

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION AGENDA**

Vern Halter, Mayor

PLANNING COMMISSION

- Mary Anderson, District 1
- Thomas Healy, District 2
- John Klapperich, Chair, District 3
- Colleen Vague, District 4
- William Kendig, District 5
- Tomas Adams, District 6
- Vern Rauchenstein, District 7



John Moosey, Borough Manager

**PLANNING & LAND USE
DEPARTMENT**

- Eileen Probasco, Director of Planning & Land Use
- Lauren Driscoll, Planning Services Chief
- Alex Strawn, Development Services Manager
- Fred Wagner, Platting Officer
- Mary Brodigan, Planning Clerk

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

**May 16, 2016
REGULAR MEETING
6:00 p.m.**

- I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PLEDGE OF ALLEGIANCE
- IV. CONSENT AGENDA
 - Items on the consent agenda are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.*
 - A. MINUTES
 - 1. September 21, 2015, regular meeting minutes
 - 2. May 2, 2016, regular meeting minutes
 - B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS
 - 1. **Resolution 16-20**, A request for a Conditional Use Permit in accordance with MSB 17.70, Regulation of Alcoholic Beverages Uses, for the operation of a Liquor Package Store within a proposed convenience store, located on Lot 11, Hollywood Heights; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 24. Public Hearing: June 6, 2016. (*Applicant: Three Bears Alaska, Inc., Staff: Susan Lee*)
 - C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS
- V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

- A. An Update on the Old Iditarod School. (*Staff: Nancy Cameron*)

VII. LAND USE CLASSIFICATIONS

VIII. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS (*Public Hearings shall not begin before 6:15 p.m.*)

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.

The Planning Commission members may submit questions to the Planning Commission Clerk concerning the following matters or request for more information from the applicant at the time of the introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing.

X. PUBLIC HEARING: LEGISLATIVE MATTERS

- A. **Resolution 16-21**, recommending Assembly approval of an Interim Materials District (IMD) at the MSB Central Landfill in accordance with MSB 17.28 – Interim Materials District, for the extraction of 3,120,000 cubic yards of earth material from 45 acres within a 120-acre area, located within Township 17 North, Range 1 East, Section 1, Tax Parcel D5 (17N01E01D005). (*Applicant: MSB Land Management, Staff: Mark Whisenhunt*)
- B. **Resolution 16-19**, recommending Assembly adoption of an Ordinance establishing Riparian Buffer Standards on High Priority Salmon Streams. Referred by the Assembly to the PC on April 20, 2016, for 90 days. (*Staff: Frankie Barker*)
- C. **Resolution 16-22**, recommending amendments to Assembly Ordinance 16-003, an Ordinance Amending MSB 17.60 to Include Permit Requirements and Standards for Marijuana Related Facilities. Referred by the Assembly to the PC on April 5, 2016, for 90 days. (*Staff: Alex Strawn*)

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

- A. Upcoming Planning Commission Agenda Items (*Staff: Alex Strawn*)

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (Mandatory Midnight)

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 definition of "Interested Party." The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on the Borough Internet home page, <http://www.matsugov.us>, in the Borough Clerk's office, or at various libraries within the Borough.

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**INTRODUCTION FOR PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. 16-20

**Three Bears Liquor Package Store CUP
14468 W. Hollywood Road**

(Page 5 - 34)

INTRODUCTION FOR PUBLIC HEARING

Three Bears Big Lake – Conditional Use Permit for a Liquor Package Store

A conditional use permit application under MSB 17.70 – Regulation of Alcoholic Beverage Uses has been submitted for the operation of a liquor package store within a proposed convenience store.

Location:

Hollywood Heights Subdivision, Lot 11; 14468 W. Hollywood road; within Township 17 North, Range 3 West, Section 21, Seward Meridian.

Applicant: Three Bears Alaska, Inc.

Public Hearing:

The Planning Commission will conduct a public hearing concerning this application on Monday, June 6, 2016 at 6:15 p.m. in the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer.

The application material may be reviewed in the Borough Permit Center. Application material may also be reviewed online at www.matsugov.us and clicking on 'Public Notices'. If you have questions or want to submit comments please contact Susan Lee, Planner II, at 861-7862 or e-mail: slee@matsugov.us. Comments may also be faxed to 861-7876 or mailed to the MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. Comments received prior to May 20, 2016 will be included in the Planning Commission packet for the Commissioner's review and information. Comments received after that date will not be included in the staff report to the Planning Commission.

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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department Development Services

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

Email: PermitCenter@matsugov.us

MEMORANDUM

DATE: April 19, 2016

FROM: Susan Lee, Planner II *Susan*

SUBJECT: REQUEST FOR REVIEW AND COMMENTS

PROJECT: **Conditional Use Permit for a liquor package store**

PARCEL ID: Hollywood Heights, Lot 11 (5271000L011) TAX MAP: HO 13

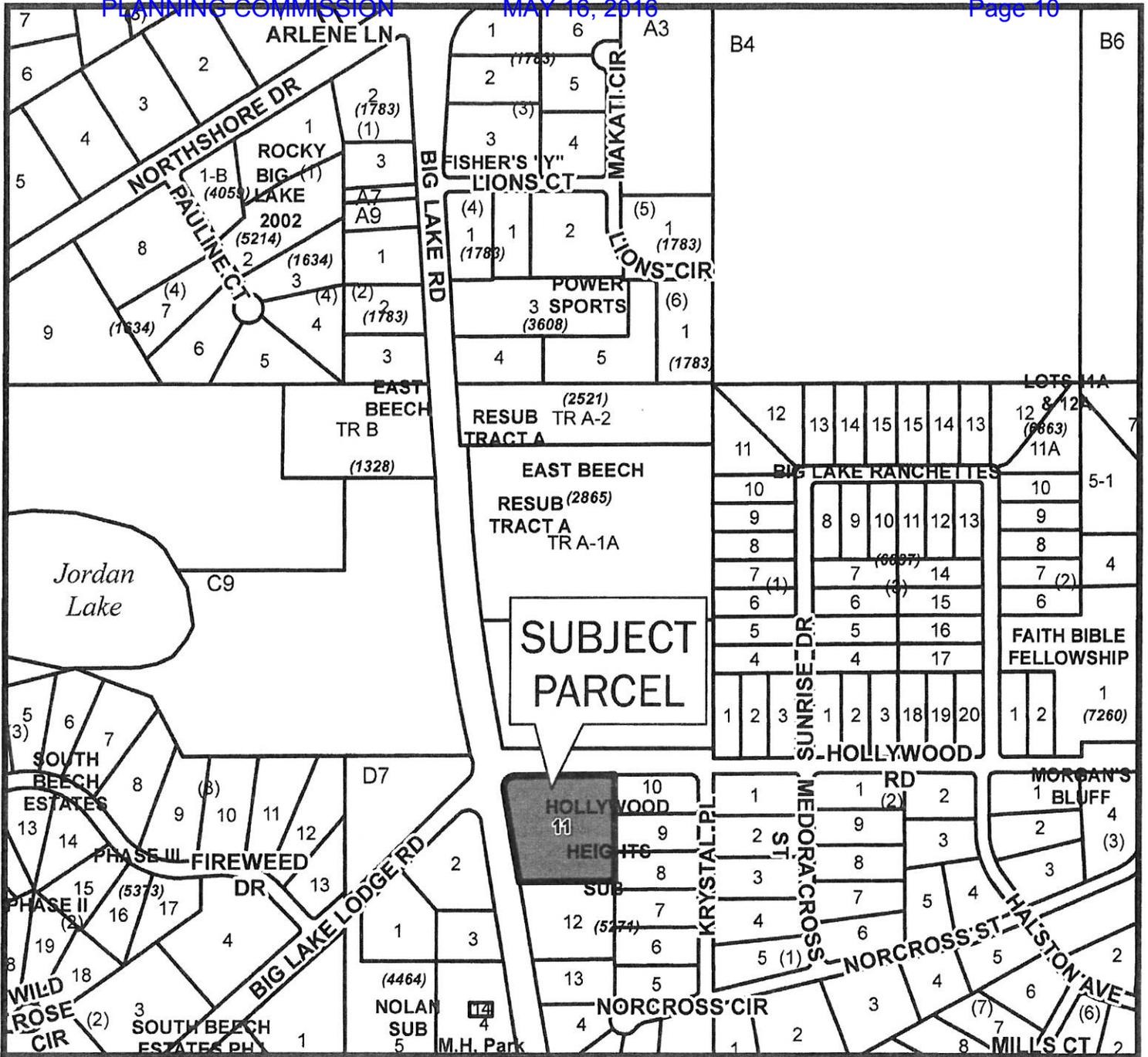
LOCATION: Township 17 North, Range 3 West, Section 21, Seward Meridian

APPLICANT: Three Bears Alaska, Inc.

A conditional use permit application under MSB 17.70 – Regulation of Alcoholic Beverage Uses, has been submitted for the operation of a liquor package store within a proposed convenience store. The Planning Commission will conduct a public hearing on this request on June 6, 2016. If we do not receive comments from you we will assume you have no objections to the proposed project.

- Distribution:
- | | |
|--|--|
| <input type="checkbox"/> Borough Manager (info only) | <input type="checkbox"/> Capital Projects |
| <input type="checkbox"/> Collections | <input type="checkbox"/> Community Development |
| <input type="checkbox"/> Assessment | <input type="checkbox"/> Public Works Director |
| <input type="checkbox"/> Planning Division | <input type="checkbox"/> Right-of-Way Coordinator |
| <input type="checkbox"/> Environmental Planning | <input type="checkbox"/> Emergency Services Director |
| <input type="checkbox"/> Platting Division | <input type="checkbox"/> Code Compliance |
| | <input type="checkbox"/> Cultural Resources |

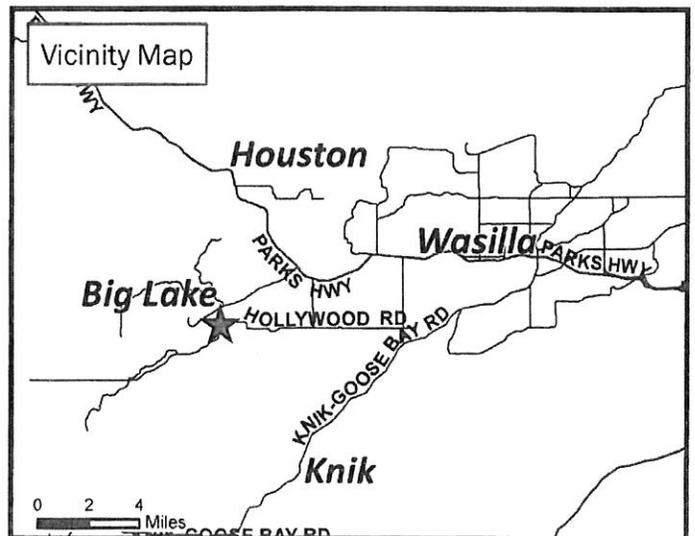
Comments: Return written comments by **May 20, 2016**. Thank you for your review.



5271000L011



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.





MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876
Email: permitcenter@matsugov.us

Received

APPLICATION FOR A CONDITIONAL USE PERMIT
REGULATION OF ALCOHOLIC BEVERAGE USES – MSB 17.70

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:

- \$1,000 for Liquor Beverage Dispensary
[X] \$1,000 for Liquor Package Store

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: _____, Range: _____, Section: _____, Meridian _____
MSB Tax Account # 5271000L011
SUBDIVISION: Hollywood Heights BLOCK(S): _____, LOT(S): 11
STREET ADDRESS: 14468 W. Hollywood Rd.
(US Survey, Aliquot Part, Lat. /Long. etc) _____

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? o Yes o No o N/A

Name of Property Owner Three Bears Alaska, Inc.
Address: 445 N. Pittman Rd., Ste. B Wasilla, AK 99623
Phne: Hm 287-1100 Fax 357.4312
Wk 357.4311 Cell 907.980.0721
E-mail steve@threebearsalaska.com
Name of Agent/ Contact for application
Address:
Phne: Hm Fax
Wk Cell
E-mail

Table with 2 columns: Requirement description and Attached status. Row 1: In order to grant a conditional use permit... met. Explain the following in detail: 1. Is the conditional use compatible... Row 2: 2. Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?

3. Are sufficient setbacks, lot area, buffers and other safeguards being provided?	✓
4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?	✓
5. Is there any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained?	✓
6. What measures are being proposed to reduce any negative effect upon adjacent and nearby properties by property line buffers and arterial buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors and where the surrounding area is predominantly residential in character, site and building design features that contribute to the residential character of the development?	✓
7. Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?	✓
8. Will access to the premises create an unreasonable traffic hazard?	✓
9. Will a reasonably expected increase in traffic overtax the existing road system?	✓
10. Is the use compatible with the character of the surrounding neighborhood?	✓
11. Is there or would the use tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area?	✓
12. Does the applicant or a person with an interest in the application have an interest in a liquor license which was suspended or revoked in the 12 months preceding the application?	✓
13. Has the applicant or person with an interest in the application demonstrated that the person is untrustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?	✓

Supplemental Information – Explain in Detail	Attached
1. Maximum occupancy capacity of facility as determined by Fire Marshall	✓
2. Number of employees proposed to work on largest work shift.	✓
3. Number of regular parking spaces provided.	✓
4. Number of handicapped parking spaces provided.	✓
5. Is the use a sole occupant in a building or a tenant in a building?	✓
6. Total square footage of space in building occupied by this use.	✓
7. Hours of operation.	✓
8. Noise mitigation measures	✓

SITE PLAN – Attach a detailed, to scale, site plan clearly showing the following information:	Attached
1. Proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the liquor use. Draw lot dimensions and indicate setback distance of structure(s) from the lot lines, rights-of-way, and waterbodies.	✓
2. Dimensions of all structures	✓
3. Interior floor plans (specific location of the use or uses to be made of the development)	✓
4. Signage – Existing and Proposed	✓
5. Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.	✓
6. Proposed contouring	✓
7. Vegetation and any landscaping	✓
8. Buffering – Fences, trees, topography, or berms	✓
9. Drainage	✓
10. Vehicular and pedestrian circulation patterns	✓
11. Exterior site lighting	✓
12. Distance(s) to the nearest intersection in all directions from proposed permit site along roads adjacent to the site.	✓
13. Location and dimensions of parking areas to be provided	✓
14. Boundary protection	✓
15. Scale and north arrow.	✓

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

MSB Tax parcel ID #(s) 5871000L011 and, I hereby apply for approval an alcoholic beverage use conditional use permit on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.70 and with all other applicable borough, state or federal laws.

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 understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to the buyer when I sell the land.

I understand that changes from the approved conditional use permit may require further authorization by the Borough Planning Commission. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

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, at other times necessary to monitor compliance.

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

By: Three Bears Alaska, Inc.
[Signature] Stephen D. Mierop 03.03.2016
Signature: Property Owner Printed Name Date

Signature: Agent Printed Name Date

THREE BEARS ALASKA, INC.
Application for Conditional Use Permit
Regulation of Alcoholic Beverage Uses – MSB 17.70

Basic Information (Questions 1 – 13)

1. Yes. The lot being developed is in Big Lake's commercial core with a large number of properties in the area being zoned commercial. The new store is a commercial use that is compatible with the surrounding area and that will add value to the surrounding area by adding a brand new and totally modern neighborhood convenience store, package store, and fuel station.
2. No. The types of products being offered are already available at numerous other locations in the community. This will simply be another location from which Borough residents and visitors may choose to obtain these products.
3. Yes. Please see the related plan set.
4. No. Paved and gravel areas will prevent and control dust. Noise will be no more than already present from current traffic and commercial activity in the area. Advertising will be the same as at our other stores in the Borough and will be non-obtrusive. There will be no borrowed light from the site.
5. Driveway permit will be issued by DOT with full analysis performed.
6. The project was designed by a local registered architect and local registered engineers and will be most similar in appearance to a new store that we built in Tok, the design of which we think will fit very well in the Big Lake community. There are fully designed civil drawings for the project and the site will be both landscaped and buffered.
7. Yes. There will be adequate on-site parking.
8. No. The project is located in Big Lake's commercial core and will not present any unusual traffic patterns.
9. No. The project is not the type to increase overall traffic on the existing road system.
10. Yes. Three Bears is a local neighborhood store.
11. No. The project will contain a package store along with a convenience store and fuel station. We card every single package store customer and every single tobacco customer.
12. No.
13. No.

Supplemental Information (Items 1 – 7)

1. 138
2. 6
3. 14
4. 1
5. Three Bears Alaska, Inc. is the sole occupant of the building, but the use is a partial use (the rest of the building will be used as a convenience store)
6. 1,405
7. 9:00 a.m. to midnight during summer/high season and potentially shorter hours during rest of year
8. The very low amount of noise generated by a project like this is generally not sufficient to require mitigation.

SAJJ Architecture (SAJJ) is not responsible for safety programs, methods or procedures of operation, or the construction of the design shown on these drawings. Drawings are for use on this project only and are not intended for reuse without written approval from SAJJ. Drawings are also not to be used in any manner that would constitute a detriment directly or indirectly to SAJJ ARCHITECTURE, LLC.

STRUCTURAL ENGR. ORIENTASSOCIATES, INC. BEN ORN, P.E. 18022 HANSON DRIVE EAGLE RIVER, AK 99577 907-280-0507 (D) 907-294-0508 (F)	MECHANICAL ENGR. RSA ENGINEERING, INC. JIM BENNETT, P.E. 1811 EAST SWANSON AVE. #101 WASILLA, AK 99654 907-575-1521 (D) 907-284-0508 (F)	ELECTRICAL ENGR. RSA ENGINEERING, INC. BRIAN ROSSON, P.E. 1811 EAST SWANSON AVE. #101 WASILLA, AK 99654 907-575-1521 (D) 907-994-0508 (F)
VICINITY MAP: BIG LAKE, ALASKA 1448 W HOLLYWOOD RD. BIG LAKE, AK BIG LAKE RD S. BIG LAKE W. HOLLYWOOD PARKS HWY	ABBREVIATIONS: AFF ABOVE FINISHED FLOOR BO BY OWNER EA EACH EQ EQUAL FLL FINISHING FLOOR LINE GWB GYPSUM WALL BOARD O.C. ON CENTER SF SQUARE FOOT TYP TYPICAL V/B VAPOR BARRIER DOOR TYPES: FLUSH (SEE DRAWINGS) ROOM NAME AND NUMBER	SYMBOLS: DOOR TYPE WINDOW TYPE WALL TYPE WALL SECTION DETAIL INTERIOR ELEVATION REVISION
ARCHITECTURAL: A1.0 CODE STUDY, INDEX, ABBREVIATIONS A1.1 FIRE DIAGRAM, GENERAL NOTES A1.2 SITE PLAN A1.3 ENLARGED SITE A2.1 FLOOR PLAN A2.2 NOT USED A2.3 REFLECTED CEILING PLAN A2.4 ROOF PLAN A3.1 BUILDING ELEVATIONS A3.2 BUILDING SECTIONS A3.4 NOT USED A4.1 SCHEDULES A5.1 3D EXTERIOR (FOR REFERENCE ONLY) A5.2 3D INTERIOR (FOR REFERENCE ONLY) A5.3 3D INTERIOR (FOR REFERENCE ONLY)	MECHANICAL: M0.1 MECH. LEGEND, ABBREVIATIONS, SCHEDULES M0.2 MECHANICAL SCHEDULES M0.3 MECHANICAL SPECIFICATIONS M1.1 MECHANICAL CANOPY PLAN M1.2 MECHANICAL ROOF PLAN M2.1 MECHANICAL UNDERFLOOR PLAN M2.2 MECHANICAL FLOOR PLAN M3.1 MECHANICAL HVAC PLAN M4.1 MECHANICAL SCHEMATICS M4.2 MECHANICAL DETAILS M5.1 MECHANICAL DETAILS M5.2 MECHANICAL DETAILS M5.3 MECHANICAL DETAILS M5.4 MECHANICAL DETAILS	ELECTRICAL: E0.1 ELECTRICAL LEGEND & PANEL SCHEDULE E0.2 ELECTRICAL ONE LINE DIAGRAM E1.1 ELECTRICAL SITE PLAN E1.2 ELECTRICAL DISPENSER PLAN E2.1 ELECTRICAL POWER & SIGNAL PLAN E3.1 ELECTRICAL DETAILS E4.1 ELECTRICAL DETAILS E4.2 ELECTRICAL DETAILS
GENERAL: C0.1 NOTES, LOCATION MAP, LEGEND C1.0 SITE PLAN	STRUCTURAL: S0.1 STRUCTURAL NOTES S1.1 FOUNDATION PLAN S2.1 ROOF FRAMING PLAN S3.1 WALL SECTIONS	

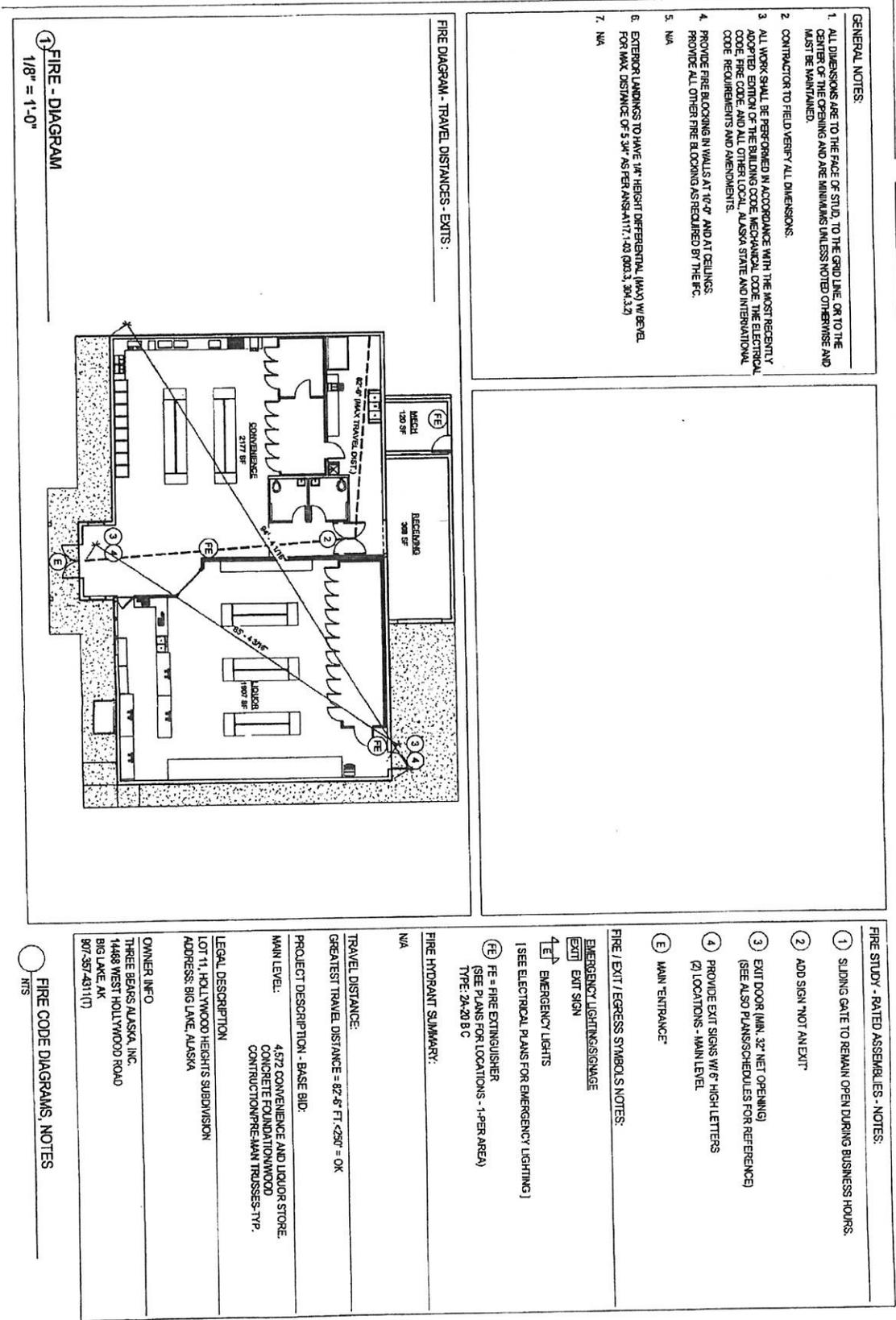
CIVIL ENGINEER: STERNER DESIGN & CONST. SERVICES, LLC DAVE STERNER WASILLA, AK 99652 907-537-5808 (D) 907-537-5808 (F)	ARCHITECT: SAJJ ARCHITECTURE, LLC SCOTT ALAN JONES, AIA 807E KULES DRIVE ANCHORAGE, AK 99502 907-440-0908 (D)	GENERAL CONTRACTOR: PRISM DESIGN & CONSTRUCTION, LLC SCOTT YASUIS P.O. BOX 97162 WASILLA, AK 99657 232-1628 (D) 982-7339 (D) 982-7334 (F)
CODE ANALYSIS AND NOTES:		
LEGAL DESCRIPTION: LOT 11, HOLLYWOOD HEIGHTS SUBD 1448 WEST HOLLYWOOD RD, BIG LAKE, AK BIG LAKE, ALASKA	ZONING DISTRICT: XXX	APPLICABLE CODES: 2009 IBC, 2009 IEBC, 2009 IFC, 2009 IMC, 2009 UFC, & AK STATE FM AMENDMENTS
OCCUPANCY GROUP: "M" [MERCANTILE] "S-1" [MODERATE-HAZARD STORAGE] [ACCESSORY]	CONSTRUCTION TYPE: TYPE 5B	BASIC ALLOWABLE AREA: 1-STORY / 9,000SF "M" 1-STORY / 9,000SF "S-1"
ACTUAL AREA: 2,177 SF "M" - (1) STORY [PROPOSED] - [CONVENIENCE STORE] 1,807 SF "M" - (1) STORY [PROPOSED] - [LIQUOR STORE] 488 SF "S-1" - (1) STORY [PROPOSED] [ACCESSORY, STOCK, SHIPPING AREA, MECH] 4,472 SF (TOTAL)	OCCUPANT LOADS: 4,004 SF "M" / 30 = 139 (MERCANTILE AREA) 488 SF "S-1" / 30 = 16 (STORAGE, STOCK, RESTROOM, MECH) 139 (TOTAL PERSONS - FINISHED BUILDING)	SPRINKLER SYSTEM: N/A (NONE EXISTING) [TOTAL BUILDING = 4,572 SF] INCREASES: N/A REQUIRED EGRESS: (2) EXITS FROM MAIN LEVEL PROVIDED (DIRECT TO EXTERIOR) REQUIRED SEPARATION: "M" TO "S-1" = "N" NO REQUIRED SEPARATION PER TABLE 908.3.3 NO SEPARATION AT BOLTER RM PER TABLE 508.2 (4400687)(3)(SEE MECH) PROVIDE 1/2" GWB (FIRE-RATED) OR SHEET METAL FOR THERMAL BARRIER OF FOAM INSULATION USED TO INSULATE WALK-IN-COOLER AS PER 2803.2.4 & 2803.4.1.3
TRAVEL DISTANCES: SEE SHEET A1.1 (FIRE DIAGRAM) FOR TRAVEL DISTANCES (MAX. DIST. = 82'-9")	YARD REQUIREMENTS: * 10'-0" FROM PROPERTY LINE - TYPICAL HEIGHT OF STRUCTURE: 21'-10" (PROPOSED)	ADA REQUIRED: ACCESSIBLE ROUTE, HC BATHS PROVIDED PARKING REQUIREMENTS: SEE SITE PLAN / SURVEY LOT SIZE COVERAGE: SEE SITE PLAN / SURVEY

11.0
DR: PER
CR: SAJJ
DT: 15 JAN 16
JB: PRISM 38 BL
DWG:

THREE BEARS BIG LAKE
1448 WEST HOLLYWOOD ROAD
BIG LAKE, ALASKA

SAJJ ARCHITECTURE, LLC
SCOTT A. JONES 4375 RILEY DRIVE, ANCHORAGE, ALASKA 99502
907-440-6666 997-255-6106 (FAX)

REV NO. XX DATE
STATE OF ALASKA
Professional Seal



11.1

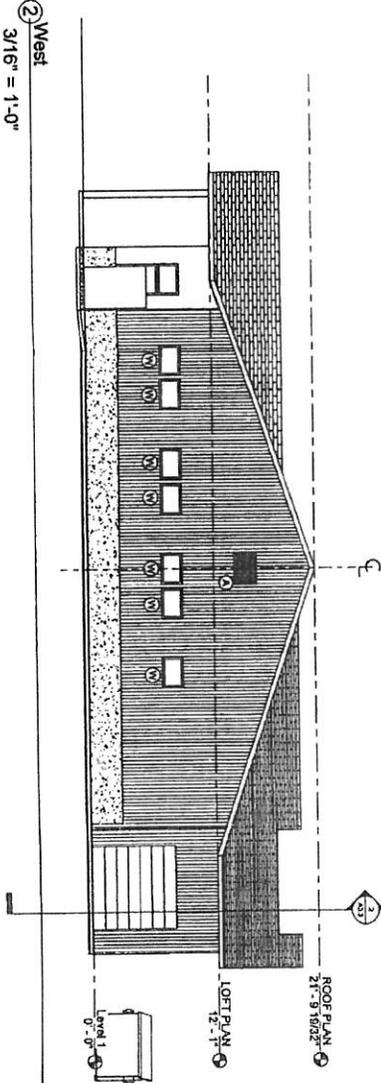
DR: NIK
 CR: SAL
 DT: 13 JAN 16
 JB: FRISH 38 BL
 DWG:

THREE BEARS BIG LAKE
 1448 WEST HOLLYWOOD ROAD
 BIG LAKE, ALASKA

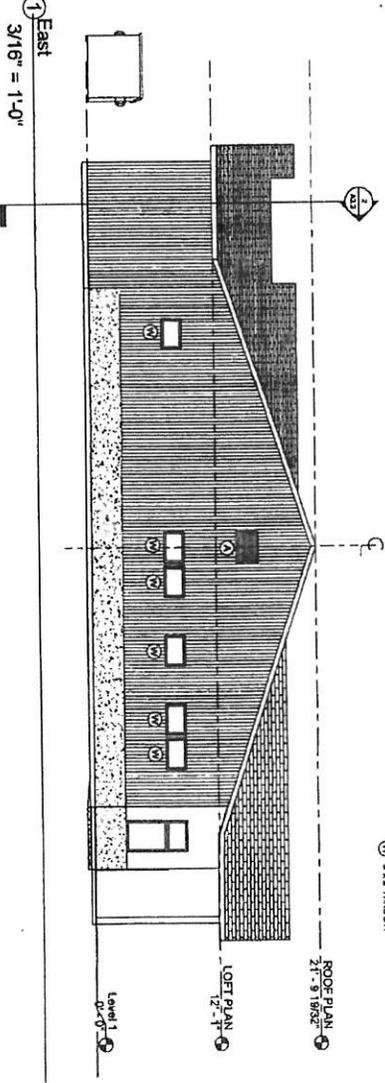
SAJJ ARCHITECTURE, LLC
 3011 T. JONES APTS 612 2D9E, ANCHORAGE, ALASKA 99501
 907-422-6606 907-258-6606 (FAX)

REV NO: XX DATE

② West
3/16" = 1'-0"



① East
3/16" = 1'-0"



SHEET NOTES
 ① ATTIC VENT
 ② 3x2 2' W BLUD SCREEN
 ③ 3 1/2" WINDOW

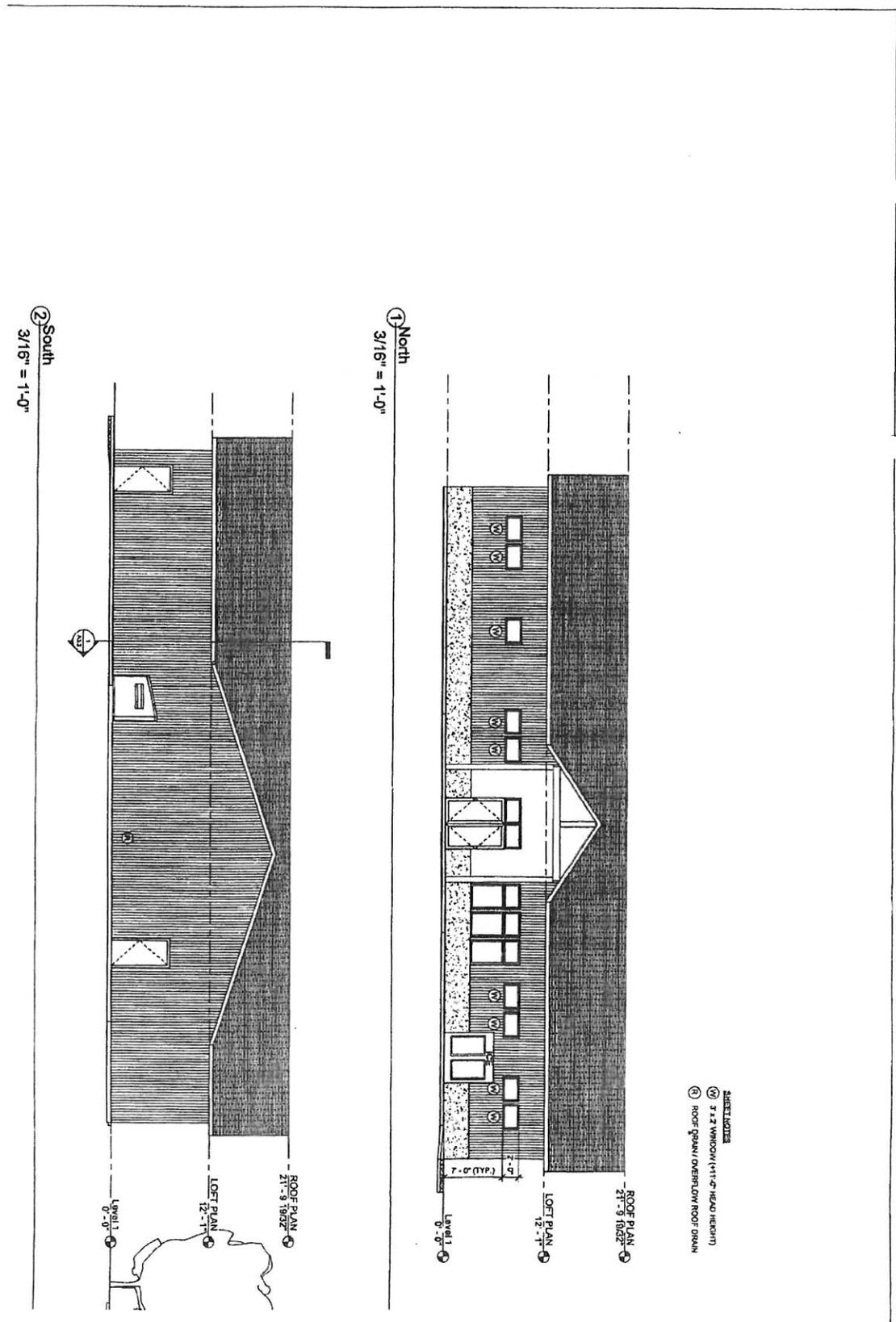
3.1
 DR: MKR
 CK: SAJ
 DT: 13 JAN 16
 JR: PRRCH SB BL
 DWC:

THREE BEARS BIG LAKE
 14468 WEST HOLLYWOOD ROAD
 BIG LAKE, ALASKA

SAJJ ARCHITECTURE, LLC
 SCOTT A. JONES 6375 KALEIS DRIVE, ANCHORAGE, ALASKA 99542
 #907-442-6608 #907-258-6808 (FAX)

REV NO: XX DATE





13.2

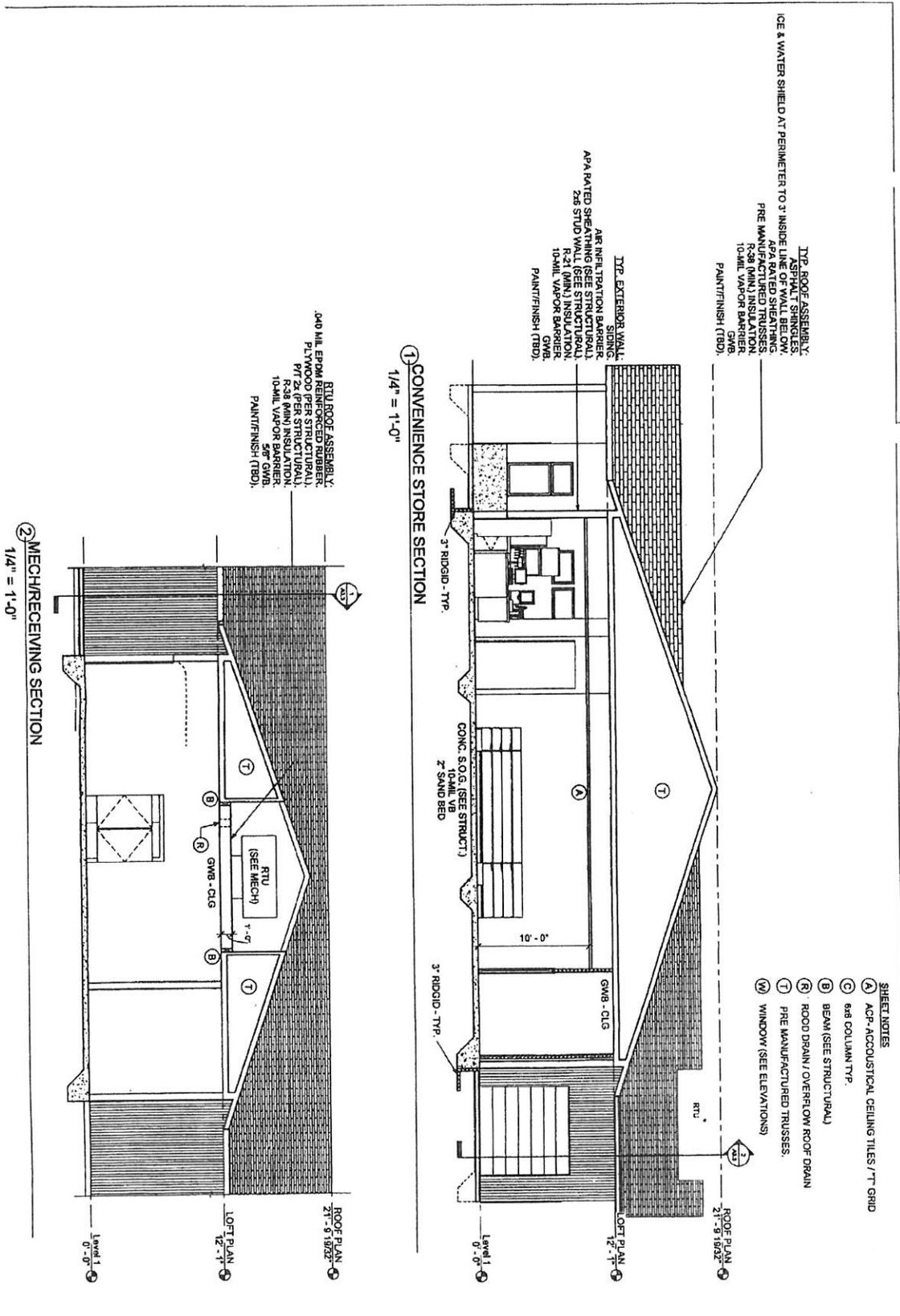
DR: KSK
 CK: SAJ
 DT: 15 JAN 15
 JB: PRESH 38 BL
 DWG:

THREE BEARS BIG LAKE
 144.68 WEST HOLLYWOOD ROAD
 BIG LAKE, ALASKA

SAJJ ARCHITECTURE, LLC
 9077 A. JONES 6175 KILG DRIVE, ANCHORAGE, ALASKA 99502
 (907) 442-6656 (907) 254-6666 (FAX)

REV NO. XX DATE





- SHEET NOTES
- (A) ACP-ACOUSTICAL CEILING TILES / TT GRID
 - (B) 6x6 COLUMN TYP.
 - (C) BEAM (SEE STRUCTURAL)
 - (D) ROOF DRAIN / OVERFLOW ROOF DRAIN
 - (E) PRE MANUFACTURED TRUSSES.
 - (F) WINDOW (SEE ELEVATIONS)

13.3

DR: KJB
 CK: SAJ
 DT: 13 JAN 16
 JB: PRISM 33 BL
 DWG:

THREE BEARS BIG LAKE
 14468 WEST HOLLYWOOD ROAD
 BIG LAKE, ALASKA

SAJJ ARCHITECTURE, LLC
 SCOTT A. JONES 6375 KILA B DRIVE, ANCHORAGE, ALASKA 99502
 #907-443-6666 #907-258-6666 (FAX)

REV NO: XX DATE



Susan Lee

From: Dan Steiner <dsteiner@mtaonline.net>
Sent: Monday, April 04, 2016 3:05 PM
To: Susan Lee
Cc: Scott Yaskus; 'Scott Jones'
Subject: Three Bears Big Lake Conditional Use Permit Application - Response to Review Comments
Attachments: C1.0.pdf; C2.0.pdf; Electrical Site Plan.pdf

Ms. Lee,

This e-mail is in response to MSB comments regarding the above reference project. Attached are updated plans reflecting changes made per your comments.

The following is a response to your comments:

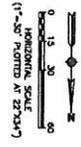
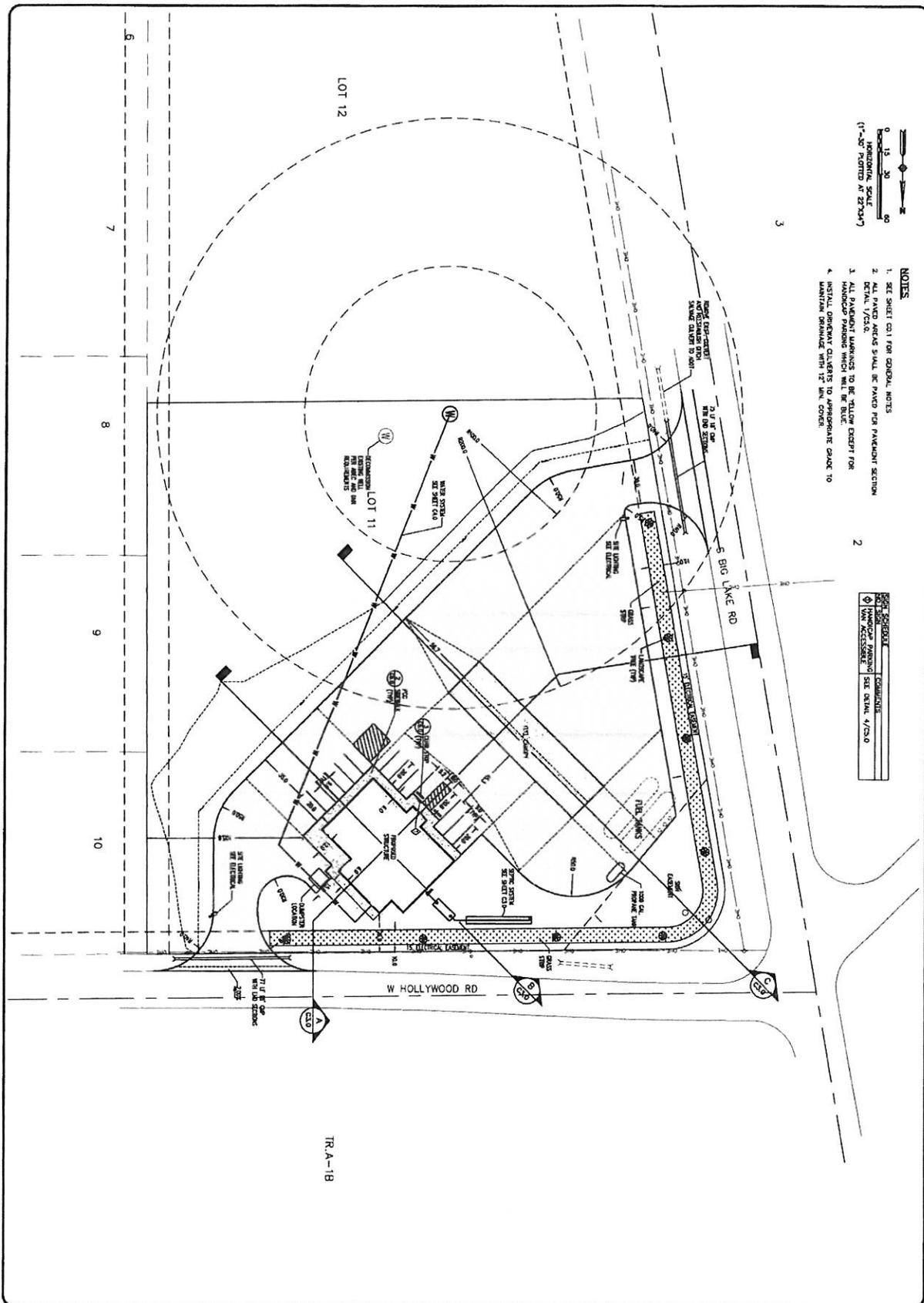
1. The building has been moved to 26' from the right-of-way line. See Sheet C1.0.
2. Landscaping has been added to the site plan. See Sheet C1.0.
3. The site has both light poles and lights off the building. Attached is the electrical site plan. Light poles have been added to the Civil Site plan also on C1.0.
4. The grading plan has been included with this e-mail. See sheet C2.0

Please contact me if you have any other questions or need additional information.

Dan Steiner, PE
SDCS, LLC
(wrk) 907-357-5609
(fax) 907-357-5608
(cell) 907-715-7704



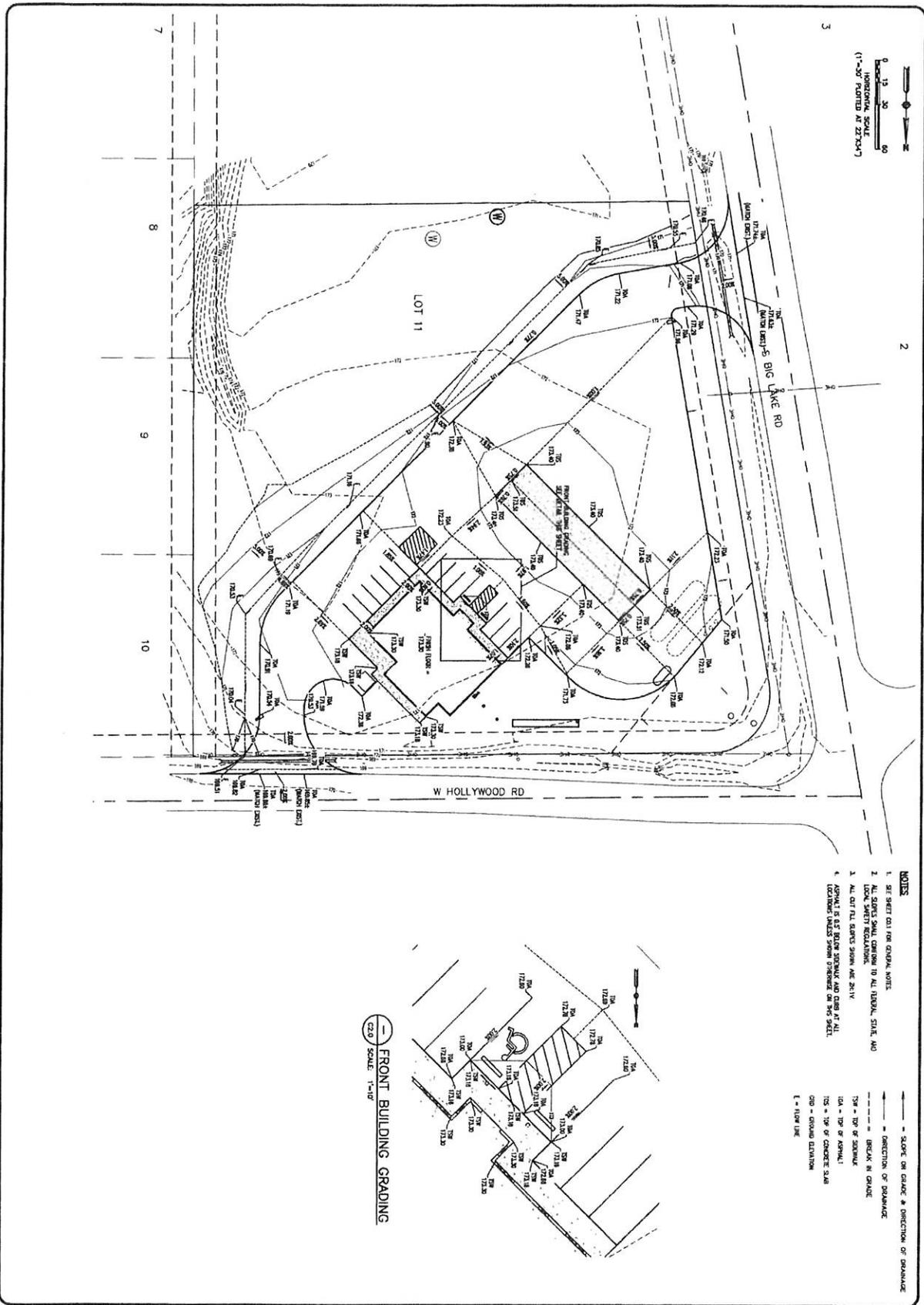
This email has been checked for viruses by Avast antivirus software.
www.avast.com



- NOTES**
1. SEE SHEET C01 FOR GENERAL NOTES
 2. ALL PAVED AREAS SHALL BE PAVED FOR PARALLEL SECTION DETAIL V/C&O.
 3. ALL PAVEMENT MARKINGS TO BE YELLOW EXCEPT FOR HANDICAP PARKING WHICH WILL BE BLUE.
 4. INSTALL DRIVEWAY CURBS TO APPROPRIATE GRADE TO MAINTAIN DRAINAGE WITH 12" MIN. COVER.

ITEM	DESCRIPTION	DATE
1	CONVENIENCE STORE AND GAS STATION	4/23/16
2	SEE DETAIL 4/C&O	

SHEET C1.0	SHEET TITLE SITE PLAN	JOB NO.: 16-005 DATE: 4/4/16 DRAWN: DES REVIEWED: DES	BY DATE REVISIONS 	THREE BEARS ALASKA, INC. CONVENIENCE STORE AND GAS STATION LOT 11 HOLLYWOOD HEIGHTS SUBDIVISION BIG LAKE, ALASKA	SDCS, LLC STEINER DESIGN & CONSTRUCTION SERVICES, LLC 5900 W. DEWBERRY DR. PH: (907) 357-5609 WASILLA, AK 99623 FAX: (907) 357-5608	
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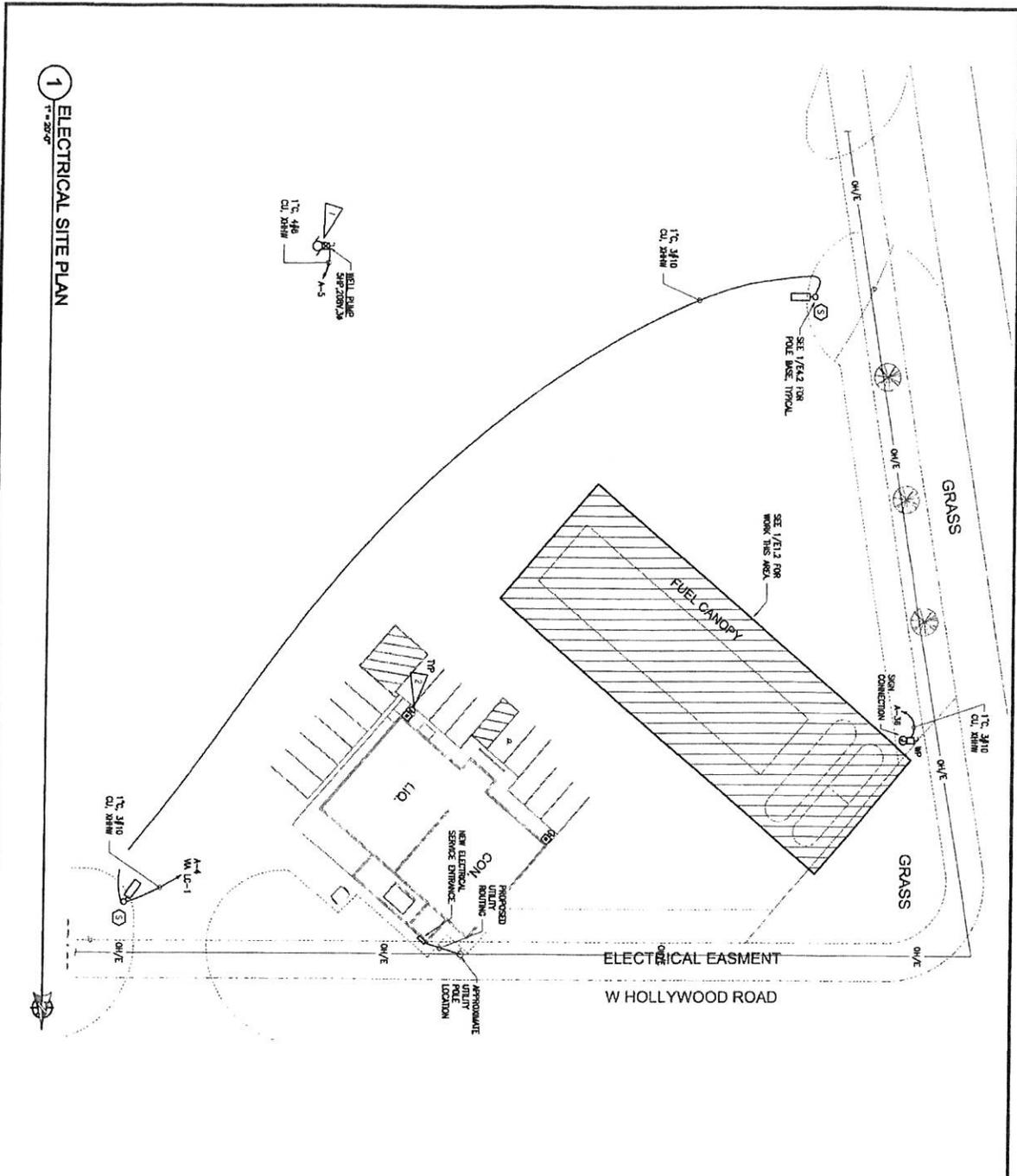
- NOTES**
1. SET SHEET OUT FOR GRADE NOTES.
 2. ALL SPOTS SHALL COMPLY TO ALL FEDERAL, STATE, AND LOCAL STREET REQUIREMENTS.
 3. ALL CUT/FILL SPOTS SHOWN ARE 2% MIN.
 4. ASPHALT IS 8" ST. BUILT OVER CONCRETE AND CURB AT ALL CORNERS UNLESS SHOWN OTHERWISE ON THIS SHEET.

- - - SLOPE OR GRADE & DIRECTION OF DRAINAGE
 - - - DIRECTION OF DRAINAGE
 - - - BREAK IN GRADE
 TYP - TOP OF SURFACE
 TOS - TOP OF ASPHALT
 TCS - TOP OF CONCRETE SLAB
 GSD - GROUND ELEVATION
 L - FLOW LINE

FRONT BUILDING GRADING
SCALE: 1"=10'

SHEET 2.0	SHEET TITLE GRADING PLAN	JOB NO.: 16-005	THREE BEARS ALASKA, INC. CONVENIENCE STORE AND GAS STATION LOT 11 HOLLYWOOD HEIGHTS SUBMSSION BIG LAKE, ALASKA	SDCS, LLC STEINER DESIGN & CONSTRUCTION SERVICES, LLC 5900 W. DEWBERRY DR. PH: (907) 357-5409 WASILLA, AK 99623 FAX: (907) 357-5408	
		BY DATE REVISIONS _____ _____ _____ _____			
JOB NO.: 16-005 DATE: 4/4/16 DRAWN: DES CHECKED: DES					

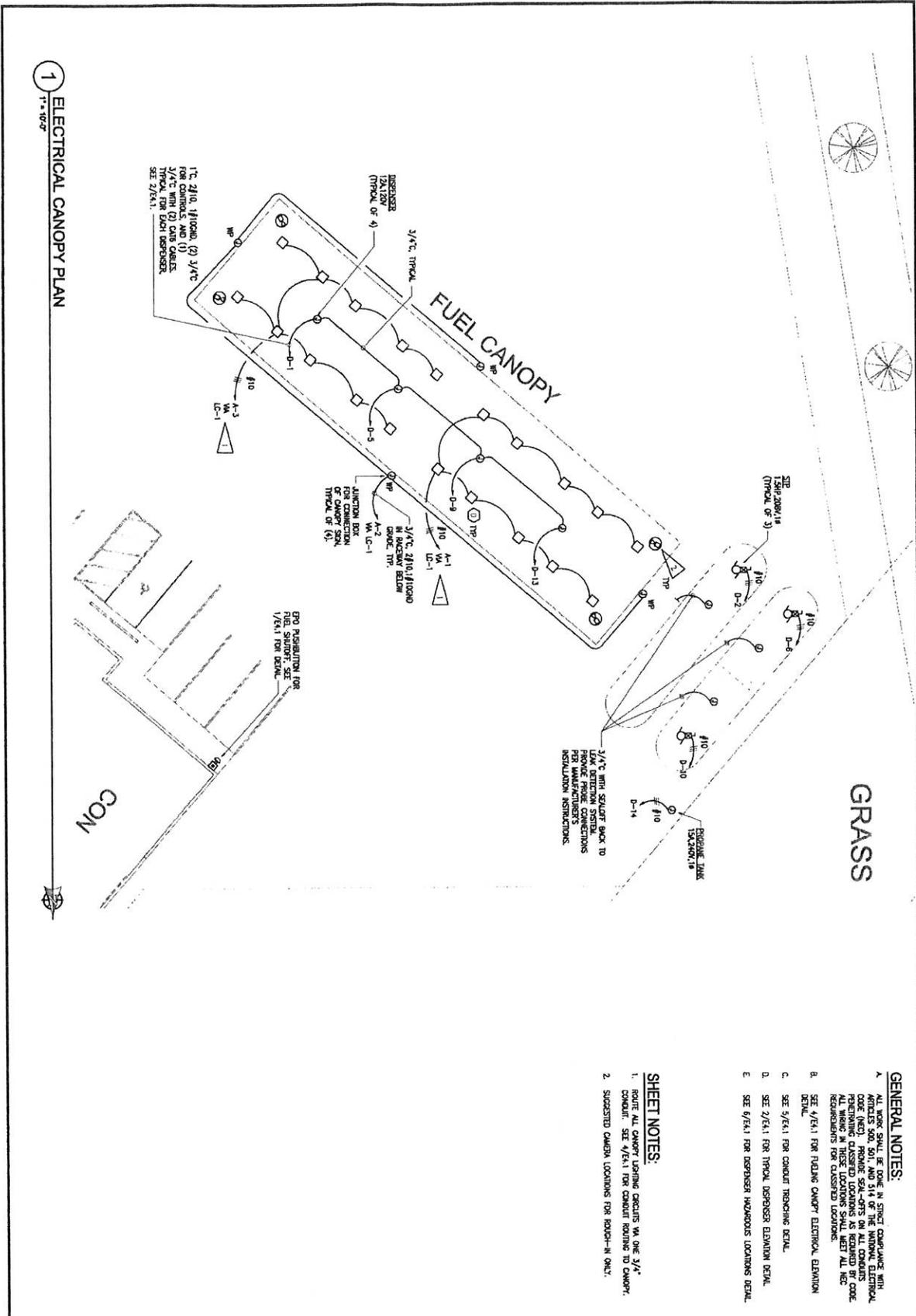
1 ELECTRICAL SITE PLAN



- GENERAL NOTES:**
- ALL WORK SHALL BE DONE IN STRICT COMPLIANCE WITH ARTICLES 500, 501, AND 514 OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL ELECTRICAL FORBIDDEN LOCATIONS FOR ALL COMPARTMENTS CODE. ALL WIRING IN THESE LOCATIONS SHALL MEET ALL NEC REQUIREMENTS FOR CLASSIFIED LOCATIONS.
 - APPROVED ELEVATION PROCEDURE SPANS SHALL BE NOTED IN CORRESPONDING LOCATIONS PER IFC 2004.1.5.
 - SEE 1/E1.1 FOR EPO POSITIONING ELEVATION DETAIL.
 - SEE 2/E1.1 FOR TYPICAL DISPENSER ELEVATION DETAIL.
 - SEE 3/E1.1 FOR EPO CONNECTION DETAIL.
 - SEE 4/E1.1 FOR FUELING CANOPY ELECTRICAL ELEVATION DETAIL.
 - SEE 5/E1.1 FOR CONDUIT TRENCHING DETAIL.
 - SEE 6/E1.1 FOR DISPENSER HOVARDORUS LOCATIONS DETAIL.

- SHEET NOTES:**
- COORDINATE WITH CIVIL FOR EXACT LOCATION.
 - EPO LOCATION, CONTRACTOR TO LOCATE EPO WITHIN 100' OF ALL DISPENSERS.

<p>DR: HSS CA: BJR DT: FEB. 26, 2016 JB: L6020.00 DWG: ELECTRICAL SITE PLAN</p>	<p>THREE BEARS BIG LAKE PRISH CONSTRUCTION ANCHORAGE, ALASKA</p>	<p>SALL ARCHITECTURE SCOTT ALLAN JONES 6375 HILLS DRIVE ANCHORAGE ALASKA 99502 #907-440-6600 #907-258-6000 FAX</p>	<p>RISA Engineering, Inc. MECHANICAL AND ELECTRICAL CONSULTING ENGINEERS 675 Fennell Ln #200 Anchorage, AK 99503 Phone (907) 275-6201 Fax (907) 275-1791</p>	
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1 ELECTRICAL CANOPY PLAN
1" = 10'-0"

GRASS

CON

GENERAL NOTES:
 A. ALL WORK SHALL BE DONE IN STRICT COMPLIANCE WITH ARTICLES 500, 501, AND 514 OF THE MUNICIPAL ELECTRICAL CODE (MEC). PROVIDE SEAL-OFFS ON ALL CONDUITS BEFORE FINISHING CLASSIFIED LOCATIONS AS REQUIRED BY CODE REQUIREMENTS FOR CLASSIFIED LOCATIONS.
 B. SEE 4/15/1 FOR ROLING CANOPY ELECTRICAL ELEVATION DETAIL.
 C. SEE 5/1/1 FOR CONDUIT TRENCHING DETAIL.
 D. SEE 2/1/1 FOR TYPICAL DISPENSER ELEVATION DETAIL.
 E. SEE 6/1/1 FOR DISPENSER HOOD/BOOS LOCATIONS DETAIL.

SHEET NOTES:
 1. ROUTE ALL CANOPY LIGHTING CIRCUITS VIA ONE 3/4" CONDUIT. SEE 4/15/1 FOR CONDUIT ROUTING TO CANOPY.
 2. SUGGESTED CABLE LOCATIONS FOR ROUGH-IN ONLY.

<p>EI.2</p> <p>DR: HSS CK: BJR DT: FEB 26, 2016 JB: L6020.00 DWG: ELECTRICAL DISPENSER PLAN</p>	<p>THREE BEARS BIG LAKE PRISM CONSTRUCTION ANCHORAGE, ALASKA</p>	<p>SAH ARCHITECTURE SCOTT ALLAN JONES 6325 ALDIS DRIVE, ANCHORAGE ALASKA 99502 907-440-8600 907-254-6606 (FAX)</p>	<p>RISA Engineering, Inc. 870 Fennell Ln #200 Anchorage, AK 99503 Phone: (907) 574-1211 Fax: (907) 574-1751</p>	
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Susan Lee

From: Steve Mierop <steve@threebearsalaska.com>
Sent: Friday, March 04, 2016 11:56 AM
To: Susan Lee
Cc: David Weisz
Subject: RE: app form
Attachments: THREE BEARS BIG LAKE - Overview of Ultimate Development - 20160304-1120.pdf; DG Signs - Three Bears - Big Lake C Store Signs PROOF v1.pdf

Susan,

Here's a copy of a drawing that we had to do in our initial planning so that we could work out parking and other bigger picture issues related to the overall/ultimate project.

And I've already spoken to Carol Kane and am going to send this to her directly. But even though this drawing is not a part of our official submittal, you should feel free to share this anytime you feel it would be helpful.

Also, I've included a proof of our building signage that just came in.

THANKS for all your help, and have a GREAT weekend!!!

All the best,

Steve

VP/CFO

907-357-4311 x22 Voice

907-357-4312 Fax

907-980-0721 Mobile

Steve@ThreeBearsAlaska.com



From: Susan Lee [<mailto:Susan.Lee@matsugov.us>]

Sent: Monday, January 04, 2016 08:12

To: steve@threebearsalaska.com

Subject: app form

Hi Steve:

Attached is the updated conditional use permit application form.

Susan

Susan Lee

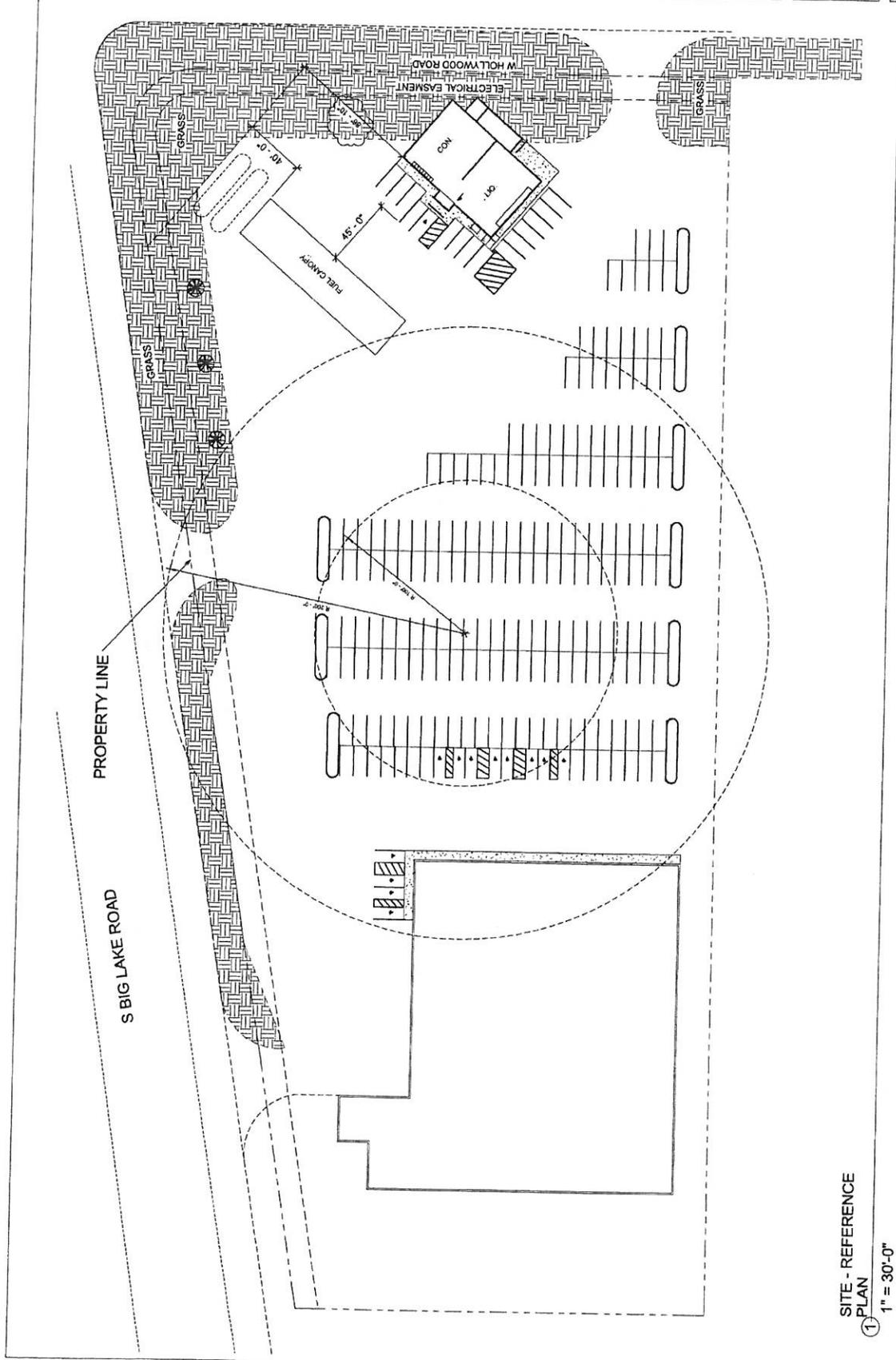
Planner II

Matanuska-Susitna Borough

907-861-7862 (Direct Line)

907-861-7876 (FAX)

REV NO. XX DATE	SCOTT A. JONES 6315 G.L.S. DRIVE, ANCHORAGE # 997-445-6408 # 997-288-4	THREE BEARS BIG LAKE BIG LAKE, ALASKA	A1.2
	SAJJ ARCHITECTURE, LLC		DR: KBN CK: SAJ DT: 16 DEC 15 LB: FRISM 39 BL DWG:



SITE - REFERENCE
 ① PLAN
 1" = 30'-0"

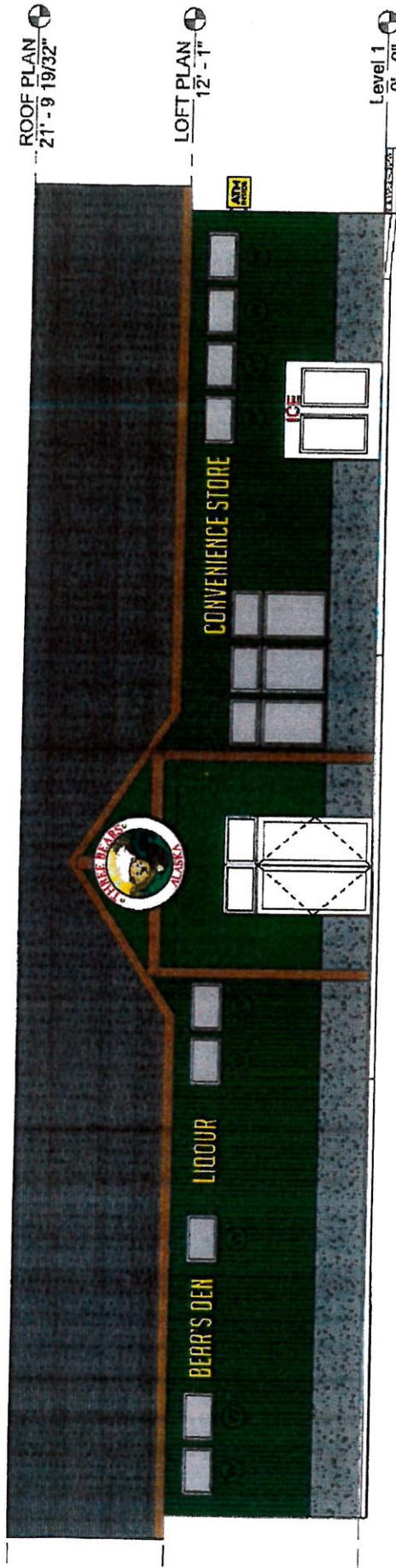
1/167 DRAWINGS ARE HALF THE INDICATED SCALE

• 16 DECEMBER 2015 • 90% REVIEW SET •

CALL 907.746.5197



SIGNS & LIGHTING
REPAIR



NORTH - FACING FUEL PUMPS

Production will not begin until approval is signed and sent back marked APPROVED. Please verify all wording, spelling, art and sizes are correct before approving.

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APPROVAL REQUIRED!

APPROVED AS-IS CHANGES REQUIRED

SIGNATURE

DATE

CALL 907.746.5197



SIGNS & LIGHTING
R E P A I R



EAST - FACING HOLLYWOOD

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APPROVAL REQUIRED!

APPROVED AS-IS CHANGES REQUIRED

SIGNATURE _____

DATE _____

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**PUBLIC HEARING
LEGISLATIVE**

Resolution No. 16-21

MSB Landfill IMD

(Page 35 - 290)

PUBLIC HEARING

STAFF REPORT



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

File Number:	172820160001
Applicant/Property Owner:	MSB Land & Resource Management Division
Request:	Planning Commission Resolution 16-21
	A resolution recommending Assembly approval of an Interim Materials District (IMD) in accordance with MSB 17.28—Interim Materials District, for the extraction of 3,120,000 cubic yards of earth material from a 45-acre mining area within a 120-acre
Location:	Central Landfill (MSB Tax ID# 17N01E01D005); within Township 17 North, Range 1 East, Section 1, Seward Meridian
Public Hearing:	May 16, 2016
Planning Commission Action:	The planning commission shall conduct a public hearing and render a recommendation to Borough Assembly on a designation for an Interim Materials District
Reviewed By:	Eileen Probasco, Planning & Land Use Director Alex Strawn, Development Services Manager
Staff:	Mark Whisenhunt, Planner II
Staff Recommendation:	Approval with conditions

EXECUTIVE SUMMARY

An Interim Materials District (IMD) application has been submitted for an IMD designation on the above referenced parcels where a mining operation is proposed in preparation for an expansion of the Matanuska-Susitna Borough central landfill. The total land dedicated to the operation of the landfill is 620 acres in size and involves nine total parcels. The request involves designating one landfill parcel 120 acres in size as an Interim Materials District. The application

specifically requests to remove 3,120,000 cubic yards of material from a 45-acre mining area within the previously mentioned parcel. The extraction activities are in preparation for creating new landfill cells for the landfill expansion. There are a total of 29 planned cells. The applicant has indicated that extraction activities related to this request are expected to conclude in 2060.

