2) the effectiveness of measures to reduce negative effects upon adjacent properties by:
(a) increased property line and right-of-way buffers;
(b) planted berms and landscaping;
(c) site and building design features which contribute to the character of the surrounding area.

Findings of Fact:

1. The proposed use will be wholly contained within a 5,000 square foot metal-sided building.
2. According to Borough assessment data, the land has been in agricultural use since 1994, when a 5,000 square foot grain storage building was constructed on the property.
3. The south side of the building was shifted to the west in 2018 to meet the setback standards for a cultivation facility.
4. According to the application material, the proposed use is set back approximately 337 feet from the West Ayrshire Avenue right-of-way to the south, 102 feet from the east property line, 890 feet from the west property line, and 1,260 feet from the north property line and West Carpenter Lake Road right-of-way.
5. The subject property is 35 acres, majority of which is forested land, with a cleared area in the southeast corner containing the commercial use structure.
6. South of the subject parcel is a 640-acre undeveloped parcel owned by a native corporation. To the east and west are privately owned agricultural and residential use parcels, ranging in size from 14 to 40 acres. North of the subject property are two to seven-acre lakefront residential use lots and a 19-acre undeveloped parcel owned by the Borough.
7. The closest residential structure is approximately 925 feet west of the proposed use.
8. According to the application material, the operation will not have any signs posted with their business name or logo at the facility.
9. According to the application material, exterior lights shall be downward directed and shielded to mitigate any unwanted light pollution.

Conclusion of Law: Based on the above findings, and with conditions, measures are in place to reduce negative affects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).

(3) Whether the use is compatible with the character of the surrounding area.

Findings of Fact:

1. The proposed use will be wholly contained within a 5,000 square foot metal-sided building.
2. According to Borough assessment data, the land has been in agricultural use since 1994, when a 5,000 square foot grain storage building was constructed on the property.
3. The Point MacKenzie Comprehensive Plan, dated July 19, 2011, notes that agriculture is part of the local economy and many people earn a living through agriculture.

4. According to the application material, the proposed use is set back approximately 337 feet from the West Ayrshire Avenue right-of-way to the south, 102 feet from the east property line, 890 feet from the west property line, and 1,260 feet from the north property line and West Carpenter Lake Road right-of-way.
5. South of the subject parcel is a 640-acre undeveloped parcel owned by a native corporation. To the east and west are privately owned agricultural and residential use parcels, ranging in size from 14 to 40 acres. North of the subject property are two to seven-acre lakefront residential use lots and a 19-acre undeveloped parcel owned by the Borough.
6. According to the application material, the facility will not be open to the public.
7. According to the application material, the operation will not have any signs posted with their business name or logo at the facility.
8. Consumption of marijuana is prohibited at the site.
9. There is no outdoor industrial equipment or any processes that generate noise associated with the proposed use.
10. According to the application material, exterior lights shall be downward directed and shielded to mitigate any unwanted light pollution.
11. According to the application material, the proposed use has policies and procedures in place to prevent loitering.

Conclusion of Law: Based on the above findings, and with conditions, the proposed use is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).

(B) At the time of their establishment, marijuana related conditional uses shall meet the following requirements and not be located within:

(1) One thousand feet of school grounds;

(C) Separation distances referenced in subsection (B) of this section are measured in a direct line between the closest point of the facility within which the marijuana facility is located, and the closest point on the lot or parcel of land upon which any of the above itemized uses are located.

Finding of Fact:

12. The closest school (Redington High School) is approximately 62,000 feet (11.7 miles) away from the proposed use.

Conclusion of Law: Based on the above finding, the proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).

(D) Prior to final approval of the permit the applicant shall provide written documentation demonstrating that:

(1) all applicable licenses have been obtained as required by 3 AAC 306.005.

Findings of Fact:

1. Denali Farms received delegated approval from the State Marijuana Control Board for marijuana cultivation license #28617, in accordance with 3 AAC 306.005.

2. The applicant provided written documentation showing delegated approval from the State Marijuana Control Board for marijuana cultivation facility license #28617.

Conclusion of Law: Based on the above findings, the applicant has provided documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60.150(D)(1)).

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(2) from the fire marshal having jurisdiction, that the proposed conditional use is in full compliance with applicable fire code, including but not limited to AS 18.70.010 through 18.70.160, Fire Protection, and 13 AAC 50.025 through 50.080, Fire Code.

Finding of Fact:

1. The State Fire Marshal issued Plan Review #2021Anch1614, approving the construction of the proposed use.
2. The applicant provided the approved Plan Review Certificate from the Alaska State Fire Marshal's office.

Conclusion of Law: Based on the above findings, the applicant is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).

Section 17.60.160 Standards for Marijuana Cultivation Facilities

(A) Wastewater and waste material disposal plan. A wastewater and waste material disposal plan shall be submitted which demonstrates that wastewater and waste material associated with the cultivation facility is disposed of in compliance with the Alaska State Department of Environmental Conservation.

Findings of Fact:

1. According to the application material, any wastewater generated from the production of marijuana will be collected in drip trays to naturally evaporate into the air, any excess water will be reused or composted.
2. According to the application material, after proper notification of the State of Alaska Alcohol & Marijuana Control Office, all marijuana products flagged as unusable will be mixed with other compostable and non-compostable materials and then disposed of at the local landfill/transfer site.

Conclusion of Law: Based on the above findings, the wastewater and waste material disposal plan demonstrates compliance with the Alaska State Department of Environmental Conservation (MSB 17.60.160(A)).

(B) Odor mitigation and ventilation plan. The applicant shall provide an odor mitigation plan detailing the effective mitigation of any odors of the proposed uses. Such plan shall demonstrate that the design for the purification of air prevents odors from materially impacting adjoining properties.

Findings of Fact:

1. The proposed use will be wholly contained within a 5,000 square foot metal-sided building.

2. According to the application material, the proposed use is set back approximately 337 feet from the West Ayrshire Avenue right-of-way to the south, 102 feet from the east property line, 890 feet from the west property line, and 1,260 feet from the north property line and West Carpenter Lake Road right-of-way.
3. Consumption of marijuana is prohibited at the site.
4. According to the application material, multiple commercial-grade, activated carbon filters will be used with air circulation systems to eliminate odors in the exhausted air.
5. According to the application material, carbon filters will be regularly checked and replaced to ensure no odor is escaping the facility.

Conclusion of Law: Based on the above findings, the odor mitigation plan demonstrates mitigation measures will prevent odors from materially impacting adjoining properties (MSB 17.60.160(B)).

(C) Hazardous chemicals. Storage and disposal of fertilizers, pesticides, herbicides, and any other hazardous chemicals associated with the cultivation of marijuana shall comply with all local, state, and federal laws.

Findings of Fact:

1. According to the application material, herbicides, fungicides, insecticides, fertilizers, cleaning products, and other chemicals will be used, stored, and disposed of in accordance with their respective manufacturer's recommendations, and in a way that complies with all local, state, and federal laws.

Conclusion of Law: Based on the above findings, storage and disposal of nutrients, pesticides, and cleaners will comply with all local, state, and federal laws (MSB 17.60.160(C)).

(D) Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures.

Findings of Fact:

2. According to the application material, the proposed use has a security plan in place, which includes education of employees on security protocols.
3. According to the security plan, a combination of video surveillance, lighting, commercial grade locks, and a security alarm system with door sensors, will be used to secure the site and monitor all activities at the facility.

Conclusion of Law: Based on the above findings, the applicant submitted a security plan which includes education for employees on security measures (MSB 17.60.160(D)).

(E) Marijuana cultivation facilities shall be set back 50 feet from public rights-of-way, and 100 feet from side or rear lot lines.

Finding of Fact:

1. The south side of the building was shifted to the west in 2018 to meet the setback standards for a cultivation facility.
2. According to the application material, the proposed use is set back approximately 337 feet from the West Ayrshire Avenue right-of-way to the south, 102 feet from the east property line, 890 feet from the west property line, and 1,260 feet from the north property line and West Carpenter Lake Road right-of-way.

Conclusion of Law: Based on the above finding, the proposed use meets the setback requirements for marijuana cultivation facilities (MSB 17.60.160(E)).

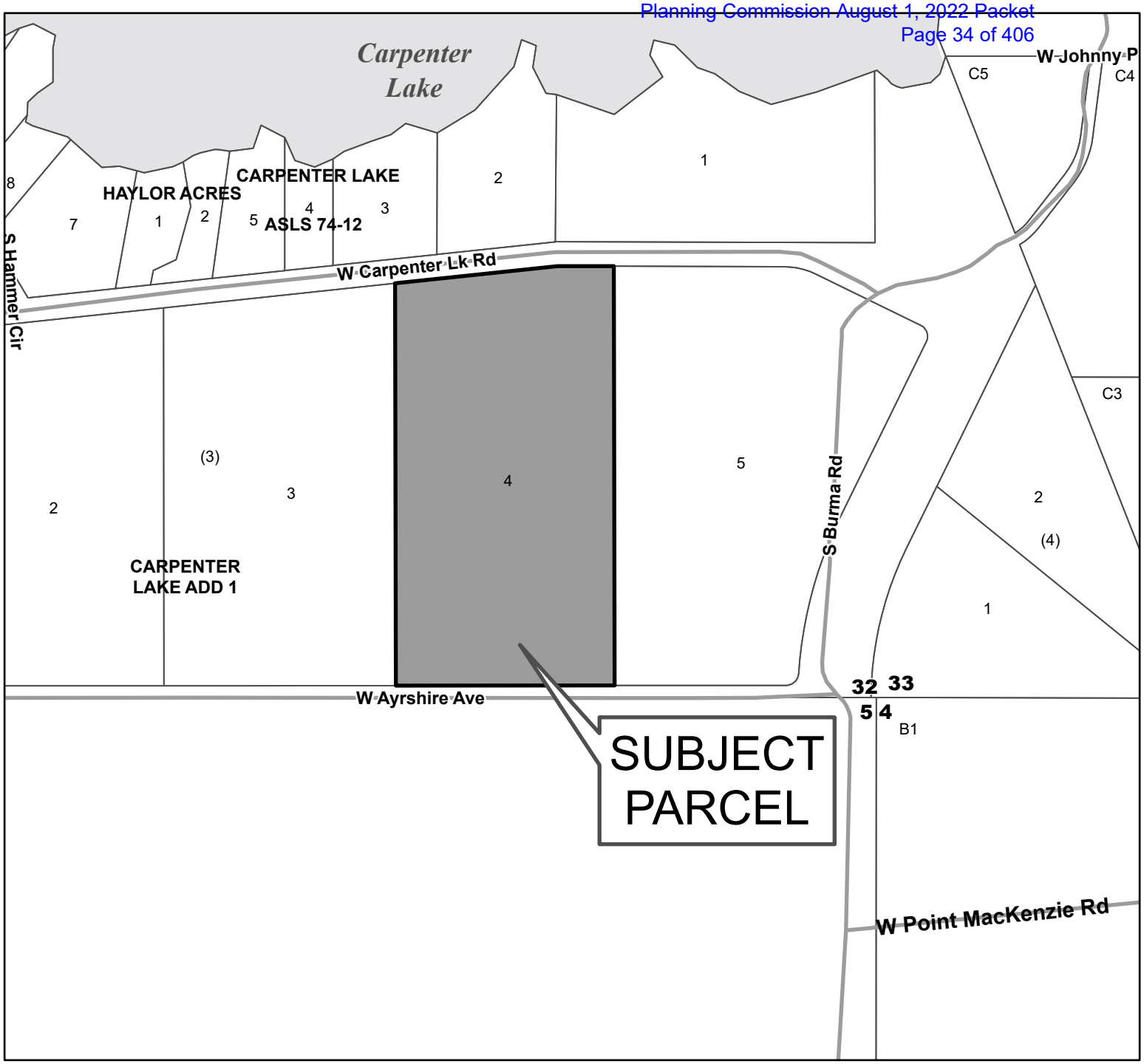
STAFF RECOMMENDATIONS

Staff recommends approval of the conditional use permit to operate a Marijuana Cultivation Facility, at 23161 West Ayrshire Avenue, Tax ID # 4136B03L004. When the applicant complies with the conditions of approval, the proposed use will meet all of the standards in MSB 17.60.100, 17.60.150, and 17.60.160. Staff recommends approval of this permit with the following conditions:

1. Exterior lights shall be downward directed and shielded.
2. The operation shall comply with all applicable state and local regulations.
3. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the conditional use permit shall be required prior to any expansion of the conditional use.
4. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this conditional use permit.

If the Planning Commission chooses to deny this permit, findings for denial must be prepared by the Commission.

MAPS



4136B03L004

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MSB Information Technology/GIS
January 31, 2022

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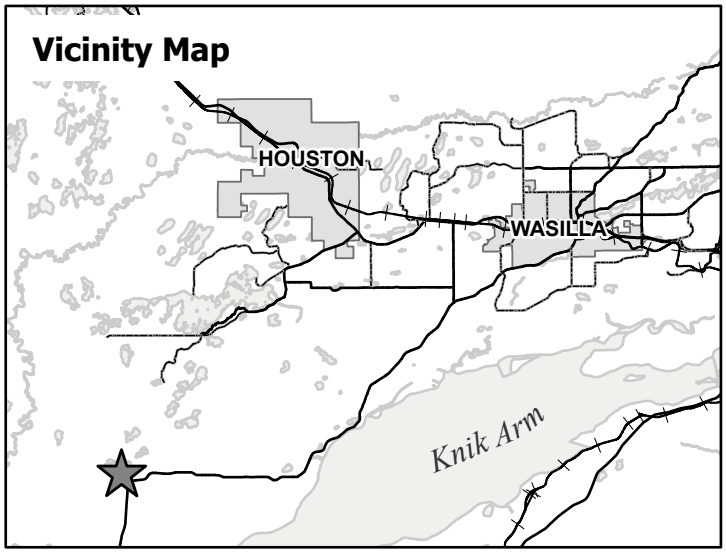

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MSB Development Services Division: 7/18/2022

Site Plan Overlay for 4136B03L004

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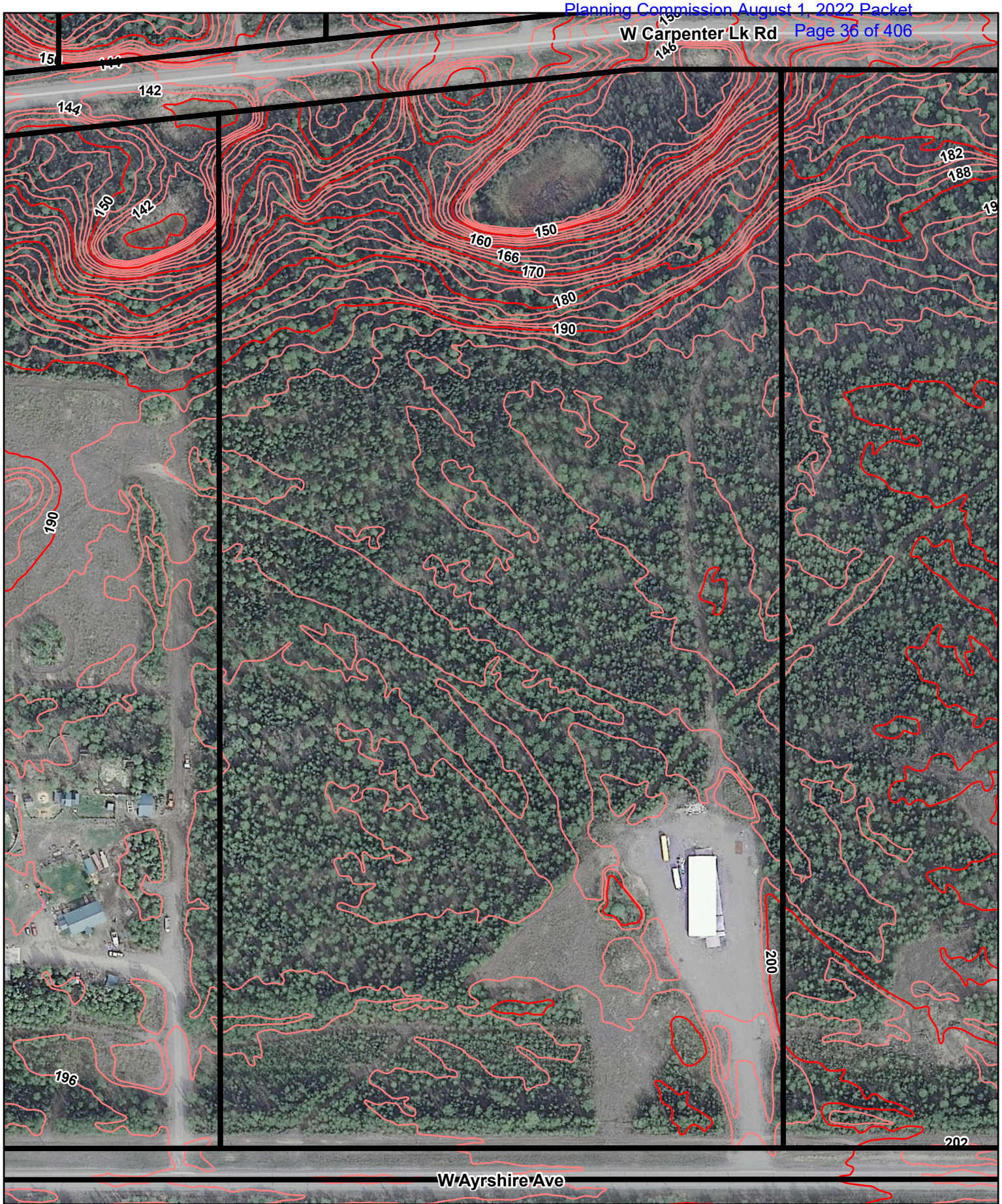

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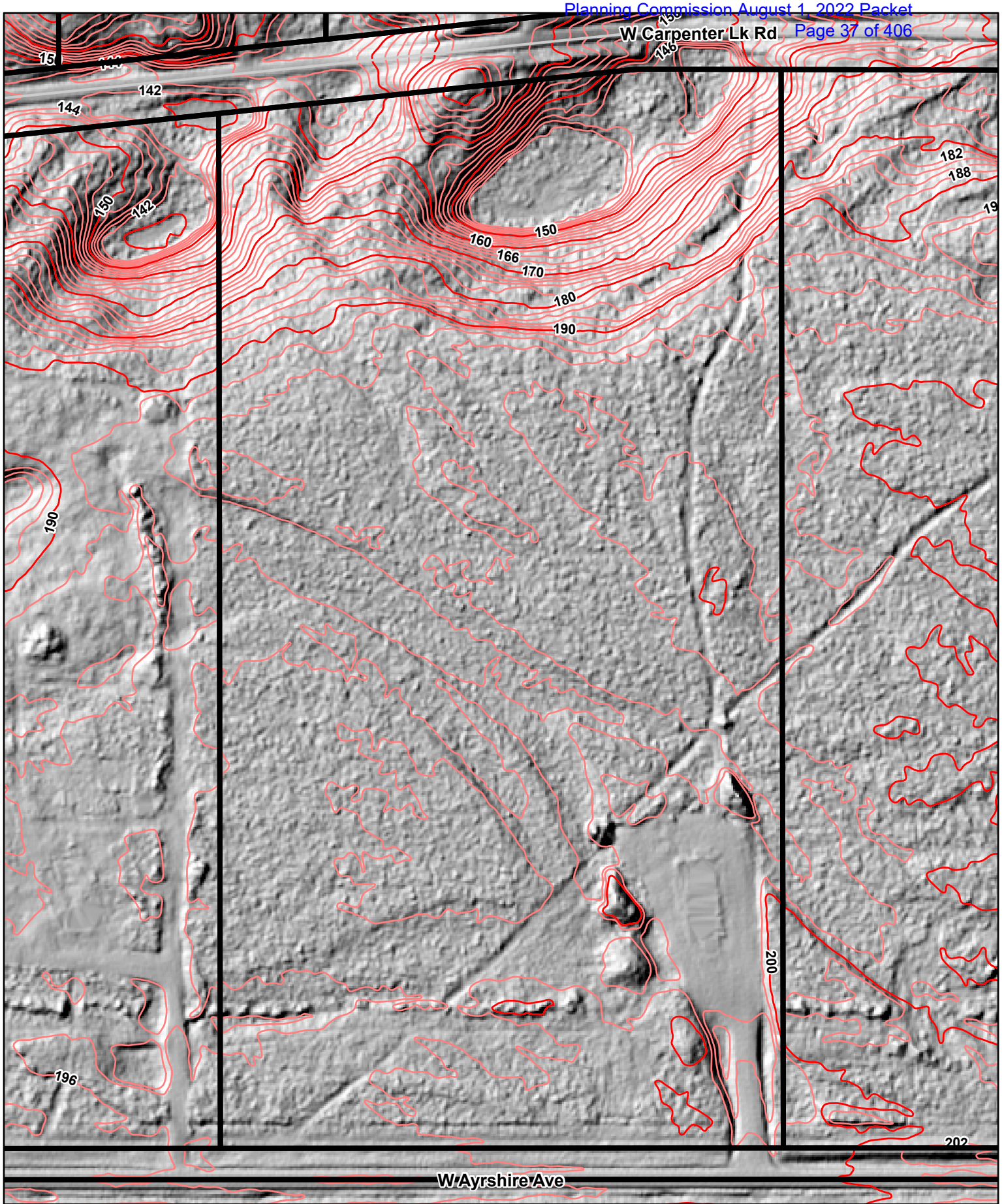
Contours for 4136B03L004

0 140 280 Feet

MSB Development Services Division: 4/6/2022



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Hillshade with Contours for 4136B03L004

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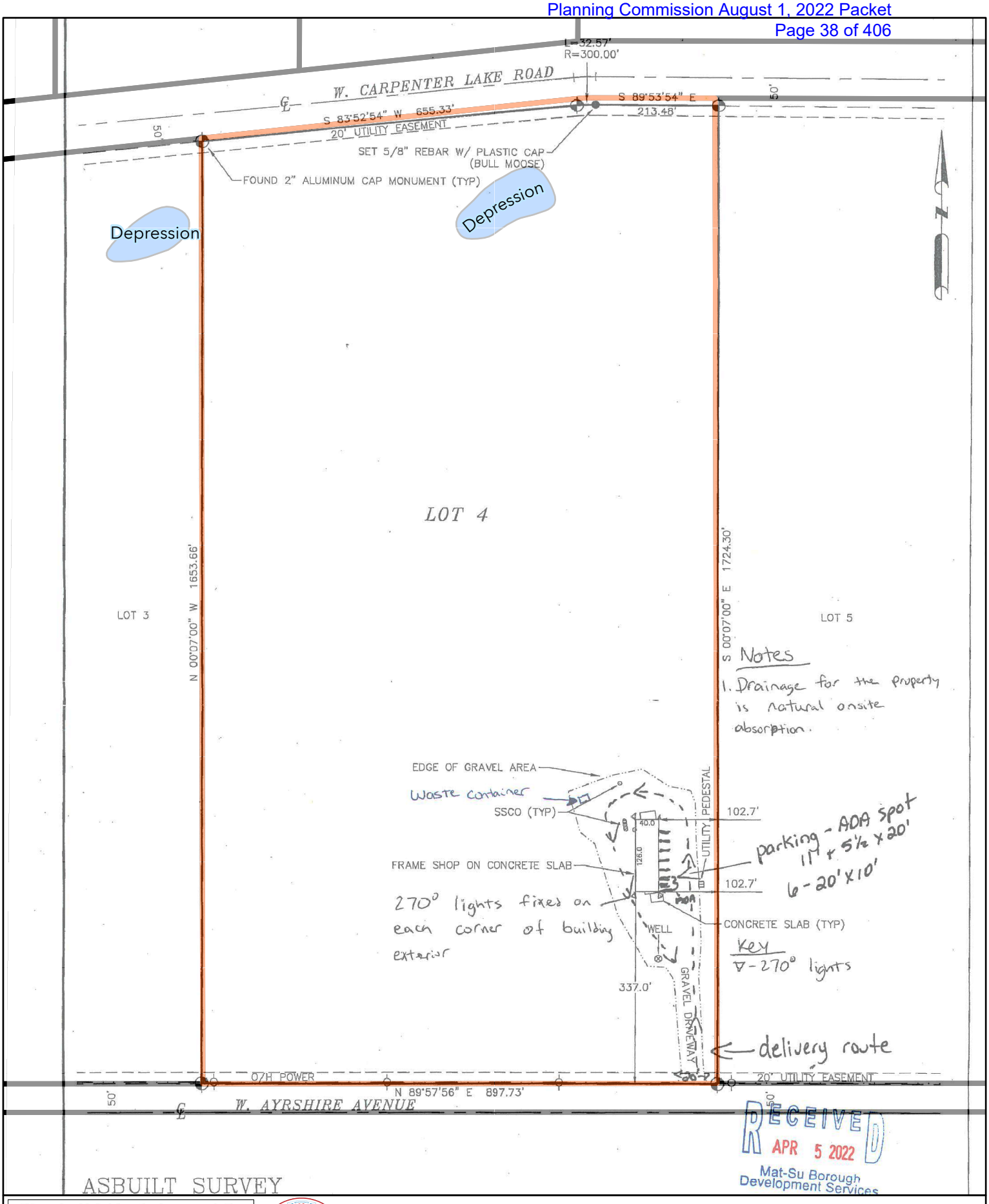
MSB Development Services Division: 4/6/2022



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Site Plan Overlay for 4136B03L004

0 150 300 Feet

MSB Development Services Division: 5/13/2022

PUBLIC NOTICING

From: Peggy Horton
To: Theresa Taranto
Subject: Mailing for Denali Farms CUP
Date: Thursday, May 19, 2022 9:23:47 AM
Attachments: Public Notice Mailing.DOCX
Vicinity Map.PDF

Good Morning,

Please prepare and send the attached mailing on or before Wednesday May 25, 2022. The notice area is 600 feet **and within the subdivision, Carpenter Lake Addition #1**. Please also send to the Point MacKenzie Community Council.

Point MacKenzie Community Council
20810 W. Point Mackenzie Road
Wasilla AK 99623

Thank you,
Peggy Horton
Matanuska-Susitna Borough
Planner II
861-7862

UNITED STATES POSTAL SERVICE®

Certificate of Bulk Mailing — Domestic

Fee for Certificate

Up to 1,000 pieces (1 certificate for total number)

For each additional 1,000 pieces, or fraction thereof

Duplicate Copy ☐

Use Current Price List (Notice 123)

Postage: Mailers must affix meter, PC Postage®, or (uncanceled) postage stamps here in payment of total fee due.

US POSTAGE PITNEY BOWES
ZIP 99645 $ 009.35⁰
02 4W
0000368428 MAY 25 202

Acceptance employee must cancel postage affixed (by round-date) at the time of mailing.

If payment of total fee due is being paid by Permit Imprint, include the *PostalOne!*® Transaction Number here: _____

Number of Identical Weight Pieces	Class of Mail	Postage for Each Mailpiece Paid	Number of Pieces to the Pound
23	1ST	☐ Verified	45

Total Number of Pounds	Total Postage Paid for Mailpieces	Fee Paid
7.6 OZ	12.19	9.35

Mailed For	Mailed By
Dev. Services	IFodge

PALMER AK 99645 MAY 25 2022 USPS

Postmaster's Certification

It is hereby certified that the number of mailpieces presented and the associated postage and fee were verified. This certificate does not provide evidence that a piece was mailed to a particular address.

(Postmaster or Designee)

PS Form **3606-D,** January 2016 PSN 7530-17-000-5548

See Reverse for Instructions

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

«NAME»
«ADDRESS_1»
«ADDRESS_2»
«ADDRESS_3»

The Matanuska-Susitna Borough Planning Commission will consider the following:

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, applied for a conditional use permit under MSB 17.60 – Conditional Uses to operate a marijuana cultivation facility located at 23161 W. Ayrshire Avenue, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022,*** at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Peggy Horton, Planner II, by phone: 907-861-7862. Provide written comments by e-mail to peggy.horton@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony in person at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party". See MSB 15.39.010 for the definition of "interested party". The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before ***July 6, 2022,*** and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Name: _____ ***Mailing Address:*** _____

Location/Legal Description of your property: _____

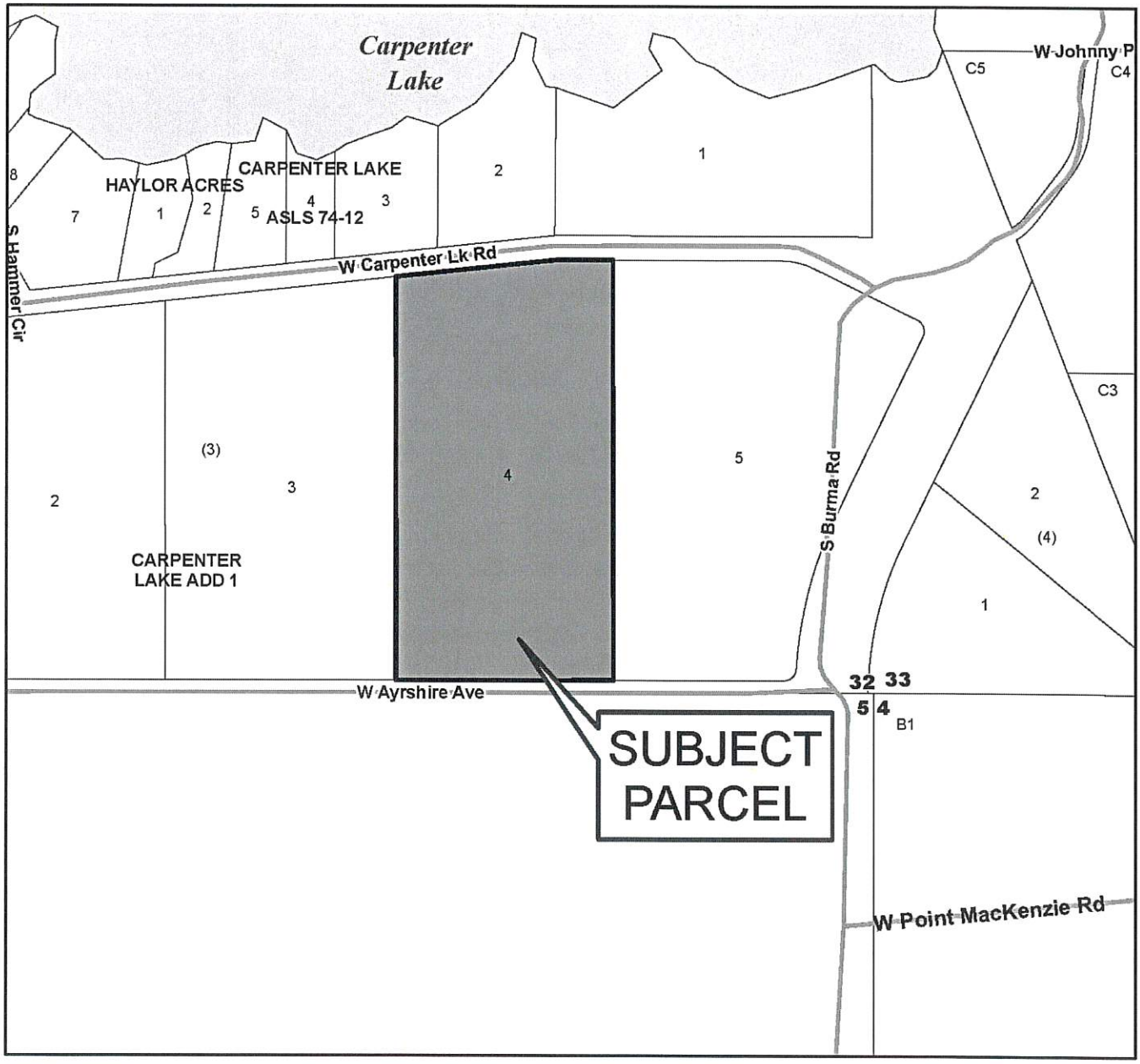
Comments: _____

_____

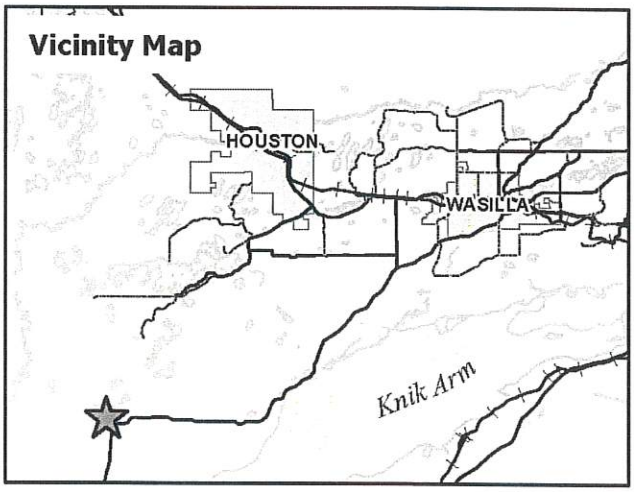
_____

_____

Note: Vicinity Map Located on Reverse Side



4136B03L004



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MSB Information Technology/GIS
January 31, 2022

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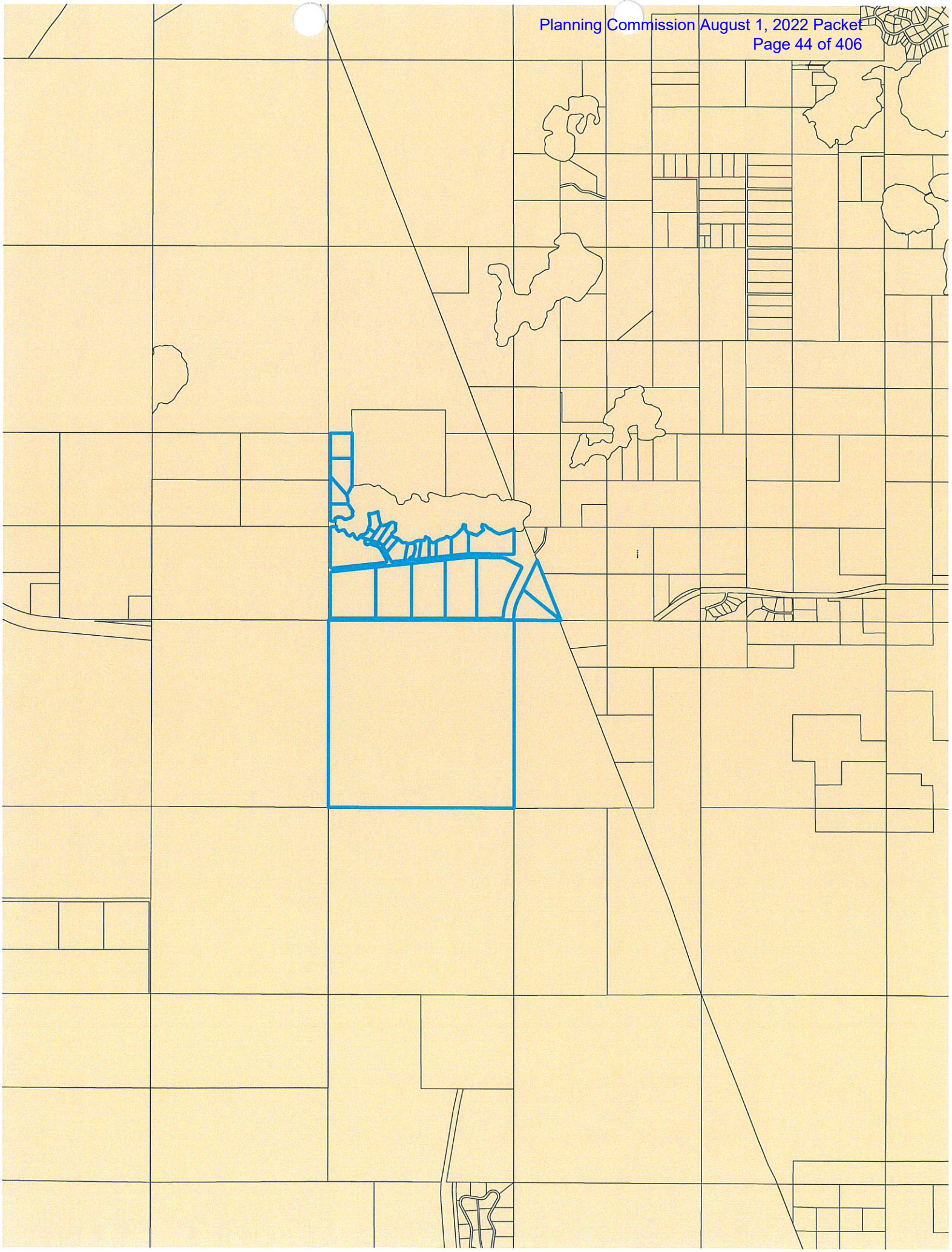

215N04W05A001 1
COOK INLET REGION INC
PO BOX 93330
ANCHORAGE, AK 99509-3330

54136B02L001 2
FARMER KENNETH A
FARMER CYNTHIA DAVIS
23795 W CARPENTER LK RD
BIG LAKE AK 99623

56532000L010 3
GRANATH PHIL & ANN MARIE
PO BOX 2683
PALMER, AK 99645-2683

54136B01L002 4
HARRIS ROBERT E & CAROL J
2135 E VILLLAGE LOOP
WASILLA AK 99654

54136B03L005 5
HOCKERSMITH JAMES H JR
1751 W 12TH ST
OGDEN UT 84404-5446

56532000L012 6
HODGSON COLLEEN A DEC TR
HODGSON COLLEEN A TRE
2185 CONDRY RD
PLATTEVILLE, WI 53818-9736

54136B03L002 7
KEARNEY STEPHEN P & DARLENE L
PO BOX 877482
WASILLA AK 99687

54136B03L001 8
KEHOE KEVIN & EILEEN & ABBOTT GARY
FERGUSON JAMES & PAULA
13845 MAINSAIL DR
ANCHORAGE AK 99516

54136B03L003 9
LYTLE THOMAS A II & MARGARET M
23375 W AYRSHIRE AVE
WASILLA, AK 99654

54136B04L001 10
MAST ELSON J & O'NETA D
PO BOX 877674
WASILLA, AK 99687-7674

56532000L009 11
MCALLEN JAMES J & BETH A
PO BOX 111586
ANCHORAGE AK 99511-1586

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3540 SHANDY CT
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8111 LAKONIA DR
ANCHORAGE AK 99516

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MILLS JAMES A JR & MARY T
#1399
3705 ARCTIC BLVD
ANCHORAGE AK 99503

56532000L002 15
NMW INV LLC
%KATHLEEN WEEKS
320 W 11TH AVE
ANCHORAGE AK 99501-4411

56532000L008 16
REARICK RICHARD& JENNIFER
11731 BROADWATER DR
EAGLE RIVER, AK 99577

54792B01L003B 17
RIDDELL ROGER T & KAY E
12503 S FARMERS RD
WASILLA AK 99623-4901

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ROBERTS KIT W
13607 E CONSTITUTION DR
PALMER AK 99645

54136B03L004 19
ROTAN PEGGY J LVG TR TRE
7041 MONTAGNE CIR
ANCHORAGE, AK 99507

56532000L005 20
SELHAY MICHAEL J & YELENA
12830 CUMBERLAND CIR
ANCHORAGE AK 99516-2746

54792B01L003A 21
SHILLINGTON DALE R & FRANCES E
12395 S FARMERS RD
WASILLA AK 99623-4901

55730000L001 22
VARNER GREGORY A & LISA R
23449 W CARPENTER LAKE RD
WASILLA AK 99623-4934

23
PT MACKENZIE COMMUNITY COUNCIL
20810 W PT MACKENZIE RD
WASILLA, AK 99623

tara0609
23
5/23/2022 1:34:30 PM

Matanuska Susitna Borough

Owner Listing

Owner Name & Address	As Of Date	Tax Map Number
COOK INLET REGION INC PO BOX 93330 ANCHORAGE, AK 99509-3330	1/1/2007 *Location*	215N04W05A001
HARRIS ROBERT E & CAROL J 2135 E VILLLAGE LOOP WASILLA AK 99654	4/21/2020 *Location*	54136B01L001 12075 S FARMERS RD
HARRIS ROBERT E & CAROL J 2135 E VILLLAGE LOOP WASILLA AK 99654	4/21/2020 *Location*	54136B01L002 12251 S FARMERS RD
FARMER KENNETH A FARMER CYNTHIA DAVIS 23795 W CARPENTER LK RD BIG LAKE AK 99623	6/3/2020 *Location*	54136B02L001 23795 W CARPENTER LK RD
KEHOE KEVIN & EILEEN & ABBOTT GARY FERGUSON JAMES & PAULA 13845 MAINSAIL DR ANCHORAGE AK 99516	3/7/2022 *Location*	54136B03L001 23839 W AYRSHIRE AVE
KEARNEY STEPHEN P & DARLENE L PO BOX 877482 WASILLA AK 99687	9/18/2020 *Location*	54136B03L002 23591 W AYRSHIRE AVE
LYTLE THOMAS A II & MARGARET M 23375 W AYRSHIRE AVE WASILLA, AK 99654	3/17/2009 *Location*	54136B03L003 23375 W AYRSHIRE AVE
ROTAN PEGGY J LVG TR TRE 7041 MONTAGNE CIR ANCHORAGE, AK 99507	3/16/2022 *Location*	54136B03L004 23161 W AYRSHIRE AVE
HOCKERSMITH JAMES H JR 1751 W 12TH ST OGDEN UT 84404-5446	6/22/2015 *Location*	54136B03L005 22957 W AYRSHIRE AVE
MAST ELSON J & O'NETA D PO BOX 877674 WASILLA, AK 99687-7674	1/1/2002 *Location*	54136B04L001 24161 S BURMA RD
ROBERTS KIT W 13607 E CONSTITUTION DR PALMER AK 99645	1/1/2000 *Location*	54136B04L002 23989 S BURMA RD
SHILLINGTON DALE R & FRANCES E 12395 S FARMERS RD WASILLA AK 99623-4901	7/15/2014 *Location*	54792B01L003A 12395 S FARMERS RD

Owner Listing

Owner Name & Address	As Of Date	Tax Map Number
RIDDELL ROGER T & KAY E 12503 S FARMERS RD WASILLA AK 99623-4901	1/1/2006 *Location*	54792B01L003B 12503 S FARMERS RD
VARNER GREGORY A & LISA R 23449 W CARPENTER LAKE RD WASILLA AK 99623-4934	12/21/2020 *Location*	55730000L001 23489 W CARPENTER LK RD
VARNER GREGORY A & LISA R 23449 W CARPENTER LAKE RD WASILLA AK 99623-4934	12/21/2020 *Location*	55730000L002 23449 W CARPENTER LK RD
MATANUSKA-SUSITNA BOROUGH 350 E DAHLIA AVE PALMER AK 99645-6488	1/1/2000 *Location*	56532000L001 22939 W CARPENTER LK RD
NMW INV LLC %KATHLEEN WEEKS 320 W 11TH AVE ANCHORAGE AK 99501-4411	1/1/2006 *Location*	56532000L002 23139 W CARPENTER LK RD
MILLS JAMES A JR & MARY T #1399 3705 ARCTIC BLVD ANCHORAGE AK 99503	4/28/2022 *Location*	56532000L003 23245 W CARPENTER LK RD
MCALLEN TRUST 3540 SHANDY CT ANCHORAGE AK 99516-4071	5/5/2021 *Location*	56532000L004 23317 W CARPENTER LK RD
SELHAY MICHAEL J & YELENA 12830 CUMBERLAND CIR ANCHORAGE AK 99516-2746	7/11/2012 *Location*	56532000L005 23375 W CARPENTER LK RD
MCALLEN TRUST 3540 SHANDY CT ANCHORAGE AK 99516-4071	3/3/2020 *Location*	56532000L007 23541 W CARPENTER LK RD
REARICK RICHARD& JENNIFER 11731 BROADWATER DR EAGLE RIVER, AK 99577	1/1/2003 *Location*	56532000L008 12733 S HAMMER CIR
MCALLEN JAMES J & BETH A PO BOX 111586 ANCHORAGE AK 99511-1586	1/1/2000 *Location*	56532000L009 12703 S HAMMER CIR
GRANATH PHIL & ANN MARIE PO BOX 2683 PALMER, AK 99645-2683	4/9/2018 *Location*	56532000L010 12687 S HAMMER CIR

Owner Listing

Owner Name & Address	As Of Date	Tax Map Number
MCCASLIN LVG TR 8111 LAKONIA DR ANCHORAGE AK 99516	12/28/2020 *Location*	56532000L011 12655 S HAMMER CIR
HODGSON COLLEEN A DEC TR HODGSON COLLEEN A TRE 2185 CONDRY RD PLATTEVILLE, WI 53818-9736	1/1/2007 *Location*	56532000L012 12633 S HAMMER CIR

Report Total 26

Peggy Horton

From: Ben Borg <ben.borg@frontiersman.com>
Sent: Monday, June 6, 2022 3:39 PM
To: Peggy Horton
Subject: Re: MSB Page cost calculation

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

MSB PAGE COST CALCULATOR		
WIDTH	3	C
HEIGHT	**4.2**	INCHES
AREA	12.600	C*INCHES
RATE	$7.50	/(C*INCH)
COST/INSERTION	$94.50	
#INSERTIONS	**1**	
TOTAL	**$94.50**	

On Mon, Jun 6, 2022 at 3:00 PM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

> Hi Ben, would you be so kind as to calculate the cost of this public hearing for Denali Farms ad?
>
> Thanks and have a nice day,
>
> Peggy Horton
>
> Matanuska-Susitna Borough
>
> Development Services Division
>
> Planner II
>
> 907-861-7862
>
> **From:** Ben Borg <ben.borg@frontiersman.com>
> **Sent:** Monday, May 23, 2022 9:14 AM
> **To:** Estelle Wiese <Estelle.Wiese@matsugov.us>; Debra Wetherhorn <Debra.Wetherhorn@matsugov.us>; Brenda Henry <brenda.henry@matsugov.us>; Jill Irsik <Jill.Irsik@matsugov.us>; Sloan VonGunten <Sloan.VonGunten@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Peggy Horton

Frontiersman
Growing with the Valley since 1947.

5751 E. MAYFLOWER CT.
Wasilla, AK 99654

(907) 352-2250 ph
(907) 352-2277 fax

AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA, STATE OF ALASKA, THIRD DIVISION

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, THIS DAY

PERSONALLY APPEARED BEFORE **BENJAMIN BORG** WHO, BEING

FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT HE IS THE

LEGAL AD CLERK OF THE **FRONTIERSMAN**

PUBLISHED AT WASILLA AND CIRCULATED THROUGH OUT MATANUSKA

SUSITNA BOROUGH, IN SAID DIVISION THREE AND STATE OF ALASKA

AND THAT THE ADVERTISEMENT, OF WHICH THE ANNEXED IS A TRUE

COPY, WAS PUBLISHED ON THE FOLLOWING DAYS:

05/25/2022

AND THAT THE RATE CHARGED THEREIN IS NOT IN EXCESS OF

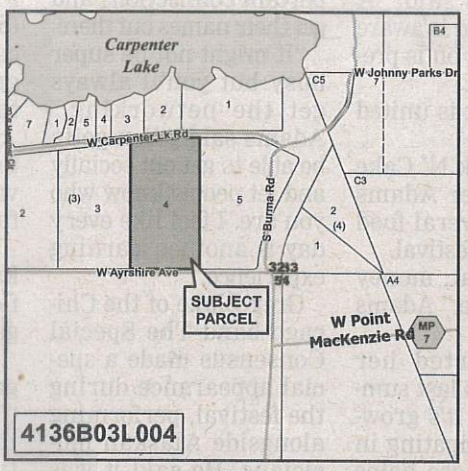
THE RATE CHARGED PRIVATE INDIVIDUALS.

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 25th DAY OF May, 2022.

Nancy E Downs
NOTARY PUBLIC FOR STATE OF ALASKA

NOTARY PUBLIC
NANCY E DOWNS
STATE OF ALASKA
MY COMMISSION EXPIRES AUG.25,2023

MAT-SU BOROUGH/PAGE
5.25
ACCOUNT NUMBER 405249



PUBLIC HEARING

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, submitted an application for a conditional use permit under MSB 17.60 – Conditional Uses to operate a marijuana cultivation facility. The site is located at 23161 W. Ayrshire Avenue, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022,*** at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Peggy Horton, Planner II, by phone: 907-861-7862. Provide written comments by e-mail to peggy.horton@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony in person at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party". See MSB 15.39.010 for the definition of "interested party". The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before ***July 6, 2022,*** and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Publish Date: May 25, 2022

0522-31

ADVERTISEMENT ORDER

MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue
Palmer, Alaska 99645

PUBLISHER	MANDATORY PUBLICATION DATES {By MSB Code}	PREFERRED PUB. DATES	DATES FOR FILLER ADS (space permitting)
FRONTIERSMAN (contract)	May 25, 2022		
Anchorage Daily News			
Talkeetna Good Times {publishes once a month)			

[X] Borough Page [ ] Classified/Legal [ ] Display Ad Acct #(100.120.113.422.000)

THE ATTACHED MATERIAL MUST BE PRINTED IN ITS ENTIRETY ON THE DATES SHOWN ABOVE. AN AFFIDAVIT OF PUBLICATION IS REQUIRED PRIOR TO PAYMENT.

A PROOF IS REQUESTED ON DISPLAY ADS FOR APPROVAL, PRIOR TO PUBLICATION.

Please email display ad proof to Attn: Peggy Horton Email: peggy.horton@matsugov.us
and Theresa Taranto Email: ttaranto@matsugov.us

See attached Advertisement

Requested by:_____ **Approved by:**_____
Emailed: _____ Diskette: _____ **Date:** _____

PUBLIC HEARING

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Peggy Horton

From: Peggy Horton
Sent: Thursday, May 19, 2022 11:22 AM
To: mearow@matanuska.com; 'row@enstarnaturalgas.com'; 'row@mtasolutions.com'; Jill Irsik; GCI ROW (ospdesign@gci.com); Fire Code; Eric Phillips; Permit Center; regpagemaster@usace.army.mil; Butch Ehmann; Terry Dolan; Jamie Taylor; Brad Sworts; Elaine Flagg; Debbie Bakic; Adam J. Dubour (adam.dubour@alaska.gov); Charlyn Spannagel; MSB Farmers; Alex Strawn; Planning; Fred Wagner; Jason Ortiz; Theresa Taranto; Andy Dean; John Aschenbrenner; 'oran.woolley@alaska.gov'; 'colton.percy@alaska.gov'; mokietew@gmail.com; 'debsue20@gmail.com'; 'gary.foster61@outlook.com'; 'gonzales@mtaonline.net'
Subject: Request for Review and Comments: Denali Farms Marijuana Cultivation Facility

Good Morning,

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, applied for a conditional use permit under MSB 17.60 – Conditional Uses to operate a marijuana cultivation facility located at 23161 W. Ayrshire Ave, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022.***

Application materials may be viewed online at www.matsugov.us by clicking on 'All Public Notices & Announcements.' A direct link to the application material is here:
Matanuska-Susitna Borough - Public Hearing Notice for Conditional Use Permit Application for Marijuana Retail Facility (matsugov.us)

Comments are due on or before ***July 6, 2022,*** and will be included in the Planning Commission packet. Please be advised that comments received after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Thank you for your review,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

Public Hearing Notice for Conditional Use Permit Application for Marijuana Retail Facility

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, applied for a conditional use permit under MSB 17.60 – Conditional Uses, to operate a marijuana cultivation facility located at 23161 W. Ayrshire Avenue, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022,*** at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

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Site Visit Photos

Photographs taken

during the June 23, 2022 site visit

South Side of Building

From structure looking south towards driveway.

East side of structure

North side of structure

West side of structure

Southwest corner of structure

On west side of gravel area looking at driveway

Entryway on the north side of structure

Interior under construction

Interior Hallway

Interior construction on
south end of structure

Electrical installation ongoing

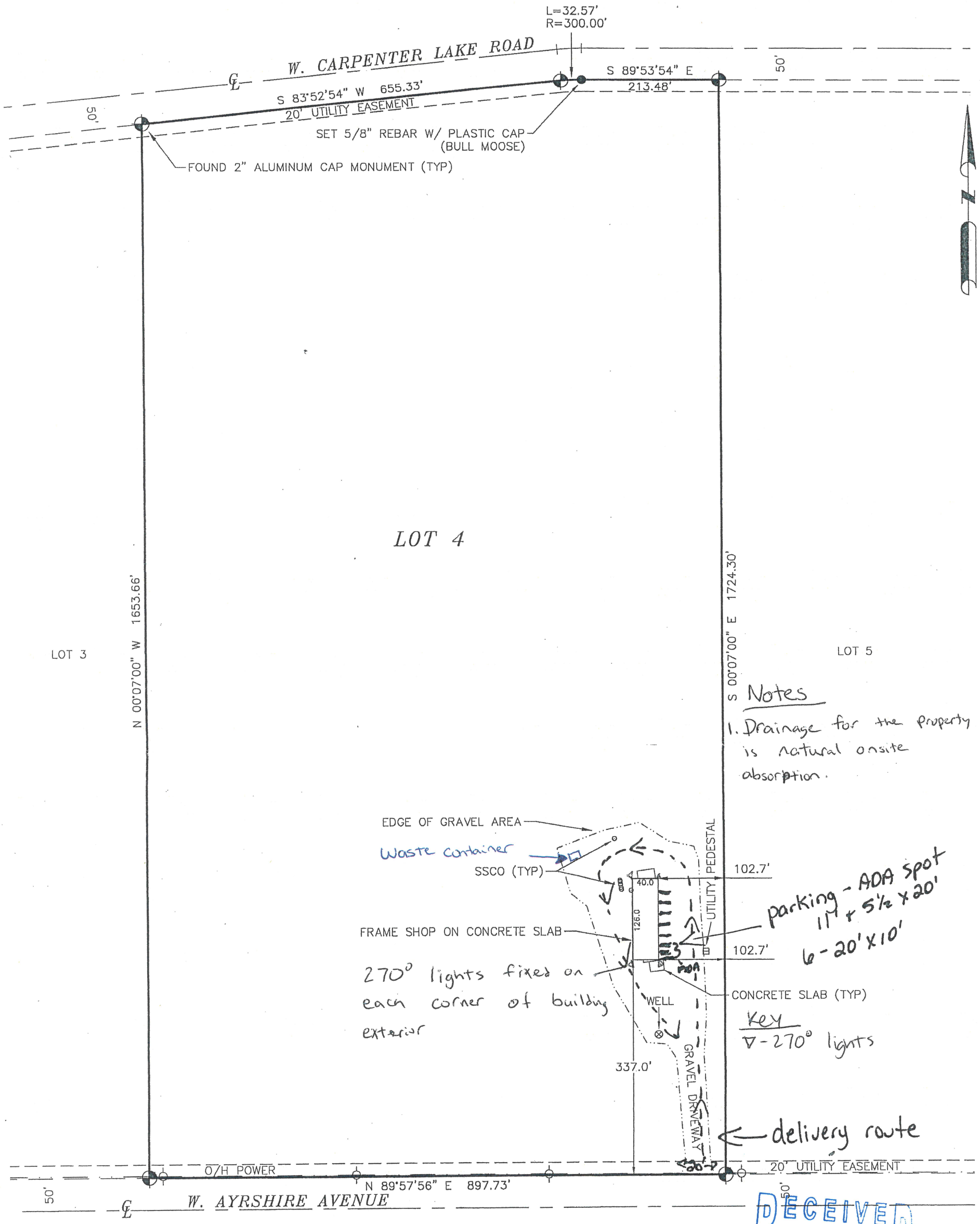
Northwest gravel area

Northeast gravel area

East gravel area

Showing the previous foundation after south side of structure was shifted west

SITE PLAN



RECEIVED
APR 5 2022
Mat-Su Borough
Development Services

ASBUILT SURVEY

LOT 4, BLOCK 3, CARPENTER LAKE SUBDIVISION – ADDITION No. 1

©BULL MOOSE SURVEYING 2018

PALMER RECORDING DISTRICT, ALASKA

BUILDING	EEG	9/10/2018
REVISION	BY	DATE

BULL MOOSE SURVEYING
ROBERT S. HOFFMAN
200 HYGRADE LANE, WASILLA, ALASKA 99654
(907) 357-6957 FAX (907) 357-6977
VISIT US AT BULL MOOSE SURVEYING.COM

MORTGAGE SURVEY CERTIFICATE:
I HEREBY CERTIFY THAT I, OR SOMEONE UNDER MY DIRECT SUPERVISION, HAVE PERFORMED A MORTGAGEE'S INSPECTION ON THE FOLLOWING DESCRIBED PROPERTY, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS INDICATED.

DRAWN BY: EEG	DATE OF SURVEY: 9/10/2018	PREPARED FOR:	*LEE RUBLE*
CHECKED BY: RSH	SECTION 32 TWP. 16N RANGE 4W S.M.	SCALE: 1"=150'	PLAT #93-57

NOTES:

1. UTILITIES OTHER THAN THOSE SHOWN MAY EXIST ON THIS SITE. ONLY THOSE UTILITIES SEEN ON THE DATE OF SURVEY ARE SHOWN HEREON.

2. IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT.

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4. ALL BEARINGS AND DISTANCES SHOWN ARE RECORD, UNLESS OTHERWISE NOTED.

APPLICATION MATERIAL

PAID CK# 3563

MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-8158
Email: permitcenter@matsugov.us

Matanuska-Susitna Borough
Development Services
JAN 13 2022
Received

CONDITIONAL USE PERMIT FOR MARIJUANA RELATED FACILITIES – MSB 17.60

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

Application fee must be attached:
_____ $1,500 for Marijuana Retail Facility
_x_ $1,500 for Marijuana Cultivation Facility

Prior to the public hearing, the applicant must also pay the mailing and advertising fees associated with the application. Applicants will be provided with a statement of advertising and mailing charges. Payment must be made prior to the application presentation before the Borough Planning Commission.

Required Attachments for a Marijuana Cultivation Facility:
_x_ Wastewater and Waste Material Disposal Plan – 17.60.160 (A)
_x_ Odor Mitigation and Ventilation Plan – 17.60.160 (B)
_x_ Hazardous Chemicals Information – 17.60.160 (C)
_x_ Security plan – 17.60.160 (D)

Required Attachments for Both Retail and Cultivation Facilities:
_x_ Documentation demonstrating full compliance with applicable fire code – 17.60.150 (D) (2)

Subject Property: Township: S16, Range: N04, Section: W32, Meridian: Seward
MSB Tax ID# 4136B03L004
SUBDIVISION: CARPENTER LK ADD #1 BLOCK(S): 3, LOT(S): 4
STREET ADDRESS: 23161 W. Ayrshire Avenue, Big Lake, Alaska 99652
FACILITY / BUSINESS NAME: Denali Farms

Ownership: A written authorization by the owner must be attached for an agent or contact person, if the owner is using one for the application. Is authorization attached? ☐ **Yes** ☐ **No** ☐ **N/A**

Name of Property Owner	**Name of Agent / Contact for application**
Peggy Rotan	Branden Bartlett (Attorney Jana Weltzin)
Mailing: 7041 Montagne Circle	Mailing: PO Box 200132
Anchorage, Alaska 99507	Anchorage, Alaska 99520
Phone: Hm_____ Fax_____	Phone: Hm_____ Fax_____
Wk_____ Cell 907-227-7595	Wk_____ Cell 907-244-1881
E-mail pjrotan@yahoo.com	E-mail branden@denalidispensaries.com

Site Plan – Attach a detailed, to scale, site plan clearly showing the following information:	**Attached**
Proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the proposed use. Dimensions and locations of all existing and proposed structures on the site in relationship to all property lines.	Yes
Signage – Existing and Proposed.	Yes
Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.	Yes
Buffering – Fences, vegetation, topography, berms, and any landscaping	Yes
Drainage	Yes
Vehicular and pedestrian circulation patterns.	Yes
Exterior site lighting.	Yes
Location and dimensions of parking areas to be provided	Yes
Scale and north arrow using standard engineering intervals such as 1" = 30', 1" = 50' or similar as required by project size.	Yes

Map – Attach a detailed, to scale, vicinity map clearly showing the following information:	**Attached**
Identify all existing land uses within 1,000 feet.	Yes
Scale and north arrow using standard engineering intervals such as 1" = 30', 1" = 50' or similar as required by project size.	Yes

In order to grant a conditional use permit under MSB 17.60, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:	**Attached**
Is the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	Yes, please review narrative
Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?	No
Are sufficient setbacks, lot area, buffers and other safeguards being provided?	Yes
Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use in this section?	Yes
Describe measures taken to prevent any potential negative effect upon other properties in the area due to such factors as noise and odor.	Please review narrative
Describe measures taken to reduce negative effects upon adjacent properties by: • Increased property line and right-of-way buffers • Planted berms and landscaping • Site and building design features which contribute to the character of the surrounding area	Please review narrative
Describe how this use is compatible with the character of the surrounding area.	please review narrative
Current status of State License application process – 17.60.150 (D) (1)	Approved with delegation

17.60.170 Standards for Marijuana Retail Facilities:	**Attached**
Describe how the subject parcel is appropriate for the proposed conditional use. Include information detailing: • The proximity of the proposed use to existing businesses; • The proximity of parcels developed with residential uses; • Whether the roads associated with the proposed use have been, or will be, appropriate for commercial use; and • Proposed hours of operations.	Yes
Provide information showing minimum parking standards have been met as required by MSB 17.60.170 (B) and (C).	Yes

Floor Plan for Marijuana Retail Facilities – Attach a detailed, to scale, floor plan clearly showing the following information:	**Attached**
Dimensions of all structures.	Yes
Interior floor plans (specific location of the use or uses to be made of the development).	Yes
Net floor area square footage calculations.	Yes

OWNER'S STATEMENT: I am owner of the following property:

MSB Tax account #(s) 4136B03L004 and, I hereby apply for approval of a conditional use permit to operate a marijuana related facility on the property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.60 and with all other applicable borough and state.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

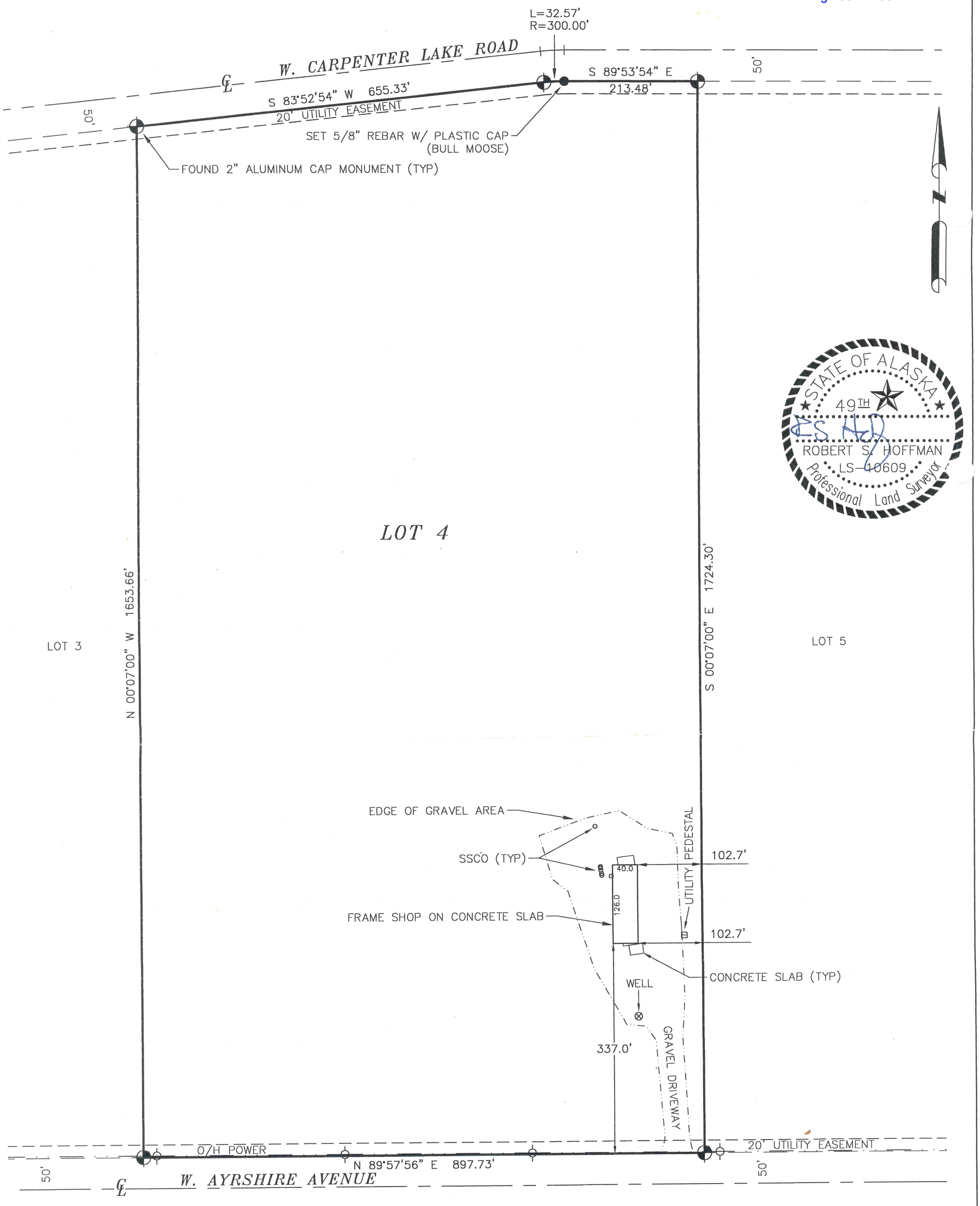
I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, and at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

Signature: Property Owner — Peggy Rotan (Printed Name) — 11-30-2021 (Date)

Signature: Agent — Branden Bartlett (Printed Name) — 11/29/21 (Date)



STATE OF ALASKA
49TH
ROBERT S. HOFFMAN
LS-10609
Professional Land Surveyor

ASBUILT SURVEY

LOT 4, BLOCK 3, CARPENTER LAKE SUBDIVISION – ADDITION No. 1

©BULL MOOSE SURVEYING 2018

PALMER RECORDING DISTRICT, ALASKA

BUILDING	EEG	9/10/2018
REVISION	BY	DATE

BULL MOOSE SURVEYING
ROBERT S. HOFFMAN
200 HYGRADE LANE, WASILLA, ALASKA 99654
(907) 357-6957 FAX (907) 357-6977
VISIT US AT BULL MOOSE SURVEYING.COM

MORTGAGE SURVEY CERTIFICATE:
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DRAWN BY:	DATE OF SURVEY:	PREPARED FOR:	
EEG	9/10/2018	*LEE RUBLE*	
CHECKED BY:	SECTION / TWP. / RANGE	SCALE:	PLAT #93-57
RSH	32 / 16N / 4W S.M.	1"=150'	

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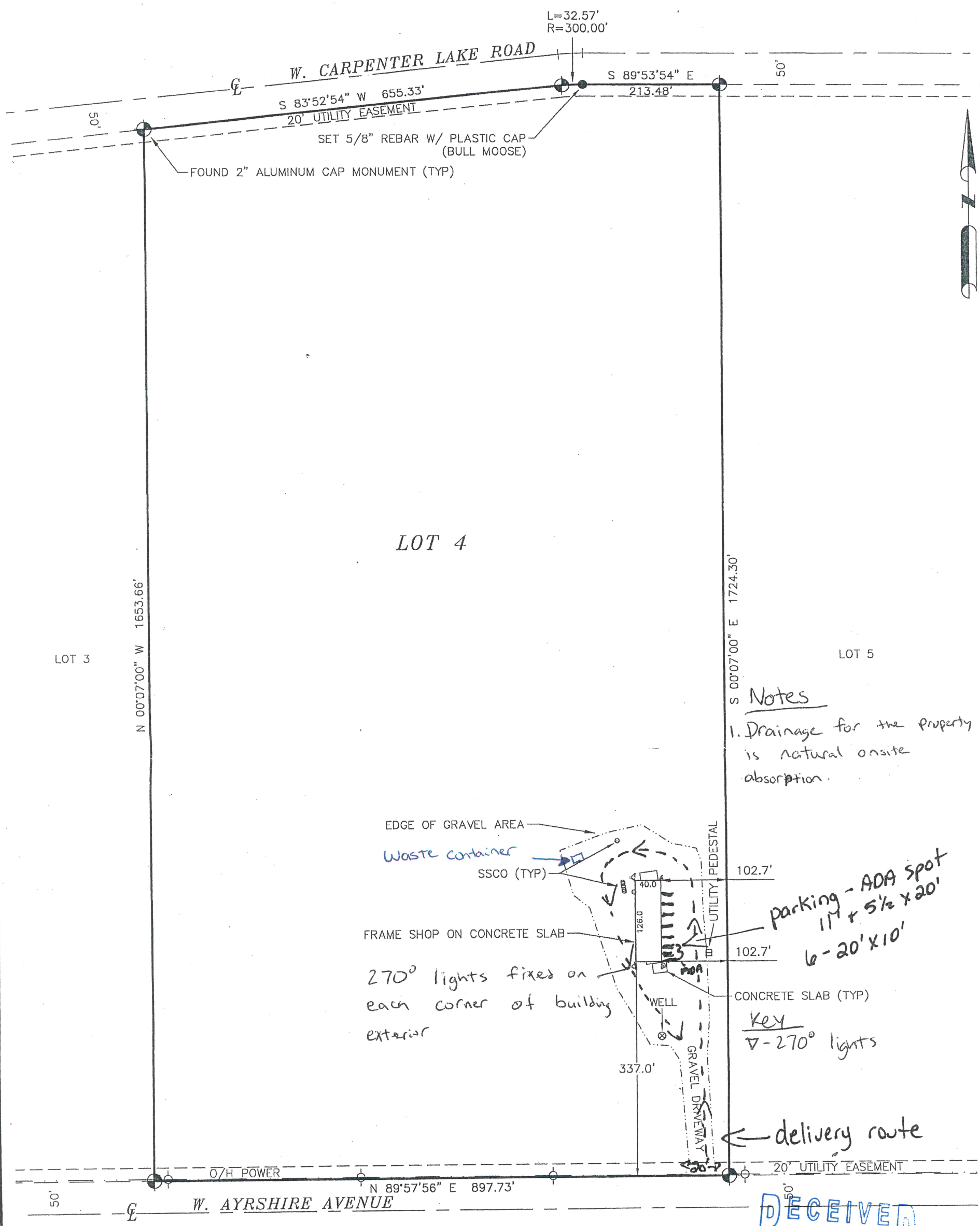

RECEIVED
APR 5 2022
Mat-Su Borough
Development Services

ASBUILT SURVEY

LOT 4, BLOCK 3, CARPENTER LAKE SUBDIVISION – ADDITION No. 1

©BULL MOOSE SURVEYING 2018

PALMER RECORDING DISTRICT, ALASKA

BUILDING	EEG	9/10/2018
REVISION	BY	DATE

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ROBERT S. HOFFMAN
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DRAWN BY:	DATE OF SURVEY:	PREPARED FOR:	
EEG	9/10/2018	*LEE RUBLE*	
CHECKED BY:	SECTION TWP. RANGE	SCALE:	PLAT #93-57
RSH	32 16N 4W S.M.	1"=150'	

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1. UTILITIES OTHER THAN THOSE SHOWN MAY EXIST ON THIS SITE. ONLY THOSE UTILITIES SEEN ON THE DATE OF SURVEY ARE SHOWN HEREON.
2. IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT.
3. THIS DRAWING WAS PREPARED IN ACCORDANCE WITH A.S.P.L.S. MORTGAGE SURVEY STANDARDS. THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE. UNDER NO CIRCUMSTANCES SHOULD ANY DATA SHOWN BE USED TO CONSTRUCT ANY FUTURE STRUCTURE, FENCE, OR ANY OTHER IMPROVEMENTS.
4. ALL BEARINGS AND DISTANCES SHOWN ARE RECORD, UNLESS OTHERWISE NOTED.

MATANUSKA-SUSITNA BOROUGH CONDITIONAL LAND USE PERMIT NARRATIVE FOR STANDARD MARIJUANA CULTIVATION FACILITY

DENALI CULTIVATION, LLC, dba

Denali Farms – a locally-owned and operated business

Submitted: _____, 2022
Hearing Date: _____, 2022

Prepared by:

JDW, LLC
Jana D. Weltzin, Esq.
901 Photo Avenue, Second Floor
Anchorage, AK 99503
jana@jdwcounsel.com
907-231-3750

On behalf of:
DENALI FARMS

RECEIVED
APR 08 2022
Mat-Su Borough
Development Services

Introduction:

We are pleased to re-introduce life-long Alaskan father-son team, Bradley (Brad) and Branden Bartlett. Brad and Branden have been working together and have successfully built two marijuana ventures, a marijuana retail store in the Municipality of Anchorage (license #11411) and a standard marijuana cultivation facility in the Matanuska-Susitna Borough (Wasilla - license #11413). Both licenses are part of Denali Dispensaries, LLC. Brad and Branden are the sole members of Denali Cultivation, LLC, the entity that owns Denali Farms, a proposed new standard marijuana cultivation facility located in the beautiful "Mat-Su Valley".

This Conditional Use Permit ("CUP") application for a Standard Marijuana Cultivation Facility is requesting approval from this Honorable Commission. Denali Farms' cultivation application has been approved with delegation by the Marijuana Control Board "MCB" during the October meeting.

Required attachments for a marijuana cultivation facility conditional use permit narrative:

Wastewater and Waste Material Disposal Plan – 17.60.160 (A)

Denali Farms' top priority is to make sure that marijuana consumers receive the highest quality products. To serve that goal, Brad & Branden's top priority is to be responsible, compliant licensees and business owners. As part of that responsibility, Denali Farms has created a Disposal Plan to safely dispose of all marijuana and marijuana products that do not pass the industry's quality standards for any reason or for plant material that is categorized as waste. The Disposal Plan is designed to keep marijuana waste safe, secure, and compliant with all state and local laws, regulations, and ordinances. Safe disposal of marijuana in a secure and environmentally conscientious manner is crucial for Denali Farms to operate compliantly. AMCO Enforcement will be notified of any marijuana waste at least three (3) days before the waste is rendered unusable and disposed of, via a form designated by the Marijuana Control Board ("MCB").

Before disposal, marijuana waste must be rendered unusable. This process involves grinding and mixing the marijuana waste with equal parts compostable and non-compostable solid wastes until the resulting mixture is at least fifty percent (50%) non-marijuana waste. The resulting marijuana waste mixture will be quarantined away from any other marijuana/marijuana products inside locked containers in a secured location inside the facility and tracked in Metrc. The unusable waste will then be transferred to a locked, outdoor waste storage container. The waste will be regularly picked up by a waste truck and taken to the local landfill. Alternatively, an employee may take the waste to a landfill. This information will be recorded in the disposal log and securely stored as a business record.

The cultivation facility does not anticipate much liquid waste as watering of plants will be monitored to prevent over-watering and most water in drip trays will naturally evaporate into the air. If there is any excess water, it will be reused or composted.

Odor Mitigation and Ventilation Plan – 17.60.160 (B)

Denali Farms will strictly abide by a "No Odor" policy to keep odor from being detectible by the public from outside the property lines of the premises, as mandated in 3 AAC 306.420(a)(2)(F) and 3 AAC 306.430(c)(2).

Odor Prevention

Denali Farms will reduce odor by installing multiple commercial-grade, activated carbon filters throughout the cultivation areas to filter all air before it is vented outside. The carbon filters will be regularly replaced to ensure no odor escapes the facility. Employees will also perform weekly "smell checks." These checks will require an employee to patrol all edges of the property lines to see if they can smell marijuana from these locations. If marijuana scent is detected at the property line edge(s), Denali Farms will immediately replace the carbon filters and implement additional odor mitigation methods (if necessary). Denali Farms has been operating a standard marijuana cultivation in the Matanuska-Susitna Borough for many years now without a single odor complaint or NOV (Notice of Violation issued by AMCO enforcement). Brad and Branden are well versed in the successful installation of odor filtration. Denali Farms is located on a thirty-five (35) acre property, so the licensees do not anticipate detecting odor outside the property lines. Regardless, if odor is discovered over the property lines and a community member takes issue with it, the licensees will remedy the odor concern through climate control, air filtration, ventilation, and exhaust.

Odor Management/Self-Inspection

Denali Farms staff will perform routine smell checks to identify and reduce odors before it affects the surrounding neighborhood. Each smell check conducted will be logged at the facility, using the following indicators when describing smell test results: No Odor, Slight Odor, Moderate Odor, or Strong Odor.

If an odor mitigation method is used but proved to be unsuccessful, another method will be utilized. Furthermore, outside experts may be contacted to help improve odor control techniques.

Hazardous Chemicals Information – 17.60.160 (C)

Denali Farms will ensure that any insecticide or fungicide used will be EPA-approved. The cultivation will be utilizing carbon dioxide (CO_2) in their growing rooms. For general sanitation, Denali Farms will use Simple Green and a bleach-water solution as cleaning agents. All herbicides, fungicides, insecticides, fertilizers, cleaning products, and other chemicals will be used, stored, and disposed of in accordance with their respective manufacturer's recommendations, and in a way that complies with all local, state, and federal laws. Small containers of chemicals will be in the cultivation facility during use. Larger containers of chemicals will be stored securely in the Trim/Packaging/Break Room.

Security Plan – 17.60.160 (D)

Denali Farms has a thorough security plan to fully monitor and guard the facility. The entire premises will be designated as a restricted access area, apart from the bathroom. Trimmed and packaged marijuana will be securely stored. Video records will be stored along with 6 month business records in the equipment storage area.

There will be a security system continuously active to make sure no unauthorized entry occurs without notice. The facility will have signs stating, "Restricted Access Area – Visitors Must Be Escorted" prominently posted on the exterior of the cultivation facility. Visitors that are admitted will be pre-screened and limited in number. Visitors must be escorted by either a licensee, manager, or designated employee for the whole duration of the visit.

All restricted access area doors (including the facility entrance) will have commercial-grade locks and will be under continuous video surveillance. The exterior door will always be locked from the outside but will remain accessible from inside the building for safety/emergency exit reasons. Door sensors will also be installed on all doors, which will trigger the security alarm system if an attempted breach occurs. Upon being triggered, an audible alarm will go off and an electronic alert will be sent to the licensees' cell phones.

Outdoor lighting with commercial LEDs will be affixed at angles and inaccessible heights that deter vandalism and are clear of obstructions. Lighting will cover the facility's exterior door. Exterior lighting will be mounted in a manner that security cameras can cleanly capture anyone within twenty feet (20') of any entrance to the licensed premises or anyone working inside the facility. Outdoor lighting will be positioned downward to avoid light pollution onto other surrounding properties. A licensee or designated employee will habitually inspect lighting fixtures and the alarm system to ensure optimum functionality.

Video surveillance cameras will record all areas where marijuana is grown, cured, processed, packaged, stored, or destroyed. The licensees will always have remote access to the live security footage via their cell phones so they can keep watch on the facility remotely at any time.

All staff must clearly display their employee photo ID badges on their persons while on the premises. During working hours, all staff must either have their marijuana handler permits on hand or filed onsite. Any visitors to the facility must sign into the visitor log and clearly display their visitor badge on their persons during the whole duration of the visit. These measures will help easily identify individuals who are authorized to be on the licensed premises. A licensee or designated employee will regularly patrol the premises and surrounding area to make sure no unauthorized person(s) are loitering, hiding out, or scouting the cultivation facility. As Denali Farms has a rigid "No Loitering" policy, anyone found loitering on or around the premises will be requested to vacate immediately or else law enforcement will be contacted. If loiterers refuse to vacate, law enforcement will be contacted to help enforce this policy.

All employees of Denali Farms will go through a thorough training process upon being hired. Training topics will include (but not limited to) internal policies; local, state, and federal statutes, regulations, and ordinances; theft, diversion, and inversion recognition and prevention; cultivation techniques; sanitation and hygiene; and safety/security procedures.

Additional Narrative Regarding Site Plan & Map Documents

Denali Farms will not have any signs posted with their business name or logo at the facility. In addition to signs stating that video surveillance is in progress, that no one under 21 years old is allowed on the premises, and that the premises is a restricted access area, other signs may be added around the perimeter and at the entrance of the premises stating, "No Trespassing". The location of the cultivation is secluded, located in an existing commercial building surrounded by woods off of West Ayrshire Avenue, where there is little to no pedestrian foot traffic. Since the facility will have about 4-6 employees at any given time and there is a wide clearing around the facility, there will be ample parking to facilitate all vehicles as indicated on the site plan.

Required explanations for a marijuana cultivation facility conditional use permit narrative:

Is the conditional use compatible with and will it preserve or not materially detract from the value, character, and integrity of the surrounding area?

Yes – The proposed use is compatible with the lots of the surrounding area. Denali Farms is located within a 5,000 square foot building. The licensed area including bathrooms and business record & recording equipment storage, will be 4,710 square feet, with 3,801 square feet of that space used for cultivation of marijuana and related activities (not including the hallway, restroom, entry/change room. The proposed use fits into the harmony of the surrounding uses both in size and design. The facility is located on a large agricultural 35-acre lot between West Ayrshire Avenue and West Carpenter Lake Road, with Burma Road as the nearest cross street. As the facility's lot is vast and remotely located, there are no nearby neighbors. The area west of the facility is another large agricultural parcel, while the neighboring lot to the east of the facility is on the other side of Burma Road; there are no neighbors to the north or south of the facility's lot. Therefore, the proposed use will not detract from the character, value, and integrity of the surrounding area. The facility will not produce any noise pollution and has odor control methods in place.

Steps have been taken to reduce the potential negative effects of the proposed use upon adjacent properties. The facility design utilizes natural landscape screening and larger than required setbacks, as the lot is secluded and surrounded by a heavily wooded a rea.

The proposed use will meet all compatible uses allowed on adjacent properties and will improve the overall neighborhood as the premises will not emit odor, will not produce excess dust, will not produce noise pollution, and will have parking & loading on the licensed premises to cut down traffic congestion on the street, thus fitting in with adjacent property uses. As detailed in the attached site plan, there will be ample space for parking on the premises, which will have appropriate accessibility spaces as required under the Americans with Disabilities Act.

Will the granting of the conditional use permit be harmful to the public health, safety, convenience, and welfare?

No – Denali Farms has a detailed security system and plan in place, as required by the state and the Matanuska-Susitna Borough, which includes (but is not limited to) diversion/inversion/ theft control policies, a loitering check plan, sanitary protocols, security cameras, exterior lighting, alarm system, visitor access restrictions, secured doors, unauthorized access procedures, marijuana tracking and transportation, and waste management policies.
The facility is a commercial cultivation that will only allow access to those who are 21 years of age or older and have been approved for a facility visit ahead of time by management.

The following points listed are Denali Farms' procedures and policies to ensure the prevention of any negative impact on the public health, safety, convenience, and welfare:

✓ Denali Farms will not be using any toxic or prohibited fertilizers or pesticides on their crops, which furthers public safety.

✓ There will be no undue burden on the electrical utilities as Denali Farms will have ample electrical service. The owners, Branden, and Brad are very experienced licensees with an existing retail license in Anchorage and cultivation license in Wasilla, in addition to this new cultivation facility.

✓ The facility will be equipped with a 24-hour monitoring alarm system, exterior lighting, and video surveillance. All entrances are secured by commercial locking mechanisms and video surveillance to capture individuals within twenty feet (20'). Inside the licensed premises, video surveillance will cover all areas of the facility (with the exception of the bathroom) continuously (which is stored for a minimum of 40 days) to monitor and identify all activity. All visitors must be pre-approved by management (except AMCO agents and law enforcement). To maintain the security of the facility and all marijuana products, access to the facility will be monitored and restricted at all times. Access will only be granted to employees and licensees, AMCO agents and law enforcement, with the limited exception of pre-approved scheduled visitors. Distinct and apparent cameras will be placed throughout and around the facility to discourage people from attempting unauthorized access.

✓ On-site video surveillance will continuously monitor all areas of the premises. Employees will perform mandatory inventory counts each week, cross-check these counts against Metrc records, and document the reports as official business records. Denali Farms will not tolerate any theft, inversion or diversion of marijuana, and all employees will complete mandatory training in recognizing such activity. Denali Farms' management team understands that diversion can happen in two ways - inversion and diversion - and it is equally profitable diverting product out of the legal system as it is diverting product from the illegal system into the legal market. In the event that an employee is caught stealing marijuana ***or*** infusing the facility with non-regulated black-market product, Denali Farms will notify local law enforcement immediately, comply with all their directives, and provide all necessary information and records for the investigation. Ownership will take the necessary steps to ensure that illegal conduct by an employee does not compromise the facility's license and legitimate business operations. Once a theft is reported, ownership will update the product records in the tracking system, as needed, to maintain an accurate and comprehensive accounting for all marijuana products and inventory. Ownership will comply with all inquiries and investigations lodged by AMCO as a result. Documentation related to marijuana theft will be maintained as a business record for five (5) years and made available to AMCO upon request. Video recordings will be stored for forty (40) days unless it is requested to be stored longer for investigative proceedings. Cameras will provide a full view of the grow areas, entryway, safes, storage, and product packaging areas. Security monitors and video recording equipment will be securely located onsite.

