



## **KENAI PENINSULA BOROUGH**

**Planning Department • Land Management Division**  
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**DAVID R. CAREY**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Milli Martin, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** *DMC* David R. Carey, Mayor  
*MB* Max Best, Planning Director

**FROM:** *MM* Marcus A. Mueller, Land Management Officer

**DATE:** June 4, 2009

**SUBJECT:** Ordinance 2009-34 amending KPB 17.10.180 to provide authority to permit temporary use of borough land for up to five years and to clarify the process for denial of permit applications

The land management division routinely issues land use permits under KPB 17.10.180 for a variety of temporary uses of borough land. Currently, the code restricts the term of such permits to a period of no longer than one year from the date of issuance. Some permitted land uses by their scope or nature extend beyond one year. In these cases, the permittee and the land management division must go through the permitting process annually to maintain the permissions granted. By extending the authority under KPB 17.10.180 to allow permits to be issued that last longer than one year, the land management division can better manage the land use permitting program while remaining consistent with the purpose of KPB 17.10.180. Allowing longer term permits will also save time and expenses incurred in processing new permits each year.

Additionally, it is in the best interest of the borough to clarify the process and basis upon which an application for temporary use permit may be denied.

Attached is a list of land use permits issued in recent years to provide additional background on the implementation of KPB 17.10.180.

A resolution to update the relevant fee schedules will be introduced concurrent with the hearing of this ordinance.

Your consideration of this ordinance is greatly appreciated.

**Land Management Project Log**

<b>LMD</b>	<b>Project</b>	<b>Permit Fees Waived</b>	<b>Type</b>
01-40	Applicant: Alex Kime, dba Alaskan Horsemen Trail Adventures Activities: Commercial horseback tours Location/Legal: Cooper Landing Area	No	Commercial / Recreation
02-21	Applicant: Ann Rodgers Activity: Seasonal use of Borough uplands and cabin during commercial fishing season Location/Legal: Portion of Govt. Lot 1, Sec. 27, T11N, R7W	No	Commercial / Fishing
03-10	Purpose: Use barge landing to load and unload equipment Applicant: Union Oil of California Location: Ladd Landing, Sec 20, T12N, R10W Legal Desc: Ladd Sub No 1, Tract A, AN89-104	No	Commercial / Barge Landing
04-15	Activities: Motor vehicle racing Applicant: Kenai Peninsula Racing Lions Location: Kenai, Parcel No. 041-030-35 & 38	No	Recreation / Sports
06-14	Document: Land Use Permit Applicant: DRven Corporation (PacRim Coal, LP) Activities: Environmental and engineering studies & investigations Location: West side of the Cook Inlet, area north of Ladd Landing	No	Commercial / Seismic
06-15	Applicant: Aurora Gas Activities: Upgrade existing road and access across KPB Lands Location: North of Shirleyville, near Congahbuna Lake	No	Commercial / Seismic
06-22	Applicant: Kachemak Nordic Ski Club Activities: Use and maintain ski trails, parking area, and portable toilet. Location: Baycrest, Lookout Mt., & McNeil Ski Trail Systems	No	Recreation
06-24	Applicant: Snug Harbor Seafoods, Inc. Activities: Stockpile wood chips Location: Arc Loop Area, Parcel 131-092-31	No	Commercial
06-25	Applicant: ConocoPhillips Alaska, Inc. Activities: Geophysical / seismic work Location: Beluga Area	No	Commercial / Seismic
07-11	Applicant: Veritas DGC Land, Inc. Activities: Seismic testing Location: Clam Gulch	No	Commercial / Seismic
07-23	Applicant: Fish & Chips Composting, Inc. Activities: Stockpiling wood chips and site preparation Location: Tract B, Arc Loop Sub (preliminary plat)	No	Commercial
08-04	Applicant: Tesoro Alaska Pipeline Company Activities: Construct ice road to valve station Location: Gray Cliff / Point Possession	No	Commercial
08-32	Applicant: Axtel Enterprises LLC / Walt Blauvelt Activities: Remove beetle killed tree for firewood Location: Happy Valley, Portion of Parcel 159-112-19	No	Commercial
08-44	Applicant: Ted Matthews, dba Specialty Land Clearing & Const. Activities: Remove beetle killed trees for firewood Location: South of Soldotna, Parcel 131-045-26	No	Commercial
09-04	Applicant: Verlin Shane Cottam, dba Stumpy's Tree Service Activities: Remove beetle killed trees for firewood Location: Nikiski, Parcel No. 014-150-27	No	Commercial
09-10	Applicant: Joseph Schwartz, dba Busy Berver Fire Wood Activities: Remove beetle killed trees for firewood Location: East End Road, Parcel No. 172-051-33	No	Commercial
09-12	Applicant: Bob Freeman, dba, Three Mile Creek Services, Inc. Activities: Storage of materials for Chevron Location: Beluga, Lot 1, Bk 1, Three Mile Creek Sub (21127001)	No	Commercial
04-67	Activities: Hazard Tree Mitigation Applicant: State of Alaska Location: Sunrise Area, 035-121-11 and 035-121-07	Yes	Community

### Land Management Project Log

LMD	Project	Permit Fees Waived	Type
06-16	Applicant: State of Alaska / UAF Activities: Install temporary seismic station Location Parcel No. 119-120-13	Yes	Community
06-19	Applicant: Aardvark Pumping, Inc. Activities: Soil/Groundwater investigation Location: Arc Loop Area	Yes	Commercial
06-21	Applicant: DEC Activities: Operate Air Quality Monitoring Trailer Location: Soldotna	Yes	Community
07-06	Applicant: Chugach Electric Association, Inc. Activities: Clear ROW of hazard trees Location: Hope / Sunrise Area	Yes	Commercial
07-24	Applicant: Chugach Electric Association Activities: Emergency Generation Site Location: Hope area Property Desc: Portion of Lot 1, U.S. Survey 4881	Yes	Commercial
08-02	Applicant: Snomads Snowmachine Club, Inc. Activities: Groom snowmachine trails Location: South Peninsula area	Yes	Recreation
08-06	Applicant: Chugachmiut Activities: Camp for firefighting crew Location: Buffer parcels across from Soldotna land fill. Parcels 131-640-03, 131-043-58	Yes	Community
08-10	Applicant: State of Alaska, Dept. of Fish and Game Activities: Install equipment to monitor stream crossings Location: Arc Loop area. Parcels 131-094-21, 22, 32.	Yes	Community
08-24	Applicant: Alaska Association of Conservation Districts Activities: Experimental program for the management of Reed Canary Grass Location: Arc Lake Loop area. Parcel 131-094-27, 131-092-38	Yes	Community
08-43	Applicant: L & J to benefit OSK's operations Activities: Clear trees for helicopter fly zone Location: Nikiski, Parcel 012-020-14	Yes	Miscellaneous
09-14	Applicant: Homer Soil & Water Conservation District Activities: Transport bridge across existing trail "Watermelon Trail" Location: Homer, Ohlson Mountain Rd.	Yes	Recreation