For sites where extraction activities are greater than 20-acres an IMD designation is required under MSB 17.28 – Interim Materials District. An IMD may be established on private or public parcels and where extraction activities occur on 20 contiguous acres or greater. The subject parcel is located in Assembly District 2 and within the Gateway Community Council planning boundary.

An Administrative Permit application for Cells 4-7 was processed and approved for the extraction of approximately 770,000 cubic yards of earth material from a 13-acre mining site within the subject parcel. Administrative Permit A173020160003 was approved on May 3, 2016.

LAND USE

Existing Land Use:

The subject parcel is 120 acres in size. The active operation of the central landfill located on the northwest area of the subject parcel. Crevasse Moraine trail system is located from the eastern side of the subject parcel to the southern side of the subject parcel and beyond.

Surrounding Land Uses:

Lands to the north are primarily residential until the Palmer-Wasilla Highway. The Highway corridor is mixed commercial and residential. Lands to the east are mixed with undeveloped glacial moraines, residential, commercial, and a public school. Lands to the south are mixed with undeveloped glacial moraines, residential, and several large industrial mining sites. Lands to the west and southwest are mix with undeveloped glacial moraines, residential. Mat-Su College, Mat-Su Regional Medical Center, and the University of Alaska experimental farm are also located towards the west – southwest area.

COMPREHENSIVE PLAN

There are several adopted plans which apply to the subject parcel. The plans are listed below and excerpts from each plan are delineated after.

- Core Area Comprehensive Plan (2007 Update)
- Matanuska-Susitna Borough Comprehensive Development Plan (2005)
- Matanuska Susitna Borough Economic Development Strategic Plan
- Matanuska-Susitna Borough Recreational Trails Plan
- Matanuska-Susitna Borough Central Landfill Development Plan
- Crevasse-Moraine Master Plan

The subject parcel is located within the Core Area planning area. The Core Area Comprehensive Plan (2007 Update) addresses sand and gravel extraction. The plan recognizes that sand and gravel are essential for borough development and there are significant sand and gravel resources located in the Core Area. The plan addresses potential conflicts with neighboring land uses

regarding traffic and public safety, visual aesthetics, dust, noise and water quality. The plan also addresses reclamation of extraction sites for future residential subdivisions, business parks, retail centers, and recreational facilities.

The plan mentions the central landfill and a twenty year master plan prepared in 1996. Lastly it mentions an update (2002) of the master plan, noting the landfill expansion would “*affect the trail head and trail system.*”

The Matanuska-Susitna Borough Comprehensive Development Plan (2005) offers the following beginning on page 6:

Goal (E-2): *Manage Borough owned lands in a manner that fosters economic development while ensuring quality of life.*

Public facilities include schools, fire stations, libraries, parks, water and sewer systems, landfills, and recreational structures. These facilities are necessary to support community development and growth by supporting the provision of clean water, emergency response, education, recreation, and other vital community services. Public facilities are therefore a necessary ingredient in enhancing the borough's quality of life. A community's public facility infrastructure also engenders a sense of community by providing physical features that may promote additional development activity and thus enhancing community quality. Successful economic development relies upon a comprehensive public facilities network. Potential investors must be assured of the availability of clean water supplies, efficient waste disposal services, fire protection, and quality education opportunities.

The Borough's public facilities support different population centers and user groups; therefore the levels of service provided by these facilities may differ depending upon location and service population. The 1984 Borough-wide Public Facilities Plan provided five general principles to guide the development of public facilities within the Borough. The principles have guided the Borough well over the last twenty years. Updating these five principles to address today's needs is necessary as the Borough has changed greatly since 1984. The updated principles for public facility development are:

- Public facilities serve as the basic infrastructure required to build local communities.*
- Public facilities should be considered as systems that interrelate with each other.*
- Public facility systems should recognize and accommodate the regional diversity of the Borough.*
- Public facilities, to the extent feasible and practical, should be developed on the basis of locally adopted and reasonable standards that are appropriate to the various regions.*
- Public facilities can, and should, share space and infrastructure to allow multiple uses to the extent feasible and practical.*

In addition to the general principles that guide the development and placement of public facilities, facility and level-of-service standards are also important considerations for the efficient and effective development of public facilities.

Since the Borough adopted a Borough-wide Public Facilities Plan in 1984, it has been amended by the adoption of the following Borough-wide functional plans:

- *Parks, Recreation, and Open Space Plan, 2000*
- *Solid Waste Management Plan, 2002*
- *Borough Library Comprehensive Plan, 2001*
- *Historic Preservation Plan, 1987*

Goal (PF-1): *Develop efficient and effective public facilities to meet the needs of the Borough's diverse communities, economy, and growing population.*

Policy PF1-4: *To the extent feasible and practical, co-locate public facilities in order to reduce construction, operating, maintenance costs, and potential negative impacts.*

The Matanuska Susitna Borough Economic Development Strategic Plan offers the following information beginning on page 29:

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

The subject parcels are also covered by the Matanuska-Susitna Borough Recreational Trails Plan, adopted March 2000 and last updated in May 2007. Beginning on page 6-2 of this plan it states:

Regionally Significant Trail

1. Crevasse-Moraine

A non-motorized year round trail system maintained by the Matanuska-Susitna Borough for hiking, running, Nordic skiing, mountain biking, horseback riding and snowshoeing. User fee is collected at the trailhead south of Palmer-Wasilla Highway. Some of the trails are located on land designated for landfill purposes and may be lost when new landfill cells are developed. Plans include re-establishing trailhead and trails east of the current location.

Shown on Map 5. Noted in both the 1984 and 2000 MSB Trail Plans.

Recommendation: Create a trail replacement plan that includes development and management goals for the borough-owned lands reserved for public recreation east and south of Crevasse Moraine area.

The central landfill master plan was most recently updated in 2014 and called the Matanuska-Susitna Borough Central Landfill Development Plan. The plan describes the future development of the landfill in detail and also contains the technical data used to determine the future needs to accommodate waste generated by the Matanuska Susitna Borough community.

Lastly, the Crevasse-Moraine Master Plan, adopted March 4, 2014 applies to the subject parcels. Some excerpts from the plan are listed below:

The Borough's 640 acres off 49th State Street is classified as Reserved Lands Public Facilities/Landfill. Trails are an authorized secondary use until land is needed for Landfill development.

The Borough's 160 acre "France Road" site is leased to the City of Palmer. As the original intended use (landfill) is no longer required, the site will return to the Borough to be dedicated for trails, open space and the Valley Pathways School.

Temporary trails not in the permanent trail system may be maintained, if deemed safe and operationally compatible, on the Borough Central Landfill's 620 acre site. Any new trail investments and infrastructure will focus on the permanent trail system.

Co-Located Borough Facilities

The Mat-Su Regional Landfill is respected for its important role in providing refuse disposal to serve a growing regional population. Landfill daily operations and development plans are anticipated, and the expectations and safety of trail users in the Landfill vicinity are managed through signage, closures, fencing, and other appropriate actions. At the same time, the Landfill seeks to be a good neighbor by helping to control trash, and minimizing off-site impacts. As larger blocks of landfill cells are filled to capacity, areas are capped, contoured and revegetated, allowing for compatible open space and recreational use.

Serve a Growing Central Population

Implementation over the next 20 years helps meet projected recreation and open space needs for the Borough's central area as its population increases, especially along Crevasse-Moraine's eastern side. Phasing priorities include:

Phase I – *Secure contiguous trails and open space for the future by dedicating France Road lands for public recreation, working with partners to expand the public land base, and securing a north-south trail easement from UA.*

Phase II - *Develop new France Road parcel trails, and close landfill area trails as needed.*

Phase III - *Plan and construct the new collector roadway and multi-use pathway.*

Phase IV - *Develop access and construct a southern neighborhood trailhead with amenities*

Landfill Safety & Buffer Zone ≈ 620 Acres *

- *The Landfill is the primary dedicated use. As the Landfill develops outward to its set boundaries, some trails currently on Landfill property will be closed as necessary.*
- *Retain a safety zone and good neighbor buffer around the active landfill that minimizes off-site impacts (e.g. views, blowing garbage)*
- *As landfill cells are closed and capped, in-fill with community and/or recreation facilities that are compatible with Crevasse-Moraine.*
- *Provide signage and interpretation in strategic locations to help trail users understand and respect landfill operations, and anticipate change.*

After reviewing the plans that apply to the Central Landfill parcels which have been adopted by the Matanuska-Susitna Borough Assembly, staff has found that the proposed Interim Materials District is unequivocally consistent with the applicable comprehensive plans.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS**MSB 17.03 – Public Notification**

A notice was mailed to the Gateway Community Council and to all property owners within a one-mile radius of the proposed IMD site. A total of 1,015 notices were mailed on April 15, 2016. Notification of this request was published in the April 15, 2016 edition of the Frontiersman. The application material was also posted on the Borough website. No comments were received from the Gateway Community Council. A total of eight comments were received for this application. 24 comments were received with the original Interim Materials District application and have been included in this packet. Some of the general concerns are:

- The objection to loss of trails on landfill designated property
- Can the landfill be relocated?
- Moraines should be preserved for parks and education
- Existing landfill is noisy
- Dust caused by additional truck traffic
- Existing landfill negatively impacting property values and community
- Objection to using France Road
- Bad for tourism
- Increased traffic dangerous

State of Alaska DOT right-of-way agent, Kevin Vakalis, submitted comments which conveyed no objection, but noted “A northbound signal change to the protected/ permitted left turn operations is desirable to MSB and DOT. DOT would support an MSB project to make these changes otherwise; this is not a major State project need and will have to wait for the next major project opportunity that has adequate funding.”

The City of Palmer Planning and Zoning Commission submitted comments through their Planning Technician Kimberly McClure.

Section 17.28.040 Required Compliance With State And Federal Laws

(A) All applicants for interim materials district designation are required to demonstrate compliance with state and federal law. Prior to final approval of the interim materials district, 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. 42.65;*
- (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 Alaska Pollutant Discharge Elimination System (APDES) 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.*

Finding: A State of Alaska Department of Revenue 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.

Finding: A State of Alaska Department of Natural Resources (ADNR) mining permit is not required for this application because the extraction activities will not take place on state land.

Finding: A Storm Water Pollution Prevention Plan (SWPPP) is required and will be submitted to the Environmental Protection Agency (EPA) when a contractor is selected by the Borough to operate the proposed site.

Finding: No reclamation is required; the landfill operation will begin landfill cell preparation and use upon completion of extraction activities in each phase.

Finding: A United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act is not required for the proposed mining activities. A Jurisdictional Determination issued by the US Army Corps of Engineers (USACE) has been provided by the applicant.

Conclusion of Law: With appropriate conditions, all of the requirements to demonstrate compliance with state and federal laws have been met (MSB 17.28.040(A)).

Section 17.28.050 Site Development Plan Required

(A) The application for an interim materials district shall include a site development plan. The site development plan shall include, but not be limited to the following, as required by the conditions of the site, and shall be consistent with the standards in MSB 17.28.060:

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

- (2) *planned location of permanent and semipermanent structures for verification of setback requirements;*
- (3) *proposed phases of mining activities;*
- (4) *roads and access plan;*
- (5) *visual screening measures;*
- (6) *noise mitigation measures; and*
- (7) *proposed lighting.*

Finding: A map is included in the record identifying surrounding property ownership, wetlands, and water bodies, and existing surrounding land uses within one mile of the site.

Finding: The applicant's site plan shows the planned location of permanent and semi-permanent structures conform to the setback requirements.

Finding: The proposed phases of mining have been identified in the site plan and application, which are included in the record showing the location of each phase of mining activity within the subject parcel.

Finding: According to the application material and the applicant, the operation will use existing access to North 49th State Street.

Finding: The applicant will not use any side residential roads for the proposed use.

Finding: Existing topography and forested area provide visual screening of the mining area from adjacent parcels.

Finding: Existing topography and forested area provide noise buffering. Extraction activities typically take place at the pit floor, 20-75 feet below the original ground level.

Finding: According to the application material, the hours of operation is not seasonally dependent and at the contractor's discretion. The expected hours of operation are Monday through Friday from 8 a.m. to 6 p.m., Saturday from 9 a.m. to 5 p.m.

Finding: According to the application material, lighting will be located and shielded to direct light towards the ground to minimize light spillage onto adjacent property and upward in to the night sky.

Finding: According to the application material, illumination and other fixtures mounted higher than 20 feet or 150 watts or more will have downward directional shielding.

Conclusion of Law: Based on the above findings, the applicant's site development plan includes all items listed in 17.28.050(A) (1) through (7), and is consistent with the standards in MSB 17.28.060 (MSB 17.28.050(A)).

Section 17.28.060 Site Development Standards

(A) Standards for the interim materials district 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;

Finding: A map is included in the record identifying surrounding property ownership, wetlands and water bodies, and existing surrounding land uses within one mile of the site.

Finding: Cook Inlet Alaska Wetland Classification and Mapping System and National Wetlands Inventory identify some wetland formations on and within one mile of the property.

Conclusion of Law: Based on the above findings, the surrounding property ownership, existing land uses, and wetlands and water bodies within a one mile have been identified (MSB 17.28.060(A)(1)).

(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.

Finding: The proposed phases of mining have been identified in the site plan and application, which are included in the record showing the location of each phase of mining activity within the subject parcel.

Finding: The applicant's site plan shows the planned location of semi-permanent equipment, which conform to the setback requirements.

Finding: A map showing topography, bare earth, and vegetation are included in the record.

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 determined. Semi-permanent equipment will not be located within the required setbacks (MSB 17.28.060(A)(2)).

(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;

Finding: According to the application material, the proposed use will generate up to 20 trips maximum per hour and will not exceed 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles a day.

Finding: According to the application material and the applicant, the operation will use existing access to North 49th State Street.

Finding: The applicant will not use any side residential roads for the proposed use.

Discussion: Currently the Matanuska-Susitna Borough is pursuing an agreement to obtain right-of-way for an east-west corridor that would connect the new Trunk Road to 49th State Street. The

applicant has indicated that in the event this right-of-way is established and constructed, it would be the primary access for truck traffic. Should the east-west corridor come to fruition, using it as the primary access for truck traffic would provide significant relief for traffic on 49th State Street.

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 17.28.060(A)(3)).

- (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: Existing topography and forested area provide visual screening of the mining area from adjacent parcels.

Finding: Figure A-2 of the site plan shows a 100-foot vegetative buffer that abuts the perimeter of the landfill parcels to west, south, and east. A 300-foot buffer is to the north.

Conclusion of Law: Existing topography and natural vegetation will be used to meet the visual screening measure (MSB 17.28.060(A)(4)).

- (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 us:*

Table 1. Sound Levels by Receiving Land Use

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

- (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.*

Finding: Existing topography and forested area provide noise buffering. Extraction activities typically take place at the pit floor, 20-75 feet below the original ground level.

Finding: Figure A-2 of the site plan shows a 100-foot vegetative buffer that abuts the perimeter of the landfill parcels to west, south, and east. A 300-foot buffer is to the north.

Finding: According to the application material, the hours of operation is not seasonally dependent and at the contractor’s discretion. The expected hours of operation are Monday through Friday from 8 a.m. to 6 p.m., Saturday from 9 a.m. to 5 p.m.

Discussion: The community has expressed concerns of potential noise impacts from the proposed operation among other things. According to comments from a community member, noise from various contractors in the past operating at landfill have at times worked late in the evening causing a nuisance and interrupting the quiet evening setting. While noise levels exceeding the levels in MSB 17.28.060(A)(5)(a) are prohibited, staff recommends limiting the operation hours to: 8am to 6pm, Monday through Saturday, except rock crushing and screening activities are limited to 8am to 5pm Monday through Friday. Staff encourages the Planning Commission to discuss this recommended condition.

Conclusion of Law: Existing topography and natural vegetation will be used to ensure that sounds generated from earth material extraction activities do not exceed sound levels set forth in MSB 17.28.060 (A)(5). Noise levels exceeding the levels in 17.28.060(A)(5) are prohibited.

(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: According to the application material, lighting will be located and shielded to direct light towards the ground to minimize light spillage onto adjacent property and upward in to the night sky.

Finding: According to the application material, illumination and 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 applicant meets lighting standards in accordance with MSB 17.28.060(A)(6).

(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)).*

Finding: A map is included in the record identifying surrounding property ownership, wetlands, and water bodies, and existing surrounding land uses within one mile of the site.

Finding: Cook Inlet Alaska Wetland Classification and Mapping System and National Wetlands Inventory identify some wetland formations on and within one-half mile of the property.

Finding: A United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act is not required for the proposed mining activities. A Jurisdictional Determination issued by the US Army Corps of Engineers (USACE) has been provided by the applicant.

Conclusion of Law: Based on the above findings, the applicant will not conduct earth material extraction activities within 100 linear feet of any identified wetland, stream, river or other waterbody (MSB 17.28.060(A)(7)).

Section 17.28.080 Procedures For Initiating An Interim Materials District (IMD)

17.28.080(C)(2) The commission shall report to the assembly on whether the applicant has met the standards delineated in MSB 17.28.050 and 17.28.060 and what effect the proposed interim materials district would have on the public health, safety, and general welfare of the Matanuska-Susitna Borough. The commission in its report to the assembly shall recommend to the assembly

approval, denial, modifications, or conditions of approval for the proposed action, and shall include findings on the following:

(a) whether the proposed interim materials district is compatible with the goals and objectives of the comprehensive plan;

Finding: Core Area Comprehensive Plan (2007 Update) states the landfill expansion would *“affect the trail head and trail system”* of Crevasse Moraine.

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

Finding: Goal E-2 of the Matanuska Susitna Borough Comprehensive Development Plan states: *“Manage Borough owned lands in a manner that fosters economic development while ensuring quality of life.”*

Finding: Matanuska Susitna Borough Comprehensive Development Plan states: *“Public facilities include schools, fire stations, libraries, parks, water and sewer systems, landfills, and recreational structures. These facilities are necessary to support community development and growth by supporting the provision of clean water, emergency response, education, recreation, and other vital community services. Public facilities are therefore a necessary ingredient in enhancing the borough’s quality of life.”*

Finding: Matanuska Susitna Borough Comprehensive Development Plan states: *“Public facilities serve as the basic infrastructure required to build local communities.”*

Finding: Matanuska Susitna Borough Comprehensive Development Plan states: *“Public facilities can, and should, share space and infrastructure to allow multiple uses to the extent feasible and practical.”*

Finding: Goal PF-1 of the Matanuska Susitna Borough Comprehensive Development Plan states: *“Develop efficient and effective public facilities to meet the needs of the Borough’s diverse communities, economy, and growing population.”*

Finding: Policy PF1-4 of the Matanuska Susitna Borough Comprehensive Development Plan states: *“To the extent feasible and practical, co-locate public facilities in order to reduce construction, operating, maintenance costs, and potential negative impacts.”*

Finding: Matanuska-Susitna Borough Recreational Trails Plan states: *“Crevasse-Moraine a non-motorized year round trail system maintained by the Matanuska-Susitna Borough for hiking, running, Nordic skiing, mountain biking, horseback riding and snowshoeing. User fee is collected at the trailhead south of Palmer-Wasilla Highway. Some of the trails are located on*

land designated for landfill purposes and may be lost when new landfill cells are developed. Plans include re-establishing trailhead and trails east of the current location.”

Finding: Crevasse-Moraine Master Plan States: *“The Borough’s 640 acres off 49th State Street is classified as Reserved Lands Public Facilities/Landfill. Trails are an authorized secondary use until land is needed for Landfill development.”*

Finding: Crevasse-Moraine Master Plan States: *“The Borough’s 160 acre “France Road” site is leased to the City of Palmer. As the original intended use (landfill) is no longer required, the site will return to the Borough to be dedicated for trails, open space and the Valley Pathways School.”*

Finding: Crevasse-Moraine Master Plan States: *“Temporary trails not in the permanent trail system may be maintained, if deemed safe and operationally compatible, on the Borough Central Landfill’s 620 acre site. Any new trail investments and infrastructure will focus on the permanent trail system.”*

Finding: Crevasse-Moraine Master Plan States: *“Co-Located Borough Facilities: The Mat-Su Regional Landfill is respected for its important role in providing refuse disposal to serve a growing regional population. Landfill daily operations and development plans are anticipated, and the expectations and safety of trail users in the Landfill vicinity are managed through signage, closures, fencing, and other appropriate actions. At the same time, the Landfill seeks to be a good neighbor by helping to control trash, and minimizing off-site impacts. As larger blocks of landfill cells are filled to capacity, areas are capped, contoured and revegetated, allowing for compatible open space and recreational use.”*

Finding: Crevasse-Moraine Master Plan States: *“Landfill Safety & Buffer Zone ≈ 620 Acres: The Landfill is the primary dedicated use. As the Landfill develops outward to its set boundaries, some trails currently on Landfill property will be closed as necessary; Retain a safety zone and good neighbor buffer around the active landfill that minimizes off-site impacts (e.g. views, blowing garbage); As landfill cells are closed and capped, in-fill with community and/or recreation facilities that are compatible with Crevasse-Moraine; Provide signage and interpretation in strategic locations to help trail users understand and respect landfill operations, and anticipate change.”*

Finding: Removing earth material in preparation of constructing a landfill cell allows the cell to more efficiently store waste generated by the community.

Finding: Storing waste efficiently allows the landfill to store more waste in a smaller foot print, which significantly reduces the overall impact to the surrounding community.

Conclusion of Law: Based on the above findings, the proposed IMD is consistent with all applicable comprehensive plans (17.28.080(C)(2)(a)).

(b) whether the proposed interim materials district negatively affects public health, safety or general welfare; and

Finding: According to the application material and the applicant, the operation will use existing access to North 49th State Street. Alternate access to the west is being negotiated to reduce traffic on North 49th State Street.

Finding: The applicant will not use any side residential roads for the proposed use.

Finding: Existing topography and forested area provide sufficient visual screening of the mining area from adjacent parcels.

Finding: Existing topography and forested area provide noise buffering. Extraction activities typically take place at the pit floor, 20-75 feet below the original ground level.

Finding: According to the application material, a water truck will be used to control dust.

Finding: The applicant is not proposing to mine below or within four feet of the seasonal high water table.

Conclusion of Law: Based on the information provided, the proposed use with conditions, will not be harmful to the public health, safety, convenience and welfare (MSB 17.28.080(C)(2)(b)).

(c) whether the proposed interim materials district has met the site development standards of this chapter including compliance with all required local, state, and federal laws.

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

Discussion: Section line easements exist along the western and southern edge of section 1. Said easement is located partially in cell 11. The mining and development of cell 11 is estimated to be some time during the decade of 2050. The applicant has indicated the intent to pursue a vacation of said easements. Figure A-8 of the application shows an unofficial east-west corridor listed as “option 1 to City of Palmer/France Rd.” and “option 2 to City of Palmer/France Rd.” When a request to vacate a section line ease is made, dedication of equal or better access is often required, which is why these two options are shown. The listed “option 1 to City of Palmer/France Rd.” and “option 2 to City of Palmer/France Rd.” are not haul routes for the proposed use.

Staff recommends a condition requiring the easements be vacated or a Matanuska-Susitna Borough construction permit be obtained prior to operating within any section line easements.

Conclusion of Law: The applicant has met all of the requirements of MSB 17.28.050 and 17.28.060 and the applicant has demonstrated the ability to comply with State and Federal laws (17.28.080(C)(2)(c)).

STAFF RECOMMENDATIONS

Staff recommends approval of the Interim Materials District with conditions and recommends the Planning Commission forward that recommendation to the Borough Assembly.

1. The operation shall comply with all other applicable federal, state, and local regulations.

2. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the Interim Materials District shall be required prior to any alteration or expansion of the material extraction operation.
3. Material extraction shall be limited to the areas identified in the applicant's site plan included with the application.
4. Visual screening shall be achieved and maintained by maintaining the topographical buffer as described in the application material.
5. The section line easements within the Interim Materials District must be vacated or a Matanuska-Susitna Borough Construction permit shall be obtained prior to operating within any section line easement.
6. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected for leaks daily.
7. 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.
8. All hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
9. 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.
10. Dust control shall be achieved at the gravel pit, rock screener, crusher, and roads as necessary.
11. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) – Site Development Standards and MSB 8.52 – Noise, Amplified Sound, and Vibration.
12. All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to 8am to 6pm, Monday through Saturday, except rock crushing and screening activities are limited to 8am to 5pm, Monday through Friday.
13. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division shall be contacted immediately so the remains can be documented.
14. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.
15. 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.
16. All activity shall be conducted in compliance with state or federal regulations governing the items listed in MSB 17.28.040(B)(1), 17.28.040(B)(2), and 17.28.040(B)(3).

If the Planning Commission chooses to recommend denial of this IMD, findings for denial must be prepared by the Commission.

VICINITY MAP

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SITE PLAN



Path: M:\GIS\Products\Public Works\Solid Waste\Central Landfill\Public Meeting\Central Landfill Sequencing IMD.mxd

Legend

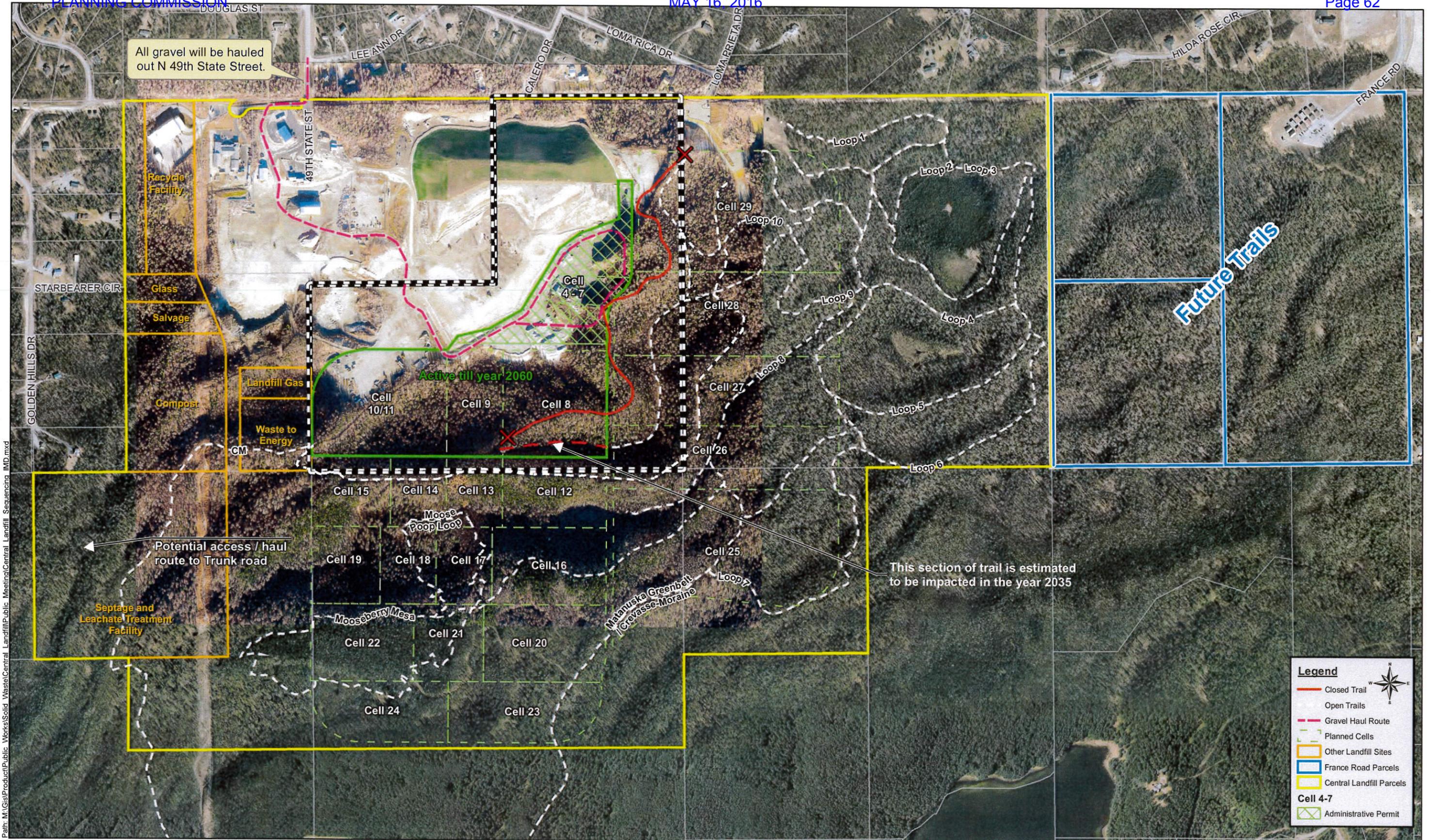
- Closed Trail
- Open Trails
- Gravel Haul Route
- Planned Cells
- Other Landfill Sites
- France Road Parcels
- Central Landfill Parcels
- Cell 4-7
- Administrative Permit



Central Landfill Sequencing Plan & Trails

2015 and 2011 Aerial Imagery

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 907-261-7658



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Legend

- Closed Trail
- Open Trails
- Gravel Haul Route
- Planned Cells
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Central Landfill Sequencing Plan & Trails

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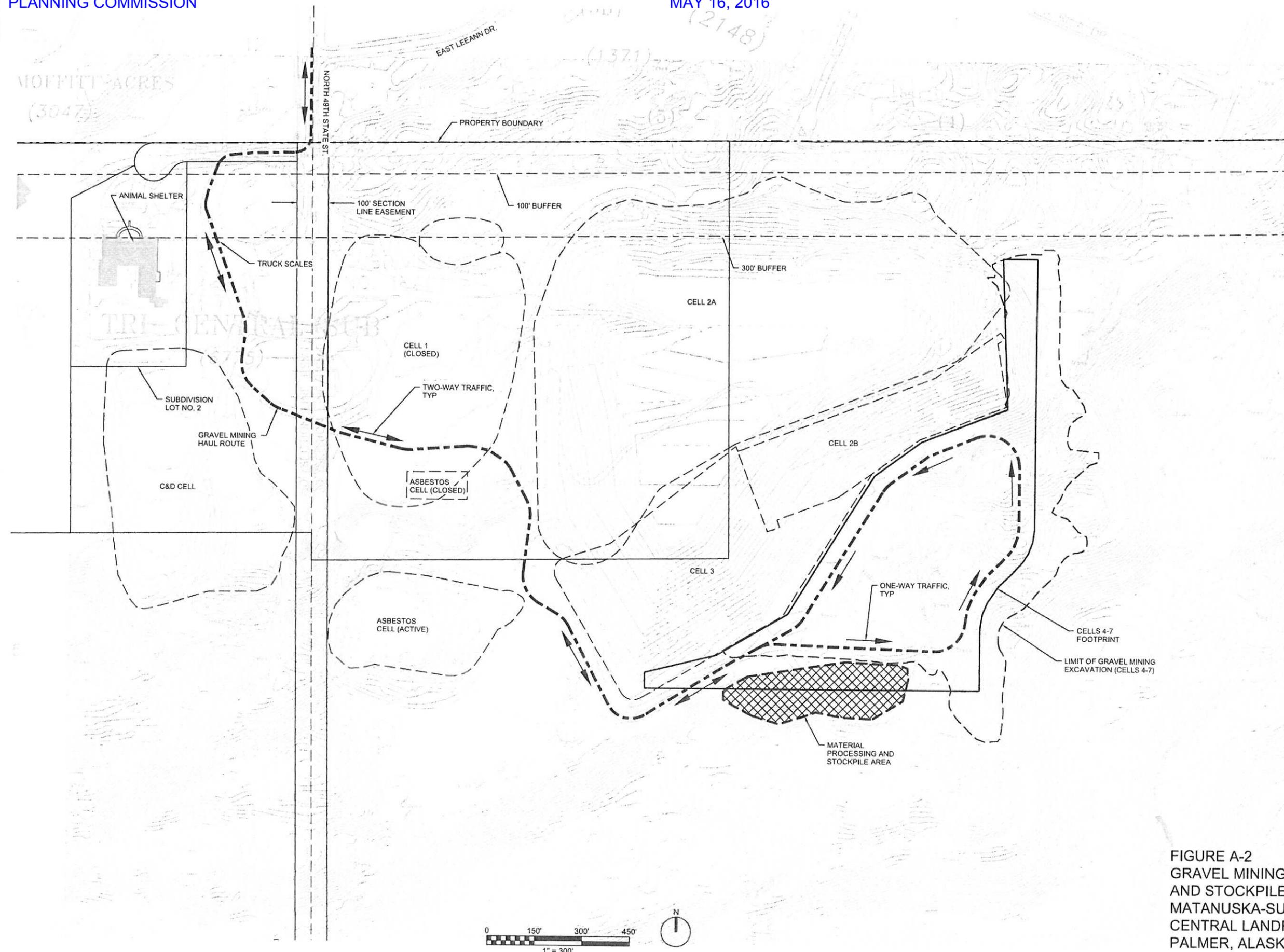
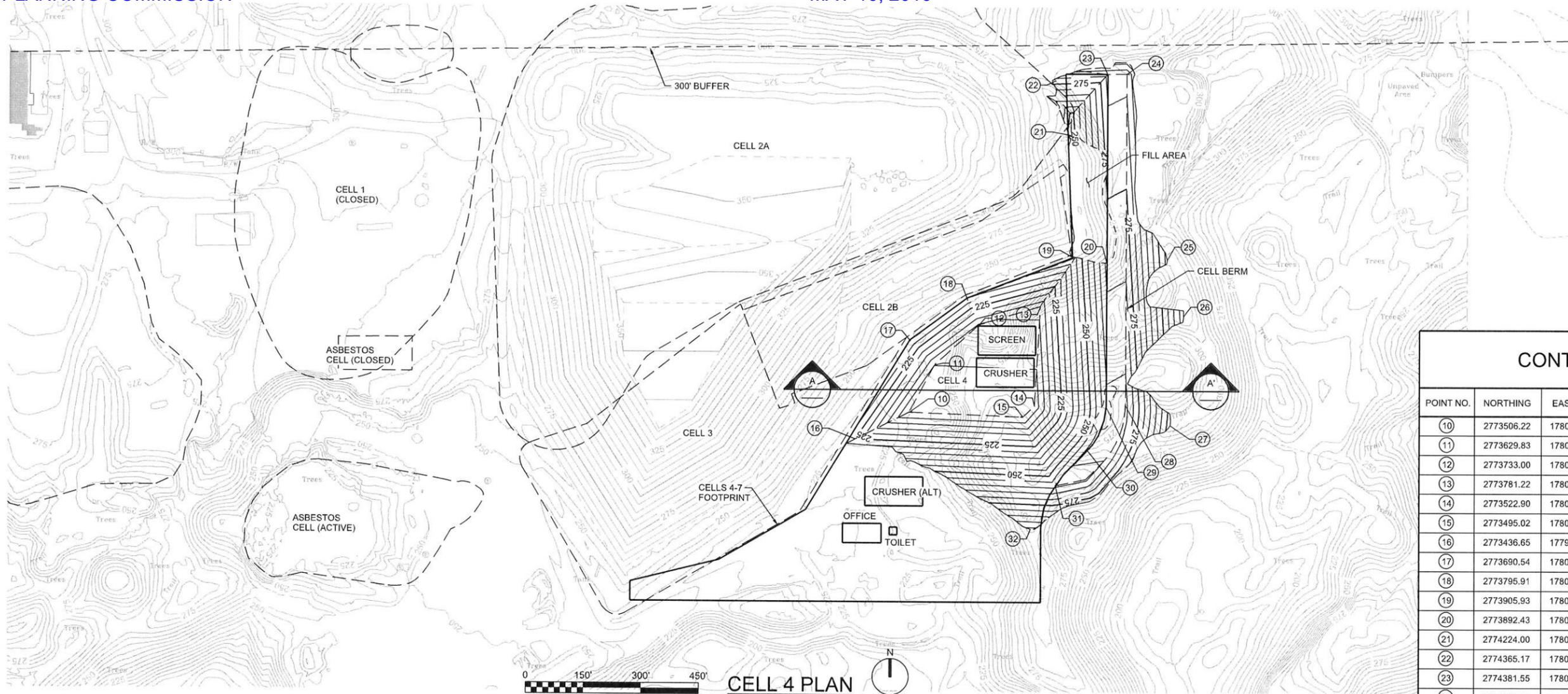


FIGURE A-2
 GRAVEL MINING HAUL ROUTE
 AND STOCKPILE PLAN
 MATANUSKA-SUSITNA BOROUGH
 CENTRAL LANDFILL GRAVEL MINING PLAN
 PALMER, ALASKA

EXCAVATION SUMMARY

	VOLUME (CY)	YEARS
CELL 4	499,000	2016-2017

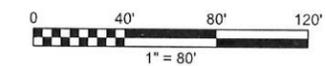
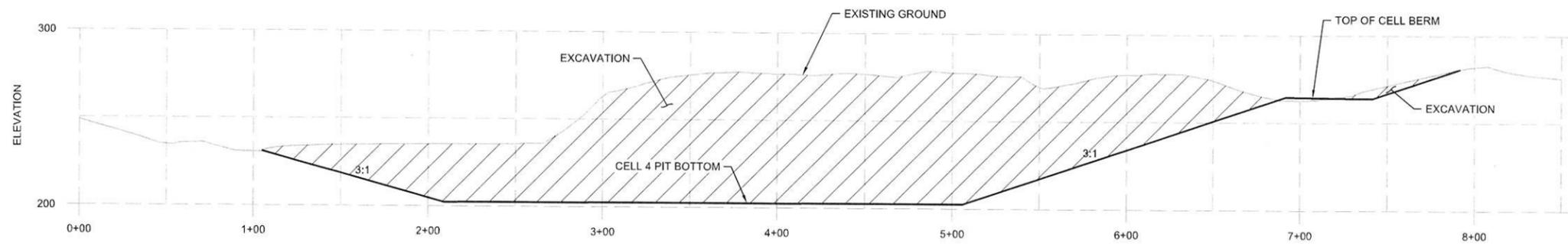
- NOTES:**
1. QUANTITIES PROVIDED ARE FOR ESTIMATING PURPOSES ONLY.
 2. CONTOURS SHOWN ARE TOP OF FLEXIBLE MEMBRANE LINER.
 3. EXCAVATION VOLUME IS IN-PLACE VOLUME AND DOES NOT ACCOUNT FOR SOIL SHRINK OR SWELL.
 4. YEARS IN TABLE REPRESENT AN ACCEPTABLE RANGE FOR BEGINNING AND ENDING CELL EXCAVATION.
 5. EXCAVATION VOLUME ACCOUNTS FOR MINOR FILL AREAS SHOWN.



CONTROL POINTS

POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
10	2773506.22	1780045.00	201.00	12" ABOVE LINER GRADE
11	2773629.83	1780111.44	206.12	12" ABOVE LINER GRADE
12	2773733.00	1780226.57	210.40	12" ABOVE LINER GRADE
13	2773781.22	1780385.59	212.37	12" ABOVE LINER GRADE
14	2773522.90	1780371.12	202.16	12" ABOVE LINER GRADE
15	2773495.02	1780341.90	201.00	12" ABOVE LINER GRADE
16	2773436.65	1779906.36	225.92	12" ABOVE LINER GRADE
17	2773690.54	1780048.12	235.00	12" ABOVE LINER GRADE
18	2773795.91	1780196.53	233.24	12" ABOVE LINER GRADE
19	2773905.93	1780475.48	244.90	12" ABOVE LINER GRADE
20	2773892.43	1780559.10	272.51	12" ABOVE LINER GRADE
21	2774224.00	1780463.83	247.75	12" ABOVE LINER GRADE
22	2774365.17	1780423.07	279.14	12" ABOVE LINER GRADE
23	2774381.55	1780559.10	282.71	12" ABOVE LINER GRADE
24	2774382.31	1780609.10	281.21	AT EXCAVATION GRADE
25	2773902.31	1780716.84	307.07	AT EXCAVATION GRADE
26	2773757.31	1780759.61	318.29	AT EXCAVATION GRADE
27	2773474.77	1780725.91	303.00	AT EXCAVATION GRADE
28	2773527.31	1780609.03	263.30	AT EXCAVATION GRADE
29	2773521.55	1780558.88	264.78	12" ABOVE LINER GRADE
30	2773409.24	1780510.37	262.18	12" ABOVE LINER GRADE
31	2773317.62	1780425.69	259.57	12" ABOVE LINER GRADE
32	2773205.40	1780360.98	246.62	AT EXCAVATION GRADE

- NOTES:**
1. WHERE NOTED IN CONTROL POINT TABLE DESCRIPTION, EXCAVATION ELEVATIONS ARE 12" ABOVE LINER GRADES SHOWN.
- BASIS OF BASEMAP:**
- TOPOGRAPHIC BASEMAP COMPILED BY DIGITAL PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED MAY 24, 2013. 2013 TOPOGRAPHIC BASEMAP PREPARED BY AEROMETRIC: 2014 MERRILL FIELD DRIVE, ANCHORAGE, AK 99501 (PH: 907-272-4495).
- COORDINATES SHOWN HEREON ARE BASED ON NAD83 ALASKA STATE PLANE ZONE 4. VERTICAL ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER.



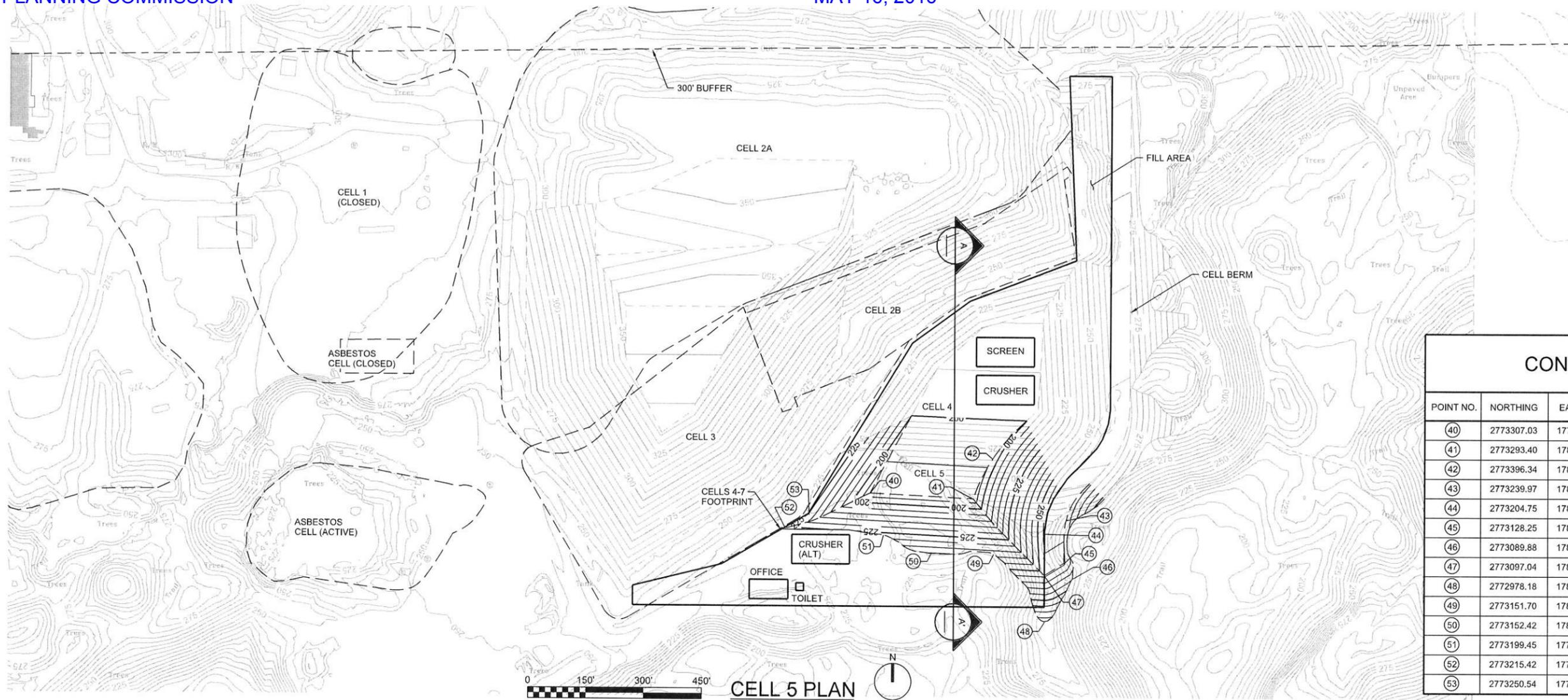
CELL 4 SECTION A-A'

**FIGURE A-3
LANDFILL CELL 4 MINING PLAN
MATANUSKA-SUSITNA BOROUGH
CENTRAL LANDFILL GRAVEL MINING PLAN
PALMER, ALASKA**

EXCAVATION SUMMARY

	VOLUME (CY)	YEARS
CELL 5	193,000	2017-2018

- NOTES:**
1. QUANTITIES PROVIDED ARE FOR ESTIMATING PURPOSES ONLY.
 2. CONTOURS SHOWN ARE TOP OF FLEXIBLE MEMBRANE LINER.
 3. EXCAVATION VOLUME IS IN-PLACE VOLUME AND DOES NOT ACCOUNT FOR SOIL SHRINK OR SWELL.
 4. YEARS IN TABLE REPRESENT AN ACCEPTABLE RANGE FOR BEGINNING AND ENDING CELL EXCAVATION.
 5. EXCAVATION VOLUME ACCOUNTS FOR MINOR FILL AREAS SHOWN.



CONTROL POINTS

POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
40	2773307.03	1779938.49	192.60	12" ABOVE LINER GRADE
41	2773293.40	1780204.81	192.60	12" ABOVE LINER GRADE
42	2773396.34	1780254.87	196.90	12" ABOVE LINER GRADE
43	2773239.97	1780445.15	256.18	AT EXCAVATION GRADE
44	2773204.75	1780389.32	257.07	12" ABOVE LINER GRADE
45	2773128.25	1780439.10	253.82	AT EXCAVATION GRADE
46	2773089.88	1780463.05	261.00	AT EXCAVATION GRADE
47	2773097.04	1780389.10	254.82	12" ABOVE LINER GRADE
48	2772978.18	1780389.67	251.66	AT EXCAVATION GRADE
49	2773151.70	1780257.63	211.14	AT EXCAVATION GRADE
50	2773152.42	1780095.79	210.67	AT EXCAVATION GRADE
51	2773199.45	1779973.04	196.77	AT EXCAVATION GRADE
52	2773215.42	1779719.10	226.83	12" ABOVE LINER GRADE
53	2773250.54	1779779.97	225.35	12" ABOVE LINER GRADE

- NOTES:**
1. WHERE NOTED IN CONTROL POINT TABLE DESCRIPTION, EXCAVATION ELEVATIONS ARE 12" ABOVE LINER GRADES SHOWN.
- BASIS OF BASEMAP:**
- TOPOGRAPHIC BASEMAP COMPILED BY DIGITAL PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED MAY 24, 2013. 2013 TOPOGRAPHIC BASEMAP PREPARED BY AEROMETRIC: 2014 MERRILL FIELD DRIVE, ANCHORAGE, AK 99501 (PH: 907-272-4495).
- COORDINATES SHOWN HEREON ARE BASED ON NAD83 ALASKA STATE PLANE ZONE 4. VERTICAL ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER.

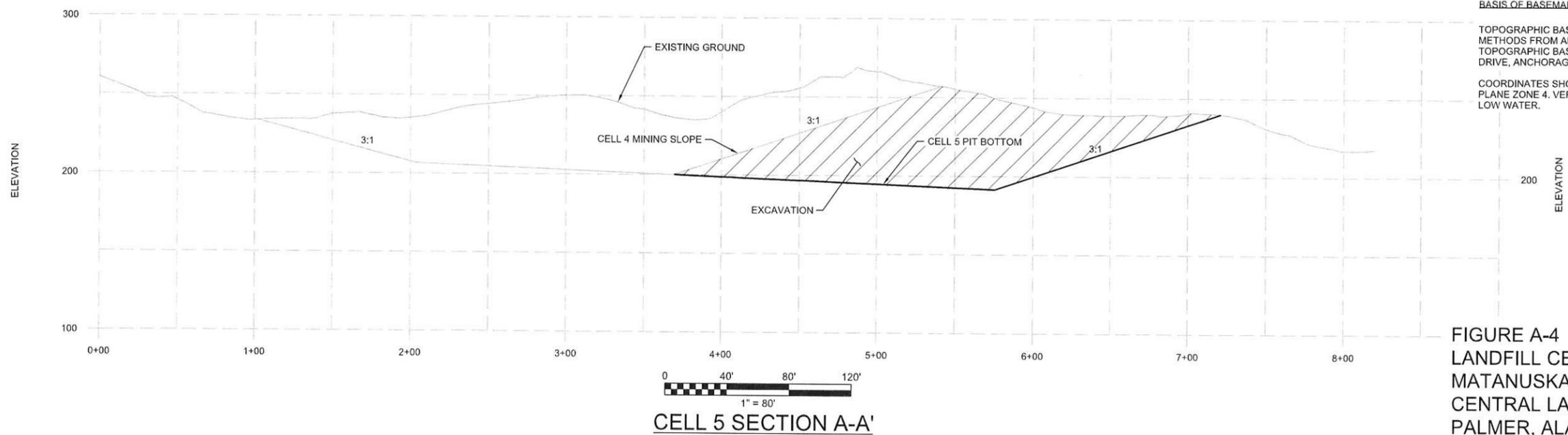


FIGURE A-4
LANDFILL CELL 5 MINING PLAN
MATANUSKA-SUSITNA BOROUGH
CENTRAL LANDFILL GRAVEL MINING PLAN
PALMER, ALASKA



EXCAVATION SUMMARY

	VOLUME (CY)	YEARS
CELL 6	74,000	2018-2019

- NOTES:**
1. QUANTITIES PROVIDED ARE FOR ESTIMATING PURPOSES ONLY.
 2. CONTOURS SHOWN ARE TOP OF FLEXIBLE MEMBRANE LINER.
 3. EXCAVATION VOLUME IS IN-PLACE VOLUME AND DOES NOT ACCOUNT FOR SOIL SHRINK OR SWELL.
 4. YEARS IN TABLE REPRESENT AN ACCEPTABLE RANGE FOR BEGINNING AND ENDING CELL EXCAVATION.
 5. EXCAVATION VOLUME ACCOUNTS FOR MINOR FILL AREAS SHOWN.

CONTROL POINTS

POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
60	2773130.97	1779596.06	226.03	12" ABOVE LINER GRADE
61	2773127.87	1779775.57	224.46	12" ABOVE LINER GRADE
62	2773191.64	1779814.06	202.67	12" ABOVE LINER GRADE
63	2773228.25	1779896.32	189.28	12" ABOVE LINER GRADE
64	2773298.38	1780107.43	192.58	12" ABOVE LINER GRADE
65	2773218.38	1780125.48	189.27	12" ABOVE LINER GRADE
66	2773108.52	1780178.74	225.11	12" ABOVE LINER GRADE
67	2773079.61	1780273.60	233.40	12" ABOVE LINER GRADE
68	2773015.43	1780298.57	254.42	12" ABOVE LINER GRADE
69	2772965.43	1780293.65	252.73	AT EXCAVATION GRADE
70	2772855.73	1780429.10	287.55	AT EXCAVATION GRADE
71	2772965.43	1780439.10	250.86	AT EXCAVATION GRADE
72	2773015.43	1780389.10	253.12	12" ABOVE LINER GRADE

- NOTES:**
1. WHERE NOTED IN CONTROL POINT TABLE DESCRIPTION, EXCAVATION ELEVATIONS ARE 12" ABOVE LINER GRADES SHOWN.

BASIS OF BASEMAP:

TOPOGRAPHIC BASEMAP COMPILED BY DIGITAL PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED MAY 24, 2013. 2013 TOPOGRAPHIC BASEMAP PREPARED BY AEROMETRIC: 2014 MERRILL FIELD DRIVE, ANCHORAGE, AK 99501 (PH: 907-272-4495).

COORDINATES SHOWN HEREON ARE BASED ON NAD83 ALASKA STATE PLANE ZONE 4. VERTICAL ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER.

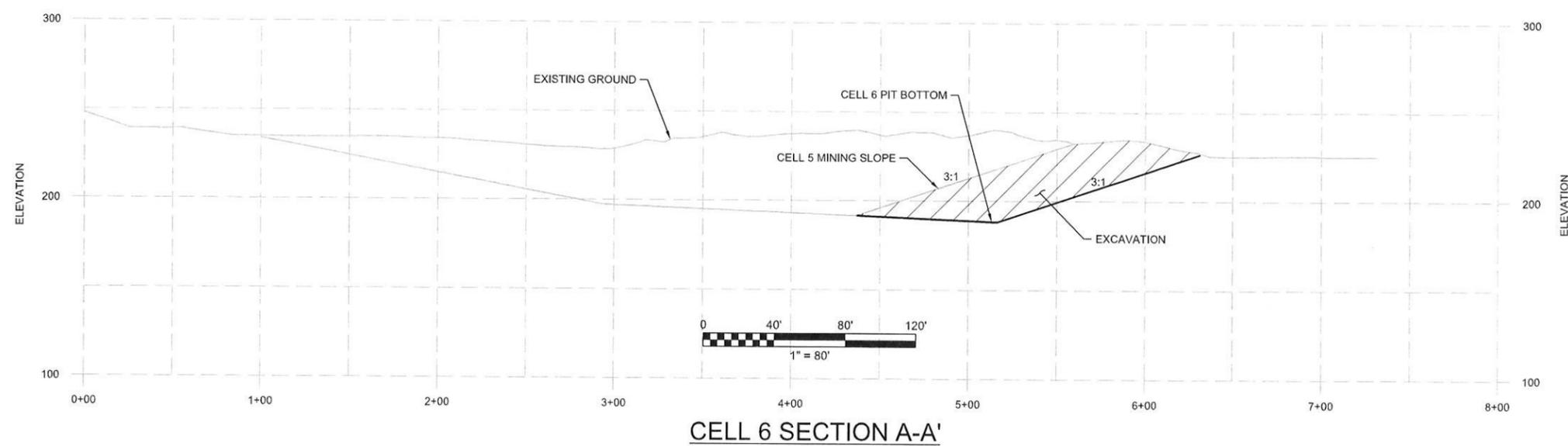
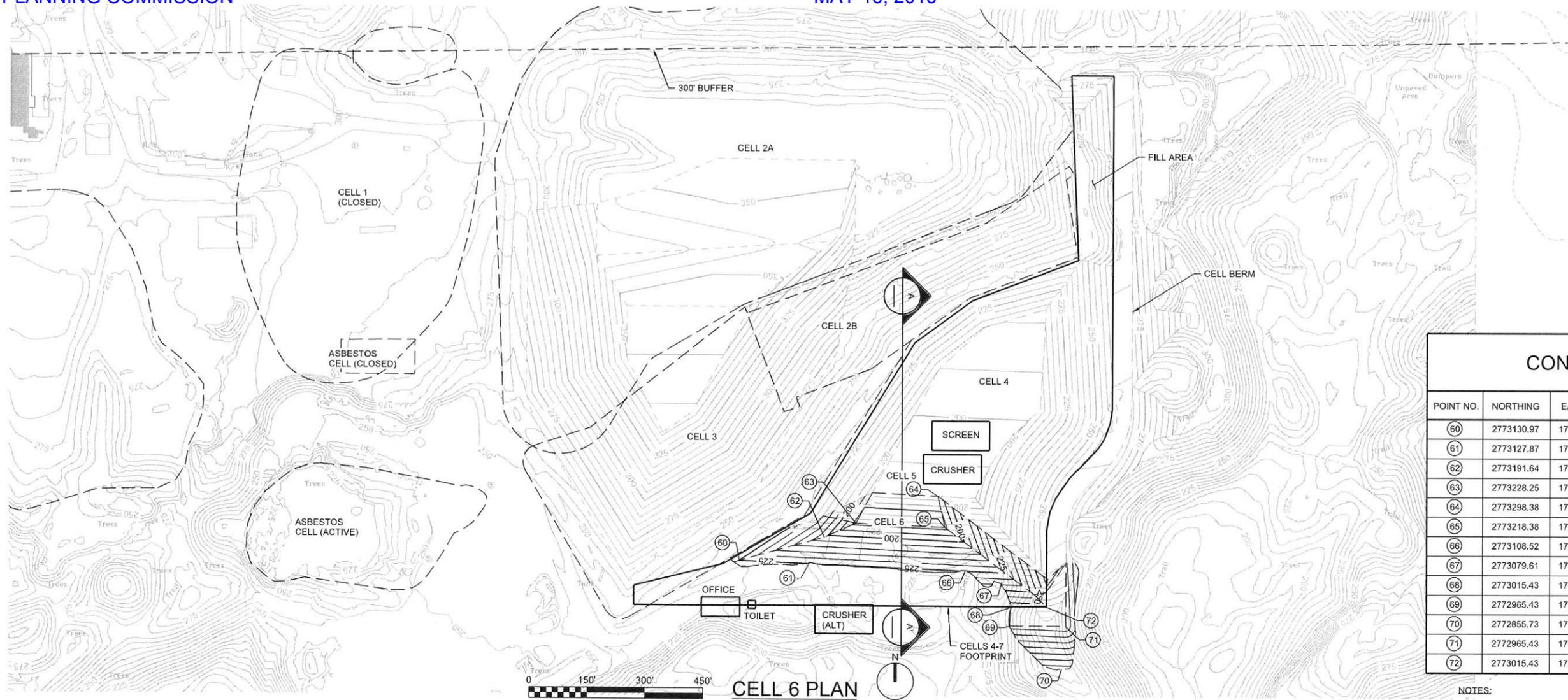


FIGURE A-5
LANDFILL CELL 6 MINING PLAN
MATANUSKA-SUSITNA BOROUGH
CENTRAL LANDFILL GRAVEL MINING PLAN
PALMER, ALASKA



EXCAVATION SUMMARY

	VOLUME (CY)	YEARS
CELL 7	4,000	2019-2020

- NOTES:**
1. QUANTITIES PROVIDED ARE FOR ESTIMATING PURPOSES ONLY.
 2. CONTOURS SHOWN ARE TOP OF FLEXIBLE MEMBRANE LINER.
 3. EXCAVATION VOLUME IS IN-PLACE VOLUME AND DOES NOT ACCOUNT FOR SOIL SHRINK OR SWELL.
 4. YEARS IN TABLE REPRESENT AN ACCEPTABLE RANGE FOR BEGINNING AND ENDING CELL EXCAVATION.
 5. EXCAVATION VOLUME ACCOUNTS FOR MINOR FILL AREAS SHOWN.

CONTROL POINTS

POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
80	2773215.62	1780186.27	189.32	12" ABOVE LINER GRADE
81	2773097.04	1780389.10	254.82	12" ABOVE LINER GRADE
82	2773046.50	1780357.45	243.22	12" ABOVE LINER GRADE

- NOTES:**
1. WHERE NOTED IN CONTROL POINT TABLE DESCRIPTION, EXCAVATION ELEVATIONS ARE 12" ABOVE LINER GRADES SHOWN.

BASIS OF BASEMAP:
 TOPOGRAPHIC BASEMAP COMPILED BY DIGITAL PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED MAY 24, 2013, 2013 TOPOGRAPHIC BASEMAP PREPARED BY AEROMETRIC, 2014 MERRILL FIELD DRIVE, ANCHORAGE, AK 99501 (PH: 907-272-4495).

COORDINATES SHOWN HEREON ARE BASED ON NAD83 ALASKA STATE PLANE ZONE 4. VERTICAL ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER.

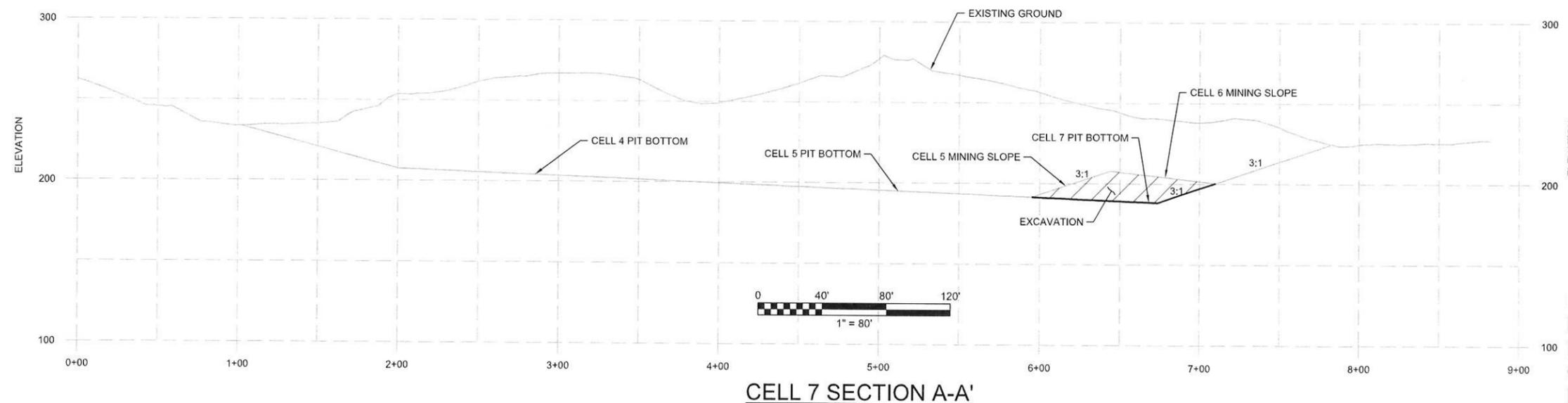
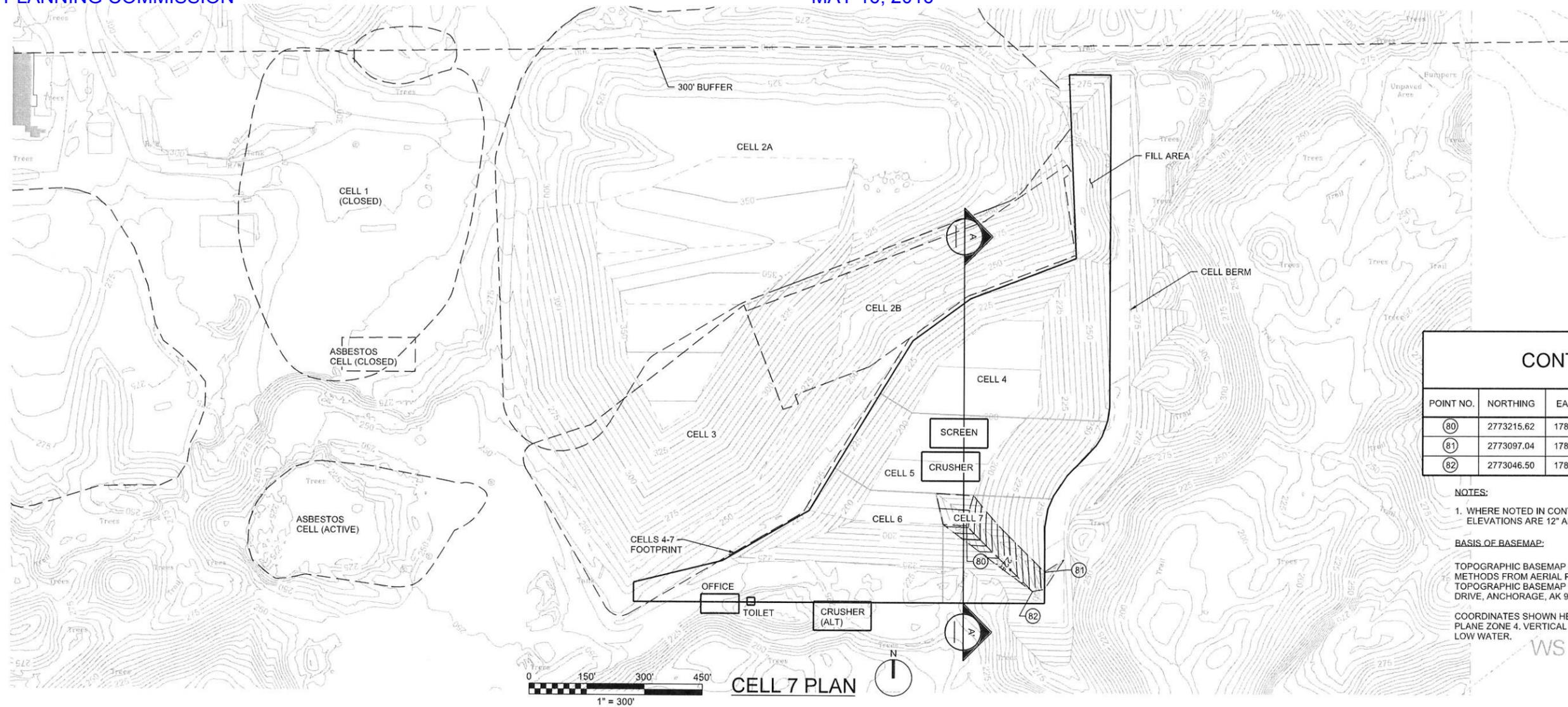


FIGURE A-6
 LANDFILL CELL 7 MINING PLAN
 MATANUSKA-SUSITNA BOROUGH
 CENTRAL LANDFILL GRAVEL MINING PLAN
 PALMER, ALASKA

APPLICATION MATERIAL

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	Mining Plan
Provide days of the week operations will take place.	"
Provide hours of operation.	"
Estimated end date of extraction	"
Estimated end date of reclamation	"
Describe all other uses occurring on the site	"
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	"
Provide quantity estimates and topographical information such as cross section drawings depicting depth of excavation, slopes and estimated final grade	Appendix A

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.	Appendix A
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.	"
Identify wetlands and waterbodies on site and within one mile	"
Identify existing surrounding land uses within one mile	"
Identify surrounding property ownership (i.e. public vs. private) within one mile of exterior boundaries	"
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.	"
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	"
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	Mining Plan
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	
Proposed lighting plan	Mining Plan
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	Mining Plan
Provide copy of reclamation financial assurance filed with the State of Alaska (If exempt, provide qualifying documents for exemption)	"

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
Mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land		"
Reclamation plan as required by ADNR, pursuant to A.S. 27.19		"
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		"
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.		"
Others (list as appropriate)		

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

MSB Tax parcel(s) ID #(s) 17N01E01D005

and,

I hereby apply for approval of material extraction activity on that 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 or federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.28.040.

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.

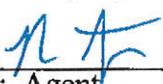
I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to operators on this property, and to the buyer when I sell the land.

I understand that changes from the approved operational plan may require further authorization by the borough planning commission or Assembly. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

I understand it is my responsibility to provide the borough code compliance division with up to date reports, notification of proposed changes, and contact information for approved person(s) to whom I sell this property and to whom I assign responsibility for daily operations on the site.

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

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

	<u>Eric Phillips</u>	<u>4/5/16</u>
Signature: Property Owner	Printed Name	Date
	<u>Ryan Johnston</u>	<u>4/5/16</u>
Signature: Agent	Printed Name	Date

.....

MSB USE ONLY: MSB file # _____

Date complete application received: _____, Approved, Yes ___ No ___

Additional conditions: Yes ___ (see attached) No ___ Comments: _____

Planning Commission Action (date): _____ Resolution No.: _____

Assembly Action (date): _____ Ordinance No.: _____

Date permit (circle one) issued or denied: _____

EARTH MATERIAL EXTRACTION APPLICATION
MATANUSKA-SUSITNA BOROUGH
CENTRAL LANDFILL

MATANUSKA-SUSITNA BOROUGH
LAND AND RESOURCE MANAGEMENT DIVISION
CELLS, 4, 5, 6, 7, 8, 9, 10 & 11
PROPOSED GRAVEL MINING PLAN OF OPERATIONS
AND SITE PLAN REQUIREMENTS

The following information is an attachment to the Matanuska-Susitna Borough (MSB) application for Earth Materials Extractions activities that do not occur within four feet of the water table under MSB 17.28, Interim Materials District (IMD).

1. Plan of Operation

The Matanuska-Susitna Borough Central Landfill is located approximately 0.5 mile south on N 49th State Street from the intersection with the E Palmer Wasilla Highway. This Proposed Gravel Mining Plan (Plan) details the activities and dates of operation for gravel mining of future landfill Cells 4 through 11.

The general location, adjacent landowners, buffers, wetlands and waterbodies, site access, site plans, and cross sections of the proposed gravel pit are included in Appendix A. The location of the landfill and monitoring wells is shown in Appendix A-1. Appendix A-2 depicts the gravel mining truck haul route, material processing and stockpile area, and outer limit of gravel mining excavation (Cells 4 through 7). Appendix A-3 through Appendix A-6 show the site plans for the mining for Cells 4 through 7 and depicts the proposed operation areas, depth of excavation, slopes, cross section, and estimated final grade. Similar site plans for Cells 8 through 11 will be provided at a later date. Appendix A-7 presents the table of volumes for each cell and operational dates. The landowners within one-mile, wetlands, waterbodies, and other features are shown in Appendix A-8.

The current Plan includes future borrow sources located within the current landfill property boundary. The maximum area proposed for gravel extraction within the larger 120-acre landfill parcel is approximately 45 acres (total acreage of Cells 4 through 11); the remaining acreage contains landfill facilities (landfill gas area, open and closed landfill cells and access roads), undeveloped land designated for future use as landfill cells, and undeveloped land utilized for the Crevasse Moraine Trail System. Property surrounding the landfill is residential to the north and west. The land south and east of the landfill is undeveloped land containing lakes and wetland areas.

The goal of the gravel extraction activities are to extract up to approximately 3,120,000 cubic yards of material for beneficial use onsite as cover material and/or sale. The property is currently owned by the Matanuska-Susitna Borough (MSB). Modifications to the Plan will be submitted to the Land and Resource Management Division (MSB-LRMD), as needed, by the Contractor authorized to develop the site prior to the commencement of any mining activities. Full development of the borrow source is anticipated to be complete by 2060. No reclamation of the mined area is required prior to use as landfill cells. Final reclamation will be concurrent with closure for each landfill cell. Cell closure dates are described in the Development Plan (CH2M HILL, October 2014).

Extraction operations will be at the Contractor's discretion and are not seasonally dependent. Hours of operation are expected to be Monday through Friday from 8 a.m. to 6 p.m., and Saturday from 9 a.m. to 5 p.m. Existing access roads will be used for earth extraction, shown in Appendix A-2. Cell 4 will be mined first, followed by Cells 5 through 11.

A development plan will be prepared by the Contractor, based on project needs and request for access and/or use made to the MSB-LRMD. If a modification of the site plan, development plan, or location of

structures is unavoidable, a modified plan will be submitted to MSB-LRMD to determine if an amendment to the IMD will be required. No structures will be moved outside of the IMD designated operations area prior to a written determination. All contract specifications or use agreements for authorized use of this site shall require the following to be submitted to the MSB-LRMD by the Contractor for review and approval prior to site development and/or material extraction.

The schedule for phase and individual cell excavation and reclamation are proposed on the attached site plans, will be more thoroughly defined by the Contractor developing the site, and will be required in all contractor bid packages. It is anticipated that material extraction will begin in 2016, but is dependent on contracting and the need and schedule of the Contractor. No reclamation will be required. The mined cells will be covered with engineered liners for expansion of the Central Landfill.

2. Site Plan Requirements

The location of permanent and semi-permanent structures on the site for verification of setback requirements, are shown in Appendix A-2 through Appendix A-6.

Sand and Gravel Extraction

A mining schedule is included in Table A-7. Mining dates for each cell are included on the mining plans (Appendix A-3 through Appendix A-6).

Conventional bulldozers, track-mounted backhoes, rubber-tired loaders, and 10-12 cubic yard (CY) capacity dump trucks, and 18-30 CY capacity side or belly dump trucks will be used in the operation of the mine. Additional equipment, including a screener, crusher, office trailer, and portable toilets are likely to be used on site, but equipment and structures will be considered on a project specific basis.

No blasting is anticipated to occur on site. The working depth will typically be 20-75 feet below original ground, as long as the depth of excavation remains a minimum of four feet above the ground water level. Ground water monitoring wells exist throughout the site (see Appendix A-1) and mining activities will not encroach within four feet of the seasonal high ground water level. Based on highest groundwater elevations measured on June 22, 2005, and March 11, 2014 (Shannon & Wilson, Inc., 2005; 2014), groundwater generally slopes from north to south, with approximate elevations ranging from 230 feet above mean sea level (amsl) at the north to 125 feet amsl at the south.

Most of the material extracted will be leaving the site via haul truck. Truck haul routes are shown in Appendix A-2. A water truck and/or sweeper may be used for dust control as needed.

The primary processing, staging, stockpiling, and operations area will be approximately 6 acres, to accommodate for maneuvering of trucks, placement of structures, and stockpiles (if necessary).

Once the staging and processing area is developed, material extraction will continue within the remaining cells. Topsoil and organic material will be stripped conservatively to reduce the open and erodible face to the maximum extent practicable, in order to minimize implementation and maintenance of BMPs around the site. The Contractor will be required to submit a development plan identifying specific locations, quantities, and practices for working in the borrow site.