✓ Qualified candidates will be hired on a probationary period during which time they will receive training and evaluation specific to their position. Training will include internal policies and

procedures; state statutes and regulations; diversion, theft, and inversion prevention; cultivation techniques; sanitation and hygiene; legalities of recreational cannabis at state and federal levels; Metrc use; and safety protocols. Training will take place throughout the year. Refresher training will be provided when regulations or policies change. A licensee or manager will present training and education to employees. As proper safety and security procedures are of the utmost importance to Denali Farms, the most up-to-date reading materials will always be available to employees. Prior to beginning work, employees will be expected to understand: (1) Alaska laws, regulations, and codes governing the marijuana industry and marijuana establishments; (2) all of the permitting requirements to act as a marijuana handler (including obtaining a Marijuana Handler card from a state-approved course provider prior to commencing employment) and to work in a marijuana establishment; (3) Denali Farms standards, operational protocol, and best practices with regard to marijuana cultivation; (4) general safety procedures and security protocol; (5) how to think defensively if threatening situations occur; (6) in-depth information about particular strains and their features; (7) in-depth information on the requirements of each room, task, and system; and (8) the general federal, state, and local employment regulations by which Denali Farms is governed. To ensure full coverage for each position, all employees will be cross-trained on the requirements of each job.

✓ Denali Farms will have "No Loitering" signs clearly posted around the licensed premises. If an employee suspects that a person is loitering, they will be given a verbal warning to "leave the premises or else law enforcement will be notified". Trained employees will maintain regular periodic checks around the property to deter any unauthorized entrance or loitering around the facility. The exterior lighting system will keep the premises well-lit during closed hours and provide extra lighting for all surveillance recordings. Exterior lighting will be shielded and angled downward to mitigate any unwanted light pollution. The alarm system will monitor for intrusions with motion detectors on all access points, including the entrance to the licensed facility, office, and secured storage, during closed hours. Live security footage will also be accessible to licensees and management via their cellular phones, so they may keep an eye on the facility even when they are away. Any attempted or actual intrusion will prompt an automatic, electronic alert to the third-party security company who will then contact the licensees and local law enforcement. All alarm systems and devices will be tested every six (6) months.

For additional protections to ensure the prevention of any negative impact on the public health, safety, convenience, and welfare, please see the odor control and security plan sections discussed *supra*.

Are there sufficient setbacks, lot area, buffers and other safeguards being provided?

As described previously, Denali Farms is located within a 35-acre parcel. This application and the layout of Denali Farms meets the required setbacks, buffers, and lot area as set forth per MSB 17.60.160(E). The entire cultivation operation is enclosed in a commercial-grade building.

There will be plenty of onsite parking developed on the site to serve this proposed use.

The facility has incorporated all the above measures to reduce the negative effects on the surrounding properties, including but not limited to natural landscaping screening and large setbacks.

The facility will not produce any noise pollution and has an odor control method in place. A robust security plan and the "No Loitering" policy will be implemented and thoroughly communicated to all employees. Additional safeguards include the following:

✓ The lighting fixtures will be positioned at an inaccessible height with sturdy housings to deter vandalism and prevent common obstructions. The bulbs will be extremely bright to maximize visibility and deter crime. The exterior lighting will be checked daily by the manager on duty or a licensee to ensure that each light in the system is operational, and that each mount is positioned for optimum recording clarity and to deter unauthorized presence on the premises.

✓ A third-party security company will install the alarm system and will continuously monitor the electronic notifications in the event the alarm is triggered. The security company will periodically visit to check and maintain the equipment.

Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use of this section?

Yes – The conditional use fulfills other requirements of MSB 17.60 (Conditional Uses). Documentation and explanation of this is found throughout the CUP application.

Describe measures being taken to prevent potential negative effect upon other properties in the area due to such factors as noise and odor.

The proposed use will produce very little noise. Denali Farms does not anticipate any noise to come from the facility, and if any noise is to be produced it will be comparable to surrounding land uses. The roads that serve the facility and surrounding uses do not appear to be used currently to their maximum capacity, therefore, any increase in traffic flow on the roads serving the area will be sufficient to serve the area with this new proposed cultivation use. All activity will occur during normal daytime hours.

Ownership will abide by a strict "No Odor" policy per MSB 17.60.150(A)(1) that will ensure no odor is detectible by the public from outside the facility as required by 3 AAC 306.420(a)(2)(F) and 3 AAC 306.430(c)(2). Out of an abundance of caution, odor control methods will be utilized and will consist of several methods meant to eliminate odors. Commercial-grade activated carbon filters will be used throughout the cultivation to filter all air before it is vented outside. These carbon filters will be regularly checked and replaced to ensure no odor is escaping the facility. Denali Farms staff will routinely do "smell checks" around the property's perimeter to make sure no odor is present. Marijuana product will be packaged in sealed, air-tight containers. Air sanitizers will be used when transporting marijuana to/from the premises.

For additional information, please see the odor control and noise mitigation sections discussed previously in this narrative.

Describe how use is compatible with the character of the surrounding area.

The facility is compatible with the character of the surrounding area as it exists on a largely remote property with very few neighboring lots (which are distanced well beyond the required setback distances). There are also some vacant parcels of land nearby that have yet to be developed. The secluded character of the surrounding parcels and their uses are a good fit for a cultivation facility, which will not detract from the character, value, and integrity of the surrounding area.

Current status of State License Application Process.

The Application has been approved with delegation by the Marijuana Control Board.

Misc. Items and Information.

Please see attached parking layout diagram, which complies with MSB 17.60.170(B) and (C).

Proposed hours of operation for the cultivation shall be 8 am until 4:30 pm Monday through Sunday.

Number of employees onsite will be between 4 and 6, depending on employee shifts, season, and other needs of the cultivation.

Thank you for your consideration of this conditional land use application.

Peggy Horton

From: Branden Bartlett <branden@denalidispensaries.com>
Sent: Friday, May 13, 2022 2:01 PM
To: Peggy Horton
Subject: Re: Denali Farms question

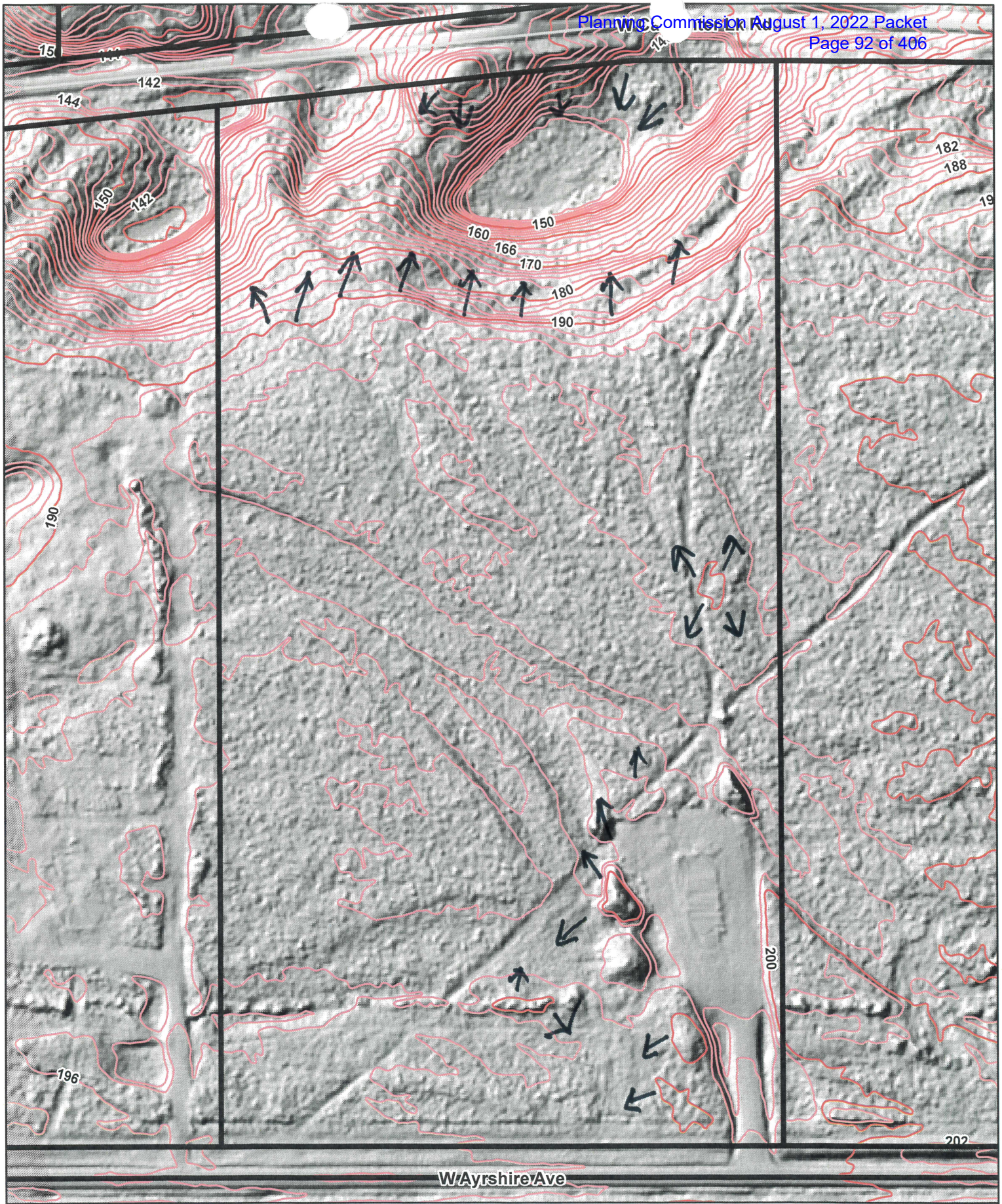
[**EXTERNAL EMAIL** - CAUTION: Do not open unexpected attachments or links.]
Hey Peggy,

They are on dusk till dawn sensors.

Thanks,
Branden

On Fri, May 13, 2022 at 1:59 PM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

> Hi Branden,
>
> Looking over your application and I came up with one question.
>
> Are the exterior lights on at all times or are they on sensors?
>
> Regards,
>
> Peggy Horton
>
> Matanuska-Susitna Borough
>
> Development Services Division
>
> Planner II
>
> 907-861-7862



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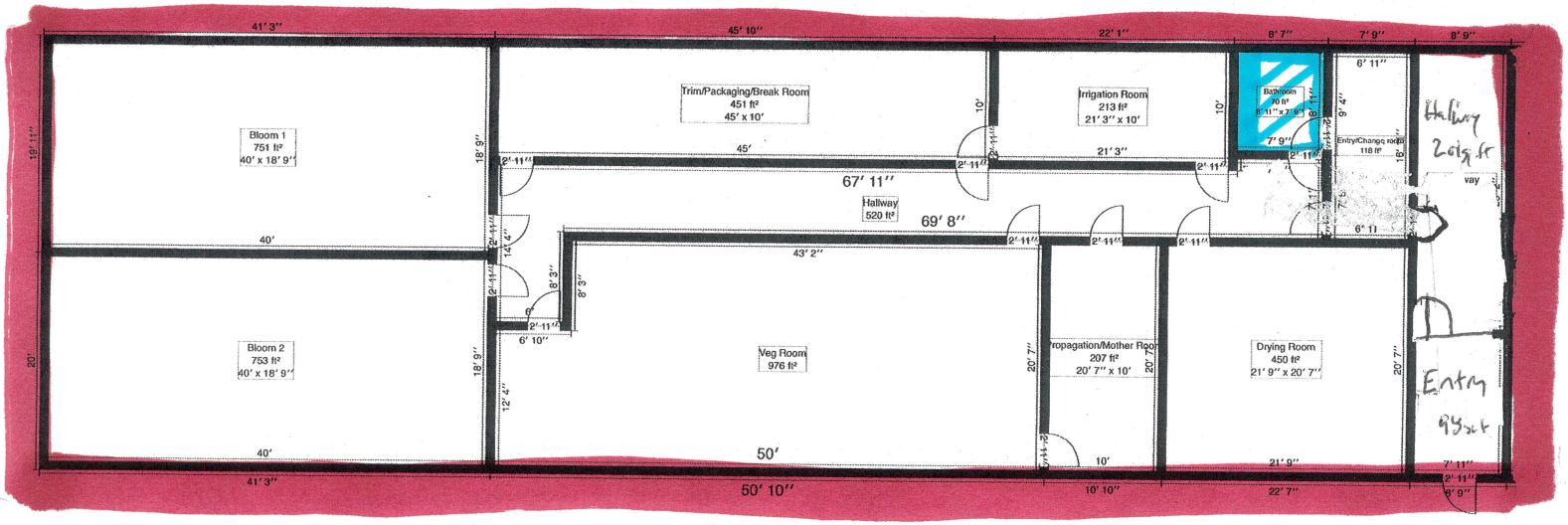
Hillshade with Contours for 4136B03L004

↑ - drainage

0 140 280 Feet

MSB Development Services Division: 4/6/2022

Denali Farms
23161 W. Ayrshire Avenue
Big lake, Ak 99652
Phase 1



- Proposed licensed premises & Restricted access area

- non- restricted Bathroom

3' 3"

Owner Permission Letter for Use and Occupancy of Premises

Matanuska-Susitna Borough
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

Re: Denali Cultivation, LLC DBA Denali Farms - 23161 W. Ayrshire Avenue, Big Lake, Alaska 99652.

Dear Planning Office,

I, Peggy Rotan, hereby grant permission for Denali Cultivation, LLC dba Denali Farms to lease and use my property located at 23161 W. Ayrshire Avenue, Big Lake, Alaska 99652 as a standard marijuana cultivation facility. I am aware that Denali Farms will be commercially growing and selling marijuana on this property once the cultivation facility is inspected and approved by AMCO.

I, Branden Bartlett, As Managing Member of Denali Cultivation, LLC., authorize Jana Weltzin and her firm of JDW, LLC to take all necessary actions to apply for and obtain one (1) conditional use permits for the operation of a standard marijuana cultivation facility of the property owned by Peggy Rotan located at Carpenter Lk Add #1 Block 3 Lot 4, Commonly known as, 23161 W Ayrshire Avenue, Big Lake, Alaska 99652.

If you have any questions regarding this correspondence, please feel free to contact me.

Sincerely,

Branden Bartlett.

Property Owner

Peggy Rotan

Denali Cultivation, LLC

Branden Bartlett – its Managing Member.

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Date: 11/1/2021

1 inch = 500 feet

0 500 1,000 Feet

N

Peggy Horton

From: Peggy Horton
Sent: Wednesday, April 6, 2022 11:08 AM
To: 'branden@denalidispensaries.com'
Subject: 4/5/22 discussion and Topo Maps for Denali Farms
Attachments: Aerial with Contours.pdf; Hillshade with Contours.pdf

Hi Branden,

I just wanted to make sure we're both on the same page and go over our discussion yesterday.

You agreed to find the original survey so I can copy it to scale

I will then use approximations for the distances to the western and northern property lines that are not on the survey.

I asked you to send the AMCO board delegation letter. But, I found it in the file, you don't need to send it.

Attached are two maps showing the topographic contours for the property.

You will send in the floor plan for the building.

You will update the narrative.

You have applied for a driveway permit. FYI, it was received and is currently in review status. If you want to know more about the status or the driveway permit process, call the Permit Center at 861-7822.

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

Michelle Olsen

From: Michelle Olsen
Sent: Friday, June 24, 2022 11:45 AM
To: 'pjrotan@yahoo.com'; 'branden@denalidispensaries.com'
Cc: Peggy Horton
Subject: Driveway Approval

DRIVEWAY PERMIT

PERMIT # D28419
TAX PARCEL ID # 4136B03L004

The Matanuska-Susitna Borough has performed the Final Inspection of the existing driveway. The driveway has been adequately constructed to Borough standards and to the conditions outlined by the initial driveway inspector. **Your Approved Driveway Permit Number is listed above.**

Please keep this letter.

Any changes in land use or modifications of the driveway may require additional permitting. If you have any questions or concerns about your driveway or this permit, you may contact the Permit Center at 907-861-7822.

Sincerely,
Michelle Olsen, CFM
Permit Technician

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue, Palmer, Alaska 99645
(907) 861-7822 Fax (907) 861-8158
E-mail: PermitCenter@matsugov.us

Matanuska-Susitna Borough
Permit Center

FEB 0 2 2022

Received

Driveway Permit Application

Permit Fee $200 ($150 Refundable if completed within 3 years) **PERMIT NO: 28419**

Property Owner (Name):			**Applicant/Agent (Name):**		
Peggy Rotan			Denali Farms		
Mailing Address:			**Mailing Address:**		
			P.o box 200132		
City:	**State:**	**Zip:**	**City:**	**State:**	**Zip:**
			Anchorage	Ak	99520
Phone:			**Phone:**		
			9072441881		
Email *(optional)*:			**E-mail *(optional)*:**		
pjrotan@yahoo.com			branden@denalidispensaries.com		
Site Address:			**Driveway Location Will Be Marked With:**		
23161 W Ayrshire Ave			Existing		
Property Tax ID #:			**Expected Completion Date:**		**Driveway Surface Type:**
4136B03L004			2/1/2022		Gravel
Applying for Access Onto:			**Distances:**		
Ayrshire Ave			Left: 867'	Width:	Right: 10'
Only Corrugated Metal Pipe Culvert is Allowed			**Path or sidewalk dimension (if applicable):**		
Culvert Length:	Diameter:				

Intended Use:

☐ Single Family ☐ Mutli-Family # of units _____

☒ Commercial - Type: Marijuana Cultivation Facility Est. "peak hours" trips per day: 8-5

Driveway existed befor MSB rebuilt roadway.

C Nicholson 6/23/2022

CMP-7-6-3-21511
PLN - DVS - Permits - DVS - 4136B03L004 - Driveway - D28419 - Carpenter Lk Add #1

RECEIVED
APR 5 2022
Mat-Su Borough
Development Services

State of Alaska
Office of the State Fire Marshal
Plan Review

This is to certify that the plans for this building were reviewed by the *State Fire Marshal* on October 21, 2021 for conformance with AS 18.70.010 – 100; 13 AAC 50.027.

This certificate shall be posted in a conspicuous place on the premises named Denali Farms (W. Ayrshire Ave.) and shall remain posted until construction is completed.

NOTICE: Any changes or modifications to the approved plans **must** be resubmitted for review by the *State Fire Marshal*.

Plan Review #: **2021Anch1614** By: Greg Medina

Greg Medina
Plans Examiner

Authority: AS 18.70.080
Form: 12-741
(6/01)

Full Plan Review

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 8, 2021

Denali Cultivation, LLC

DBA: Denali Farms

Via: branden@denalidispensaries.com

Re: Denali Farms #28617

Dear Denali Cultivation, LLC:

At the October 26 - 28, 2021 meeting of the Marijuana Control Board in Anchorage, Alaska, the board voted to approve your new standard marijuana cultivation facility application with delegation to the director. Delegation means that the board has authorized me to issue the license once all outstanding approvals are received.

Attached are post-approval instructions and the pre-inspection checklist, which provide information on your next steps. Please note that the pre-inspection checklist is informational. You will be provided with an individualized checklist at the appropriate time.

Please contact marijuana.licensing@alaska.gov with any questions.

Sincerely,

Carrie Craig
Records and Licensing Supervisor

For
Glen Klinkhart, Director

cc: License File
Matanuska – Susitna Borough

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

What is this form?

An operating plan is required for all marijuana establishment license applications. Applicants should review **Title 17.38** of **Alaska Statutes** and **Chapter 306** of the **Alaska Administrative Code.** This form will be used to document how an applicant intends to meet the requirements of those statutes and regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020(c).

What must be covered in an operating plan?

Applicants must identify how the proposed premises will comply with applicable statutes and regulations regarding the following:

- Control plan for persons under the age of 21
- Security
- Business records
- Inventory tracking of all marijuana and marijuana product on the premises
- Employee qualification and training
- Health and safety standards
- Transportation and delivery of marijuana and marijuana products
- Signage and advertising

Applicants must also complete the corresponding operating plan supplemental forms (**Form MJ-03, Form MJ-04, Form MJ-05,** or **Form MJ-06)** to meet the additional operating plan requirements for each license type.

Section 1 – Establishment & Contact Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Denali Cultivation, LLC	**MJ License #:**	28617		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Denali Farms				
Premises Address:	23161 W. Ayrshire Avenue				
City:	Big Lake	**State:**	Alaska	**ZIP:**	99652

Mailing Address:	P.O. Box 200132				
City:	Anchorage	**State:**	Alaska	**ZIP:**	99520

Designated Licensee:	Branden Bartlett		
Main Phone:	907-244-1881	**Cell Phone:**	907-244-1881
Email:	branden@denalidispensaries.com		

Alaska Marijuana Control Board

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Section 2 – Control Plan for Persons Under the Age of 21

2.1. Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

The entirety of Denali Farms' premises will be designated a restricted access area. Each ingress point will have a sign measuring at least twelve inches (12") by twelve inches (12") stating "Video Surveillance in Progress," "No one under 21 years of age allowed," and "Restricted Access Area: Visitors Must Be Escorted". Letters on the signs will be at least one-half inch (1/2") in height & in a color that contrasts with the background of the sign. Video surveillance cameras will be visible throughout the facility as well as around the exterior perimeter of the building and will continuously monitor the premises to deter unauthorized or underage individuals from attempting to access the premises. There will be a designated entrance for employees, which will be continuously locked with commercial-grade locks. Door alarms will also be used to prevent unauthorized access. With the exception of AMCO agents, law enforcement, or other duly authorized individuals, any Denali Farms visitor must make an appointment with a Licensee. Before being allowed into the premises, all visitors must produce a valid photo identification that shows that the visitor is 21 years of age or older. The only acceptable forms of identification are: an unexpired, unaltered passport; an unexpired, unaltered driver's license; instruction permit, or identification card of any state or territory of the United States, the District of Columbia, or a province in Canada; or an identification card issued by a federal or state agency authorized to issue a driver's license or identification card. Any individual that does not produce the requisite identification will be immediately escorted from the property. If a person refuses to leave the premises when requested to do so, law enforcement will be contacted to enforce this policy.

Section 3 – Security

Restricted Access Areas (3 AAC 306.710):

3.1. Describe how you will prevent unescorted members of the public from entering restricted access areas:

Denali Farms will post signs around the facility that state "Restricted Access Area" and "Visitors Must Be Escorted" to aid in preventing any unescorted members of the public from entering any restricted access areas. The signs will be no less than twelve inches (12") long & twelve inches (12") wide, with letters at least one-half inch in height & in high contrast to the background color of the sign. Surveillance cameras will continuously monitor all interiors and exteriors of the facility. All doors will utilize commercial-grade locks, which will remain locked at all times. All visitors will be provided with a visitor badge and employees will be provided a facility ID badge, which must be prominently displayed on their persons at all times.

3.2. Describe your recordkeeping and processes for admitting visitors into and escorting them through restricted access areas:

At all times that employees and licensees are in a restricted access area, they shall wear an ID badge with their name and photo prominently displayed. Visitors must be escorted at all times by an employee, with no more than 5 visitors per each supervising employee at any one time. A Visitor's Log will be maintained, with the name, date, purpose of visit (if necessary), time of entry and exit for each visitor admitted to a restricted access area. All visitor logs will be kept as an official business record and will be made available to AMCO upon request. Any Denali Farms visitor must schedule an appointment with a Licensee, with the exception of AMCO agents, law enforcement, or other duly authorized individuals. Once a visitor has been properly approved and scheduled, they will be directed to meet the Licensee or designated employee outside the facility. The visitor will be asked to produce a valid form of government-issued, photo identification to confirm their identity and prove that they are at least 21 years of age. The visitor will be given a visitor badge to be clearly displayed on their person for the duration of the visit. The Licensee or the escorting employee will actively supervise visitors throughout the duration of their visit. When the visit is complete, all visitors must return their visitor's badge and exit the premises.

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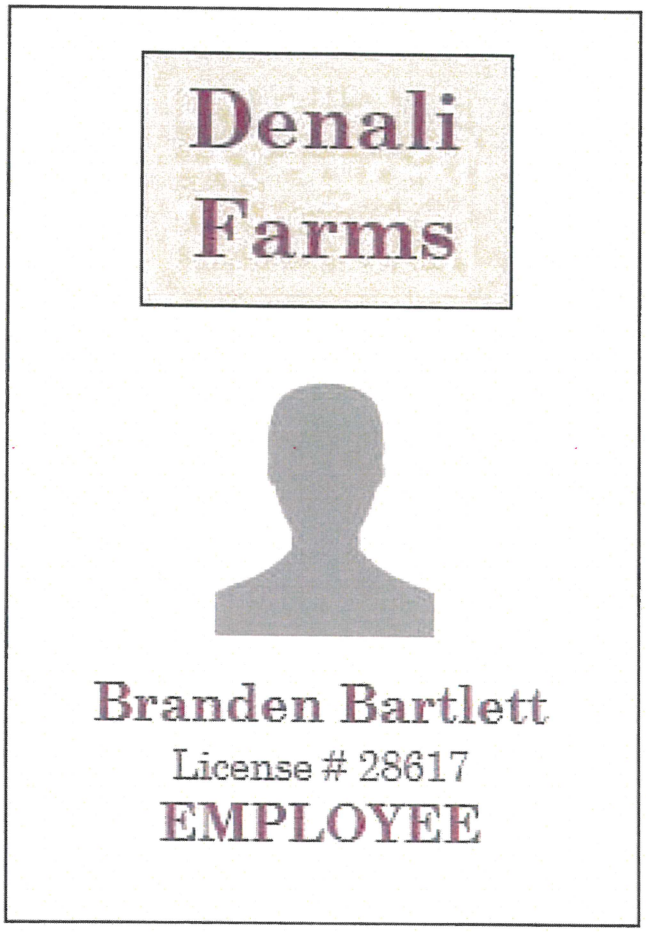
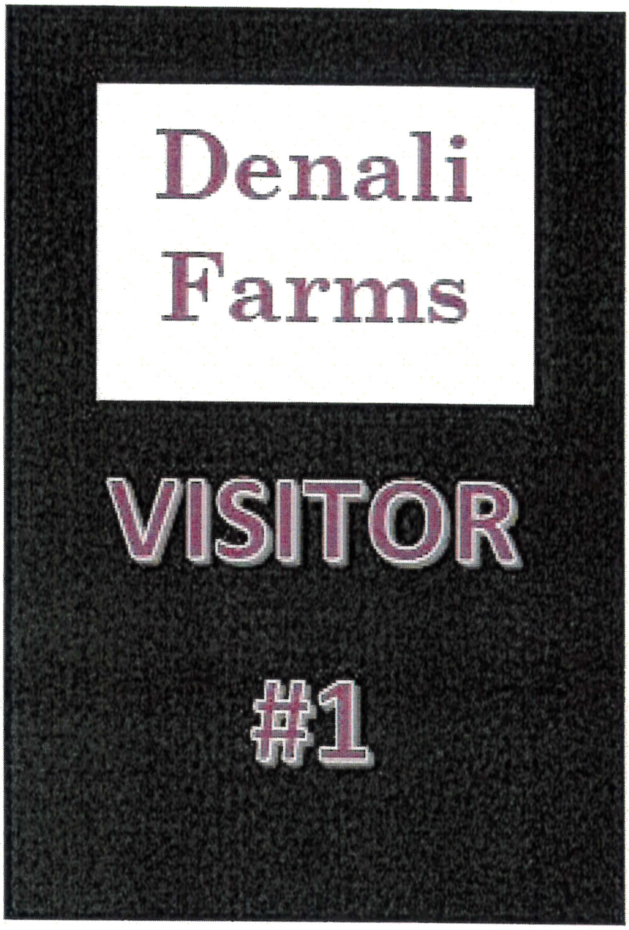
3.3. Provide samples of licensee-produced identification badges that will be displayed by each licensee, employee, or agent while on the premises, and of visitor identification badges that will be worn by all visitors while in restricted access areas:





Security Alarm Systems and Lock Standards (3 AAC 306.715):

3.4. Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

Denali Farms will utilize bright outdoor lighting to deter nuisance activity and enhance surveillance video. The exterior lighting will be commercial LEDs, placed and angled to illuminate the entire perimeter of the building, while minimizing light pollution in the surrounding lots. The light fixtures will keep the premises and any signs well lit, and allow the exterior surveillance cameras to record individuals up to 20 feet from all entry points to the building. The lighting fixtures will be positioned at an inaccessible height with sturdy housings to deter vandalism and prevent obstructions. A Licensee or designated employee will frequently walk the perimeter and check the surveillance camera feed to ensure that all lights are operational, and in the optimum positions to enhance the clarity of video recordings.

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3.5. An alarm system is required for all license types that must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe the security alarm system for the proposed premises, explain how it will meet all regulatory requirements, and outline your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when the alarm system alerts of an unauthorized breach:

Denali Farms will either contract with a third party security company to install an alarm system or will install a security system that is regulation-compliant, which will monitor for intrusions. All windows and entry doors will have sensors which will sound an audible alarm and send an electronic alert to the Licensee if triggered. The alarm system will be active at all times when the facility is closed. At the start of the business day, the first Licensee or employee to reach the facility will disarm the alarm. At the end of the business day, the last Licensee or employee to leave the facility will arm the security system before leaving.
In the case of an unauthorized breach during business hours, a Licensee or a designated employee will evacuate the building to a pre-determined safe area. Once at the safe location, the Licensee or designated employee will take a head count of all persons, including any visitors to the facility, to ensure that everyone is accounted for. If a person is missing, law enforcement will be notified of their absence. The Licensee or designated employee will await instruction from law enforcement & comply with all directives. Once it is safe to do so, visitors will return their visitor badges, be signed out of the visitor log and leave the premises. Then, employees and Licensees will return to the facility, where they will then inspect the property for damage, take inventory, and note any theft. Denali Farms will submit all necessary or requested documentation to law enforcement officials and AMCO. Any event that occurs on the licensed premises that involves local law enforcement will be reported within twenty-four (24) hours, via email, to AMCO.

3.6. Describe your policies and procedures for preventing diversion of marijuana or marijuana product, including by employees:

All of the facility's restricted access areas will be continuously monitored with video surveillance. Denali Farms will conduct weekly inventory counts, during which inventory on hand will be compared with Metrc generated reports. These weekly inventory counts are documented and maintained as business records. If it is discovered or suspected that theft, inversion or diversion has occurred, employees will alert a Licensee immediately. Employees will complete mandatory training in identifying theft, inversion, and diversion of marijuana. If it has been determined that an employee has been stealing, law enforcement will be notified immediately. Denali Farms will comply with all law enforcement and AMCO directives, and provide the necessary information and records for a thorough investigation. Once a theft is reported, the licensee will update both the business records of the company and product records in Metrc... (Cont. on pg. 11)

3.7. Describe your policies and procedures for preventing loitering:

Denali Farms will utilize business practices that discourage loitering. The exterior will be well lit and equipped with 24-hour video surveillance and "No Loitering" signs. Denali Farms' employees shall deter loitering and prevent unauthorized access to the premises by maintaining a noticeable presence in and around the facility. A Licensee or designated employee will frequently, but not on a scheduled basis, walk around the facility to check for unauthorized persons and changes to the security system and lighting. All loiterers and unauthorized persons will be immediately asked to leave the premises. If such individuals do not comply, then law enforcement will be notified. No visitors will be permitted to remain on the property after their escorted visit has concluded.

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

3.8. I certify that if any additional security devices are used, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm, to enhance security of the licensed premises, I will have written policies and procedures describing their use. BSB

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Video Surveillance (3 AAC 306.720):

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box:	Initials
3.9. The video surveillance and camera recording system for the licensed premises covers each restricted access area, and both the interior and exterior of each entrance to the facility.	BSB
3.10. Each video surveillance recording: is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing (consistent with the Alcohol & Marijuana Control Office's approved format list); clearly and accurately displays the time and date; and is archived in a format that does not permit alteration of the recorded image.	BSB
3.11. The surveillance room or area is clearly defined on the Form MJ-02: Premises Diagram that is submitted with this application.	BSB
3.12. Surveillance recording equipment and video surveillance records are housed in a designated, locked, and secure area or in a lock box, cabinet, closet or other secure area where access is limited to the licensee(s), an authorized employee, and law enforcement personnel (including an agent of the Marijuana Control Board).	BSB

3.13. Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

Multiple cameras will be used to record all interiors and exteriors of the premises. Cameras will be angled and installed at an inaccessible height to prevent any blockages from fixtures, posts, display cases, or other equipment. Security cameras, with the help of bright lighting, will capture the best possible facial image of anyone present inside the building and within twenty feet (20ft.) of a point of egress or ingress. A failure notification system will be installed to provide an audible and visual notification of any surveillance system failures. In the case of a power outage, all video cameras & recording equipment will run on emergency power, via a battery backup system, for at least one hour (1hr.) to ensure continued operation. Denali Farms' Licensees or a designated employee will regularly check the cameras and surveillance equipment to ensure that all cameras are in good working order, and that all areas of the facility are covered by video surveillance.

3.14. Describe the locked and secure area where video surveillance recording equipment and original copies of surveillance records will be housed and stored, and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the Marijuana Control Board. If you will be using an offsite monitoring service and offsite storage of video surveillance records, your response must include how the offsite facility will meet these security requirements:

At least six months' worth of surveillance and business records will be stored on-site in a locked cabinet in the secured office area. Records may be stored off-site if they are older than six months. Denali Farms will keep hard copies of all business records for a minimum of 5 years. The security system shall be password protected to prevent any data tampering. Recorded data will be stored as an official business record for a minimum of forty days. All surveillance footage will be accessible for upload to a separate hard drive in case it must be stored longer for criminal, civil, or administrative investigations. All recordings will be date and time stamped, and archived in a format that prevents alteration of the recording. In accordance with standard data retention policies, a Licensee or designated employee will manage facility records to ensure that all records are stored in a consistent & searchable manner. Only the Licensees or a designated employee will have access to the business records. All records will be stored separately from any currency, marijuana, or marijuana products.

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Section 4 – Business Records

Review the requirements under 3 AAC 306.755. All licensed marijuana establishments must maintain, in a format that is readily understood by a reasonably prudent business person, certain business records.

4.1. I certify that the following business records will be maintained and kept on the licensed premises: Initials

a. **all books and records necessary to fully account for each business transaction conducted under my license for the current year and three preceding calendar years** *(records for the last six months must be maintained on the licensed premises; older records may be archived on or off-premises)*; BSB

b. **a current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment;** BSB

c. **the business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises;** BSB

d. **records related to advertising and marketing;** BSB

e. **a current diagram of the licensed premises, including each restricted access area;** BSB

f. **a log recording the name, and date and time of entry of each visitor permitted into a restricted access area;** BSB

g. **all records normally retained for tax purposes;** BSB

h. **accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a consumer, to another marijuana establishment, or destroyed;** BSB

i. **transportation records for marijuana and marijuana product, as required by 3 AAC 306.750(f); and** BSB

j. **registration and inspection reports of scales registered under the Weights and Measures Act, as required by 3 AAC 306.745.** BSB

4.2. A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records. Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

All video surveillance recordings will be stored for at least forty (40) days. A minimum of six months' business records such as operational and regulatory documents, recordings, surveillance, financial books, inventory and employment records, logs, manifests, and communications will be stored on-site in the secured office area, in a locked cabinet. A Licensee or a designated employee will manage facility records in accordance with standard data retention policies, ensuring that business records are stored in a consistent, searchable and accessible manner. Denali Farms will keep hard copies of all business records for at least five years, but records older than six months may be securely stored off-site.

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Section 5 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730. All licensed marijuana establishments must use a marijuana inventory tracking system capable of sharing information with Metrc to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana is propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a marijuana product, to a completed sale of marijuana or marijuana product, or disposal of the harvest batch of marijuana or production lot of marijuana product.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box:	Initials
5.1. My marijuana establishment will be using Metrc, and if any other tracking software is used, it will be capable of sharing information with Metrc.	BSB
5.2. All marijuana delivered to a marijuana establishment will be weighed on a scale registered in compliance with 3 AAC 306.745.	BSB
5.3. My marijuana establishment will use registered scales in compliance with AS 45.75.080 (Weights and Measures Act), as required by 3 AAC 306.745.	BSB

Section 6 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700. All licensees, and every employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, must obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box:	Initials
6.1. All licensees, and each employee or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at the marijuana establishment.	BSB
6.2. Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person's marijuana handler permit card in that person's immediate possession (or a valid copy on file on the licensed premises) when on the licensed premises.	BSB
6.3. Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that person's marijuana handler permit card is valid and has not expired.	BSB

6.4. Describe any in-house training that will be provided to employees and agents (apart from a marijuana handler course):

All Licensees & employees of Denali Farms will be required to have a current marijuana handler permit on or before the start date of employment and must keep it current for the duration of their employment. To maintain compliance, Denali Farms will regularly verify handler card status. Denali Farms will create an in-house training plan that will include: internal policies and procedures; state statutes and regulations; diversion, theft, and inversion prevention; cultivation techniques; sanitation and hygiene; legalities of recreational cannabis both State and Federal; Metrc use; and safety protocols. New employee training will be arranged by a Licensee, who will either complete the training of the new employee themselves, or delegate the task to a properly-trained employee. New employees will complete all training before beginning any regular job duties. Training will be refreshed on an as-needed basis.

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Section 7 – Health and Safety Standards

Review the requirements under 3 AAC 306.735.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box:	Initials
7.1. I understand that a marijuana establishment is subject to inspection by the local fire department, building inspector, or code enforcement officer to confirm that health or safety concerns are not present.	BSB
7.2. I have policies regarding health and safety standards (including: ensuring a person with an illness or infection does not come into contact with marijuana or marijuana product; good hygienic practices; cleaning and maintenance of equipment and the premises; pest deterrence; chemical storage; sanitation principles; and proper handling of marijuana and marijuana product) and will take all reasonable measures and precautions to ensure that they are met or exceeded.	BSB
7.3. I have policies to ensure that any marijuana or marijuana product that has been stored beyond its usable life, or was stored improperly, is not salvaged and returned to the marketplace.	BSB
7.4. I have policies to ensure that in the event information about the age or storage conditions of marijuana or marijuana product is unreliable, the marijuana or marijuana product will be handled in accordance with 3 AAC 306.735(d).	BSB

Answer "Yes" or "No" to each of the following questions:	Yes	No
7.5. Adequate and readily accessible toilet facilities that are maintained and in good repair and sanitary condition are clearly indicated on my Form MJ-02: Premises Diagram.	✓	
7.6. Convenient handwashing facilities with running water at a suitable temperature are clearly indicated on my Form MJ-02: Premises Diagram.	✓	

7.7. If you answered "No" to either 7.5 or 7.6 above, describe how toilet and/or handwashing facilities are made accessible, as required by 3 AAC 306.735(b)(2):

Section 8 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750.

8.1. Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment. Include a description of the type of locked, safe, and secure storage compartments to be used in vehicles transporting marijuana or marijuana product:

A Metrc-generated transport manifest will accompany all marijuana in transit. A copy of the manifest will be sent with the product and an additional copy will be maintained on the premises as a business record. The manifest will document the strain name, weight, batch number, name of the transporter, transporter's ID, time of departure and expected delivery time, and the make, model, and license plate of the transporting vehicle. The transport vehicle will travel directly between destinations without making any unnecessary stops. Any unexpected stops will be documented. Marijuana will be in sealed containers holding not more than ten (10) pounds, inside a locked storage compartment within the vehicle or truck bed for wholesale transactions. At no time during transit will marijuana be visible outside the vehicle. The shipping container will have a label stating that a licensed testing facility has tested each batch in the shipment and list; (1) the date of final testing; (2) the cannabinoid potency profile (expressed as a range of percentages that extends from the lowest percentage to highest percentage of concentration for each cannabinoid listed from every test conducted on that strain of marijuana from the same Denali Farms facility within the last three months); (3) a statement listing the results of microbial testing, including molds, mildew, filth, herbicides, pesticides, fungicides, and harmful chemicals. All facility packaging will be performed in the designated packaging area and monitored with 24-hour video surveillance. Packaging will be uniform with labels secure & prominently displayed. Denali Farms will use certified scales,... (Cont. on pg. 11)

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You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box: Initials

8.2. The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700. BSB

8.3. The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle. BSB

8.4. The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport. BSB

8.5. During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport. BSB

8.6. Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment. BSB

8.7. When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received. BSB

8.8. The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest. BSB

Section 9 – Signage and Advertising

Review the requirements under 3 AAC 306.770.

9.1. Describe any signs that you intend to post on your establishment, including quantity, dimensions, graphics, and location on your establishment (photos or drawings may be attached):

Denali Farms does not intend to post any signs with a business name or logo on the facility.

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Form MJ-01: Marijuana Establishment Operating Plan

9.2. Describe any advertising you intend to distribute for your establishment. Include medium types and business logos (photos or drawings may be attached):

Denali Farms' logo is still in development, and will be submitted to AMCO once complete. All advertisements will contain the AMCO-required warning statements, verbatim.

Denali Farms may utilize the following medium types when distributing advertisements:
*Newspaper Advertisements
*Radio Advertisements
*Social Media (for featuring specific strains)
*Magazine Advertisements
*Sponsorships & Fundraisers
*Company website for Denali Farms
*Online platforms such as LeafLinks, etc.

I declare under penalty of unsworn falsification that this form, including all accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

STATE OF ALASKA
NOTARY PUBLIC
Mercedes Curran
My Commission Expires Dec 20, 2023

Notary Public in and for the State of Alaska

Branden Bartlett
Printed name of licensee

My commission expires: 12/20/2023

Subscribed and sworn to before me this 2nd day of March, 20 22.

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(Additional Space as Needed):

3.6 Continued: Only the Licensee or specific highly-trained employees will have access to marijuana storage areas. Continuous video surveillance will record and monitor the marijuana storage areas and individuals entering and exiting these areas. Video records will be stored for at least forty (40) days. Cameras will be installed throughout the facility in order to provide a clear view of all restricted access areas. Security recording equipment will be stored in a locked cabinet in the secured office area.

8.1 Continued: ... in compliance with the Alaska Weights and Measures Act, and will maintain registration and inspection reports at the facility. After marijuana is packaged, it will be placed in sanitized, air-tight containers, labeled with all the information needed for regulatory compliance, and given a Metrc barcode. Plastic packaging will be heat-sealed without an easy-open tab, dimple, corner, or flap. Packaged marijuana will be stored in a secured area until ready for transport. All packaging will be inspected, accepted or rejected, and recorded in the log. A Licensee or designated employee will check all final marijuana packages to ensure that they will prevent contamination and not impart toxic or deleterious substances. Labels will include: Denali Farms' name and license number; the date the marijuana was harvested; the assigned harvest batch number; the date of packaging; the net weight and the quantity of usable marijuana packaged (in a standard of measure compatible with the inventory tracking system); a complete list of all pesticides, fungicides and herbicides used in the cultivation of the marijuana. Denali Farms may contract with a third-party transport company to assist in the transportation of marijuana and will ensure that all drivers and handlers follow AMCO regulations and have active, valid marijuana handler permits.

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Alaska Marijuana Control Board

Operating Plan Supplemental
Form MJ-04: Marijuana Cultivation Facility

What is this form?

This operating plan supplemental form is required for all applicants seeking a marijuana cultivation facility license and must accompany **Form MJ-01: Marijuana Establishment Operating Plan**, per 3 AAC 306.020(b)(11). Applicants should review **Chapter 306: Article 4** of the **Alaska Administrative Code.** This form will be used to document how an applicant intends to meet the requirements of the statutes and regulations.

If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020 and 3 AAC 306.420(2).

What additional information is required for cultivation facilities?

Applicants must identify how the proposed establishment will comply with applicable regulations regarding the following:

- Prohibitions
- Cultivation plan
- Waste disposal
- Odor control
- Testing procedure and protocols
- Packaging and labeling

This form must be completed and submitted to AMCO's main office before any new or transfer application for a standard marijuana cultivation facility or limited marijuana cultivation facility license will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Denali Cultivation, LLC	**MJ License #:**	28617		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Denali Farms				
Premises Address:	23161 W. Ayrshire Avenue				
City:	Big Lake	**State:**	Alaska	**ZIP:**	99652

Alaska Marijuana Control Board

Form MJ-04: Marijuana Cultivation Facility Operating Plan Supplemental

Section 2 – Overview of Operations

2.1. Provide an overview of your proposed facility's operations. Include information regarding the flow of marijuana from seed or clone to harvest and transfer from your premises:

All Denali Farms marijuana will be tracked from seed or clone to sale or destruction in Metrc, a marijuana inventory tracking system. All plants that reach eight inches (8") will be tagged and assigned a tracking number. Marijuana will be harvested and grouped into batches, in accordance with current testing regulations. All testing batches will be of one single strain and will be assigned a Metrc harvest batch number. Random sample(s) will be collected from each batch and sent to a licensed testing facility. The remainder of the batch will be segregated until testing results are received in the secured quarantine area. A transport manifest generated from Metrc will be sent with each transfer of marijuana to another licensed facility. Marijuana will be sealed in not more than ten (10) pound containers inside a locked storage compartment within the vehicle for wholesale transactions and up to one ounce containers for re-sale by retailers without re-packaging. Package labels will include: the name and license number of Denali Farms; the date the marijuana was harvested; the harvest batch number assigned to the marijuana; the date the marijuana was packaged; the net weight and quantity of usable marijuana packaged in a standard of measure compatible with the inventory tracking system; a complete list of all pesticides, fungicides, and herbicides (if any) used in the cultivation of the marijuana. All transfers of marijuana to licensed facilities will be done in compliance with state and local regulations.

Section 3 – Prohibitions

Review the requirements under 3 AAC 306.405 and 3 AAC 306.410.

3.1. I certify that the marijuana cultivation facility will not: Initials

a. **sell, distribute, or transfer any marijuana or marijuana product to a consumer, with or without compensation;** BSB

b. **allow any person, including a licensee, employee, or agent, to consume marijuana or marijuana product on the licensed premises or within 20 feet of the exterior of any building or outdoor cultivation facility; or** BSB

c. **treat or otherwise adulterate marijuana with any organic or nonorganic chemical or compound to alter the color, appearance, weight, or odor of the marijuana.** BSB

Section 4 – Cultivation Plan

Review the requirements under 3 AAC 306.420 and 3 AAC 306.430.

4.1. Describe the size of the space(s) the marijuana cultivation facility intends to be under cultivation, including dimensions and overall square footage. Provide your calculations below:

Denali Farms' Cultivation area will consist of:
Propagation/Mother Room - 207 Square Feet
Bloom Room 1 - 751 Square Feet
Bloom Room 2 - 753 Square Feet
& a Veg Room - 976 Square Feet

totaling 2,687 Square Feet under cultivation.

Alaska Marijuana Control Board

Form MJ-04: Marijuana Cultivation Facility Operating Plan Supplemental

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

4.2. The proposed area(s) for cultivation are clearly identified on the Form MJ-02: Premises Diagram that is submitted with this application. BJB

Answer "Yes" or "No" to the following question: Yes No

4.3. Will the marijuana cultivation facility include outdoor production? ☐ ☑

If "Yes", describe the outdoor structure(s) or the expanse of open or clear ground and how it is fully-enclosed by a physical barrier:

4.4. Describe the method(s) used to ensure that any marijuana at the marijuana cultivation facility, whether indoors or outdoors, cannot be observed by the public from outside the facility:

Whenever moving or transporting marijuana, Denali Farms' highest priorities will be compliance and discretion. Denali Farms will ensure that no marijuana will be visible to the public from outside the facility, or during transport. All growing, processing, curing, packaging and labeling activities will occur inside the facility, away from public view. All marijuana will be organized, securely packaged, labeled and obscured before being moved to the transport vehicle.

4.5. Describe the marijuana cultivation facility's growing medium(s) to be used:

Denali Farms will be using a soil medium based growing method with no harmful chemicals or pesticides. The soil will contain perlite, vermiculite, worm castings, bark mulch, humidified compost and black gold, Rockwool, Hydrothon, clay pellets, Coco, promix and DWC (Deep Water Culture)

4.6. Provide the complete product name and EPA registration # (if applicable) for each of the cultivation facility's pesticide and pest control product to be used. All proposed products must be on DEC's list of approved pesticides in the state of Alaska:

Denali Farms does not intend to use pesticides at its facility, however, if the need arises, Denali Farms reserves the right to use any of the pesticides approved for use on cannabis by the DEC and listed as such on the DEC's website.

4.7. Describe all other fertilizers, chemicals, gases, and delivery systems, including carbon dioxide management, to be used at the marijuana cultivation facility:

Denali Farms intends to use the following fertilizers and nutrients from the FloraFlex product line: Veg Parts 1 & 2, Bloom Parts 1 &2, Veg Foliar, Bloom Foliar, and Full Tilt. They will also use Ph Up and Ph Down.

There will be no CO2, or other gases, used at the facility. The only chemicals used will be gentle cleaning chemicals for general sanitation, such as, Simple Green or a bleach-water solution.

Alaska Marijuana Control Board

Form MJ-04: Marijuana Cultivation Facility Operating Plan Supplemental

4.8. Describe the marijuana cultivation facility's irrigation and waste water systems to be used:

Denali Farms will be hand-watering all plants. Waste water will be limited because the close monitoring of water usage during hand-watering prevents the over-watering of plants. Most excess water that percolates into planter drip trays will naturally evaporate into the air, and any water that does not evaporate will be re-used to water marijuana plants or will be composted.

Section 5 – Waste Disposal

Review the requirements under 3 AAC 306.740.

You must be able to certify the statement below. Read the following and then sign your initials in the box to the right: Initials

5.1. The marijuana cultivation facility shall give the board at least three days written notice required under 3 AAC 306.740(c) before making marijuana waste unusable and disposing of it. BJB

5.2. Describe how you will store, manage, and dispose of any solid or liquid marijuana waste, including wastewater generated during marijuana cultivation, in compliance with any applicable laws. Include details about the material(s) you will mix with ground marijuana waste and the processes that you will use to make the marijuana waste unusable for any purpose for which it was grown:

Denali Farms will be disposing of: marijuana that is identified as contaminated, infected, or is otherwise rejected for quality or that fails to meet quality testing; waste from marijuana flower, plant material, and trimmings; run-off water from cultivation and processing; any other materials or containers in contact with marijuana that risks contamination; any other marijuana deemed as waste by AMCO.
Marijuana waste will be stored away from all other marijuana, in a locked container and under video surveillance. A notice, via email, will be sent to AMCO no later than three (3) days prior to rendering any waste unusable. Marijuana waste will be rendered unusable by grinding and then mixing it with other compostable or non-compostable material such as, food waste, yard waste, cardboard, paper or soil; until the resulting mixture is no more than fifty percent (50%) marijuana waste. Denali Farms licensees or a designated employee will maintain a log in Metrc on the status of all marijuana waste, tracking the type, date of disposal, reason for disposal, date it was rendered unusable, and final destination. The unusable waste will then be transferring to an outdoor waste storage container, which will be picked up by a waste truck and taken to a landfill. Alternatively, an employee may take the waste to a landfill. This information will be recorded in the disposal log and securely stored as a business record.

Denali Farms does not anticipate much liquid waste as watering of plants will be monitored to prevent over-watering, and most water in drip trays will naturally evaporate into the air. If there is any excess water, it will be reused or composted. Records of all waste transfers will be kept for a minimum of five (5) years as a secured business record.

All business records will be made available to AMCO upon request.

Alaska Marijuana Control Board

Form MJ-04: Marijuana Cultivation Facility Operating Plan Supplemental

Section 6 – Odor Control

Review the requirements under 3 AAC 306.430.

Answer "Yes" or "No" to the following question:	Yes	No
6.1. Have you received an exemption from your local government for the odor control requirement set forth in 3 AAC 306.430(c)(2)?	☐	☑

If "Yes", you must be able to certify the statement below. Read the following and then sign your initials in the box:	Initials
I am attaching to this form documentation of my odor control exemption from the local government.	

If "No" to question 6.1., describe the odor control method(s) to be used and how the marijuana cultivation facility will ensure that any marijuana at the facility does not emit an odor that is detectable by the public from outside the facility:

Multiple commercial-grade, activated carbon filters will be used throughout the cultivation areas to filter all air before air is vented outside. The carbon filters will be regularly replaced to ensure no odor escapes the property. A designated Denali Farms employee will regularly perform 'smell checks' around the perimeter of the property to ensure that no smell is present. The smell log will be maintained as a business record. If odor is detected, the filters will be replaced. If replacing the carbon filters does not eliminate the odor, additional odor control methods will be utilized.

Section 7 – Testing Procedure and Protocols

Review the requirements under 3 AAC 306.455 and 3 AAC 306.465.

You must be able to certify each statement below. Read the following and then sign your initials in the corresponding box:	Initials
7.1. I understand and agree that the board or director will, from time to time, require the marijuana cultivation facility to provide samples of the growing medium, soil amendments, fertilizers, crop production aids, pesticides, or water for random compliance checks.	BSB
7.2. I will ensure that any individual responsible for collecting random, homogenous samples for required laboratory testing under 3 AAC 306.455 will prepare the necessary accompanying signed statement, provide the signed statement to the marijuana testing facility, and maintain a copy as a business record under 3 AAC 306.755.	BSB

7.3. Describe the testing procedures and protocols the marijuana cultivation facility will follow:

All harvested marijuana will be processed into harvest batches. All batches will consist of the same strain, which was harvested at the same time. A designated Denali Farms employee will collect random testing sample(s) from each harvest batch. The individual responsible for collection will prepare a signed statement attesting that each sample was randomly selected, provide a signed statement to the testing facility, and maintain a copy as a business record. Denali Farms will transport all samples to a licensed testing facility in compliance with the state regulations and the company's transportation policies. Denali Farms will ensure that any individual transporting marijuana complies with all regulations and has a valid AMCO marijuana handler permit.
While awaiting the testing results, the remainder of the harvest batch will be segregated in the secured quarantine area. All testing results will be maintained as official business records, available to AMCO upon request.

Denali Farms will comply with any request from AMCO for a random sample from any growing medium, soil amendment, fertilizer, crop production aid, pesticide, or water and shall bear the expense for all such requests.

Alaska Marijuana Control Board

Form MJ-04: Marijuana Cultivation Facility Operating Plan Supplemental

Section 8 – Packaging and Labeling

Review the requirements under 3 AAC 306.470 and 3 AAC 306.475.

Answer "Yes" or "No" to the following question:	Yes	No
8.1. Will the marijuana cultivation facility be packaging marijuana for a retail marijuana store to sell to a consumer without repackaging?	☑	☐

If "Yes", describe how the marijuana cultivation facility will ensure that the marijuana sold will meet the packaging requirements in 3 AAC 306.470, and provide a sample label that the facility will use to meet the labeling requirements set forth in 3 AAC 306.475:

All marijuana packaged for sale to a marijuana retail store (that does not require further handling by the retail store) will meet all regulation packaging requirements. In order to do so, the facility will ensure that no direct-to-consumer sale package exceeds more than one ounce of marijuana & the packages will have space for the marijuana retail store to put its retail license name, logo and license number. If the direct-to-consumer sale packages are not in opaque & child-resistant containers, the retail facility will be warned that they must ensure that all marijuana products are in opaque & child resistant packaging before leaving the retail store. Any packaging at the facility will be done in an area specifically set aside for packaging & monitored with 24-hour video surveillance. Packaging will be uniform with labels secure & prominently displayed. The facility will use certified scales, in compliance with the Alaska Weights and Measures Act, and will maintain registration and inspection reports at the facility. Packaged marijuana will be placed in sanitized, air-tight containers, labeled with all compliant labeling information, and given a bar code... (Cont. on pg. 7)

Answer "Yes" or "No" to the following question:	Yes	No
8.2. Will the marijuana cultivation facility be packaging marijuana in wholesale packages?	☑	☐

If "Yes", describe how the marijuana cultivation facility will ensure that the marijuana sold will meet the packaging requirements in 3 AAC 306.470, and provide a sample label that the facility will use to meet the labeling requirements set forth in 3 AAC 306.475:

Wholesale marijuana will be sold to other licensed facilities in packages of up to ten pounds (10lbs) with all strain name (s) identified on the label. Plastic packaging will be heat-sealed without an easy-open tab, dimple, corner, or flap. Packaged marijuana will be stored in a secured area until ready for transport. All packaging will be inspected, accepted or rejected, and recorded in the log, and a Licensee or designated employee will check all final packages to ensure that they will secure marijuana from contamination and not impart toxic or deleterious substances. Wholesale labels will contain: the date of final testing; the cannabinoid potency profile (expressed as a range of percentages that extends from the lowest percentage to the highest percentage of concentration for each cannabinoid listed from every test conducted on that strain of marijuana from Denali Farms within the last three months); a statement listing the results of microbial testing; a statement listing the contaminants for which the marijuana was tested, including molds, mildew, filth, harmful chemicals, herbicides, pesticides and fungicides. A Metrc generated... (Cont. on pg. 7)

I certify that as a marijuana cultivation facility, I will submit monthly reports to the Department of Revenue and pay the excise tax required under AS 43.61.010 and AS 43.61.020 on all marijuana sold or provided as a sample to a marijuana establishment, as required under 3 AAC 306.480.

I declare under penalty of unsworn falsification that this form, including all accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

STATE OF ALASKA
NOTARY PUBLIC
Mercedes Curran
My Commission Expires Dec 20, 2023

Notary Public in and for the State of Alaska

Branden Bartlett

Printed name of licensee

My commission expires: 12/20/2023

Subscribed and sworn to before me this 2nd day of March, 2022.

Alaska Marijuana Control Board

Form MJ-04: Marijuana Cultivation Facility Operating Plan Supplemental

(Additional Space as Needed):

8.1 Continued: .... for the inventory tracking system. Plastic packaging will be heat-sealed without an easy-open tab, dimple, corner, or flap. Packaged marijuana will be stored in a secured area until ready for transport. All packaging will be inspected, accepted or rejected, and recorded in the log, and a Licensee or designated employee will check all final packages to ensure that they will secure marijuana from contamination and not impart toxic or deleterious substances. Labels will include: Denali Farms' name and license number; a space for the retail logo/name/license number; the five required warnings found in 3 AAC 306.475(a)(1-5); the harvest date; the date of packaging; the harvest batch number; the net weight and the quantity of usable marijuana packaged (in a standard of measure compatible with the inventory tracking system); a complete list of all (if any) pesticides, fungicides and herbicides used in the cultivation of the marijuana.

8.2 Continued: .... tracking label will be affixed to each package. The shipping container will have a label stating that a licensed testing facility has tested each batch in the shipment, and lists: the date of final testing; the cannabinoid potency profile (expressed as a range of percentages that extends from the lowest percentage to the highest percentage of concentration for each cannabinoid listed from every test conducted on that strain of marijuana from Denali Farms within the last three months); a statement listing the results of microbial testing; a statement listing the contaminants for which the marijuana was tested, including molds, mildew, filth, harmful chemicals, herbicides, pesticides and fungicides.

Retailer: **License No:**
Cultivator: Denali Farms **License No: 28617**
Harvest Batch No: **Package No:**
Net MJ Weight: **OZ(g)** **Strain:**
Testing Facility: **License No:**
THC: **THCA:** **CBD:** **CBD-A:** **CBN:**
Microbial Test: **Fungicides:** **Pesticides:** **Herbicides:**
Fertilizers: **Soil Amendment:**
Alaska Safety Warning: Marijuana has intoxicating effects and may be habit forming and addictive. Marijuana impairs concentration, coordination and judgment. Do not operate a vehicle or machinery under its influence. There are health risks associated with consumption of marijuana. For use only by adults twenty-one and older. Keep out of the reach of children. Marijuana should not be used by women who are pregnant or breast feeding.

*Logo to be added

Front of Package

window to view product

Strain Name

Indica-Dominant

Net Weight: 3.5 g (0.124 oz.)

PLACE HOLDER FOR RETAILER TO PUT RETAILER STICKER LABEL

Back of Package

Cultivator: Denali Farms
License #28617
HB#:
Strain:

METRC #: 3688750000364511 1SAB
Testing Lab: ABC Lab **License #:**
Testing Date: 02/05/2018
Fungicides: None **Herbicides:** None **Pesticides:** None
Cannabinoid Profile:
Total THC: XXXX% **Total CBD:** XXXX% **THC:** XXXX%
CBD: XXXX% **THC-A:** XXXX% **CBD-A:** XXXX%
CBN: XXXX%

Alaska Safety Warning: Marijuana has intoxicating effects and may be habit forming and addictive. Marijuana impairs concentration, coordination and judgment. Do not operate a vehicle or machinery under its influence. There are health risks associated with consumption of marijuana. For use only by adults twenty-one and older. Keep out of the reach of children. Marijuana should not be used by women who are pregnant or breast feeding.

*or similar format and content

COMMENTS

Agency Comments

From: Theresa Taranto
To: Peggy Horton
Subject: RE: Request for Review and Comments: Denali Farms Marijuana Cultivation Facility
Date: Friday, May 20, 2022 3:54:21 PM

Not in a mapped area.
No other comments.

Theresa Taranto
Mat-Su Borough
Development Services
Administrative Specialist

350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574
www.matsugov.us

From: Peggy Horton <Peggy.Horton@matsugov.us>
Sent: Thursday, May 19, 2022 11:22 AM
To: mearow@matanuska.com; 'row@enstarnaturalgas.com' <row@enstarnaturalgas.com>; 'row@mtasolutions.com' <row@mtasolutions.com>; Jill Irsik <Jill.Irsik@matsugov.us>; GCI ROW (ospdesign@gci.com) <ospdesign@gci.com>; Fire Code <Fire.Code@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; regpagemaster@usace.army.mil; Butch Ehmann <Butch.Ehmann@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Elaine Flagg <Elaine.Flagg@matsugov.us>; Debbie Bakic <Debbie.Bakic@matsugov.us>; Adam J. Dubour (adam.dubour@alaska.gov) <adam.dubour@alaska.gov>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; MSB Farmers <MSB.Farmers@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Jason Ortiz <Jason.Ortiz@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; 'oran.woolley@alaska.gov' <oran.woolley@alaska.gov>; 'colton.percy@alaska.gov' <colton.percy@alaska.gov>; mokietew@gmail.com; 'debsue20@gmail.com' <debsue20@gmail.com>; 'gary.foster61@outlook.com' <gary.foster61@outlook.com>; 'gonzales@mtaonline.net' <gonzales@mtaonline.net>
Subject: Request for Review and Comments: Denali Farms Marijuana Cultivation Facility

Good Morning,

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, applied for a conditional use permit under MSB 17.60 – Conditional Uses to operate a marijuana cultivation facility located at 23161 W. Ayrshire Ave, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022.***

Application materials may be viewed online at www.matsugov.us by clicking on 'All Public Notices & Announcements.' A direct link to the application material is here: Matanuska-Susitna Borough - Public Hearing Notice for Conditional Use Permit Application for Marijuana Retail Facility (matsugov.us)

Comments are due on or before ***July 6, 2022,*** and will be included in the Planning Commission packet. Please be advised that comments received after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Thank you for your review,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

Peggy Horton

From: Woolley, Oran L (DEC) <oran.woolley@alaska.gov>
Sent: Thursday, May 19, 2022 11:30 AM
To: Peggy Horton; mearow@matanuska.com; 'row@enstarnaturalgas.com'; 'row@mtasolutions.com'; Jill Irsik; GCI ROW (ospdesign@gci.com); Fire Code; Eric Phillips; Permit Center; regpagemaster@usace.army.mil; Butch Ehmann; Terry Dolan; Jamie Taylor; Brad Sworts; Elaine Flagg; Debbie Bakic; Dubour, Adam J (DFG); Charlyn Spannagel; MSB Farmers; Alex Strawn; Planning; Fred Wagner; Jason Ortiz; Theresa Taranto; Andy Dean; John Aschenbrenner; Percy, Colton T (DFG); mokietew@gmail.com; 'debsue20@gmail.com'; 'gary.foster61@outlook.com'; 'gonzales@mtaonline.net'
Subject: RE: Request for Review and Comments: Denali Farms Marijuana Cultivation Facility

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]
All water and sewer utilities must meet or exceed the minimum requirements of the State of Alaska Drinking Water and Wastewater regulations.

Oran Woolley
Environmental Engineering Associate
Alaska Department of Environmental Conservation
Division of Water, Engineering Support & Plan Review
(907) 376-1852

From: Peggy Horton <Peggy.Horton@matsugov.us>
Sent: Thursday, May 19, 2022 11:22 AM
To: mearow@matanuska.com; 'row@enstarnaturalgas.com' <row@enstarnaturalgas.com>; 'row@mtasolutions.com' <row@mtasolutions.com>; Jill Irsik <Jill.Irsik@matsugov.us>; GCI ROW (ospdesign@gci.com) <ospdesign@gci.com>; Fire Code <Fire.Code@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; regpagemaster@usace.army.mil; Butch Ehmann <Butch.Ehmann@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jamie Taylor <jamie.taylor@matsugov.us>; Brad Sworts <brad.sworts@matsugov.us>; Elaine Flagg <Elaine.Flagg@matsugov.us>; Debbie Bakic <Debbie.Bakic@matsugov.us>; Dubour, Adam J (DFG) <adam.dubour@alaska.gov>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; MSB Farmers <MSB.Farmers@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Jason Ortiz <Jason.Ortiz@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Woolley, Oran L (DEC) <oran.woolley@alaska.gov>; Percy, Colton T (DFG) <colton.percy@alaska.gov>; mokietew@gmail.com; 'debsue20@gmail.com' <debsue20@gmail.com>; 'gary.foster61@outlook.com' <gary.foster61@outlook.com>; 'gonzales@mtaonline.net' <gonzales@mtaonline.net>
Subject: Request for Review and Comments: Denali Farms Marijuana Cultivation Facility

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, applied for a conditional use permit under MSB 17.60 – Conditional Uses to operate a marijuana cultivation facility located at 23161 W. Ayrshire Ave, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022.***

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Thank you for your review,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Fred Wagner
To: Peggy Horton
Subject: RE: Request for Review and Comments: Denali Farms Marijuana Cultivation Facility
Date: Thursday, May 19, 2022 11:25:14 AM

No comment

From: Peggy Horton <Peggy.Horton@matsugov.us>
Sent: Thursday, May 19, 2022 11:22 AM
To: mearow@matanuska.com; 'row@enstarnaturalgas.com' <row@enstarnaturalgas.com>; 'row@mtasolutions.com' <row@mtasolutions.com>; Jill Irsik <Jill.Irsik@matsugov.us>; GCI ROW (ospdesign@gci.com) <ospdesign@gci.com>; Fire Code <Fire.Code@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Permit Center <Permit.Center@matsugov.us>; regpagemaster@usace.army.mil; Butch Ehmann <Butch.Ehmann@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Elaine Flagg <Elaine.Flagg@matsugov.us>; Debbie Bakic <Debbie.Bakic@matsugov.us>; Adam J. Dubour (adam.dubour@alaska.gov) <adam.dubour@alaska.gov>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; MSB Farmers <MSB.Farmers@matsugov.us>; Alex Strawn <Alex.Strawn@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Jason Ortiz <Jason.Ortiz@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; 'oran.woolley@alaska.gov' <oran.woolley@alaska.gov>; 'colton.percy@alaska.gov' <colton.percy@alaska.gov>; mokietew@gmail.com; 'debsue20@gmail.com' <debsue20@gmail.com>; 'gary.foster61@outlook.com' <gary.foster61@outlook.com>; 'gonzales@mtaonline.net' <gonzales@mtaonline.net>
Subject: Request for Review and Comments: Denali Farms Marijuana Cultivation Facility

Good Morning,

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, applied for a conditional use permit under MSB 17.60 – Conditional Uses to operate a marijuana cultivation facility located at 23161 W. Ayrshire Ave, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022.***

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Thank you for your review,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

Public Comments

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

Matanuska-Susitna Borough
Development Services

JUN 09 2022

Received

56532000L005 20
SELHAY MICHAEL J & YELENA
12830 CUMBERLAND CIR
ANCHORAGE AK 99516-2746

The Matanuska-Susitna Borough Planning Commission will consider the following:

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, applied for a conditional use permit under MSB 17.60 – Conditional Uses to operate a marijuana cultivation facility located at 23161 W. Ayrshire Avenue, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022***, at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Peggy Horton, Planner II, by phone: 907-861-7862. Provide written comments by e-mail to peggy.horton@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony in person at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party". See MSB 15.39.010 for the definition of "interested party". The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before ***July 6, 2022***, and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Name: MICHAEL T + ALYONA SELHAY ***Mailing Address:*** 12830 CUMBERLAND CIRCLE
Location/Legal Description of your property: LOT 5 CARPENTER LAKE ANCHORAGE 99516
Comments: WE ARE OPPOSED TO A MARIJUANA GROWING FACILITY IN OUR AREA. WE SEE NO ADDED VALUE TO THE FACILITY FOR THE AREA OR FOR OUR PROPERTY VALUE

Note: Vicinity Map Located on Reverse Side

Peggy Horton

From: Cynthia Davis <badinc2@mtaonline.net>
Sent: Tuesday, July 5, 2022 10:59 AM
To: Peggy Horton
Subject: "Denali Farms" Additional Use permit under MSB17.60 Tax ID#4`136B03L004, and "Denali Extracts"License #26113 and Business License #2091627
Attachments: Scan 153.pdf

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Peggy Horton,

Please see Attached are my concerns about the permits for 2 businesses , 1 is mentioned in the notice for conditionals permit MSB 17.60 for permit, by Denaili Farms and Denali Extracts extracts which is at the same location is not mentioned in this permit application. I understand that we are a residential farming community and that Marijuana is legal in Alaska to Grow and Sell. But a manufacturing extract facility does not belong in a residential farming community.

As you stated in our conversation on the phone, it seems the borough is unaware of 'Denali Extracts" business license # 26113 and Business License #2091627 applied for in summer of 2020. I tried to find out more information about the Denali Extracts license form the state Alaska Marijuana licensing, but I could find any information.
the marijuana extract facilities release a very strong rotten egg smell that will travel quite some distance, immediate neighbors will have to deal with these very strong horrific odors.
The Denali Extracts is not mentioned in the permit for the grow operation, but should not be allowed in a residential area where immediate neighbors would be affected by the smells and extract facility would produce. And a extract facility would severely affect property values in the area.

I have health issues affected by strong odors, air purifications systems would not be able to keep up with the odors those types of facilities produce. There is a extract facility in Glennallen that produces these strong horrific orders. Maybe the borough needs to visit that facility when they are in the process of approving this growing and extraction of the oils for hash from marijuana.

I am very concerned of any future plans for the type of business in a residential farming community. People live out here for the quiet life we have, many of us are retired, and do not want manufacturing business in our area.

Please research information on the Denali Extracts License before approving Denali Farms growing operation. I strongly oppose the Denali Extract manufacturing facility in a residential farming community. A business of that type, with the loud fans, and strong odors produces manufacturing Hash does not belong right next door to residents in our community.

Thank you,
Cynthia Davis Farmer

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

54136B02L001 2
FARMER KENNETH A
FARMER CYNTHIA DAVIS
23795 W CARPENTER LK RD
BIG LAKE AK 99623

The Matanuska-Susitna Borough Planning Commission will consider the following:

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, applied for a conditional use permit under MSB 17.60 – Conditional Uses to operate a marijuana cultivation facility located at 23161 W. Ayrshire Avenue, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022,*** at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Peggy Horton, Planner II, by phone: 907-861-7862. Provide written comments by e-mail to peggy.horton@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony in person at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party". See MSB 15.39.010 for the definition of "interested party". The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before ***July 6, 2022,*** and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

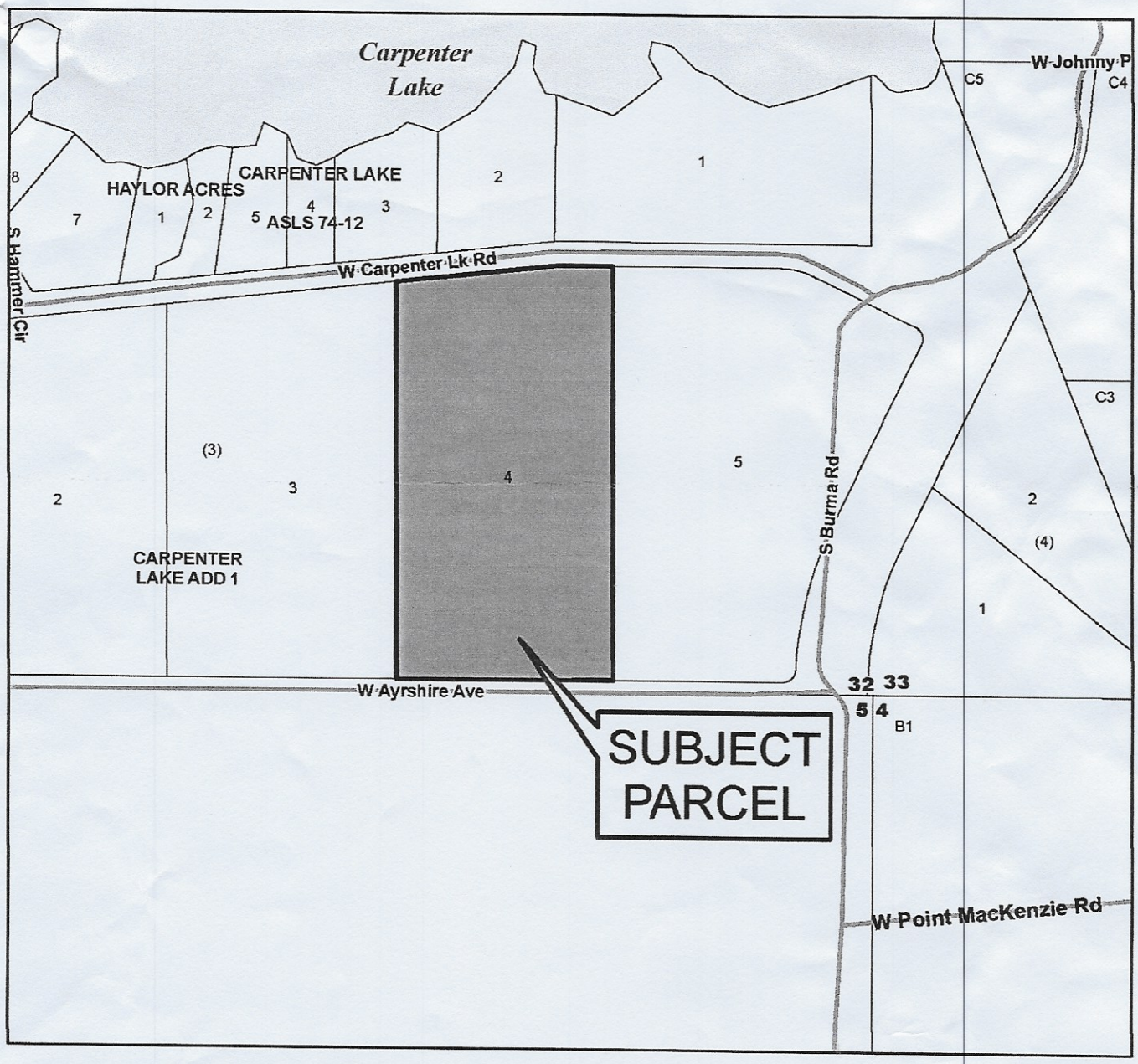
Note # I called Peggy Horton on 7/5/2022, Borough is Not aware of State Applied for Licence for "Denali Extracts" Business Licence #2091627 Licence #26113

Name: Cynthia Davis Farmer ***Mailing Address:*** 23795 W. Carpenter Lake Rd

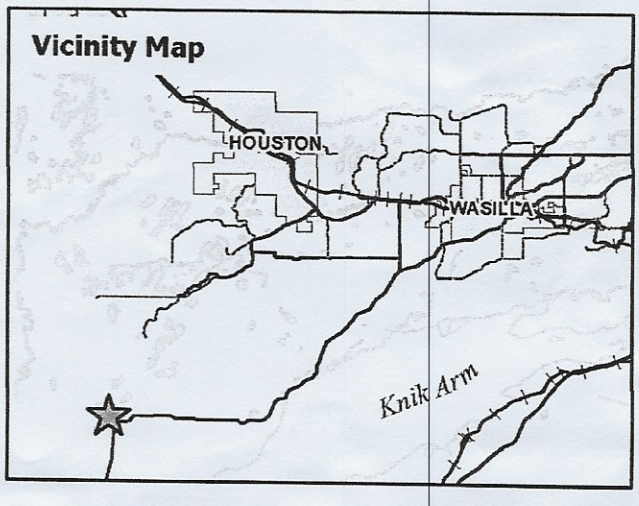
Location/Legal Description of your property: Carpenter LK ADD# 1 Block 2 Lot 1 23795 W. Carpenter Lake Rd Wasilla, AK 99623

Comments: I am very concerned about a Marijuana Growing Operation Denali Farms and Also The "Denali Extracts" Licence Application #26113 and Business licence number #2091627. The Odors from a Marijuana Growing Facility and Marijuana Extract manufacturing facility are very Strong & Rotten Egg and will travel far. I am Retired and live near by. A Marijuana Extract Facility Does Not belong in a Residential Farming Community. That type of business will affect our property Values. Thank you Cynthia Davis Farmer 7/5/2022

Note: Vicinity Map Located on Reverse Side



4136B03L004



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MSB Information Technology/GIS
January 31, 2022

0 1,000 Feet

Public Notice

Application for Marijuana Establishment License

License Number: 26113
License Status: Initiated
License Type: Marijuana Concentrate Manufacturing Facility
Doing Business As: Denali Extracts
Business License Number: 2091627
Email Address: branden@denalidispensaries.com
Latitude, Longitude: 61.427000, -150.022000
Physical Address: 23161 Ayrshire Rd
Wasilla, AK 99654
UNITED STATES

Licensee #1

Type: Entity
Alaska Entity Number: 10112051
Alaska Entity Name: Denali Industries, LLC
Phone Number: 907-244-1881
Email Address: branden@denalidispensaries.com
Mailing Address: P.o box 200132
Anchorage, AK 99520
UNITED STATES

Entity Official #2

Type: Individual
Name: Bradley Bartlett
Phone Number: 907-244-1881
Email Address: brad@denalidispensaries.com
Mailing Address: P.o box 670253
Chugiak, AK 99567
UNITED STATES

Entity Official #1

Type: Individual
Name: Branden Bartlett
Phone Number: 907-244-1881
Email Address: branden@denalidispensaries.com
Mailing Address: 16723 Mercy dr
Eagle River, AK 99577
UNITED STATES

Note: No affiliates entered for this license

Interested persons may object to the application by submitting a written statement of reasons for the objection to their local government, the applicant, and the Alcohol & Marijuana Control Office (AMCO) not later than 30 days after the director has determined the application to be complete and has given written notice to the local government. Once an application is determined to be complete, the objection deadline and a copy of the application will be posted on AMCO's website at https://www.commerce.alaska.gov/web/amco. Objections should be sent to AMCO at marijuana.licensing@alaska.gov or to 550 W 7th Ave, Suite 1600, Anchorage, AK 99501.

POSTING DATE 7/7/22

Peggy Horton

From: Peggy Horton
Sent: Wednesday, July 6, 2022 2:27 PM
To: Cynthia Davis
Subject: RE: "Denali Farms" License #28617 Business License @!@#@01Additional Use permit under MSB17.60 Tax ID#4`136B03L004, and "Denali Extracts"License #26113 and Business License #2091627

Hello,

Thank you for your comments and questions. Many of your questions concern items the State Alcohol and Marijuana Control Office (AMCO) can answer. Their email address is marijuana.licensing@alaska.gov and more information can be found on their website; Home, Alcohol & Marijuana Control Office (alaska.gov).

1) The state office (AMCO) has their own application forms. The M-01 form is a state form, not used in the borough's Conditional Use Permit (CUP) process. The state AMCO office may be able to clarify what marijuana products are, as that term is used on their application form.
2) This question should be asked to AMCO. Denali Farms is currently going through the Borough's permitting process for a cultivation facility. The borough does not issue permits for marijuana manufacturing facilities. There are manufacturing facilities in the borough, but the borough assembly did not adopt an ordinance to restrict or require permits for these types of facilities. Only marijuana retail and cultivation facilities require permits in the borough, at this time.
3) This question should be asked to AMCO. They issue licenses for marijuana facilities. Denali Farms application for a CUP did not include any information concerning manufacturing. A link to the Denali Farms CUP application is on the borough website, here: https://matsugov.us/publicnotice/public-hearing-notice-for-conditional-use-permit-application-for-marijuana-retail-facility
4) Thank you for letting us know about the zip code.

Regards,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Cynthia Davis <badinc2@mtaonline.net>
Sent: Tuesday, July 5, 2022 2:41 PM
To: Peggy Horton <Peggy.Horton@matsugov.us>
Subject: Fwd: "Denali Farms" License #28617 Business License @!@#@01Additional Use permit under MSB17.60 Tax ID#4`136B03L004, and "Denali Extracts"License #26113 and Business License #2091627
Importance: High

[**EXTERNAL EMAIL** - CAUTION: Do not open unexpected attachments or links.]

Peggy Horton,

1.)I have further reviewed the State of Alaska Cultivation License # 28617and on
Page 9 of Form M-01 Marijuana Establishment Operating Plan
Under 8.2 thru 8.8 every lines states "Marijana or Marijanua products".

Can anyone clarify what the Marijauna Products are???

2.)Does Denali Farms license for this facility include the Manufacturing Process extracting oils for Hash, CBC Oil, Edibles or other Marijanua Products that will be produces at Denali Farm on 23161 Ayrshire Ave, Big Lake, Alaska 99652??

My biggest concern about this business is the possibility of loop hole in the license that would allow then to become a Manufacturing Extract Facility they applied for with the name Denali Extracts which was posted with the date of July 17, 2020. A copy of that public notice is attached in my 1st email with my concerns and attachments at bottom of email.

3.)Denali Farms License #28617, Business License #2123202 which was approved,
Denali Extracts License #26113, Business License #2091627 was applied for around July 2020, was this license approved? was it incorporated in the the Denali Farms License?
Both those licenses have the same owner name and Ayrshire physical locations.

4.)Also the Zip Code this business has listed for their physical address is wrong, The zip code for 23161 Ayrshire Avenue, Big Lake, Alaska is 99623, not 99652 which is listed on every page of State of Alaska license #28617, where physical address is listed.

Thank you,
Cynthia Davis Farmer

Begin forwarded message:

From: Cynthia Davis <badinc2@mtaonline.net>
Subject: "Denali Farms" Additional Use permit under MSB17.60 Tax ID#4`136B03L004, and "Denali Extracts"License #26113 and Business License #2091627
Date: July 5, 2022 at 10:58:46 AM AKDT
To: peggy.horton@matsugov.us

Peggy Horton,

Please see Attached are my concerns about the permits for 2 businesses , 1 is mentioned in the notice for conditionals permit MSB 17.60 for permit, by Denaili Farms and Denali Extracts

extracts which is at the same location is not mentioned in this permit application. I understand that we are a residential farming community and that Marijuana is legal in Alaska to Grow and Sell. But a manufacturing extract facility does not belong in a residential farming community.

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Please research information on the Denali Extracts License before approving Denali Farms growing operation. I strongly oppose the Denali Extract manufacturing facility in a residential farming community. A business of that type, with the loud fans, and strong odors produces manufacturing Hash does not belong right next door to residents in our community.

Thank you,
Cynthia Davis Farmer

Peggy Horton

From: Darlene Kearney <dardar@mtaonline.net>
Sent: Tuesday, July 5, 2022 10:58 PM
To: Peggy Horton
Subject: Point McKenzie marijuana growing building

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Darlene Kearney
Pobox 877482 wasilla Ak 99687
Carpenter Add #1 Block3 lot 2
23591 Weat Aryshire ave
I am writing to you about the marijuana grow operation one to start up on Aryshire Ave.
we first heard about this in 2020 and spoke against it as will as some others. Never heard any thing else tell this spring after we noticed they were really working on the building . Which makes us feel like they must have the ok to put this Business there.
Here is my concern there is a bus stop at Burma road and Aryshire and another one at the dive way past the place that want to grow pot. Then come my house that all so is a bus stop plus I have a license home for development delayed individuals. I don't feel That is a good Environment forenvironment for any of these kids. On top of that I am not sure if its true put they want to make hash out of it that the rumor has it that it has strong Odors. The house right next to that place has several people with allergies And in my home 2 have lung issues. One who can not speak to say some thing in the air is bothering my breathing . We have been here almost 30 years and never thought we would be faced with this happing. I know times has changed but I have a concern about every ones health and hoping it dose not bring people here trying to break into the place .
Thank you for giving us an opportunity to speak our feelings.
Darlene Kearney
907-355-6084

Sent from my iPhone

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

55730000L001 22
VARNER GREGORY A & LISA R
23449 W CARPENTER LAKE RD
WASILLA AK 99623-4934

The Matanuska-Susitna Borough Planning Commission will consider the following:

Branden Bartlett and Attorney Jana Weltzin for Denali Farms, applied for a conditional use permit under MSB 17.60 – Conditional Uses to operate a marijuana cultivation facility located at 23161 W. Ayrshire Avenue, Tax ID #4136B03L004; within Township 16 North, Range 4 West, Section 32, Seward Meridian.