Organic overburden from Cells 4 through 11 will be stockpiled for use as cover material or sold. Future use is intended to be for household waste cells. Mined areas will be excavated as specified in Appendix A-3 through Appendix A-6 for Cells 4 through 7. Site Plans for Cells 8 through 11 will be provided by MSB-LRMD prior to development of these cells. All of what is mentioned in this Plan, Section 2, I through XII, applies to all future landfill Cells 4 through 11.

I. Structures

A 25-foot setback is required from all property lines for structures, permanent or portable facilities, and equipment or material storage per MSB code (17.28.070(A)). Structures planned on the site include a rock screener and crusher, office trailer, and portable toilet to be placed in the designated staging and operations area (see Appendix A-3 through Appendix A-6). The relocation of structures within the operations area may be necessary depending on the project and will be determined by the Contractor.

II. Buffer areas and Driveways

Buffers, driveways and public access easements are shown in Appendix A. Buffers for the landfill consist of a 100-foot and 300-foot buffer, and a 50-foot section line easement and are presented in Appendix A-1.

As shown in Appendix A-2, all traffic will ingress and egress the site via one or both of two proposed access points. These access roads will be directly onto N 49th State Street, which is a paved residential road.

III. Wetlands and Waterbodies

No wetland areas are located in the area proposed for mining, and shown in Appendix A-8.

IV. Existing and Surrounding Land Uses

Property surrounding the landfill is residential to the north and west. The land south and east of the landfill is undeveloped land containing lakes and wetland areas. It is expected that MSB lands are used by the public for recreational purposes including the Crevasse Moraine Trail system. Surrounding properties are identified in Appendix A-8.

V. Road and Access Plan

All traffic will ingress and egress the site via an existing driveway off of Chanylut Circle then directly onto N 49th State Street, which is a paved residential road.

Construction-related traffic may be expected to generate up to 20 trips maximum per hour, during the peak construction season. This will change the current level of service on the roadway, but level of service will still stay well above a C level of service (see MSB 17.61.090) during hours of construction.

VI. Visual Screen Measures

Residential areas and recreational trails are located in the vicinity of the proposed area of development. However, the boundaries of all excavated areas associated with this IMD are bordered by land designated for landfill use. This land, greater than 300 feet in every direction, will serve as a visual buffer for the mined cells.

VII. Noise Mitigation

Residential areas and recreational trails are located in the vicinity of the proposed area of development. Existing landfill cells and forested areas around the landfill will provide noise buffer to these receptors. It is anticipated gravel extraction will take place within below grade excavated pit cells; which will become deeper as material extraction progresses. These below-grade excavated cells will also help attenuate work area noise to acceptable levels consistent with the stipulations of MSB 17.28.060(A)(5).

VIII. Lighting Plan

Most of the work will be conducted primarily occur during daylight hours without the need for artificial lighting. The contractor will be required to obtain approval from MSB for any artificial lighting. Lighting may be used to illuminate activities in the work area, if needed. All lighting will be focused away from nearby residential areas and will be directed only onto the work at hand. Exterior lighting must be located and shielded to direct light towards the ground, in order to minimize light spillage onto adjacent properties and upward in to the night sky. Illumination or other fixtures mounted higher than 20 feet or 150 watts or more must have downward directional shielding, in accordance with MSB 17.28.060(A)(6).

IX. Dust Plan

Road dust control is a concern of high priority. The Contractor involved in development of this mine site shall contain a specific bid item to provide watering for dust control.

Borough staff or their agent will monitor conditions throughout construction and direct the construction contractor to water the roadway and haul routes as needed to prevent dust from becoming a problem. Is it also anticipated that measures to reduce any by-product dirt transport from the borrow site by vehicle tires will be implemented within the borrow pit.

X. Stormwater Pollution Prevention Plan (SWPPP)

This project is subject to the Alaska Pollution Discharge Elimination System (APDES) for construction projects disturbing greater than one acre of soil, therefore the project shall be subject to the Alaska Department of Environmental Conservation Construction General Permit (AK-CGP). The Contractor authorized to perform the extraction will be required to acquire an AK-CGP and produce a SWPPP meeting all requirements of the AK-CGP and submit it to the Borough for review and approval. The contractor will be responsible for submitting all notifications, maintaining all records, and documenting compliance with the AK-GCP. The Contractor will be responsible for installing, maintaining, updating, and removing all Best Management Practices (BMPs) in accordance with detailed bid specifications (Department of Transportation Standard Bid Specifications Section 641; Appendix C-4) to be incorporated into every contract.

XI. Remediation Plan

No additional maintenance or requirements are anticipated to be necessary in the time between the completion of mining and start of landfill cell usage for municipal waste.

XII. Long-Term Plan

This plan is specifically for the extraction of materials to make way for future landfill cells 4 through 11. An Administrative Permit application for activities associated with this project has also been applied for, in conjunction with this IMD application. The Administrative Permit will serve to authorize the activities over the next two years associated with the excavation of cells 4 through 7. This IMD will then cover activities, within Borough-owned parcel 17N01E01D005, after the Administrative Permit has expired until the year 2060. Once this IMD expires, or there is a need for landfill cells beyond the bounds of this parcel, it is expected that the MSB-LRMD will apply for an IMD to cover the parcel needed for further landfill expansion.

References

CH2M HILL. October 2014. *Final Matanuska-Susitna Borough Central Landfill Development Plan*. Prepared for Matanuska-Susitna Borough Solid Waste Division.

Shannon & Wilson, Inc. 2014. March 11, 2014 Groundwater Map.

Shannon & Wilson, Inc. 2005. June 22, 2005 Groundwater Map.

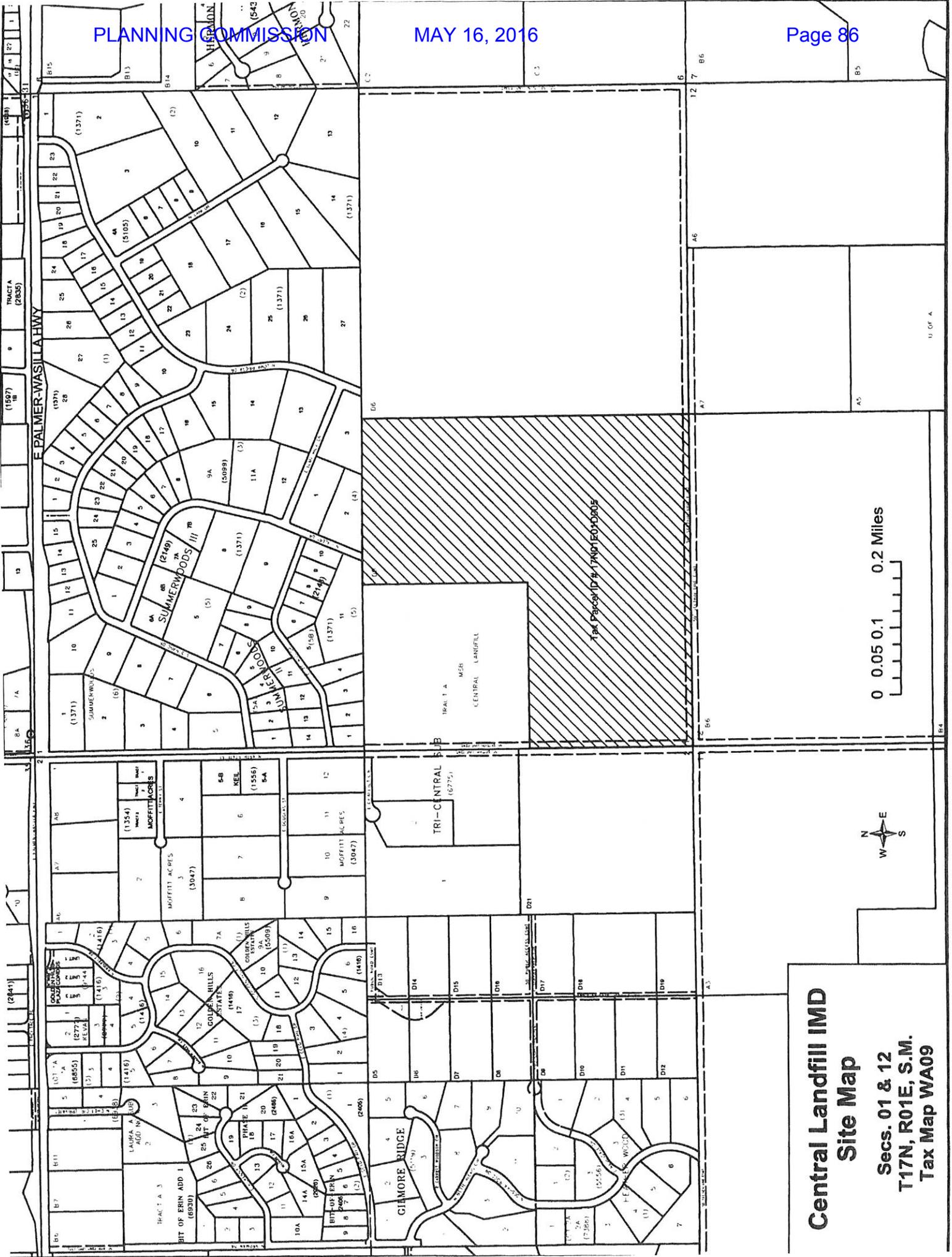
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APPENDIX A

FIGURES AND SITE PLANS

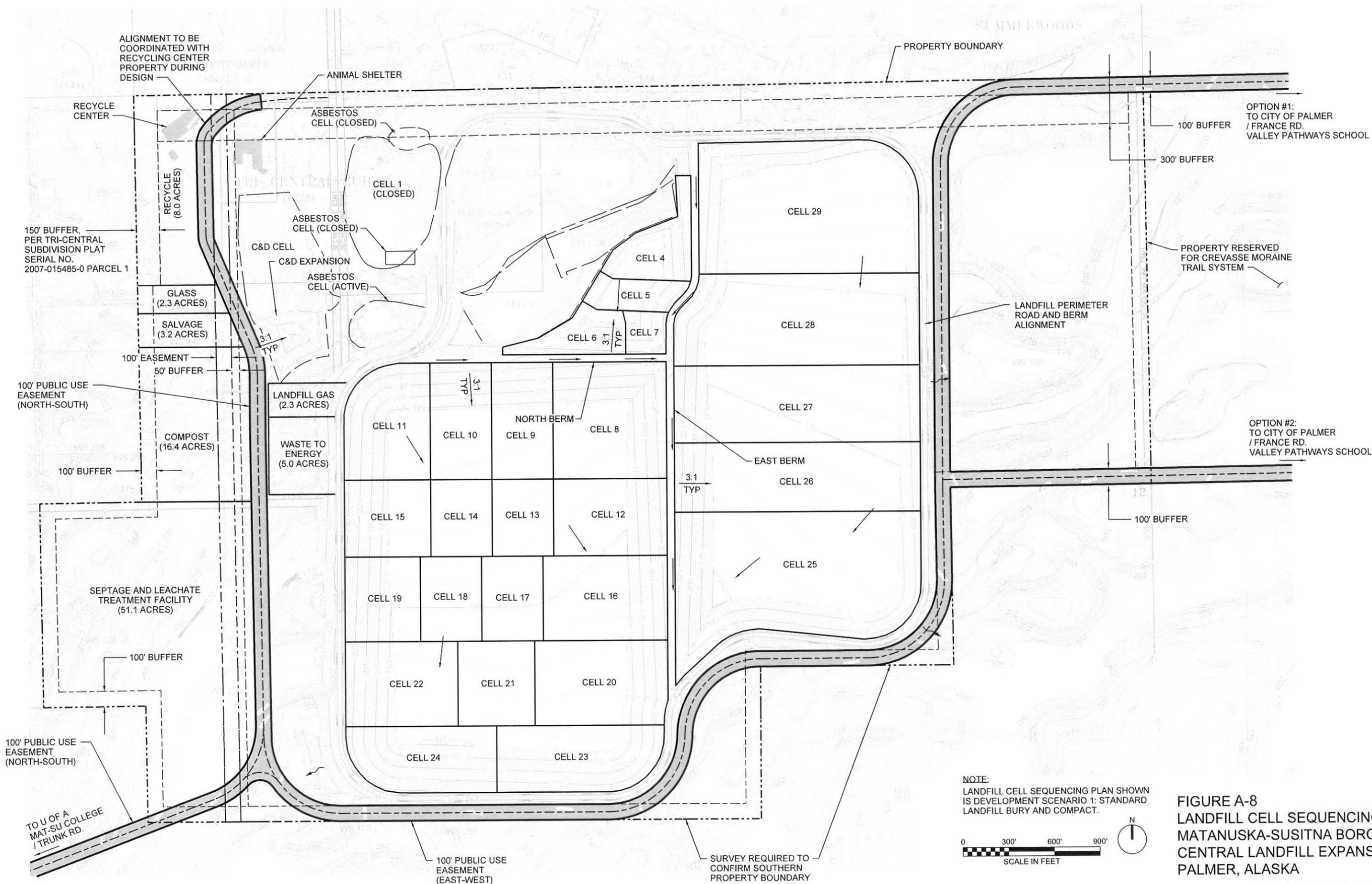
- Appendix A-1: Existing Site Plan
- Appendix A-2: Gravel Mining Haul Route and Stockpile Plan
- Appendix A-3: Landfill Cell 4 Mining Plan
- Appendix A-4: Landfill Cell 5 Mining Plan
- Appendix A-5: Landfill Cell 6 Mining Plan
- Appendix A-6: Landfill Cell 7 Mining Plan
- Appendix A-7: Estimated Soil Quantities and Dates of Excavation
- Appendix A-8: Landfill Cell Sequencing Plan

<p style="text-align: center;">Matanuska-Susitna Central Landfill Table A-7 Estimated Soil Quantities - Cell 4 through 11</p>		
Cell	Total Volume of Material (cy)	Years to Complete
4	499,131	2016-2017
5	193,240	2017-2018
6	73,829	2018-2019
7	4,106	2019-2020
8	922,221	2020-2041
9	434,691	2041-2047
10	436,167	2047-2052
11	555,400	2052-2056
Total	3,118,785	
<p>cy = cubic yards</p>		



**Central Landfill IMD
Site Map**

**Secs. 01 & 12
T17N, R01E, S.M.
Tax Map WA09**



NOTE:
 LANDFILL CELL SEQUENCING PLAN SHOWN
 IS DEVELOPMENT SCENARIO 1: STANDARD
 LANDFILL BURY AND COMPACT.

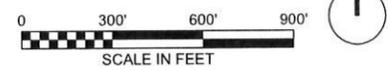
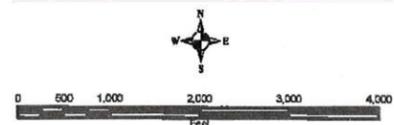
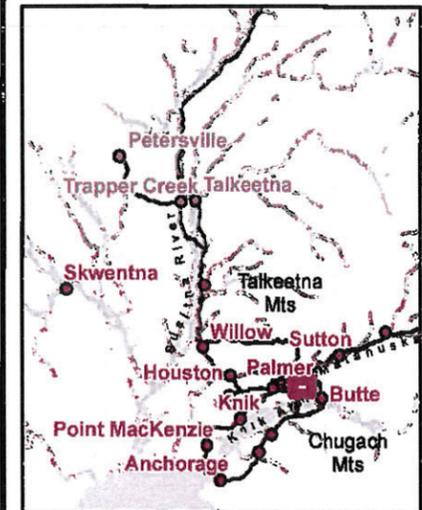


FIGURE A-8
 LANDFILL CELL SEQUENCING PLAN
 MATANUSKA-SUSITNA BOROUGH
 CENTRAL LANDFILL EXPANSION
 PALMER, ALASKA

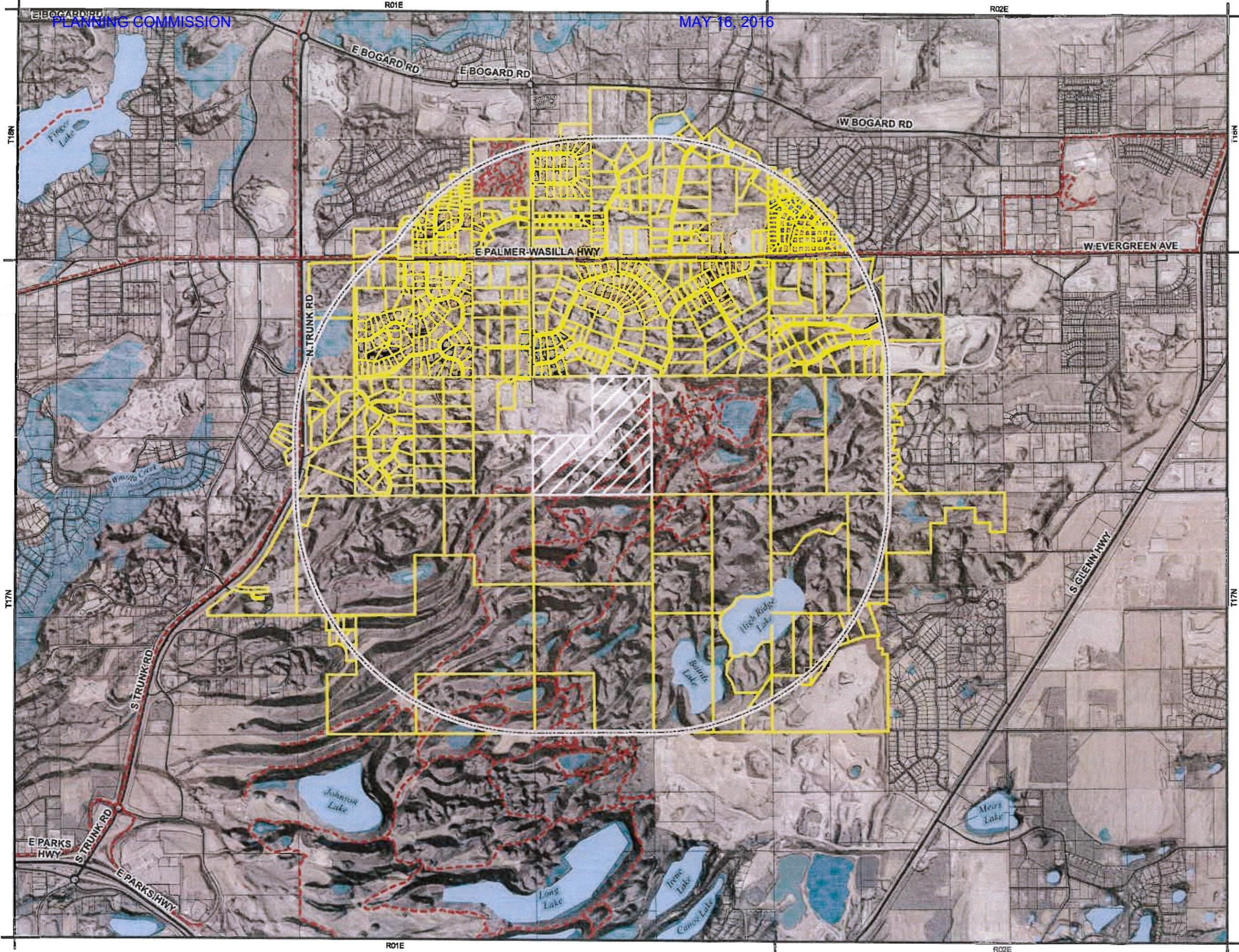


Matanuska-Susitna Borough
Central Landfill IMD
Wetland and Properties Map
MSB #007049

- 1 MILE RADIUS
- CENTRAL LANDFILL PARCEL
- PARCELS WITHIN 1 MILE
- MSB TRAILS
- WETLANDS



Date: April, 2016
Sources: MSB GIS, MSB LRMD, AK DOT
Projection: NAD 83 AK ST PLN Z4
Location: MSB
Author: MSB LRMD





MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Cultural Resources Division

350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 745-9859 • Fax (907) 745-9876

MEMORANDUM

DATE: 16 November 2015
TO: Ryan Johnston, Land Management Specialists
FROM: Sandra Cook, Architectural Historian
SUBJECT: Central Landfill Expansion
LEGAL: Section 1 and 12, T17N, R1E, SM
TAX MAP: WA09

RECEIVED
NOV 17 2015
PERMIT CENTER

NO OBJECTION

Cultural Resources Division staff has reviewed the above application and finds there is are no known *recorded* sites on said property. This conclusion was derived through research of the documented sites on file in the Cultural Resources Division of the Matanuska-Susitna Borough and sites documented in Alaska Heritage Resource files at the State Office of History and Archaeology.

While we have no objection to the proposed Platting action on the said property, and our records are not complete, we recommend caution during construction or related activities in the event cultural remains may come to light or be recovered. If cultural resources are found as a result of the above mentioned activity we would appreciate the chance to document them to augment our knowledge of local history. Cultural remains may include features such as cache pits, house pits, garbage pits, depressions and/or other non removable indications of human activity, as well as, artifacts, buildings, machinery, etc.

Recording of cultural resources or other remains does not change ownership status of materials found, they belong to the property owner, nor does it prohibit your activity request. If cultural remains are located please contact this office at (907) 861-8655 as soon as possible. This would enable us to photograph and record any cultural materials that may be observed. Thank you for your cooperation. We appreciate you helping us learn more about our past.

Sincerely

Sandra Cook
Architectural Historian

NOTE§A.S.11.46.482 (a) of the Alaska Statutes states that

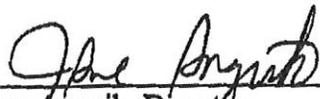
A person commits the crime of criminal mischief in the third degree if, having not right to do so or any reasonable grounds to believe the person have such a right...

(3) If a person knowingly

(A) defaces, damages or desecrates a cemetery or the contents of a cemetery or a tomb, grave, or memorial regardless of whether the tomb, grave, or memorial is in a cemetery or whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost, or neglected; (B) removes human remains or associated burial artifacts from a cemetery, tomb, grave, or memorial regardless of whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost or neglected.

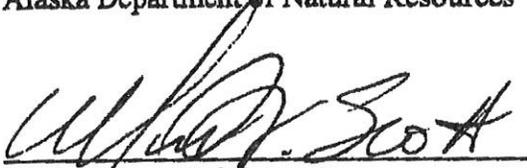
COOPERATIVE MANAGEMENT AGREEMENT BETWEEN
 ALASKA DEPARTMENT OF NATURAL RESOURCES AND
 MATANUSKA-SUSITNA BOROUGH FOR
 MINING RECLAMATION ON BOROUGH-OWNED LAND

Under the authority of Alaska State Constitution Article X Section 13, AS 27.19.060, AS 29.35 and 11AAC 97.700, the Department of Natural Resources and the Matanuska-Susitna Borough hereby enter into a cooperative management agreement by which the Matanuska-Susitna Borough will implement state mining reclamation requirements (AS 27.19 and 11 AAC 97) for material sites owned by the Matanuska-Susitna Borough. The Department of Natural Resources and the Matanuska-Susitna Borough find that this agreement will promote uniform compliance with state reclamation requirements and those set by municipal ordinances, providing for more consistent and effective reclamation of borough-owned land and reducing government paperwork costs. The Department of Natural Resources further finds that this agreement is in the state's best interests.



 Jane Angvik, Director
 Division of Land
 Alaska Department of Natural Resources

4/30/99
 Date

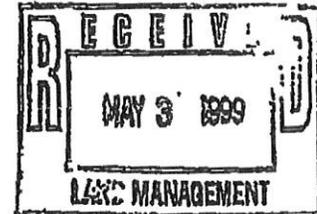


 Michael J. Scott, Manager
 Matanuska-Susitna Borough

4/23/99
 Date

**MATANUSKA-SUSITNA BOROUGH****Borough Manager****350 E. Dahlia Avenue, Palmer, Alaska 99645-6488
Phone (907) 745-9689 FAX (907) 745-9669**

April 26, 1999

**Jane Angvik, Director
Division of Land
3601 C Street, Suite 1122
Anchorage, AK 99503-5947****RE: Reclamation MOU**

Alaska Statute (27.19) requires DNR to administer mining reclamation on all state, federal, municipal and private land subject to mining operations which includes sand, gravel and other material.

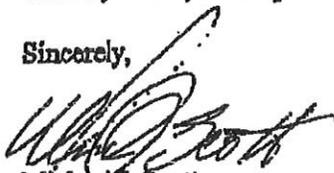
The Borough has similar provisions to AS 27.19 in our ordinances. We feel it would much easier and efficient to administer these reclamation requirements on our own land. This would relieve some potential work load requirements from DNR and ensure that the Borough is in compliance with both state and Borough reclamation requirements.

Working with your staff, we have drafted the enclosed MOU dealing with the reclamation issue for material sites on Borough owned land.

There are two originals. After your review and signature please return one original to Ron Swanson, Community Development Director at the above address.

Thank you for your help and consideration on this issue.

Sincerely,



Michael J. Scott
Borough Manager

MINING LICENSE – A mining license is not required for the Central Landfill Pit.

On May 24, 2012, Governor Parnell signed legislation (HB 298) into Law. This legislation, with a retroactive effective date of January 1, 2012, exempts quarry rock, sand and gravel, and marketable earth mining operations from the mining license tax. Anyone who mines quarry rock, sand and gravel, and/or marketable earth exclusively is no longer required to obtain a mining license or file a mining license tax return for activities conducted on or after the effective date.

MINING PERMIT – A mining permit is not required for the Central Landfill Pit. A mining permit is required if extraction activities are to take place on State-owned lands. The Central Landfill Pit is located on Matanuska-Susitna Borough-owned lands.



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, ALASKA 99506-0898

JUL 17 2015

Regulatory Division
POA-2015-303

Matanuska-Susitna Borough
Attention: Mr. Ryan Johnston
350 East Dahlia Avenue
Palmer, Alaska 99645

Dear Mr. Johnston:

This letter is in response to your May 1, 2015, request for a Department of the Army (DA) jurisdictional determination for a parcel of land identified as Central Landfill Easements. The property is located within Sections 1 & 12, T. 17 N., R. 01 E., Seward Meridian, USGS map Anchorage C-6; at Latitude 61.5897° N., Longitude 149.1973° W.; Lots D5, D6, B6 and A7; Matanuska-Susitna Borough, near Palmer, Alaska. Your project has been assigned number POA-2015-303, High Ridge Lake, which should be referred to in all correspondence with us.

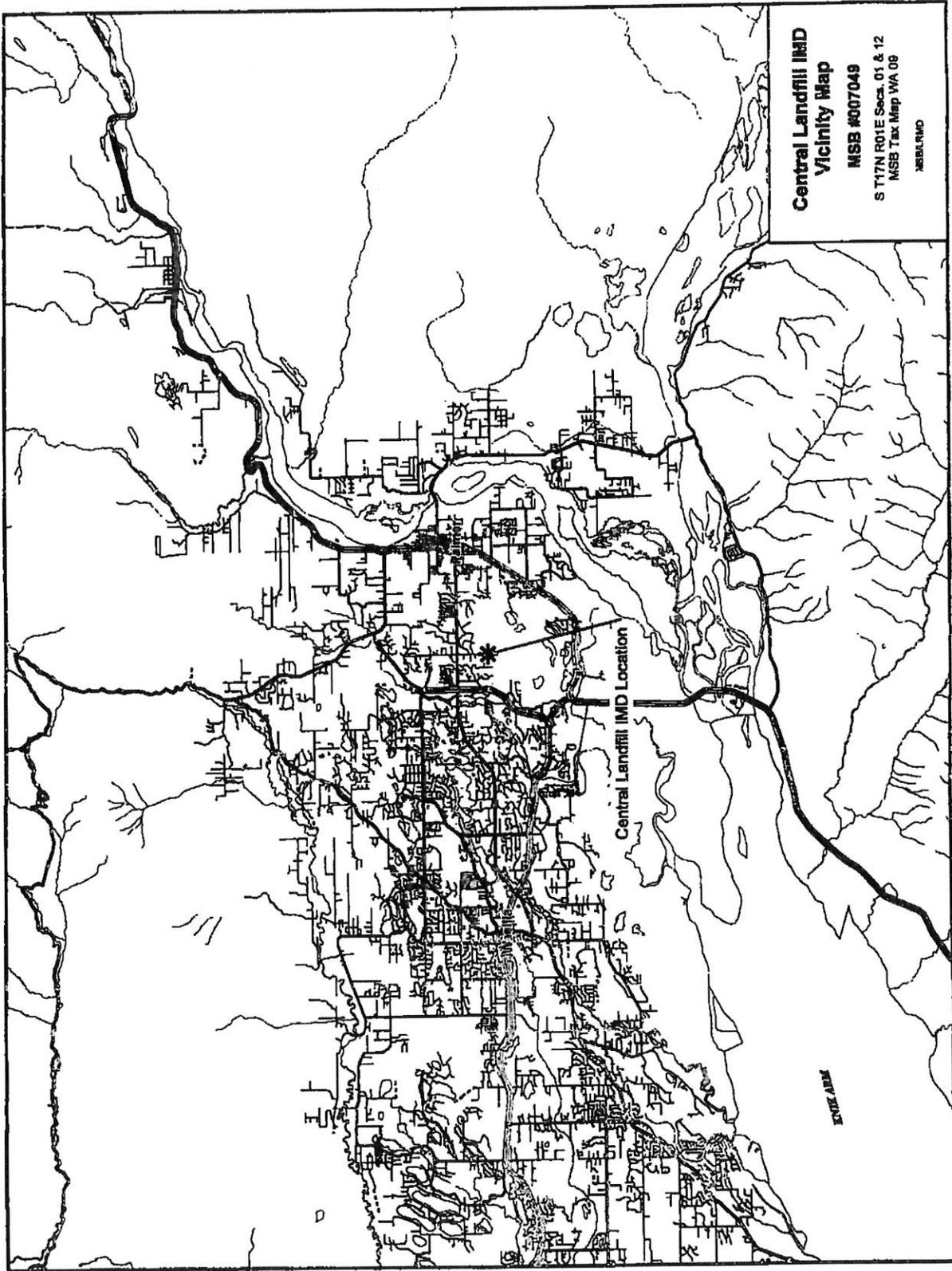
Based on our review of the information you provided and available to our office, we have preliminarily determined the subject property contains waters of the U.S., and/or wetlands, under the Corps' regulatory jurisdiction. See the attached Preliminary Jurisdictional Determination (PJD) Form. Please sign and return the form to our office. A PJD is not appealable. At any time you have the right to request and obtain an Approved Jurisdictional Determination, which can be appealed. If it is your intent to request an Approved JD, do not begin work until one is obtained.

DA authorization is required if you propose to place dredged and/or fill material into waters of the U.S., including wetlands.

Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344). The Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Matanuska-Susitna Borough
High Rigde Lake
July 8, 2015

POA-2015-303
Preliminary Jurisdictional Determination
1 of 3



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Request for a Jurisdictional Determination from the Regulatory Division of the U.S. Army Corps of Engineers

Instructions: Provide the information on this sheet along with a map of the property and send it to one of the Corps offices listed on the back of this form.

Matanuska-Susitna Borough - LMD

907-355-9607

NAME

PHONE - HOME

350 East Dahlia Avenue

907-861-8572

MAILING ADDRESS 1

PHONE - WORK

907-861-8635

MAILING ADDRESS 2

FAX

Palmer Alaska 99645

CITY

STATE

ZIP

Property Location:

Section 01 & 12 Township 17N Range 01E Meridian S Nearest City Palmer

Lot: _____ Block: _____ Tract: _____ Subdivision Name: _____

Parcel Number: 17N01E01D006, 17N01E12B008, 17N01E12A007 Borough: Matanuska-Susitna

Physical Address (if any): 1201 N. 49th State Street, Palmer, AK 99645

Directions to the property: From the Glenn Highway take the Palmer-Wasilla Highway approximately 2.8 miles to N. 49th State Street. Take a left on N. 49th State Street and follow to the end, approximately 0.6 miles.

Continue straight through to the Matanuska-Susitna Borough Central Landfill. Authorization will be required to enter the site.

How are the boundaries of the property identified? See map from POA-2015-303 "High Ridge Lake"

Do you own the land? Yes or No

If "Yes", do we have your permission to visit the property? Yes or No

If you do not own the property and in the event a site visit is necessary, provide a written statement from the landowner allowing the Corps of Engineers to enter the site.

To expedite our response to you, you may request a preliminary jurisdictional determination (PJD). If you need to obtain a permit for your project, it may be possible to evaluate your permit application using a PJD, depending on the specific project. Note that a PJD is not definitive and therefore not appealable. More information regarding JDs can be found at <http://www.usace.army.mil/CECW/Documents/cecw/reg/rqls/rql08-02.pdf>.

Please indicate if you desire a preliminary jurisdictional determination (PJD) YES or NO

Signature: 

Date: 7/28/15

Submit this form and map to the Corps office responsible for the geographic area that encompasses the Property Location. (See back)

-2-

Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403). Section 10 waters are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified by the Alaska District.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Please contact me via email at Matthew.L.Beattie@usace.army.mil, by mail at the address above, by phone at (907) 753-2791, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at www.poa.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,



Matthew L. Beattie
Regulatory Specialist

Enclosures

Standard Modification

Replace Section 641 with the following:

SECTION 641

EROSION SEDIMENT AND POLLUTION CONTROL

641-1.01 DESCRIPTION. As approved by the Engineer, provide project administration and construction activities to control erosion, sedimentation, and pollution from the Project, according to this section and applicable local, state and federal requirements, including the Construction General Permit.

Utilities will be relocated by others concurrently with construction of this project. The Contractor will be responsible for controlling sediment and erosion and stabilizing areas disturbed during underground and aboveground utility relocation.

The Borough will develop a Storm Water Pollution Prevention Plan (SWPPP) necessary to cover certain utility relocation work that may precede issuance of a Notice to Proceed. The Contractor will incorporate the provisions of that SWPPP document into any documents prepared by the Contractor under this Section.

641-1.02 DEFINITIONS.

Alaska Certified Erosion and Sediment Control Lead (AK-CESCL). Certification documenting the person has completed training, testing and other requirements recognized by the Borough to satisfy the APDES Construction General Permit for "qualified personnel". AK-CESCL certificates issued in conformance with, and under authority of the AK-CESCL Memorandum of Understanding are recognized by the Borough as meeting this standard. An AK-CESCL certification must be recertified every three years. CPESC, Certified Professional in Erosion and Sediment Control; CISEC, Certified Inspector in Sediment and Erosion Control; and CESCL, Washington Department of Ecology Certified Erosion and Sediment Control Lead are the only other recognized substitution for the AK-CESCL certification.

Alaska Department of Conservation (ADEC). The State Department that has been authorized to administer the Clean Water Act's National Pollutant Discharge Elimination System in a phased process.

Alaska Pollutant Discharge Elimination System (APDES). The Alaska Pollutant Discharge Elimination System, administered by ADEC.

Area of Land Disturbance. The area of land (soil) that will be disturbed by Construction Activity. Area of Land Disturbance does not include pavement removal or pavement milling if the activity does not remove aggregate underlying the pavement.

Best Management Practices (BMPs). Temporary or permanent structure and non structural devices, schedules of activities, prohibition of practices, maintenance procedures and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal.

Clean Water Act (CWA). United States Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)

Construction Activity. Physical activity by the Contractor or any Subcontractor or Utility Company that may result in land disturbance, erosion, sedimentation, or a discharge of pollutants in storm water. Construction activity includes, but is not limited to, grubbing, excavation, constructing embankment, grading, stockpiling erodible material, processing material and installation or maintenance of BMP's.

Construction General Permit (CGP). The Alaska Pollutant Discharge Elimination System General Permit for Discharges from Large and Small Construction Activities.

Electronic Notice of Intent (eNOI). The Electronic Notice of Intent submitted to ADEC, to begin Construction Activities under the CGP.

Electronic Notice of Termination (eNOT). The Electronic Notice of Termination submitted to ADEC, to end coverage under the CGP.

Erosion and Sediment Control Plan (ESCP). A project-specific document that illustrates measures to control erosion and sediment problems on a project. The ESCP normally consists of a general narrative and a map or site plan. It is developed by the Borough and may be included in the project plans and specifications. It serves as a resource for bid estimation and a frame work from which the Contractor develops the project SWPPP.

Final Stabilization. Soil disturbing activities at the site have been completed and one of the following methods, as identified in the contract, has been completed:

- Establish a uniform and evenly distributed perennial vegetative cover with a density of 70 percent of the native background vegetative cover, or
- Construct non-erodible permanent stabilization measures (such as riprap, gabions, geotextiles, pavement, or crushed aggregate base course) where vegetative cover is not required or practical.

Hazardous Material Control Plan (HMCP). The Contractor's detailed project-specific plan for the prevention of pollution from storage, use, transfer, containment, cleanup, and disposal of hazardous material, including but not limited to, petroleum products related to construction activities and equipment. The HMCP is included as an appendix to the SWPPP.

Operator(s). The party or co-parties associated with a regulated activity that has responsibility to obtain storm water permit coverage. "Operator" for the purpose of CGP and in context of stormwater associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:

1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
2. The party has day to day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions (e.g. they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with permit conditions).

Pollutant. Any substance or item meeting the definition of pollutant contained in 40 CFR 122.2

Project Area. The physical limits of the construction site, Borough furnished project staging and equipment areas, Borough furnished haul routes where deposition of sediments or erodible materials may result from material hauling activities and Borough furnished material and disposal sites directly related to the Contract. The project area also includes all areas of utility relocation and installation, including adjacent utility easements and tie-ins that may extend beyond the defined project limits. Contractor or Commercial Operator furnished material sites material processing sites, disposal sites, haul routes, staging areas and equipment storage are not included in the Project Area.

Spill Prevention, Control, and Countermeasure Plan (SPCC). The Contractor's detailed plan for petroleum spill prevention and control measures that meet the requirements of 40 CFR 112.

Storm Water Pollution Prevention Plan (SWPPP). The Contractor's detailed project -specific plan to minimize erosion and contain sediment within the Project site and to prevent discharge of pollutants that exceed applicable water quality standards. The SWPPP includes, but may not be limited to, amendments, records of activities, inspection schedules and reports, qualifications of key personnel and all other documentation required by the CGP and this specification.

Temporary Stabilization. The protection of exposed soils (disturbed land) from wind, and water erosion during construction process, until final stabilization is established.

Utility Company. A Utility Company or their contractor performing work concurrently with the construction of this project.

641-1.03 SUBMITTALS. Submit three signed copies of the SWPPP and HMCP to the Engineer. Submit two signed copies of the SPCC Plan (if required under subsection 641-2.03) to the Engineer at or before the pre-construction meeting.

The Borough will review the SWPPP and HMCP submittals within fourteen (14) calendar days. Submittals will be returned to the Contractor as either requiring modification, or as approved by the Borough. The 14 day review period will restart when the Contractor submits to the Borough the revised SWPPP and or HMCP. The approved SWPPP must contain certification, and be signed according to the Standard Permit Conditions of the APDES Construction General Permit.

Upon acceptance of the SWPPP by the Borough submit an eNOI for the Project to ADEC with the required fee. Submit a copy of the eNOI to the Project Manager when the eNOI is submitted to ADEC. The Borough will submit the Borough's eNOI to the ADEC and provide a copy to the Contractor for inclusion in the SWPPP.

No construction activities will take place on the Project until the eNOI has been posted on the ADEC website for seven (7) calendar days.

The active status NOI's, SWPPP, HMCP and SPCC Plan (when required) become the basis of the work required for the project's erosion, sediment, and pollution control.

Within fifteen (15) calendar days after the Engineer has determined you may end SWPPP activities for the Project, submit your eNOT for the Project to ADEC and send a copy of the eNOT to the Engineer. Within fifteen (15) calendar days of the Project Manager's determination the Borough will submit the Borough's eNOT to the ADEC and send a copy to the Contractor.

When CGP, Part 10, F requires ADEC SWPPP review: transmit a copy of the SWPPP with the required fee to ADEC using delivery receipt confirmation. Transmit a copy of the delivery receipt confirmation to the Engineer within seven (7) calendar days of receiving the confirmation. Transmit a copy of the ADEC SWPPP review letter to the Project Engineer within seven (7) calendar days of receipt from ADEC. Amend the SWPPP as necessary to address ADEC comments and transmit a copy of the SWPPP amendments to the Engineer within seven (7) calendar days of receipt of ADEC review comments. Include a copy of the ADEC SWPPP review letter in the SWPPP.

641-1.04 PERSONNEL QUALIFICATIONS. The Superintendent and any designated Relief Superintendent must meet the following qualifications:

- Current certification as AK-CESCL
- Duly authorized representative, as defined in Appendix F of the CGP.

641-1.05 SIGNATURE/CERTIFICATION REQUIREMENTS AND DELEGATIONS.

eNOI and eNOT. The eNOI and eNOT must be signed and certified by a responsible corporate officer, in accordance with the CGP Appendix F. Signature and certification authority, for eNOI and eNOT, cannot be delegated.

Delegation of Signature Authority for Other SWPPP Documents and Reports. Delegate signature and certification authority to the Superintendent, in accordance with CGP Appendix F, for the SWPPP inspections, and other reports required by the CGP. Include a copy of the written delegation in the

SWPPP. Delegation is not required if the Superintendent is a responsible corporate officer for the Contractor, as defined in CGP Appendix F.

Subcontractor Certification. Subcontractors must certify that they have read and will abide by the CGP and the conditions of the project SWPPP.

641-2.01 STORM WATER POLLUTION PREVENTION PLAN. Prepare a Storm Water Pollution Prevention Plan. When provided in the plan set use the Borough's ESCP to develop a SWPPP based on scheduling, equipment, and use of alternative BMPs. The SWPPP preparer must visit the project site before preparing the SWPPP. The plan must include both erosion control and sediment control measures. The plan must first address preventing erosion, then minimizing erosion and finally trapping sediment before it leaves the project site.

The SWPPP must follow the format presented in Appendix A, of Developing Your Storm Water Pollution Prevention Plan (EPA 833-R-060-04 May 2007). An electronic copy of the SWPPP template is available on EPA's web site at <http://www.epa.gov/npdes/swpppguide>

The plan must address the site specific controls and management plan for the construction site as well as for material sites, waste disposal sites, haul roads and other affected areas, public or private. The plan must also include copies of and incorporate the requirements of the project permits.

The contractor is responsible for identifying, in their SWPPP, other work that is on-going or will be undertaken within or adjacent to the project during the contract period and to coordinate erosion and sediment control measures with the other operators.

641-2.02 HAZARDOUS MATERIAL CONTROL PLAN (HMCP) REQUIREMENTS.

Prepare a HMCP for handling, storage, cleanup and disposal of petroleum products and other hazardous substances. (See 40 CFR 117 and 302 for listing of hazardous materials).

Compile Material Safety Data Sheets in one location and reference in the HMCP. List and give location of hazardous materials, including office materials, to be used and/or stored on site, and estimated quantities. Detail a plan for storing these materials as well as disposing of waste petroleum products and other hazardous materials generated by the project.

Identify the locations where storage, fueling and maintenance activities will take place, describe the maintenance activities and list controls to prevent the accidental spillage of oil, petroleum products, and other hazardous materials.

Detail procedures for containment and cleanup of hazardous substances, including a list of types and quantities of equipment and materials available on site to be used.

Detail a plan for the prevention, containment, cleanup and disposal of soil and water contaminated by accidental spills. Detail a plan for dealing with unexpected contaminated soil and water encountered during construction.

Detail methods of disposing of waste petroleum products and other hazardous materials generated by the project. Identify haul methods and final disposal areas. Assure final disposal areas are permitted for hazardous material disposal.

Specify the line of authority and designate a field representative for spill response and one representative for each subcontractor. Include their names and contact information in the SWPPP.

641-2.03 SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) PLAN REQUIREMENTS.

Control

Prepare and implement a SPCC Plan when required by 40 CFR 112, including:

1. When oil spills may reach navigable waters; and
2. Total above ground oil storage capacity is greater than 1,320 gallons.

Prevention and Countermeasures

Comply with 40 CFR 112 and address the following issues in the SPCC Plan:

1. Operating procedures that prevent oil spills;
2. Control measures installed to prevent a spill from reaching navigable waters; and
3. Countermeasures to contain, cleanup and mitigate the effects of an oil spill.

Self-certify the SPCC Plan if the total above ground oil storage capacity is 10,000 gallons or less, and the requirements for self certification in 40 CFR 112 are met. Otherwise the SPCC Plan must be certified, stamped with the seal of, date by, and signed by a Professional Engineer registered in the State of Alaska.

641-2.04 RESPONSIBILITIES AND AUTHORITY OF THE SUPERINTENDENT.

The Superintendent is responsible for the overall operations of the Project and all Contractor-furnished sites and facilities directly related to the Project. The Superintendent shall sign and certify the SWPPP, SWPPP inspections, and other reports required by the CGP, except the NOI and NOT. The Superintendent may not delegate the task or responsibility of signing and certifying the SWPPP, SWPPP inspections, and other reports required by the CGP. If the Superintendent is unavailable, a relief Superintendent may sign and certify reports required by the CGP. If the relief Superintendent is used, document the personnel change, including a photo copy of their AK-CESCL certification, and include their beginning and ending dates in the SWPPP.

641-2.05 MATERIALS. Comply with the material requirements described in the Plans and Specifications.

Use materials suitable to withstand hydraulic, wind, and soil forces, and to control erosion and trap sediments in accordance with the requirements of the CGP.

Straw that is certified as free of noxious weed by the United States Department of Agriculture, Natural Resources Conservation Service, Local Soil and Water Conservation District, Alaska Weed Free Forage Certification Program must be used when available. Hay may not be substituted for straw.

Silt fences	Subsection 729-2.04,
Sediment Control	
Temporary Seed	Section 724
Erosion, Sediment, and Pollution Control-Material	Section 744

641-3.01 CONSTRUCTION REQUIREMENTS. Comply with the SWPPP and the requirements of the CGP.

Ensure all subcontractors and utility companies understand and comply with the SWPPP and the CGP. Provide SWPPP information to the utility companies. Notify the Project Manager immediately if actions of any utility company or subcontractor do not comply with the SWPPP and the CGP. Provide training to subcontractors & utility companies on control measures at the site and applicable storm water pollution prevention procedures and document the dates and attendees to these trainings in Appendix J of the SWPPP.

Post notices on the outside wall of the Contractor's project office, and at publicly accessible locations near the beginning and end of the Project. Protect postings from the weather and locate so the public can read them without obstructing construction activities (for example, at an existing pullout). Include the following information in each of the posted notices:

- Copy of all eNOIs related to this project
- Name and phone number of Project Superintendent
- Location of the SWPPP available for public viewing.

Comply with requirements of the HMCP, the submitted SPCC Plan, and the State and Federal regulations that pertain to handling, storage, cleanup and disposal of petroleum products or other hazardous substances. Contain, cleanup and dispose of discharges of petroleum products and other materials hazardous to the land, air, water and organic life forms. Perform fueling operations in a safe and environmentally responsible manner. Comply with requirements of 18 AAC 75 and AS 46, Oil and Hazardous Substance Pollution Control. Report oil spills as required by Federal, State and local Law and, as described in the SPCC Plan.

Comply with requirements of the APDES Construction General Permit, implement temporary and permanent erosion and sediment control measures identified in the SWPPP, and ensure that the SWPPP remains current. Maintain temporary and permanent erosion and sediment control measures in effective operating condition.

Coordinate BMPs with Utility Companies doing work in the project area.

641-3.02 INSPECTIONS

Perform inspections and prepare inspection reports to comply with the project SWPPP and the APDES Construction General Permit.

1. Joint Inspections. Before start of construction, conduct a joint on-site inspection with the Engineer, the SWPPP Preparer, and the Contractor's Superintendent for the project to discuss the implementation of the SWPPP.
 - a. Before each winter shutdown, to ensure that the site has been adequately stabilized and devices are functional.
 - b. At project completion, to ensure final stabilization of the project.
2. During Construction. In addition, the Contractor will perform inspections meeting the requirements of the APDES Construction General Permit. The project Superintendent shall review the Project Site, Materials Sites, Waste Sites and the SWPPP for conformance with the APDES Construction General permit at least once per month and after every major change in earth disturbing activities for compliance with the Construction General Permit.
3. Inspection Reports. Prepare and submit, within three (3) working days of each inspection, a Inspection Report. At a minimum the report will contain the following:
 - a. A summary of the scope of the inspection
 - b. Name(s) and titles of personnel making the inspection
 - c. The date of the inspection
 - d. Observations relating to the implementation of the SWPPP
 - e. Any actions taken as the result of the inspection
 - f. Incidents of non-compliance

Where a report does not identify and incidents of noncompliance, certify that the facility is in compliance with the SWPPP and the APDES Construction General Permit.

The Contractor's Superintendent will sign the report according to the Standard Permit Conditions of the APDES Construction General Permit. Include reports as an appendix to the SWPPP.

Record Retention

Keep the SWPPP up to date at all times. The SWPPP shall denote location, date of installation, date maintenance was performed and the date of removal of BMPs. It shall also contain copies of inspection reports and amendments.

Maintain the following records as part of the SWPPP:

1. Dates when major grading activities occur;
2. Dates when construction activities temporary or permanently cease on a portion of the site; and
3. Dates when stabilization measures are initiated.

Provide the Engineer with copies of SWPPP revisions, updates, records and inspection reports at least weekly.

Retain copies of the SWPPP and other records required by the APDES Construction General Permit for at least three years from the date of final stabilization.

If unanticipated or emergency conditions threaten water quality, take immediate suitable action to preclude erosion and pollution.

Amendments

Submit amendments to the SWPPP to correct problems identified as a result of:

1. Storm or other circumstance that threatens water quality, and
2. Inspection that identifies existing or potential problems.

Submit SWPPP amendments to the Engineer within seven (7) calendar days following the storm or inspection. Detail additional emergency measures required and taken, to include additional or modified measures. If modifications to existing measures are necessary, complete the implementation before the next storm event whenever practicable.

Stabilize area disturbed before the seeding deadline or within seven (7) calendar days of the temporary or permanent cessation of ground-disturbing activities.

Notice of Termination

For projects that require an eNOI, submit the signed eNOT to the ADEC with a copy to the Project Manager when the Project Manager notifies that:

1. The project site (including material sources, and disposal sites) has been finally stabilized and that storm water discharges from construction activities authorized by the permit have ceased, or
2. The construction activity operator (as defined in the APDES Construction General Permit) has changed.

641-4.01 METHOD OF MEASUREMENT.

Items 641(2) and (4) will be measured as specified in the Contract or Owner's Action authorizing the work.

641-5.01 BASIS OF PAYMENT.

1. Item 641(1) Erosion and Pollution Control Administration. At the Contract lump sum price for administration of work under this Section. Includes, but is not limited to, plan preparation, plan amendments and updates, inspections, monitoring, reporting and record-keeping.

2. Item 641(2) Temporary Erosion and Pollution Control. At the prices specified in the Contract or as provided in the Owner's action authorizing the work to install and maintain temporary erosion, sedimentation and pollution control measures.
3. Item 641(3) Temporary Erosion and Pollution Control. At the Contract lump sum price to install and maintain temporary erosion, sedimentation and pollution control measures required to complete the project according to the Plan and with the current approved SWPPP and HMCP.
4. Item 641 (4) Temporary Erosion and Pollution Control Amendments. At the price specified in the Owner's action for extra, additional or unanticipated work to install and maintain temporary erosion, sedimentation and pollution control measures. Work paid under this item will be shown as amendments to the original SWPPP or HMCP.

Temporary erosion and pollution control measures that are required at Contractor -furnished sites are subsidiary to Pay Item 641(3).

Work that is paid for directly or indirectly under other pay items will not be measured and paid under this Section, including but not limited to dewatering, shoring, bailing, installation and removal of temporary work pads, temporary accesses, temporary drainage pipes and structures and diversion channels.

Perform temporary erosion and pollution control measures that are required due to negligence, carelessness, or failure to install permanent controls as a part of the work scheduled or ordered by the Project Manager, or for the Contractor's convenience, at the Contractor's expense.

Permanent erosion and pollution control measures will be measured and paid for under other Contract items, when shown on the bid schedule.

Failure

If the Contractor fails to coordinate temporary or permanent stabilization measures with the earthwork operations in a manner to effectively control erosion and prevent water pollution, the Project Manager may suspend the earthwork operations and withhold monies due on current estimates for such earthwork items until aspects of the work are coordinated in a satisfactory manner.

If there is failure to:

1. Pursue the work required by the SWPPP,
2. Respond to inspection recommendations and/or deficiencies in the SWPPP, or
3. Implement erosion and sedimentation controls identified by the Project Manager.

The Project Manager may suspend construction activities and withhold monies due on current estimates until the SWPPP is in compliance with the APDES Construction General Permit.

The Contractor shall be due no additional monies or Contract time extension as result of delays resulting from suspension of earthwork for failure to perform required erosion, sedimentation, or pollution duties as outlined in this Section 641.

If listed in the bid schedule payment will be made under:

<u>Pay Item No.</u>	<u>Pay Item</u>	<u>Pay Unit</u>
641(1)	Erosion and Pollution Control Administration	Lump Sum
641(2)	Temporary Erosion and Pollution Control	Contingent Sum
641(3)	Temporary Erosion and Pollution Control	Lump Sum
641(4)	Temporary Erosion Pollution Control Amendments	Contingent Sum

COMMENTS



MEMORANDUM

David Meneses
Building Inspector

Beth Skow
Library Director

TO: Mark Whisenhunt, Planner II, MSB
FROM: Kimberly McClure, Planning Technician
DATE: May 2, 2016
SUBJECT: 17N01E01D005 – Central Landfill Applications

Inside City Limits

Outside City Limits

We have distributed the abbreviated plat for the subject project and have received the following comments from the following departments:

1. City Manager: No comments received.
2. Building Inspector: No comments.
3. Community Development: It is located adjacent to the 155 acres that the City of Palmer leases on France Road.
4. Fire Chief: No comments.
5. Public Works: No comments.
6. Planning and Zoning Commission: The applications are scheduled to be reviewed at the May 19 P & Z meeting. Any additional comments will be forwarded.

Thomas J Reber
Kay A Slack
PO Box 2587
Palmer AK 99645

Property Legal Description: SUMMERWOODS RSB B/3 L/9/10/11

Comments regarding "Central Landfill Applications for Gravel Extraction Activities" scheduled to be heard by the Planning Commission on Monday, May 16, 2016.

Via E-mail on May 2, 2016 to mwhisenhunt@matsugov.us

The following comments are in addition to the written comments submitted on March 14, 2016 via e-mail to Mark Whisenhunt.

1. We are concerned that insufficient research has been conducted to learn the impact of up to 20 trucks per hour exiting 49th State Street onto the Palmer-Wasilla Highway. With the new Trunk Road intersection, there have been multiple occasions when traffic has been backed up to 49th State Street (nearly one mile from the Trunk) and beyond. These are generally due to car accidents between 49th State Street and the Trunk Road.

On one occasion, there was striping being applied at the corner of Palmer-Wasilla and Trunk. As we made a right turn off of the Trunk Road heading toward 49th State Street, we saw a line of vehicles that extended much further than a mile – to Loma Prieta. Among the vehicles were several school buses.

We would like to see further study of the impact these trucks will have on the Palmer-Wasilla and possible curtail the number of trucks exiting onto the Palmer-Wasilla. And, while school buses are on the road, suspend operations of the gravel extraction and reduce the impact the additional traffic will cause.

2. We would also like to request a ban on any trucks used for gravel extraction that have air brakes; thus, reducing the noise impact on the neighboring community.

Thank you for your consideration.

Mark Whisenhunt

From: Huss <huss2124@yahoo.com>
Sent: Monday, April 18, 2016 10:33 PM
To: Mark Whisenhunt
Subject: Central Landfill Application For Gravel Extraction

Name: Eric Huss

Mailing Address: 1500 N Loma Prieta Dr Palmer AK Location Of Property: SUMMERWOODS BLOCK 1 LOT 10

Please include the below comments in the "Planning Commission Packet"

Comments:

1. What amount of additional traffic will the surrounding roadways have and what are those roads.
2. What effect will the activities (Gravel Extraction) have on local residents water wells. Will the level decrease? Quality decrease?
3. In the event that the gravel extraction adversely effects local residents water wells what is the borough's proposed solution to the rectify the issue?

The report provided to the borough in April 2010 by J. A. Munter Consulting, Inc "Potential Hydrologic Effects of Gravel Extraction South of Palmer, Alaska" indicates that gravel extraction does indeed impact local residents water wells.

Quotes.

"Model calculations indicate that water levels may decline up to several feet at a distance of 1.5 miles or more northward from the planned lake."

"The amount of water-level decline is likely to cause some wells to fail as a result of the water table dropping to levels near or below the bottom of the well. Other wells may experience reduced yields or sporadic outages."

"Additional wells may have capture zones that overlap areas subject to gravel mining and the water-supply aquifer may be subject to risks of water quality impairment"

Thanks you
Eric Huss

Mark Whisenhunt

From: mike.gumbleton <mike.gumbleton@gmail.com>
Sent: Monday, April 18, 2016 10:41 AM
To: Mark Whisenhunt
Subject: Gravel extraction

Highways in the area cannot safely accommodate the additional truck traffic for this gravel extraction project. This MSB tax ID 17N01E01D005 should not be approved. Mike Gumbleton 746-6313. Palmer

March 13, 2016

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

c/o mwhisenhunt@matsugov.us

Re: *Request for Interim Materials District (IMD)*, by the Matanuska-Susitna Borough Land Management Division for the Central Landfill

I am writing in opposition to the request by the Matanuska-Susitna Borough Land Management Division (MSB) for authority to create an Interim Materials District (IMD) under Chapter 17.28 of the Borough Code for the land referred to in the application as the "Central Landfill" (referred to in the public notice mailed out on February 24, 2016, as MSB Tax ID# 17N01E01D005 & D006, 17N01E12A007 & B006). Although the MSB refers this property as the Central Landfill, most people I know refer to it as Crevasse Moraine and apply the name Central Landfill to only the land within Crevasse Moraine that has been disturbed by landfill activities.

As an initial matter, I believe that the MSB's application should be re-noticed to the public. The public notice issued for this action states: "Application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'." I followed that instruction, and I found an Application by the MSB dated February 16, 2016. However, the application posted online was for Earth Material Extraction on sites less than 20 acres and not an application for an IMD. In the posted application, the MSB is seeking authority to extract 770,000 cubic yards of material from 13 acres, referred to as "Cells 4 to 7 footprint" for a period ending in 2020. The public notice indicates that the Application is for extraction of 12,140,000 cubic yards of material from 260 acres over a period ending in 2055. This is a significant difference in scope of activity, and the public notice does not provide a brief description of the identified application as required by MSB Code Section 17.03.040(A)(2). I believe that the actual application for an IMD must be put out for public review before the Planning Commission can take this matter up under MSB Code Section 17.03.010. Otherwise, the public does not know the full scope of what it is being asked to comment upon.

As a secondary matter, I object to the strong inference that the MSB's application has been decided prior to the Planning Commission's hearing. That inference comes from Page B5 of the March 11, 2016 *Frontiersman*, which includes an advertisement for bids on the MSB gravel sale designated as Bid #16-078R. That advertisement indicates that bid documents were available on March 8, 2016, and that bidding will be closed March 30, 2016. The bid documents indicate that this is a sale of 500,000 cubic yards of pit run material from Cell 4, in an IMD. In other words, the MSB is proceeding as if the Planning Commission review of its application is a completely meaningless exercise and it already has authority to extract the material identified in its application.

I recognize that the Planning Commission has little control over the MSB. By copy of these comments to the Borough Mayor, Borough Manager, and Assembly, I am asking that Bid #16-078R be rescinded immediately. However, the Planning Commission must protect the appearance of propriety in its proceedings or risk losing all credibility with the public. I believe

that the Planning Commission can reasonably show the public that it is taking its responsibilities seriously by exercising its authority to require republishing of public notice of the MSB's application for a Central Landfill IMD, by making the actual IMD application available to the public, and by postponing action on the MSB's Central Landfill IMD application until a public meeting at least thirty days after re-publication of the revised public notice.

I do want to respond to the public notice itself, even though I am not entirely sure what mining activities the MSB is proposing to accomplish. Under Section 17.28.010 of the Borough Code, the purpose of an IMD is:

to allow extraction activities as an interim use of land while promoting the public health, safety, prosperity and general welfare of the Matanuska-Susitna Borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties. It is the further purpose of this chapter [MSB Code 17.28] to promote compatible, orderly development.

This purpose is to be accomplished by a number of specific actions, which I will address in the order they are listed in MSB Code Section 17.28.010(A).

(1) designating areas for the extraction of earth materials important for the development of the Matanuska-Susitna Borough;

The public notice does not identify why extraction of earth materials from the MSB's Crevasse Moraine property is important for the development of the Matanuska-Susitna Borough. The MSB's application, at page 1 of the textual portion of the application, states that extraction is "for beneficial use onsite as cover material and/or sale." Bid #16-078R clearly shows that the primary use of the earth materials proposed for extraction from the Crevasse Moraine property is for sale, at a price of at least \$0.10 per cubic yard. The MSB presents no information indicating why, in the Palmer-Wasilla area with its many active private gravel pits, it is important for the development of the Matanuska-Susitna Borough that the MSB place another 500,000 cubic yards of earth material into the market. The low price being asked for this material indicates that demand is low. The MSB has not established in its application, and probably cannot establish, that extraction of earth materials from Crevasse Moraine is important for the development of the Matanuska-Susitna Borough, and thus the Planning Commission cannot grant the MSB's application based upon compliance with Section 17.28.010(A)(1).

(2) enhancing the character and stability of residential, agricultural, business, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas by the owner/permittee in a manner that will not devalue the extraction site or neighboring properties for future beneficial uses upon completion of graven extraction;

I attended public meetings hosted by MSB (or more likely its predecessor agency) during the winter of 1984-1985, when creation of the Central Landfill was originally presented to the public. At that time, we (the public) were told that the Central Landfill would only affect a very limited portion of the Crevasse Moraine property, that it would be closed after approximately 20 years of operation, and after closure the land impacted by landfill operations would be made into recreational ball fields and related parking. The MSB has already operated the Central Landfill for a substantially longer period than originally presented, and it is past time for closure of that facility. Granting the MSB's application will have the inevitable result of extending the life and

scope of the Central Landfill. The MSB does not, and cannot, claim that extension of the life of the Central Landfill beyond its original proposed life enhances the character of the surrounding residential neighborhoods. The MSB does not, and cannot, claim that further extension of the life of the Central Landfill will not devalue the neighboring properties.

If any member of the Planning Commission doubts that continued operation of the Central Landfill devalues the neighboring properties, I invite you to walk down the neighboring street shown on the public notice, Lee Ann, during a warm afternoon when the wind is not blowing. The sour stench of landfill gas, a highly contaminated version of methane, escaping from the landfill is nauseous and certainly cannot do anything except devalue those affected neighboring properties.

I also invite you to go to the end of Calero, also shown on the public notice, and look at the artificial landfill mountain blocking our view of the Chugach Range. If you do so, ask yourself how such viewshed contamination cannot devalue neighboring properties. Neighbors with normal hearing tell me that industrial noise from the landfill permeate our neighborhood. I am not as sensitive to noise pollution as many, but it cannot be argued that industrial noise pollution adversely affects the value of neighboring property.

Dust from previous landfill excavation activities has always escaped into our neighborhood, and I have no confidence in MSB's ability to contain dust in the future. Dust pollution is already a significant air quality problem in the Palmer area, and we do not need further industrial excavation making it worse. Planning Commission authorization of ongoing earth material extraction related dust pollution adjacent to our neighborhood for another thirty years will certainly devalue our property.

I actually live a couple blocks from the Central Landfill, and several times a year I have to pick up litter from the landfill deposited on my property by the gulls, ravens and eagles that feed there. This ongoing litter problem devalues property in our neighborhood, and is probably unavoidable until the Central Landfill is closed and fully remediated, or MSB incurs substantial expense to exclude large birds from the site.

The bird litter problem is completely separate from the littering problems caused by people dumping their garbage in our subdivision when they get to the Central Landfill and find it closed, and the people hauling trash to the Central Landfill without properly securing their loads. Yes, the MSB does periodically pick up litter from these sources. But such litter often contaminates the neighboring roads for weeks, or months, between MSB clean-ups. This is an ongoing and unavoidable devaluation problem.

Finally, Crevasse Moraine and its trail system have substantial value as a recreational property. Granting the MSB application will irreversibly and significantly reduce that value, and the recreational area access value of the neighboring properties. Such devaluation is an unavoidable impact of granting the MSB's application. The MSB has proposed no mitigation for such impacts, and given the limited public recreational land available in the Palmer-Wasilla area, mitigation is probably not possible.

During the winter of 1984-1985, those of us who lived near Crevasse Moraine agreed to not fight establishment of the Central Landfill on the condition that the Borough build public trails on those portions of Crevasse Moraine not scheduled for landfill use. The Borough built trails in

Crevasse Moraine beginning in 1985, consistent with that agreement. Most of the original Crevasse Moraine trail system has since been destroyed, typically without advance public notice, by expansion of the Central Landfill. I read yet again in today's Frontiersman an assertion by MSB that the Crevasse Moraine trail system is an interloper on Central Landfill property. That is untrue, particularly for those original trails. It is the Central Landfill that has encroached onto Crevasse Moraine recreational lands, which was once referred to as the Borough's Central Park.

It is true that in 1989 the Assembly designated Crevasse Moraine for landfill use. I personally had no advance notice that this significant piece of legislation was under consideration by the Assembly, but I assume it was lawfully enacted. However, what the Assembly has done, the Assembly can undo. It is past time for the Assembly to redesignate Crevasse Moraine as park, specifically prohibiting any further expansion of the Central Landfill's footprint. Denial of MSB's application by the Planning Commission will give the Assembly more time to accomplish this much-needed remedial action.

The MSB has not established in its application that extraction of earth materials from Crevasse Moraine will be, or can be, done in a manner that enhances the character or stability neighboring residential property. Nor has it shown how such extraction can be done in a manner that does not devalue both the Crevasse Moraine property and the neighboring residential properties for future beneficial use. Therefore, the Planning Commission cannot grant the MSB's application based upon compliance with Section 17.28.010(A)(2).

(3) promoting diversified land use and economic opportunity;

The MSB application does not, that I can find, explain how extraction of earth materials from Crevasse Moraine will promote diversified land use and economic opportunity. There are a number of existing gravel pits in the vicinity of Crevasse Moraine, and creating another earth material site will not promote diversified land use and economic opportunity. On the other hand, as noted by others in the Frontiersman today, there is a significant shortage of public trails in the Palmer-Wasilla core area. Granting the MSB application will have the inevitable effect of reducing diversified land use, whether the public trails are lost to landfill use this year or forty years from now.

While the landfill function is necessary, there is no good reason for serving that function with the Crevasse Moraine property. If the MSB's application is denied, it appears that such denial could result in relocation of the landfill function. That will promote retention the current diversity of land use by maintaining access to the Core Area Greenbelt (the interconnected Crevasse Moraine, Kepler-Bradley Park, and University of Alaska lands) from the Palmer-Wasilla Highway where the bulk of the Borough's population resides. This will promote economic opportunity in the recreation, public health, and veterinary industries. Walking dogs and riding horses have been activities on the Crevasse Moraine property since before creation of the Central Landfill, or before creation of the existing trail system. These uses continue to grow, but now there are also organized trail runs by groups promoting community health and a rapidly growing number of off-road bicycle users.

Relocating the landfill function to the industrial lands near Port MacKenzie will better promote diversified land use and economic opportunity than keeping that function at Crevasse Moraine. It is my understanding that Juneau and other municipalities in Alaska have to barge their garbage to landfills located outside of Alaska. It is also my understanding that many rural Alaska

communities are having difficulty maintaining their local landfill in a manner consistent with state and federal law. Many of these rural communities have supplies brought in by barge, with the barges returning downriver empty. If MSB established a regional landfill by the Port, I would expect that through the Port it could provide landfill service to these exporting communities. This would not only increase the economic use of the Port, but could create a landfill operation of sufficient scale to warrant installation of the infrastructure required to convert landfill gas into a useful energy resource.

I expect that there are other sites where relocation of the landfill function would better promote diversified land use and economic opportunity than expansion of landfill operations at Crevasse Moraine. The MSB has not established in its application that extraction of earth materials from Crevasse Moraine will promote diversified land use and economic opportunity. Therefore, the Planning Commission cannot grant the MSB application based upon compliance with Section 17.28.010(A)(3).

(4) encouraging the most appropriate uses of land;

I cannot find where the MSB addresses appropriate uses of land in its application, and I expect that MSB would rather avoid discussion of subjective criteria in its efforts to convert public recreational land into industrial use. However, in enacting Section 17.28.010(A)(4), the Assembly has clearly tasked the Planning Commission with examining the appropriate uses of land. Based upon my limited knowledge of MSB land, I posit that the Alsop Pit IMD (Section 17.28.090(A)(4)) is a substantially more appropriate site for the landfill function than Crevasse Moraine. There are probably many more sites in or near the Port District where the MSB could perform its landfill function.

Given the MSB's failure to address the appropriate use of land, it would be arbitrary and capricious for the Planning Commission to grant the MSB's application based upon compliance with Section 17.28.010(A)(4). In exercising its authority to encourage the most appropriate uses of land, I believe that the Planning Commission needs to look at the lack of other land in the Palmer-Wasilla area of the Borough where the recreational functions served by the Crevasse Moraine trail system can be relocated. The Planning Commission also needs to look at the existence of other sites where the landfill function served by the Central Landfill can be relocated. Based upon this examination, the Planning Commission should reject the MSB's application under Section 17.28.010(A)(4).

(5) enhancing the natural, manmade, and historical amenities of the Matanuska-Susitna Borough;

In my dictionary, the term amenity is defined as the quality of being pleasant or agreeable. In the plural, this term is defined as having pleasant aspects, convenience, or social courtesies. Crevasse Moraine as a recreation property, and its existing trail system, indisputably qualifies as amenities. Pleasant aspects of Crevasse Moraine include opportunities for hiking, jogging, biking, skiing (when there is snow), horse riding, berry picking, wildlife viewing, and communing with nature. Crevasse Moraine is convenient as a recreational property, in that it is easily accessible to a substantial portion of the Borough's population.

Based upon landfill gas, visual, noise, dust, and litter pollution issues discussed above, the Central Landfill cannot be considered an amenity. It is an unpleasant neighbor, and has been so

for over thirty years. Closing the Central Landfill will serve to enhance the natural, manmade, and historical amenities of the Matanuska-Susitna Borough through preservation of the Crevasse Moraine recreational qualities. Granting the MSB's application will extend the Central Landfill's life at the unavoidable cost of Crevasse Moraine recreational qualities will have the opposite affect. The Planning Commission cannot grant the MSB's application under Section 17.28.010(A)(5).

(6) recognizing and preserving traditional uses of land within the Matanuska-Susitna Borough;

I know from personal experience that Crevasse Moraine was used for recreational purposes prior to the Central Landfill's existence. I walked my dog almost daily on the old Crevasse Moraine logging roads prior to either creation of the Central Landfill or the Crevasse Moraine trail system, and I rarely made such a walk without running into other people also recreationally using that land. Preventing the Central Landfill from further expansion into Crevasse Moraine will be a recognition and preservation of that traditional use of land within the Matanuska-Susitna Borough.

The Central Landfill is by its very nature a temporary use of land, which, if not properly undertaken will result in a virtually permanent blight, a Brownfield, in the Borough. We have not yet heard any information from MSB about how they are going to cure the groundwater contamination and landfill gas pollution that has resulted from past Central Landfill operations. The Central Landfill cannot be considered a traditional use of land, other than in the context that it is just one of many landfill operations that have historically existed in the Borough. The Planning Commission cannot grant the MSB's application under Section 17.28.010(A)(6), and should deny that application based upon this ordinance.

and (7) protecting and enhancing the quality, peace, quiet and safety of the Matanuska-Susitna Borough neighborhoods.

Extending the life of the Central Landfill cannot, under any set of circumstances, be an action that would protect or enhance the quality, peace, quiet or safety of my neighborhood. Removing the landfill function from Crevasse Moraine, and competently enclosing the existing garbage retention cells so that the Crevasse Moraine land already impacted by landfill operations can be safely used recreationally may protect and enhance the quality, peace, quiet and safety of my neighborhood. The Planning Commission cannot grant the MSB's application under Section 17.28.010(A)(7), and should deny that application based upon this ordinance.

Matanuska-Susitna Borough Code 17.30

The MSB application posted on the Borough's website was for material extraction from less than 20 acres of land. Should the Planning Commission decide to consider MSB's application under Chapter 17.30 of the Matanuska-Susitna Borough Code, a new public notice and comment period should be implemented. However, I note that the purpose of Chapter 17.30, as set out in Section 17.30.010(A), is substantially identical to the purpose of Chapter 17.28 discussed above. I further note that the means for accomplishing the Chapter 17.30 purpose set out in Section 17.30.010(A) are identical to the means established in Section 17.28.010(A) for meeting the purposes of Chapter 17.28. For the reasons discussed above, the Planning Commission must also reject MSB's application under Chapter 17.30.

RECLAMATION

MSB claims, at page 1 of the textual portion of its application, that: “No reclamation of the mined area is required prior to use as landfill cells. Final reclamation will be concurrent with closure of each landfill cell.” I can find no exemptions from the reclamation plan requirements of Section 17.28.063, or 17.30.035, for landfill operations. If MSB is seeking Planning Commission approval of a waiver of this ordinance, MSB should identify the authority under which such exemption may be granted in its application and the updated public notice should specifically identify the waiver request as an item for public comment. As filed, the MSB application is incomplete for failing to have the required reclamation plan, and should be rejected for that reason.

I note that MSB has previously concluded excavation of cells now closed without complying with the requirements of Section 17.28.067(D)(2). Again, the truth of this assertion is readily visible should any Planning Commission member choose to go to the end of Calero shown on the public notice and view MSB’s work that is clearly visible there.

CONDITIONS

Going back to the purpose of regulating IMDs, and the methods of accomplishing that purpose, the Planning Commission is required under Section 17.28.010(A) to enhance the character and stability of residential areas, prevent devaluation of Crevasse Moraine and the neighboring properties, encourage the appropriate uses of land, preserve traditional uses of land, and protect and enhance the quality, peace, quiet, and safety of neighborhoods. I believe that the MSB application should be denied, for all of the reasons addressed above. However, if the Planning Commission disagrees with me on that, it must at least condition approval of the MSB application with the following minimum conditions to comply with the purposes of Section 17.28.010:

1. No further extraction of earth materials is allowed for Central Landfill purposes until all existing closed landfill cells have been reclaimed such that no groundwater contamination can occur, no exhaust of untreated landfill gas into the atmosphere occurs (all produced landfill gas must be treated by combustion at a temperature sufficient to break down all methane and other organic molecules, with exhaust gas scrubbed to remove all heavy metals and pollutants regulated by federal and state law), and each closed landfill cell is made safely available for public recreational use.
2. No further extraction of earth materials is allowed for Central Landfill purposes until off-site littering problems are remediated by: weekly litter pick-up by MSB from all public right-of-ways within three miles of the Central Landfill entrance; daily litter pick-up by MSB from the 49th State Street public right-of-way between the Palmer-Wasilla Highway and the Central Landfill entrance; monthly litter pick-up from all public lands within one mile of the boundary of lands disturbed by Central Landfill activities; and absolute exclusion of all birds from uncovered garbage.
3. Extraction of earth materials at the Central Landfill may only be conducted under conditions where no dust pollution is created. This may require continuous wetting of excavation activities, in which instance the water used must be certified as free of contaminants and suitable for use as drinking water without further treatment. Contaminated ground water from the Central Landfill may not be used for this purpose.

4. The MSB shall minimize noise pollution from the earth material extraction activities to the maximum extent legally and technically possible. Recognizing that noise pollution from earth material extraction activities will unavoidably leak out into surrounding neighborhoods, MSB shall contribute from Central Landfill revenue an amount considered appropriate by the Planning Commission for each hour earth material extraction occurs for Central Landfill purposes to the Matanuska Susitna Borough Department of Community Development, Recreational Services, to be expended creating, maintaining, and operating outdoor recreational resources within three miles of the Central Landfill active footprint.

These four conditions will require substantial effort on the part of MSB to comply with. However, they are the minimum conditions required to meet the criteria set out in Sections 17.28.010(A), and 17.30.010(A). These Sections both state that a primary purpose of regulating resource extraction activities is to promote compatible, order development. No other municipal government I am aware of maintains its landfill function in the center of its population, because landfill use is undeniably incompatible with adjacent residential use. Again, the Planning Commission should deny MSB's application. If it chooses not to do so, it must condition its approval in a manner that fully complies with Section 17.28.010(A), or Section 17.30.010(A).

CONCLUSION

I have not addressed the public health and welfare benefits created by having a free recreational facility like Crevasse Moraine readily available to the public at a site that is close to a majority of the Borough's population. To me, that is self-evident and I choose to not take up the Planning Commission's time espousing those benefits. But the Planning Commission must consider those benefits in fulfilling its obligation under Section 17.28.010(A)(4) to encourage the most appropriate use of the Borough's Crevasse Moraine property

The public notice of the MSB's application is defective, in that it gives summary of an application that differs from the application the public is directed to review. For that reason, I ask the Planning Commission to delay action on the MSB's application until a new public notice has been issued and the public has been given at least a thirty-day period to review the IMD application and submit comments.

By copy of these comments, I ask the Borough Mayor, Manager, and Assembly to require withdrawal of Bid #16-078R until after the public review process mandated by Borough Code is complete, and if necessary until all appeals have concluded. This will eliminate the need for the Borough and its citizens to incur the cost seeking injunctive relief from the MSB's premature bid solicitation through the court system.

If the Planning Commission chooses to proceed with consideration of the MSB's application on the schedule currently in effect, then denial of that application is the only way forward under Matanuska-Susitna Code Section 17.28.010(A), or 17.30.010(A). Any other action would be contrary to the expressly stated purpose of Chapter 17.28, and thus arbitrary and capricious on the public record currently available.

The residential subdivisions adjacent to the Central Landfill are legal uses of land. Recreational use of Crevasse Moraine is a legal use of land. The Planning Commission has no authority to disregard these uses. The Assembly designated Crevasse Moraine for landfill use, and the Assembly adopted Chapters 17.28 and Chapters 17.30 without explicit or implicit exemption of

the Central Landfill from compliance with these Chapters. Therefore, resource extraction by MSB to extend the life of the Central Landfill must be done in a manner that complies with the purposes of these Chapters. That appears to be impossible, and therefore the MSB's application should be denied.

It is my hope to attend the public hearing currently scheduled for April 4, 2016, at 6:00 p.m. on the MSB's application. At that time, I would be more than happy to answer any questions that the Planning Commission might have regarding these comments.

Sincerely,

James L. Walker
P.O. Box 1693
Palmer, Alaska 99645

aewalker@mtaonline.net

cc: Mayor Vern Halter, Vern.Halter@matsugov.us
John Moosey, Borough Manager, john.moosey@matsugov.us
Assembly Member Jim Sykes, District 1, jimsykesdistrict1@gmail.com
Assembly Member Matthew Beck, District 2, matthew.beck@matsugov.us
Assembly Member George McKee, District 3, george.mckee@matsugov.us
Assembly Member Steve Colligan, District 4, stevecolligan@mtaonline.net
Assembly Member Dan Mayfield, District 5, dan.mayfield@matsugov.us
Assembly Member Barbara Doty, District 6, Barbara.Doty@matsugov.us
Assembly Member Randall Kowalke, District 7, randall.kowalke@matsugov.us
Matt Tunseth, Managing Editor, Frontiersman, matt.tunseth@frontiersman.com

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April 30, 2016

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

c/o mwhisenhunt@matsugov.us

Re: *Request for Interim Materials District (IMD)*, by the Matanuska-Susitna Borough Land Management Division, Central Landfill (MSB Tax ID# 17N01E01D005);
and,
Request for Administrative Permit for Earth Materials Extraction, by the Matanuska-Susitna Borough Land Management Division, Central Landfill (MSB Tax ID# 17N01E01D005).

I am writing again in opposition to the request by the Matanuska-Susitna Borough Land Management Division (MSB) for authority to create a Central Landfill Interim Materials District (IMD) on a portion of the Borough's Crevasse Moraine property. I am also writing in opposition to the Request for an Administrative Permit for Earth Materials Extraction from a portion of this same site. As the MSB sent out the two public notices in the same mailing, and asked for both responses to be submitted by May 2, 2016 to the same address, I am assuming that I can submit one set of comments that will be included in the record for both proceedings. If that is not true, please contact me immediately so I can timely submit two sets of identical comments.

I am including as Attachment 1 to these comments a copy of my written comments dated March 13, 2016 in opposition to the original Central Landfill IMD proposal, which was the subject of proposed Planning Commission Resolution No 16-11. The reasons addressed in those comments for denying the original Central Landfill IMD apply almost equally to these two reduced proposals, and by this reference I incorporate my earlier comments as part of these comments. I am including as Attachment 2 to these comments a copy of the photographs I distributed to the Planning Commission at its April 4, 2016 public hearing on the original Central Landfill IMD proposal. With those photographs, I have included a more recent photograph number 22 of a dirty diaper that had blown over 400 feet from landfill cell 3 to the edge of a public trail.

There appears to be error, or at least a substantial lack of clarity in the public notices sent out for these two separate proposals. The IMD public notice states a new application for an IMD "has been submitted for the removal of 3,120,000 cubic yards of material until the year 2060, on a 45-acre mining area within a 120 acre parcel." The administrative permit notice states: "An application for an Administrative Permit for extraction of earth materials has been submitted for the removal of 3,120,000 cubic yards of material until the year 2018, on a 13-acre mining area within a 120 acre parcel."

Based on the application materials, the 13-acre administrative permit mining area appears to be located entirely within the 45-acre IMD mining area. Is the public being asked to comment on the removal of 3,120,000 cubic yards of earth materials over a two-year period, or over a forty

four-year period? Once 3,120,000 cubic yards of earth material is mined from the 13-acre parcel, will the remainder of the 45-acre parcel be left unmined? These issues need to be clarified for the public to make meaningful comments on MSB's proposed mining activities. The difference in truck traffic on 49th State Street between these two options will be significant. I respectfully suggest that MSB's pending Central Landfill requests both be rejected at this time, and that MSB be required to send out corrected or clarified public notices.

I object to both of MSB's pending Central Landfill mining proposals for reasons that do not require clarification of the public notices. As currently designed, both of the pending MSB mining proposals will require the elimination of existing vegetation within the proposed Central Landfill IMD boundaries. My photos clearly show that the existing vegetation provides substantial public benefit by catching trash blowing out of the Central Landfill's operating cell. Elimination of this vegetation 'trash rack' will necessarily result in trash blowing further away from the Central Landfill, adversely impacting an exponentially greater land area.

To give you perspective on this problem I refer you to my photograph numbers 6 and 7. Photograph number 7 was taken of water monitoring well number 15 looking from Monitoring Well Road away from the Landfill. Photograph number 6 was taken substantially from the other side of Monitoring Well Road looking towards the Landfill. Monitoring well number 15 is shown in the MSB application materials, at Figure A-1, as being just west of the section corner marking the southwest corner of the currently proposed Central Landfill IMD. From MSB Application Figures A-3 and A-4 (the aerial photographs), you can see how much forest stands between monitoring well number 15 and the active face of cell 3. From this example, you can see just how large of a vegetative trash rack is required to keep Landfill trash from blowing out of the Borough's Crevasse Moraine property in violation of both state law and Borough Code. My photograph number 4 shows the amount of trash that has accumulated in the forest between cell 3 and monitoring well number 15.

This past year, the Central Landfill cleared trees from a portion of the area designated on MSB Application Figures A-3 and A-4 as being Cells 4-7. Go out and hike the existing trail shown on Figures A-3 and A-4 in red as being in Cell 8 and Cell 9. You can see for yourself how much further the wind-blown trash has spread from that small amount of clearing activity. Cutting any more trees or underbrush will merely exacerbate the Central Landfill's trash control problem.

Administrative Permit

The Planning and Land Use Director (Director) will decide the MSB's administrative permit application based upon the standards set out in Code Section 17.30.060(A). Those standards include:

- (2) that the use will preserve the value, spirit, character, and integrity of the surrounding area;
- ...
- (4) that granting the permit will not be harmful to the public health, safety and general welfare; and
- (5) that the sufficient setbacks, lot area, buffers or other safeguards are being provided to meet the conditions list in MSB 17.30.050(B).

Code Section 17.30.050(B) states in part:

The commission may set conditions of approval for issuance of the conditional use permit as appropriate for the area in which the development is sited, for the following:

- (1) setbacks (no less than minimum setback requirements as established in MSB 17.55; however, may be increased as appropriate for existing surrounding development);
- (2) visual screening, noise mitigation, lighting restrictions and roads/access restrictions as appropriate for surrounding development and in accordance with development standards referenced in MSB 17.28.060, site development standards;

...

Read together, these sections reasonably require the Director to deny the administrative permit unless the proposed **use** (emphasis added) will preserve the value, spirit, character, and integrity of the surrounding area, and that granting the permit will not be harmful to the public health, safety and general welfare. The MSB's Application, at page 1, clearly indicates that the proposed use is not gravel extraction, the intended use is landfill cell expansion.

My photographs taken from the Crevasse Moraine trails surrounding the Central Landfill show that MSB cannot keep trash in the existing Central Landfill cells. This is evidence that Crevasse Moraine is not an appropriate location for the Borough's landfill function, not evidence that MSB has failed to do all that it can to eliminate the blowing trash problem. There is no evidence in this proceeding under which the Director can assume that MSB will do any better at keeping trash in cells 4-7. MSB acknowledges at pages 1 and 3 of its Application that the adjacent property is developed for residential and public trail use. The Director is therefore required to deny MSB's administrative permit application, unless the Director can affirmatively find:

- A. That expanded landfill use of the Borough's Crevasse Moraine property will preserve the value, spirit, character, and integrity of the surrounding public use trail system.
- B. That expanding the landfill use of the Borough's Crevasse Moraine property will not be harmful to the public health, safety, and general welfare.

Neither of these findings is possible. The first sentence of Section 8.50.010(A) of the Borough's Code specifically states: "The accumulation of junk or trash in the borough is detrimental to the public health, safety, and welfare." My photos show accumulations of trash in the forest surrounding the Central Landfill. Expanding the Central Landfill, which is the sole purpose of the requested administrative permit, will necessarily spread the existing accumulations of trash to the detriment of public health, safety, and welfare.

My photo 22 shows a dirty diaper that had blown to the edge of a Crevasse Moraine public trail. The Director cannot find that expanding the area in which this type of trash accumulates is not harmful to the public health, safety, and welfare. The Director cannot find that expanding the

accumulation of trash as shown in my photos will preserve the value, spirit, character, and integrity of the Crevasse Moraine public trail system. Wind and birds have already scattered trash at least 1,200 feet in all directions from the Central Landfill. Expanding that adverse impact will not preserve the value, spirit, character, or integrity of the surrounding properties. It would be arbitrary and capricious for the Director to grant the MSB's administrative permit as requested, and I strongly encourage the Director to deny the MSB's application.

If the Director does not choose to deny the MSB's administrative permit application, I suggest that the application can only be granted consistent with the requirements of Code Section 17.30.060(A) if it is conditioned substantially as follows:

1. No disturbance of vegetation is allowed within the permit area, and no vegetation clearing activities is allowed on adjacent Matanuska-Susitna Borough owned land except as required for public trail maintenance, upgrades, and expansion, maintenance of existing electric utility right-of-ways, and maintenance of existing Animal Control and Recycling Center facilities.
2. All cut banks within the permit area are to be stabilized so that erosion will not result in the loss of any vegetation from the tops of those cut banks as they exist on May 2, 2016.
3. Accumulated trash is to be removed at least once per month from all vegetated Matanuska-Susitna Borough owned land within 1,200 feet of the permit area for the life of the permit.

These proposed conditions are all well within the Director's authority under Code Section 17.30.060(A)(5). My proposed condition number 1 is required to prevent further degradation of the Crevasse Moraine public trail system, as maintaining the existing vegetation cover will serve to contain the spread of Central Landfill trash to those areas already adversely impacted. There are existing cut banks in the permit area that do not appear stable. My permit condition number 2 is required to protect the front-line of the existing vegetative trash rack in this area. I believe, although this could be subject to debate, that frequent trash removal will help maintain the existing vegetation trash rack and keep that vegetation from becoming overwhelmed by the amount of trash blowing out of the Central Landfill. My photos 10 through 21 are examples outside of the permit area where the quantity of trash blowing out of the Central Landfill appears to be having an adverse impact on the health of the surrounding vegetation trash rack.

Central Landfill IMD

The Planning Commission is required to review MSB's Central Landfill IMD application under Borough Code Chapter 17.28, and make a recommendation to the Assembly. The MSB's Central Landfill IMD application indicates that earth material extraction from the proposed IMD is for the purpose of expanding landfill operations. While extraction of earth materials as proposed by MSB is an allowed under Code Section 17.28.030(B), landfill is not an allowed accessory use under MSB 17.28.030(C). The MSB's Central Landfill IMD application does not include a conditional use permit application under Code Chapter 17.60, nor does it include a

variance application under Code Chapter 17.65. Therefore, the Planning Commission should recommend denial of MSB's Central Landfill IMD application under Code Section 17.28.080(B)(1). For the reasons noted in my attached March 13, 2016 comments, this application is also incomplete for failing to include a reclamation plan, and should be rejected under Code Section 17.28.080(B)(4).

At the Planning Commission's April 4, 2016 public hearing on the earlier Central Landfill IMD application, I distributed photographs of trash accumulated on Borough land adjacent to the Central Landfill and stated that MSB cannot contain trash in the Central Landfill operating cells. Neither the MSB representatives nor the Borough Staff present at that hearing disputed the truth of my statement. With over thirty years of Central Landfill operating experience, it is doubtful that MSB can do anything operationally to solve the escaping trash problem. I believe that the Central Landfill managers hired by the Borough have done all that can reasonably be done to reduce this problem. Crevasse Moraine is simply the wrong place to have a landfill.

Under Code Section 17.28.080(C)(2)(b), the Planning Commission shall report to the Assembly its finding about whether the proposed IMD will negatively affect public health, safety, or welfare. As noted above, Code Section 8.50.010 specifically declares: "The accumulation of junk and trash in the borough is detrimental to the public health, safety, and welfare." The undisputed fact is that MSB cannot contain trash in the Central Landfill and the Assembly's finding in Code Section 8.50.010 necessarily requires the Planning Commission to report to the Assembly that the proposed Central Landfill IMD and the resulting landfill expansion will negatively affect public health, safety, or welfare. You have nothing in your record to support any other finding.

The Planning Commission is required by Code Section 17.28.080(C)(2) to recommend to the Assembly "approval, denial, modifications, or conditions of approval for the proposed" IMD application. As the Planning Commission has to report a finding that the proposed Central Landfill IMD will negatively affect public health, safety, or general welfare, a recommendation that MSB's application be denied would be logical and that is the course of action that I suggest.

However, the Planning Commission could recommend approval with conditions to eliminate the negative impacts of Central Landfill expansion. Conditions similar to those I suggested above for the administrative permit should be adequate to keep the trash accumulation problem from spreading. Therefore, if the Planning Commission chooses to not recommend denial of MSB's IMD application, it should at a minimum recommend the following conditions of approval:

1. No disturbance of vegetation in existence on May 2, 2016 is allowed within the Central Landfill IMD boundaries, and no vegetation clearing activities is allowed on adjacent Matanuska-Susitna Borough owned land except as required for public trail maintenance, upgrades, and expansion, maintenance of existing electric utility right-of-ways, and maintenance of existing Animal Control and Recycling Center facilities.

2. All cut banks within the Central Landfill IMD boundaries are to be stabilized so that erosion will not result in the loss of any vegetation from the tops of those cut banks as they exist on May 2, 2016.
3. Accumulated trash is to be removed at least once per month from all vegetated Matanuska-Susitna Borough owned land within 1,200 feet of the Central Landfill IMD for the life of the IMD.

The justification for these proposed conditions are the same as stated above.

Conclusion

For the reasons discussed above, public notice of the MSB's Central Landfill IMD and earth materials extraction administrative permit applications are either incorrect or need to be clarified. These applications should be denied and MSB required to distribute public notices that clearly identify the scope and timing of these proposals.

In the alternative, the MSB earth materials extraction administrative permit application should be denied for failing to comply with the requirements of Code Sections 17.30.060(B)(2) and (4). If the Director does decide to grant the requested administrative permit, the permit must include conditions substantially similar to those I proposed above if the negative impacts of Central Landfill operations on the public health, safety, or general welfare are to be maintained at a level similar to those currently experienced.

The Planning Commission should recommend rejection of the proposed Central Landfill IMD application as incomplete under Code Sections 17.28.080(B)(1) and (4). In any event, the Planning Commission must report to the Assembly a finding that approval of the proposed Central Landfill IMD will negatively affect public health, safety, or welfare. Anything less would be arbitrary and capricious. The logical result from this finding should be a recommendation that the Central Landfill IMD application be denied. An alternative that is distasteful to me, but within the scope of allowable Planning Commission actions under Code Section 17.28.080(C) would be to recommend approval with conditions substantially similar to those I proposed above.

It is my hope to attend the Planning Commission's public hearing on the IMD application scheduled for May 16, 2016. I would be more than happy to answer any questions about these comments at that time.

Sincerely,

James L. Walker
P. O. Box 1693
Palmer, Alaska 99645

Mark Whisenhunt

From: James and Chris Walker <aewalker@mtaonline.net>
Sent: Saturday, April 30, 2016 8:59 AM
To: Mark Whisenhunt
Cc: Matthew Beck; Butch Shapiro
Subject: Central Landfill IMD and Earth Material Extraction Administrative Permit applications
Attachments: Plan Com comments 4-30-2016.docx; Attachment 1 to Plan Com comments 4-30-16.docx

Mr. Whisenhunt, please find attached to this e-mail my comments in response to the two public notices attached to your April 12, 2016 letter regarding *Central Landfill Applications for Gravel Extraction Activities*. Do to limitations on the quantity of material that I can send in a single e-mail transmission, I have included the text of my comments and Attachment 1 to my comments in this e-mail. I will be sending Attachment 2 to my comments by separate e-mail transmission(s), but ask that they all be considered as one filing.

Thanks!

James L. Walker
aewalker@mtaonline.net

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Central Landfill Photographs Spring, 2016

James L. Walker

April 2, 2016
Central Landfill north gate sign, adjacent to public entrance.



March 28, 2016

View of Central Landfill south gate looking into landfill operating area from the Monitoring Well road.



March 28, 2016
Taken from Monitoring Well road near Central Landfill south gate, view of accumulated trash in woods south of landfill operating area.



March 28, 2016
Taken from University of Alaska Mat-Su Connector trail on south side of Central Landfill, showing accumulated trash approximately 600 feet from landfill edge of trees.



March 28, 2016
Taken from Monitoring Well road on south side of Central Landfill, view of accumulated trash in woods approximately 700 feet from landfill operating area. View looking towards landfill.



March 28, 2016

Taken from Monitoring Well road on south side of Central Landfill, view of accumulated trash in brush south of monitoring well number 15 approximately 700 feet south of landfill operating area. View is looking away from landfill, trash can be found at least 200 feet further south of this point.



March 28, 2016
View of Central Landfill from Monitoring Well road, approximately 1,000 feet south of south edge of landfill operating area.



March 28, 2016

Taken from Monitoring Well road on east side of Central Landfill, view of accumulated trash approximately 1,200 feet from east edge of landfill operating area. Photograph view is looking away from landfill.



March 28, 2016
Taken from powerline trail on west side of Central Landfill, view of powerline clearing from second ridge south of Animal Control shelter looking north towards the shelter.



March 28, 2016

Taken from powerline trail on west side of Central Landfill, view of land east of powerline clearing and southwest of landfill operations. This is closer view of trees in lower right corner of slide 11.



March 28, 2016

Taken from powerline trail on west side of Central Landfill, view of land east of powerline clearing showing and southwest of landfill operations. This is closer view of trees near tower in slide 11.



March 28, 2016
Taken from powerline trail on west side of Central Landfill. View of west landfill fence and of trash outside of fence from cleared area adjacent to first transmission tower south of Animal Control shelter, looking towards shelter.



April 2, 2016

Close up of trash on west side of landfill west fence shown in Photo 13. Trash is over knee deep, and appears to be not weathered at all, indicating that it has recently been blown into this site.



March 28, 2016

Taken from powerline trail on west side of Central Landfill, view of land on west side of powerline clearing. Photograph taken from site 190 feet west of landfill west fence. This trash has apparently blown from landfill this past winter, as there are no dead leaves covering it.



March 28, 2016

Taken from powerline trail on west side of Central Landfill, view of land on west side of powerline clearing. Photograph taken from site 185 feet west of landfill west fence. The west fence is approximately ½ mile from operating face of cell 3.



March 28, 2016
Taken from powerline trail on west side of Central Landfill, near site where slide 13 was taken. View of land on west side of powerline clearing, looking away from the landfill.



March 28, 2016

Taken from powerline trail on west side of Central Landfill, view of land on east side of powerline clearing and southwest of active landfill cells. Photo is looking southeast from site where photo 13 was taken.



March 28, 2016

Taken from powerline trail on west side of Central Landfill, view of powerline clearing showing accumulated trash and approximately ten-year old cottonwood saplings. View of land adjacent to where photo 13 was taken.



March 28, 2016

Taken from powerline trail on west side of Central Landfill, view of powerline clearing showing accumulated trash and approximately ten-year old cottonwood saplings. Photo taken near where photo 13 was taken.



March 28, 2016

Taken from powerline trail on west side of Central Landfill, view of powerline clearing showing accumulated trash and approximately ten-year old cottonwood saplings. Photo taken near site where photo 13 was taken.



April 11, 2016

Dirty diaper adjacent to "Trail Twelve". This trash is located over 400 feet southeast of Central Landfill cell 3 operating face. A significant increase in the amount of trash on or near Trail Twelve has appeared since the vegetation clearing of the cell 4 through 7 area occurred last year.



April 25, 2016

Comments and concerns regarding:

Matanuska-Susitna Borough LAND AND RESOURCE MANAGEMENT
DIVISION CELLS, 4, 5, 6, 7, 8, 9, 10 & 11 PROPOSED GRAVEL MINING
PLAN OF OPERATIONS

Matanuska - Susitna Borough
Development Services

Howard Hindin
PO Box 3693 – 9730 E. Strand Drive
Palmer AK. 99645

APR 26 2016

Received

The following concerns are in reference to the information provided on the borough's web site under Public Notices: MSB 17.28 and are listed in the order they appear in the site plan requirements.

1. "The goal of the gravel extraction activities are to extract up to approximately 3,120,000 cubic yards of material for beneficial use onsite as cover material and/or sale".

Recommendation: All financial proceeds that result in the sale of extracted mined material be directed to the Central Landfill Solid Waste Department as a supplemental budget (apart from their annual budget) to be directed at reducing the amount of waste that the Department of Environmental Conservation (DEC) classifies as "hazardous" from being compacted and buried in the landfill. Currently there are two days per week the Central Landfill has identified for recycling hazardous waste. However, the majority of Mat-Su residents choose to throw away their hazardous waste in their garbage cans or dumpster and consequently most hazardous waste generated goes directly into the landfill without inspection.

2. "Extraction operations will be at the Contractor's discretion and are not seasonally dependent. Hours of operation are expected to be Monday through Friday from 8 a.m. to 6 p.m., and Saturday from 9 a.m. to 5 p.m."
Recommendation: The hours of operation should not be at the discretion of the Contractor but should be at the discretion of the borough and be conducted within the established business hours of the Central Landfill and be limited to Mon-Fri. This will help limit the hours of noise the Summerwoods subdivision homeowners are exposed too.

3. “No blasting is anticipated to occur on site. The working depth will typically be 20-75 feet below original ground, as long as the depth of excavation remains a minimum of four feet above the ground water level.”

Recommendation: For future cell development the DEC requires a minimum of ten (10) feet of undisturbed material above the high groundwater mark. Due to the environmentally sensitive location of the central landfill with residential homes bordering directly on the north and west side that rely on well water and lakes, trails and wetlands to the south and east, it is recommended that the Mat-Su Planning Commission set a higher standard than the minimal level of ten feet required by the DEC to help protect the groundwater resources from possible ground-water toxin contamination.

4. “All traffic will ingress and egress the site via an existing driveway off of Chanylut Circle then directly onto N 49th State Street, which is a paved residential road. Construction-related traffic may be expected to generate up to 20 trips maximum per hour, during the peak construction season.” This will change the current level of service on the roadway.”

Recommendation: As stated above N 49th State Street is a two lane “residential road” that divides two subdivisions and without guardrails. This road has seen an expedient level of increased traffic due to the borough’s population growth and related increase of the tonnage from disposable waste. Twenty (20) trips per hour is equivalent to forty (40) trips when including the return. As indicated above this will change an already busy entrance road into the Summerwoods subdivision into an even higher level of service. A reduction of the proposed number of trips will be less intrusive to the residents that use N 49th State Street as their primary entrance and egress from their homes. In addition, the Planning commission is encouraged to recommend to the Assembly to prioritize construction of an alternative entrance via the Trunk Road to the landfill. This project has been studied by the borough and should be implemented as soon as possible.

Recommendation: The Central Landfill requires all truck/trailer loads entering the landfill site to be secured/covered. If not covered the driver is charged an additional fee or can purchase a new tarp for the same cost as the fee to use on future trips. Over the past ten years this policy has helped mitigate the number of plastic garbage bags that used to litter the sides of borough and state roadways.

It is recommended that all trucks/ trailers leaving the Central Landfill with extracted/mined material be covered. In many communities this is a standard

practice to help reduce the number of accidents that result from falling materials that are being transported on local roadways. While few local haulers practice this policy the Mat-Su Planning Commission has an opportunity to set a higher standard of safety for its residents by requiring that all loads be covered and secured before leaving with extracted materials.

5. Noise Mitigation- “Residential areas and recreational trails are located in the vicinity of the proposed area of development”. It is anticipated gravel extraction will take place within below grade excavated pit cells; which will become deeper as material extraction progresses. These below-grade excavated cells will also help attenuate work area noise to acceptable levels consistent with the stipulations of MSB 17.28.060(A)(5)”.

Recommendation: Mining, crushing and screening equipment located below grade cell will accentuate and amplify not attenuate acoustical sound waves. Acoustical dynamics refers to this scenario as the megaphone effect. The longer the megaphone the deeper the borrow/pit equates to an increased amplification in decibel levels. A 180 degree sound barrier of sufficient height should be built around the operation’s locations on the north and west side to protect the homeowners from noise. This would enable the sound waves escape to the south and east without being amplified. Consulting with an engineering firm that has expertise in noise mitigation should be considered.

Recommendation: All vehicles hauling extracted material and/or traveling to the mining site on N 49th State Street be restricted from using any form of engine brake, e.g., jake brakes’, compression brake, etc. The aforementioned is a common sense standard of practice within the population core area for many communities.

6. Dust Plan- “Road dust control is a concern of high priority.” “Is it (sp) also anticipated that measures to reduce any by-product dirt transport from the borrow site by vehicle tires will be implemented within the borrow pit”.

Recommendation: It should be required not “anticipated” that any/all vehicles leaving the borrow site will be free of all product dirt before the vehicle is allowed to enter onto a public roadway.

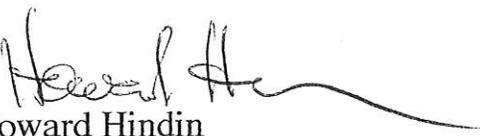
Summary:

The above recommendations are common sense solutions that will be beneficial to ensure a better quality of life for the residents of the Mat-Su Borough. The economic cost to implement the stated recommendations to the borough is minimal, while the benefits will have an impact for multiple generations to come. The Central Landfill is located in less than an ideal location as stated by example in the text above. No other urban community in Alaska or the lower forty-eight for that matter locates and actively expands landfills in a communities' populations core areas. The Fairbanks North Star Borough, the Kenia Peninsula Borough, and the Municipality of Anchorage all have landfill sites located away from their main population center. It should also be noted that a meeting on April 11, 2016 with the Alaska office of the DEC they had not been notified nor approved any future cell development at the Mat-Su Central Landfill site.

I encourage the Mat-Su Planning Commission to be courageous in learning from the mistakes that other communities have experienced with landfill locations and operations and be wise in your decision making by learning from the environmental errors of others. As members of the Mat-Su Planning Commission I hope that you encourage the Mat-Su Borough Assembly to begin to actively search for a more appropriate site for a borough landfill. One that is located away from the core area and main population areas and in a less sensitive environmental location. The future environmental and economic cost to the borough at its present location will be catastrophic for future generations.

As stated in the *Matanuska-Susitna Planning Commission Guide* (pg. 49) the planning process should "strive to protect the integrity of the natural environment and heritage of the built environment;" and "to pay special attention to the interrelatedness of decisions and the long range consequences of present day actions".

Respectfully submitted,



Howard Hindin

Cc: Butch Shapiro, Solid Waste Director, Mark Whisenhunt, Planner II

April 25, 2016

Comments and concerns regarding:

Matanuska-Susitna Borough LAND AND RESOURCE MANAGEMENT
DIVISION CELLS, 4, 5, 6, & 7 PROPOSED GRAVEL MINING PLAN OF
OPERATIONS

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Howard Hindin
PO Box 3693 – 9730 E. Strand Drive
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APR 26 2016

Received

The following concerns are in reference to the information provided on the borough's web site under Public Notices: MSB 17.30 and are listed in the order they appear in the site plan requirements.

1. "The goal of the gravel extraction activities are to extract up to approximately 770,000 cubic yards of material for beneficial use onsite as cover material and/or sale".
Recommendation: All financial proceeds that result in the sale of extracted mined material be directed to the Central Landfill Solid Waste Department as a supplemental budget (apart from their annual budget) to be directed at reducing the amount of waste that the Department of Environmental Conservation (DEC) classifies as "hazardous" from being compacted and buried in the landfill. Currently there are two days per week the Central Landfill has identified for recycling hazardous waste. However, the majority of Mat-Su residents choose to throw away their hazardous waste in their garbage cans or dumpster and consequently most hazardous waste generated goes directly into the landfill without inspection.
2. "Extraction operations will be at the Contractor's discretion and are not seasonally dependent. Hours of operation are expected to be Monday through Friday from 8 a.m. to 6 p.m., and Saturday from 9 a.m. to 5 p.m."
Recommendation: The hours of operation should not be at the discretion of the Contractor but should be at the discretion of the borough and be conducted within the established business hours of the Central Landfill and be limited to Mon-Fri. This will help limit the hours of noise the Summerwoods subdivision homeowners are exposed to.

3. “No blasting is anticipated to occur on site. The working depth will typically be 20-75 feet below original ground, as long as the depth of excavation remains a minimum of four feet above the ground water level.”

Recommendation: For future cell development the DEC requires a minimum of ten (10) feet of undisturbed material above the high groundwater mark. Due to the environmentally sensitive location of the central landfill with residential homes bordering directly on the north and west side that rely on well water and lakes, trails and wetlands to the south and east, it is recommended that the Mat-Su Planning Commission set a higher standard than the minimal level of ten feet required by the DEC to help protect the groundwater resources from possible groundwater toxin contamination.

4. “All traffic will ingress and egress the site via an existing driveway off of Chanylut Circle then directly onto N 49th State Street, which is a paved residential road. Construction-related traffic may be expected to generate up to 20 trips maximum per hour, during the peak construction season.” This will change the current level of service on the roadway.”

Recommendation: As stated above N 49th State Street is a two lane “residential road” that divides two subdivisions and without guardrails. This road has seen an expedient level of increased traffic due to the borough’s population growth and related increase of the tonnage from disposable waste. Twenty (20) trips per our hour is equivalent to forty (40) trips when including the return. As indicated above this will change an already busy entrance road into the Summerwoods subdivision into an even higher level of service. A reduction of the proposed number of trips will be less intrusive to the residents that use N 49th State Street as their primary entrance and egress from their homes. In addition, the Planning commission is encouraged to recommend to the Assembly to prioritize construction of an alternative entrance via the Trunk Road to the landfill. This project has been studied by the borough and should be implemented as soon as possible.

Recommendation: The Central Landfill requires all truck/trailer loads entering the landfill site to be secured/covered. If not covered the driver is charged an additional fee or can purchase a new tarp for the same cost as the fee to use on future trips. Over the past ten years this policy has helped mitigate the number of plastic garbage bags that used to litter the sides of borough and state roadways.

It is recommended that all trucks/ trailers leaving the Central Landfill with extracted/mined material be covered. In many communities this is a standard

practice to help reduce the number of accidents that result from falling materials that are being transported on local roadways. While few local haulers practice this policy the Mat-Su Planning Commission has an opportunity to set a higher standard of safety for its residents by requiring that all loads be covered and secured before leaving with extracted materials.

5. Noise Mitigation- “Residential areas and recreational trails are located in the vicinity of the proposed area of development”. It is anticipated gravel extraction will take place within below grade excavated pit cells; which will become deeper as material extraction progresses. These below-grade excavated cells will also help attenuate work area noise to acceptable levels consistent with the stipulations of MSB 17.28.060(A)(5)”.

Recommendation: Mining, crushing and screening equipment located below grade cell will accentuate and amplify not attenuate acoustical sound waves. Acoustical dynamics refers to this scenario as the megaphone effect. The longer the megaphone the deeper the borrow/pit equates to an increased amplification in decibel levels. A 180 degree sound barrier of sufficient height should be built around the operation’s locations on the north and west side to protect the homeowners from noise. This would enable the sound waves escape to the south and east without being amplified. Consulting with an engineering firm that has expertise in noise mitigation should be considered.

Recommendation: All vehicles hauling extracted material and/or traveling to the mining site on N 49th State Street be restricted from using any form of engine brake, e.g., jake brakes’, compression brake, etc. The aforementioned is a common sense standard of practice within the population core area for many communities.

6. Dust Plan- “Road dust control is a concern of high priority.” “Is it (sp) also anticipated that measures to reduce any by-product dirt transport from the borrow site by vehicle tires will be implemented within the borrow pit”.

Recommendation: It should be required not “anticipated” that any/all vehicles leaving the borrow site will be free of all product dirt before the vehicle is allowed to enter onto a public roadway.

Summary:

The above recommendations are common sense solutions that will be beneficial to ensure a better quality of life for the residents of the Mat-Su Borough. The economic cost to implement the stated recommendations to the borough is minimal, while the benefits will have an impact for multiple generations to come. The Central Landfill is located in less than an ideal location as stated by example in the text above. No other urban community in Alaska or the lower forty-eight for that matter locates and actively expands landfills in a communities' populations core areas. The Fairbanks North Star Borough, the Kenia Peninsula Borough, and the Municipality of Anchorage all have landfill sites located away from their main population center. It should also be noted that a meeting on April 11, 2016 with the Alaska office of the DEC they had not been notified nor approved any future cell development at the Mat-Su Central Landfill site.

I encourage the Mat-Su Planning Commission to be courageous in learning from the mistakes that other communities have experienced with landfill locations and operations and be wise in your decision making by learning from the environmental errors of others. As members of the Mat-Su Planning Commission I hope that you encourage the Mat-Su Borough Assembly to begin to actively search for a more appropriate site for a borough landfill. One that is located away from the core area and main population areas and in a less sensitive environmental location. The future environmental and economic cost to the borough at its present location will be catastrophic for future generations.

As stated in the *Matanuska-Susitna Planning Commission Guide* (pg. 49) the planning process should "strive to protect the integrity of the natural environment and heritage of the built environment;" and "to pay special attention to the interrelatedness of decisions and the long range consequences of present day actions".

Respectfully submitted,



Howard Hindin

Cc: Butch Shapiro, Solid Waste Director, Mark Whisenhunt, Planner II



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

Matanuska - Susitna Borough
Development Services

APR 19 2016

Received

FIRST CLASS MAIL

The Planning Director of the Matanuska-Susitna Borough will consider the following:

- Application:** Administrative Permit for earth materials extraction
- MSB Code Section:** MSB 17.30-Conditional Use Permit for Earth Materials Extraction Activities
- Applicant:** Matanuska-Susitna Borough Land Management Division
- Location:** Central Landfill (MSB Tax ID# 17N01E01D005); within Township 17 North, Range 1 East, Section 1, Seward Meridian
- Request:** An application for an Administrative Permit for extraction of earth materials has been submitted for the removal of 3,120,000 cubic yards of material through 2018 from a 13-acre mining area within a 120 acre parcel.
- Decision Date:** May 3, 2016

The Planning and Land Use Director will consider public health, safety, and welfare concerns raised in comments received pursuant to MSB 17.30.060(A) when making the decision whether to grant the permit for earth materials extraction. Application materials may be viewed online at www.matsugov.us by clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the MSB Development Services Division, 350 East Dahlia, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. In order to be eligible to file an appeal from a decision of the Planning Director, a person must be designated an interested party. See MSB 15.39.010 for definition of "Interested Party". The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39, 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 received on or before May 2, 2016 will be included in the Staff Report to the Planning and Land Use Director. If there is not enough room below, please attach this sheet to another piece of paper.

The decision date for this administrative permit application is May 3, 2016

Name: Terry Richardson Mailing Address: 2201 N Broadway Dr Pal

Location/Legal Description of your property: Lot 9 Blk 9 Midtown Estates

Comments: Go ahead just keep it clean & orderly even when the wind blows

Note: Vicinity Map Located on Reverse Side



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

Matanuska - Susitna Borough
Development Services

APR 19 2016

Received

FIRST CLASS MAIL

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application: Request for an Interim Materials District (IMD).
MSB Code Section: MSB 17.28-Interim Materials District
Applicant: Matanuska-Susitna Borough Land Management Division
Location: Central Landfill (MSB Tax ID# 17N01E01D005); within Township 17 North, Range 1 East, Section 1, Seward Meridian
Request: A NEW application for an Interim Materials District (IMD) has been submitted for the removal of 3,120,000 cubic yards of material until the year 2060, on a 45-acre mining area within a 120 acre parcel.

The Matanuska-Susitna Borough Planning Commission has continued the public hearing concerning the following application for an Interim Materials District (IMD) to Monday, May 16, 2016 at 6:00 p.m. in the Borough Assembly Chambers, 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.

The new application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt, Planner II at 861-8527. Comments received on or before May 2, 2016 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 to the Planning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: Terry Richardson Mailing Address: 2201 N Broadway Dr Palmer
Location/Legal Description of your property: Lot 9 Blk 9 Mid Town Estates
Comments: We have to have a place to use for this service
This spot is already to go, I say go for it, keep
it clean & orderly so far so good

Note: Vicinity Map Located on Reverse Side

Lori Jo Oswald, Ph.D.
10202 E. Loma Rica Drive
Palmer, AK 99645
Email: loswald@formsinword.com

April 20, 2016

TO: Mat-Su Borough Assembly Members (Jim Sykes, Mathew Beck, George McKee, Steve Colligan, Dan Mayfield, Barbara Doty, Randall Kowalke)
Mat-Su Borough Planning Commission (John Kapperich, Mary Anderson, Thomas Healy, Colleen Vague, William Kendig, Tomas Adams, Vern Rauchenstein)
Parks, Recreation, and Trails Board (James Gustafson, Kenneth Barber, Lyle Downing, David Palmer, Amy O'Connor, George A. Brown, Sonya Larkey-Walden, Cindy Bettine, Edward Strabel)
Vern Halter, Borough Mayor
John Moosey, (Borough Manager
Mark Whisenhunt, Planner II (and author of letter attached as Appendix E)
Terry Dolan, Director of Public Works
Butch Shapiro, Solid Waste Manager

Subject: Central Landfill – “Administrative Permit for earth materials extraction” (decision Date May 3, 2016; although public hearing not allowed until May 16)

Request for Interim Materials District (Applications 2 and 3)
Dear Planning Commission and Assembly et al.:

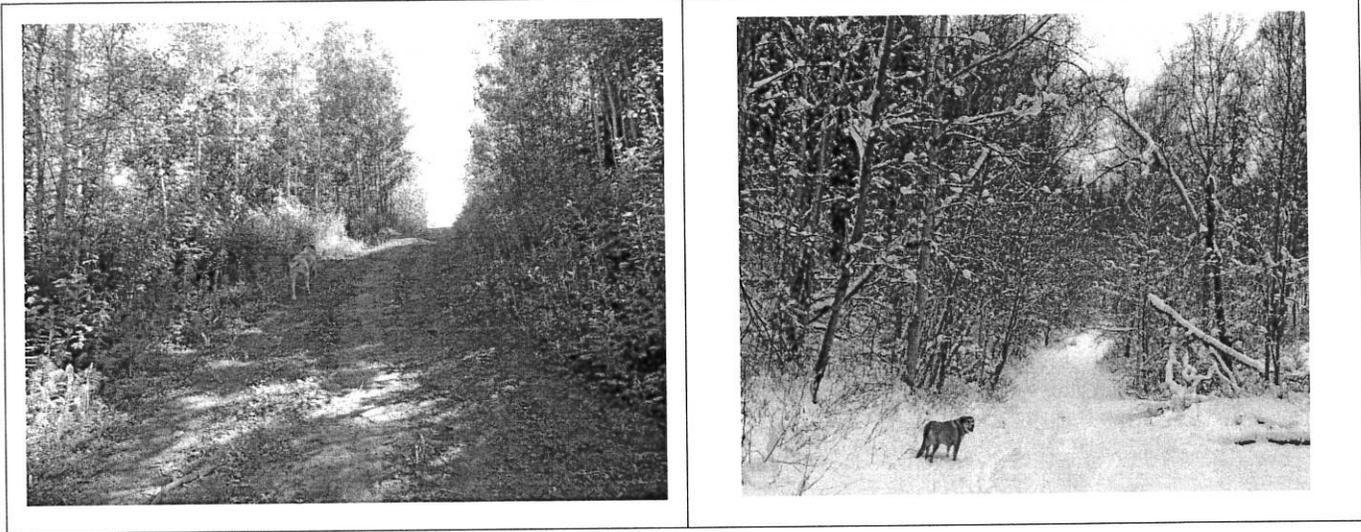
Honestly, I do not understand what you are doing or thinking. I have shown you the incredible support for the Crevasse Moraine Trail System to stay as is, to be deemed an actual park (and not just conveniently a “park” when using borough and state funds or collecting parking fees for upgrades and maintenance) and not a landfill.

I have spent 15 of the last 17 years working to preserve these trails. I have provided historical case studies showing that the park lands were promised to the Summerwoods Subdivision if we accepted a “small, temporary, community landfill” in our neighborhood. We were also promised at least a 300-foot setback of trees from the landfill.

I have spent nearly a million dollars building a beautiful home that borders the park, including spending local dollars furnishing, fencing, and paying taxes on it. I accepted that the landfill was part of this as long as I had the park out my back door. Four years ago, the promised 300-foot setback of trees was destroyed to build a new parking lot in my backyard. Not only do I have to contend with noise, fights, and dust, nighttime prowlers, etc. that the parking lot entails, but I have lost my privacy.

But still. I put up with all this. Because I love the gorgeous and uniquely beautiful Crevasse Moraine Trails. For 17 years I have hiked them, night and day, over 3,000 walks. I have enjoyed them with neighbors, community residents, dogs, horses, children, and visitors to the Mat-Su Borough and Alaska. Most of all, I have appreciated them alone, lost in them for hours. I know them so well. I love these trails.

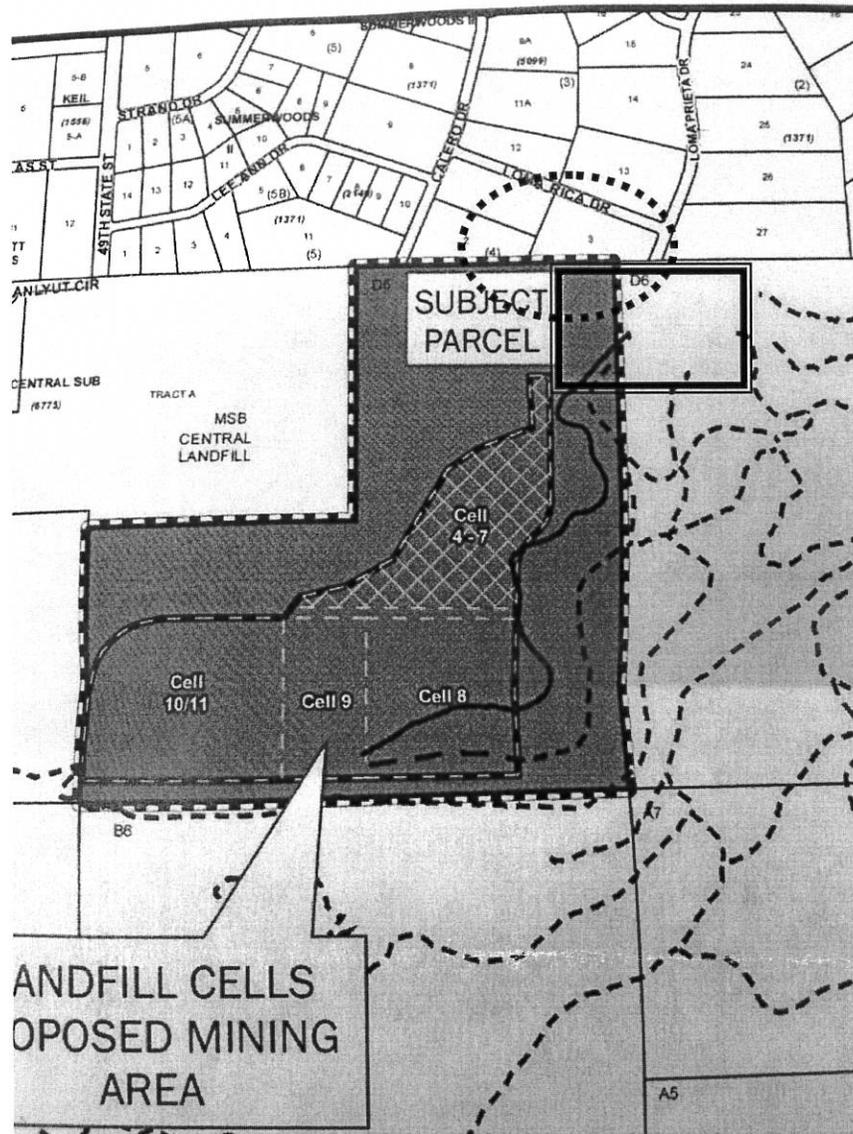
You would love these trails too, if you would make them part of your life.



I was happy to speak with the (then new) manager of the landfill a few years ago; he was excited about bringing technology he had learned elsewhere to the MSB, and use clean burning instead of trail destruction for handling garbage.

Then, in 2013, even though a 2002 master plan had already been approved, a new master plan was proposed that destroys the Crevasse Moraine Trails. Even before the plan was submitted to the Parks Commission, I watched Trail 12 being destroyed (and I am still incredibly upset by this and want it restored). People were outraged. Things were changed. The borough seemed to understand that the community needs these trails.

Suddenly, earlier this year, the MSB's Land Management Division submitted a permit for gravel extraction in the Crevasse Moraine. Really? The community was outraged, rightfully so, as we have dedicated many years to preserving, building, and using these trails. What we don't need is another gravel pit in the Valley, certainly not where we already have trails and a park. So that application was pulled because of public commentary. Now, as a landowner, yesterday I received a letter informing me of two new applications to basically turn the land bordering and just behind my house into a gravel pit. The letter makes it sound as if only "interested parties" can respond. Here is the map; I have circled my property in a circle with dotted lines. I have also circled the terrible parking lot that borders my home property in a square.



Seriously, I have paid a fortune to this borough in taxes for my property (I assumed the incredibly high price I pay for taxes is because I live on a PARK, and I was okay with this because I lived on a PARK). I would never have built a home in this location, or even purchased the property, if it wasn't made clear to me that the trails were there to stay. I even tracked down the builder of the subdivision, who told me the same thing old-timers did: the park was in trade for a temporary small landfill in Summerwoods Subdivision.

This latest permit application seems to target me personally and directly, set to ruin my property (as if the parking lot and Trail 12 destruction haven't already started that), my hopes for a peaceful retirement, my ability to focus on work at home, my ability to sit in my yard with quiet around me, and any hopes of ever selling this property. Gone. Ruined.

I truly feel that I (and my property) am being targeted because I fight for the trails that this community loves.

I assume if you pursue this plan, you will purchase my home and property at the value you tax me for it, at minimum, plus provide me with \$10,000 in moving fees. You have done enough damage to my life and property. The quality of my life, and my family's life, is being eroded along the trail destruction and additional noise and pollution mining operations bring (let alone the parking lot out my back door). It is time to back off and make the park a park, as promised, and stop this insane destruction of trails for landfill, gravel mining, or

whatever other whim some personnel in your various departments and divisions comes up with. I am rightfully exhausted with the years of untruths and attempts to destroy this park.

I am tired, stressed, and depressed. I hope to avoid pursuing legal action, but if I must, I will.

I have requested from the borough previously, and my request has always been ignored, financial information regarding the park and the landfill. **So here is my request again:** I request information on the use of private, borough, state, and federal funds for anything to do with the Crevasse Moraine Trail System and the Crevasse Moraine Park. This includes the parking lot and master plans. The reason I am requesting this (and why it is typically ignored, I'm sure) is because obviously, legally, the Mat-Su Borough cannot use funds for a PARK and then call it a LANDFILL or, suddenly, a GRAVEL PIT. The borough has used funds for park maintenance, park improvements, and a "park" parking lot. But then, to the users of this trail system and the neighbors, we are now told it never was a park, and it was always a landfill. On top of that, suddenly it is not a landfill but a designated gravel pit!

NOTE that you say you will consider "public health, safety, and welfare concerns raised in comments" in considering whether to grant the permit for "earth materials extraction" (or what I call gravel mining or trail destruction. Well, the dust and noise will definitely affect the HEALTH of the residents, including me and my family, who are located right next to the proposed area. The destruction of the beloved trails are also affecting my mental health and well being. This is not unimportant. Residents purchased property and built homes here with the understanding that they were living near a PARK. Forever. Not a landfill expansion area, and certainly not a gravel pit ("mining excavation"). This is useless as well; if you look at photos of the mining currently going on in Trail 12, it is just large hills where they have to bury the existing trees they are destroying (see final photo in this packet). What a waste. How ugly and sad. I have loved and lived among these trees, these trails, for 17 years. I moved from Anchorage to be next to them. Seriously? Why is this even being allowed to go on? Trail 12 is one of the most beautiful trails I've ever seen! It's insane. SAFETY is always a concern anytime there is construction equipment, trees going down, etc. One night, several years ago, both I and another woman I didn't know were almost hit by trees falling from a tractor above us, who had no idea we were walking the trails separately. We notified the borough and the *Frontiersman*; I'll be happy to send you a copy of the article. There is NO safe way of doing gravel mining or trail destruction. Finally, WELFARE concerns: well, I'm not sure how you are defining this, but as well as my mental and physical well-being, and those of other park users, I think you should consider the wildlife that make these trails their homes (I could list dozens that I have seen). And in addition, I think you HAVE to consider the enormous financial contribution made by homeowners like me (especially me and my neighbors, since we are right in the path of your proposed destruction), who have worked long hours to build our homes, improve our homes, pay for our land, pay \$5000 a year or more in property taxes, as well as support the Mat-Su Borough area businesses and nonprofits. We are good citizens, obey the law, and care about our community. Personally, I volunteer many hours a week as well as own two businesses. I support local groceries, bookstores, restaurants, and many other businesses in this area.

I am not able to LIVE in this area or this community with any more destruction of these trails I gave up everything to live next to. You need to reassess your decision to destroy or find a way to give me recompense for all I have lost and will lose. And trust me, if you take down one more tree, you are destroying not a tree farm, but a forest, with a unique environment, with trails already built, signage paid for, and money for parks spent. Ridiculous. Foolish. And WRONG.

Here is my home AFTER the new parking lot was put in, with borough (and other?) funds and a permit for PARK improvements, NOT gravel mining or landfill improvements. What used to be private, and inaccessible to strangers, surrounded by trees, with a view of trees, and a walk out the door into the trails and the sledding hill, is now all parking lot and gravel road:



And here is Trail 12 before:



And here is Trail 12 now; piles of trees buried; this is what mining is doing to these gorgeous trails. I can't believe this is what you want to happen to these woods. Seriously? Anyone there care about the wild lands at all?



Attached, on the following pages, are two of my previous correspondences with the Mat-Su Borough regarding the Crevasse Moraine Trail System, written when I was perhaps slightly more rational and not so incredibly upset as I am today. I have copies of previous reports, master plans, correspondence, and newspaper articles. There are hundreds of people weighing in on the trails on Facebook. Take a look; walk the trails; read what people are saying. CARE. And where is a copy of the public commentary submitted to the planning commission's request earlier this year? Why haven't any of us received a copy? Have you? How can we read those? I'm sure you'll find a lot more people with a lot more to say about this than I have done.

So my requests:

1. Stop the destruction of any trails, including Trail 12, immediately.
2. Pull the mining excavation permit applications.
3. Protect the Crevasse Moraine Trail System as an official park, not to be used for gravel mining or landfill operations, forever. Deem it a park now, and stop this madness.

If you don't do the three items above, then pay me for my house so I can leave and stop supporting your borough and find a place where beautiful wilderness and the animals in them are appreciated for what they are, and not destroyed.

Have a heart, and protect these trails for future generations. Anxiously awaiting your reply to me at loswald@formsinword.com or mail to Lori Oswald at 10202 E. Loma Rica Drive, Palmer, AK 99645

Appendix A: March 12, 2016 letter to Mark Whisenhunt, Planning Dept, MSB

Please add my voice to those who oppose any expansion of the landfill into the Crevasse Moraine Trails, which I use daily, and have hiked since 1999.

These trails are unique. A great deal of expense and borough and volunteer time has been spent creating them. We request that you immediately designate the Crevasse Moraine Trail System an official park and no longer part of the landfill.

That will stop the horrendous expense of constant new permitting, proposals, and plans that come from the Mat-Su Borough's Solid Waste Division. (For example, I have seen plans from various companies in 2002, 2013, and 2014, as well as the recent 2016 mining request).

Additionally, as a Summerwoods Subdivision homeowner, I was told by the original builder that a concession for having a "small community landfill" in our neighborhood was that we would have a park. I pay over \$5,000 a year in property taxes even though my property is near a landfill, just so that I can live near a park. I have been appalled by the destruction of Trail 12, by what appears to be dumping of sewage off Trail 12, by the lack of care on the part of the borough over what this park means to the residents of the Valley and the trail users, as well as the neighborhood. The neighbors have certainly been put through enough, don't you think? And now I hear the MSB is putting a septage facility in the landfill as well, in the heart of our beloved subdivision.

The Crevasse Moraine Trail System is a treasure, and it needs to be preserved for future generations.

There is no need for landfill expansion into the Crevasse Moraine Trails. It is time to officially declare this a park (which the borough does when it wants funds, such as a parking lot project 3 years ago or by charging fees to park there "as if" it were a park, yet then we are told it is not a park and was "always" a landfill).

Please, I beg you to walk these trails and see why they are so important to the various hikers, dog walkers, horseback riders, skiers, sledders, families on picnics, bicyclists, GPS enthusiasts, birdwatchers, athletes in training, school sports teams, community organizations, and more.

I ask you to immediately stop the destruction of Trail 12 and have the part cut out restored.

Thank you.

Sincerely,
Lori Jo Oswald, Ph.D.

Summerwoods Resident and Daily User of the Crevasse Moraine Trail System

Appendix B: And here is one I wrote in 2007:

June 6, 2007

Dear Mat-Su Borough Assembly Member and Parks and Recreation:

The Mat-Su Borough late last month sent out a brochure to neighbors in the Summerwoods Subdivision with a map detailing their imminent destruction of the beloved, heavily used Crevasse-Moraine trails for the landfill. The purpose of the brochure ("France Road 156 Asset Management Plan") was to suggest an alternate small park area off some new proposed subdivision; the destruction of the Crevasse-Moraine Park and trails was merely a fact presented in the brochure.

I am writing to you in hopes that you will stop this process permanently and end the destruction of the Crevasse-Moraine Park, and instead save it as a park forever. The trails are very popular with skiers, dog walkers, horseback riders, school track and field and cross country teams and other teams, the DeeDee Jonroe race, many running clubs, 4-H and other riding clubs, and many other community groups and individuals. The park is a beloved and essential element to life in the Valley, to Palmer and Wasilla residents. With all the wilderness being destroyed by commercial development in and around Palmer and Wasilla, such a rare, precious parcel--so tenderly cared for by volunteer residents of our community--must be saved.

I know that a lot of people have put their hearts and work into these trails, and the Borough misled us into thinking the trails were safe when it insisted that MEA not put power lines through the trails; here is quote from a 2005 article in the Frontiersman:

"Public notice for MEA's project was especially critical, borough officials believe, since MEA's favored route for the power lines would cross the middle of its central landfill - in which \$3.2 million has been invested - and affect its heavily used Crevasse-Moraine trail system."

And here is a quote from just one of the numerous articles from the Frontiersman about users and volunteers of the Crevasse-Moraine trail system; this one from a 2006 article:

"Trula Acena, with the Crevasse Moraine Trail Association, said she uses the trail five times a week, and supports the trail through maintenance projects and public awareness.

"We're really trying to get this trail on the map," she said. "We don't want to lose this trail system because it's the only one right in the core. It's 15 minutes from most places."

The reason the Borough wanted the trails without power lines is because they want them for the landfill, which they never admitted to the Frontiersman at the time of the MEA battle, and the Borough seemed like a hero to trail users at that time. Now that same Borough, whom we trusted, has a detailed plan for taking the trails.

I believe this park should remain a park, and the landfill, once full, should be moved to other Borough property not situated in neighborhoods and not in what is probably the windiest place in the Valley. I spoke with the original Summerwoods Subdivision property owner, and he said the community and the neighborhood were promised when the Borough held meetings to build the landfill that it would be a small community landfill that would not disrupt the area or the neighborhood. This is the only park in this area that has such glorious trails, all maintained by volunteers, and that is so accessible and close to Palmer, let alone Wasilla, the Palmer-Wasilla Highway corridor, and other Borough residents.

I purchased my property in this neighborhood because of the trails; I accepted living next to a landfill was a small price to pay for these trails. In the trails are moose, bear, eagles, numerous songbirds, fox, squirrels, and even seagulls. There is a lake where waterfowl reside and nest. The beauty and richness of these woods are unlike anything I have experienced in Alaska, and more, the attitude of the trail users is priceless. We share. We share a love of Alaska, of the wilderness. We share a love of nature. We ... and perhaps this is the rarest, most beautiful gift of all... share the trails without complaint. Here, unlike Anchorage, is a trail system that is utilized by bikers, hikers, walkers, dog owners, joggers, horseback riders, and skiers, all without making claim to the trail being only for their group. In Anchorage the Nordic Ski Club took claim to every trail they plow and will scream at a walker to get off the trails and place signs all over that forbid dogs; at the Crevasse Moraine, skiers will simply smile and say hi to you and your dogs! I have come to love every inch of these trails over the last 8 years, and those who use them, and to loath the idea of their destruction for mere garbage disposal. As the Borough has more than doubled my assessed value of my property over the last 3 years (to nearly half a million dollars!), I have wondered how they can justify this high tax rate when my house sits on a "dump."

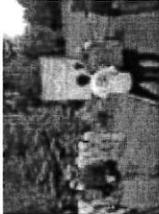
This week, trees just behind my house were cut, and I believe this destruction of the trails is beginning already.

Please let me know if there is anything you can do to help save these trails. Consider their value to us as a community, their necessity to our quality of life, and the shame of destroying them for garbage.

Appendix C: Volunteer Time

And this, showing some of the volunteer work on the trails (just one organization):

Crevasse Clean Up
Warren Templin starts the day with job assignments and a safety briefing.



Start Your Engines
Some of the folks got to try their hand on several types of equipment.



Volunteers
Volunteers are always needed to help the Mat-Su Borough maintain the trail system.



Trail?
Some of the trails are single track and take you away from the beaten path.



End of the clean up day.



This clean up was celebrated with a BBQ afterwards.



Geo Grid
The Mat-Su Borough purchased Geo Grid for trail stabilization on the lower loop of the trail system.



A ditch is dug by machinery and finished out by hand for a flat surface for the grid.



The grid is assembled in sections and moved to the ditch to tie into the main grid run.



Once the grid is placed into the section it is ty-rapped together.



When assembly is complete, the grid is covered by hand and packed down with a backhoe or similar equipment



Appendix D: Photographs

And in case you haven't been on the trails (you really should), here are some photos of just a few of my grand adventures. These trails are special; I hope you get a chance to see that and to protect them for generations to come. (I have hundreds more pictures, winter, fall, spring, and summer, but I am just sending a few; let me know if you want more.)



Intersection of Trail 12 and 8 fall 2015, which is in Proposed Mining Area (cell 8):



Trail 12, before destruction (see next page)



And here is what Trail 12 looks like now; this is what all these gorgeous trails are doomed to become if you let this go through.



Appendix E: Copies of April 12 Letter Sent to Me



MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876
www.matsugov.us

April 12, 2016

Subject: Central Landfill Applications for Gravel Extraction Activities

Dear Borough Resident,

This letter is to inform you of three applications the Borough Land Management Division has submitted for gravel extraction activities in preparation of the Landfill expansion. This information is important.

Application 1: The original application for Interim Materials District at the Central Landfill which pertained to a 260-acre mining area has been withdrawn. As a result, the public hearing pertaining to this item set for May 2, 2016 has been cancelled.

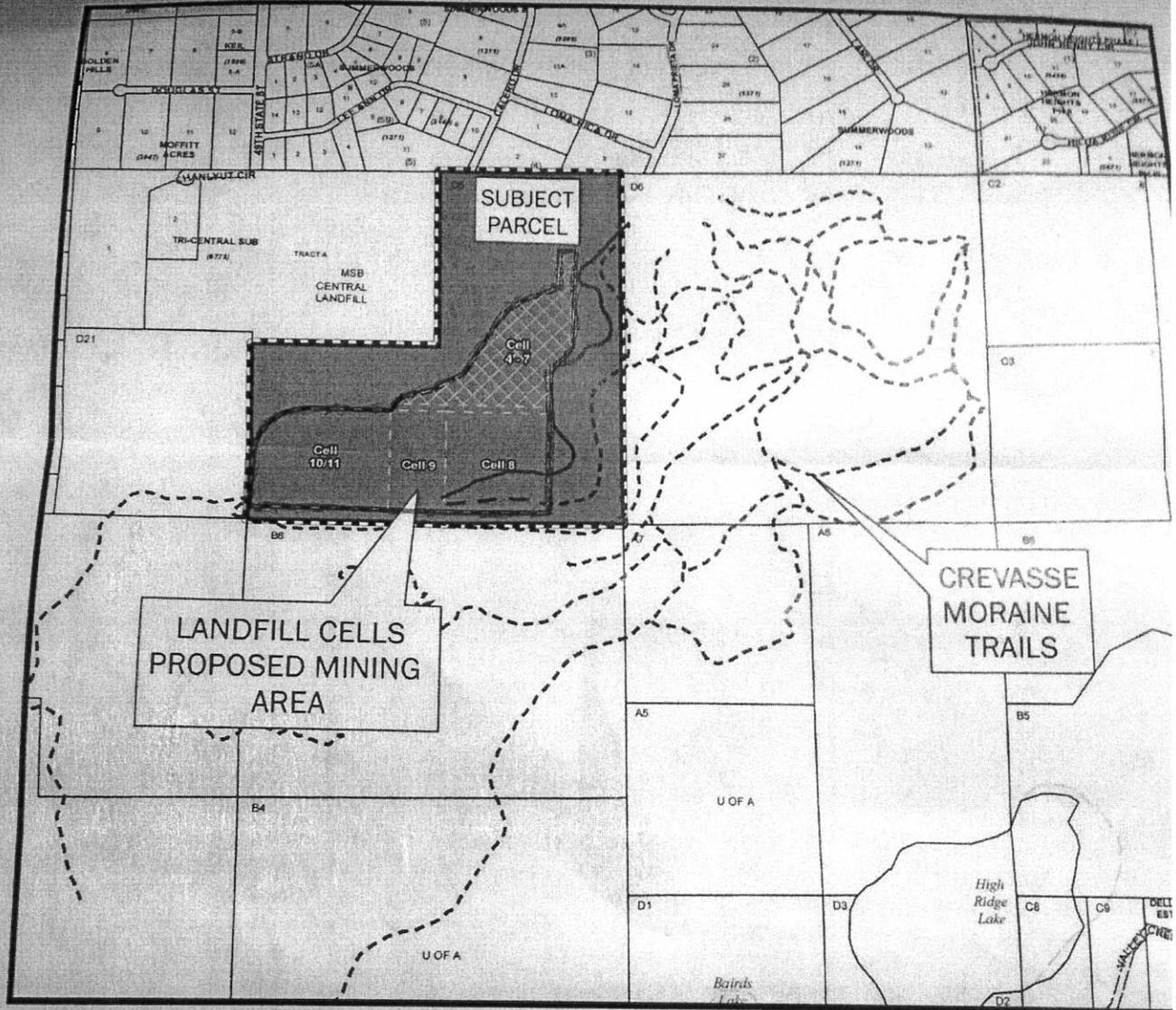
Application 2: The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the following application for an Interim Materials District (IMD) on Monday, May 16, 2016 at 6:00 p.m. in the Borough Assembly Chambers, 350 E. Dahlia Avenue, in Palmer. A **NEW** application for IMD under MSB 17.28 has been submitted by the Matanuska-Susitna Borough Land Management Division for earth materials extraction in preparation of the landfill expansion. The site is located at the Central Landfill (MSB Tax ID# 17N01E01D005); within Township 17 North, Range 1 East, Section 1, Seward Meridian. The IMD will allow for the removal of approximately 3,120,000 cubic yards of earth material through 2060. The earth material extraction activity subject to this application will occur within the areas designated as future landfill cells which total approximately 45 acres within a 120-acre parcel. – See attached public notice

Application 3: In addition, an Administrative Permit application for Earth Materials Extraction has been submitted by the Matanuska-Susitna Borough Land Management Division in preparation of the landfill expansion. The site is located at the Central Landfill (MSB Tax ID# 17N01E01D005); within Township 17 North, Range 1 East, Section 1, Seward Meridian. The Administrative Permit will allow for the removal of 770,000 cubic yards of material for two years. The earth material extraction activity subject to this application will occur within the areas designated as future landfill cells which total approximately 13 acres within a 120-acre parcel. The decision date for this administrative permit application is May 3, 2016. – See attached public notice

Application material for **BOTH** the applications may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. Written comments can be mailed to the MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, All comments received on or before May 2, 2016 will be included in both the IMD packet for the Planning Commission and the Administrative Permit packet for the Planning Director. Comments received after that date will not be included in the staff report to the Planning Commission or the staff report to the Planning Director. For additional information please contact Mark Whisenhunt, Planner II, at 861-8527.

Respectfully,

Mark Whisenhunt, Planner II
Matanuska-Susitna Borough



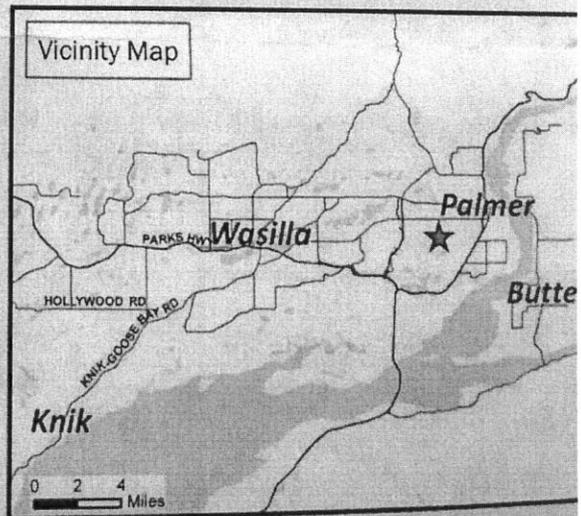
17N01E01D005



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.

MSB Information Technology/GIS
April 11, 2016

0 500 Feet





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

FIRST CLASS MAIL

The Planning Director of the Matanuska-Susitna Borough will consider the following:

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- Location:** Central Landfill (MSB Tax ID# 17N01E01D005); within Township 17 North, Range 1 East, Section 1, Seward Meridian
- Request:** A **NEW** application for an Interim Materials District (IMD) has been submitted for the removal of 3,120,000 cubic yards of material until the year 2060, on a 45-acre mining area within a 120 acre parcel.

The Matanuska-Susitna Borough Planning Commission has continued the public hearing concerning the following application for an Interim Materials District (IMD) to Monday, May 16, 2016 at 6:00 p.m. in the Borough Assembly Chambers, 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.

The new application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt, Planner II at 861-8527. Comments received on or before **May 2, 2016** 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 to the Planning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: _____ Mailing Address: _____

Location/Legal Description of your property: _____

Comments: _____

Note: Vicinity Map Located on Reverse Side

**COMMENTS FROM ORIGINAL
INTERIM MATERIALS DISTRICT
APPLICATION**

Mark Whisenhunt

From: K Kittredge <kittrat@hotmail.com>
Sent: Monday, March 14, 2016 1:19 PM
To: Mark Whisenhunt
Subject: Crevasse moraine

I view access and use of this land as a renewable resource in the form of tourist dollars as well as quality of life in the valley.

I understand this has been borough/landfill property. I hope the trailhead can be spared until such time the property on France rd can be developed.

Maybe it is time to discuss relocating the landfill?

Kim Kittredge
10150 E. Witez II In
Palmer, AK 99645

Sent from my iPhone

Mark Whisenhunt

From: Kara Gately <gately.kara@gmail.com>
Sent: Monday, March 14, 2016 7:23 PM
To: Mark Whisenhunt
Subject: Crevasse Moraine

I think beyond the trail issue, many people have forgotten what a unique geological legacy the Crevasse-Moraine area is to our glaciated past. The land-forms themselves should be treasured and the park seen as an educational opportunity and preserved. Crevasse Moraine is a beautiful natural landscape window into our past and an incredibly rare geological site. It should not be used for rocks and landfill.

-Kara

Thomas J Reber

Kay A Slack

PO Box 2587

Palmer AK 99645

Property Legal Description: SUMMERWOODS RSB B/3 L/9/10/11

Comments regarding Application "*Request for an Interim Materials District (IMD)*" scheduled to be heard by the Planning Commission on Monday, April 4, 2016.

Via E-mail on March 14, 2016 to mwhisenhunt@matsugov.us

1. Our home is approximately a quarter of a mile from the proposed IMD. We have a well which supplies our water. Each time the ground is disrupted our well water is full of silt, such as following an earthquake or if another well is drilled on the water vein. The silt problem lasts two to three weeks after the ground disruption requiring filtration of our water during that time.