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Comments are due on or before ***July 6, 2022***, and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Name: Greg & Lisa Varner ***Mailing Address:*** 23449 W. Carpenter Lake Rd. Wasilla, AK 99623

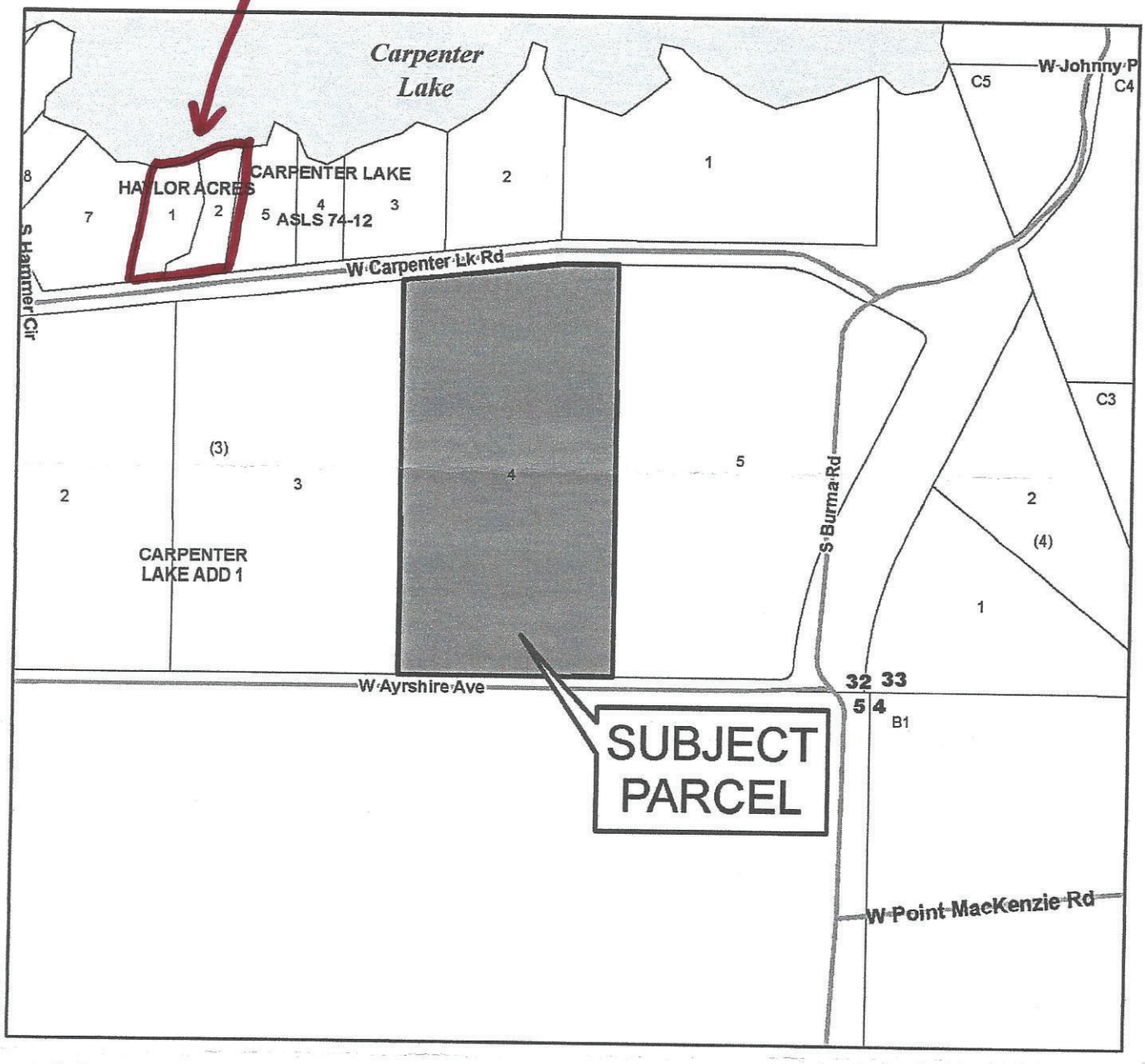
Location/Legal Description of your property: S16N04W32 - HAYLOR ACRES Lots 1 & 2, Full time residential property

Comments: We **OPPOSE** this permit request for the following reasons: 1) The probability of strong smell of marijuana on our property (based on proximity). 2) The possibility of the proposed hashish refining operation starting up after the grow operation is underway. 3) The probability of increased number of people and traffic in the area. 4) The lack of Law Enforcement personnel in our remote area to police increased traffic and activity. 5) Probability of decreased property value due to a marijuana grow operation in the area.

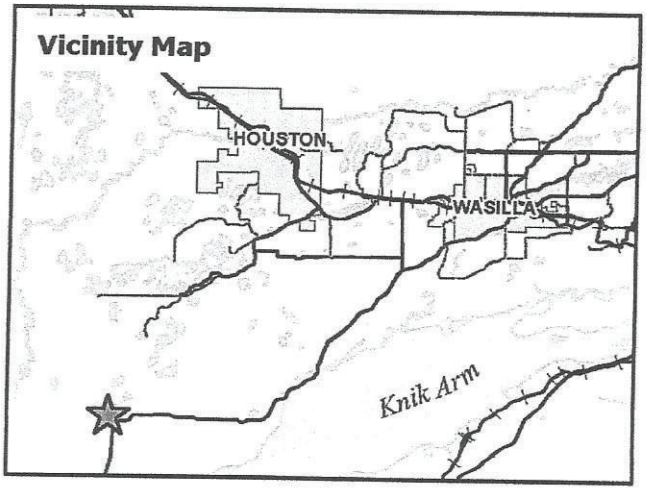
PLEASE REJECT THIS PERMIT. Thank You, Greg & Lisa Varner GREGORY A VARNER Digitally signed by GREGORY A VARNER Date: 2022.07.05 16:56:58 -08'00'

Note: Vicinity Map Located on Reverse Side

Varner property



4136B03L004



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MSB Information Technology/GIS
January 31, 2022

0 1,000 Feet

DRAFT

PLANNING COMMISSION RESOLUTION

By: Peggy Horton
Introduced: July 18, 2022
Public Hearing: August 1, 2022
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 22-22

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA CULTIVATION FACILITY AT 23161 WEST AYRSHIRE AVENUE, TAX ID #4136B03L004, LOCATED WITHIN TOWNSHIP 16 NORTH, RANGE 4 WEST, SECTION 32, SEWARD MERIDIAN.

WHEREAS, Branden Bartlett and Attorney Jana Weltzin for Denali Farms submitted a conditional use permit application for the operation of a marijuana cultivation facility at 23161 West Ayrshire Avenue, Tax ID #4136B03L004, located within Township 16 North, Range 4 West, Section 32, Seward Meridian; and

WHEREAS, MSB 17.60.030(A)(4) requires a conditional use permit for the operation of a marijuana cultivation facility; and

WHEREAS, unless this type of use is maintained under and in accordance with a lawfully issued permit, marijuana cultivation facilities are declared to be a public nuisance; and

WHEREAS, the proposed use will be wholly contained within a 5,000 square foot metal-sided building; and

WHEREAS, according to Borough assessment data, the land has been in agricultural use since 1994, when a 5,000 square foot grain storage building was constructed on the property; and

DRAFT

WHEREAS, the Point MacKenzie Comprehensive Plan, dated July 19, 2011, notes that agriculture is part of the local economy and many people earn a living through agriculture; and

WHEREAS, the applicants obtained a Borough approved driveway permit for the existing driveway onto West Ayrshire Avenue, a road classified as a Minor Collector; and

WHEREAS, the closest residential structure is approximately 925 feet west of the proposed use; and

WHEREAS, according to the application material, the proposed use is set back approximately 337 feet from the West Ayrshire Avenue right-of-way to the south, 102 feet from the east property line, 890 feet from the west property line, and 1,260 feet from the north property line and West Carpenter Lake right-of-way; and

WHEREAS, south of the subject parcel is a 640-acre undeveloped parcel owned by a native corporation. To the east and west are privately owned agricultural and residential use parcels, ranging in size from 14 to 40 acres. North of the subject property are two to seven-acre lakefront residential use lots and a 19-acre undeveloped parcel owned by the Borough; and

WHEREAS, the subject property is 35 acres, majority of which is forested land, with a cleared area in the southeast corner containing the commercial use structure; and

WHEREAS, according to the application material, the proposed use has policies and procedures in place to prevent loitering; and

WHEREAS, according to the application material, the facility will not be open to the public; and

WHEREAS, according to the application material, the operation will not have any signs posted with their business name or logo at the facility; and

WHEREAS, according to the application material, exterior lights shall be downward directed and shielded to mitigate any unwanted light pollution; and

WHEREAS, according to the application material, the proposed use has a security plan in place, which includes education of employees on security protocols; and

WHEREAS, according to the security plan, a combination of video surveillance, lighting, commercial grade locks, and a security alarm system with door sensors, will be used to secure the site and monitor all activities at the facility; and

WHEREAS, there is no outdoor industrial equipment or any processes that generate noise associated with the proposed use; and

WHEREAS, according to the application material, multiple commercial-grade, activated carbon filters will be used with air circulation systems to eliminate odors in the exhausted air; and

WHEREAS, the closest school (Redington High School) is approximately 62,000 feet (11.7 miles) away from the proposed use; and

DRAFT

WHEREAS, consumption of marijuana is prohibited at the site; and

WHEREAS, persons under the age of 21 are prohibited from entering the facility; and

WHEREAS, according to the application material, after proper notification of the State of Alaska Alcohol & Marijuana Control Office, all marijuana products flagged as unusable will be mixed with other compostable and non-compostable materials and then disposed of at the local landfill/transfer site; and

WHEREAS, the State Fire Marshal issued Plan Review #2021Anch1614, approving the construction of the proposed use; and

WHEREAS, the applicant provided the approved Plan Review Certificate from the Alaska State Fire Marshal's office; and

WHEREAS, the south side of the building was shifted to the west in 2018 to meet the setback standards for a cultivation facility; and

WHEREAS, the applicant provided all of the required site plans and operational information; and

WHEREAS, according to the application material, the proposed use will have 3,801 square feet under cultivation; and

WHEREAS, according to the application material, carbon filters will be regularly checked and replaced to ensure no odor is escaping the facility; and

DRAFT

WHEREAS, Denali Farms received delegated approval from the State Marijuana Control Board for marijuana cultivation license #28617, in accordance with 3 AAC 306.005; and

WHEREAS, the applicant provided written documentation showing delegated approval from the State Marijuana Control Board for marijuana cultivation facility license #28617; and

WHEREAS, according to the application material, any wastewater generated from the production of marijuana will be collected in drip trays to naturally evaporate into the air, any excess water will be reused or composted; and

WHEREAS, according to the application material, herbicides, fungicides, insecticides, fertilizers, cleaning products, and other chemicals will be used, stored, and disposed of in accordance with their respective manufacturer's recommendations, and in a way that complies with all local, state, and federal laws; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.60.100, 17.60.150, and 17.60.160; and

WHEREAS, the Planning Commission conducted a public hearing on August 1, 2022 on this matter.

NOW, THEREFORE, BE IT RESOLVED, that 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 22-22:

DRAFT

1. The proposed use will not detract from the value, character and integrity of the surrounding area (MSB 17.60.100(B)(1)).
2. The proposed use will not be harmful to the public health, safety, convenience and welfare (MSB 17.60.100(B)(2)).
3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.60.100(B)(3)).
4. The applicant has met all of the requirements of this chapter (MSB 17.60.100(B)(4)).
5. The proposed use will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).
6. Measures are in place to reduce negative affects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).
7. The proposed use is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).
8. The proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).
9. The applicant provided documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60.150(D)(1)).

DRAFT

10. The applicant provided documentation demonstrating the proposed use is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).

11. The wastewater and waste material disposal plan demonstrates compliance with the Alaska State Department of Environmental Conservation (MSB 17.60.160(A)).

12. The odor mitigation plan demonstrates mitigation measures will prevent odors from materially impacting adjoining properties (MSB 17.60.160(B)).

13. Storage and disposal of nutrients, natural pesticides, and cleaners will comply with all local, state, and federal laws (MSB 17.60.160(C)).

14. The security plan includes education for employees on security measures (MSB 17.60.160(D)).

15. The proposed use meets the minimum setback requirements for marijuana cultivation facilities (MSB 17.60.160(E)).

BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of MSB 17.60 and does hereby approve the conditional use permit for the operation of a marijuana cultivation facility, with the following conditions:

1. Exterior lights shall be downward directed and shielded.

2. The operation shall comply with all applicable state and local regulations.

3. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the conditional use permit shall be required prior to any expansion of the conditional use.

4. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this conditional use permit.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of _____, 2022.

_____
STAFFORD GLASHAN, Chair

ATTEST

_____
KAROL RIESE, Planning Clerk

(SEAL)

YES:

NO:

DRAFT

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Public Hearing
Quasi-Judicial

John Sommer of AK Frontier Rental, LLC

(Pages 149 - 376)

Public Hearing

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822
www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

Date:	July 18, 2022
File Number:	173020210001
Applicant:	John Sommer of AK Frontier Rentals, LLC
Property Owner:	AK Frontier Rentals, LLC
Request:	Planning Commission Resolution 22-24 Request for Earth Materials Extraction Conditional Use Permit in accordance with MSB Chapter 17.30 – Conditional Use Permit (CUP) for Earth Materials Extraction Activities
Location:	4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002; within Township 18 North, Range 1 East, Section 31 Seward Meridian
Size of Properties:	Approximately 8.35 acres
Size of Mining Site:	Approximately 4 acres
Reviewed By:	Jason Ortiz, Development Services Manager
Staff:	Mark Whisenhunt, Planner II
Staff Recommendation:	Approval with conditions

EXECUTIVE SUMMARY

The Conditional Use Permit (CUP) will allow for the removal of approximately 42,000 cubic yards of earthen material through 2030. The total area of earth material extraction activity will occur on approximately 4 acres within the 8.35-acre parcels. The subject parcels are located in Assembly District 3. It is also within the Bogard Road Service Area (RSA) #25. A Conditional Use Permit for material extraction is required under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction Activities.

LAND USE

Existing Land Use:
A parcel approximately 18 acres in size was subdivided in 2021, creating the Frontier Plaza Subdivision. The subject parcels total approximately 8.35 acres in size and have mostly cleared of vegetation. During the development of the Frontier Plaza Subdivision, excess earth material such as gravel and overburden (top soil), were stockpiled onto the subject properties. In order to continue the development of this subdivision, the excess material must be removed to create a flat developable site. During a site visit on July 6, 2022, staff observed a commercial development occurring on Block1, Lot 4 of the subdivision. It appears that all of the overburden material has been stockpiled on the south side of Block 2, Lot 1. Frontier Plaza Drive has been constructed and paved, connecting Stoney Hollow Drive and Northgate Place.

Surrounding Land Uses:
Seldon Road abuts the site to the north. Parcels on the north side of Seldon Road range from 5 to 18 acres in size. Those parcels have a mix of residential uses and vacant land. The intersection of Bogard Road and Seldon Road abuts the Frontier Plaza Subdivision to the northeast. Commercial and industrial uses are on the northeast and southeast corners of the intersection. Bogard Road and Seldon Road have a mix of commercial, industrial, and residential uses on their frontages. Large subdivisions with residential developments make up the majority of the area east and north of Bogard Road. Parcels to the west range from 1 to 30 acres in size. Those parcels include a church, residential, and commercial uses. Parcels to the south range from 1 to 38 acres in size. Those parcels are a mix of vacant land, an old gravel extraction site, residential, and commercial uses.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification
Notices were mailed to all property owners within a half-mile radius of the property and to the North Lakes Community Council (NLCC). A total of 266 notices were mailed on May 25, 2022. The permit application notification was published in the May 27, 2022 issue of the Frontiersman newspaper. The application material was posted on the Borough web site for public review on May 19, 2022. A request for comment was also emailed to various agencies and to the NLCC on May 20, 2022.

Due to a lack of quorum for the June 20, 2022 meeting, this request was not able to be introduced. This caused a need to move the public hearing for this request from July 18, 2022 to August 1, 2022. On June 29, 2022, notice of the public hearing date change was mailed as noted above and published in the Frontiersman. Staff also updated the Borough's website and sent a new request from comments as noted above on June 23, 2022.

On June 24, 2022 Staff spoke with a NLCC representative who noted the proposed use was on the agenda for their meeting. The representative was unsure if the NLCC would submit any comments. NLCC held a meeting on June 30, 2022. As of July 10, 2022, Staff has not received any comments from the NLCC.

Staff received a comment from Alaska Department of Environmental Conservation (ADEC), Division of Environmental Health, Drinking Water Program. The comment gave

recommendations for general project activities near public water sources. One of the recommendations was to implement ADEC User's Manual for Best Management Practices for Gravel/Rock Aggregate Extraction Projects.

Four comments were received from the public. Three comments did not object; however two of the non-objections made operational suggestions. One comment opposed the proposed use and expressed the following concerns:

- No permit to discharge stormwater from the site
- Dust from the site during winter months
- Lack of land use planning by the Matanuska-Susitna Borough

Section 17.30.055 Required Compliance With State And Federal Laws.

(A) All applicants for permits for earth material extraction are required to demonstrate compliance with state and federal law. Prior to final approval of the permit, the applicant or agent shall provide written documentation of compliance with the following:

(1) mining license as required by the Alaska State Department of Revenue, pursuant to A.S. 43.65;

(2) mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land;

(3) reclamation plan as required by ADNR, pursuant to A.S. 27.19;

(4) notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements; and

(5) United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.

Findings of Fact:

1. An Alaska State Department of Revenue mining license is not required for this application because Alaska law was amended in 2012 and rock, sand, and gravel quarries are now exempt from the requirement.
2. An Alaska State Department of Natural Resources (ADNR) mining permit is not required for this application because the extraction activities will not take place on state land.
3. A letter from Alaska State Department of Natural Resources (ADNR) indicates the applicant has submitted all required information to ADNR in accordance with A.S. 27.19, Reclamation.
4. 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.
5. 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 waterbodies.

Conclusion of Law: All of the requirements to demonstrate compliance with state and federal laws have been met (MSB 17.30.055(A)).

Section 17.30.060 General Standards for Approval

(A) In granting a conditional use permit, the commission must make the following findings:

(1) that the use is not inconsistent with the applicable comprehensive plan;

Findings of Fact:

1. The subject parcel is located within the North Lakes Community Council boundaries. The North Lakes community has not adopted a comprehensive plan.
2. The Matanuska-Susitna Borough Comprehensive Development Plan (2005) applies to all parcels within the Matanuska-Susitna Borough.
3. Goal LU-1 of the Matanuska-Susitna Borough Comprehensive Development Plan states: "Protect and enhance the public safety, health, and welfare of Borough residents."
4. Policy LU1-1 of the Matanuska-Susitna Borough Comprehensive Development Plan states: "Provide for consistent, compatible, effective, and efficient development within the Borough."
5. Goal LU-2 of the Matanuska-Susitna Borough Comprehensive Development Plan states: "Protect residential neighborhoods and associated property values."
6. Policy LU2-1 of the Matanuska-Susitna Borough Comprehensive Development Plan states: "Develop and implement regulations that protect residential development by separating incompatible uses, while encouraging uses that support such residential uses including office, commercial and other mixed-use developments that are shown to have positive cumulative impacts to the neighborhood."
7. According to Rutgers Noise Technical Assistance Center, heavy trucks produce approximately 90 decibels (dB) when operating, which falls in the "very loud" category.
8. 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.
9. MSB 8.52.010(A) declares: "Loud noise and amplified sounds have an adverse effect on the psychological and physiological well-being of persons."
10. Earth material extraction activities are an industrial use that can cause excessive noise, dust, and heavy truck traffic.
11. According to the application material, 10-foot tall earthen berm will encompass the proposed use, minus the access points.
12. The closest residential structure is approximately 100 feet south of the proposed use.
13. According to the application material, access and truck routes will be on Frontier Plaza Drive and go west onto Northgate Place and then on to Seldon Road.
14. According to the application material, the proposed hours of operation are 7:00 a.m. to 6:00 p.m., Monday through Saturday.
15. According to the application material, water trucks will be used as needed during operations as a dust control measure.

16. Alaska Department of Environmental Conservation has produced a user manual of best management practices for owners and operators of gravel/rock extraction operations to protect surface water and groundwater quality in Alaska.
17. Alaska Department of Environmental Conservation Best Management Practices Manual states: "DEC has established drinking water protection areas and recommended buffer zones for public water system (PWS) sources, which can be found at http://dec.alaska.gov/das/GIS/apps.htm. There are also PWS sources for which drinking water protection areas have not yet been delineated. For those PWS sources, it is recommended that the buffer zone be considered a 1,000-foot radius around the source area. It is recommended that excavation limits be restricted to areas outside any PWS source buffer zone. Equipment storage, maintenance, and operation should be as limited as possible within designated buffer zones, and appropriate BMP's should be used to prevent water contamination (see Chapter 6)."
18. Alaska Department of Environmental Conservation Best Management Practices Manual states in part: "Some of the best ways to prevent mining impacts to surface and groundwater quality are to maintain distance between mining operations and the water to be protected, and to monitor water quality. This chapter presents recommended setbacks for mining operations from public water system (PWS) source areas, surface water bodies, and the groundwater table. Where proposed mining is closer to these waters than the recommended setbacks, it is recommended that a detailed hydrogeologic study be performed by a qualified person to evaluate potential impacts and design effective mitigation alternatives."
19. The applicant is not proposing to mine below or within four feet of the seasonal high water table.
20. According to the application material, the operation and reclamation plan will leave the site suitable for commercial development.

Discussion: The ADEC Best Management Practices Manual mentions drinking water "protection areas." The protection areas are also referred to as "buffer zones" and "recommended setbacks" for public water systems and the groundwater table. ADEC has placed a "Provisional Protection Area" (PPA) for a water system at the Alaska Brain Center. The PPA encroaches onto the southern portion of the subject properties as shown on the attached map labeled "Site Plan Overlay." After receiving the comment from ADEC, the applicant noted the operation would not occur within the identified PPA. Staff recommends a condition to limit the proposed use from extracting material within the PPA.

Conclusion of Law: Based on the above findings, and with conditions, the proposed use is consistent with the applicable comprehensive plans (MSB 17.30.060(A)(1)).

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(2) that the use will preserve the value, spirit, character, and integrity of the surrounding area;

Findings of Fact:

1. Seldon Road abuts the site to the north. Parcels on the north side of Seldon Road range from 5 to 18 acres in size. Those parcels have a mix of residential uses and vacant land.
2. The intersection of Bogard Road and Seldon Road abuts the Frontier Plaza Subdivision to the northeast. Commercial and industrial uses are on the northeast and southeast corners of

the intersection. Bogard Road and Seldon Road have a mix of commercial, industrial, and residential uses on their frontages.

3. Large subdivisions with residential developments make up the majority of the area east and north of the Bogard Road.
4. Parcels to the west range from 1 to 30 acres in size. Those parcels include a church, residential, and commercial uses.
5. Parcels to the south range from 1 to 38 acres in size. Those parcels are a mix of vacant land, an old gravel extraction site, residential, and commercial uses.
6. According to the application material, 10-foot tall earthen berm will encompass the proposed use, minus the access points.
7. The closest residential structure is approximately 100 feet south of the proposed use.
8. According to the application material, access and truck routes will be on Frontier Plaza Drive and go west onto Northgate Place and then on to Seldon Road.
9. According to the application material, the proposed hours of operation are 7:00 a.m. to 6:00 p.m., Monday through Saturday.
10. According to the application material, water trucks will be used as needed during operations as a dust control measure.
11. The applicant is not proposing to mine below or within four feet of the seasonal high water table.
12. An asphalt plant is not proposed at the subject properties.
13. According to the application material, the operation and reclamation plan will leave the site suitable for commercial development.
14. According to the application material, the estimated final year of extraction is 2030.

Discussion: The proposed hours of the operation are 7:00 a.m. to 6:00 p.m., Monday through Saturday. Staff recommends a condition limiting the hours of operation to what is proposed. Staff also recommends a condition limiting rock-crushing activities to 8:00 a.m. to 5:00 p.m., Monday through Friday, due to the proximity of adjacent uses.

Conclusion of Law: Based on the above findings, and with conditions, the proposed use will not detract from the value, spirit, character, and integrity of the surrounding area (MSB 17.30.060(A)(2)).

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(3) that the applicant has met all other requirements of this chapter pertaining to the use in question;

Finding of Fact:

1. All of the site plan and site development requirements have been provided.

Conclusion of Law: The applicant has met all of the requirements of this chapter (MSB 17.30.060(A)(3)).

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(4) that granting the permit will not be harmful to the public health, safety and general welfare;

Findings of Fact:

1. According to the application material, 10-foot tall earthen berm will encompass the proposed use, minus the access points.
2. The closest residential structure is approximately 100 feet south of the proposed use.
3. According to the application material, access and truck routes will be on Frontier Plaza Drive and go west onto Northgate Place and then on to Seldon Road.
4. According to the application material, the proposed hours of operation are 7:00 a.m. to 6:00 p.m., Monday through Saturday.
5. According to the application material, water trucks will be used as needed during operations as a dust control measure.
6. The applicant is not proposing to mine below or within four feet of the seasonal high water table.
7. According to the application material, all stormwater will be contained onsite.
8. According to the application material, the operation and reclamation plan will leave the site suitable for commercial development.

Discussion: The ADEC Best Management Practices Manual mentions drinking water "protection areas." The protection areas are also referred to as "buffer zones" and "recommended setbacks" for public water systems and the groundwater table. ADEC has placed a "Provisional Protection Area" (PPA) for a water system at the Alaska Brain Center. The PPA encroaches onto the southern portion of the subject properties as shown on the attached map, labeled "Site Plan Overlay." After receiving the comment from ADEC, the applicant noted the operation would not occur within the identified PPA. Staff recommends a condition to limit the proposed use from extracting material within the PPA. The proposed hours of the operation are 7:00 a.m. to 6:00 p.m., Monday through Saturday. Staff recommends a condition limiting the hours of operation to what is proposed. Staff Also recommends a condition limiting rock-crushing activities to 8:00 a.m. to 5:00 p.m., Monday through Friday, due to the proximity of adjacent uses. MSB Driveway Permits for access onto Frontier Plaza Drive are still pending. Staff recommends a condition requiring the permits be finalized prior to operating.

Conclusion of Law: Based on the above findings, and with conditions, the proposed use will not be harmful to the public health, safety, convenience and welfare (MSB 17.30.060(A)(4)).

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(5) that the sufficient setbacks, lot area, buffers or other safeguards are being provided to meet the conditions listed in MSB 17.30.050(B).

Findings of Fact:

1. According to the application material, 10-foot tall earthen berm will encompass the proposed use, minus the access points.
2. The closest residential structure is approximately 100 feet south of the proposed use.

3. According to the application material, access and truck routes will be on Frontier Plaza Drive and go west onto Northgate Place and then on to Seldon Road.
4. According to the application material, the proposed hours of operation are 7:00 a.m. to 6:00 p.m., Monday through Saturday.
5. According to the application material, water trucks will be used as needed during operations as a dust control measure.
6. The applicant is not proposing to mine below or within four feet of the seasonal high water table.
7. According to the application material, all stormwater will be contained onsite.
8. According to the application material, the operation and reclamation plan will leave the site suitable for commercial development.

Discussion: The ADEC Best Management Practices Manual mentions drinking water "protection areas." The protection areas are also referred to as "buffer zones" and "recommended setbacks" for public water systems and the groundwater table. ADEC has placed a "Provisional Protection Area" (PPA) for a water system at the Alaska Brain Center. The PPA encroaches onto the southern portion of the subject properties as shown on the attached map labeled "Site Plan Overlay." After receiving the comment from ADEC, the applicant noted the operation would not occur within the identified PPA. Staff recommends a condition to limit the proposed use from extracting material within the PPA.

Conclusion of Law: Based on the above findings, sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.30.060(A)(5)).

Section 17.28.060 Site Development Standards

(A) Standards for the earth materials extraction site development plan are as follows:

(1) identification of surrounding property owners, existing land uses, and wetlands and waterbodies within one-quarter mile of the site;

Findings of Fact:

1. Maps are included in the record identifying surrounding property ownership, existing land uses, wetlands, and waterbodies within one-half mile of the proposed site.
2. According to the site plan, earth material extraction activities will not take place within 100 feet of any identified wetlands or waterbodies.

Conclusion of Law: The surrounding property ownership, existing land uses, and wetlands and water bodies within the notification area have been identified (MSB 17.28.060(A)(1)).

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(2) phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.;

Findings of Fact:

1. A site plan is included in the record showing the location of the earth materials extraction site, including phases of mining within the subject parcels.
2. A topographic contour map, bare earth map, and aerial photography are included in the record. These items show topographic features and vegetation of the subject property and adjacent properties.
3. According to the site development plan, proposed permanent and semi-permanent structures associated with the proposed use meet setback requirements.

Conclusion of Law: 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 are anticipated to be located within the required setbacks (MSB 17.28.060(A)(2)).

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(3) The road and access plan shall include anticipated routes and traffic volumes, and shall be approved by the director. If the level of activity exceeds the minimum levels specified in MSB 17.61.090*, traffic standards, a traffic control plan consistent with state regulations may be required*

Findings of Fact:

1. According to the application material, access and truck routes will be on Frontier Plaza Drive and go west onto Northgate Place and then on to Seldon Road.
2. According to the application material, the proposed operation does not anticipate generating traffic in excess of 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles per day.

Conclusion of Law: The proposed traffic route and traffic volumes have been identified. Traffic generated from the proposed use will not exceed 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles a day, as specified in MSB 17.61.090, Traffic Standards (MSB 17.28.60(A)(3)).

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(4) visual screening measures shall include a detailed description of the type of visual screening to be utilized, and shall be maintained as necessary during the course of extraction activities. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission. If mining is planned to be conducted within 300 feet of the property line, berms or other visual screening methods shall be a minimum of ten feet in height. If mining is planned to be conducted greater than 300 feet from the property line, the applicant shall utilize commission-approved screening methods to minimize visual impacts of the mining operation. The commission shall adopt policies and procedures to assist applicants in developing screening plans. In its discretion, the commission may waive screening requirements where the topography of the property or the placement of natural barriers makes screening not feasible or not necessary. Screening requirements shall be required in consideration of and in accordance with existing uses of adjacent property at the time of designation of the interim materials district. An interim materials district shall not be required to screen the district from uses which arise after the designation of the interim materials district;

Finding of Fact:

1. According to the application material, 10-foot tall earthen berm will encompass the proposed use, minus the access points.

Conclusion of Law: Earthen berms will be utilized and maintained to meet the visual screening measures (MSB 17.28.060(A)(4)).

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(5) noise mitigation measures shall include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties and shall include, but not be limited to, hours of operation of noise-producing equipment, erecting noise barriers (i.e., berms a minimum of ten feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e., below grade in excavated pit areas), and measures to utilize equipment with noise reduction features.

(a) no sound resulting from the earth materials extraction activities shall create a sound level that exceeds the limits set forth for the existing receiving land use category in Table 1 when measured at or within the property boundary of the receiving land use:

Table 1. Sound Levels by Receiving Land Use

Receiving Land Use Category	***Time***	***Sound Level Limit (dB(A))***
Residential Use	*7 a.m. – 10 p.m.*	*60*
	10 p.m. – 7 a.m.	*50*
Commercial Use	*7 a.m. – 10 p.m.*	*70*
	10 p.m. – 7 a.m.	*60*
Industrial Use or Undeveloped Land	*At all times*	*80*

(b) [Repealed by Ord. 08-150, § 2, 2008]

(c) for any sound that is of short duration, between the hours of 7 a.m. and 7 p.m. the levels established in Table 1 may be increased by:

(i) five dB(A) for a total of 15 minutes in any one hour; or

(ii) ten dB(A) for a total of five minutes in any hour; or

(iii) fifteen dB(A) for a total of one and one-half minutes in any one-hour period.

(d) an interim materials district or a conditional use permit for earth materials extraction activities shall not be required to provide noise mitigation measures to mitigate or lessen noise impacts if a land use requiring lesser noise levels than for an industrial area arises on properties adjacent to earth materials extraction sites after the designation of the interim materials district or the effective date of the conditional use permit.

Findings of Fact:

1. According to the application material, 10-foot tall earthen berm will encompass the proposed use, minus the access points.

2. According to the application material, access and truck routes will be on Frontier Plaza Drive and go west onto Northgate Place and then on to Seldon Road.
3. According to the application material, equipment will be maintained to ensure noise reduction features, such as, mufflers, are operating properly.
4. According to the application material, the proposed hours of operation are 7:00 a.m. to 6:00 p.m., Monday through Saturday.
5. Noise levels exceeding the levels in MSB 17.28.060 are prohibited.
6. Earthen berms are incorporated into the operation plan as noise mitigation measures.

Conclusion of Law: Noise mitigation measures include retaining vegetative buffers and constructing earthen berms will ensure that sounds generated from earth material extraction activities do not exceed sound levels set forth in MSB 17.28.060(A)(5)(a). Noise levels exceeding the levels in 17.28.060(A)(5)(a) are prohibited.

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(6) lighting standards are:
(a) exterior lighting shall be located and shielded to direct the light towards the ground, in order to minimize light spillage onto adjacent properties and upward into the night sky.
(b) illumination or other fixtures mounted higher than 20 feet or 150 watts or more shall have downward directional shielding.

Finding of Fact:
1. According to the application material, if lighting is needed, exterior lighting will be located and shielded to direct the light towards the ground in order to minimize light spillage onto adjacent properties and upward into the night sky. Illumination or other fixtures mounted higher than 20 feet or 150 watts or more will have downward directional shielding.

Conclusion of Law: Based on the above finding, the proposed use meets lighting standards in accordance with MSB 17.28.060(A)(6).

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(7) Except as permitted by MSB 17.30.037, the following restrictions shall apply: an undisturbed buffer shall be left and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including wetlands (unless permitted by U.S. Army Corps of Engineers 404 Permit, MSB 17.28.040(A)(5)). This regulation shall not apply to manmade water bodies being constructed during the course of the materials extraction activities.
(a) an undisturbed buffer shall be left and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including wetlands (unless permitted by United States Army Corps of Engineers 404 Permit, MSB 17.28.040(A)(5)).
(b) a four-foot vertical separation between all excavation and the seasonal high water table shall be maintained.

Findings of Fact:
1. According to the site plan, earth materials extraction activities will not take place within 100 feet of any identified wetlands or waterbodies.

2. Maps are included in the record identifying surrounding property ownership, existing land uses, wetlands, and waterbodies within one-half mile of the proposed site.
3. The applicant is not proposing to mine below or within four feet of the seasonal high water table.

Conclusion of Law: The operation will not conduct earth material extraction activities within 100 linear feet of any identified wetland, stream, river or other waterbody and the operation will not mine below or within four feet of the seasonal high water table (MSB 17.28.60(A)(7)(a – b)).

STAFF RECOMMENDATIONS

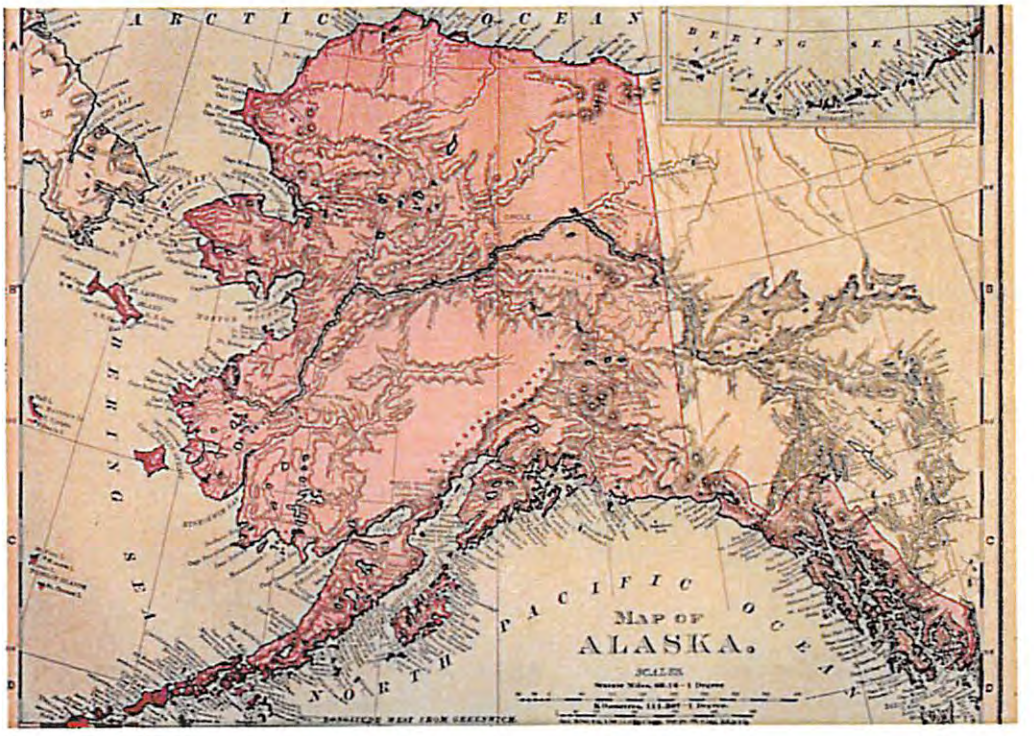
Staff recommends approval of the Conditional Use Permit for Earth Materials Extraction Activity to commercially extract approximately 42,000 cubic yards through 2030, from 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002. The application meets all the standards of MSB 17.30 and 17.28 and staff recommends approval of this permit with the following conditions:

1. The operation shall comply with all applicable federal, state, and local regulations.
2. A copy of the approved conditional use permit shall be provided to each contractor and/or company working at the site.
3. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the Conditional Use Permit shall be required prior to any alteration or expansion of the material extraction operation.
4. Material extraction shall be limited to the approximate 4-acre area identified in the application material and depicted on the applicant's site plan(s).
5. The earthen berm shown on the site plan(s) within the application material shall be maintained.
6. The 1,000-foot Preliminary Protection Area identified by the ADEC Drinking Water Protection Area map shall be identified and marked by a professional land surveyor, licensed to operate in the State of Alaska, prior to beginning extraction activities.
7. Earth material extraction is prohibited within the 1,000-foot Preliminary Protection Area identified by the ADEC Drinking Water Protection Area map.
8. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected for leaks at the end of each day.
9. 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.
10. Any hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
11. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.
12. Prior to the commencement of mining activity, all MSB driveway permits for access onto Frontier Plaza Drive shall be finalized.

13. All track-out sediments from the site shall be removed from the right-of-way daily.
14. The operation shall perform dust mitigation techniques as described in the application as-needed to minimize dust impacts to the surrounding areas.
15. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060 – Site Development Standards and MSB 8.52 – Noise, Amplified Sound, and Vibration.
16. All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to Monday through Saturday, 7:00 a.m. to 6:00 p.m.
17. Rock-crushing activities shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m.
18. If cultural remains are found during material extraction activities, the MSB Planning Department shall be contacted immediately, so the remains can be documented.
19. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.
20. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at minimum, be allowed on demand when activity is occurring, 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 Conditional Use Permit.
21. The operation shall comply with the reclamation standards of MSB 17.28.067 – Reclamation Standards.
22. All junk, trash, and junk vehicles, as defined in MSB 8.50 shall be removed and properly disposed of prior to the completion of reclamation on the subject parcel.
23. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) – Lighting standards.
24. Authorization for earth material extraction activities approved by this Conditional Use Permit shall expire on December 31, 2030.

If the Planning Commission chooses to deny this permit, findings for denial must be prepared by the Commission.

COMMUNITY NOISE ENFORCEMENT



June 2012

RUTGERS
THE STATE UNIVERSITY
OF NEW JERSEY
NOISE TECHNICAL ASSISTANCE CENTER
DEPARTMENT OF ENVIRONMENTAL SCIENCES

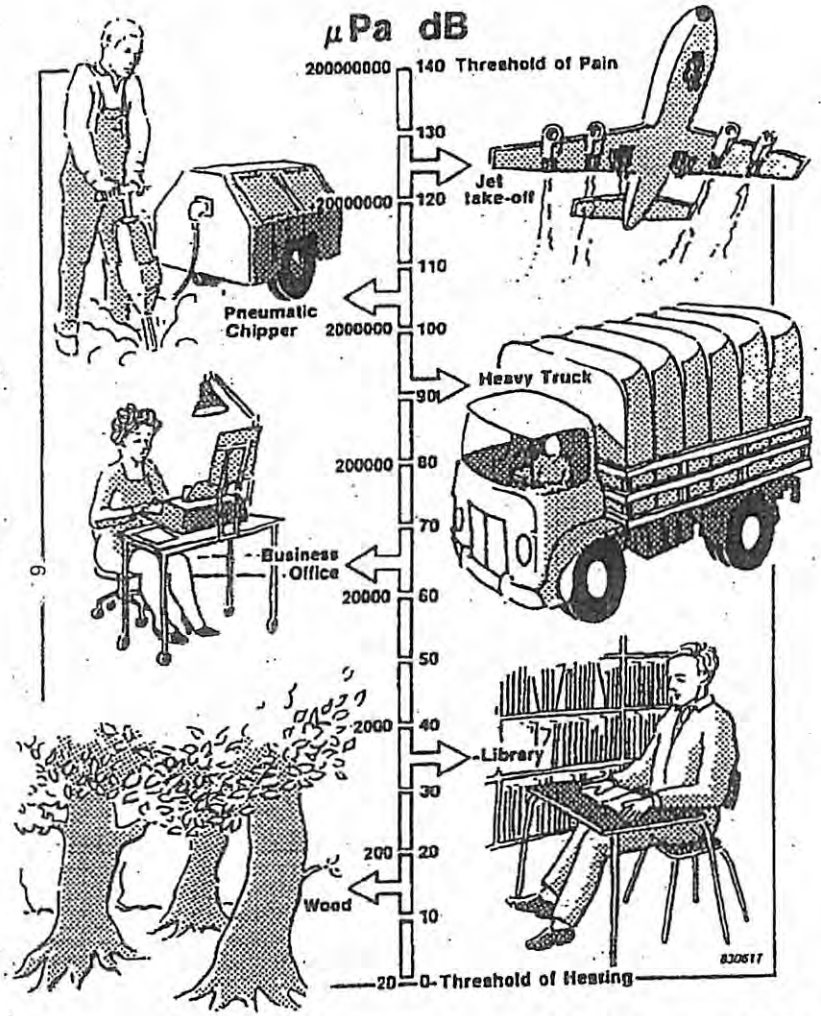


Fig. 5–3. Examples of some typical sound levels, expressed in micropascals on the left side of the scale and decibels on the right. (From Bruel & Kjaer, 1984, reproduced with permission.)

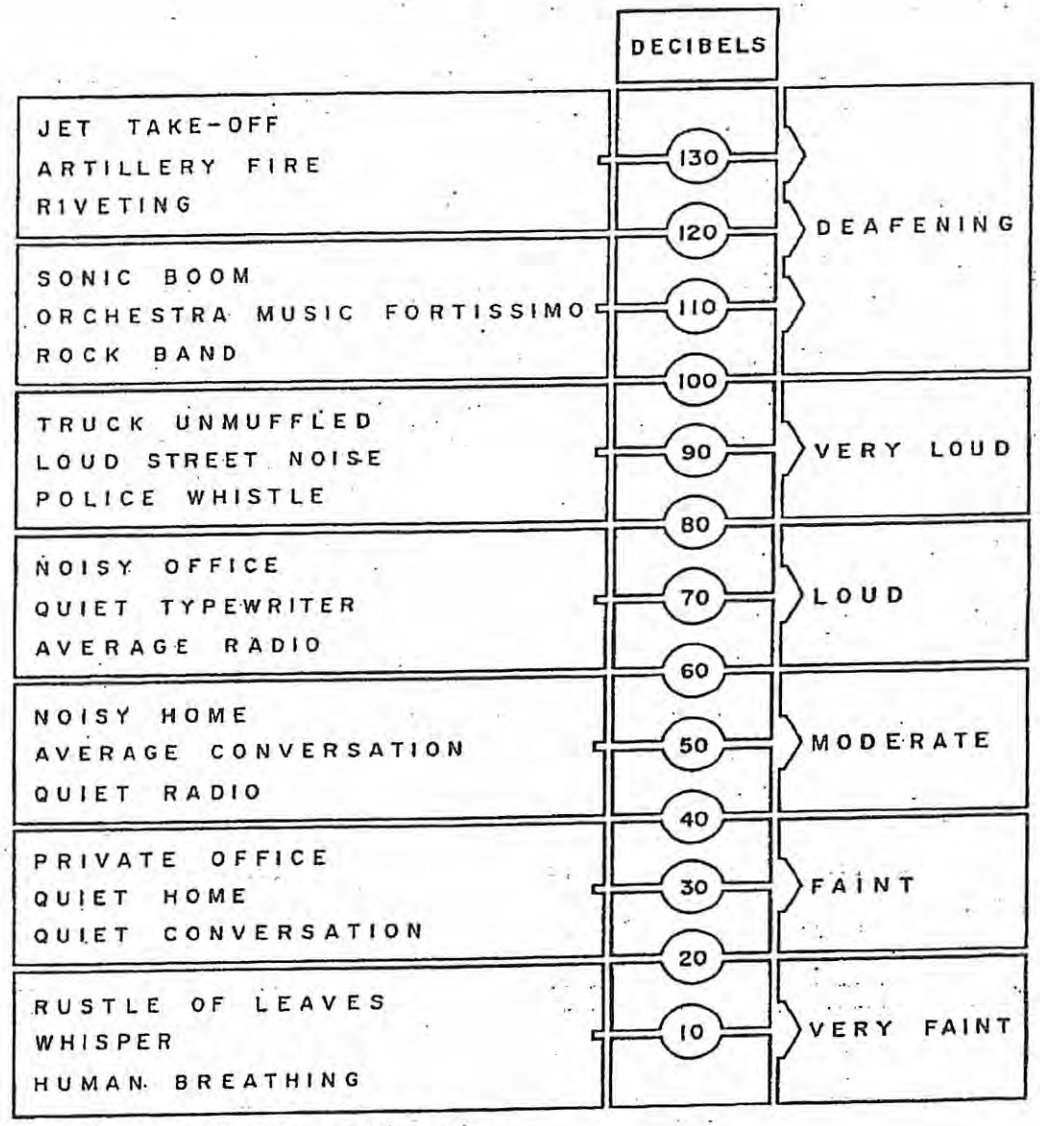


Fig. 3.5 Sound pressure levels of representative sounds and noises.

Planning Commission August 1, 2022 Packet
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Alaska DEC User's Manual

BEST MANAGEMENT PRACTICES FOR GRAVEL/ROCK AGGREGATE EXTRACTION PROJECTS

Protecting Surface Water and Groundwater Quality in Alaska

September 2012

Developed by:
Shannon & Wilson, Inc.
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Division of Water
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Alaska DEC User's Manual

BEST MANAGEMENT PRACTICES FOR GRAVEL/ROCK AGGREGATE EXTRACTION PROJECTS:

PROTECTING SURFACE WATER AND GROUNDWATER QUALITY IN ALASKA

September 2012

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PREFACE

This document is a revision to the *User's Manual: Best Management Practices for Gravel Pits and the Protection of Surface Water Quality in Alaska*, dated June 2006. Revisions were made in 2012 to provide updated information regarding permitting processes and agencies, and to address the growing need for best management practices pertaining to the protection of groundwater.

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DISCLAIMER

This document is intended to be used as a general guide to assist the aggregate mining community in designing and implementing effective best management practices for protecting surface water and groundwater quality. It is not intended to be the only source of such information or to provide legal advice of any nature. Users of this document are encouraged to seek legal, technical, and engineering advice from qualified professionals who are familiar with their project area. The organizations and individuals contributing to the preparation of this document expressly disclaim any responsibility or liability for any acts or omissions taken by any party as a result of this document's use.

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ACRONYMS

AAC	Alaska Administrative Code
ADR	Alaska Department of Revenue
DEC	Alaska Department of Environmental Conservation
AMD	Acid Mine Drainage
APDES	Alaska Pollutant Discharge Elimination System
BMP	Best Management Practices
CGP	Construction General Permit
DMLW	Division of Mining, Land, and Water
DNR	Alaska Department of Natural Resources
EDGP	Excavation Dewatering General Permit
EPA	United States Environmental Protection Agency
FBATFE	Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives
HMC	Hazardous Materials Control
MSGP	Multi-Sector General Permit
NOI	Notice of Intent
NOA	Naturally Occurring Asbestos
NPDES	National Pollutant Discharge Elimination System
NTU	Nephelometric Turbidity Units
PWS	Public Water System
SWPPP	Storm Water Pollution Prevention Plan
TAH	Total Aromatic Hydrocarbon
TAqH	Total Aqueous Hydrocarbon
TMDL	Total Maximum Daily Load
TWUP	Temporary Water Use Permit

1 INTRODUCTION

1.1 Purpose of the Manual

Key Points – Chapter 1

- The manual provides information on permitting and best management practices for gravel and rock aggregate operations to protect surface water and groundwater quality.
- The manual provides meaningful and comprehensive guidelines that will reduce impacts to water quality.

Aggregate is an important resource for Alaskan communities, used extensively in road building, foundation preparation, concrete, and other applications. Alaskan communities also depend on the quality of their surface and groundwater for drinking and livelihood. Aggregate mines occur throughout Alaska, and their improper operation can result in adverse impacts to surface water and groundwater quality. The primary purpose of this manual is to help protect the quality of Alaska's water from such impacts. One of the most effective ways to control impacts is the use of effective best management practices (BMPs). BMPs are physical, chemical, structural, and/or managerial techniques to minimize water pollution. This manual provides owners and operators of gravel/rock extraction operations in Alaska with guidance regarding permitting processes, as well as a comprehensive list and description of BMPs which can be implemented to help meet permit requirements, protect the quality of water, and reduce conflict with the public.

1.2 Organization of the Manual

This manual is organized into the sections described below:

Chapter 1 – Introduction, including how to use the manual.
Chapter 2 – Provides information on state and federal permit requirements.
Chapter 3 – Describes how to determine potential impacts.
Chapter 4 – Gives guidelines and recommendations for protecting surface water and groundwater quality.
Chapter 5 – Describes how to choose Best Management Practices.
Chapter 6 – Contains BMPs for preventing chemical pollution.
Chapter 7 – Contains BMPs for erosion control and stormwater management.
Chapter 8 – Contains operational BMPs.
Chapter 9– Contains BMPs for reclamation.
Chapter 10– Provides a list of references used in the manual.

Appendix A - Provides definitions for terms used in the User's Manual.
Appendix B – Lists contacts throughout Alaska for additional information on gravel pit BMPs and requirements.
Appendix C – Provides additional resources of information.
Appendix D – Provides limited information regarding state and federal permit requirements.
Appendix E – Is an index of BMPs presented in this manual.

1.3 How to Use the Manual

This manual is appropriate for use by owners and operators of gravel and rock aggregate extraction projects throughout Alaska. The techniques and practices given in this manual can be applied to both small and large-scale operations. Personnel that do not have extensive expertise in designing and implementing control measures may benefit from review of the entire manual. Personnel that have previous experience with the planning, design, and implementation of BMPs may benefit primarily from the BMP guidance given in Chapters 6 through 9, indexed in Appendix E – Best Management Practice Index.

2 PERMITTING AND REGULATORY REQUIREMENTS

Key Points – Chapter 2

Links to Key Documents:

- EPA's Multi-Sector General Permit: http://cfpub.epa.gov/npdes/stormwater/msgp.cfm
- DEC's Excavation Dewatering General Permit: http://www.dec.alaska.gov/water/WPSDocs/2009DB0003_pmt.pdf
- Alaska Water Quality Criteria (18 AAC 70): http://www.dec.state.ak.us/regulations/index.htm
- EPA's NPDES Website: http://cfpub.epa.gov/npdes/

This section provides a brief description of the DEC Alaska Pollutant Discharge Elimination System (APDES) Multi-Sector General Permit, DEC's Excavation Dewatering General Permit, the Alaska Water Quality Criteria, and Alaska Department of Natural Resources (DNR) Temporary Water Use Permit (TWUP) and Material Sale application as they apply to gravel pits. This is not intended to be a complete list of regulatory requirements but instead to provide a brief introduction to major regulations for gravel pits with respect to stormwater. Appendix D presents a summary of state and federal permits that may apply to material extraction operations in Alaska.

DEC permit requirements:

- APDES MSGP
- Excavation dewatering
- Water quality criteria

DNR permit requirements:

- Temporary Water Use Permit
- Material Sale Application

2.1 APDES Multi-Sector General Permit and Other APDES Requirements

Certain stormwater discharges, including those from industrial sites such as gravel pits, are regulated under the DEC APDES program. Both the discharge of stormwater and the discharge of dewatering effluent (uncontaminated groundwater) from gravel pit operations are permitted under the APDES Multi-Sector General Permit (MSGP) under Sector J (Mineral Mining and Dressing).

To apply for permit coverage under the MSGP, a facility operator must complete and submit to DEC a Notice of Intent (NOI) form. To comply with the permit, the facility operator must prepare and follow a Storm Water Pollution Prevention Plan (SWPPP). To discontinue permit coverage, a facility operator must complete and submit to DEC a Notice of Termination form.

There are certain circumstances where a general permit is either not available or not applicable to a specific operation or facility. In this type of situation, a facility operator must obtain coverage under an individual permit. DEC will develop requirements specific to the facility.

Some permits may remain in effect that had been issued by the Environmental Protection Agency (EPA) under an old permit that has since expired. For example, for North Slope Oil and Gas Exploration activities, gravel pits/material sites used for construction of pads and roads were permitted under a Slope-wide NPDES General Permit AKG33-0000. However, pursuant to

Section 401 of the Clean Water Act, the state of Alaska certifies EPA permits, which then become enforceable by the state.

2.2 Excavation Dewatering General Permit

Authorization for excavation dewatering is covered under DEC's Excavation Dewatering State Permit (Permit No. 2009DB0003). The general permit covers wastewater disposal from excavations on sites located less than one mile from a contaminated site and excavations located more than one mile from a contaminated site not eligible for coverage under the ADPES MSGP. Eligible projects covered under this general permit include gravel extraction.

A Notice of Disposal must be submitted to DEC when a total excavation dewatering discharge volume equal to or greater than 250,000 gallons is planned. A Notice of Disposal is not required if the total discharge volume is less than 250,000 gallons. However, it is important to note that the water quality standards in 18 AAC 70 and the terms and conditions of the general permit still apply. If DEC determines that a known contaminated site is located within one mile of a proposed dewatering activity and the wastewater discharge volume is equal to or greater than 250,000 gallons, additional information regarding the contaminated site including hydrogeologic conditions at the site may be needed. Monitoring wells and/or proposed treatment may be additionally required. Monitoring requirements are listed in the general permit.

Management practices must ensure that the dewatering operation is conducted so that the terms of the general permit are met. Some BMPs are outlined in the permit. This may include leaving the dewatering site, including any settling ponds, in a condition that will not cause degradation to the receiving water beyond that resulting from natural causes. If an earthen channel to transport wastewater from a dewatering operation to the receiving water is used, construction equipment should not be driven in the channel, which will result in re-suspended sediment. Fuel handling and storage facilities shall be managed to ensure petroleum products are not discharged into receiving waters.

The DEC dewatering permit was intended to authorize short-term discharges associated with construction. Gravel pits tend to be on-going projects, sometimes planned in phases. Although DEC has not issued an individual permit for a gravel operation, it is an option for larger, on-going gravel extraction with wastewater discharge associated with it.

2.3 Alaska Water Quality Criteria

Water quality criteria adopted by the State of Alaska are found in the Water Quality Standards in 18 AAC 70.020(b) and the DEC's Alaska Water Quality Criteria Manual for Toxic and Other Deleterious Organic and Inorganic Substances (May 26, 2011). These criteria were taken from the EPA criteria documents and Alaska Drinking Water Regulations in 18 AAC 80. Although these EPA criteria documents are no longer adopted directly into state regulation, they contain valuable information on the science used to create the criteria limits and may affect how the criteria are applied or modified. DEC can use these criteria as limits in the absence of mixing zones or other water quality standard exceptions in 18 AAC 70.

Pollutants that might be expected in the discharge from gravel pits are sediment, turbidity, total metals, and petroleum hydrocarbons. Table 2-1 and Table 2-2 contain numeric surface water quality standards for sediment, turbidity, and petroleum products in freshwater and marine waters. Narrative criteria are not included in Table 2-1 and Table 2-2. Criteria for total metals can be found in *Alaska's Water Quality Criteria Manual for Toxic and Other Deleterious Organic and Inorganic Substances* (2011). Alaska regulations (18 AAC 70) should be consulted for a full list of requirements, both numeric and descriptive criteria, and uses.

2.4 Temporary Water Use Permit

A water right is a legal right to use surface or groundwater under the Alaska Water Use Act (AS 46.15). A water right allows a specific amount of water from a specific water source to be diverted, impounded, or withdrawn for a specific use. When a water right is granted, it becomes appurtenant to the land where the water is being used for as long as the water is used. If the land is sold, the water right transfers with the land to the new owner, unless the DNR approves its separation from the land. In Alaska, because water is a common property resource wherever it naturally occurs, landowners do not have automatic rights to groundwater or surface water.

A temporary water use authorization may be needed if the amount of water to be used is a significant amount, the use continues for less than five consecutive years, and the water to be used is not appropriated. This authorization does not establish a water right but will avoid conflicts with fisheries and existing water right holders. To obtain water rights in Alaska, you need to submit an application for water rights to the DNR office in the area of the water use. After your application is processed, you may be issued a permit to drill a well or divert the water.

2.5 Material Sales Application

Material Sales Applications are required for extracting material from state-owned land. To determine if a site is on state-owned land, visit or contact the DNR Public Information Center:

DNR Public Information Center
550 West 7th Avenue, Suite 1260
Anchorage, AK 99501-3557
Phone: 907-269-8400
Fax: 907-269-8901

DNR Public Information Center
3700 Airport Way
Fairbanks, AK 99709-4699
Phone: 907-451-2700
Fax: 907-451-2706

DNR Public Information Office
400 Willoughby Street, 4th Floor
Juneau, AK 99801
Phone: 907-465-3400

There are three different types of state material sales:

- The first and smallest is a "limited" material sale which cannot be for more than 200 cubic yards per 12 month period per person. This is a revocable, nonexclusive contract for personal or commercial use.

- The second type is the "negotiated" sale, which generally cannot exceed 25,000 cubic yards per year per person or company. Material purchased under this type of sale can be sold or used for commercial purposes. The term of the sale is generally one year, but can be longer depending on circumstances.
- The third and larges is the "competitive" sale. The sale contract can be issued for an unlimited amount of material to be taken over many years. Award will be determined by public auction if there are multiple bidders for the same location. If no competitive interest is expressed during the public notification period, no auction is necessary and the sale can proceed to contract upon completion of the decision making process. Material purchased through competitive sale can be sold or used for commercial purposes.

Material Sale Applications care available from and may be submitted to any of the DNR Public Information offices listed above. Applicable State statute and regulations include, but are not limited to: AS 38.05.110-120, AS 38.05.550-565, and 11 AAC 71. Additional information on Material Sale Applications can be found at http://dnr.alaska.gov/mlw/factsht/material_sites.pdf.

Table 2-1: Summary of Selected Freshwater Criteria from 18 AAC 70.020(b)[1]

Pollutant	Water Use	Criteria
Sediment	Water Supply – Agriculture	For sprinkler irrigation, water must be free of particles of 0.074 mm or coarser. For irrigation or water spreading, may not exceed 200 mg/l for an extended period of time.
	Growth and Propagation of Fish, Shellfish, Other Aquatic Life, and Wildlife	Percent accumulation of fine sediment in the range of 0.1 mm to 4.0 mm in the gravel bed of waters used by an anadromous or resident fish for spawning may not be increased more than 5% by weight above natural conditions. In no case may the 0.1 mm to 4.0 fine sediment range in those gravel beds exceed a maximum of 30% by weight.
Turbidity	Water Supply – Drinking, culinary, and food processing	Nephelometric turbidity units (NTU) may not exceed 5 above natural conditions when the natural turbidity is 50 NTU or less. May not have more than 10% increase in turbidity when natural turbidity is more than 50 NTU, not to exceed a maximum increase of 25 NTU.
	Water Supply – Aquaculture & Growth and Propagation of Fish, Shellfish, Other Aquatic Life, and Wildlife	May not exceed 25 NTU above natural conditions. For all lake waters, may not exceed 5 NTU above natural conditions.
	Water Recreation – Contact	May not exceed 5 NTU above natural conditions when the natural turbidity is 50 NTU or less. May not have more than 10% increase in turbidity when natural turbidity is more than 50 NTU, not to exceed a maximum increase of 15 NTU. For all lake waters, may not exceed 5 NTU above natural conditions.
	Water Recreation – Secondary recreation	May not exceed 10 NTU above natural conditions when the natural turbidity is 50 NTU or less. May not have more than 20% increase in turbidity when natural turbidity is more than 50 NTU, not to exceed a maximum increase of 15 NTU.

Table 2-1: Summary of Selected Freshwater Criteria from 18 AAC 70.020(b)[1]

Pollutant	Water Use	Criteria
		For all lake waters, may not exceed 5 NTU above natural conditions.
Petroleum Hydrocarbons	Water Supply – Aquaculture & Growth and Propagation of Fish, Shellfish, Other Aquatic Life, and Wildlife	Total aqueous hydrocarbons (TAqH) in the water column may not exceed 15 µg/L. Total aromatic hydrocarbons (TAH) in the water column may not exceed 10 µg/L.

[1] Refer to regulations for full description of criteria and designated uses:
DEC, 18 AAC 70, Water Quality Standards (Amended as of April 8, 2012)
http://dec.alaska.gov/commish/regulations/pdfs/18%20AAC%2070.pdf

Table 2-2: Summary of Selected Marine Criteria from 18 AAC 70.020(b)[1]

Pollutant	Water Use	Criteria
Sediment	—	No numeric criteria. See 18 AAC 70 for descriptive criteria.
Turbidity	Water Supply – Aquaculture & Water Recreation (Contact and Secondary)	May not exceed 25 NTU.
	Growth and Propagation of Fish, Shellfish, Other Aquatic Life, and Wildlife & Harvesting for Consumption of Raw Mollusks or Other Raw Aquatic Life	May not reduce depth of the compensation point for photosynthetic activity by more than 10%. May not reduce the maximum secchi disk depth by more than 10%.
Petroleum Hydrocarbons	Water Supply – Aquaculture & Growth and Propagation of Fish, Shellfish, Other Aquatic Life, and Wildlife	TAqH in water column may not exceed 15 µg/L. TAH in water column may not exceed 10 µg/L.

[1] Refer to regulations for full description of criteria and designated uses:
DEC, 18 AAC 70, Water Quality Standards (Amended as of April 8, 2012)
http://dec.alaska.gov/commish/regulations/pdfs/18%20AAC%2070.pdf

3 DETERMINING POTENTIAL IMPACTS

Potential pollutants of surface and groundwater from gravel pits include sediment, turbidity, total metals, and/or petroleum hydrocarbons. An increase in turbidity within a stream environment may result in a potential decrease in available free oxygen necessary to support aquatic life. An increase in the concentration of total suspended solids, such as silt or decaying plant matter, can destroy water supplies for human, animal, and other wildlife consumption. Increased sediments in water can also potentially damage fish gills by abrasion, and smother or bury fish redds, effectively killing them.

Key Points – Chapter 3

- Prevent potential impacts by gathering information and understanding the characteristics of the mine site:
  - Topography
  - Climate
  - Vegetation
  - Soil properties
  - Extraction material properties
  - Groundwater conditions
  - Proximity to
    - Public water system sources
    - Surface water bodies
    - Contaminated sites

It is easier and cheaper to prevent impacts to the environment before they happen, rather than attempting to fix them after they have occurred. When planning a mining operation, it is important to determine what impacts that operation might have on the surrounding environment and vice versa. A preliminary assessment should be performed which gathers information on general site conditions, Alaska-specific conditions, and the proximity of public water system sources, surface water bodies, and contaminated sites. Much of the information that should be gathered can be obtained over the internet from sites given below, and by a qualified person performing a thorough field reconnaissance of the mine site.

3.1 General Site Conditions

Before developing a mining plan, it is important to gather information on general site conditions, including local topography, climate, vegetation, soil properties, extraction material properties, and groundwater conditions. In looking at topography, consider the proposed operation with respect to slopes, slope aspects, and natural drainages. Also consider climate, particularly precipitation and wind. These factors will greatly influence the sensitivity of the site to erosion and sediment transport, which can be detrimental to water quality (see Chapter 7). The type of local vegetation, as well as the type, distribution, and thickness of soil are also important to understand because vegetation is one of the best sustainable means of preventing erosion. Local vegetation is already suited to the environment and, if planted in appropriate soil, will require little maintenance and facilitate cost effective reclamation. The type, depth, and thickness of the material to be extracted should also be understood in order to appropriately plan cuts, benches, etc. It is also important to know if the material to be extracted contains naturally occurring asbestos (NOA), which can be a hazard to mine workers and users of the product, or acid-

forming minerals that could contribute to acid mine drainage. The presence of NOA can negatively impact worker health and significantly affect the market available for the resulting aggregate. Basic groundwater characteristics should also be determined, such as groundwater depth, gradient, and the presence or absence of confining layers. It is necessary to have a basic understanding of all these factors (topography, climate, vegetation, soil properties, extraction material properties, and groundwater conditions) in order to understand how a mining operation and the natural environment will interact with one another. It is the understanding of that interaction which allows the development of a mining plan that prevents impacts to surface and groundwater quality.

3.2 Alaska-Specific Conditions

The environments found in Alaska are highly diversified and often extreme. Temperature, precipitation, and wind are key factors that must be taken into account when planning a mining operation, keeping in mind that conditions at one mine site in Alaska may be very different from another at a different location. The mean minimum temperature in Alaska in January ranges from about 23°F in the southeast to -31°F in parts of Northcentral. Figure 3-1 shows mean annual precipitation in Alaska. As shown in this figure, Southeast Alaska and parts of Southcentral receive over 2,000 mm (approximately 78 inches) of precipitation a year. In areas of high precipitation such as these, BMPs targeted to divert or manage stormwater runoff are more critical. Seasonal temperature and precipitation fluctuations also greatly affect the types of vegetation that can be used for soil stabilization, and when they can effectively be planted.

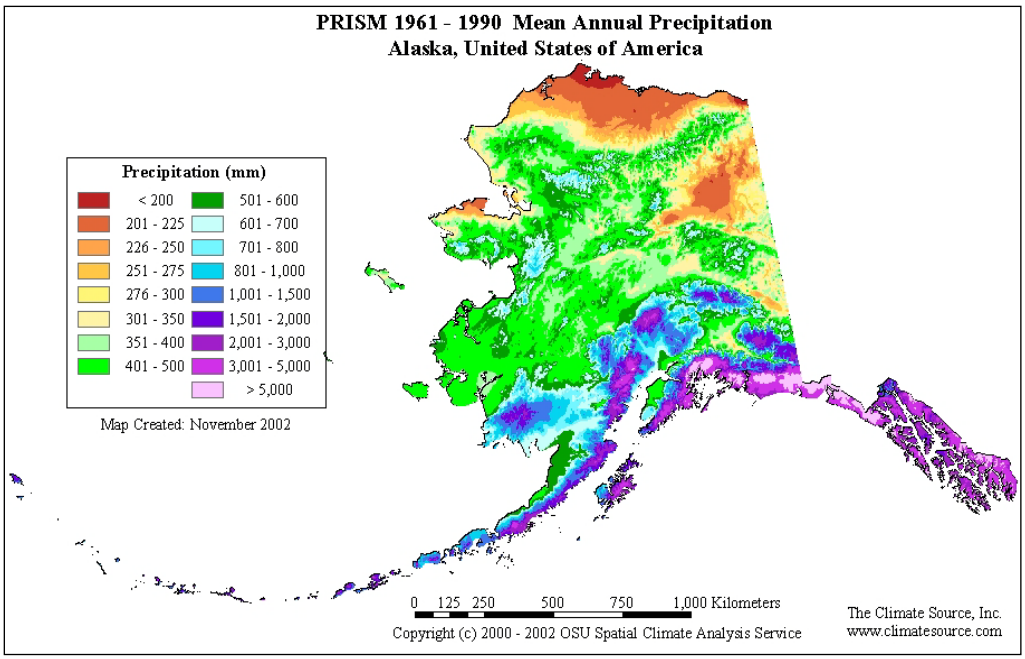


Figure 3-1: Mean Annual Precipitation in Alaska

High winds can increase erosion of exposed soil. A normal storm track along the Aleutian Island chain, the Alaska Peninsula, and all of the coastal area of the Gulf of Alaska exposes these parts of the state to a large majority of the storms crossing the North Pacific, resulting in a variety of

wind problems. Direct exposure results in the frequent occurrence of winds in excess of 50 mph during all but the summer months. Wind velocities approaching 100 mph are not common but do occur, usually associated with mountainous terrain and narrow passes. Winter storms moving eastward across the southern Arctic Ocean cause winds of 50 mph or higher along the arctic coast. Except for local strong wind conditions, winds are generally light in the interior sections (Western Regional Climate Center 2006). Erosion control BMPs should be used in areas with high winds or during high wind seasons.

3.3 Proximity Mapping

Surface runoff and groundwater flow are not constrained by mine site boundaries. Surface and groundwater interact with one another and, although it may not be visible, groundwater can flow from one side of a mine site to another, picking up or dropping off pollutants along the way. Mining changes the natural landscape and therefore can change the flow patterns of surface water and groundwater. It is therefore important to ascertain the proximity of public water system sources, surface water bodies, and existing and potential sources of contamination.

The Alaska Department of Environmental Conservation (DEC) has established drinking water protection areas which act as recommended buffer zones, which are available at their website, given below. Drinking water protection areas should be shown on maps submitted with permit applications wherever proposed project area boundaries fall within drinking water protection area buffer zones. Surface water bodies such as lakes, rivers, and streams can be identified on many web-based maps, such as Google Earth™. Some surface water bodies are considered by DEC to be impaired waters, meaning that they are too polluted or otherwise degraded to meet water quality standards. For these water bodies, a Total Maximum Daily Load (TMDL) for pollutants has been determined or will be developed. A TMDL is the maximum amount of a pollutant that a water body can receive in a day and still meet water quality standards. If a mine operation will place pollutants into impaired waters, via permitted discharge or otherwise, it is important to know the TMDLs for that water body. The location of impaired waters and the associated TMDLs can also be found on the DEC website, given below.

In areas of contamination, mining operations can expose contaminants in groundwater or cause them to migrate to previously unaffected areas by altering the groundwater flow regime. DEC has identified and mapped many contaminated sites, and these can be found on the website below. Other potential sources of contamination to consider are industrial sites where contamination has occurred but has not been detected or reported, abandoned mine sites, and untouched locations with natural acidic drainage.

The locations of drinking water protection areas, locations of impaired waters, TMDL information, identified contaminated sites, and other GIS data associated with DEC permits are available at http://dec.alaska.gov/das/GIS/apps.htm.

4 GENERAL GUIDELINES AND RECOMMENDATIONS FOR PROTECTING SURFACE WATER AND GROUNDWATER QUALITY

Some of the best ways to prevent mining impacts to surface and groundwater quality are to maintain distance between mining operations and the water to be protected, and to monitor water quality. This chapter presents recommended setbacks for mining operations from public water system (PWS) source areas, surface water bodies, and the groundwater table. Where proposed mining is closer to these waters than the recommended setbacks, it is recommended that a detailed hydrogeologic study be performed by a qualified person to evaluate potential impacts and design effective mitigation alternatives.

Key Points – Chapter 4

- Surface water and groundwater quality can be protected in part by:
  - Setbacks/Separation from:
    - PWS source areas
    - Surface water bodies
    - Groundwater table
  - Monitoring of:
    - Quantity
    - Temperature
    - pH
    - Specific conductance
    - Contaminants
  - Detailed hydrogeologic studies

4.1 Setbacks

Depending on the site, permits may require specific horizontal setbacks from water bodies or vertical separation distance from the groundwater table. All requirements of any permit should be met at all times. The following sections provide some general guidance for instances where setbacks are not specifically addressed in permitting.

4.1.1 Public Water System (PWS) Source Areas

DEC has established drinking water protection areas and recommended buffer zones for public water system (PWS) sources, which can be found at http://dec.alaska.gov/das/GIS/apps.htm. There are also PWS sources for which drinking water protection areas have not yet been delineated. For those PWS sources, it is recommended that the buffer zone be considered a 1,000-foot radius around the source area. It is recommended that excavation limits be restricted to areas outside any PWS source buffer zone. Equipment storage, maintenance, and operation should be as limited as possible within designated buffer zones, and appropriate BMPs should be used to prevent water contamination (see Chapter 6).

4.1.2 Lakes, Rivers, and Streams

Due to the interconnected nature of surface water, an impact to one part of a stream or river can have dramatic consequences downstream or upstream and affect the quality of surface and groundwater far from a mine site. Appropriate setbacks from surface water bodies will vary from case to case, but in general, a minimum setback of 200 feet is recommended between excavation limits and the ordinary high water level of surface water bodies, including lakes, rivers, and streams. For in-water work, a U.S. Army Corps of Engineers Section 404 permit for discharging dredged or fill material would be required. BMPs for in-stream work would be site-specific and

addressed in the permit. Mine sites that affect levee-protected areas may require a U.S. Army Corps of Engineers Section 404 permit.

4.1.3 Groundwater and Working Below the Water Table

In general, it is recommended that mines maintain a minimum of four (4) feet of vertical separation distance between extraction operations and the seasonal high water table, and that they restrict activities that could significantly change the natural groundwater gradient.

If mining must be done below the water table, groundwater may become exposed. Upon issuance of a local government conditional use permit, if available, allowing extraction of materials from below the seasonal high water table, no extraction should be performed below the first aquitard encountered within the saturated zone. During the active operation phase of a gravel pit, the top portion of the groundwater is considered treatment works, as authorized under 18 AAC 60 or 18 AAC 72, as long as it does not come in contact with hazardous contaminants. When operation at the gravel pit ceases, the exposed groundwater will once again become a water of the state. At that time, the water will need to comply with water quality standards based on the applicable designed use.

Notice to discharge is required under the Excavation Dewatering General Permit (EDGP) for discharges to land of equal to or greater than 250,000 gallons, or discharges to land at a rate equal to or greater than 40 gallons per minute. For discharges less than this volume and rate, notice under the Excavation Dewatering General Permit is not required; however, the discharge requirements in the permit must be followed. The Multi-Sector General Permit (MSGP) covers excavation pit dewatering discharges to surface waters. However, if an operation is within 1 mile from a contaminated site, the MSGP does not apply and authorization under the EDGP may be required. The DEC will provide more information on conditions and best management practices for a specific site in its permit. If excavation dewatering is needed, BMPs will be required to minimize adverse impacts to the receiving waters resulting from dewatering activities. Some general BMPs for dewatering are presented in Chapter 8.

4.2 Monitoring

Monitoring is the best way to measure the impact of a mining operation on surface water or groundwater quality, and is often required by permit. If required by permit, parameters to be monitored will be specified. Monitored parameters often include:

- surface water and groundwater elevation,
- surface water and groundwater flow,
- surface water and groundwater temperature,
- turbidity,
- pH,
- specific conductance, and
- likely contaminants.

The appropriate or required timeframe for monitoring will vary from case to case, but in general a good practice is to monitor relevant parameters at least 1 year prior to mining, throughout mining, and at least 1 year after reclamation is complete. Monitoring prior to mining provides a baseline record of preexisting conditions and establishes a range of seasonal variability and responsiveness to external influences among measured parameters. Once mining has started, this baseline data cannot be obtained. Monitoring during mining allows early detection of impacts and provides opportunities to evaluate BMP effectiveness and implement additional or different BMPs as needed. Monitoring after reclamation can provide early indications of slow onset problems that may develop after mining shuts down, such as acid drainage. A thorough monitoring program protects both water quality and the mining operation. It is much easier to resolve disputes quickly and fairly with a complete and comprehensive set of data in hand. Modern datalogging equipment can be used to measure and record many parameters at a high frequency with relatively low labor costs. High frequency data provides the ability to evaluate and document impacts from things like climactic and flood events.

Water quality sampling and hydrologic data collection should be accomplished under the supervision of a qualified professional engineer, hydrogeologist, or hydrologist and follow a written sampling plan approved by the permitting agency. All data should be made available to permitting agencies upon request, with the understanding that the permitting agency may provide the data to other public agencies and to the general public upon request.

DEC has prepared a document entitled Monitoring Well Guidance, which provides recommendations for monitoring well construction, maintenance, and decommissioning (http://dec.alaska.gov/spar/csp/guidance/Monitoring%20Well%20Guidance.pdf).

4.3 Detailed Hydrogeologic Studies

Where proposed mining is closer to PWS sources, surface water bodies, or groundwater than the setbacks recommended in this chapter, it is recommended that a detailed hydrogeologic study be performed to evaluate surface and groundwater relationships and potential impacts, and to design effective mitigation alternatives. The hydrogeologic study should be conducted by a qualified person and address the following general framework, modified from Fellman (1982):

1. Geology, topography, and drainage
2. Surface Water
    - Location
    - type (e.g., river/stream, gradient, flow volume, seasonal variability in flow, etc.)
    - present surface water quality and quantity
    - present use of surface water
3. Groundwater
    - depth to groundwater
    - aquifer type (e.g., confined, unconfined, multiple aquifers, perched water, geologic material description, etc.)

- groundwater gradients, flow rates, flow directions
- surface water and groundwater interaction
- present groundwater quality and quantity
- present use of groundwater

4. Determine possible effects of mine development on water quality and quantity
5. Develop strategies to mitigate possible effects
6. Establish a monitoring program

5 HOW TO CHOOSE BEST MANAGEMENT PRACTICES

This chapter discusses types of BMPs, BMP selection criteria, and some issues to consider when selecting BMPs. In most cases, one BMP will not meet all the goals of a project. Appropriate BMPs for a project may vary seasonally, may be site specific, and may depend on the phase of mine operation. Chapters 6 through 9 provide detailed BMPs for preventing chemical pollution, controlling erosion and sediment, managing stormwater, mine operations, and mine reclamation. This chapter discusses the process of selecting appropriate BMPs.

Key Points – Chapter 5

- Source controls are usually more cost effective, easier to implement, and more effective than treatment controls.
- The selection of a BMP will most likely be driven by cost, effectiveness, availability, feasibility, durability, compatibility, and operation.
- Several factors, including climate and soil type, impact the effectiveness of a BMP.
- Using BMPs at your site may result in more money in your pocket and more fish in Alaska's streams.

The first steps in selection of BMPs are to understand the site, understand regulatory requirements (see Chapter 2), and determine potential impacts (see Chapter 3). Local, regional, and statewide issues, concerns and requirements should also be considered, as these will also influence aspects of planning, the selection of the BMPs, and the time frame for implementation. With intelligent mine planning, BMPs can be implemented in such a way that they complement one another and efficiently achieve impact mitigation goals.

5.1 Types of BMPs

Stormwater BMPs are implemented at two general levels:

- ***Source controls***: practices that prevent pollutants from coming in contact with stormwater.
- ***Treatment controls***: practices that treat stormwater once it has come into contact with pollutants.

Source controls are given priority over treatment controls, as they are generally more cost effective, easier to implement, and more effective at minimizing pollution. Source controls include things like vegetating bare slopes to prevent wind and stormwater from transporting sediment, restricting mine traffic to haul roads, and using wheel washers to avoid tracking sediment. Treatment controls are practices that reduce pollutants in water through chemical or physical systems, like settling ponds or oil-water separators.

5.2 Selection Criteria

To determine best practices for a specific project, a menu of potential BMPs should be identified with the goals of the project in mind. Selection criteria for BMPs can include:

- Effectiveness
- Implementation cost
- Temporary vs. permanent
- Cost of construction
- Long-term cost (operation and maintenance)
- Suitability for the site, including environmental compatibility
- Regulatory acceptability
- Availability
- Durability
- Longevity
- Ability to achieve vegetation schedule
- Technical feasibility
- Public acceptability
- Risk/liability

Of these criteria, cost, effectiveness, availability, feasibility, durability, compatibility and operation will most likely drive the selection of a particular BMP. Each of these factors is discussed below. Information was obtained from Oregon Department of Environmental Quality's *Erosion and Sediment Control Manual* (April 2005).

Cost. Things to include in the evaluation of cost effectiveness of a BMP include material costs, preparation costs, installation costs, maintenance costs, and cost of government requirements.

Effectiveness. BMPs should only be implemented if they will be effective. Not all BMPs work in all types of conditions.

Availability. The BMP materials must be readily available from a local supplier or be capable of immediate shipment to the area within the timeframe designated by the plans. This may be a significant issue in Alaska, specifically in areas not accessible by a road year round.

Feasibility. The BMP materials must be capable of relatively quick and easy application with minimal training required. Each BMP should be considered for its flexibility or applicability to a variety of field conditions. Factors to be considered relative to feasibility include:

- The number of steps needed to apply the BMP;
- Whether machinery is required;
- Whether locally available materials can be utilized; and
- The time required for the BMP to be operational, including time needed to not be affected by rainfall.

Durability and Compatibility. Given the nature of the site conditions, the BMP materials must maintain their structural integrity throughout use. History of durability in Alaska or cold weather climate is important. Environmental compatibility is also highly important. For example, if using a vegetative cover BMP, the plants chosen for the vegetative cover must be compatible with

native plants and the climate. The State of Alaska suggests using native plants. The Alaska Plant Materials Center (contact information listed in Appendix B) has published, "A Revegetation Manual for Alaska," which can be found at http://dnr.alaska.gov/ag/RevegManual.pdf.

Operation. Regardless of the BMPs selected, follow-up is always required. Maintenance and repair requirements, and their cost, should be considered. Training of staff for BMP operation may be required for optimal effectiveness of the BMP selected.

Information regarding the required material, equipment, costs, specifications (including operation and feasibility) and compatibility for individual BMPs is provided in Chapters 6 through 9.

5.3 General Considerations

Some issues to consider when choosing BMPs include the following:

- Consider how selected BMPs will work when implemented together as part of a system.
- Climate, particularly precipitation and winds, may have the biggest impact on what type of BMPs are needed for stormwater, erosion, and sediment control.
- Where possible, significant grading operations or exposure of soil should be planned during periods of low rainfall.
- Total exposed soil areas and duration of exposure should be reduced during high rainfall times.
- Wheel washing activities may be needed during high rain events to reduce tracking of sediments.
- Sediment control measures such as berms and silt fencing may not alone adequately reduce discharge during high rainfall.
- Higher than normal amounts of runoff may need to be diverted during high rain events.
- BMPs may need increased inspection and maintenance in areas or times of high rainfall.

5.4 Special Conditions

In addition to the issues discussed previously in this section, some projects may need to consider special operations in choosing appropriate BMPs. Some situations that require special consideration include the dewatering of an excavation pit, mining of gravel below the water table, gravel washing operations, and working in streams and rivers.

5.5 Benefits of Best Management Practices

Properly selected and maintained BMPs can result in economic and environmental advantages for gravel extraction businesses in Alaska.

Some of the **economic benefits** gained from an aggressive soil stabilization plan for a gravel pit may include:

- Stabilized slopes require less repair and are safer for operators;
- Reducing short- and long-term erosion will result in less soil loss;
- Reduction in restoration costs at the end of the project;
- Negative public opinion can be minimized;
- Liability exposure can be decreased; and
- The potential for monetary fines from non-compliance to a permit can be reduced or eliminated.

Some of the **environmental benefits** of effective BMPs are:

- Protection of fish spawning areas, their food sources and habitat;
- Reduction of toxic materials that are introduced into the environment by their attachment and transport by sediment particles;
- Lowered impact on commercial fisheries from decreased sediment;
- Improved water storage capacities in lakes and wetlands; and
- Protection of receiving waters with designated uses such as for drinking water, recreation and wildlife habitat.

6 BEST MANAGEMENT PRACTICES FOR PREVENTING CHEMICAL POLLUTION

Chemical pollution can occur at mine sites due to reactions that release chemicals from the naturally occurring materials, such as acid mine drainage, or by the release of chemicals brought to the site, such as diesel fuel or antifreeze. This chapter provides BMPs to mitigate common forms of both types of chemical pollution. Chemical pollutants can be mitigated with both source and treatment controls. However, as discussed in Chapter 5, source controls are generally more cost effective, easier to implement, and more effective in minimizing pollution.

Key Points – Chapter 5

- Sources of chemical pollution include:
  - Chemical reactions involving naturally occurring materials
    - Acid Mine Drainage
    - Radioactivity
  - Release of chemicals brought to the site
    - Petroleum Products
    - Antifreeze

6.1 Pollution From Native Materials

6.1.1 Acid Mine Drainage

Acid mine drainage (AMD) results from weathering of acid-forming minerals, such as pyrite (FeS_2), in the presence of water and oxygen. The weathering reaction forms sulfuric acid (H_2SO_4), which can drastically lower the pH of surface and groundwater and allow toxic levels of metals to leach into it. While it may occur on natural rock outcrops, it can be exacerbated by excavation for mining or road building.

The first step in preventing AMD is determining if and where acid forming materials are located on your site. Published geologic maps and qualified professionals can help you determine if acid forming materials, such as pyrite, are likely to exist on your site. AMD is most intense in environments where the acid-forming material is cyclically wetted and dried. The key concept in preventing AMD is preventing the weathering reaction in acid-forming materials that generates acid. This is done by limiting the material's exposure to oxygen or water, or both. AMD can be prevented as follows:

- Separate spoils containing acid forming materials for immediate disposal.
- Dispose of the acid-forming material in a designated area with a liner and cap sufficient to keep the weathering reaction from occurring.
- Immediately deal with seams of acid forming minerals remaining in highwalls. This can be done by covering the exposure with water in a permanent impoundment. The impoundment will need to be treated with a buffering agent such as lime until the reaction stabilizes.