In section 2 of the Earth Material Extraction Application it states: "No blasting is anticipated to occur on the site." We would be greatly impacted by blasting and request the Plan be revised to remove the word "anticipated" and would then read: "No blasting is to occur on the site."

2. In section VII of the Plan, Noise Mitigation, we believe the makers of the Plan are not being realistic that existing landfill cells and forested areas around the landfill will provide noise buffers to the surrounding neighborhoods. The existing beeping noises that come from the landfill are very loud, and especially in summer months when windows are open, become very annoying. We would request either less hours during the day for operation of the IMD or a better noise mitigation plan be developed.

3. We are also very concerned about dust control as we take daily walks in the subdivision and increased dust affects our breathing and lungs. In section IX Dust Plan, it refers to "measures to reduce any by-product dirt transfer from the borough site by vehicle tires will be implemented." As stated in the Plan, it is anticipated there will be up to 20 trucks PER HOUR on 49th State Street – the road leading to and from the land fill and adjacent to our subdivision. What exactly is anticipated to reduce the increased dust from the trucks? And, will it be sufficient to contain the dust?

4. Lastly, we feel the information supplied to the surrounding residents is poorly constructed and misleading. The maps on the notice and in the Plan poorly demonstrate what is planned for the IMD. It is impossible for a lay person to decipher the maps, cells and parcels that will become the IMD. There has been much confusion within the community and we feel the Borough Planning Commission should require better communication to the residents prior to their approval of the Application.

Tom Reber & Kay Slack

PO Box 2587

Palmer, AK 99645

907-354-0331 (Cell)

Mark Whisenhunt

From: wjm@alaska.net
Sent: Monday, March 14, 2016 2:49 PM
To: Mark Whisenhunt
Subject: Future of the Crevasse Moraine

Dear Mr. Whisenhunt,

I am writing to urge that the Mat-Su Borough do everything possible to protect the Crevasse Moraine trail area from future development. By luck - or perhaps by someone's foresight long ago - we have a green belt that is enjoyed every year by thousands of Mat-Su residents. Its value as parkland is beyond calculation.

In fact I suspect that a lot already IS being done by the Borough to help preserve this treasure. But it's hard to tell. I received a letter discussing the establishment of an interim materials district, and the map that accompanied it was unhelpful because it did not show the relationship of the blocked-out area to the trails system. It took work to compare it, and the result seems to show the ENTIRE trails system in the area that will be mined for gravel.

Calling the Borough to ask when this would occur, I received the answer, "as soon as we get the OK."

Naturally my concern was high at that point. Subsequent announcements by the Borough have eased my mind only somewhat. Does the IMD cover the entire trail system or only a portion? Is the start date, "as soon as we get the OK," or is it decades from now? Better information would certainly help.

In the end, however, I feel that the Borough's green belt, which includes the Crevasse Moraine is a legacy that should be preserved for all future generations, even those beyond a few decades from now. I hope all possible steps will be taken to prevent such a gem from being carted away in gravel trucks or buried in landfill cells.

Thank you for any assistance you can give in this regard.

Bill Mackreth
Palmer

Mark Whisenhunt

From: Dot <aktrailrun@gmail.com>
Sent: Monday, March 14, 2016 6:57 AM
To: Mark Whisenhunt
Subject: IMD in Central Landfill comments

I'd like to comment on the proposed IMD in the Central Landfill.

I'm a trail user and volunteer in the Matanuska Greenbelt system and have talked with the Landfill manager a number of times over the couple years he's been here (and other managers before him). He helped us develop the popup map with the landfill sequencing over the trails. <http://arcg.is/1UUkeZ4> IOW, I'm well aware of where cells 4-7 are, the fact that no open trails will be impacted by the proposed IMD, and CMT is a temporary use of Landfill land until they need it. The Manager's FB post on MSB's FB page summarized nicely many of the things he has discussed with our group.

The maps in your documents do not show where cells 4-7 are relative to the trails. Some of them, esp. the notice sent to neighbors (I'm not one, but saw that notice this afternoon) give the impression that the whole area could be mined almost immediately. That's what scared many people initially and led to a lot of confusion. We recognize the CMT trails are on Landfill property, but were under impression that the development would be a little slower. And if technology advances, the Landfill may not need that much.

My understanding is that as the cells are closed and reclaimed (a long time from now), trails may be able to established on some areas, possibly some suitable for physically challenged people. And it still might be possible to drop a trail down from the closed leg of Landfill Loop (now named Landfill Trail on maps) to the lower leg. As I understand it, that was closed both for the construction at the edge of the trail (safety for users) and because some people were shooting into the Landfill (safety for landfill staff).

However, Table A-10 is a bit confusing. It looks like all cells 8-29 could be started in year 2020 with completion dates varying from 2041 (cell 8) to 2155 (cell 29). Or is that intended to mean that each cell could begin as soon after a prior cell is closed and before next one is needed?

Exhibit 3 shows all the Matanuska Greenbelt trails as being MSB trails. In reality, some are owned by Alaska State Parks (Matanuska Lakes SRA) and UA Lands (UAF Matanuska Experiment Farm and UAA Mat-Su College). (Kepler Park is just off the map)

Thanks for taking comments.

Dot Helm

Mark Whisenhunt

From: James and Chris Walker <aewalker@mtaonline.net>
Sent: Sunday, March 13, 2016 9:19 PM
To: Eileen Probasco
Cc: Mark Whisenhunt
Subject: Proposed Central Landfill Interim Materials District
Attachments: Central Landfill Comments 3-12-16.docx

Ms. Probasco, a public notice mailed February 24, 2016 invited comments on the proposed Central Landfill Interim Materials District (IMD). That public notice stated that comments could be e-mailed to Mr. Whisenhunt at the e-mail address shown above, and stated that comments received prior to March 14, 2016 will be included in the Planning Commission packet for the Commissioner's review and information. The public notice further stated that comments received from the public after that date will not be included in the staff report to the Planning Commission. Earlier this evening, March 13, 2016, I e-mailed my comments on the proposed Central Landfill IMD to Mr. Whisenhunt. I have subsequently received an automatic out-of-office response from Mr. Whisenhunt, indicating that he will be out of his office until March 21, 2016. To ensure that my comments are received by the Borough before March 14, 2016, I am re-sending to you. I would appreciate having my comments included in both the Planning Commission packet and in the staff report to the Planning Commission. If you have any questions, please e-mail them to me at aewalker@mtaonline.net

Thanks!
James L. Walker

March 13, 2016

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

c/o mwhisenhunt@matsugov.us

Re: *Request for Interim Materials District (IMD)*, by the Matanuska-Susitna Borough Land Management Division for the Central Landfill

I am writing in opposition to the request by the Matanuska-Susitna Borough Land Management Division (MSB) for authority to create an Interim Materials District (IMD) under Chapter 17.28 of the Borough Code for the land referred to in the application as the "Central Landfill" (referred to in the public notice mailed out on February 24, 2016, as MSB Tax ID# 17N01E01D005 & D006, 17N01E12A007 & B006). Although the MSB refers this property as the Central Landfill, most people I know refer to it as Crevasse Moraine and apply the name Central Landfill to only the land within Crevasse Moraine that has been disturbed by landfill activities.

As an initial matter, I believe that the MSB's application should be re-noticed to the public. The public notice issued for this action states: "Application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'." I followed that instruction, and I found an Application by the MSB dated February 16, 2016. However, the application posted online was for Earth Material Extraction on sites less than 20 acres and not an application for an IMD. In the posted application, the MSB is seeking authority to extract 770,000 cubic yards of material from 13 acres, referred to as "Cells 4 to 7 footprint" for a period ending in 2020. The public notice indicates that the Application is for extraction of 12,140,000 cubic yards of material from 260 acres over a period ending in 2055. This is a significant difference in scope of activity, and the public notice does not provide a brief description of the identified application as required by MSB Code Section 17.03.040(A)(2). I believe that the actual application for an IMD must be put out for public review before the Planning Commission can take this matter up under MSB Code Section 17.03.010. Otherwise, the public does not know the full scope of what it is being asked to comment upon.

As a secondary matter, I object to the strong inference that the MSB's application has been decided prior to the Planning Commission's hearing. That inference comes from Page B5 of the March 11, 2016 Frontiersman, which includes an advertisement for bids on the MSB gravel sale designated as Bid #16-078R. That advertisement indicates that bid documents were available on March 8, 2016, and that bidding will be closed March 30, 2016. The bid documents indicate that this is a sale of 500,000 cubic yards of pit run material from Cell 4, in an IMD. In other words, the MSB is proceeding as if the Planning Commission review of its application is a completely meaningless exercise and it already has authority to extract the material identified in its application.

I recognize that the Planning Commission has little control over the MSB. By copy of these comments to the Borough Mayor, Borough Manager, and Assembly, I am asking that Bid #16-078R be rescinded immediately. However, the Planning Commission must protect the appearance of propriety in its proceedings or risk losing all credibility with the public. I believe

that the Planning Commission can reasonably show the public that it is taking its responsibilities seriously by exercising its authority to require republishing of public notice of the MSB's application for a Central Landfill IMD, by making the actual IMD application available to the public, and by postponing action on the MSB's Central Landfill IMD application until a public meeting at least thirty days after re-publication of the revised public notice.

I do want to respond to the public notice itself, even though I am not entirely sure what mining activities the MSB is proposing to accomplish. Under Section 17.28.010 of the Borough Code, the purpose of an IMD is:

to allow extraction activities as an interim use of land while promoting the public health, safety, prosperity and general welfare of the Matanuska-Susitna Borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties. It is the further purpose of this chapter [MSB Code 17.28] to promote compatible, orderly development.

This purpose is to be accomplished by a number of specific actions, which I will address in the order they are listed in MSB Code Section 17.28.010(A).

(1) designating areas for the extraction of earth materials important for the development of the Matanuska-Susitna Borough;

The public notice does not identify why extraction of earth materials from the MSB's Crevasse Moraine property is important for the development of the Matanuska-Susitna Borough. The MSB's application, at page 1 of the textual portion of the application, states that extraction is "for beneficial use onsite as cover material and/or sale." Bid #16-078R clearly shows that the primary use of the earth materials proposed for extraction from the Crevasse Moraine property is for sale, at a price of at least \$0.10 per cubic yard. The MSB presents no information indicating why, in the Palmer-Wasilla area with its many active private gravel pits, it is important for the development of the Matanuska-Susitna Borough that the MSB place another 500,000 cubic yards of earth material into the market. The low price being asked for this material indicates that demand is low. The MSB has not established in its application, and probably cannot establish, that extraction of earth materials from Crevasse Moraine is important for the development of the Matanuska-Susitna Borough, and thus the Planning Commission cannot grant the MSB's application based upon compliance with Section 17.28.010(A)(1).

(2) enhancing the character and stability of residential, agricultural, business, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas by the owner/permittee in a manner that will not devalue the extraction site or neighboring properties for future beneficial uses upon completion of graven extraction;

I attended public meetings hosted by MSB (or more likely its predecessor agency) during the winter of 1984-1985, when creation of the Central Landfill was originally presented to the public. At that time, we (the public) were told that the Central Landfill would only affect a very limited portion of the Crevasse Moraine property, that it would be closed after approximately 20 years of operation, and after closure the land impacted by landfill operations would be made into recreational ball fields and related parking. The MSB has already operated the Central Landfill for a substantially longer period than originally presented, and it is past time for closure of that facility. Granting the MSB's application will have the inevitable result of extending the life and

scope of the Central Landfill. The MSB does not, and cannot, claim that extension of the life of the Central Landfill beyond its original proposed life enhances the character of the surrounding residential neighborhoods. The MSB does not, and cannot, claim that further extension of the life of the Central Landfill will not devalue the neighboring properties.

If any member of the Planning Commission doubts that continued operation of the Central Landfill devalues the neighboring properties, I invite you to walk down the neighboring street shown on the public notice, Lee Ann, during a warm afternoon when the wind is not blowing. The sour stench of landfill gas, a highly contaminated version of methane, escaping from the landfill is nauseous and certainly cannot do anything except devalue those affected neighboring properties.

I also invite you to go to the end of Calero, also shown on the public notice, and look at the artificial landfill mountain blocking our view of the Chugach Range. If you do so, ask yourself how such viewshed contamination cannot devalue neighboring properties. Neighbors with normal hearing tell me that industrial noise from the landfill permeate our neighborhood. I am not as sensitive to noise pollution as many, but it cannot be argued that industrial noise pollution adversely affects the value of neighboring property.

Dust from previous landfill excavation activities has always escaped into our neighborhood, and I have no confidence in MSB's ability to contain dust in the future. Dust pollution is already a significant air quality problem in the Palmer area, and we do not need further industrial excavation making it worse. Planning Commission authorization of ongoing earth material extraction related dust pollution adjacent to our neighborhood for another thirty years will certainly devalue our property.

I actually live a couple blocks from the Central Landfill, and several times a year I have to pick up litter from the landfill deposited on my property by the gulls, ravens and eagles that feed there. This ongoing litter problem devalues property in our neighborhood, and is probably unavoidable until the Central Landfill is closed and fully remediated, or MSB incurs substantial expense to exclude large birds from the site.

The bird litter problem is completely separate from the littering problems caused by people dumping their garbage in our subdivision when they get to the Central Landfill and find it closed, and the people hauling trash to the Central Landfill without properly securing their loads. Yes, the MSB does periodically pick up litter from these sources. But such litter often contaminates the neighboring roads for weeks, or months, between MSB clean-ups. This is an ongoing and unavoidable devaluation problem.

Finally, Crevasse Moraine and its trail system have substantial value as a recreational property. Granting the MSB application will irreversibly and significantly reduce that value, and the recreational area access value of the neighboring properties. Such devaluation is an unavoidable impact of granting the MSB's application. The MSB has proposed no mitigation for such impacts, and given the limited public recreational land available in the Palmer-Wasilla area, mitigation is probably not possible.

During the winter of 1984-1985, those of us who lived near Crevasse Moraine agreed to not fight establishment of the Central Landfill on the condition that the Borough build public trails on those portions of Crevasse Moraine not scheduled for landfill use. The Borough built trails in

Crevasse Moraine beginning in 1985, consistent with that agreement. Most of the original Crevasse Moraine trail system has since been destroyed, typically without advance public notice, by expansion of the Central Landfill. I read yet again in today's Frontiersman an assertion by MSB that the Crevasse Moraine trail system is an interloper on Central Landfill property. That is untrue, particularly for those original trails. It is the Central Landfill that has encroached onto Crevasse Moraine recreational lands, which was once referred to as the Borough's Central Park.

It is true that in 1989 the Assembly designated Crevasse Moraine for landfill use. I personally had no advance notice that this significant piece of legislation was under consideration by the Assembly, but I assume it was lawfully enacted. However, what the Assembly has done, the Assembly can undo. It is past time for the Assembly to redesignate Crevasse Moraine as park, specifically prohibiting any further expansion of the Central Landfill's footprint. Denial of MSB's application by the Planning Commission will give the Assembly more time to accomplish this much-needed remedial action.

The MSB has not established in its application that extraction of earth materials from Crevasse Moraine will be, or can be, done in a manner that enhances the character or stability neighboring residential property. Nor has it shown how such extraction can be done in a manner that does not devalue both the Crevasse Moraine property and the neighboring residential properties for future beneficial use. Therefore, the Planning Commission cannot grant the MSB's application based upon compliance with Section 17.28.010(A)(2).

(3) promoting diversified land use and economic opportunity;

The MSB application does not, that I can find, explain how extraction of earth materials from Crevasse Moraine will promote diversified land use and economic opportunity. There are a number of existing gravel pits in the vicinity of Crevasse Moraine, and creating another earth material site will not promote diversified land use and economic opportunity. On the other hand, as noted by others in the Frontiersman today, there is a significant shortage of public trails in the Palmer-Wasilla core area. Granting the MSB application will have the inevitable effect of reducing diversified land use, whether the public trails are lost to landfill use this year or forty years from now.

While the landfill function is necessary, there is no good reason for serving that function with the Crevasse Moraine property. If the MSB's application is denied, it appears that such denial could result in relocation of the landfill function. That will promote retention the current diversity of land use by maintaining access to the Core Area Greenbelt (the interconnected Crevasse Moraine, Kepler-Bradley Park, and University of Alaska lands) from the Palmer-Wasilla Highway where the bulk of the Borough's population resides. This will promote economic opportunity in the recreation, public health, and veterinary industries. Walking dogs and riding horses have been activities on the Crevasse Moraine property since before creation of the Central Landfill, or before creation of the existing trail system. These uses continue to grow, but now there are also organized trail runs by groups promoting community health and a rapidly growing number of off-road bicycle users.

Relocating the landfill function to the industrial lands near Port MacKenzie will better promote diversified land use and economic opportunity than keeping that function at Crevasse Moraine. It is my understanding that Juneau and other municipalities in Alaska have to barge their garbage to landfills located outside of Alaska. It is also my understanding that many rural Alaska

communities are having difficulty maintaining their local landfill in a manner consistent with state and federal law. Many of these rural communities have supplies brought in by barge, with the barges returning downriver empty. If MSB established a regional landfill by the Port, I would expect that through the Port it could provide landfill service to these exporting communities. This would not only increase the economic use of the Port, but could create a landfill operation of sufficient scale to warrant installation of the infrastructure required to convert landfill gas into a useful energy resource.

I expect that there are other sites where relocation of the landfill function would better promote diversified land use and economic opportunity than expansion of landfill operations at Crevasse Moraine. The MSB has not established in its application that extraction of earth materials from Crevasse Moraine will promote diversified land use and economic opportunity. Therefore, the Planning Commission cannot grant the MSB application based upon compliance with Section 17.28.010(A)(3).

(4) encouraging the most appropriate uses of land;

I cannot find where the MSB addresses appropriate uses of land in its application, and I expect that MSB would rather avoid discussion of subjective criteria in its efforts to convert public recreational land into industrial use. However, in enacting Section 17.28.010(A)(4), the Assembly has clearly tasked the Planning Commission with examining the appropriate uses of land. Based upon my limited knowledge of MSB land, I posit that the Alsop Pit IMD (Section 17.28.090(A)(4)) is a substantially more appropriate site for the landfill function than Crevasse Moraine. There are probably many more sites in or near the Port District where the MSB could perform its landfill function.

Given the MSB's failure to address the appropriate use of land, it would be arbitrary and capricious for the Planning Commission to grant the MSB's application based upon compliance with Section 17.28.010(A)(4). In exercising its authority to encourage the most appropriate uses of land, I believe that the Planning Commission needs to look at the lack of other land in the Palmer-Wasilla area of the Borough where the recreational functions served by the Crevasse Moraine trail system can be relocated. The Planning Commission also needs to look at the existence of other sites where the landfill function served by the Central Landfill can be relocated. Based upon this examination, the Planning Commission should reject the MSB's application under Section 17.28.010(A)(4).

(5) enhancing the natural, manmade, and historical amenities of the Matanuska-Susitna Borough;

In my dictionary, the term amenity is defined as the quality of being pleasant or agreeable. In the plural, this term is defined as having pleasant aspects, convenience, or social courtesies. Crevasse Moraine as a recreation property, and its existing trail system, indisputably qualifies as amenities. Pleasant aspects of Crevasse Moraine include opportunities for hiking, jogging, biking, skiing (when there is snow), horse riding, berry picking, wildlife viewing, and communing with nature. Crevasse Moraine is convenient as a recreational property, in that it is easily accessible to a substantial portion of the Borough's population.

Based upon landfill gas, visual, noise, dust, and litter pollution issues discussed above, the Central Landfill cannot be considered an amenity. It is an unpleasant neighbor, and has been so

for over thirty years. Closing the Central Landfill will serve to enhance the natural, manmade, and historical amenities of the Matanuska-Susitna Borough through preservation of the Crevasse Moraine recreational qualities. Granting the MSB's application will extend the Central Landfill's life at the unavoidable cost of Crevasse Moraine recreational qualities will have the opposite affect. The Planning Commission cannot grant the MSB's application under Section 17.28.010(A)(5).

(6) recognizing and preserving traditional uses of land within the Matanuska-Susitna Borough;

I know from personal experience that Crevasse Moraine was used for recreational purposes prior to the Central Landfill's existence. I walked my dog almost daily on the old Crevasse Moraine logging roads prior to either creation of the Central Landfill or the Crevasse Moraine trail system, and I rarely made such a walk without running into other people also recreationally using that land. Preventing the Central Landfill from further expansion into Crevasse Moraine will be a recognition and preservation of that traditional use of land within the Matanuska-Susitna Borough.

The Central Landfill is by its very nature a temporary use of land, which, if not properly undertaken will result in a virtually permanent blight, a Brownfield, in the Borough. We have not yet heard any information from MSB about how they are going to cure the groundwater contamination and landfill gas pollution that has resulted from past Central Landfill operations. The Central Landfill cannot be considered a traditional use of land, other than in the context that it is just one of many landfill operations that have historically existed in the Borough. The Planning Commission cannot grant the MSB's application under Section 17.28.010(A)(6), and should deny that application based upon this ordinance.

and (7) protecting and enhancing the quality, peace, quiet and safety of the Matanuska-Susitna Borough neighborhoods.

Extending the life of the Central Landfill cannot, under any set of circumstances, be an action that would protect or enhance the quality, peace, quiet or safety of my neighborhood. Removing the landfill function from Crevasse Moraine, and competently enclosing the existing garbage retention cells so that the Crevasse Moraine land already impacted by landfill operations can be safely used recreationally may protect and enhance the quality, peace, quiet and safety of my neighborhood. The Planning Commission cannot grant the MSB's application under Section 17.28.010(A)(7), and should deny that application based upon this ordinance.

Matanuska-Susitna Borough Code 17.30

The MSB application posted on the Borough's website was for material extraction from less than 20 acres of land. Should the Planning Commission decide to consider MSB's application under Chapter 17.30 of the Matanuska-Susitna Borough Code, a new public notice and comment period should be implemented. However, I note that the purpose of Chapter 17.30, as set out in Section 17.30.010(A), is substantially identical to the purpose of Chapter 17.28 discussed above. I further note that the means for accomplishing the Chapter 17.30 purpose set out in Section 17.30.010(A) are identical to the means established in Section 17.28.010(A) for meeting the purposes of Chapter 17.28. For the reasons discussed above, the Planning Commission must also reject MSB's application under Chapter 17.30.

RECLAMATION

MSB claims, at page 1 of the textual portion of its application, that: “No reclamation of the mined area is required prior to use as landfill cells. Final reclamation will be concurrent with closure of each landfill cell.” I can find no exemptions from the reclamation plan requirements of Section 17.28.063, or 17.30.035, for landfill operations. If MSB is seeking Planning Commission approval of a waiver of this ordinance, MSB should identify the authority under which such exemption may be granted in its application and the updated public notice should specifically identify the waiver request as an item for public comment. As filed, the MSB application is incomplete for failing to have the required reclamation plan, and should be rejected for that reason.

I note that MSB has previously concluded excavation of cells now closed without complying with the requirements of Section 17.28.067(D)(2). Again, the truth of this assertion is readily visible should any Planning Commission member choose to go to the end of Calero shown on the public notice and view MSB’s work that is clearly visible there.

CONDITIONS

Going back to the purpose of regulating IMDs, and the methods of accomplishing that purpose, the Planning Commission is required under Section 17.28.010(A) to enhance the character and stability of residential areas, prevent devaluation of Crevasse Moraine and the neighboring properties, encourage the appropriate uses of land, preserve traditional uses of land, and protect and enhance the quality, peace, quiet, and safety of neighborhoods. I believe that the MSB application should be denied, for all of the reasons addressed above. However, if the Planning Commission disagrees with me on that, it must at least condition approval of the MSB application with the following minimum conditions to comply with the purposes of Section 17.28.010:

1. No further extraction of earth materials is allowed for Central Landfill purposes until all existing closed landfill cells have been reclaimed such that no groundwater contamination can occur, no exhaust of untreated landfill gas into the atmosphere occurs (all produced landfill gas must be treated by combustion at a temperature sufficient to break down all methane and other organic molecules, with exhaust gas scrubbed to remove all heavy metals and pollutants regulated by federal and state law), and each closed landfill cell is made safely available for public recreational use.
2. No further extraction of earth materials is allowed for Central Landfill purposes until off-site littering problems are remediated by: weekly litter pick-up by MSB from all public right-of-ways within three miles of the Central Landfill entrance; daily litter pick-up by MSB from the 49th State Street public right-of-way between the Palmer-Wasilla Highway and the Central Landfill entrance; monthly litter pick-up from all public lands within one mile of the boundary of lands disturbed by Central Landfill activities; and absolute exclusion of all birds from uncovered garbage.
3. Extraction of earth materials at the Central Landfill may only be conducted under conditions where no dust pollution is created. This may require continuous wetting of excavation activities, in which instance the water used must be certified as free of contaminants and suitable for use as drinking water without further treatment. Contaminated ground water from the Central Landfill may not be used for this purpose.

4. The MSB shall minimize noise pollution from the earth material extraction activities to the maximum extent legally and technically possible. Recognizing that noise pollution from earth material extraction activities will unavoidably leak out into surrounding neighborhoods, MSB shall contribute from Central Landfill revenue an amount considered appropriate by the Planning Commission for each hour earth material extraction occurs for Central Landfill purposes to the Matanuska Susitna Borough Department of Community Development, Recreational Services, to be expended creating, maintaining, and operating outdoor recreational resources within three miles of the Central Landfill active footprint.

These four conditions will require substantial effort on the part of MSB to comply with. However, they are the minimum conditions required to meet the criteria set out in Sections 17.28.010(A), and 17.30.010(A). These Sections both state that a primary purpose of regulating resource extraction activities is to promote compatible, order development. No other municipal government I am aware of maintains its landfill function in the center of its population, because landfill use is undeniably incompatible with adjacent residential use. Again, the Planning Commission should deny MSB's application. If it chooses not to do so, it must condition its approval in a manner that fully complies with Section 17.28.010(A), or Section 17.30.010(A).

CONCLUSION

I have not addressed the public health and welfare benefits created by having a free recreational facility like Crevasse Moraine readily available to the public at a site that is close to a majority of the Borough's population. To me, that is self-evident and I choose to not take up the Planning Commission's time espousing those benefits. But the Planning Commission must consider those benefits in fulfilling its obligation under Section 17.28.010(A)(4) to encourage the most appropriate use of the Borough's Crevasse Moraine property

The public notice of the MSB's application is defective, in that it gives summary of an application that differs from the application the public is directed to review. For that reason, I ask the Planning Commission to delay action on the MSB's application until a new public notice has been issued and the public has been given at least a thirty-day period to review the IMD application and submit comments.

By copy of these comments, I ask the Borough Mayor, Manager, and Assembly to require withdrawal of Bid #16-078R until after the public review process mandated by Borough Code is complete, and if necessary until all appeals have concluded. This will eliminate the need for the Borough and its citizens to incur the cost seeking injunctive relief from the MSB's premature bid solicitation through the court system.

If the Planning Commission chooses to proceed with consideration of the MSB's application on the schedule currently in effect, then denial of that application is the only way forward under Matanuska-Susitna Code Section 17.28.010(A), or 17.30.010(A). Any other action would be contrary to the expressly stated purpose of Chapter 17.28, and thus arbitrary and capricious on the public record currently available.

The residential subdivisions adjacent to the Central Landfill are legal uses of land. Recreational use of Crevasse Moraine is a legal use of land. The Planning Commission has no authority to disregard these uses. The Assembly designated Crevasse Moraine for landfill use, and the Assembly adopted Chapters 17.28 and Chapters 17.30 without explicit or implicit exemption of

the Central Landfill from compliance with these Chapters. Therefore, resource extraction by MSB to extend the life of the Central Landfill must be done in a manner that complies with the purposes of these Chapters. That appears to be impossible, and therefore the MSB's application should be denied.

It is my hope to attend the public hearing currently scheduled for April 4, 2016, at 6:00 p.m. on the MSB's application. At that time, I would be more than happy to answer any questions that the Planning Commission might have regarding these comments.

Sincerely,

James L. Walker
P.O. Box 1693
Palmer, Alaska 99645

aewalker@mtaonline.net

cc: Mayor Vern Halter, Vern.Halter@matsugov.us
John Moosey, Borough Manager, john.moosey@matsugov.us
Assembly Member Jim Sykes, District 1, jimsykesdistrict1@gmail.com
Assembly Member Matthew Beck, District 2, matthew.beck@matsugov.us
Assembly Member George McKee, District 3, george.mckee@matsugov.us
Assembly Member Steve Colligan, District 4, stevecolligan@mtaonline.net
Assembly Member Dan Mayfield, District 5, dan.mayfield@matsugov.us
Assembly Member Barbara Doty, District 6, Barbara.Doty@matsugov.us
Assembly Member Randall Kowalke, District 7, randall.kowalke@matsugov.us
Matt Tunseth, Managing Editor, Frontiersman, matt.tunseth@frontiersman.com

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Mark Whisenhunt

From: gregory <gregory@formsinword.com>
Sent: Saturday, March 12, 2016 11:58 AM
To: Mark Whisenhunt
Subject: Central Landfill - Request for Interim Materials District

Dear Planning Commission:

I am writing to ask you to preserve the Crevasse Moraine Trail System as a park, and not to let it become part of the landfill. I am adamantly opposed to the "mining" plan.

These trails are amazing, and frankly, this area of the Mat-Su Borough needs this trail system. It is close to Palmer, to two high schools, which often use it for training.

I have also seen community groups hold fun runs here, such as cancer research fundraisers for DeeDee Jonrowe. I have seen the Boy Scouts spend weeks planting trees on the hills next to the road that went to the old parking lot, and then for no reason, a new parking lot was put in three years ago, and all those carefully planted trees, as well as old trees on the hill next to the new lot, were destroyed. A road was cut through the sledding hill that all the neighborhood children used...sometimes dozens at a time...for no reason that I can see.

I have watched volunteers put in rubber grates to strengthen the trails. I have seen biking associations build narrower trails.

I have spent 17 years on these trails, met hundreds of other trail users on my various hikes, and I just cannot imagine why the Borough would want to destroy a place so beautiful, with the trails already constructed, the signs already put up throughout it.

Please reject this latest "Request for Interim Materials District" and protect this park from any future landfill operation. If you would officially declare it a Matanuska-Susitna Borough Park, as the brochures and websites seem to claim it is (le alone charging for parking there), then the landfill could no longer claim it is "their" property.

Shouldn't it belong to the community instead?

Thank you.

Sincerely,

Gregory L. Drummond

Mark Whisenhunt

From: Lori Jo Oswald at Wordsworth LLC <loswald@wordsworthwriting.net>
Sent: Saturday, March 12, 2016 11:48 AM
To: Mark Whisenhunt
Subject: Central Landfill - Request for Interim Materials District

Dear Planning Commission:

Please add my voice to those who oppose any expansion of the landfill into the Crevasse Moraine Trails, which I use daily, and have hiked since 1999.

These trails are unique. A great deal of expense and borough and volunteer time has been spent creating them. We request that you immediately designate the Crevasse Moraine Trail System an official park and no longer part of the landfill.

That will stop the horrendous expense of constant new permitting, proposals, and plans that come from the Mat-Su Borough's Solid Waste Division. (For example, I have seen plans from various companies in 2002, 2013, and 2014, as well as the recent 2016 mining request).

Additionally, as a Summerwoods Subdivision home owner, I was told by the original builder that a concession for having a "small community landfill" in our neighborhood was that we would have a park. I pay over \$5,000 a year in property taxes even though my property is near a landfill, just so that I can live near a park. I have been appalled by the destruction of Trail 12, by what appears to be dumping of sewage off Trail 12, by the lack of care on the part of the borough over what this park means to the residents of the Valley and the trail users, as well as the neighborhood. The neighbors have certainly been put through enough, don't you think? And now I hear the MSB is putting a septage facility in the landfill as well, in the heart of our beloved subdivision.

The Crevasse Moraine Trail System is a treasure, and it needs to be preserved for future generations.

There is no need for landfill expansion into the Crevasse Moraine Trails. It is time to officially declare this a park (which the borough does when it wants funds, such as a parking lot project 3 years ago or by charging fees to park there "as if" it were a park, yet then we are told it is not a park and was "always" a landfill).

Please, I beg you to walk these trails and see why they are so important to the various hikers, dog walkers, horseback riders, skiers, sledders, families on picnics, bicyclists, GPS enthusiasts, birdwatchers, athletes in training, school sports teams, community organizations, and more.

I ask you to immediately stop the destruction of Trail 12 and have the part cut out restored.

Thank you.

Sincerely,

Lori Jo Oswald, Ph.D.

Summerwoods Resident and Daily User of the Crevasse Moraine Trail System

Mark Whisenhunt

From: Dan Monarch <dan@monarch.org>
Sent: Friday, March 11, 2016 10:20 PM
To: Mark Whisenhunt
Cc: 'Rick Keil'; 'David Germer'; keith miller; Cynthia Cantrell
Subject: IMD Comments From Hermon Heights HOA
Attachments: 2016_MSB_GravelExtractionComments.docx

Mr. Whisenhunt,

Attached are comments from the Hermon Heights HOA related to the Borough's request for an Interim Materials District. Please let me know if you have any questions.

Sincerely,

Dan Monarch

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Hermon Heights Homeowner's Association
P.O. Box 791
Palmer, AK 99645

March 9, 2016

Mark Whisenhunt
Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, AK 99645

Dear Mr. Whisenhunt,

The Board of Directors (BOD) of the Hermon Heights Homeowner's Association, Inc. has reviewed your application for an Interim Materials District for the removal of 12,140,000 cubic yards of material until the year 2055, on a 260-acre mining area with 440 acres. We respectfully submit the following comments.

1. The Mat-Su Borough recently completed a 2014 Cell Buildout plan for future development of the landfill. This cell buildout plan has changed several times since the early part of the century. We strongly encourage the Borough to adhere to the current buildout plan until the landfill has reached its end of life. This will minimize impacts on the Crevasse-Moraine trail system and adjacent homeowners for the longest duration possible.
2. Any use of France Road as an extraction route for materials removal would be unacceptable. There is already too much light and heavy traffic on France Road from other activities. This road was never designed to handle the weight of heavy machinery and the associated loads that gravel extraction would require.
3. Any identified or planned easterly extraction route would have to include completion of the South Hemmer Road Extension identified on the 2015 Road Bond list. This would allow heavy traffic to connect to the Palmer-Wasilla Highway without having to utilize France Road.
4. The Valley Pathways school is currently located at the end of France Road. If a gravel extraction route was built including France Road it would be a significant hazard to the children who attend school there.
5. We expect that the landfill design is adequate to ensure that the surrounding water supply is never impacted by the gravel extraction process or future landfill use. Any impacts to the water supply would be devastating to homeowners with wells located nearby.

We understand that we live near a landfill but we want to insure that the impacts of being neighbors is minimized as much as possible. It does have the potential for significant impact

to property values in the area. We live in a nice neighborhood with a good quality of life. We want to make sure that it stays that way.

Sincerely,

Dan Monarch, President
Hermon Heights Homeowner's Association, Inc.

Mark Whisenhunt

From: Rick Keil <aknitesky@yahoo.com>
Sent: Friday, March 11, 2016 6:50 AM
To: Mark Whisenhunt
Subject: MSB 17.28 – Interim Materials District (IMD)

MatSu Borough Planning Commission,

I wanted to take a moment to voice my concern regarding the plan for material extraction under MSB 17.28 – Interim Materials District (IMD), submitted by Matanuska-Susitna Borough Land Management Division. The applicant is requesting the removal of approximately 12,140,000 cubic yards of material from a 260-acre mining area with 440 acres

We are current homeowners in the Hermon Heights subdivision and have been for a quite a few years now. After reviewing the plan for material extraction, I was alarmed by the France Rd route that is to be utilized. France Rd is already over utilized by Scarsella Construction's heavy equipment that runs up and down the road (dump trucks, front end loaders, backhoes, pilot trucks, tractor trailers, etc.) as well as school traffic and pedestrian traffic. Due to the winding, unlit nature of the road itself, hazards already exist. There is currently pedestrian traffic consisting of Valley Pathways students and also families with small children from our subdivision that walk along this road. The students walk this road in the dark of morning. With no bike path, sidewalk, or street lights, I have come up upon these students while driving these unlit winding corners. I have yet to see any of these kids wearing reflective clothing. Adding more traffic via dump trucks and additional heavy equipment worries me. This presents a real safety hazard.

Another issue is the amount of traffic using France Rd. Valley Pathways, Scarsella Construction, and Hermon Heights homeowners generate a substantial amount of traffic already. This road often gets backed up at the Palmer-Wasilla intersection. There is no traffic light or turning lanes at this intersection. We have personally seen accidents there when someone has either turned left onto the Palmer-Wasilla highway off of France and been struck or waiting to turn left off of the Palmer-Wasilla highway onto France Rd.

Please consider utilizing a different route for the safety of students and staff at Valley Pathways, families from Hermon Heights, and others that use France Rd. We do not want to see anyone injured or killed by increasing traffic on this already over utilized winding road.

Respectfully,
Rick and Melissa Keil
10953 East John Henry Circle
Palmer, Alaska 99645

Mark Whisenhunt

From: Hindin <chhindin@mtaonline.net>
Sent: Thursday, March 10, 2016 3:55 PM
To: Mark Whisenhunt
Subject: IMD for Material Removal

Mark Whisenhunt,

Thank you for speaking with me earlier today.

As I stated in our phone conversation I have been a resident and property owner in the Summerwoods subdivision for the past twenty-five years and have been appreciative of the cooperation the borough and Central Landfill has with the property owners in our subdivision.

Some of the concerns I have include the following;

- 1) A provision listed in the awarded contract that limits the hours of operation in an effort to mitigate the noise that will be generated from a gravel mining, crushing and transporting operations. I would like it proposed that all gravel excavation and related activities be limited to the hours of operation as the Central Landfill.
- 2) Traffic, egress and public safety. The Central Landfill has attempted to process vehicle traffic through their scales with the goal being limiting the vehicles parked on 49th State Street while waiting. However when this occurs and vehicles are backed up on a public roadway thereby limiting access for emergency personnel to respond if needed to homes or property that are on or near on 49th State Street. With only one access into the Central Landfill I implore the borough to develop and build an alternative access that does not intersect a residential subdivision. Studies and planning for this project has been underway and I believe it would be in the borough's best interest from a public safety perspective to prioritize this project.

If you have any questions regarding the above please feel free contact me at your convenience.

Thank you for your time and consideration.

Howard Hindin
PO Box 3693
9730 E. Strand Dr
Palmer, AK 99645
(907) 746-3921

Mark Whisenhunt

From: Sara Sanderling <sara_in_ak@yahoo.com>
Sent: Wednesday, March 09, 2016 7:33 PM
To: Mark Whisenhunt
Subject: Central Landfill - Request for IMD

Mark,

I would like to speak towards the landfill request that will have its public hearing April 4th. I won't make it to the meeting but want to state that any additional clearing of land in the valley should not be approved. Any further clearing of land, especially so near established trail systems, is a shame. We do not need to have a massive landfill in such a central location.

Thank you for your time,
Sara Dickson
Valley resident since 1985

Sent from my iPhone

Mark Whisenhunt

From: Danielle Egelston <dleggelston@gmail.com>
Sent: Wednesday, March 09, 2016 2:46 PM
To: Mark Whisenhunt
Subject: Crevasse moraine

Hello,

My name is Danielle Owens. I am writing because of the crevasse moraine trail system. Although I understand the original purpose of this land, these trails are beloved and well used by the community. The valley does not have many easily accessible trail systems that are safe for recreation. Palmers paved trails are so inconsistent and never allow you to leave the road noise behind. Please take the community into consideration when planning the destruction of this trail system. Consider rerouting the trails, or strategically closing sections so that we can continue using this area as long as possible. Thank you for your time and consideration.

Sincerely,

Danielle Owens
907-830-7210

Sent via the Samsung Galaxy S® 5 ACTIVE™, an AT&T 4G LTE smartphone

Mark Whisenhunt

From: Kate Arnold <kevans.arnold@gmail.com>
Sent: Wednesday, March 09, 2016 11:44 AM
To: Mark Whisenhunt
Subject: Crevasse Moraine

Hello!

My name is Kate and I am the Marketing Director here at Active Soles Performance Footwear, in downtown Palmer. I would like to send an email in regards to the mining and landfill production in the current trails of Crevasse Moraine park.

I would like to speak against this action for many reasons, my main concern of course, comes from my background of being a local trail user that frequents the trails at Crevasse - it would be a devastating loss to the trail user community. The second reason I am against this project is that as a local business providing healthy events for the community, we use the crevasse moraine system to put on a series of trail races through the Summer and Fall to keep the community active. Crevasse has offered the unparalleled terrain for us to host these events as well as the location being optimal for the entire community of Palmer and Wasilla. We have, in the past, hosted 4 races in one summer at these very trails and have had many participants paying their user fees and exploring their local trail system. We also offer a challenge through-out the Summer to persuade families to get outside and be healthy and active - navigating part of the Crevasse system is a large part of this community challenge.

I am very aware that there are reasons for this that are well out of my scope of understanding and can certainly appreciate that there are other matters at hand regarding this decision - however, taking away the trail system that is helping our community to stay active and healthy would be a step in the very opposite direction of what the Palmer community is working hard to represent and what it stands for. The Crevasse trail system offers a unique opportunity to "market" Palmer to tourism as a healthy, active and beautiful community and those tourism dollars directly affect all of our local businesses.

Thank you for your time, consideration and help with this. I understand this will be a very challenging topic for everyone on board - so thank you for taking all the time to help.

Kate Arnold

--

Marketing Coordinator/ Personal Trainer/ Race Director

[Active Soles Performance Footwear](#)

Ph# 907-746-0600

[Body In Balance Physical Therapy](#)

Ph # 907-746-0722

Fx # 907-746-0732

[Active Body Downtown Gym](#)

Ph# 907-746-3700

Mark Whisenhunt

From: Tosha Linn <TLinn@alaskacdc.org>
Sent: Wednesday, March 09, 2016 9:18 AM
To: Randall Kowalke; Barbara Doty; Dan Mayfield; stevecolligan@mtaonline.net; George McKee; Matthew Beck; jimskyedistrict1@gmail.com; John Moosey; George Hays; Mark Whisenhunt; Eileen Probasco; Vern Halter
Subject: Response to Interim Materials District destroying Crevasse Moraine Trails
Attachments: Scan_20160309_101453.pdf

Good Morning,

I have attached my comments regarding the letter sent to me as a homeowner in Summerwoods Subdivision. I am responding before the deadline to get this into the packet before the meeting. Please read and consider what I as a property tax payer have to say. I know there are many out there with like opinions.

Thank you,
Tosha Mittlestadt

March 9th, 2016

Mat-Su Borough Mayor and Assembly, Manager John Moosey & Assistant Manager George Hays,

The Crevasse Moraine Trail system has once again been brought up to be demolished. The need for gravel/landfill expansion apparently outweighing the value to you of having a beautiful unique local trail system.

As a person who uses the trails I question how anyone could actually think like this. So my question is, have you walked them? Have you got out of your car and spent a few hours just walking through the trails all the way back to the lakes? Have you looked at the trails of mountain bikers, skiers, horseback riders and people walking? They are everywhere because the trails are always being used. Have you walked through the trees greeting all the people and their dogs just enjoying the beauty of all the old growth trees. Have you participated in GeoCaching and found unique treasure back there?

If your answer to these questions is no, why do you think that you should be deciding they are nothing but garbage? Get out see what you are taking away from the town. Once they are gone we won't have that back. The money you have already spent building the trails up adding restrooms and a pay station will be wasted. The time and effort that is put in each year to clean and maintain the massive trail system for all these years scoffed out and thrown out a useless. There are special trails back there made by volunteer groups. People that took their own precious time to make this system even greater. Are you aware of any of this? Do you think these people did this out of boredom? No, they did it because they love the trails, they love the area.

The system is one of the nicest we have in the Valley. It isn't too tough of terrain. People can walk these trails from toddler all the way to senior. It can be used for anyone. I know because I use our trails. I have climbed mountain trails, I have walked bike trails, I have been on every trail this Valley has to offer. This one trail allows for biking, horseback riding, skiing, running, walking, snowshoeing, bird watching, geocaching, and pretty much any other non-motor vehicle activity you can think of. There are lakes connected to the backside some of them you can fish at. The trail system gives you access from Palmer Wasilla Highway to the Glenn by Kepler Bradley Lakes all while walking through beautiful scenery and serenity. All of this is offered on beautifully groomed trails that are clear and easy to walk. If you haven't seen these trails they are the best maintained trails the Valley offers. Also no one has to worry about their children getting hit by a car next to all the turnouts like our bike trails. There are multiple loops some more strenuous than others. There is a large sledding hill and big open field to play in. All of this already built maintained and used.

Taking away these trails for the landfill is a terrible decision. You will suck the gravel away make some money off that. Expand the landfill make a little more money. Then 10 years down the road someone is going to complain there are no accessible parks. All the money that was earned will go into finding new property to build what we already have. Only eventually there won't be anywhere to build. The trees will be gone. How long will it take to recreate what we already have available? More time than anyone of us is willing to wait. For example, look at all the money being invested in Government Peak. That is just for winter sports and it also is on the outskirts of town not easily accessible. No one can just stop on the way home from work to take a nice walk there. After you demolish this park someone in the not too

distant future is going to be planning a trails system just like this because it is something needed and used. All the while wasting away tax dollars for something that was literally thrown in the dump.

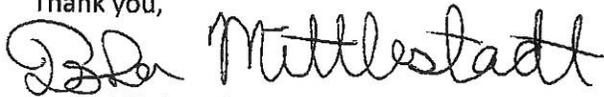
Yes we live in Alaska, yes there are other trails. But how many of those trails are on the way home from work for all of us? How many of those trails are completely protected from cars and noise? How many of those trails are not straight up the mountains? Crevasse Moraine Trails offer something you won't be able to get back once you remove it. Look at all the big cities in the world. They have found the importance of parks. Even New York City has Central Park. Don't you think at one time they considered what that land could hold to make them more money? Sometimes you have to sit back and realize what you lose to gain a lot of nothing.

There are several gravel pits in the Valley that could be used. Buy those, consider moving the landfill somewhere else that has the space you need. Look at more options before you collectively make a terrible decision that can't be taken back without even more resources being used. One of the most precious being the time it takes for the trees to return to their current beauty. Another being the fact we are rapidly running out of land in the Valley that isn't being bulldozed and destroyed for "progress."

I ask that all the Assembly Members, The Mayor, Manager John Moosey, Assistant Manager George Hays and the Landfill Director take some time out of their busy lives. I am aware some of you are not from the area and probably have not had the time to see what these trails have to offer. Explore the trails for real. Don't just park in the lot and say "yep they are nice." Take the time to really see what you are looking to take away from your citizens. Think about what it would cost to replace this. Think about what people in the other cities you have lived in would be willing to give for something so amazing.

Then after that take the time to go visit the gravel pits around town. Look at what you are wanting to leave us with. You are wanting to take something beautiful and replace it with a dismal hole. What is the true value of what you are doing compared to the true value of leaving something beautiful for all of us to enjoy? A lot more of the people that are voting you into office are going to be using those parks and seeing the good you can do by keeping them.

Thank you,



Tosha Mittlestadt

Mark Whisenhunt

From: neil waggoner <akneil@yahoo.com>
Sent: Wednesday, March 09, 2016 8:22 AM
To: Mark Whisenhunt
Subject: Just Say No to Crevasse Moraine gravel Pit

Hello,

I am writing in opposition to gravel pit/landfill expansion in and adjacent to crevasse moraine. I am an anchorage resident who frequently comes to palmer to mountain bike in kepler bradley and crevasse moraine. Every time I have ridden in the park, trash (primarily plastic bags) from the landfill is seen in the forested area that the trails pass through in the park.

This trail system and open space is a recreational gem that makes palmer special and leads to a higher quality of life for locals and tourism dollars from visitors. It is something that should be preserved for future generations to enjoy.

When I come visit palmer to mountain bike, I frequently come into downtown to purchase food at local restaurants which supports the local economy.

Please do not approve the landfill/gravel pit expansion.

Best Regards,
Neil Waggoner

Mark Whisenhunt

From: Dan Monarch <dan@monarch.org>
Sent: Monday, March 07, 2016 8:24 PM
To: Mark Whisenhunt
Subject: Request for an Interim Materials District (IMD)

Hi Mark,

I am a homeowner in the Hermon Heights Subdivision. I wanted to provide you with my comments related to the Request for an Interim Materials District (IMD) at the Central Landfill. I am making a couple of assumptions about this request. First, this mining is necessary to continue the cell buildout plan that is contained in 2014 Cell Buildout Plan. Second, there is no plan to complete an extraction route that would connect the landfill to France Road. As you have already heard from other property owners in Hermon Heights, using France as a route for large mining extraction would be an issue. The TAB and Borough Assembly are already aware that any additional traffic on France is problematic and should be avoided unless the Hemmer Road Extension is completed. They seem to strongly agree. There have been numerous accidents at the intersection of France and PWH and unfortunately it's probably only a matter of time until someone is seriously injured or killed at that location. There has to be another solution and adding more traffic to the road isn't it. I did see in the public notice that material extraction would happen to within 4 feet of the existing water table. I'm no gravel pit expert but that seems very close for heavy machinery to be working. A little bit off on the survey or an unskilled operator and the surface could be breached. Also, the saturation level could change especially due to winter snow conditions in our area. This may be the same criteria as what has been used for Cell 1 and Cell 2 but I don't know that. We are trusting that the experts know what they are doing but if the water table is contaminated for any reason there are going to be a lot of homeowners who have a well and an expensive situation to deal with.

I am the current President of the Hermon Heights HOA. I can't make it to the upcoming public meeting but I did want you to have my comments and am writing you this letter as a homeowner and not as a representative of the HOA. If you do need anything from the neighborhood, please feel free to contact me.

Sincerely,
Daniel Monarch
907-745-3326
10902 E John Henry Circle

Mark Whisenhunt

From: Rich Owens <rich_r_owens@hotmail.com>
Sent: Monday, March 07, 2016 12:54 PM
To: Mark Whisenhunt
Subject: Landfill Gravel Extraction Proposal Comment

Mark,

I would like to express my comments toward the Landfill Gravel Extraction Proposal adjacent to Hermon Heights. As one of the first landowners in Hermon Heights, I have seen the subdivision develop into a beautiful neighborhood with upper end homes surrounded by a fantastic view. It has been a very desirable place to live in Palmer.

All homeowners of Hermon Heights including myself have been concerned about the increase in traffic on France Road. With the addition of the Valley Pathway school, dangerous traffic has increased dramatically, including curious school kids driving in and out of our dead end streets just to kill time. This has added to many safety concerns for the children who live in our neighborhood!

Adding mining traffic to the small curvy France Rd would be a huge mistake! This is the only street serving our subdivision. We already have a large road construction company Scarcella, Valley Pathway schools traffic w/ buses etc.... Our road already gets backed up daily around the corner, due to the inability to turn out onto the busy Palmer/Wasilla Hwy. I have personally seen several accidents due to this congested traffic on France Road.

I strongly oppose the use of adjacent lands to Hermon Heights for landfill and or mining activity. Especially the use of France Road for such transport of their activities.

I would like to see the Mat-Su Borough consider our properties in Hermon Heights to preserve the value and safety our neighborhood.

Respectfully,

Richard & Ardena Owens
10993 E. John Henry Circle
Palmer, AK 99645

Mark Whisenhunt

From: Paul Wheeler <pwheeler@gci.net>
Sent: Sunday, March 06, 2016 9:52 AM
To: Mark Whisenhunt
Subject: Crevasse Moraine Trail System

Mark,

We are totally against destroying the Crevasse Moraine Trail System. I understand the system is secondary to landfill use, but there must be another way. Are there no other lands south of the current landfill that could be used? Land swap with the University?

Paul Wheeler
Lot 2 Block 2 Summerwoods Subdivision

Mark Whisenhunt

From: Scott <denali1973@gmail.com>
Sent: Tuesday, March 01, 2016 7:16 AM
To: Mark Whisenhunt
Subject: MSB 17.28-Interim Materials District (Central Landfill)

01 MARCH 2016

Mr Whisenhunt,

I am writing today to voice my concern about an application for an Interim Materials District under MSB 17.28 – Interim Materials District (IMD), submitted by Matanuska-Susitna Borough Land Management Division. The applicant is Request for the removal of approximately 12,140,000 cubic yards of material from a 260-acre mining area with 440 acres. Extraction activities are expected to terminate in 2055. The location in question is : Central Landfill (MSB Tax ID# 17N01E01D005 & D006, 17N01E12A007 & B006); within Township 17 North, Range 1 East, Sections 1 & 12, Seward Meridian.

After reviewing the proposal, I am deeply disturbed at the thought of mineral extraction activities taking place in an area that is currently part of the Crevasse Moraine Trail system. The primary routes identified for mineral extraction activities utilize France Road near Valley Pathways School.

France Road is a small road that is already at capacity due to the school busses and associated school traffic on an otherwise residential street. Allowing for additional heavy machinery, trucks, and other mine activities on such a small residential street will not only create a hazard within our neighborhood, but will also present a real and lasting hazard to the children that attend school at Valley Pathways.

I am also concerned that the neighborhood that will be directly impacted by this, Hermon Heights, will become another sad story of high end homes built with the expectation of maintaining value only to have their property values greatly diminished due to activities that move in next door.

I urge you to please deny this activity within what would otherwise be a world class “Green-Zone” within the Borough. Allowing new mining activities to utilize residential roadways creates a hazard to residents, and diminishes the quality of life for all of us property owners who will be subjected to the additional noise, dust and heavy machinery traffic in our neighborhoods.

Sincerely

Scott and Anthony Langley

Phone: 907-315-1296

**Mailing Address: 1150 S Colony Way STE 3 PMB 321
Palmer, Ak 99645**

Physical: HEROMON HTS PH II BLOCK 1 LOT 14

Parcel ID : 58898

Mark Whisenhunt

From: Jim Conway <jconway@kenbrady.com>
Sent: Monday, February 29, 2016 8:08 AM
To: Mark Whisenhunt
Subject: MSB 17.28-Interim Materials District Public Comment
Attachments: SKMBT_C55016022909010.pdf

Good morning Mr. Whisenhunt,
Attached please find my comments on the above referenced subject for your consideration.
Thank you,
Jim Conway

From: admin@kenbrady.com [<mailto:admin@kenbrady.com>]
Sent: Monday, February 29, 2016 8:01 AM
To: Jim Conway
Subject: Message from KMBT_C550

James M. Conway
8925 Kilkenny Dr.
Palmer, AK 99645
52465B02L025

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

Re: Request for Interim Materials District
MSB 17.28-Interim Materials District
Public Comment

Gentlemen:

After reviewing both the Public Notice I received and the Application for Earth Materials Extraction Submitted by the MSB to the MSB on Feb. 16, 2016 I find some very serious discrepancies as well as a lack of vital studies and due diligence for this application.

- 1- The Public Notice states that the application for the IMD was submitted for removal of 12,140,000 cubic yards of material until the year 2055, on a 260 acre mining area.
- 2- The application states the area to be 13 acres and 133,000 cubic yards of material per year for a total of 777,000 cubic yards will be extracted and will be completed by the year 2020.
- 3- Nowhere can I find an Environmental Impact Analysis.
- 4- There does not appear to be a Traffic Impact Analysis. The Mining Plan for the application (777,000 total cubic yards of extraction) states that there may be up to 20 truck trips/hour. The haul route will be to the Palmer Wasilla Highway. Because of this a TIA may be necessary, and even if not required it should be completed.

Because of these concerns I respectfully request that the Planning Commissioner reject this application until such time as the discrepancies and oversights are resolved.

Very truly yours,


James M. Conway

Susan Lee

From: Jessica Clarkson <jessicamclarkson@hotmail.com>
Sent: Monday, March 14, 2016 10:15 AM
To: Susan Lee; Alex Strawn; t.taranto@matsugov.us
Subject: Fwd: Crevasse Moraine

To whom it may concern;

It is my understand Mr. Whisenhunt is out of the office until March 30th. His name and email address was provided in the public notice. Since he is out, I am forwarding the email I sent him.

Please accept this forwarded email for the Planning Comission.

If you have any questions, please don't hesitate to contact me.

Thank you,
Jessica Clarkson

Sent from my iPhone

Begin forwarded message:

From: <jessicamclarkson@hotmail.com>
Date: March 14, 2016 at 10:00:50 AM AKDT
To: <mwhisenhunt@matsugov.us>
Subject: Crevasse Moraine

Mr. Whisenhunt,

I recently received a notification in the mail regarding the gravel extraction at the landfill. After reading the proposed permit, I was alarmed for many reasons.

The first and foremost is the extent of the application. If I'm lead to believe what is in the papers regarding this expansion, maintaining current trails are very important. However, the application covers the entire trail system. Why can't permits be issues for specific cells?

The notice regarding impact on the neighbor is slim at best, with very few details. This explanation affects an entire neighborhood! I think it's imperative more details are provide. What will be the watering schedule? How exactly will noise be kept to a minimum? What are the times of operation? The permit reports 20 trucks an hour! Surely damage will be done to North 49th State Street with all those additional loads; however, this was not addressed in the permit.

I understand the need to expand. However, there doesn't seem to be a clear plan of action moving forward. The plan seems to change depending on who is employed with the borough at the time of permitting. This is not acceptable. The entire community, especially those directly affected, deserve a clear plan of action. Obviously exact dates can't be provided, but at least a clear general plan - other than one posted on Facebook, which I do not consider formal communication.

I live in this neighborhood and enjoy the trails daily with friends and family. Please provide me

Thank you,
Jessica Clarkson
10300 E Strand Drive
PO Box 1805
Palmer, Alaska 99645

Sent from my iPhone

**MEMORANDUM - UPDATED**

TO: Eileen Probasco
FROM: Kimberly McClure, Planning Technician
DATE: ~~March 14, 2016~~ **March 21, 2016**
SUBJECT: Earth Materials Extraction Application within Tax Parcels D005 & D006 in Section 1, Township 17 North, Range 1 East, and Tax Parcels A007 & B006 in Section 12, Township 17 North, Range 1 East, Seward Meridian

 Inside City Limits Outside City Limits

We have distributed the abbreviated plat for the subject project and have received the following comments from the following departments:

1. City Manager: No changes necessary.
2. Building Inspector: No changes necessary.
3. Community Development: It is located adjacent to the 155 acres that the City of Palmer leases on France Road.
4. Fire Chief: No changes necessary.
5. Public Works: No comments.
6. Planning and Zoning Commission: ~~This application is scheduled to be reviewed at the March 17 Planning and Zoning meeting; any additional comments will be forwarded.~~ **The improvements to the trail system that will go along with this project will be very beneficial. The following questions were raised:**
 - a) **Will this project affect any surrounding residential zones/areas with the increased noise and dust?**
 - b) **Will final extraction activities conclude in 2020 (referenced on page 1 of application) or 2055 (referenced on MSB Memorandum)?**
 - c) **What is the future traffic impact on City of Palmer as a result of this project coming through the City?**

Mark Whisenhunt

From: Peggy Horton on behalf of Platting
Sent: Wednesday, February 17, 2016 4:34 PM
To: Mark Whisenhunt
Subject: RE: Request for comment: Central Landfill IMD

There does not appear to need a platting action. Platting Staff have no objection.

Peggy Horton
Platting Technician
Matanuska-Susitna Borough
(907) 861-7881 direct
(907) 861-8407 fax
peggy.horton@matsugov.us (email)

From: Mark Whisenhunt
Sent: Wednesday, February 17, 2016 3:16 PM
To: Platting
Subject: FW: Request for comment: Central Landfill IMD

An application for an Interim Materials District (IMD) under MSB 17.28 – Interim Materials District has been submitted for the removal of 12,140,000 cubic yards of material, with extraction activities concluding in 2055. The Planning Commission will conduct a public hearing on this request on April 4, 2016. Return written comments by **March 14, 2016**.

Thank you for your review.

Respectfully,

Mark Whisenhunt, CFM
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
Fax: (907) 861-7876
mark.whisenhunt@matsugov.us

Mark Whisenhunt

From: Theresa Taranto
Sent: Friday, February 26, 2016 1:57 PM
To: Mark Whisenhunt
Subject: RE: Request for comment: Central Landfill IMD

FIRM 8130 & 8135, X Zone/ Core Area
No other comments

Theresa Taranto
Development Services
Administrative Specialist

Mat-Su Borough
350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574

From: Mark Whisenhunt
Sent: Wednesday, February 17, 2016 11:59 AM
To: 'allen.kempen@alaska.gov' (allen.kempen@alaska.gov); 'kevin.vakalis@alaska.gov' (kevin.vakalis@alaska.gov); 'tucker.hurn@alaska.gov' (tucker.hurn@alaska.gov); melanie.nichols@alaska.gov; 'steven.banse@alaska.gov' (steven.banse@alaska.gov); eric.moore@alaska.gov; 'george.horton@alaska.gov' (george.horton@alaska.gov); 'dave.schade@alaska.gov' (dave.schade@alaska.gov); 'mike.bethe@alaska.gov' (mike.bethe@alaska.gov); mark.fink@alaska.gov; holly.zafian@alaska.gov; usswcd@mtaonline.net; 'mearow@matanuska.com' (mearow@matanuska.com); 'rglenn@mta-telco.com' (rglenn@mta-telco.com); jthompson@mta-telco.com; Jennifer Diederich; Robin L. Leighty; 'ospdesign@gci.com' (ospdesign@gci.com); 'dblehm@gci.com' (dblehm@gci.com); Richard Boothby; jmcnut@palmerak.org; Elizabeth Weiant; Eric Phillips; Sandra Cook; regpagemaster@usace.army.mil; Capital Projects; Cindy Corey; Bob Walden; Brad Sworts; Sheila Armstrong; Tracy McDaniel; Jennifer Ballinger; Terry Dolan; Jim Jenson; Nicole Wilkins; Theresa Taranto; Eileen Probasco; Jessica Smith; Frankie Barker; Andy Dean; John Aschenbrenner
Cc: gatewaycommunitycouncil@gmail.com; sdukes@houston-ak.gov; tcopelin@houston-ak.gov; chumble@houston-ak.gov; kmccclure@palmerak.org; Sandra Garley; planning@ci.wasilla.ak.us; publicworks@ci.wasilla.ak.us; Matthew Beck
Subject: Request for comment: Central Landfill IMD

An application for an Interim Materials District (IMD) under MSB 17.28 – Interim Materials District has been submitted for the removal of 12,140,000 cubic yards of material, with extraction activities concluding in 2055. The Planning Commission will conduct a public hearing on this request on April 4, 2016. Return written comments by **March 14, 2016**.

Thank you for your review.

Respectfully,

Mark Whisenhunt, CFM
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527

Mark Whisenhunt

From: Vakalis, Kevin A (DOT) <kevin.vakalis@alaska.gov>
Sent: Monday, February 29, 2016 9:38 AM
To: Mark Whisenhunt
Cc: Linnell, John R (DOT); Thomas, Scott E (DOT); Amundsen, James (DOT); Kemplen, Allen (DOT); Nichols, Melanie A (DOT); Brad Sworts
Subject: RE: Request for comment: Central Landfill IMD

Hi Mark,

The Department of Transportation has no objection to the Central Landfill IMD but would like to offer the following comment:

A northbound signal change to the protected/ permitted left turn operations is desirable to MSB and DOT. DOT would support a MSB project to make these changes otherwise; this is not a major State project need and will have to wait for the next major project opportunity that has adequate funding.

If there are questions please call me direct.

Respectfully,

Kevin Vakalis
Right of Way Agent
(907) 269-0688



"Keep Alaska Moving through service and infrastructure."

From: Mark Whisenhunt [<mailto:Mark.Whisenhunt@matsugov.us>]
Sent: Wednesday, February 17, 2016 11:59 AM
To: Kemplen, Allen (DOT); Vakalis, Kevin A (DOT); Hurn, John T (DOT); Nichols, Melanie A (DOT); Banse, Steven J (DOT); Moore, Eric A (DNR); Horton, George C (DNR); 'dave.schade@alaska.gov' (dave.schade@alaska.gov); Bethe, Michael L (DFG); Fink, Mark J (DFG); Zafian, Holly K (DFG); usswcd@mtaonline.net; 'mearow@matanuska.com' (mearow@matanuska.com); 'rglenn@mta-telco.com' (rglenn@mta-telco.com); jthompson@mta-telco.com; Jennifer Diederich; Robin L. Leighty; 'ospdesign@gci.com' (ospdesign@gci.com); 'dblehm@gci.com' (dblehm@gci.com); Richard Boothby; jmcnutt@palmerak.org; Elizabeth Weiant; Eric Phillips; Sandra Cook; regpagemaster@usace.army.mil; Capital Projects; Cindy Corey; Bob Walden; Sworts, Brad (DOT sponsored); O'Donnell-Armstrong, Sheila (DNR sponsored); McDaniel, Tracy (DNR sponsored); Jennifer Ballinger; Terry Dolan; Jim Jenson; Wilkins, Nicole (DNR sponsored); Theresa Taranto; Eileen Probasco; Jessica Smith; Frankie Barker; Andy Dean; John Aschenbrenner
Cc: gatewaycommunitycouncil@gmail.com; Dukes, Sonya (GOV sponsored); tcopelin@houston-ak.gov; chumble@houston-ak.gov; kmcclore@palmerak.org; Sandra Garley; planning@ci.wasilla.ak.us; publicworks@ci.wasilla.ak.us; Matthew Beck
Subject: Request for comment: Central Landfill IMD

An application for an Interim Materials District (IMD) under MSB 17.28 – Interim Materials District has been submitted for the removal of 12,140,000 cubic yards of material, with extraction activities concluding in 2055. The Planning



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

March 2, 2016

Mark Whisenhunt, Planner II
Matanuska-Susitna Borough
Planning & Land Use Department
350 East Dahlia Avenue
Palmer, Alaska 99645-6488

Subject: Conditional Use Permit for Earth Materials Extraction
For the parcel located at 8870 N. Buffalo Mine Moose Creek Road; within
Township 18 North, Range 2 East, Section 3, Seward Meridian.

Dear Mr. Whisenhunt:

ENSTAR Natural Gas Company has reviewed the application for subject Conditional Use Permit Application for Earth Materials Extraction.

We have no comments or concerns related to this activity.

If you have any questions, please feel free to contact me at 907-334-7944 or by email at cassie.wohlgemuth@enstarnaturalgas.com.

Sincerely,

A handwritten signature in blue ink that reads "Cassie Wohlgemuth".

Cassie Wohlgemuth
Right-of-Way and Compliance Technician
ENSTAR Natural Gas Company

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Mary Brodigan

From: Mary Anderson <mpanderson61@gmail.com>
Sent: Friday, March 18, 2016 9:33 PM
To: Mary Brodigan
Subject: Central Landfill and Crevasse Moraine
Attachments: Central Landfill Site History.pdf; France Rd 160 Workshop_summary 5-1-07.pdf; France_Road_Aug_draft.pdf

Hi Mary:

I was digging through my old files and found some information regarding the Crevasse Moraine trails and the landfill sequencing.

The Central Landfill Site History document was a handout by the Landfill Dept director during a presentation to the PRT. I believe it was in connection with France Road issue we were discussing.

Could not find a PRT resolution so maybe we didn't have one. Elizabeth would know. Anyways, I am sending you what I did find and hopefully this will give you background information.

Take care,

Mary

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Central Landfill/Crevasse Moraine Trails Time Line

The Central Landfill began operations at its current site in the 1979/1980 time period with a small unlined disposal area (Cell 1). Filling continued in this area for several years until landfilling in this area was discontinued and an area immediately to the east of Cell 1 one was chosen for the second cell (Cell 2A). This became the primary disposal site at the Central Landfill and filling continues in this area up to the present day. An area immediately to the South of Cell 2A was chosen as the first lined expansion of the Central Landfill as mandated by the EPA and ADEC Solid Waste Regulations. This Cell was designated as Cell 2B. Presently a new cell is being designed to be tied in to Cells 2A and 2B. This new cell is designated as Cell 3 and is immediately south of Cell 2A and West of 2B.

Extensive hydro geological testing has been performed at the Central Landfill site that has determined that the subsurface geology of this site is unique due to a significant confining layer of silt which lies between the upper (unconfined) aquifer and the lower (confined) aquifer. It was determined that due to the unique characteristics of this confining silt lens and its ability to prevent leachate from the landfill site from migrating to the confined aquifer, that the site selected was ideal for landfilling purposes.

In January of 1988 the Parks and Recreation Division applied for a permanent 25' wide easement across Borough land for the Crevasse Moraine Trail System –Phase I. The trail system and trailhead were constructed by the Parks and Recreation Division over a period of years starting in late 1986. An attempt to dedicate the trail easement was made in 1989 (Resolution 89-060). The dedication of the trail easement and the classification of the Borough land were not reserved prior to construction, therefore, the application and subsequent legislation for the easement was and “after the fact” request.

The Public Lands staff reviewed this application and found that a portion of the trail system crossed the Borough’s Central Landfill Site. It was thought at that time that the Central Landfill encompassed only the SW ¼ of Section 1, Township 17 North, Range 1 East, approximately 160 acres. These findings were forwarded to the Planning Commission and the Assembly.

After the Assembly meeting on April 4th 1989 and after staff meetings between the Department of Public Works and the Planning Department, the boundary of the Central Landfill was clarified. The landfill site actually encompasses 620 acres, and was described in the Discretionary Waiver Resolution No. 86-67 as parcel #2. This parcel is formally described as:

The S ½ of Section 1, the E ½ SE ¼ of Section 2, the NE ¼ NE ¼, E ½ NW ¼ NE ¼ of Section 11, the N ½ NW ¼, N ½ SW ¼ NW ¼, N ½ SE ¼ NW ¼, NW ¼ NE ¼ of Section 12, Township 17 North, Range 1 East, Seward Meridian, Alaska.

Legislation was introduced which rescinded Resolution 89-060 and passed Resolution 89-182. The body of this resolution state “A Resolution of the Assembly of the

Matanuska-Susitna Borough Rescinding Assembly Resolution No. 89-060 and Classifying as Reserve lands the Borough Central Sanitary Landfill (described above). The new resolution (89-182) made provisions to allow for a temporary permit for Crevasse Moraine Trail System. An Interagency Property Management Agreement and Temporary Permit Agreement were established on May 6th, 1994 to allow for “the issuance of revocable land use permits or licenses including temporary permits for the Crevasse Moraine Trail System and Animal Control Facility”.

In 2006 Central Landfill Sequencing Plan determined that a plan was necessary to develop a time line for development of the Central landfill and the potential impacts to the Crevasse Moraine Trail system. This plan discusses the need to begin the planning process for the relocation of the Crevasse Moraine Trail head and to evaluate the potential for the France Road Parcel to become the new trail head. This plan also discusses that the trails that become displaced due to landfill development will be replaced as portions of the landfill are filled to capacity and closed, revegetated, and made ready for recreational use.

France Road I56 Asset Management Plan

May 10, 2007

Workshop Summary

The France Road I56 work session on May 10 was well-attended by a cross-section of recreation users and neighborhood residents. The meeting began with an overview of the site characteristics and the existing policies that create the framework for the forthcoming France Road I56 Asset Management Plan.

Main Background Points:

- The site is characterized by steep ridge and pit terrain, with semi-open birch and spruce forest.
- Valley Pathways High School is the only developed use on the property. Currently portable classrooms the school is in the process of obtaining funding for a permanent school to serve 250 students.
- France Road is the only developed access, although there are other platted and potential access points.
- Adjoining uses and plans that affect this parcel include:
 - Crevasse Moraine trail displacement: The Borough's Central Landfill Plan proposes that the landfill's eastward expansion will close most of the adjoining Crevasse Moraine trails in the coming decades. The Central Landfill Plan is in draft form: public review of the draft plan has not been scheduled.
 - Residential neighborhoods: Residents in the bordering subdivisions have a high stake in how future use of this parcel may affect groundwater, traffic, road maintenance, security/trespass, and aesthetics.
 - Regional land ownership pattern: Most of the land in the fast-growing Core area between Palmer and Wasilla is private land. The University of Alaska has over 1,000 acres of largely undeveloped land south of this parcel. This University land is managed for specific benefits to or purposes of the University, rather than the general public.
 - Existing plans: Several Borough plans identify a deficit of public open space acreage in the Core Area, and a need for centrally-located trails and recreation areas. These plans identify the high public value in obtaining a continuum of open space and recreational trails in the Core, specifically the connection from Crevasse Moraine trail system to Kepler-Bradley Lake State Recreation Area.



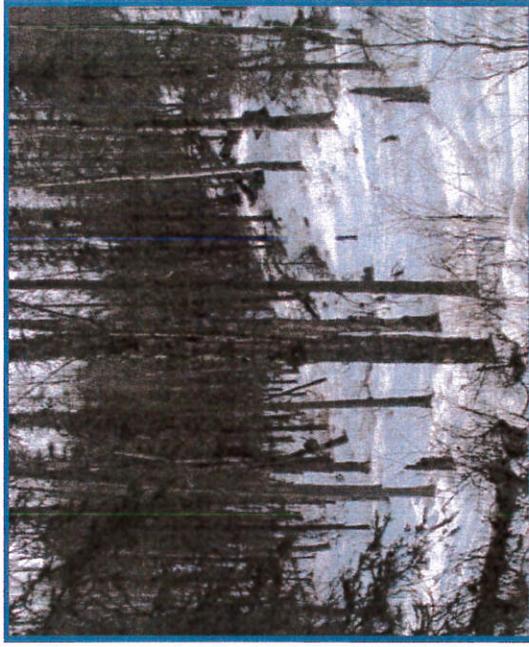
May 10, 2007

Discussion of alternatives

The following pages contain the three preliminary, concept-level alternatives discussed on May 10. All three alternatives proposed to commit roughly 10-20 acres for a permanent high school site for up to 250 students. There would also be approximately 2-5 acres set aside for a Borough Parks Department Maintenance Facility that would consist of a 5,000 square foot shop, covered vehicle and storage area as well as a greenhouse. A trailhead for a trail corridor to eventually connect south to Kepler Bradley Lakes State Recreation Area is also included that would have a capacity for 60-120 parking spaces with some parking at the school, toilets, a picnic shelter, a sledding hill, equipment storage shed, minimum of 3-5 km of trails connecting into the remaining Crevasse-Moraine trails system and, if this is a large trail system, an open field for staging events and recreation building. Alternative 1 emphasizes recreation, Alternative 2 blended large-lot residential and recreation and Alternative 3 proposed gravel extraction with recreation or landfill as subsequent uses.