If AMD is already occurring at a site, it may be mitigated in part by active or passive measures. Active measures include direct chemical treatment systems. In these systems, chemicals, like lime, are added to the drainage to neutralize acidity and cause metals to precipitate. This often results in a metal-laden sludge which must also be disposed of appropriately. Passive systems, which typically are designed for longer term (decades long) treatment, include constructed anaerobic wetlands and limestone drains. Passive measures are preferred, as they have lower overall maintenance costs.

- To construct an anaerobic wetland, mix limestone with an organic substrate, such as chicken litter. The limestone will reduce the acidity and, in anaerobic conditions, bacteria will remove some of the metal ions. Plants may also incorporate metal ions, helping to fix them to that location.
- A limestone drain is a conduit filled with coarse limestone fragments through which AMD passes. If kept anoxic (covered and saturated), the limestone will reduce acidity without causing metals to precipitate. Precipitates will form when the water comes into contact with oxygen outside the drain, and sludge can be collected in a pond there. The sludge can be placed as a lined and capped fill or sold, if metal content is sufficient. If the drain is open to the air, precipitates may armor the limestone and reduce efficacy.

6.1.2 Radioactive Tailings

Uranium is a naturally occurring radioactive element. It is also soluble in water. If present in uncovered tailings, Uranium can migrate into surface and groundwater, creating increased risk of radiation exposure. Tailings or other excavated materials that may contain Uranium should be isolated from surface and groundwater interaction. This can be accomplished by surrounding the Uranium-bearing fill with a clay liner and cap.

6.2 Petroleum Products

6.2.1 Storage and Handling

- Petroleum product storage and handling should not be performed within PWS source buffer zones, within 200 feet of surface water bodies, or directly adjacent to mining pits, particularly if groundwater is exposed.
- Fuel transfer should always be supervised by an employee to prevent overfill or spillage.
- Storage tanks should be inspected at least once per month.
- Storage tanks should have a secondary containment structure that is impervious to the contents of the tank, that is large enough to accommodate precipitation events, and that has a sump or valve for draining rainwater.
- Water accumulated in containment areas should be visually inspected for the presence of a rainbow sheen, indicating petroleum product contamination. If rainbow sheen is present, the water should be removed for appropriate disposal or allowed to evaporate,

but it should not be discharged. It is illegal to apply any type of oil dispersant without prior state authorization from DEC (this includes soap/dish detergent).

6.2.2 Used Oil

- Used oil can be burned for energy in a properly vented used-oil burner or transported off site for disposal or recycling.
- Check local regulations prior to burning used oil for energy or disposal in a burner or incinerator.
- Do not pour oil into the ground.
- Do not use oil for dust abatement.
- Do not use oil for weed control.

6.2.3 Designated Equipment Maintenance Areas

- Restrict equipment maintenance activity to one area at a site, outside PWS source buffer zones.
- Use drip pans when disconnecting lines to collect dripping fluids.
- Place oil-laden parts on a drip pan instead of the ground.

6.2.4 Hazardous Material Control (HMC)

- Prevent spills by implementing BMPs for the use, storage, and handling of petroleum products.
- Have a Hazardous Materials Control (HMC) Plan that addresses all types of spills possible at the site, such as fuel, hydraulic oil, grease, antifreeze, leaching chemicals, etc.
- Train employees on the HMC plan and practice it annually.
- Have spill response equipment on hand, including:
    - pads, booms, absorbents, shovels
    - containers (drums, dumpsters, etc.) to hold spilled waste and used absorbent products
    - protective equipment, like gloves
- Do not use water to dilute spills.
- For larger spills, use soil and booms to contain and divert spilled product away from surface water and mining pits.
- Have a defined, appropriate off-site disposal agreement in place and train staff on waste management.

6.2.5 Oil/Water Separators

If petroleum products spilled on a site make their way into stormwater runoff, they can be removed through the use of oil/water separators. Oil is less dense than water and will float to the surface if the two are mixed. Figure 6-1 shows two examples of possible oil/water separator designs that make use of this principal. Separated oil can be removed with absorbent pads or by skimming and disposed of appropriately. Keys to successful implementation of oil/water separators include:

- sufficient surface area for the oil to remain on the surface of the water,
- low enough water velocity to avoid mixing, and
- adequate residence time in the sediment pond for sediment to settle out before separation, and
- regular maintenance and clean out.

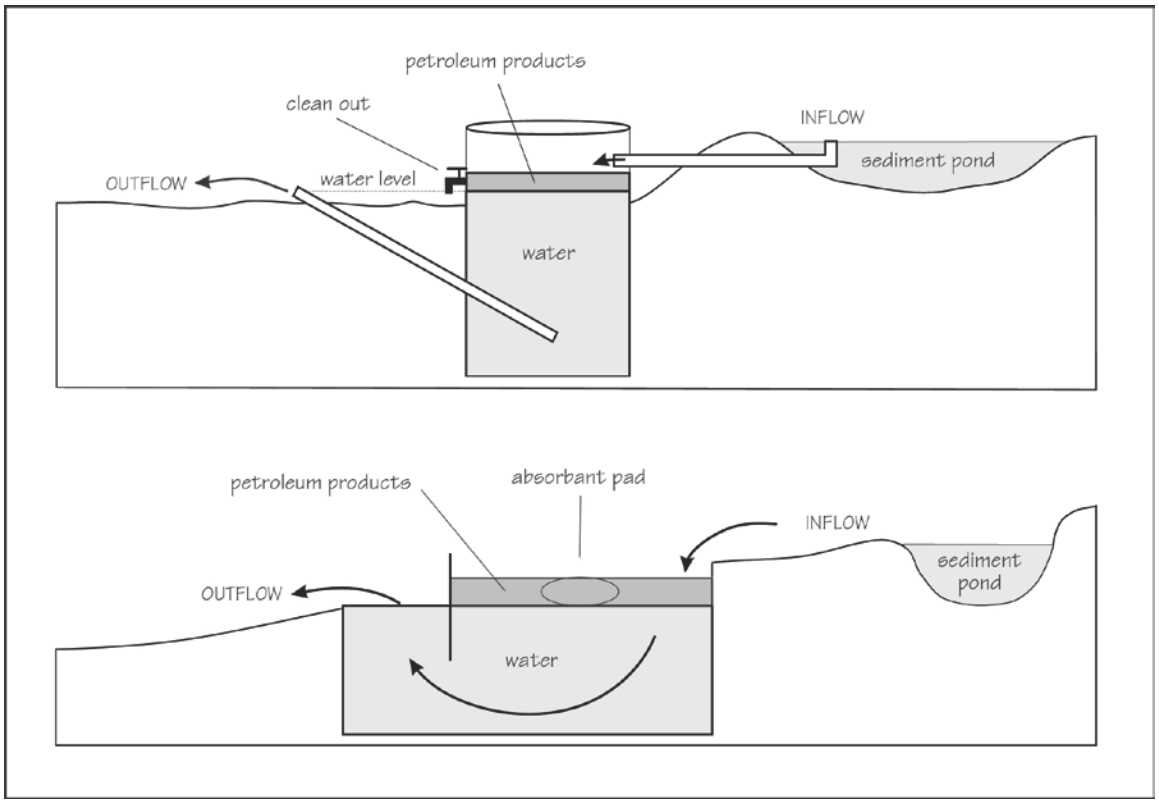


Figure 6-1: Oil Water Separator Details
(Modified from Washington State Department of Natural Resources, 1997.)

6.3 Hazardous Waste

Activities at a mine site may generate hazardous waste. Hazardous waste is any waste material that could be dangerous to human health and the environment. It is the mine's responsibility to determine whether a waste is hazardous or not. The federal government publishes lists of hazardous wastes and regulations regarding them. They may be found at http://www.epa.gov/osw/laws-regs/regs-haz.htm.

7 EROSION CONTROL, SEDIMENT CONTROL, AND STORMWATER MANAGEMENT

Key Points – Chapter 5

- Rain, wind, and melting snow can dislodge sediment and carry it to surface water bodies, degrading their quality.
- Use BMPs in this section to:
  - Prevent erosion
  - Control eroded sediment
  - Manage and treat stormwater

Stormwater is water runoff from rain and melting snow. Runoff can be sheet flow off of a site or it can drain to streams and ditches that route it to rivers, lakes, and marine water. In some areas, runoff is routed to storm drains, which ultimately discharge to surface waters. When stormwater flows across exposed soils, construction sites, or pavement, it can pick up and carry sediment, oil, bacteria, road runoff and other pollutants. Sediment and associated pollutants can clog ditches and culverts, destroy habitat and reduce oxygen for fish, and be toxic to aquatic life. Stormwater runoff is a common cause of water pollution and is a challenge to control. The key to limiting impacts is to prevent erosion, capture and control sediment that does erode, and proactively manage stormwater runoff, including runoff that comes to your site from other properties. It is important to remember that stormwater can run off of other properties and onto your site, bringing increased erosion potential and contaminants with it.

Erosion Control is any practice that protects the soil surface and prevents the soil particles from being detached by rainfall, snowmelt, or wind.

Sediment Control is any practice that traps the soil particles after they have been detached and moved by wind or water. Treatment controls, as well as source controls, can be used in controlling the transport of sediment. Such controls include passive systems that rely on filtering or settling the particles out of the water or wind that is transporting them.

Stormwater Management is the practice of collecting stormwater, diverting it away from disturbed areas, collecting it for treatment (if necessary), and discharging it to a receiving area with the capacity to absorb it.

In general, erosion control and good stormwater management practices are more effective than sediment controls, and are preferred because they keep the soil in place and enhance the protection of the site resources.

When implementing erosion and sediment control BMPs, the following principles should be adhered to as much as possible:

- Fit the natural topography, soils, and vegetation of the site;
- Minimize disturbances to natural vegetation;
- Minimize soil exposure during high precipitation storm events;
- Vegetate disturbed areas;

- Minimize concentrated flows and divert runoff away from slopes or critical areas;
- Minimize slope steepness and slope length;
- Utilize channel linings or temporary structures in drainage channels to slow runoff velocities;
- Keep sediment on-site using settling ponds, check dams, or sediment barriers; and
- Monitor and inspect the site frequently and correct problems promptly.

Erosion control systems cannot perform adequately without the control of runoff. It is important to control flow of runoff to prevent scouring exposed soil. Diverting stormwater away from potential pollutant sources and/or managing runoff from a site are one category of source control BMPs. Numerous factors may affect the amount of runoff generated from a site, including the following:

- Precipitation;
- Soil permeability;
- Watershed area; and
- Ground cover.

The risk of high sediment discharge is greatest in the spring when vegetative cover is not yet established and snowmelt runoff occurs. As winter ends, ensure all appropriate BMP structures are in place and that any elements damaged over the winter are repaired.

7.1 Erosion Control

7.1.1 Vegetation

From temporary stockpiles to permanent reclamation of slopes, vegetation is one of the very best guards against soil erosion. Vegetation is so effective because, if implemented properly, it is self-sustaining and works to protect the soil in a variety of ways. Vegetation absorbs some of the energy of falling rain. Its roots hold soil in place and maintain the moisture-holding capacity of the soil. It reduces groundwater infiltration through evapotranspiration, which is the sum of water reintroduced into the atmosphere by evaporation and plant transpiration. In transpiration, water moves up through a plant and is released into the atmosphere as water vapor through stomata in its leaves. At the ground surface, the presence of vegetation reduces surface flow velocities. Additional benefits of vegetation can include noise reduction, dust control, and improved visual appearance. Some guidelines for vegetation are:

- If an area is already vegetated and does not need to be disturbed, do not clear it.
- If an area must be cleared for mining, clear only the amount needed for expansion within one year.
- As an area is cleared, save the sod or slash and stake it down over the cleared slopes to temporarily filter runoff until the area is mined.

- Replace topsoil, revegetate, and reclaim mined areas as soon as possible.
- Use native species whenever and wherever possible. It would be ideal to use the same species that were cleared, but the growth rates of the native plants and the need for more immediate erosion control may make that impractical.
- Use plant species that are appropriate for the application and climate, and plant them at the appropriate time of year. Table 7-1 summarizes plant species that are commonly used at sites in Alaska.

The Alaska Plant Materials Center, under the DNR Division of Agriculture, has created a manual to help those involved in revegetation efforts select appropriate seed mixes and methods for revegetation. Gravel/rock aggregate extraction site operators should refer to this document, *A Revegetation Manual for Alaska* (2008) for detailed guidance on region-appropriate plant species and revegetation methods. It can be found at: http://dnr.alaska.gov/ag/RevegManual.pdf.

Additional information, including local sources for native plants and seeds, can be found on the Alaska Plant Materials Center website: http://plants.alaska.gov/index.php.

Table 7-1: Species/Cultivar Characteristic Chart (adapted from A Revegetation Manual for Alaska, 2008)

Species	Cultivar Or Equivalent	Availability[1]	Site Conditions Adaptation	Growth Form[2]	Height Average	Region Of Use[3]
Bluegrass, Alpine Poa alpina	Gruening	Fair	Dry	Bunch	6 in.	All
Bluegrass, Glaucous Poa glauca	Tundra	Fair	Dry	Bunch	10 in.	A,I,W
Bluegrass, Kentucky Poa pratensis	Merion	Excellent	Lawns	Sod	10 in.	I,SC,SE
Bluegrass, Kentucky Poa pratensis	Nugget	Good	Lawns	Sod	10 in.	I,SC,SE
Bluegrass, Kentucky Poa pratensis	Park	Excellent	Lawns	Sod	10 in.	I,SC,SE
Fescue, Red Festuca rubra	Arctared	Very Good	Dry to Wet	Sod	18 in.	All
Fescue, Red Festuca rubra	Boreal	Excellent	Dry to Wet	Sod	18 in.	W,I,SE,SC, SW
Fescue, Red Festuca rubra	Pennlawn	Excellent	Dry to Wet	Sod	12 in.	I,SC
Hairgrass, Bering Deschampsia beringensis	Norcoast	Good	Dry to Wet	Bunch	20 in.	All
Hairgrass, Tufted Deschampsia caespitosa	Nortran	Good	Dry to Wet	Bunch	20 in.	All
Polargrass Arctagrostis latifolia	Alyeska	Fair	Wetter Areas	Sod	24 in.	A,I,W,SC
Polargrass Arctagrostis latifolia	Kenai	Fair	Wetter Areas	Sod	24 in.	SC,SE,SW
Reedgrass, Bluejoint Calamagrostis canadensis	Sourdough	Fair	All	Sod	36 in.	All

1. Availability varies from year to year and within any given year.
2. Growth form and height will vary with conditions.
3. Region of Use: W = Western Alaska; I = Interior Alaska; SE = Southeast Alaska; SC = Southcentral Alaska; SW = Southwest Alaska; A = Arctic Alaska; All = All of Alaska.

7.1.1.1 Water and Fertilizer

Adequate water and nutrients are essential for successful revegetation. If it is suspected that the topsoil may be lacking in nutrients when it is time to plant, it may be worthwhile to have a chemical analysis done on it in order to determine what types of fertilizers would be helpful. When using fertilizers, try to apply them under conditions in which they are less likely to wash off into streams, rivers, and lakes. Losing fertilizer to surface water can have negative impacts on the ecological balance and is a waste of fertilizer.

7.1.1.2 Erosion Control Blankets and Mulching

Erosion control blankets are geotextiles made from natural materials, such as jute, coconut husk fibers, and straw, or synthetic materials like plastic. They help to hold seed and soil in place until vegetation is established. Erosion control blankets are very effective, but often prohibitively expensive for large areas. Mulching and hydroseeding are cheaper and also effective, though less effective in steep, erosion prone areas. A good practice is to use a combination of erosion control blankets in oversteepened and erosion-prone areas and to use mulch elsewhere to stabilize soil while vegetation becomes established. The effectiveness of blankets is greatly reduced if rills and gullies develop, so proper anchoring and ground preparation are important. The type of blanket selected depends on the longevity required, the gradient, climate, and other factors. The drawing below is one example. Follow the manufacturer's specifications for installation and stapling requirements.

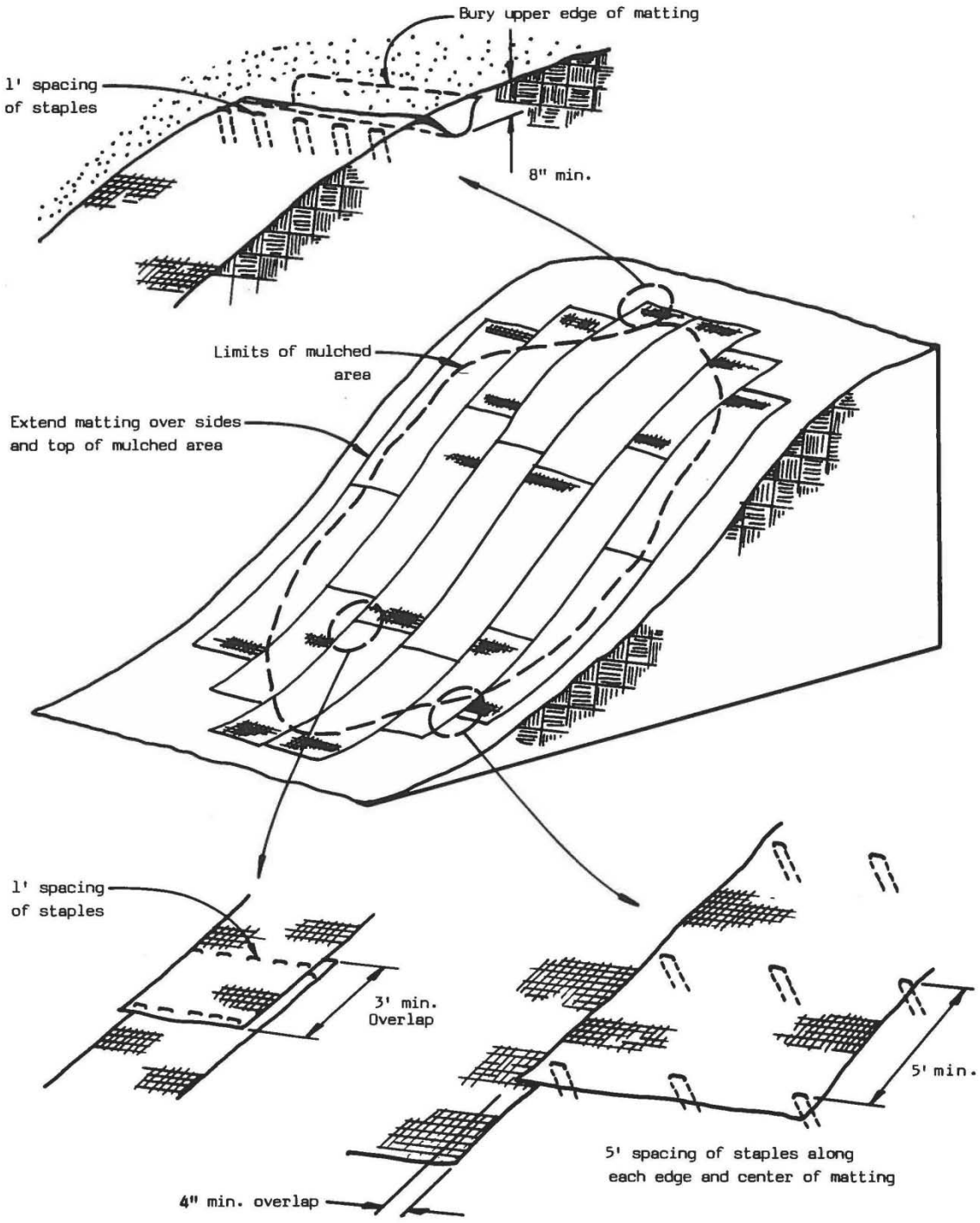


Figure 7-1: Erosion Control Blanket Installation
(Modified from Idaho Department of Lands, 1992.)

7.1.2 Wind Protection

Wind protection is any structure or method to block or reduce wind flow. The purpose of the BMP is to reduce the exposure of dust-generating material to wind. Techniques that reduce the exposure of dust-generating material to wind, or reduce the velocity of wind, will help in controlling dust generation and distribution (such as onto area vegetation or into surface waters)

and in maintaining air quality. This BMP is appropriate for active and inactive sites with exposed soils, and is particularly useful around operations such as screening or crushing activities. Generally, wind protection includes:

- berms with trees and vegetation either placed or left in place;
- barriers, such as fences, around activities that might produce dust, such as screening and crushing (these barriers create a low pressure shadow which allows particles to settle to the ground rather than being released in the air and possibly settling off-site);

Windbreaks, whether composed of natural vegetation or fencing, will reduce wind speed for a distance of as much as 30 times the windbreak's height. For maximum protection, a windbreak setback should be two to five times the mature height of the trees. Other activities that might help reduce releases of dust include placing erodible mined materials in bays or bunkers, creating temporary enclosures or other containment, and covering transportation loads with tarps.

Figure 7-2: Wind Protection Example
(Photo: Alaska Sand and Gravel)

7.1.3 Grading

Grading is used for surface re-contouring, site operations, for implementing erosion control practices, and reclamation. A good grading plan will address sediment and runoff control needs, as well as final site stabilization or revegetation goals. Prepare a grading plan that details:

- slope angles and grade lengths;
- how graded areas are to be stabilized and protected from runoff;
- where and how excess earth material will be stored or disposed;
- berms for visual and wind protection;
- what potential new erosion and sediment loss conditions must be addressed;
- what drainage areas, patterns, and runoff velocities might be affected, and what provisions must be made, such as check dams or settling ponds; and
- seasonal or weather conditions that are of concern.

If possible, grading should not be done during an extreme rainfall event. Also to the extent possible, stabilize graded areas with hydroseed, vegetation, crushed stone, riprap, or other appropriate ground cover as soon as grading is completed. Use mulch or straw to temporarily stabilize areas where final grading must be delayed, and optimize finished slope angles for successful revegetation. During final grading, roughen slopes to retain water, increase infiltration, and facilitate root growth. In areas with high water tables, install underground drainage to prevent seepage, and thus keep the surface dry. Stable channels and floodways must be maintained to convey all runoff from the developed area to an adequate outlet, to avoid causing increased unintended erosion, ground instability, or off-site sedimentation.

7.1.4 Chemical Soil Binders

Chemical soil binders can be used as a cost effective alternative to geotextiles, or as an additive to mulches, as a means of protecting soil from erosion while vegetation becomes established. The binders are typically long chain polymers that work by binding soil particles together. The material usually comes in a liquid or powder form, is effective for 90 to 180 days, and costs on the order of $50 per acre. The chemical soil binder used should be tailored to the specific soil conditions found at the site. They should not be used where they might wash into surface water bodies or where forbidden by permit.

7.1.5 Biotechnical Slope Stabilization

Biotechnical stabilization uses live layers of brush imbedded in the ground to reduce surficial erosion and the risk of shallow slope failures. Steps:

- Cut branches and stems of trees and bushes up to 3 inches in diameter, preferably during the dormant season (fall or early spring).
- Lay the branches and stems between lifts of compacted soil in a criss-cross fashion so the structure extends the full width of the fill. Branches should protrude from the face of the fill slope.
- Space horizontal brush layers no more than 3 to 5 feet apart vertically. Closer spacing may be appropriate near the base of the slope.

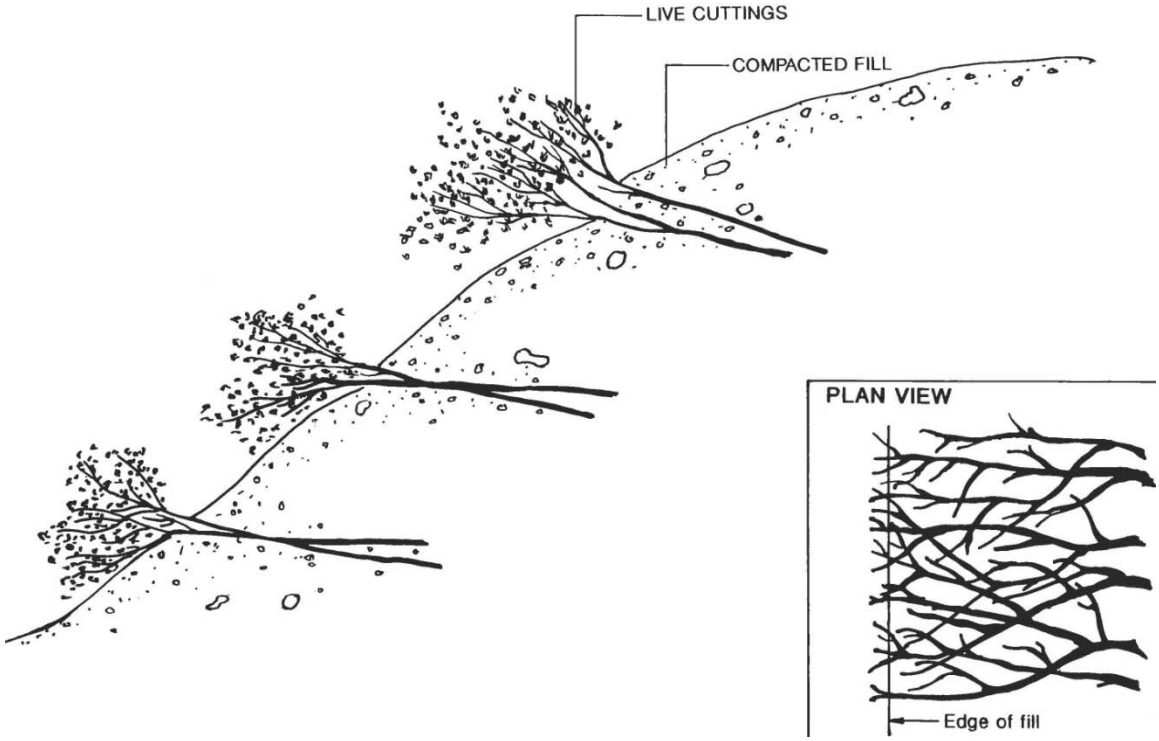
- Alternate layers of brush and compacted fill from the toe to the top of the slope.
- Ideally, the cuttings will root and live shoots will develop, which will help control erosion.
- 

Figure 7-3: Biotechnical Stabilization Detail
(Modified from Idaho Department of Lands, 1992.)

7.1.6 Covering, Tarps, Geotextiles, and Caps

Slopes and stock piles can be covered with a variety of materials for a number of purposes. Some reasons to cover piles include immediate dust and erosion control, establishment of vegetation for sustainable erosion control, chemical stabilization of acid-forming material (reducing water and oxygen), and preventing contaminant release by reducing infiltration. Materials and applications are discussed below.

Tarps – for short term dust and erosion control.

Tarps (tarpaulins) are a synthetic fabric usually made of vinyl, vinyl-coated polyester, or polyethylene. They can be placed over piles and fixed with pins, stakes, ropes, or ties, and weights like sandbags or tires. Edges should overlap like shingles to shed water. Tarps are effective in temporarily reducing erosion from light wind and stormwater. They tend, however, to degrade quickly. If long term erosion control is needed, other BMPs such as vegetation and geotextiles should be considered.

Geotextiles – for erosion control while establishing vegetation.

The term geotextile encompasses a wide variety of fabrics, some made of natural materials and some synthetic. Geotextile manufacturers can typically recommend

appropriate products for specific applications. Typical uses of synthetic geotextiles at mine sites include use in silt fences (see page 34) and use as a liner for structures like trench drains (see page 38). Natural geotextiles, such as a coconut fiber mesh, can be used to reduce erosion on piles or slopes while vegetation is being established. They degrade over time, but their function is usually taken up by the vegetation they helped to foster.

Caps – for reducing infiltration and availability of oxygen.

Capping material to seal in contaminants, reduce infiltration, or reduce oxygen exposure is typically accomplished with a layer of very low permeability sediment, such as clay. Cap design thickness depends very much on the performance requirements of the cap, the environment, and the properties of material used in the cap. Caps are often on the order of a couple of feet thick. In situations where contaminants like acid rock drainage are involved, cap performance should be monitored. Permanent caps can be covered with topsoil and vegetated.

7.1.7 Riprap Stabilization

Riprap is loose, hard, angular rock (stone) placed over soil to help protect against erosion. It is generally used to protect ditches and channels (Figure 7-4), shorelines and stream banks, or drainage outlets. General guidelines to install riprap stabilization include:

- Place a layer of filter material (geotextile, sand, or fine gravel) between the soil to be protected and the riprap to prevent soil from migrating into the riprap.
- For the riprap, select a mixture of stone sizes. The mixture should contain mostly large stones, with enough smaller clasts to fill most of the void between the larger ones. The appropriate size of the riprap will depend on the site. Faster flows will require larger stones to protect against erosion. Some technical guidance on proper sizing of stones for riprap based on water velocity and other factors is provided in *Stream Restoration Design, Part 654 of the National Engineering Handbook*, published by the United States Department of Agriculture Natural Resource Conservation Service, available at http://www.nae.usace.army.mil/reg/nrrbs/TECHNICAL-SUPPLEMENTS/TS14C.pdf.
- Carefully place the riprap so as not to damage the filter material liner.
- In general, the thickness of the riprap layer should be 1.5 times the diameter of the largest stone, and no less than 6 inches thick.
- For shore or bank protection, riprap should be placed along the slope from a depth of 3 feet below the water line to a point above the high water mark where vegetation can be established.
- Routinely inspect riprap stabilization and repair it immediately if it becomes damaged or moves. If disruption is frequent, larger stones may be needed.

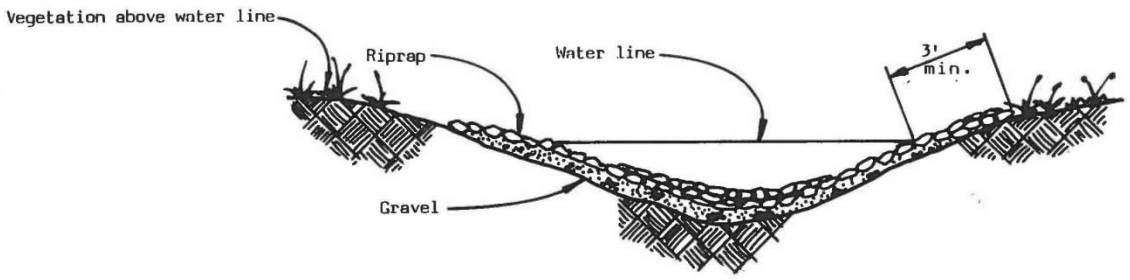


Figure 7-4: Riprap Stabilized Channel or Ditch
(Modified from Idaho Department of Lands, 1992.)

7.1.8 Outlet Protection

Outlet protection prevents scouring and sediment disruption at the location of outlets. It is typically established using riprap stabilization techniques (see page 31) to create an apron immediately below where the outlet releases to the receiving area. If needed, outlet protection can be upgraded to include sediment screens (Figure 7-5) or devices to prevent upstream fish migration.

Figure 7-5: Outlet Protection Example

7.2 Sediment Control

7.2.1 Sediment Barriers

Sediment barriers are used along the bottom of stockpiles or disturbed areas that trap sediment while allowing water to pass through. Three common types of sediment barriers are straw bale barriers, silt fences, and brush barriers. All of these are temporary measures and should be used to keep sediment contained until the source can be better controlled.

7.2.1.1 Straw Bales

Straw bales can be used to make successful sediment barriers, but are often poorly installed and therefore ineffective. Keys to good installation are:

- Set straw bales in a 6-inch-deep trench with vertical walls, dug along a topographic contour (Figure 7-6).
- Anchor the bales using rebar or steel pickets.
- For higher flow, combine with a gravel check dam (Figure 7-7).

Straw bales are best used as a short-term solution to relatively small sediment problems. They will float until they are wet and will typically last only 3 months once they become wet. Straw bale barriers in swales generally should not receive flows greater than about 0.3 cubic yards per second, and sediment should be removed once it reaches half the dam height. Keep in mind that when straw bale barriers fail, which they ultimately will if they are neglected and never removed, there if often more damage done than if no barrier had been installed. Straw wattles can be used for similar purposes as straw bale barriers, and have similar installation guidelines and limitations.

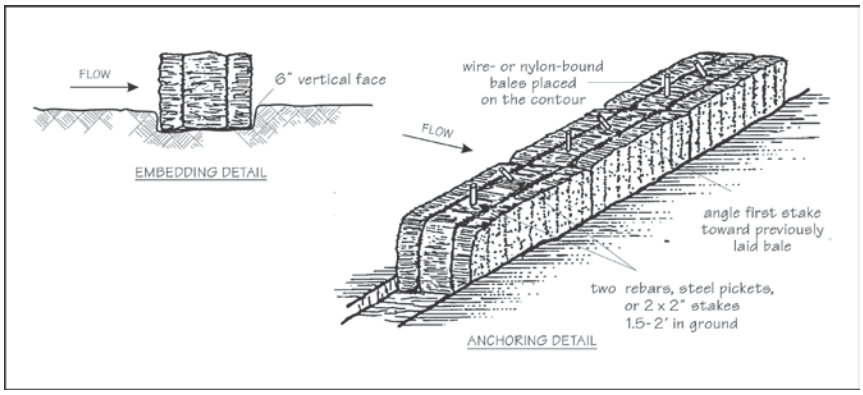


Figure 7-6: Straw Bale Sediment Barrier Detail
(Modified from Washington State Department of Natural Resources, 1997, and Idaho Department of Lands, 1992)

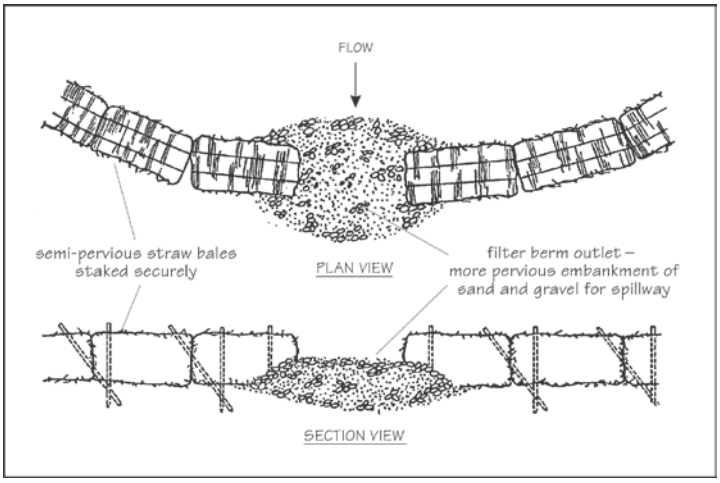


Figure 7-7: Straw Bale Sediment Barrier Detail
(Modified from Washington State Department of Natural Resources, 1997, and Idaho Department of Lands, 1992)

7.2.1.2 Silt Fences

A silt fence is a temporary liner or barrier that slows down or prevents silt or other sediments from moving away from disturbed areas. It is placed perpendicular to slopes below disturbed areas that may be affected by erosion. Using synthetic fabric or geotextile, the silt fence is staked in place and reinforced. Typically, silt fences are less than three feet in height to prevent failure with too much water pressure. Ideally, a silt fence is installed by trenching to anchor the filter fabric with backfill. A trench lined with the bottom of the filter fabric and filled with gravel will provide stability to the BMP. Very often silt fences will become ineffective in heavy rain events or when not monitored; therefore, regular monitoring will help make sure that the BMP is working. Remove all accumulated debris and sediment when they reach half of the height of the silt fence.

Figure 7-8: Silt Fence Example
(Photo: City and Borough of Sitka)

7.2.1.3 Brush Barriers / Slash Filter Windrows

Brush barriers or slash filter windrows can be used below roads, overburden stockpiles, or other bare areas with moderate to steep slopes to filter coarse sediment and reduce water velocity. They are relatively inexpensive, as they can be built with brush cleared from areas prior to mining. They are constructed by piling brush, sticks, and branches in to long rows below areas of concern and can be supported by logs or large rocks.

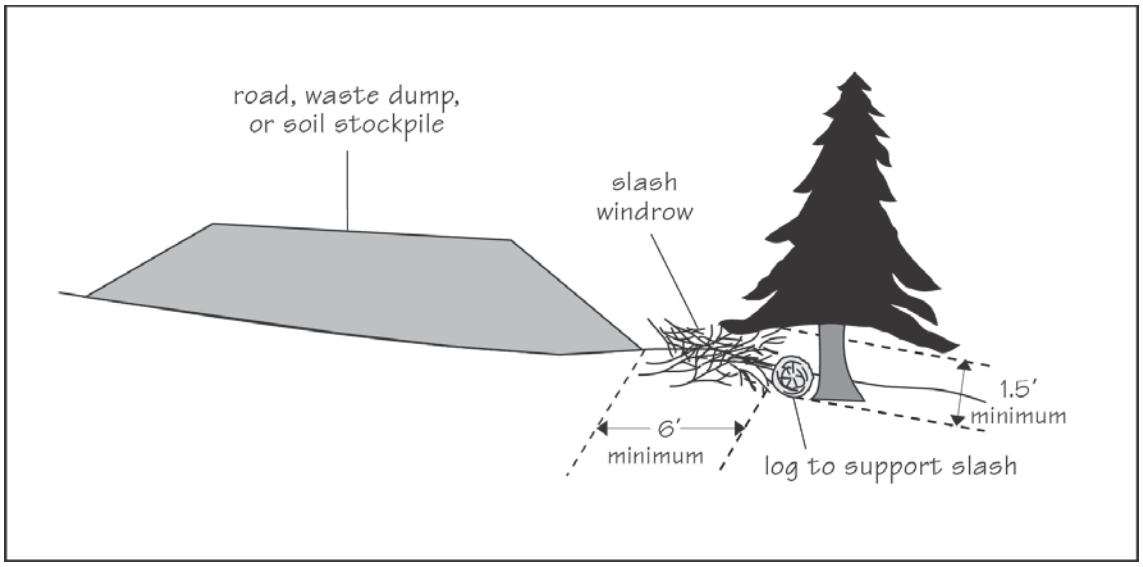


Figure 7-9: Slash Filter Windrow Detail
(Modified from Washington State Department of Natural Resources, 1997, and Idaho Department of Lands, 1992)

7.2.2 Check Dams, Sediment Filters

7.2.2.1 Check Dams

Check dams are used in ditches to slow surface flow, capture sediment, and minimize incision of the ditch.

- They typically consist of 2- to 4-inch-diameter coarse crushed rock, depending on the anticipated water velocity.
- Spacing of the dams depends on the gradient of the ditch.
- The top of the dam should be lower than the channel margins so that water can spill over it and stay in the channel.
- Gabion (wire mesh) baskets can be used to help keep the rocks in the dam from becoming displaced.
- Filter fabric (geotextile) can be placed on the upstream side to trap additional sediment, but it must be anchored in place and its mesh should be sized to avoid clogging. Filter fabric must be cleaned when it becomes clogged.
- Maintenance is required, including excavating captured sediment and maintaining the rock levels.

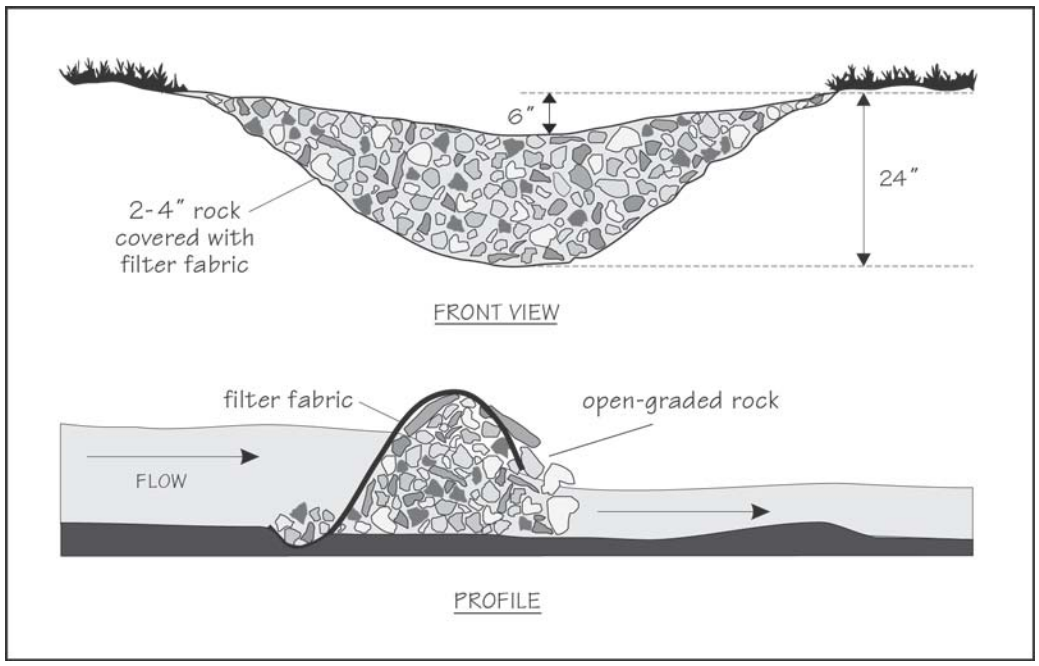


Figure 7-10: Rock Check Dam Detail
(Modified from Washington State Department of Natural Resources, 1997.)

7.2.2.2 Filter Berms

Filter berms are very similar to check dams, but are used in channels with low flow. They are designed to filter out finer sediment. In an ideal berm, fine sand, coarse sand, and gravel are placed sequentially from the upstream side to the downstream end of the berm. The sand will need to be replaced periodically as it becomes clogged with sediment.

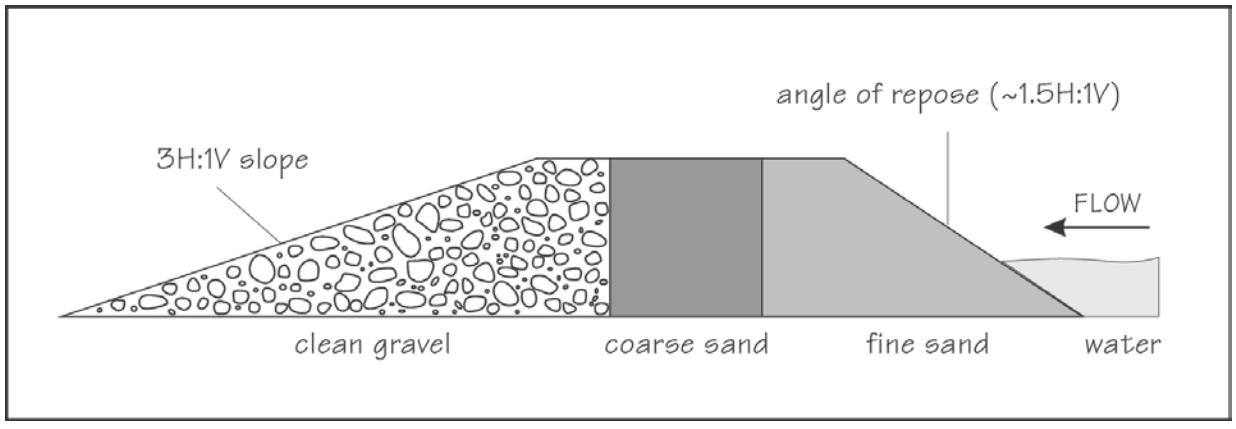


Figure 7-11: Filter Berm Detail
(Modified from Washington State Department of Natural Resources, 1997.)

7.2.3 Dust Abatement

7.2.3.1 Using Water

In dry conditions, dust from haul roads can become a problem. It can get into equipment and blow into surface water bodies. A periodic light spray of water is the most common tool used to control dust. The ground should not be saturated, but just wet enough that dust does not rise from

it when it is disturbed by traffic or wind. This is often accomplished with water trucks, but can also be done with a sprinkler system. If water is in short supply, chemical dust suppressants, such as magnesium chloride, could be considered. Be sure to check state and local law prior to using chemical dust suppressants.

7.2.3.2 Drop Height

It is a good practice to minimize the distance material is dropped from loaders, excavators, and conveyors. This reduces the amount of dust released into the air, reduces noise, and reduces the risk of worker injury.

7.2.3.3 Dust Skirts

Dust skirts are rubber skirts placed around the outlets of conveyors or hoppers that run down to piles, shielding falling aggregate from wind. This reduces dust emissions and prevents material segregation. Dust skirts are useful where drop height is difficult or impossible to control.

7.2.3.4 Naturally Occurring Asbestos

Asbestos is a naturally occurring mineral that is present in some rocks and soils in Alaska. If it becomes airborne in the form of dust from activities like excavation, blasting, or crushing, it is a very serious respiratory hazard. Asbestos inhalation has been linked to numerous illnesses including asbestosis (fibrous scarring of the lungs), mesothelioma, and lung cancer. The possibility of encountering naturally occurring asbestos (NOA) at a mine site should be investigated before ground is broken. The California Geological Survey has published a document called *Guidelines for Geologic Investigations of Naturally Occurring Asbestos in California*. This document may be a useful starting point for determining if NOA exists on your site. It can be obtained at: http://www.consrv.ca.gov/cgs/minerals/hazardous_minerals/asbestos/Asbestos_Guidelines_SP124.pdf. If NOA is present, the dust abatement BMPs listed above will not likely be sufficient to reduce airborne asbestos to an acceptable level.

7.3 Stormwater Management

7.3.1 Diversion

7.3.1.1 Diversion Ditches

Ditches are open drainages that vary in size and depth to capture stormwater runoff and carry it offsite, or to onsite treatment. These can be particularly useful for managing stormwater that runs onto your site from adjacent properties. Ditches can route the flow around your work area, minimizing the exposure of your excavation to stormwater pollutants. Although some ditches may only carry water during rain events, others may be permanently wetted. Ditches may help remove sediments from stormwater, which might otherwise impact rivers, lakes, streams, or other aquatic sites. Naturally occurring vegetation left in ditches may aid substantially in removing sediments from stormwater as it leaves vegetated areas. Vegetation growing on the bank of the ditch can help to remove sediment as surface run-off flows through it.

- Ditches are commonly used to divert stormwater and to keep project sites as dry as possible to inhibit erosion.
- Ditches should be planned to carry more water than at peak flows, especially if they are to be vegetated.
- Oversized ditches may be allowed to naturally vegetate and will probably need less maintenance.
- Severe turns or grade changes along the course of ditches will likely need additional protection. Vegetation (trees or shrubs) may help prevent erosion during peak flows; riprap (see page 32) or other armoring may be necessary.
- Incorporate vegetated swales or check dams to help filter out sediment pollutants.
- In some areas of Alaska, fish (like salmon) have moved into ditches. Avoid this by creating a preventative barrier to fish passage to a constructed ditch.
- If ditches regularly fill with sediments, then use upstream source and sediment controls as needed.

Figure 7-12: Ditch Example
(Photo by permission of Central Paving Products, Anchorage Alaska)

7.3.1.2 Trench Drains

Trench drains can be used to help with stormwater control and dewatering unstable slopes. They are generally ditches that are lined with a geotextile filter fabric and backfilled with crushed drain rock or clean gravel. A perforated pipe can be placed near the bottom of the trench backfill

to move water to the outlet more quickly. Trench drains do require an outlet to remove water. They may also require periodic maintenance. If a pipe is used, it is recommended that cleanouts along the pipe be installed.

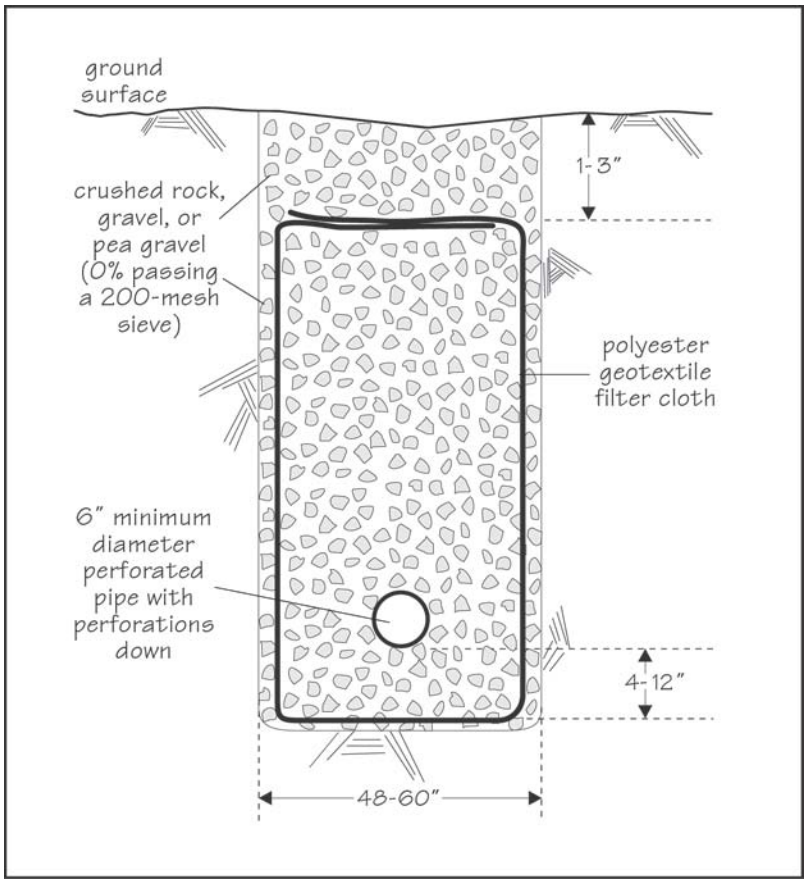


Figure 7-13: Trench Drain Detail
(Modified from Washington State Department of Natural Resources, 1997.)

7.3.1.3 Culverts

Culverts are used to move water under roadways or to divert water around areas or structures. They can be made of metal or plastic; for roadways, metal is typically used. In complex or critical cases, design professionals should be consulted. In general, culverts should:

- have headwalls at the inlet side and erosion protection at outlet locations (see page 32),
- be large enough to carry maximum stream volumes as well as additional seasonal runoff,
- be installed in firm, compacted soil with a minimum cover of 12 inches; and
- be inspected on a regular basis and cleaned or repaired when necessary.

Depending on the location and purpose of a culvert, a local or state permit may be required. Be sure to check before starting culvert construction.

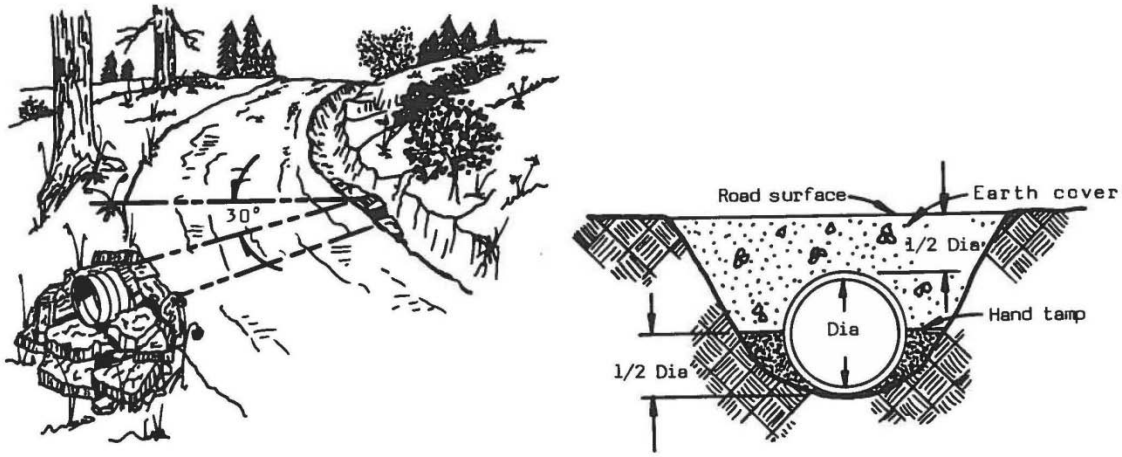


Figure 7-14: Culvert Detail
(Modified from Idaho Department of Lands, 1992.)

7.3.2 Treatment

7.3.2.1 Settling Pond / Retention Basin

Settling ponds are either permanent or semi-permanent structures, such as dugouts, impoundments, or raised tanks, which remove silt and suspended clays from water used for washing aggregate, and/or from sediment-loaded stormwater. Some keys to effective settling ponds are:

- Construct two or more ponds in series, with the coarsest material removed by the first pond, and the finer suspended solids by subsequent ponds. This approach allows one or more ponds to operate while another is being cleaned. (Settling ponds only remove roughly 80 percent of the trapped sediment that flows into them.)
- Locate the ponds in low areas and natural drainageways, but not in streams or wetlands.
- Design ponds for easy access and maintenance.
- Depending on the site conditions and potential for pollutants in the water, it may be appropriate to line settling ponds with plastic.
- Ponds should be cleaned out before they are more than 1/3 full of sediment.
- The distance the water travels within the settling pond should be three to five times the width of the pond.
- Baffles can add to the flow length and pond efficiency.
- Potential materials for construction include earth, riprap, pipe, collars, seed for stabilization of disturbed soil, and new or recycled metal tanks.
- Settling ponds should not be placed where the risk associated with a failure would pose significant risks for people or natural environments such as streams.

Figure 7-15: Settling Pond Example
(Photo: City and Borough of Sitka)

7.3.2.2 Flocculants

Chemical flocculants can reduce the size of settling ponds for a given site by increasing the rate at which particles settle out of water. They work by causing fine particles, like clays, to bind together into larger particles which settle out faster. It is important to choose the right flocculent for the type of fines that will be present in the water to be treated. It is also important to maintain a proper mixture of flocculent in the pond. It must be mixed, but not over-agitated. Ideally, at least 2 ponds are used; one with a retention time of about 20 minutes and another with a retention time of 3 to 8 hours. Ponds will need to be cleaned regularly. Most flocculants are non-toxic to aquatic organisms and fish, but the manufacturer should be consulted regarding the environmental effects of any given flocculent prior to use.

7.3.2.3 Constructed Wetlands

An alternative to a settling pond is a constructed wetland. Constructed wetlands have the added benefit of vegetation to help filter sediment and some pollutants, but they require much greater land area and often require more cost to properly design and upkeep. As they drain to natural waterways, structures must be put in place to prevent fish from entering, and cleaning is more difficult and time consuming due to the presence of vegetation. If a wetland is to be constructed, an environmental professional should be consulted.

7.3.3 Dispersion

7.3.3.1 Discharge to Receiving Waters

If stormwater is discharged directly to a surface water body, a permit is required. The water must meet the quality standards set in the permit. It should not induce physical or thermal erosion at the site of discharge, and should not create thermal barriers to fish movement.

7.3.3.2 Land Application

Land application sends stormwater through dispersal systems that allow turbid water to infiltrate into vegetated areas. The technique can be used to handle all sediment-laden stormwater or just to increase capacity in conjunction with other systems.

- Perforated pipes can be used as a distribution system, laid parallel to slope contours (Figure 7-16).
- Land application should not be used on steep slopes, and turbid water must not be allowed to enter creeks or wetland.
- Land application systems often cannot handle surges in water volume during storms. Soils may not accept stormwater if they are already saturated.
- Infiltration analyses can help determine the capacity and infiltration rate of a site's soils and improve design. Qualified professionals can assist in these analyses and designs.
- Concentration of outflows from land application systems should be avoided, as it may induce erosion.

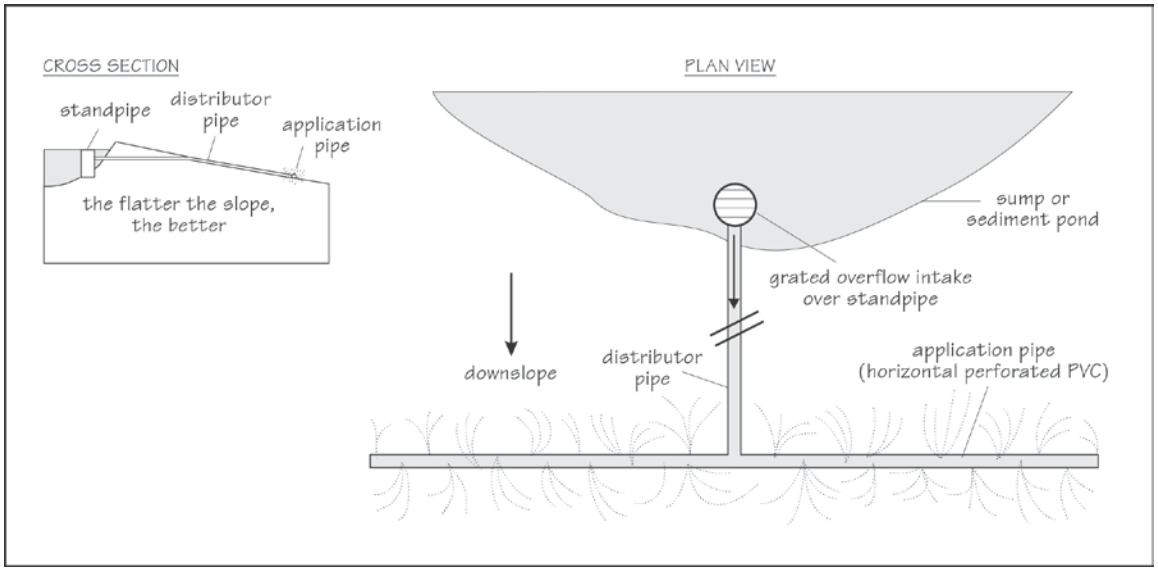


Figure 7-16: Land Application System
(Modified from Washington State Department of Natural Resources, 1997.)

7.3.3.3 Level Spreaders

Level spreaders can be used in locations where concentrated runoff from unvegetated ground needs to be controlled and dispersed over a broad area. They help to reduce water velocities, lessen erosion, allow sediment to settle out, and enhance infiltration. Level spreaders work best in areas with permeable soil. Some guidelines for level spreaders are:

- Do not construct level spreaders on slopes steeper than 3H:1V.
- Level spreaders should be constructed in undisturbed soil.

- Constructed length should be 15 feet for every 0.1 cubic feet per second of discharge water.
- Constructed width should be a minimum of 6 feet from the centerline to the outside edge of the spreader. See Figure 7-17.

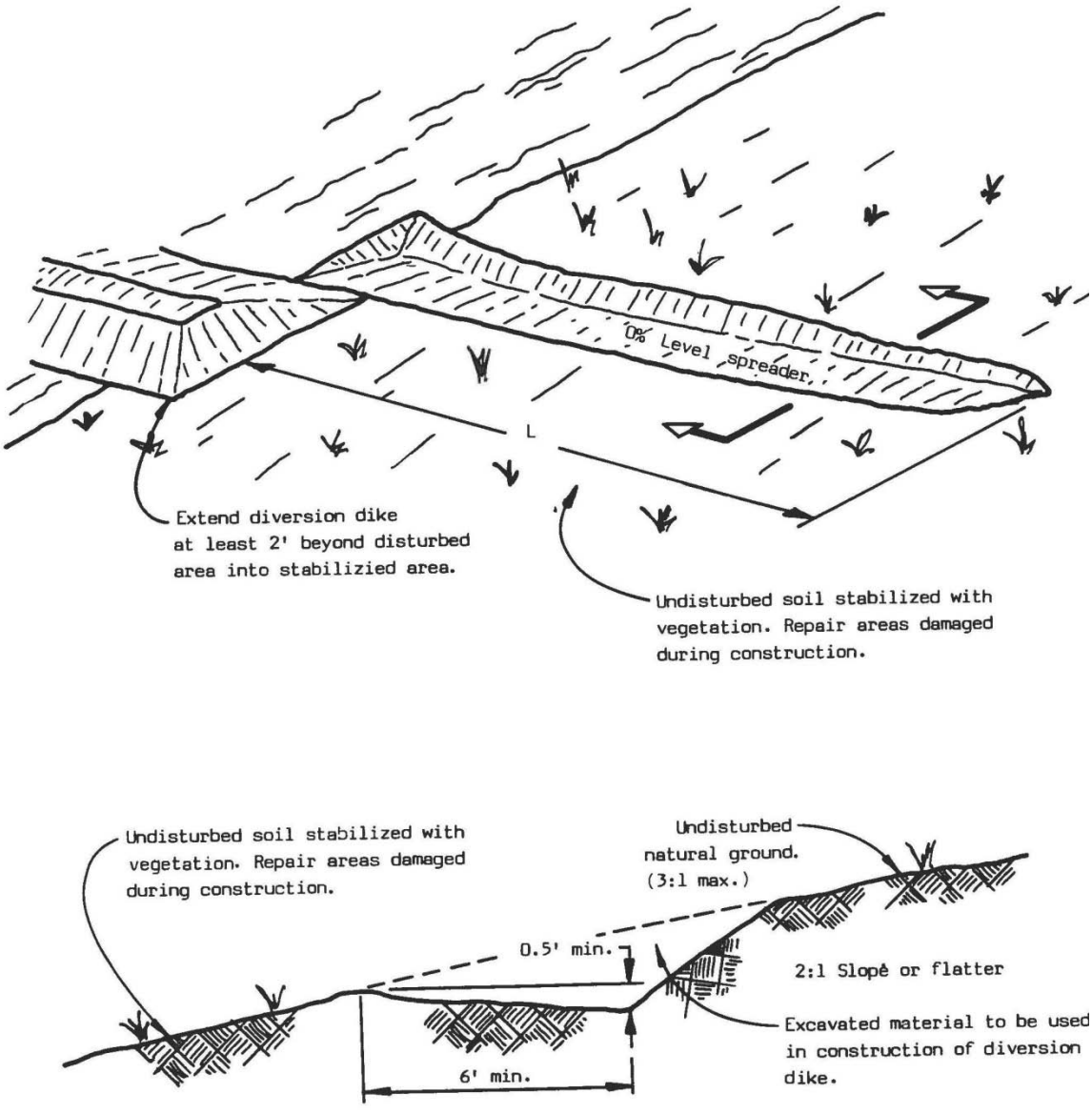


Figure 7-17: Level Spreader Detail
(Modified from Idaho Department of Lands, 1992.)

8 OPERATIONAL BEST MANAGEMENT PRACTICES

Key Points – Chapter 8

- This chapter contains general BMPs for setting up a mine site and mining activities.

Mining Plans should be developed to avoid and/or mitigate potential impacts to surface water, groundwater, and the environment in general. This chapter contains operational BMPs, which can be applied to the layout of a mine site and various mining activities to reduce surface water and groundwater impacts.

8.1 BMPs for the Mine Site

8.1.1 Buffer Zone

As a BMP, a buffer zone is either a natural or enhanced vegetated area around a disturbed site, or near sensitive areas such as a stream, wetland, or inhabited area. It provides distance and adds time to reduce flow and velocity of storm water. If dewatering is performed, buffers reduce offsite groundwater impacts. Buffer zones also reduce noise pollution, allow for dust settling, provide wildlife corridors, and reduce visual impacts. Once established, buffer zones that allow natural succession require little maintenance.

- Preserve or place a buffer zone around the site perimeter, adjacent to streams or other waters, along access corridors, and at the edges of disturbed areas.
- Help reduce sediment and pollution by placing a buffer zone alongside stormwater drainages.
- Retain or plant native trees and shrubs around the perimeter of disturbed areas to help reduce dust, noise, and provide a visual barrier.
- For windbreak protection, tree densities of greater than 20 percent are needed.
- Use other methods to reduce or control flow of surface water such as flow barriers, diversions, sediment traps, check dams, and vegetative plantings, or silt fences when natural buffers are not possible.

Figure 8-1: Buffer Zone Example
(Photo by permission of City and Borough of Sitka)

8.1.2 Berms

Well designed berms may provide some reduction of pollutants and will help reduce noise, dust, and the visual impact of the site within the community. Berms can be used around the perimeter of the property or adjacent to areas sensitive to impacts such as wetlands or surface water bodies. A berm can be used as a site control for surface water entering or leaving a site.

- The elongated and raised structure may be composed of selected material from onsite or offsite.
- Berm heights should be at least 6 feet. For berms taller than 6 feet, vary berms and contour side hills to provide a more natural appearance.
- Plan that berm heights, contours, and vegetation would blend in with naturally occurring conditions.
- If the berm remains in place long-term or permanently, add topsoil to help hold vegetation and provide for natural succession. Seed berm with native grasses or top with other native shrubs, trees, or other indigenous vegetation to reduce draining and drying of the berm.
- Establish ground cover quickly and stabilize soils with mulch, blankets, or other methods.

Figure 8-2: Berm Example
(Photo: City and Borough of Sitka)

8.1.3 Fences

Fences prevent unauthorized entry to a mine site. This protects the mine's equipment from sabotage, helps to manage risk associated with unauthorized people wandering onto the site and getting injured, and prevents wildlife from entering the site and becoming entrapped in pits or falling from high walls. Common fence types are barbed wire and chain link. Fences should be constructed in such a way and to a height sufficient to prevent people or animals from scaling or jumping over them.

8.1.4 Signage

Use signs to inform and remind mine employees of sensitive areas on the site, such as established setbacks from streams or hazardous areas. Also use signs to warn the public and site visitors of mine hazards.

8.1.5 Access and Haul Roads

The use of designated haul roads is recommended for all aggregate site operations. Well-designed and constructed haul roads can make site operations safer, more productive, and cause less wear and tear on equipment. Some keys to effective haul roads are:

- Keep haul roads dry by elevating them and cross-sloping the surface to facilitate drainage.
- For two-way traffic, road widths should be 3 times the width of the largest haul truck.
- Use road shoulder barriers/berms for safety and erosion control.
- Design the banking of curves and curve transitions to minimize the centrifugal forces on vehicles negotiating the curve.
- Maintain safe steepness grades.
- Place intersections at flat, straight alignments.
- Establish a regular grading program to minimize erosion, sediment build-up, noise, and dust. Haul roads may also require periodic scarifying, sanding, and resurfacing.
- Potholes, washboarding, and frost heaving should be repaired immediately to minimize noise, dust, and equipment wear.
- Apply approved dust suppressants such as water or calcium chloride, if necessary.

Figure 8-3: Haul Road Example
(Photo: Alaska Department of Environmental Conservation)

8.1.5.1 Wheel Washer

Wheel washers can be used where materials are being transported off site via paved public roads to help remove dirt, dust, mud, and rocks from trucks prior to mine exit. The reduction of

dirt/dust transported onto paved public roads reduces the dust impacting air quality and the dust covering vegetation and settling into nearby bodies of water. It also reduces windshield damage from thrown rocks. Wheel washers may not be needed if other sediment control mechanisms are in place (stabilized exits, concrete pads), the haul road is paved, or the public roads are dirt/gravel surfaces.

A Wheel washer can be as simple as several railroad rails submerged in a pit, draining to a settling pond (Figure 8-4). Wheel washer design should result in shaking dirt or mud off of a vehicle passing through the pit. Placement of rumble strips, railroad rails, a cattle guard, or steel bars at 2- to 8-inch intervals can provide the agitation needed for removal of dirt, rocks and mud. More advanced designs or high volume facilities may invest in a concrete foundation and mechanized sprayers (Figure 8-5).

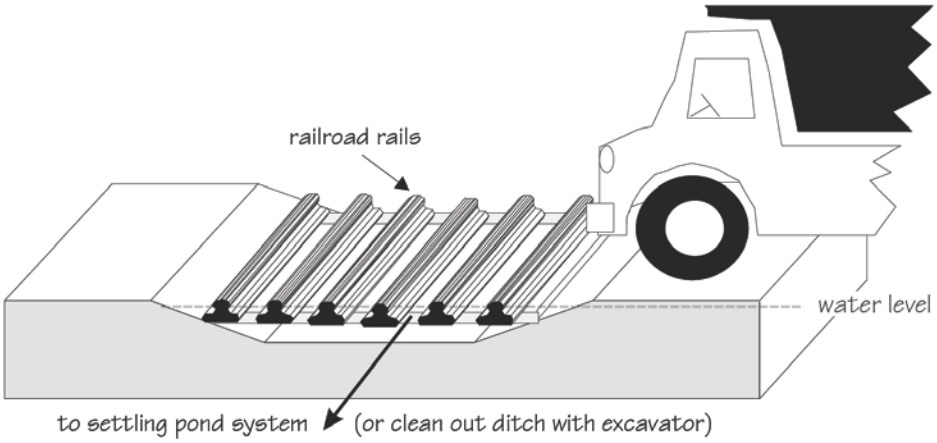


Figure 8-4: Simple Wheel Washer
(Modified from Washington State Department of Natural Resources, 1997.)

Figure 8-5: Wheel Washer with Sprayers
(Photo from January-February issue of Erosion Control Magazine article "Controlling Fugitive Dust on Roadways" by Carol Brzozowski)

8.1.5.2 Stabilized Construction Exits

Stabilized construction exits provide a transition from dirt roads on a mine site to paved roads, to reduce the tracking of mud onto public right of ways. They are an alternative to a wheel washer, and while less effective, may be sufficient for many situations. To construct a stabilized construction exit:

- Excavate a pad that is about 6 inches deep, as wide as the haul road, and at least 50 feet long.
- Lay down a filter fabric geotextile over the excavated area.
- Cover the geotextile with 6 to 12 inches of 2- to 3-inch-diameter angular drain rock.
- Dress the exit with additional stone as needed.

8.1.5.3 Street Cleaning

This BMP involves sweeping or other pavement cleaning practices for entrances or roadways in front of a site, loading areas, haul roads, parking areas, truck aprons, and where materials are being transported on paved roads. Used in concert with other BMPs, street cleaning aids to remove substances that might otherwise pollute rivers, lakes, and streams. Modern sweeper equipment is capable of removing very fine sediment particles. By using the most sophisticated sweepers, greater reductions in sediment and accompanied pollutants can be realized. By using this BMP, some pollutants can be captured before they become soluble with rainwater. The cost for sweeping using simple mechanical techniques is relatively low, but a more efficient sweeper system can be expensive to own and operate.

- Street cleaning is not effective on unpaved surfaces.
- Do not use water to wash paved areas clean if run-off would migrate to rivers, lakes, or streams.

8.1.6 Vibration Reduction

Blasting, screening, and crushing, as well as movement of heavy equipment on site and from the site may produce ground vibrations. Vibrations can affect unstable slopes and can potentially damage nearby structures such as houses. Since transport of materials is one of the primary causes of vibration, levels can be reduced by maintaining roads free of potholes, reducing speeds, and limiting the weight of loads carried by trucks. For blasting activities, which tend to generate stronger vibrations, it is important to monitor vibrations at nearby locations that may be impacted. A blasting specialist can give guidance for charge weights and sequencing that might minimize effects for operations in community areas with other businesses or residents. In some cases, vibrations from blasting can increase the turbidity of groundwater, which can impact nearby wells. If PWS sources or residential wells are within 1000 feet of a proposed blasting operation, vibration and groundwater turbidity before and after blasting should be monitored at the well sites.

8.1.7 Dumps and Stockpiles

Mines with thick overburden generate large amounts of waste soil and rock. This material is generally stockpiled either permanently or for later use in reclamation. Dumps and stockpiles, if poorly placed or constructed, can easily result in landslides and increased sediment loads to nearby surface waters. The following are some guidelines for placement and construction of stockpiles:

- Select a location that is geologically stable. Qualified professionals may be required to assess landslide hazard.
- Select a location that is away from waterways, seeps, and springs.
- Strip all vegetation from the storage area, as it will rot under the stockpile and create a plane of weakness and increase the chances of downslope movement.
- Vegetation removed from the stockpile area can be used around the perimeter of the stockpile to filter runoff.
- Install a blanket drain (drain rock and geotextile) at the base of the pile on any slope where drainage problems are anticipated, and key it into competent material within the slope.
- Construct diversion ditches above stockpiles on steep ground.
- Place the fill in 12- to 18-inch lifts and compact it with a sheep's foot or vibratory roller.
- Shape the pile to prevent water from ponding and to direct water to a drainage system.
- Final slopes should be between 2H:1V and 3H:1V or flatter. Flatter slopes are easier to access for reclamation. Slope designs may be optimized with the help of qualified professionals.
- Terraces may be constructed to slow runoff water velocities.
- When shaping is complete, seed and mulch the pile to establish vegetation.

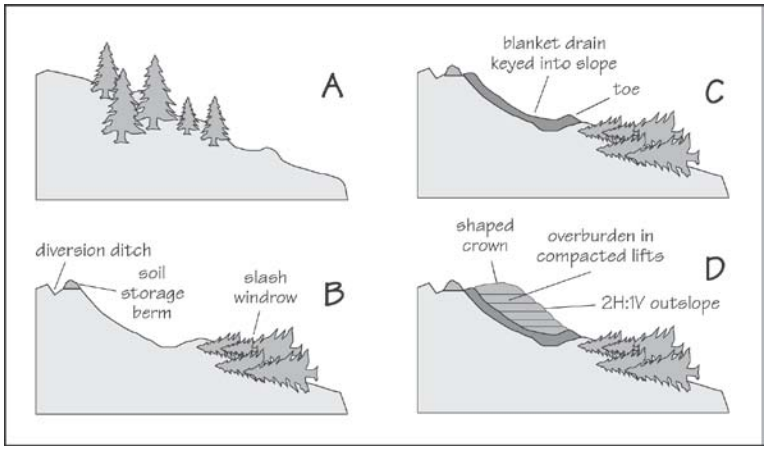


Figure 8-6: Stockpile Construction
(Modified from Washington State Department of Natural Resources, 1997.)

8.1.8 Employee Training

BMPs are only effective if they are properly implemented and maintained. This is accomplished through employee training. Field employees should be taught basic stormwater management and pollution prevention principals. Begin by clearly communicating the company's expectation that its employees should take personal responsibility for helping assure BMP effectiveness. Encourage and recognize their efforts to watch and monitor for BMP effectiveness. Management should lead by example. Create a learning culture for employees to help assure that stormwater management and pollution concerns are quickly and effectively addressed.

8.1.9 Environmental Timing Windows

Project activities such as blasting or clearing may impact fish or wildlife during certain times of the year. One way to help reduce impacts during critical times of the year is to adjust the project work schedule to minimize effects on seasonal life stages for fish or wildlife (such as in spawning fishes, or nesting waterfowl). Adjust project schedule to avoid impacts to fish and wildlife when project activities expose large quantities of soil or for long term operations. Help reduce siltation of natural watercourses and fish habitat by timing operations and project activities such as blasting and clearing land to avoid sensitive periods for fish and other wildlife. Coordinate with the appropriate agency to determine timing windows.

8.1.10 Scheduled Maintenance and Repairs

Scheduled maintenance and repair is a practice that maintains mine efficiency and protects water quality. Scheduled maintenance of equipment helps to reduce down time and helps to protect water quality by reducing oil and coolant leakage. Likewise, scheduled maintenance of BMPs can keep erosion and sediment under control so that the mine satisfies permit obligations and avoids more costly remedial measures.

8.1.11 Self Environmental Audit

The idea of a self environmental audit reflects a non-regulatory approach to helping assure the well-being of water resources in Alaska. This practice is designed to enhance protection of human health and the environment by encouraging operators to voluntarily and promptly discover, disclose, correct, and prevent potential violations of federal and state environmental requirements. The voluntary discovery, prompt disclosure, correction, remediation, and prevention of negative impacts on water quality are key elements of this BMP. Another key element of the self environmental audit is cooperation with state or federal entities with regard to site operations. There are potential economic benefits to self environmental auditing such as benefits to operators when "good faith" efforts are accomplished that address the needs and concerns of resource managers. There are low to moderate costs associated with possible delays in project activities, but these are offset by avoiding fines or more costly remediation measures if problems are not found early.

8.2 BMPs for Mine Activities

8.2.1 Test Holes

Follow all regulations at the state and federal level when drilling test holes to determine the depth and extent of deposits to be mined. Avoid contaminating groundwater by:

- placing holes in areas that do not flood and that have good surface drainage away from the hole;
- keeping holes away from chemical storage areas, landfills, and septic tanks;
- properly installing and decommissioning abandoned observation wells to avoid subsurface contaminant entry; and
- properly backfilling holes with bentonite and/or cement grout and surface seal.

8.2.2 Land Clearing and Grubbing

Clearing and grubbing the land is necessary to prepare a mine site for extraction, but increases the risk of environmental impacts from stormwater runoff. Permit coverage is required prior to beginning the land clearing and grubbing work. To reduce environmental impacts:

- Only clear areas of land that will be used immediately. Vast tracts of cleared land dramatically increase the risk of environmental impacts from stormwater runoff and the associated costs to control runoff from the mining site. Land that is not cleared is better at taking care of itself.
- Implement stormwater management, erosion, and sediment control BMPs before and concurrently with clearing so that sediment laden runoff does not leave the site.
- On slopes, divert slope water around disturbed areas using ditches.
- If possible, clear land and grub during dryer, less windy times of the year.
- Establish, mark, and remember to stay out of buffer zones; stay outside of recommended or permit-required distances from streams, rivers, lakes, wells, etc.

8.2.3 Stripping

Stripping is the removal of topsoil and overburden. If a mine plan employs contemporaneous reclamation (see Chapter 9) then topsoil and overburden can be placed onto previously mined areas as it is removed, which reduces handling costs and maintains useful soil properties. Otherwise, topsoil and overburden should be stockpiled for use in reclamation (see page 54 and page 56 for topsoil storage and stockpiles). Make separate stockpiles for topsoil and other overburden. In overburden soil, try to preserve soil horizons in the stockpiles so that the soil layers can be placed back in the order in which they were removed. Make sure stockpiles are located and built in a way that provides easy access for reclamation. As with land clearing, it is best not to disturb an area until it is ready to be worked.

8.2.4 Aggregate Washing and Process Pond Sludge

Aggregate often requires washing to separate sands and to remove fines. These types of operations typically discharge to processing ponds. Water in a processing pond is often very turbid and should not be discharged to surface water bodies prior to treatment. A series of settling ponds, for example, could be used to remove silt and suspended clays from water used for washing aggregate. Note that aggregate washing operations need an APDES permit from DEC if discharging offsite or if discharge may cause a chemical change in the groundwater.

Processing ponds will accumulate fine sediment and need to be cleaned, especially if they are designed to infiltrate water to the soils. Process pond sludge should be tested to determine metal content and pH prior to evaluating disposal options. Depending on the level of possible contaminants, disposal options may include drying the sludge and either placing it on site, on containment with a cap, or removing it to an off-site approved waste management facility.

8.2.5 Flow-Through Pits

Flow through pits, where a creek comes in one side of the pit and out the other, require an individual Army Corps of Engineers Section 404 permit. DEC's certification of the Corps permit might grant a short-term variance for water quality standards or specify conditions to ensure that the water leaving the pit meets Alaska Water Quality Standards. For information on permitting requirements, see Appendix D .

8.2.6 Dewatering

Dewatering is sometimes necessary for gravel pit operations in Alaska during gravel extraction or while cleaning settling or retention ponds. When dewatering 250,000 gallons or more and/or when operations occur within 1-mile of a contaminated site, notice to use the DEC's Excavation Dewatering General Permit (EDGP) is required. The DEC will provide more information on conditions and best management practices for a specific site in its permit, but some generally recommended BMPs for dewatering include:

- Consider the proximity of the pit to contaminated or potentially contaminated sites and to local water wells. If substantial draw down may occur due to dewatering, a contaminant plume from a contaminated site may move or be exacerbated. The DEC Contaminated Site Program staff should be contacted in advance in this instance. A detailed hydrogeologic study may be necessary.
- Wells, well points, or other systems may be most effective in drawing down the aquifer prior to mining, and reducing effects to aquifers. These methods are often preferred over using a sump or trash pump to dewater a pit while mining, because clean water is extracted and that simplifies discharge.
- Where offsite impacts to shallow aquifer are likely, infiltration trenches or wells can help to mitigate offsite drawdowns.

- For pit seepage, keep a perimeter trench around the outside of the excavation's floor. This trench will collect the groundwater seeping out of the pit walls and create a sump from which less turbid and uncontaminated water can be pumped.
- Make sure that dewatering does not result in or otherwise cause re-suspension of sediments in receiving waters. It is very important that any fluid leaving the site be free of any contaminants or additives such as fuel, antifreeze, solvents, corrosion inhibitors, toxic substances, oil, and grease, and anything which causes foaming in the effluent.
- Perform equipment maintenance away from the pit perimeter.
- Dispose of waste away from the open pit.
- Store fuels and hazardous materials away from the open pit.

Dewatering should not be done in such a way that it results in thermal or physical erosion, typically a problem at the site of discharge. Dewatering should be avoided or carefully (professionally) designed if it will result in offsite impacts such as contamination of surface or ground water, well impacts to neighboring properties, changes in flow patterns of surface water or aquifers, or if it causes flooding or damage to property or vegetation. Dewatering should not be done if discharge will result in thermal barriers to fish movement or otherwise exclude fish from aquatic habitat.

Monitoring of groundwater levels, pumping, turbidity, and other factors may be required by permit. A well-planned monitoring program is a valuable means of assuring the BMP is being conducted properly and that the true effect of dewatering is known. Active treatment of wastewater prior to discharge may be necessary to assure compliance with water quality standards. Should accidental discharge of contaminants occur, the operator should first correct the situation, then report the discharge to the Alaska Department of Environmental Conservation immediately to determine what, if any, mitigation is needed. Groundwater monitoring may be indicated in permitting before, during, or after de-watering.

9 RECLAMATION

This chapter describes various strategies and BMPs for reclamation. The primary goal of mine reclamation is to return a site to a condition that will not pose a hazard to public health and the environment. Reclamation plans are site specific, but they will generally include:

- removal of all mine facilities,
- a grading plan that establishes stable slopes and adequate drainage,
- self-sustaining vegetative cover,
- monitoring of performance during and after reclamation to ensure objectives are being achieved.

Key Points – Chapter 9

- Reclamation restores mined land to a stable condition that will not harm humans or the environment.
- Reclamation plans must be approved by Alaska DNR.
- There are different types of reclamation strategies:
  - Contemporaneous
  - Segmental
  - Post-Mining
- Proper handling, storage, and replacement of topsoil are crucial to revegetation.

By law, reclamation plans must be approved by the commissioner of natural resources from the Alaska Department of Natural Resources (DNR), Division of Mining, Land, and Water. This applies to state, federal, municipal, and private land and water in Alaska. Alaska DNR has published a book of Mining Laws and Regulations, which may be found at http://dnr.alaska.gov/mlw/mining/2009Reg_book.pdf.

9.1 Reclamation Strategies

9.1.1 Contemporaneous Reclamation

In contemporaneous reclamation, material is transported from a newly mined area directly to a previously mined area in one circuit (Figure 9-1). This method is preferred, because it minimizes handling of overburden and avoids creating large areas of unreclaimed land. It is optimal where a relatively small amount of material is extracted in comparison to the overburden moved, as it allows easy reproduction of soil and subsoil profiles. It may, however, be impractical for sites with very thin soil or where material like sand and gravel must be mixed from various parts of the mine in order to meet product specifications.

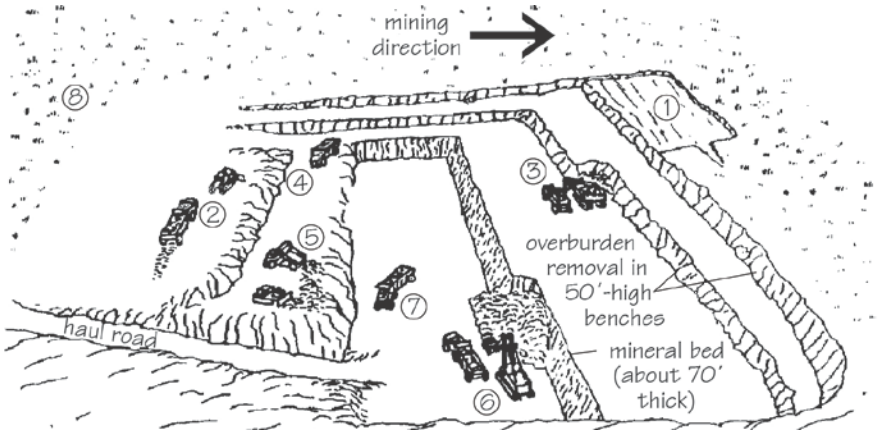


Figure 9-1: Contemporaneous Reclamation
(Modified from Washington State Department of Natural Resources, 1997, and U.S. Bureau of Land Management, 1992)

1) removal of topsoil;
2) spreading topsoil on graded wastes;
3) loading of overburden;
4) hauling of overburden;
5) dumping of overburden;
6) loading of product;
7) hauling of product;
8) reclaimed land.

9.1.2 Segmental Reclamation

In segmental reclamation, the mine site is divided into segments and the order of mining and reclamation among the segments is determined. Prior to mining, topsoil from the first segment is stockpiled. After all resources have been extracted from the first segment and the slopes have been reshaped in accordance with the reclamation plan, topsoil is stripped from the second segment and placed on the first segment and vegetation is planted. This continues until the final segment is mined, and then it is reclaimed with the stockpile of topsoil from the first segment. This reclamation strategy minimizes handling of topsoil and avoids creating large areas of unreclaimed land, but may be impractical for sites with very thin soil or where material like sand and gravel must be mixed from various parts of the mine in order to meet product specifications.

9.1.3 Post-Mining Reclamation

Post-mining reclamation is reclaiming a site after all resources have been extracted. While it may be necessary under certain circumstances, it is generally discouraged because it results in large areas being left unreclaimed for long periods of time. In post-mining reclamation, revegetation is typically slower and more expensive, stockpiled topsoils may deteriorate over time and become less fertile, and bonding liabilities are typically higher.

9.2 Reclamation BMPs

9.2.1 Preservation of Topsoil

Topsoil plays a crucial role for erosion control and is important for rehabilitation and permit requirements. Proper movement and storage of the soil is crucial for preservation and reuse.

Topsoil and other overburden should be removed separately before mining and retained for reclamation. Placing several inches of organic-rich soil over lower quality subsoil can dramatically improve the success of revegetation. If adequate topsoil is not preserved during mining, miners may need to import suitable topsoil, which can be costly. Topsoils must be properly handled and stored to preserve their porosity and biological content, including bacteria, fungi, algae, insects, and worms. Without these properties, the soil will be less helpful to revegetation. Some keys to topsoil preservation are:

- Store topsoil and other soil layers separately so they retain their characteristics and are easier to replace in the same order in which they were excavated.
- Do not strip topsoil when it is excessively wet or dry.
- Do not subject stored topsoil to excessive heavy equipment traffic.
- Storage piles should be constructed to minimize size and compaction.
- Avoid creating soil storage piles in excess of 25 feet in height.
- Do not use natural drainage ways as stockpile areas.
- Add some plant matter like grasses and chipped tree limbs to the pile to increase aeration, but not excessive amounts, as that will make the soil nitrogen deficient.
- Vegetate soil stockpiles. It is a good opportunity to do test seedings in preparation for final reclamation. Make sure seeds and plants used in revegetation are not or do not contain invasive plant species.

9.2.2 Overburden Storage

Overburden is often stockpiled for later use in reclamation backfill. This is a good practice, although long-term overburden stockpiles can contribute heavy sediment load to stormwater runoff. To avoid this, they should be:

- properly constructed for good slope stability (see Grading on page 28), and
- vegetated to prevent erosion.

9.2.3 Backfilling

Backfilling an excavated area may increase stability and help reduce erosion that otherwise might potentially affect surface water. Reducing slope angles can substantially reduce erosional effects and long term stability concerns. Backfilling can be considered when the final face heights in an excavated area are higher and steeper than permit specifications or general standards. Some guidelines for backfilling include:

- Do not backfill or approach an existing slope if stability is in question or the slope is unsafe, as it threatens worker safety.
- Keep backfill slopes at angles of 2 or more horizontal to 1 vertical.

- Unless otherwise specified, fill layers should be placed in lifts of no more than 6-9 inches and then stabilized by compacting, adding water to maintain moisture as needed. Compaction efforts can be made with equipment such as a sheep's foot roller or a smooth vibrating drum roller.
- Avoid flooding or erosion by providing good drainage with robust sediment control.
- Ideally, backfill concurrently with gravel extraction using overburden mined elsewhere on the site.
- Backfill materials may include overburden, waste rock, topsoil, clean excavation spoils from offsite, or select clean construction debris.
- Backfill materials should be free of contamination, brush, rubbish, organics, logs, stumps, and other material not suitable for stable fills.
- If previously stockpiled topsoil is used, it may need to be mixed with quality, clean fill material from sources offsite, as the moisture content of stored material may change and result in poor compaction.
- Establish healthy vegetative cover to avoid erosion (see Grading on page 28 and Vegetation on page 24).
- Use plastic sheeting, mulches, matting, or seeding with native species of grass or other vegetation to protect bare slopes against erosion or if permanent planting is delayed.

9.2.4 Benching

In reclamation, benching is a way of reducing slope lengths, enhancing stability, and facilitating revegetative efforts in soft or hard rock where bedding and structure are not prohibitively oriented. In some situations, it may be preferable to backfilling. A typical benched slope is shown in Figure 9-2. Some keys to benching are:

- Vertical bench cuts should be between 2 and 4 feet high.
- The vertical cut of the upper bench should begin immediately above the horizontal cut of the bench below.
- Benches should be horizontal and parallel to cut slopes or roadways.
- Excavation of each bench should be done in the opposite direction from the bench before, from the top of the slope to the bottom, to reduce the buildup of unconsolidated material at the side of the cut.

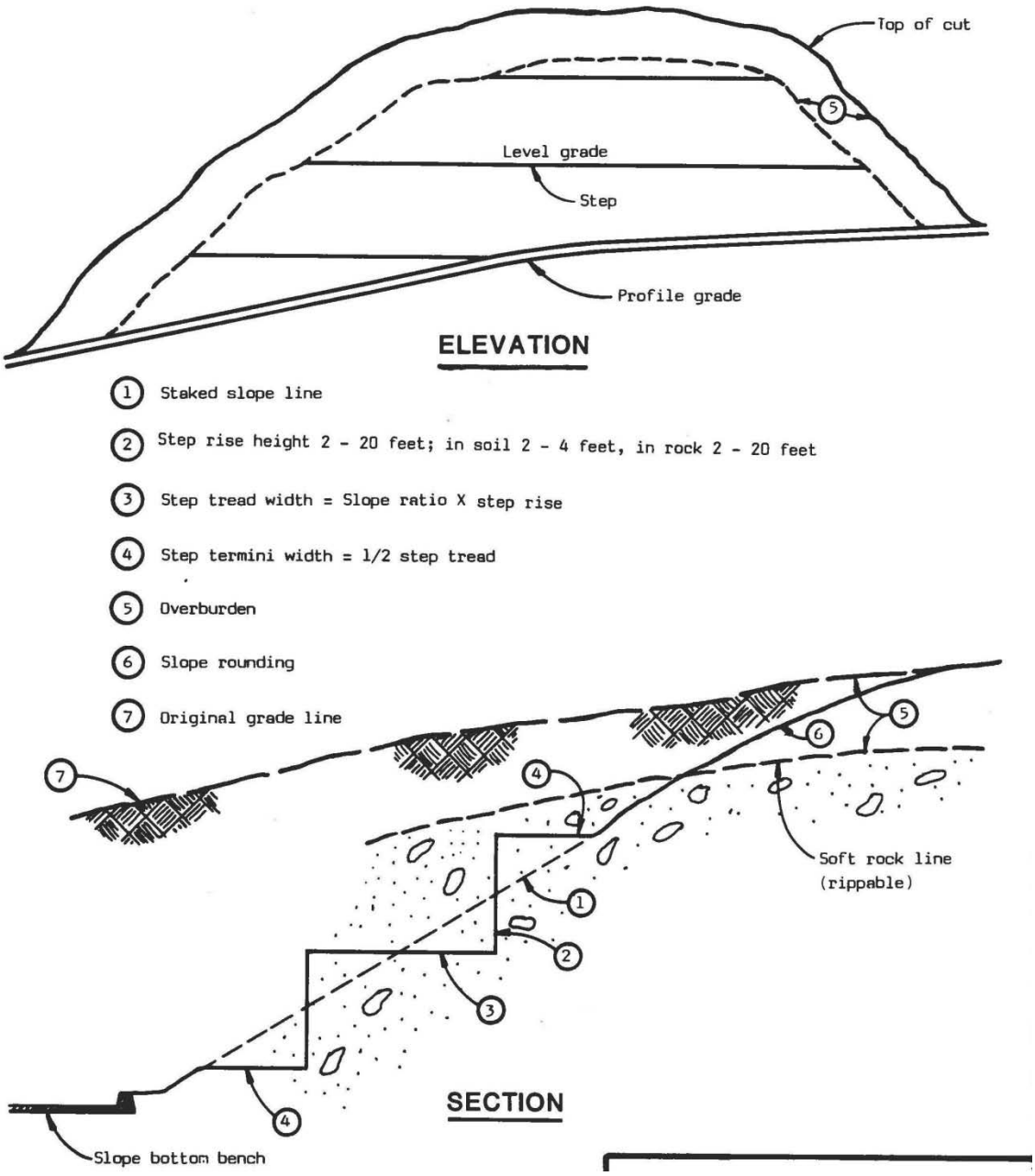


Figure 9-2: Benching Detail
(Modified from Idaho Department of Lands, 1992.)

9.2.5 Reclamation Blasting

Reclamation blasting is a technique that uses selective blasting to reclaim highwalls and benches to forms that blend in better with their surroundings. Holes are carefully placed and charged with explosive to essentially turn rock faces into scree slopes. The use of a blasting contractor familiar with this technique is highly recommended.

9.2.6 Draining Pit Floors

If desired, pit floor drainage can be improved by ripping or blasting.

- Ripping can be accomplished in soft rock or compacted soil or mine waste with vertical shanks mounted on heavy equipment.
- Blasting can be used for harder rock. It can be made into its own program, or if used in production, the last production shot can be drilled an extra 10 feet and some of the fractured material can be left in place.

Both methods will improve drainage and make it easier for roots to penetrate.

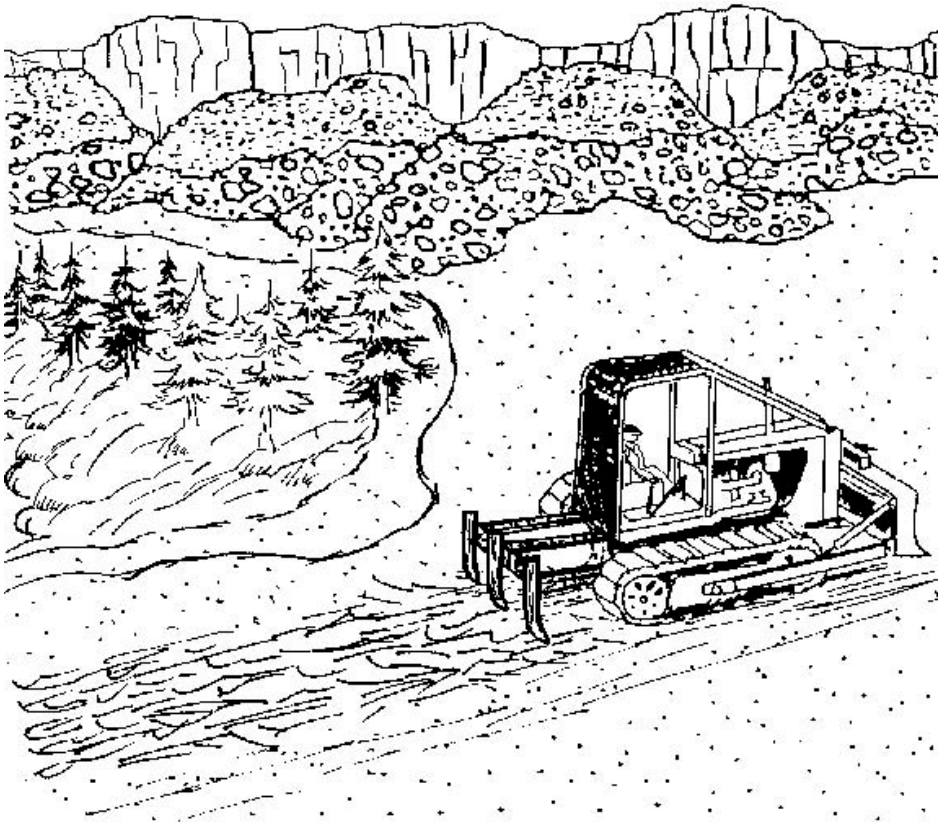


Figure 9-3: Ripping With A Dozer
(Modified from Washington State Department of Natural Resources, 1997.)

9.2.7 Topsoil Replacement

Proper replacement of topsoil on reclaimed surfaces is crucial to revegetation. Some topsoil replacement concepts are:

- Ideally, extract topsoil from its place of origin and place it directly onto an area already mined, backfilled, and graded for reclamation. In this scenario, soil is handled only once, has less moisture loss, and does not compact during storage within stockpiles
- Before spreading the topsoil, establish the erosion and sedimentation control structures such as berms, diversions, dikes, waterways, and sediment basins.

- Soil horizons in stockpiles should be placed in their original order for best results.
- Maintain grades on the areas to be topsoiled, and just before spreading the topsoil, loosen the subgrade slightly for bonding of the topsoil and subsoil.
- Do not spread topsoil when it is frozen or muddy.
- Topsoil should not be compacted.
- A minimum soil replacement depth of 12 inches is recommended for most reclamation applications.
- The minimum recommended soil depth for timber production is 4 feet over rock and 2 feet over gravel of soft overburden.
- If the volume of topsoil available for the site is low, restrict application to low areas that will conserve soil, retain moisture, and catch wind-blown seeds.
- After topsoil is placed, the soil can be analyzed to determine what soil amendments (nutrients and fertilizers) are necessary for proper vegetative growth.

9.2.8 Refuse/Soil Disposal

If excess overburden remains that will not be used in reclamation, it should be disposed of with care. It should not be placed in natural drainages, like drainage hollows on slopes, as it would be more likely to fail and impact surface water. Options for disposal may include sale as a fill material or proper construction of a permanent, vegetated stockpile.

9.2.9 Covering Acid-Forming Materials

If a site contains acid-forming materials, it has the potential to release acid mine drainage. This can be prevented during reclamation by identifying acid forming materials, isolating them, placing them on a liner (plastic or clay) and covering them with a cap (such as a clay) to prevent the chemical reaction which produces acid mine drainage (see page 19) from taking place. If exposures of acid-forming materials are left in a highwall, try to create an environment that does not result in repeated wetting and drying of the material, as these are the conditions most conducive to acid formation. In appropriate topography, a permanent impoundment with an initial addition of a buffering agent (such as lime) could be used.

9.2.10 Revegetation

Revegetation is one of the last but most important steps in mine reclamation, as it reduces erosion, reduces storm-water runoff, provides habitat for animals, and increases the value of the property. Guidance for vegetation is discussed in Chapter 7.

9.2.11 Creating Wildlife Habitat Using Ponds

Mine site reclamation often involves the creation of ponds. Ponds can easily be made into good wildlife habitat by following some general guidelines:

- Keep submerged slopes at 5 horizontal to 1 vertical or flatter to allow development of wetland plant species.
- Make the outline of ponds irregular to increase plant habitat.
- Build up islands in the ponds to provide nesting areas.
- Place structures like downed trees on the shoreline, and anchor them in place to provide fish habitat.

"North Slope Gravel Pit Performance Guidelines," Technical Report Number 93-9, by Robert F. McLean (1993) is a useful resource regarding the creation of wildlife habitat.

9.2.12 Well Decommissioning

Wells that will no longer be used for production or monitoring should be properly decommissioned. The purpose of decommissioning wells is to prevent the unnatural migration of water between different geologic formations in the subsurface. Wells that are not properly decommissioned leave pathways for possible future contaminant transport. Typically, wells can be decommissioned by:

- Sealing them in place with a bentonite grout or cement,
- Removing them and replacing them with bentonite chips, grout, or cement, or
- Redrilling them and backfilling the redrilled hole with bentonite chips, grout, or cement.

It is important that the hole previously occupied by a well is backfilled with bentonite chips, grout, or cement, and not hole cave, as cave does not provide an adequate seal between formations. For Alaska DEC requirements, review 18 AAC 80. For monitoring wells, the Alaska DEC has published a document called *Monitoring Well Guidance*, which includes details on proper techniques for decommissioning monitoring wells. (http://dec.alaska.gov/spar/csp/guidance/Monitoring%20Well%20Guidance.pdf). A well decommissioning form is available through the Alaska DNR Water Forms web site, http://dnr.alaska.gov/mlw/forms/.

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Idaho Department of Lands, 1992, *Best Management Practices for Mining in Idaho*: Boise, Idaho, 158 p., available: http://www.idl.idaho.gov/bureau/minerals/bmp_manual1992/bmp_index.htm.

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Nevada Bureau of Land Management, 2008, *Guidance for Hardrock Mining Reclamation/Closure Activities*: Reno, Nev., 44 p., available: http://www.blm.gov/pgdata/etc/medialib/blm/nv/minerals/mining.Par.2513.File.dat/Closure_Guide.pdf.

Norman, D.K., Wampler, P.J., Throop, A.H., Schnitzer, E.F., and Roloff, J.M., 1997, *Best Management Practices for Reclaiming Surface Mines in Washington and Oregon*: Report prepared for Washington Department of Natural Resources Division of Geology and Earth Resources, Open File Report 96-2, Olympia, Wash., and Oregon Department of Geology and Mineral Industries, Open-File Report O-96-2, Portland, Oreg., 128 p., available: http://www.dnr.wa.gov/publications/ger_ofr96-2_best_management_practices.pdf and http://www.oregongeology.org/pubs/ofr/O-96-02.pdf.

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APPENDICES

Appendix A – Definitions

Appendix B – Contact Information

Appendix C – Resources for Information

Appendix D – State and Federal Permit Requirements

Appendix E – Best Management Practice Index

Appendix A – Definitions

Below is a compilation of definitions used or pertaining to this User's Guide. Additional definitions can be found in the Alaska Water Quality Standards (18 AAC 70).

Best Management Practices (BMPs) – Schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices, that when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of the state. The types of BMPs are source control and treatment control.

Mining Operations – Typically consists of three phases, any one of which individually qualifies as a "mining activity." The phases are the exploration and construction phase, the active phase, and the reclamation phase.

Nonpoint Source Pollution – Any source of pollution other than a point source (18 AAC 70.990(42)). Point source pollution is a discernible, confined, and discrete conveyance, including a pipe, ditch, channel, tunnel, conduit, well, container, rolling stock, or vessel or other floating craft, from which pollutants are or could be discharged (18 AAC 70.990(46)).

Reclamation – The process of returning a site to a condition that will not pose a hazard to public health and the environment.

Residues – Floating solids, debris, sludge, deposits, foam, scum, or any other material or substance remaining in a body of water as a result of direct or nearby human activity (18 AAC 70.990(49)).

Sediment – Solid material of organic or mineral origin that is transported by, suspended in, or deposited from water. Sediment includes chemical and biochemical precipitates and organic material, such as humus (18 AAC 70.990(51)).

Settleable Solids – Solid material of organic or mineral origin that is transported by and deposited from water, as measured by the volumetric Imhoff cone method and at the method detection limits specified in method 2540(F), *Standard Methods for the Examination of Water and Wastewater*, 18th edition (1992) (18 AAC 70.990(52)).

Source Control BMPs – Source control BMPs **prevent** pollution, or other adverse effects of stormwater, from occurring. Source controls can be further classified as operational or structural. Examples of source control BMPs include methods as various as using mulches and covers on disturbed soil, slope grading, land clearing practices, putting roofs over outside storage areas, and berming areas to prevent stormwater run-off and pollutant runoff.

Stormwater – Storm water runoff, snowmelt runoff, and surface runoff and drainage (MSGP 2000).

Total Suspended Solids – Solids in water that can be trapped by a filter. Total suspended solids can include a wide variety of material, such as silt, decaying plant and animal matter, industrial wastes, and sewage. High concentrations of suspended solids can cause many problems for

stream health and aquatic life and can block light from reaching submerged vegetation. As the amount of light passing through the water is reduced, photosynthesis slows down. Reduced rates of photosynthesis cause less dissolved oxygen to be released into the water by plants and possibly lead to fish kills. High total suspended solids can also cause an increase in surface water temperature, because the suspended particles absorb heat from sunlight.

Treatment Control BMPs – Treatment control BMPs include facilities or operations that remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, and soil adsorption. Treatment control BMPs can accomplish significant levels of pollutant load reductions if properly designed and maintained. An example of a treatment control would be a sediment basin.

Turbidity – Turbidity means an expression of the optical property that causes light to be scattered and absorbed rather than transmitted in straight lines through a water sample. Turbidity in water is caused by the presence of suspended matter such as clay, silts, finely divided organic and inorganic matter, plankton, and other microscopic organisms (18 AAC 70.990(64)).

Waters – Alaska statutes (AS) 46.03.900(36) defines waters to include lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, straits, passages, canals, the Pacific Ocean, Gulf of Alaska, Bering Sea, and Arctic Ocean, in the territorial limits of the state, and all other bodies of surface or underground water, natural or artificial, public or private, inland or coastal, fresh or salt, which are wholly or partially in or bordering the state or under the jurisdiction of the state.

Appendix B – Contact Information

State and Federal Contacts

The following are state and federal contacts for additional information regarding mining and BMPs.

Alaska Department of Environmental Conservation
Drinking Water Program
http://dec.alaska.gov/eh/dw/index.htm

ANCHORAGE
555 Cordova Street
Anchorage, Alaska 99501
Toll Free 1-866-956-7656
907-269-7656

SOLDOTNA
43335 Kalifornsky Beach Rd Suite 11
Soldotna, AK 99669-9792
907-262-3408

FAIRBANKS
610 University Avenue
Fairbanks, AK 99709-3643
Toll Free 1-800-770-2137
907-451-2108

WASILLA
1700 E. Bogard Rd., Bldg. B Suite 103
Wasilla, AK 99654
907-376-1850

Alaska Department of Environmental Conservation
Wastewater Discharge Authorization – Storm Water Program
http://dec.alaska.gov/water/wnpspc/stormwater/Index.htm

ANCHORAGE
555 Cordova Street
Anchorage, AK 99501
(907) 334-2288

Alaska Department of Environmental Conservation
Nonpoint Source Water Pollution Control
http://dec.alaska.gov/water/wnpspc/index.htm

For TMDL information: http://dec.alaska.gov/water/tmdl/tmdl_index.htm

JUNEAU
410 Willoughby Ave., Suite 303
P.O. Box 111800
Juneau, Alaska 99801
907-465-5180

ANCHORAGE
555 Cordova Street
Anchorage, Alaska 99501
907-269-3059

FAIRBANKS
610 University Avenue
Fairbanks, AK 99709-3643
907-451-2125
907-269-3059

Alaska Department of Environmental Conservation
Contaminated Sites Program
http://dec.alaska.gov/spar/csp/index.htm

JUNEAU
410 Willoughby Ave., Suite 303
P.O. Box 111800
Juneau, Alaska 99801
907-465-5390

FAIRBANKS
610 University Avenue
Fairbanks, AK 99709
907-451-2143

ANCHORAGE
555 Cordova Street
Anchorage, Alaska 99501
907-269-7503

Alaska Department of Natural Resources
Division of Mining, Land & Water
550 West 7th Avenue, Suite 1260
Anchorage, Alaska 99501
907-269-8400
http://dnr.alaska.gov/mlw/

Alaska Department of Natural Resources
Plant Materials Center
5310 S. Bodenburg Spur
Palmer, Alaska 99645
907-745-4469
http://plants.alaska.gov/

Environmental Protection Agency, Region 10
NPDES Storm Water Coordinator
1200 Sixth Avenue
Seattle, WA 98101
206-553-6650
http://yosemite.epa.gov/R10/WATER.NSF/webpage/Storm+Water?OpenDocument

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Army Corps of Engineers, Alaska District
Regulatory Branch
P.O. Box 6898
Anchorage, Alaska 99506-0898
907-753-2712
http://www.poa.usace.army.mil/reg/

Local Government Contacts

Contact information for local governments in major cities throughout Alaska. Please contact the local governmental organization in your area.

Fairbanks North Star Borough
809 Pioneer Road
P.O. Box 71267
Fairbanks, Alaska 99707-1267
907-459-1000
http://www.co.fairbanks.ak.us/

Matanuska-Susitna Borough
Land and Resource Management Division
350 East Dahlia Avenue
Palmer, Alaska 99645
907-745-4801
http://www.matsugov.us/communitydevelopment/land-and-resource-management

City & Borough of Juneau
Engineering Department
155 South Seward Street
Juneau, Alaska 99801
907-586-0800
http://www.juneau.lib.ak.us/engineering/

City & Borough of Sitka
Public Works Department
100 Lincoln Street
Sitka, Alaska 99835
907-747-1804
http://www.cityofsitka.com/government/departments/publicworks/index.html

Kenai Peninsula Borough
144 North Binkley
Soldotna, Alaska 99669
907-262-4441
http://www.borough.kenai.ak.us/

Municipality of Anchorage
Public Works Department
4700 Elmore Road
Anchorage, Alaska 99507
907-343-8120
http://www.muni.org/departments/works/pages/default.aspx

Appendix C – Resources for Information

BMP METHODS

Barksdale, R.D., Editor. (1991): The Aggregate Handbook; *National Stone Association*.

Buttleman, C.G. (1992): A Handbook for Reclaiming Sand and Gravel Pits in Minnesota; *Minnesota Department of Natural Resources*, Division of Minerals.

Ciuba, S. and Austin, L. (2001): Runoff Treatment BMPs; *in* Stormwater Management Manual for Western Washington, Volume V. *Washington State Department of Ecology*, Publication 9915, URL http://www.ecy.wa.gov/biblio/9915.html, June 2001.

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O'Brien, E. (2001): Minimum Technical Requirements; Stormwater Management Manual for Western Washington, Volume I. *Washington State Department of Ecology*, Publication 9911, URL http://www.ecy.wa.gov/biblio/9911.html, June 2001.

Oregon Department of Environmental Quality, 2005, *Erosion and Sediment Control Manual*, April 2005.

United States Department of Agriculture and Mississippi State University. (1999): Water Related BMP's in the Landscape; Watershed Science Institute. Created for the Natural Resource Conservation Service, United States Department of Agriculture by the Center for Sustainable Design Mississippi State University Departments of Landscape Architecture, Agricultural and Biological Engineering, and the College of Agriculture and Life Sciences, URL http://abe.msstate.edu/csd/NRCS-BMPs/contents.html, October 2001.

LOCAL BMP METHODS

City and Borough of Sitka, 2004, *A Contractor and citizen Guide to Reducing Stormwater Pollution*, June 2004.

Redburn Environmental & Regulatory Services, *Granite Creek Watershed Project Review Guidelines and Pollution Control Recommendations for Future Development*, for City and Borough of Sitka, June 2005.

ADDITIONAL INFORMATION

King County Washington (2009): Stormwater Pollution Prevention Manual; Department of Natural Resource, Water and Land Division, URL http://your.kingcounty.gov/dnrp/library/water-and-land/stormwater/stormwater-pollution-prevention-manual/SPPM-Jan09.pdf, January 2009.

Murphy, M.L. (1995): Forestry Impacts on Freshwater Habitat of Anadromous Salmonids in the Pacific Northwest and Alaska—Requirements for Protection and Restoration; NOAA Coastal Ocean Program, Decision Analysis Series No. 7, *in*. Schmitten R. A., Editor, (1996) NMFS National Gravel Extraction Policy, *U.S. Department of Commerce National Marine Fisheries Service*, URL http://swr.ucsd.edu/hcd/gravelsw.htm, June 2001.

North Carolina Department of Natural Resources and Community Development. (1988): Erosion and Sediment Control Planning and Design Manual; North Carolina Sediment Control Commission.

United States Department of Agriculture. (2000): Ponds--Planning, Design, and Construction; Agriculture Handbook Number 590.

United States Department of Agriculture, (1994): Planning and Design Manual for the Control of Erosion, Sediment, and Stormwater, Best Management Practice Standards.

Wright, Stoney J. and Hunt, Peggy, 2008, *A Revegetation Manual for Alaska*, Alaska Plant Materials Center, Division of Agriculture, Alaska Department of Natural Resources, 74 p.

DEWATERING INFORMATION

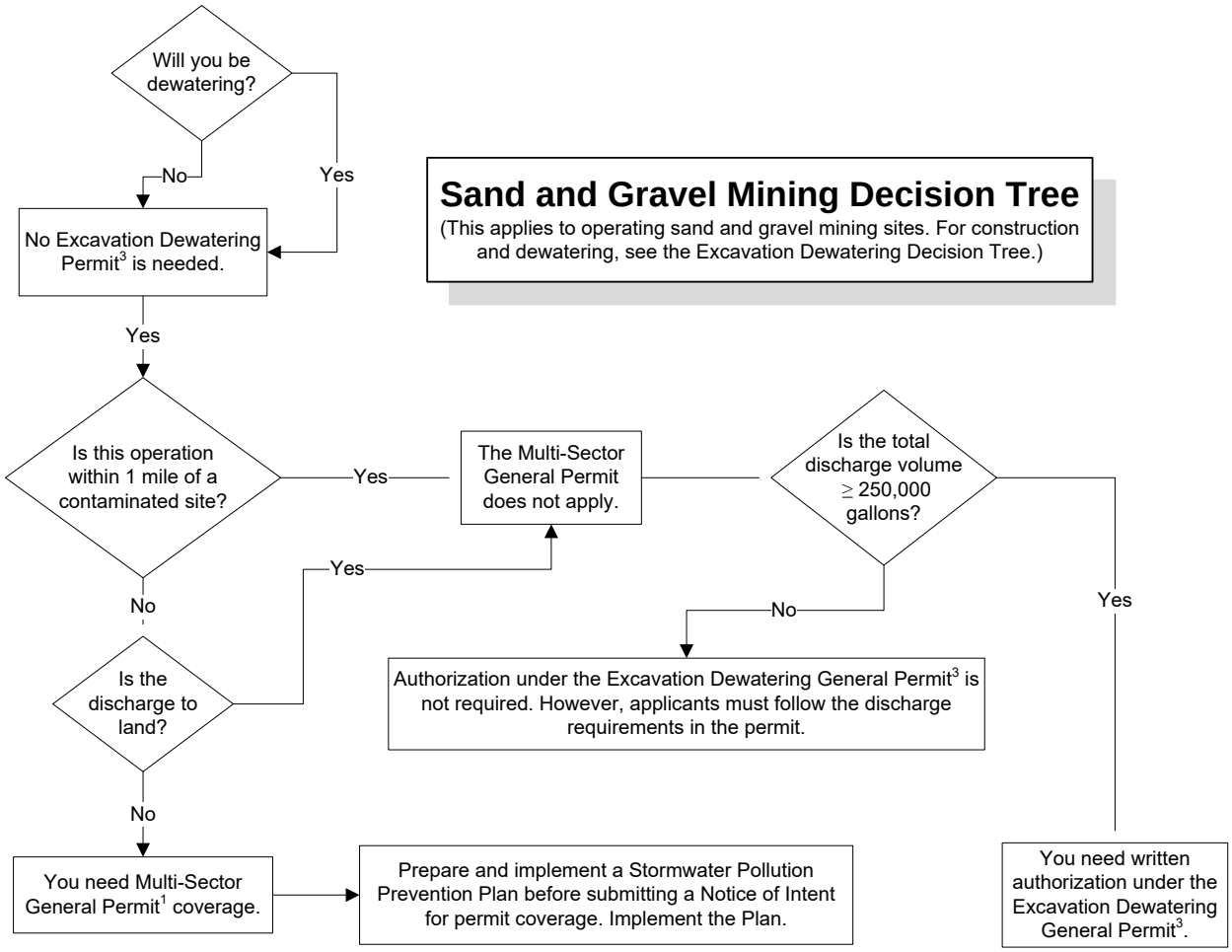
Powers, J.P., Corwin, A.B., Schmall, P.C., and Kaeck, W.E., (2007): Construction Dewatering and Groundwater Control: New Methods and Applications, Third Edition, John Wiley & Sons, Inc., Hoboken, NJ, USA.

Appendix D – State and Federal Permit Requirements

The table in this appendix provides an overview of state and federal requirements for gravel pit operations. **Not all requirements or permits might be identified or applicable**. In addition, local regulations or permits may be required. Please check with the responsible agency and local government agency to identify which apply to your operation.

Issue	Responsible Agency	Agency Requirement
Mining License	AK Dept. of Revenue	Provide copy of approved aggregate/sand & gravel mining license.
Letter of Intent	DNR	File the letter of intent required by AS 27.19.050 (b) annually on a form provided by the department before the mining begins.
Mining Permit	DNR	Provide copy of approved aggregate/sand & gravel mining permit, if extraction activity is conducted on state land.
Reclamation	DNR	Provide copy of approved state reclamation plan, if required (not required if less than 5 acres).
Water Quality – Run-off	DEC	Prepare SWPPP and submit NOI to obtain coverage under Multi-Sector general permit pursuant to APDES requirements. Dewatering discharges can be covered under DEC's construction general permit and Multi Sector General Permit, if less than 250,000 gallons or greater than one mile from contaminated site and is not otherwise contaminated.
Water Quality – Wetlands, Lakes & Streams	US Army Corps of Engineers	Any activity in wetlands, lakes, and streams requires Corps permit.
Water Quality – Groundwater	DEC	There is no prohibition on creation of man-made lakes or dredging into the water table. Dredging taking place into water table must be conducted in compliance with DEC notice of intent for the Multi-sector General Permit or APDES requirements, and DEC requirements for storage, spills and disposal of oil, antifreeze and hydrocarbons. Creation of man-made body of water may require Corps permit.
Water Quality – Dewatering	DEC	For dewatering that exceeds a total volume of 250,000 gallons or a rate of 40 gallons per minute and is within a mile of a DEC-listed contaminated site.
Water Quantity – Dewatering	DNR	Water Use Permit may be required.
Air Quality Control	EPA DEC	EPA Air Quality Control Permit required for asphalt plant and crushers. DEC has dust control regulations; no permits are required.
Burning	DNR DEC	Combustibles must be stockpiled separate from non-combustibles. Burning permit required from DNR. Burning must be conducted in compliance with DEC air quality standards.
Hazardous Materials	EPA	Use of hazardous material regulated by EPA standards.
Oil, Antifreeze & Hydrocarbon Storage (<1,200 gal.), Spills & Disposal	DEC	Regulated by DEC Oil and Hazardous Substances Pollution Control Regulation (18 AAC 75).
Oil, Antifreeze & Hydrocarbon Storage (>1,200 gal.), Spills & Disposal	EPA	Regulated by EPA standards.
Explosives – Storage and Use	FBATFE	Regulated by FBATFE.

Issue	Responsible Agency	Agency Requirement
Revised – June 2012. Key: DNR = Alaska Department of Natural Resources DEC = Alaska Department of Environmental Conservation EPA = United States Environmental Protection Agency APDES = Alaska Pollutant Discharge Elimination System FBATFE = Federal Bureau of Alcohol, Tobacco, Firearms & Explosives		



Sand and Gravel Mining Decision Tree

(This applies to operating sand and gravel mining sites. For construction and dewatering, see the Excavation Dewatering Decision Tree.)

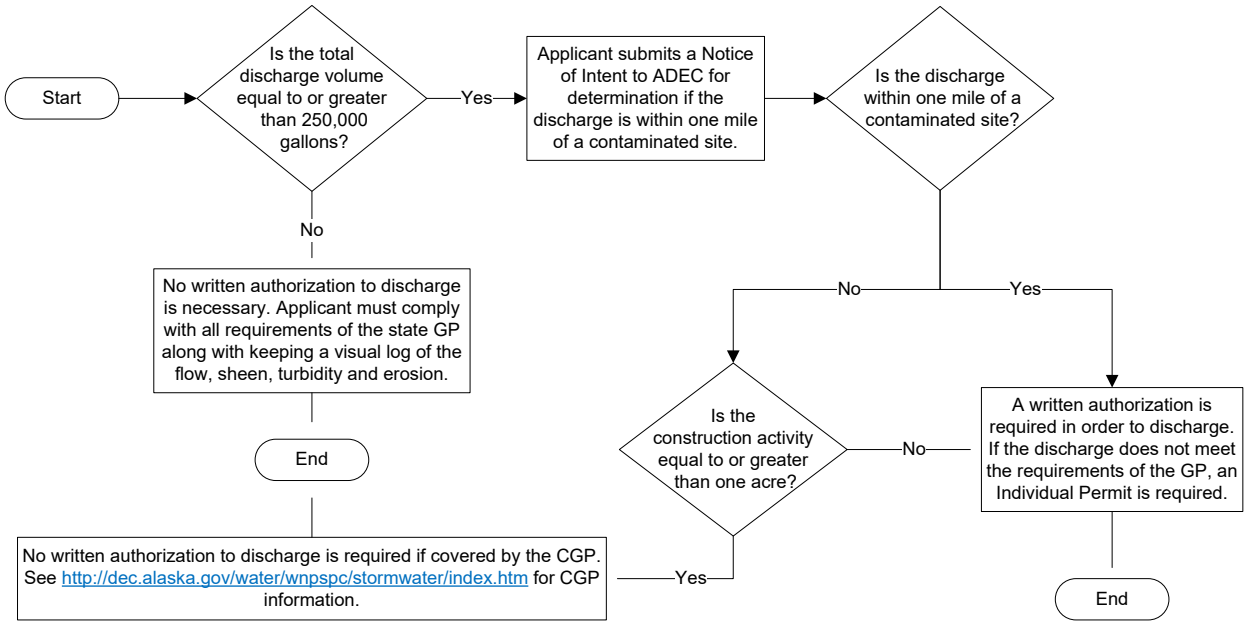
1 – DEC's APDES Multi Sector General Permit for Stormwater Discharges from Industrial Activities = MSGP
http://dec.alaska.gov/water/wnpspc/stormwater/MultiSector.htm

2 – DEC's APDES Construction General Permit for Stormwater Discharges from Construction Sites = CGP
http://dec.alaska.gov/water/wnpspc/stormwater/Index.htm

3 – State of Alaska Excavation Dewatering General Permit 2009DB0003
http://dec.alaska.gov/water/WPSDocs/2009DB0003_pmt.pdf

EXCAVATION DEWATERING DISCHARGE Decision Tree

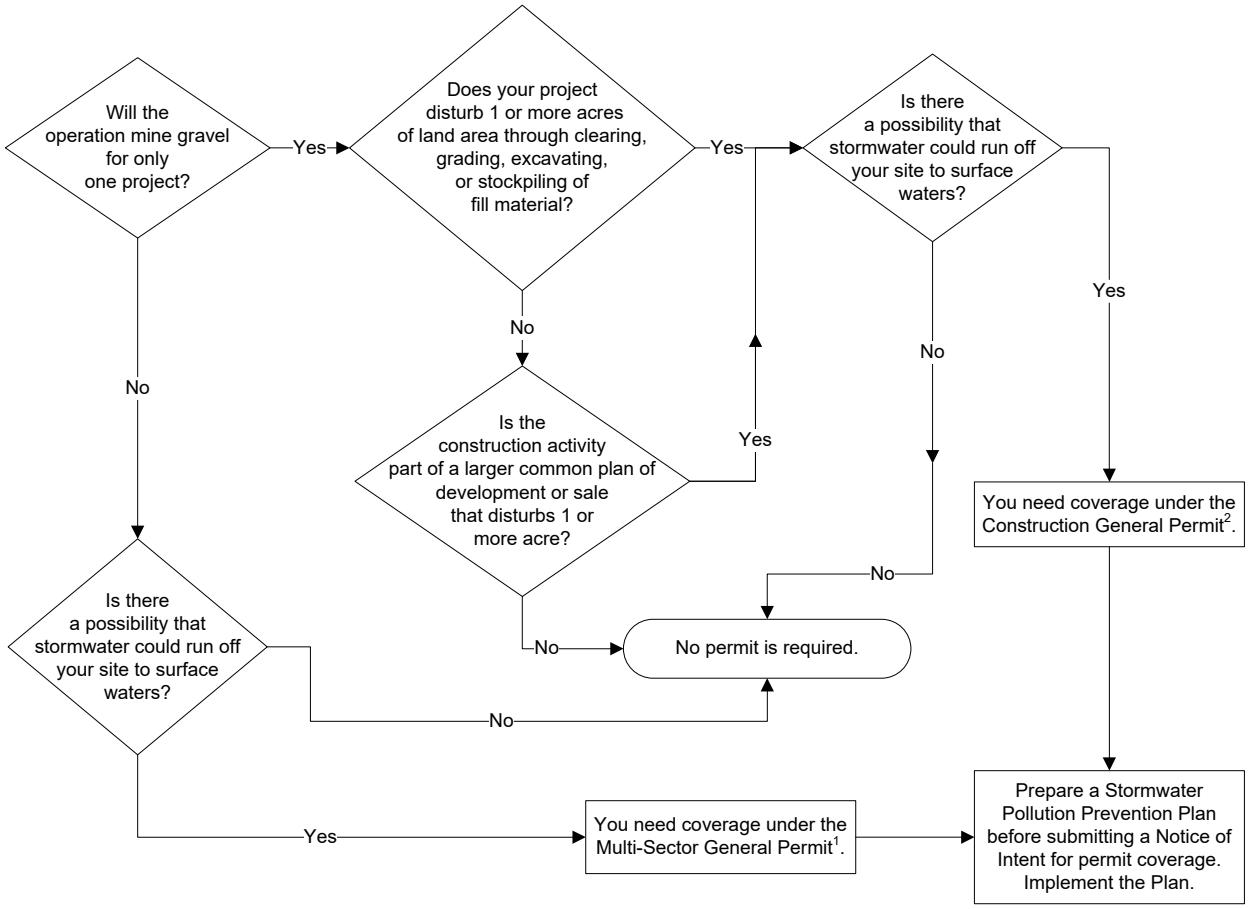
(For GENERAL PERMIT 2009DB0003)



DEC's APDES Construction General Permit for Stormwater Discharges from Construction Sites = CGP
http://dec.alaska.gov/water/wnpspc/stormwater/Index.htm

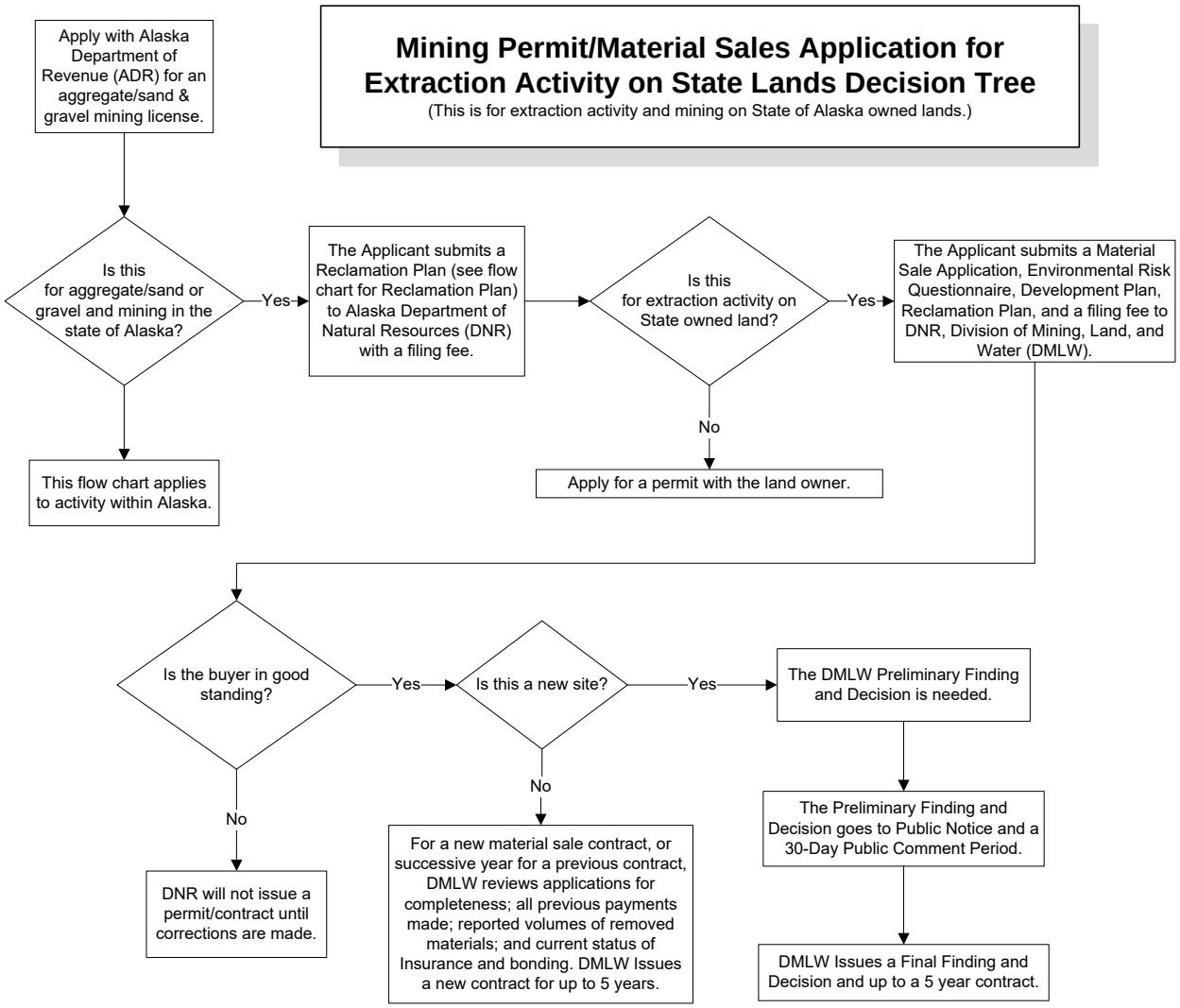
State of Alaska Excavation Dewatering General Permit 2009DB0003
http://dec.alaska.gov/water/WPSDocs/2009DB0003_pmt.pdf

Alaska Pollutant Discharge Elimination System (APDES) Permit Decision Tree



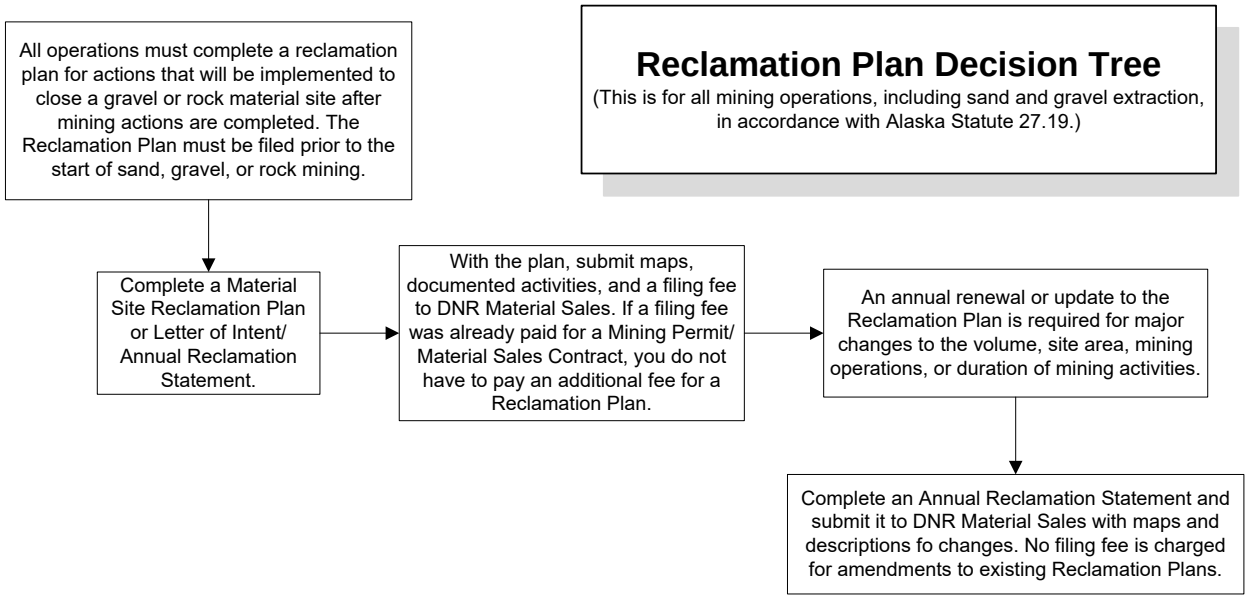
1 – DEC's APDES Multi Sector General Permit for Stormwater Discharges from Industrial Activities = MSGP
http://dec.alaska.gov/water/wnpspc/stormwater/MultiSector.htm

2 – DEC's APDES Construction General Permit for Stormwater Discharges from Construction Sites = CGP
http://dec.alaska.gov/water/wnpspc/stormwater/Index.htm


Mining Permit/Material Sales Application for Extraction Activity on State Lands Decision Tree
(This is for extraction activity and mining on State of Alaska owned lands.)
Apply with Alaska Department of Revenue (ADR) for an aggregate/sand & gravel mining license.
Is this for aggregate/sand or gravel and mining in the state of Alaska?
Yes
The Applicant submits a Reclamation Plan (see flow chart for Reclamation Plan) to Alaska Department of Natural Resources (DNR) with a filing fee.
Is this for extraction activity on State owned land?
Yes
The Applicant submits a Material Sale Application, Environmental Risk Questionnaire, Development Plan, Reclamation Plan, and a filing fee to DNR, Division of Mining, Land, and Water (DMLW).
No
Apply for a permit with the land owner.
This flow chart applies to activity within Alaska.
Is the buyer in good standing?
Yes
Is this a new site?
Yes
The DMLW Preliminary Finding and Decision is needed.
No
DNR will not issue a permit/contract until corrections are made.
No
For a new material sale contract, or successive year for a previous contract, DMLW reviews applications for completeness; all previous payments made; reported volumes of removed materials; and current status of Insurance and bonding. DMLW Issues a new contract for up to 5 years.
The Preliminary Finding and Decision goes to Public Notice and a 30-Day Public Comment Period.
DMLW Issues a Final Finding and Decision and up to a 5 year contract.

Reclamation Plan Decision Tree

(This is for all mining operations, including sand and gravel extraction, in accordance with Alaska Statute 27.19.)



Appendix E – Best Management Practice Index

This appendix presents an alphabetical index of best management practices found within this manual. These BMPs have been selected for specific application to mining operations in Alaska. There are, however, many "general reference" BMPs that can also be useful. Recommended websites include the following:

National Menu of Best Management Practices for Stormwater Phase II, United States Environmental Protection Agency, http://cfpub.epa.gov/npdes/stormwater/menuofbmps/menu.cfm, December 1999;

Water Related BMP's in the Landscape, Watershed Science Institute, http://www.abe.msstate.edu/csd/NRCS-BMPs/, October 2001;

Stormwater Management Manual for Western Washington, Volumes 1-5 Washington State Department of Ecology, http://www.ecy.wa.gov/biblio/9911.html, June 2001.

Also see Appendix C– Resources for Information.

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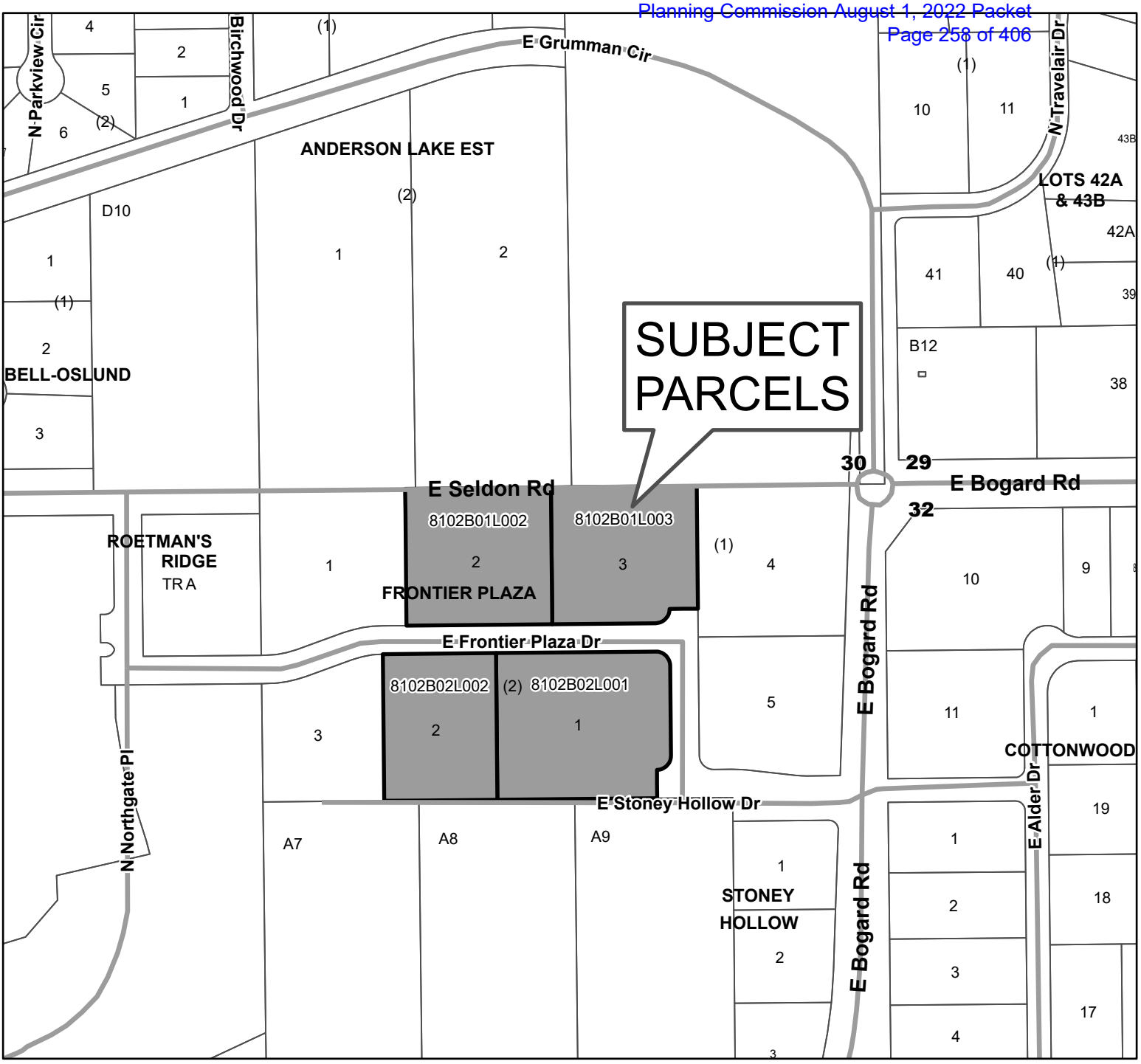
MAPS



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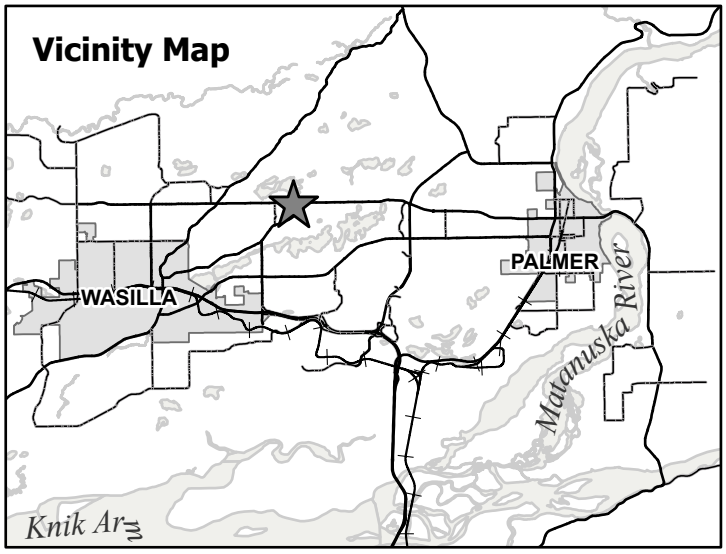

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MSB Information Technology/GIS
May 18, 2022

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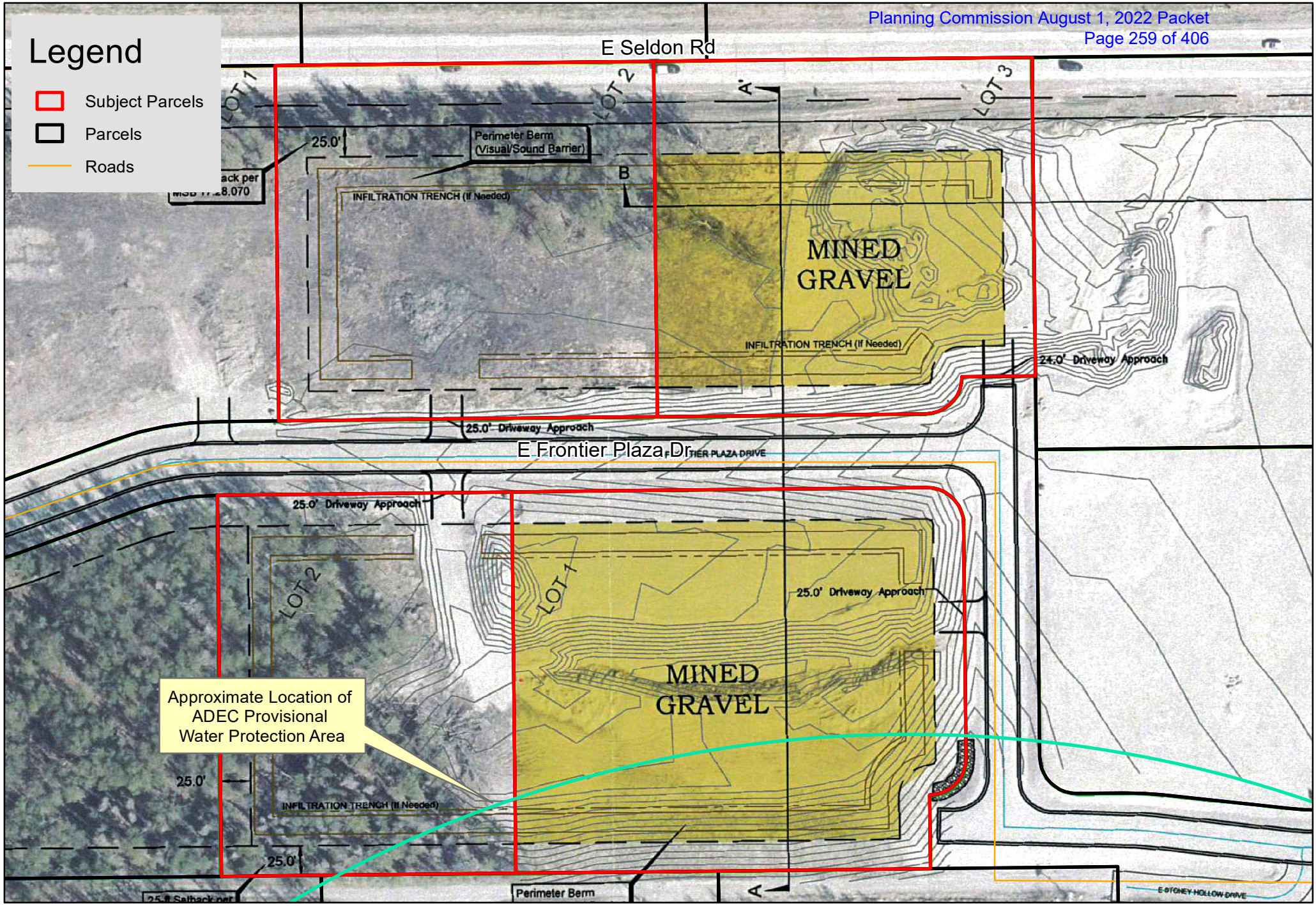

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Date: 7/10/2022
Site Plan Overlay

1 inch = 100 feet

0 100 200 Feet

N

Land Use Map

- 1/2 Mile Notice Area
- Subject Parcels
- Parcels
- Roads
- Government or School Grounds
- Religous
- Residential
- Commercial
- Industrial
- Agricultural
- Recreational

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7801.

Date: 7/10/2022

1 inch = 700 feet

0 700 1,400 Feet

N

PUBLIC NOTICING

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

The Planning Commission of the Matanuska-Susitna Borough will consider the following:

Applicant: John Sommer of Tutka, LLC

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian

Request: An application for a conditional use permit under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction, has been submitted to extract approximately 42,000 cubic yards of earth materials through 2030. According to the applicant, the operation is intended to flatten the lots in preparation of commercial development.

The public hearing scheduled on July 18, 2022 is CANCELED. The new public hearing date for this item is August 1, 2022 at 6:00p.m.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, August 1, 2022, at 6:00 p.m.*** in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Mark Whisenhunt, Planner II, by phone: 907-861-8527. Provide written comments by e-mail to mark.whisenhunt@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party." See MSB 15.39.010 for the definition of "interested party." The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Note: Vicinity Map Located on Reverse Side

From:	Mark Whisenhunt
To:	allen.kemplen@alaska.gov; melanie.nichols@alaska.gov; kyler.hylton@alaska.gov; usswcd@mtaonline.net; mearow@matanuska.com; row@enstarnaturalgas.com; row@mtasolutions.com; ospdesign@gci.com; Fire Code; Terry Dolan (Terry.Dolan@matsugov.us); Butch Ehmann; Chris.miller@alaska.gov; Jill Irsik; Eric Phillips; Brad Sworts; Elaine Flagg; Charlyn Spannagel; planning@matsugov.us; Fred Wagner; Theresa Taranto; Andy Dean; Jamie Taylor; Dolores McKee; "Jesse Sumner"; Abraham Sayen; Brittany Rhodes; Louie Calandri; North Lakes CC Correspondence; Rachel Sayen Lambert; Theron Bair
Subject:	NEW PUBLIC HEARING DATE RE: Request for Review and Comments: Frontier Plaza CUP
Date:	Thursday, June 23, 2022 1:56:00 PM

The public hearing scheduled on July 18, 2022 is CANCELED. <u>The new public hearing date for this item is August 1, 2022 at 6:00p.m.</u>

Thank you.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

From: Mark Whisenhunt
Sent: Friday, May 20, 2022 3:19 PM
To: 'allen.kemplen@alaska.gov' <allen.kemplen@alaska.gov>; 'melanie.nichols@alaska.gov' <melanie.nichols@alaska.gov>; 'kyler.hylton@alaska.gov' <kyler.hylton@alaska.gov>; 'usswcd@mtaonline.net' <usswcd@mtaonline.net>; 'mearow@matanuska.com' <mearow@matanuska.com>; 'row@enstarnaturalgas.com' <row@enstarnaturalgas.com>; 'row@mtasolutions.com' <row@mtasolutions.com>; 'ospdesign@gci.com' <ospdesign@gci.com>; Fire Code <Fire.Code@matsugov.us>; Terry Dolan (Terry.Dolan@matsugov.us) <Terry.Dolan@matsugov.us>; Butch Ehmann <Butch.Ehmann@matsugov.us>; 'Chris.miller@alaska.gov' <Chris.miller@alaska.gov>; Jill Irsik <Jill.Irsik@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Elaine Flagg <Elaine.Flagg@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; 'planning@matsugov.us' <planning@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Dolores McKee <Dee.McKee@matsugov.us>; Jesse Sumner <jessesumnerdistrict6@gmail.com>; Abraham Sayen <sayenabraham89@gmail.com>; Brittany Rhodes <brittanyjade3838@gmail.com>; Louie Calandri <Louie@Calandri.com>; North Lakes CC Correspondence <northlakescommunitycouncil@gmail.com>; Rachel Sayen Lambert <sayenbookkeeping@hotmail.com>; Theron Bair <theron.bair@gmail.com>
Subject: Request for Review and Comments: Frontier Plaza CUP

Date: May 20, 2022

To: Various Agencies

From: Mark Whisenhunt, Planner II

Subject: Request for Review and Comments

Project: Conditional Use Permits for an earth materials extraction operation.

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian.

Applicant: John Sommer of Tutka, LLC

An application for a conditional use permit under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction, has been submitted to extract approximately 42,000 cubic yards of earth materials through 2030. The Planning Commission will conduct a public hearing for this request on July 18, 2022 at 6:00 p.m.

Application material may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." A direct link to the application material is here:

https://www.matsugov.us/publicnotice/frontier-plaza-earth-materials-extraction-conditional-use-permit

Written comments are due on or before ***June 24, 2022*** and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

From:	Mark Whisenhunt
To:	"allen.kemplen@alaska.gov"; "melanie.nichols@alaska.gov"; "kyler.hylton@alaska.gov"; "usswcd@mtaonline.net"; "mearow@matanuska.com"; "row@enstarnaturalgas.com"; "row@mtasolutions.com"; "ospdesign@gci.com"; Fire Code; Terry Dolan (Terry.Dolan@matsugov.us); Butch Ehmann; "Chris.miller@alaska.gov"; Jill Irsik; Eric Phillips; Brad Sworts; Elaine Flagg; Charlyn Spannagel; "planning@matsugov.us"; Fred Wagner; Theresa Taranto; Andy Dean; Jamie Taylor; Dolores McKee; Jesse Sumner; Abraham Sayen; Brittany Rhodes; Louie Calandri; North Lakes CC Correspondence; Rachel Sayen Lambert; Theron Bair
Subject:	Request for Review and Comments: Frontier Plaza CUP
Date:	Friday, May 20, 2022 3:19:00 PM

Date: May 20, 2022

To: Various Agencies

From: Mark Whisenhunt, Planner II

Subject: Request for Review and Comments

Project: Conditional Use Permits for an earth materials extraction operation.

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian.

Applicant: John Sommer of Tutka, LLC

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https://www.matsugov.us/publicnotice/frontier-plaza-earth-materials-extraction-conditional-use-permit

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Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

MATANUSKA-SUSITNA BOROUGH
DIRECTORY OF ORGANIZATIONS

Community Council - North Lakes

Board Exp

North Lakes Communit | Board Position: Correspondence - North Lakes CC

Company Representing | Term: to

3060 N Lazy Eight Ct #2 PMB 449 | Type of Term

Wasilla | AK | 99654 | Member

Home | Work | Cell | E-mail: northlakescommunitycouncil@gmail.co

---

Sayen Lambert | Rachel | Board Position: Member 1 - North Lakes CC

Company Representing | Term: to

Type of Term

Member: Treasurer

Home | Work | Cell: (907) 841-0060 | E-mail: sayenbookkeeping@hotmail.com

---

Calandri | Louie | Board Position: Member 2 - North Lakes CC

Company Representing | Term: to

7631 E Dania Way | Type of Term

Wasilla | AK | 99654 | Member: Vice President

Home | Work | Cell: (907) 357-4357 | E-mail: Louie@Calandri.com

---

Bair | Theron | Board Position: Member 3 - North Lakes CC

Company Representing | Term: to

Type of Term

Member: President

Home | Work | Cell: (310) 874-3071 | E-mail: theron.bair@gmail.com

---

Sayen | Abraham | Board Position: Member 4 - North Lakes CC

Company Representing | Term: to

Type of Term

Member: Director

Home | Work | Cell: (907) 671-0384 | E-mail: sayenabraham89@gmail.com

---

MATANUSKA-SUSITNA BOROUGH
DIRECTORY OF ORGANIZATIONS

Community Council - North Lakes

Board Exp

Rhodes	Brittany		**Board Position**	Member 5 - North Lakes CC			
Company Representing				**Term**		**to**	
			Type of Term				
			Member	Secretary			
Home		**Work**		**Cell**	(907) 240-4983	**E-mail**	brittanyjade3838@gmail.com

Information Contact	
Total Board Members	6 members
Meeting Schedule	Meetings held monthly on the last Thursday of each month at the Mat-Su Boys and Girls Club (Please check the Notice of Public Meetings schedule at: www.matsugov.us/publicmeetings for meeting information.)
Meeting Location	Mat-Su Boys & Girls Club 3700 E. Bogard Rd Wasilla
Board Notes:	Established by RS 85-159 Certificate of Incorporation August 25, 1997

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Alan Meulener

(Postmaster or Designee)

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57592000L001 1
4161 SELDON RD LLC
% NIKOLAY FONOV
PO BOX 872963
WASILLA AK 99687-2963

52702000L002 2
4721 EAST BOGARD ROAD LLC
12800 CUMBERLAND CIR
ANCHORAGE AK 99516

53129B02L006 3
ABBOTT KELLY
MORGAN SANDRA
3171 N PARKVIEW CIR
WASILLA AK 99654

55890B04L013 4
ABELL MAURICE HUGH & DIANA LEE
3997 E CITRINE DR
WASILLA AK 99654

58102B02L003 5
AK FRONTIER RENTALS LLC
A
2485 E ZAK CIR
WASILLA AK 99654

59997000U0443 6
ALASKA WIRELESS NETWORK
BOGARD RD SITE
TAX DEPARTMENT
2559 DENALI ST STE 1000
ANCHORAGE AK 99503

56445B08L006 7
ALGOOD RANDY L
5030 E ASPEN ST
WASILLA AK 99654

56445B07L011 8
ALKE DOUGLAS J & MICHELLE
PO BOX 871980
WASILLA, AK 99687-1980

56445B01L006 9
ALSTROM AXEL W & RITA R
4961 E ALDER DR
WASILLA AK 99654-4252

56519B01L006 10
APLING RANDALL L & SHARON
3360 N TRAVELAIR DR
WASILLA, AK 99654-4314

52324B01L023 11
APRILL CARL J JR
3030 N DEPARTURE CT
WASILLA AK 99654-4302

59997000U0336 12
AT&T MOBILITY
ATTN PROPERTY TAX DEPT
1010 PINE 9E-L-01
ST LOUIS MO 63101

56445B01L003 13
ATWOOD KARLA R
CASTOR RONALD K L/E
PO BOX 870961
WASILLA AK 99687-0961

56445B09L027 14
BACKUS MICHAEL
HEIMERL TAMMY
1921 N COTTONWOOD LOOP
WASILLA, AK 99654

56445B01L009 15
BAKER GARY R
PO BOX 874801
WASILLA, AK 99687-4801

53129B02L010 16
BANNATYNE JOHN H & BARBARA E
3240 N PARKVIEW CIR
WASILLA, AK 99654

53128B03L007 17
BARNES GREGORY W
ORTIZ DONNA MARIE
4021 E TAMBERT DR
WASILLA AK 99654

53129B02L015 18
BEAUDRY BRIAN C & SARAH L
3211 N VAN BUSKIRK DR
WASILLA, AK 99654

52324B01L029 19
BEAVER DAVID W & CHRISTINE A
3210 N DEPARTURE CT
WASILLA AK 99654

56445B09L024 20
BECKER RICHARD G & KIMBERLY H
5201 E PINE ST
WASILLA AK 99654

56445B14L006 21
BENDLE JULIE D
1980 N COTTONWOOD LOOP
WASILLA AK 99654-4248

56445B09L001 22
BENSON EDW R
WILSON JOAN M
5160 E ASPEN ST
WASILLA, AK 99654

56445B07L001 23
BETTYS JAMES T JR & TRACY A
4896 E ALDER DR
WASILLA AK 99654-4202

53228B01L002B 24
BIRKNER KATHERINE M
5426 KING ALBERT ST
SAN ANTONIO TX 78229

56445B15L003 25
BOLTON ARTHUR R JR
4875 E ALDER DR
WASILLA, AK 99654

53128B05L001 26
BORDERS GLENN A & MARGERY H
% NORTHCUTT
1617 ELMENDORF DR
ANCHORAGE AK 99504-2422

52324B01L017 27
BRANHOLM DAVID & LINDSAY
3131 N DEPARTURE CT
WASILLA AK 99654-4318

56445B14L001 28
BRENNER ANTHONY A
4824 E ALDER DR
WASILLA, AK 99654

56445B02L001 29
BRESHEARS DAVID & JANE
14233 W COZY RIDGE RD
WASILLA AK 99623

56445B08L004 30
BRESHEARS LOREN ADAM
BRESHEARS KELSEY C
4974 E ASPEN ST
WASILLA AK 99654

51101B16L027 31
BRISTER ROBERT & ELLEN
12270 E OUTER SPRINGER LOOP
PALMER AK 99645-9043

51368B03L005 32
BROCKMAN MARGARET
5125 E SAM'S CIR
WASILLA, AK 99654

56519B01L003 33
BRYANT THEO & MICHELE
4950 E JOHN-JOHN CT
WASILLA, AK 99654

53129B01L009 34
BUETTNER DONNA
LUND SEAN
5501 REVOLUTIONARY WAY
WASILLA AK 99654

56445B09L028 35
BURTON JAMIN LEE & JENNIFER FLINT
1901 N COTTONWOOD LOOP
WASILLA AK 99654-4248

56445B15L014 36
BUSTER AARON W & KIMORA L
4801 E ALDER DR
WASILLA AK 99654-4202

55890B03L011 37
CANNON NATASHA R
2723 N AZURITE CIR
WASILLA AK 99654

56445B15L007 38
CARLISLE THOMAS M & M L
4847 E ALDER DR
WASILLA, AK 99654-4202

56445B09L002 39
CARLSON ROBERT J & KRISTEN N
PO BOX 585
PALMER AK 99645-0585

53129B01L012 40
CARNEY BENJAMIN J
PO BOX 1913
VALDEZ AK 99686-1913

52324B01L045 41
CASEY WILLIAMS LLC
PO BOX 870275
WASILLA AK 99687-0275

55890B03L015 42
CASPARI DOMENICK L & CARRIE
PO BOX 870362
WASILLA AK 99687-0362

52324B01L041 43
CAVANAUGH DARREL N & V B
PO BOX 874805
WASILLA, AK 99687-4805

56519B01L011 44
CHAPMAN GRANT W & DEBBY
3210 N TRAVELAIR DR
WASILLA, AK 99654

51368B04L003 45
CHRISTENSEN R & K LVG TR
CHRISTENSEN ROBT E TRE CHRISTENSEN KATHL
PO BOX 871075
WASILLA, AK 99687-1075

52324B01L009 46
CHRISTIE BRUCE W
3030 N CHANDELLE CT
WASILLA, AK 99654

51368B04L005 47
CHRISTMAN JOYCE L TRUST
5150 E SAMS CIR
WASILLA AK 99654

118N01E30D010 48
CLINE EFTON D & LINDA J
108 DAYTON DR
JUDSONIA AR 72081-9708

53129B01L014 49
COMER IAN MICHAEL
3150 N VAN BUSKIRK DR
WASILLA AK 99654-4344

56445B06L021 50
COOLEY NICHOLAS JAMES
GRANT KATRINA JOAN
2850 N PARK DR
WASILLA AK 99654

56445B08L010 51
COULOMBE ARTHUR J& MARINA
5001 E PINE ST
WASILLA, AK 99654-4264

52324B01L008 52
CREMER ISHMAEL
3000 N CHANDELLE CT
WASILLA AK 99654

56445B09L026 53
CROCKETT GARY & DOROTHY
PO BOX 875296
WASILLA AK 99687

55890B03L008 54
CRONAN GERALD R & TAMELA K
2720 N AZURITE CIR
WASILLA AK 99654-4540

53128B05L004 55
CROOK THOS A & JANICE K
PO BOX 1025
WALDPORT OR 97394-1025

53129B02L017 56
CROSS LESLIE A
3171 N VAN BUSKIRK DR
WASILLA, AK 99654

55890B04L012 57
CROSSEN CHRISTINE L
4017 E CITRINE DR
WASILLA AK 99654-4545

56445B01L002 58
CROUSE JEFFERY ALAN
5051 E ALDER DR
WASILLA AK 99654

51101B16L033 59
CROWDER RYAN & CAROLYN
3911 E COTTONWOOD WAY
WASILLA, AK 99654

53946B01L001 60
CROWELL JOSHUA R & SARAH E
4441 E BIRCHWOOD DR
WASILLA AK 99654

56445B16L036 61
DECKER KIRK A
2310 N WILLOW DR
WASILLA AK 99654

53129B02L002 62
DEPEW MARY L
4470 E BIRCHWOOD DR
WASILLA AK 99654

56445B07L005 63
DERENOFF HENRY K JR
1800 N COTTONWOOD LOOP
WASILLA AK 99654

52324B01L012 64
DIAL BUD & ALICE
3130 N CHANDELLE CT
WASILLA, AK 99654

53129B01L002 65
DOW COLLEEN J
4226 E BIRCHWOOD DR
WASILLA AK 99654-4332

53128B04L011 66
DRESNEK DUSTIN KYLE
2590 N TAIT DR
WASILLA AK 99654-4526

56445B09L025 67
DUCOMMUN DANIEL W
DUCOMMUN DAWN M
5175 E PINE ST
WASILLA AK 99654-4253

56445B07L003 68
DUCOMMUN HENRY D
4970 E ALDER DR
WASILLA AK 99654

53129B01L015 69
EHRHART JAS E & BETH A
PO BOX 812
PALMER, AK 99645-0812

56445B07L010 70
ELDRED MARTIN B
ELDRED CONNIE L
2701 N ASPEN CT
WASILLA, AK 99654-4203

52324B01L024 71
ELLIOTT RUSSELL R
ELLIOTT ELIZABETH B
3060 N DEPARTURE CT
WASILLA AK 99654-4302

53129B02L003 72
ELLIS LORI
4450 E BIRCHWOOD DR
WASILLA AK 99654

56247B01L004 73
EMMI ERNEST J & KIMBERLY A
PO BOX 4340
PALMER AK 99645-4340

55134B01L005B 74
EMMI ERNEST J& KIMBERLY A
PO BOX 4340
PALMER AK 99645-4340

51101B16L026 75
EPPLER GEO M JR& JOANNA L
4500 E WILLOW CT
WASILLA AK 99654

53129B02L013 76
ERICKSON SHARLA M
3261 N VAN BUSKIRK DR
WASILLA AK 99654-4345

51101B16L028 77
ERWIN CHAS L JR& DIANNA L
2206 N WILLOW DR
WASILLA, AK 99654-4511

53129B02L007 78
ERWIN CHRISTINA LYNN LVG TR
3170 N PARKVIEW CIR
WASILLA AK 99654-4304

56445B01L001 79
ESPELIN ERIC E & KELSI A
1770 N COTTONWOOD LOOP
WASILLA AK 99654

56445B15L012 80
EULL GERALD & REBECCA A
4815 E ALDER DR
WASILLA AK 99654

52516B02L001 81
EVANS NATHAN & TAMMIE
2301 N BILTMORE CT
WASILLA AK 99654-4553

56445B07L019 82
FEDERAL NATL MTG ASSN
PO BOX 650043
DALLAS TX 75265-0043

118N01E31A007 83
FISHER RYAN CALEB & LORI LUISE
4500 E STONEY HOLLOW DR
WASILLA AK 99654-4503

56519B01L005 84
FORSGREN KEITH & CATHY
PO BOX 870529
WASILLA, AK 99687-0529

52324B01L037 85
FOSTER HENRY G&GWYNDOLYNN
3001 N LAZY EIGHT CT
WASILLA, AK 99654-4319

118N01E31A022 86
FOSTER ROY D
PO BOX 152
PALMER AK 99645

55890B04L014 87
FREYLING WILLIAM M & MARY G
2823 N JADE CIR
WASILLA AK 99654-4549

56445B01L004 88
GABRIELLE JOS R & DIANE V
5001 E ALDER DR
WASILLA AK 99654-4250

56445B15L013 89
GARCIA JEFFREY E & C S
4807 E ALDER DR
WASILLA, AK 99654

53129B01L001 90
GERHARZ JONI LEE
4210 E BIRCHWOOD DR
WASILLA, AK 99654

56445B07L009 91
GERSHON RUSSELL B
5031 E ASPEN ST
WASILLA AK 99654

56445B08L001 92
GIFFEN GREGORY D
4900 E ASPEN ST
WASILLA, AK 99654

53946B02L001 93
GITTLEIN BRIAN W & RACHEL F
4420 E GRUMMAN CIR
WASILLA AK 99654-4363

56445B06L020 94
GORAB JOHN ANDREW
GORAB VERA LONESA
PO BOX 874115
WASILLA AK 99687-4115

56445B07L014 95
GRAY THOMAS JAMES
GRAY JOHNNY EVERETT
2800 N ASPEN CT
WASILLA AK 99654-4204

52324B01L016 96
GREGORY JOS W
PO BOX 230271
ANCHORAGE, AK 99523-0271

56445B15L009 97
GREY JEFFERY E & VICTORIA
4835 E ALDER DR
WASILLA AK 99654

56445B15L002 98
GRISSOM THOS C & KIM
PO BOX 873863
WASILLA, AK 99687-3863

53129B02L012 99
GUIMOND CHRIS A & MARY S
4300 E BIRCHWOOD DR
WASILLA AK 99654-4333

52516B01L007 100
HALEY JOHN F & KAREN J
4401 E HIGHLINE LN
WASILLA AK 99654

52324B01L025 101
HAMBLEN MARC V & DEANNE B
950 W SELINA LN
WASILLA AK 99654-7982

55890B04L011 102
HARDAN WESTON & HOLLY NICOLE
5315 N NEW CIR
PALMER AK 99645

52324B01L036 103
HARDY FAMILY TRUST
STE 2-296
3060 N LAZY EIGHT CT
WASILLA AK 99654

118N01E30D007 104
HARLOW THOS
PMB 1806
3705 ARCTIC BLVD
ANCHORAGE, AK 99503

56445B14L002 105
HARRIS STANLEY L & K A
4930 E PINE ST
WASILLA, AK 99654-4221

56445B06L019 106
HARRISON ERIC & SHANNON
1801 N COTTONWOOD LOOP
WASILLA AK 99654

56445B07L004 107
HAYDON JAMES R
PO BOX 871429
WASILLA AK 99687

53129B01L005 108
HELMS DAVID
HELMS TAMMY
3226 N VAN BUSKIRK DR
WASILLA AK 99654-4345

55890B03L014 109
HEMPHILL JASON A & JULI K
3986 E CITRINE DR
WASILLA AK 99654

55408000T000 110
HERITAGE BAPTIST CHURCH
%RICHARD GREENO
13227 S SOLID ROCK RD
WASILLA AK 99623

56445B08L007 111
HIGHT BRIAN & MERIA W
5060 E ASPEN ST
WASILLA, AK 99654

56445B14L015 112
HIGHT EUGENE N
2 PMB 202
3060 N LAZY EIGHT CT
WASILLA AK 99654-4331

53129B02L005 113
HIGHT SUELYNN
3191 N PARKVIEW CIR
WASILLA, AK 99654

56445B08L003 114
HILL BRADLEY W & ELIZABETH
4950 E ASPEN ST
WASILLA AK 99654

53129B01L007 115
HINCHBERGER DANIEL JAMES & KANDIS
4271 E GREENVIEW CIR
WASILLA AK 99654

52516B02L002 116
HOFFMAN JESSE J
PO BOX 870169
WASILLA, AK 99687-0169

51368B04L001 117
HOLLER CURTIS E & M R
3375 N SAM'S DR
WASILLA, AK 99654-4306

51368B03L004 118
HOLMAN JOHN H & KARI L
5061 E SAMS CIR
WASILLA AK 99654-4305

52873B01L004 119
HOTCHKISS CLAY L & KELLIE A
3040 N BELOS ST
WASILLA AK 99654

56445B15L011 120
HULL AARON
4821 E ALDER DR
WASILLA AK 99654-4202

52324B01L032 121
HURLBERT MICHAEL
3161 N LAZY EIGHT CT
WASILLA AK 99654

52702000L003 122
J P ENT INC
#2-303
3060 N LAZY EIGHT CT
WASILLA AK 99654-4331

56445B15L006 123
JOHNSON JOHN W
4855 E ALDER DR
WASILLA, AK 99654

56445B07L008 124
JOHNSON KYLE A & REBECCA L
5061 E ASPEN ST
WASILLA AK 99654

56445B02L004 125
JORGENSEN MALLARY
5201 E ALDER DR
WASILLA AK 99654

58125000T00B 126
JRK GROUP LLC
PO BOX 1987
PALMER AK 99645-1987

52324B01L039 127
K & G ENTERPRISES LLC
PO BOX 875609
WASILLA AK 99687

56445B14L017 128
KEAWYOM SASIKAN
PO BOX 873164
WASILLA AK 99687

56445B14L018 129
KELLEY AMBER E
PO BOX 875581
WASILLA AK 99687-5581

56445B01L010 130
KG ENTERPRISES LLC
4891 E STONEY HOLLOW DR
WASILLA AK 99654-4506

52324B01L035 131
KING KALEB R & JANINE M
3061 N LAZY EIGHT CT
WASILLA AK 99654

51368B04L004 132
KUSCHE BEN H & PEGGY C
5100 E SAM'S CIR
WASILLA, AK 99654

56445B15L010 133
KUZNICKI EDW J TR TRE
KUZNICKI EDJ & GARY TRE KUZNICKI JENNIE
% NANCY KUZNICKI FLYNN
9800 TOLSONA CIR
ANCHORAGE, AK 99515