The meeting participants gave a strong, unified recommendation that:

- The management plan for the France Road parcel should emphasize open space and trail-based recreation; and
- The MSB should consider the France Road parcel not as a replacement for Crevasse Moraine trails but as step toward designating a larger public open space and recreation area that is sorely needed at the heart of the fast-developing Core Area; and
- The MSB should use this plan to launch a broader planning effort for Core Area open space and recreation lands, and
- This parcel should be retained in public ownership and should not be developed for gravel extraction, landfill, or residential use.
- Don't consider this parcel as a discrete planning area. The plan should consider how this parcel fits with the Core Area land pattern and recommend broad actions regarding Core Area open space.



France Road I56 Asset Management Plan

Main Issues Raised

May 10, 2007

These issues, as well as other issues raised by the public through written or phone comments, will be considered during development of the Draft Plan. This is by no means a complete list of issues, and the planning staff will attempt to identify opposite perspectives before drafting the plan.

- Some members of the public oppose the Borough Landfill Plan to expand into Crevasse Moraine trail system, and want a chance to be involved in reviewing and changing that plan.
- France Road needs to be upgraded to safely handle student and recreation traffic, preferably with a pathway separated from the roadway, and preferably when the road is paved (this summer).
- Future trails in this area should have some specific goals and design criteria:
 - Serve a variety of uses, and provide different challenge levels, from strenuous training for athletes, to universal access for the mobility impaired
 - Provide both loop trails, and trails with a sense of destination
 - Design trails to be sustainable/low maintenance
 - Design trails to reduce conflicts among users, with possible separate trails for equestrians.
- Security at trailheads, and trespass onto adjoining private lands, is a concern.
- Collaborate in designing the high school site, the trailhead, and the Parks Department maintenance site. This can help provide security, and allow for shared use of parking and possibly other facilities. Locating a school near recreation trails would benefit the school through outdoor recreation and education.
- Initiate collaboration between the various University campuses, MSB School District, and the Borough to manage the Core Area undeveloped lands for both resource education and recreation benefits.
- Don't put play fields on the France Road parcel. Playfields that require clearing and grading should be put on already-impacted land, not virgin land. The Operators Training Center might be a good site for playfields.
- This area isn't appropriate for motorized recreation use: it's the only non-motorized public trail system in the area, and motorized uses have dominated areas like Knik River.
- Preserving open space for public use is a one-time opportunity, and in the Core Area it will only get harder to do as time goes on.
- Funding for recreation development is never easy to come by, but the important first step is to get public land designated for recreation and open space. Money to develop facilities can come later.
- Don't consider this parcel as a discrete planning area. The plan should consider how this parcel fits with the Core Area land pattern and recommend broad actions regarding Core Area open space.

France Road I56 Asset Management Plan

May 10, 2007

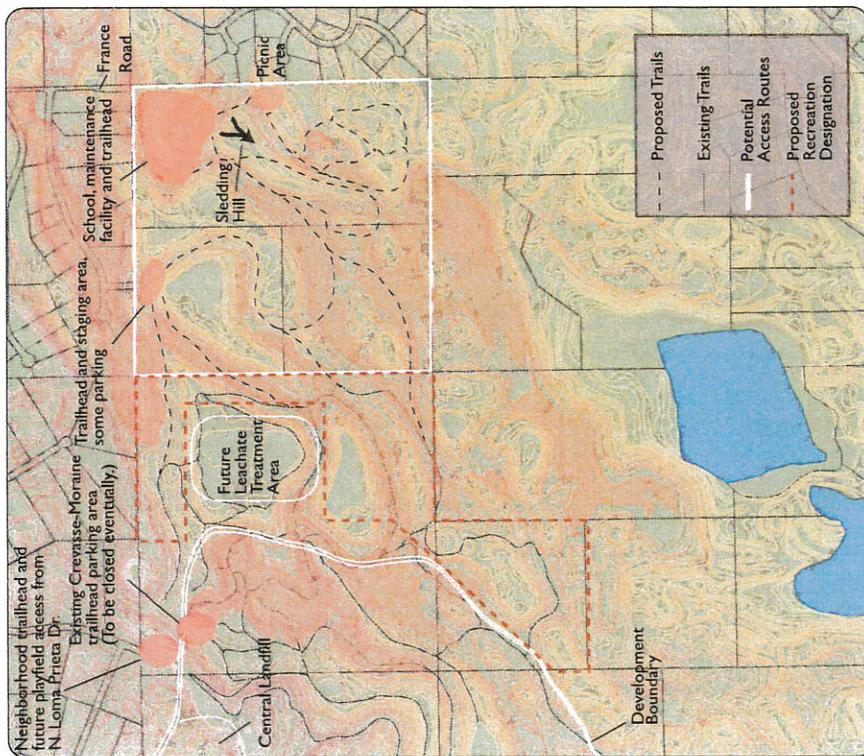
Alternative I: Recreation - Emphasize trails and regional open space.

Land use pattern

- Designate most of the acreage (140-150 acres) for public recreation and open space.
- Recommend designating additional MSB land (80 -110 acres) to the south and west of France Road for recreation.
- Recommend future restoration of closed portions of the landfill for playfields, with trailhead at N. Loma Prieta.
- Main trailhead for trail use & events near school site. Secondary trailheads give neighborhood access and future playfield access.

Specific features

- Multi-use unpaved loop trails with range of challenge levels (5-7 km total length).
- Scenic viewpoints and destination points.
- Separated or designated equestrian trail – flatter gradient, durable surface.
- Possible paved, low-gradient, universal access trail on the landfill perimeter road for use after it's closed (3-4 km).
- Staging area to include timing/officiating building and areas for spectators.
- Identify options for indoor space (gathering, warm-up, gear changing).



France Road I56 - Recreation
 Alaska State Plane, Zone 4, NAD 1927
 May 2, 2007

All data courtesy of MSB.
 0 0.1 0.2 Miles

France Road 156 Asset Management Plan

May 10, 2007

Alternative II: Residential - Develop up to half of parcel (50 to 75 acres) as large-lot residential neighborhoods; remaining acreage for community-scale trails and open space.

Land use pattern

- Sell 50 to 75 acres with conditions for large-lot residential subdivision.
- Retain 75-100 acres in public ownership and designate for public recreation and open space.
- Recommend designating additional MSB land (80-110 acres) to the south and west of France Road for recreation.

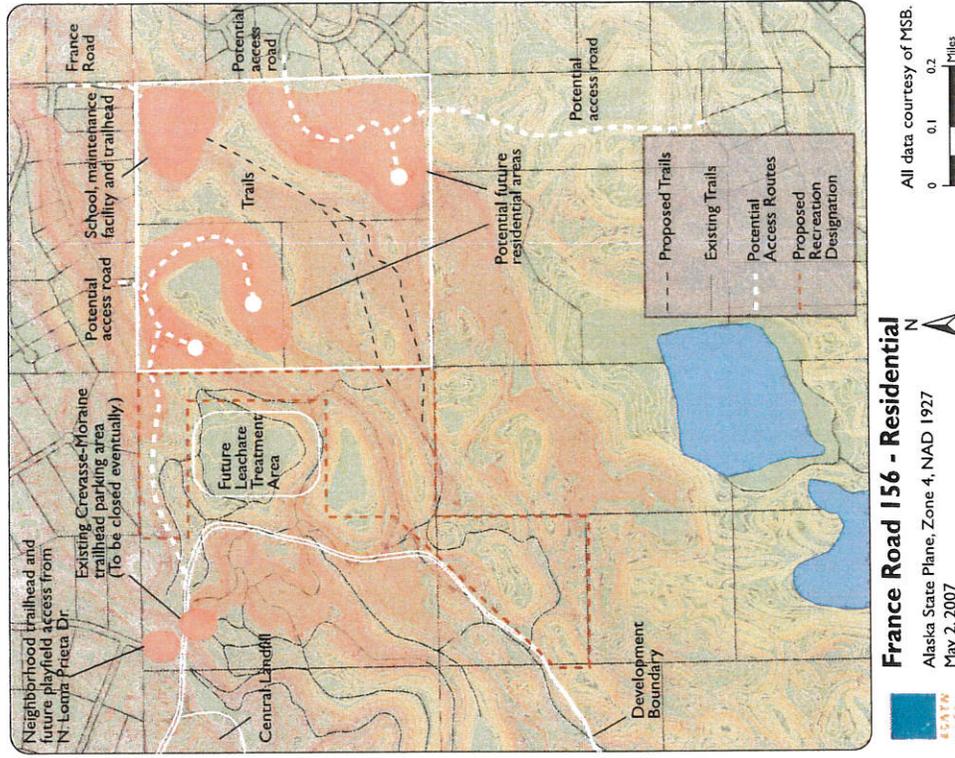
Specific features

Housing

- House lots of 1-5 acres would be created on high terrain with views.
- Housing would be located to minimize road costs and retain public recreation values.

Recreation

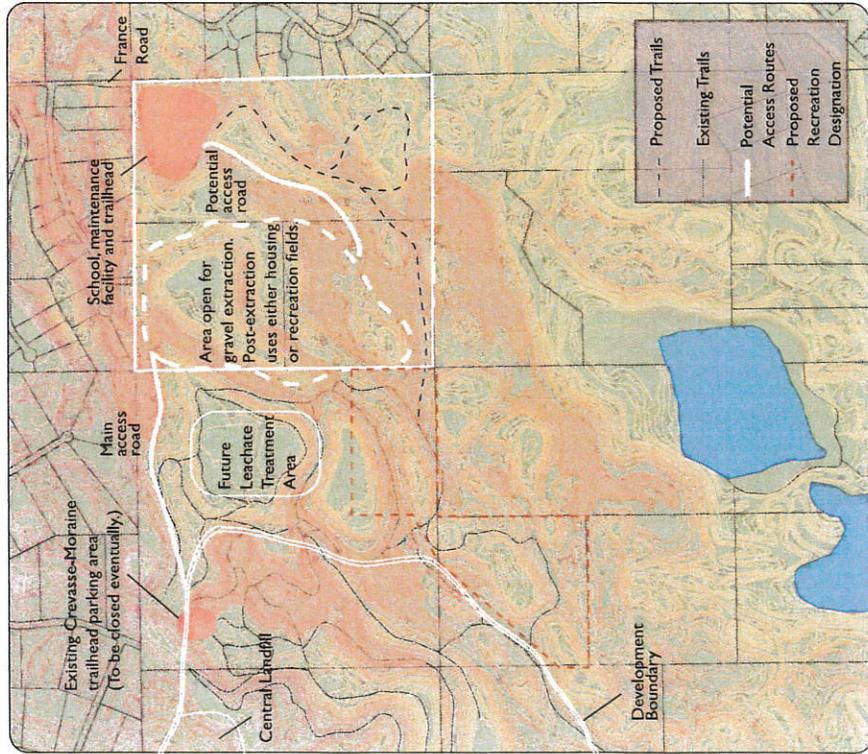
- A trailhead near school site would have a mid-sized parking area, toilets and trails to connect to the existing Crevasse Moraine trails.
- The overall length and variety of trails at France Road is less than in Alternative I. There would be 3-4 km of continuous trail. Trails near housing areas would be designed more for neighborhood recreation.
- Large recreation events such as high school ski meets would not be easy to accommodate.



Alternative III: Extraction - Sell most of the parcel for gravel extraction, private or public landfill, future mixed-density residential neighborhoods.

Land use pattern

- Sell 75 – 100 acres in west and south parts of parcel, with conditions for gravel extraction and potential land fill or housing.
- Access road for resource extraction would be across MSB land to the western side of the parcel.
- An open space corridor would be retained to connect neighborhoods to the Well Monitor Road/trail.



Specific features

Resource (gravel) extraction

- MSB could require a master plan for gravel extraction to minimize impacts on surrounding uses. Master plan could specify post-extraction uses: either landfill, housing, or recreation.

Following gravel extraction: landfill

- The protection of the aquifer would have to be ensured.
- Landfill would restore some of the original elevation of the parcel.
- Reclamation of the landfill as public playfields is a possible end-use.

Following gravel extraction: mixed-density housing

- Finish grades and elevations in the gravel pits will have to be configured to allow road connectivity to the surrounding, mostly-high terrain.
- Small lots and or clustered housing on future reclamation areas would meet affordable housing needs and would retain open space for public use.

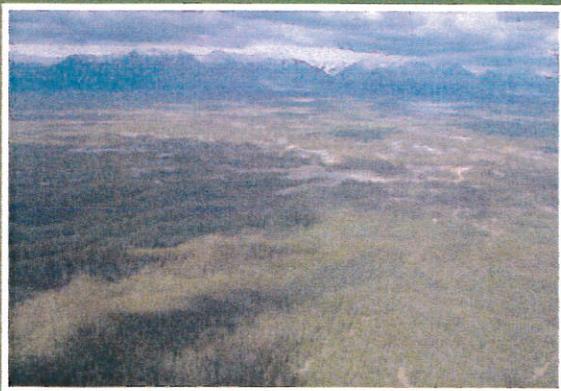
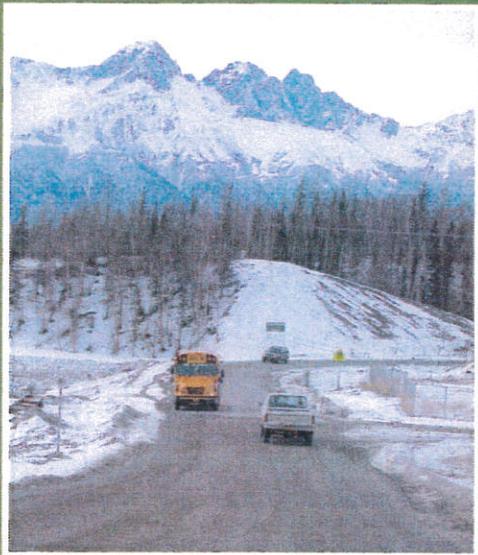
Recreation

- Smaller trailhead than other alternatives; no events staging area.
- Trails would be located to skirt the areas of extraction, within greenbelt corridors to maintain some natural feel.
- Trails would connect neighborhoods and through-travelers to the Well Monitor Road/trail, rather than be a community or regional trail network.

France Road Asset Management Plan

Final Draft

August 2007



Completed for the Matanuska-Susitna Borough
by Agnew::Beck Consulting, LLC

Table of Contents

Introduction..... 1
 Purpose..... 1
 Scope..... 1
 Planning process 2
 Planning process timeline 2
 Physical Characteristics of the Site 5
 Topography and slopes 5
 Soils..... 5
 Streams and wetlands..... 5
 Vegetation 5
 Wildlife habitat..... 5
 Factors influencing the plan 8
 Current Land Uses and Infrastructure on the France Road parcel 8
 Adjoining land uses & infrastructure..... 11
 Existing plans and regulations..... 13
 Development trends..... 16
 Environmental sensitivity and suitability analysis 18
 Community Input Process..... 19
 Community Input Summary..... 20
 Recommended Alternative 21
 Alternatives Considered..... 21
 Recommended Alternative - Regional Park and Open Space 21
 Rationale for Selecting the Preferred Alternative 24
 Recommended Management Plan 26
 Goals for France Road I56..... 26
 Policies for France Road..... 27
 Implementation 33

Table of Maps & Illustrations

Map 1. Location map and study area..... 3
 Map 2. Surrounding land ownership 4
 Map 3. Topography 7
 Map 4. Access and Utilities. 10
 Map 5. Preferred Alternative Conceptual Site Plan 23

Appendices

Appendix A: Public Involvement – Website 35
 Appendix B: Preliminary Alternatives..... 36
 Appendix C: Trail Design Details..... 39

■ INTRODUCTION

The Matanuska Susitna Borough (MSB) in cooperation with the City of Palmer is developing an asset management plan for 156 acres of Borough land south of the Palmer-Wasilla Highway, on North France Road, along the eastern border of the Crevasse Moraine trail system.

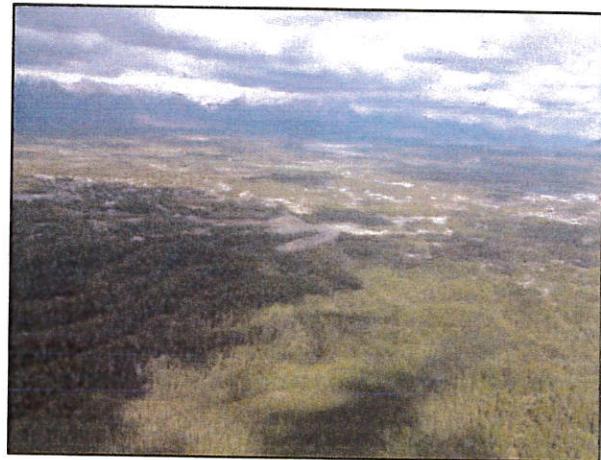
The broad motivation for this plan is the continued rapid growth in the core area of the Borough and related demands for new land for recreation, residential and other uses. An additional, specific reason for the France Road 156 plan is the planned incremental expansion of the adjoining MOA Central Landfill. The Crevasse Moraine trail system is located on this landfill property. The trails were built under a 1989 agreement between several borough departments. The agreement makes clear that landfill-related activities have precedence over other uses, but allows trails on an interim basis. The expansion of the landfill, which will occur gradually over the next 50 years, will result in at least portions of the existing trail system being lost, but also in the eventual reclamation of the site for trails and other recreation uses.¹

This project provides the chance to determine the best future use of the France Road parcel, in light of general growth trends, as well as the changes on the landfill/Crevasse Moraine parcel.

Purpose

The purpose of this plan is to establish policies to manage this land for the benefit of the surrounding community, based on a consideration of future public and private needs and the suitability of this parcel to meet those needs.

The policies for this parcel will be shaped by anticipated land uses and development trends on the parcel itself as well as immediately surrounding lands and uses in the broader Palmer-Wasilla area.



View over the site, looking north

Scope

This Asset Management Plan will recommend policies for the MSB's 155.69 acres on North France Road. It is also likely to propose policies for integrated management with adjoining public lands, especially those in the Crevasse Moraine trail area.

This plan will include a concept-level site plan showing approximate locations of future uses. Certain types of future development may require master planning or detailed site planning, subsequent to adoption of this general land use plan.

¹ The proposed landfill plan, "MSB Future Cell Sequencing Plan, Onsite Leachate Treatment Evaluation, and Closure Cost Evaluation," which has not yet been approved by the MSB calls for the closure of the existing Crevasse Moraine trailhead by 2019 and the gradual closure of 40 percent of the existing trails (in miles) by 2057. The remainder of the trails will remain intact, with minor realignment possibly required for some trails. Filled landfill cells may also become available for recreation and trail usage over this time period.

The France Road 156 Asset Management Plan will provide:

- Recommendations for future use;
- Recommendations for future land ownership and land use classification;
- Concept-level site plan;
- Management guidelines; and
- Implementation steps.

Planning process

The Matanuska Susitna Borough and the City of Palmer worked together to prepare this plan. The draft plan was prepared by Agnew::Beck Consulting. Funding for the project was provided by the Matanuska Susitna Borough.

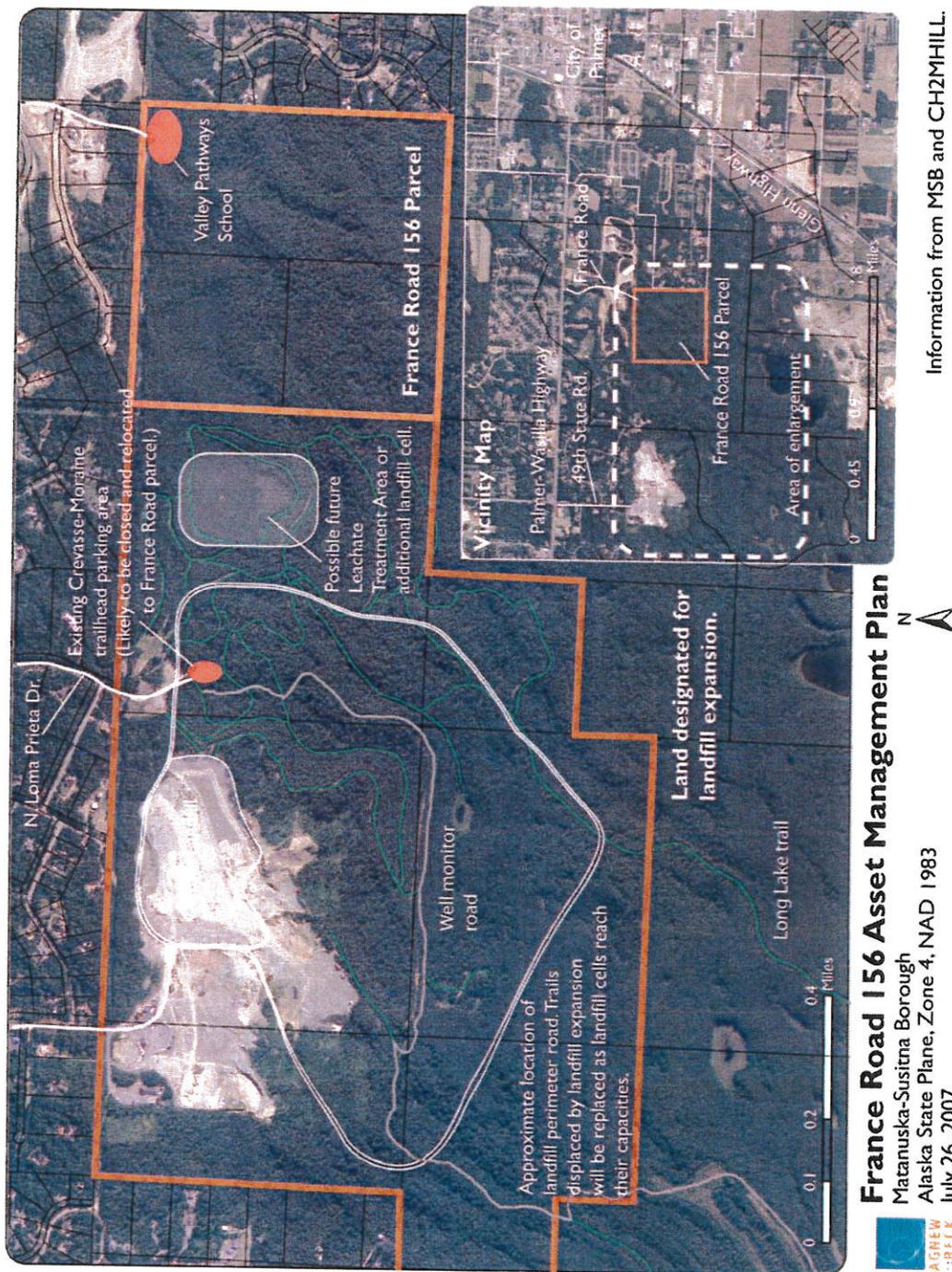
Planning process timeline

- Preliminary scoping: agency contacts, stakeholder identification, informal interviews. (done)
- Resource information analysis: compilation of data on the physical characteristics, surrounding land ownership and uses, development trends, and changing demands for public services and facilities. (done)
- Issues and options scoping meeting: a public work session held on May 10 in Palmer. (done)
- Alternatives analysis: alternatives will be discussed at a work session with City and Borough decision makers.
- Public review of draft plan: a public work session in Palmer. (done)
- Public review of revised plan: the draft will be revised or refined in response to public and agency comments and presented for public hearing to the appropriate Borough and City advisory boards, commissions and Borough and City Council Assemblies. (fall '07)
- *Note:* the Matanuska Susitna Borough is now working, in a separate process, to prepare and approve plans for the landfill, mentioned above, west of the project area. For more information on the landfill planning process, contact the Mat-Su Borough Public Works Department.



View of areas immediately east of the site, looking south

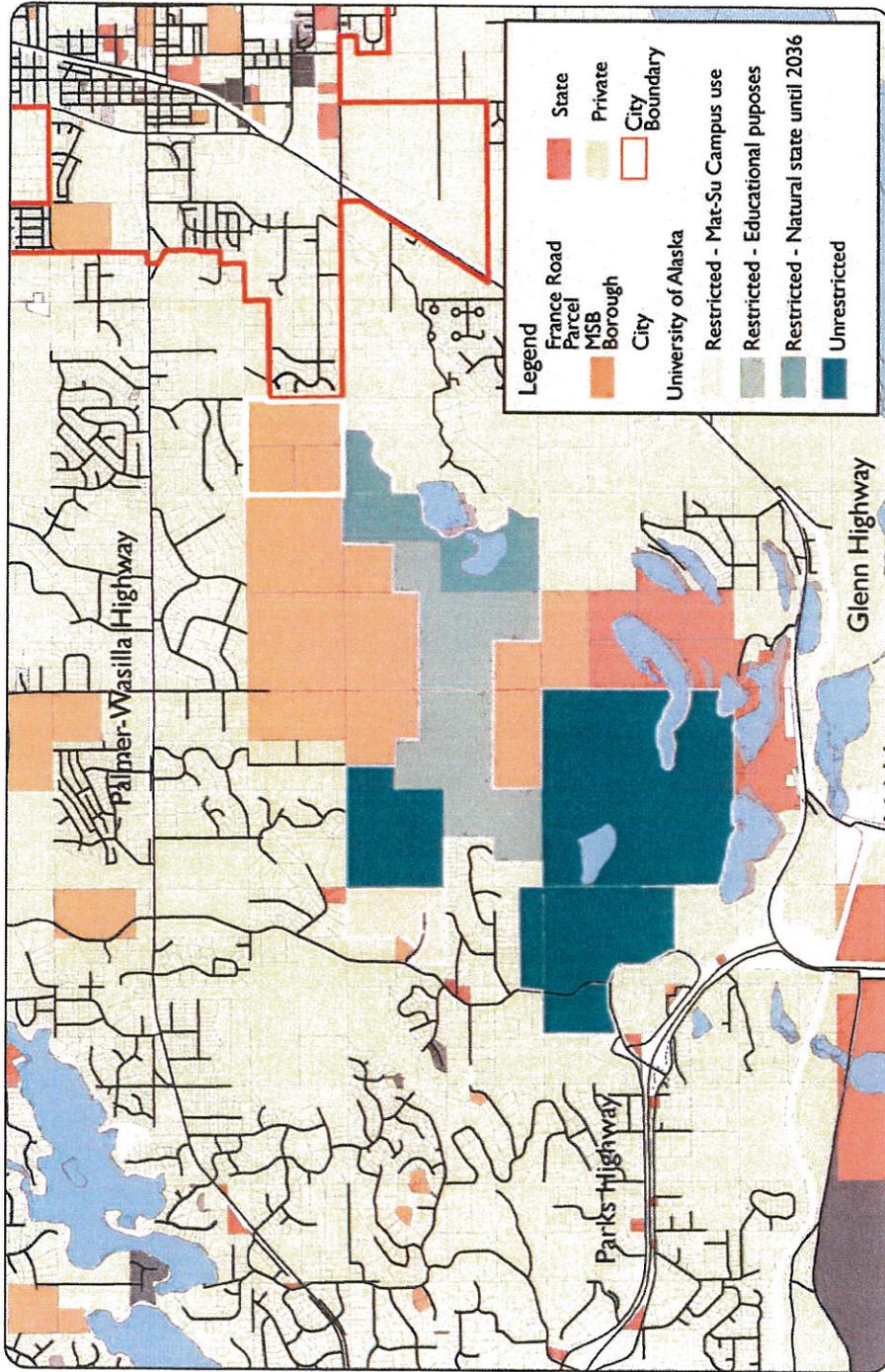
Map I. Location map and study area.



Information from MSB and CH2MHILL.

France Road 156 Asset Management Plan
 Matanuska-Susitna Borough
 Alaska State Plane, Zone 4, NAD 1983
 July 26, 2007

Map 2. Surrounding land ownership



France Road 156 - Regional Land Ownership

Alaska State Plane, Zone 4, NAD 1927

June 14, 2007



PHYSICAL CHARACTERISTICS OF THE SITE

Topography and slopes

The terrain of the France Road 156 was shaped by relatively recent glacial action. The topography is complex and undulating, with moraine ridges running generally in a northeast-southwest direction. The elevation in the parcel varies between 180 feet above sea level to approximately 285 feet above sea level. Slopes are generally steep with grades of around 20 percent. There are several plateau areas of relatively high, level terrain in the south-west corner of the parcel. The northwest corner has several deep hollows entirely enclosed by steep ridges. For those familiar with the dramatic ups and downs of the Crevasse Moraine area, this area has very similar terrain. Map 3 - Topography (page 7) gives more detail.

Soils

The soils on the France Road 156, as well as on Crevasse Moraine to the west, are Knik Silt Loam. These soils are largely coarse gravel and sandy soils (over 85 percent) and appear to be well-drained but highly erosive. The excavation of gravel on neighboring tracts indicates gravel depths exceeding 20 feet.

Streams and wetlands

There are no mapped wetlands or streams on the tract. The tract has not been field-inspected in the wettest seasons: there is potential for meltwater to collect on low-lying terrain while the ground is frozen in spring. On similar terrain at the Crevasse Moraine trail system, meltwater ponds, one- to two-feet deep, collect in swales in April, and may persist for several weeks until the ground beneath them thaws and allows drainage. The upland vegetation in these low spots indicates there is not persistent ponding.

Vegetation

The tract has a semi-canopied mixed forest, typical of the well-drained terrain in the Mat-Su Valley. The forest appears to be primary growth, in a successional stage toward a more mature, or climax, spruce forest which will have a mostly-closed canopy with little understory. This succession has been slowed by mortality of large spruce from spruce bark beetles.

Birch is the predominant tree species, with 40 percent or less of white spruce. Both species are estimated to be 50- to 60-feet in height, with lower trunk diameters of 12 inches or less. The undergrowth is typically spindly shrubs under 4 –feet high, such as Sitka rose and high-bush cranberry. The undergrowth does not obscure visibility or prevent human passage; however walking through the area is challenging due to fallen trees, primarily beetle-killed spruce, as well as a range of shrubs.

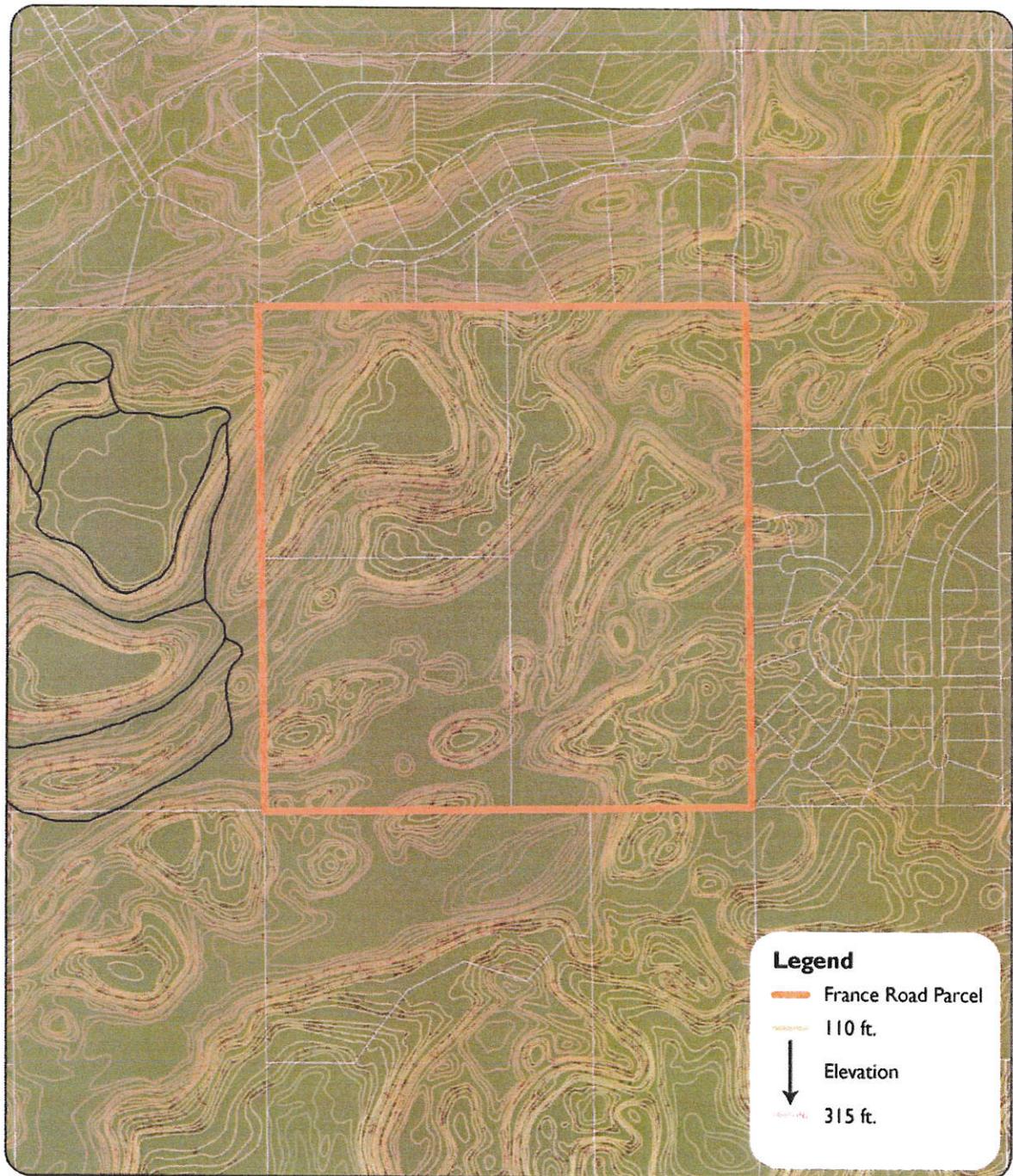
Wildlife habitat

According to the regional Department of Fish and Game habitat biologist, this parcel and adjoining Crevasse Moraine have habitat value for moose; slightly more so in fall-winter-early spring when moose seek lower-elevation terrain such as this. Other large species pass through this area.

This type of semi-open forest is likely home range to a variety of small fauna typical of a semi-open forest: red squirrels, snowshoe hares, and resident and migratory birds such as chickadees, wrens, and vireos.

There are no known areas of high wildlife concentration or outstanding high habitat value on this tract. The tract does not appear to be over-browsed, which would indicate reduced habitat value to browsing species, because the nutrition is high in regeneration/new growth of leaves and shrubs.

Map 3. Topography

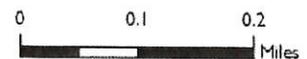


France Road 156 - Development Reference

Alaska State Plane, Zone 4, NAD 1927

May 2, 2007

Map courtesy of Agnew::Beck, based on data from MSB.



FACTORS INFLUENCING THE PLAN

Current Land Uses and Infrastructure on the France Road parcel

Access

The only developed access is via North France Road, to the northeast corner of the parcel. North France Road is a two-lane road that extends ½ mile south from the Palmer-Wasilla Highway. The road serves the Valley Pathway School as well as a few private residences. North France Road is paved to the subdivision entrance, and gravel from there south to the school. The gravel section of the road is scheduled to be paved in 2007.

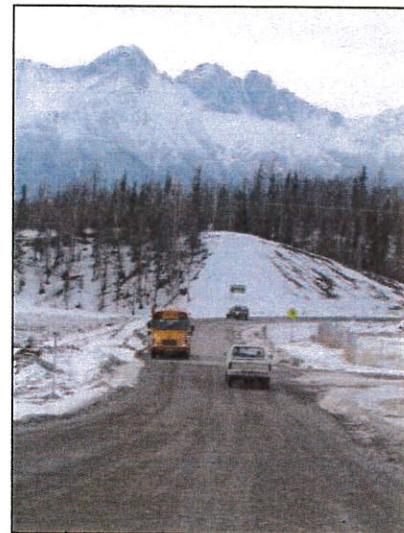
MSB has noted the need to pave North France Road and improve the intersection of North France Road and the Palmer-Wasilla Highway, with turn pockets, acceleration lanes, and lighting (MSB Resolution 05-017). As discussed further later in this report, there may be a need to add a bike lane or other pedestrian facilities along the edge of this road.

Potential access

There are two additional access easements on the north boundary: a section line extending from the highway to the northwest corner of the parcel; and a platted easement on Hilda Rose Circle that has a stub between two residential lots. This stub accesses a ridge top that extends into the France Ridge parcel.

From the west, there is potential for a road extension across the northern edge of Borough land from North Loma Prieta Drive, to the northwest part of the France Road parcel.

There are no platted access easements from the south or east, but undeveloped residential lots and a large tract to the south offer a possibility of future road connections. In addition, there is also potential for a narrow public access easement from the end of Kangaroo Ct. in Palmer West subdivision to allow pedestrian and bicycle access from the east, Helen Drive area (see Map 4, small arrow on eastern side of property).



France Road, looking south

Recreational use

The France Road 156-acre parcel is largely undeveloped. The lack of trail access has meant that informal recreation is minimal to non-existent. There is limited casual hiking and horse riding on game trails.

The regional ADF&G biologist notes that the land is open to hunting, and is a probable area of ruffed grouse and snowshoe hare habitat. There is no specific record of hunting.

City of Palmer Lease

In 1971, the City of Palmer obtained a 55-year lease to the France Road acreage from the then-owner, the State of Alaska Department of Natural Resources. The parcel was later transferred to the Matanuska Susitna Borough. The lease file shows that the City originally had intentions for a landfill on this site; but the Borough's Central Landfill has served the City's needs; and the City of Palmer has not used the acreage for other purposes. The lease runs until March 9, 2026.

The City of Palmer and Matanuska Susitna Borough have worked together to prepare this plan regarding preferred uses of the site. As is outlined in the remainder of this plan, through this planning process public recreational uses were established to be the primary and highest and best use of this area. Both the City and the Borough have agreed this parcel should play a very important role in meeting regional recreation needs, including a regional trail system. Because of this conclusion, the Borough and the City have agreed to work toward the transfer the lease to the Borough.² The implementation section of this plan presents the specifics; the general approach will be for the Borough to address the City of Palmer's interest in the property and compensate the City for this interest, most likely through a land exchange.

School

In 2005, Valley Pathways High School obtained a use agreement for 20 acres at the northwest corner of France Road (MSB Assembly resolution serial number 05-017). The high school had 212 students in grades 9-12 in the 2006-2007 school year. The school provides an alternative, small-scale setting. In addition to core academic courses, Valley Pathways offers courses in employment readiness and social/emotional health. The Valley Pathways school facilities currently consist of 10 relocatable buildings and an asphalt parking lot occupying less than five acres. According to the principal, the rugged terrain of the remaining acreage hinders school use, but if there were trails or other access, the MSB land offers excellent opportunities for staff and students to incorporate outdoor learning and recreation into the curriculum of the high school.

Valley Pathways High School is working actively to fund permanent buildings on this site. The school enrollment will be targeted to remain at roughly its current size, with capacity for 250 students. The School has submitted Capital Improvement Program (CIP) requests for facilities planning to the Borough and State.

Utilities and utility easements

An electrical transmission line runs along the north boundary of the France Road tract. Another electrical distribution line follows the parcel's lower east boundary, serving an adjoining subdivision.

The closest water and sewer lines are in a subdivision about ¼ mile southeast of the France Road parcel. The City of Palmer recently prepared a long-range plan to extend water and sewer to the Southwest Palmer Service area, and eventually to the entire service area bounded by the Glenn and Parks Highway, Trunk Road and Palmer-Wasilla Highway. However, the terrain makes this particular parcel expensive to serve with sewer and water line extensions. Near term development is likely to require onsite well and septic systems. Development must consider the community's priority of protecting onsite well-water resources from depletion or contamination.

ENSTAR, the natural gas company, has not identified transmission pipeline corridors to serve new customers in the core area between Palmer and Wasilla.

² The parcel currently lies outside of the current City of Palmer boundaries.

Map 4. Access and Utilities.



France Road 156 Asset Management Plan
Matanuska-Susitna Borough

Alaska State Plane, Zone 4, NAD 1927
 Map courtesy of Agnew::Beck, based on data from MSB.

- France Road Parcel
 - Power Line easements
 - Sections
 - Potential Access Points
- May 2, 2007

Adjoining land uses & infrastructure

Residential

There are partially-built large-lot residential subdivisions to the north and east. The homes are typically built atop the ridges with commanding views. However, the land immediately to the north of the France Road parcel has been excavated, leaving level, low-lying terrain and re-contoured slopes. The easterly adjoining neighborhoods lies within the City of Palmer and is zoned large-lot residential.



Crevasse Moraine Trail System

The France Road parcel is bordered on the west by the Borough-owned Crevasse Moraine trail system with approximately 6.7 miles (10.8 kilometers) of trails built on a network glacier-formed ridges and depressions.

These trails attract a wide range of non-motorized users, including high school ski teams, mountain bikers, equestrians, walkers and hikers. The local support for these trails is evidenced by numerous groups who use and help to maintain the trails, including the non-profit Crevasse Moraine Trails Association. The Arctic Orienteering Club has invested several thousand dollars to produce a fine-resolution map of the topography. According to several local trail designers, the steep terrain on the France Road site will require field investigation to identify future trail connections from Crevasse Moraine trails into the France Road area as there are no obvious connections along or between ridges. The Crevasse Moraine trails are on acreage designated by the MSB for Reserved Use – Public Facilities/Landfill. The MSB has authorized the trails as a secondary use compatible with the landfill.



Crevasse Moraine Trailhead

The Crevasse Moraine trailhead is on Loma Prieta Drive on the north-central boundary of the Crevasse Moraine parcel. The current parking area has an area of roughly 38,000 square feet and a capacity for roughly 60 vehicles. The trailhead has a brick restroom building with outhouse-style toilets and a second, small building intended as a warming hut, but never used. There is also a sledding hill. Although popular for modest local events, the parking and trailhead is not adequate for large events such as high school ski races. The Crevasse Moraine Trails Association has received bed tax money to install a pavilion (roofed picnic-type shelter) in 2007, and also for trail lighting for about 1 mile of trail on the Bottom Swamp Loop.

The Crevasse Moraine trails occupy land ultimately intended for expansion of the Borough landfill (see paragraphs below). The new trailhead improvements will be installed in a manner that allows relocation when the landfill expands to the trailhead (estimated to occur by 2014).

MSB Central Land Fill

The entrance to the MSB Central Landfill is located approximately 1 mile due west of the France Road parcel. The total MSB acreage contiguous with the landfill is 640 acres. About 20 acres are actively used at any one time. The public entrance & drop-off for the landfill will remain at its current location on N. 49th State Street even as the fill areas are extended east. More information about the land fill is presented on the following pages.

Uses on other MSB lands

There are approximately 200 acres of isolated, undeveloped MSB lands south of the landfill property. They are largely surrounded by University lands, and the only access is by trails across University land. They are classified as Public Recreation.

University lands

There are approximately 1,900 acres of land owned by the University of Alaska extending from the southern boundary of the France Road parcel south and west to Kepler-Bradley State Recreation area (see Map 2, page 4). These lands are largely undeveloped. Current uses include the Mat-Su campus of the University of Alaska, and the University agricultural and experimental farm.

Several roads and trails cross through these private lands, radiating from Crevasse Moraine to Baird Lake and to the Kepler-Bradley State Recreation Area trail system approximately 2 miles to the southeast. The trails crossing University land do not have permanent easements; they are traditional trails but future use is will be determined by the University.

The University and the Mat-Su Borough have discussed a process to reserve a continuous public route from the Crevasse Moraine trails to Kepler -Bradley SRA, to generally follow the route of the Long Lake Connector. There are two connecting trails between the two areas. The Long Lake trail (see Map 1, page 5) passes through both Borough and University lands and is the most commonly used access between Kepler-Bradley SRA and the Crevasse Moraine trails. The other connector is the Old Well Monitor Road. This route is only rarely used by official vehicles for MSB well monitoring near the landfill; otherwise, use is recreational hiking, biking and skiing. The road was laid out with some thought of recreational value but may not be the best permanent trail alignment and passes through more University-owned lands than the Long Lake trail. The University and the Borough have discussed options to reserve a trail connection connecting Kepler Bradley and the Crevasse Moraine/France Road area, including considering a possible land trade. The general conclusion is that the University can support a connection *if* the route can be flexible and perhaps be changed in the future in response to University land needs.

Kepler-Bradley State Recreation Area

Kepler-Bradley SRA is a popular regional recreation destination located just north of the Glenn Highway, southwest of Palmer. The State Recreation Area encompasses 345 acres, including several lakes, and is connected by trails to the Crevasse Moraine area. Fishing, camping and trail use are the dominant activities. The area is open year round, but access into the parking lot is only available during the non-winter months. A campground at the Matanuska Lake entrance is operated seasonally by a concessionaire, with 6-10 camping spots. Approximately 6 parking

spaces are available in the off-season, outside the gated entrance to Matanuska Lake. There are secondary access points with toilets and small parking lots off of residential roads.

Bicyclists and skiers enjoy long-distance outings that include touring from Kepler-Bradley SRA to Crevasse Moraine trails. While still offering some challenging hills, overall the area is somewhat flatter than the steeper ridges in the Crevasse Moraine area.

Existing plans and regulations

This is the first planning effort for the France Road parcel since the Borough acquired title from the State Department of Natural Resources in April 2005. The MSB has classified these lands for Reserved Use – Public Facilities. There are City and Borough plans for the surrounding areas, and these give some direction to the future management of this parcel:

- Matanuska-Susitna Borough Central Landfill Sequencing Plan (internal review draft - 2007)
- Matanuska-Susitna Borough Parks, Recreation and Open Space Plan (2001)
- Matanuska-Susitna Borough Recreational Trails Plan (2000)
- Matanuska-Susitna Borough revised Core Area Comprehensive Plan (last updated 1997; Planning Commission review draft June 2007)
- City of Palmer Comprehensive Plan (2006)
- City of Palmer Annexation Alternatives Analysis (Spring 2007)

Matanuska-Susitna Borough Central Landfill Plan

According to the Central Landfill Sequencing Plan (prepared in 2006 and currently undergoing revisions), landfill activity will expand eastward into the Crevasse Moraine trail area, but not into the France Road parcel. Approximately 40 percent of the existing Crevasse Moraine Trail System will be overtaken by the planned expansion of the Central Landfill, with the trailhead and main loops being displaced in approximately 2014-2016. As specific areas of the landfill are filled to capacity, the landfill operator will cap, contour and restore those areas for compatible uses, such as open space or playfields. The Matanuska-Susitna Borough Central Landfill Plan, created in 2006, outlines the expansion of the current landfill to accommodate the growth in the Matanuska-Susitna Valley. The expansion will be done through “cells”, each having a lifespan of approximately five years, moving east and displacing approximately half of the current Crevasse Moraine trail system. The Landfill Plan outlines alternatives for the trail system to maximize the accessible trail area. The area to the east of Crevasse Moraine Trail System (France Road area) is noted as being reserved for trail expansion.

Matanuska-Susitna Borough Recreational Trails Plan

The Mat-Su Recreation and Trails Plan, adopted March 2000, identifies a connecting trail between the two established trail systems as “a regionally significant primitive trail.” See discussion above and in the implementation section regarding options to reserve such a trail.

Matanuska-Susitna Borough Parks, Recreation and Open Space Plan (2001)

The MSB Parks, Recreation, and Open Space Plan establishes categories of parks borough-wide, based on the acreage, the facilities or uses available at the park, and the proximity of the users, whether primarily from the nearby neighborhoods, the larger community, or the region.

The Park, Recreation and Open Space plan did not provide specific management recommendations for the France Road and Crevasse Moraine parcels; rather it highlighted the high public value of retaining core area open space, comprised of Borough, University, and State Parks lands, for public recreation uses. The Crevasse Moraine trail system (and the adjoining France Road acreage) fall into the category of regional park: 100-200 acres, serving users from the region, and offering well-developed facilities.

The Parks, Recreation and Open Space Plan makes the following findings relevant to the France Road and Crevasse Moraine parcels:

- When looking at the geographic distribution of regional parkland, the “central area” [of the Borough] where the largest population lives, lacks a sufficient amount of park land to meet current or future needs. In addition, neighborhood and the community/athletic park lands, which are the foundation of the local park system, fail to meet current levels of demand. This shortage is projected to grow over the next twenty years as the population increases and existing undeveloped lands are lost to residential and commercial expansion. (page vi)
- Community Parks - The Borough, in conjunction with the cities of Palmer and Wasilla, will need to identify at least three additional community/athletic park sites in the immediate future to meet growth in the central region. *Note:* since the adoption of the Park plan, Palmer and Wasilla have both adopted park powers that previously rested with the Borough; consequently the primary responsibility for community parks has now shifted to these cities.
- Regional Parks - The Borough should focus development on regional parks close to the central region that meet special recreational needs that are not now being provided for within the State Parks system. This should include the development of large special use areas for dog mushing, skiing, equestrian, snow machines, ATV and other activities. Any large tract land sales or developments offered by the Borough should have requirements for regionals parks within the development requirements. “Immediate priority areas include: the Crevasse Moraine/Kepler Bradley Area.” The borough should place priority on lands that are critically located to serve existing or future park needs and/or that have valuable natural features and conservation values.

Specific Park Plan Goals relevant to the Crevasse Moraine and France Road areas:

- Goal Number 2: To provide quality recreation as close to home as possible, that meet locally defined needs as established through community involvement.

- Action 4.1.2. Set aside or reserve public lands that are suitable for public facilities, schools, parks and corridors and adopt as part of an open space system.
- Objective 4.2 Establish a network of public recreational corridors and open spaces along existing natural corridors, both in the central area and Borough-wide.
- Objective 5.1 Combine park, recreation and community facilities with school sites in order to best serve residents of the area and reduce duplication of services.
- Action 7.1 Establish connections between parks, especially regional and community/athletic parks, along an open space corridor system.
- Action 8.4.2 Establish a regional park around the existing Crevasse Moraine Trail system with links to the university and Kepler Bradley State [Recreation Area] utilizing State lands where appropriate. Work to resolve issues related to expansion of the borough landfill.

Mat-Su Borough Core Area Comprehensive Plan Update (Planning Commission review draft June 2007)

This draft Comprehensive Plan notes a deficiency, both current and future, in the amount of parks, open space and public recreation facilities in the “Core Area” between Palmer and Wasilla. It notes that “the largest and most popular open space in the Core Area” consists of the contiguous state, Borough and University parcels described in the above inventory of adjoining land uses. Based on standards established in the Borough Parks plan, the Core Area has a deficit of about 1,450 acres of parks and open space for its present population and needs an additional 1,825 acres for additional residents by 2025.

The Core Area Comp Plan update includes a Community Survey (2006) showing 61.5 percent public support for the statement “Over the next 10 years, the Borough will need to develop/preserve more park land.”³

Goal 3 of the Core Area Comp Plan is titled: “Parks and Open Space: Establish a permanent system of natural open space, parklands, greenways, corridors, and habitats for the enjoyment of present and future residents.”

City of Palmer Comprehensive Plan and Annexation Analysis The City of Palmer Comprehensive Plan (2005) notes the importance of the Kepler Bradley and Crevasse Moraine Parks. The plan did not include any specific recommendations for use of land outside city boundaries. The plan does however suggest the importance of trail connections into and through France Road area. An extract from the plan is presented below:

(Provide for) “trail connections and an associated trailhead linking the Palmer-Wasilla Highway area and downtown Palmer with the trail system in the Kepler Bradley Lakes and Crevasse Moraine area. Trail connections into this large open space park will add greatly to the value of remaining city trails, and provide an important amenity to the community. One possible route is along North France Road beginning at a grade-separated crossing of the Palmer-Wasilla Highway and extending past the alternative school into the Crevasse-Moraine trail system” (from the transportation chapter).

³ Of the remainder, 24.3 percent disagreed with the statement and 14.2 percent had no opinion.

During the spring of 2007, the City of Palmer evaluated the option to annex areas surrounding the city, including this parcel. The public generally expressed opposition to this proposal, and after several public meetings, the City Council decided not to proceed. The end of this round of annexation does not close the local discussion on how to serve and manage growth outside the city boundaries, however. This land has potential to contribute to the adopted goals of Palmer's Comprehensive Plan, whether within or outside of the City of Palmer boundaries.

Matanuska-Susitna Borough Long-Range Transportation Plan

The Borough's Long-Range Transportation Plan was adopted in June 2007. No road connections are shown through this parcel. The only proposal somewhat related to this parcel is the recommendation (in the LRTP and the Palmer Comp Plan) to relieve congestion at the Palmer Wasilla Highway and Glenn Highway intersection by extending and upgrading of Hemmer Road, east of North France Road, as a 2-lane minor arterial connecting the Glenn and PWH.

Development trends

The Matanuska-Susitna Borough has been the fastest growing region in the state. From the period 1990-2003 population growth in Alaska has been 5.9 percent but for the Matanuska-Susitna Borough that rate has been 24.8 percent.⁴ This growth has focused mainly in the Palmer-Wasilla area, specifically the suburban/rural area between the two cities (identified as the Core Area) which has grown at a rate faster than the Borough generally.

The city of Palmer, because of this population growth, has little area for future expansion within its current boundaries and is expanding out into undeveloped land outside of the city limits. This growth has placed development pressure on the available land. As of 2005, in the Core Area, 42 percent of total 53,559 acres was developed, almost all of that (94 percent) being privately owned. Of the remaining, vacant land, almost two-thirds of that is privately owned. As more of this private land is made available for private development, which given the current population trends could be fully subdivided and largely developed over the next two decades, attention will be needed to protect and expand this areas lack of parks and open space.⁵ The Core area has less than 300 acres of dedicated local parks and open space, compared to the much more densely populated Anchorage Bowl, with over 10,800 acres of parks and open spac

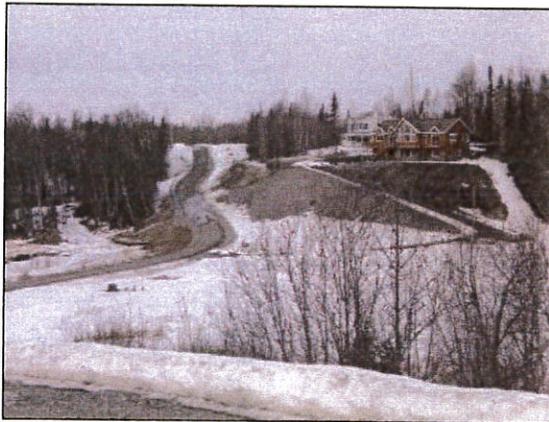
MSB Parks Department Maintenance Shop

The MSB wants to relocate its Parks Department Maintenance Shop away from a cramped site in a residential neighborhood in the center of Palmer, where some of the neighbors have raised objections to the equipment and operations. The MSB has identified the France Road parcel as a suitable location for the Maintenance Shop for several reasons:

⁴ Matanuska-Susitna Borough Core Area Comprehensive Plan Update: Public Review Draft. March, 2007.

⁵ Ibid.

- There is ample acreage at France Road for the MSB shop facilities, which would include a 5,000 square-foot shop for vehicle storage and repair, outdoor storage of equipment, a green house and plant nursery.
- There can be substantial buffers between the Shop and adjoining residences.
- The central location of the France Road site is efficient for dispatching MSB Parks staff and equipment to work at widespread MSB park sites. In addition, this site is well located to maintain trails on adjoining public lands.
- There is potential cost- and time-efficiency for locating the maintenance shop at France Road 156 because this MSB facility could be designed, built and operated cooperatively with the proposed high school and trailhead to reduce the cost of new infrastructure and to enhance security of all the sites.



Housing in the area north and east of the site

Environmental sensitivity and suitability analysis

This parcel is not known to have any critical or highly sensitive habitat; nor any unique natural, historic, or cultural features. However, the natural terrain does have educational value as a pronounced and dramatic example of glacial moraine geomorphology, little of which remains untouched in the Core Area.

Site constraints

There are several conditions which may pose constraints for some types of development:

- Access. Platted access currently exists only on the north boundary of the parcel. One of the access easements is a rural-type hilly road that passes through a residential subdivision. Whatever use may occur at the France Road parcel, residents expressed concerns regarding future traffic impacts on their privacy and road maintenance.
- Utilities. Cost and unknown schedule for extension of water and sewer lines. The hilly terrain creates high costs for extending public water and sewer lines into the parcel.
- Groundwater recharge and protection. The gravel soils suggest rapid penetration of surface water into the aquifer that supplies surrounding residential subdivisions. Surrounding homeowners have a strong interest in protecting both the quality and quantity of their well water source. Certain land uses might negatively impact the existing water supply: water intensive uses; uses that produce or use potential water contaminants; and uses with major alteration of the land surface that might affect drainage and absorption rates.
- Slope stability. Construction in this steep, gravelly terrain may involve a larger disturbance area than flatter terrain or more cohesive soils. It may require slope easements. Disturbance to the terrain can be minimized by shaping the development areas to the natural terrain; however, this reduces the developable area.
- Run-off and erosion. If development results in large areas of impermeable surface (from roads, parking areas, or buildings), surface run-off will be more intense and could result in erosion on steep slopes and ponding in the hollows.
- Residential density. The steep slopes and gravel soils are constraints for residential development. A subdivision that retains natural contours will result in low density development, with houses on the ridge tops for the best views, and with the steeply enclosed hollows or pits remaining virtually inaccessible open space.
- Trail users may not perceive the France Road parcel as an equal replacement for Crevasse Moraine trail system because the acreage is smaller and will support fewer trails. The Core Area needs larger, not smaller, acreage for a trail system that can handle more numerous and more diverse trail users. Therefore France Road should be seen not as a replacement for trails lost from the Crevasse Moraine system, but as a step toward designating a larger public open space and recreation area that is sorely needed at the heart of the fast-developing Core Area.

Site opportunities

- Location. The central location is easily and quickly accessible to several thousand Core Area residents from their homes as well as an increasing number of workplaces.
- Gravel soils. The apparently deep gravel formations offer potentially lucrative gravel sales. These soils also are relatively easy to re-contour to create flat development sites.
- Established non-motorized recreation area. There is general community recognition and acceptance that the Crevasse Moraine trails is one of few non-motorized recreation opportunities in or near the Core Area. This established history as a non-motorized area may avoid the common conflict between motorized and non-motorized uses.
- Trail connectivity. The France Road 156 parcel is connected to Kepler-Bradley SRA with an agreement for a recorded public easement across University-owned land. This same easement connects the France Road 156 parcel to 200 acres of Borough land designated for public recreation in the central part of the area.
- Potential benefits for high school. The Valley Pathways High School may benefit from opportunities on the France Road parcel for student recreation, outdoor studies, and community service projects.
- Potential benefits for University. The parcel is part of contiguous public open space and trail network that extends to both UAF's Matanuska Experimental Farm and UAA's Matanuska-Susitna College. If the open space is preserved, the universities may benefit from access to future recreation trails, and to opportunities for natural resource studies.
- Cost-efficient co-location of multiple public facilities. Co-locating the high school, a recreation trailhead, and the Borough Parks department Maintenance Facility would gain the maximum return on public investment in road upgrades, parking, and other infrastructure. It may also create efficiencies for maintenance and security.
- Aesthetic value of natural area. The France Road 156 parcel is largely undeveloped and undisturbed except for the high school site. Residents have expressed value in access to natural areas as a respite from modern stress and urbanity.
- Glacial geomorphology. The dramatic esker-and-kettle topography is a textbook example of glacial moraines, and therefore has natural history and educational value.

Community Input Process

This planning effort solicited input from community representatives and residents on the potential uses for this France Road parcel. The discussion of France Road invariably broadened into a discussion of public lands in the Core Area.

The methods for soliciting public input were:

- Review of previously adopted plans (section above).
- Scoping session with the Borough Parks, Recreation and Trails Advisory Committee at their regular meeting on April 23.

- Informal telephone interviews conducted by Agnew::Beck planners to identify issues, opportunities, and constraints. The interview list included users of the Crevasse Moraine trails area (ranging from trail designers to trail maintenance volunteers, diverse recreation users to Scout organizers); as well as representatives from state, Borough and city agencies (such as Valley Pathways School, the Borough landfill, and the Alaska Department of Fish and Game.)
- An initial public work session on May 10 to inform interested people about the planning process and discuss options for use of the site.
- A second work session to review the Draft Plan (Tentatively scheduled for September 12).
- Public outreach, including: a mailing to all property owners within 600 feet of the France Road parcel; E-mail notices to user groups; published announcements of the project in the Valley Frontiersman; and a project website.

Community Input Summary

The opinions of the public, as expressed during this plan and also in previous plans, have been very consistent. Community interests thus far have strongly favored public recreation-oriented uses for the site.

The public work session on May 10 was well-attended by a cross-section of neighborhood residents and recreation users. The strong consensus among those attending the meeting is summarized below:

- The France Road parcel should be retained in public ownership and should not be developed for gravel extraction, landfill, or residential use.
- The management plan for the France Road parcel should emphasize open space and trail-based recreation.
- The MSB should consider the France Road parcel not as a replacement for Crevasse Moraine trails but as step toward designating a larger public open space and recreation area that is sorely needed at the heart of the fast-developing Core Area.
- Don't consider this parcel as a discrete planning area. The plan should consider how this parcel fits with the Core Area land pattern and recommend broad actions regarding Core Area open space and recreation lands.

■ RECOMMENDED ALTERNATIVE

Alternatives Considered

A set of alternatives for the future use of the area were developed as a starting point for discussion at the May 10, 2007 Public Workshop. Summary descriptions of each alternative (in the form that was presented to the public) are shown in Appendix B; the three alternatives are listed below:

Alternative 1: Recreation – Emphasize trails and regional open space.

Alternative 2: Residential – Develop up to half of parcel (50 to 75 acres) as large-lot residential neighborhoods; remaining acreage for community-scale trails and open space.

Alternative 3: Extraction – Sell most of parcel for gravel extraction; consider option for near term use as landfill, and future use for mixed-density residential neighborhoods

The first alternative is the recommended approach for managing the France Road parcel. A discussion at the end of this section presents the rationale for this decision.

Recommended Alternative - Regional Park and Open Space

The recommended alternative is to designate the France Road area for parks, recreation, and open space, with specific inclusion of a high school site and the Borough Parks maintenance shop. This decision reflects the important role this site can play in establishing a regional open space and recreation area serving the large and growing population of the southern Matanuska Borough.

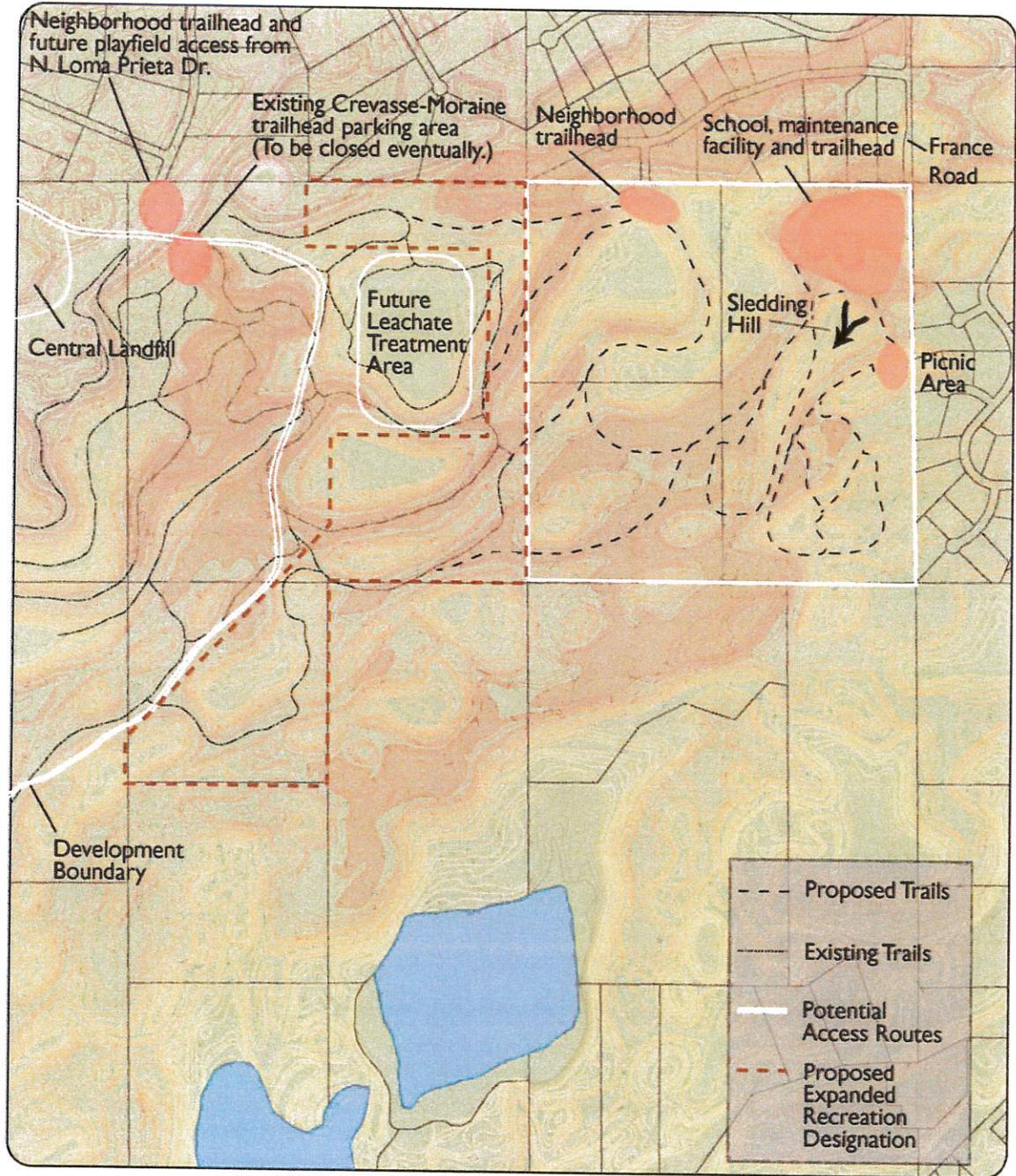
The management plan section that follows provides details about the future uses of the site; the remainder of this section summarizes the main planned uses.

- Retain the area in public ownership and manage predominately for recreation and open space values
- Provide access at one main trailhead (the school) as well as smaller future pedestrian and neighborhood connections from surrounding residential areas. In the long term consider an additional access point from the south.
- The trail system would be designed to support all-season use by a broad range of users, from cross country ski races to scenic, easy summer strolls.
- Use this site to partially offset and replace existing trails that may be lost at Crevasse Moraine as the landfill expands.
- In addition, as is called for in several adopted Borough plans, connect this area via trails to Kepler Bradley State Recreation Area.
- Structures and improvements for trails and recreation similar to that at Crevasse Moraine, for example, day use facilities (restrooms, parking, benches, warming hut, etc.)
- Other public facilities may be located here if they complement and contribute to public recreation and can be integrated into the natural setting.

- Trailhead⁶: Establish day use parking for 60-120 vehicles. Plan parking to take advantage of the chance to share at least some parking with the high school, but not be disruptive to high school operations.
- Add and designate additional borough land to the west of the France Road parcel to create a larger regional park. The MSB would adopt a primary co-designation of recreation for the portions of the Crevasse Moraine trail system not slated to be displaced by the landfill expansion. The MSB would adopt a secondary designation of recreation for the areas of the landfill that will be capped and landscaped after they are full; these areas could become recreation fields.
- High school – provide an area for the operation of a high school in the northeast corner of North France Road parcel. This location works well today, and provides convenient, efficient access by road and road upgrades and for possible future utility extensions. Acreage needs are likely to be 15 to 20 acres, depending on terrain limitations and potential co-use with other public facilities and uses. Specific structures and improvements for a 250-student high school are likely to include:
 - 28,000 square feet of interior space,
 - 560 parking spaces,
 - 2 playfields (soccer/football/track, baseball/softball),
 - France Road upgrades with separated trail from Palmer Wasilla Highway,
 - Connection to municipal water and sewer.
- Borough Parks Department Maintenance Facility – provide space for this facility, also in the northwest corner of the project site. The location should be somewhat screened from trailhead and school-related uses for aesthetics and noise. Acreage should be approximately 2 acres. Specific structures and improvements for this facility are likely to include:
 - 5,000-square-foot shop with drive-through vehicle service and storage, wood work and metal shop, small engine repair, as well as 3 office spaces, meeting/conference room, restroom and first aid station.
 - Covered vehicle and truck storage areas
 - Greenhouse, exterior nursery planting areas, and chemical storage building
 - Perimeter fencing and gate
 - Security lighting

⁶ Size of the trailhead parking lot will depend on the availability of joint parking with the school and remaining parking at the proposed N. Loma Prieta Dr. trailhead.

Map 5. Preferred Alternative Conceptual Site Plan

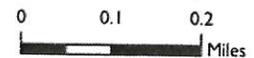


France Road 156 - Recreation

Alaska State Plane, Zone 4, NAD 1927
May 2, 2007



Map by Agnew::Beck.
All data courtesy of MSB.



Rationale for Selecting the Preferred Alternative

This section presents a general review of the rationale behind the selection of Alternative 1. The goal of preparing alternatives was to provide a tool for working with the public to explore options for the future use of the area. The preparation and evaluation of alternatives was not an extensive, rigorous process as might be done as part of a formal Environmental Impact study.

Alternative 1 was described on the previous pages; below is an overview of Alternatives 2 and 3.

Alternative 2: Residential – Develop up to half of parcel (50 to 75 acres) as large-lot residential neighborhoods; remaining acreage for community-scale trails and open space.

- Housing – House lots of 2 to 5 acres would be created in view locations on approximately 75 acres, focused on ridge lines and other higher elevation areas. Housing would be located to minimize road costs and to retain public recreation values on portions of the site.
- Recreation – As in Alternative 1, in this alternative a trailhead would be developed with a midsized parking area and toilets, and trails connect to the existing Crevasse Moraine trails. Those portions of the property not used for housing, as well as remaining Crevasse Moraine trails, would be designated as permanent recreation land. The overall length and variety of trails at France Road is less than in Alternative 1. Loops near and through the housing areas would be designed and aligned more for neighborhood recreation than to meet the technical requirements of skiing and biking. Large events such as high school ski meets would not be easy to accommodate under this alternative.

Alternative 3: Gravel Extraction & Housing – Sell most of parcel for gravel extraction; consider option for near term use as landfill, and future use for mixed-density residential neighborhoods.

- Overall – This alternative assumes sale of most of the parcel, with the option for two or three phases of use: gravel extraction, followed by landfill and eventual reclamation for recreation; a related alternative would allow for gravel extraction, followed by mixed-density housing. This alternative deliberately packaged an intensive set of developments, so that these options could at least be considered. While not impossible, it is not likely that this full set of uses would occur at this site.
- Resource extraction – The France Road area has extensive gravel resources. Under this alternative much of this gravel would be extracted for sale in the Southcentral area. Access roads and phasing would need to be planned to minimize impacts on school and on surrounding housing. Access would likely be from the direction of the landfill, north or south of the leachate treatment pond. If the area were to be used for landfill after gravel extraction, extraction would have to be limited to depths that would ensure protection of local aquifers.
- Possible landfill – Over the long term, the area to the east of France Road currently designated for the Borough Central Landfill use may reach its capacity, and additional landfill areas would be needed. Under this alternative, landfill could follow the gravel extraction. Through this process, some of the elevation of the parcel could be restored, but uses would be limited.
- Housing – If housing were to follow the gravel extraction, finish grades and elevations will have to be configured to allow road connectivity to the surrounding, mostly-high

terrain. Small lot and or clustered housing on future reclamation areas would meet affordable housing needs and would retain open space for public use.

- Trails – Trailhead and trails would be located to skirt the areas of extraction, with corridors to maintain some natural feel.

Alternatives Analysis

The reasons for selecting Alternative 1 are summarized below:

- Value of France Road for public recreation and other public uses vs. private uses – The southern Mat-Su borough has grown dramatically over the last 3 decades. This trend is likely to continue. There is little public land remaining in the area to provide the access to natural areas and public open space that is one the area's original attractions. The France Road site offers regional recreation/open space areas that are already in demand, and are likely to be even more valuable as the area continues to grow.
- Connection to Adjoining Public Lands – The France Road parcel offers the opportunity to link several of the other publicly owned parcels in the area, creating a larger regionally significant open space and recreation area, providing an accessible recreation area for Palmer, Wasilla and other core area neighborhoods.
- Options for residential and other developed uses – This point is the flip side of the previous item, that is, while this area could offer land for residential and other developed uses that are reasonable for the larger southern Mat-Su area, there are many other locations that can support such uses. Likewise, the land fill plan identifies sufficient space to accommodate foreseeable land fill needs.
- Support in past plans – A wide range of previous plans prepared by the Borough and the City of Palmer identify this general area as appropriate for recreation and opens space.
- Public Preferences – Public views to date have expressed a strong preference for keeping this area in public ownership, and managing the area primarily for recreation. Arguments for this view were consistent with the points above, that is, use at Crevasse Moraine is large and growing; this is a good site for recreation and offers the chance for a more diverse set of trails than is available at Crevasse Moraine; there is a need for open space in core as documented in previous plans.