56445B14L014 134
LAMB HELEN C
PO BOX 873771
WASILLA AK 99687-3771

56445B08L014 135
LANE DALTON & JESSE E
4901 E PINE ST
WASILLA AK 99654

56519B02L008 136
LARSON ALAN G & ANDREA S
3400 N SAM'S DR
WASILLA AK 99654-4309

55890B03L009 137
LARSON KRISTOFER D
1001 E BOGARD RD
WASILLA AK 99654

53129B01L006 138
LARSON LAWANA GALE
4281 E GREENVIEW CIR
WASILLA AK 99654

56445B06L002 139
LLOYD DOUGLAS G
5242 E ALDER DR
WASILLA AK 99654

56445B08L008 140
LOCKE LYNDA E
421 S LAKE ST
WASILLA AK 99654-8002

56445B01L005 141
LORENTZ MICHELE M
4981 E ALDER DR
WASILLA AK 99654-4252

56445B13L001 142
LOVEL CLYDE W JR & CYNTHIA K
5130 E PINE ST
WASILLA, AK 99654-4253

56445B14L016 143
LUGO HEATHER M
4975 E LILAC CT
WASILLA AK 99654-4278

53946B02L002 144
LUTON MICHAEL & AUDREY
4480 E GRUMMAN CIR
WASILLA AK 99654

56445B07L012 145
MACLACHLAN GORDON S
PO BOX 876923
WASILLA, AK 99687-6923

56445B06L016 146
MANALLI JASON G
5165 E ASPEN ST
WASILLA AK 99654

58102B01L004 147
MANN FAMILY ENTERPRISES LLC
4471 E GRUMMAN CIR
WASILLA AK 99654

52324B01L010 148
MARONEY THOMAS & ALICE TR
MARONEY THOMAS & ALICE TRES
STE 2 PMB 262
3060 LAZY EIGHT CT
WASILLA AK 99654

118N01E29B012 149
MATANUSKA ELECTRIC ASSN
PO BOX 2929
PALMER, AK 99645-2929

56445B08L013 150
MCCLAIN WILLIAM G & RUTH A
23315 BLUE SKIES DR
CHUGIAK AK 99567-5639

52537000L002 151
MCGEE CARRIE
4301 E BOGARD RD
WASILLA AK 99654-4214

52324B01L034 152
MCKAY DONALD A & MIRIAM C
39283 COULTER AVE
SOLDOTNA AK 99669

56445B15L001 153
MCNAMEE DONALD
PO BOX 875213
WASILLA, AK 99687-5213

53129B02L001 154
MEACHAM KYLE CRAIG
4490 E BIRCHWOOD DR
WASILLA AK 99654-4334

56445B14L013 155
MEDLOCK SAMUEL G&KIMBERLY
4950 E LILAC CT
WASILLA, AK 99654-4278

56445B02L002 156
MEIER KIM L & SUSAN E
5131 E ALDER DR
WASILLA, AK 99654

54218B01L001A 157
MERRELL JARED
4425 E BIRCHWOOD DR
WASILLA AK 99654

57592000L002 158
MESKER ANDREW CLAYTON RILEY
MESKER EMILY GRACE
4200 E GRUMMAN CIR
WASILLA AK 99654

56445B02L005 159
MILLER DEREK J & ERIN L
5225 E ALDER DR
WASILLA AK 99654

53129B02L004 160
MILLS VIOLET M
1283 S THALO DR
PALMER AK 99645-7768

53129B02L011 161
MITCHELL AARON M & CAROL L
3270 N PARKVIEW CIR
WASILLA AK 99654

53228B01L002A 162
MONSON CONRAD J
4381 E BIRCHWOOD DR
WASILLA, AK 99654

53129B02L008 163
MONTAGNE SCOTT A & B J
3190 N PARKVIEW CIR
WASILLA AK 99654-4304

56445B09L029 164
MOORE SEAN M
1881 N COTTONWOOD LOOP
WASILLA, AK 99654-4269

55890B04L015 165
MORSE FRANKLIN WILLIAM
2851 N JADE CIR
WASILLA AK 99654-4549

56445B08L002 166
MUELLER EMMA R
4924 E ASPEN ST
WASILLA AK 99654

52324B01L014 167
NAFUS GIFFORD W & GLENDA K
PO BOX 1727
PALMER AK 99645-1727

53129B01L010 168
NELSON ROBERT D JR
PO BOX 870083
WASILLA AK 99687

52516B01L006 169
NEVILLE THOMAS J & HALLIE A
4361 E HIGHLINE LN
WASILLA AK 99654-4525

56519B02L007 170
NIXON PENNY R & ELIZABETH
3450 N SAMS DR
WASILLA, AK 99654-4309

53715000T00A 171
NORTHERN ALPINE LLC
% MIKE T ROLSTON
2951 N NORTHGATE PL
WASILLA AK 99654

58125000T00A 172
NORTHGATE ALASKA
2991 N TAIT DR
WASILLA AK 99654

51101B16L025 173
NORVELL CYNTHIA V
4550 E WILLOW CT
WASILLA, AK 99654

52324B01L046 174
NUGENT PROPERTIES LLC
4237 E MERIDIAN LOOP
WASILLA AK 99654-7650

56445B06L022 175
O'CONNOR JOHN P
O'CONNOR CHRISTINE N
2800 N PARK DR
WASILLA AK 99654-4220

52516B01L008 176
ODELL-BASAK MARGARET SUZANNE
PO BOX 871078
WASILLA AK 99687

118N01E31A009 177
OHANA EQUIPMENT & INVESTMENTS LLC
1046 N RIPARIAN CIR
PALMER AK 99645

56445B16L035 178
OTANI KAZUKO
NORTH 34 WEST 10 HIGASHIKAWA
KAMIKAWA HOKKAIDO
JAPAN 071-1410 99999

52324B01L030 179
PACE WILLIAM TODD & CHRIS ANN
5966 E CUMULUS CIR
PALMER, AK 99645

52324B01L026 180
PAIGE BARRY W & BETTY H
3130 N DEPARTURE CT
WASILLA AK 99654-4318

53129B01L003 181
PALMER MATTHEW& NICOLETTE
PO BOX 5477
FORT RICHARDSON, AK 99505-5477

56445B08L011 182
PARKER JULIE
4975 E PINE ST
WASILLA AK 99654

56445B06L015 183
PAUL WALKER L & JENNIFER L
PO BOX 1256
PALMER AK 99645

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PETERSEN TED M & JEAN L
3200 N DEPARTURE CT
WASILLA AK 99654-4320

56445B15L004 185
PETERSON LEE S &REBECCA M
4867 E ALDER DR
WASILLA, AK 99654

56445B15L005 186
PIAKAK SUSAN C
PO BOX 870446
WASILLA AK 99687

52873B01L002 187
POWELL CARL R & LOLLY K
3065 N BELOS ST
WASILLA, AK 99654-4300

56445B15L008 188
PRESCOTT TOBY F
4841 E ALDER DR
WASILLA, AK 99654

55890B04L009 189
PRESTIEN JASON J
4006 E DARRINGTON VILLAGE AVE
WASILLA AK 99654

55890B04L008 190
PRESTIEN MICHELLE M
3984 E DARRINGTON VILLAGE AVE
WASILLA AK 99654-4522

53946B01L003 191
PYEATT JOINT REV TR
4503 E GRUMMAN CIR
WASILLA AK 99654

52324B01L027 192
RAMSEY FRANK REV TR
3160 N DEPARTURE CT
WASILLA, AK 99654

52873B01L005 193
RAYBURN AMY
3090 N BELOS ST
WASILLA AK 99654-4300

56445B07L015 194
REIMER RICHARD D & L L
2700 N ASPEN CT
WASILLA, AK 99654

53129B01L008 195
RIVAS CRAIG A
BRELAND KIMBERLY A
4261 E GREENVIEW CIR
WASILLA AK 99654

52324B01L022 196
RIVERA LINDA K
HARDMAN LORIN D
3000 N DEPARTURE CT
WASILLA AK 99654-4302

53129B01L013 197
RIVERS DENNIS L
2852 N TERRELL DR
WASILLA AK 99654-4541

56519B02L011 198
ROBERTS DANIEL R & STACY L
3501 N TRAVELAIR DR
WASILLA AK 99654

52324B01L020 199
ROBINSON ERIC C
PO BOX 1705
PALMER, AK 99645-1705

56445B07L013 200
ROEHL DEREK L
2850 N ASPEN CT
WASILLA AK 99654

118N01E31A019 201
ROETMAN RUSSELL E
VERNOLA KRISTEN M
4351 E BOGARD RD
WASILLA AK 99654-4214

56519B02L010 202
ROLLMAN LEVI S & KARISSA
3401 N TRAVELAIR DR
WASILLA AK 99654-4359

58102B01L001 203
ROLSTON MIKE
PIATT CHRISTOPHER
2951 N NORTHGATE PL
WASILLA AK 99654

52324B01L033 204
ROYAL JOSEPHINE A
ELLIS JAS F
3131 N LAZY EIGHT CT
WASILLA, AK 99654

55890B04L010 205
ROYCE ROBERT J & SHAUNA L
PO BOX 870036
WASILLA AK 99687

55134B01L005A 206
RUF TIMOTHY & LAURA
11501 BARR RD
ANCHORAGE, AK 99516

56445B07L002 207
RUSSELL TANYA
PO BOX 126
PALMER AK 99645

118N01E30C006 208
SALVATION ARMY THE
KINGS LAKE CAMP
143 E 9TH AVE
ANCHORAGE AK 99501

52324B01L047 209
SCHMIDT JASON A & RAESHAUN T
3210 N LAZY EIGHT CT
WASILLA, AK 99654

53129B02L014 210
SCHOAF CHRISTIN M
LAYTON CODY L
6054 E FELTLOCK DR
WASILLA AK 99654-8428

54028B16L031A 211
SCHOFFSTALL BENJAMIN ALBERT
2256 N WILLOW DR
WASILLA AK 99654-4511

53128000T00A 212
SCHOLBERG DOUGLAS M & L J
3991 E TAMBERT DR
WASILLA, AK 99654

56445B02L003 213
SCHOOLEY KEITH R JR
5161 E ALDER DR
WASILLA AK 99654

56445B13L028 214
SCHWARTZBAUER SCOTT E & S
PO BOX 875785
WASILLA, AK 99687-5785

56445B07L007 215
SEAGONDOLLAR FAMILY TR
SEAGONDOLLAR LEE & SHARON TRE
1840 N COTTONWOOD LOOP
WASILLA AK 99654

53129B01L016 216
SEAY AARRON
LARSEN KYLIE
4250 E GREENVIEW CIR
WASILLA AK 99654

118N01E31A013 217
SECON INC
STE 101
4000 OLD SEWARD HWY
ANCHORAGE AK 99503

53128B05L005 218
SEHM DEBORAH A
2571 N TAIT DR
WASILLA AK 99654

52324B01T00A 219
SHAW'S TRI-LKS
HOMEOWNERS ASSN INC
% ITS ALASKA LLC
3020 N LAZY EIGHT # 15 CT
WASILLA AK 99654

53129B02T00A 220
SHEENA MAY EST HOMEOWNERS
PO BOX 873174
WASILLA AK 99687-3174

56445B07L017 221
SHORT SOPHIA L
4870 E ALDER DR
WASILLA AK 99654-4202

56519B01L004 222
SHOWERS MICHAEL & MICHELLE
3500 N TRAVELAIR DR
WASILLA AK 99654

56445B14L003 223
SIEGEL STEVEN & KRISTY M
4960 E PINE ST
WASILLA, AK 99654

56445B06L001 224
SIMON ROBERT
CARMONA ELIZABETH ROMERO
PO BOX 5372
JBER AK 99505-0372

53129B01L011 225
SMITH CHAD W & SARAH D
4221 E GREENVIEW CIR
WASILLA, AK 99654

56445B06L018 226
SMITH SAMUEL C & DENISE L
1821 N COTTONWOOD LOOP
WASILLA AK 99654

56445B06L014 227
SMITH TIMOTHY M&CHRISTINA
5205 E ASPEN ST
WASILLA, AK 99654

55890B03L013 228
SOLOMON ANGEL
PO BOX 871076
WASILLA AK 99687-1076

52324B01L015 229
SOTO EDW M & MAILE L
3201 N DEPARTURE CT
WASILLA, AK 99654

118N01E31A021 230
SPONSLER JEFFREY L
4551 E BOGARD RD
WASILLA AK 99654-6075

53129B02L016 231
STAMOOLIS JOEL J& NAOMI J
3191 N VAN BUSKIRK DR
WASILLA, AK 99654

56445B01L007 232
STEBBINS ALETA P REIN
4941 E ALDER DR
WASILLA, AK 99654

56247B01L003 233
STEVENS ARTHUR R & KERRI A
4301 E BIRCHWOOD DR
WASILLA AK 99654

53129B02L009 234
THOMAS CONRAD W
3220 N PARKVIEW CIR
WASILLA, AK 99654

55349B01L043B 235
TRAVEL AIR INVESTMENTS LLC
3100 N LAZY EIGHT CT
WASILLA AK 99654

56445B01L008 236
TRAXINGER CYNTHIA
4921 E ALDER DR
WASILLA AK 99654-4252

52873B01L003 237
TRUCKS GARY
PO BOX 873294
WASILLA AK 99687

51101B16L034 238
TURNER DALE O
500 E SILVER FOX LN
WASILLA, AK 99654

56445B07L016 239
TUTTLE PHILIP F & LUANNE E
4931 E ASPEN ST
WASILLA AK 99654-4205

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VAN DE BOGART VICTOR G & SHEILA M
4790 E ALDER DR
WASILLA, AK 99654

53129B02L018 241
VAN NESS MARGARET R
3151 N VAN BUSKIRK DR
WASILLA, AK 99654

59997000U0500 242
VERTICAL BRIDGE S3 ASSETS LLC
% RYAN PTS DEPT 850
PO BOX 460169
HOUSTON TX 77056

55890B03L010 243
WALDEN JONATHAN L
2701 N AZURITE CIR
WASILLA AK 99654-4540

56445B08L005 244
WALKER BRIAN & CYNTHIA
2100 STOCKDALE CIR
ANCHORAGE AK 99515

56445B14L005 245
WALSH MICHAEL T
PO BOX 877872
WASILLA AK 99687-7872

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WALTERS LOIS E
3160 N CHANDELLE CT
WASILLA AK 99654

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WASILLA KOREAN BAPTIST CHURCH
5150 E HOVEY DR
WASILLA AK 99654

56445B06L017 248
WATKINS CHRISTOPHER L
5105 E ASPEN ST
WASILLA AK 99654-4266

51101B16L030 249
WEATHERBY ERIC J& MARIANA
2228 N WILLOW DR
WASILLA, AK 99654-4511

52324B01L021 250
WEDEKIND WARREN JR EST & F
901 S HERMON RD
WASILLA AK 99654-7312

56519B01L010 251
WENTZ CLARENCE E & NANCY
11012 TOPEKA AVE
LUBBOCK TX 79424

55349B01L042A 252
WESTON SUSAN C
PO BOX 111704
ANCHORAGE, AK 99511-1704

118N01E30D002 253
WHITE SHARON TR MOORE VIRGINIA TR
WHITE M J GARRISON R G WHITE J M
19733 NE 146TH ST
WOODINVILLE WA 98077

53129B01L004 254
WHITEMAN JONATHON CHESTER
4286 E BIRCHWOOD DR
WASILLA AK 99654

56445B07L018 255
WHITFORD ERIC IAN
4882 E ALDER DR
WASILLA, AK 99654

52873B01L001 256
WHITMORE ENTERPRISES LLC
1200 S BADGER RD
PALMER AK 99645

56445B07L006 257
WHITWORTH WILLIAM BRADLEY
WHITWORTH SUSAN LYNNE
1830 N COTTONWOOD LOOP
WASILLA AK 99654

52324B01L018 258
WILLARD RAYMOND C & SUSAN
PO BOX 870302
WASILLA AK 99687-0302

56445B14L004 259
WILLIAMS GLORIA
PO BOX 871081
WASILLA AK 99687

51368B04L002 260
WILSON MICHAEL D LVG TR
5050 E SAM'S CIR
WASILLA AK 99654

52324B01L019 261
WILSON SHERRY R
3061 N DEPARTURE CT
WASILLA AK 99654-4302

52324B01L031 262
WOITEL DANIEL R
STE 2-261
3203 N LAZY EIGHT CT
WASILLA AK 99654

56445B13L002 263
WOODS MICHAEL C& LUCRETIA
5160 E PINE ST
WASILLA, AK 99654

56445B08L012 264
WYCOFF DON
PO BOX 5771
ANCHORAGE AK 99505-0771

53128B05L006 265
Z & S FAMILY TR
THOMSON COLLEEN MARIE TRE
2521 N TAIT DR
WASILLA AK 99654

266
NORTH LAKES COMMUNITY COUNCIL
3060 N LAZY EIGHT CT #2 PMB 449
WASILLA, AK 99654

tara0609
266
5/23/2022 3:21:03 PM

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

tara0609
266
5/23/2022 3:21:03 PM

The Planning Commission of the Matanuska-Susitna Borough will consider the following:

Applicant: John Sommer of Tutka, LLC

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian

Request: An application for a conditional use permit under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction, has been submitted to extract approximately 42,000 cubic yards of earth materials through 2030. According to the applicant, the operation is intended to flatten the lots in preparation of commercial development.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, July 18, 2022, at 6:00 p.m.*** in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Mark Whisenhunt, Planner II, by phone: 907-861-8527. Provide written comments by e-mail to mark.whisenhunt@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party." See MSB 15.39.010 for the definition of "interested party." The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before ***June 24, 2022*** and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Name:_____ ***Mailing Address:***_____

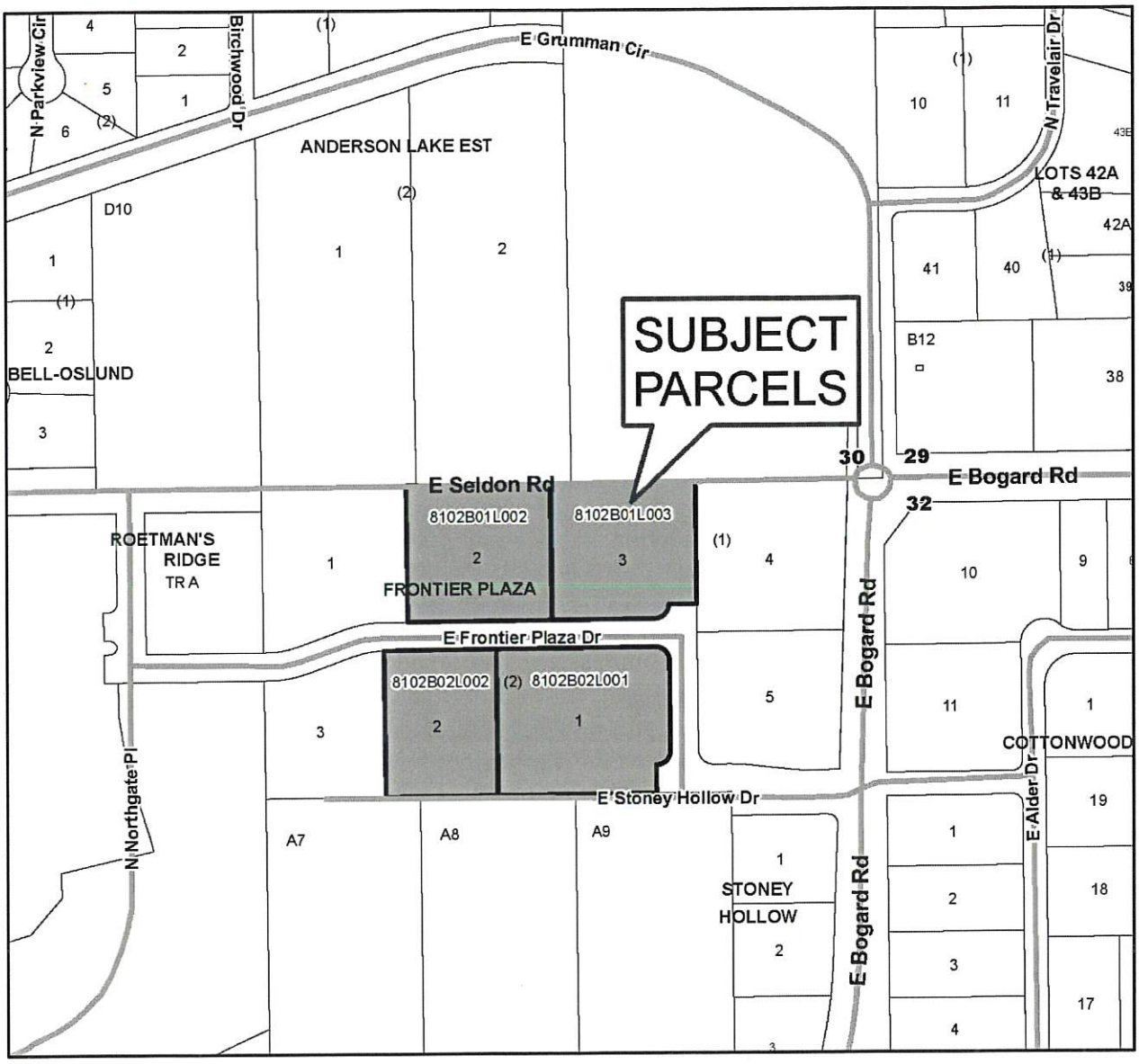
Location/Legal Description of your property:_____

Comments:_____

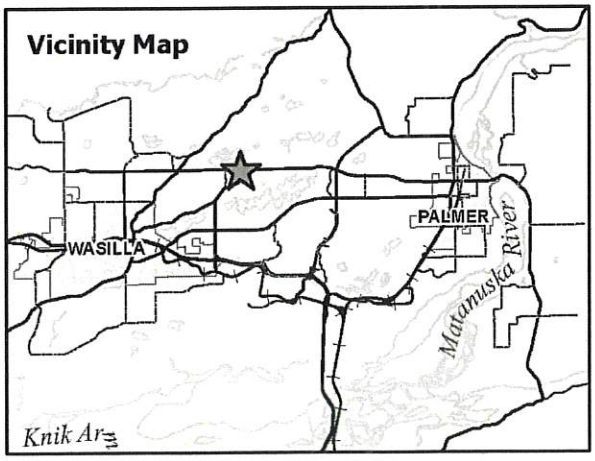
_____

_____

Note: Vicinity Map Located on Reverse Side



8102B02L002, 8102B01L003, 8102B02L001, 8102B01L002



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N

MSB Information Technology/GIS
May 18, 2022

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Number of Identical Weight Pieces	Class of Mail	Postage for Each Mailpiece Paid	Number of Pieces to the Pound
297	1st	☐ Verified	45

Total Number of Pounds	Total Postage Paid for Mailpieces	Fee Paid
6 8.6	157.41	9.35

Mailed For	Mailed By
Dev. Serv. Div.	IFudge

Postmaster's Certification

It is hereby certified that the number of mailpieces presented and the associated postage and fee were verified. This certificate does not provide evidence that a piece was mailed to a particular address.

(Postmaster or Designee)

PS Form **3606-D,** January 2016 PSN 7530-17-000-5548

See Reverse for Instructions

57592000L001 1
4161 SELDON RD LLC
% NIKOLAY FONOV
PO BOX 872963
WASILLA, AK 99687-2963

53129B02L006 2
ABBOTT KELLY
MORGAN SANDRA
3171 N PARKVIEW CIR
WASILLA, AK 99654

55890B04L013 3
ABELL MAURICE HUGH & DIANA LEE
3997 E CITRINE DR
WASILLA, AK 99654

58102B02L003 4
AK FRONTIER RENTALS LLC
#A
2485 E ZAK CIR
WASILLA, AK 99654

59997000U0443 5
ALASKA WIRELESS NETWORK
BOGARD RD SITE - TAX
DEPARTMENT
2559 DENALI ST STE 1000
ANCHORAGE, AK 99503

56445B08L006 6
ALGOOD RANDY L
5030 E ASPEN ST
WASILLA, AK 99654

56445B07L011 7
ALKE DOUGLAS J & MICHELLE
PO BOX 871980
WASILLA, AK 99687-1980

56445B01L006 8
ALSTROM AXEL W & RITA R
4961 E ALDER DR
WASILLA, AK 99654-4252

56519B01L006 9
APLING RANDALL L & SHARON
3360 N TRAVELAIR DR
WASILLA, AK 99654-4314

52324B01L023 10
APRILL CARL J JR
3030 N DEPARTURE CT
WASILLA, AK 99654-4302

59997000U0336 11
AT&T MOBILITY
ATTN PROPERTY TAX DEPT
1010 PINE 9E-L-01
ST LOUIS, MO 63101

56445B01L003 12
ATWOOD KARLA R
CASTOR RONALD K L/E
PO BOX 870961
WASILLA, AK 99687-0961

56445B09L027 13
BACKUS MICHAEL
HEIMERL TAMMY
1921 N COTTONWOOD LOOP
WASILLA, AK 99654

56445B01L009 14
BAKER GARY R
PO BOX 874801
WASILLA, AK 99687-4801

53129B02L010 15
BANNATYNE JOHN H & BARBARA E
3240 N PARKVIEW CIR
WASILLA, AK 99654

53128B03L007 16
BARNES GREGORY W
ORTIZ DONNA MARIE
4021 E TAMBERT DR
WASILLA, AK 99654

53129B02L015 17
BEAUDRY BRIAN C & SARAH L
3211 N VAN BUSKIRK DR
WASILLA, AK 99654

52324B01L029 18
BEAVER DAVID W & CHRISTINE A
3210 N DEPARTURE CT
WASILLA, AK 99654

56445B09L024 19
BECKER RICHARD G & KIMBERLY H
5201 E PINE ST
WASILLA, AK 99654

56445B14L006 20
BENDLE JULIE D
1980 N COTTONWOOD LOOP
WASILLA, AK 99654-4248

56445B09L001 21
BENSON EDW R
WILSON JOAN M
5160 E ASPEN ST
WASILLA, AK 99654

51101B17L002 22
BEREZYUK VLADIMIR
MAZHUGA OLESYA
PO BOX 210483
ANCHORAGE, AK 99521

56445B07L001 23
BETTYS JAMES T JR & TRACY A
4896 E ALDER DR
WASILLA, AK 99654-4202

53228B01L002B 24
BIRKNER KATHERINE M
5426 KING ALBERT ST
SAN ANTONIO, TX 78229

56445B15L003 25
BOLTON ARTHUR R JR
4875 E ALDER DR
WASILLA, AK 99654

53128B05L001 26
BORDERS GLENN A & MARGERY H
% NORTHCUTT
1617 ELMENDORF DR
ANCHORAGE, AK 99504-2422

52324B01L017 27
BRANHOLM DAVID & LINDSAY
3131 N DEPARTURE CT
WASILLA, AK 99654-4318

56445B14L001 28
BRENNER ANTHONY A
4824 E ALDER DR
WASILLA, AK 99654

56445B02L001 29
BRESHEARS DAVID & JANE
14233 W COZY RIDGE RD
WASILLA, AK 99623

56445B08L004 30
BRESHEARS LOREN ADAM
BRESHEARS KELSEY C
4974 E ASPEN ST
WASILLA, AK 99654

51101B16L027 31
BRISTER ROBERT & ELLEN
12270 E OUTER SPRINGER LO
PALMER, AK 99645-9043

51368B03L005 32
BROCKMAN MARGARET
5125 E SAM'S CIR
WASILLA, AK 99654

53129B01L009 33
BUETTNER DONNA
LUND SEAN
5501 REVOLUTIONARY WAY
WASILLA, AK 99654

56445B09L028 34
BURTON JAMIN LEE & JENNIFER FLINT
1901 N COTTONWOOD LOOP
WASILLA, AK 99654-4248

56445B15L014 35
BUSTER AARON W & KIMORA L
4801 E ALDER DR
WASILLA, AK 99654-4202

52516B02L008 36
CAMPBELL BRIAN D & KYLA M
PO BOX 873611
WASILLA, AK 99687-3611

55890B03L011 37
CANNON NATASHA R
2723 N AZURITE CIR
WASILLA, AK 99654

56445B15L007 38
CARLISLE THOMAS M & M L
4847 E ALDER DR
WASILLA, AK 99654-4202

56445B09L002 39
CARLSON ROBERT J & KRISTEN N
PO BOX 585
PALMER, AK 99645-0585

53129B01L012 40
CARNEY BENJAMIN J
PO BOX 1913
VALDEZ, AK 99686-1913

52324B01L045 41
CASEY WILLIAMS LLC
PO BOX 870275
WASILLA, AK 99687-0275

55890B03L015 42
CASPARI DOMENICK L & CARRIE
PO BOX 870362
WASILLA, AK 99687-0362

52324B01L040 43
CAVANAUGH DARREL N & V B
PO BOX 874805
WASILLA, AK 99687-4805

53208B01L008A 44
CHAPMAN GRANT W & DEBBY
3210 N TRAVELAIR DR
WASILLA, AK 99654

51368B04L003 45
CHRISTENSEN R & K LVG TR
CHRISTENSEN ROBT E TRE
CHRISTENSEN KATHL
PO BOX 871075
WASILLA, AK 99687-1075

52324B01L009 46
CHRISTIE BRUCE W
3030 N CHANDELLE CT
WASILLA, AK 99654

51368B04L005 47
CHRISTMAN JOYCE L TRUST
5150 E SAMS CIR
WASILLA, AK 99654

118N01E30D010 48
CLINE EFTON D & LINDA J
108 DAYTON DR
JUDSONIA, AR 72081-9708

56445B13L025 49
CLINKENBEARD TROY L
2021 N COTTONWOOD LOOP
WASILLA, AK 99654

52516B01L005 50
COLVIN BRANDON T & JANETH T
4331 E HIGHLINE LN
WASILLA, AK 99654

53129B01L014 51
COMER IAN MICHAEL
3150 N VAN BUSKIRK DR
WASILLA, AK 99654-4344

56445B06L021 52
COOLEY NICHOLAS JAMES
GRANT KATRINA JOAN
2850 N PARK DR
WASILLA, AK 99654

56445B06L0PR 53
COTTONWOOD SHORES PARK
GENERAL DELIVERY
WASILLA, AK 99654

56445B08L010 54
COULOMBE ARTHUR J& MARINA
5001 E PINE ST
WASILLA, AK 99654-4264

52324B01L008 55
CREMER ISHMAEL
3000 N CHANDELLE CT
WASILLA, AK 99654

56445B09L026 56
CROCKETT GARY & DOROTHY
PO BOX 875296
WASILLA, AK 99687

55890B03L008 57
CRONAN GERALD R & TAMELA K
2720 N AZURITE CIR
WASILLA, AK 99654-4540

53128B05L004 58
CROOK THOMAS A
PO BOX 304
IDANHA, OR 97350

53129B02L017 59
CROSS LESLIE A
3171 N VAN BUSKIRK DR
WASILLA, AK 99654

55890B04L012 60
CROSSEN CHRISTINE L
4017 E CITRINE DR
WASILLA, AK 99654-4545

56445B01L002 61
CROUSE JEFFERY ALAN
5051 E ALDER DR
WASILLA, AK 99654

51101B16L033 62
CROWDER RYAN & CAROLYN
3911 E COTTONWOOD WAY
WASILLA, AK 99654

53946B01L001 63
CROWELL JOSHUA R & SARAH E
4441 E BIRCHWOOD DR
WASILLA, AK 99654

56445B14L010 64
DEANS JASON
PO BOX 876625
WASILLA, AK 99687-6625

56445B16L036 65
DECKER KIRK A
2310 N WILLOW DR
WASILLA, AK 99654

53129B02L002 66
DEPEW MARY L
4470 E BIRCHWOOD DR
WASILLA, AK 99654

56445B07L005 67
DERENOFF HENRY K JR
1800 N COTTONWOOD LOOP
WASILLA, AK 99654

56445B13L003 68
DERENOFF NICHOLAS M EST
5200 E PINE ST
WASILLA, AK 99654-4265

52324B01L012 69
DIAL BUD & ALICE
3130 N CHANDELLE CT
WASILLA, AK 99654

56445B14L011 70
DOMRUDE ANDREA
%ANDREA BENSON
1850 PLUM NELLY RD
RISING FAWN, GA 30738-4111

53129B01L002 71
DOW COLLEEN J
4226 E BIRCHWOOD DR
WASILLA, AK 99654-4332

53128B04L011 72
DRESNEK DUSTIN KYLE
2590 N TAIT DR
WASILLA, AK 99654-4526

56445B09L025 73
DUCOMMUN DANIEL W
DUCOMMUN DAWN M
5175 E PINE ST
WASILLA, AK 99654-4253

56445B07L003 74
DUCOMMUN HENRY D & BOYD
TERESA D
DUCOMMUN JASON E & DANIEL W
4970 E ALDER DR
WASILLA, AK 99654

52324B01L007 75
DUPUIS ALEX ROBERT
2051 FLIGHT ST
NORTH POLE, AK 99705

53129B01L015 76
EHRHART JAS E & BETH A
PO BOX 812
PALMER, AK 99645-0812

56445B07L010 77
ELDRED MARTIN B
ELDRED CONNIE L
2701 N ASPEN CT
WASILLA, AK 99654-4203

52324B01L024 78
ELLIOTT RUSSELL R
ELLIOTT ELIZABETH B
3060 N DEPARTURE CT
WASILLA, AK 99654-4302

53129B02L003 79
ELLIS LORI
4450 E BIRCHWOOD DR
WASILLA, AK 99654

55134B01L005B 80
EMMI ERNEST J& KIMBERLY A
PO BOX 4340
PALMER, AK 99645-4340

51101B16L026 81
EPPLER GEO M JR& JOANNA L
4500 E WILLOW CT
WASILLA, AK 99654

53129B02L013 82
ERICKSON SHARLA M
3261 N VAN BUSKIRK DR
WASILLA, AK 99654-4345

51101B16L029 83
ERWIN CHARLES L & DIANNA L
2206 N WILLOW DR
WASILLA, AK 99654

53129B02L007 84
ERWIN CHRISTINA LYNN LVG TR
3170 N PARKVIEW CIR
WASILLA, AK 99654-4304

56445B01L001 85
ESPELIN ERIC E & KELSI A
1770 N COTTONWOOD LOOP
WASILLA, AK 99654

56445B15L012 86
EULL GERALD & REBECCA A
4815 E ALDER DR
WASILLA, AK 99654

52516B02L001 87
EVANS NATHAN & TAMMIE
2301 N BILTMORE CT
WASILLA, AK 99654-4553

56445B07L019 88
FEDERAL NATL MTG ASSN
PO BOX 650043
DALLAS, TX 75265-0043

53128B04L010 89
FELCH MICHAEL R & SHERI L
2550 N TAIT DR
WASILLA, AK 99654

118N01E31A007 90
FISHER RYAN CALEB & LORI LUISE
4500 E STONEY HOLLOW DR
WASILLA, AK 99654-4503

56519B01L005 91
FORSGREN KEITH & CATHY
PO BOX 870529
WASILLA, AK 99687-0529

52324B01L037 92
FOSTER HENRY G&GWYNDOLYNN
3001 N LAZY EIGHT CT
WASILLA, AK 99654-4319

118N01E31A022 93
FOSTER ROY D
PO BOX 152
PALMER, AK 99645

55890B04L014 94
FREYLING WILLIAM M & MARY G
2823 N JADE CIR
WASILLA, AK 99654-4549

56445B01L004 95
GABRIELLE JOS R & DIANE V
5001 E ALDER DR
WASILLA, AK 99654-4250

56445B09L003 96
GALBRAITH MEGAN
5230 E ASPEN ST
WASILLA, AK 99654

56445B15L013 97
GARCIA JEFFREY E & C S
4807 E ALDER DR
WASILLA, AK 99654

53129B01L001 98
GERHARZ JONI LEE
4210 E BIRCHWOOD DR
WASILLA, AK 99654

56445B07L009 99
GERSHON RUSSELL B
5031 E ASPEN ST
WASILLA, AK 99654

56445B08L001 100
GIFFEN GREGORY D
4900 E ASPEN ST
WASILLA, AK 99654

53946B02L001 101
GITTLEIN BRIAN W & RACHEL F
4420 E GRUMMAN CIR
WASILLA, AK 99654-4363

56445B06L020 102
GORAB JOHN ANDREW
GORAB VERA LONESA
PO BOX 874115
WASILLA, AK 99687-4115

51101B16L024 103
GORUP BLAINE P& PHYLLIS M
2200 N WILLOW DR
WASILLA, AK 99654

56445B07L014 104
GRAY THOMAS JAMES
GRAY JOHNNY EVERETT
2800 N ASPEN CT
WASILLA, AK 99654-4204

51101B17L007 105
GRAZIANO ROSS H
2285 N WILLOW DR
WASILLA, AK 99654

52324B01L016 106
GREGORY JOS W
PO BOX 230271
ANCHORAGE, AK 99523-0271

56445B15L009 107
GREY JEFFERY E & VICTORIA
4835 E ALDER DR
WASILLA, AK 99654

56445B15L002 108
GRISSOM THOS C & KIM
PO BOX 873863
WASILLA, AK 99687-3863

53129B02L012 109
GUIMOND CHRIS A & MARY S
4300 E BIRCHWOOD DR
WASILLA, AK 99654-4333

52516B01L007 110
HALEY JOHN F & KAREN J
4401 E HIGHLINE LN
WASILLA, AK 99654

52324B01L025 111
HAMBLEN MARC V & DEANNE B
950 W SELINA LN
WASILLA, AK 99654-7982

55890B04L011 112
HARDAN WESTON & HOLLY NICOLE
5315 N NEW CIR
PALMER, AK 99645

52324B01L036 113
HARDY FAMILY TRUST
STE 2-296
3060 N LAZY EIGHT CT
WASILLA, AK 99654

56445B14L002 114
HARRIS STANLEY L & K A
4930 E PINE ST
WASILLA, AK 99654-4221

56445B06L019 115
HARRISON ERIC & SHANNON
1801 N COTTONWOOD LOOP
WASILLA, AK 99654

56445B07L004 116
HAYDON JAMES R
PO BOX 871429
WASILLA, AK 99687

52324B01L005 117
HEIDELBERG KENDRA L
3061 N CHANDELLE CT
WASILLA, AK 99654-4355

53128B05L007 118
HEINZ HEATHER B
600 W ROCKSIDE RD
WASILLA, AK 99654-3126

53129B01L005 119
HELMS DAVID
HELMS TAMMY
3226 N VAN BUSKIRK DR
WASILLA, AK 99654-4345

55890B03L014 120
HEMPHILL JASON A & JULI K
3986 E CITRINE DR
WASILLA, AK 99654

52516B02L003 121
HENDERSON WM W & LYNETTE
2201 N BILTMORE CT
WASILLA, AK 99654

55408000T000 122
HERITAGE BAPTIST CHURCH
%RICHARD GREENO
13227 S SOLID ROCK RD
WASILLA, AK 99623

56445B08L007 123
HIGHT BRIAN & MERIA W
5060 E ASPEN ST
WASILLA, AK 99654

56445B14L015 124
HIGHT EUGENE N
2 PMB 202
3060 N LAZY EIGHT CT
WASILLA, AK 99654-4331

53129B02L005 125
HIGHT SUELYNN
3191 N PARKVIEW CIR
WASILLA, AK 99654

56445B08L003 126
HILL BRADLEY W & ELIZABETH
4950 E ASPEN ST
WASILLA, AK 99654

53129B01L007 127
HINCHBERGER DANIEL JAMES &
KANDIS
4271 E GREENVIEW CIR
WASILLA, AK 99654

52516B02L002 128
HOFFMAN JESSE J
PO BOX 870169
WASILLA, AK 99687-0169

51368B04L001 129
HOLLER CURTIS E & M R
3375 N SAM'S DR
WASILLA, AK 99654-4306

56445B14L007 130
HOLM SCOTT ALLEN & HEATHER
ANN
2040 N COTTONWOOD LOOP
WASILLA, AK 99654

51368B03L004 131
HOLMAN JOHN H & KARI L
5061 E SAMS CIR
WASILLA, AK 99654-4305

52873B01L004 132
HOTCHKISS CLAY L & KELLIE A
3040 N BELOS ST
WASILLA, AK 99654

56445B15L011 133
HULL AARON
4821 E ALDER DR
WASILLA, AK 99654-4202

52324B01L032 134
HURLBERT MICHAEL
3161 N LAZY EIGHT CT
WASILLA, AK 99654

52702000L003 135
J P ENT INC
3060 N LAZY EIGHT CT #2-303
WASILLA, AK 99654-4331

56445B13L027 136
JENSEN THOS R & CATHY
PO BOX 873093
WASILLA, AK 99687-3093

56445B15L006 137
JOHNSON JOHN W
4855 E ALDER DR
WASILLA, AK 99654

56445B07L008 138
JOHNSON KYLE A & REBECCA L
5061 E ASPEN ST
WASILLA, AK 99654

56445B02L004 139
JORGENSEN MALLARY
5201 E ALDER DR
WASILLA, AK 99654

58125000T00B 140
JRK GROUP LLC
PO BOX 1987
PALMER, AK 99645-1987

52324B01L038 141
K & G ENTERPRISES LLC
PO BOX 875609
WASILLA, AK 99687

56445B14L017 142
KEAWYOM SASIKAN
PO BOX 873164
WASILLA, AK 99687

56445B14L018 143
KELLEY AMBER E
PO BOX 875581
WASILLA, AK 99687-5581

56445B01L010 144
KG ENTERPRISES LLC
4891 E STONEY HOLLOW DR
WASILLA, AK 99654-4506

52324B01L035 145
KING KALEB R & JANINE M
3061 N LAZY EIGHT CT
WASILLA, AK 99654

56445B14L009 146
KREUN ROBERT D
3705 ARCTIC BLVD #1554
ANCHORAGE, AK 99503

51101B17L001 147
KULAKEVICH PHILIP & VITALIYA
PO BOX 874399
WASILLA, AK 99503

51368B04L004 148
KUSCHE BEN H & PEGGY C
5100 E SAM'S CIR
WASILLA, AK 99654

56445B15L010 149
KUZNICKI EDW J TR TRE
KUZNICKI EDJ & GARY TRE
KUZNICKI JENNIE
9800 TOLSONA CIR
ANCHORAGE, AK 99515

56445B09L023 150
LACEY THOMAS RICHARD
PO BOX 873160
WASILLA, AK 99687-3160

56445B14L014 151
LAMB HELEN C
PO BOX 873771
WASILLA, AK 99687-3771

56445B08L014 152
LANE DALTON & JESSE E
4901 E PINE ST
WASILLA, AK 99654

56519B02L008 153
LARSON ALAN G & ANDREA S
3400 N SAM'S DR
WASILLA, AK 99654-4309

55890B03L009 154
LARSON KRISTOFER D
1001 E BOGARD RD
WASILLA, AK 99654

53129B01L006 155
LARSON LAWANA GALE
4281 E GREENVIEW CIR
WASILLA, AK 99654

51101B17L004 156
LATIMER KEELY
2251 N WILLOW DR
WASILLA, AK 99654-4511

52537000L001 157
LAWRENCE M & P FAMILY TR
LAWRENCE MICHAEL & PAMELA TRES
1440 OXFORD DR
ANCHORAGE, AK 99503-6967

56445B17L008 158
LEBAHN DALE A & ELIZABETH
PO BOX 871804
WASILLA, AK 99687-1804

56445B06L002 159
LLOYD DOUGLAS G
5242 E ALDER DR
WASILLA, AK 99654

56445B08L008 160
LOCKE LYNDA E
421 S LAKE ST
WASILLA, AK 99654-8002

56445B01L005 161
LORENTZ MICHELE M
4981 E ALDER DR
WASILLA, AK 99654-4252

56445B13L001 162
LOVEL CLYDE W JR & CYNTHIA K
5130 E PINE ST
WASILLA, AK 99654-4253

56445B14L016 163
LUGO HEATHER M
4975 E LILAC CT
WASILLA, AK 99654-4278

53946B02L002 164
LUTON MICHAEL & AUDREY
4480 E GRUMMAN CIR
WASILLA, AK 99654

56445B07L012 165
MACLACHLAN GORDON S
PO BOX 876923
WASILLA, AK 99687-6923

52516B01L004 166
MADDEN DAVID S III
4301 E HIGHLINE LN
WASILLA, AK 99654-4525

56445B06L016 167
MANALLI JASON G
5165 E ASPEN ST
WASILLA, AK 99654

58102B01L004 168
MANN FAMILY ENTERPRISES LLC
4471 E GRUMMAN CIR
WASILLA, AK 99654

53946B01L002 169
MANN TYLER ANTHONY LOUIS
MANN JENNIFER JANEAL
4471 E GRUMMAN CIR
WASILLA, AK 99654-4363

52324B01L010 170
MARONEY THOMAS & ALICE TR
MARONEY THOMAS & ALICE TRES
3060 LAZY EIGHT CT STE 2 PMB 262
WASILLA, AK 99654

56445B14L008 171
MASON STELLA
2080 N COTTONWOOD LOOP
WASILLA, AK 99654-4247

118N01E29B012 172
MATANUSKA ELECTRIC ASSN
PO BOX 2929
PALMER, AK 99645-2929

56445B08L013 173
MCCLAIN WILLIAM G & RUTH A
23315 BLUE SKIES DR
CHUGIAK, AK 99567-5639

52537000L002 174
MCGEE CARRIE
4301 E BOGARD RD
WASILLA, AK 99654-4214

52324B01L034 175
MCKAY DONALD A & MIRIAM C
39283 COULTER AVE
SOLDOTNA, AK 99669

52702000L001 176
MCKENNA BROTHERS PROPERTIES LLC
8001 PETERSBURG ST
ANCHORAGE, AK 99507

56445B15L001 177
MCNAMEE DONALD
PO BOX 875213
WASILLA, AK 99687-5213

53129B02L001 178
MEACHAM KYLE CRAIG
4490 E BIRCHWOOD DR
WASILLA, AK 99654-4334

56445B14L013 179
MEDLOCK SAMUEL G&KIMBERLY
4950 E LILAC CT
WASILLA, AK 99654-4278

56445B02L002 180
MEIER KIM L & SUSAN E
5131 E ALDER DR
WASILLA, AK 99654

54218B01L001A 181
MERRELL JARED
4425 E BIRCHWOOD DR
WASILLA, AK 99654

57592000L002 182
MESKER ANDREW CLAYTON RILEY
MESKER EMILY GRACE
4200 E GRUMMAN CIR
WASILLA, AK 99654

56445B02L005 183
MILLER DEREK J & ERIN L
5225 E ALDER DR
WASILLA, AK 99654

53129B02L004 184
MILLS VIOLET M
1283 S THALO DR
PALMER, AK 99645-7768

53129B02L011 185
MITCHELL AARON M & CAROL L
3270 N PARKVIEW CIR
WASILLA, AK 99654

53228B01L002A 186
MONSON CONRAD J
4381 E BIRCHWOOD DR
WASILLA, AK 99654

53129B02L008 187
MONTAGNE SCOTT A & B J
3190 N PARKVIEW CIR
WASILLA, AK 99654-4304

56445B09L029 188
MOORE SEAN M
1881 N COTTONWOOD LOOP
WASILLA, AK 99654-4269

56445B08L002 189
MUELLER EMMA R
4924 E ASPEN ST
WASILLA, AK 99654

52324B01L014 190
NAFUS GIFFORD W & GLENDA K
PO BOX 1727
PALMER, AK 99645-1727

56445B17L009 191
NELSON ERICK W
2309 N WILLOW DR
WASILLA, AK 99654-4228

53129B01L010 192
NELSON ROBERT D JR
PO BOX 870083
WASILLA, AK 99687

52516B01L006 193
NEVILLE THOMAS J & HALLIE A
4361 E HIGHLINE LN
WASILLA, AK 99654-4525

56519B02L007 194
NIXON PENNY R & ELIZABETH
3450 N SAMS DR
WASILLA, AK 99654-4309

53715000T00A 195
NORTHERN ALPINE LLC
% MIKE T ROLSTON
2951 N NORTHGATE PL
WASILLA, AK 99654

53128B06L001 196
NORTHGATE ALASKA
2991 N TAIT DR
WASILLA, AK 99654

51101B16L025 197
NORVELL CYNTHIA V
4550 E WILLOW CT
WASILLA, AK 99654

52324B01L046 198
NUGENT PROPERTIES LLC
4237 E MERIDIAN LOOP
WASILLA, AK 99654-7650

56445B06L022 199
O'CONNOR JOHN P
O'CONNOR CHRISTINE N
2800 N PARK DR
WASILLA, AK 99654-4220

118N01E31A015 200
ODELL-BASAK MARGARET SUZANNE
PO BOX 871078
WASILLA, AK 99687

118N01E31A009 201
OHANA EQUIPMENT &
INVESTMENTS LLC
1046 N RIPARIAN CIR
PALMER, AK 99645

52324B01L006 202
OLSON CHRISTOPHER L & MARCIA F
STE 3 PMB 210
1150 S COLONY WAY
PALMER, AK 99645-6967

52324B01L030 203
PACE WILLIAM TODD & CHRIS ANN
5966 E CUMULUS CIR
PALMER, AK 99645

52324B01L026 204
PAIGE BARRY W & BETTY H
3130 N DEPARTURE CT
WASILLA, AK 99654-4318

56445B06L013 205
PALMER JOSEPH D & HEIDI
STE 2 PMB 466
3060 N LAZY EIGHT CT
WASILLA, AK 99654

53129B01L003 206
PALMER MATTHEW& NICOLETTE
PO BOX 5477
FORT RICHARDSON, AK 99505-5477

56445B08L011 207
PARKER JULIE
4975 E PINE ST
WASILLA, AK 99654

56445B06L015 208
PAUL WALKER L & JENNIFER L
PO BOX 1256
PALMER, AK 99645

52324B01L028 209
PETERSEN TED M & JEAN L
3200 N DEPARTURE CT
WASILLA, AK 99654-4320

56445B15L004 210
PETERSON LEE S &REBECCA M
4867 E ALDER DR
WASILLA, AK 99654

56445B15L005 211
PIAKAK SUSAN C
PO BOX 870446
WASILLA, AK 99687

56445B02L006 212
POLYA JOSEPH D
5251 E ALDER DR
WASILLA, AK 99654

52873B01L002 213
POWELL CARL R & LOLLY K
3065 N BELOS ST
WASILLA, AK 99654-4300

56445B15L008 214
PRESCOTT TOBY F
4841 E ALDER DR
WASILLA, AK 99654

55890B04L009 215
PRESTIEN JASON J
4006 E DARRINGTON VILLAGE
WASILLA, AK 99654

56445B06L003 216
PURCELL PATRICIA A
5280 E ALDER DR
WASILLA, AK 99654

53946B01L003 217
PYEATT JOINT REV TR
4503 E GRUMMAN CIR
WASILLA, AK 99654

52324B01L027 218
RAMSEY FRANK REV TR
3227 PRANCER WAY
CELINA, TX 75009

52873B01L005 219
RAYBURN AMY
3090 N BELOS ST
WASILLA, AK 99654-4300

56445B07L015 220
REIMER RICHARD D & L L
2700 N ASPEN CT
WASILLA, AK 99654

53129B01L008 221
RIVAS CRAIG A
BRELAND KIMBERLY A
4261 E GREENVIEW CIR
WASILLA, AK 99654

52324B01L022 222
RIVERA LINDA K
HARDMAN LORIN D
3000 N DEPARTURE CT
WASILLA, AK 99654-4302

53129B01L013 223
RIVERS DENNIS L
2852 N TERRELL DR
WASILLA, AK 99654-4541

56445B13L026 224
ROBERTS ANNETTE E
LECOMTE RICHARD
505 W QUICKSILVER CIR
PALMER, AK 99645

56519B02L011 225
ROBERTS DANIEL R & STACY L
3501 N TRAVELAIR DR
WASILLA, AK 99654

52324B01L020 226
ROBINSON ERIC C
PO BOX 1705
PALMER, AK 99645-1705

56445B07L013 227
ROEHL DEREK L
2850 N ASPEN CT
WASILLA, AK 99654

118N01E31A019 228
ROETMAN RUSSELL E
VERNOLA KRISTEN M
4351 E BOGARD RD
WASILLA, AK 99654-4214

56519B02L010 229
ROLLMAN LEVI S & KARISSA
3401 N TRAVELAIR DR
WASILLA, AK 99654-4359

58102B01L001 230
ROLSTON MIKE
PIATT CHRISTOPHER
2951 N NORTHGATE PL
WASILLA, AK 99654

52324B01L033 231
ROYAL JOSEPHINE A
ELLIS JAS F
3131 N LAZY EIGHT CT
WASILLA, AK 99654

55890B04L010 232
ROYCE ROBERT J & SHAUNA L
PO BOX 870036
WASILLA, AK 99687

55134B01L005A 233
RUF TIMOTHY & LAURA
11501 BARR RD
ANCHORAGE, AK 99516

56445B07L002 234
RUSSELL TANYA
PO BOX 126
PALMER, AK 99645

118N01E30C006 235
SALVATION ARMY THE
KINGS LAKE CAMP
143 E 9TH AVE
ANCHORAGE, AK 99501

52324B01L047 236
SCHMIDT JASON A & RAESHAUN T
3210 N LAZY EIGHT CT
WASILLA, AK 99654

53129B02L014 237
SCHOAF CHRISTIN M
LAYTON CODY L
6054 E FELTLOCK DR
WASILLA, AK 99654-8428

54028B16L031A 238
SCHOFFSTALL BENJAMIN ALBERT
2256 N WILLOW DR
WASILLA, AK 99654-4511

53128000T00A 239
SCHOLBERG DOUGLAS M & L J
3991 E TAMBERT DR
WASILLA, AK 99654

56445B02L003 240
SCHOOLEY KEITH R JR
5161 E ALDER DR
WASILLA, AK 99654

56445B13L028 241
SCHWARTZBAUER SCOTT E & S
PO BOX 875785
WASILLA, AK 99687-5785

56445B07L007 242
SEAGONDOLLAR FAMILY TR
SEAGONDOLLAR LEE & SHARON TRE
1840 N COTTONWOOD LOOP
WASILLA, AK 99654

53129B01L016 243
SEAY AARRON
LARSEN KYLIE
4250 E GREENVIEW CIR
WASILLA, AK 99654

118N01E31A013 244
SECON INC
STE 101
4000 OLD SEWARD HWY
ANCHORAGE, AK 99503

53128B05L005 245
SEHM DEBORAH A
2571 N TAIT DR
WASILLA, AK 99654

56445B08L009 246
SEMONIN JOYCE H
SEMONIN MATTHEW L & ANGELA M
3060 N LAZY EIGHT CT STE 2-284
WASILLA, AK 99654

52324B01T00B 247
SHAW'S TRI-LAKES
HOMEOWNERS ASSN INC
3020 N LAZY EIGHT # 15 CT
WASILLA, AK 99654

53129B02T00A 248
SHEENA MAY EST HOMEOWNERS
PO BOX 873174
WASILLA, AK 99687-3174

56445B07L017 249
SHORT SOPHIA L
4870 E ALDER DR
WASILLA, AK 99654-4202

56519B01L004 250
SHOWERS MICHAEL & MICHELLE
3500 N TRAVELAIR DR
WASILLA, AK 99654

56445B14L003 251
SIEGEL STEVEN & KRISTY M
4960 E PINE ST
WASILLA, AK 99654

56445B06L001 252
SIMON ROBERT
CARMONA ELIZABETH ROMERO
PO BOX 5372
JBER, AK 99505-0372

53129B01L011 253
SMITH CHAD W & SARAH D
4221 E GREENVIEW CIR
WASILLA, AK 99654

56445B06L018 254
SMITH SAMUEL C & DENISE L
1821 N COTTONWOOD LOOP
WASILLA, AK 99654

56445B06L014 255
SMITH TIMOTHY M&CHRISTINA
5205 E ASPEN ST
WASILLA, AK 99654

55890B03L013 256
SOLOMON ANGEL
PO BOX 871076
WASILLA, AK 99687-1076

52324B01L015 257
SOTO EDW M & MAILE L
3201 N DEPARTURE CT
WASILLA, AK 99654

118N01E31A021 258
SPONSLER JEFFREY L
4551 E BOGARD RD
WASILLA, AK 99654-6075

53129B02L016 259
STAMOOLIS JOEL J& NAOMI J
3191 N VAN BUSKIRK DR
WASILLA, AK 99654

56445B01L007 260
STEBBINS ALETA P REIN
4941 E ALDER DR
WASILLA, AK 99654

56247B01L003 261
STEVENS ARTHUR R & KERRI A
4301 E BIRCHWOOD DR
WASILLA, AK 99654

53129B02L009 262
THOMAS CONRAD W
3220 N PARKVIEW CIR
WASILLA, AK 99654

55349B01L043B 263
TRAVEL AIR INVESTMENTS LLC
3100 N LAZY EIGHT CT
WASILLA, AK 99654

56445B01L008 264
TRAXINGER CYNTHIA
4921 E ALDER DR
WASILLA, AK 99654-4252

52873B01L003 265
TRUCKS GARY
PO BOX 873294
WASILLA, AK 99687

51368B04L006 266
TURNBULL JASON D
5200 E SAMS CIR
WASILLA, AK 99654

51101B16L034 267
TURNER DALE O
500 E SILVER FOX LN
WASILLA, AK 99654

56445B07L016 268
TUTTLE PHILIP F & LUANNE E
4931 E ASPEN ST
WASILLA, AK 99654-4205

56445B14L012 269
VAN DE BOGART VICTOR G &
SHEILA M
4790 E ALDER DR
WASILLA, AK 99654

53129B02L018 270
VAN NESS MARGARET R
3151 N VAN BUSKIRK DR
WASILLA, AK 99654

59997000U0500 271
VERTICAL BRIDGE S3 ASSETS LLC
% RYAN PTS DEPT 850
PO BOX 460169
HOUSTON, TX 77056

51101B17L003 272
VIOLA RYAN & ZOE
2235 N WILLOW DR
WASILLA, AK 99654

55890B03L010 273
WALDEN JONATHAN L
2701 N AZURITE CIR
WASILLA, AK 99654-4540

56445B08L005 274
WALKER BRIAN & CYNTHIA
2100 STOCKDALE CIR
ANCHORAGE, AK 99515

56445B14L005 275
WALSH MICHAEL T
PO BOX 877872
WASILLA, AK 99687-7872

52324B01L013 276
WALTERS LOIS E
3160 N CHANDELLE CT
WASILLA, AK 99654

118N01E31A008 277
WASILLA KOREAN BAPTIST CHURCH
5150 E HOVEY DR
WASILLA, AK 99654

56445B06L017 278
WATKINS CHRISTOPHER L
5105 E ASPEN ST
WASILLA, AK 99654-4266

51101B16L030 279
WEATHERBY ERIC J& MARIANA
2228 N WILLOW DR
WASILLA, AK 99654-4511

52324B01L021 280
WEDEKIND WARREN JR EST & F
901 S HERMON RD
WASILLA, AK 99654-7312

56519B01L010 281
WENTZ CLARENCE E & NANCY
11012 TOPEKA AVE
LUBBOCK, TX 79424

55349B01L042A 282
WESTON SUSAN C
PO BOX 111704
ANCHORAGE, AK 99511-1704

118N01E30D002 283
WHITE SHARON TR MOORE VIRGINIA TR
WHITE M J GARRISON R G WHITE J M
19733 NE 146TH ST
WOODINVILLE, WA 98077

53129B01L004 284
WHITEMAN JONATHON CHESTER
4286 E BIRCHWOOD DR
WASILLA, AK 99654

56445B07L018 285
WHITFORD ERIC IAN
4882 E ALDER DR
WASILLA, AK 99654

52873B01L001 286
WHITMORE ENTERPRISES LLC
1200 S BADGER RD
PALMER, AK 99645

56445B07L006 287
WHITWORTH WILLIAM BRADLEY
WHITWORTH SUSAN LYNNE
1830 N COTTONWOOD LOOP
WASILLA, AK 99654

52324B01L011 288
WILLARD RAYMOND C & SUSAN
PO BOX 870302
WASILLA, AK 99687-0302

56445B14L004 289
WILLIAMS GLORIA
PO BOX 871081
WASILLA, AK 99687

51368B04L002 290
WILSON MICHAEL D LVG TR
5050 E SAM'S CIR
WASILLA, AK 99654

52324B01L019 291
WILSON SHERRY R
3061 N DEPARTURE CT
WASILLA, AK 99654-4302

52324B01L031 292
WOITEL DANIEL R
3203 N LAZY EIGHT CT STE 2-261
WASILLA, AK 99654

56445B13L002 293
WOODS MICHAEL C& LUCRETIA
5160 E PINE ST
WASILLA, AK 99654

56445B08L012 294
WYCOFF DON
PO BOX 5771
ANCHORAGE, AK 99505-0771

53128B05L006 295
Z & S FAMILY TR
THOMSON COLLEEN MARIE TRE

51101B17L006 296
ZEFFERY WILLIAM R & JESSICA M
2275 N WILLOW DR
WASILLA, AK 99654-4511

297
NORTH LAKES COMMUNITY COUNCIL
3060 N LAZY EIGHT CT #2 PMB 499
WASILLA, AK 99654

Frontiersman
Growing with the Valley since 1947.

5751 E. MAYFLOWER CT.
Wasilla, AK 99654

(907) 352-2250 ph
(907) 352-2277 fax

AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA, STATE OF ALASKA, THIRD DIVISION

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, THIS DAY

PERSONALLY APPEARED BEFORE **BENJAMIN BORG** WHO, BEING

FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT HE IS THE

LEGAL AD CLERK OF THE **FRONTIERSMAN**

PUBLISHED AT WASILLA AND CIRCULATED THROUGH OUT MATANUSKA

SUSITNA BOROUGH, IN SAID DIVISION THREE AND STATE OF ALASKA

AND THAT THE ADVERTISEMENT, OF WHICH THE ANNEXED IS A TRUE

COPY, WAS PUBLISHED ON THE FOLLOWING DAYS:

05/27/2022

AND THAT THE RATE CHARGED THEREIN IS NOT IN EXCESS OF

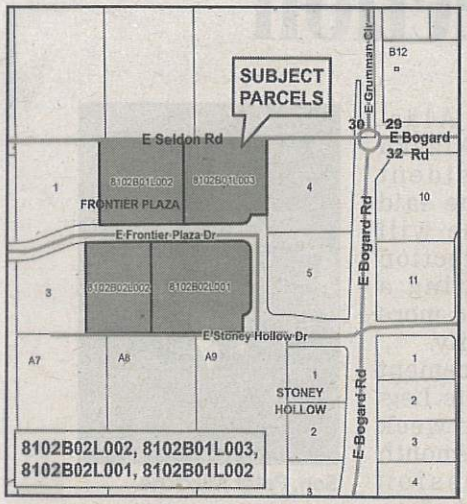
THE RATE CHARGED PRIVATE INDIVIDUALS.

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 31st DAY OF May, 2022.

NOTARY PUBLIC FOR STATE OF ALASKA

NOTARY PUBLIC
NANCY E DOWNS
STATE OF ALASKA
MY COMMISSION EXPIRES AUG. 25, 2023

MAT-SU BOROUGH/PAGE
5.27
ACCOUNT NUMBER 405249



PUBLIC HEARING

MSB 17.30 – Conditional Use Permit for Earth Materials Extraction. John Sommer of Tutka, LLC submitted an application for Conditional Use Permit to extract approximately 42,000 cubic yards of earth materials at 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002; within Township 18 North, Range 1 East, Section 31 Seward Meridian. The extraction is expected to be complete by 2030. According to the applicant, the operation is intended to flatten the lots in preparation of commercial development.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, July 18, 2022, at 6:00 p.m.*** in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Mark Whisenhunt, Planner II, by phone: 907-861-8527. Provide written comments by e-mail to mark.whisenhunt@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party." See MSB 15.39.010 for the definition of "interested party." The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before ***June 24, 2022*** and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

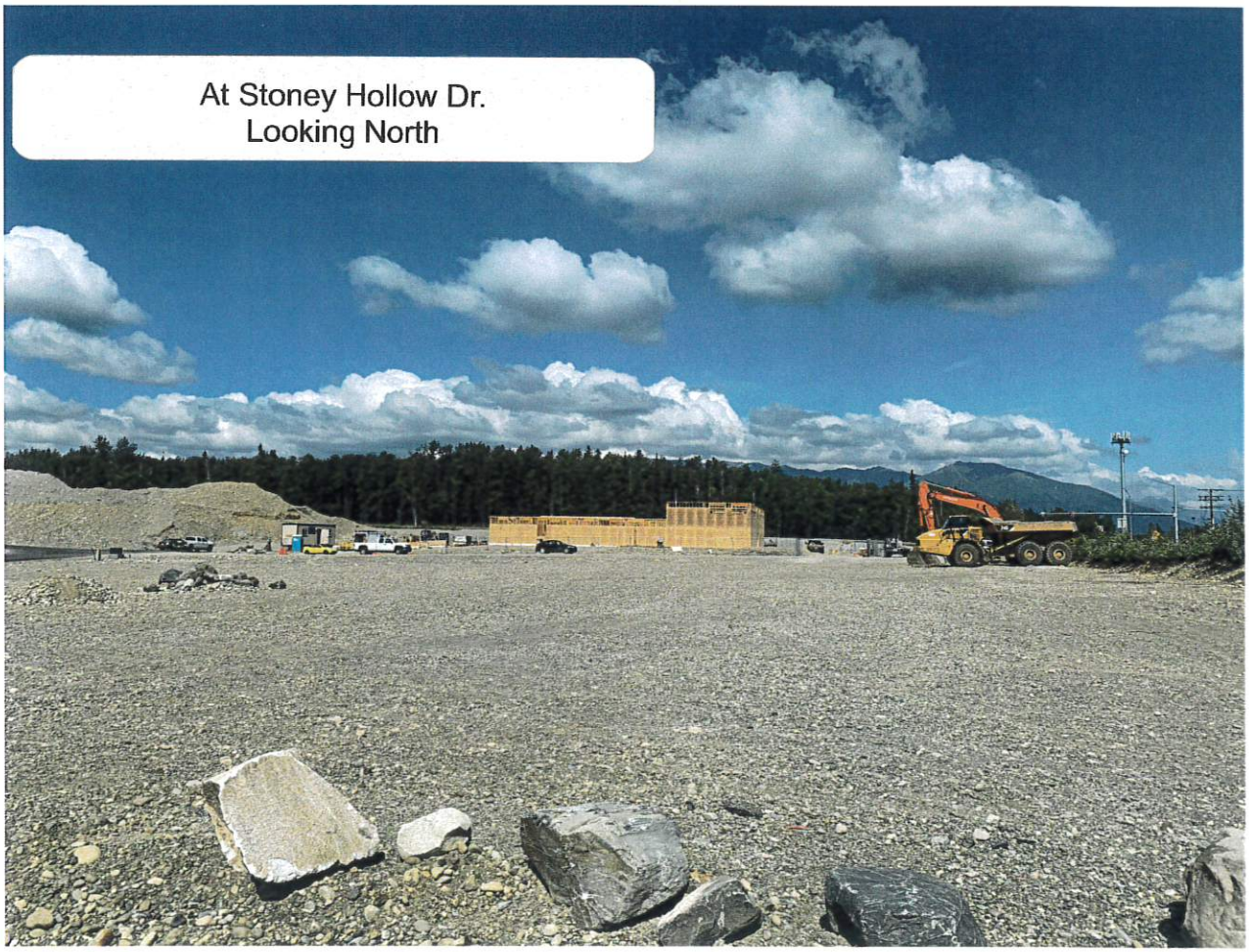
Publish Date: May 27, 2022 0522-33

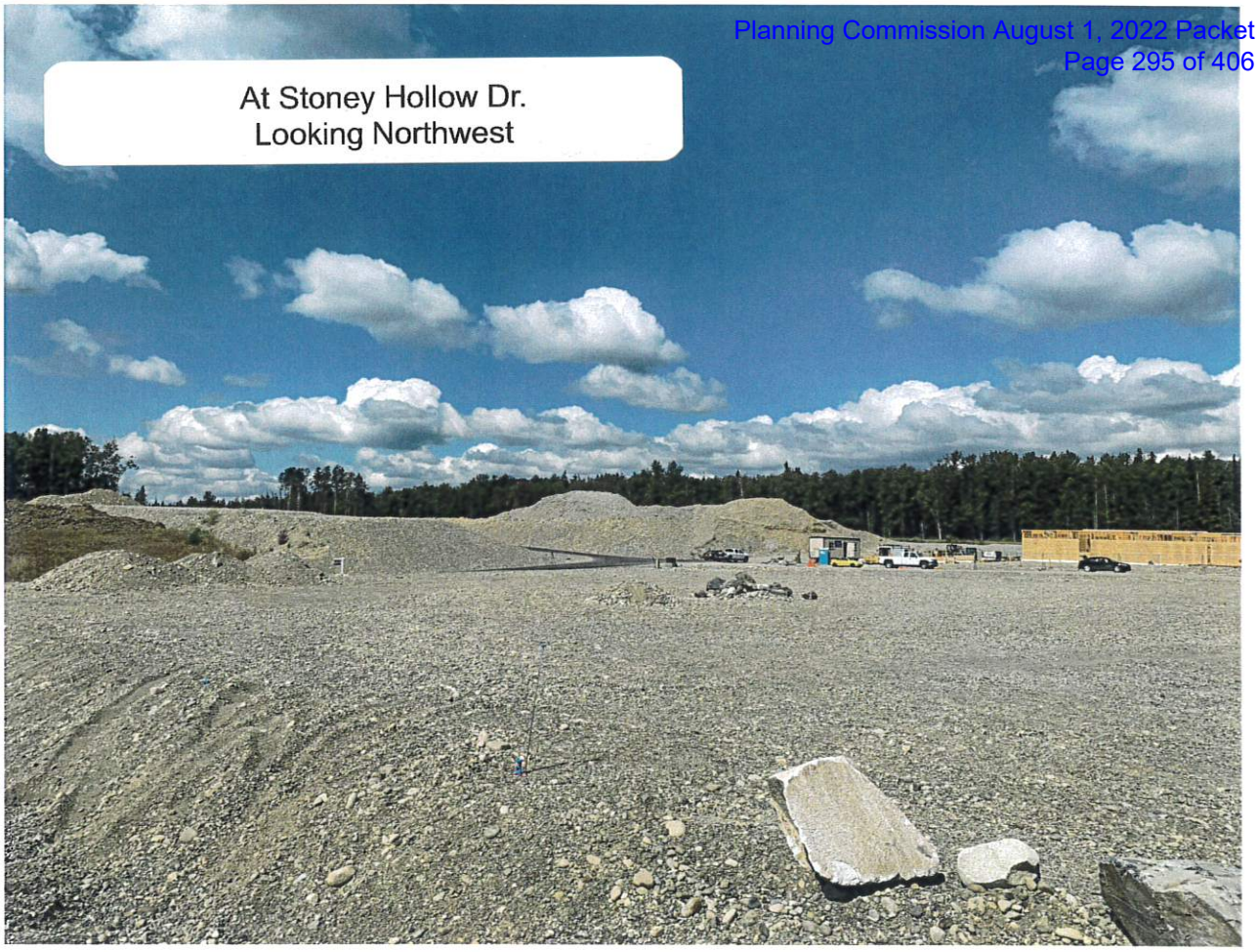
Site Visit Photos

Taken on July 6, 2022

By Mark Whisenhunt

At Bogard / Seldon Intersection
Looking Southwest at Subject Properties


At Stoney Hollow Dr.
Looking North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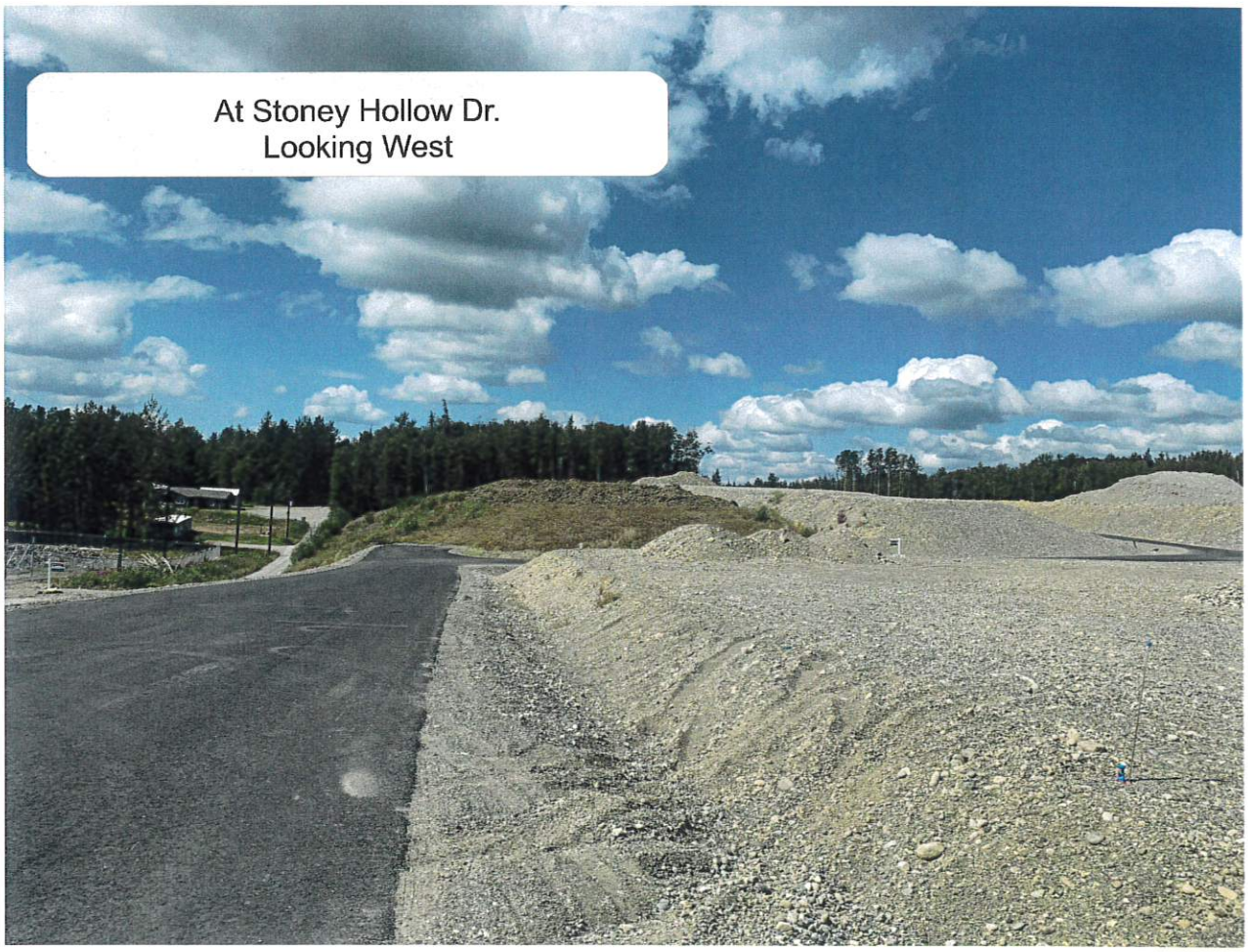
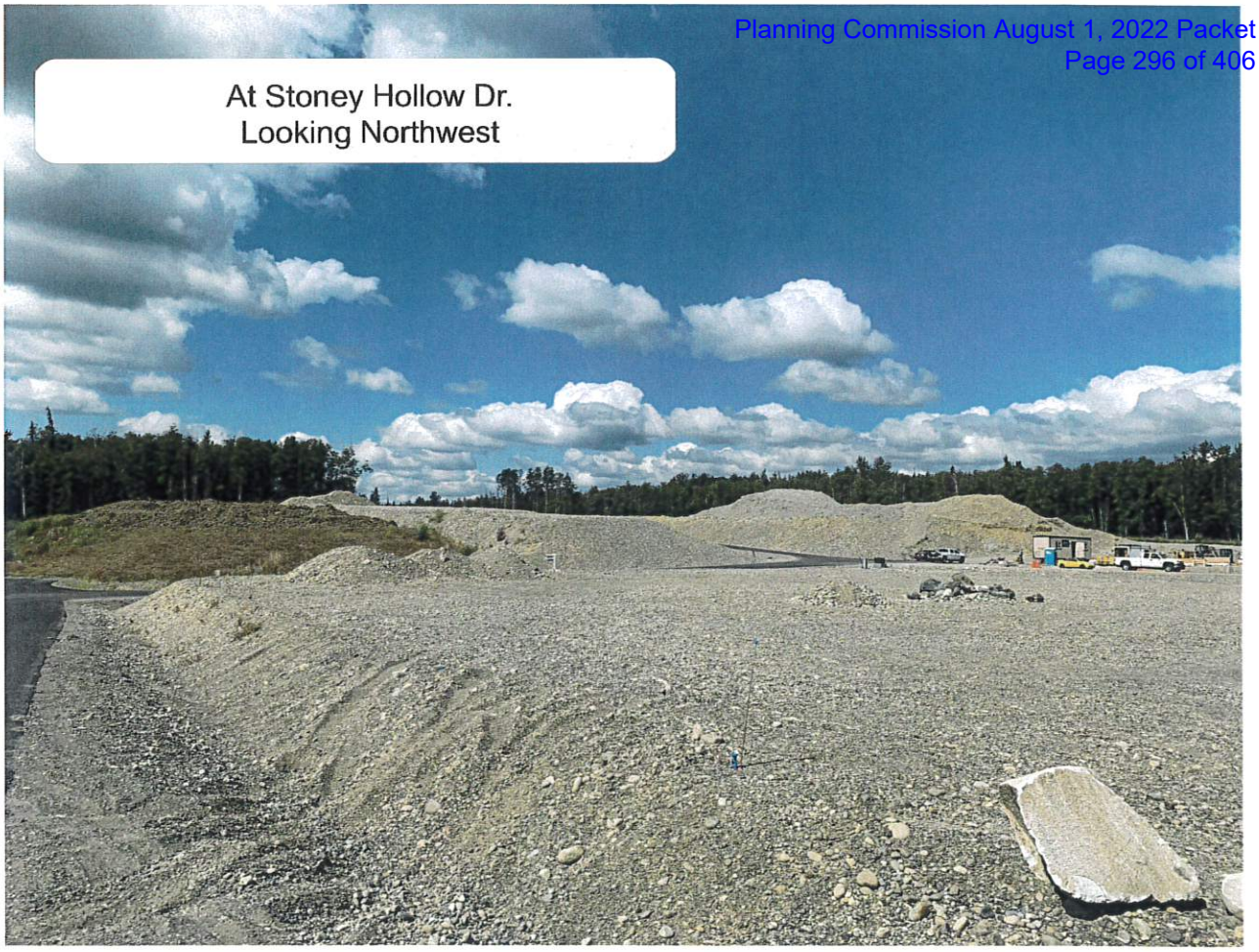
Looking Northwest


At Stoney Hollow Dr.
Looking West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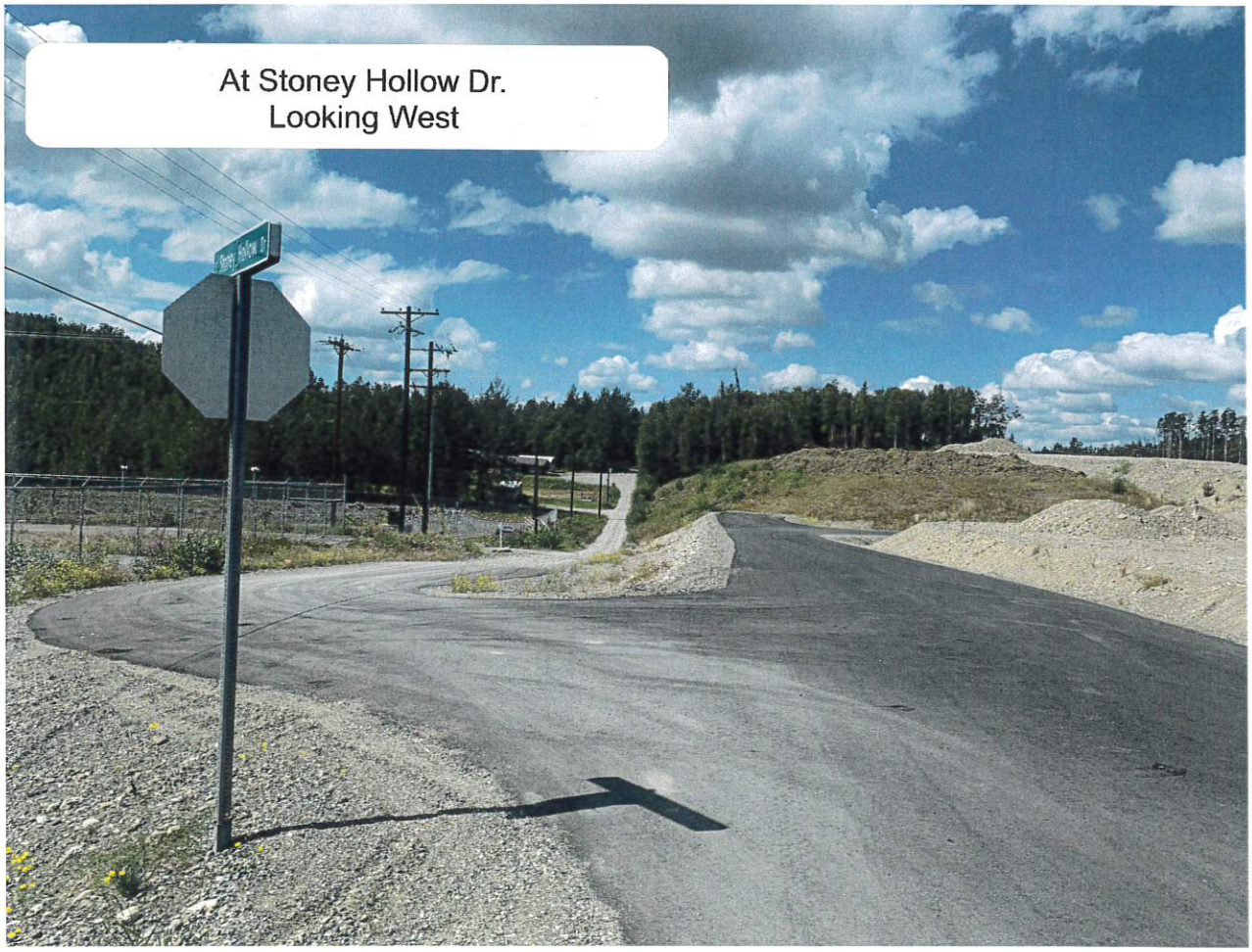
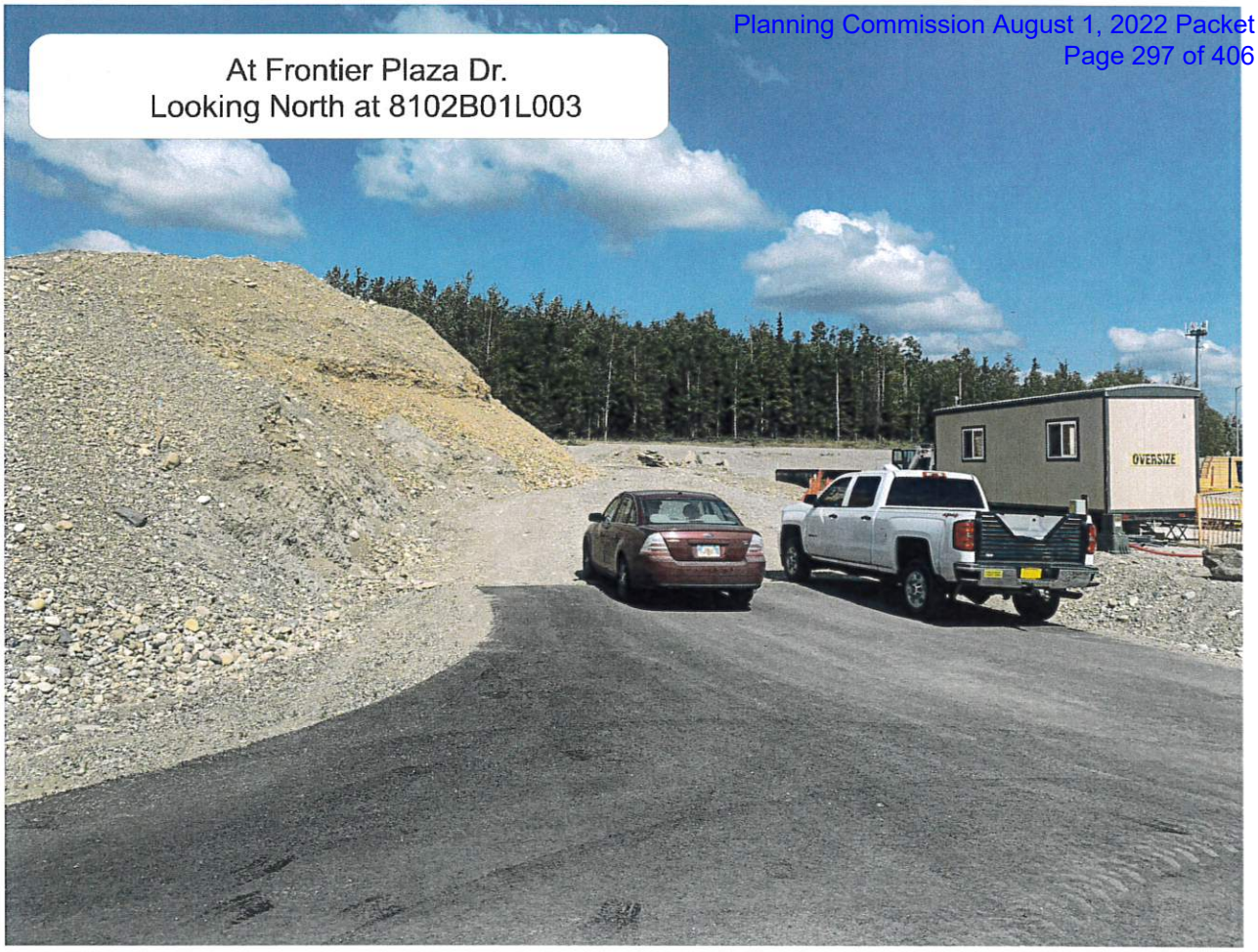
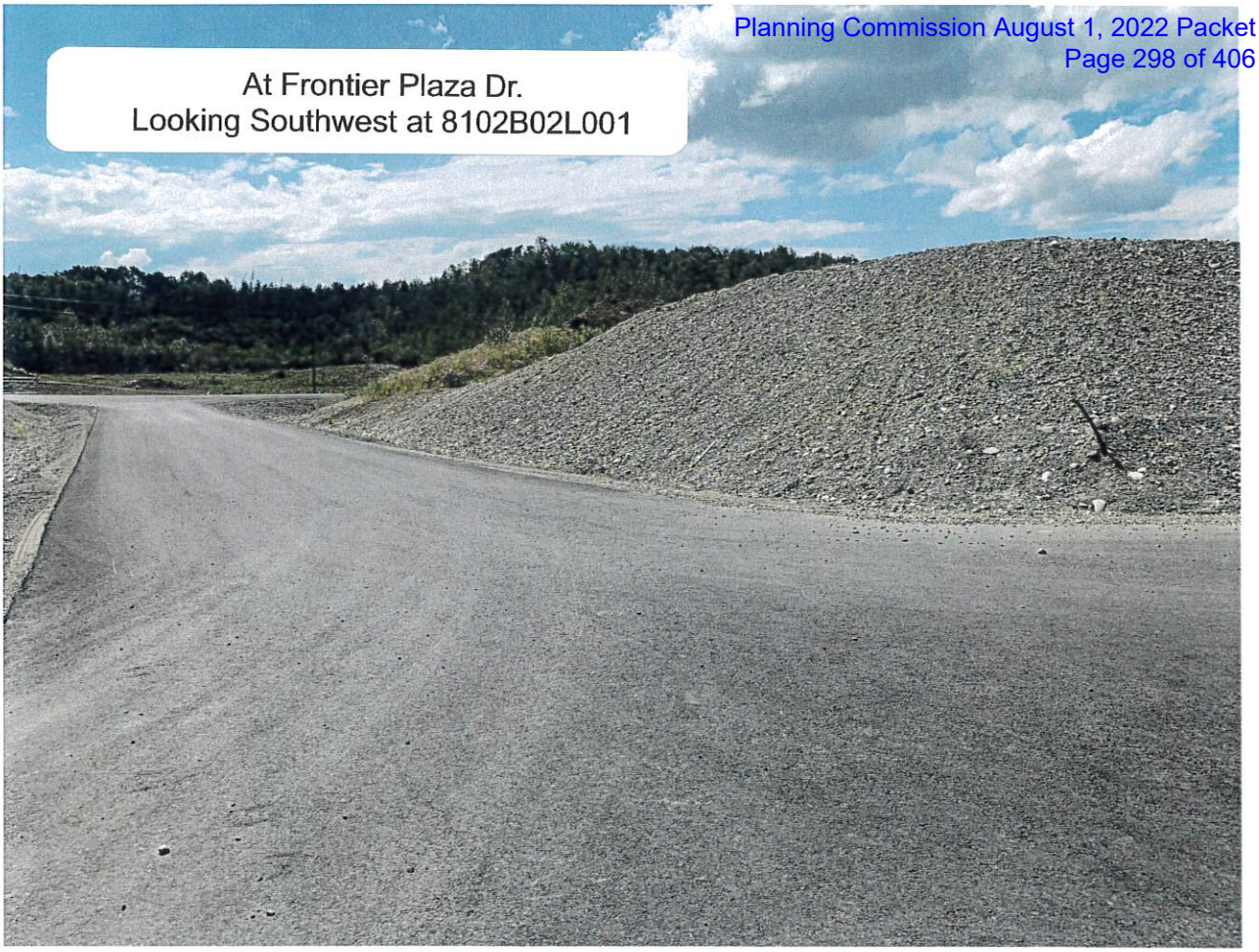
Looking Northwest


At Stoney Hollow Dr.
Looking West


At Frontier Plaza Dr.
Looking North at 8102B01L003
OVERSIZE

At Frontier Plaza Dr.
Looking Southwest at 8102B02L001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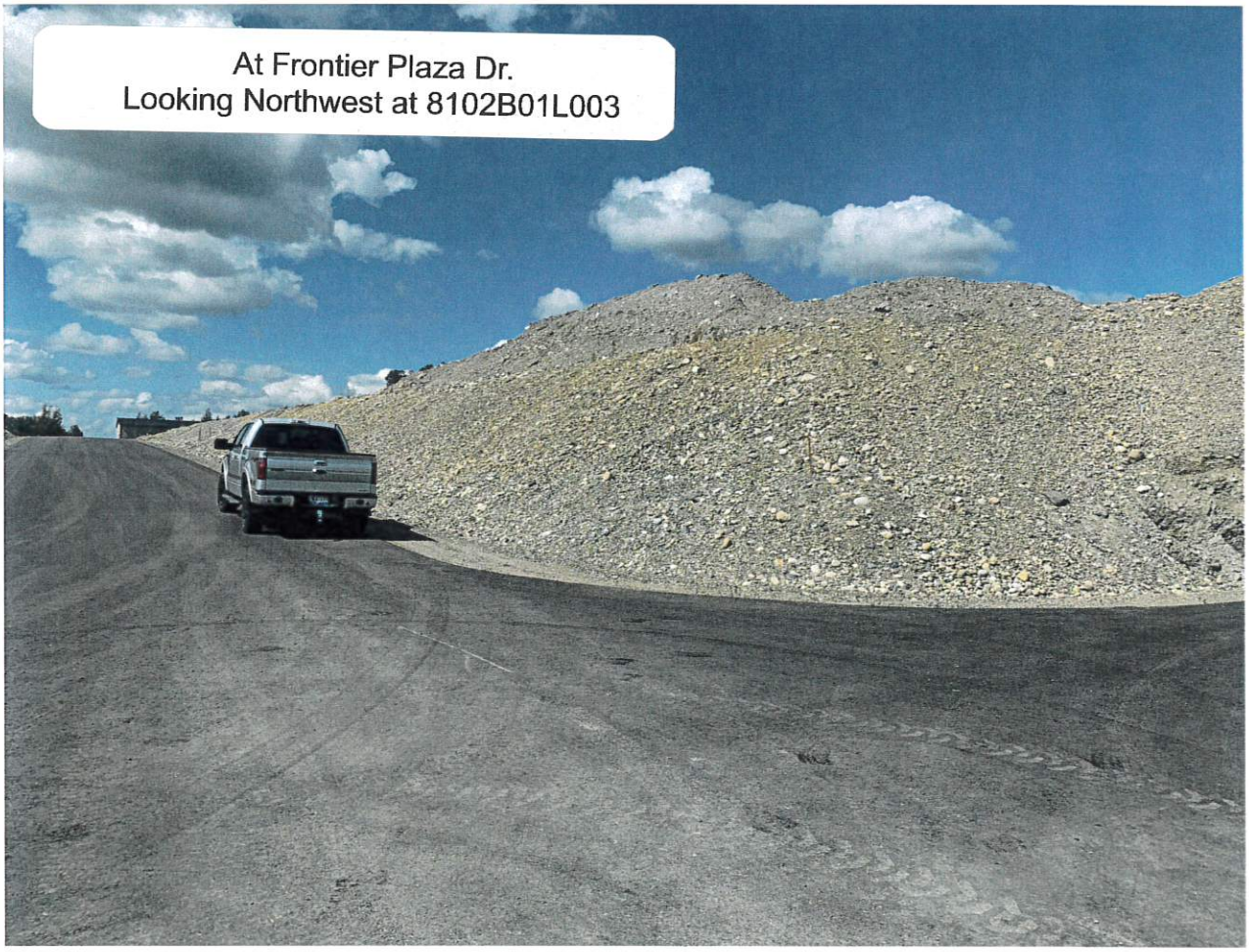
Looking Southwest at 8102B02L001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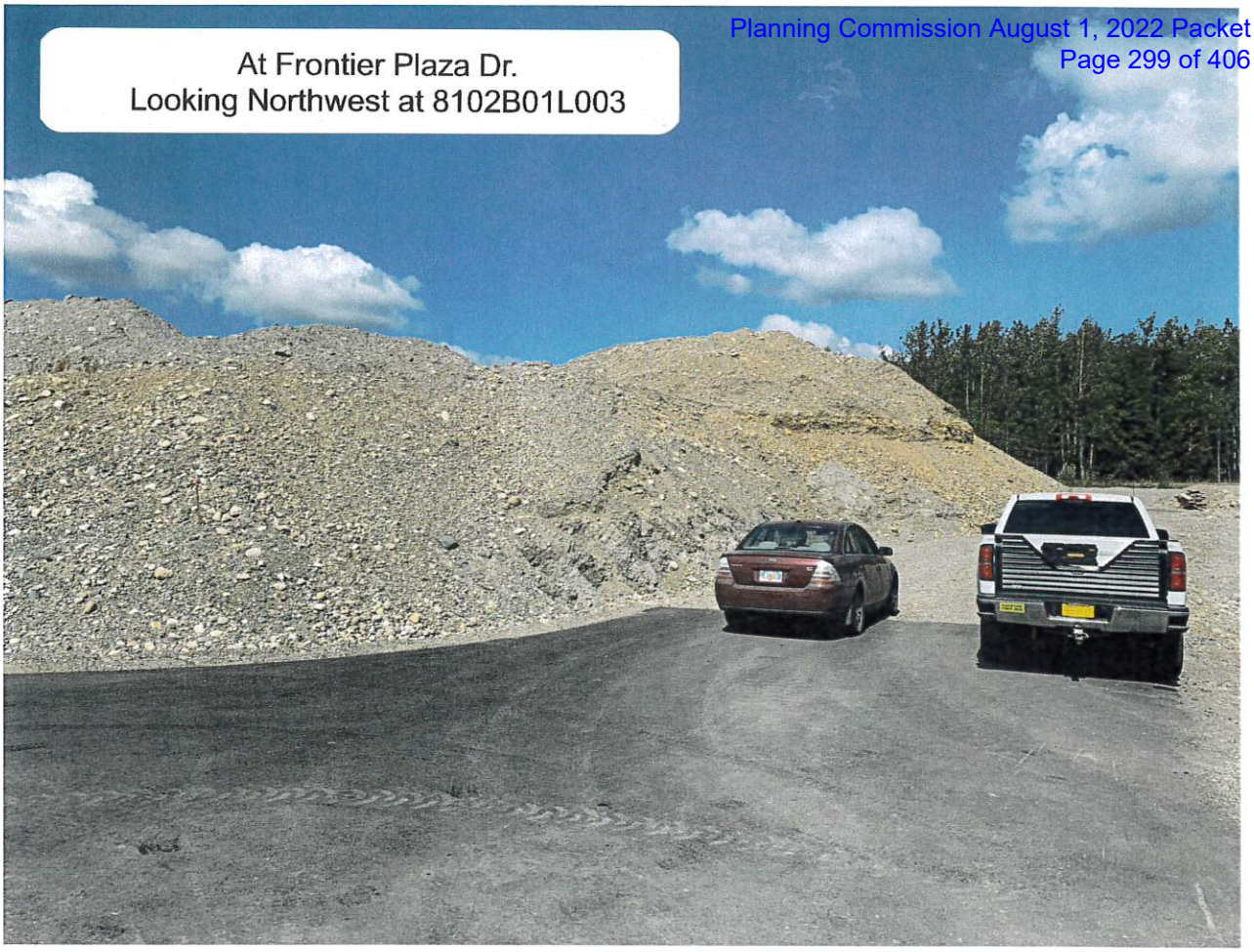
Looking Northwest at 8102B01L003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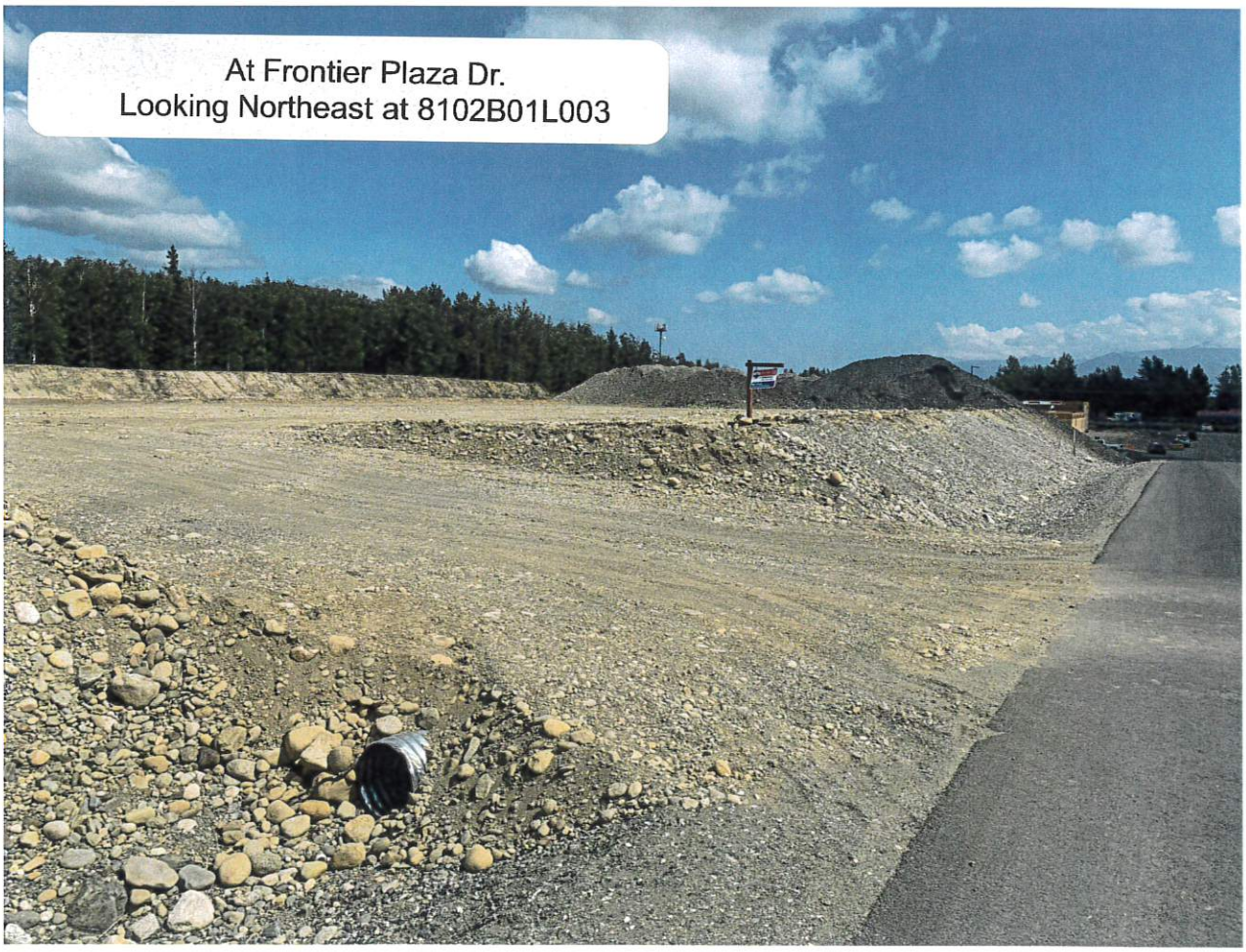
Looking Northwest at 8102B01L003


At Frontier Plaza Dr.
Looking Northeast at 8102B01L003

At Frontier Plaza Dr.
Looking East

At Frontier Plaza Dr.
Looking West (8102B01L002 on RT)

At Frontier Plaza Dr.
Looking West (8102B02L002 on LT)

At Frontier Plaza Dr.
Looking East (8102B02L001 on RT)

At Frontier Plaza Dr.
Looking Southeast at 8102B02L001

At Frontier Plaza Dr.
Looking Southeast at 8102B02L001

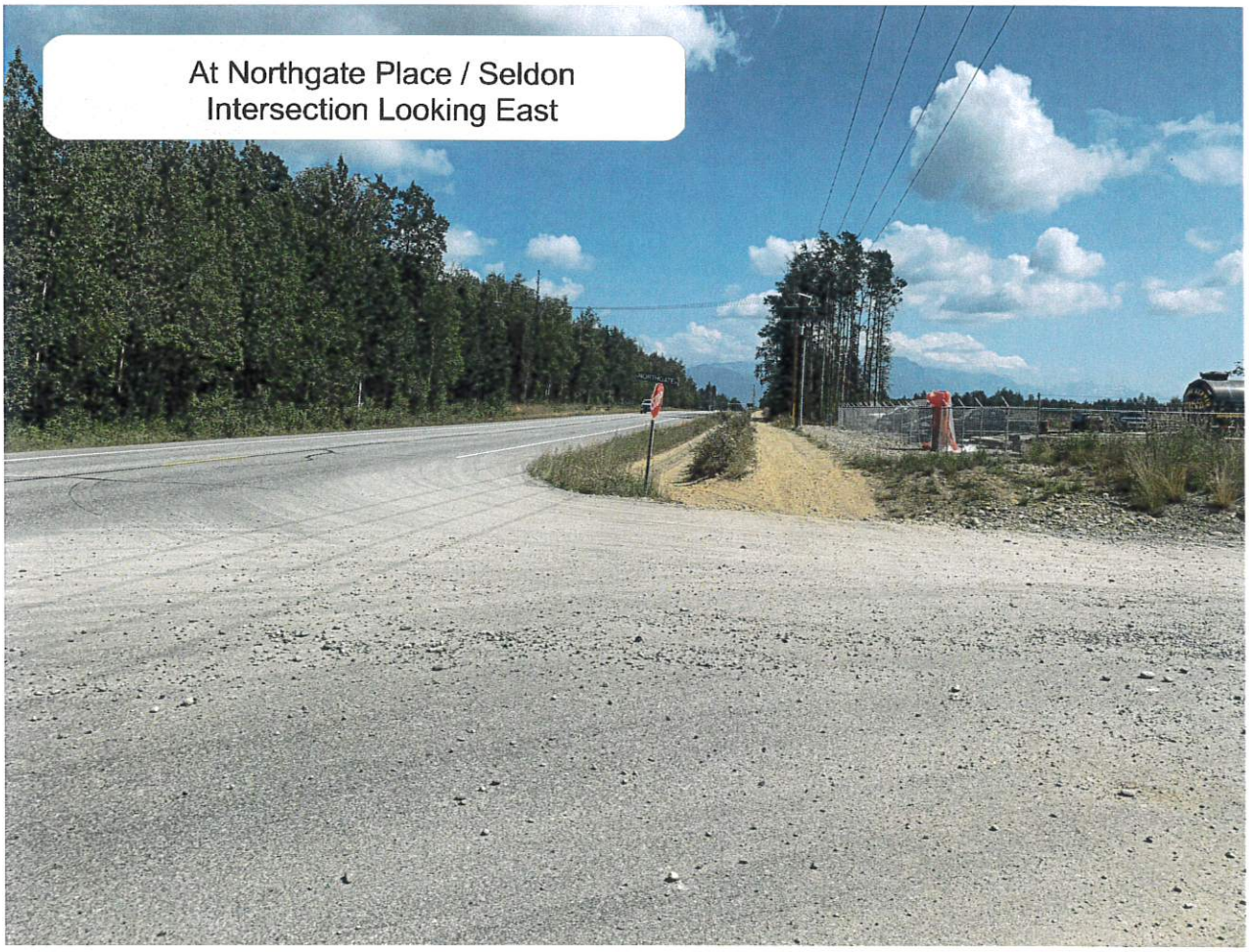
At Frontier Plaza Dr.
Looking West

At Frontier Plaza Dr. Looking West
at Northgate Place Intersection
STOP

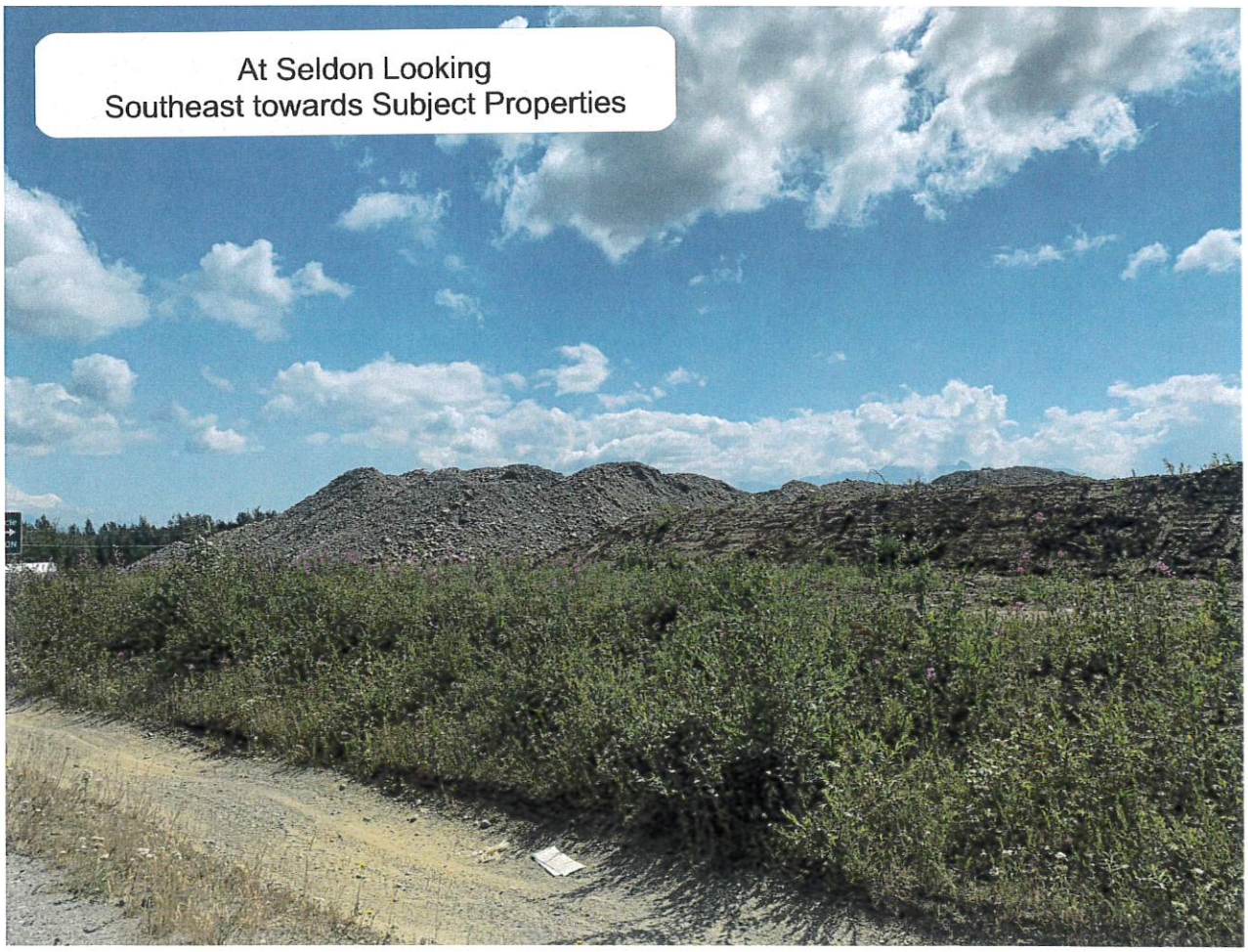
At Frontier Plaza Dr. / Northgate Place
Intersection Looking North

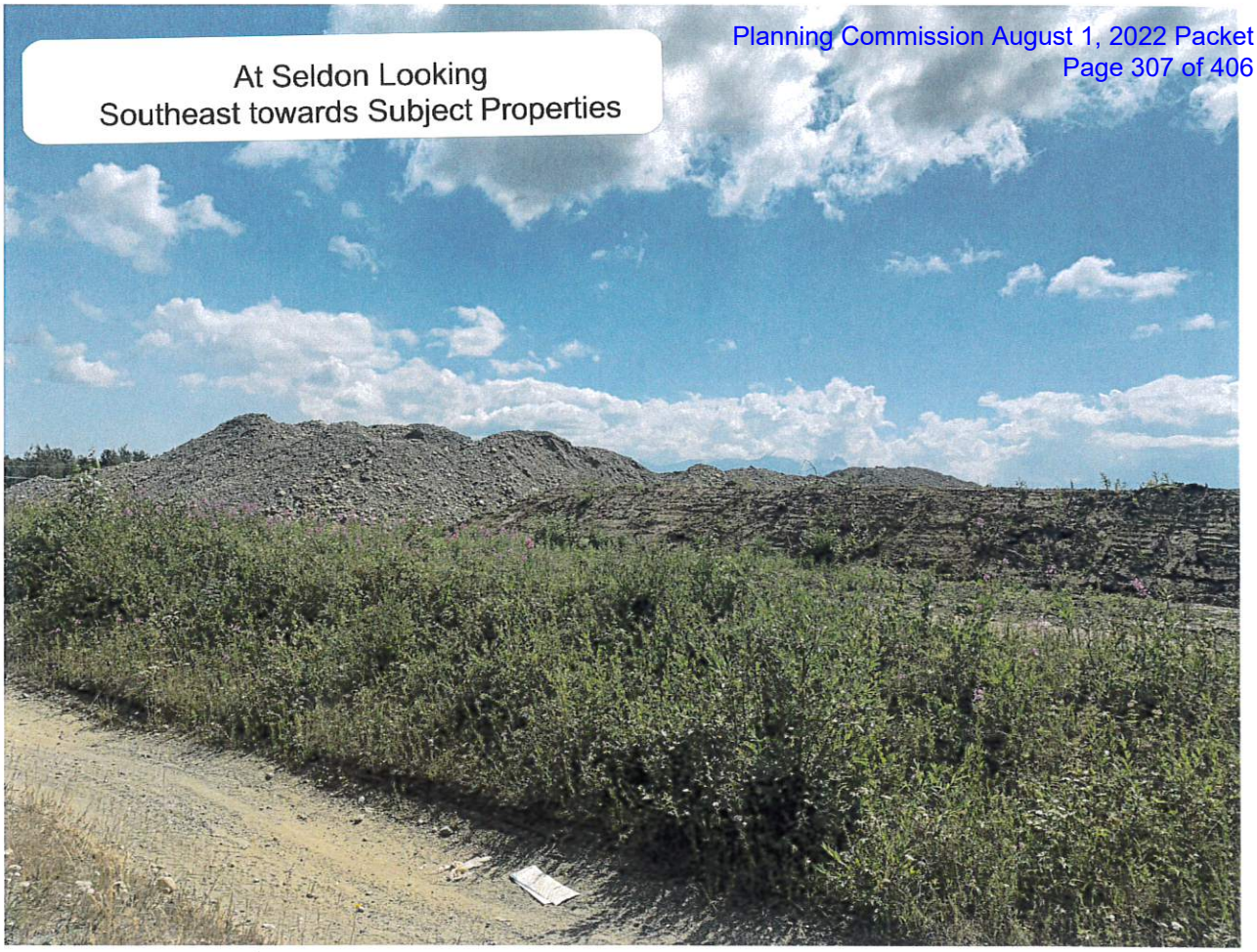
At Frontier Plaza Dr. / Northgate Place
Intersection Looking East

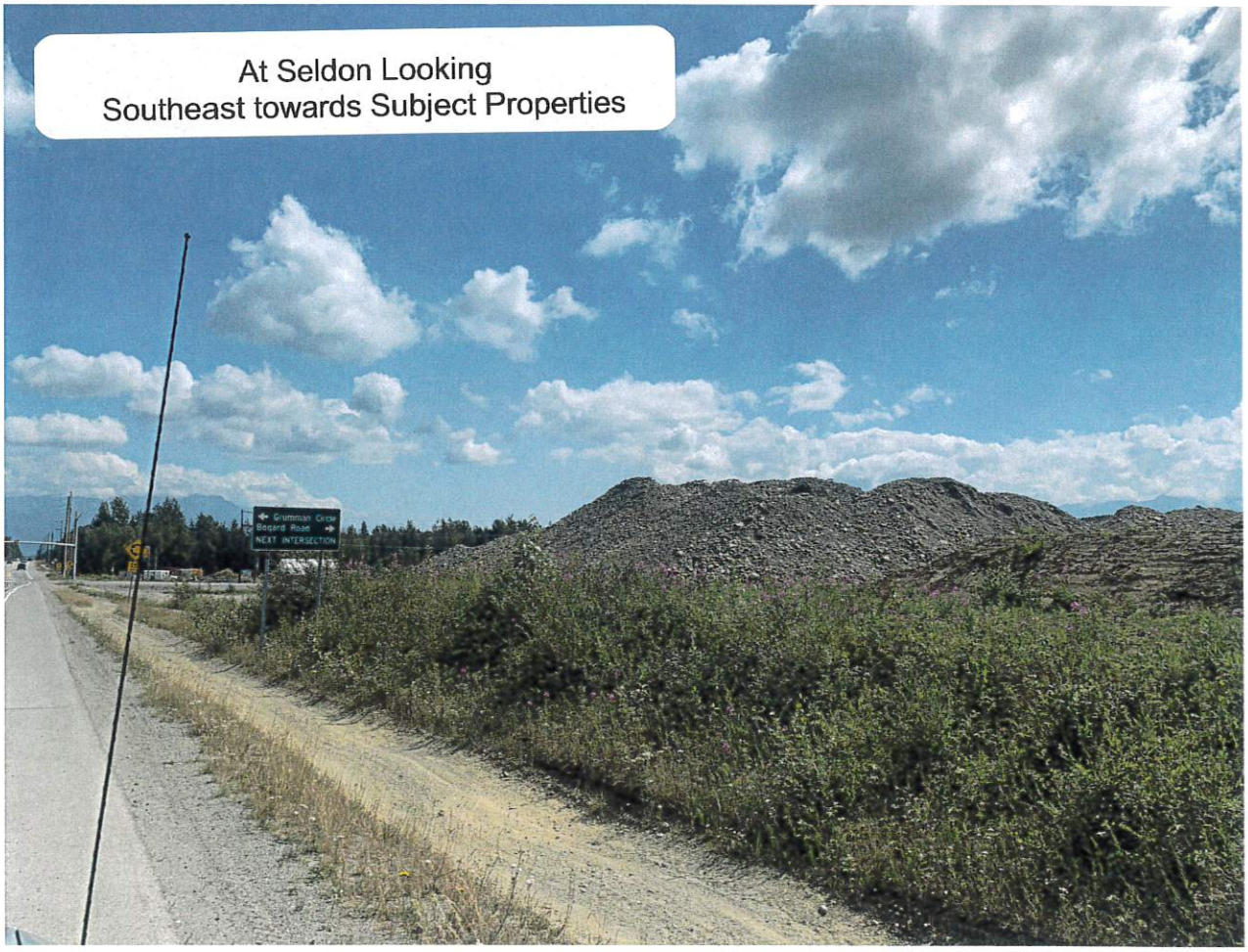
At Northgate Place / Seldon
Intersection Looking West


At Northgate Place / Seldon
Intersection Looking East

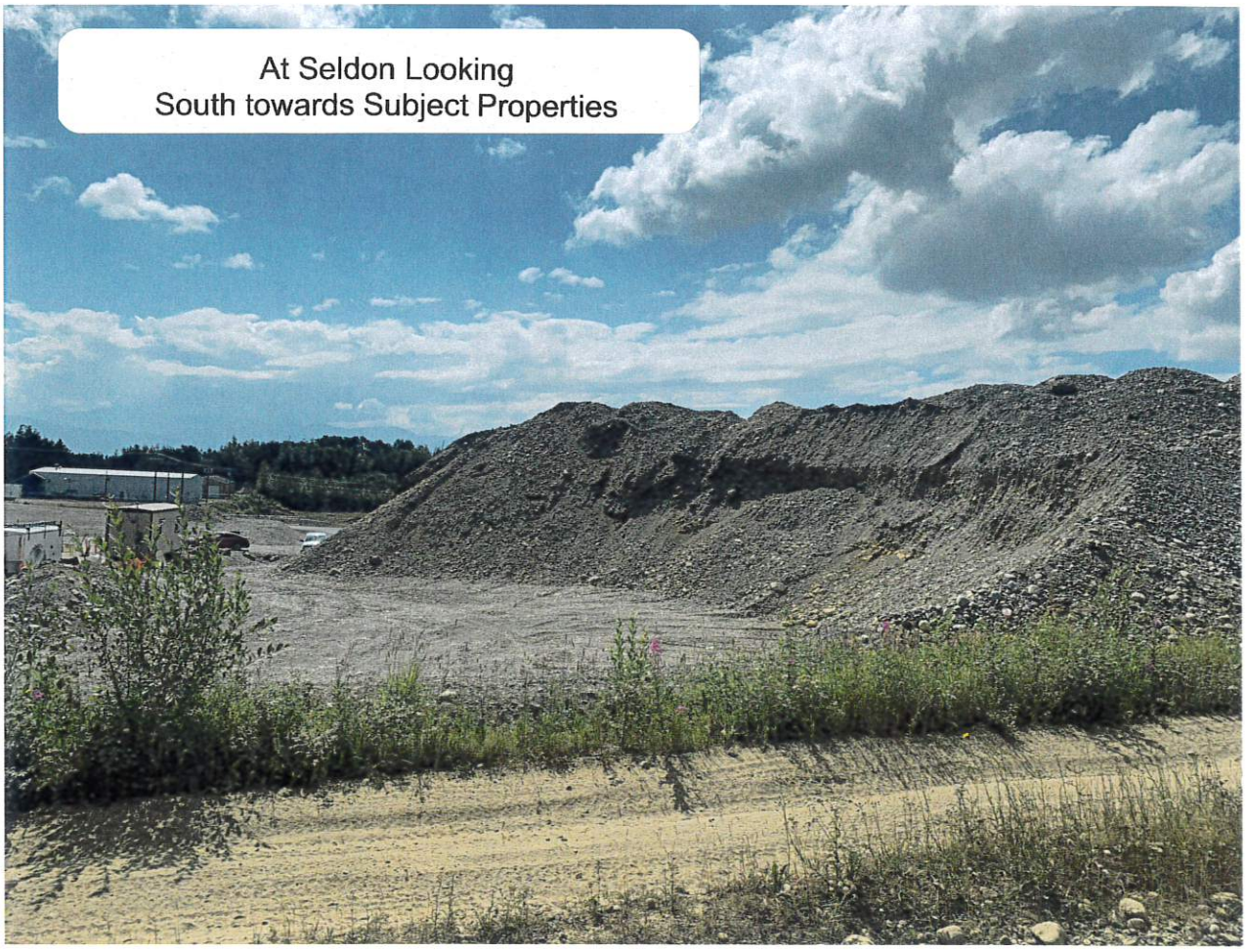
At Seldon Looking
Southeast towards Subject Properties


At Seldon Looking
Southeast towards Subject Properties


At Seldon Looking
Southeast towards Subject Properties


At Seldon Looking
Southeast towards Subject Properties
Grumman Grow
Bogard Road
NEXT INTERSECTION

At Seldon Looking
South towards Subject Properties


At Seldon Looking
South towards Subject Properties

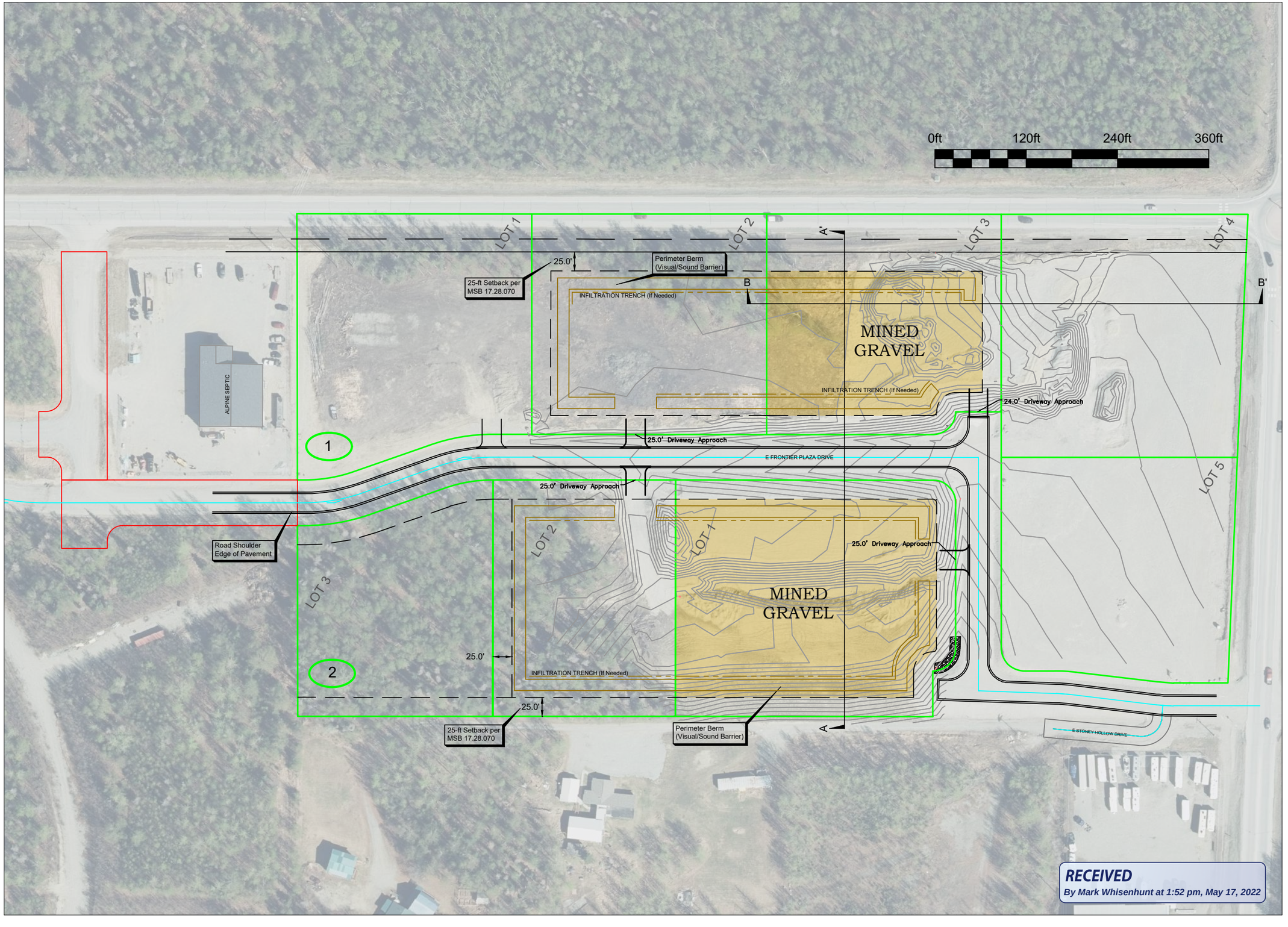
At Seldon Looking
South towards Subject Properties

At Seldon Looking South
8102B01L003 at RT

At Seldon Looking Southeast
towards Lot 4 Development

At Seldon Looking Southeast
towards Lot 4 Development

SITE PLAN



RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

tutka llc
general contractor
tutkallc.com
2485 E ZAK CIR, STE A
WASILLA, AK 99654
P: 907-357-2238 F: 907-357-2215
WWW.TUTKALLC.COM

N

FRONTIER PLAZA SUBDIVISION (AKA SELDON-BOGARD)
TUTKA, LLC / AK FRONTIER RENTALS, LLC
WASILLA, AK

SITE DEVELOPMENT PLAN - PHASE 1
MINING PLAN: 2022 TO 2030

NOTE:
Former MSB Tax ID #: 18N01E31A004
Current MSB Tax ID #s: 8102B01L002 & 8102B01L003
8102B02L001 & 8102B02L002
Imagery (Mat-Su Borough GIS 10/15/2021)

SHEET: SD01

DRAWN BY: KAJ

SCALE:

DATE: 5 / 06 / 2022

JOB NUMBER: 181011

APPLICATION MATERIAL

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-8158
Email: permitcenter@matsugov.us

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

APPLICATION FOR A CONDITIONAL USE PERMIT FOR EARTH MATERIALS EXTRACTION – MSB 17.30

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

*THIS APPLICATION IS FOR MATERIALS EXTRACTION THAT **DOES NOT** OCCUR WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE. IF YOUR PLAN INCLUDES EXTRACTION WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE YOU MUST COMPLETE THE APPLICATION SPECIFIC TO THAT PURPOSE.*

Application fee must be attached, check one:

_____ $500 for Administrative Permit (Less than two years ***or*** less than 7,000cy annually)

__X__ $1,000 for Conditional Use Permit (More than two years ***and*** more than 7,000cy annually)

Prior to the public hearing, the applicant must also pay the mailing and advertising fees associated with the application. Applicants will be provided with a statement of advertising and mailing charges. Payment must be made prior to the application presentation before the Borough Planning Commission.

Subject Property: Township: 18N, Range: 1E, Section: 31, Meridian: Seward
MSB Tax ID# 8102B01L002, 8102B01L003, 8102B02L001, 8102B02L002
SUBDIVISION: Frontier Plaza BLOCK(S): 1 / [2], LOT(S): 2&3 / [1&2]
STREET ADDRESS: 4637 / 4563 and 4612 / 4552 E Frontier Plaza Dr.
FACILITY / BUSINESS NAME: Seldon-Bogard Improvement / Frontier Plaza Subdivision

Ownership: A written authorization by the owner must be attached for an agent or contact person, if the owner is using one for the application. Is authorization attached? ☒ **Yes** ☐ **No** ☐ **N/A**

Name of Property Owner

AK Frontier Rentals, LLC
Mailing: 2485 E Zak Circle, Suite A
Wasilla, AK 99654
Phone: Hm _____ Fax 907-357-2215
Wk 907-357-2238 Cell _____
E-mail john@tutkallc.com

Name of Agent / Contact for application

John Sommer
Mailing: Same
_____
Phone: Hm _____ Fax _____
Wk _____ Cell 907-575-8030
E-mail john@tutkallc.com

Description What type(s) of material is being extracted? Sand & Gravel, Rock

Total acreage area of all parcels on which the activity will occur: ~ 8.35
Total acreage area of earth material extraction activity: ~ 4.0
Total cubic yards extraction per year: > 7,000 CY
Total projected cubic yards to be extracted: 42,000
What is the estimated final year extraction will occur? 2030

Required information

1. Attach a plan of sufficient detail to demonstrate compliance with the requirements of MSB 17.28.050 and MSB 17.28.060.

Plan of Operation	**Attached**
Provide seasonal start and end dates	X
Provide days of the week operations will take place.	X
Provide hours of operation.	X
Estimated end date of extraction	X
Estimated end date of reclamation	X
Describe all other uses occurring on the site	X
Describe methods used to prevent problems on adjacent properties, such as lateral support (steep slopes), water quality, drainage, flooding, dust control and maintenance of roads; how will the operation monitor the seasonal high water table to stay at least four feet above it	X
Provide quantity estimates and topographical information such as cross section drawings depicting depth of excavation, slopes and estimated final grade	X

2. Submit a site plan. Drawings must be detailed and **drawn to scale**. Drawings under seal of an engineer or surveyor are recommended but not required.

SITE PLAN REQUIREMENTS	**Attached**
Identify location of permanent and semi-permanent structures on the site for verification of setback requirements. Include wells and septic systems.	X
Depict buffer areas, driveways, dedicated public access easements, and noise buffers (such as fences, berms or retained vegetated areas), and drainage control such as ditches, settling ponds etc.	X
Identify wetlands and waterbodies on site and within one mile	X
Identify existing surrounding land uses within one mile	X
Identify surrounding property ownership (i.e. public vs. private) within one mile of exterior boundaries	X
Show entire area intended for gravel/material extraction activity and the boundary of the lot(s) containing the operation. Identify areas used for past and future phases of the activity. Identify phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.	X

Road and access plan that includes anticipated routes and traffic volumes. If the level of activity exceeds the minimum levels specified in MSB 17.61.090, traffic standards, a traffic control plan consistent with state regulations may be required	X
Visual screening measures that include a detailed description of the type of visual screening to be utilized. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission	X
Noise mitigation measures that include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties. Measures shall include, but not be limited to, hours of operation of noise-producing equipment, erecting noise barriers (i.e., berms a minimum of 10 feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e., below grade in excavated pit areas), and measures to utilize equipment with noise reduction features	X
Proposed lighting plan	X
Other (as required by MSB Planning Department)	

3. Submit a reclamation plan including the following:

Reclamation Plan	**Attached**
Provided timeline for reclamation at particular locations and that is in compliance with MSB 17.28.067	X
Provide copy of reclamation financial assurance filed with the State of Alaska (If exempt, provide qualifying documents for exemption)	N/A

4. Submit documentation of compliance with borough, state and federal laws:

COMPLIANCE WITH BOROUGH, STATE AND FEDERAL LAWS	**Applied for (list file #)**	**Attached (list file #) or N/A**
Mining license as required by the Alaska State Department of Revenue, pursuant to A.S.42.65	N/A	N/A
Mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land	N/A	N/A
Reclamation plan as required by ADNR, pursuant to A.S. 27.19	>>>	LAS 34036
Notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements	N/A	LOI N/A
United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.	N/A	N/A
Other (Such as, driveway / access permits. List as appropriate.) Bogard Rd access established via ADOT Approval to Construct #28866.	(See App)	()

OWNER'S STATEMENT: I am owner or authorized agent of the following property:

MSB Tax account #(s) 8102B01L002, 8102B01L003, 8102B02L001, 8102B02L002 and, I hereby apply for approval of conditional use permit for earth material extraction activities on the property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.28, MSB 17.30 and with all other applicable borough, state and federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.30.055.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorizations may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I understand that this permit may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to operators on this property, and to the buyer when I sell the land. Additionally, I agree to comply with 17.30.120 Transfer of Conditional Use Permit, in the event this permit is transferred to a subsequent property owner.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, and at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

John Sommer	John Sommer	5 / 12 / 2022
Signature: Property Owner	Printed Name	Date
SAME		
Signature: Agent	Printed Name	Date

tutka Construction | Environmental

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

CONDITIONAL USE PERMIT: FRONTIER PLAZA SUBDIVISION
EARTH MATERIALS EXTRACTION
PLAN OF OPERATION / SITE DEVELOPMENT PLAN

Legal Description & Property Summary:

This property is privately owned by AK Frontier Rentals, LLC at the intersection of East Bogard Road and East Seldon Road in Wasilla, Alaska. Its legal description was previously Township 18N, Range 1E, Section 31, Lot A4, Seward Meridian.
The Subject Properties, under the former street address of 4534 East Seldon Road (and former MSB Tax ID: 18N01E31A004), recently underwent the platting process to be subdivided - acquiring the name, *Frontier Plaza Subdivision*. Official platting is recorded in February of 2021 as PL 2021-15.

At present, East Frontier Plaza Drive is constructed and entirely paved between East Bogard Road and North Northgate Place. Utilities are installed along the road shoulder within utility easements and junction boxes are extended for future development; these include underground distribution of natural gas, electricity, and data lines. Lot pads are prepared within several of the subdivision parcels, two of which are currently sold and pending development in the near term. Lots that remain unimproved and requiring material haul out to complete pad preparation are listed below.

SUBJECT PROPERTIES

MSB Tax ID No.:	Subdivision Lot:	Street Address No.:	Disturbance Area (acre):	
8102B01L002	Lot 3, Block 1	4637	[mined]	~ **1.5**
8102B01L003	Lot 2, Block 1	4563	[stockpiled]	~ **1.5**
8102B02L001	Lot 1, Block 2	4612	[mined]	~ **2.25**
8102B02L002	Lot 2, Block 2	4552	[stockpiled]	~ **1.4**

Seasonal and daily anticipated dates of site activity related to material extraction are provided below. Actual operations for material extraction work would likely be intermittent through the year and scheduled to meet demands of the project(s) being supplied.

Extraction Season, General Work Scheduling:

Start of Extraction (Est.): MAY 2022
Seasonal Start Date: April 1st
Work Week: Monday – Saturday
End Date of Reclamation (Est.): DEC 2030
End Date of Extraction (Est.): DEC 2030
Seasonal End Date: November 15th
Workday (Hrs): 7 AM – 6 PM

The operating contractor for lot/road construction and concurrent gravel material extraction under this proposed Conditional Use Permit (CUP) is Tutka, LLC. Generally, the work can be designated in two phases for the purpose of this permit.
Phase One - will consist of extracting and preparing gravel from the *mined* lots.
Phase Two - will follow with sale and haul out of *stockpiled* gravel as needed.
See **Figure SD01** and **Figure SD02** for details.

Wasilla
2485 E. Zak Circle, Suite A
Wasilla, AK 99654
main [907] 357-2238
fax [907] 357-2215
www.tutkallc.com

Other Uses On-Site:

Gravel and rock is specifically to be sourced from Block 1, Lot 3, then screened and stockpiled on the adjacent Lot 2 (west). **Similarly, gravel and rock would be sourced from Block 2, Lot 1** with screening and stockpiling on the adjacent Lot 2 (also west). This will allow for processing materials without trucks needing to cross E Frontier Plaza Drive. Lots 1 & 4 of Block 1 are sold and pending future commercial property use. Construction of East Frontier Plaza Drive concluded last fall (2021) with placement of asphalt pavement over the length of the road surface. The sale and development of remaining lots within the subdivision would proceed as gravel extraction is completed. No conflicting uses are planned within or adjacent to the proposed gravel materials extraction.

Methods to Prevent Problems on Adjacent Properties:

Site Drainage (Subject Property): During mining-related activities on the affected lots, ground conditions on site will consist of a permeable gravel surface that will allow for infiltration of storm water. Per the Rational Equation, the runoff coefficient for an undeveloped gravel lot is low (< 0.30). Temporary berms will be established using clearing and grubbing or gravel at the limits of excavation / stockpiling for each affected lot. Additional shallow trenching will be constructed adjacent to the berms as needed should storm water need additional time for infiltration within the property boundaries.
Site Drainage (Right-of-Way): On completion of East Frontier Plaza Drive to meet Borough standards, storm water runoff from the road surface will sheet flow to roadside ditching, where it is expected to be retained and infiltrate on-site. In addition, a gravel-filled infiltration trench is also constructed at the lowest elevation of the subdivision (see attached *Site Map*, at the southeast corner of Block 2, Lot 1).

Water Table: No wetlands or water bodies intersect the Frontier Plaza Subdivision or the lots subject to mining. Local topography also isolates the subdivision hydrologically from Anderson Lake to the north. No additional wetlands surround the property that could receive storm water runoff from the mining areas or the subdivision. Groundwater disposition within the surrounding parcels/lots is documented per nearby well logs (see table below). Gravel extraction on the Subject Property would extend less than 25 feet below ground surface (BGS). At this depth, excavation will still remain significantly above the static water level, estimated to be at least an additional 25 feet below the planned floor of excavation. Throughout construction of E Frontier Plaza Drive (2018-2021), and during installation of utilities to date, groundwater has not been observed on site.

WELL LOG DATA – GROUNDWATER CONDITIONS

Nearby Property	Well Log No.:	Well Dist. (ft)/Dir.:	Water Depth (ft) (BGS):
2951 N Northgate Pl	58316	~ 460 / W	78
4721 E Bogard Rd	11352	~ 480 / SE	52
2991 N Tait Dr	29230	~ 1,500 / W	70
4161 E Seldon Rd	54634	~ 1,900 / W	82
4641 E Frontier Plaza Dr	83163	Adjacent (Lot 4, Block 1)	91

Water Quality: Tutka's heavy equipment operations will handle petroleum, oil, and lubricants (POLs) according to a Hazardous Material Control Plan (HMCP) standard to their construction projects. This plan addresses proper containment of fuels and oils as well as response procedures for spills due to equipment failure. In the event of a spill, spill reporting is addressed according to ADEC reporting requirements under AS 46.03.755 and 18 AAC 75.300.

A single *Provisional,* or *Temporary Drinking Water Protection Area* (DWPA - a 1,000-foot radius perimeter) surrounding the public water system at Alaska Brain Center intersects the southern boundary of proposed mining at Block 2, Lot 1. No impact to this *Provisional* DWPA is anticipated due to excavation planned on this lot. Planned excavation is both at the DWPA's outermost boundary and will remain significantly above the water table – a vertical distance estimated at greater than 25-feet, as noted under the "Water Table" section. An open pit gravel mine is not in the proposed scope of work. Excavation/mining from this lot has a planned finished grade intended to serve as a building pad for subsequent development.

Water System Name	PWSID	Contact Name
Alaska Brain Center	AK2220251	Kim Sandmann
Address	**Phone #**	**Email**
4551 E Bogard Rd, Wasilla	907-373-6500	ksandmann@akbraincenter.com

Dust Control: Exposed soil that is actively being worked will be wetted by water truck to reduce nuisance level dust conditions caused by dry soils and high winds.

Maintenance of Roads: Street sweeping will be performed on E Frontier Plaza Drive commensurate with gravel hauling activities to remove sediment track out from paved road surfaces.

Quantity Estimates and Topographical Information:

Topographical information including the original ground and proposed plat arrangement were evaluated on review by the MSB Platting Board in 2019. Excavation of mineral resources for the purposes of this Conditional Use Permit will be according to construction of the anticipated final roadway grades designed for East Frontier Plaza Drive, connected approaches and lots will be graded consistent with the profile. A copy of the Final Plat is attached for reference.
Material exported is expected to **be less than 42,000 cubic yards (CY)** over the course of this permit at potentially **greater than 7,000 cubic yards per year.**

SITE PLAN REQUIREMENTS

Site Plan information is discussed briefly below and also included in maps attached at the end of this document.

Verification of Setback Requirements:

All setback requirements are addressed in the Final Plat for this property. No permanent or semi-permanent structures are currently located on site; when lots are separately developed for commercial businesses, they will be constructed in compliance with setback requirements and well and septic system separation minimums.
The 25-ft setback, required per MSB 17.28.070, will be observed with regard to the lots identified for mining/material extraction.

Road and Access Plan:

Gravel mined from Block 1, Lot 3 will be processed on Lot 2 (west adjacent in Block 1).
Gravel mined from Block 2, Lot 1 will be processed on Lot 2 (west adjacent in Block 2).
Gravel will be hauled out from each respective Lot 2 onto E Frontier Plaza Drive, via a permitted approach, travel west onto N Northgate Place and finally outward onto E Seldon Road.

See **Figure SD02** for haul routes. Peak daily haul activity is estimated at 3,000 tons exported. Based on this estimate, haul traffic would account for 240 trips per day (120 round trips). Vehicle traffic in support of mining activity could be up to an additional 30 trips per day (i.e, for fueling, supervision, maintenance, etc…). The "peak hour" of traffic entering or exiting the site is estimated to be between approx. 10:00 A.M. and 11:00 A.M. Trips during "peak hour" are therefore estimated at 25 trips per hour. Tutka will have sufficient off-street (gravel lot area) available for company personnel vehicles and all heavy civil mining equipment parking to prevent the use of public Rights-of-Way.

DRIVEWAY PERMIT STATUS

Subdivison Lot:	Street Address:	Permit No.:
Lot 2, Block 1	4563	Issued - D27252
Lot 3, Block 1	4637	Application Pending
Lot 1, Block 2	4612	Application Pending
Lot 2, Block 2	4552	Issued - D27254

Noise Mitigation Measures:

Excavation and gravel processing work (crushing/screening, and stockpiling) will consist of utilizing a combination of excavator, dozer, loader, and dump trucks. Tutka also anticipates the use of a crusher on site for material production. It will be a newer model crusher with current noise reduction features. Heavy equipment is routinely checked and serviced as needed so that their backup alarms and white noise alarms remain operational. Exhaust mufflers are appropriately maintained to ensure that they are effective according to the manufacturer's design. The required perimeter berm would also reduce the impacts from noise to surrounding properties. In areas on each lot actively being worked for gravel extraction where the natural relief does not provide sufficient noise barrier, Tutka will build a berm from clearing and grubbing or gravel with a minimum 10-foot height where it can be safely constructed.

Lighting Standards:

Use of additional trailer-mounted lighting during seasonal low light conditions (when needed to comply with safety requirements) would be restricted to the working hours listed under *General Work Scheduling*, above. When in use, exterior lighting will be located and shielded to direct the light towards the ground, in order to minimize light spillage onto adjacent properties and upward into the night sky. When illumination or other fixtures are mounted higher than 20 feet for 150 watts or more will have downward direction shielding.

Visual Screening Measures:

Easternmost Lot 4 within the subdivision is excavated down to final elevation and graded at approximately one percent slope until further development. This completed lot provides a distance buffer between the proposed excavation (and subsequent gravel extraction) and road traffic along Bogard Road / Seldon Road. Ditches and easements are maintained between the adjacent roadways and the subject property as shown on the Final Plat.

As noted under, *Methods to Prevent Problems on Adjacent Properties* (pg 2), berms will be constructed at the perimeter of the lots to be mined/stockpiled. Also, as excavation of Lots 1 and 2 progress, screening equipment can be nestled into a lower position, temporarily allowing surrounding gravel berms to act as a visual/auditory buffer (until berm gravel is hauled off when site work is concluded). Additional visual buffers (fencing) would not be feasible within the property's topographical setting as the surrounding terrain is presently significantly lower than the areas to be mined. A wall would have to be higher than is reasonable to visually isolate activities from road traffic or adjacent properties.

Wetlands and Waterbodies:

On Site: No wetlands or waterbodies are present on subdivision property.
Within One Mile: Anderson Lake (north ~1,400 feet); Kings Lake (northwest ~2,700 feet); Mud Lake (southwest ~4,500 feet); Cottonwood Lake (south ~ 1 mile)

Wetlands Within One Mile: Kettle (south ~2,800 feet); Spring Fen (south ~3,800 feet); Spring Fen (southeast ~3,500 feet)

All wetlands and waterbodies are sufficiently outside the influence of material extraction operation to take place within the subdivision. They're separated geographically by roadways, residential housing, and wooded areas.

Surrounding Land Uses:

Land uses extending outward from the subdivision perimeter are summarized below:
Surrounding Property Uses: Existing property use nearby lots considered here for materials extraction include:
To the North: E Seldon Rd, Mixed commercial/residential property, An undeveloped (wooded) lot, Anderson Lake
To the Northeast: An MEA power substation followed by commercial properties (i.e., Performance Air Motive and business properties in the Crossroads Center)
To the East: Mann Family Dental will construct a building on Lot 4 of Block 1 beginning this month. There's a commercial rental parking lot (at intersection) just north of the Valley Country Store (gas station), beyond which is the Cottonwood Shores residential subdivision
To the Southeast: Additional residential housing within the Cottonwood Shores subdivision
To the South: Commercial properties with frontage along Bogard Road (N to S) consist of an RV parking rental area followed by a car detailing business and another commercial shop and equipment yard. Moving Inward east along East Stoney Hollow Drive is an undeveloped lot followed by the Wasilla Korean Baptist Church, and then a single family residential property.
To the West: Northern Alpine Septic's commercial building is at the intersection of North Northgate Place and East Seldon Road while the Northgate Alaska Church owns all property out to North Tait Drive.

Area Intended for Gravel/Material Extraction Activity:

Extraction of gravel and rock is specifically to be sourced from subdivision Block 1 [Lot 3] and Block 2 [Lot 1]. Gravel screening would be set up on Block 1 [Lot 2] and Block 2 [Lot 2]. Material extraction from these subdivision lots is integral to final development of those properties.

RECLAMATION PLAN

Timeline for Reclamation at Particular Locations (per MSB 17.28.067):

Reclamation of the proposed mining lots within the subdivision will be accomplished sequentially as those lots approaching finished grade are opened up for development. The end use of the proposed lots will largely preclude the need for site reclamation. Ground surface elevations will be lowered, as discussed in the *Site Development Plan,* until reaching a grade similar to the adjacent East Frontier Plaza Drive. Each mined lot as completed in turn, will then be offered for sale and further development according to the new owners. Final slopes will be graded such that they attain a maximum 50 percent slope or the natural stabilized angle of repose and will be blended with the surrounding undisturbed topography wherever conditions and future development allow.

For example, reclamation/stabilization may be completed with site paving for road approaches, driveways, parking areas and building pads/sidewalks. Depending on the new owner's needs, exposed gravel surfaces may also receive topsoil and seed accordingly.
Tutka provided a Letter of Intent (LOI) to the ADNR Material Sales Program office that declares Tutka's intent to mine for gravel to predetermined elevations in preparation of lot/building pad development and anticipated soil disposition following removal of gravel material. (see attached e-mail correspondence)
This LOI is pending assignment of a case number by ADNR. When one is provided it will be forwarded on to the MSB Planning Department for their records.
On conclusion of mining activities, Tutka will ensure that no junk vehicles, junk vehicle parts, or trash remain on the lots.

Copy of Reclamation Financial Assurance (unless exempt, then qualifying documents):

All mining activity will take place on private property. The scope of proposed mining activities on the subject property is exempt from the requirement for Reclamation Financial Assurance, specifically an Alaska Mining License does not apply (see below).

COMPLIANCE WITH BOROUGH, STATE, AND FEDERAL LAWS

Mining License:

Tutka's proposed mining operations on the subdivision property are not subject to an Alaska Mining License as the materials to be extracted are included within the exclusion of "quarry rock, sand and gravel, and/or marketable earth exclusively" (ADNR, Instructions for the Alaska Mining Application, 0405-661i, 03-01-15).

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources

DIVISION OF MINING, LAND & WATER
Southcentral Regional Land Office

550 West 7th Avenue, Suite 900C
Anchorage, Alaska 99501-3577
Main: 907.269.8503
TTY: 711 or 800-770-8973
Fax: 907.269.8913

April 7, 2022

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

Tutka, LLC
2485 E Zak Circle, Suite A
Wasilla, AK 99654

Re: LAS 34036 – Letter of Acceptance for Non-State Land Reclamation Letter of Intent

Dear Tutka, LLC,

The Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Land Office (SCRO), received your Letter of Intent (LOI) for the reclamation of 4 acres after extracting 42,000 cubic yards of sand and gravel. According to the application, the subject site is located on private lands of AK Frontier Rentals, LLC within Section 31 of Township 18 North, Range 1 East, Seward Meridian.

Thank you for submitting a LOI for gravel extraction activities. After reviewing the LOI we have determined that the LOI is complete as submitted. The proposed reclamation measures are appropriate provided that the operation is conducted in a manner that will prevent unnecessary and undue degradation of land and water resources, and the operation shall be reclaimed using current reclamation methods so that the site is left in a stable and safe condition. No financial assurance is required for activities under a LOI.

Although the proposed gravel extraction is exempt under the provision for small operations, an annual reclamation statement needs to be filed with this office at the end of the year. This statement should disclose the total acreage and volume of material mined in the current year, the total acreage reclaimed, and the specific reclamation methods used to comply with AS 27.19.020 (Reclamation Standards). Please submit this statement to SCRO no later than December 31, 2022. If a statement is not submitted, subsequent operations, regardless of size, will no longer be exempt from a mining reclamation plan and bonding.

This acceptance letter does not alleviate the necessity to obtain authorizations required by other agencies and entities for this activity. If you have any questions, please feel free to contact Amber-Lynn Taber at (907) 269-8560 or at amber.taber@alaska.gov.

Sincerely,

Samantha Carroll
Regional Manager, Southcentral Regional Land Office

Kyle Johnson

From: Taber, Amber-Lynn (DNR) <amber.taber@alaska.gov> on behalf of Taber, Amber-Lynn (DNR)
Sent: Friday, February 11, 2022 10:17 AM
To: Kyle Johnson
Cc: John Sommer
Subject: RE: Frontier Plaza Sub.: ADNR Gravel Mining LOI

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

Good morning Kyle,

Thank you for the thorough information. I will get this processed for you here shortly. Please let me know if you have any questions or concerns but otherwise I will be in touch again soon.

All the best,

Amber-Lynn Taber
Natural Resource Specialist – Material Sales Program
Alaska Department of Natural Resources
Southcentral Regional Land Office
550 W. 7th Ave. Ste. 900C
Anchorage, AK 99501
P: 907-269-8560 F: 907-269-8913
amber.taber@alaska.gov

From: Kyle Johnson <kyle@tutkallc.com>
Sent: Friday, January 28, 2022 3:55 PM
To: Taber, Amber-Lynn (DNR) <amber.taber@alaska.gov>
Cc: John Sommer <john@tutkallc.com>
Subject: Frontier Plaza Sub.: ADNR Gravel Mining LOI

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Frontier Plaza Subdivision - Gravel Mining LOI

Good Afternoon Amber,

Thank you for your preliminary input regarding gravel mining within the Frontier Plaza Subdivision. I've attached a completed *Letter of Intent* package from Tutka for ADNR's records. The plan for this mining operation is to extract gravel down toward the anticipated grade for further development as I'd previously identified. As extraction/mining meets that finished grade, the disturbed ground will have achieved readiness for post-mining land use, which will be incompatible with natural revegetation and therefore reclamation to the standard of AS 27.19.020 will not be feasible. I've included a *Consent Statement & Notification* from AK Frontier Rentals per the *Letter of Intent* (Section 6) to declare this intended use.
Please call or e-mail if you have any questions or additional information is needed. If you're able to, please also respond acknowledging receipt so that I can include it with my submittal to the Mat-Su Borough as a component of Tutka's Conditional Use Permit for the same property.

Thank you,

Kyle Johnson
kyle@tutkallc.com
o: 907-357-2238
c: 907-671-7998
tutka general contractor tutkallc.com
"Where Engineering Meets the Environment"

PLANNING & LAND USE DIRECTOR'S CERTIFICATE

I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NUMBER _____ DATED _____, 20___, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THE PLAT IS LOCATED

_____
PLANNING AND LAND USE DIRECTOR DATE

ATTEST: _____
(PLATTING CLERK)

CERTIFICATE OF PAYMENT OF TAXES

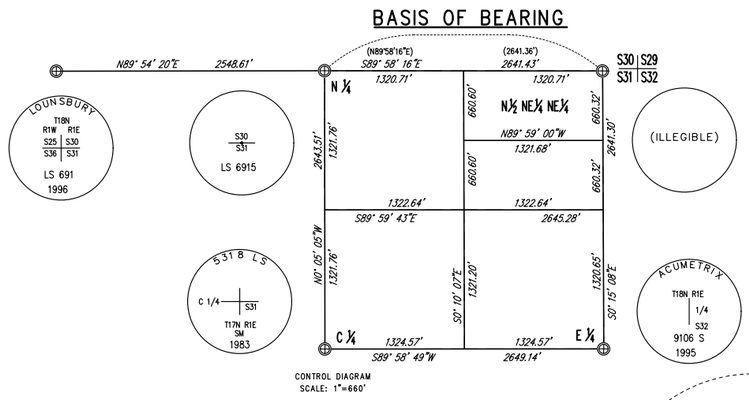
I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS, THROUGH_____, 20___, AGAINST THE PROPERTY, INCLUDED IN THE SUBDIVISION OR RESUBDIVISION, HEREON HAVE BEEN PAID.

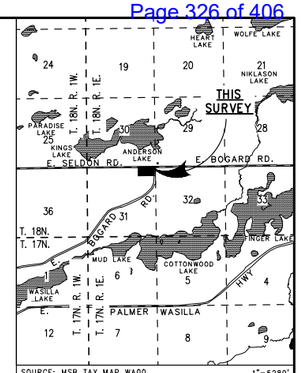
_____
TAX COLLECTION OFFICIAL DATE
(MATANUSKA-SUSITNA BOROUGH)

NOTES

1. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON THIS LOT UNLESS THE SYSTEM IS LOCATED, CONSTRUCTED, AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
2. THERE MAY BE FEDERAL, STATE, AND LOCAL REQUIREMENTS GOVERNING LAND USE. THE INDIVIDUAL PARCEL OWNER SHALL OBTAIN A DETERMINATION WHETHER THESE REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN ON THE PLAT TO BE RECORDED.
3. THE 17' P.U.E. RUNNING ALONG THE 33' SECTION LANE EASEMENT WAS CREATED IN BOOK 408, PAGE 479 AS AN EASEMENT TO THE MAT-SU BOROUGH. THE MAT-SU BOROUGH LATER CONVEYED THE P.U.E. TO THE STATE OF ALASKA IN BOOK 945, PAGE 266.
4. NO DIRECT ACCESS TO E. BOGARD RD. OR E. SELDON RD., UNLESS AUTHORIZED BY THE PERMITTING AGENCY.

CURVE TABLE						
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING	TANGENT
C1	66.17	195.00	19°26'30"	65.85	S80° 18' 01"W	33.40
C2	86.51	255.00	19°26'14"	86.09	S80° 17' 53"W	43.67
C3	47.12	30.00	90°00'00"	42.43	S45° 01' 00"W	30.00
C4	47.12	30.00	90°00'00"	42.43	N44° 59' 00"W	30.00
C5	30.01	255.00	6°44'34"	29.99	N86° 36' 43"W	15.02
C6	22.95	195.00	6°44'34"	22.94	N86° 36' 43"W	11.49
C7	26.48	225.00	6°44'34"	26.46	N86° 36' 43"W	13.25
C8	26.48	225.00	6°44'34"	26.46	N86° 36' 43"W	13.25
C9	47.12	30.00	90°00'00"	42.43	N45° 01' 00"E	30.00
C10	47.12	30.00	90°00'00"	42.43	N44° 59' 00"W	30.00
C11	66.15	195.00	19°26'14"	65.84	S80° 17' 53"W	33.40
C12	86.53	255.00	19°26'30"	86.11	S80° 18' 01"W	43.68
C13	76.35	225.00	19°26'30"	75.98	S80° 18' 01"W	38.54
C14	76.33	225.00	19°26'14"	75.96	S80° 17' 53"W	38.54





I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST AS DESCRIBED AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE .

_____
REGISTERED LAND SURVEYOR

CERTIFICATE OF OWNERSHIP & DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAN AND THAT I ADOPT THIS PLAN OF SUBDIVISION BY MY FREE CONSENT, DEDICATE ALL RIGHTS-OF-WAY TO THE MAT-SU BOROUGH AND GRANT ALL EASEMENTS TO THE USE SHOWN.

_____
(REPRESENTATIVE) DATE
AK FRONTIER RENTALS, LLC
2485 E. ZAK CIR. STE. A
WASILLA, AK 99654

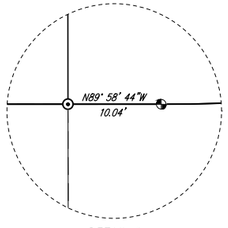
NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS

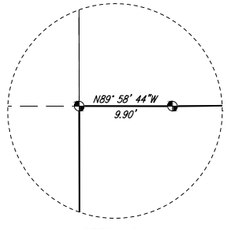
_____ DAY OF _____, 201___,

FOR _____

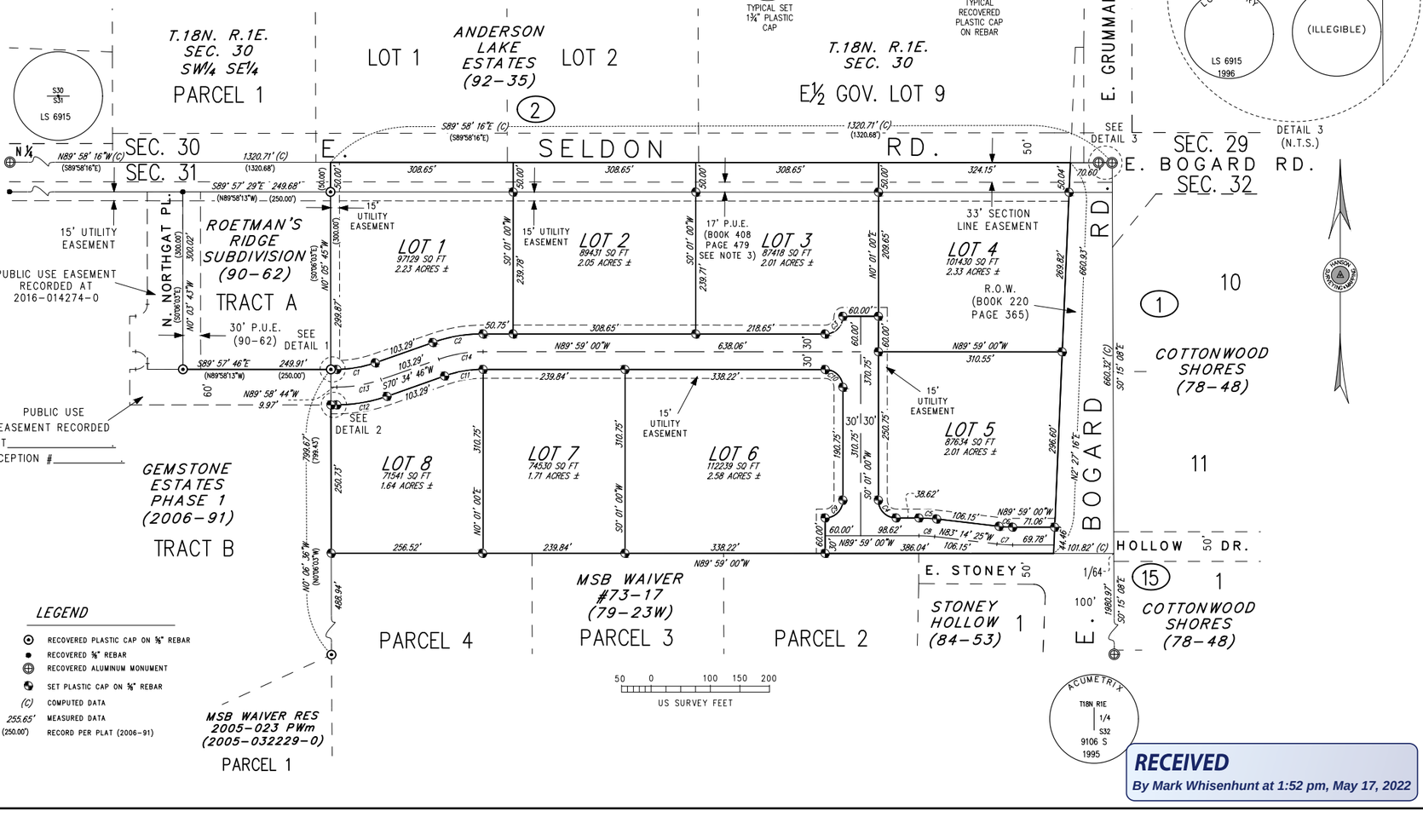
_____
NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: _____



DETAIL 1
(N.T.S.)



DETAIL 2
(N.T.S.)



HANSON SURVEYING & MAPPING 2019 LS 12312
TYPICAL SET 1½" PLASTIC CAP

KEYSTONE LS 7330
TYPICAL RECOVERED PLASTIC CAP ON REBAR

ACUMETRIX T18N R1E 1/4 S32 9106 S 1995

A PLAT OF
FRONTIER PLAZA SUBDIVISION
A SUBDIVISION OF
N½ NE¼ NE¼ SEC. 31
T.18N. R.1E., S.M.

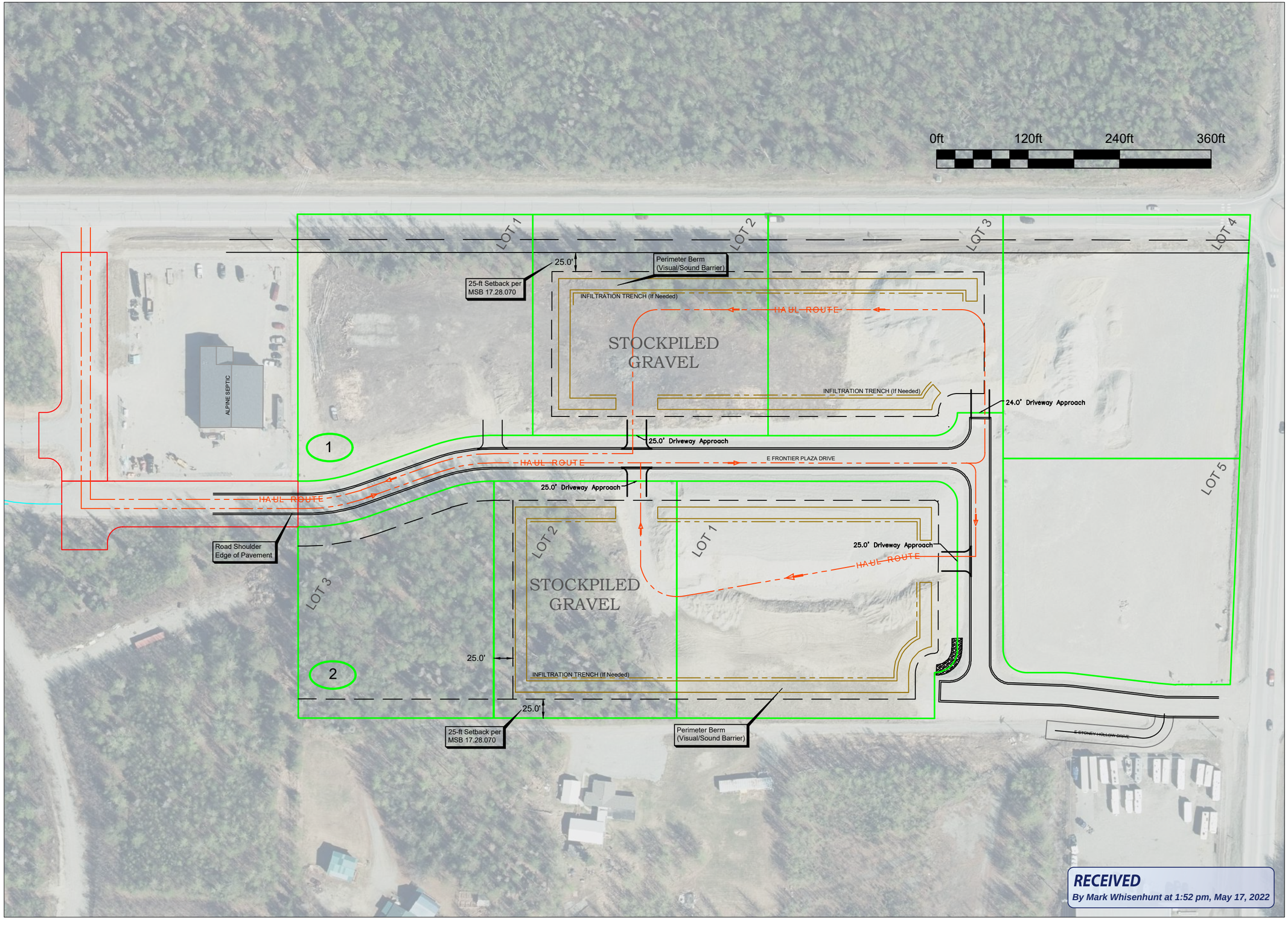
PALMER RECORDING DISTRICT
STATE OF ALASKA
LOCATED WITHIN
NE¼ SEC. 31, T.18N. R.1E. SM, AK
CONTAINING 18.73 ACRES MORE OR LESS

HANSON SURVEYING & MAPPING
305 EAST FIREWEED AVENUE
PALMER, ALASKA, 99645
(907)746-7738

FILE: FB18-110 | CK: CEH | SCALE:1"=100' | 03/18/19 | 1 OF 1

SDN

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022



RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

tutka llc
general contractor
tutkallc.com
2485 E ZAK CIR, STE A
WASILLA, AK 99654
P: 907-357-2238 F: 907-357-2215
WWW.TUTKALLC.COM

N

FRONTIER PLAZA SUBDIVISION (AKA SELDON-BOGARD)
TUTKA, LLC / AK FRONTIER RENTALS, LLC
WASILLA, AK

SITE DEVELOPMENT PLAN - PHASE 2
MINING PLAN: 2022 TO 2030

NOTE:
Former MSB Tax ID #: 18N01E31A004
Current MSB Tax ID #s: 8102B01L002 & 8102B01L003
8102B02L001 & 8102B02L002
Imagery (Mat-Su Borough GIS 10/15/2021)

SHEET: SD02

DRAWN BY: KAJ

SCALE:

DATE: 5 / 06 / 2022

JOB NUMBER: 181011

LOT 1

ANDERSON LAKE ESTATES (92-35)

2

LOT 2

T.18N. R.1E. SEC. 30

E. SELDON RD.

E. BOGARD RD.

15' UTILITY EASEMENT

17' P.U.E.

33' SECTION LINE EASEMENT

ROETMAN'S RIDGE SUBDIVISION (90-62)

TRACT A

LOT 1
2.23 ACRES ±

LOT 2
2.05 ACRES ±

LOT 3
2.01 ACRES ±

LOT 4
2.33 ACRES ±

LOT 5
2.01 ACRES ±

E. FRONTIER PLAZA DR.

BOGARD RD.

10

1

COTTONWOOD SHORES (78-48)

11

LOT 3
1.64 ACRES ±

LOT 2
1.71 ACRES ±

LOT 1
2.58 ACRES ±

NORTHGATE ALASKA (2020-92)

LOT 1

E. STONEY HOLLOW DR.

MSB WAIVER 73-17 (79-23W)

COTTONWOOD SHORES (78-48)

15

1

PARCEL 4

PARCEL 3

PARCEL 2

STONEY HOLLOW (84-53)

LOT 1

25 0 25 50 100 150 200
SCALE IN FEET

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

NOTES:
1. THE 2' CONTOURS SHOWN HEREON WERE BASED ON SURVEY DATA COLLECTED ON APRIL 15, 2021.