■ MANAGEMENT PLAN

The remainder of this plan sets out specific policies for managing the France Road parcel.

Goals for France Road 156

This section presents goals for the management of the France Road 156 parcel.

As stated in the MSB Parks, Recreation and Open Space Plan (2001) and the MSB Core Area Comprehensive Plan Update⁷, and re-stated often during this planning process, community residents have a strong desire to maintain a centrally-located open space area to allow convenient, daily access for residents to outdoor recreation and the natural setting. The population of the Core Area is currently underserved in terms of national standards for parks and open space. As rapid development continues in the Core Area, the deficit of accessible recreation land increases, and the opportunities to acquire public recreation land decrease.

A number of residents noted that France Road is part of the only significant tract of public land within the fast-developing Core Area, and that residential development or gravel extraction would represent an irreversible conversion of natural land to urban uses. Meeting participants did generally agree that development of part of the France Road parcel for permanent school facilities and the Recreation Department Maintenance Shop can be compatible with and complementary to management of the land for public recreation and open space.

There is general agreement that the France Road is valuable for public recreation development in its own right, but is part of much bigger opportunity for a regional recreation destination on public land at the heart of the Core Area. Meeting participants expressed several ideas for collaborative planning between the Borough and various branches of the University to create opportunities for natural resource education and to preserve contiguous, connected open space in the Core Area.

Goal 1: Retain the France Road 156 parcel in public ownership to be managed primarily for public non-motorized outdoor recreation.

Goal 2. Serve diverse recreation needs while minimizing conflicts among users.

Goal 3 Develop public facilities that are complementary to the goal of public outdoor recreation and integrated into the natural setting.

Goal 4: Provide improved access and connectivity to neighborhoods, with most public use directed to main entry points, and convenient, neighborhood-scaled connections to adjoining residential areas.

Goal 5: Design a compact development footprint on the France Road parcel in order to allow efficient, cooperative operation of facilities and to retain much of the parcel for recreation and open space.

Goal 6 Integrate planning of trails and other recreation facilities on the France Road parcel with planning for adjoining public lands.

⁷ Matanuska-Susitna Borough *Core Area Comprehensive Plan Update Public Review Draft, March 2007*

Goal 7: Initiate a broader planning process for public recreation, open space, and natural resource education on contiguous public lands in the Core Area.

Policies for France Road

Policy I: Access

Policy I.1 Main entry roads.

The main vehicle entry to the France Road 156 parcel will be from North France Road to minimize traffic impacts on residential neighborhoods. North Loma Prieta will continue to be a vehicle entry road to the Crevasse Moraine area whether this area continues to be a main trail system or eventually is used for landfill; the vehicle access would serve a trailhead and connecting trails to France Road and possible future sports or play fields atop the capped and reclaimed landfill. The intent of main entry roads is to reach staging areas near the perimeter of the parcel and not to fragment the parcel, thus reducing cohesive recreation development.

Do not extend entry roads any farther into parcel than necessary, to avoid fragmenting the acreage with roads.

Policy I.2 Separated pathway along North France Road.

There should be a multi-use pathway(s) along North France Road from Palmer-Wasilla Highway to the France Road parcel to encourage and provide for safe student pedestrian use and to reduce the need for all users to drive.

Design guidelines for the pathway include: separated from the roadway, adequate to serve two-way travel, minimize driveway crossings, and if the pathway is paved, include an unpaved shoulder for runners, dogs and others.

Policy I.3 North France Road upgrade.

North France Road will require intersection upgrades at the Palmer Wasilla Highway, including a safe pedestrian/bicycle crossing to the bike path on the north side of the Highway.

Design speed for North France Road shall take into account the intended mixing of traffic from the high school, recreation facilities, and maintenance shop as well residential subdivisions.

North France Road extension onto the France Road 156 parcel should include a distinctive gateway feature at the entrance to public land, such as a curve and or median island with signage and plantings, to slow traffic and identify the transition from roadway to school and recreation land.

Policy I.4 Secondary entry points.

Connecting to existing and future neighborhoods on the north, east and south side of the parcel will enhance recreation access and reduce driving. The easement at E. Helen Drive should have a neighborhood trailhead.

- The MSB should seek to obtain platted public access easement(s) to the south side of the parcel and to the northeast side of the parcel across currently undeveloped large tracts.

These access points would be intended to reduce driving, and would be scaled to the neighborhood: with either pedestrian access and no parking, or 2-3 parking spaces.

- Vehicle turnaround should be provided at pedestrian-only entry points; and barriers should be created to prevent vehicle incursion into the public land. Signs regarding parking and use of public land should be posted.
- As surrounding lands are developed, MSB shall encourage the platting and development of pedestrian connections to the public land boundary, and develop spur trails onto public land, to encourage neighborhood users to arrive on foot rather than by car and to deter unplanned short-cuts or trespass trails.

Policy 1.5 Parking.

Parking size: the capacity of the main parking area, to be located at the France Road entry point, should be determined based on peak number of users. (Peak use will depend on the scale of the recreation facilities, and on the longevity of the current Crevasse Moraine trailhead which is not yet known. The current best guess is for parking for 75-150 vehicles, as well as space for buses that would come for events such as cross country ski races.) The school and the recreation area are likely to have offset times for peak parking, and parking lots should be designed for cross-over use, with safe pedestrian connections and with gated driveways to allow separation of uses when needed.

Parking location: Parking areas shall be located to allow visibility from neighboring areas without compromising the privacy of neighboring uses. Parking areas should be designed to allow installation of gates for off-hours closure if the need develops. All parking areas shall have barriers to prevent unauthorized vehicle incursion onto adjoining land.

Parking timing: development of parking at North France Road should take advantage of the high school construction or Maintenance shop construction. If the school and shop are built while trails are still usable at Crevasse Moraine and before a trail system is developed at France Road, it may be advisable to clear and grade the proposed trailhead parking for eventual trailhead use.

Policy 2: Integrated management with other public lands

Policy 2.1 Integrated management with MSB Central Landfill

- The MSB will work with the Crevasse Moraine trail user groups to incorporate into the Central Landfill plan revision a phasing plan to maintain the use of existing trails as long as possible and to re-configure trails on top of closed sections.
- The Landfill Plan shall include standards for marking and fencing or barricading natural areas and trail segments that are to remain outside the landfill construction zone, to avoid trespass and damage from either landfill operations or vandals.
- To ensure convenient and safe recreation access, it is recommended that the Borough identify a recreation parking area in the general vicinity of the Crevasse Moraine trailhead, and if the best site is in or near the landfill expansion zone, commit to continuous availability of recreation parking during development of the landfill. This parking will open the option for a future sports field complex or other recreation

development on the reclaimed landfill cells, with a different character and intensity from the more natural setting envisioned at France Road.

- In addition, the Borough shall apply a public recreation designation and public trail easement to the buffer zone along the northern and eastern borders of the proposed Central Landfill expansion. The designated trail easement will ensure neighborhood connectivity to future recreation development at France Road and will allow pedestrian off-street access to the school. The width should be adequate for two parallel trails and retention of natural vegetation as screening from the landfill and adjoining residences.

Policy 2.1 Eastern and southern boundary of the Central Landfill.

The MSB will determine, through public and agency review of the Central Landfill plan revision, the optimum eastern boundary of the Central Landfill that serves both the needs for landfill capacity and the value of conserving the natural terrain in the Core Area for recreation and open space.

- To the greatest extent possible, the eastern boundary should skirt natural terrain features that could serve as either trail locations or buffers to the trail system envisioned to connect from France Road to the Kepler-Bradley State Recreation Area.
- A plan should be prepared for the landfill area to meet two objectives 1) sufficient land is available to meet land fill needs, and 2) consistent with this first objective, land not needed for landfill uses (or already used and reclaimed) should be designated for public recreation and be managed as part of the France Road parcel regional recreation area.

Policy 2.2. Reclamation of Central Landfill for developed recreation uses.

The MSB, in the Central Landfill Plan revision, will adopt phasing and design standards to enable expeditious reclamation of closed cells near North Loma Prieta Dr. to meet the current and future needs for developed recreation, such as sports fields.

Policy 2.3 Use of Central Landfill perimeter road.

The MSB, through the Central Landfill Plan revision, should include phasing, connectivity, and design standards for the landfill perimeter road to be used as a recreation loop for non-motorized trail uses.

Policy 2.4 Regional trail corridor.

Dedicate an easement for a public trail corridor northeast to southwest across the France Road parcel and along North France Road to Palmer Wasilla Highway as part of the north-south regional trail connection to Kepler Bradley SRA advocated in adopted MSB plans. The corridor width shall follow terrain, with buffers of natural vegetation from adjoining uses. Because this trail is a regional corridor intended to serve diverse users, the easement shall be wide enough for two separated trails that may be developed either for one-direction travel or with different widths and surfacing (e.g. a wide, gentle compacted trail suitable for groomed skate skiing, and a narrow “single track”, primitive trail.)

Note: this Management Plan is not intended to provide a detailed layout for a trail system on the France Road 156 parcel. Detailed trail planning should be a part of a subsequent master trail plan for France Road and adjoining public lands. However, the public process identified guiding principles for trail planning, which are incorporated here as policies.

Policy 3: Recreational Trails

Policy 3.1. Trail Master Plan/Diverse trail types

Development of a trails master plan will help to locate these uses to match the natural site conditions and avoid conflicts among uses. Uses expected to occur at this site include a range of trails including:

- multi-use unpaved loop trails. Include a range of gradients for different skill levels, including steep and technical trails for skiing. Design some of the trails to meet technical specifications for competitions, as well as community recreation events.
- gentler trails for strolling and sightseeing, with benches and viewpoints
- soft trails for runners and hikers
- separated equestrian trail(s) – flatter gradient, with a surface to support use by horses without trail damage.
- paved, low-gradient, universal access trail, for summer walking, biking, roller-blades; and multi-purpose winter non-motorized use (this could be located on the perimeter road that will encircle the landfill area after it is fully closed out).
- single-track trails for mountain biking and exploration
- areas for off-leash dog exercise

Policy 3.2. Before trails are constructed, the recreation community should refine specific trail user needs, and design and construct trails for specific purposes. A range of trails should be provided.

Use specific design standards to attract different users to specific trails, as a positive and proactive way to separate users and avoid conflicts. For example, design some loops for advanced technical skiing to attract competitive athletes; and design gentler, meandering loops with speed-reducing features and stopping points for skiers who want to move at a leisurely pace. Specific standards shall include:

- Trail surface
- Trail tread width and clearing width
- Trail grades, both maximum and sustained
- Intended trail speeds
- Sight lines and curve radii, both for safety and challenge; trail passing areas
- Lighting
- Areas to be reserved without formal trails (for exploration, nature study, orienteering, etc.).

SEE APPENDIX C FOR MORE TRAIL DESIGN STANDARDS

Policy 4: Other Recreational Facilities

Policy 4.1 Use of and maintenance of the natural setting.

Recreation uses that benefit from a natural setting and make use of natural terrain without substantial modifications are the preferred uses at France Road 156. Areas that have previously been cleared or leveled, whether at France Road or in the vicinity, are preferred to virgin natural areas for sports fields or other developed recreational uses.

Policy 4.2 Range of Recreational Facilities

Provide for diverse day use recreation activities, including:

- Diverse trails (see previous section)
- Events staging area consisting of a level clearing and timing/officiating building, and areas for spectators.
- Other recreation facilities to include:
 - Benches
 - Trash receptacles
 - Restrooms, drinking fountains
 - Competition/events staging area, with the option for a warming hut/chalet similar to those at Russian Jack or Kincaid parks in Anchorage
 - Sledding hill
 - Picnic shelters
 - Equipment storage shed (could be shared with Borough maintenance site)
- Take advantage of the presence of the planned maintenance building (see more in Policy 5 below)

Policy 4.3 Non-motorized uses.

France Road parcel shall be a non-motorized recreation area, in keeping with traditional non-motorized use at adjoining Crevasse Moraine trail system, and to avoid conflicts with surrounding residential use.

Policy 5: Public facilities at France Road

Policy 5.1 Public facilities complementary to recreation and open space uses

Public facilities other than those described above may be located here if they complement and contribute to primary intended management purpose of public recreation and open space and can be integrated into the natural setting.

Policy 5.2 Footprint of public facilities.

The development footprint for buildings, parking lots, and other built infrastructure (other than trails) shall be as compact as possible to avoid fragmenting open space and foreclosing recreation opportunities.

Policy 5.3 Design for joint use.

Public facilities shall be designed for joint use and shared maintenance to the greatest possible extent to minimize the acreage, infrastructure, and operating costs. For example, for initial facilities development at France Road 156, equipment storage might be co-located for community recreation groups and the Maintenance Shop; and playfields, parking, and locker rooms for the school might be configured for off-hours use by sports groups.

Policy 5.4 Design for low cost maintenance, and to minimize vandalism

Plan the location and character of the maintenance shop, school and other public facilities to reduce the odds of vandalism. This can be done, for example, by locating the maintenance facility where staff can keep an eye on activities at the primary trailhead and day use area.

Policy 6: Outdoor and natural resource education

The France Road area should be available for educational activities by the University of Alaska, the MSB School district and Valley Pathways High School. This site could offer opportunities to engage students in hands-on, field-based projects. Projects might include activities related to resource management, resource stewardship and recreation management. For example, classes could be involved in surveys of recreation users, monitoring reclamation of the landfill, or the construction and maintenance of trails.

Policy 7: Land use

The France Road area will be primarily used for public recreation. Other public facilities – such as the High School and maintenance facility - may be located here if they complement and contribute to public recreation and can be located and designed to maintaining the predominately natural character of the area.

■ IMPLEMENTATION

This section outlines recommended steps to implement plan policies. More discussion is needed on these topics between the Borough and the City of Palmer

- Resolve the property interest (lease) of the City of Palmer in the France Road parcel. As outlined earlier in this document (page 8), the city of Palmer has a lease on this property which runs through 2026. It is in the best interest for the Borough to terminate the lease and to compensate the City of Palmer through a land exchange or some other means. During the development of this plan it was suggested the best option for compensating the City would be for the Borough to transfer the MSB land currently used for the Borough Parks and Recreation Maintenance Facility to the City of Palmer. This parcel (located at the corner of Gulkana Street and Auklet Ave.) is zoned residential and should be used for that purpose. This trade could be finalized when the maintenance facility is moved from its current location to the France Road parcel. The City and Borough support this concept, but both parties need to work together to finalize the details, including timing, comparative values, and the formal means of implementing this trade. This topic needs to be resolved before the other policies presented in this plan can be finalized.
- Designate France Road 156 plus adjoining lands along edges of landfill (north, east, southwest) for the uses outlined in this plan. On the France Road parcel this would result in a primary designation of public recreation, and a secondary designation of public facilities.
- Take an active approach to recreation planning as part of the Landfill Plan to determine what recreation facilities will evolve on that acreage, and the timing of these developments. Encourage an open public process for land fill planning.
- Task the existing MSB Parks Recreation and Trails Board to coordinate recreation planning, landfill planning, school planning, maintenance shop relocation and road upgrades.
- Reserve a public easement or corridor for a north-south regional trail, linking the Crevasse Moraine/France Road area with the Kepler Bradley area. Ideally, this route should extend from Palmer-Wasilla Highway, to and diagonally across the France Road parcel, and then continue south to the Glenn Hwy at the entrance to Kepler Bradley State Park.

The Borough needs to complete the process begun with the University of Alaska to establish this connection across University lands, and do so in a manner that respects the University's mission and need for flexibility in the future use of its properties. In addition, work is needed quickly regarding the current France Road upgrade project, so that the upgrade will not foreclose a future road-side trail.

- Set a schedule and outline and identify funding sources for a trails Master Plan, and for priority recreation facilities. Priorities include:
 - Pathway along France Road (nominate pathway project for France Road to MSB STIP)
 - An initial, multi-use loop trail, connecting to the existing Crevasse Moraine trail system, and thence to Kepler Bradley (see bullet above)

- Trailhead and basic day use recreation facilities (designed jointly with the high school and maintenance building staff)
- Dedicate trails within the future trail system on the France Road parcel and adjoining MSB lands. Formal dedication ensures that trails are not treated as a temporary or secondary use and cannot be easily disrupted or displaced by other uses.
- Set up a process with the City of Palmer, City of Wasilla, State of Alaska Division of Parks and Recreation, the University of Alaska and the Mat-Su Borough and to further discuss and plan for a proposed Core Area Regional Park.

Appendix A. Public Involvement - Website

As mentioned in the text (page 19), this plan was prepared with advice and input from a range of advisory bodies and the general public. One element of this process was the project website <http://www.agnewbeck.com/pages-portfolio/matsu/france160.htm>

The homepage of this site is shown below:



Appendix B– Preliminary Alternatives

Excerpted below are the posters that were presented at the May 2007 public workshop.

Alternative I: Recreation – Emphasize trails and regional open space.

Land use pattern

- Designate most of the acreage (140-150 acres) for public recreation and open space.
- Recommend designating additional MSB land (80 -110 acres) to the south and west of France Road for recreation.
- Recommend future restoration of closed portions of the landfill for playfields, with trailhead at N. Loma Prieta.
- Main trailhead for trail use & events near school site. Secondary trailheads give neighborhood access and future playfield access.

Specific features

- Multi-use unpaved loop trails with range of challenge levels (5-7 km total length).
- Scenic viewpoints and destination points.
- Separated or designated equestrian trail – flatter gradient, durable surface.
- Possible paved, low-gradient, universal access trail on the landfill perimeter road for use after it's closed (3-4 km).
- Staging area to include timing/officiating building and areas for spectators.
- Identify options for indoor space (gathering, warm-up, gear changing).

Alternative 2: Residential – Develop up to half of parcel (50 to 75 acres) as large-lot residential neighborhoods; remaining acreage for community-scale trails and open space.

Land use pattern

- Sell 50 to 75 acres with conditions for large-lot residential subdivision.
- Retain 75-100 acres in public ownership and designate for public recreation and open space.
- Recommend designating additional MSB land (80-110 acres) to the south and west of France Road for recreation.

Specific features

Housing

- House lots of 1-5 acres would be created on high terrain with views.
- Housing would be located to minimize road costs and retain public recreation values.

Recreation

- A trailhead near school site would have a mid-sized parking area, toilets and trails to connect to the existing Crevasse Moraine trails.
- The overall length and variety of trails at France Road is less than in Alternative 1. There would be 3-4 km of continuous trail. Trails near housing areas would be designed more for neighborhood recreation.
- Large recreation events such as high school ski meets would not be easy to accommodate.

Alternative 3: Extraction – Sell most of parcel for gravel extraction, private or public landfill, future mixed-density residential neighborhoods.

Land use pattern

- Sell 75 – 100 acres in west and south parts of parcel, with conditions for gravel extraction and potential land fill or housing.
- Access road for resource extraction would be across MSB land to the western side of the parcel.
- An open space corridor would be retained to connect neighborhoods to future regional trails in the Kepler Bradley and Crevasse Moraine area.

Specific features

Resource (gravel) extraction

- MSB could require a master plan for gravel extraction to minimize impacts on surrounding uses. Master plan could specify post-extraction uses: either landfill, housing, or recreation.

Following gravel extraction: landfill

- The protection of the aquifer would have to be ensured.
- Landfill would restore some of the original elevation of the parcel. Reclamation of the landfill as public playfields is a possible end-use.

Following gravel extraction: mixed-density housing

- Finish grades and elevations in the gravel pits will have to be configured to allow road connectivity to the surrounding, mostly-high terrain.
- Small lots and or clustered housing on future reclamation areas would meet affordable housing needs and would retain open space for public use.

Recreation

- Smaller trailhead than other alternatives; no events staging area.
- Trails would be located to skirt the areas of extraction, within greenbelt corridors to maintain some natural feel.

Appendix C –Trail Design Details (Supplement to Policy 3)

Policy 3.2. Trail sustainability.

Any future trails shall be designed to meet “sustainability” standards, which means designed to support current and future recreation use efficiently without long-term degradation of the landscape or a need for frequent maintenance or rehabilitation.

Specific sustainability standards include:

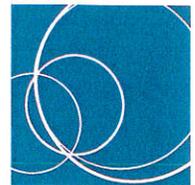
- Incorporate low-impact but functional crossings for wet areas that must be crossed.
- Produce negligible soil loss or movement while protecting natural vegetation.
- Minimize removal of vegetation, but recognize that pruning or removal of certain fast-growing vegetation and root systems may be necessary for maintenance.
- Minimize the long-term needs for maintenance.
- Avoid the need for re-routing in the foreseeable future.
- Foster enforcement of this plan’s policies (e.g. use boulders as barriers around parking areas to prevent incursion of vehicles onto trails or staging areas).

Policy 3.3 Trail aesthetics.

- Except for trails designed for speed circuits or intended for spectator events, trails should promote the feeling of being in a natural area.
- Trails shall have a sense of destination and keep users oriented to the surroundings. This is a particular design consideration because the natural terrain is jumbled and complex.
- Trails shall offer cut-offs but also include long circuits away from the trailhead that do not require continual way-finding.
- Trails shall avoid directing visitors onto private property.
- Some trails should have signage pointing out natural features, geology, vegetation, views etc. along the way.

Policy 3.4 Trail Management

- Trails may be closed at the discretion of the MSB to protect the resources (e.g. during spring breakup).
- The MSB will work supportively with volunteer groups and its own staff to establish maintenance and grooming programs.
- Provide a gate for off-hours closure.



Agnew::Beck Consulting, LLC
441 West Fifth Avenue, Suite 202 :: Anchorage, Alaska 99501
t 907.222.5424 :: f 907.222.5426 :: www.agnewbeck.com

AGNEW
:: BECK

MATANUSKA-SUSITNA BOROUGH
PARKS, RECREATION AND TRAILS ADVISORY BOARD
RESOLUTION NO. 08-04

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PARKS, RECREATION AND TRAILS ADVISORY BOARD SUPPORTING THE MATANUSKA SUSITNA BOROUGH SOLID WASTE DIVISIONS CENTRAL LANDFILL FUTURE CELL SEQUENCING PLAN.

WHEREAS, pursuant to Matanuska-Susitna Borough Code, the purpose of the Matanuska-Susitna Borough Parks, Recreation and Trails Advisory Board is to advise the Borough on matters pertaining to parks and recreation facilities; and

WHEREAS, the Matanuska-Susitna Borough Solid Waste Division has developed a long-range plan that identifies its planned expansion; and

WHEREAS, planning of this expansion including the support and cooperation of the Parks, Recreation and Trails Advisory Board is integral to this planning effort; and

WHEREAS, this plan lays out the sequence for construction of the Central landfill and proposed location of a new trail head for the continued uninterrupted usage of the Crevasse Moraine trail system; and

WHEREAS, a long range plan for the progressive construction of the Central Landfill is integral to a effective solid waste management system; and

WHEREAS, this plan will also act to incorporate trails and recreation space into the incremental closure plan for the Central Landfill,

NOW, THEREFORE BE IT RESOLVED, that the Matanuska-Susitna Borough Parks, Recreation, and Trails Advisory Board does hereby support the Central Landfill Future Cell Sequencing Plan.

ADOPTED by the Matanuska-Susitna Borough Parks, Recreation and Trails Advisory Board this 24th day of March 2008.



Howell Powder, Vice-Chairperson

PLANNING COMMISSION RESOLUTION

By: Mark Whisenhunt
Introduced: May 2, 2016
Public Hearing: May 16, 2016
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-21**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF AN INTERIM MATERIALS DISTRICT, KNOWN AS CENTRAL LANDFILL; IN TOWNSHIP 17 NORTH, RANGE E EAST, SECTION 1, PARCELS D5 (TAX ID# 17N01E01D005), SEWARD MERIDIAN.

WHEREAS, an application for an Interim Material District was submitted by MSB Land & Resource Management to remove earth materials from the Central Landfill parcels, located within Township 17 North, Range 1 East, Section 1, Seward Meridian; and

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

WHEREAS, the purpose of MSB 17.28 is to establish an Interim Materials District within the Borough to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties; and

WHEREAS, it is the further purpose of MSB 17.28 to promote compatible and orderly development; and

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

WHEREAS, findings of fact and conclusions of law have been listed in the staff report; and

WHEREAS, the Planning Commission conducted a public hearing on May 16, 2016 regarding this IMD request; and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District is compatible with the goals and policies of the applicable comprehensive plans; and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District does not negatively affect public health, safety or general welfare; and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District has met the site development standards of this chapter including compliance with all required local, state, and federal laws; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby finds this application does meet the standards of MSB 17.28 and adopts the findings of fact and conclusions of law within the staff report and hereby recommends approval of the designation of Interim Materials District known as Central Landfill, with the following conditions:

1. The operation shall comply with all other applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the Interim Materials District shall be required prior to any alteration or expansion of the material extraction operation.
3. Material extraction shall be limited to the areas identified in the applicant's site plan included with the application.
4. Visual screening shall be achieved and maintained by maintaining the topographical buffer as described in the application material.
5. The section line easements within the Interim Materials District must be vacated or a Matanuska-Susitna Borough Construction permit shall be obtained prior to operating within any section line easement.
6. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected for leaks daily.
7. 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.

8. All hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
9. 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.
10. Dust control shall be achieved at the gravel pit, rock screener, crusher, and roads as necessary.
11. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) - Site Development Standards and MSB 8.52 - Noise, Amplified Sound, and Vibration.
12. All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to 8am to 6pm, Monday through Saturday, except rock crushing and screening activities are limited to 8am to 5pm, Monday through Friday.
13. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division shall be contacted immediately so the remains can be documented.

- 14. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.
- 15. 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.
- 16. All activity shall be conducted in compliance with state or federal regulations governing the items listed in MSB 17.28.040(B)(1), 17.28.040(B)(2), and 17.28.040(B)(3).

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Planning Commission recommends approval of the designation of Interim Materials District for Central Landfill and will forward their recommendation to the Borough Assembly.

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ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of ___, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

DRAFT

YES:

NO:

**PUBLIC HEARING
LEGISLATIVE**

Resolution No. 16-19

Riparian Buffer Standards
On
High Priority Salmon Streams

(Page 291 - 340)

PUBLIC HEARING

DOCUMENT TRACKING REPORT

DOCUMENT: An Ordinance Amending MSB 17.55.005, Setbacks And Screening Easements; Adopting MSB 17.55.030 Riparian Buffer Standards To Protect Anadromous Fish, Wildlife Habitat And Water Quality In Designated Streams; Amending MSB 17.55.040 Violations, Enforcement, And Penalties; And Amending MSB 17.125.010, Definitions.

DATE	STATUS
4-19-16	Referred to the Planning Commission for 90 days
	Due back to the Assembly 7-18-16
	cc: Mary Brodigan

Commission

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MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-057

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY; AMENDING 17.55.005 GENERAL; ADOPTING MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMENDING 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES AND AMENDING MSB 17.125.010 DEFINITIONS.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Refer to Planning Commission for review.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: 

Route To:	Department/Individual	Initials	Remarks
	Originator	AB	
1	Planning and Land Use Director	SPJ	
2	Finance Director	JW	4/5/16
3	Borough Attorney	NS	Review Pending
4	Borough Clerk	ZRM	4/11/16 

ATTACHMENT (S) : Fiscal Note: YES NO
 Ordinance Serial No. 16-051 (7pp)
 Letters (7pp)
 Fact Sheet (2pp)

SUMMARY STATEMENT:

The Matanuska-Susitna Borough (MSB) has taken significant actions over the years to protect fisheries and fish habitat in the region. In 2007, the Assembly created the Mayor's Blue Ribbon Sportsman's Committee which was later renamed the MSB Fish and Wildlife Commission. This commission has successfully advocated for increased resources for the Mat-Su to improve fishery management in Upper Cook Inlet over the past several years.

The Mat-Su Basin Salmon Habitat Partnership was organized in 2005 and recognized by the National Fish Habitat Partnership as one of 19 fish habitat partnerships in the country. MSB was a founding member of the Partnership and continues to have a representative on the Steering Committee. Since 2006, the Partnership has awarded nearly \$2 million for more than 70 science, conservation and restoration projects to improve fish habitat in the Mat-Su.

MSB has worked with a variety of partners to improve fish passage by replacing culverts under borough roads that block fish. As of 2013, over 80 culverts have been replaced with funds totaling \$6 million from federal, state and local sources. In 2013, the Assembly unanimously approved an ordinance (OR 13-083) to require all new culverts installed along anadromous streams to be designed and constructed to allow for fish passage.

In 2013, MSB requested capital funding from the State of Alaska and was awarded a \$2.5 million grant for fisheries protection. This grant funding is being used to replace culverts that are barriers to fish and to conduct fisheries research to improve fishery management in Upper Cook Inlet.

Salmon are a highly valued resource in the Mat-Su and throughout the state. In order for salmon to thrive, they need cool, clean water and healthy freshwater habitats. This ordinance is proposed to address concerns about habitat degradation caused by removal of vegetation in and around stream banks, otherwise known as riparian areas.

Removal of vegetation along stream banks can negatively affect salmon and other aquatic life by increasing pollution entering streams, increasing sedimentation, removing shade and vegetation cover that provides habitat for juvenile fish and increasing water temperatures. Several streams in the rapidly developing areas of the borough have been listed as having impaired or threatened water quality by the Department of Environmental Conservation.

Riparian buffers, in addition to protecting fish habitat, can prevent bank erosion, reduce flooding impacts, decrease stormwater runoff and protect private property from damage caused by high water events.

Alaska Department of Fish and Game, U.S. Fish and Wildlife Service, MSB and other partners have completed numerous stream bank restoration projects to replace vegetation that has been damaged or removed along salmon streams in locations such as

damaged or removed along salmon streams in locations such as Willow Creek, Cottonwood Creek, and Sunshine Creek and Big Lake. ADF&G and USFWS have an ongoing restoration cost-share program to assist private property owners with restoration of vegetation on their stream banks and lake shores. In recent assessments of riparian habitat by the Palmer Soil and Water Conservation District, they found 1821 sites and 123,000 feet of riparian habitat that is impacted in the Mat-Su. ADF&G and USFWS have been able to restore approximately 10 sites (1,000 feet) per year through their cost-share program.

The Kenai Peninsula Borough (KPB) in 1996 designated portions of the Kenai River for riparian buffer protection to protect salmon spawning and rearing habitat. Since then, KPB has increased the number of water bodies protected and now has almost all anadromous rivers, streams and lakes in the borough included in their stream protection ordinance (KPB 21.18.025).

Through the Alaska Forest Resources and Practices Act (AS 411.7), the State of Alaska requires riparian buffers "to protect riparian areas from the adverse effects of timber harvest activities on fish habitat and water quality" (FRPA Pg11). The State requires riparian buffers of 100-325 feet depending on the size and characteristics of the water body, anadromous designation and the slope of adjacent land. MSB Community Development Department follows the FRPA requirements when permitting timber harvest on borough land.

Salmon runs have been declining in the Mat-Su in the past decade. Commercial fishing organizations have claimed that the primary cause of Mat-Su's declining salmon runs is that the Mat-Su Borough has not sufficiently protected fish habitat. Although many other groups would dispute their claims, including the MSB Fish and Wildlife Commission, taking this step to establish riparian buffer standards demonstrates the Borough's continued commitment to fish habitat protection.

The specific streams and rivers designated in this ordinance were selected by an interagency team of local, state and federal land managers and scientists in 2013 as high priority water bodies. This designation was based on their importance for salmon spawning, rearing and overwintering habitat. This list of water bodies has been subsequently used to identify high priority land and water areas for conservation.

MSB can continue to grow, build and develop communities and maintain healthy fisheries. This ordinance adds to the many positive steps that the Borough has taken to protect fish and fish habitat.

RECOMMENDATION OF ADMINISTRATION: Staff respectfully recommends referring Ordinance 16-057 AMENDING 17.55.005 GENERAL; ADOPTING MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMENDING 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES AND AMENDING MSB 17.125.010 DEFINITIONS to the Planning Commission for 60 days for review.



18 March, 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

Re: Establishment of Riparian Buffer Standards for Anadromous Streams - IM 16-057

Dear Mayor Halter and Assembly members,

I am writing on behalf of the Mat-Su Basin Salmon Habitat Partnership in support of the establishment of riparian buffer standards for anadromous streams (IM 16-057). The Mat-Su Salmon Partnership formed in 2005 to address increasing human use and development related impacts to salmon and their habitat in the Mat-Su Basin. Over 60 tribal, local, state and federal governments, businesses, private land-owners, fishing interests and non-profits are now partners. The Mat-Su Borough is a founding member and has a permanent seat on the Steering Committee.

In 2008, the Partnership completed a comprehensive Strategic Action Plan, revised in 2013, that outlines goals for conserving and restoring salmon habitat in the Mat-Su Basin. **In 2015, the Partnership identified maintenance of intact riparian areas along lakes, streams and rivers as one of its top four conservation priorities.**

Alteration of riparian habitat can have numerous negative consequences for healthy salmon populations including loss of cover and potentially increasing stream temperatures - a concern for developing salmon fry. Decreases in large instream woody debris can also potentially increase vulnerability to predation, lower winter survival, decrease spawning gravel and reduce food availability. Impacts to riparian areas can ultimately reduce the capacity of waterbodies to produce salmon. It is also important to know that intact riparian areas benefit both salmon and people. They protect human infrastructure and reduce the impacts of floods. For these reasons, many partners have focused their efforts on both conserving intact areas and restoring degraded streambank and streamside habitats, as well as educating landowners about how to care for habitat.

Palmer Soil and Water Conservation District recently completed an assessment of riparian impacts on 35 priority waterbodies in the Mat-Su. Although some waterbodies like Big Lake, Blodgett Lake and Cottonwood Creek had 27%, 12% and 4% impacted shorelines respectively, the overall percentage of impacted shorelines remains relatively low. This underscores both the recognition there are areas of concern, and there is a great opportunity in the Mat-Su to conserve riparian salmon habitats before they are impacted and financial resources expended in their restoration.

Matanuska-Susitna Basin Salmon Habitat Partnership
Thriving fish. healthy habitats. & vital communities in the Mat-Su Basin

IM16-057
OR 16-051

There are precedents for these important standards. Two examples include the Alaska Forest Resources and Practices Act (AS 411.7), where the State of Alaska requires riparian buffers to protect fish and water quality for timber harvest activities, and in the Kenai Peninsula Borough. In response to increased urbanization effects, the Kenai Peninsula Borough designated portions of the Kenai River for riparian buffer protection to safeguard salmon spawning and rearing habitat in 1996. Today nearly all anadromous rivers, streams and lakes in the borough are included in the ordinance (KPB 21.18.025).

Adopting standards for riparian buffers next to streams and rivers that are recognized as high priority habitat for salmon will address critical goals for salmon conservation identified in the Partnership's Strategic Action Plan. Specifically, this project will address the plan's Overall Riparian Goal: to prevent alteration of riparian areas that provide valuable salmon habitat in the Mat-Su. It also directly meets Strategic Action 2.2.2 to protect riparian habitat with local mechanisms that maintain a riparian buffer along all priority waterbodies in the Mat-Su Borough.

Proactive policies are key to keeping Mat-Su salmon and their habitat intact, and not in a damaged state like much of the lower 48 states. In the Mat-Su, we still have intact salmon habitat and the Mat-Su Borough has exhibited great commitment and leadership in supporting that healthy freshwater habitat essential to wild abundant salmon runs. We encourage you to establish riparian buffer standards for anadromous streams (IM 16-057) that will help maintain healthy salmon habitat on top priority salmon streams in the Mat-Su. Thank you.

On behalf of the Steering Committee of the Mat-Su Salmon Partnership,



Jessica Speed
Mat-Su Basin Salmon Habitat Partnership Coordinator
907-865-5713
matsusalmon@tnc.org
www.matsusalmon.org

Mat-Su Basin Salmon Habitat Partnership Steering Committee:

Roger Harding, Alaska Department of Fish and Game
Erika Ammann, National Oceanic and Atmospheric Administration
Lee Stephan, Native Village of Eklutna
Arni Thomson, Alaska Salmon Alliance
Jon Gerken, U.S. Fish and Wildlife Service
Corinne Smith, The Nature Conservancy
Frankie Barker, Mat-Su Borough
Christy Cincotta, Tyonek Tribal Conservation District
Jessica Winnestaffer, Chickaloon Village Traditional Council

IM16-057
OR16-051



MATANUSKA-SUSITNA BOROUGH
Fish and Wildlife Commission
350 East Dahlia Avenue • Palmer, AK 99645

March 21, 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

RE: Riparian Buffers for Salmon Streams

Dear Mayor Halter and Assembly members;

This letter is to express the Fish and Wildlife Commission's (FWC) support for establishing riparian buffer standards for salmon streams and rivers. An ordinance will be coming forward to the Assembly to adopt standards for riparian buffers next to streams and rivers that are recognized as high priority habitat for salmon. This action is a wise investment for our community since it will enhance salmon habitat, prevent stream bank erosion and create greater resistance to flood damage on properties adjacent to flowing water bodies.

MSB has made considerable investment in improving fish habitat over the years recognizing the importance of maintaining areas for juvenile salmon rearing and spawning. Through the fish passage program, MSB and partners have replaced 102 culverts at a cost of over \$12 million, restoring access to miles of fish habitat and protecting our road infrastructure from flood damage. As a founding member of the Mat-Su Salmon Habitat Partnership, MSB has participated in efforts to educate the public about salmon life cycles and to provide grants to local organizations conducting salmon habitat projects.

We greatly appreciate the Mayor and Assembly's support for fisheries issues and the work of the Fish and Wildlife Commission. With your support, the FWC asked and received \$2.5 million in state assistance to improve our fisheries and is now embarking on a multi-year fisheries research program. It is important that the MSB demonstrate through our own actions that we are adopting local measures to keep salmon habitat healthy in order to continue to receive support from the state and other partners.

Establishing standards for riparian buffers along high priority salmon streams is a well-tested, cost effective approach to maintain healthy salmon habitat. We hope you will support this effort for the benefit of our fisheries and community.

Sincerely,

Terry Nininger, Chair
MSB Fish and Wildlife Commission

cc: John Moosey, Borough Manager

IM16-057
OR 16-051



GREAT LAND TRUST

SOUTH CENTRAL ALASKA

Conserving and stewarding the lands and waterways essential to the quality of life and economic health of Alaskans

RE: Letter of Support: Riparian Buffer Ordinance (16- 057)

Assembly Members and Planning Commission,

Great Land Trust (GLT) is a non-profit land trust serving Southcentral Alaska. Our mission is to conserve and steward lands and waters essential to the quality of life and economic health of all Alaskans. This letter is to express our support for establishing riparian buffers along high priority salmon streams in the Mat-Su through the passage of Ordinance 16-057.

Since its founding, GLT has partnered with organizations, government entities, private landowners, and funders to conserve over 47,000 acres of land including 16,000 acres of wetlands, over 65 miles of salmon streams, eight historic homesteads and seven new community parks. Many of these parcels are open to the public and provide access to other public lands such as Palmer Hay Flats State Game Refuge and Chugach State Park.

In 2009, our board made the strategic decision to expand our presence in the Mat-Su Valley by opening an office in Palmer. To make sure we were focusing our efforts in the Mat-Su on the lands that have the highest conservation value, in 2012, we completed a Geographic Information System (GIS) based parcel prioritization to identify lands that contain priority habitat for salmon.

For the prioritization, we hosted a series of information gathering meetings with representatives from the Alaska Department of Fish and Game, Palmer Office, U.S. Fish and Wildlife Service, U.S. Geological Survey, Mat-Su Borough, Mat-Su Salmon Habitat Partnership, The Nature Conservancy, Chickaloon Native Village, Environmental Protection Agency, local fishing guides and community members. We asked them to identify the most important waterbodies for salmon in the Mat-Su. The result was a catalog of 35 streams, lakes and rivers that contained the highest quality salmon habitat in the MSB. In our efforts to better understand community interest and concerns regarding salmon streams it became very clear that there was overwhelming support for maintaining and restoring the salmon populations that make the MSB such a vibrant place to live.

Once the waterbodies were identified we used a series of filters to score parcels along each waterbody. Water quality concerns, declining populations, development density, wetland function and sport fishing were considered when assessing parcels along each system. Once the parcels were scored we used the prioritization to help identify and conserve over 7,000 acres of land including 5,000 acres of wetlands and 44 miles of stream corridor important for salmon in the Mat-Su.

In 2014, we mailed information packets to all 2,500 private landowners identified in our prioritization to provide them with resources to help care for their important salmon habitat. We also launched our King Makers campaign to celebrate the voluntary action landowners were taking to restore and conserve habitat on their property and we started our Baby Salmon Live Here sign campaign to install signs along Mat-Su roadways aimed at to highlighting that salmon live all around us all year long.



GREAT LAND TRUST
S O U T H C E N T R A L A L A S K A

Conserving and stewarding the lands and waterways essential to the quality of life and economic health of Alaskans

All three of our initiatives are focused on identifying and conserving the riparian corridor so that salmon have the habitat necessary to spawn and rear now and into the future. We continue to receive very strong support and feedback from these efforts to maintain salmon streams in the MSB. Having the MSB institute riparian buffer standards would further support salmon, their habitat and the continuation of healthy populations in the region.

Sincerely,

Kim Sollien
Mat-Su Program Director

Box 923
Talkeetna, AK 99676
arri@arrialaska.org
907.315.4631



March 16, 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

Dear Mayor Halter and Assembly members;

Re: Support for Mat-Su Borough Ordinance 16-057
Riparian buffers on anadromous streams

The protection of natural vegetation along streams, rivers, and lakes is the single most important thing we can do to protect water quality, fish habitat, and our fisheries. Naturally vegetated streambanks filter pollutants and slow down surface runoff. The vegetation strengthens streambanks reducing erosion rates during floods. Trees and shrubs along the shore and wood within streams also slows down and reduces the energy of flood waters. Shoreline vegetation provides shade and food for fish from leaf litter to insects. Wood in streams helps store leaves and other food sources and provides important habitat for aquatic insects. Wood in streams creates pools and provides cover for fish.

The importance and benefits of natural vegetation along streams and lakes is unquestionably supported by the scientific community. There are literally thousands of scientific articles that have investigated and support the benefits of protecting riparian vegetation. We have attended a number of conference presentations that link the impacts to water quality and fish habitat to the loss of riparian vegetation, and the extraordinary costs and effort put toward habitat restoration. Protecting riparian areas is one of the cornerstones of the Mat-Su Borough Stormwater Management Plan.

We support the ordinance approach of standardized riparian widths on designated streams. Having served on the committee that developed riparian standards for timber harvest in the Mat-Su, I can attest to the difficulty of determining variable protection zones for different stream types or stream sizes. By adopting standard riparian protection zones, you will avoid the need for borough staff to devote time to interpreting and enforcing an ordinance that varies among locations.

We are Aquatic Ecologists with the Aquatic Restoration and Research Institute (www.arrialaska.org), and property owners that would be affected by this ordinance. We support the Mat-Su Borough's efforts toward protecting water quality and fish habitat and maintaining our fisheries.

Sincerely,

Jeff and Gay Davis

Im16-057
OR 16-051



Riparian Buffer Support

17 March 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

Re: Endorsement of riparian buffers for anadromous streams ordinance (IM-16-057)

Dear Mayor Halter and Assembly members,

SDG would like to express our support for the anadromous streams and rivers ordinance (IM-16-057) addressing riparian buffers. Riparian buffers offer a critical protection to salmon habitat and ecosystems by improving water quality in developed and/or impacted areas. Riparian buffers provide vegetation that filter stormwater runoff of toxins, sediment, and other contaminants before they enter our local water bodies.

Riparian buffers have been regulated and protected throughout the world with outstanding results in increasing water quality and hydrologic function. In addition to water quality, these buffers provide critical habitat for aquatic species and land mammals along with other wildlife who use these fringe habitats for food, cover and as movement corridors.

The buffer widths as proposed within this ordinance (50'/100') will have a large and dramatic impact on water quality and salmon population. Buffer widths, as proposed, are small relative to the full scope of riparian habitat impacts. Fragile salmon fry habitat can be protected by these types of buffers that also serve to keep waters at more consistent temperatures. Riparian buffers offer predator protection, constant water temperatures, and a healthy aquatic environment as part of the success in maintaining salmon populations.

Healthy waterways and environments are part of the quality of life that defines the MatSu Borough. Thriving salmon populations encourage opportunities to contribute to economic growth, recreation, and wholesome lifestyles. SDG appreciates the planning departments work to prepare this comprehensive approach to implementing riparian buffers. We fully support approval of this important Borough ordinance to regulate and require riparian buffers as a part of development standards.

Sincerely,

A handwritten signature in black ink that reads 'Luanne Urfer'.

Luanne Urfer PLA ASLA

Principal

CLARB Certified Landscape Architect

Sustainable Design Group

247 S. Alaska Street
Palmer, Alaska 99645
907 745 3500

pg. 1

Im16-057
OR16-051

RIPARIAN BUFFERS

Frequently Asked Questions

1) What are Riparian Buffers?

Riparian buffers are vegetated areas along the edges of water bodies such as streams, lakes and rivers that provide shade and protect the water from adjacent land uses. Riparian comes from the Latin word “ripa” meaning river bank.

2) What are the benefits of riparian buffers?

Depending on their size and effectiveness, riparian buffers can prevent bank erosion, provide protection from flooding, protect salmon habitat and improve water quality by preventing sediments and pollutants from entering water bodies.

3) How do riparian buffers improve salmon habitat?

Salmon need cool, clear streams to live in. Juvenile salmon rely on plant cover and roots to provide slow-moving pools to hide from predators. Vegetation along rivers, streams and lake edges prevents sediment from getting into the water which can clog fish gills. Plants along the water’s edge provide shade and help to keep waters cool during the summer months.

4) What kind of vegetation should be in the buffers?

Native plants that occur naturally in the area are the best plants for riparian buffers. They require less maintenance and are used to the local climate. Plant species might include willow, alder, native grasses and other common wetland plants.

4.5) What about lawns?

Lawns and gardens can help trap and filter pollution and sediment before it gets into the water. However, shrubs, grasses and trees are better at slowing runoff. Fertilizers and chemicals used on lawns can get into water bodies, so it’s best to locate lawns as far away from the edge of the water as possible.

5) How big do riparian buffers need to be?

Buffer size may vary according to the size, speed and volume of a water body and the nature of adjacent land uses. For instance, on a small lake a buffer of 50-75 feet might be sufficient to prevent erosion, provide

habitat for salmon and protect water quality. On a larger water body such as a river, a riparian buffer of 100-200 feet might be necessary to stabilize the banks and provide flood prevention.

6) Is there a riparian buffer requirement in the Mat-Su?

There is no overall requirement to maintain vegetated riparian buffers along waterbodies in the Mat-Su, except on Borough or State owned lands when they are used for natural resource extraction. There is a structural buffer that requires property owners to build habitable structures at least 75 feet from the edge of a water body. There is also a *Voluntary Best Practices for Development Around Water Bodies* policy that recommends 75 foot riparian buffers.

7) What can I do if vegetation along the water's edge has been removed or disturbed?

Shorelines can be restored through replanting of native plants, and in some cases, rebuilding the shorelines using biological restoration techniques. There are agencies that can assist with shoreline restoration including Alaska Department of Fish and Game.

8) Water quality in the Mat-Su is generally good? Why would we need riparian buffers?

To keep our clean, cool water for people, wildlife and fish. There are several "impaired" water bodies in the Mat-Su as identified by ADEC. As the Mat-Su population grows, more riparian areas are disturbed or converted to non-native plants. Alaska streams and fish are very sensitive to changes in levels of nutrients from sources such as fertilizers, septic systems, pet waste and street deicers that can cause excessive plant growth, plant decay and reductions in water quality.

Air and water temperatures are rising throughout the area, threatening the cool waters that are important to salmon. There have been declines in salmon runs over the past decade causing the ADF&G to declare 8 salmon stocks in the Mat-Su as "stocks of concern". Small modifications of riparian habitat by individual landowners can lead to large-scale water quality changes when multiplied throughout an area.

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COMMENTS

Mary Brodigan

From: Frankie Barker
Sent: Wednesday, May 04, 2016 8:18 AM
To: Mary Brodigan
Subject: FW: public comment riparian buffers PC Resolution 16-19

Public comment letter regarding IM16-057 Riparian Buffers. Please add to packet for the PC.

Frankie Barker
Environmental Planner
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, AK 99645
907- 861-8439
frankie.barker@matsugov.us

From: John [mailto:jsandrw@matnet.com]
Sent: Tuesday, May 03, 2016 10:08 PM
To: Frankie Barker
Subject: public comment riparian buffers PC Resolution 16-19

May 1, 2016

Dear Planning Commissioners:

I write to express my strong support for Planning Commission Resolution 16-19, which would recommend to the Assembly that it adopt certain protections of riparian buffers along important anadromous fish streams.

Both Information Memorandum IM-057 and PC Resolution 16-19 accurately explain and emphasize the importance to the health of our salmon runs of protecting natural riparian vegetation and habitat along anadromous streams. In addition, I concur with the letters from the Fish and Wildlife Commission, Mat-Su Salmon Partnership, Great Land Trust, Aquatic Restoration and Research Institute (ARRI), and the Sustainable Design Group that are contained in your packet, and which also explain and emphasize the vital role that intact riparian buffers play in the health of our salmon.

Also in your packet is a proposed Assembly Ordinance, Serial No. 16-051, that would, if adopted, implement protections on the priority streams. I offer several suggested changes to this proposed ordinance that I believe would strengthen and clarify some of the language.

First, there are important salmon streams that I suggest be added to the priority list in proposed Assembly Ordinance 16-051 [see Section 3, 17.55.030 (A)]. These include, for example, Little Willow Creek (chinook, coho, chum, and pink according to the ADF&G Anadromous Waters Catalogue), Talkeetna River (all 5 salmon species according to AWC), Deshka River (all five salmon species according to the AWC), and ChuniIna Creek (chinook, coho, chum, and pink according to AWC), to name a few.

Second [see Section 3, 17.55.030 (B)(1)], a 50 foot riparian buffer of natural vegetation is insufficient to protect the water body. I recommend a riparian buffer of 100 feet for private residential or recreational use.

Third [see Section 3, 17.55.030 (C)(1) and Section 5 Section 5, 17.125.010]: The term “minimally disturbed” is central to these protections because it is one of the key stipulations that defines the level of riparian protection afforded the streams covered by this ordinance. Because “minimally disturbed” is such an important term, it should be objectively defined rather than being open, as it is now, to a variety of subjective interpretations. It is important for this ordinance to have strong, clear and unambiguous language to define what clearing or trimming is allowed within the riparian buffer. Accordingly, I recommend that the existing language in (C)(1) be removed and replaced with the following: “*Minimal disturbance*’ allows for the least possible vegetation removal or trimming that is necessary to eliminate hazards, open a view, or provide for access to the water access”. I also recommend that the existing definition of ‘minimal disturbance’ in 17.125.010, be removed and replaced by “*Minimal disturbance*“ means that the riparian buffer must remain substantially intact in its natural state such that its principal character and function is not diminished.”

Fourth, Section 3, 17.55.030 (D)(1)], is confusing because the existing language speaks only to the area (square footage) of the riparian buffer area that may be removed; (D)(1) is silent on the percentage of actual shoreline that may be removed. I suggest rewording this (D)(1) to, in addition to allowing vegetation removal of 10% of the area of the buffer, also limit the vegetation removal along the shoreline to 10%. In other words, the 10% of the vegetation that this sub-section allows to be removed should be proportionate within the entire depth of the buffer, including the shoreline.

Fifth, Section 3, 17.55.030 (D)(3), prohibits the storing or discharging of solid or liquid waste, debris, and animal and yard wastes within a riparian buffer. As this proposed ordinance is currently written (see also my “First” comment above), piles of waste, would be allowed 51 feet from the stream. That is too close, and gives additional weight to my above recommendation to require a 100 foot buffer.

The proposed Assembly Ordinance 16-051 contains necessary provisions for protection of our riparian habitat, to better ensure the health and diversity of our salmon runs and all they contribute to our recreation, subsistence, quality of life, and local economies. I urge the Planning Commission, whether or not it incorporates my suggestions, to return this to the Assembly with a strong recommendation to establish these important riparian protections.

Thanks you for your consideration.

Sincerely,

John Strassenburgh
PO Box 766
Talkeetna, AK 99676
jsandr@matnet.com
907-733-6874

Mary Brodigan

From: Frankie Barker
Sent: Thursday, May 05, 2016 10:36 AM
To: Mary Brodigan
Subject: FW: Comment letters

Public comments on Riparian buffer ordinance.

Frankie Barker

Environmental Planner

Matanuska-Susitna Borough

350 E. Dahlia Avenue

Palmer, AK 99645

907- 861-8439

frankie.barker@matsugov.us

From: ACE [<mailto:amy@akcenter.org>]
Sent: Thursday, May 05, 2016 10:17 AM
To: Frankie Barker
Subject: Re: Comment letters

Frankie-

My scanner is not cooperating so I'm sending them as photos attached. Here is the first batch:

AS A LONG TIME MAT-SU RESIDENT
AND OUTDOOR RECREATION, (HIKING,
FISHING, HUNTING & TRAPPING) USER
I'VE SEEN SALMON STREAMS DECIMATED
BY NON-REGULATED GROWTH FROM
HOUSING DEVELOPMENT, BUSINESS
PRESSURE AND AN OVERALL POPULATION
WITH LITTLE REGARD FOR THE
WELL-BEING OF SALMON HABITAT.

PLEASE PROTECT SALMON HABITAT
BY SUPPORTING RIPARIAN BUFFERS !!

THANK YOU

Bernard

BERNARD RALLY

WASILLA, 99654

~~907-335-2027~~

We moved to the Butte Area in 2008, and since then have experienced flooding on Bodenburg Creek. I grew up in the Pacific Northwest and saw first-hand how a disregard for Salmon Habitat & Riparian Habitat can create costly problems for cities, boroughs, homeowners, etc. over the years.

As a homeowner and small business owner I want the Mat Su Borough to do more for our salmon before it is too late. 50' for a homeowner is nothing. That distance is so difficult to maintain when living along a stream anyway that this makes it easier! Please Riparian Buffer zones support all waterbodies!



Sincerely,
 Peter
 Butte, AK
 907-324-
 yetipup@gmail.com

Matanuska Susitna Borough Assembly &
Planning Commission:

at your May 10th meeting you will be reviewing changes to Title 17 which essentially support protecting salmon habitat in the Borough. This is an important step for the mat-su and one in which you should all be in strong favor of.

I grew up, went to High School, returned after college and now run my own business on Lazy Mtn. I want my children to grow up with similar memories of watching salmon swim through our streams abundantly. Riparian Buffer zones are an easy way to support the overall fisheries of Cook Inlet and those whose businesses depend on salmon.

Thank you

Sommer Nielsen
Mars Rd, Palmer AK
sommerdnielsen84@gmail.com

Matanuska-Susitna Borough
Assembly & Planning Commission:

Protecting Salmon habitat in the
Mat-Su Borough should be a top
priority in this community and
Alaska.

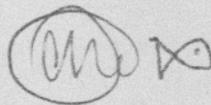
I moved to Alaska in 2009
when I was 15 years old and
went to high school up here and am
now attending college, and am
expecting my first child. I want my
children to grow up in a place where
they can make great memories and
enjoy the nature and the wildlife
that surrounds them. Riparian buffer
zones are an easy way to support the
overall fisheries of Cook Inlet & Alaskans
enjoy salmon. Thank you, Elizabeth Mitchell

Matanuska Susitna Borough:

As a hydrologist and freshwater habitat protection specialist involved in best management practices (BMPs) in the Mat-Su for water resource protection, I support the proposed MSB Riparian Buffer zones along salmon streams. Riparian buffer requirements will protect water quality (temperature, dissolved oxygen, turbidity), enhance salmon spawning habitat, mitigate flood hazards, decrease stream bank erosion, and increase property values.

Ann Marie Larquier
Palmer, AK 99645
541-531-8669

Riparian zones are a win-win - good for the environment and for those of us who access it. Riparian zones = safe salmon habitats!

Protect Alaska's resources! 
Palmer Fishhook Road · Palmer · cwelch@nwalaska.org

As an avid fisherwoman in the Mat-Su I support protecting our salmon habitat by implement riparian buffers on salmon streams in the Mat-Su,

Sincerely,

Kelly Selmer
Palmer-Fishhook Rd,
Palmer, AK 99645
Kelly.selmer@yahoo.com

Here is my comment:

Riparian buffers are critical for maintaining salmon habitat throughout the Mat-Su. These buffers provide shelter for salmon and provide the slow moving water that they need to find food. They are not only beneficial for salmon, but protect our property from floods, prevent erosion, and filter chemicals that may enter our waterways. I support keeping these buffers in place to protect salmon habitat and property in the Mat-Su.

Thanks,

Heather Leba

PO Box 1182

Talkeetna, AK 99676

Phone: 907-720-1417

heather@inletkeeper.org

I'd like the Mat-Su Borough to require riparian buffers. They are the shorelines of defense for our rivers and streams, the habitat of our salmon and source of fresh water.

Respectfully,

Erik Piersen

Teacher at Fronteras Spanish Immersion School

Palmer (Butte), AK 99645

erik.piersen@gmail.com

Matanuska Susitna Borough Assembly
3, Planning Commission:

As a worker at Noisance
Wildlife Management and an applicant
to become a Reserve Police officer of
Wasilla, AK, in the Mat-Su I

Support protecting our Salmon habitat
by implement riparian buffers on
Salmon streams in the Mat-Su.

Thank you,

Robert Brown

Mary Brodigan

From: Frankie Barker
Sent: Thursday, May 05, 2016 10:36 AM
To: Mary Brodigan
Subject: FW: 2 more comments from Palmer
Attachments: IMG_3423.JPG; ATT00001.txt

Public comments on Riparian Buffer ordinance.

Frankie Barker
Environmental Planner
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, AK 99645
907- 861-8439
frankie.barker@matsugov.us

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

From: ACE [<mailto:amy@akcenter.org>]
Sent: Thursday, May 05, 2016 10:27 AM
To: Frankie Barker
Subject: 2 more comments from Palmer

5/16/2016
I live in Palmer and fully think that implementing Riparian Buffers thru the Borough will help our salmon thrive.

Vanessa Johnson

432 E Kinnikinnik Rd.
Palmer, AK 99645

5.2.16

This is a No-Brainer!
Support riparian buffers
in the valley.

Casey Adney

432 E. Kinnikinnik
Palmer, AK 99645

ORDINANCE

CODE ORDINANCE

By: Borough Manager
 Introduced:
 Public Hearing:
 Action:

**MATANUSKA-SUSITNA BOROUGH
 ORDINANCE SERIAL NO. 16-051**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY; AMENDING 17.55.005 GENERAL; ADOPTING MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMENDING 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES; AND AMENDING MSB 17.125.010 DEFINITIONS.

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. Amendment of section. MSB 17.55.005 General is hereby amended to read:

This chapter establishes minimum structural setbacks from lot lines, water courses and water bodies, rights-of-way, riparian buffer standards, and specific screening easements for certain lands within subdivisions in the Matanuska-Susitna Borough except where otherwise specified in special land use district regulations within this title.

Section 3. Adoption of section. MSB 17.55.030 Riparian Buffer Standards is hereby adopted to read:

17.55.030 RIPARIAN BUFFERS FOR ANADROMOUS WATER BODIES

(A) The following anadromous streams, as identified in the

"Atlas and Catalogue of Waters Important for Spawning,

Rearing or Migration of Anadromous Fish" published by the Alaska Department of Fish and Game are subject to this chapter:

- 1) Cache Creek
- 2) Cottonwood Creek
- 3) Fish Creek
- 4) Goose Creek
- 5) Jim Creek
- 6) Lake Creek
- 7) Little Meadow Creek
- 8) Lucille Creek
- 9) McRoberts Creek
- 10) Meadow Creek
- 11) Montana Creek
- 12) Queer Creek
- 13) Rabideaux Creek
- 14) Sawyer (Buddy) Creek
- 15) Sheep Creek
- 16) Sunshine Creek
- 17) Swift Creek
- 18) Trapper Creek
- 19) Twister Creek
- 20) Wasilla Creek
- 21) Whiskers Creek
- 22) Wiggle Creek

- 23) Willow Creek
- 24) Little Susitna River
- 25) Matanuska River
- 26) Susitna River

(B) As of the effective date of this section, the natural vegetation within the following specified distances of the Ordinary High Water Mark (OHW) of the designated bodies of water or watercourses shall be retained as a riparian buffer. The width of the riparian buffer is based on the particular land use.

- (1) The riparian buffer width on parcels developed for private residential or recreational use shall be fifty feet (50') from the OHW mark.
- (2) The riparian buffer width on parcels developed for multi-family residential or public use shall be one hundred feet (100') from the OHW mark.
- (3) The riparian buffer width on parcels developed for commercial or industrial use shall be one hundred feet (100') from the OHW mark.
- (4) If riparian buffers required by other permits or regulations are larger than those specified above, the larger buffer widths shall stand.

(C) The area within riparian buffers may be 'minimally disturbed,' and developed in accordance with the relevant

provisions of MSB code, state, federal, or other authorities.

- (1) 'Minimal disturbance' allows for limited vegetation removal (e.g., to eliminate hazards or open a view), and a provision for water access.
- (2) 'Minimal disturbance' does not allow the conversion of the buffer to another use.
- (3) Where the vegetation within a riparian buffer is principally composed of species considered by the MSB to pose a 'Very High' or 'Extreme Fire Risk Hazard' Rating (i.e., black spruce), such vegetation may be thinned in accordance with MSB Community Wildfire Protection Plan recommendations to reduce fire risk.

(D) Unless specifically authorized under other sections of this or other MSB Titles, the following activities are prohibited within the riparian buffer:

- (1) Complete removal of native vegetation from more than 10 percent (10%) of the surface area.
- (2) Alteration of original land contours (grading and filling) of more than ten percent (10%) of the surface area.
- (3) Storing or discharging solid or liquid waste, including debris, and animal and yard wastes.
- (4) Stockpiling and storing snow.

- (E) Herbaceous vegetation and tree root masses shall not be disturbed when removing trees from the buffer; nor shall wetlands within riparian buffers be disturbed or filled except as specifically provided for within this Title (such as to establish the waterfront access allowed under 17.55.040).
- (F) Roads, utilities, and other linear developments (e.g., trails, railroad), shall cross watercourses and their associated riparian buffers at as close to a perpendicular angle as possible. Bridge deck height and abutment setback distances shall be sufficient to support natural bank vegetation.
- (G) Roads, utilities and other linear development shall not result in the modification of riparian buffers, natural stream banks and shorelines, or other provisions for vehicles to ford streams unless specifically authorized by local, state or federal permits.
- (H) Construction or other development within a riparian buffer may require a MSB Flood Hazard Development Permit.

Section 4. Amendment of section. MSB 17.55.040 Violations, Enforcement and Penalties is hereby amended to read:

- (A) Except as otherwise specified in this chapter, violations of this chapter are infractions.

(B) Violations of parts 17.55.030 of this chapter which occur solely as a result of natural actions beyond the land owner's control (e.g., the migration of river channels) shall not be subject to enforcement actions.

(C) Remedies, enforcement actions, and penalties shall be consistent with the terms and provisions of MSB 1.45.

Section 5. Amendment of section. MSB 17.125.010 Definitions is hereby amended to read:

"Anadromous" means pertaining to fish such as salmon that

"Minimal disturbance" means to retain the principal character and function of a land characteristics.

"Ordinary High Water Mark (OHW)" means (A) in the non-tidal portion of a river, lake, or stream: the portion of the bed and banks up to which the presence and action of the water is so common and usual, and so long continued in all ordinary years, as to leave a natural line or "mark" impressed on the bank or shore as indicated by erosion, shelving, changes in soil characteristics, destruction of terrestrial vegetation, or other distinctive physical characteristics; (B) in a braided river, lake, or stream: the area delimited by the natural line or "mark" as defined in part A above, impressed on the bank or shore of the outside margin on

the most distant channels; or (C) in the tidally influenced portion of a river, lake, or stream: the portion of the bed(s) and banks below the OHW as described in A or B above, or mean high water elevation; whichever is higher at the project site. (11 AAC 195.010).

"Public Use" means the use of land or building that includes as its principal activity the provision of goods or services to the general public or community at large on other than a for-profit basis including but not limited to parks, trails, open space, recreation areas, schools, churches, libraries, fire, law enforcement and the offices of governmental or non-profit agencies.

"Riparian" means pertaining to anything connected with or the area immediately adjacent to a body of water or watercourse.

Section 6. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

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**PLANNING COMMISSION
RESOLUTION**

By: Frankie Barker
Introduced: May 2, 2016
Public Hearing: May 16, 2016
Action:

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 16-19**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING THAT THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMEND 17.55.005 GENERAL; ADOPT MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMEND 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES AND AMEND MSB 17.125.010 DEFINITIONS.

WHEREAS, the Matanuska-Susitna Borough (MSB) has taken significant actions over the years to protect fisheries and fish habitat in the region; and

WHEREAS, the Assembly created the Mayor's Blue Ribbon Sportsman's Committee which was later renamed the MSB Fish and Wildlife Commission; and

WHEREAS, the Fish and Wildlife Commission has successfully advocated for increased resources for the Mat-Su to improve fish habitat and management in Upper Cook Inlet over the past several years; and

WHEREAS, MSB is a founding member of the Mat-Su Basin Salmon Habitat Partnership and continues to have a representative on the Steering Committee; and

WHEREAS, since 2006, the Salmon Partnership has awarded nearly \$2 million for more than 70 science, conservation and restoration projects to improve fish habitat in the Mat-Su; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission recommends the Borough Assembly amend 17.55.005 General; adopt MSB 17.55.030 Riparian buffer standards to protect anadromous fish, wildlife habitat and water quality in designated streams; amend 17.55.040 Violations, Enforcement and Penalties and amend MSB 17.125.010 Definitions.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of ___, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:



MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645-6488
Department of Planning and Land Use – Environmental Division
Phone 907- 861-8439

MEMORANDUM

DATE: April 28, 2016

TO: Planning Commission

THROUGH: Lauren Driscoll, Planning Chief 

FROM: Frankie Barker, Environmental Planner II 

SUBJECT: **Amendment for IM 16-057 Riparian Buffer Standards**

The Planning Commission will be holding a public hearing on May 16, 2016 regarding IM 16-057 Adopting Riparian Buffer Standards to Protect Anadromous Fish, Wildlife Habitat and Water Quality in Designated Streams. The ordinance as written does not indicate what compliance is expected of property owners who have already developed their land and may have cleared or altered the riparian buffer areas. Thus we are proposing to amend the proposed ordinance to add the language below. The purpose of the amendment is to make it clear that riparian buffer areas along the designated streams, developed prior to the adoption of this legislation, would not be retroactively subject to the ordinance.

17.55.030(I) NONCONFORMING USES.

(I) Within the borough, there may be properties adjacent to designated water bodies which have cleared or altered riparian buffers prior to the effective date of this chapter. Such properties, which were lawful before the effective date of this chapter, but which would otherwise be regulated or restricted under this chapter, are allowed to retain their existing conditions. Any future alterations to riparian buffer areas after the adoption of this chapter will be subject to the provisions in this chapter.

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**PUBLIC HEARING
LEGISLATIVE**

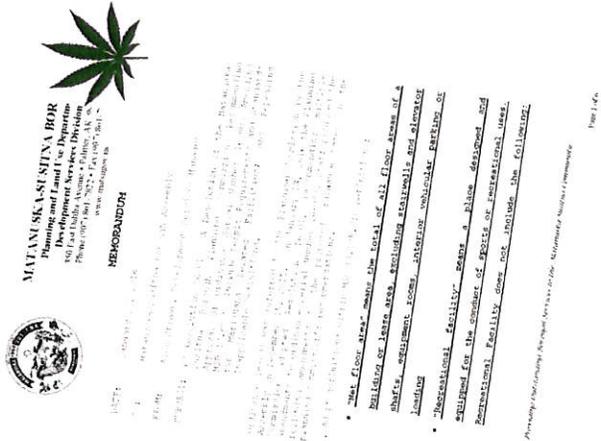
Resolution No. 16-22

Amendments to Ordinance 16-003
Amending MSB 17.60
Standards for Marijuana Related Facilities

(Page 341 - 404)

PUBLIC HEARING

Ordinance Serial No. 16-003 Marijuana Regulations



Matanuska-Susitna Borough
Planning Commission
May 2, 2016

State License Types	Ord. 16-003
Limited Cultivation Facility (<500 ft ²) <small>*Planning Commission recommended exemption for this size facility</small>	✓
Standard Cultivation Facility	✓
Retail Marijuana Store	✓
Product Manufacturing Facility	
Concentrate Manufacturing Facility	
Testing Facility	

Cultivation Facilities



Limited Cultivation Facilities

<500 square feet

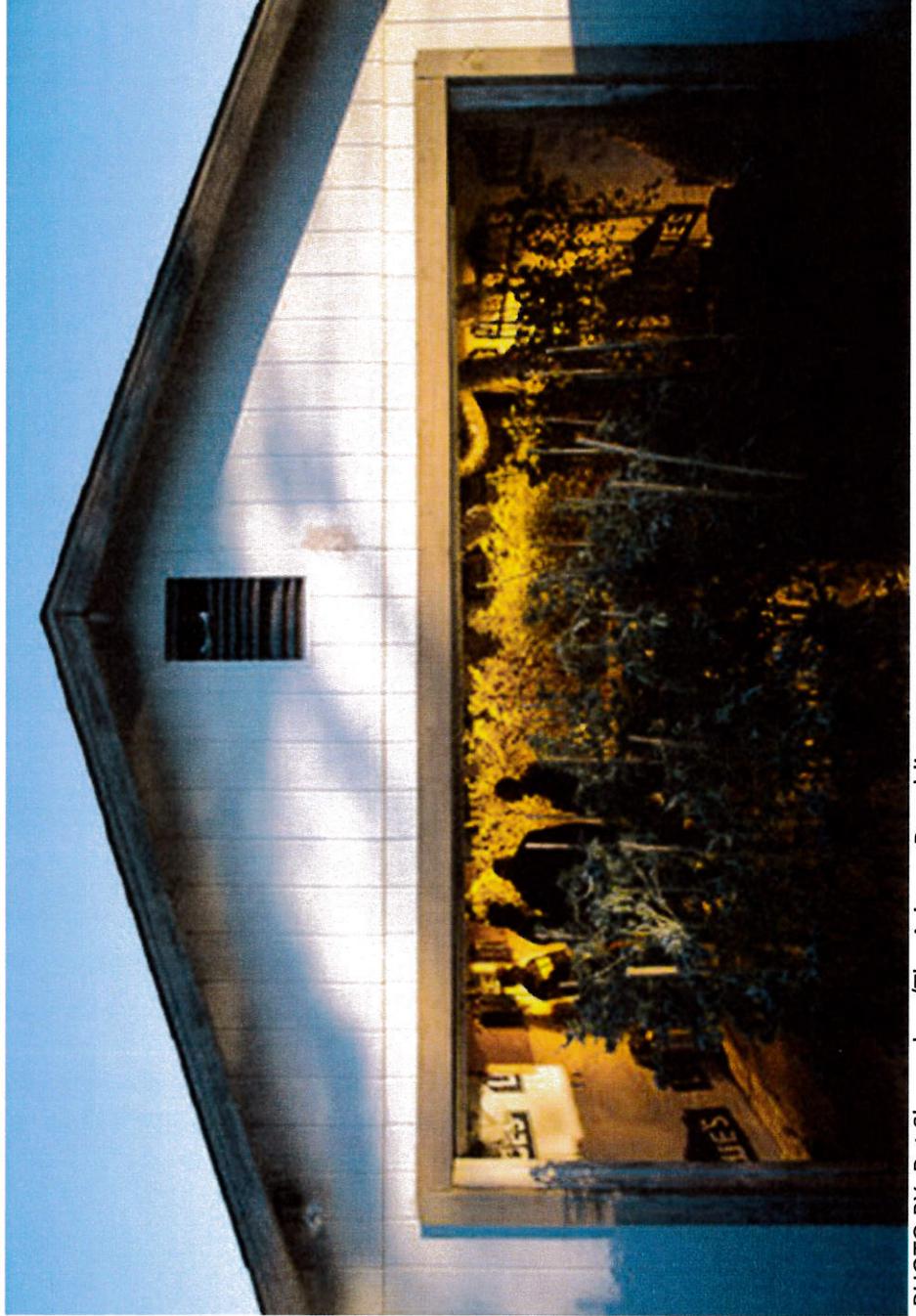


PHOTO BY: Pat Shannahan/The Arizona Republic

Limited Cultivation Facilities

<p>Adopt 16-003 with no changes</p> <ul style="list-style-type: none"> Higher setback standards can result in: <ul style="list-style-type: none"> 500 feet from flag alcohol rehab facilities, billow houses, correctional facilities 100 feet from school zone crossings, 500 feet 100 feet from child care facilities 500 feet from public park, play grounds, boat ramps, similar recreational amenities Lacks certain definitions <ul style="list-style-type: none"> Manufacturing Manufacture Lacks specific standards for retail facilities <ul style="list-style-type: none"> Parking standards Setback standards Does not require demonstration of compliance with Fire Marshall 	<p>Remove standards for traffic impacts</p> <ul style="list-style-type: none"> Higher setback standards can result in: <ul style="list-style-type: none"> 500 feet from flag alcohol rehab facilities, billow houses, correctional facilities 100 feet from school zone crossings, 500 feet 100 feet from child care facilities 500 feet from public park, play grounds, boat ramps, similar recreational amenities Lacks certain definitions <ul style="list-style-type: none"> Manufacturing Manufacture Lacks specific standards for retail facilities <ul style="list-style-type: none"> Parking standards Setback standards Does not require demonstration of compliance with Fire Marshall 	<p>Prohibit cultivation facilities from residential areas</p> <p>Option 1</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines. <p>Option 2</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines. <p>Option 3</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines.
<p>Remove sign standards</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines. 	<p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines. 	<p>Eliminate 5,000 sq. ft. cap on cultivation facilities</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines.
<p>Exempt "limited" grow operations</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines. 	<p>Remove sign standards</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines. 	<p>Require demonstration of compliance with state law</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines.
<p>Parking standards</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines. 	<p>Other changes recommended by staff</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines. 	<p>Other changes recommended by staff</p> <ul style="list-style-type: none"> MSB 17.60.030 (A) (1) (a) Cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from alleys or rear lot lines.