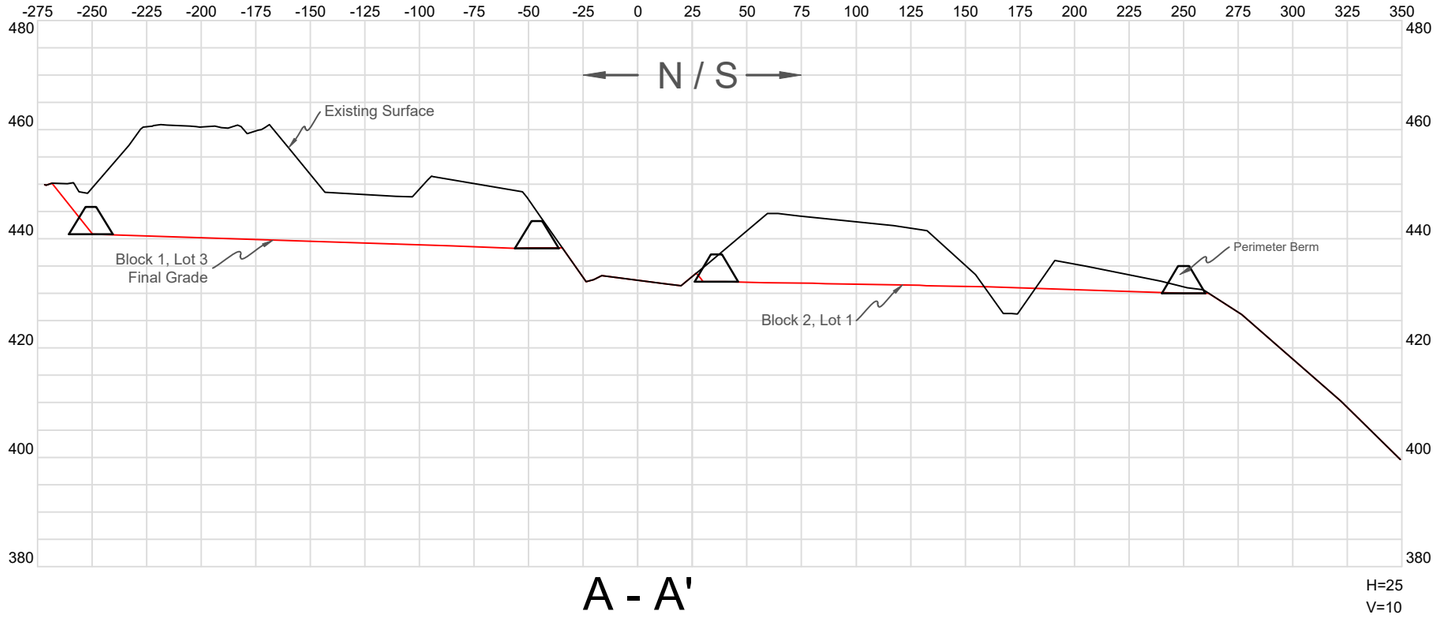
HANSON LAND SOLUTIONS
305 E. FIREWEED AVE.
PALMER, ALASKA 99645
(907)746-7738

STATE OF ALASKA 49TH
CRAIG E. HANSON
LS 12312
REGISTERED PROFESSIONAL LAND SURVEYOR

WASILLA, ALASKA
FRONTIER PLAZA
SITE PLAN - DESIGN

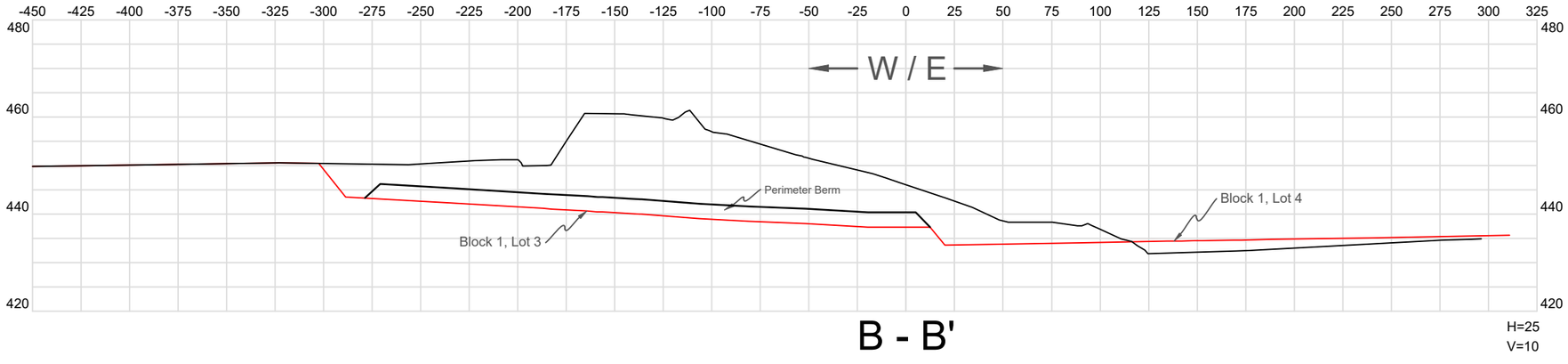
DWG.#: 21-178C
DESIGN: CEH
DRAWN BY: SDN
CHECKED: CEH
SCALE
11x17: 1"=100'
22x34: 1"=50'
REVISION DATE:
05-12-21

REFERENCE NUMBER:
C-2.0
SHEET 1 OF 1



A - A'

H=25
V=10



B - B'

H=25
V=10

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

tutka llc
general contractor
tutkallc.com
2485 E ZAK CIR, STE A
WASILLA, AK 99654
P: 907-357-2238 F: 907-357-2215
WWW.TUTKALLC.COM

N

FRONTIER PLAZA SUBDIVISION (AKA SELDON-BOGARD)
TUTKA, LLC / AK FRONTIER RENTALS, LLS, LLC
WASILLA, AK
NOTE:

SITE DEVELOPMENT PLAN [X-Sections]
MINING PLAN: 2022 TO 2030

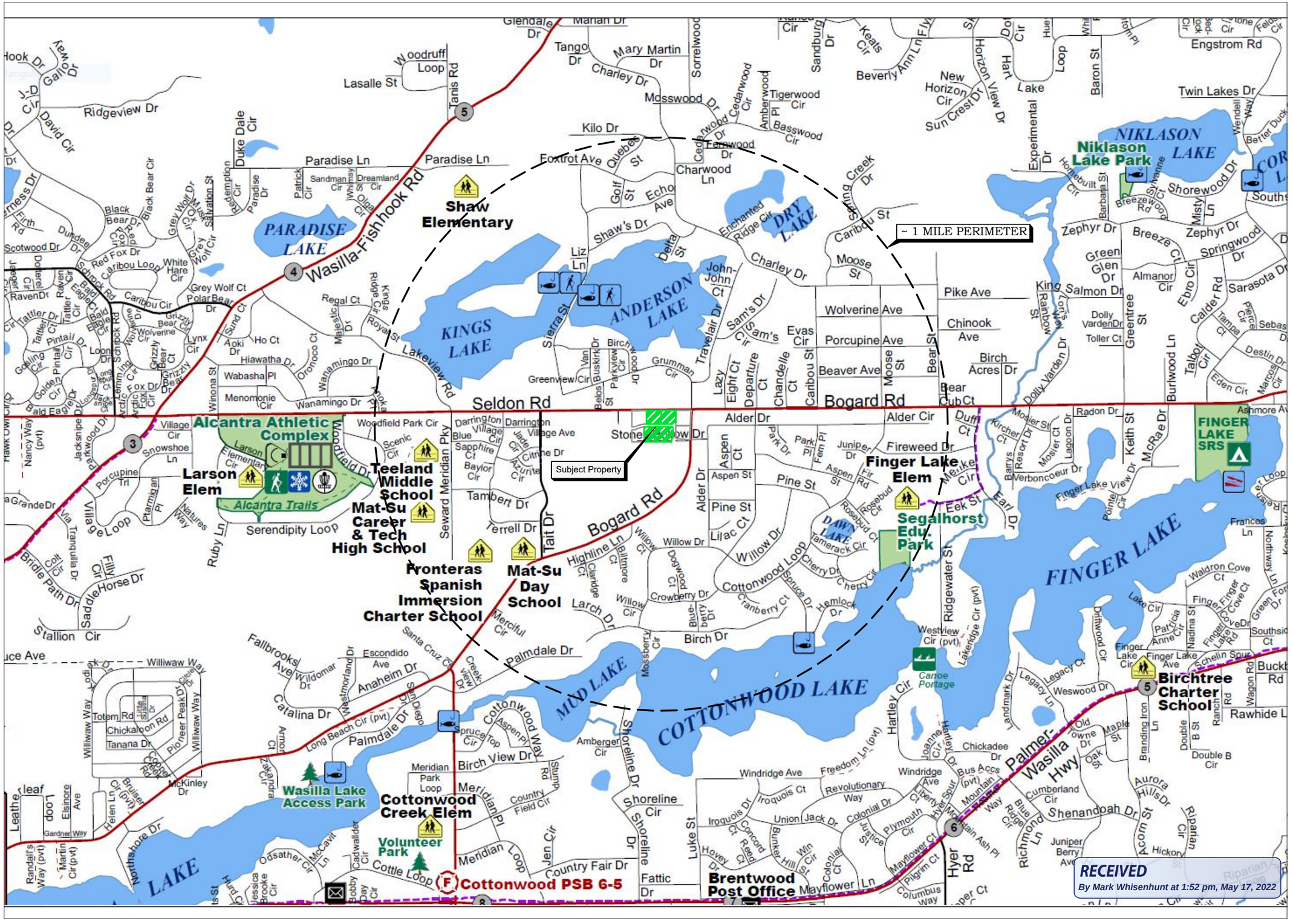
SHEET: SD03

DRAWN BY: KAJ

SCALE:

DATE: 2 / 14 / 2022

JOB NUMBER: 181011



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WASILLA, AK 99654
P: 907-357-2238 F: 907-357-2215
WWW.TUTKALLC.COM

N

SITE VICINITY LAND USE
MINING PLAN: 2022 TO 2030

FRONTIER PLAZA SUBDIVISION (AKA SELDON-BOGARD)
TUTKA, LLC / AK FRONTIER RENTALS, LLC

WASILLA, AK

NOTE: Basemap (Matanuska-Susitna Valley Road & Recreational Map 2018)

SHEET:	SD04
DRAWN BY:	KAJ
SCALE:	
DATE:	2 / 14 / 2022
JOB NUMBER:	181011

MSB Wetlands Viewer @ 4534 E Seldon Rd

N
W E
S

Date: 1/12/2021

Mat-Su Borough Parcels

CookInlet Wetlands

LAKE

Spring Fen

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907 861 7868

0 0.075 0.15 0.3
mi

Alaska DEC Contaminated Sites

Contaminated Sites

- Active
- Cleanup Complete
- Cleanup Complete - Institutional Controls
- Informational

Groundwater Plumes

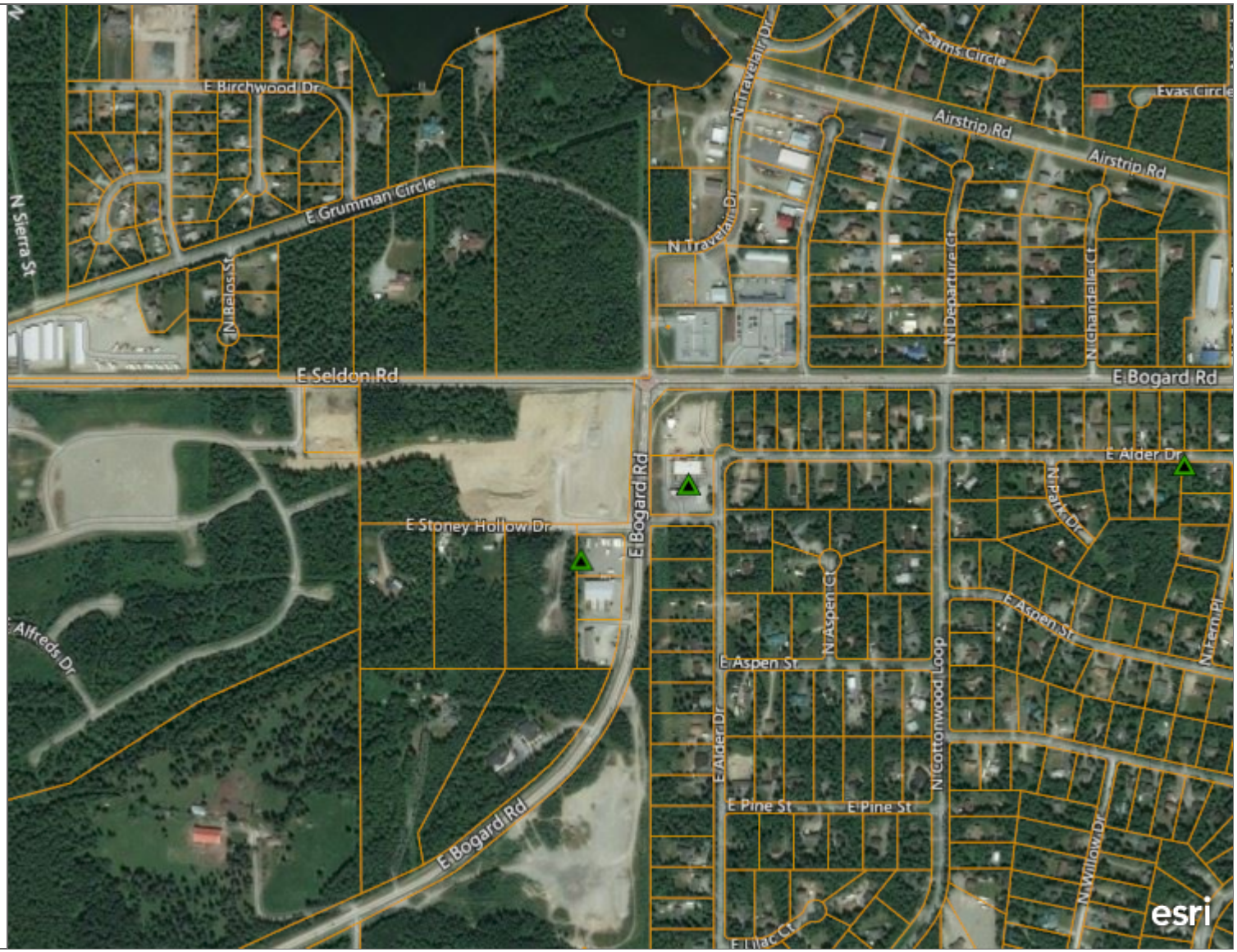
AKDOTPF_Route_Data - Milepost Points

Wrangell Parcels

Yakutat Parcels

Sitka Parcels

Mat-Su Borough Parcels



Contaminated Site Locations with Cleanup Chronology Reports from Alaska DEC

600ft

© 2020 Microsoft Corporation, © 2020 Maxar, ©CNES (2020) Distribution Airbus DS, © 2020 TomTom | SOA DCCED DCRA | Simonson, Quinn, Vetesy, et al | Blue Skies Solutions, Alaska Map Company, City of Dillingham | JJ | Alaska Department of Environmental Conservation - Contaminated Sites Program

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

Alaska DEC Drinking Water Protection Areas

Alaska DEC Public Water System Sources

Active Public Water System Source Locations Layer

- Community Water System (C)
- Non-Transient Non-Community Water System (NTNC)
- Non-Community Water System (NC)

Alaska DEC Drinking Water Protection Areas

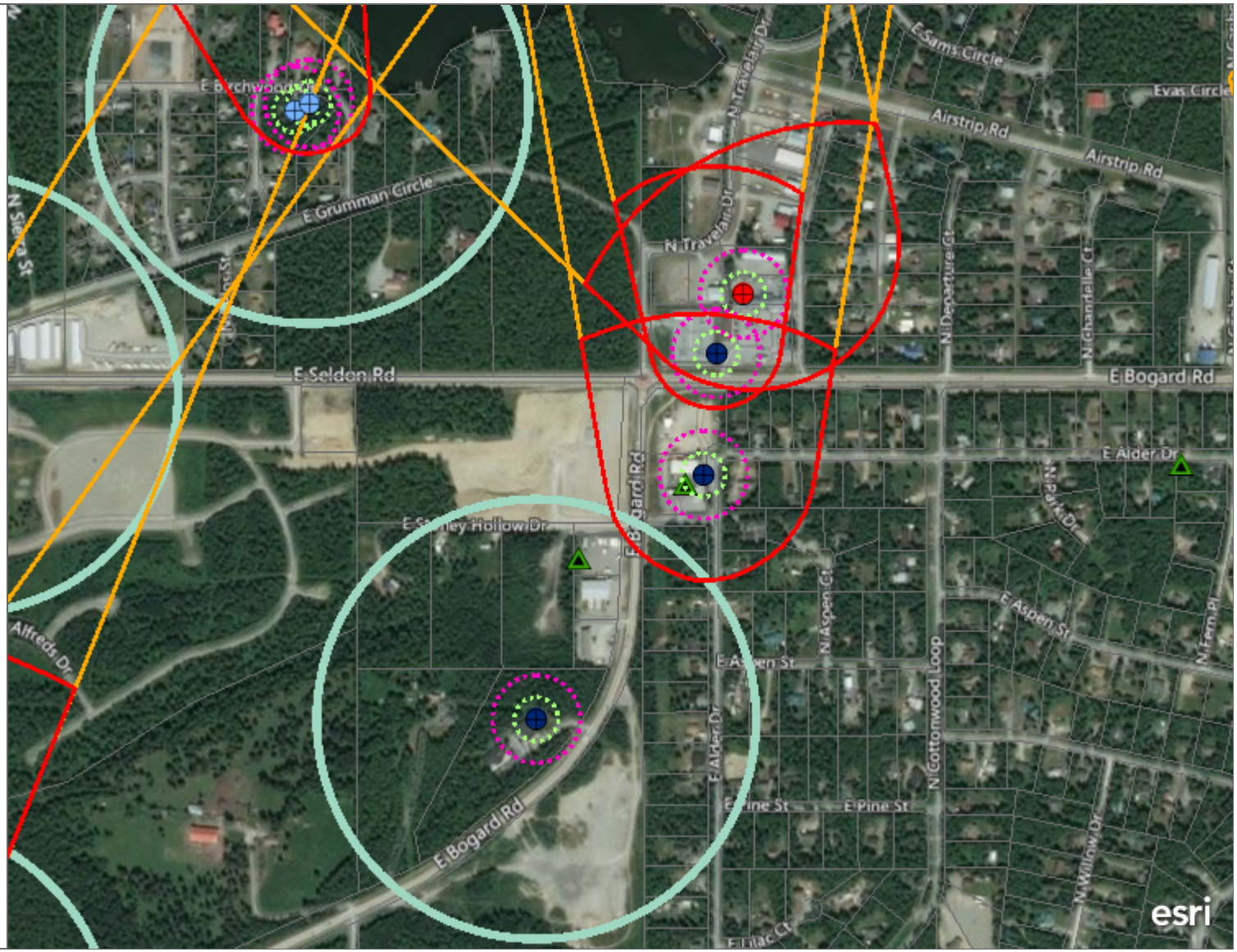
Zone A (GW-Several Months Time of Travel or SW 1000 ft buffer)

Zone B (GW-2 Yr Time of Travel or SW-1 mile buffer)

Zone C Surface Water (Watershed Boundary)

Zone E Ground Water Surface Water Influence (1000 ft buffer)

Zone F Ground Water Surface Water Influence (1 mile buffer)



This map displays Public (regulated) Drinking Water Protection Areas and well/intake locations for known active public water systems. The data is continuously being revised.

RECEIVED
By Mark Whisenhunt at 1:52 pm, May 17, 2022

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CORRESPONDENCE

From: Mark Whisenhunt
To: "John Sommer"; Kyle Johnson
Subject: Complete Application: Frontier Plaza CUP
Date: Tuesday, May 17, 2022 1:36:00 PM

Greetings,

You now have a complete application associated with your request a Conditional Use Permit for an earth material extraction operation. I have scheduled a public hearing in front of the Planning Commission for ***July 18, 2022 at 6:00 p.m.,*** in the Borough Assembly Chambers. The address is 350 E. Dahlia Avenue in downtown Palmer. Additionally, I have begun the public notification process.

Please note: At the public hearing you will have a 15 minute period available to you. You may use this time as you wish. Some applicants choose to have a presentation to clarify any topics of concern, but most use it to just be available for questions the Planning Commission may have. In any event, it is available to you.

Public Notice Process: I will keep you posted on any public comments we receive. After I receive the costs for the mailing and advertising, I will send you a letter requesting payment of said costs. You can expect the letter in about 2-3 weeks, via email.

Please let me know if you have any questions. Thank you for your time.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-8158
www.matsugov.us

March 16, 2021

John Sommer of
AK Frontier Rentals
2485 E. Zak Circle
Wasilla, AK 99654

SUBJECT: Conditional Use Permit Application – Request for Required Information
LOCATION: Lots 3 & 4 of Block 1, Lots 1 & 2 of Block 2 of the Frontier Plaza Subdivision

Dear Mr. Sommer,

Borough staff has reviewed the application material and the site plan(s) submitted on February 3, 2021 requesting a Conditional Use Permit for earth material extraction on the above referenced properties. It has been determined that the following information needs to be provided and/or clarified in order to process this request:

1. The application was submitted as a single parcel; however, the request appears to be for four lots, which are split by a public right-of-way. Typically two applications would be required, one for each pair of contiguous lots. However, given the circumstances, our office is willing to process the request as one permit.
    a. Please describe in detail how the separated lots will affect the Frontier Plaza Drive right-of-way. (for example: will material from one site be taken to the other for processing?)

2. The application indicate approximately 4 acres will be used for material extraction operations. Our estimation indicates that it is approximately 5.5 acres. Please clarify / correct it item.

3. Please provide cross section of the existing conditions and the proposed final grade/sloped of the subject properties.

4. Please provide existing topographical for the proposed use.

5. The narrative only details the drainage related to the public right-of-way. Please provided detail related to the proposed use on this topic.

6. Please provide more detail on the how you will ensure the proposed use will stay at least four feet from the seasonal high water table. Elevations and depths of the items mentioned in the narrative will be greatly helpful.

7. Dust control: The narrative mentions that watering dry soils “may” be used. Please confirm that will be part of your operation.

8. The site plan shows a setback on the north side of lots 3 and 4 from the section line easement, however there is a public use easement reaching further into the property. The shown setback should be from the public use easement.

9. Please provide a better estimate of anticipated trips per day and peak hour. A single trip is count when a vehicle enters or the right-or-way. What is commonly referred to as a "round trip" (one vehicle arriving to the site and then leaving) is counted as two trips.

10. Driveway permits are required for all three access points noted on the site plan. Please the access location for lot one is of concern due to its proximity to the intersection.

11. It appears the proposed use will travel through the public use easement to the east. Will trucks proceed directly north to Seldon or continue east to Tate? Please update the site plan(s) to show the area and proposed access route(s).

12. The proposed lighting does not meet the site development standards for lighting (17.28.060(A)(6)).

13. Please clarify the proposed visual screening measures and noise mitigation measure. It appears that there are no proposed visual or noise mitigation measures for the proposed use. Providing current topographical data would be helpful for this topic.

14. The reclamation plan is insufficient. Please provide a detailed plan showing compliance with MSB 17.28.063 and MSB 17.28.067. The narrative indicates the proposed use is exempt from the state reclamation standards, but does not provide detail supporting that claim.

15. Please review page 2 and 3 of the application, which details all of the requirements for a site plan. Update the site plan(s) with all requirements (i.e. buffers, driveway locations/widths, drainage, mining phases etc…).

Once an application has been determined to be complete, staff will begin the public notice process.

Should you have any questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-8527, or email: mwhisenhunt@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,

Mark Whisenhunt, CFM
Planner II
Matanuska-Susitna Borough

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822
www.matsugov.us

April 29, 2022

John Sommer of
AK Frontier Rentals
2485 E. Zak Circle
Wasilla, AK 99654

SUBJECT: Conditional Use Permit Application – Request for Required Information
LOCATION: Lots 2 & 3 of Block 1, Lots 1 & 2 of Block 2 of the Frontier Plaza Subdivision

Dear Mr. Sommer,

Borough staff has reviewed the application material and the site plan(s) submitted on April 7, 2022 requesting a Conditional Use Permit for earth material extraction on the above referenced properties. It has been determined that the following information needs to be provided and/or clarified in order to process this request:

1. ~~The application was submitted as a single parcel; however, the request appears to be for four lots, which are split by a public right-of-way. Typically two applications would be required, one for each pair of contiguous lots. However, given the circumstances, our office is willing to process the request as one permit.~~
    a. ~~Please describe in detail how the separated lots will affect the Frontier Plaza Drive right-of-way. (for example: will material from one site be taken to the other for processing?)~~
    This item has been resolved.

2. ~~The application indicate approximately 4 acres will be used for material extraction operations. Our estimation indicates that it is approximately 5.5 acres. Please clarify / correct it item.~~
    This item has been resolved.

3. ~~Please provide cross section of the existing conditions and the proposed final grade/sloped of the subject properties.~~
    This item has been resolved.

4. ~~Please provide existing topographical for the proposed use.~~
    This item has been resolved.

5. ~~The narrative only details the drainage related to the public right-of-way. Please provide details related to the proposed use on this topic.~~
    This item has been resolved.

6. ~~Please provide more detail on the how you will ensure the proposed use will stay at least four feet from the seasonal high water table. Elevations and depths of the items mentioned in the narrative will be greatly helpful.~~
   This item has been resolved.

7. ~~Dust control: The narrative mentions that watering dry soils "may" be used. Please confirm that will be part of your operation.~~
   This item has been resolved.

8. ~~The site plan shows a setback on the north side of lots 3 and 4 from the section line easement, however there is a public use easement reaching further into the property. The shown setback should be from the public use easement.~~
   This item has been resolved.

9. Please provide a better estimate of anticipated trips per day and peak hour. A single trip is count when a vehicle enters or the right-or-way. What is commonly referred to as a "round trip" (one vehicle arriving to the site and then leaving) is counted as two trips.
   a. Thank you for the anticipate trips per day. MSB 17.61.090 also requires our office to ask for anticipated "peak hour" trips. Please update the narrative accordingly.

10. ~~Driveway permits are required for all three access points noted on the site plan. Please the access location for lot one is of concern due to its proximity to the intersection.~~
    This item has been resolved.

11. ~~It appears the proposed use will travel through the public use easement to the east. Will trucks proceed directly north to Seldon or continue east to Tate? Please update the site plan(s) to show the area and proposed access route(s).~~
    This item has been resolved.

12. ~~The proposed lighting does not meet the site development standards for lighting (17.28.060(A)(6)).~~
    This item has been resolved.

13. ~~Please clarify the proposed visual screening measures and noise mitigation measure. It appears that there are no proposed visual or noise mitigation measures for the proposed use. Providing current topographical data would be helpful for this topic.~~
    This item has been resolved.

14. The reclamation plan is insufficient. Please provide a detailed plan showing compliance with MSB 17.28.063 and MSB 17.28.067. The narrative indicates the proposed use is exempt from the state reclamation standards, but does not provide details supporting that claim.
    a. Please confirm slopes will be graded to attain a maximum 50 percent slope or the natural stabilized angle of repose and blended with the surrounding undisturbed topography.

15. Please review page 2 and 3 of the application, which details all of the requirements for a site plan. Update the site plan(s) with all requirements (i.e. buffers, driveway locations/widths, drainage, mining phases etc…).
    a. No buffering/berms are shown on the west side of the proposed mining area.
    b. 25' setback not shown on west side of Block 2, Lot 2.
    c. Shown full extent of proposed mining area on the site plan.
    d. Is a crusher and/or asphalt plant proposed as a part of the operation?

e. Does equipment have any noise reduction features? (i.e. proximity back alarms, appropriately maintained exhaust mufflers)

Once an application has been determined to be complete, staff will begin the public notice process.

Should you have any questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-8527, or email: mark.whisenhunt@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough

COMMENTS

Agency Comments

From: OSP Design Group
To: Mark Whisenhunt
Cc: OSP Design Group
Subject: RE: Request for Review and Comments: Frontier Plaza CUP
Date: Wednesday, June 8, 2022 2:26:35 PM
Attachments: Frontier-Plaza-Application-Material-5-17-2022.pdf

---

[**EXTERNAL EMAIL** - CAUTION: Do not open unexpected attachments or links.]
Mark,

In review GCI has no comments or objections to the area shown on for the conditional use permit, attached is the stamped permit for your records.

Thanks,
MIREYA ARMESTO
GCI | Technician II, GIS Mapping
m: 907-744-5166 | **w:** www.gci.com

From: Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>
Sent: Friday, May 20, 2022 3:19 PM
To: allen.kemplen@alaska.gov; melanie.nichols@alaska.gov; kyler.hylton@alaska.gov; usswcd@mtaonline.net; mearow@matanuska.com; row@enstarnaturalgas.com; row@mtasolutions.com; OSP Design Group <ospdesign@gci.com>; Fire Code <Fire.Code@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Butch Ehmann <Butch.Ehmann@matsugov.us>; Chris.miller@alaska.gov; Jill Irsik <Jill.Irsik@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Elaine Flagg <Elaine.Flagg@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Dolores McKee <Dee.McKee@matsugov.us>; Jesse Sumner <jessesumnerdistrict6@gmail.com>; Abraham Sayen <sayenabraham89@gmail.com>; Brittany Rhodes <brittanyjade3838@gmail.com>; Louie Calandri <Louie@Calandri.com>; North Lakes CC Correspondence <northlakescommunitycouncil@gmail.com>; Rachel Sayen Lambert <sayenbookkeeping@hotmail.com>; Theron Bair <theron.bair@gmail.com>
Subject: Request for Review and Comments: Frontier Plaza CUP

[**EXTERNAL EMAIL** - CAUTION: Do not open unexpected attachments or links.]

Date: May 20, 2022

To: Various Agencies

From: Mark Whisenhunt, Planner II

Subject: Request for Review and Comments

Project: Conditional Use Permits for an earth materials extraction operation.

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002,

8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian.

Applicant: John Sommer of Tutka, LLC

An application for a conditional use permit under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction, has been submitted to extract approximately 42,000 cubic yards of earth materials through 2030. The Planning Commission will conduct a public hearing for this request on July 18, 2022 at 6:00 p.m.

Application material may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." A direct link to the application material is here:

https://www.matsugov.us/publicnotice/frontier-plaza-earth-materials-extraction-conditional-use-permit

Written comments are due on or before ***June 24, 2022*** and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

From: Theresa Taranto
To: Mark Whisenhunt
Subject: RE: Request for Review and Comments: Frontier Plaza CUP
Date: Tuesday, May 24, 2022 8:45:32 AM

FIRM 8105, X Zone
Core Area
No other comments.

Thank you,

Theresa Taranto
Mat-Su Borough
Development Services
Administrative Specialist

350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574
www.matsugov.us

From: Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>
Sent: Friday, May 20, 2022 3:19 PM
To: allen.kemplen@alaska.gov; melanie.nichols@alaska.gov; kyler.hylton@alaska.gov; usswcd@mtaonline.net; mearow@matanuska.com; row@enstarnaturalgas.com; row@mtasolutions.com; ospdesign@gci.com; Fire Code <Fire.Code@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Butch Ehmann <Butch.Ehmann@matsugov.us>; Chris.miller@alaska.gov; Jill Irsik <Jill.Irsik@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Brad Sworts <Brad.Sworts@matsugov.us>; Elaine Flagg <Elaine.Flagg@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Dolores McKee <Dee.McKee@matsugov.us>; Jesse Sumner <jessesumnerdistrict6@gmail.com>; Abraham Sayen <sayenabraham89@gmail.com>; Brittany Rhodes <brittanyjade3838@gmail.com>; Louie Calandri <Louie@Calandri.com>; North Lakes CC Correspondence <northlakescommunitycouncil@gmail.com>; Rachel Sayen Lambert <sayenbookkeeping@hotmail.com>; Theron Bair <theron.bair@gmail.com>
Subject: Request for Review and Comments: Frontier Plaza CUP

Date: May 20, 2022

To: Various Agencies

From: Mark Whisenhunt, Planner II

Subject: Request for Review and Comments

Project: Conditional Use Permits for an earth materials extraction operation.

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002,

8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian.

Applicant: John Sommer of Tutka, LLC

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Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

From: Palmer, Charley (DEC)
To: Mark Whisenhunt
Cc: DEC Agency Reviews; Rypkema, James (DEC); Bare, Charity M (DEC); Hill, Amy L (DEC)
Subject: FW: Request for Review and Comments: Frontier Plaza CUP
Date: Thursday, June 2, 2022 1:35:04 PM
Attachments: image001.png
image003.png
dec-eh-dw-recommendations-for-general-project-activities-near-a-pws-source.pdf

---

[**EXTERNAL EMAIL** - CAUTION: Do not open unexpected attachments or links.]
Hi Mark,

For future reference, please send review requests to DEC Agency Reviews dec.agencyreviews@alaska.gov. This will help ensure that the request doesn't get lost in an email inbox.

Thank you for the opportunity to comment with respect to public water system (PWS) sources. Given the location(s) provided, this is near an active registered PWS source (see attached "DEC_PWS_Map.JPG" and summary table below). For this reason, we ask that the applicant please adhere to the attached **Recommendations for General Project Activities near a PWS source**, where applicable. Also, For material sites we recommend that the applicant follow the DEC User's Manual for Gravel/Rock Extraction & Water Quality, accessed at https://dec.alaska.gov/water/wastewater/stormwater/gravel/.

To access our interactive web map, which displays PWS source locations and Drinking Water Protection Areas, please visit https://www.arcgis.com/home/item.html?id=13ed2116e4094f9994775af9a62a1e85.

Summary table

- **Public Water System ID (PWSID)**:
  AK2224531
  Water System Name:
  VALLEY COUNTRY STORE #1
  Water System Classification:
  Transient Non-Community Water System

  State Assigned Source ID:
  WL001
  Source Name:
  WL VALLEY COUNTRY STORE
  Source Water Type:
  Groundwater
  Source Facility Type:
  Well

Delineation Completed By: Suzan
Last Edited By: DWP
Date Last Edited: 7/7/2014
Delineation Comments: Undetermined;

Drinking Water Watch has current sampling results and contact information.

- **Public Water System ID (PWSID)**:
AK2220251
Water System Name:
ALASKA BRAIN CENTER
Water System Classification:
Transient Non-Community Water System

State Assigned Source ID:
WL001
Source Name:
WELL
Source Water Type:
Groundwater
Source Facility Type:
Well

Delineation Completed By:
Last Edited By:
Date Last Edited:
Delineation Comments:Provisional

Drinking Water Watch has current sampling results and contact information.

Alaska DEC Drinking Water Program home page.

Drinking Water Regulations: 18 AAC 80.

Regards,
--

Charley Palmer
Hydrologist 3
FAA Certified sUAS (drone) Pilot
DEC-EH | Drinking Water Program
Drinking Water Source Protection
PHONE 907-269-0292
charley.palmer@alaska.gov
555 CORDOVA STREET
ANCHORAGE, AK 99501

From: Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>
Sent: Friday, May 20, 2022 3:19 PM
To: Kemplen, Allen (DOT) <allen.kemplen@alaska.gov>; melanie.nichols@alaska.gov; Hylton, Kyler (DOT) <kyler.hylton@alaska.gov>; usswcd@mtaonline.net; mearow@matanuska.com; row@enstarnaturalgas.com; row@mtasolutions.com; ospdesign@gci.com; Fire Code <Fire.Code@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Butch Ehmann <Butch.Ehmann@matsugov.us>; Miller, Christopher C (DEC) <chris.miller@alaska.gov>; Jill Irsik <Jill.Irsik@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Brad Sworts <brad.sworts@matsugov.us>; Elaine Flagg <Elaine.Flagg@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; Planning <MSB.Planning@matsugov.us>; Fred Wagner <Frederic.Wagner@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; Jamie Taylor <jamie.taylor@matsugov.us>; Dolores McKee <Dee.McKee@matsugov.us>; Jesse Sumner <jessesumnerdistrict6@gmail.com>; Abraham Sayen <sayenabraham89@gmail.com>; Brittany Rhodes <brittanyjade3838@gmail.com>; Louie Calandri <Louie@Calandri.com>; North Lakes CC Correspondence <northlakescommunitycouncil@gmail.com>; Rachel Sayen Lambert <sayenbookkeeping@hotmail.com>; Theron Bair <theron.bair@gmail.com>
Subject: Request for Review and Comments: Frontier Plaza CUP

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Date: May 20, 2022

To: Various Agencies

From: Mark Whisenhunt, Planner II

Subject: Request for Review and Comments

Project: Conditional Use Permits for an earth materials extraction operation.

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian.

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Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Environmental Conservation

DIVISION OF ENVIRONMENTAL HEALTH
Drinking Water Program

555 Cordova Street
Anchorage, Alaska, 99501
Main: 907.269.7656
Toll free: 866.756.9656
Fax: 907.269.7650

April 14, 2022

Recommendations for general project activities associated with, or near, a public water system source

The following recommendations are intended to address potential impacts of projects, to be permitted or otherwise, in which planned activities are associated with, or near, a public water system (PWS) source (e.g., water well, spring, surface water intake, etc.). The key aspects of these recommendations are to identify nearby PWS sources, establish appropriate points of contact for the applicant and PWS, and implement best management practices.

Authority:

18 AAC 80.015. Well protection, source water protection, and well decommissioning.

a) A person may not
   (1) cause pollution or contamination to enter a public water system; or
   (2) create or maintain a condition that has a significant potential to cause or allow the pollution or contamination of a public water system.

Recommendations:

1) Identify on a legible map if any part of the project is within a Drinking Water Protection Area (DWPA) for a PWS source. DWPAs can be found using the interactive web map application, "**Alaska DEC Drinking Water Protection Areas**", located at https://dec.alaska.gov/das/GIS/apps.htm. Links to basic instructions for using this web map can be found on the map description page. If you experience problems accessing the map, please contact the Drinking Water Source Protection group at (907) 269-7549, or chris.miller@alaska.gov.

2) Where the project/permit intersects a DWPA, notify the associated PWS contact and provide the following:

   a) A brief description of the project location and associated activities; and

   b) Project contact information.

   PWS contact information can be obtained using the hyperlink from within the pop-up information for each PWS source in the web map, or directly by using the online application called "Drinking Water Watch", found at https://dec.alaska.gov/DWW/.

3) Within the identified DWPA, control stormwater and wastewater discharge such that it is directed away from the PWS.

Recommendations for general project activities associated with, or near, a public water system source (continued)

4) Within the identified DWPA, restrict project/permit activities that could significantly and/or permanently change the natural surface water or groundwater levels of the water sources immediately contributing to the PWS.

5) Within the identified DWPA, implement voluntary best management practices suited to your project where equipment storage, maintenance and operation, or other potential sources of contamination are located to minimize the potential for PWS source contamination.

6) Restrict or limit equipment storage, maintenance and operation, and other potential sources of contamination, within the following high-priority DWPA Zones:

   a) Zone A DWPA (several-months-time-of-travel for contributing groundwater, or 1,000-foot buffer of the contributing surface water body and its immediate tributaries);

   b) Zone E DWPA (1,000-foot buffer of the contributing surface water body and its immediate tributaries for a source using groundwater under the direct influence of surface water (GWUDISW)); or

   c) Provisional DWPA (1,000-foot radius around a PWS source).

7) All non-proprietary data related to the project/permit, including but not limited to, water quality results (field and lab), survey data, water levels, subsurface lithologic descriptions and depth, and groundwater flow direction and gradient information, should be made available to the permitting agency upon request.

   a) When associated with the development, construction, modification, or operation of a PWS, follow the requirements in DEC Drinking Water regulations 18 AAC 80, https://dec.alaska.gov/eh/dw/regulations/.

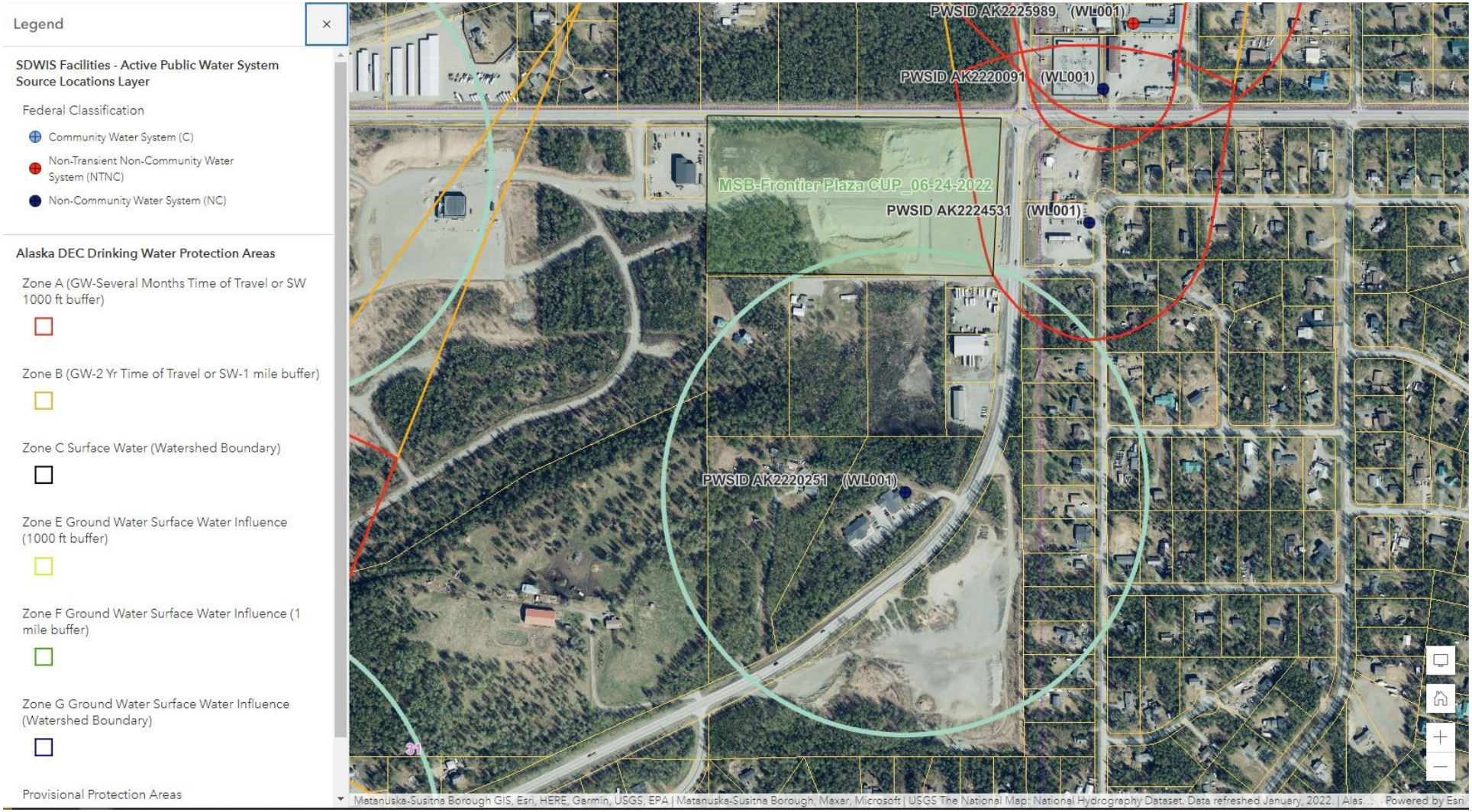
8) Keep a list of PWS contacts and agency spill reporting contacts readily available.

   a) Immediately notify contacts of any potential contamination event, such as spills or excess erosion.

Sincerely,

Charley Palmer, *Hydrologist 3*
DEC Drinking Water Source Protection
E-mail: charley.palmer@alaska.gov
Phone: (907) 269-0292

Alternate contacts:
Chris Miller, Environmental Program Specialist 4, chris.miller@alaska.gov
Kenna Billups, Environmental Program Specialist 2, kenna.billups@alaska.gov


Legend
SDWIS Facilities - Active Public Water System Source Locations Layer
Federal Classification
Community Water System (C)
Non-Transient Non-Community Water System (NTNC)
Non-Community Water System (NC)
Alaska DEC Drinking Water Protection Areas
Zone A (GW-Several Months Time of Travel or SW 1000 ft buffer)
Zone B (GW-2 Yr Time of Travel or SW-1 mile buffer)
Zone C Surface Water (Watershed Boundary)
Zone E Ground Water Surface Water Influence (1000 ft buffer)
Zone F Ground Water Surface Water Influence (1 mile buffer)
Zone G Ground Water Surface Water Influence (Watershed Boundary)
Provisional Protection Areas
PWSID AK2225989 (WL001)
PWSID AK2220091 (WL001)
MSB-Frontier Plaza CUP_06-24-2022
PWSID AK2224531 (WL001)
PWSID AK2220251 (WL001)
Matanuska-Susitna Borough GIS, Esri, HERE, Garmin, USGS, EPA | Matanuska-Susitna Borough, Maxar, Microsoft | USGS The National Map: National Hydrography Dataset. Data refreshed January, 2022. | Alas...
Powered by Esri

ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department, Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

June 7, 2022

Matanuska-Susitna Borough, Platting Division
350 East Dahlia Avenue
Palmer, AK 99645-6488

To whom it may concern:

ENSTAR Natural Gas Company has reviewed the conditional use permit for an earth materials extraction **FRONTIER PLAZA (MSB 17.30)** and advises that there is a natural gas main line near the proposed project location. The approximate location of the natural gas main is shown on the attached map. ENSTAR has the has the following comments.

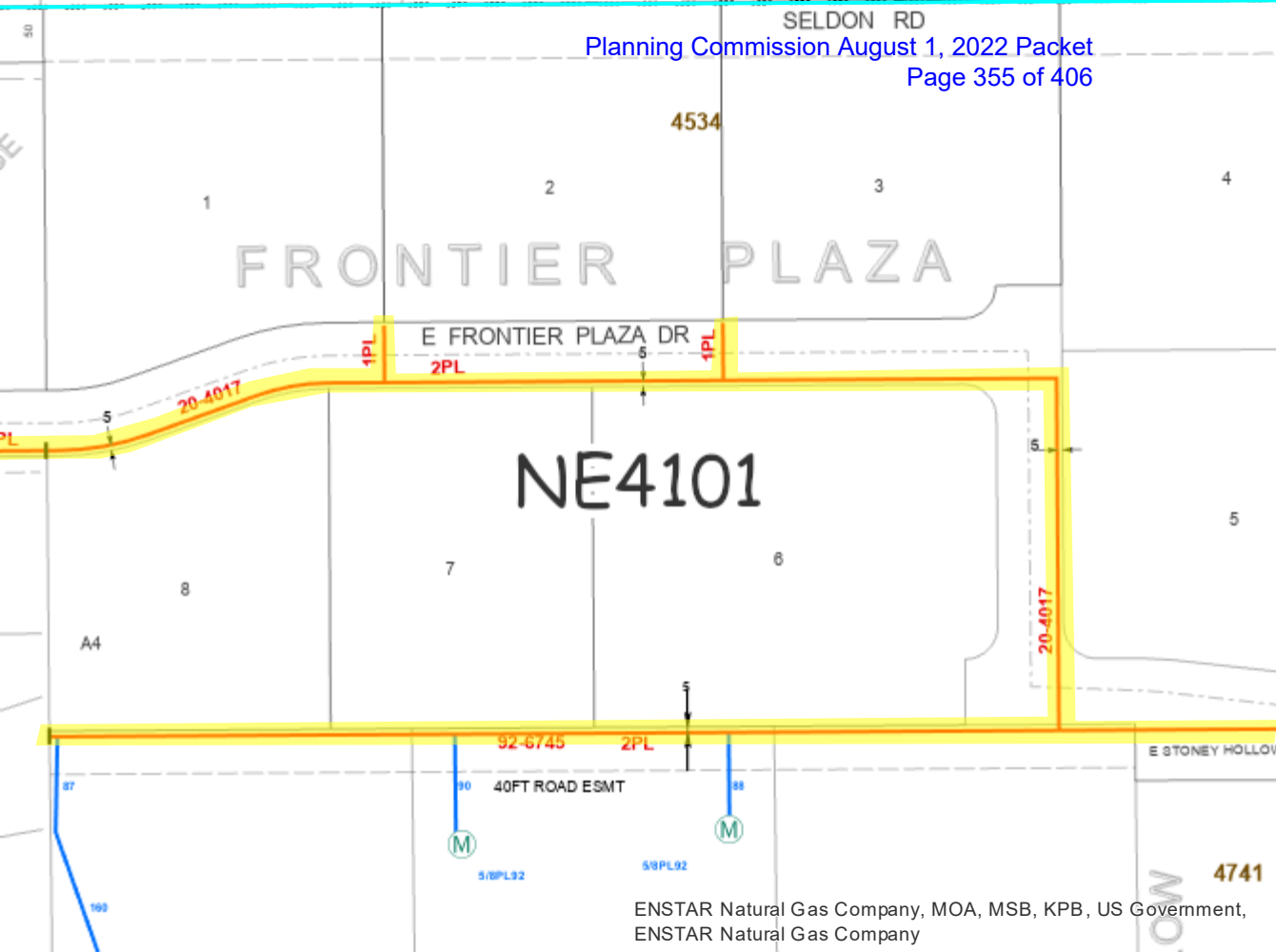
- Landowner/Contractor working near ENSTAR gas facilities shall contact the Alaska Digline, Inc., (907) 278-3121 or 811 for line locating two (2) business days prior to any related excavation. This service is free of charge.
- ENSTAR will be held harmless, now and forever for any damages or injury to any person or property.
- Any ENSTAR facility damaged or destroyed, will be repaired at no cost to ENSTAR.
- Any costs incurred by ENSTAR for special construction necessitated by this will be borne by the landowner.
- This comment letter will in no way preclude ENSTAR from full use and enjoyment of its rights within any portion of its right-of-way.
- A minimum of four feet (4FT) of cover must always be maintained over the natural gas main line.
- Maintain a slope adequate to ensure the integrity of ENSTARS gas line is maintained.

If you have any questions, please feel free to contact me at 334-7944 or by email at james.christopher@enstarnaturalgas.com.

Sincerely,

James Christopher

James Christopher
Right of Way & Compliance Technician
ENSTAR Natural Gas Company



ENSTAR Natural Gas Company, MOA, MSB, KPB, US Government, ENSTAR Natural Gas Company

Public Comments

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

Matanuska-Susitna Borough
Permit Center
JUN 28 2022
Received

52324B01L019 261
WILSON SHERRY R
3061 N DEPARTURE CT
WASILLA AK 99654-4302

The Planning Commission of the Matanuska-Susitna Borough will consider the following:

Applicant: John Sommer of Tutka, LLC

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian

Request: An application for a conditional use permit under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction, has been submitted to extract approximately 42,000 cubic yards of earth materials through 2030. According to the applicant, the operation is intended to flatten the lots in preparation of commercial development.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, July 18, 2022, at 6:00 p.m.*** in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Mark Whisenhunt, Planner II, by phone: 907-861-8527. Provide written comments by e-mail to mark.whisenhunt@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party." See MSB 15.39.010 for the definition of "interested party." The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before ***June 24, 2022*** and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Name: SHERRY WILSON ***Mailing Address:*** 3061 N. DEPARTURE CT. WASILLA AK, 99654

Location/Legal Description of your property: ACCT. No. 52324 B01 L019

Comments: 8 years is to Long for Residents to live with noise, dirt, big trucks with AIR/JACK BRAKES, MORE TRAFFIC. PLEASE BE CONSIDERATE of the homeowNERS and Please lower the speed limit. THANK YOU.

Note: Vicinity Map Located on Reverse Side

From: Ed
To: Mark Whisenhunt
Cc: Dolores McKee
Subject: Frontier Plaza Earth Materials Extraction – Conditional Use Permit (Public Comment)
Date: Thursday, June 23, 2022 8:25:57 PM

[**EXTERNAL EMAIL** - CAUTION: Do not open unexpected attachments or links.]
Dear Mr Whisenhunt;

I am writing in opposition to this conditional use permit for the following reasons:

1. After searching through ADEC's Permit-in-Effect site, there appears to be no NOI to discharge stormwater under any ADEC general permit even though it has been under development for over two years. Please advise if I am incorrect. If correct, impacts should not be aggregated when existing permitting requirements have not been met.
2. High winds in the winter will blow sand and dust into the downstream residential areas resulting in air quality issues. Last winter's hurricane force winds reinforce this notion. There is no plan to mitigate this and leaving the site open until 2030 will subject nearby residents to impacts for many years and possibly affect air quality. For many winters, I've had my car sandblasted by the material site SE of the Board-Trunk intersection during wind events and believe this site has the potential to impact homes in the area similarly.
3. This development represents a lack of future planning on behalf of the MSB with residential, medical, material development, liquor sales, electric transfer station development all at the same crossroads. My opposition stems from the lack of planning and consideration for the long-term cumulative impacts of development and its effects on quality of life to those of us in the area. Commercial and residential uses are typically not differentiated allowing for unbridled development.

In closing, I've CC'd Assembly Member McKee for her situational awareness of the issues and impacts hoping that community planning and zoning, if needed, becomes a topic of discussion at future Assembly meetings. We cannot continue to intermix commercial and residential development while maintaining the quality of life that made the MatSu a great place to live. As the population grows, the economic interests of some comes at the expense of many. I suspect Tutka LLC does not consider this home but I do.

Thank you,

52324B01L015 229
Edward Soto
3201 N. Departure Ct
Wasilla, AK 99654

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

Matanuska-Susitna Borough
Development Services

JUN 06 2022

Received

56445B15L004 185
PETERSON LEE S &REBECCA M
4867 E ALDER DR
WASILLA, AK 99654

The Planning Commission of the Matanuska-Susitna Borough will consider the following:

Applicant: John Sommer of Tutka, LLC

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian

Request: An application for a conditional use permit under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction, has been submitted to extract approximately 42,000 cubic yards of earth materials through 2030. According to the applicant, the operation is intended to flatten the lots in preparation of commercial development.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, July 18, 2022, at 6:00 p.m.*** in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Mark Whisenhunt, Planner II, by phone: 907-861-8527. Provide written comments by e-mail to mark.whisenhunt@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party." See MSB 15.39.010 for the definition of "interested party." The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before ***June 24, 2022*** and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Name: Lee S. Peterson ***Mailing Address:*** 4867 EAST ALDER DR WASILLA 99654

Location/Legal Description of your property: Lot 4, Block 15 COTTONWOOD SHORES

Comments: CONSIDER THE TRAFFIC IMPACT ON Cottonwood Shores RESIDENTS. ACCESS/ EGRESS to this SUBDIVISION FROM BOGARD IS ALREADY A NIGHTMARE DURING MORNING/AFTERNOON PEAK TRAFFIC times. TO MAKE A LEFT from Stoney Hollow ONTO BOGARD IS BEST Accomplished BY TURNING RIGHT, U TURN on the TRAFFIC CIRCLE & Proceed TOWARD WASILLA.

Note: Vicinity Map Located on Reverse Side

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

Matanuska-Susitna Borough
Development Services

JUN 02 2022

Received

56519B02L007 170
NIXON PENNY R & ELIZABETH
3450 N SAMS DR
WASILLA, AK 99654-4309

The Planning Commission of the Matanuska-Susitna Borough will consider the following:

Applicant: John Sommer of Tutka, LLC

Location: 4637, 4563, 4612, and 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102B02L002); within Township 18 North, Range 1 East, Section 31 Seward Meridian

Request: An application for a conditional use permit under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction, has been submitted to extract approximately 42,000 cubic yards of earth materials through 2030. According to the applicant, the operation is intended to flatten the lots in preparation of commercial development.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on ***Monday, July 18, 2022, at 6:00 p.m.*** in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Mark Whisenhunt, Planner II, by phone: 907-861-8527. Provide written comments by e-mail to mark.whisenhunt@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party." See MSB 15.39.010 for the definition of "interested party." The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before ***June 24, 2022*** and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Name: PENNY NIXON ***Mailing Address:***

Location/Legal Description of your property: L7 B2 ORIG SHAWS

Comments: No objection

Note: Vicinity Map Located on Reverse Side

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PLANNING COMMISSION RESOLUTION

By: Mark Whisenhunt
Introduced: July 18, 2022
Public Hearing: August 1, 2022
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 22-24

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE EXTRACTION OF 42,000 CUBIC YARDS OF EARTH MATERIAL FROM AN APPROXIMATELY 4-ACRE SITE AT 4637, 4563, 4612, AND 4552 EAST FRONTIER PLAZA DRIVE, TAX IDS# 8102B01L002, 8102B01L003, 8102B02L001, AND 8102B02L002; WITHIN TOWNSHIP 18 NORTH, RANGE 1 EAST, SECTION 31 SEWARD MERIDIAN.

WHEREAS, an application has been received from John Sommer of AK Frontier Rentals, LLC for a conditional use permit to extract earth material at 4637, 4563, 4612, AND 4552 East Frontier Plaza Drive, Tax IDs# 8102B01L002, 8102B01L003, 8102B02L001, and 8102b02l002; within Township 18 North, Range 1 East, Section 31, Seward Meridian; and

WHEREAS, it is the intent of the MSB 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 lands 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, an Alaska State Department of Revenue mining license is not required for this application 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 take place on state land; and

WHEREAS, a letter from Alaska State Department of Natural Resources (ADNR) indicates the applicant has submitted all required information to ADNR in accordance with A.S. 27.19, Reclamation; 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, 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 waterbodies; and

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WHEREAS, the subject parcel is located within the North Lakes Community Council boundaries. The North Lakes community has not adopted a comprehensive plan; and

WHEREAS, the Matanuska-Susitna Borough Comprehensive Development Plan (2005) applies to all parcels within the Matanuska-Susitna Borough; and

WHEREAS, Goal LU-1 of the Matanuska-Susitna Borough Comprehensive Development Plan states: "Protect and enhance the public safety, health, and welfare of Borough residents"; and

WHEREAS, Policy LU1-1 of the Matanuska-Susitna Borough Comprehensive Development Plan states: "Provide for consistent, compatible, effective, and efficient development within the Borough"; and

WHEREAS, Goal LU-2 of the Matanuska-Susitna Borough Comprehensive Development Plan states: "Protect residential neighborhoods and associated property values"; and

WHEREAS, Policy LU2-1 of the Matanuska-Susitna Borough Comprehensive Development Plan states: "Develop and implement regulations that protect residential development by separating incompatible uses, while encouraging uses that support such residential uses including office, commercial and other mixed-use developments that are shown to have positive cumulative impacts to the neighborhood"; and

DRAFT

WHEREAS, according to Rutgers Noise Technical Assistance Center, heavy trucks produce approximately 90 decibels (dB) when operating, which falls in the "very loud" category; 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, MSB 8.52.010(A) declares: "Loud noise and amplified sounds have an adverse effect on the psychological and physiological well-being of persons"; and

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

WHEREAS, according to the application material, 10-foot tall earthen berm will encompass the proposed use, minus the access points; and

WHEREAS, the closest residential structure is approximately 100 feet south of the proposed use; and

WHEREAS, according to the application material, access and truck routes will be on Frontier Plaza Drive and go west onto Northgate Place and then on to Seldon Road; and

WHEREAS, according to the application material, the proposed hours of operation are 7:00 a.m. to 6:00 p.m., Monday through Saturday; and

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

WHEREAS, Alaska Department of Environmental Conservation has produced a user manual of best management practices for owners and operators of gravel/rock extraction operations to protect surface water and groundwater quality in Alaska; and

WHEREAS, Alaska Department of Environmental Conservation Best Management Practices Manual states: "DEC has established drinking water protection areas and recommended buffer zones for public water system (PWS) sources, which can be found at http://dec.alaska.gov/das/GIS/apps.htm. There are also PWS sources for which drinking water protection areas have not yet been delineated. For those PWS sources, it is recommended that the buffer zone be considered a 1,000-foot radius around the source area. It is recommended that excavation limits be restricted to areas outside any PWS source buffer zone. Equipment storage, maintenance, and operation should be as limited as possible within designated buffer zones, and appropriate BMP's should be used to prevent water contamination (see Chapter 6)"; and

WHEREAS, Alaska Department of Environmental Conservation Best Management Practices Manual states in part: "Some of the best ways to prevent mining impacts to surface and groundwater quality are to maintain distance between mining operations and the water to be

protected, and to monitor water quality. This chapter presents recommended setbacks for mining operations from public water system (PWS) source areas, surface water bodies, and the groundwater table. Where proposed mining is closer to these waters than the recommended setbacks, it is recommended that a detailed hydrogeologic study be performed by a qualified person to evaluate potential impacts and design effective mitigation alternatives"; and

WHEREAS, 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, the operation and reclamation plan will leave the site suitable for commercial development; and

WHEREAS, Seldon Road abuts the site to the north. Parcels on the north side of Seldon Road range from 5 to 18 acres in size. Those parcels have a mix of residential uses and vacant land; and

WHEREAS, the intersection of Bogard Road and Seldon Road abuts the Frontier Plaza Subdivision to the northeast. Commercial and industrial uses are on the northeast and southeast corners of the intersection. Bogard Road and Seldon Road have a mix of commercial, industrial, and residential uses on their frontages; and

WHEREAS, large subdivisions with residential developments make up the majority of the area east and north of the Bogard Road; and

WHEREAS, parcels to the west range from 1 to 30 acres in size. Those parcels include a church, residential, and commercial uses; and

WHEREAS, parcels to the south range from 1 to 38 acres in size. Those parcels are a mix of vacant land, an old gravel extraction site, residential, and commercial uses; and

WHEREAS, according to the application material, the estimated final year of extraction is 2030; and

WHEREAS, all of the site plan and site development requirements have been provided; and

WHEREAS, according to the application material, all stormwater will be contained onsite; and

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

WHEREAS, according to the site plan, earth material extraction activities will not take place within 100 feet of any identified wetlands or waterbodies; and

WHEREAS, a site plan is included in the record showing the location of the earth materials extraction site, including phases of mining within the subject parcels; and

WHEREAS, a topographic contour map, bare earth map, and aerial photography are included in the record. These items show

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topographic features and vegetation of the subject property and adjacent properties; and

WHEREAS, according to the site development plan, proposed permanent and semi-permanent structures associated with the proposed use meet setback requirements; and

WHEREAS, according to the application material, the proposed operation does not anticipate generating traffic in excess of 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles per day; and

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

WHEREAS, according to the application material, equipment will be maintained to ensure noise reduction features, such as, mufflers, are operating properly; and

WHEREAS, earthen berms are incorporated into the operation plan as noise mitigation measures; and

WHEREAS, according to the application material, if lighting is needed, exterior lighting will be located and shielded to direct the light towards the ground in order to minimize light spillage onto adjacent properties and upward into the night sky. Illumination or other fixtures mounted higher than 20 feet or 150 watts or more will have downward directional shielding; and

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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 August 1, 2022 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 22-24:

1. All of the requirements to demonstrate compliance with state and federal laws have been met (MSB 17.30.055(A)).
2. The proposed use, with conditions, is consistent with the applicable comprehensive plans (MSB 17.30.060(A)(1)).
3. The proposed use, with conditions, will not detract from the value, spirit, character, and integrity of the surrounding area (MSB 17.30.060(A)(2)).
4. The application material has met all of the requirements of this chapter (MSB 17.30.060(A)(3)).
5. The proposed use, with conditions, 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, and wetlands and water bodies within the notification area have been identified (MSB 17.28.060(A)(1)).

8. The area to be mined, description of the topography and vegetation, and approximate time sequence for the duration of the mining activity have been determined. No permanent, semi-permanent, or portable equipment are anticipated 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 proposed use will not exceed 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles a day, as specified in MSB 17.61.090, Traffic Standards (MSB 17.28.060(A)(3)).

10. Existing vegetation and earthen berms will be utilized and maintained to meet the visual screening measures(MSB 17.28.060(A)(4)).

11. Noise mitigation measures include retaining vegetative buffers and constructing earthen berms to ensure that sounds generated from earth material extraction activities do not exceed sound levels set forth 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 meets lighting standards in accordance with MSB 17.28.060(A)(6).

13. The operation will not conduct earth material extraction activities within 100 linear feet of any identified 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)(a – b)).

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. A copy of the approved conditional use permit shall be provided to each contractor and/or company working at the site.

3. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the Conditional Use Permit shall be required prior to any alteration or expansion of the material extraction operation.

4. Material extraction shall be limited to the approximate 4-acre area identified in the application material and depicted on the applicant's site plan(s).

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5. The earthen berm shown on the site plan(s) within the application material shall be maintained.
6. The 1,000-foot Preliminary Protection Area identified by the ADEC Drinking Water Protection Area map shall be identified and marked by a professional land surveyor, licensed to operate in the State of Alaska, prior to beginning extraction activities.
7. Earth material extraction is prohibited within the 1,000-foot Preliminary Protection Area identified by the ADEC Drinking Water Protection Area map.
8. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected for leaks at the end of each day.
9. 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.
10. Any hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
11. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.

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12. Prior to the commencement of mining activity, all MSB driveway permits for access onto Frontier Plaza Drive shall be finalized.
13. All track-out sediments from the site shall be removed from the right-of-way daily.
14. The operation shall perform dust mitigation techniques as described in the application as-needed to minimize dust impacts to the surrounding areas.
15. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060 – Site Development Standards and MSB 8.52 – Noise, Amplified Sound, and Vibration.
16. All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to Monday through Saturday, 7:00 a.m. to 6:00 p.m.
17. Rock-crushing activities shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m.
18. If cultural remains are found during material extraction activities, the MSB Planning Department shall be contacted immediately, so the remains can be documented.
19. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.

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20. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at minimum, be allowed on demand when activity is occurring, 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 Conditional Use Permit.
21. The operation shall comply with the reclamation standards of MSB 17.28.067 – Reclamation Standards.
22. All junk, trash, and junk vehicles, as defined in MSB 8.50 shall be removed and properly disposed of prior to the completion of reclamation on the subject parcel.
23. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) – Lighting standards.
24. Authorization for earth material extraction activities approved by this Conditional Use Permit shall expire on December 31, 2030.

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ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of _____, 2022.

STAFFORD GLASHAN, Chair

ATTEST

KAROL RIESE, Planning Clerk

(SEAL)

DRAFT

YES:

NO:

PUBLIC HEARING

LEGISLATIVE

Resolution No. PC 22-19

Repeal MSB 17.10, Aviation Overlay

(Pages 377 - 384)

PUBLIC HEARING

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Planning Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7833
www.matsugov.us

PLANNING DIVISION STAFF REPORT

DATE: June 20, 2022

SUBJECT: Repealing MSB 17.10, Overlay Districts

RESOLUTION NO.: Planning Commission Resolution 22-19

REVIEWED BY: Alex Strawn, Planning & Land Use Director
Kim Sollien, Planning Services Division Manager

STAFF: Kelsey Anderson, Planner II

SUMMARY STATEMENT

Legislation Background

In 2017, the Wolf Lake Aviation Advisory Committee submitted a request to the Borough to develop an Aviation Activity Notification Area overlay district at Wolf Lake Airport. The district did not implement any new land use regulations, rather it acted as a notification tool for nearby property owners and potential buyers of homes within close proximity to the airport. Planning staff worked closely with residents of Wolf Lake Aviation Advisory Committee to develop MSB 17.10 Overlay Districts code that would also be available for other airstrips in the borough to use if the operator of the airstrip wanted to notify residents near them.

Information Memorandum 18-097, which accompanied the legislation to adopt MSB 17.10 cited the Borough's 2017 Long Range Transportation Plan where there was a recommendation that Airport Compatibility is an important issue for the Borough. One strategy listed in the plan to ensure compatibility is to notify property owners of airport locations in the borough.

Since the adoption of MSB 17.10, the only airport to have an aviation activity notice area is Wolf Lake Airport, which was created along with the adoption of the chapter of code. In 2019, there was an unsuccessful attempt to develop another aviation activity notice area for a privately owned, restricted use airport. The process currently defined in MSB 17.10.110 requires Planning staff to develop a unique notice area for privately owned, restricted use airports as they are requested. Because of this requirement, the request for an Aviation Activity Notice Area in 2019 required a considerable amount of staff time to develop a distance for the notification area. Ultimately, the

notification distance that was carefully calculated was changed by the Planning Commission and not adopted by the Assembly.

In 2021, the Aviation Advisory Board signed Resolution 21-01 in support of repealing MSB 17.10. Members of the Wolf Lake community joined for the meeting and showed support for the repeal as long as it was replaced with another form of "notification" for residents looking to purchase homes or see their current proximity to registered airstrips within the borough.

Planning and Land Use Viewer

In March of 2022, the Assembly directed Planning staff to develop a map that showed current land use regulations. Based on the feedback staff received from the Aviation Advisory Board and the Wolf Lake community, staff included the Federal Aviation Administration's Registered Airports GIS layer in the MSB Planning and Land Use Viewer. The Viewer allows residents to search for a parcel by address or Tax ID number. The map also shows registered airports within a 5 mile radius of any parcel within the Matanuska-Susitna Borough. It should be noted that there are unregistered airstrips in the borough that will not show up on the map and it will be the individual's responsibility to do their due diligence when looking to purchase a property.

The Viewer can be accessed here:
https://msb.maps.arcgis.com/apps/webappviewer/index.html?id=4cd76b7861f348e68afd5cc934524a5f

The Planning and Land Use Viewer is an adequate replacement of MSB 17.10, and provides easier access for residents seeking the location of all registered airstrips within the borough. The Viewer is live on matsugov.us and managed internally by Planning and GIS staff. As the FAA layer updates with more registered airports, it will be reflected in the Viewer.

Legislation

The attached draft code ordinance, OR 22-076, will be submitted to the Assembly as part of the adoption process. This legislation is included for your information. The ordinance repeals MSB 17.10, Overlay Districts, in its entirety from Borough Code.

Staff Recommendations

Staff respectfully recommends the adoption of the Planning Commission Resolution 22-19, recommending the repeal of MSB 17.10 Overlay Districts.

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 18-097

SUBJECT: AN ORDINANCE ADOPTING MSB 17.10 OVERLAY DISTRICTS

AGENDA OF: JUNE 5, 2018

ASSEMBLY ACTION: Adopted without objection & Doty recused 8-21-18

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: for George Hays

Route To:	Department/Individual	Initials	Remarks
	Originator	EP	
	Planning and Land Use Director	EP	
	Borough Attorney	NS	Legal discription is preferable to a map
	Borough Clerk	BOA for LRM	

ATTACHMENT(S): Fiscal Note: YES ____ NO X
Ordinance Serial No. 18-061 (5 pp)
Planning Commission Resolution No. 18-06 (2 pp)
Planning Commission handouts (17 pp)

SUMMARY STATEMENT:

The Borough has received a request for an Aviation Activity Notification Area overlay district at Wolf Lake Airport. This district would not implement any new land use regulations, but would simply "notify" nearby property owners and potential buyers of homes within close proximity to an airport that aviation activity is nearby, and they could be impacted by noise associated with that activity. If adopted, this overlay district would be available for other airstrips in the borough.

The planning commission held a public hearing on March 19 and postponed action until May 7, 2018 and requested the following additional information from staff concerning the request:

1. A list of members of the Wolf Lake aviation advisory committee
2. Notification to the property owners within the potentially affected area
3. Any other support or notification efforts of the proposed ordinance

Included with this legislation is the requested member list of the Wolf Lake Advisory Committee. In addition, on April 6, 2018 the planning department mailed 1015 notices to property owners notifying them of the draft ordinance. And finally, staff presented the draft ordinance at the Palmer Airport Advisory Commission on April 26, at the Wasilla Airport Commission on April 19, 2018, and the MSB Aviation Advisory Board meeting on February 28, 2018. The City of Wasilla administration has submitted a letter supporting the ordinance.

The 2017 MSB Long Range Transportation Plan contains a recommendation that Airport Compatibility is an important issue, and one strategy listed in the plan to ensure compatibility is to notify property owners of airport locations on MSB or DOT&PF maps, and note proximity to an airport on plats. In addition, the Mat-Su Borough Regional Aviation Systems Plan-Land Use Guide suggests that a variety of tools can be used to achieve greater levels of airport compatibility, including land use zoning, which may include aviation overlay districts.

The planning commission again considered the draft ordinance and additional public testimony at their May 7, 2018 meeting, made some minor amendments, and adopted Resolution 18-06 recommending assembly approval of the ordinance.

RECOMMENDATION OF ADMINISTRATION:
Approval of an ordinance adopting MSB 17.10 Overlay Districts

CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 22-076

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING MSB 17.10, OVERLAY DISTRICTS.

WHEREAS, the intent and rationale for this ordinance is found in the accompanying Informational Memorandum No. 22-137.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Repeal of Chapter. MSB 17.10, Overlay Districts is hereby repealed in its entirety.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2022.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

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PUBLIC HEARING

LEGISLATIVE

Resolution No. PC 22-23

Repeal of MSB 17.06, Electrical Generating and Delivery Facility

(Pages 385 - 400)

PUBLIC HEARING

OR 22-083
IM 22-150

DOCUMENT TRACKING REPORT

DOCUMENT: An Ordinance Repealing MSB 17.06, Electrical Generating And Delivery Facility, In Its Entirety.

DATE	STATUS
6-21-22	Referred to the P.C. for 90 days
	Due Back by 9-19-22
	10-4 packet closure is 9-23-22

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM **IM No. 22-150**

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING MSB 17.06: ELECTRICAL GENERATING AND DELIVERY FACILITY IN ITS ENTIRETY

AGENDA OF: June 21, 2022

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Refer to Planning Commission.

APPROVED BY MICHAEL BROWN, BOROUGH MANAGER: MWB

Route To:	Department/Individual	Initials	Remarks
	Originator	SNS	for Sunee
	Planning Director		
	Finance Director		
	Borough Attorney		
	Borough Clerk		

ATTACHMENT(S): Fiscal Note: YES ___ NO X
Ordinance Serial No. 22-083 (3 pp)
Chapter 17.06: Electrical Generating and Delivery Facility (6 pp)

SUMMARY STATEMENT:

The intent of this repeal is to make power generation more affordable. The current ordinance requires new electrical generation facilitates to apply for a permit that will be considered by the planning commission. The application process alone is a significant investment in both time and money. With

very high energy costs and international instability, there is a concern the current ordinance hinders cost effective energy production, even sustainable alternative energy facilitates.

RECOMMENDATION OF ADMINISTRATION: Repeal MSB 17.06 in its entirety.

CHAPTER 17.06: ELECTRICAL GENERATING AND DELIVERY FACILITY

Section

17.06.010 Intent

17.06.020 Jurisdiction of chapter provisions

17.06.030 General procedures

17.06.040 Electrical generating facility permit application requirements

17.06.060 Modifications and preexisting uses.

17.06.100 Right to enter

17.06.110 Review of applications; action by planning commission

17.06.120 Application; submittal procedure

17.06.130 Determination of completeness

17.06.140 Public notice

17.06.160 Permit criteria

17.06.165 Required compliance with state and federal laws

17.06.170 Appeals of planning commission decisions

17.06.230 Fees

17.06.010 INTENT.

(A) It is the borough's intent to allow for the location, construction, and operation of new electrical generating facilities and those associated transmission lines necessary to connect the facilities to any electrical grid within the borough while protecting the public health, safety, convenience, welfare, and environmental surroundings of borough residents. These protections include, but are not limited to: public health, noise, water resources, air quality, socioeconomics, visual resources, cultural resources,

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land use, traffic and transportation, hazardous materials handling, waste management, biological resources, soils, geological hazards and resources, and transmission safety.

(Ord. 14-144, § 3 (part), 2015)

17.06.020 JURISDICTION OF CHAPTER PROVISIONS.

(A) This chapter shall apply to the location, construction, and operation of all new electrical generating facilities producing ten megawatts or more on lands within the borough outside of incorporated cities with land use planning power.

(B) Where this chapter is in conflict with the conditions of a special land use district or other borough regulation, the most restrictive conditions apply.

(Ord. 14-144, § 3 (part), 2015)

17.06.030 GENERAL PROCEDURES.

(A) Electrical generating facilities with a generating capacity equal to ten or more megawatts within the borough shall be subject to the provisions of this chapter and any other applicable regulations of the borough, as well as any state or federal agencies having jurisdiction over such activity.

(B) Construction, installation, and operation of electrical generating facilities shall not commence until approval has been granted by the planning commission. The Matanuska-Susitna Borough Planning and Land Use Director, hereinafter referred to as "director," shall serve as the authorized representative of the planning commission to implement the planning commission's approval.

(Ord. 14-144, § 3 (part), 2015)

17.06.040 ELECTRICAL GENERATING FACILITY PERMIT APPLICATION REQUIREMENTS.

(A) An application for a permit for new electrical generating facilities shall be filed by the company(ies) or person(s) seeking to operate such a facility. Application for a permit shall be made in writing on a form or forms provided by the Matanuska-Susitna Borough Planning and Land Use Department, and shall include all of the elements listed in this section.

(B) *Information requirements for an application.*

(1) *Project overview.*

(a) A general description of all project components including the electrical generating facility, the proposed site and related facilities, including the location of the site and substations, switchyards, or other associated transmission equipment serving the facility, the

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type, size, and capacity of the generating or transmission facilities, fuel type, fuel supply routes and storage facilities, water supply routes and facilities, pollution control systems, and other general characteristics.

(b) A brief summary description of the type of fuel(s) and generating technology to be used at the proposed facility; and the decision-making process and rationale used for choosing the same.

(c) Provide a brief summary of the forecasted demand for electrical energy.

(2) *Project schedule*. For each major project component, the proposed dates of initiation and completion of construction, initial start-up, and full-scale operation of the proposed facilities.

(3) *Project ownership*. A list of all owners and legally responsible entities with more than 9.9 percent interest in the site(s), and the electrical generating facilities.

(4) *Certified site plan*.

(5) *Facility closure/decommissioning*. A brief discussion of how the electrical generating facility closure will be accomplished in the event of permanent cessation of operations.

(6) *Other applicable permits*. A list of all other permits for which the project must apply and receive approval.

(Ord. 14-144, § 3 (part), 2015)

17.06.060 MODIFICATIONS AND PREEXISTING USES.

(A) Approval granted for electrical generating facilities shall expire or be considered revoked if commencement of construction has not occurred within five years of the date of approval.

(B) Where an electrical generating facility permit has been approved and the applicant desires to modify the subject permit due to material changes in the project, an amendment to the original application shall be required. Material changes include, but are not limited to:

(1) the footprint of the project expands beyond the permitted development;

(2) a fuel type or generating technology is used which was not specified as part of the approved development; or

(3) the change is in conflict with a condition placed on the permit by the approving body.

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(C) If the director determines that there are substantive impacts caused by the modification, the modification shall be reviewed by the planning commission in accordance with this chapter.

(D) The provisions of this chapter shall apply to all facilities for which construction has not commenced or a permit has not been issued as of the effective date.

(Ord. 14-144, § 3 (part), 2015)

17.06.100 RIGHT TO ENTER.

(A) For the purpose of implementing and enforcing this chapter, the director or designee may enter onto subject property during normal business hours upon reasonable notification.

(Ord. 14-144, § 3 (part), 2015)

17.06.110 REVIEW OF APPLICATIONS; ACTION BY PLANNING COMMISSION.

(A) The director shall review such applications and forward a recommendation for approval, conditional approval, or denial with appropriate findings to the planning commission for final action. Final actions of the planning commission shall contain appropriate findings based upon evidence in the record before the planning commission.

(Ord. 14-144, § 3 (part), 2015)

17.06.120 APPLICATION; SUBMITTAL PROCEDURE.

(A) The application shall consist of all items identified in MSB 17.06.040. Prior to formal submittal of the application, the director shall meet with the applicant to discuss and identify any information required to adequately review the proposed facility.

(Ord. 14-144, § 3 (part), 2015)

17.06.130 DETERMINATION OF COMPLETENESS.

(A) The director will review the application for completeness. If the application is incomplete, the applicant will be notified of the deficiency in writing within 30 days of submittal. If the director determines the application is complete, a public hearing shall be scheduled in accordance with this chapter.

(Ord. 14-144, § 3 (part), 2015)

17.06.140 PUBLIC NOTICE.

(A) Notification shall be in accordance with the standards of MSB 17.03, except the notification area will be one-half mile and the notification period will be 45 days.

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(Ord. 14-144, § 3 (part), 2015)

17.06.160 PERMIT CRITERIA.

(A) The planning commission decision to approve or deny an application for an electrical generating facility permit shall be made and determined based on consideration of the following criteria:

(1) the degree of compatibility of the proposed site plan and land uses with applicable comprehensive plans;

(2) the compatibility and suitability of the project, including fuel storage or delivery routes where applicable, and the site design with surrounding buildings, land uses, ownership and physical characteristics, its size, design and operational characteristics. Factors to be considered include noise levels, impacts upon human health, impacts upon air and water quality, vibration levels, fire protection and emergency response access requirements, visual impacts, fish and wildlife impacts, cultural resources impacts, and traffic safety;

(3) the adequacy of access to and from the project, including to the source of fuel (where applicable) and proposed delivery methods, the effect on pedestrian and vehicular circulation and safety, and mitigation measures proposed to minimize impacts. Factors and impacts to be considered include, but are not limited to, existing and proposed road alignment, intersections, condition, structure, and site distances along all routes; traffic volumes and types of equipment, dust control, and existing road uses;

(4) the impact that the proposed project may have on the need and availability of public services within the area; and

(5) the compatibility of the project to the site conditions, cultural resources, and environmental setting.

(B) The planning commission decision shall be based upon evidence in the record. Within 30 days following the conclusion of the public hearing, a written resolution shall be adopted as its decision on the application. The resolution shall set forth findings based upon evidence in the record of proceedings before the planning commission.

(Ord. 14-144, § 3 (part), 2015)

17.06.165 REQUIRED COMPLIANCE WITH STATE AND FEDERAL LAWS.

(A) All applicants for permits for electrical generating facilities are required to demonstrate compliance with state and federal law. The permit shall be conditioned upon the applicant or agent

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CODE ORDINANCE

Sponsored by: Sumner
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 22-083

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REPEALING MSB 17.06 ELECTRICAL GENERATING AND DELIVERY FACILITY IN ITS ENTIRETY

WHEREAS, some of the rationale and intent of this ordinance are also found in IM. No. 22-150; and

WHEREAS, one goal of the 2005 Matanuska-Susitna Borough Comprehensive Development Plan is to create an attractive environment for business investment; and

WHEREAS, the 2005 Matanuska-Susitna Borough Comprehensive Development Plan recognizes that the comprehensive plan cannot be implemented entirely by codes and ordinances; and

WHEREAS, it also recognizes that a community is seldom a stagnant place; and

WHEREAS, the 2005 Matanuska-Susitna Borough Comprehensive Development Plan recognizes its implementing ordinances should be adjusted over time; and

WHEREAS, the Matanuska-Susitna Borough Energy Policy was adopted in 2014 as part of the Borough's Comprehensive plan; and

WHEREAS, that energy policy supports the Borough's economic development goals and the diversification of the local economy; and

WHEREAS, that energy policy encourages economic development through promoting cost effective renewable and alternative energy resources, including solar; and

WHEREAS, in 2014 the Borough recognized that the Borough's economic prosperity is dependent on safe, available, reliable and affordable residential, commercial, and industrial energy to supply the Borough's electric, heating and transportation needs; and

WHEREAS, in 2014 the Borough recognized that the worldwide supply and demand for energy will affect the price of energy consumed by all Alaskans; and

WHEREAS, the Borough modified its regulations applicable to these electrical generation facilitates in January of 2015 through the passage of MSB 17.06; and

WHEREAS, there have not been any applications to build any additional electrical generation facilities since the passage of MSB 17.06 in 2015; and

WHEREAS, there is a concern MSB 17.06 will hamper the future development of alternative energy; and

WHEREAS, energy prices are at a record high and the Borough seeks to support the expansion of utility systems in order to minimize the burden of increasing energy costs to Borough residents; and

WHEREAS, this repeal is an attempt to assist to control energy

costs from further escalation.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Repeal of section. MSB 17.06 is hereby repealed in its entirety.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2022.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

By: A. Strawn
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 22-23

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE REPEALING MSB 17.06 ELECTRICAL GENERATING AND DELIVERY FACILITY IN ITS ENTIRETY.

WHEREAS, one goal of the 2005 Matanuska-Susitna Borough Comprehensive Development Plan is to create an attractive environment for business investment; and

WHEREAS, the 2005 Matanuska-Susitna Borough Comprehensive Development Plan recognizes that the comprehensive plan cannot be implemented entirely by codes and ordinances; and

WHEREAS, it also recognizes that a community is seldom a stagnant place; and

WHEREAS, the 2005 Matanuska-Susitna Borough Comprehensive Development Plan recognizes its implementing ordinances should be adjusted over time; and

WHEREAS, the Matanuska-Susitna Borough Energy Policy was adopted in 2014 as part of the Borough's Comprehensive plan; and

WHEREAS, that energy policy supports the Borough's economic development goals and the diversification of the local economy; and

WHEREAS, that energy policy encourages economic development through promoting cost effective renewable and alternative energy resources, including solar; and

WHEREAS, in 2014 the Borough recognized that the Borough's economic prosperity is dependent on safe, available, reliable and affordable residential, commercial, and industrial energy to supply the Borough's eclectic, heating and transportation needs; and

WHEREAS, in 2014 the Borough recognized that the worldwide supply and demand for energy will affect the price of energy consumed by all Alaskans; and

WHEREAS, the Borough modified its regulations applicable these electrical generation facilitates in 2014 through the passage of MSB 17.06; and

WHEREAS, there have not been any applications to build any additional electrical generation facilities since the passage of MSB 17.06 in 2014; and

WHEREAS, there is a concern MSB 17.06 will hamper the future development of alternative energy; and

WHEREAS, energy prices are at a record high and the Borough seeks to support the expansion of utility systems in order to

minimize the burden of increasing energy costs to Borough residents; and

WHEREAS, this repeal is an attempt to assist to control energy costs from further escalation.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of an ordinance repealing MSB 17.06 Electrical Generating And Delivery Facility in its entirety.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this -- day of --, 2022.

Stafford Glashan, Chair

ATTEST

KAROL RIESE, Planning Clerk

(SEAL)

YES:

NO:

DRAFT

UNFINISHED BUSINESS

Resolution No. 22-27

Denial of the
Beverly Lake Lake Management Plan

(Pages 401 - 404)

UNFINISHED BUSINESS

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 22-27

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING DENIAL OF THE BEVERLY LAKE LAKE MANAGEMENT PLAN.

WHEREAS, the Matanuska-Susitna Borough Planning Commission held a public hearing on September 18, 2022 regarding the Beverly Lake Lake Management Plan; and

WHEREAS, the process outlined in MSB code, 15.24.031, Initiating and Amending Lake Mangement Plans, was followed;

WHEREAS, a small group of homeowners were deciding what rights to the lake were allowed for a lake that has public access; and

WHEREAS, having a lake management plan may have a negative affect on property values; and

WHEREAS, the people can solve the problems without having government step in; and

WHEREAS, there are no grandfather rights to address people that have lived on the lake for generations; and

WHEREAS, there was no lake management plan in effect when people purchased their property;

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission does not support the Beverly Lake Lake Management Plan.

DRAFT

ADOPTED by the Matanuska-Susitna Borough Planning Commission this -- day of --, 2022.

STAFFORD GLASHAN, Chair

ATTEST

KAROL RIESE, Planning Clerk

(SEAL)

YES:

NO:

DRAFT

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822
www.matsugov.us

MEMORANDUM

DATE: July 22, 2022

TO: Planning Commissioners

FROM: Alex Strawn, Planning and Land Use Director

SUBJECT: Tentative Future PC Items

Upcoming PC Actions

Quasi-Judicial

- Talkeetna Connection – Marijuana Retail Facility; 24N04W29D002 (Staff: Peggy Horton)
- Dime Bag – Marijuana Retail Facility; 6298B01L002 (Staff: Peggy Horton)
- Premier Homes – Earth Materials Extraction; 17N02W34D003 (Staff: Peggy Horton)
- Green Jar – Hatcher Pass – Marijuana Retail Facility; 4316B01L006A (Staff: Jason Ortiz)
- Green Go, LLC – Marijuana Cultivation Facility; 17N01W11A020 (Staff: Mark Whisenhunt)
- Floaters – Alcoholic Beverage Dispensary Expansion; 1783B02L003 (Staff: Mark Whisenhunt)
- QAP – Church-Seldon – Earth Materials Extraction; 18N01W31A015 (Staff: Peggy Horton)
- MSB East Kashwitna – Earth Materials Extraction; 20N04W07A001 (Staff: Mark Whisenhunt)
- Purely Alaskan – Residential Land Use District CUP; 19N04W29A012 (Staff: Mark Whisenhunt)
- Checkmate Harvest Company – Marijuana Cultivation Facility; 18N01W15D005 (Staff: Mark Whisenhunt)
- The Aardvark – Alcoholic Beverage Dispensary; 1454000L001 (Staff: Peggy Horton)
- Talkeetna River Guides – Residential Land Use District CUP; 6436B04L001 (Staff: Peggy Horton)
- Durham School Services – Core Area CUP; 7954000L002 & 8913000L009A (Staff: Peggy Horton)

- Smoke Out Point – Marijuana Retail Facility; 2209B02L001A (Staff: Peggy Horton)

Legislative

- Historic Preservation Plan (HPP) (Staff: Adam Bradway)
- Municipal Separate Storm Sewer System (MS4) (Staff: Rick Antonio)
- Bike and Pedestrian Plan (Staff: Kelsey Anderson)
- MSB Borough-Wide Comprehensive Plan (Staff: Kim Sollien)
- Marijuana Code Update (Staff: Alex Strawn)
- Glacier View Comprehensive Plan Update (Staff: Leda Borys)
- Coordinated Human Services Transportation Plan (Staff: Leda Borys)
- Metropolitan Planning Organization (MPO) Formation (Staff: Kim Sollien)
- Corridor Studies (Staff: Kim Sollien/Adam Bradway)
- Capital Improvement Program (CIP) (Staff: Kelsey Anderson)