Exempt "limited" grow operations

- ✓ Amend MSB 17.60.030 (A) (5) (a)
- (a) Cultivation facilities with less than 500 square feet under cultivation are exempt under this chapter.**

* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.

Cultivation Facilities



Cultivation Facilities – State Law

- Cannot sell or transfer directly to consumers
- No consumption within 20 feet of premises
- No adulteration
- Packaging standards
- Handler's permit required
- Security standards

Cultivation Facilities – State Law Continued...

- Video surveillance required
 - ↳ Footage must be preserved for 40 days
- Strict tracking system
- Sanitation standards
- Product must be laboratory tested for mold, pesticides, etc.

Cultivation Facilities – State Law

Continued...

3 AAC 306.430 (C)

[A Marijuana Facility shall] not emit an odor that is detectable by the public from outside the cultivation facility except as allowed by a local government conditional use permit process.

Cultivation Facilities

Land Use Impact	16-003
Odor	<ul style="list-style-type: none"> - Odor mitigation and ventilation Plan - Buffers
Water quality/Environmental	<ul style="list-style-type: none"> - Wastewater and waste material disposal plan
Safety/Security	<ul style="list-style-type: none"> - Security plan
Compatibility with surrounding area	<ul style="list-style-type: none"> - Approval standards, public process - Buffer distances - Setbacks

Option 1

✓ Adopt MSB 17.60.160 (F)

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



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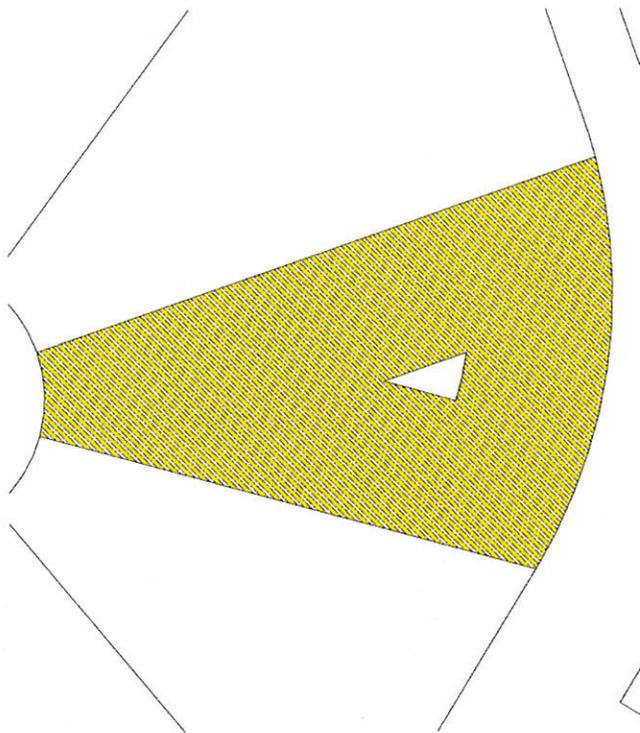
(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way, and 100 feet from side or rear lot lines.



Option 1

✓ Adopt MSB 17.60.160 (F)

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



1.62 Acres

Buildable area ~915 sq. ft.

Option 1

✓ Adopt MSB 17.60.160 (F)

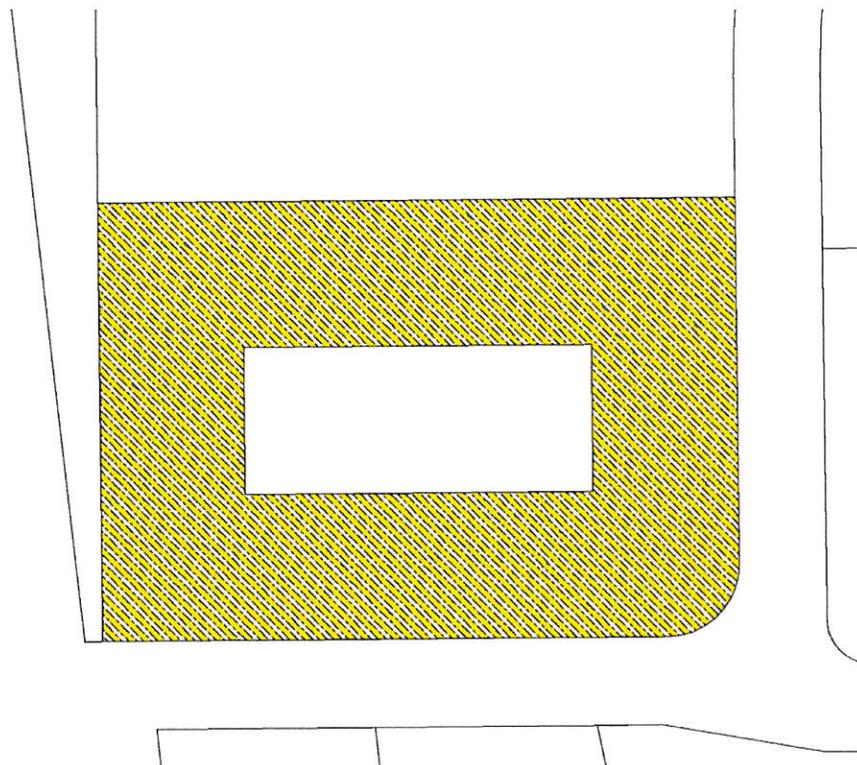
(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way, and 100 feet from side or rear lot lines.



Option 1

✓ Adopt MSB 17.60.160 (F)

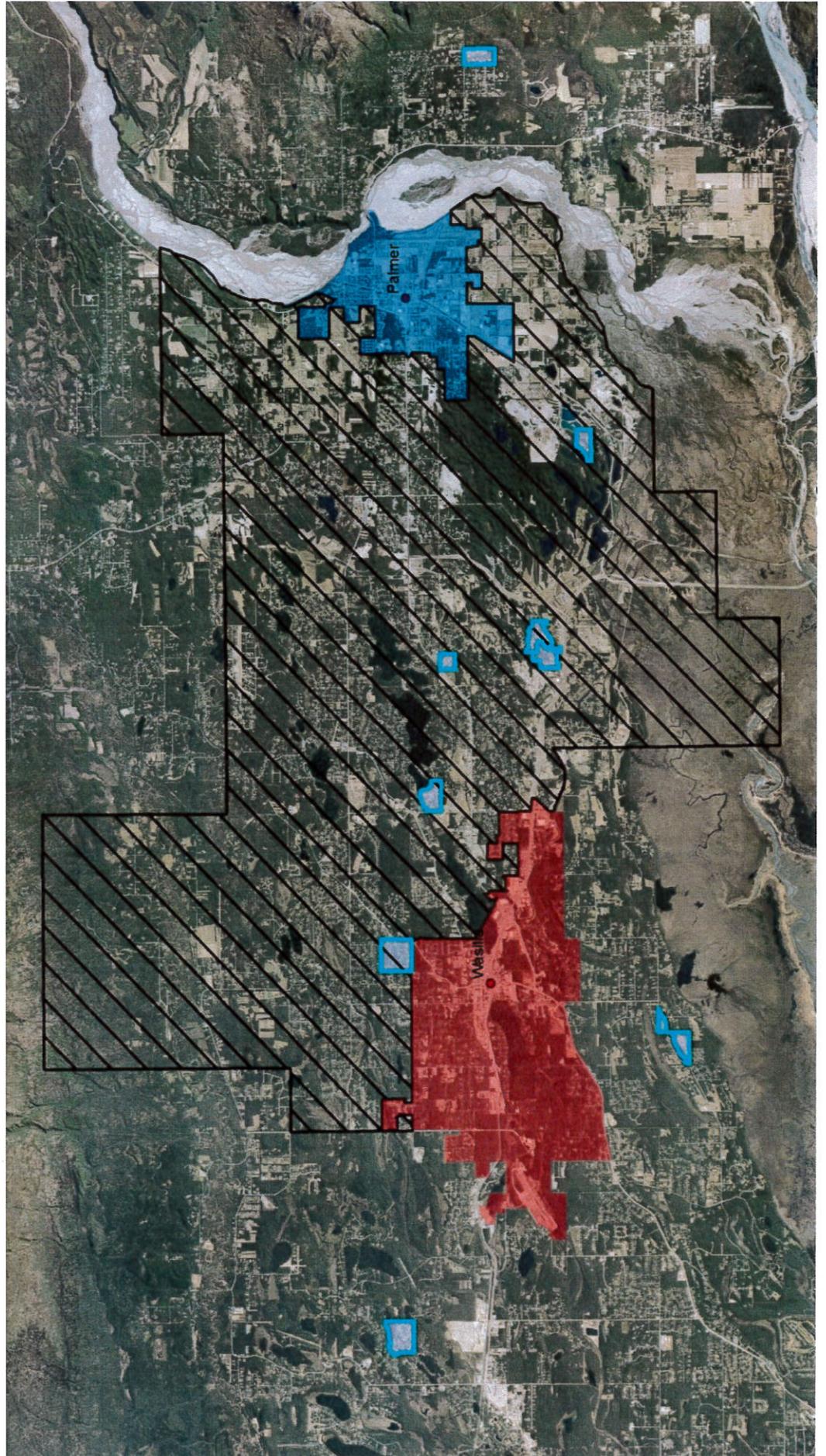
(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way, and 100 feet from side or rear lot lines.



3.03 Acres

Buildable area ~24,237sq. ft.

Option 2



Option 3

✓ Adopt MSB 17.125.010

“Residential Area” means any subdivision of four or more lots where at least 50 percent of the lots are improved with single-family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of lots are restricted by private covenants or zoning to residential purposes.

<p>Adopt 16-003 with no changes</p> <ul style="list-style-type: none"> - Higher setback standards compared to state - 500 feet from drug alcohol rehab facilities, halfway houses, correctional facilities - 1000 feet from child care facilities - 500 feet from public parks, playgrounds, but ramps, similar recreational facilities - Lacks critical details - Marijuana products - Marijuana product manufacturing facility - Lacks specific standards for retail facilities - Exclusion from residential neighborhoods - Does not require demonstration of compliance with Fire Marshall <p>Remove sign standards</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Any potential negative effect upon other properties in the area due to such factors as noise and odors shall be eliminated or minimized. Review MSB 17.125.010 (2) Cultivation facilities with less than cultivation are exempt under this chapter. <p>Exempt "limited" grow operations</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (a) Cultivation facilities with less than cultivation are exempt under this chapter. <p>Eliminate 5,000 sq. ft. cap on cultivation facilities</p> <ul style="list-style-type: none"> Review MSB 17.125.010 Marijuana cultivation facilities may not exceed 5,000 square feet net open space per 250 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet. Review MSB 17.125.010 (b) The minimum number of parking spaces for retail facilities shall be one space per 250 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet. Review MSB 17.125.010 (c) One barrier free parking stall shall be provided for every 25 required parking spaces. Each barrier free parking stall shall be at least 20 feet in length, ten feet wide with a five foot adjacent access aisle, and have a vertical clearance of at least eight feet. <p>Parking standards</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Cultivation facilities shall be provided with parking spaces in accordance with the following standards: Review MSB 17.125.010 (b) The minimum number of parking spaces for retail facilities shall be one space per 250 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet. Review MSB 17.125.010 (c) One barrier free parking stall shall be provided for every 25 required parking spaces. Each barrier free parking stall shall be at least 20 feet in length, ten feet wide with a five foot adjacent access aisle, and have a vertical clearance of at least eight feet. 	<p>Remove standards for traffic impacts</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Any potential negative effect upon other properties in the area due to such factors as noise and odors shall be eliminated or minimized. Review MSB 17.125.010 (2) Cultivation facilities with less than cultivation are exempt under this chapter. <p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Within 600 feet of a school grounds, a recreation or youth center, building in which religious services are regularly conducted, or a correctional facility, no lot or portion of a lot shall be used for cultivation or processing of marijuana. Review MSB 17.125.010 (2) Cultivation facilities with less than cultivation are exempt under this chapter. <p>Prohibit cultivation facilities from residential areas</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Marijuana cultivation facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is consistent with commercial use. Review MSB 17.125.010 (2) Cultivation facilities with less than cultivation are exempt under this chapter. <p>Prohibit retail facilities from residential areas</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is consistent with commercial use. Review MSB 17.125.010 (2) Cultivation facilities with less than cultivation are exempt under this chapter. <p>Require demonstration of compliance with state law</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Prior to final approval of the permit, the applicant shall provide written documentation: Review MSB 17.125.010 (a) All applicable licenses have been obtained as required by AAC 400.005 Review MSB 17.125.010 (b) From the Fire Marshal being jurisdiction that requested conditional use is in full compliance with all applicable fire code, including but not limited to AS 18.30.010, AS 18.30.015, AS 18.30.020, AS 18.30.030, AS 18.30.040, AS 18.30.050, AS 18.30.060, AS 18.30.070, AS 18.30.080, AS 18.30.090, AS 18.30.100, AS 18.30.110, AS 18.30.120, AS 18.30.130, AS 18.30.140, AS 18.30.150, AS 18.30.160, AS 18.30.170, AS 18.30.180, AS 18.30.190, AS 18.30.200, AS 18.30.210, AS 18.30.220, AS 18.30.230, AS 18.30.240, AS 18.30.250, AS 18.30.260, AS 18.30.270, AS 18.30.280, AS 18.30.290, AS 18.30.300, AS 18.30.310, AS 18.30.320, AS 18.30.330, AS 18.30.340, AS 18.30.350, AS 18.30.360, AS 18.30.370, AS 18.30.380, AS 18.30.390, AS 18.30.400, AS 18.30.410, AS 18.30.420, AS 18.30.430, AS 18.30.440, AS 18.30.450, AS 18.30.460, AS 18.30.470, AS 18.30.480, AS 18.30.490, AS 18.30.500, AS 18.30.510, AS 18.30.520, AS 18.30.530, AS 18.30.540, AS 18.30.550, AS 18.30.560, AS 18.30.570, AS 18.30.580, AS 18.30.590, AS 18.30.600, AS 18.30.610, AS 18.30.620, AS 18.30.630, AS 18.30.640, AS 18.30.650, AS 18.30.660, AS 18.30.670, AS 18.30.680, AS 18.30.690, AS 18.30.700, AS 18.30.710, AS 18.30.720, AS 18.30.730, AS 18.30.740, AS 18.30.750, AS 18.30.760, AS 18.30.770, AS 18.30.780, AS 18.30.790, AS 18.30.800, AS 18.30.810, AS 18.30.820, AS 18.30.830, AS 18.30.840, AS 18.30.850, AS 18.30.860, AS 18.30.870, AS 18.30.880, AS 18.30.890, AS 18.30.900, AS 18.30.910, AS 18.30.920, AS 18.30.930, AS 18.30.940, AS 18.30.950, AS 18.30.960, AS 18.30.970, AS 18.30.980, AS 18.30.990, AS 18.30.1000. 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Review MSB 17.125.010 (2) Cultivation facilities with less than cultivation are exempt under this chapter. <p>Option 3</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) "Residential Area" means any subdivision of four or more lots where at least 50 percent of the lots are improved with single-family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of the lots are restricted by private covenants or zoning to residential purposes. Review MSB 17.125.010 (2) Cultivation facilities with less than cultivation are exempt under this chapter.
<p>Other changes recommended by staff</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Cultivation facilities with less than cultivation are exempt under this chapter. <p>RETAIL FACILITIES</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Cultivation facilities with less than cultivation are exempt under this chapter. <p>RECREATION OR YOUTH CENTER</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Cultivation facilities with less than cultivation are exempt under this chapter. <p>RELIGIOUS SERVICES</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Cultivation facilities with less than cultivation are exempt under this chapter. <p>SEMI-PUBLIC BUILDING</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Cultivation facilities with less than cultivation are exempt under this chapter. <p>COMMERCIAL BUILDING</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Cultivation facilities with less than cultivation are exempt under this chapter. 	<p>Prohibit cultivation facilities from residential areas</p> <ul style="list-style-type: none"> Review MSB 17.125.010 (1) Marijuana cultivation facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is consistent with commercial use. 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Review MSB 17.125.010 (2) Cultivation facilities with less than cultivation are exempt under this chapter.

* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.

Option 3



144 Residential of 203
~ 71%

Option 3

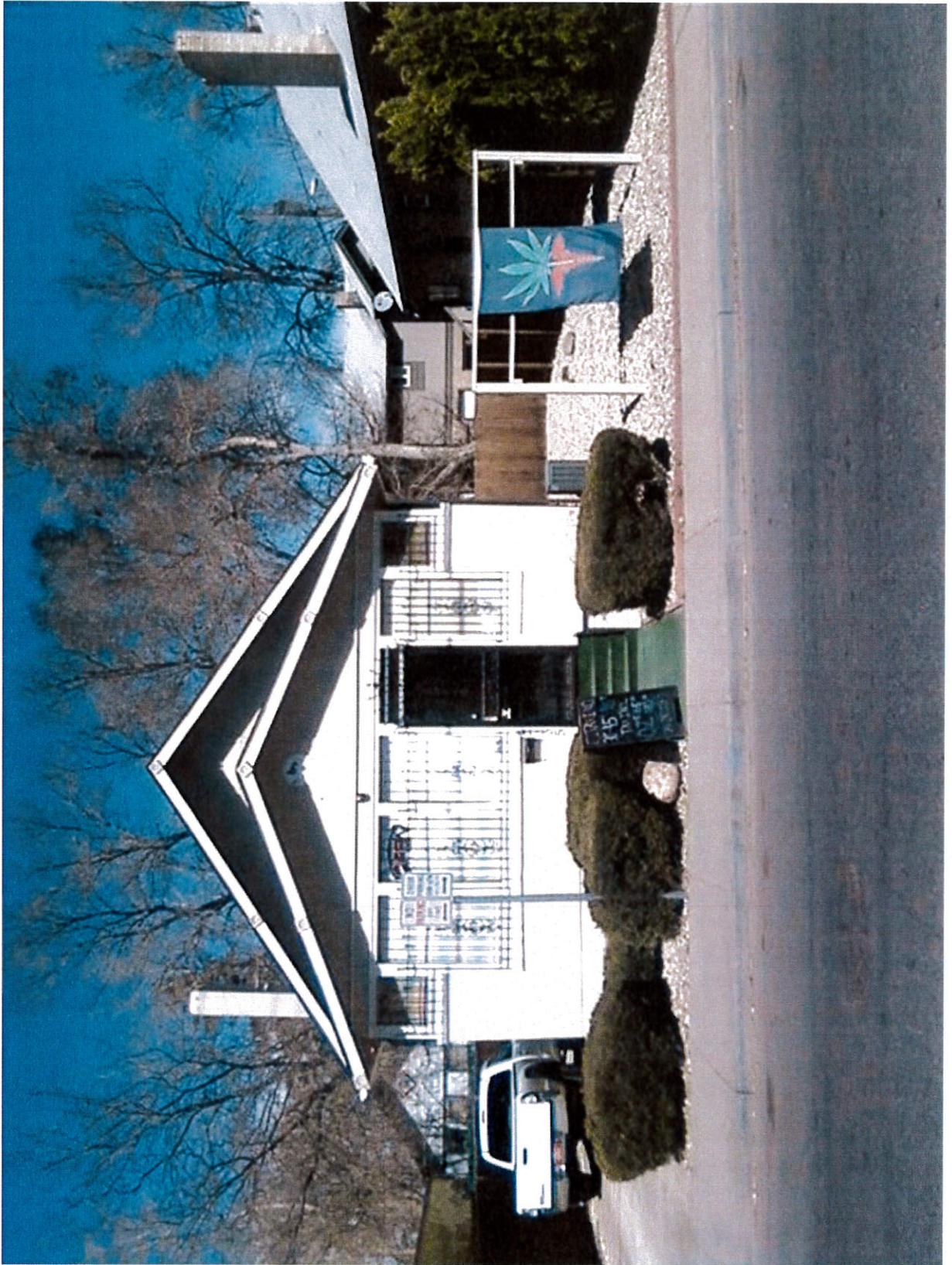


19 Residential of 23
~ 83%

Retail Facilities



Retail Facilities



Retail Facilities



Retail Facilities – State Law

- Cannot sell to person who are:
 - ↳ Under 21
 - ↳ Intoxicated
- Quantity limits
- Cannot deliver, sell over internet
- Cannot sell between 5am – 8am

Retail Facilities – State Law Continued...

- No giveaways
- Cannot sell alcohol
- Packaging & Labeling standards
- Strict inventory tracking system
- Products must be laboratory tested
- Can only buy from licensed facilities
- Extensive signage standards

Prohibit retail facilities from residential areas

<p>Adopt 16-003 with no changes</p> <ul style="list-style-type: none"> - Higher setback standards compared to state - 500 feet from drug alcohol rehab facilities, halfway houses, correctional facilities - 1,000 feet from schools (state requires 500 feet) - 1,000 feet from child care facilities - 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities - Lacks critical definitions <ul style="list-style-type: none"> • Marijuana products • Marijuana product manufacturing facility - Lacks specific standards for retail facilities - Exclusion from residential neighborhoods - Does not require demonstration of compliance with Fire Marshall 	<p>Remove standards for traffic impacts</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.150(A) (3) (2) any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is obtained ✓ Article MSB 17.60.150(A) (4) (d) (4) subject to such other conditions established by the fire marshal and the fire department as may be necessary to ensure the safety of the public ✓ Article MSB 17.60.150(A) (5) whether it is reasonably expected to increase in traffic with overtime, existing street systems 	<p>Prohibit cultivation facilities from residential areas</p> <p>Option 1</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.160(F) (F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way and 100 feet from side or rear lot lines. <p>Option 2</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.160(F) (F) Marijuana cultivation facilities are prohibited from locating within: <ol style="list-style-type: none"> (1) the core area as described in the official Core Area Comprehensive Plan and its amendments (2) Residential Land Use Districts established by MSB 17.52; (3) Single-Family Residential Land Use Districts as defined by MSB 17.75; (4) Large Lot Single-Family Residential Land Use Districts established by MSB 17.76; (5) Residential Planned Unit Developments established by MSB 17.36. <p>Option 3</p> <ul style="list-style-type: none"> ✓ Article MSB 17.125.010 - "Residential Area" means any subdivision of four or more lots where at least 50 percent of the lots are improved with single-family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of the lots are restricted by private covenants or zoning to residential purposes. ✓ Article MSB 17.60.160(F) (F) Marijuana cultivation facilities shall not be located within residential areas.
<p>Remove setback standards to match state</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.150(B) (1) within 500 feet of a school, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility; (2) within 50 feet of any residence located on an adjacent property; but excluding residential units that are located within the subject property. 23- 500 feet of any drug or alcohol rehabilitation facility; 24- 500 feet of any day care or child care facility; 25- 500 feet of any public park, playground, boat ramp, or other similar facility; 26- 500 feet of any public-private, play ground, boat ramp, or other similar recreational facility open to the public; 	<p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.150(B) (C) Separation distances referenced in (B) of this section are measured from direct line between the closest point of the facility within which the structure, facility is located, and the closest point on the lot or parcel of land upon which any of the above-stated uses are located by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school, recreation or youth center, or the main public entrance of the building in which religious services are regularly conducted, or the correctional facility. ✓ Article MSB 17.125.010 - "Recreational facility" means a place designed and equipped for the conduct of sports or recreational uses. Recreational Facility does not include the following: water bodies, bike or walking paths constructed within a public or private right-of-way. - "Marijuana product manufacturing facility" means an entity registered to purchase marijuana, manufacture, prepare, and package marijuana products, and sell marijuana and other marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers. - "Marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, tinctures, and lozenges. - "recreation or youth center" means a building, structure, athletic playing field, or playground which is: <ol style="list-style-type: none"> (a) run or created by a local government or the state to provide athletic, recreational, or leisure activities for minors; or (b) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age. 	<p>Eliminate 5,000 sq. ft. cap on cultivation facilities</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.160 (E) Minimum cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square-foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathrooms, or storage space. <p>Parking standards</p> <ul style="list-style-type: none"> ✓ Article MSB 17.125.010 - "Net floor area" means the total of all floor areas of a building or lease area, excluding stairs, elevators, shafts, equipment rooms, interior vehicular parking or loading. ✓ Article MSB 17.60.150(A) (4) (4) subject to such other conditions established by the fire marshal and the fire department as may be necessary to ensure the safety of the public. ✓ Article MSB 17.60.170 (B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet. (C) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least 20 feet in length, ten feet wide with a five-foot adjacent access aisle, and have a vertical clearance of at least eight feet.
<p>Require demonstration of compliance with state law</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.150(D) (D) Prior to final approval of the permit the applicant shall provide written documentation: <ol style="list-style-type: none"> 1. all applicable licenses have been obtained as required by AAC 306.005 2. from the Fire Marshal having jurisdiction, that proposed conditional use is in full compliance with all applicable fire codes including but not limited to AS 18.70.010, 160 FIRE PROTECTION, and 13 AAC 50.02-50 FIRE CODE. ✓ Article MSB 17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES ✓ Article MSB 17.60.150(A) (1) whether the use is incompatible with the character of the surrounding area. ✓ Article MSB 17.60.160(F) Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures ✓ Consider increasing buffer from school grounds to 1,000 feet to ensure compliance with Federal law. 	<p>Prohibit retail facilities from residential areas</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.170(A) (A) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use. ✓ Adopt definition of "Residential Area" from Option 3 above. 	<p>Prohibit retail facilities from residential areas</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES ✓ Article MSB 17.60.150(A) (1) whether the use is incompatible with the character of the surrounding area. ✓ Article MSB 17.60.160(F) Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures ✓ Consider increasing buffer from school grounds to 1,000 feet to ensure compliance with Federal law.
<p>Remove standards for traffic impacts</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.150(A) (3) (2) any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is obtained ✓ Article MSB 17.60.150(A) (4) (d) (4) subject to such other conditions established by the fire marshal and the fire department as may be necessary to ensure the safety of the public ✓ Article MSB 17.60.150(A) (5) whether it is reasonably expected to increase in traffic with overtime, existing street systems 	<p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.150(B) (1) within 500 feet of a school, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility; (2) within 50 feet of any residence located on an adjacent property; but excluding residential units that are located within the subject property. 23- 500 feet of any drug or alcohol rehabilitation facility; 24- 500 feet of any day care or child care facility; 25- 500 feet of any public park, playground, boat ramp, or other similar facility; 26- 500 feet of any public-private, play ground, boat ramp, or other similar recreational facility open to the public; 	<p>Eliminate 5,000 sq. ft. cap on cultivation facilities</p> <ul style="list-style-type: none"> ✓ Article MSB 17.60.160 (E) Minimum cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square-foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathrooms, or storage space. <p>Parking standards</p> <ul style="list-style-type: none"> ✓ Article MSB 17.125.010 - "Net floor area" means the total of all floor areas of a building or lease area, excluding stairs, elevators, shafts, equipment rooms, interior vehicular parking or loading. ✓ Article MSB 17.60.150(A) (4) (4) subject to such other conditions established by the fire marshal and the fire department as may be necessary to ensure the safety of the public. ✓ Article MSB 17.60.170 (B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet. (C) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least 20 feet in length, ten feet wide with a five-foot adjacent access aisle, and have a vertical clearance of at least eight feet.

* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.

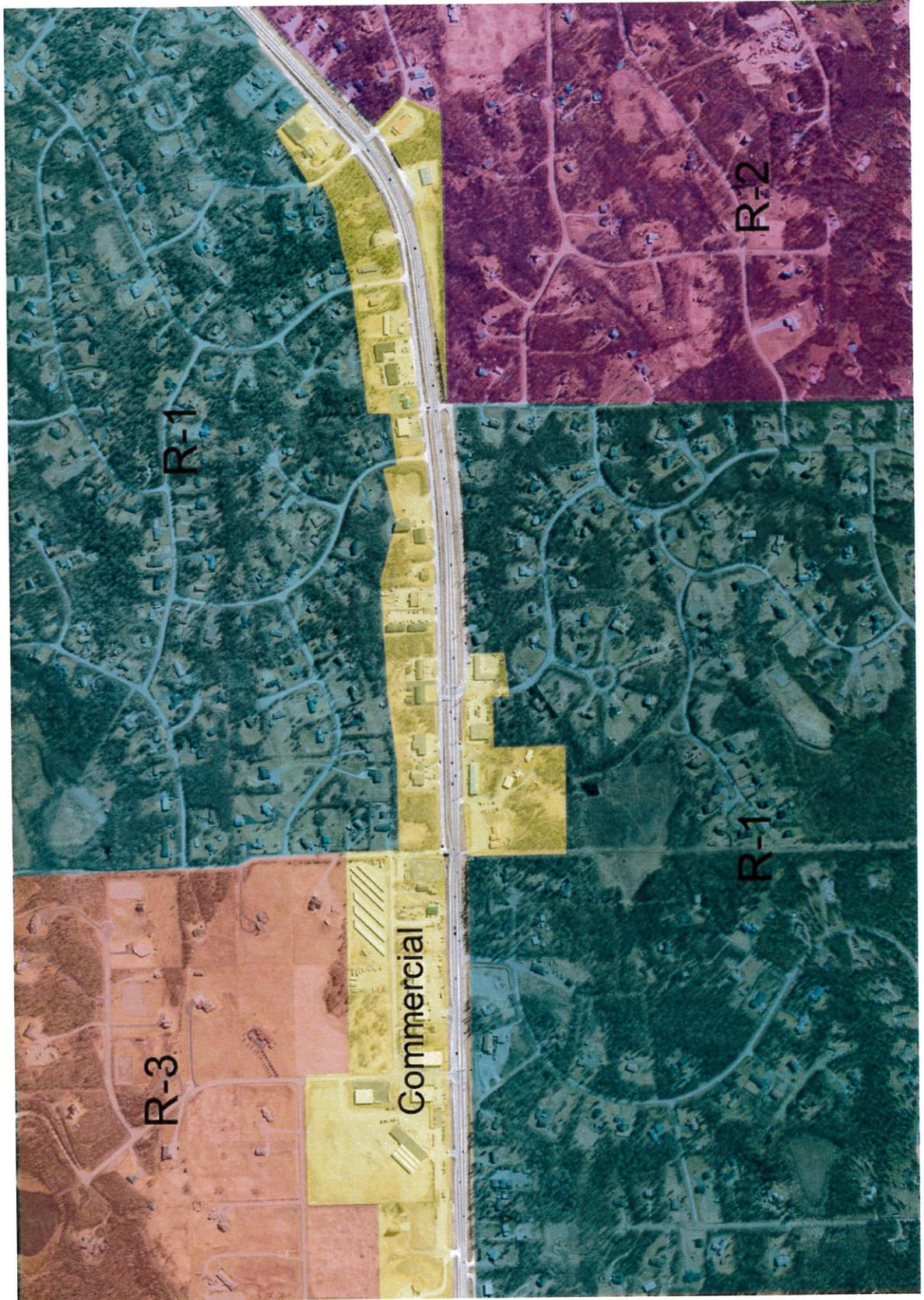
Prohibit retail facilities from residential areas

✓ Adopt MSB 17.60.170 (A) *

(A) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use.



Another approach....



Eliminate 5,000 sq. ft. cap on cultivation facilities

<p>Adopt 16-003 with no changes</p> <ul style="list-style-type: none"> - Higher setback standards compared to state - 500 feet from drug/alcohol rehab facilities, halfway houses, correctional facilities - 1,000 feet from schools (state requires 500 feet) - 1,000 feet from child care facilities - 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities - Lacks critical definitions <ul style="list-style-type: none"> • Marijuana products • Marijuana product manufacturing facility - Lacks specific standards for retail facilities <ul style="list-style-type: none"> • Parking standards - Does not require demonstration of compliance with Fire Marshall 	<p>Remove standards for traffic impacts</p> <ul style="list-style-type: none"> ✓ Strike MSB 17.60.150(A) (2) (2) any potential negative effect on the safe efficient flow of traffic on any highway, street, collector, or street from which access to and from the establishment is required. ✓ Strike MSB 17.60.150(A) (3) (d) (d) the number of vehicles that enter, exit, or pass through the site shall not exceed the number of vehicles that enter, exit, or pass through the site at the same time. ✓ Amend MSB 17.60.150(A) (5) whether access to the premises will create an unreasonable traffic hazard; (6) whether a reasonably expected increase in traffic will adversely affect existing road systems; 	<p>Prohibit cultivation facilities from residential areas</p> <p>Option 1</p> <ul style="list-style-type: none"> ✓ Adopt MSB 17.60.160 (F) (F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way and 100 feet from side or rear lot lines. <p>Option 2</p> <ul style="list-style-type: none"> ✓ Adopt MSB 17.60.160 (F) (F) Marijuana cultivation facilities are prohibited from locating within: <ol style="list-style-type: none"> (1) the core area as described in the official Core Area Comprehensive Plan and its amendments; (2) Residential Land Use Districts established by MSB 17.52; (3) Single-Family Residential Land Use Districts as defined by MSB 17.25; (4) Large Lot Single-Family Residential Land Use Districts established by MSB 17.76; (5) Residential Planned Unit Developments established by MSB 17.36. <p>Option 3</p> <ul style="list-style-type: none"> ✓ Amend MSB 17.125.010 "Residential Area" means any subdivision of four or more lots where at least 50 percent of the lots are improved with single family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of the lots are restricted by private covenants or zoning to residential purposes. ✓ Adopt MSB 17.60.160 (F) (F) Marijuana cultivation facilities shall not be located within residential areas.
<p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> ✓ Amend MSB 17.60.150 (B) (1) within 500 feet of a school, grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility; (2) within 500 feet of any residence located on an adjacent property that contains residential units that are located within the subject property; (3) 500 feet of any building or structure that is located within the subject property; (4) 500 feet of any building or structure that is located within the subject property; (5) 500 feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public; <p>Remove sign standards</p> <ul style="list-style-type: none"> ✓ Amend MSB 17.60.150 (A) (1) : (1) any potential negative effect upon other properties in the area due to such factors as noise, and odor, or otherwise notwithstanding. ✓ Amend MSB 17.60.150 (A) (3) (c) : (c) the location, design, and maintenance of signs on the subject property. <p>Exempt "limited" grow operations</p> <ul style="list-style-type: none"> ✓ Amend MSB 17.60.150 (A) (5) (a) : (a) Cultivation facilities with less than 500 square feet under cultivation are exempt under this chapter. 	<p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> ✓ Amend MSB 17.60.150 (B) (1) within 500 feet of a school, grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility; (2) within 500 feet of any residence located on an adjacent property that contains residential units that are located within the subject property; (3) 500 feet of any building or structure that is located within the subject property; (4) 500 feet of any building or structure that is located within the subject property; (5) 500 feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public; <p>Prohibit retail facilities from residential areas</p> <ul style="list-style-type: none"> ✓ Adopt MSB 17.60.170 (A) : (A) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use. ✓ Adopt MSB 17.60.170 (B) (B) Prior to final approval of the permit the applicant shall provide written documentation: <ol style="list-style-type: none"> 1. all applicable licenses have been obtained as required by 3 AAC 306.005. 2. from the Fire Marshal having jurisdiction that proposed conditional use is in full compliance with all applicable fire code, including but not limited to AS 18.70.010, 160 FIRE PROTECTION, and 13 AAC 50.025.0-80 FIRE CODE. 	<p>Prohibit retail facilities from residential areas</p> <ul style="list-style-type: none"> ✓ Adopt MSB 17.60.170 (A) : (A) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use. ✓ Adopt MSB 17.60.170 (B) (B) Prior to final approval of the permit the applicant shall provide written documentation: <ol style="list-style-type: none"> 1. all applicable licenses have been obtained as required by 3 AAC 306.005. 2. from the Fire Marshal having jurisdiction that proposed conditional use is in full compliance with all applicable fire code, including but not limited to AS 18.70.010, 160 FIRE PROTECTION, and 13 AAC 50.025.0-80 FIRE CODE.
<p>Parking standards</p> <ul style="list-style-type: none"> ✓ Amend MSB 17.125.010 "Net floor area" means the total of all floor areas of a building or lease area, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading. ✓ Strike MSB 17.60.150 (A) (4) (4) whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by locating the premises; ✓ Amend MSB 17.60.170 : (B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet. (C) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least 20 feet in length, ten feet wide with a five-foot adjacent access aisle, and have a vertical clearance of at least eight feet. 	<p>Require demonstration of compliance with state law</p> <ul style="list-style-type: none"> ✓ Adopt MSB 17.60.150 (D) (D) Prior to final approval of the permit the applicant shall provide written documentation: <ol style="list-style-type: none"> 1. all applicable licenses have been obtained as required by 3 AAC 306.005. 2. from the Fire Marshal having jurisdiction that proposed conditional use is in full compliance with all applicable fire code, including but not limited to AS 18.70.010, 160 FIRE PROTECTION, and 13 AAC 50.025.0-80 FIRE CODE. 	<p>Require demonstration of compliance with state law</p> <ul style="list-style-type: none"> ✓ Adopt MSB 17.60.150 (D) (D) Prior to final approval of the permit the applicant shall provide written documentation: <ol style="list-style-type: none"> 1. all applicable licenses have been obtained as required by 3 AAC 306.005. 2. from the Fire Marshal having jurisdiction that proposed conditional use is in full compliance with all applicable fire code, including but not limited to AS 18.70.010, 160 FIRE PROTECTION, and 13 AAC 50.025.0-80 FIRE CODE.
<p>Eliminate 5,000 sq. ft. cap on cultivation facilities</p> <ul style="list-style-type: none"> ✓ Strike MSB 17.60.160 (B) Marijuana cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathroom, or storage space. 	<p>Other changes recommended by staff</p> <ul style="list-style-type: none"> ✓ Adopt New Subsection MSB 17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES Amend MSB 17.60.150 (A) (7) whether the use is reasonable compatible with the character of the surrounding area. Amend MSB 17.60.160 (D) Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures. Consider increasing buffer from school grounds to 1,000 feet to ensure compliance with federal law. 	<p>Other changes recommended by staff</p> <ul style="list-style-type: none"> ✓ Adopt New Subsection MSB 17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES Amend MSB 17.60.150 (A) (7) whether the use is reasonable compatible with the character of the surrounding area. Amend MSB 17.60.160 (D) Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures. Consider increasing buffer from school grounds to 1,000 feet to ensure compliance with federal law.

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Remove standards for traffic impacts

<p>Adopt 16-003 with no changes</p> <ul style="list-style-type: none"> - Higher setback standards compared to state - 50 feet from drug alcohol rehab facilities, halfway houses, correctional facilities - 1,000 feet from schools (state requires 500 feet) - 1,000 feet from child care facilities - 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities - Lacks critical definitions - Marijuana products - Marijuana product manufacturing facility - Lacks specific standards for retail facilities - Does not require demonstration of compliance with Fire Marshall 	<p>Remove standards for traffic impacts</p> <ul style="list-style-type: none"> AS 18.70.010 AS 18.70.010 (A) (2) (2) any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is prohibited. AS 18.70.010 AS 18.70.010 (A) (3) (i) (i) the number of motor- and motor-vehicle-highway-related site and subdivision and (ii) whether or not any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is prohibited. 	<p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> AS 18.70.010 AS 18.70.010 (A) (1) within 500 feet of a school, grounds, a recreation or youth center, a correctional facility, or within 50 feet of any residence located on an adjacent property that contains residential units that are located within the subject property. AS 18.70.010 AS 18.70.010 (A) (2) (2) any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is prohibited. AS 18.70.010 AS 18.70.010 (A) (3) (i) (i) the number of motor- and motor-vehicle-highway-related site and subdivision and (ii) whether or not any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is prohibited. 	<p>Prohibit cultivation facilities from residential areas</p> <ul style="list-style-type: none"> AS 18.70.010 AS 18.70.010 (A) (1) (1) the core area as described in the official Core Area Comprehensive Plan and its amendments. AS 18.70.010 AS 18.70.010 (A) (2) (2) Residential Land Use Districts established by MSB 17.52; AS 18.70.010 AS 18.70.010 (A) (3) (3) Single-Family Residential Land Use Districts as defined by MSB 17.52; AS 18.70.010 AS 18.70.010 (A) (4) (4) Large-Lot Single-Family Residential Land Use Districts established by MSB 17.76; AS 18.70.010 AS 18.70.010 (A) (5) (5) Residential Planned Unit Developments established by MSB 17.46. 	<p>Remove sign standards</p> <ul style="list-style-type: none"> AS 18.70.010 AS 18.70.010 (A) (1) (1) any potential negative effect upon other properties in the area due to such factors as noise, and odor, or obstructive advertising. AS 18.70.010 AS 18.70.010 (A) (2) (2) any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is prohibited. 	<p>Exempt "limited" grow operations</p> <ul style="list-style-type: none"> AS 18.70.010 AS 18.70.010 (A) (1) (1) any potential negative effect upon other properties in the area due to such factors as noise, and odor, or obstructive advertising.
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Reduce setbacks to match state

State

16-003

Cannot be located within 500 feet from:

- School grounds
- Recreation or youth center
- Building in which religious services are regular conducted
- Correctional facility

Cannot be located within 50 feet of residence

Cannot be located within 500 feet of:

- Drug or alcohol rehab facilities
- Halfway house or correctional facility
- Public park, playground, boat ramp, or other similar recreational amenity open to the public

Cannot be located within 1000 feet of:

- Schools
- Child care facilities



Demonstration of compliance with state law

<p>Adopt 16-003 with no changes</p> <ul style="list-style-type: none"> - Higher setback standards compared to state - 500 feet from drug alcohol rehab facilities, halfway houses, correctional facilities - 1,000 feet from schools (state requires 500 feet) - 500 feet from child care facilities - 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities - Lacks crucial definitions - Marijuana product manufacturing facility - Lacks specific standards for retail facilities - Exclusion from residential neighborhoods - Does not require demonstration of compliance with Fire Marshall 	<p>Remove standards for traffic impacts</p> <ul style="list-style-type: none"> - Any potential negative effect on the safe efficient flow of traffic on any highway, street, or road, which occurs or will occur from the establishment or operation of a facility. - The number of vehicles which will enter or leave the facility or the number of vehicles which will be stopped at traffic signals or other traffic control devices. - The number of vehicles which will be stopped at traffic signals or other traffic control devices. - The number of vehicles which will be stopped at traffic signals or other traffic control devices. 	<p>Prohibit cultivation facilities from residential areas</p> <p>Option 1</p> <ul style="list-style-type: none"> (1) Marijuana cultivation facilities shall be set back 100 feet from public rights of way and 100 feet from side or rear lot lines. <p>Option 2</p> <ul style="list-style-type: none"> (1) The core area as described in the official Core Area Comprehensive Plan and its amendments. (2) Residential Land Use Districts established by MSB 17.52. (3) Single Family Residential Land Use Districts established by MSB 17.75. (4) Large Lot Single Family Residential Land Use Districts established by MSB 17.76. (5) Residential Planned Unit Developments established by MSB 17.36. <p>Option 3</p> <ul style="list-style-type: none"> - "Residential Area" means any subdivision of four or more lots where at least 50 percent of the lots are improved with single family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of the lots are restricted by private covenants or zoning to residential purposes. (1) Marijuana cultivation facilities shall not be located within residential areas.
<p>Remove sign standards</p> <ul style="list-style-type: none"> - (1) any potential negative effect upon other properties in the area due to such factors as noise and odor, not otherwise subject to regulation. - The number of signs or advertisements on a given property. <p>Exempt "limited" grow operations</p> <ul style="list-style-type: none"> (a) Cultivation facilities with less than 500 square feet under cultivation are exempt under this chapter. 	<p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> (1) within 500 feet of a school grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a recreational facility; - The number of vehicles which will be stopped at traffic signals or other traffic control devices. - The number of vehicles which will be stopped at traffic signals or other traffic control devices. - The number of vehicles which will be stopped at traffic signals or other traffic control devices. 	<p>Prohibit retail facilities from residential areas</p> <ul style="list-style-type: none"> (1) Marijuana retail facilities shall not be located within a residential area unless the lots accessed by a frontage road or other major thoroughfare that is conducive to commercial use.
<p>Eliminate 5,000 sq. ft. cap on cultivation facilities</p> <ul style="list-style-type: none"> - Marijuana cultivation facilities may not exceed 5,000 square feet of any given parcel. The 5,000 square foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathrooms, or storage space. <p>Parking standards</p> <ul style="list-style-type: none"> - (1) whether there are adequate parking facilities to accommodate reasonably expected increased demand for parking created by issuing the permit. - (2) The minimum number of parking spaces for retail facilities shall be one space per 550 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet. - (3) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least 20 feet in length, ten feet wide with a five foot adjacent access aisle, and have a vertical clearance of at least eight feet. 	<p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> (1) within 500 feet of a school grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a recreational facility; - The number of vehicles which will be stopped at traffic signals or other traffic control devices. - The number of vehicles which will be stopped at traffic signals or other traffic control devices. - The number of vehicles which will be stopped at traffic signals or other traffic control devices. 	<p>Require demonstration of compliance with state law</p> <ul style="list-style-type: none"> (1) Prior to final approval of the permit, the applicant shall provide written documentation. 1. All available licenses have been obtained as required by AAC 306.005. 2. From the Fire Marshal having jurisdiction, that proposed conditional use is in full compliance with all applicable fire code, including but not limited to AS 18.70.010, 100 FIRE PROTECTION, and AAC 306.005 to 306.009. <p>Other changes recommended by staff</p> <ul style="list-style-type: none"> - Adopt new definitions: MSB 17.005.130, STANDARDS FOR MARIJUANA RETAIL FACILITIES - Amend MSB 17.005.140(A) - Amend MSB 17.005.140(B) - Amend MSB 17.005.140(C) - Amend MSB 17.005.140(D) - Amend MSB 17.005.140(E) - Amend MSB 17.005.140(F) - Amend MSB 17.005.140(G) - Amend MSB 17.005.140(H) - Amend MSB 17.005.140(I) - Amend MSB 17.005.140(J) - Amend MSB 17.005.140(K) - Amend MSB 17.005.140(L) - Amend MSB 17.005.140(M) - Amend MSB 17.005.140(N) - Amend MSB 17.005.140(O) - Amend MSB 17.005.140(P) - Amend MSB 17.005.140(Q) - Amend MSB 17.005.140(R) - Amend MSB 17.005.140(S) - Amend MSB 17.005.140(T) - Amend MSB 17.005.140(U) - Amend MSB 17.005.140(V) - Amend MSB 17.005.140(W) - Amend MSB 17.005.140(X) - Amend MSB 17.005.140(Y) - Amend MSB 17.005.140(Z)
<p>Parking standards</p> <ul style="list-style-type: none"> - (1) whether there are adequate parking facilities to accommodate reasonably expected increased demand for parking created by issuing the permit. - (2) The minimum number of parking spaces for retail facilities shall be one space per 550 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet. - (3) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least 20 feet in length, ten feet wide with a five foot adjacent access aisle, and have a vertical clearance of at least eight feet. 	<p>Reduce setback standards to match state</p> <ul style="list-style-type: none"> (1) within 500 feet of a school grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a recreational facility; - The number of vehicles which will be stopped at traffic signals or other traffic control devices. - The number of vehicles which will be stopped at traffic signals or other traffic control devices. - The number of vehicles which will be stopped at traffic signals or other traffic control devices. 	<p>Require demonstration of compliance with state law</p> <ul style="list-style-type: none"> (1) Prior to final approval of the permit, the applicant shall provide written documentation. 1. All available licenses have been obtained as required by AAC 306.005. 2. From the Fire Marshal having jurisdiction, that proposed conditional use is in full compliance with all applicable fire code, including but not limited to AS 18.70.010, 100 FIRE PROTECTION, and AAC 306.005 to 306.009. <p>Other changes recommended by staff</p> <ul style="list-style-type: none"> - Adopt new definitions: MSB 17.005.130, STANDARDS FOR MARIJUANA RETAIL FACILITIES - Amend MSB 17.005.140(A) - Amend MSB 17.005.140(B) - Amend MSB 17.005.140(C) - Amend MSB 17.005.140(D) - Amend MSB 17.005.140(E) - Amend MSB 17.005.140(F) - Amend MSB 17.005.140(G) - Amend MSB 17.005.140(H) - Amend MSB 17.005.140(I) - Amend MSB 17.005.140(J) - Amend MSB 17.005.140(K) - Amend MSB 17.005.140(L) - Amend MSB 17.005.140(M) - Amend MSB 17.005.140(N) - Amend MSB 17.005.140(O) - Amend MSB 17.005.140(P) - Amend MSB 17.005.140(Q) - Amend MSB 17.005.140(R) - Amend MSB 17.005.140(S) - Amend MSB 17.005.140(T) - Amend MSB 17.005.140(U) - Amend MSB 17.005.140(V) - Amend MSB 17.005.140(W) - Amend MSB 17.005.140(X) - Amend MSB 17.005.140(Y) - Amend MSB 17.005.140(Z)

* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.

By: Alex Strawn
Introduced: January 4, 2016
Public Hearing: January 18, 2016
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.60 TO INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR MARIJUANA RELATED FACILITIES; AND REPEALING INAPPLICABLE DEFINITIONS.

WHEREAS, on November 4, 2014, Ballot Measure 2 was approved statewide by the voters; and

WHEREAS, Ballot Measure 2 allows for the Borough to prohibit and/or implement regulations governing the number, time, place and manner of marijuana cultivation facilities, manufacturing facilities, retail stores, and testing facilities; and

WHEREAS, Assembly resolution 15-007 established a Marijuana Advisory Committee in part to advise the Assembly and Administration on how the Assembly and/or Administration should implement Alaska Statute 17.38 at the local level; and

WHEREAS, this legislation is coming forward at the request of the Marijuana Advisory Committee; and

WHEREAS, unregulated marijuana related facilities are potentially damaging to the property values and usefulness of adjacent properties, and have the potential to cause harm to the public health, safety, and welfare; and

WHEREAS, in the absence of Borough-wide zoning, such uses are best handled through a conditional use permit process; and

WHEREAS, on December 15, 2015, the Assembly referred proposed Ordinance Serial Number 16-003 to the Planning Commission for 45 days; and

WHEREAS, the Planning Commission held a public hearing for the proposed ordinance and Planning Commission Resolution 16-01 on January 18, 2016; and

WHEREAS, the Planning Commission finds that the draft ordinance and the suggested amendments listed below meet the intent of Ballot Measure 2 by allowing for the production and distribution of marijuana while ensuring it is done in a manner that will preserve and will not detract from the neighboring land uses; and

WHEREAS, after considering all available information in the limited timeframe available, the Planning Commission recommends the Assembly make the following changes to Ordinance Serial Number 16-003:

- A. remove language which regulates signage; and
- B. explicitly prohibit marijuana related facilities from residential areas; and
- C. eliminate the 5,000 square foot cap on marijuana cultivation facilities; and

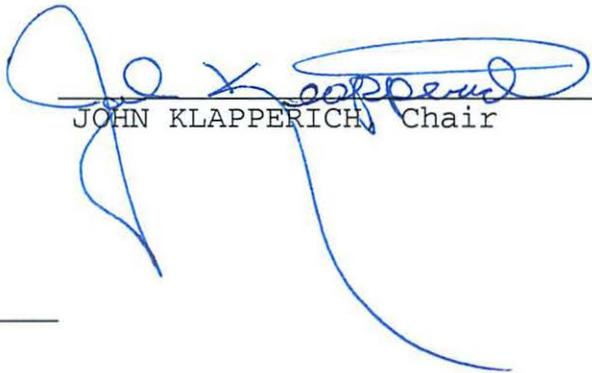
- D. exempt cultivation facilities less than 500 square feet;
- E. add objective parking and traffic standards; and
- F. adopt definitions for recreation facilities, marijuana product manufacturing facilities, and marijuana products; and
- G. eliminate setback requirements from boat ramps; and
- H. modify the setbacks within MSB 17.60.150(B) to be consistent with state standards; and
- I. consider removing standards for traffic impacts; and
- J. require the applicant to provide written documentation of compliance with:
 - 1. all applicable licenses as required by 3 AAC 306.005.
 - 2. fire code, including but not limited, to AS 18.70 FIRE PROTECTION, and 13 AAC 50.025 FIRE CODE; and
 - 3. not limit security to education measures.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Ordinance Serial Number 16-003 amending MSB 17.60 to include permit requirements and standards for marijuana related facilities; and repealing inapplicable definitions.

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ADOPTED by the Matanuska-Susitna Borough Planning Commission this 18th day of January, 2016.



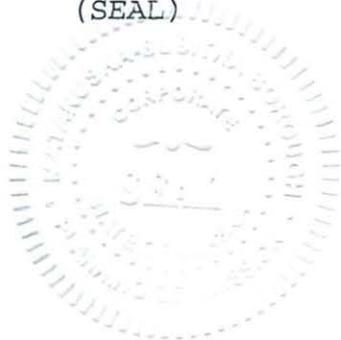
JOHN KLAPPERICH, Chair

ATTEST



MARY BRODIGAN, Planning Clerk

(SEAL)



APPROVED UNANIMOUSLY: Klapperich, Healy, Walden, Kendig,
Adams, and Rauchenstein

CODE ORDINANCE

Sponsored by: Assemblymember Sykes

Introduced:

Public Hearing:

Action:

PENDING

To provide comments to the Mayor and the Assembly regarding this legislation click here

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-003**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.60 TO INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR MARIJUANA RELATED FACILITIES; AND REPEALING UNAPPLICABLE DEFINITIONS.

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. Amendment of section. MSB 17.125.010 is hereby amended as follows:

- "Marijuana" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, derivative, mixture, or preparation of the plant, its seeds or its resin, including marijuana concentrate. "Marijuana" does not include fiber produced from the stalks, cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administration, food, drink or other products."

- "Marijuana Cultivation Facility" means an entity licensed to cultivate, prepare, package and sell marijuana to Marijuana dispensaries, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.
- "Marijuana retail facility means an entity licensed to purchase marijuana or a marijuana product from a marijuana cultivation facility or marijuana product manufacturing facility and to sell marijuana and any approved marijuana product to a consumer."
- ["MOTORIZED" MEANS POWERED OR PROPELLED BY A FORCE OTHER THAN HUMAN OR ANIMAL MUSCULAR POWER, GRAVITY, OR WIND.]
- ["RACE TRACK" MEANS A PREPARED ROUTE TRAVELED BY CONTESTANTS TO ACHIEVE GOALS OF SKILL, DURATION, OR SPEED, INCLUDING PRACTICE FOR SUCH EVENTS, ALSO KNOWN AS: RACEWAY, OR RACE COURSE.]

Section 3. Amendment of Paragraph. MSB 17.60.030(A) is hereby amended as follows:

(A) The following land uses are declared to be potentially damaging to the property values and usefulness of adjacent properties, or potentially harmful to the public health, safety, and welfare:

- (1) junkyards and refuse areas;
- (2) correctional community residential centers;
- [(3) RACE TRACKS USED BY MOTORIZED VEHICLES
CARRYING PEOPLE ON LAND.]

**(4) Marijuana retail facility as licensed under
3 AAC 306.005; and**

**(5) marijuana cultivation facility licensed under
3 AAC 306.005.**

Section 4. Adoption of sections. MSB 17.60.150 and
17.60.160 are hereby adopted as follows:

17.60.150 GENERAL STANDARDS FOR MARIJUANA RELATED
FACILITIES

(A) In addition to the standards set forth by
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,
odor, or obtrusive advertising;

(2) any potential negative effect on the
safe, efficient flow of traffic on any highway,
arterial, collector, or street from which access to
and from the establishment is obtained;

(3) 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) reduction or elimination of obtrusive or garish signage;

(d) clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors; and

(e) site and building design features which contribute to the character of the surrounding area.

(4) whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit;

(5) whether access to the premises will create an unreasonable traffic hazard;

(6) whether a reasonably expected increase in traffic will overtax existing road systems;

(7) whether the use is incompatible with the character of the surrounding area.

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

(1) within 50-feet of any residence located on an adjacent property, but excluding residential units that are located within the subject property;

(2) 500-feet of any drug or alcohol rehabilitation facilities;

(3) 500-feet of any half way house or correctional facility;

(4) 1,000-feet of any elementary school, middle school, high school, college, or university, whether public or private;

(5) 1,000-feet of any licensed child care facility; or

(6) 500-feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public.

(C) Separation distances referenced in (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.

(D) Prior to final approval of the permit the applicant shall provide written documentation that all applicable licenses have been obtained as required by 3 AAC 306.005.

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.

(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.

(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.

(D) *Security.* The applicant shall provide a security plan. The plan shall include education for employees on security measures.

(E) Marijuana cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathrooms, or storage space.

ADOPTED by the Matanuska-Susitna Borough Assembly this -
day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

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Adopt 16-003 with no changes

PLANNING COMMISSION
- Higher setback standards compared to state

- 500 feet from drug/alcohol rehab facilities, halfway houses, correctional facilities
- 1,000 feet from schools (state requires 500 feet)
- 1,000 feet from child care facilities
- 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities

- Lacks critical definitions

- Marijuana products
- Marijuana product manufacturing facility

- Lacks specific standards for retail facilities

- Parking standards
- Exclusion from residential neighborhoods

- Does not require demonstration of compliance with Fire Marshall

1. Remove sign standards

- Amend MSB 17.60.150 (A) (1) :
(1) any potential negative effect upon other properties in the area due to such factors as noise, and odor, or obtrusive advertising;
- Amend MSB 17.60.150 (A) (3) (c)
(c) reduction or elimination of obtrusive or garish signage;

2. Exempt "limited" grow operations

- Amend MSB 17.60.030 (A) (5) (a)
(a) Cultivation facilities with less than 500 square feet under cultivation are exempt under this chapter.

3. Eliminate 5,000 sq. ft. cap on cultivation facilities

- Strike MSB 17.60.160 (E)
Marijuana cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathrooms, or storage space.

4. Parking standards

- Amend MSB 17.125.010
"Net floor area" means the total of all floor areas of a building or lease area, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading
- Strike MSB 17.60.150 (A) (4)
(4) whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit;
- Amend MSB 17.60.170*
(B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least: 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet.
(C) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least: 20 feet in length, ten feet wide with a five-foot adjacent access aisle, and have a vertical clearance of at least eight feet.

5. Remove standards for traffic impacts

- MAY 16, 2018
- Strike MSB 17.60.150 (A) (2)
(2) any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is obtained;
 - Strike MSB 17.60.150 (A) (3) (d)
(d) clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors; and
 - Amend MSB 17.60.150 (A)
(5) whether access to the premises will create an unreasonable traffic hazard;
(6) whether a reasonably expected increase in traffic will overtax existing road systems;

6. Reduce setback standards to match state

- Amend MSB 17.60.150 (B)
(1) within 500 feet of a school grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility; within 50 feet of any residence located on an adjacent property, but excluding residential units that are located within the subject property;
(2) 500 feet of any drug or alcohol rehabilitation facilities;
(3) 500 feet of any half way house or correctional facility;
(4) 1,000 feet of any elementary school, middle school, high school, college, or university, whether public or private;
(5) 1,000 feet of any licensed child care facility; or
(6) 500 feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public.];

- Amend MSB 17.60.150 (C)
(C) Separation distances referenced in (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] by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school, recreation or youth center, or the main public entrance of the building in which religious services are regularly conducted, or the correctional facility.

- Amend MSB 17.125.010
"Recreational facility" means a place designed and equipped for the conduct of sports or recreational uses. Recreational Facility does not include the following: water bodies, bike or walking paths constructed within a public or private right-of-way.

"Marijuana product manufacturing facility" means an entity registered to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

"Marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

"recreation or youth center" means a building, structure, athletic playing field, or playground which is:

- (a) run or created by a local government or the state to provide athletic, recreational, or leisure activities for minors; or
- (b) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age.

7. Prohibit cultivation facilities from residential areas

Option 1

- Adopt MSB 17.60.160 (F)
(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way, and 100 feet from side or rear lot lines.

Option 2

- Adopt MSB 17.60.160 (F)
(F) Marijuana cultivation facilities are prohibited from locating within:
(1) the core area as described in the official Core Area Comprehensive Plan and its amendments;
(2) Residential Land Use Districts established by MSB 17.52;
(3) Single-Family Residential Land Use Districts as defined by MSB 17.75;
(4) Large Lot Single-Family Residential Land Use Districts established by MSB 17.76;
(5) Residential Planned Unit Developments established by MSB 17.36.

Option 3

- Amend MSB 17.125.010
"Residential Area" means any subdivision of four or more lots where at least 50 percent of the lots are improved with single-family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of the lots are restricted by private covenants or zoning to residential purposes.
- Adopt MSB 17.60.160 (F)
(F) Marijuana cultivation facilities shall not be located within residential areas.

8. Prohibit retail facilities from residential areas

- Adopt MSB 17.60.170 (A) *
(A) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use.
- Adopt definition of "Residential Area" from Option 3 above.

9. Require demonstration of compliance with state law

- Adopt MSB 17.60.150 (D)
(D) Prior to final approval of the permit the applicant shall provide written documentation:
1. all applicable licenses have been obtained as required by 3 AAC 306.005.
2. from the Fire Marshal having jurisdiction, that proposed conditional use is in full compliance with all applicable fire code, including but not limited, to AS 18.70.010-.160 FIRE PROTECTION, and 13 AAC 50.025-0.80 FIRE CODE.

10. Other changes recommended by staff

- *Adopt New Subsection MSB 17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES
- Amend MSB 17.60.150 (A)
(7) whether the use is incompatible compatible with the character of the surrounding area.
- Amend MSB 17.60.160 (D)
Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures.
- Consider increasing buffer from school grounds to 1,000 feet to ensure compliance with federal law.

* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.

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Mary Brodigan

From: Alex Strawn
Sent: Tuesday, May 03, 2016 9:23 PM
To: Mary Brodigan
Cc: Eileen Probasco
Subject: Please forward to members of the Planning Commission

Members of the Planning Commission,

This email is in reference to Planning Commission Resolution 16-22, a resolution recommending amendments to Assembly Ordinance 16-003, an ordinance establishing standards for marijuana related facilities. Reso 16-22 is advisory to the assembly on a legislative matter and is therefore not subject to the same rules restricting ex parte contact that apply to quasi-judicial items such as conditional use permits and variances.

I would like to express my willingness to assist with crafting or reviewing any amendments you would like to see to Reso 16-22 prior to the May 16 public hearing. Any of the legwork that can be done prior to the meeting will increase the efficiency of the meeting and will ultimately result in a better finished product.

This invitation applies to all matters that come before the commission that is not quasi-judicial.

Alex Strawn

Development Services Manager
Matanuska-Susitna Borough
350 E. Dahlia Palmer, AK 99645
(907) 861-7854

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By: Alex Strawn
Introduced: May 2, 2016
Public Hearing: May 16, 2016
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-22**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING AMENDMENTS TO ASSEMBLY ORDINANCE 16-003, AN ORDINANCE AMENDING MSB 17.60 TO INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR MARIJUANA RELATED FACILITIES.

WHEREAS, the Planning Commission held a public hearing on Ordinance 16-003 on January 18, 2016; and

WHEREAS, the Planning Commission adopted resolution 16-01 recommending approval of Assembly Ordinance 16-003 with the following changes:

- A. remove language which regulates signage
- B. explicitly prohibit marijuana related facilities from residential areas
- C. eliminate the 5,000 square foot cap on marijuana cultivation facilities
- D. exempt cultivation facilities less than 500 square feet
- E. Add objective parking and traffic standards
- F. adopt definitions for recreation facilities, marijuana product manufacturing facilities, and marijuana products
- G. eliminate setback requirements from boat ramps

- H. modify the setbacks within MSB 17.60.150(B) to be consistent with state standards
- I. consider removing standards for traffic impacts; and
- J. require the applicant to provide written documentation of compliance with:
 - 1. all applicable licenses as required by 3 AAC 306.005.
 - 2. fire code, including but not limited, to AS 18.70 FIRE PROTECTION, and 13 AAC 50.025 FIRE CODE; and
 - 3. not limit security to education measures.

WHEREAS, staff prepared amendments to Assembly ordinance 16-003 to reflect the Planning Commission's recommendations; and

WHEREAS, the amendments prepared by staff satisfactorily implement the recommendations made by the Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby supports the amendments recommended by staff in the table attached hereto.

BE IT FURTHER RESOLVED, the Matanuska-Susitna Borough Planning Commission recommends adoption of a 100 foot setback for cultivation facilities as recommended in option one within the table attached hereto.

BE IT FURTHER RESOLVED, the Matanuska-Susitna Borough Planning Commission recommends the Assembly define "residential

area" and prohibiting retail facilities from locating within residential areas unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of ___, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

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COMMISSION BUSINESS
Upcoming PC Agenda Items

(Page 405 - 412)

COMMISSION BUSINESS

MATANUSKA-SUSITNA BOROUGH**Planning and Land Use Department**

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

Email: planning@matsugov.us**MEMORANDUM**

DATE: May 6, 2016

TO: Planning Commissioners

FROM: Eileen Probasco, Director of Planning and Land Use

SUBJECT: Items tentatively scheduled for future PC Meetings or Administrative Actions and Updates on PC items sent to the Assembly

June 6, 2016 (*MSB Assembly Chambers*)

Introduction for Public Hearing Quasi-Judicial*(None)***Introduction for Public Hearing Legislative***(None)***Agency/Staff Reports***(None)***Land Use Classifications***(None)***Public Hearing Quasi-Judicial**

- **Resolution 16-20**, A request for a Conditional Use Permit in accordance with MSB 17.70, Regulation of Alcoholic Beverages Uses, for the operation of a Liquor Package Store within a proposed convenience store, located on Lot 11, Hollywood Heights; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 24. (*Applicant: Three Bears Alaska, Inc., Staff: Susan Lee*)

Public Hearing Legislative*(None)***Unfinished Business***(None)***New Business***(None)***Commission Business**

Upcoming PC Actions

Quasi-Judicial

- Victor Damyan junkyard CUP, 17N02W27B006. (Staff: Susan Lee)
- Rocky Lake Setback Variance. (Applicant: Michael Solmonson, Staff: Mark Whisenhunt)
- Earth Materials Extraction CUP, 18N02W27D009. (Applicant: T&J Gravel, Staff: Susan Lee)
- Tews Junkyard CUP, 17N03W09A019 and A007. (Staff: Susan Lee)
- Burnett Variance. (Applicant: Stephen Spence, Staff: Susan Lee)
- Knik Super Store Package Store Expansion CUP. (Staff: Susan Lee)
- MTA Tall Structure CUP, 18N04W11A001. (Staff: TBD)

Legislative

- Title 17 Consolidation. (Staff: Eileen Probasco)
- Denali Hwy, MP 99, IMD, T19N, R2W. Section 10 & 15, FM. (Applicant: AKDOT, Staff: Susan Lee)

Other Upcoming Administrative Actions (Not going to the PC)

- Nash/Chijuk Creek NRMU Timber Transportation Permit. (Staff: Susan Lee)
- MEA Lazelle Substation into Herning Substation Public Participation Plan. (Staff: Susan Lee)
- Davis Legal Nonconforming Status Determination for a structure. (Staff: Susan Lee)
- Trapper Creek Bluegrass Festival Special Events Permit. (Staff: Susan Lee)
- QAP/Sandstrom Earth Materials Extraction Administrative Permit, 19N04W02B004. (Staff: Mark Whisenhunt)
- Minnick Earth Materials Extraction Administrative Permit. (Staff: TBD)
- Yundt Multifamily Application; 2795B01L007. (Staff: Mark Whisenhunt)
- Fairview Inn Temporary Noise Permit. (Staff: Susan Lee)

PC Decisions Currently Under Appeal

- **Resolution 15-01**, a resolution adopting findings of fact and conclusions of law to support the Planning Commissions failure to approve Resolution 14-33. (CMS appeal of BOAA decision to Superior Court on March 31, 2015)
- **Resolution 15-43**, a resolution adopting findings of fact and conclusions of law to support the Planning Commissions failure to approve Resolution 15-36, approving a set-back structure for a new building in Clester Extension. BOAA Appeal Hearing scheduled for April 25, 2016. BOAA affirmed the Planning Commission decision. (Staff: Susan Lee, Applicant: Ivan and Lynne Schuening)

Updates/Presentations/Work Sessions

- Planning Commission Powers (*Staff: Lauren Driscoll, Alex Strawn, and Assistant Borough Attorney*)

Updates on PC items going to the Assembly (Pending)

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-01 , A resolution recommending the Assembly approval of Ordinance Serial Number 16-003 Amending MSB 17.60 to include Permit Requirements and Standards for Marijuana Related Facilities, and Repealing Inapplicable Definitions. Referred to the Planning Commission on December 15, 2015, for 45 days. (<i>Staff: Alex Strawn</i>)		ORD # 16-003	IM # 16-029
Actions:	01/04/16 – PC Introduction 01/18/16 – PC Public Hearing – Amended/Approved 02/02/16 – Assembly New Business 03/01/16 – Assembly Public Hearing – Postponed until 03/15/16 03/15/16 – Assembly Public Hearing – Postponed until 04/05/16 04/05/16 – Unfinished Business – Referred back to MAC and PC For 90 days (07/04/16).		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-05 , A resolution recommending Assembly adoption of the Seldon Road Extension Corridor Access Management Plan. (<i>Staff: Mike Campfield</i>)		ORD # 16-__	IM # 16-__
Actions:	01/08/16 – PC Introduction 02/01/16 – PC Public Hearing – Approved		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-07 , A resolution recommending Assembly approval of an Interim Materials District (IMD), known as Alsop East; located on Tract A, Point MacKenzie Phase I Subdivision; within Township 15 North, Range 4 West, Section 27, Seward Meridian. (Staff: Susan Lee, Applicant: MSB Land Management)		ORD # 16-037	IM # 16-056
Actions:	02/01/16 – PC Introduction 03/07/16 – PC Public Hearing – Amended/Approved 04/05/16 – Assembly Introduction 04/19/16 – Assembly Public Hearing – Postponed to 05/17/16		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-13 , a resolution recommending the Assembly adopt MSB 8.41, Marijuana Related Facility License Referrals. Referred to the Planning Commission by the Assembly on February 16, 2016, and due back by May 16, 2016. (Staff: Alex Strawn)		ORD # 16-021	IM # 16-027
Actions:	03/07/16 – PC Introduction 03/21/16 – PC Public Hearing – Approved		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-14 , a resolution recommending Assembly approval to amend Ordinance MSB 15.24.030, adopting the MSB Metropolitan Planning Organization (MPO/) Self-Assessment Study. (Staff: Jessica Smith)		ORD # 16-__	IM # 16-__
Actions:	03/21/16 – PC Introduction 04/04/16 – PC Public Hearing – Approved		

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution 16-17 , a resolution recommending Assembly adoption of the Louise Susitna Tyone Lakes Comprehensive Plan Update previously known as the Lake Louise Comprehensive Plan. Public Hearing continued from April 4, 2016. (Staff: Sara Jansen)		ORD # 16-__	IM # 16-__
Actions:	03/21/16 – PC Introduction 04/18/16 – PC Public Hearing – Approved		

Updates on PC items going to the Assembly (Complete)

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
<p>Resolution 16-08, a resolution recommending Assembly approval of an Interim Materials District (IMD) in accordance with MSB 17.28 – Interim Materials District, for the extraction of 750,000 cubic yards of earth material from a 25-acre site within a 40-acre parcel, located within Township 17 North, Range 04 West, Section 25, Tax Parcel B19 (17N04W25B019) Seward Meridian. (<i>Staff: Mark Whisenhunt, Applicant: Happy Heairet</i>)</p>		<p>ORD # 16-049 ORD # 16-049 SUB (Supporting Denial of IMD)</p>	<p>IM # 16-076</p>
<p>Resolution 16-16, A resolution adopting findings of fact and conclusions to support denial of Resolution 16-08. <i>March 21, 2016, Failed</i></p>			
<p>Resolution 16-18, A resolution adopting findings of fact and conclusions to support denial of Resolution 16-08. <i>March 21, 2016, Approved.</i></p>			
<p>Actions:</p>	<p>03/07/16 – PC Introduction 03/21/16 – PC Public Hearing - Failed 04/19/16 – Assembly Introduction 05/03/16 – Assembly Public Hearing – Adopted ORD # 16-049 (SUB) Supporting Denial of IMD</p>		

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